

# ENROLLMENT(S)

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# COUNCIL OF THE DISTRICT OF COLUMBIA

## NOTICE

### D.C. LAW 12-268

#### **"Equal Opportunity for Local, Small, and Disadvantaged Business Enterprises Act of 1998"**

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 "the Act", the Council of the District of Columbia adopted Bill 12-616 on first and second readings, December 1, 1998 and December 15, 1998, respectively. Following the signature of the Mayor on December 24, 1998, pursuant to Section 404(e) of "the Act", the bill became Act 12-580 and it was published in the February 5, 1999 edition of the D.C. Register (Vol. 46, page 969). The Act was transmitted to Congress on February 23, 1999 for a 30-day review, in accordance with Section 602(c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has expired, and the Act is now D.C. Law 12-268, effective April 27, 1999.



LINDA W. CROPP  
Chairman of the Council

#### Days Counted During the 30-day Congressional Review Period:

Feb. 23,24,25

Mar. 1,2,3,4,5,8,9,10,11,15,16,17,18,19,22,23,24,25

Apr. 12,13,14,15,19,20, 21,22,26

AN ACT

D.C. ACT 12-580

*Codification  
District of  
Columbia  
Code  
1999 Supp.*

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

DECEMBER 24, 1998

To establish new size standards for small business enterprise categories; require an assessment every 3 years of the continued need for the local, small, and disadvantaged programs; establish a 2 tier set-aside program for small business enterprises; establish affiliated interest standards for small and disadvantaged business enterprises; and amend the Minority Contracting Act of 1976, to authorize board member's participation at Local Business Opportunity Commission meetings by conference telephone.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Equal Opportunity for Local, Small, and Disadvantaged Business Enterprises Act of 1998".

*New  
Subchapter  
II-B,  
Chapter 11,  
Title 1*

Sec. 2. Definitions.

For the purpose of this act, the term:

*New Section  
1-1153.1*

(1) "Agency" means an agency, department, office, or instrumentality of the District of Columbia government.

(2) "Commission" means the District of Columbia Local Business Opportunity Commission established by section 4 of the Minority Contracting Act of 1976, effective March 29, 1977 (D.C. Law 1-95; D.C. Code § 1-1143).

(3) "Disadvantaged business enterprise" means a local business enterprise, or a business enterprise that has satisfied the requirements established in section 6(13), owned, operated, and controlled by economically disadvantaged individuals.

(4) "Economically Disadvantaged individual" means an individual whose ability to compete in the free enterprise system is impaired because of diminished opportunities to obtain capital and credit as compared to others in the same line of business where such impairment is related to the individual's status as "socially disadvantaged". An individual is "socially disadvantaged" if the individual has reason to believe the individual has been subjected to prejudice or bias because of his or her identity as a member of a group without regard to his or her qualities as an individual.

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(5) "Enterprise zone" means an area within the District for which an application for designation as an enterprise zone has been submitted to or has been designated by the United States Secretary of Housing and Urban Development as an enterprise zone pursuant to 42 U.S.C. § 11501 *et seq.*, or any similar area designated by the Mayor and Council under the provisions of the Economic Development Zone Incentives Amendment Act of 1998, effective October 20, 1998 (D.C. Law 7-177; D.C. Code § 5-1401 *et seq.*).

(6) "Joint venture" means a combination of property, capital, efforts, skills or knowledge of 2 or more persons or businesses to carry out a single project.

(7) "Local business enterprise" means a business enterprise that is licensed pursuant to Chapter 28 of Title 47 or subject to the tax levied under subchapter X of Chapter 18 of Title 47 and with its principal office located physically in the District of Columbia.

(8) "Owned, operated, and controlled" means a business enterprise that is one of the following:

(A) A sole proprietorship owned, operated or controlled by a District resident;

(B) A partnership, joint venture, or corporation owned, operated, or controlled by one or more District residents who own at least 51% of the beneficial ownership interests in the enterprise and who also hold at least 51% of the voting interests of the enterprise; or

(C) A sole proprietorship, partnership, joint venture or corporation that may be owned, operated and controlled by a non-resident of the District when one of the following factors is met:

- (i) The majority of enterprise's employees are District residents;
- (ii) The majority of total sales or other revenues of the enterprise are derived from the transaction of business in the District of Columbia; or
- (iii) The enterprise is a local business enterprise as defined in this act.

(9) "Small business enterprise" means a local business enterprise, or a business enterprise that has satisfied the requirements established in section 6(13), which is independently owned, operated and controlled and which has had average annualized gross receipts or average numbers of employees for the 3 years preceding certification not exceeding the following limits:

Construction:

Heavy (Street and Highways, Bridges, etc.)	\$ 23 million
Building (General Construction, etc.)	\$ 21 million
Specialty Trades	\$ 13 million
Goods and Equipment	\$ 8 million
General Services	\$ 19 million

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Professional Services:	
Personal (Hotel, Beauty, Laundry, etc.)	\$ 5 million
Business Services	\$ 10 million
Health and Legal Services	\$ 10 million
Health Facilities Management	\$ 19 million
Manufacturing Services	\$ 10 million
Transportation and Hauling Services	\$ 13 million
Financial Institutions	\$300 million

"(c) Every 3 years following the effective date of this act, the Commission shall submit to the Mayor and Council the results of an independent evaluation of the local, small, and disadvantaged business enterprise programs. The evaluation shall compare the costs of contracts awarded pursuant to this act to the cost of contracts awarded without use of the set-asides and bid preferences authorized by this act. The evaluation shall also compare economic outcomes such as revenue, tax payments, and employment of District residents for local, small, and disadvantaged business enterprises certified by the Commission to economic outcomes for similar firms that are not certified by the Commission."

Sec. 3. District government contracting with local business enterprises; quarterly agency reports on contracts; Council review of goals. New Section  
1-1153.2

(A) Each agency of the District, including those agencies that contract a portion of their procurement through the Office of Contracting and Procurement unless otherwise determined by the Commission, shall:

(1) Allocate its construction contracts in order to reach a goal of 50%, or such other goal as may be determined by the Commission under the provisions set forth below, of the dollar volume of all construction contracts to be let to small business enterprises;

(2) Allocate its procurement of goods and services, other than construction, in order to reach the goal of 50%, or such goal as may be determined by the Commission under provisions set forth in section 4, of the dollar volume to small business enterprises;

(3) Allocate 5% of its contracts to prime contractors that agree to subcontract a portion of the contract work with local or disadvantaged business enterprises; and

(4) Provide quarterly reports to the Commission within 30 days after the end of a quarter specifying with respect to the contracts and subcontracts subject to the provisions of this section:

(A) The means by which it intends to implement the programs provided in section 4 during the next 12 months;

(B) The dollar percentage of all contracts and subcontracts it has awarded during the quarter which were awarded to local business enterprises, disadvantaged business enterprises, and small business enterprises;

(C) The dollar volume of contracts and subcontracts let during the quarter to local business enterprises, disadvantaged business enterprises, and small business enterprises; and

(D) A description of its past and current activities under section 5 4.

(b) Upon receipt of the semi-annual report from the Commission, the Council shall review the goals set forth under this section and consider appropriate amendments to this act. Every 3 years following the effective date the Equal Opportunity for Local, Small, and Disadvantaged Business Enterprises Act of 1998, the Council shall also review the goals, intent, and purpose of this act to assess the continued need for the local, small and disadvantaged business enterprise programs.

Sec. 4. Assistance programs for local business enterprise contractors, disadvantaged business enterprise contractors, and small business enterprise contractors.

New Section  
1-1153.3

(a) To achieve the goals set forth in section 3, programs designed to assist contractors who are certified as local business enterprises, disadvantaged business enterprises, or small business enterprises shall be established by rules issued by the Mayor pursuant to section 7. Such programs shall be implemented by each agency within 10 days of March 17, 1993. Local, small, or disadvantaged business enterprises shall not be limited to bidding only on contracts within these programs.

(b)(1) The Mayor shall include among these programs a bid preference mechanism for local business enterprises and disadvantaged business enterprises and a two-tier small business set-aside program at the contract level, which shall include a separate set-aside program for small business enterprises with gross revenues of \$1,000,000 or less, which shall provide that a business becomes ineligible for participation in this set-aside program when the business has gross revenues in excess of \$1,000,000 for 2 consecutive years, and a separate set-aside program for all small business enterprises, and for local and disadvantaged business enterprises at the subcontracting level. In evaluating bids and proposals, agencies shall award preferences, in the form of points, in the case of proposals, or a percentage reduction in price, in the case of bids, as follows:

(A) Five points or 5% for local business enterprises;

(B) Five points or 5% for disadvantaged business enterprises; and

(C) Two points or 2% for businesses located in enterprise zones.

(2) A bid or proposal may be entitled to any or all of the above preferences for which it is qualified.

(c) A prime contractor certified by the Commission shall perform at least 50% of the contracting effort, excluding the cost of materials, goods, and supplies, with its own organization and resources, and if it subcontracts 50% of the subcontracted effort excluding the cost of materials, goods, and supplies shall be with certified local, disadvantaged, or small business enterprises. The contract will include a certified statement to this effect. Waivers of

the above requirements may be given in writing by the Director of the Local Business Development Administration.

(d) For construction contracts of up to \$1 million, a prime contractor certified by the Commission shall perform at least 50% of the on-site work with its own work force, excluding the cost of materials, goods, supplies, and equipment, and, if it subcontracts, 50% of its subcontracts, excluding the cost of materials, goods, supplies and equipment, shall be with certified local, small, or disadvantaged business enterprises. The bid document shall contain a certification form to be signed by all bidders to this effect. Waivers of the above requirements may be given in writing by the contracting officer but only with the written approval of the Director of the Local Business Development Administration.

**Sec. 5. Certificate of registration.**

New Section  
1-1153.4

(a) Notwithstanding any other provisions of law, no enterprise shall be permitted to participate in the program established under section 4 unless the enterprise has been issued a certificate of registration under the provisions of this act or has self-certified pursuant to regulations issued pursuant to this act. Eligibility criteria for certification under this act shall include the following:

- (1) Written evidence that the applicant is:
  - (A) A bona fide local business enterprise;
  - (B) A bona fide disadvantaged business enterprise;
  - (C) A bona fide small business enterprise; or
  - (D) A bona fide local business enterprise located in an enterprise zone;
- (2) Compliance with the regulations set forth in subsection (b) of this section;

and

(3) Fulfillment of such other criteria as the Commission may require by regulation.

(b) Any enterprise seeking to be registered as a local business enterprise, a disadvantaged business enterprise, or a small business enterprise in the District shall make and file with the Commission a written application as may be prescribed, which shall include a certification of the correctness of the information provided. The applicant shall be required to furnish evidence of eligibility, ability, character, and financial position, which may be the applicant's most recent financial statement. For purposes of this act, the term "recent" means produced from current data no more than 90 days prior to the application date. If the information provided in the application submitted is satisfactory to the Commission, the Commission shall issue the applicant a certificate of registration to engage in the programs established under section 4 .

(c) A certificate of registration shall expire 2 years from the date of approval of the application.

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(d) The Commission may revoke or suspend the certificate of registration of any enterprise registered who is found guilty of any of the following conditions:

- (1) Fraud or deceit in obtaining the registration;
- (2) Furnishing of substantially inaccurate or incomplete ownership or financial information;
- (3) Failure to report changes that affect the requirement for certification;
- (4) Gross negligence, incompetence, financial irresponsibility, or misconduct in the practice of a trade or profession; or
- (5) Willful violation of any provision of this act or rules adopted pursuant to this act.

(e) Any person may file with the Commission a complaint alleging a violation of this act against any applicant for registration or contractor registered pursuant to this act. The complaint shall be in writing and sworn to by the complainant. The Commission may, without a hearing, dismiss a complaint which is frivolous or otherwise without merit. Any hearing shall be heard within 3 months of the filing of the complaint. The Commission shall determine the time and place of the hearing. The Commission shall cause to be issued and served on the person or organization alleged to have committed the violation, hereafter called the respondent, a written notice of the hearing together with a copy of the complaint at least 30 days prior to the scheduled hearing. Notice shall be served by registered or certified mail, return receipt requested, or by personal service. At the hearing the respondent shall have the right to appear personally or by a representative and to cross-examine witnesses and to present evidence and witnesses. The Commission shall have authority to issue subpoenas requiring the attendance of witnesses and to compel the production of records, papers, and other documents. If, at the conclusion of the hearing, the Commission determines that the respondent has violated the provisions of this act, the Commission shall issue, and cause to be served on the respondent, a decision and order, accompanied by findings of fact and conclusions of law, requiring the respondent's registration to be revoked or suspended, or take any other action as it deems appropriate.

(f) In addition to the penalties provided in subsection(e) of this section, the Corporation Counsel may bring a civil action in the Superior Court of the District of Columbia against a business enterprise and the directors, officers, or principals that is reasonably believed have obtained certification by fraud or deceit or have furnished substantially in accurate or incomplete ownership information to the Commission. A business enterprise or individual found guilty under this subsection shall be subject to a civil penalty of not more that \$100,000.

(g) The Commission may at any time reissue a certificate of registration to any firm or joint venture whose certificate has been revoked, provided 4 or more members of the Commission vote in favor of reissuance. The Commission may consider whether the firm should be required to submit satisfactory proof that conditions within the company which led to the violation have been corrected.



Sec. 6. Functions of the Commission.

The Commission shall:

- (1) Establish procedures and guidelines for the implementation of the programs established pursuant to this act;
- (2) Determine which local business enterprises, disadvantaged business enterprises, small business enterprises, or joint ventures will be eligible for certification under this act and establish criteria to identify those enterprises and joint ventures which will be given priority consideration for government contracts;
- (3) Review the procurement plans of each agency of the District government and determine, if it deems appropriate, which contracts, or parts thereof, shall be reserved for the programs established under section 4 . Where an agency has failed to meet the goals set forth in section 3 , the Commission shall reserve portions of the agency's contracts to be performed in accordance with the programs established under section 4 , so that agency's failings shall be timely remedied;
- (4) Consider an agency request for adjustment of goals in particular instances, provided, that the Commission report to the Mayor and the Council, on a semi-annual basis, recommendations for changes of the goals under section 3 , on a agency basis if appropriate, and accompanied by necessary supporting data;
- (5) Determine that portion of the dollar amount of a joint venture which may be attributed toward an agency's percentage goal;
- (6) Recommend that an agency waive bonding in excess of the standard waiver provided in section 1 of An Act To require that contracts for construction, alteration, or repair of any public building or public work of the District of Columbia be accompanied by a performance bond protecting the District of Columbia and by an additional bond for the protection of persons furnishing material and labor, and for other purposes, approved August 3, 1968 (82 Stat. 628; D.C. Code § 1-1104), and An Act In relation to contracts with the District of Columbia, approved June 28, 1906 (34 Stat. 546; D.C. Code § 1-1107), where such a waiver is appropriate and necessary to achieve the purposes of this act;
- (7) Recommend that an agency make advance payments to a certified contractor or to subdivide a contract into smaller parts where the Commission has determined that such payments or such subdivisions are necessary to achieve the purposes of this act. Subdivisions may be recommended in order to fall within the \$100,000 bond exemption provided by An Act In relation to contracts with the District of Columbia, approved June 228, 1906 (34 Stat. 546; D.C. Code § 1-1107), where feasible;
- (8) Review bids in the small business enterprise set-aside arrangements established under section 4 and may authorize agencies to refuse to let a contract where the Commission determines that bids for a particular contract are excessive;

(9) Maintain contacts with the business community, including financial institutions and bonding companies, and elicit cooperation for economic development in the District;

(10) Review contracting problems and make further recommendations that increase small, local, and disadvantaged contractor participation with the District government. Recommendations shall include, but not be limited to, improved schedules that ensure prompt payment to contractors, special geographic radii requirements on certain contracts, innovative contract advertising procedures, the encouragement of joint ventures, and advising the Mayor on methods to be utilized to ensure participation;

(11) Review and determine the continued eligibility of contractors certified by the Commission;

(12) Insert in bid solicitations for procurement of property or services, a provision limiting advance or progress payments to local, small, and disadvantaged business enterprises, to provide that payments may not exceed the unpaid contract price;

(13) Determine that a small or disadvantaged business enterprise without a principal office located physically in the District is a small or disadvantaged business enterprise, if the business enterprise meets 4 of the following criteria:

(A) The principal office of the business is located in the Washington Standard Metropolitan Statistical Area;

(B) More than 50% of the assets of the business are located in the District;

(C) More than 50% of the employees of the business are residents of the District;

(D) The owners of more that 50% of the business are residents of the District;

(E) More than 50% of the total sales or other revenues are derived from the transactions of the business in the District.

(14) Determine according to rules adopted by the Mayor that a small business enterprise affiliated with other business enterprises through common ownership, management, or control is a small enterprise if:

(A) The consolidated financial statements of the affiliated companies do not exceed the limits established by section 2(9); and

(B) In the event of a parent-subsidary affiliation, the parent company qualifies for certification as a small business;

(15) Determine according to rules adopted by the Mayor that a disadvantaged business enterprise affiliated with other business enterprises through common ownership, management, or control is a disadvantaged business enterprise, provided that, in the event of a parent-subsidary affiliation, both enterprises meet the requirements of section 2(3); and

**ENROLLED ORIGINAL**

(16) Whenever a small business enterprise is affiliated with a business that is in a different line of business, paragraph (14) of this subsection shall not be applicable, and such affiliates shall be eligible for certification as a small business enterprise if it meets the requirements of section 2(9).

**Sec. 7. Rules.**

**New Section  
1-1153.6**

The Mayor shall issue rules to implement this act, including rules that establish a procedure to provisionally certify, self-certify, or to challenge the certifications that a business enterprise is a small, local, or disadvantaged business enterprise.

**Sec. 8. Section 5 of the Minority Contracting Act of 1976, effective March 29, 1977 (D.C. Law 1-95; D.C. Code § 1-1144), is amended as follows:**

**Section  
1-1144**

(a) The last sentence in subsection (c) is amended by striking the phrase “those present” and inserting the phrase “ the members participating at the meeting” in its place.

(b) A new subsection (c-1) is added to read as follows:

“(c-1) The commission may permit members to participate in meetings for the certification of joint ventures by means of a conference telephone, interactive conference video, or other similar communications equipment when it is otherwise difficult or impossible for the members to attend the meeting in person, provided that each member participating by such device can be identified when speaking, all participants are able to hear each other at the same time, and members of the public attending the meeting are able to hear any member of the Commission who speaks during the meeting”.

**Sec. 9. Fiscal impact statement.**

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Code § 1-233(c)(3)).

**Sec. 10. Applicability date.**

This act shall apply as of December 11, 1998.

**New Section  
1-1153.7**

**Sec. 11. Effective date.**

This act shall take effect following approval by the Mayor (in the event of veto by the Mayor, action by the Council to override the veto), approval by the Financial Responsibility and Management Assistance Authority as provided in section 2203(a) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995, approved April 17, 1995 (109 Stat. 116; D.C. Code § 47-392.3(a), a 30-day period of Congressional review as provided in

# **Fiscal Impact Statement**

## **Equal Opportunity for Local, Small, and Disadvantaged Business Enterprises Amendment Act of 1998**

**Bill 12-616**



**Prepared by  
The Office of the Chief Financial Officer**

**September 30, 1998**

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1. **SPONSOR:** Chairman Cropp at the request of the Mayor
  2. **BILL:** No. 12-616
  3. **TITLE:** Equal Opportunity for Local, Small, and Disadvantaged Business Enterprises Amendment Act of 1998

**4. OVERVIEW:**

This legislation would provide guidelines for use by District government agencies in awarding or doing business with small, local or disadvantaged businesses. It establishes a three-year assessment by the Council, based on information received from the District of Columbia Local Business Opportunity Commission ("Commission"), on the need for local, small and disadvantaged business enterprise programs. It establishes regulations, bid preference mechanisms, set aside programs and contract participation guidelines for local, disadvantaged and small business enterprise contractors. It establishes criteria for certifying firms. Finally, it establishes procedures and guidelines for actions of the Commission and authorizes telephone participation in meetings by members of the Commission.

**5. FISCAL IMPACT:**

**A. Summary**

The legislation provides for an increase in the average annualized gross receipts a business may have and still meet the threshold to become certified. This will likely result in more businesses becoming certified as a local, small or disadvantaged business.

In FY 1997, the District paid approximately \$10.2 million more for goods and services than it would have been the case in the absence of the preferences provided by this bill. The Office of Local Business Development Administration, the agency that implements the District's preference system, states that benefits resulting from preferences justify the \$10.2 million cost. The Office of Tax and Revenue is unable to quantify the actual benefits received by the District as a result of the set-aside program.

**B. Expenditure Statement**

The Chief Procurement Officer (“CPO”) has indicated that the average percentage price reduction received by an LSBDE supplier is 7%. Human Rights and Economic Development has indicated total district-wide contracts awarded are projected to be \$67,000,000 in FY 1998 based on third quarter figures. Projections for FY 1999 and the two out-years of FY 2000 and FY 2001 cannot be quantified. The CPO has indicated that over \$145,000,000 in purchases were made from LSD’s in FY 1997. The District has no other historical data. However, as an example one might conservatively adopt the CPO’s figure and assume a five million-dollar increase in contract awards to LSDBE’s per year. Over a three-year period of time, the expenditure impact would be \$31,500,000 as seen below. This figure represents what the District might spend over and above a contracting process not subject to the proposed legislation.

**Example**

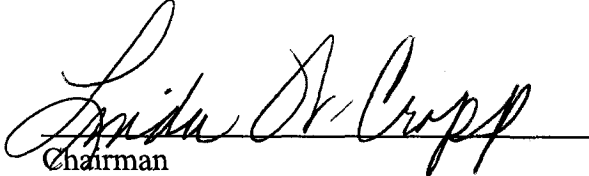
<b>Fiscal Year</b>	<b>FY 1999</b>	<b>FY 2000</b>	<b>FY 2001</b>
<b>Total Contract Dollars</b>	<b>\$145,000,000</b>	<b>\$150,000,000</b>	<b>\$155,000,000</b>
<b>Set-aside Percentage</b>	<b>7%</b>	<b>7%</b>	<b>7%</b>
<b>Expenditure Impact</b>	<b>\$10,150,000</b>	<b>\$10,500,000</b>	<b>\$10,850,000</b>


**C. Revenue Statement**

This legislation, as written, is not expected to have an impact on revenues. Over time, a set-aside program would result in increased District revenues if, relative to firms that would otherwise be awarded contracts, set-aside firms are owned by District residents, hire District residents, buy from District suppliers, or contribute to the creation of “critical mass” of firms that will further stimulate the economy. The studies of set-aside firms that have been done indicate that the firms have hired a majority of their staff for city projects from the District of Columbia. They have also made use of the District’s merchants and service providers to support activities pertaining to the completion of District contracts. However, the revenue impact from the set-aside program cannot be quantified.

**ENROLLED ORIGINAL**

section 6022(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat.813; D.C. Code § 1-233(c)(1), and publication in the District of Columbia Register.

  
Chairman  
Council of the District of Columbia

  
Mayor  
District of Columbia

Approved: December 24, 1998



COUNCIL OF THE DISTRICT OF COLUMBIA

COUNCIL PERIOD TWELVE

RECORD OF OFFICIAL COUNCIL VOTE

B12-616

Docket No.

ITEM ON CONSENT CALENDAR

ACTION & DATE

ADOPTED FIRST READING, 12-01-98

VOICE VOTE RECORDED VOTE ON REQUEST

APPROVED

ABSENT

ALL PRESENT

ROLL CALL VOTE - Result

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Cropp					Chavous					Schwartz				
Allen					Evans					Smith, Jr.				
Ambrose					Jarvis					Thomas, Sr.				
Brazil					Mason									
Catania					Patterson									

X - Indicates Vote

AB - Absent

NV - Present not Voting

CERTIFICATION RECORD

*Charles J. ...*  
Secretary to the Council

*December 17, 1998*  
Date

ITEM ON CONSENT CALENDAR

ACTION & DATE

ADOPTED FINAL READING, 12-15-98

VOICE VOTE RECORDED VOTE ON REQUEST

APPROVED

ABSENT

THOMAS

ROLL CALL VOTE - Result

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Cropp					Chavous					Schwartz				
Allen					Evans					Smith, Jr.				
Ambrose					Jarvis					Thomas, Sr.				
Brazil					Mason									
Catania					Patterson									

X - Indicates Vote

AB - Absent

NV - Present not voting

CERTIFICATION RECORD

*Charles J. ...*  
Secretary to the Council

*December 17, 1998*  
Date

ITEM ON CONSENT CALENDAR

ACTION & DATE

VOICE VOTE RECORDED VOTE ON REQUEST

ABSENT

ROLL CALL VOTE - Result

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Cropp					Chavous					Schwartz				
Allen					Evans					Smith, Jr.				
Ambrose					Jarvis					Thomas, Sr.				
Brazil					Mason									
Catania					Patterson									

X - Indicates Vote

AB - Absent

NV - Present not Voting

CERTIFICATION RECORD

Secretary to the Council

Date