

**Council of the District of Columbia**  
**COMMITTEE ON BUSINESS AND ECONOMIC DEVELOPMENT**  
**MEMORANDUM**

1350 Pennsylvania Avenue, NW, Washington, D.C. 20004

---

**TO:** Chairperson Phil Mendelson  
**FROM:** Councilmember Kenyan R. McDuffie   
**RE:** Request to Agendize Measures for the October 4, 2022, Legislative Meeting  
**DATE:** September 29, 2022

---

I write to request that the following measures be placed on the agenda for the October 4, 2022, Legislative Meeting:

Emergency and Temporary Legislation

- **“Fair Meals Delivery Emergency Declaration Resolution of 2022”**
- **“Fair Meals Delivery Emergency Act of 2022”**
- **“Fair Meals Delivery Temporary Act of 2022”**

As a result of the public health emergency brought on by the COVID-19 pandemic, restaurants began operating at limited capacity. The public health emergency forced many consumers to order more take-out meals from their homes using websites, mobile applications, or other internet services. Many times, the websites, mobile applications, or other internet services are not operated by restaurants but rather by a third-party meal delivery platform. As a matter of principle, a restaurant should know who or what third-party meal delivery platform is providing meal-delivery services of food from its restaurant.

Last year, the Council twice enacted emergency and temporary legislation that addressed this issue. The Fair Meals Delivery Second Temporary Act of 2021 expires on October 13, 2022. The Fair Meals Delivery Act (permanent measure) has not yet completed the legislative process and will not become law before the expiration of the temporary legislation. Accordingly, it is important to keep the provisions of the temporary law in effect, without interruption, until the permanent measure is law.

- **“Medical Marijuana Plant Count Elimination Emergency Declaration Resolution of 2022”**
- **“Medical Marijuana Plant Count Elimination Emergency Amendment Act of 2022”**
- **“Medical Marijuana Plant Count Elimination Temporary Amendment Act of 2022”**

The Legalization of Marijuana for Medical Treatment Initiative of 1999 effective July 27, 2010 (D.C. Law 18-210; D.C. Official Code § 7-1671.06) (“Medical Marijuana Act”), established a medical cannabis program in the District. Pursuant to the Medical Marijuana Act, the Department of Health can register qualifying patients to receive access to medical cannabis without fear of government sanction, to the extent possible without a change in federal laws.

Last year, the Council passed emergency and temporary legislation repealing the existing law which limited the number of plants that a cultivation center may grow (the “plant count limit”) to 1,000. The plant count limit originally was 95; the Council raised the limit to 500 plants in 2014 and to 1,000 in 2016. The temporary legislation expires on October 23, 2022; the absence of a continuing emergency and temporary bill would erroneously reinstate the previous arbitrary 1,000 plant count limit. To prevent a shortage of products available to District residents and the proliferation of an underground market, it is urgent that the Council enact another round of emergency and temporary legislation.

- **“Spice Suite Grant Establishment Emergency Declaration Resolution of 2022”**
- **“Spice Suite Grant Establishment Emergency Act of 2022”**
- **“Spice Suite Grant Establishment Temporary Act of 2022”**

These measures would give the Office of the Deputy Mayor for Planning and Economic Development limited grant-making authority to provide a grant to The Spice Suite LLC to support its business expansion efforts. The Spice Suite was one of the first recipients of the District of Columbia’s historic Commercial Property Acquisition Fund – established by Council as part of the FY22 budget. The Spice Suite is 70% finished with the build out of its new site in Ward 5. The requested authority is needed to help the business timely finalize necessary improvements and work required by the District government.

Emergency Legislation on Behalf of the Deputy Mayor for Planning and Economic Development

- **“New Communities Initiative Bond Issuance Emergency Declaration Resolution of 2022”**
- **“New Communities Initiative Bond Issuance Emergency Approval Resolution of 2022”**

This measure would approve the issuance and sale of income tax secured bonds (ITSB) or notes in an aggregate principal amount not to exceed \$47,831,185 to assist in financing, refinancing, making of loans for, or reimbursing eligible costs of New Communities Initiative projects. This amount of funds is reflected in the Office of the Deputy Mayor for Planning and Economic Development’s (DMPED) approved ITSB budget. Bond issuance authority is necessary for DMPED to utilize the funding. Emergency action is necessary to ensure that the District can issue bonds or notes in a timely manner and ensure continued progress on the New Communities Initiative projects.

Congressional Review Emergencies

- **“Children’s National Hospital Research and Innovation Campus Equitable Tax Relief Congressional Review Emergency Declaration Resolution of 2022”**
- **“Children’s National Hospital Research and Innovation Campus Equitable Tax Relief Congressional Review Emergency Amendment Act of 2022”**

In July, the Council enacted the Children’s National Hospital Research and Innovation Campus Equitable Tax Relief Emergency Amendment Act of 2022. The complementary temporary measure was later enacted last month. The measures clarify the requirements associated with a real property tax exemption for Lots 824 and 826 in Square 2950 provided to assist Children’s National Hospital (Children’s) with the development of its Research and Innovation Campus at Walter Reed. The clarification was needed to ensure that Children’s did not lose its real property tax exemption and could timely complete the development of its Research and Innovation Campus.

Given that the emergency act expires on October 25<sup>th</sup> and the temporary act must complete the legislative process, including the 30-day Congressional review period, before becoming law, it is vital that the provisions of the emergency act continue until the temporary act is in effect.

- **“Credit for Reinsurance Congressional Review Emergency Declaration Resolution of 2022”**
- **“Credit for Reinsurance Congressional Review Emergency Amendment Act of 2022”**

The Credit for Reinsurance Amendment Act of 2022, passed on second reading on September 20, 2022. Yet, the permanent measure has not yet completed the legislative process, including the 30-day Congressional review period. Additionally, the emergency act expires on October 25, 2022. The permanent bill amends the Credit for Reinsurance Amendment Act of 1993 to incorporate recent National Association of Insurance Commissioners (NAIC) accreditation requirements to allow insurers to receive credit when reinsurance is ceded to an assuming insurer under certain conditions and grant the DISB Commissioner additional rulemaking authority. Because it is critical for the District of Columbia to maintain its NAIC accreditation and sovereignty over its insurance regulations to protect residents from unscrupulous insurance practices, Council approval of this congressional review emergency is necessary.

Emergency Contract on Behalf of the Washington Convention and Sports Authority

- **“City Security Consultants, Inc. Option Year Four Emergency Declaration Resolution of 2022”**
- **“City Security Consultant, Inc. Option Year Four Emergency Act of 2022”**

This measure would approve funding for Option Year Four of a 2018 security contract between the Washington Convention and Sports Authority and City Security Consultants, Inc (CSCI). The approximately \$1.3 million contract requires emergency action to prevent disruption of CSCI’s security services at the Entertainment and Sports Arena, Gateway DC, and the R.I.S.E. Demonstration Center, given several events scheduled in the coming weeks and months at the St. Elizabeths East campus considering recent security incidents on and around the campus.

Ceremonial Resolution

- **“Herman “Rip” Preston Recognition Resolution of 2022”**

This ceremonial resolution recognizes Command Sergeant Major Herman “Rip” Preston on occasion of his 74<sup>th</sup> birthday. CSM Preston was drafted into the Army in 1968, enlisted in the D.C. National Guard in 1978, and served as the Command Sergeant Major for the 74<sup>th</sup> Troop Command. CSM earned numerous distinctions during his career including the Army Commendation Medal and recently retired as the Director of D.C. Government operations for the D.C. National Guard. CSM Preston has served the District of Columbia government for more than 40 years.

The draft measures along with their supporting materials are attached. Feel free to contact Committee Director Alicia DiFazio, at [adifazio@dccouncil.us](mailto:adifazio@dccouncil.us), with any questions.

Thank you for your consideration of this request.

cc: Members, Council of the District of Columbia  
 Office of the Secretary  
 Office of the General Counsel  
 Office of the Budget Director