


**Council of the District of Columbia**

**MEMORANDUM**

1350 Pennsylvania Avenue, NW, Washington, DC 20004

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**TO:** Chairman Phil Mendelson  
**FROM:** Councilmember Charles Allen   
**RE:** Request to Agendize Measures for the December 17, 2024 Additional Meeting  
**DATE:** December 12, 2024

I request that the following measures be placed on the agenda for the December 17, 2024 Legislative Meeting:

**Emergency Legislation Introduced at the Request of the Mayor**

- “Climate Commitment Clarification Emergency Declaration Resolution of 2024”
- “Climate Commitment Clarification Emergency Amendment Act of 2024”
- “Climate Commitment Clarification Temporary Amendment Act of 2024”

Section 109e of the District Department of the Environment Establishment Act of 2005 (“Act”) prohibits the District government from installing “space- or water-heating appliances that rely on the combustion of natural gas, oil, or other fossil fuels at the site of the appliance, except in cases where compliance with this paragraph would be technically infeasible,” in District-owned buildings.

The Executive’s current interpretation of the Act is that it prohibits the District government from repairing, reconstructing, or replacing components or units of existing space heating and cooling or water heating systems that rely on the combustion of fossil fuels.” The Executive estimates that there are 162 boiler systems managed by the Department of General Services in approximately 117 District of Columbia Public Schools locations. There are also 33 boiler systems in properties managed by Department of Parks and Recreation, 10 in Department of Human Services properties, 22 in Fire and Emergency Services properties, 20 in Metropolitan Police Department properties, and 28 across the municipal cluster. If the Council does not clearly allow system maintenance, residents will be at risk of extremely cold temperatures for living, working, and learning during winter.

I plan to work with the Executive in the new year on a permanent solution that preserves the Act’s original intent. However, for the time being, emergency legislation is necessary to clarify that the District government can repair, reconstruct, or replace components or units of fossil fuel-based space heating and cooling or water heating systems during winter.

Copies of these measures are attached. Please contact Kevin Whitfield, Committee Director, at [kwhitfield@dccouncil.gov](mailto:kwhitfield@dccouncil.gov) with any questions.

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