



**COUNCIL OF THE DISTRICT OF COLUMBIA**

**RULES OF ORGANIZATION AND PROCEDURE FOR THE  
COMMITTEE ON FACILITIES AND PROCUREMENT**

**COUNCIL PERIOD 23**

**Councilmember Robert C. White, Jr., Chairperson**  
*Adopted January 15, 2019*

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## **ARTICLE I – DEFINITIONS**

### **Sec. 101. Definitions.**

Except as otherwise provided by these rules, the definitions contained in Rule 101 of the Rules of Organization and Procedure for the Council of the District of Columbia, Council Period 23, are incorporated by reference.

For purposes of these rules, the term:

- (1) “Chairperson” means the Chairperson of the Committee on Facilities and Procurement.
- (2) “Committee” means the Committee on Facilities and Procurement.
- (3) “Committee Rules” means the Rules of Organization and Procedure for the Committee on Facilities and Procurement, Council Period 23.
- (4) “Council Rules” means the Rules of Organization and Procedure for the Council of the District of Columbia, Council Period 23.
- (5) “Member” means a member of the Committee.
- (6) “Quorum” means 3 Members of the Committee, except as provided in section 601(d).
- (7) “Bill or proposed resolution under the jurisdiction of the Committee” means any measure, including emergency, temporary, or contract legislation, that has been officially referred to the Committee, has been retained by the Council with comments to be provided by the Committee, or concerns a matter or agency under the jurisdiction of the Committee as set forth in Council Rule 231.
- (8) “Independent agency” includes any agency, entity, board, commission, or independent agency of the Executive Branch.
- (9) “Testimony” means an oral or written statement submitted to the Committee on Facilities and Procurement with knowledge or intent that it will be added to the record.
- (10) “Witness” means a person who shall appear or is appearing before the Committee, whether voluntarily or by mandatory process.

## **ARTICLE II – JURISDICTION OF THE COMMITTEE**

### **Sec. 201. Matters Under the Purview of the Committee.**

The Committee on Facilities and Procurement is responsible for government procurement; maintenance of public buildings and property management, including the declaration of government property as no longer required for public purposes; matters regarding Advisory Neighborhood Commissions; and matters regarding returning citizens.

### **Sec. 202. Agencies Under the Purview of the Committee.**

The following agencies come within the purview of the Committee on Facilities and Procurement:

- Advisory Neighborhood Commissions
- Contract Appeals Board
- Commission on Re-Entry and Returning Citizen Affairs
- Department of General Services
- Office of Contracting and Procurement
- Office on Returning Citizen Affairs

## **ARTICLE III – ORGANIZATION OF THE COMMITTEE**

### **Sec. 301. Chairperson.**

The Chairperson shall be the presiding officer of the Committee. The Chairperson may designate a Member to act as temporary Chairperson when the Chairperson is absent or recuses himself or herself from Committee business.

### **Sec. 302. Committee Staff.**

(a) Committee Director. The Chairperson shall appoint a Committee Director with the approval of the Committee, pursuant to section 406(b)(3)(B) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 8, 1979 (D.C. Law 2-139; Official Code § 1-604.06(b)(3)(B)). The Committee Director shall be the secretary and chief administrative officer of the Committee, shall keep records of meetings and Committee business, and shall perform other administrative, legislative, and policy functions assigned by the Committee Rules or the Chairperson.

(b) Additional Staff. The Chairperson may appoint additional staff, subject to the approval of the Committee, pursuant to section 406(b)(3)(B) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 8, 1979 (D.C. Law 2-139; Official Code § 1-604.06(b)(3)(B)). The additional staff shall perform administrative, legislative, and policy duties as assigned by the Chairperson or the Committee Director.

(c) Additional Persons. Additional persons may be retained by the Committee, without compensation, with the approval of the Chairperson

(d) Staff Assignments, Removals, and Remuneration. Committee staff assignments, removals, and remuneration shall be determined by the Chairperson.

## **ARTICLE IV – COMMITTEE MEETINGS**

### **Sec. 401. Quorum.**

(a) Quorum. Three Members shall constitute a quorum for the convening of a Committee meeting and for the transaction of Committee business, except that a lesser number shall constitute a quorum for convening hearings as provided in section 601 of the Committee Rules.

(b) Chairman as Ex Officio Member. The Chairman of the Council shall be an *ex officio*, voting member of the Committee and may be counted for the purposes of a quorum, but the Chairman shall not increase the quorum requirement for the Committee.

### **Sec. 402. Regular Meetings.**

(a) Time. Regular meetings of the Committee shall be held at 2:00 p.m on the second Tuesday of each month except during periods of Council recess and legal holidays.

(b) Place. Regular meetings of the Committee shall be held in Room 123 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Washington, D.C., 20004, unless another place is designated by the Chairperson.

(c) Notice. The Chairperson shall circulate a notice, in writing or by electronic mail, of the date, time, and place of all Committee meetings to each Member of the Council at least 24 hours prior to the scheduled meeting, along with a copy of the draft agenda of the meeting, a draft of any measures to be considered, and, if required pursuant to Council Rule 803(e)(6), a comparative print, unless at least 4 Members agree, in a written record, to a shorter notice.

(d) Recess and Rescheduling. If a majority of the Committee is present at a regular meeting, the Chairperson may recess the regular meeting then in progress to another time, date, or place. The Chairperson may reschedule any future regular meeting, provided that each member is notified in writing or by electronic mail at least 24 hours in advance of the scheduled meeting.

(e) Cancellation. The Chairperson may cancel a future regularly scheduled meeting. To cancel a regularly scheduled meeting, the Chairperson shall provide at least 24 hours notice of the cancellation, in writing or by electronic mail, to each Councilmember and the Secretary to the Council.

(f) Agenda. The Committee staff shall prepare the agenda at the direction of the Chairperson. The agenda for all meetings, except special meetings called pursuant to Rule 403(b) of the Committee Rules, shall be set by the Chairperson. The Chairperson may prepare a consent agenda for each Committee meeting, which shall include bills and proposed resolutions that the Chairperson believes will be adopted by unanimous vote. The consent agenda shall be approved at the beginning of the Committee meeting. Any Member may strike a bill or proposed resolution from the consent agenda.

### **Sec. 403. Additional and Special Meetings.**

#### **(a) Additional Meetings.**

(1) The Chairperson may call additional meetings of the Committee.

(2) Whenever an additional meeting is called, the Committee staff shall notify each Councilmember in writing or by electronic mail at least 24 hours prior to the additional meeting, unless at least 4 Members agree, in a written record, to a shorter notice. The notice shall state the date, hour, and place of the meeting, and include a draft copy of the agenda of the meeting, a draft of any measures to be considered, and, if required pursuant to Council Rule 803(e)(6), a comparative print.

(3) The Chairperson may cancel an additional meeting, provided that each member of the Committee is notified in writing or by electronic mail with at least 24 hours notice.

#### **(b) Special Meetings.**

(1) Special meetings may be called by filing a written request with the Committee Director for a special meeting signed by no fewer than 3 Members. The Committee Director shall notify the Chairperson and the other Members of the filing of the request.

(2) The Chairperson shall call the special meeting within 72 hours of the written request and shall specify the date, time, place, and agenda for the meeting.

(3) If the Chairperson does not call the requested meeting, no fewer than 3 Members may file a written notice with the Committee Director that a special meeting will be held, specifying the date, time, place, and agenda for the meeting.

(4) Whenever a special meeting is called, the Committee staff shall notify each Councilmember in writing or by electronic mail at least 24 hours before the special meeting. The notice shall state the date, time, and place of the meeting. A draft copy of the agenda of the meeting, a draft of any measures to be considered, and, if required pursuant to Council Rule 803(e)(6), a comparative print, shall be circulated.

(5) No matters shall be considered at any special meeting except those stated in the written or electronic-mail request and notification.

(6) Any written material relating to the agenda items shall be made available to the Members by the close of business of the business day prior to the meeting.

#### **Sec. 404. Procedures for Meetings.**

(a) Order of Business for Regular Meetings. Except as provided in subsection (b), and subject to subsection (d), the Committee shall conduct business for meetings of the Committee in the following order:

- (1) Call to order;
- (2) Determination by the Chairperson of the presence of a quorum;
- (3) Consent agenda, if applicable;
- (4) Consideration of proposed reports on and markup of pending measures referred to the Committee pursuant to Council Rule 405;
- (6) Other business, if applicable; and
- (7) Adjournment.

(b) Order of Business for Additional and Special Meetings. The Committee shall conduct business for Additional and Special Meetings of the Committee in the following order:

- (1) Call to order at the date, time, and place set forth in the notice of the meeting;
- (2) Determination by the Chairperson or presiding member of the presence of a quorum; and
- (3) If a quorum is present, consideration of business in the order set forth in the meeting notice.

(c) Proceeding Out of Order. The Chairperson or presiding Member may, without objection or upon the vote of a majority of the Members present and voting, take up any item of business out of order.

(d) Recognition of Non-Committee Members. The Chairperson or presiding Member may recognize an individual when the participation of the individual would, in the judgment of the Chairperson or presiding Member, enhance the understanding of the matter under consideration by the Committee.

#### **Sec. 405. Records of Meetings.**

A recording of each Committee meeting, hearing, and roundtable shall be produced and maintained by the Office of the Secretary. The Committee staff shall also keep records of all Committee action and a description of each amendment, motion, order, or other proposition on which a roll-call vote was taken; the name of each Member voting for or against the amendment, motion, order, or proposition; and the names of those Members present but not voting.

**Sec. 406. Decorum of Members.**

Members shall not engage in private discourse or commit any other act tending to distract the attention of the Committee from the business before it. In debate, a Member must proceed in a civil and respectful manner, confine remarks to the question at hand, and avoid use of personalities.

**Sec. 407. Oral Amendments.**

If an amendment is orally moved during a Committee meeting, it shall, upon request by a Member, be reduced to writing and read by the Committee Director or other Committee staff and be made available for public inspection as soon as possible. At the discretion of the Chairperson, a fiscal impact statement issued by the Council Budget Office shall be made available at the markup by a Member offering an oral or written amendment on a measure.

## **ARTICLE V – REVIEW OF AND REPORTS ON PROPOSED LEGISLATION**

### **Sec. 501. Approval of Measures.**

The Committee may not report out a measure or recommendation on a matter assigned to the Committee unless a quorum is present at the time of approval and the measure or recommendation is approved by a majority of the Members present and voting.

### **Sec. 502. Reports on Bills and Proposed Resolutions.**

(a) Draft Reports. Each bill or proposed resolution shall be accompanied by a draft report when it is considered by the Committee.

(b) Contents of Reports. Each adopted report on a bill or proposed resolution assigned to the Committee shall be signed by the Chairperson, accompanied by the final bill or proposed resolution, and include all information required by Council Rule 803(d).

(c) Date of Report. The date of the Committee meeting shall be the date of the report.

(d) Supplemental Report. The Committee may adopt a supplemental committee report on a measure that expounds on the intent of that measure and explains the reasoning for any amendments to the measure by the Council after the filing of the committee report on the measure.

### **Sec. 503. Supplemental, Minority, and Additional Views.**

If, at the time of approval of any measure by the Committee, any Member of the Committee gives notice of intent to file supplemental, minority, or additional views, that Member shall have 5 business days in which to file the Member's views in writing. Such views shall be filed with the Committee Director and shall be added as an addendum to the report and filed with the Office of the Secretary.

### **Sec. 504. Requests to Place Committee-Related Legislation on the Agenda for a Legislative Meeting.**

(a) Timing of Request. Any request from the Executive or any independent agency for the Chairperson to place a bill or proposed resolution under the jurisdiction of the Committee on the agenda for an upcoming legislative meeting shall be electronically submitted to the Committee not later than the close of business on the fifth business day before such legislative meeting is scheduled to occur.

(b) Content of Request. A request submitted pursuant to this subsection shall be accompanied by:

- (1) A draft of the bill or proposed resolution to be placed on the agenda; and

(2) If the bill or proposed resolution confers the approval of the Council, a copy of the underlying document or documents subject to such approval, including but not limited to:

(A) Council Contract Summaries for contracts and contract modifications;

(B) Requests for proposals;

(C) Street and alley acquisition and closing documents;

(D) Public-space naming documents;

(E) Documents effectuating a transfer of jurisdiction;

(F) Collective-bargaining and other employment agreements;

(G) Proposed rules; and

(H) Any summaries of the foregoing documents required to be provided by law.

(c) Waiver. The requirements of this section may be waived by the Chairperson if the Chairperson determines there is good cause for failure of compliance.

## **ARTICLE VI – HEARINGS, ROUNDTABLES, AND INVESTIGATIONS**

### **Sec. 601. Hearing and Roundtable Procedures.**

(a) Calling.

(1) The Committee shall hold a hearing before the Committee's adoption of any permanent bill. A hearing is not required if a hearing on the same or a similar bill was held in the same or immediately preceding Council Period.

(2) The Committee may hold a hearing or roundtable before the passage of a proposed resolution.

(3) The Committee may hold a hearing or a roundtable on any matter relating to the affairs of the District of Columbia that is properly within the Committee's jurisdiction as provided in the Council Rules.

(b) Notice. Notice of Committee hearings and roundtables shall be provided in the manner provided for in Council Rule 421.

(c) Open to the Public. Each hearing and roundtable shall be open to the public unless a majority of the Committee, upon good cause shown, votes in favor of closure pursuant to Council Rule 376.

(d) Quorum. One Member constitutes a quorum for the taking of testimony and receiving of evidence at a hearing or roundtable.

(e) Questioning of Witnesses.

(1) Each Member and participating non-Committee Member shall have a maximum of 10 minutes to question each witness, until after each Member or participating non-Committee Member has had an opportunity to question the witness. Questioning shall proceed in the order that Members arrived, followed by non-Committee Members. The Chairperson shall have the discretion to allow for an additional round, or rounds, of questioning and shall determine the length of each round.

(2) A witness may be questioned, with the consent of the Chairperson or presiding Member, by Committee or authorized Council staff or by counsel advising the Committee.

(f) Decorum.

(1) No witness may address a Member except through the Chairperson or presiding Member, except when responding to a direct question of a Member.

(2) A witness shall confine his or her remarks to the question under discussion, proceed in a civil and respectful manner, and shall avoid making negative personal comments.

(3) The Chairperson or presiding Member shall maintain order during the hearing or roundtable and if, in the Chairperson's opinion, the removal of any member of the public is necessary to maintain order, the Chairperson or presiding Member may order the removal of any disorderly person after warning the person.

(g) Recess. A hearing or roundtable may be recessed at any time by the Chairperson or presiding Member.

#### **Sec. 602. Witnesses.**

(a) Right to Counsel. Any witness who appears before the Committee has the right to be represented by counsel.

(b) Right to Provide Testimony. Individuals interested in providing oral testimony before the Committee shall register with Committee staff pursuant to the guidelines set out in the notice of the hearing or roundtable. Any other individuals who wish to provide oral testimony shall be permitted to do so only at the discretion of the Chairperson. Any witness may also submit a written statement that shall be placed in the record of the hearing. The Chairperson or presiding Member may permit a witness to read the statement at the hearing or roundtable, subject to time limitations as imposed by the Chairperson or presiding Member.

(c) Time Afforded for Testimony.

(1) Each witness providing oral testimony shall have the time allotted as indicated in the hearing notice to testify, provided that the Chairperson or presiding Member may afford more or less time to a witness in the interest of efficiency, fairness, or sound administration of the hearing or roundtable.

(2) A witness representing the Executive Branch shall be afforded no less than 10 minutes to provide testimony, provided that the representative complies with Council Rule 522(a).

#### **Sec. 603. Testimony under Oath or Affirmation.**

The Chairperson or presiding Member may require a witness to provide his or her testimony under oath or affirmation.

#### **Sec. 604. Questions for the Record.**

The Chairperson may request documents from a witness to further develop the record after a hearing or roundtable has concluded.

**Sec. 605. Investigations.**

(a) The Committee may investigate any matter relating to the affairs of the District of Columbia that is properly within the Committee's jurisdiction. The Committee may also direct another person to investigate a matter within the Committee's jurisdiction.

(b) The Committee shall use, report, issue, serve, and enforce subpoenas in accordance with Article VI of the Council Rules.

(c) The rights of witnesses contained in Article VI of the Council Rules are incorporated by reference.

## **ARTICLE VII – NOTICE PROVISION**

### **Sec. 701. Notice.**

If there is no specific requirement for the provision of notice of any Committee action, meeting, hearing, or roundtable, notice may be provided by one of the following methods:

- (1) Publication in the *District of Columbia Register*;
- (2) Publication in one or more newspapers of general circulation;
- (3) Mailing notice to an established mailing list of organizations and individuals maintained by the Secretary to the Council;
- (4) Use of other news media;
- (5) Posting in prominent places in the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., or other public buildings or public posting places;
- (6) Facsimile;
- (7) E-mail;
- (8) Posting on the Council's official website; or
- (9) Any other manner the Committee considers appropriate.

## **ARTICLE VIII – RULES**

### **Sec. 801. Rules of the Council.**

Whenever there is inconsistency between the Committee Rules and the Council Rules, the Council Rules shall govern.

### **Sec. 802. Amendment.**

These rules may be amended by a majority of the Committee at any Committee meeting. Notice of the proposed amendment shall be in writing, signed by the proposing Member, and circulated to each Member at least 5 days prior to the meeting at which the proposed amendment is to be considered, unless the notice is waived by each Member to whom it is not provided.

### **Sec. 803. Filing with the Council Secretary.**

Upon the adoption of these rules or any future amendments, the Committee staff shall file a copy of the final rules or amendments with the Secretary to the Council.

### **Sec. 804. Effective Period.**

These rules shall be effective until superseded by Rules of Organization and Procedure for the Committee on Facilities and Procurement adopted in a succeeding Council Period, unless modified by a majority of the Committee Members during Council Period 23.