



District of Columbia

REGISTER

HIGHLIGHTS

- DC Council schedules a public oversight roundtable on air quality issues in the District
- DC Council schedules a public oversight roundtable on major economic development projects in the portfolio of the Deputy Mayor for Planning and Economic Development
- DC Public Charter School Board schedules a public hearing on the 2013 - 2014 charter school operator applications
- District Department of Transportation revises the District's open container regulations
- Department of Consumer and Regulatory Affairs proposes guidelines for regulating tire dealers
- Department of Health Care Finance proposes rules to increase oversight of personal care services for Medicaid recipients

DISTRICT OF COLUMBIA REGISTER

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ENROLLED ORIGINAL

A RESOLUTION

20-105

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 30, 2013

To approve the proposed Walter Reed Army Medical Center Small Area Plan.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Walter Reed Army Medical Center Small Area Plan Approval Resolution of 2013”.

Sec. 2. Pursuant to section 4(c)(4) of the District of Columbia Comprehensive Plan Act of 1984 Land Use Element Amendment Act of 1984, effective March 16, 1985 (D.C. Law 5-187; D.C. Official Code § 1-306.03(c)(4)), the Mayor transmitted to the Council for review the proposed Walter Reed Army Medical Center Small Area Plan (“Small Area Plan”).

Sec. 3. The Council finds that:

(1) The site formerly known as the Walter Reed Army Medical Center is located at 6900 Georgia Avenue, N.W., in Ward 4 and includes the neighborhoods of Brightwood, Shepherd Park, and Takoma. The planning area is defined by the boundaries of Fern Street, N.W., and Alaska Avenue, N.W., to the north, 16th Street, N.W., to the west, Aspen Street, N.W., to the south, and Georgia Avenue, N.W., to the east.

(2) Under the Base Realignment and Closure (“BRAC”) process, the government of the District of Columbia was designated as the Walter Reed Local Redevelopment Authority (“LRA”) and was required to complete a Base Reuse Plan (“Reuse Plan”) in order to acquire 66.57 acres of surplus Army property (The Army notified the Walter Reed LRA in June 2012 that the acreage of surplus property at Walter Reed changed from approximately 67.5 acres to approximately 66.57 acres.). As part of this process, the Walter Reed LRA initiated a coordinated planning process in August 2011 which included the development of the Reuse Plan and a Small Area Plan intended to meet both the federal and local requirements for the District to acquire and redevelop the land. The Reuse Plan envisions a vibrant campus integrated into the community through the provision of expanded retail opportunities, preservation of open space, creative reuse of historic assets into a range of cultural and educational uses, the creation of a range of jobs for District residents, and the development of a variety of housing options to support a range of incomes and needs. The Council approved the Reuse Plan through the Walter Reed Army Medical Center Base Realignment and Closure Homeless Assistance Submission Approval Act of 2012, effective October 16, 2012 (D.C. Law 19-175; 59 DCR 9106). The Reuse Plan was transmitted on July 23, 2012, as a key component of the Walter Reed Army

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Medical Center Base Realignment and Closure Homeless Assistance Submission to the U.S. Department of Housing and Urban Development (“HUD”) for review and approval.

(3) During this coordinated planning process, the Office of Planning led a concurrent public engagement process for the Small Area Plan by hosting 4 public meetings, on January 17, 2012, May 17, 2012, June 26, 2012, and July 12, 2012. The process concluded in the summer of 2012. The Small Area Plan was published and made available for public comment from September 14, 2012, to October 31, 2012, and a public Mayoral hearing was conducted on October 16, 2012.

(4) With guidance from the Comprehensive Plan for the National Capital, the purpose of the Small Area Plan is to respond to and be compatible with the Reuse Plan and provide guidance on specific land use designation changes, transportation analysis, and urban design guidelines.

(5) The Small Area Plan uses specific land use analysis and incorporates the broadest range of planning techniques and practical solutions to achieve the District’s goals and objectives.

(6)(A) The following goals have been established during the Reuse and Small Area Planning process:

- (i) Integrate the site with the community;
- (ii) Provide a mix of uses on the site;
- (iii) Create jobs and revenue for the District.; and
- (iv) Reactivate the site.

(B) The Small Area Plan outlines strategies to accomplish these goals.

(7) The Small Area Plan supports the recommendations set forth in the Reuse Plan. It proposes land use designations, per the District’s Comprehensive Plan for the National Capital, to accommodate the Reuse Plan’s recommended development program of 3.1 million square feet of development. These land use designation changes anticipate that all proposed development would occur as matter of right projects and will ensure that future zoning can be established, after the Small Area Plan is approved, for future development. These designation changes will allow a range of densities to accommodate the proposed development program set forth in the Reuse Plan. A transportation analysis and recommendations were established to mitigate adverse impacts for cars, pedestrians, bicycles, and transit per the Reuse Plan’s redevelopment program. The main findings in this analysis are incorporated into the Small Area Plan’s Transportation Recommendations and included as an appendix. The Small Area Plan’s urban design guidelines ensure that new development creates an active, well-connected and aesthetically compatible redevelopment. Specific urban design guidance for the entire site, as well as for specific sub-areas of the site, was crafted and included in the Small Area Plan’s recommendations. As a result of the Small Area Plan, the District’s local planning requirements necessary to redevelop the site after it is conveyed to the District will be met.

(8) Once approved, the Small Area Plan will provide supplemental guidance to the Zoning Commission and other District agencies in carrying out the policies of the Comprehensive Plan for the National Capital.

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Sec. 4. The Small Area Plan, as submitted, is approved by the Council as a small area action plan.

Sec. 5. 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. Official Code § 1-206.02(c)(3)).

Sec. 6. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

20-71

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 26, 2012

To declare September 23, 2013, through September 29, 2013, as “D.C. Adult Education and Family Literacy Week” in the District of Columbia and acknowledge the importance of literacy at all ages for the residents of the District of Columbia.

WHEREAS, the week of September 23, 2013, through September 29, 2013, is Adult Education and Family Literacy Week in Washington, D.C.;

WHEREAS, literacy is integral to the quality of life of residents and necessary to create productive workers, family members, and citizens of all ages;

WHEREAS, the need for a highly literate community continues to grow rapidly as the District of Columbia’s economy grows increasingly knowledge-based and technology-driven;

WHEREAS, nearly a fifth of District adult residents lack basic literacy skills and even more are without a high school credential;

WHEREAS, adults with at least some postsecondary education are more likely to find jobs that pay family-sustaining wages and are therefore better able to provide a stable home for themselves and their families;

WHEREAS, the most effective way to improve the academic success of a child is to improve the educational level of the involved parent; and

WHEREAS, literacy skills impact every aspect of an adult’s life including, but not limited to, the ability to read to their child and be involved in their education, earning a family-supporting wage, making informed health care decisions, and understanding voting issues and other civic matters.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Adult Education and Family Literacy Week Recognition Resolution of 2013”.

ENROLLED ORIGINAL

Sec. 2 The Council of the District of Columbia hereby declares September 23, 2013, through September 29, 2013, as “D.C. Adult Education and Family Literacy Week” in the District of Columbia and encourages District residents to learn more about the importance of literacy at all ages and become involved with adult learners and literacy programs in our community.

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

20- 72

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 26, 2013

To acknowledge and honor Tim Welsh for dedicating his life to the encouragement and educational development of the students of Benjamin Murch Elementary School of the District of Columbia.

WHEREAS, Benjamin Murch Elementary School, located at 4810 36th Street, N.W., in Ward 3 of the District of Columbia is one of the top-performing elementary schools in the District;

WHEREAS, Tim Welsh has been an extraordinary teacher, through his faithful and innovative teaching to the kindergarteners of Benjamin Murch Elementary School for 26 years;

WHEREAS, Tim Welsh has been an inspiration to his fellow teachers and instructional colleagues at Benjamin Murch Elementary School;

WHEREAS, Tim Welsh has been a voice of guidance to the parents of Benjamin Murch Elementary School to inspire them to appreciate and embrace the unique gifts of their children;

WHEREAS, Tim Welsh has inspired the students of Benjamin Murch Elementary School to be life-long lovers of poetry, by promoting the use of poetry in his classroom to unlock their love of language arts;

WHEREAS, Tim Welsh has been a life-long resident of the District of Columbia and has passionately taught his students' of Benjamin Murch Elementary School the history of the District, and especially the events of Martin Luther King Jr.'s last sermon at the National Cathedral;

WHEREAS, Tim Welsh has been a leader and advocate for children's programs across the District of Columbia; and

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WHEREAS, the Council of the District of Columbia is grateful for Tim Welsh's dedication and contributions towards the educational and developmental experiences of the students of Benjamin Murch Elementary School.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Tim Welsh Recognition Resolution of 2013".

Sec. 2. The Council of the District of Columbia acknowledges and honors Tim Welsh for his exceptional contributions to the educational and developmental experiences of District residents and students affiliated with the Benjamin Murch Elementary School.

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

20-73

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 26, 2013

To recognize the trailblazing efforts and unrelenting commitment demonstrated on behalf of former and existing association members at 1415 Girard Street, N.W., to maintain affordable housing for District residents in Columbia Heights, and to declare July 22, 2013, as “1415 Girard Street Cooperative Day” in the District of Columbia.

WHEREAS, in 1950, 12 members consisting of Roslyn Allen, Chrystabelle Armstrong, Grover Baird, Louise Clarke, William Douglas, Thomasina Huff, Mary Hughes, Mason Jackson, John Jones, Lucicia Lucas, Cato Whiteley, and Charles McDonald, decided to take destiny into their own hands and establish the 1415 Girard Street Cooperative;

WHEREAS, over 60 years, the 1415 Girard Street Cooperative excelled and provided invaluable opportunities for individuals and families to be introduced to home ownership, but later experienced impactful events that significantly challenged the cooperative’s ability to operate at full capacity within the Columbia Heights community;

WHEREAS, ss members of the cooperative, they declined lucrative offers to purchase the property;

WHEREAS, with tenacity and extensive research, the group decided to develop an exclusive partnership with City First Homes to receive vital assistance to retain ownership of the building, and avoid impeding threats to increase monthly payments;

WHEREAS, City First Homes offered a comprehensive plan to complete renovations, diminish debt, and reverse negative cash flow to ensure sustainable and long-term affordable spaces;

WHEREAS, City First Homes and City Bank successfully secured \$1.1 million in private and philanthropic funds to rehabilitate vacant spaces and remodel occupied units;

WHEREAS, owners will be able to participate in wealth creation as units continue to appreciate in worth along with the progressive Columbia Heights community; and

ENROLLED ORIGINAL

WHEREAS, as this cooperative moves forward, Mason Jackson, one of the original members of the association, will proudly continue on the new journey with the rehabilitated 1415 Girard Street Cooperative.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “1415 Girard Street Cooperative Recognition Resolution of 2013”.

Sec. 2. The Council of the District of Columbia recognizes and honors the invaluable contributions of the founding and current members of the 1415 Girard Street Cooperative for their steadfast efforts to provide District residents with viable and affordable housing options for over 60 years, and hereby declares July 22, 2013 as “1415 Girard Street Cooperative Day” in the District of Columbia.

Sec 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

20-74

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 26, 2013

To recognize the contributions of Kebedshachew N. Girma to the District of Columbia, on the occasion of her Ethiopian Coffee Ceremony on June 23, 2013, on Otis Place, N.W. in Ward 1, and to declare June 23, 2013, as “Kebedshachew N. Girma Day” in the District Columbia .

WHEREAS, Kebedshachew N. Girma is an outstanding leader in the Ethiopian community, and is a source of loving support to her family, friends, and neighbors;

WHEREAS, Kebedshachew N. Girma is a loving source of inspiration and hope in the Ethiopian community by immigrating to Washington, D.C., working hard, believing in the American Dream, starting her own business, and buying her own home;

WHEREAS, Kebedshachew N. Girma’s community involvement and activism has been of service to the residents of the District of Columbia, touched the lives of hundreds, and earned the respect and love of many as a champion working to find solutions to the needs and problems facing the Ethiopian community;

WHEREAS, Kebedshachew N. Girma continues to be a tireless advocate for Ethiopians and other minorities, and immigrants in the Ward 1 community; and

WHEREAS, Kebedshachew N. Girma has committed her time and talents in service to the betterment of the District of Columbia through her work for Ethiopians, minorities, and immigrants in the Ward 1 community.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Kebedshachew N. Girma Recognition Resolution of 2013".

Sec. 2. The Council of the District of Columbia recognizes and honors Kebedshachew N. Girma for her outstanding contribution and invaluable service to the District of Columbia, and hereby declares June 23, 2013, as “Kebedshachew N. Girma Day” in the District Columbia.

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Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

20-75

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 26, 2013

To recognize the years of public service and leadership of Salvador Sánchez Cerén to El Savador, and declare June 19, 2013, as “El Dia De Salvador Sánchez Cerén” in the District of Columbia.

WHEREAS, Salvador Sánchez Cerén (born June 18, 1944, in Quezaltepeque, department of La Libertad, El Salvador) is a Salvadoran politician and former teacher;

WHEREAS, after graduating from Alberto Masferrer—a school for teachers—with a degree in primary education, he taught for 10 years in public and rural schools in his hometown;

WHEREAS, he became politically active in the late 1960s as a member of ANDES 21 de Junio, the national teachers union, participating in several demonstrations against El Salvador's military dictatorship;

WHEREAS, in the 1970s he joined the Fuerzas Populares de Liberación "Farabundo Martí" (FPL), one of the 5 left-wing organizations that later merged to form the Frente Farabundo Martí para la Liberación Nacional (“FMLN”);

WHEREAS, with the start of the Salvadoran Civil War in 1980, Sánchez Cerén adopted the pseudonym Commander Leonel González, as he was also appointed to the position;

WHEREAS, in 1984, Salvador Sánchez Cerén became a Commanding General of the FMLN, until the signing of the Chapultepec Peace Accords in 1992, when the guerrillas surrendered their weapons and became a legal political party;

WHEREAS, in 2000, Salvador Sánchez Cerén was elected deputy for the FMLN in the Legislative Assembly and was re-elected in 2003 and 2006;

ENROLLED ORIGINAL

WHEREAS, between 2001 and 2004, he served as the general coordinator of his party; and

WHEREAS, in 2006, following the death of Schafik Handal, Salvador Sánchez Cerén succeeded Handal as head of the FMLN in the legislature.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Salvador Sánchez Cerén Recognition Resolution of 2013”.

Sec. 2. The Council of the District of Columbia recognizes and honors Salvador Sánchez Cerén for his outstanding contribution and invaluable service, and hereby declares June 19, 2013, as “El Dia De Salvador Sánchez Cerén” in the District of Columbia.

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

20-76

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 26, 2013

To recognize the 42 years of dedicated public service of Mrs. Annie R. Mair to the District of Columbia, on her retirement as Principal of Cleveland Elementary School, located at 1825 8th Street, N.W., in Washington, D.C., and to declare June 20, 2013, as “Annie R. Mair Day” in the District of Columbia

WHEREAS, Mrs. Annie R. Mair tirelessly committed her time to educating young minds from 1971 through 2013;

WHEREAS, she demonstrated excellence while teaching at LaSalle Elementary School, Minor Elementary School, Brookland Elementary School, Shaed Elementary School, Washington Highland Elementary School, Birney Elementary School, and H.D Cooke Elementary School;

WHEREAS, Mrs. Mair accepted additional responsibilities and was appointed as the Gifted and Talented Coordinator;

WHEREAS, from her leadership, she tailored lessons to prepare young scholars who were academically advanced and excelled on standardized tests;

WHEREAS, in 1986, she was promoted and became the Assistant Principal at Shaed Elementary School, and in 1987 transferred to Cleveland Elementary School and served as Principal for the remainder of her professional career;

WHEREAS, Mrs. Mair earned a Bachelor of Arts Degree from the District of Columbia Teachers College, Master’s Degree in Administrative and Supervision from Antioch College, and a Doctor of Philosophy in Christian Studies from Break Through College in 2004;

WHEREAS, she excelled during her career, and was formally and publicly acknowledged for her contributions to the field of education;

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WHEREAS, Mrs. Mair received the District of Columbia Outstanding Performance Ratings, No Non-sense Principal Award from the Heritage Foundation, and served as District of Columbia representative in Chile, South America for the Dual Languages Educators Conference in 1999;

WHEREAS, she was the recipient of the Honored Excellence Award in 1997, Distinguished Service Award from the District of Columbia’s Central Office in 1999, served as White House Presidential Panelist on Character Education in 1999, received the coveted Wall of Tolerance Award in 2003, and the Mentors to New Principal Award in 2004;

WHEREAS, Mrs. Mair was featured in the Washington Post article entitled, “How Some Schools Beat the Odds and Succeed”, highlighted in the Pro Principal Newsletter; attended the White House reception with the Young Gentleman’s Club, an organization that teaches self-esteem, engages in character building, and provides positive affirmation; was a participant in the Washington Post Principal Institute; and was awarded Principal of the Year in 2008 from the Heart of America organization; and

WHEREAS, throughout her tenure, Mrs. Mair has been supported by her husband of over 40 years, Hopeton W. Mair, Sr., along with her 2 sons, one daughter, and 4 grandchildren.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Annie R. Mair Recognition Resolution of 2013".

Sec. 2. The Council of the District of Columbia recognizes and honors Annie R. Mair for her outstanding contribution and invaluable service to the District of Columbia and hereby declares June 20, 2013, as “Annie R. Mair Day” in the District of Columbia.

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

20-77

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 26, 2013

To declare the month of October of 2013 as “Breast Cancer Awareness Month” in the District of Columbia.

WHEREAS, an estimated 178,000 new cases of breast cancer are diagnosed annually in the United States and the disease is the cause of 40,000 deaths per year;

WHEREAS, breast cancer comprises 22.9% of all cancers in women and approximately 81% of cases occur in those over the age of 50;

WHEREAS, National Cancer Institute estimates there were 232,620 new breast cancer diagnoses (230,480 female, 2,140 male) and 39,970 deaths (39,520 female and 450 male) in the United States in 2011;

WHEREAS, approximately 229,060 people in the United States will be diagnosed with invasive breast cancer before the end of 2012, and the American Cancer Society estimates that 39,920 men and women will die from the disease this year;

WHEREAS, there are several types of breast cancer—divided into non-invasive and invasive types—which can be diagnosed at different stages of development and can grow at different rates;

WHEREAS, if cancer is detected at an early stage, it can be treated before it spreads to other parts of the body;

WHEREAS, the exact cause of breast cancer is not fully understood, but many factors increase the likelihood of developing it, including age and family medical history;

WHEREAS, both sexes can get breast cancer but is more than 100 times more common in women than it is in men;

ENROLLED ORIGINAL

WHEREAS, the American Cancer Society is a nearly 100-year-old, community-based, voluntary health organization, in both the District of Columbia and nationwide, which is dedicated to eliminating cancer as a major health problem;

WHEREAS, the American Cancer Society established Breast Cancer Awareness Month in 1985 to promote mammography as the most effective weapon in the fight against breast cancer;

WHEREAS, the Capital Breast Care Center (“CBCC”), located in the District of Columbia, provides comprehensive, culturally appropriate breast cancer screening services and health education to women in the District of Columbia metropolitan area, regardless of their ability to pay;

WHEREAS, the CBCC offers onsite mammograms, ultrasound-guided biopsies, health education, clinical breast examinations, patient navigation services for women with abnormal screens or breast cancer symptoms, and transportation services to and from appointments;

WHEREAS, the CBCC has Spanish-English bilingual staff to ensure that no language barriers exist for those in need of care; and

WHEREAS, the District of Columbia anticipates the day when no woman or man has to treated for this disease.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Breast Cancer Awareness Month Recognition Resolution of 2013”.

Sec. 2. The Council of the District of Columbia honors breast cancer patients, survivors and their families, and declares October of 2013 as “Breast Cancer Awareness Month” in the District of Columbia to promote research for a cure.

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

20-78

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 26, 2013

To honor the District's Fire and Emergency Medical Services Department for its dedication to and protection of the citizens and visitors of Washington, D.C., and for their valiant and courageous service to the metropolitan area after the attacks of September 11, 2001.

WHEREAS, on the occasion of the 10th anniversary of the September 11, 2001, terrorist attacks on the United States, the Council of the District of Columbia honors the memory of the 2,977 Americans who perished that day, including 11 victims from Washington, D.C.;

WHEREAS, an exceptionally courageous force of first responders - including more than 100,000 firefighters, paramedics, rescue and recovery workers, and police officers - risked their lives that day to save the lives of others;

WHEREAS, the brave members of the District's Fire and Emergency Medical Services Department, which, along with the Arlington County Fire Department and other local fire agencies, helped with the Pentagon recovery efforts on September 11, 2001;

WHEREAS, the men and women who serve as first responders in the District of Columbia carry out the extraordinary responsibility of protecting not only District residents, but also the District's many federal personnel and foreign representatives, and have always done so with tremendous humility and respect;

WHEREAS, over the course of more than 2 centuries, emergency workers have bravely served citizens of the District and have educated residents and implemented measures to prevent future emergencies;

WHEREAS, men and women of the District's emergency services have fulfilled every duty to their city and country in honorable, courageous, and timely fashion, and they have demonstrated immense compassion for those who have suffered unforeseeable tragedies, while routinely considering the safety and well-being of others before their own; and

WHEREAS, it is fully right and just to honor the memory of those who lost their lives in the terrorist attacks a decade ago, it is equally compelling to observe and pay our respects to the

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first responders of this city and their relentless bravery and selflessness in the face of trying circumstances.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “September 11th Emergency and First Responders Remembrance and Recognition Resolution of 2013”.

Sec. 2. The Council of the District of Columbia honors its first responders for their tremendous commitment to serving the District, and remembers emergency workers who dutifully served their country in the face of danger on September 11, 2001.

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

20-79

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 26, 2013

To recognize the talent, spirit, and dedication of District-based artist Minger Mike, whose works will be presented in the Smithsonian American Art Museum in 2015.

WHEREAS, the Smithsonian American Art Museum (“Smithsonian”) recently acquired selected works by Minger Mike, a native of the Southeast quadrant of the District of Columbia;

WHEREAS, the Smithsonian describes his collection as, “well over 100 pieces of musical ephemera made between 1965 and 1979 by a self-taught Washington, DC artist who has consistently chosen to conceal his true identity”;

WHEREAS, although the Smithsonian noted that Minger Mike subsequently lost his work during the 1980s, the works were rediscovered at a District of Columbia flea market in 2004 by Dori Hadar, a music advocate;

WHEREAS, Minger Mike was greatly influenced by African American music artists such as Marvin Gaye, and based his work on the dream of one day becoming a famous music artist;

WHEREAS, in a March 1, 2013, Washington Post article chronicling Minger Mike’s work, writer Katherine Boyle explained that: “His works illustrate much about African American culture in Washington at the height of the civil rights movement. Those nuances were woven in fantasy, and for that, he has a real fan club, which includes international record collectors, musicians such as David Byrne and the Smithsonian American Art Museum”;

WHEREAS, Minger Mike recently created unique and fascinating portraits of all 13 members of the Council of District of Columbia serving in Council Period 20;

WHEREAS, Minger Mike is an inspiration for rising artists of all ages in the District who have a desire to enrich our city with an abundance of culture and history; and

ENROLLED ORIGINAL

WHEREAS, despite Mingering Mike's desire for ultimate discretion in revealing his true identity, he has become a shining example of audacious talent and determination.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Mingering Mike Recognition Resolution of 2013".

Sec. 2. The Council of the District of Columbia hereby recognizes and honors Mingering Mike for his outstanding and invaluable service to the District of Columbia.

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

20-80

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 26, 2013

To honor and recognize Floyd Roger Myers, Sr. on the occasion of his retirement from the Metropolitan Police Department.

WHEREAS, Floyd Roger Myers, Sr. was born in 1963 as the youngest of 5 children raised in the Ridge Road neighborhood of Southeast Washington, D.C., in Ward 7;

WHEREAS, Floyd Roger Myers, Sr. received his spiritual grounding at the Dupont Park Seventh-Day Adventist Church and currently is a member of the First Baptist Church of Deanwood;

WHEREAS, Floyd Roger Myers, Sr. is a product of the District of Columbia public school system, having attended Neval Thomas, Plummer, and Weatherless Elementary schools, H.D. Woodson Junior High School, and McKinley High School;

WHEREAS, Floyd Roger Myers, Sr. is the husband to Alicia, and father to 3 children, Floyd Roger, Jr., Dawn Nicole, and Isaiah Romero;

WHEREAS, Floyd Roger Myers, Sr. became a member of the Metropolitan Police Department (“MPD”) in 1986, and was first stationed at the Third District as a patrolman;

WHEREAS, Floyd Roger Myers, Sr. was promoted to the Executive Protection Unit 2 years after joining the MPD, where he was responsible for the safety and protection of the Mayor and family during all public appearances and excursions, and also for providing protection to domestic and foreign dignitaries visiting the District of Columbia;

WHEREAS, Floyd Roger Myers, Sr. returned to the Third District in 1991, joining the Drug Enforcement Unit and was promoted to the rank of investigator;

WHEREAS, Floyd Roger Myers, Sr. counseled several government agencies, including the Federal Bureau of Investigation, the Drug Enforcement Administration, and the Bureau of Tobacco and Firearms as a result of the excellent work he performed in his 5-year tenure as investigator that yielded 1,500 narcotics arrests per year and a total of 8,000 arrests, and

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contributed to the improvements in several District of Columbia neighborhoods, notably the areas around 12th and U Street N.W., 14th and U Street, N.W. , 7th and T Street, N.W., and Clifton Terrace;

WHEREAS, Floyd Roger Myers, Sr. was awarded the U.S. Attorney’s law enforcement award for 5 consecutive years, from 1991-1995;

WHEREAS, Floyd Roger Myers, Sr. achieved the rank of detective in 1995 and was transferred to the Sixth District;

WHEREAS, Floyd Roger Myers, Sr. received an Official Commendation by the Chief of Police in 1998;

WHEREAS, Floyd Roger Myers, Sr. focused his efforts outside of his official MPD duties toward community development and revitalization through one of his several entrepreneurial efforts, FAM Enterprises, LLC, which rehabilitated dilapidated properties and provided low and moderately priced housing to District residents, and through his involvement with the Marshall Heights Community Development Organization, where he served as sergeant at arms, chair of the public issues committee, vice chairman of the economic and housing department, and vice chairman of the East of the River Park committee; and

WHEREAS, Floyd Roger Myers, Sr. demonstrated excellence in achievement and a strength of commitment to his profession, community, and family.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Floyd Roger Myers, Sr. Retirement Recognition Resolution of 2013”.

Sec. 2. The Council of the District of Columbia thanks and congratulates Floyd Roger Myers, Sr. for his over 27 years of faithful public service with MPD, and congratulates him on the occasion of his retirement and his commitment to community and family.

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

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A CEREMONIAL RESOLUTION

20-81

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 10, 2013

To recognize Woodrow Wilson High School, a District of Columbia public school located in Ward 3, for its commitment to excellence and dedication to the development of the District’s most promising young scholars.

WHEREAS, Woodrow Wilson High School (“Wilson High”) has an 86% graduation rate, the highest in the District;

WHEREAS, of the students who graduated on June 15, 2013, 71% will be attending 4-year colleges, 20% will attend 2-year colleges, less than 1% will be entering the military, 2% will do a GAP year, and 6% will be going to work;

WHEREAS, this past spring, 1,013 Wilson High students were accepted to 298 colleges and universities, including international universities in Panama and Canada;

WHEREAS, for the first time in Wilson High’s history, a graduating class has surpassed 1,000 college acceptances;

WHEREAS, Wilson High’s Class of 2013 will be attending 155 schools, one student will attend a military academy, and 2 others have enlisted in the United States Navy;

WHEREAS, 51% of the Class of 2013 earned honor roll;

WHEREAS, 4 years ago, there were 479 students to take 1,099 Advanced Placement tests. During the 2012-2013 school year, 609 students took 1,338 Advanced Placement tests, an increase of 130 students and 239 tests;

WHEREAS, Wilson High’s Class of 2013 had 16 National Merit Commended scholars, one National Merit Finalist, one National Achievement Semi-Finalist, one National Hispanic Scholar, 4 Presidential Scholar nominees, and one Presidential scholar, Isabel Di Rosa. The Presidential Scholar achievement is the highest academic honor that a high school student can earn in the nation;

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WHEREAS, this year, Wilson High Tigers were accepted to several Ivy League schools: 3 to University of Pennsylvania, one to Columbia University, one to Harvard University, 2 to Yale University, 2 to Princeton University, and one to Cornell University;

WHEREAS, Wilson High scholars were also accepted to the University of Chicago, Morehouse College, Stanford University, Spelman College, the University of California at Berkley, and 4 will be attending the University of Virginia;

WHEREAS, Wilson High scholars were accepted to all 5 of the top ranked United States universities, and the school will once again be represented across the country from Vermont to California, from Minnesota to Texas, and from Georgia to Washington; and

WHEREAS, Wilson High graduates have amassed over \$28.4 million in scholarships.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Woodrow Wilson High School Excellence Recognition Resolution of 2013”.

Sec. 2. Woodrow Wilson High School is the largest high school in the District and is the most diverse, drawing students and families from every zip code and neighborhood in the District. The school’s success and the outstanding performance of its students reflect well on every District resident, and should make us all proud.

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

20-82

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 10, 2013

To honor Mrs. Ruth G. Nadel for a lifetime of advocacy for women, children, and the elderly.

WHEREAS, Ruth Nadel was born in New York City in 1914, 6 years before women were granted the right to vote;

WHEREAS, by the time she was 20 years old, Mrs. Nadel was teaching high school students and beginning a lifetime of volunteer service;

WHEREAS, during her 10 years as an unpaid member of the Board of Education in Santa Barbara, California, in 1962, she helped to create the Scholarship Foundation of Santa Barbara, whose only requirement is proof of residency, allowing children of all economic backgrounds to pursue higher education or occupational training;

WHEREAS, at the age of 53, Mrs. Nadel broke tradition by receiving credit for her decades of unpaid work to secure her first paid employment, at the Woman’s Bureau of the U.S. Department of Labor;

WHEREAS, during her 21 years at the Woman’s Bureau, Mrs. Nadel received the Labor Department’s Distinguished Service Award for developing the first on-site child care center at a federal government agency and other activities benefiting working families; and

WHEREAS, after retirement in 1989, she returned to a life of “professional volunteerism,” serving on organizations such as the IONA Citizens Advisory Board, the National Council of Women’s Organizations, the Older Women’s League, the Woman’s National Democratic Club, and the D.C. Commission on Aging, where she was just re-nominated for another term as commissioner by Mayor Gray.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Ruth G. Nadel Recognition Resolution of 2013”.

ENROLLED ORIGINAL

Sec. 2. The Council of the District of Columbia recognizes and honors Ruth G. Nadel for her leadership in advancing opportunities for children, the elderly, and women in the work place.

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

20-83

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 10, 2013

To recognize the Columbia Lighthouse for the Blind for their unwavering commitment to blind and visually impaired residents of the District of Columbia, and for their more than 100 years of service to the community.

WHEREAS, the Columbia Lighthouse for the Blind is a private, not-for-profit, 501(c)(3) organization in the District;

WHEREAS, Columbia Lighthouse for the Blind was founded on May 17, 1900, by Francis R. Cleveland, an attorney from Connecticut, and H.R.W. Miles, a graduate of the Perkins Institute for the Blind, in an effort to establish a presence for the blind community in the Nation’s Capital;

WHEREAS, since 1900, Columbia Lighthouse for the Blind (“CLB”), has been dedicated to helping the blind or visually impaired population of the greater Washington region overcome the challenges of vision loss;

WHEREAS, CLB enables people of all ages who are blind or visually impaired to remain independent, active, and productive in society;

WHEREAS, Columbia Lighthouse for the Blind’s programs and services include training and consultation in assistive technology, employment marketing skills training, career placement services, comprehensive low vision care, and a wide range of counseling and rehabilitation services;

WHEREAS, CLB provides programs and services to people of all ages who are blind or visually impaired, regardless of their ability to pay, including adaptive technology, professional and career services training, low vision services, rehabilitation, counseling, children’s services, independent living, and older adult programs;

WHEREAS, CLB provides services to the more than 20,000 blind and low vision individuals in the Washington, D.C. metropolitan area;

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WHEREAS, in 2006, CLB’s assistive technology staff trained more than 400 people in 83 cities across the United States in the use of assistive technology; and

WHEREAS, each year, more than 150 volunteers contribute thousands of service hours to the Columbia Lighthouse for the Blind.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Columbia Lighthouse for the Blind Recognition Resolution of 2013”.

Sec. 2. The Council of the District of Columbia recognizes and honors CLB for its continued leadership in ensuring that blind or visually impaired District residents are provided with the vital services and assistance they need to live happy and productive lives.

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

20-84

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 10, 2013

To recognize and celebrate the Church of Christ at Sixteenth and Decatur, in Ward 4, on the occasion of its 100th anniversary on July 5, 2013.

WHEREAS, the Church of Christ at Sixteenth and Decatur, had its beginning on the first Sunday of January in 1913, when 5 members met for worship at the home of Thomas F. Colvin;

WHEREAS, the Church of Christ at Sixteenth and Decatur is known as an exceptional congregation working to promote New Testament Christianity throughout the District of Columbia;

WHEREAS, the Church of Christ at Sixteenth and Decatur opened at its current location in 1951 and saw its membership grow to over 500 worshippers, which included hundreds of government employees and active duty members of the Armed Forces;

WHEREAS, the Church of Christ at Sixteenth and Decatur has been active in providing volunteer services to 3 nursing homes for more than 30 years and has received a Service Excellence Award from Unique Residential Care Center;

WHEREAS, the Church of Christ at Sixteenth and Decatur has established 4 foreign mission churches in Bangladesh and has supported other mission churches in South Korea, Nigeria, and Central America;

WHEREAS, the Church of Christ at Sixteenth and Decatur offers a Spanish-speaking ministry, conducts bi-lingual worship service, and hosts area-wide Spanish-speaking fellowship and worship services to benefit the Latino community;

WHEREAS, the Church of Christ at Sixteenth and Decatur supports disadvantaged youth who attend Camp Wamava in the Blue Ridge Mountains of Virginia;

WHEREAS, the Church of Christ at Sixteenth and Decatur has offered a free Vatican Bible School summer program for children, teenagers, and adults;

ENROLLED ORIGINAL

WHEREAS, Eugene Edward Wilson, Jr. has served as the full-time evangelist for the Church of Christ at Sixteenth and Decatur since 1999 and continues to guest preach at several congregations in the District of Columbia;

WHEREAS, Martin Charles, the Associate Minister, joined the congregation at the Church of Christ at Sixteenth and Decatur in 2008 and has preached at several Churches of Christ in the region;

WHEREAS, the Church of Christ at Sixteenth and Decatur has a commitment to service and the District of Columbia community; and

WHEREAS, the Church of Christ at Sixteenth and Decatur will continue to provide religious services for citizens of the District of Columbia.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Church of Christ at Sixteenth and Decatur 100th Anniversary Recognition Resolution of 2013”.

Sec. 2. The Council of the District of Columbia commends and recognizes the Church of Christ at Sixteenth and Decatur on the occasion of its 100th anniversary.

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

20-85

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 10, 2013

To recognize the good works and social service outreach of the DC Diaper Bank in providing over 400,000 diapers to families in need and to declare the week of September 13, 2013 as “Diaper Need Awareness Week” in the District of Columbia.

WHEREAS, the DC Diaper Bank is a nonprofit founded by Ward 6 residents and serves neighbors in need throughout the District of Columbia;

WHEREAS, access to a reliable supply of clean diapers is a necessity for the health and welfare of infants and toddlers, their families, and child and health care providers;

WHEREAS, in a little over a year, the DC Diaper Bank has donated over 400,000 diapers to families in need;

WHEREAS, the DC Diaper Bank has created a vital regional network with 15 social service agencies, including several located within the District of Columbia, including Bread for the City, Central Union Mission, Horton’s Kids, Little Lights Urban Ministry, and Northwest Center;

WHEREAS, DC Diaper Bank is working in partnership with the District of Columbia Public Schools’ Early Stages program to increase family engagement and provide diapers to families in need; and

WHEREAS, Diaper Banks around the country will be marking the week of September 13, 2013, as National Diaper Need Awareness Week.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “DC Diaper Bank and Diaper Need Awareness Recognition Resolution of 2013”.

ENROLLED ORIGINAL

Sec. 2. The Council of the District of Columbia recognizes the good works and social service outreach of the DC Diaper Bank in providing over 400,000 diapers to families in need and declares the week of September 13, 2013, as “Diaper Need Awareness Week” in the District of Columbia.

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

20-86

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 10, 2013

To recognize and honor the Metropolitan A.M.E Church on its 175th anniversary.

WHEREAS, Metropolitan A.M.E. Church is located at 1518 M Street, N.W. in Ward 2;

WHEREAS, Metropolitan A.M.E. Church is known as the “The National Cathedral of African Methodism;”

WHEREAS, Metropolitan A.M.E. Church was founded on July 6, 1838;

WHEREAS, Metropolitan A.M.E. Church was a safe haven to runaway persons who were enslaved;

WHEREAS, Metropolitan A.M.E. Church hosted the funeral services of Frederick Douglass and former Senator Blanche K. Bruce;

WHEREAS, Metropolitan A.M.E. Church hosted the pre-inaugural prayer services for former President William J. Clinton in 1993 and 1997;

WHEREAS, Metropolitan A.M.E. Church raised over \$56,000 in money and goods for survivors of Hurricanes Katrina and Rita; and

WHEREAS, Metropolitan A.M.E. Church has sponsored many community activities such as “Ending Gun Violence,” and “Stop the Pipeline to Prison.”.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Metropolitan A.M.E. Church 175th Anniversary Recognition Resolution of 2013”.

Sec. 2. The Council of the District of Columbia recognizes and honors the Metropolitan A.M.E. Church on its 175th anniversary.

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

20-87

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 10, 2013

To recognize the hard work and personal dedication of Mr. Jimmy for 40 years of sobriety, and 29 years of his dynamic and trailblazing efforts to help people throughout the District of Columbia, and to declare July 15, 2013, as “Mr. Jimmy Day” in the District of Columbia.

WHEREAS, Mr. Jimmy arrived to the District of Columbia after living 11 years clean following his residence in North Carolina and New York City;

WHEREAS, while attending meetings at the Metropolis Club, he became known affectionately as New York Jimmy;

WHEREAS, Mr. Jimmy consistently demonstrates excellence and works tirelessly to help people find God’s will for themselves, and attain a 24-hour reprieve from drug addiction and alcoholism;

WHEREAS, Mr. Jimmy has achieved near perfect attendance for many years, and specifically, more than 19 years at Clean and Sober Streets, every day, and this truly speaks directly to his level of persistence and dedication;

WHEREAS, he is loved and cherished far and wide for his personal commitment to transforming so many lives to date;

WHEREAS, Mr. Jimmy has received invaluable support from Mr. Tom (Tom One), his sponsor and Co-Founder of Clean and Sober Streets, along with his lovely wife, Ms. Marie; and

WHEREAS, on July 15, 2013, Mr. Jimmy celebrates 40 years of uninterrupted sobriety.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Mr. Jimmy Recognition Resolution of 2013".

ENROLLED ORIGINAL

Sec. 2. The Council of the District of Columbia recognizes and honors Mr. Jimmy for his outstanding contribution and invaluable service to the District of Columbia, especially Clean and Sober Streets Organization, and hereby declares July 15, 2013, as “Mr. Jimmy Day” in the District of Columbia.

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

20-88

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 1, 2013

To recognize and honor Sylvia Soumah for her extraordinary leadership, dedicated service, and positive contributions to the Washington, D.C. metropolitan area as Founder and Artistic Director of Coyaba Dance Theater, Inc.

WHEREAS, Sylvia Soumah established Coyaba Dance Theater, Inc. in Washington, D.C. in 1997, and is in residence at Dance Place, located in the Brookland neighborhood in Ward 5;

WHEREAS, Coyaba Dance Theater, Inc. is a contemporary West African dance company whose mission is to present authentic portrayals of African dance, music, and other artistic and educational programs, focusing on the diverse ethnic groups of the African Diaspora and the African American experience;

WHEREAS, under Sylvia Soumah’s leadership, Coyaba Dance Theater provides informative and energetic community classes, workshops, and performances for all populations of people;

WHEREAS, under Sylvia Soumah’s leadership, Coyaba Dance Theater serves as a cultural ambassador, bringing attention to the importance of the struggles as well as the beauty of the continent of Africa through artistry, compassion, and humanity as it relates to American culture;

WHEREAS, under Sylvia Soumah’s leadership, Coyaba Dance Theater received the Washington, D.C. Dance Award for Outstanding Group Performance in 2001 and 2004;

WHEREAS, under Sylvia Soumah’s leadership, in 2007, Coyaba Dance Theater received a \$10,000 Creation Fund Grant from the National Performance Network for a new work entitled “Destiny,” which premiered in Washington, D.C.;

WHEREAS, under Sylvia Soumah’s leadership, Coyaba Dance Theater has performed at the World Culture Open in Seoul, South Korea, with Master Dancers/Choreographers Moustapha

ENROLLED ORIGINAL

Bangoura in Conakry, Guinea and Bouly Sonko in Dakar, Senegal, at DanceAfrica DC and DanceAfrica Chicago, the Shakespeare Theatre, the John F. Kennedy Center for the Performing Arts, The Barns at Wolf Trap, National Theatre, THEARC and The Atlas;

WHEREAS, Coyaba Dance Theater provides outreach performances and educational workshops for the Washington Performing Arts Society at schools in the Washington, D.C. metropolitan area and has performed and conducted outreach programs for the Smithsonian; and

WHEREAS, under the dynamic leadership of Sylvia Soumah, Coyaba Dance Theater was rated number 1 by the *Washington Post* for their all-inclusive, high-spirited dance class experience.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Sylvia Soumah Recognition Resolution of 2013”.

Sec. 2. The Council of the District of Columbia wholeheartedly honors Sylvia Soumah for 16 years of extraordinary leadership, dedicated service, and positive contributions to the Washington, D.C. metropolitan area as the Founder and Artistic Director of Coyaba Dance Theater.

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

20-89

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 10, 2013

To recognize and establish a city-wide day of non-violence in the District of Columbia and highlight alternative problem-solving solutions, and to declare August 22, 2013, as “City-Wide Day of Non-Violence” in the District of Columbia.

WHEREAS, America’s problems with violence in our society has escalated, not abated, during the last decade, affecting families in every walk of life and threatening our national security and the safety of children, youth, adults, seniors, and families;

WHEREAS, Dr. Martin Luther King, Jr. issued a call for non-violence in America 50 years ago at the August 28, 1963 March on Washington and Dr. King called for peaceful resolution to conflicts and disagreements to create a more fair and just society for all citizens;

WHEREAS, in line with the objectives set for the National Summit and Day of Non-Violence, elected officials across the country have been asked to declare this date as a national day of non-violence and high schools, college students, community-based organizations, and faith institutions in the District of Columbia have been challenged to plan a day or event that demonstrates what a day without violence would be like in their communities;

WHEREAS, Black Women for Positive Change, a national, civic, volunteer organization is calling for a National Summit on Non-Violence and a Day of Non-Violence in collaboration with Faith-Based Leaders, National Organizations, Elected Officials, and Community Leaders on August 22, 2013; and

WHEREAS, it has become apparent that it is in our nation’s best interest to increase knowledge and training of conflict resolution, mental health resources, parenting skills, and non-violence resources and to make resources available for the nation to change the culture of violence in America.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “City-Wide Day of Non-Violence Recognition Resolution of 2013”.

ENROLLED ORIGINAL

Sec. 2. The Council of the District of Columbia recognizes and honors the contributions of the Black Women for Positive Change and declares August 22, 2013, as “City-Wide Day of Non-Violence” in the District of Columbia.

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

20-90

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 10, 2013

To recognize the exceptional display of collaborative leadership, appreciation, and respect for the rich history of the District of Columbia by the United States Congress in dedicating the statue of Frederick Douglass in Emancipation Hall of the United State Capitol Building.

WHEREAS, a bronze statue of Frederick Douglass, the distinguished abolitionist, equal rights advocate, and historic figure of the District of Columbia, was dedicated by the United States Congress and placed in Emancipation Hall on June 19, 2013;

WHEREAS, the dedication of the statue of Frederick Douglass embodies the District of Columbia's history and progress, and the pride in the notable contributions made by Frederick Douglass, who the District of Columbia proudly claims as its own;

WHEREAS, Frederick Douglass left behind a remarkable legacy that included fighting against the evils of slavery, advocating for the rights of women, and speaking in favor of full voting rights for the residents of the District of Columbia;

WHEREAS, Frederick Douglass famously posed the question we still are working towards answering: "...What have the people of the District done that they should be excluded from the privileges of the ballot box?";

WHEREAS, the subject of the statue was chosen by the citizens of the District of Columbia through a voting process;

WHEREAS, the District of Columbia greatly appreciates and honors Councilmember Jack Evans, who secured the funding to construct the statue of Frederick Douglass;

WHEREAS, the statue of Frederick Douglass was commissioned by the Washington, D.C., Commission for the Arts and Humanities and the commission was awarded to renown sculptor Steven Weitzman in 2006;

ENROLLED ORIGINAL

WHEREAS, the District of Columbia is very grateful for the hard work and dedication of Delegate Eleanor Norton Holmes, who successfully guided the legislation authorizing the statue of Frederick Douglass through both chambers of the United States Congress;

WHEREAS, the District of Columbia would like to thank the United States Congress for the passage and President Barack Obama for the signing of Public Law No. 112-174, directing that a statue of Frederick Douglass be placed in Emancipation Hall;

WHEREAS, the District of Columbia thanks Senators Tom Carper, Barbara Boxer, Richard Durbin, and Patty Murray for their leadership in recognizing the contribution of the citizens of District of Columbia through the introduction of Senate Bill 132, the “New Columbia Admission Act,” the D.C. Statehood bill;

WHEREAS, the District of Columbia greatly appreciates the leadership of Senator Tom Carper, Chairman of the Committee on Homeland Security and Governmental Affairs, for pledging to hold hearings on the D.C. Statehood bill this fall;

WHEREAS, the District of Columbia would also like to show gratitude and appreciation to Senate Majority Leader Harry Reid for continuously supporting the effort to grant statehood to the District and for taking the extraordinary step of “signing on” to the D.C. Statehood bill as a co-sponsor;

WHEREAS, the District of Columbia would also like to recognize House Minority Leader Nancy Pelosi and House Minority Whip Steny Hoyer for their unwavering support for Public Law No. 112-174 authorizing the statue of Frederick Douglass and their long-standing commitment to statehood for the District of Columbia; and

WHEREAS, it is the hope that the historic dedication of the statue of Frederick Douglass will soon usher in a new day where the residents of the District of Columbia will be granted full voting rights and statehood at the earliest date.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Frederick Douglass U.S. Capitol Statue Recognition Resolution of 2013”.

Sec. 2. The District of Columbia is grateful for the progress that has been made toward fulfilling the vision of full voting rights and statehood for the citizens of the District.

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

20-91

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 10, 2013

To recognize the outstanding achievements and community leadership of Mrs. Sally MacDonald in the District of Columbia.

WHEREAS, Mrs. Sally MacDonald was born in the District of Columbia at Walter Reed National Military Medical Center to the first woman officer admitted to the hospital under her own rank;

WHEREAS, Mrs. MacDonald is a graduate of Georgetown Visitation Preparatory School and Georgetown University;

WHEREAS, Mrs. MacDonald was a founding member of the Woodley Park Community Association, a nonprofit neighborhood association dedicated to informing and serving the community of Woodley Park, a neighborhood in Ward 3;

WHEREAS, Mrs. MacDonald was the first editor of The Acorn, a newsletter published specifically for the Woodley Park community to discuss everyday matters and concerns of the neighborhood;

WHEREAS, Mrs. MacDonald served on 3 consecutive redistricting committees for Ward 3;

WHEREAS, Mrs. MacDonald served Ward 3 as an ANC Commissioner for ANC 3C03;

WHEREAS, Mrs. MacDonald was a board member and Secretary of the D.C. Federation of Civic Associations, an organization dedicated to informing, representing, and supporting the residents of the District of Columbia;

WHEREAS, Mrs. MacDonald was a member of the Vestry of All Souls Memorial Episcopal Church, a church founded in the District in 1913;

ENROLLED ORIGINAL

WHEREAS, Mrs. MacDonald served as a volunteer docent at the Washington National Cathedral, educating many of the thousands of visitors about the cathedral’s mission, history, art, and architecture;

WHEREAS, Mrs. MacDonald was actively involved with the Ward Three Democratic Committee for over 20 years through her service as a delegate, area representative to various precincts, member of the Executive Board, and Chairwoman of the Issues Committee;

WHEREAS, Mrs. MacDonald coordinated a major neighborhood effort resulting in the repair of a large and dangerous road condition at 29th and Cathedral Avenue; and

WHEREAS, Mrs. MacDonald created the blog “Diary of Darkness” to chronicle the experiences of Woodley Park residents living on streets with antiquated streetlights, an effort that culminated with the repair and modernization of 67,000 streetlights throughout the District, including Woodley Park, Mount Olivet Road, C Street in Southwest, Mount Pleasant, the Rockwood Parkway, and parts of Constitution Avenue in Northwest.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Sally MacDonald Recognition Resolution of 2013”.

Sec. 2. The District of Columbia is grateful for Mrs. MacDonald’s commitment to excellence and service to the District.

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

**Council of the District of Columbia
COMMITTEE ON GOVERNMENT OPERATIONS
NOTICE OF PUBLIC HEARING
1350 Pennsylvania Avenue, NW, Washington, DC 20004**

**COUNCILMEMBER KENYAN R. McDUFFIE, CHAIRPERSON
COMMITTEE ON GOVERNMENT OPERATIONS**

ANNOUNCES A PUBLIC HEARING ON

B20-0049 THE “WORKPLACE WELLNESS ACT OF 2013”

**October 10, 2013, 11:00 AM
Room 123 John A. Wilson Building
1350 Pennsylvania Ave., NW
Washington, D.C. 20004**

On October 10, 2013, Councilmember Kenyan R. McDuffie, Chairperson of the Committee on Government Operations, will convene a public hearing on B20-0049 The “Workplace Wellness Act of 2013.” This public hearing will be held in Room 123 of the John A. Wilson Building, 1350 Pennsylvania Ave, NW at 11:00 AM.

The purpose of this hearing is to give the public the opportunity to comment on this measure. The stated purpose of the “Workplace Wellness Act of 2013” is to establish a workplace wellness policy for the District government; to provide for healthier options in vending machines under District control; and permit a healthy retail food vendor in the John A. Wilson Building.

The Committee invites the public to testify or to submit written testimony, which will be made a part of the official record. Anyone wishing to testify at the hearing should contact Mr. Ronan Gulstone, Committee Director at (202) 724-8028, or via e-mail at rgulstone@dccouncil.us, and provide their name, address, telephone number, organizational affiliation and title (if any) by close of business Wednesday July, 3 2013. Representatives of organizations will be allowed a maximum of five (5) minutes for oral presentation and individuals will be allowed a maximum of three (3) minutes for oral presentation. Witnesses should bring 10 copies of their written testimony and if possible submit a copy of their testimony electronically to rgulstone@dccouncil.us.

If you are unable to testify at the hearing, written statements are encouraged and will be made a part of the official record. Copies of written statements should be submitted either to the Committee, or to Ms. Nyasha Smith, Secretary to the Council, 1350 Pennsylvania Avenue, N.W., Suite 5, Washington, D.C. 20004. The record will close at the end of the business day on July 23, 2013.

COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE ON TRANSPORTATION & THE ENVIRONMENT
MARY M. CHEH, CHAIR

NOTICE OF PUBLIC HEARING ON

Bill 20-324, the Traffic Adjudication Amendment Act of 2013

Tuesday, October 8
at 11:00 a.m.
in Room 500 of the
John A. Wilson Building
1350 Pennsylvania Avenue, NW
Washington, DC 20004

On Tuesday, October 8, 2013, Councilmember Mary M. Cheh, Chairperson of the Committee on the Transportation and the Environment, will hold a public hearing on Bill 20-324, the Traffic Adjudication Amendment Act of 2013. The hearing will begin at 11:00 a.m. in Room 500 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W.

Bill 20-324 would allow a driver to appeal a traffic ticket after deadlines have passed when the driver can establish actual innocence. This bill would also transfer jurisdiction of certain traffic cases to the Office of Administrative Hearings.

The Committee invites the public to testify or to submit written testimony, which will be made a part of the official Hearing Record. Anyone wishing to testify should contact Ms. Aukima Benjamin, staff assistant to the Committee on Transportation and the Environment, at (202) 724-8062 or via e-mail at abenjamin@dccouncil.us. Persons representing organizations will have five minutes to present their testimony. Individuals will have three minutes to present their testimony. Witnesses should bring 8 copies of their written testimony and should submit a copy of their testimony electronically to abenjamin@dccouncil.us.

If you are unable to testify in person, written statements are encouraged and will be made a part of the official record. Copies of written statements should be submitted to Ms. Aukima Benjamin, staff assistant to the Committee on Transportation and the Environment, John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Suite 108, Washington, D.C. 20004. They may also be e-mailed to abenjamin@dccouncil.us or faxed to (202) 724-8118. The record will close at the end of the business day on October 22, 2013.

COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE ON TRANSPORTATION & THE ENVIRONMENT
MARY M. CHEH, CHAIR

NOTICE OF PUBLIC HEARING ON

Bill 20-344, the Special Event Waste Diversion Act of 2013

Tuesday, November 12, 2013
at 11:00 a.m.
in Room 500 of the
John A. Wilson Building
1350 Pennsylvania Avenue, NW
Washington, DC 20004

On Tuesday, November 12, 2013, Councilmember Mary M. Cheh, Chairperson of the Committee on the Transportation and the Environment, will hold a public hearing on Bill 20-344, the Special Event Waste Diversion Act of 2013. The hearing will begin at 11:00 a.m. in Room 500 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W.

Bill 20-344 would require organizers of parades, festivals, and other large special events that use public space to provide for recycling in addition to trash collection services at their large public events.

The Committee invites the public to testify or to submit written testimony, which will be made a part of the official Hearing Record. Anyone wishing to testify should contact Ms. Aukima Benjamin, staff assistant to the Committee on Transportation and the Environment, at (202) 724-8062 or via e-mail at abenjamin@dccouncil.us. Persons representing organizations will have five minutes to present their testimony. Individuals will have three minutes to present their testimony. Witnesses should bring 8 copies of their written testimony and should submit a copy of their testimony electronically to abenjamin@dccouncil.us.

If you are unable to testify in person, written statements are encouraged and will be made a part of the official record. Copies of written statements should be submitted to Ms. Aukima Benjamin, staff assistant to the Committee on Transportation and the Environment, John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Suite 108, Washington, D.C. 20004. They may also be e-mailed to abenjamin@dccouncil.us or faxed to (202) 724-8118. The record will close at the end of the business day on November 26, 2013.

**Council of the District of Columbia
COMMITTEE ON GOVERNMENT OPERATIONS
COMMITTEE ON FINANCE AND REVENUE
NOTICE OF PUBLIC HEARING
1350 Pennsylvania Avenue, NW, Washington, DC 20004**

REVISED

**COUNCILMEMBER KENYAN R. McDUFFIE, CHAIRPERSON
COMMITTEE ON GOVERNMENT OPERATIONS**

AND

**COUNCILMEMBER JACK EVANS, CHAIRPERSON
COMMITTEE ON FINANCE AND REVENUE**

ANNOUNCE A JOINT PUBLIC HEARING ON

B20-387 THE "ELECTRIC COMPANY INFRASTRUCTURE IMPROVEMENT FINANCING ACT OF 2013"

**October, 21 2013, 11:00 AM
Room 412 John A. Wilson Building
1350 Pennsylvania Ave., NW
Washington, D.C. 20004**

On October 21, 2013, Councilmember Kenyan R. McDuffie, Chairperson of the Committee on Government Operations and Councilmember Jack Evans, Chairperson of the Committee on Finance and Revenue, will convene a joint public hearing on B20-387 the "Electric Company Infrastructure Improvement Financing Act of 2013." This joint public hearing will be held in Room 412 of the John A. Wilson Building, 1350 Pennsylvania Ave, NW at 11:00 AM. This notice has been revised to reflect that it is a joint public hearing.

The purpose of this joint hearing is to give the public the opportunity to comment on this measure. The stated purpose of the B20-387 the "Electric Company Infrastructure Improvement Financing Act of 2013" is to authorize and provide for the issuance of revenue bonds under Section 490 of the District of Columbia Home Rule Act; the authorization of the District of Columbia Public Service Commission ("Commission") to issue financing orders, upon application, that provide for: (i) financing of the costs of constructing underground conduits, ducts, manholes, vaults and ancillary facilities for electric distribution in the District of Columbia ("District"), and associated roadway restoration; (ii) creating a property right in favor of the District in the future revenue stream raised through the imposition of a charge on the electric company's District customers; (iii) authorizing the District to hold this property right and to pledge the same as security for its repayment obligations to bond purchasers; and (iv) authorizing the District, to provide funding from the bond proceeds to the District Department of Transportation ("DDOT") to finance construction of underground conduits, duct banks,

manholes, vaults and ancillary facilities for electric distribution in the District, together with associated roadway restoration; the authorization of the Commission to issue orders, upon application, that provide for the: (i) selection and construction of underground electric distribution and ancillary facilities in the District; (ii) imposition and annual true-up of a special funding surcharge mechanism under which the electric company is to be permitted to recover from certain of its customers in the District the capital costs and associated depreciation and other expense relating to relocating and otherwise installing electric distribution line and equipment and ancillary facilities into underground conduits, duct banks, manholes and vaults constructed by DOOT or the electric company; and (iii) imposition by the Commission and annual true-up of a special financing surcharge applicable to certain of the electric company's customers in the District to fund the repayment of bonds issued by the District to finance the construction by the DDOT of underground conduits, vaults, manholes and ancillary facilities to be used in the distribution of electricity in the District.

The Committees invite the public to testify or to submit written testimony, which will be made a part of the official record. Anyone wishing to testify at the hearing should contact Mr. Ronan Gulstone, Committee Director for the Committee on Government Operations at (202) 724-8028, or via e-mail at rgulstone@dccouncil.us, and provide their name, address, telephone number, organizational affiliation and title (if any) by close of business Thursday October 17, 2013. Representatives of organizations will be allowed a maximum of five (5) minutes for oral presentation and individuals will be allowed a maximum of three (3) minutes for oral presentation. Witnesses should bring 10 copies of their written testimony and if possible submit a copy of their testimony electronically to rgulstone@dccouncil.us.

If you are unable to testify at the hearing, written statements are encouraged and will be made a part of the official record. Copies of written statements should be submitted either to the Committee, or to Ms. Nyasha Smith, Secretary to the Council, 1350 Pennsylvania Avenue, N.W., Suite 5, Washington, D.C. 20004. The record will close at the end of the business day on November 5, 2013.

COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE ON TRANSPORTATION & THE ENVIRONMENT
MARY M. CHEH, CHAIR

NOTICE OF PUBLIC OVERSIGHT ROUNDTABLE ON

Air Quality Issues in the District

Tuesday, December 10, 2013
at 11:00 a.m.
in Room 500 of the
John A. Wilson Building
1350 Pennsylvania Avenue, NW
Washington, DC 20004

On Wednesday, October 16, 2013, Councilmember Mary M. Cheh, Chairperson of the Committee on the Transportation and the Environment, will hold a public oversight roundtable on air quality issues in the District. The roundtable will begin at 11:00 a.m. in Room 500 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W.

The Committee invites the public to testify or to submit written testimony, which will be made a part of the official Hearing Record. Anyone wishing to testify should contact Ms. Aukima Benjamin, staff assistant to the Committee on Transportation and the Environment, at (202) 724-8062 or via e-mail at abenjamin@dccouncil.us. Persons representing organizations will have five minutes to present their testimony. Individuals will have three minutes to present their testimony. Witnesses should bring 8 copies of their written testimony and should submit a copy of their testimony electronically to abenjamin@dccouncil.us.

If you are unable to testify in person, written statements are encouraged and will be made a part of the official record. Copies of written statements should be submitted to Ms. Aukima Benjamin, staff assistant to the Committee on Transportation and the Environment, John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Suite 108, Washington, D.C. 20004. They may also be e-mailed to abenjamin@dccouncil.us or faxed to (202) 724-8118. The record will close at the end of the business day on December 24, 2013.

COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE ON TRANSPORTATION & THE ENVIRONMENT
MARY M. CHEH, CHAIR

NOTICE OF PUBLIC OVERSIGHT ROUNDTABLE ON

Increasing the number of wheelchair accessible taxicabs by using taxicabs to provide paratransit services in the District

Wednesday, October 16, 2013
at 11:00 a.m.
in Room 412 of the
John A. Wilson Building
1350 Pennsylvania Avenue, NW
Washington, DC 20004

On Wednesday, October 16, 2013, Councilmember Mary M. Cheh, Chairperson of the Committee on the Transportation and the Environment, will hold a public oversight roundtable on increasing the number of wheelchair accessible taxicabs by using taxicabs to provide paratransit services in the District. The roundtable will begin at 11:00 a.m. in Room 412 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W.

The Committee invites the public to testify or to submit written testimony, which will be made a part of the official Hearing Record. Anyone wishing to testify should contact Ms. Aukima Benjamin, staff assistant to the Committee on Transportation and the Environment, at (202) 724-8062 or via e-mail at abenjamin@dccouncil.us. Persons representing organizations will have five minutes to present their testimony. Individuals will have three minutes to present their testimony. Witnesses should bring 8 copies of their written testimony and should submit a copy of their testimony electronically to abenjamin@dccouncil.us.

If you are unable to testify in person, written statements are encouraged and will be made a part of the official record. Copies of written statements should be submitted to Ms. Aukima Benjamin, staff assistant to the Committee on Transportation and the Environment, John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Suite 108, Washington, D.C. 20004. They may also be e-mailed to abenjamin@dccouncil.us or faxed to (202) 724-8118. The record will close at the end of the business day on October 30, 2013.

Council of the District of Columbia
Committee on Economic Development
Notice of Public Oversight Roundtable
1350 Pennsylvania Avenue, N.W. Washington, DC 20004

Revised

**COUNCILMEMBER MURIEL BOWSER, CHAIRPERSON
COMMITTEE ON ECONOMIC DEVELOPMENT**

ANNOUNCES A PUBLIC OVERSIGHT ROUNDTABLE

To Review

**Major Economic Development Projects in the Portfolio of the Deputy Mayor for Planning
and Economic Development**

SEPTEMBER 24, 2013

11:00 AM

ROOM 500

**JOHN A. WILSON BUILDING
1350 PENNSYLVANIA AVENUE, N.W.**

On September 24, 2013, Councilmember Muriel Bowser, Chairperson of the Committee on Economic Development will reconvene a public oversight roundtable to review major economic development projects within the portfolio of the Deputy Mayor for Planning and Economic Development. The purpose of this public oversight roundtable is to hear from the Deputy Mayor about the status of these projects and to identify next steps. Below is a brief summary of each of the projects to be discussed. The Committee considered projects 1-4 on July 12th, 2013 before recessing the hearing. Only projects 5-8 will be considered on September 24, 2013.

1. **WASA Facility:** In March, the Mayor proposed to spend \$18,000,000 during FY 2014 and FY 2015 to relocate a DC Water fleet and maintenance facility currently located at 5000 Overlook Avenue, SW. The relocation would make way for the eventual transfer of the site to Forest City Washington, developers of *The Yards*, located nearby. Once transferred, these three parcels will be redeveloped with mixed uses. The funds will be used for hard and soft costs of constructing a new facility to accommodate DC Water's activities currently located at the Overlook Avenue site. In addition to parking for more than 350 vehicles, the relocation cost includes the construction of a 35,000 square foot building to support DC Water's emergency sewer maintenance program, six indoor Jet-Vacs, and six salt hoppers. The approved Capital Improvements Project allots \$6,000,000 in FY 2014 and \$9,000,000 in FY 2015.
2. **Poplar Point:** Poplar Point is one of the last great urban waterfront redevelopment opportunities on the East Coast. It has been proposed that the 110-acre site will be transferred to the District of Columbia from the federal government. Bounded by South Capitol Street, I-295 and the 11th Street Bridges, the site is largely unused, but contains some National Park Service and the U.S. Park Police facilities. Currently, the project is undergoing a federal environmental impact analysis and Small Area Planning phase. Poplar Point is envisioned to be the home of a variety of different uses including residential, retail, office, entertainment,

cultural, and park/open space uses. Currently, there are no specific figures for the actual allotment of space for the different uses. The Districts Capital Improvement Plan requests \$13 million between FY2014 and FY2016.

3. ***McMillan Site Redevelopment:*** The 25-acre former McMillan Reservoir Sand Filtration Plant site, bound on the north by Michigan Avenue, on the east by North Capitol Street, on the south by Channing Street and on the west by First Street, is expected to be redeveloped into a mixed-use project that will include historic preservation, open space, residential, retail, office, and hotel uses. The goal is to create an architecturally distinct, vibrant, mixed-use development that provides housing, employment, retail, cultural, and recreational opportunities for District residents. The project will include affordable and workforce housing, and 35 percent of the local contracting opportunities must go to Certified Business Enterprises (CBEs). The capital improvements plan requests \$48 million between FY2014 and FY2017 to build site infrastructure.
4. ***Skyland Shopping Center:*** The Skyland project is geared to promote neighborhood revitalization and economic growth on an 18-acre site located in Ward 7 at the intersections of Good Hope Road, Naylor Road, and Alabama Ave SE. While the Skyland Shopping Center is still active, a considerable portion of the shopping center is vacant and will start to be demolished in the upcoming months. The potential of this site is significant, due to its prominent location, the considerable land area available for redevelopment, and the resources and public benefits the project would provide to the neighborhood. Plans for Skyland call for more than 315,000 square feet of retail space-- a combination of high-quality, large format national-brand retailers and neighborhood serving shops and restaurants. The project will also include 468 units of housing. The full-funding cost reported for the Skyland project has increased from \$10.5 million in the FY 2013 budget to \$50.5 million in the proposed FY 2014 budget. A \$40 million allotment has been proposed for FY 2014, which will be used for infrastructure improvements.
5. ***Walter Reed Redevelopment:*** As part of the Department of Defense's Base Realignment and Closure (BRAC) process, the District formed the Local Redevelopment Authority (LRA) to prepare the Reuse Plan for the Walter Reed Army Medical Center (WRAMC), the functions of which were being relocated to a new facility in Bethesda, MD. The plan to redevelop more than 60 acres provides a strategic framework to integrate the site within the existing fabric of the neighborhoods surrounding WRAMC by recommending approximately 3.1 million square feet of a mix of uses and quality open space. This mix of uses will support a significant number of new jobs for the District and will provide an estimated \$30 million of new stabilized tax revenues. The Reuse Plan was unanimously approved by Council on July 20, 2012. Since that time, the process to choose a master developer for the site has commenced. The Capital Improvement Plan requests \$2.3 million between FY2014 and FY 2019.
6. ***Southwest Waterfront: The Wharf,*** as the development is termed, is located along the Washington Channel, just south of the National Mall and west of the newly developed Capitol Riverfront. The development plan for the Wharf includes building new restaurants, shops, condominiums, a hotel, marinas, a waterfront park, and an expanded riverfront promenade with public access to the water. The waterfront area will be bike and pedestrian-friendly and is expected to become a commercial anchor for those who visit Washington DC's monuments and museums.

The first phase of this \$2 billion development is projected to open in 2016.

7. **Hill East:** The 67 acres located between the eastern edge of the Capitol Hill neighborhood and the western shore of the Anacostia River hosted the former National Capital Medical Center campus, (formerly known as DC General Hospital) now closed, the Central Detention Facility/DC Jail, and other buildings and parking lots, none of which uses invited or made accessible the waterfront to the adjoining neighborhood. The District of Columbia plans to redevelop 50 acres of Hill East District to be transformed into a vibrant, mixed-use urban waterfront community in accordance with the Hill East Master Plan approved by the DC Council in October 2002.
8. **Hine Junior High School:** In 2010, the Council approved the surplus and disposition of the vacant Hine Junior High School located at 335 8th St, SE to developer Stanton-Eastbanc LLC (“Developer”). The property will be conveyed to the Developer via a 99-year ground lease. The Developer secured a Planned Unit Development approval from the Zoning Commission on October 15, 2012, which allows for the construction of 158 residential units comprising 254,077 square feet. Forty-six of the residential units will be affordable. The project will also provide 197,051 square feet of commercial use. To accommodate these uses, the existing school building will be razed and a longstanding flea market will be displaced. The PUD is currently the subject of a proceeding before the Court of Appeals. The final terms of the proposed lease from the District to the Developer continue to be negotiated.

The public oversight roundtable will begin at 11:00 AM in Room 500 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W.

Individuals and representatives of organizations wishing to testify should contact Rob Hawkins, Legislative Director for the Committee on Economic Development, at (202) 724-8052, or rhawkins@dccouncil.us and furnish his or her name, address, telephone number, and organizational affiliation, if any, by the close of business Monday, September 23, 2013. Due to room availability and time constraints, witness testimony may be limited.

Written statements are encouraged and will be made a part of the official record. Copies of written statements should be submitted to the Committee on Economic Development, Council of the District of Columbia, Suite 112 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004.

This notice is revised to reflect that the roundtable will include the Hine Junior High School project.

COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE ON TRANSPORTATION & THE ENVIRONMENT
MARY M. CHEH, CHAIR

NOTICE OF PUBLIC OVERSIGHT ROUNDTABLE ON

Publisher Boxes

Thursday, September 19
at 11:00 a.m.
in Room 500 of the
John A. Wilson Building
1350 Pennsylvania Avenue, NW
Washington, DC 20004

On Thursday, September 19, 2013, Councilmember Mary M. Cheh, Chairperson of the Committee on the Transportation and the Environment, will hold a public oversight roundtable on publisher boxes. The roundtable will begin at 11:00 a.m. in Room 500 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W.

On August 23, 2013, the District Department of Transportation issued a Notice of Proposed Rulemaking on publisher boxes, which are used to distribute newspapers and magazines in public space. For a copy of the regulations, visit: <http://dcregs.dc.gov/Notice/Download.aspx?noticeid=4519150> . The purpose of this hearing is to consider the regulation and enforcement of publisher boxes in the District.

The Committee invites the public to testify or to submit written testimony, which will be made a part of the official Hearing Record. Anyone wishing to testify should contact Ms. Aukima Benjamin, staff assistant to the Committee on Transportation and the Environment, at (202) 724-8062 or via e-mail at abenjamin@dccouncil.us. Persons representing organizations will have five minutes to present their testimony. Individuals will have three minutes to present their testimony. Witnesses should bring 8 copies of their written testimony and should submit a copy of their testimony electronically to abenjamin@dccouncil.us.

If you are unable to testify in person, written statements are encouraged and will be made a part of the official record. Copies of written statements should be submitted to Ms. Aukima Benjamin, staff assistant to the Committee on Transportation and the Environment, John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Suite 108, Washington, D.C. 20004. They may also be e-mailed to abenjamin@dccouncil.us or faxed to (202) 724-8118. The record will close at the end of the business day on October 3, 2013.

COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE ON TRANSPORTATION & THE ENVIRONMENT
MARY M. CHEH, CHAIR

NOTICE OF PUBLIC OVERSIGHT ROUNDTABLE ON
The District's Snow Removal Operations Plan for Winter 2013-2014

Tuesday, October 22, 2013
at 11:00 a.m.
in Room 500 of the
John A. Wilson Building
1350 Pennsylvania Avenue, NW
Washington, DC 20004

On Tuesday, October 22, 2013, Councilmember Mary M. Cheh, Chairperson of the Committee on the Transportation and the Environment, will hold a public oversight roundtable on the District's Snow Removal Operations Plan for Winter 2013-2014. The roundtable will begin at 11:00 a.m. in Room 500 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W.

The Department of Public Works has the primary responsibility for the District's snow removal operations. Efficient operations require the participation and coordination of many government agencies and hundreds of employees. The roundtable will examine DPW's readiness for the coming snow season and the agency's ability to coordinate with other entities.

The Committee invites the public to testify or to submit written testimony, which will be made a part of the official Hearing Record. Anyone wishing to testify should contact Ms. Aukima Benjamin, staff assistant to the Committee on Transportation and the Environment, at (202) 724-8062 or via e-mail at abenjamin@dccouncil.us. Persons representing organizations will have five minutes to present their testimony. Individuals will have three minutes to present their testimony. Witnesses should bring 8 copies of their written testimony and should submit a copy of their testimony electronically to abenjamin@dccouncil.us.

If you are unable to testify in person, written statements are encouraged and will be made a part of the official record. Copies of written statements should be submitted to Ms. Aukima Benjamin, staff assistant to the Committee on Transportation and the Environment, John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Suite 108, Washington, D.C. 20004. They may also be e-mailed to abenjamin@dccouncil.us or faxed to (202) 724-8118. The record will close at the end of the business day on November 5, 2013.

COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE ON TRANSPORTATION & THE ENVIRONMENT
MARY M. CHEH, CHAIR

NOTICE OF PUBLIC OVERSIGHT ROUNDTABLE ON

The Wisconsin Avenue Upgrade/Streetscape Project

Wednesday, October 30, 2013
at 11:00 a.m.
in Room 412 of the
John A. Wilson Building
1350 Pennsylvania Avenue, NW
Washington, DC 20004

On Wednesday, October 22, 2013, Councilmember Mary M. Cheh, Chairperson of the Committee on the Transportation and the Environment, will hold a public oversight roundtable on the Wisconsin Avenue Upgrade/Streetscape Project. The roundtable will begin at 11:00 a.m. in Room 412 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W.

In 2006, the Office of Planning issued the Glover Park Commercial District Analysis Report, which included a set of recommendations for improving Wisconsin Avenue in Glover Park. Through the Wisconsin Avenue Upgrade/Streetscape Project, the District Department of Transportation has sought to implement the goals of this report and to improve the safety, traffic, pedestrian mobility, and retail accessibility of Wisconsin Avenue from the intersection of 34th Street to the intersection of Massachusetts Avenue.

The Committee invites the public to testify or to submit written testimony, which will be made a part of the official Hearing Record. Anyone wishing to testify should contact Ms. Aukima Benjamin, staff assistant to the Committee on Transportation and the Environment, at (202) 724-8062 or via e-mail at abenjamin@dccouncil.us. Persons representing organizations will have five minutes to present their testimony. Individuals will have three minutes to present their testimony. Witnesses should bring 8 copies of their written testimony and should submit a copy of their testimony electronically to abenjamin@dccouncil.us.

If you are unable to testify in person, written statements are encouraged and will be made a part of the official record. Copies of written statements should be submitted to Ms. Aukima Benjamin, staff assistant to the Committee on Transportation and the Environment, John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Suite 108, Washington, D.C. 20004. They may also be e-mailed to abenjamin@dccouncil.us or faxed to (202) 724-8118. The record will close at the end of the business day on November 13, 2013.

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF PUBLIC HEARINGS
CALENDAR

WEDNESDAY, SEPTEMBER 18, 2013
2000 14TH STREET, N.W., SUITE 400S,
WASHINGTON, D.C. 20009

Ruthanne Miller, Chairperson

Members:

Nick Alberti, Donald Brooks, Herman Jones, Mike Silverstein

Protest Hearing (Status); Case # 13-PRO-00103, Poy Loung DC Group, LLC, 9:30 AM
t/a Kurba, 301 Tingey Street SE, License #90630, Retailer CR, ANC 6D
Substantial Change (Sidewalk Café)

Protest Hearing (Status) 9:30 AM
Case # 13-PRO-00087; MH Owner, LLC, t/a The Graham, 1075 Thomas
Jefferson Street NW, License #89867, Retailer CH, ANC 2E
Renewal Application

Show Cause Hearing (Status) 9:30 AM
Case # 12-AUD-00070; El Tamarindo, Inc., t/a El Tamarindo Adams Morgan
1785 Florida Ave NW, License #71179, Retailer CR, ANC 1C
Failed to Qualify as a Restaurant, Failed to Provide Invoices for Purchased
Food and Alcoholic Beverages

Show Cause Hearing (Status) 9:30 AM
Case # 13-AUD-00023; Café Europa, Inc., t/a Panache, 1725 Desales Street NW
License #60754, Retailer CR, ANC 2B
Failed to File Quarterly Statements (3rd Quarter 2012)

Show Cause Hearing (Status) 9:30 AM
Case # 13-AUD-00004; CSBT, Inc., t/a Town House Tavern Restaurant, 1631 R
Street NW, License #24682, Retailer CR, ANC 2B
Failed to Provide Invoices for Purchased Food and Alcoholic Beverages,
Failed to Maintain Books and Records

Show Cause Hearing (Status) 9:30 AM
Case # 12-AUD-00061; Polo DC, LLC/Rugby Café, LLC, t/a Rugby Café
1065 Wisconsin Ave NW, License #75703, Retailer CR, ANC 2E
Failed to Maintain Books and Records

Board's Calendar

Page -2- September 18, 2013

Show Cause Hearing (Status) 9:30 AM

**Case # 12-251-00243; Sunshine Bar & Lounge, LLC, t/a Sunshine Bar & Lounge, 7331 Georgia Ave NW, License #85239, Retailer CR, ANC 4B
Allowed the Establishment to be Used for an Unlawful or Disorderly Purpose, Failed to Allow MPD Officers to Enter the Establishment, Substantial Change without Board Approval, Failed to Comply With the Terms of Board Order No. 2011-198**

Show Cause Hearing (Status) 9:30 AM

**Case # 13-CMP-00118; Carnival, Inc., t/a Sunset Liquors, 1627 1st Street NW License #60657, Retailer A, ANC 5E
Failed to Post In a Conspicuous Place the Name of the Licensee, the License Class and the License Number, Trade Name Change Without Board Approval**

Show Cause Hearing (Status) 9:30 AM

**Case # 13-CC-00027; Vap H Street, LLC, t/a Vapiano, 623 H Street NW License #76727, Retailer CR, ANC 2C
Failed to Post License in a Conspicuous Place**

Show Cause Hearing (Status) 9:30 AM

**Case # 13-CMP-00042; Inner Circle 1420, LLC, t/a Tattoo, 1413 K Street NW License #75156, Retailer CN, ANC 2F
Failed to Post License in a Conspicuous Place**

Show Cause Hearing (Status) 9:30 AM

**Case # 12-CMP-00648; Rajaji, Inc., t/a Rajaji Curry House, 2603 Connecticut Ave NW, License #70945, Retailer CR, ANC 3C
Failed to Post In a Conspicuous Place the Name of the Licensee, the License Class and the License Number, Failed to Post License in a Conspicuous Place, Failed to Have Warning Signs Posted, Failed to Post Minimum Age Required for the Purchase of an Alcoholic Beverage**

Show Cause Hearing (Status) 9:30 AM

**Case # 13-CC-00022; Mac's Liquors, Inc., t/a Mac's Wine & Liquors, 401 Rhode Island Ave NE, License #60758, Retailer A, ANC 5E
No ABC Manager on Duty**

Show Cause Hearing (Status) 9:30 AM

**Case # 13-CMP-00162; Rose's Dream, Inc., t/a Rose's Dream, 1378 H Street NE, License #89342, Retailer CT, ANC 6A
Operating After Board Approved Hours, Violation of Settlement Agreement**

Board's Calendar
Page -3- September 18, 2013

Show Cause Hearing **10:00 AM**
Case # 12-AUD-00067; KYW, Inc., t/a Wah Sing Restaurant, 2521,
Pennsylvania Ave SE, License #514, Retailer CR, ANC 7B
Failed to Maintain Books and Records

Show Cause Hearing **11:00 AM**
Case # 11-251-00372; De Amigo, LLC, t/a Sesto Senso/Andulo/Spot/Lupe/MIA
1214 18th Street NW, License #81092, Retailer CT, ANC 2B
**Allowed the Establishment to be Used for an Unlawful or Disorderly
Purpose, Failed to Follow Security Plan**

BOARD RECESS AT 12:00 PM

Fact Finding Hearing **1:00 PM**
Little Red Fox, LLC, t/a Little Red Fox, 5035 Connecticut Ave NW, License
#92834, Retailer B, ANC 3F
New Retailer Class B Full-Service Grocery

Show Cause Hearing **1:30 PM**
Case # 11-CMP-00372; TBM Holdings, LLC, t/a TruOrleans, 400 H Street NE
License #86210, Retailer CR, ANC 6C
**Failed to Comply With the Terms of Offer in Compromise dated March 13,
2013**

Show Cause Hearing **2:30 PM**
Case # 12-251-00368; 2408 Wisconsin Ave, LLC, t/a Mason Inn, 2408
Wisconsin Ave NW, License #79644, Retailer CT, ANC 3B
Substantial Change in Operation (Increase in Occupancy)

Show Cause Hearing **3:30 PM**
Case # 13-CMP-00206; Amde Sofenias, t/a Queen Makeda, 1917 9th Street
NW, License #60510, Retailer CR, ANC 1B
**Served Alcoholic Beverages Without a Valid License, Trade Name Change
Without Board Approval, Failed to Maintain Books and Records,
Substantial Change In Operation Without Board Approval (Trade Name),
Failed to Post the Correct Name**

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF PUBLIC HEARINGS
CALENDAR

THURSDAY, SEPTEMBER 19, 2013
2000 14TH STREET, N.W., SUITE 400S,
WASHINGTON, D.C. 20009

Ruthanne Miller, Chairperson
Members:

Nick Alberti, Donald Brooks, Herman Jones, Mike Silverstein

Fact Finding Hearing 9:30 AM
Showboat 2473, LLC, t/a District Lounge and Grille, 2473 18th Street NW
License #91034, Retailer CR, ANC 1C
License in Safekeeping

Fact Finding Hearing 10:00 AM
Kusam International, Inc., t/a Balletto Dining Lounge, 1050 17th Street NW
License #14073, Retailer CR, ANC 2B
License in Safekeeping

Fact Finding Hearing 10:30 AM
Aramark Educational Services, LLC, t/a Aramark, 3500 Nebraska Ave NW
License #92663, Caterer
Pending Retail Caterer's License Application

Fact Finding Hearing 11:00 AM
Temporary License Application, Applicant: James M. Babin, Neighborhood
Restaurant Group VII, LLC, 945 Florida Ave NW
Date of Event: September 21, 2013, Size of Event: 200 attendees

BOARD RECESS AT 12:00 PM

Fact Finding Hearing 1:00 PM
Sledge Inc., t/a 9:30 Club, 815 V Street NW, License #21837, Retailer CX, ANC
1B, **Change of Hours Application**

Protest Hearing 1:30 PM
Case # 13-PRO-00086; Seaton Motor Company, LLC, t/a Red Hen, 1822 1st
Street NW, License #90832, Retailer CR, ANC 5E
Renewal Application

Board's Calendar

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Protest Hearing

4:30 PM

Case # 13-PRO-00051; TBM Holdings, LLC, t/a TruOrleans, 400 H Street NE
License #86210, Retailer CR, ANC 6C

Renewal Application

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: September 13, 2013
Petition Date: October 28, 2013
Hearing Date: November 12, 2013
Protest Date: January 8, 2014

License No.: ABRA-093028
Licensee: Italian Food Concepts, LLC
Trade Name: Alphonse Italian Market & Osteria
License Class: Retailer's Class "C" Restaurant
Address: 1212 U Street, NW
Contact: Edward Grandis 202-234-8950

WARD 1

ANC 1B

SMD 1B12

Notice is hereby given that this applicant has applied for a license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the hearing date at 10:00 am, 4th Floor, 2000 14th Street, N.W., Washington, DC 20009. Petition and/or request to appear before the Board must be filed on or before the petition date. The Protest Hearing Date is scheduled for 1:30pm on January 8, 2014.

NATURE OF OPERATION

Restaurant serving prepared food with a market component. No entertainment and no nude dancing. Seating capacity 101 and total occupancy load of 171.

HOURS OF OPERATION

24 hours

HOURS OF ALCOHOLIC BEVERAGES SALES/SERVICE/CONSUMPTION

Sunday through Thursday 11 am – 2 am and Friday & Saturday 11 am – 3 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: September 13, 2013
Petition Date: October 28, 2013
Hearing Date: November 12, 2013
Protest Date: January 8, 2014

License No.: ABRA-093103
Licensee: 1001 H St, LLC
Trade Name: Ben's Chili Bowl/Ben's Upstairs
License Class: Retailer's Class "C" Restaurant
Address: 1001 H Street, NE
Contact: Andrew Kline 202-686-7600

WARD 6

ANC 6A

SMD 6A01

Notice is hereby given that this applicant has applied for a license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the hearing date at 10:00 am, 4th Floor, 2000 14th Street, N.W., Washington, DC 20009. Petition and/or request to appear before the Board must be filed on or before the petition date. The Protest Hearing Date is scheduled for 1:30pm on January 8, 2014.

NATURE OF OPERATION

Restaurant serving American style food with 191 seats and occupancy load of 266. Summer Garden with 44 seats. Sidewalk café with 38 seats. No entertainment. No dancing. No nude performances.

HOURS OF OPERATION INSIDE PREMISE, OUTSIDE SIDEWALK CAFÉ AND SUMMER GARDEN

Sunday through Thursday 6 am -2 am and Friday & Saturday 6 am 4 am

HOURS OF ALCOHOLIC BEVERAGES SALES/SERVICE/CONSUMPTION INSIDE PREMISE, OUTSIDE SIDEWALK CAFÉ AND SUMMER GARDEN

Sunday through Thursday 8 am - 2 am and Friday & Saturday 8 am - 3 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

Persons objecting to the approval of a renewal application are entitled to be heard before the granting of such license on the hearing date at 10:00 am, 2000 14th Street, NW, 4th Floor, Washington, DC 20009.

RENEWAL NOTICES

POSTING DATE: 9/13/2013
PETITION DATE: 10/28/2013
HEARING DATE: 11/12/2013

License Number: ABRA-024613
License Class/Type: C Nightclub
SMD: 1B12

Applicant: Kelemewa Corporation
Trade Name: Pure Nightclub & Lounge
Premise Address: 1326 U ST NW

Endorsements:

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	9 am - 2 am	10 am - 2 am	-
MON:	4 pm - 2 am	4 pm - 2 am	-
TUE:	4 pm - 2 am	4 pm - 2 am	-
WED:	4 pm - 2 am	4 pm - 2 am	-
THU:	4 pm - 2 am	4 pm - 2 am	-
FRI:	4 pm - 4 am	4 pm - 3 am	-
SAT:	4 pm - 4 am	4 pm - 3 am	-

License Number: ABRA-087101
License Class/Type: C Nightclub
SMD: 2B06

Applicant: H-4, LLC
Trade Name: Heist
Premise Address: 1216 18TH ST NW

Endorsements:

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	10 pm - 2 am	10 pm - 2 am	-
MON:	10 pm - 2 am	10 pm - 2 am	-
TUE:	10 pm - 2 am	10 pm - 2 am	-
WED:	10 pm - 2 am	10 pm - 2 am	-
THU:	10 pm - 2 am	10 pm - 2 am	-
FRI:	10 pm - 3 am	10 pm - 3 am	-
SAT:	10 pm - 3 am	10 pm - 3 am	-

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

Persons objecting to the approval of a renewal application are entitled to be heard before the granting of such license on the hearing date at 10:00 am, 2000 14th Street, NW, 4th Floor, Washington, DC 20009.

RENEWAL NOTICES

POSTING DATE: 9/13/2013
 PETITION DATE: 10/28/2013
 HEARING DATE: 11/12/2013

License Number: ABRA-019333 Applicant: 1345 Corporation
 License Class/Type: C Tavern Trade Name: The Big Hunt
 SMD: 2B07 Premise Address: 1345 CONNECTICUT AVE NW

Endorsements: Entertainment, Summer Garden

Days	Hours of Operation	Hours of Sales/Service	Hours of Summer Garden Operation	Hours of Sales Summer Garden	Hours of Entertainment
SUN:	11 am - 2 am	11 am - 2 am	11 am - 2 am	11 am - 2 am	6 pm - 2 am
MON:	11 am - 2 am	11 am - 2 am	11 am - 2 am	11 am - 2 am	6 pm - 2 am
TUE:	11 am - 2 am	11 am - 2 am	11 am - 2 am	11 am - 2 am	6 pm - 2 am
WED:	11 am - 2 am	11 am - 2 am	11 am - 2 am	11 am - 2 am	6 pm - 2 am
THU:	11 am - 2 am	11 am - 2 am	11 am - 2 am	11 am - 2 am	6 pm - 2 am
FRI:	11 am - 3 am	11 am - 3 am	11 am - 3 am	11 am - 3 am	6 pm - 3 am
SAT:	11 am - 3 am	11 am - 3 am	11 am - 3 am	11 am - 3 am	6 pm - 3 am

License Number: ABRA-020234 Applicant: Planet F, Inc.
 License Class/Type: C Tavern Trade Name: Lucky Bar
 SMD: 2B05 Premise Address: 1221 CONNECTICUT AVE NW

Endorsements: Entertainment, Sidewalk Cafe

Days	Hours of Operation	Hours of Sales/Service	Hours of Sidewalk Cafe Operation	Hours of Sales Sidewalk Cafe	Hours of Entertainment
SUN:	7 am - 2 am	8 am - 2 am	11 am - 2 am	11 am - 2 am	9 pm - 2 am
MON:	7 am - 2 am	8 am - 2 am	11 am - 2 am	11 am - 2 am	9 pm - 2 am
TUE:	7 am - 2 am	8 am - 2 am	11 am - 2 am	11 am - 2 am	n/a -
WED:	7 am - 2 am	8 am - 2 am	11 am - 2 am	11 am - 2 am	6 pm - 2 am
THU:	7 am - 2 am	8 am - 2 am	11 am - 2 am	11 am - 2 am	6 pm - 2 am
FRI:	7 am - 3 am	8 am - 3 am	11 am - 3 am	11 am - 3 am	6 pm - 3 am
SAT:	7 am - 3 am	8 am - 3 am	10 am - 3 am	10 am - 3 am	9 pm - 3 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

Persons objecting to the approval of a renewal application are entitled to be heard before the granting of such license on the hearing date at 10:00 am, 2000 14th Street, NW, 4th Floor, Washington, DC 20009.

RENEWAL NOTICES

POSTING DATE: 9/13/2013
PETITION DATE: 10/28/2013
HEARING DATE: 11/12/2013

License Number: ABRA-023601 Applicant: Am & Eve Corporation
License Class/Type: C Tavern Trade Name: Capitol Lounge (The)
SMD: 6B01 Premise Address: 229 PENNSYLVANIA AVE SE

Endorsements: Dancing, Entertainment, Sidewalk Cafe, Summer Garden

Table with 6 columns: Days, Hours of Operation, Hours of Sales/Service, Hours of Sidewalk Cafe Operation, Hours of Summer Garden Operation, Hours of Entertainment. Rows for SUN, MON, TUE, WED, THU, FRI, SAT.

License Number: ABRA-079523 Applicant: Kelly's Michigan Park LLC
License Class/Type: C Tavern Trade Name: San Antonio Bar & Grill III
SMD: 5B05 Premise Address: 3908 12TH ST NE

Endorsements: Entertainment, Summer Garden

Table with 6 columns: Days, Hours of Operation, Hours of Sales/Service, Hours of Summer Garden Operation, Hours of Sales Summer Garden, Hours of Entertainment. Rows for SUN, MON, TUE, WED, THU, FRI, SAT.

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

Persons objecting to the approval of a renewal application are entitled to be heard before the granting of such license on the hearing date at 10:00 am, 2000 14th Street, NW, 4th Floor, Washington, DC 20009.

RENEWAL NOTICES

POSTING DATE: 9/13/2013
PETITION DATE: 10/28/2013
HEARING DATE: 11/12/2013

License Number: ABRA-087508
License Class/Type: C Tavern
SMD: 1B10

Applicant: Aida Woldeslassie
Trade Name: Nati Hokah Bar
Premise Address: 2839 GEORGIA AVE NW

Endorsements: Entertainment, Summer Garden

Days	Hours of Operation	Hours of Sales/Service	Hours of Summer Garden Operation	Hours of Sales Summer Garden	Hours of Entertainment
SUN:	10 am - 2 am	10 am - 2 am	10 am - 1 am	10 am - 1 am	6 pm - 2 am
MON:	10 am - 2 am	10 am - 2 am	10 am - 1 am	10 am - 1 am	6 pm - 2 am
TUE:	10 am - 2 am	10 am - 2 am	10 am - 1 am	10 am - 1 am	6 pm - 2 am
WED:	10 am - 2 am	10 am - 2 am	10 am - 1 am	10 am - 1 am	6 pm - 2 am
THU:	10 am - 2 am	10 am - 2 am	10 am - 1 am	10 am - 1 am	6 pm - 2 am
FRI:	10 am - 3 am	10 am - 3 am	10 am - 2 am	10 am - 2 am	6 pm - 3 am
SAT:	10 am - 3 am	10 am - 3 am	10 am - 2 am	10 am - 2 am	6 pm - 3 am

License Number: ABRA-084731
License Class/Type: C Tavern
SMD: 1B12

Applicant: Desperados Pizza, LLC
Trade Name: Desperados Pizza
Premise Address: 1342 U ST NW

Endorsements: Entertainment, Sidewalk Cafe

Days	Hours of Operation	Hours of Sales/Service	Hours of Sidewalk Cafe Operation	Hours of Sales Sidewalk Cafe	Hours of Entertainment
SUN:	10 am - 2 am	10 am - 2 am	12 pm - 1 am	12 pm - 1 am	6 pm - 2 am
MON:	12 pm - 2 am	12 pm - 2 am	12 pm - 1 am	12 pm - 1 am	6 pm - 2 am
TUE:	12 pm - 2 am	12 pm - 2 am	12 pm - 1 am	12 pm - 1 am	6 pm - 2 am
WED:	12 pm - 2 am	12 pm - 2 am	12 pm - 1 am	12 pm - 1 am	6 pm - 2 am
THU:	12 pm - 2 am	12 pm - 2 am	12 pm - 1 am	12 pm - 1 am	6 pm - 2 am
FRI:	12 pm - 3 am	12 pm - 3 am	12 pm - 1 am	12 pm - 1 am	6 pm - 3 am
SAT:	10 am - 3 am	10 am - 3 am	12 pm - 1 am	12 pm - 1 am	6 pm - 3 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

Persons objecting to the approval of a renewal application are entitled to be heard before the granting of such license on the hearing date at 10:00 am, 2000 14th Street, NW, 4th Floor, Washington, DC 20009.

RENEWAL NOTICES

POSTING DATE: 9/13/2013
PETITION DATE: 10/28/2013
HEARING DATE: 11/12/2013

License Number: ABRA-091022
License Class/Type: C Tavern
SMD: 2A03

Applicant: Sunflower Inc.
Trade Name: FLAVORS OF INDIA/MARSHALL'S BAR
Premise Address: 2524 L ST NW

Endorsements: Sidewalk Cafe

Table with 6 columns: Days, Hours of Operation, Hours of Sales/Service, Hours of Sidewalk Cafe Operation, Hours of Sales Sidewalk Cafe, Hours of Entertainment. Rows for SUN, MON, TUE, WED, THU, FRI, SAT.

License Number: ABRA-071833
License Class/Type: C Tavern
SMD: 2B04

Applicant: Hunam Inn Inc.
Trade Name: Cobalt/ 30 Degrees/Level One
Premise Address: 1639 - 1641 R ST NW

Endorsements: Cover Charge, Dancing, Entertainment, Sidewalk Cafe

Table with 6 columns: Days, Hours of Operation, Hours of Sales/Service, Hours of Sidewalk Cafe Operation, Hours of Sales Sidewalk Cafe, Hours of Entertainment. Rows for SUN, MON, TUE, WED, THU, FRI, SAT.

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

Persons objecting to the approval of a renewal application are entitled to be heard before the granting of such license on the hearing date at 10:00 am, 2000 14th Street, NW, 4th Floor, Washington, DC 20009.

RENEWAL NOTICES

POSTING DATE: 9/13/2013
PETITION DATE: 10/28/2013
HEARING DATE: 11/12/2013

License Number: ABRA-009267
License Class/Type: C Tavern
SMD: 2B05

Applicant: TCR Inc
Trade Name: Jr's Bar and Grill
Premise Address: 1519 17TH ST NW

Endorsements: Cover Charge, Entertainment

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	12: 30 pm - 2 am	12: 30 pm -2 am	6 pm - 2 am
MON:	2 pm - 2 am	2 pm - 2 am	6 pm - 2 am
TUE:	2 pm - 2 am	2 pm - 2 am	6 pm - 2 am
WED:	2 pm - 2 am	2 pm - 2 am	6 pm - 2 am
THU:	2 pm - 2 am	2 pm - 2 am	6 pm - 2 am
FRI:	2 pm - 3 am	2 pm - 3 am	6 pm - 3 am
SAT:	1 pm - 3 am	1 pm - 3 am	6 pm - 3 am

License Number: ABRA-086354
License Class/Type: C Tavern
SMD: 2F02

Applicant: Second Home, LLC
Trade Name: NUMBER NINE
Premise Address: 1435 P ST NW

Endorsements: Entertainment, Sidewalk Cafe

Days	Hours of Operation	Hours of Sales/Service	Hours of Sidewalk Cafe Operation	Hours of Sales Sidewalk Cafe	Hours of Entertainment
SUN:	12 pm - 1:45 am	12 pm -1:45 am	12 pm - 11 pm	12 pm - 11 pm	6 pm - 1:45 am
MON:	12 pm - 1:45 am	12 pm - 1:45 am	12 pm - 11 pm	12 pm - 11 pm	6 pm - 1:45 am
TUE:	12 pm - 1:45 am	12 pm - 1:45 am	12 pm - 11 pm	12 pm - 11 pm	6 pm - 1:45 am
WED:	12 pm - 1:45 am	12 pm - 1:45 am	12 pm - 11 pm	12 pm - 11 pm	6 pm - 1:45 am
THU:	12 pm - 1:45 am	12 pm - 1:45 am	12 pm - 11 pm	12 pm - 11 pm	6pm - 1:45 am
FRI:	12 pm - 2:45 am	12 pm - 2:45 am	12 pm - 12 am	12 pm - 12 am	6 pm - 2:45 am
SAT:	12 pm - 2:45 am	12 pm - 2:45 am	12 pm - 12 am	12 pm - 12 am	6 pm - 2:45 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

Persons objecting to the approval of a renewal application are entitled to be heard before the granting of such license on the hearing date at 10:00 am, 2000 14th Street, NW, 4th Floor, Washington, DC 20009.

RENEWAL NOTICES

POSTING DATE: 9/13/2013
PETITION DATE: 10/28/2013
HEARING DATE: 11/12/2013

License Number: ABRA-090196
License Class/Type: C Tavern
SMD: 3E04

Applicant: Civil Lounge, LLC
Trade Name: Civil
Premise Address: 5335 WISCONSIN AVE NW

Endorsements:

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	10:30 am - 2 am	10:30 am - 2 am	-
MON:	10:30 am - 2 am	10:30 am - 2 am	-
TUE:	10:30 am - 2 am	10:30 am - 2 am	-
WED:	10:30 am - 2 am	10:30 am - 2 am	-
THU:	10:30 am - 2 am	10:30 am - 2 am	-
FRI:	10:30 am - 3 am	10:30 am - 3 am	-
SAT:	10:30 am - 3 am	10:30 am - 3 am	-

License Number: ABRA-083822
License Class/Type: C Tavern
SMD: 6A01

Applicant: Chapter II Corp.
Trade Name: Atlas Arcade/Church & State
Premise Address: 1236 H ST NE

Endorsements: Cover Charge, Dancing, Entertainment

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	9 am - 2 am	9 am - 2 am	6 pm - 2 am
MON:	12 pm - 2 am	12 pm - 2 am	6 pm - 2 am
TUE:	12 pm - 2 am	12 pm - 2 am	6 pm - 2 am
WED:	12 pm - 2 am	12 pm - 2 am	6 pm - 2 am
THU:	12 pm - 5 am	12 pm - 2 am	6 pm - 2 am
FRI:	12 pm - 5 am	12 pm - 3 am	6 pm - 3 am
SAT:	9 am - 5 am	9 am - 3 am	6 pm - 3 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

Persons objecting to the approval of a renewal application are entitled to be heard before the granting of such license on the hearing date at 10:00 am, 2000 14th Street, NW, 4th Floor, Washington, DC 20009.

RENEWAL NOTICES

POSTING DATE: 9/13/2013
PETITION DATE: 10/28/2013
HEARING DATE: 11/12/2013

License Number: ABRA-076366
License Class/Type: C Tavern
SMD: 6A02

Applicant: Beg Investments LLC
Trade Name: Twelve Restaurant & Lounge
Premise Address: 1123 - 1125 H ST NE

Endorsements: Entertainment, Summer Garden

Days	Hours of Operation	Hours of Sales/Service	Hours of Summer Garden Operation	Hours of Sales Summer Garden	Hours of Entertainment
SUN:	10 am - 2 am	10 am -1:45 am	10 am - 12 am	10 am - 12 am	5 pm - 2 am
MON:	10 am - 2 am	10 am - 1:45 am	10 am - 12 am	10 am - 12 am	5 pm - 2 am
TUE:	10 am - 2 am	10 am - 1:45 am	10 am - 12 am	10 am - 12 am	5 pm - 2 am
WED:	10 am - 2 am	10 am - 1:45 am	10 am - 12 am	10 am - 12 am	5 pm - 2 am
THU:	10 am - 2 am	10 am - 1:45 am	10 am - 12 am	10 am - 12 am	5 pm - 2 am
FRI:	10 am - 3 am	10 am - 2:45 am	10 am - 2 am	10 am - 2 am	5 pm - 3 am
SAT:	10 am - 3 am	10 am - 2:45 am	10 am - 2 am	10 am - 2 am	10 am - 3 am

License Number: ABRA-000559
License Class/Type: C Tavern
SMD: 6B01

Applicant: Tune Inn Inc.
Trade Name: Tune Inn Restaurant
Premise Address: 331 PENNSYLVANIA AVE SE

Endorsements: Sidewalk Cafe

Days	Hours of Operation	Hours of Sales/Service	Hours of Sidewalk Cafe Operation	Hours of Sales Sidewalk Cafe	Hours of Entertainment
SUN:	8 am - 2 am	10 am -2 am	8 am - 2 am	10 am - 2 am	-
MON:	8 am - 2 am	8 am - 2 am	8 am - 2 am	8 am - 2 am	-
TUE:	8 am - 2 am	8 am - 2 am	8 am - 2 am	8 am - 2 am	-
WED:	8 am - 2 am	8 am - 2 am	8 am - 2 am	8 am - 2 am	-
THU:	8 am - 2 am	8 am - 2 am	8 am - 2 am	8 am - 2 am	-
FRI:	8 am - 3 am	8 am - 3 am	8 am - 2 am	8 am - 2 am	-
SAT:	8 am - 3 am	8 am - 3 am	8 am - 2 am	8 am - 2 am	-

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

Persons objecting to the approval of a renewal application are entitled to be heard before the granting of such license on the hearing date at 10:00 am, 2000 14th Street, NW, 4th Floor, Washington, DC 20009.

RENEWAL NOTICES

POSTING DATE: 9/13/2013
PETITION DATE: 10/28/2013
HEARING DATE: 11/12/2013

License Number: ABRA-077708
License Class/Type: C Tavern
SMD: 6B06

Applicant: L Wisdom Corporation
Trade Name: Wisdom
Premise Address: 1432 PENNSYLVANIA AVE SE

Endorsements: Entertainment, Sidewalk Cafe

Days	Hours of Operation	Hours of Sales/Service	Hours of Sidewalk Cafe Operation	Hours of Sales Sidewalk Cafe	Hours of Entertainment
SUN:	11 am - 2 am	11 am - 2 am	11 am - 11 pm	11 am - 11 pm	-
MON:	11 am - 2 am	11 am - 2 am	11 am - 11 pm	11 am - 11 pm	-
TUE:	11 am - 2 am	11 am - 2 am	11 am - 11 pm	11 am - 11 pm	-
WED:	11 am - 2 am	11 am - 2 am	11 am - 11 pm	11 am - 11 pm	-
THU:	11 am - 2 am	11 am - 2 am	11 am - 11 pm	11 am - 11 pm	-
FRI:	11 am - 3 am	11 am - 3 am	11 am - 11 pm	11 am - 11 pm	10 pm - 2:30 am
SAT:	11 am - 3 am	11 am - 3 am	11 am - 11 pm	11 am - 11 pm	10 pm - 2:30 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

ON

9/13/2013

Notice is hereby given that:

License Number: ABRA-019333

License Class/Type: C Tavern

Applicant: 1345 Corporation

Trade Name: The Big Hunt

SMD: 2B07

Has applied for the renewal of an alcoholic beverages license at the premises:

1345 CONNECTICUT AVE NW, Washington, DC 20036

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:

10/28/2013

HEARING WILL BE HELD ON

11/12/2013

AT 10:00 AM, 2000 14th Street, NW, 4th Floor, Washington, DC 20009

ENDORSEMENTS: Entertainment, Summer Garden

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	11 am - 2 am	11 am - 2 am	6 pm - 2 am
Monday:	11 am - 2 am	11 am - 2 am	6 pm - 2 am
Tuesday:	11 am - 2 am	11 am - 2 am	6 pm - 2 am
Wednesday:	11 am - 2 am	11 am - 2 am	6 pm - 2 am
Thursday:	11 am - 2 am	11 am - 2 am	6 pm - 2 am
Friday:	11 am - 3 am	11 am - 3 am	6 pm - 3 am
Saturday:	11 am - 3 am	11 am - 3 am	6 pm - 3 am

Days	Hours of Summer Garden Operation	Hours of Sales Summer Garden
Sunday:	11 am - 2 am	11 am - 2 am
Monday:	11 am - 2 am	11 am - 2 am
Tuesday:	11 am - 2 am	11 am - 2 am
Wednesday:	11 am - 2 am	11 am - 2 am
Thursday:	11 am - 2 am	11 am - 2 am
Friday:	11 am - 3 am	11 am - 3 am
Saturday:	11 am - 3 am	11 am - 3 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

ON

9/13/2013

Notice is hereby given that:

License Number: ABRA-020234

License Class/Type: C Tavern

Applicant: Planet F, Inc.

Trade Name: Lucky Bar

SMD: 2B05

Has applied for the renewal of an alcoholic beverages license at the premises:

1221 CONNECTICUT AVE NW, Washington, DC 20036

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:

10/28/2013

HEARING WILL BE HELD ON

11/12/2013

AT 10:00 AM, 2000 14th Street, NW, 4th Floor, Washington, DC 20009

ENDORSEMENTS: Entertainment, Sidewalk Cafe

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	7 am - 2 am	8 am - 2 am	9 pm - 2 am
Monday:	7 am - 2 am	8 am - 2 am	9 pm - 2 am
Tuesday:	7 am - 2 am	8 am - 2 am	n/a -
Wednesday:	7 am - 2 am	8 am - 2 am	6 pm - 2 am
Thursday:	7 am - 2 am	8 am - 2 am	6 pm - 2 am
Friday:	7 am - 3 am	8 am - 3 am	6 pm - 3 am
Saturday:	7 am - 3 am	8 am - 3 am	9 pm - 3 am

Days	Hours of Sidewalk Cafe Operation	Hours of Sales Sidewalk Cafe
Sunday:	11 am - 2 am	11 am - 2 am
Monday:	11 am - 2 am	11 am - 2 am
Tuesday:	11 am - 2 am	11 am - 2 am
Wednesday:	11 am - 2 am	11 am - 2 am
Thursday:	11 am - 2 am	11 am - 2 am
Friday:	11 am - 3 am	11 am - 3 am
Saturday:	10 am - 3 am	10 am - 3 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

ON

9/13/2013

Notice is hereby given that:

License Number: ABRA-023601

License Class/Type: C Tavern

Applicant: Am & Eve Corporation

Trade Name: Capitol Lounge (The)

SMD: 6B01

Has applied for the renewal of an alcoholic beverages license at the premises:

229 PENNSYLVANIA AVE SE, Washington, DC 20003

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:

10/28/2013

HEARING WILL BE HELD ON

11/12/2013

AT 10:00 AM, 2000 14th Street, NW, 4th Floor, Washington, DC 20009

ENDORSEMENTS: Dancing, Entertainment, Sidewalk Cafe, Summer Garden

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	10 am - 2 am	11 am -1:45 am	-
Monday:	11 am - 2 am	11 am - 1:45 am	-
Tuesday:	11 am - 2 am	11 am - 1:45 am	-
Wednesday:	11 am - 2 am	11 am - 1:45 am	-
Thursday:	11 am - 2 am	11 am - 1:45 am	-
Friday:	11 am - 3 am	11 am - 2:45 am	-
Saturday:	10 am - 3 am	11 am - 2:45 am	9 pm - 2:30 am

Days	Hours of Sidewalk Cafe Operation	Hours of Summer Garden Operation
Sunday:	11 am - 12 am	11 am - 12 am
Monday:	11 am - 12 am	11 am - 12 am
Tuesday:	11 am - 12 am	11 am - 12 am
Wednesday:	11 am - 12 am	11 am - 12 am
Thursday:	11 am - 12 am	11 am - 12 am
Friday:	11 am - 12 am	11 am - 1 am
Saturday:	11 am - 12 am	11 am - 1 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

ON

9/13/2013

Notice is hereby given that:

License Number: ABRA-079523

License Class/Type: C Tavern

Applicant: Kelly's Michigan Park LLC

Trade Name: San Antonio Bar & Grill III

SMD: 5B05

Has applied for the renewal of an alcoholic beverages license at the premises:

3908 12TH ST NE, Washington, DC 20017

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:

10/28/2013

HEARING WILL BE HELD ON

11/12/2013

AT 10:00 AM, 2000 14th Street, NW, 4th Floor, Washington, DC 20009

ENDORSEMENTS: Entertainment, Summer Garden

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	11 am - 2 am	11 am - 2 am	9 pm - 2 am
Monday:	11 am - 2 am	11 am - 2 am	9 pm - 2 am
Tuesday:	11 am - 2 am	11 am - 2 am	9 pm - 2 am
Wednesday:	11 am - 2 am	11 am - 2 am	9 pm - 2 am
Thursday:	11 am - 2 am	11 am - 2 am	9 pm - 2 am
Friday:	11 am - 3 am	11 am - 3 am	9 pm - 3 am
Saturday:	11 am - 3 am	11 am - 3 am	9 pm - 3 am

Days	Hours of Summer Garden Operation	Hours of Sales Summer Garden
Sunday:	11 am - 2 am	11 am - 2 am
Monday:	11 am - 2 am	11 am - 2 am
Tuesday:	11 am - 2 am	11 am - 2 am
Wednesday:	11 am - 2 am	11 am - 2 am
Thursday:	11 am - 2 am	11 am - 2 am
Friday:	11 am - 3 am	11 am - 3 am
Saturday:	11 am - 3 am	11 am - 3 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

ON

9/13/2013

Notice is hereby given that:

License Number: ABRA-087508

License Class/Type: C Tavern

Applicant: Aida Woldeslassie

Trade Name: Nati Hokah Bar

SMD: 1B10

Has applied for the renewal of an alcoholic beverages license at the premises:

2839 GEORGIA AVE NW, WASHINGTON, DC 20001

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:

10/28/2013

HEARING WILL BE HELD ON

11/12/2013

AT 10:00 AM, 2000 14th Street, NW, 4th Floor, Washington, DC 20009

ENDORSEMENTS: Entertainment, Summer Garden

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	10 am - 2 am	10 am - 2 am	6 pm - 2 am
Monday:	10 am - 2 am	10 am - 2 am	6 pm - 2 am
Tuesday:	10 am - 2 am	10 am - 2 am	6 pm - 2 am
Wednesday:	10 am - 2 am	10 am - 2 am	6 pm - 2 am
Thursday:	10 am - 2 am	10 am - 2 am	6 pm - 2 am
Friday:	10 am - 3 am	10 am - 3 am	6 pm - 3 am
Saturday:	10 am - 3 am	10 am - 3 am	6 pm - 3 am

Days	Hours of Summer Garden Operation	Hours of Sales Summer Garden
Sunday:	10 am - 1 am	10 am - 1 am
Monday:	10 am - 1 am	10 am - 1 am
Tuesday:	10 am - 1 am	10 am - 1 am
Wednesday:	10 am - 1 am	10 am - 1 am
Thursday:	10 am - 1 am	10 am - 1 am
Friday:	10 am - 2 am	10 am - 2 am
Saturday:	10 am - 2 am	10 am - 2 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

ON

9/13/2013

Notice is hereby given that:

License Number: ABRA-084731

License Class/Type: C Tavern

Applicant: Desperados Pizza, LLC

Trade Name: Desperados Pizza

SMD: 1B12

Has applied for the renewal of an alcoholic beverages license at the premises:

1342 U ST NW, WASHINGTON, DC 20009

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:

10/28/2013

HEARING WILL BE HELD ON

11/12/2013

AT 10:00 AM, 2000 14th Street, NW, 4th Floor, Washington, DC 20009

ENDORSEMENTS: Entertainment, Sidewalk Cafe

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	10 am - 2 am	10 am -2 am	6 pm - 2 am
Monday:	12 pm - 2 am	12 pm - 2 am	6 pm - 2 am
Tuesday:	12 pm - 2 am	12 pm - 2 am	6 pm - 2 am
Wednesday:	12 pm - 2 am	12 pm - 2 am	6 pm - 2 am
Thursday:	12 pm - 2 am	12 pm - 2 am	6 pm - 2 am
Friday:	12 pm - 3 am	12 pm - 3 am	6 pm - 3 am
Saturday:	10 am - 3 am	10 am - 3 am	6 pm - 3 am

Days	Hours of Sidewalk Cafe Operation	Hours of Sales Sidewalk Cafe
Sunday:	12 pm - 1 am	12 pm - 1 am
Monday:	12 pm - 1 am	12 pm - 1 am
Tuesday:	12 pm - 1 am	12 pm - 1 am
Wednesday:	12 pm - 1 am	12 pm - 1 am
Thursday:	12 pm - 1 am	12 pm - 1 am
Friday:	12 pm - 1 am	12 pm - 1 am
Saturday:	12 pm - 1 am	12 pm - 1 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

ON

9/13/2013

Notice is hereby given that:

License Number: ABRA-091022

License Class/Type: C Tavern

Applicant: Sunflower Inc.

Trade Name: FLAVORS OF INDIA/MARSHALL'S BAR

SMD: 2A03

Has applied for the renewal of an alcoholic beverages license at the premises:

2524 L ST NW, WASHINGTON, DC 20037

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:

10/28/2013

HEARING WILL BE HELD ON

11/12/2013

AT 10:00 AM, 2000 14th Street, NW, 4th Floor, Washington, DC 20009

ENDORSEMENTS: Sidewalk Cafe

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	11 am - 2 am	11 am -2 am	-
Monday:	11 am - 2 am	11 am - 2 am	-
Tuesday:	11 am - 2 am	11 am - 2 am	-
Wednesday:	11 am - 2 am	11 am - 2 am	-
Thursday:	11 am - 2 am	11 am - 2 am	-
Friday:	11 am - 3 am	11 am - 3 am	-
Saturday:	11 am - 3 am	11 am - 3 am	-

Days	Hours of Sidewalk Cafe Operation	Hours of Sales Sidewalk Cafe
Sunday:	11 am - 11 pm	11 am - 11 pm
Monday:	11 am - 11 pm	11 am - 11 pm
Tuesday:	11 am - 11 pm	11 am - 11 pm
Wednesday:	11 am - 11 pm	11 am - 11 pm
Thursday:	11 am - 11 pm	11 am - 11 pm
Friday:	11 am - 11 pm	11 am - 11 pm
Saturday:	11 am - 11 pm	11 am - 11 pm

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

ON
9/13/2013

Notice is hereby given that:

License Number: ABRA-071833

License Class/Type: C Tavern

Applicant: Hunam Inn Inc.

Trade Name: Cobalt/ 30 Degrees/Level One

SMD: 2B04

Has applied for the renewal of an alcoholic beverages license at the premises:

1639 - 1641 R ST NW, WASHINGTON, DC 20009

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:

10/28/2013

HEARING WILL BE HELD ON

11/12/2013

AT 10:00 AM, 2000 14th Street, NW, 4th Floor, Washington, DC 20009

ENDORSEMENTS: Cover Charge, Dancing, Entertainment, Sidewalk Cafe

Table with 4 columns: Days, Hours of Operation, Hours of Sales/Service, Hours of Entertainment. Rows for Sunday through Saturday.

Table with 3 columns: Days, Hours of Sidewalk Cafe Operation, Hours of Sales Sidewalk Cafe. Rows for Sunday through Saturday.

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

ON

9/13/2013

Notice is hereby given that:

License Number: ABRA-009267

License Class/Type: C Tavern

Applicant: TCR Inc

Trade Name: Jr's Bar and Grill

SMD: 2B05

Has applied for the renewal of an alcoholic beverages license at the premises:

1519 17TH ST NW, Washington, DC 20036

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:

10/28/2013

HEARING WILL BE HELD ON

11/12/2013

AT 10:00 AM, 2000 14th Street, NW, 4th Floor, Washington, DC 20009

ENDORSEMENTS: Cover Charge, Entertainment

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	12: 30 pm - 2 am	12: 30 pm -2 am	6 pm - 2 am
Monday:	2 pm - 2 am	2 pm - 2 am	6 pm - 2 am
Tuesday:	2 pm - 2 am	2 pm - 2 am	6 pm - 2 am
Wednesday:	2 pm - 2 am	2 pm - 2 am	6 pm - 2 am
Thursday:	2 pm - 2 am	2 pm - 2 am	6 pm - 2 am
Friday:	2 pm - 3 am	2 pm - 3 am	6 pm - 3 am
Saturday:	1 pm - 3 am	1 pm - 3 am	6 pm - 3 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

ON

9/13/2013

Notice is hereby given that:

License Number: ABRA-086354

License Class/Type: C Tavern

Applicant: Second Home, LLC

Trade Name: NUMBER NINE

SMD: 2F02

Has applied for the renewal of an alcoholic beverages license at the premises:

1435 P ST NW, WASHINGTON, DC 20005

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:

10/28/2013

HEARING WILL BE HELD ON

11/12/2013

AT 10:00 AM, 2000 14th Street, NW, 4th Floor, Washington, DC 20009

ENDORSEMENTS: Entertainment, Sidewalk Cafe

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	12 pm - 1:45 am	12 pm - 1:45 am	6 pm - 1:45 am
Monday:	12 pm - 1:45 am	12 pm - 1:45 am	6 pm - 1:45 am
Tuesday:	12 pm - 1:45 am	12 pm - 1:45 am	6 pm - 1:45 am
Wednesday:	12 pm - 1:45 am	12 pm - 1:45 am	6 pm - 1:45 am
Thursday:	12 pm - 1:45 am	12 pm - 1:45 am	6pm - 1:45 am
Friday:	12 pm - 2:45 am	12 pm - 2:45 am	6 pm - 2:45 am
Saturday:	12 pm - 2:45 am	12 pm - 2:45 am	6 pm - 2:45 am

Days	Hours of Sidewalk Cafe Operation	Hours of Sales Sidewalk Cafe
Sunday:	12 pm - 11 pm	12 pm - 11 pm
Monday:	12 pm - 11 pm	12 pm - 11 pm
Tuesday:	12 pm - 11 pm	12 pm - 11 pm
Wednesday:	12 pm - 11 pm	12 pm - 11 pm
Thursday:	12 pm - 11 pm	12 pm - 11 pm
Friday:	12 pm - 12 am	12 pm - 12 am
Saturday:	12 pm - 12 am	12 pm - 12 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

ON

9/13/2013

Notice is hereby given that:

License Number: ABRA-090196

License Class/Type: C Tavern

Applicant: Civil Lounge, LLC

Trade Name: Civil

SMD: 3E04

Has applied for the renewal of an alcoholic beverages license at the premises:

5335 WISCONSIN AVE NW, WASHINGTON, DC 20015

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:

10/28/2013

HEARING WILL BE HELD ON

11/12/2013

AT 10:00 AM, 2000 14th Street, NW, 4th Floor, Washington, DC 20009

ENDORSEMENTS:

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	10:30 am - 2 am	10:30 am -2 am	-
Monday:	10:30 am - 2 am	10:30 am - 2 am	-
Tuesday:	10:30 am - 2 am	10:30 am - 2 am	-
Wednesday:	10:30 am - 2 am	10:30 am - 2 am	-
Thursday:	10:30 am - 2 am	10:30 am - 2 am	-
Friday:	10:30 am - 3 am	10:30 am - 3 am	-
Saturday:	10:30 am - 3 am	10:30 am - 3 am	-

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

ON

9/13/2013

Notice is hereby given that:

License Number: ABRA-083822

License Class/Type: C Tavern

Applicant: Chapter II Corp.

Trade Name: Atlas Arcade/Church & State

SMD: 6A01

Has applied for the renewal of an alcoholic beverages license at the premises:

1236 H ST NE, WASHINGTON, DC 20002

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:

10/28/2013

HEARING WILL BE HELD ON

11/12/2013

AT 10:00 AM, 2000 14th Street, NW, 4th Floor, Washington, DC 20009

ENDORSEMENTS: Cover Charge, Dancing, Entertainment

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	9 am - 2 am	9 am - 2 am	6 pm - 2 am
Monday:	12 pm - 2 am	12 pm - 2 am	6 pm - 2 am
Tuesday:	12 pm - 2 am	12 pm - 2 am	6 pm - 2 am
Wednesday:	12 pm - 2 am	12 pm - 2 am	6 pm - 2 am
Thursday:	12 pm - 5 am	12 pm - 2 am	6 pm - 2 am
Friday:	12 pm - 5 am	12 pm - 3 am	6 pm - 3 am
Saturday:	9 am - 5 am	9 am - 3 am	6 pm - 3 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

ON

9/13/2013

Notice is hereby given that:

License Number: ABRA-076366

License Class/Type: C Tavern

Applicant: Beg Investments LLC

Trade Name: Twelve Restaurant & Lounge

SMD: 6A02

Has applied for the renewal of an alcoholic beverages license at the premises:

1123 - 1125 H ST NE, WASHINGTON, DC 20002

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:

10/28/2013

HEARING WILL BE HELD ON

11/12/2013

AT 10:00 AM, 2000 14th Street, NW, 4th Floor, Washington, DC 20009

ENDORSEMENTS: Entertainment, Summer Garden

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	10 am - 2 am	10 am -1:45 am	5 pm - 2 am
Monday:	10 am - 2 am	10 am - 1:45 am	5 pm - 2 am
Tuesday:	10 am - 2 am	10 am - 1:45 am	5 pm - 2 am
Wednesday:	10 am - 2 am	10 am - 1:45 am	5 pm - 2 am
Thursday:	10 am - 2 am	10 am - 1:45 am	5 pm - 2 am
Friday:	10 am - 3 am	10 am - 2:45 am	5 pm - 3 am
Saturday:	10 am - 3 am	10 am - 2:45 am	10 am - 3 am

Days	Hours of Summer Garden Operation	Hours of Sales Summer Garden
Sunday:	10 am - 12 am	10 am - 12 am
Monday:	10 am - 12 am	10 am - 12 am
Tuesday:	10 am - 12 am	10 am - 12 am
Wednesday:	10 am - 12 am	10 am - 12 am
Thursday:	10 am - 12 am	10 am - 12 am
Friday:	10 am - 2 am	10 am - 2 am
Saturday:	10 am - 2 am	10 am - 2 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

ON

9/13/2013

Notice is hereby given that:

License Number: ABRA-000559

License Class/Type: C Tavern

Applicant: Tune Inn Inc.

Trade Name: Tune Inn Restaurant

SMD: 6B01

Has applied for the renewal of an alcoholic beverages license at the premises:

331 PENNSYLVANIA AVE SE, WASHINGTON, DC 20003

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:

10/28/2013

HEARING WILL BE HELD ON

11/12/2013

AT 10:00 AM, 2000 14th Street, NW, 4th Floor, Washington, DC 20009

ENDORSEMENTS: Sidewalk Cafe

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	8 am - 2 am	10 am -2 am	-
Monday:	8 am - 2 am	8 am - 2 am	-
Tuesday:	8 am - 2 am	8 am - 2 am	-
Wednesday:	8 am - 2 am	8 am - 2 am	-
Thursday:	8 am - 2 am	8 am - 2 am	-
Friday:	8 am - 3 am	8 am - 3 am	-
Saturday:	8 am - 3 am	8 am - 3 am	-

Days	Hours of Sidewalk Cafe Operation	Hours of Sales Sidewalk Cafe
Sunday:	8 am - 2 am	10 am - 2 am
Monday:	8 am - 2 am	8 am - 2 am
Tuesday:	8 am - 2 am	8 am - 2 am
Wednesday:	8 am - 2 am	8 am - 2 am
Thursday:	8 am - 2 am	8 am - 2 am
Friday:	8 am - 2 am	8 am - 2 am
Saturday:	8 am - 2 am	8 am - 2 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

ON

9/13/2013

Notice is hereby given that:

License Number: ABRA-077708

License Class/Type: C Tavern

Applicant: L Wisdom Corporation

Trade Name: Wisdom

SMD: 6B06

Has applied for the renewal of an alcoholic beverages license at the premises:

1432 PENNSYLVANIA AVE SE, WASHINGTON, DC 20003

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:

10/28/2013

HEARING WILL BE HELD ON

11/12/2013

AT 10:00 AM, 2000 14th Street, NW, 4th Floor, Washington, DC 20009

ENDORSEMENTS: Entertainment, Sidewalk Cafe

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	11 am - 2 am	11 am - 2 am	-
Monday:	11 am - 2 am	11 am - 2 am	-
Tuesday:	11 am - 2 am	11 am - 2 am	-
Wednesday:	11 am - 2 am	11 am - 2 am	-
Thursday:	11 am - 2 am	11 am - 2 am	-
Friday:	11 am - 3 am	11 am - 3 am	10 pm - 2:30 am
Saturday:	11 am - 3 am	11 am - 3 am	10 pm - 2:30 am

Days	Hours of Sidewalk Cafe Operation	Hours of Sales Sidewalk Cafe
Sunday:	11 am - 11 pm	11 am - 11 pm
Monday:	11 am - 11 pm	11 am - 11 pm
Tuesday:	11 am - 11 pm	11 am - 11 pm
Wednesday:	11 am - 11 pm	11 am - 11 pm
Thursday:	11 am - 11 pm	11 am - 11 pm
Friday:	11 am - 11 pm	11 am - 11 pm
Saturday:	11 am - 11 pm	11 am - 11 pm

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: September 13, 2013
Petition Date: October 28, 2013
Hearing Date: November 12, 2013
Protest Hearing Date: January 8, 2014

License No.: ABRA- 093151
Licensee: The Noodle Shop Co – Colorado, Inc.
Trade Name: Noodles & Company
License Class: Retailer’s Class “C” Restaurant
Address: 1140 19th Street NW
Contact: Mary Carolyn Brown, Esquire 202-862-5990

WARD 2 ANC 2B SMD 2B06

Notice is hereby given that this applicant has applied for a license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the Roll Call Hearing Date at 10:00 am, 4th Floor, 2000 14th Street, N.W., Washington, DC 20009. Petitions and/or requests to appear before the Board must be filed on or before the Petition Date. The Protest Hearing Date is scheduled for January 8, 2014 at 1:30pm.

NATURE OF OPERATION

New – Noodles & Company is a fast-casual themed restaurant serving global noodle dishes, salads, desserts sodas, juice and milk. All food and beverage is ordered at the POS. Total Capacity including the summer garden and sidewalk café seats of 28 is 101.

HOURS OF OPERATION/ HOURS OF SALES/SERVICE/CONSUMPTION/ SUMMER GARDEN AND THE SIDEWALK CAFÉ

Sunday through Thursday 10 am – 10 pm Friday & Saturday 10 am – 11 pm

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: September 13, 2013
Petition Date: October 28, 2013
Roll Call Hearing Date: November 12, 2013
Protest Hearing Date: January 8, 2014

License No.: ABRA-92785
Licensee: Kilala Enterprises, LLC
Trade Name: SUSHI CAPITOL
License Class: Retailer's Class "D" Restaurant
Address: 325 Pennsylvania Ave., S.E.
Contact: Minoru P Ogawa: 202-630-0760

WARD 6 ANC 6B SMD 6B01

Notice is hereby given that this applicant has applied for a license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such license on the Roll Call Hearing Date at 10:00 am, 2000 14th Street, N.W., 400 South, Washington, DC 20009. Petitions and/or requests to appear before the Board must be filed on or before the Petition Date. The Protest Hearing Date is scheduled on 1/8/2014 at 1:30 pm.

NATURE OF OPERATION

A new Sushi Restaurant, Serving Sushi and Japanese Food. Sidewalk Café
Seating 4, Total Occupancy Load 24

86063.HOURS OF OPERATION

Sunday through Saturday: 11am-2am

HOURS OF ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION

Sunday through Saturday: 11am-2am

SIDEWALK CAFE HOURS OF OPERATION

Sunday through Saturday: 11am - 11pm

SIDEWALK CAFÉ HOURS OF ALCOHOLIC BEVERAGE SLES/SERVICE/CONSUMPTION

Sunday through Saturday: 11am - 11pm

DEPARTMENT OF GENERAL SERVICES
NOTICE OF PUBLIC MEETINGS REGARDING
SURPLUS RESOLUTIONS PURSUANT TO D.C. OFFICIAL CODE 10-801

The District will conduct public hearing to receive public comments on the proposed surplus of the following District property. The date, time and location shall be as follows:

- Property:** Parcel 238/40, in the 700 block of Barnaby Road, S.E.
(between Bonini Road and Chesapeake Street, SE)
- Date:** Monday, October 7, 2013
- Time:** 6:30 PM until 7:30 PM
- Location:** Mary Virginia Merrick Center
4275 4th Street, SE
Washington, DC 20036
- Contact:** S. E. Ponds, Realty Program Specialist
Department of General Services
Portfolio Division
202.741.0942
sheryl.ponds@dc.gov

**DC DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
NOTICE OF PUBLIC HEARING**

Notice is hereby given that, pursuant to the requirements of D.C. Official Code Section 42-3171.03 (a)(1), the District of Columbia Department of Housing and Community Development (DHCD) has scheduled a public hearing on Wednesday, October 16, 2013 at 6:30 p.m. at our headquarters located at 1800 MLK Jr., Ave. SE, inside the first floor conference room, to consider the proposed disposition of the following property.

Development Site:

SSL	Property Address	Property Type	Ward	Zoning	Historic District	Neighborhood	Assessed Value
5636, 0817	1715-1717 28 th Place SE	Vacant Lot	7	R-4	No	Randle Heights	\$ 809,000

The public hearing is being conducted in order to assure that citizens are informed about the transfer of the property identified above to DC Habitat for Humanity, and to ensure that all citizens have the opportunity to present publicly their views concerning such transfer. A copy of the property disposition agreement between DHCD and DC Habitat for Humanity is located on the DHCD website at www.dhcd.dc.gov.

If you would like to present oral testimony, you are encouraged to register in advance either by e-mailing Annie Carter at annie.carter@dc.gov or by calling 202-478-1358.

Please provide your name, address, telephone number, and organization affiliation, if any. Telecommunications Device for the Deaf (TDD) relay service is available by calling (800) 201-7165. A sign language interpreter and language translation services are available upon request by email pamela.hillsman@dc.gov or call (202) 442-7251. If you require language translation, please specify which language (Spanish, Vietnamese, Chinese-Mandarin/Cantonese, Amharic, or French). Language translation services will be provided to pre-registered persons only. Deadline for requiring services of an interpreter is 7 days prior to the hearing. Bilingual staff will provide services on an availability basis to walk-ins without registration.

Written statements may be submitted at the hearing, or until 4:45 p.m., Friday, October 18, 2013, and should be addressed to Michael P. Kelly, Director, DC Department of Housing and Community Development, ATTN: PADD, 1800 Martin Luther King Jr., Avenue, SE, 3rd floor, Washington, D.C. 20020.

Vincent C. Gray, Mayor
Government of the District of Columbia
Victor Hoskins, Deputy Mayor for Planning and Economic Development
Michael P. Kelly, Director DC Department of Housing and Community Development

DISTRICT OF COLUMBIA PUBLIC CHARTER SCHOOL BOARD

NOTICE OF PUBLIC MEETING

The District of Columbia Public Charter School Board (“PCSB”) hereby gives notice of a public hearing on three experienced operator applications to create a charter school in the District of Columbia. The PCSB hearing will be held on Wednesday, October 16 at a time and location still yet to be determined. For further information or questions, please call Mustafa Nusraty at 202-328-2660. The applications for these proposed schools can be viewed at: <http://www.dcpcsb.org/Start-a-Charter-School/Charter-Applications.aspx>.

Applicant	Proposed Grades/Ages Served	Educational Program	1 st Year Grades/No. of Students	Size at Capacity	Proposed Ward
Harmony School of Excellence-DC	K-12	K-12 Science, Technology, Engineering, and Mathematics (STEM)	K-5	624	TBD
Frederick Drew Gregory Academy	Grades 7-12	Middle-High School (At-Risk Students)	7-12/400 students	1200	Wards 7 or 8
Democracy Prep	PreK3-4	Early Childhood-Elementary School	PreK3-K	650	Wards 7 or 8

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF PUBLIC HEARING**

TIME AND PLACE: **October 28, 2013, 6:30 P.M.**
 Office of Zoning Hearing Room
 441 4th Street, N.W., Suite 220-South
 Washington, D.C. 20001

FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:

CASE NOS. 05-28J/05-28K: Application of CI GD Parkside 7 LLC for Approval of a Modification to an Approved First Stage Planned Unit Development and Approval of a Second Stage Application for the Parkside Planned Unit Development (Square 5041, Lot 808) (“Property”)

THIS CASE IS OF INTEREST TO ANC 7D

On March 4, 2013, the Office of Zoning received an application from CI GD Parkside 7 LLC for second-stage approval of a planned unit development and Zoning Map Amendment for the Property. The application was identified as Z.C. Case No. 05-28J. The application seeks approval for the development of Block E as a residential building with approximately 186 units, a maximum height of 81 feet, 4 inches, and gross floor area of 185,356 square feet. The building would have a lot occupancy of 73% and will include approximately 65 parking spaces. The Property was approved for a PUD-related map amendment to the C-3-A Zone District in connection with the first-stage PUD; the Applicant seeks to effectuate that rezoning in connection with the second-stage application. The Office of Planning provided a report on April 19, 2013, recommending that Z.C. Case No. 05-28J be set down for a public hearing.

At the Zoning Commission’s public meeting on April 29, 2013, the Commission noted that the Application differed from the first-stage approval granted by Z.C. Order No. 05-28 in certain significant respects. Specifically, the Applicant proposed to increase the number of dwelling units from 160 to 186, increase the gross floor area by approximately 2,000 square feet, modify the building height from between 54 and 90 feet to between 64 feet, six inches and 81 feet, 4 inches, and to provide 65 off street parking spaces whereas no such spaces had been approved.

Although the Commission voted to set down Z.C. Case No, 05-28J for a hearing, it indicated that the case would not be advertised until an application to modify the first-stage approval was filed and set down for hearing. Accordingly, the Applicant filed an application on May 10, 2013, to modify the first-stage approval for Block E in the manner described above. The application was identified as Z.C. Case No. 05-28K.

The Office of Planning filed a report on June 13, 2013, recommending that Z.C. Case No. 05-28K be set down for a public hearing. The Commission set down the application for a public hearing at its public meeting on June 24, 2013. The Commission also voted to consolidate Z.C. Case Nos. 05-28J and 05-28K and to hold a single hearing for the applications. All submittals should be filed into the record of Z.C. Case No. 05-28J.

Z.C. PUBLIC HEARING NOTICE
Z.C. CASE NOS. 05-28J/05-28K
PAGE 2

The public hearing for the Applications will be conducted in accordance with the contested case provisions of the Zoning Regulations, 11 DCMR § 3022.

How to participate as a witness.

Interested persons or representatives of organizations may be heard at the public hearing. The Commission also requests that all witnesses prepare their testimony in writing, submit the written testimony prior to giving statements, and limit oral presentations to summaries of the most important points. The applicable time limits for oral testimony are described below. Written statements, in lieu of personal appearances or oral presentation, may be submitted for inclusion in the record.

How to participate as a party.

Any person who desires to participate as a party in this case must so request and must comply with the provisions of 11 DCMR § 3022.3.

A party has the right to cross-examine witnesses, to submit proposed findings of fact and conclusions of law, to receive a copy of the written decision of the Zoning Commission, and to exercise the other rights of parties as specified in the Zoning Regulations.

Except for the affected ANC, any person who desires to participate as a party in this case must clearly demonstrate that the person's interests would likely be more significantly, distinctly, or uniquely affected by the proposed zoning action than other persons in the general public. Persons seeking party status **shall file with the Commission, not less than 14 days prior to the date set for the hearing, a Form 140 – Party Status Application, a copy of which may be downloaded from the Office of Zoning's website at: <http://dcoz.dc.gov/services/app.shtm>.** This form may also be obtained from the Office of Zoning at the address stated below.

To the extent that the information is not contained in the Applicant's prehearing submission as required by 11 DCMR § 3013.1, the Applicant shall also provide this information not less than 14 days prior to the date set for the hearing.

If an affected Advisory Neighborhood Commission (ANC) intends to participate at the hearing, the ANC shall submit the written report described in § 3012.5 no later than seven (7) days before the date of the hearing. The report shall contain the information indicated in § 3012.5 (a) through (i).

Time limits.

The following maximum time limits for oral testimony shall be adhered to and no time may be ceded:

**Z.C. PUBLIC HEARING NOTICE
Z.C. CASE NOS. 05-28J/05-28K
PAGE 3**

- | | | |
|----|----------------------------------|-------------------------|
| 1. | Applicant and parties in support | 60 minutes collectively |
| 2. | Parties in opposition | 60 minutes collectively |
| 3. | Organizations | 5 minutes each |
| 4. | Individuals | 3 minutes each |

Pursuant to § 3020.3, the Commission may increase or decrease the time allowed above, in which case, the presiding officer shall ensure reasonable balance in the allocation of time between proponents and opponents.

Information responsive to this notice should be forwarded to the Director, Office of Zoning, Suite 200/210-S, 441 4th Street, N.W., Washington, D.C. 20001. **FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.**

ANTHONY J. HOOD, MARCIE I. COHEN, ROBERT E. MILLER, PETER G. MAY, AND MICHAEL G. TURNBULL, ----- ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY SARA A. BARDIN, DIRECTOR, AND BY SHARON S. SCHELLIN, SECRETARY TO THE ZONING COMMISSION.

DEPARTMENT OF MENTAL HEALTH**NOTICE OF FINAL RULEMAKING**

The Director of the Department of Mental Health (“Department”), pursuant to the authority set forth in Sections 104 and 105 of the Department of Mental Health Establishment Amendment Act of 2001, effective December 18, 2001 (D.C. Law 14-56; D.C. Official Code §§ 7-1131.04 and 7-1131.05(5) (2008 Repl.), hereby gives notice of new amendments to Chapter 34 (Mental Health Rehabilitation Services Provider Certification Standards) of Title 22-A (Mental Health) of the District of Columbia Municipal Regulations (“DCMR”).

The purpose of these amendments is to add two (2) evidence-based practices to counseling, which is a mental health rehabilitation service (“MHRS”). These two practices are Child-Parent Psychotherapy for Family Violence (“CPP-FV”) and Trauma-Focused Cognitive Behavioral Therapy (“TF-CBT”). The amendments provide requirements for providers to be certified in CPP-FV and TF-CBT. The amendments also establish eligibility requirements for receipt of CPP-FV and TF-CBT, as well as the goals of these treatment interventions. Finally, the new rule adds five (5) definitions.

The proposed rulemaking was published on July 12, 2013, in the *D.C. Register* at 60 DCR 010102. No comments were received and no changes have been made to the proposed amendments as published. The Department of Mental Health took final action on the amendments on August 19, 2013. These amendments will become effective on the date of publication of this notice in the *D.C. Register*.

CHAPTER 34, MENTAL HEALTH REHABILITATION SERVICES PROVIDER CERTIFICATION STANDARDS, OF TITLE 22-A, MENTAL HEALTH, is amended as follows:

Subsection 3417.1 is amended to read as follows:

3417.1 Counseling services are individual, group or family face-to-face services for symptom and behavior management, development, restoration or enhancement of adaptive behaviors and skills, and enhancement or maintenance of daily living skills. Providers certified or applying to become certified to deliver counseling services may be further certified to provide the specific counseling services of Child-Parent Psychotherapy for Family Violence (CPP-FV) or Trauma-Focused Cognitive Behavioral Therapy (TF-CBT) as described below in Subsections 3417.8 and 3417.9.

Subsection 3417.8 is added to read as follows:

3417.8 Child-Parent Psychotherapy for Family Violence (CPP-FV) is a relationship-based treatment intervention for young children with a history of trauma exposure or maltreatment, and their caregivers. CPP-FV helps restore developmental functioning in the wake of violence and trauma by focusing on restoring the

attachment relationship that was negatively affected. Young children aged birth through six (6) years who have experienced traumatic stress often have difficulty regulating their behaviors and emotions during distress. They may exhibit fearfulness of new situations, be easily frightened, difficult to console, aggressive or impulsive. These children may also have difficulty sleeping, lose recently acquired developmental skills and show regression in functioning and behavior. Under CPP-FV, counselors assess and provide information on how parents' past experiences, including past insecure or abusive relationships, affect their relationships with their children. Sessions focus on parent-child interactions and Counselors provide support on healthy coping, affect regulation and increased appropriate reciprocity between parent/caregiver and child, resulting in a stronger relationship between a child and his or her parent or caregiver, and improvement in the child's symptoms. On average CPP-FV service sessions are sixty (60) to ninety (90) minutes, one (1) time per week, for a period up to fifty-two (52) weeks. CPP-FV sessions are longer in the first six months of treatment (*i.e.*, ninety (90) minutes) and decrease over time (to sixty (60) minutes) as the child improves his/her coping skills.

- (a) The goals of CPP-FV are to:
 - (i) Reduce posttraumatic stress reactions and symptoms in children;
 - (ii) Improve both parental and child functioning, as well as improve the parent-child attachment relationship;
 - (iii) Establish a sense of safety and trust within the parent-child relationship;
 - (iv) Return a child to a normal developmental trajectory; and
 - (v) Restore parental sensitivity and responsiveness, in order to strengthen the child/parent relationship.
- (b) CPP-FV is available to children ages birth through six (6) years with a diagnosed serious emotional disorder, who have experienced at least one traumatic event including maltreatment, the sudden or traumatic death of a caregiver, a serious accident, sexual abuse, physical abuse, neglect, or exposure to domestic violence, and, as a result, are experiencing behavioral, attachment, and or mental health problems, including posttraumatic stress symptoms.
- (c) CPP-FV shall be provided in accordance with the following limitations:
 - (i) One (1) unit of service shall be one (1) fifteen (15) minute increment.

- (ii) CPP-FV shall only be provided with the participation of the parent/caregiver.
- (d) Providers of CPP-FV services shall meet and maintain certification as a CPP-FV provider from a DMH approved training entity. Providers shall also maintain documentation of training for CCP-FV certified staff.
- (e) All CPP-FV Clinical team members shall complete the DMH-approved CPP-FV clinical training or have a certificate of completion from one of the DMH-accepted nationally-approved master trainers.
- (f) Each CPP-FV Service Team shall include a clinical supervisor and no more than six (6) counselors who have successfully completed the CPP-FV training requirements. The CPP-FV team clinical supervisor shall be a licensed qualified practitioner.
- (g) CPP-FV counselors must hold a Master's degree in psychology, social work, counseling or other related field, have satisfied the CPP-FV training requirements, and be a qualified practitioner or credentialed staff.
- (h) Credentialed staff must receive supervision from a qualified practitioner trained in CCP-FV in accordance with the CPP-FV fidelity standards.
- (i) Providers of CCP-FV must maintain an acceptable rating on an annual CCP-FV fidelity audit.

Subsection 3417.9 is added to read as follows:

3417.9 Trauma-Focused Cognitive Behavioral Therapy (TF-CBT) is a psychotherapeutic intervention designed to help children, working with their parent/caregivers, overcome the negative effects of traumatic life events. The treatment focuses on parent-child interactions, parenting skills, therapeutic treatment, skills development (such as stress management, cognitive processing, communication, problem solving, and safety), and parental support. A parent/caregiver treatment component is an integral part of this treatment model. It parallels the interventions used with the child so that parent/caregivers are aware of the content covered with the child and are prepared to reinforce or discuss this material with the child between treatment sessions and after treatment has ended. A typical course of TF-CBT treatment requires children to participate in sixty (60) to ninety (90) minute individual and con-joint child parent/caregiver sessions, one (1) time per week, over an average period of twelve (12) to sixteen (16) weeks in accordance with the evidence-based practice requirements.

- (a) The goals of TF-CBT are to:

- (i) Target symptoms of posttraumatic stress disorder which are often co-occurring with depression and behavior problems;
 - (ii) Address issues commonly experienced by traumatized children, such as poor self-esteem, difficulty trusting others, mood instability, and self-injurious behavior, including substance abuse;
 - (iii) Increase stress management skills of youth and parent/caregiver;
 - (iv) Improve youth's self-esteem, problem-solving and safety skills and decrease self-injurious and aggressive behaviors; and
 - (v) Decrease caregiver trauma-related distress.
- (b) TF-CBT is available to children ages four (4) through eighteen (18) years of age with a diagnosed serious emotional disorder, who have experienced or witnessed one or more traumatic events and who are experiencing behavioral, or mental health problems, including posttraumatic stress symptoms as a result of the event.
- (c) TF-CBT service shall be provided in accordance with the following limitations:
- (i) One (1) unit of service shall be one (1) fifteen (15) minute increment; and
 - (ii) TF-CBT shall only be provided with an active parent/caregiver willing to participate for the anticipated twelve to sixteen week treatment period.
- (d) Providers of TF-CBT services shall meet and maintain certification as a TF-CBT provider from a DMH-approved training entity. Providers shall maintain documentation of training for TF-CBT certified staff.
- (e) All TF-CBT Clinical team members shall complete the DMH-approved TF-CBT clinical training or have a certificate of completion from one of the DMH-accepted nationally-approved master trainers.
- (f) Each TF-CBT service team shall include at least one (1) clinical supervisor, and no more than eight (8) counselors who have successfully completed the TF-CBT training requirements. The TF-CBT team clinical supervisor shall be a licensed qualified practitioner.
- (g) TF-CBT counselors must hold a Master's degree in psychology, social work, counseling or other related field, have satisfied the TF-CBT training

requirements for TF-CBT counselors, and be a qualified practitioner or credentialed staff.

- (h) Services provided by credentialed staff must be supervised by a qualified practitioner trained in TF-CBT as required by the TF-CBT requirements and documented in the TF-CBT Practice Session Checklist.

Section 3499.1 is amended as follows:

The following definitions are added in alphabetical order within the existing list of definitions:

CCP-FV Fidelity Audit - a process by which the implementation of CPP-FV, in accordance with the established standards and guiding principles, will be evaluated annually.

Child-Parent Psychotherapy for Family Violence or “CPP-FV” - a psychotherapy treatment intervention for young children from birth through age six (6) who have experienced a traumatic life event and, as a result, are experiencing behavior, attachment, and/or mental health problems.

CPP-FV Fidelity Standards - the six established interconnected standards of fidelity, as set forth by the developers of CCP-FV, which guides treatment delivery.

TF-CBT Practice Session Checklist - an instrument used to track whether supervisors and therapists are implementing TF-CBT in accordance with the established model.

Trauma-Focused Cognitive Behavioral Therapy or “TF-CBT” - a psychosocial treatment model designed to treat posttraumatic stress and related emotional and behavioral problems in children and adolescents.

DISTRICT DEPARTMENT OF TRANSPORTATION

NOTICE OF FINAL RULEMAKING

The Director of the District Department of Transportation (DDOT), pursuant to the authority set forth in Sections 5(3)(A) (providing for a safe transportation system), 6(b) and (c) (transferring to the Department functions previously delegated to the Department of Public Works (DPW) under Reorganization Plan No. 4 of 1983), and 7 (making Director of DDOT the successor to transportation related authority delegated to the Director of DPW) of the Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code §§ 50-921.04(3)(D), 50-921.05(b) and (c), and 50-921.06 (2009 Repl. & 2012 Supp.)), Section 6(a)(1) of the District of Columbia Traffic Act of 1925, approved March 3, 1925 (43 Stat. 1121 ch. 443, § 6(a)(1); D.C. Official Code §50-2201.03(a)(1) (2009 Repl.)), and Mayor's Order 77-127, dated August 3, 1977, hereby gives notice of the adoption of the following amendments to Chapter 22 (Moving Violations) of Title 18 (Vehicles and Traffic) of the District of Columbia Municipal Regulations (DCMR).

The proposed rules would modify present regulations pertaining to open containers in motor vehicles.

Notice of Proposed Rulemaking was published in the *D.C. Register* on July 5, 2013 at 60 DCR 9906. No comments were received. No changes were made to the text of the proposed rules.

DDOT adopted the rules as final on August 30, 2013. The rules will go into effect upon the date of publication of this Notice of Final Rulemaking in the *D.C. Register*.

Section 2224 of Chapter 22, MOVING VIOLATIONS, of Title 18, VEHICLES AND TRAFFIC, of the DCMR is amended as follows:

Subsection 2224.2 is amended to read as follows:

- 2224.2 An open container shall not be considered to be in or on a vehicle if the open container is located:
- (a) In a trunk, cargo area, or storage compartment that is inaccessible from the passenger area of the vehicle;
 - (b) In a locked compartment within the passenger area of the vehicle; or
 - (c) With respect to a vehicle without a trunk, behind the last row of seats within the passenger area of the vehicle such that the open container is inaccessible by the driver or passengers while in their seats.

Subsection 2224.3 is repealed.

Subsection 2224.5 is amended to read as follows:

2224.5 For purposes of this section, the term:

- (a) “Alcoholic beverage” means an alcoholic beverage as defined in D.C. Official Code § 25-101(5).
- (b) “Opened alcoholic beverage container” means an alcoholic beverage in a bottle, can, or other container from which:
 - (1) The top, cap, cork, seal, or tab seal has at some time been removed or broken; or
 - (2) Some of the alcohol beverage has been removed.

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS

NOTICE OF PROPOSED RULEMAKING

The Director of the Department of Consumer and Regulatory Affairs, pursuant to the authority under Section 2 of the New and Used Tire Dealer License Act of 2012, effective April 23, 2013 (D.C. Law 19-279; D.C. Official Code § 47-2832.02, 60 DCR 2122), Section 2002(l) of the Second Omnibus Regulatory Reform Amendment Act of 1998, April 20, 1999 (D.C. Law 12-261; D.C. Official Code § 47-2851.20 (2005 Repl.)), and Sections 104 and 105 of the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October 5, 1985 (D.C. Law 6-42; D.C. Official Code §§ 2-1801.04 and 2-1801.05 (2007 Repl. & 2012 Supp.)), hereby gives notice of the intent to adopt, in not less than thirty (30) days from the date of publication of this notice in the D.C. Register, a new Chapter 8 (Tire Dealers) to Title 17 (Business, Occupations and Professions) of the District of Columbia Municipal Regulations (DCMR), and amendments to Chapter 5 (Basic Business License Schedule of Fees) of DCMR Title 17 (Business, Occupations and Professions) and to Chapter 33 (Department of Consumer & Regulatory Affairs (DCRA) Infractions) of DCMR Title 16 (Consumers, Commercial Practices, & Civil Infractions).

The proposed rulemaking prescribes the business license requirements for the storage, collection, or processing of waste tires in the District of Columbia; establishes a fee for the issuance of a tire dealer business license; and establishes a schedule of civil infraction fines for violations of the business license requirements.

A new Chapter 8 (Tire Dealers) to Title 17 (Business, Occupations and Professions) of the District of Columbia Municipal Regulations is added to read as follows:

CHAPTER 8: TIRE DEALERS

- 800 APPLICABILITY
- 801 GENERAL LICENSE REQUIREMENTS
- 802 STORAGE OF WASTE TIRES
- 803 DISPOSAL OF WASTE TIRES
- 804 RECORD KEEPING
- 805 EMERGENCY PLAN
- 806 WAIVERS
- 899 DEFINITIONS

800 APPLICABILITY

800.1 This chapter shall apply to any person engaged in the storage, collection, or processing of waste tires in the District of Columbia, regardless of whether the waste tires are purchased or obtained free of charge.

801 GENERAL LICENSE REQUIREMENTS

- 801.1 No person shall operate a business of storing, collecting, or processing waste tires without obtaining and maintaining a valid basic business license for a tire dealer.

- 801.2 Application for a tire dealer business license shall be made on a form prescribed by the Department and shall include the following information:
 - (a) The name and address of the owner of the tire dealer business;
 - (b) A copy of the current Certificate of Occupancy for the property where the tire dealer business is to be located;
 - (c) A Clean Hands Certification;
 - (d) A copy of the applicant’s certificate of registration, issued by the Office of Tax and Revenue, designating the applicant’s sales and use tax number;
 - (e) If the applicant is not a resident of the District of Columbia:
 - (1) The name and address of a registered agent upon whom service of process and other legal notices may be delivered; or
 - (2) A designation of the Mayor as the person who may accept service of process as well as other legal notices directed to the applicant; and
 - (f) Any additional information required by the Department.

802 STORAGE OF WASTE TIRES

- 802.1 No tire dealer licensee shall store more than five hundred (500) waste tires on its property.

- 802.2 Waste tires shall be stacked in solid piles and in an orderly manner on a level surface.

- 802.3 Waste tires shall be stored in a covered trailer, roll-off box, cage, or similar storage device to prevent rainwater or melting snow from collecting in the waste tires.

- 802.4 Waste tires shall not:
 - (a) Be located on public space, including sidewalks, streets, or alleys;

- (b) Be located along the property’s fences, gates or walls that are immediately adjacent to public space, including sidewalks, streets, or alleys;
- (c) Be located within twenty-five feet (25 ft.) of any occupiable structure, such as a residential or commercial building, on an adjacent property;
- (d) Be stored so that they exceed ten feet (10 ft.) in height;
- (e) Be stored in such a manner that they exceed either twenty-five feet (25 ft.) in width or one hundred feet (100 ft.) in length;
- (f) Be stored in such a manner that they do not allow a width of at least fifty feet (50 ft.) between stacks of waste tires; and
- (g) Be stored near any flammable source, combustible material, or any other volatile material.

802.5 Any area on the licensee’s property that contains waste tires shall be clearly designated as a no smoking area.

802.6 A licensee shall properly maintain the property and shall not allow excessive vegetative growth, including plants with obnoxious or noxious odor, weeds, grasses causing hay fever, or any weed growth that creates a breeding place for mosquitoes. Vegetative growth on the property shall not exceed a height of ten inches (10 in.).

802.7 A licensee shall ensure the property’s fences and gates are properly maintained to prevent any unauthorized access to the property.

803 DISPOSAL OF WASTE TIRES

803.1 A licensee shall establish and maintain a contractual agreement with a waste tire hauler, or its equivalent, for the removal of waste tires, at a minimum of every three calendar (3) days, from the licensee’s property.

803.2 A copy of the contractual agreement required by § 803.1 shall be available for inspection or review by the Department.

804 RECORD KEEPING

804.1 By February 1 of each year, a licensee shall produce a report summarizing the licensee’s waste tire business activity in the prior calendar year.

804.2 The annual report required by § 804.1 shall contain the following information:

- (a) The source, total number, type and average quantity (by number or weight) of waste tires collected;
- (b) The approximate number of waste tires that accumulated on the property every day;
- (c) The maximum quantity, by number or weight, and type of waste tires that were accepted by the licensee on a daily basis;
- (d) The arrangement and size of the piles of tires stored at the business awaiting removal;
- (e) Description of how waste tires were stored at the licensee’s property pending disposal and removal;
- (f) The destination and number of tires shipped or otherwise disposed of; and
- (g) A copy of the agreement with the waste tire hauler required under § 803.1.

804.3 A licensee shall maintain copies of each annual report for a minimum of three (3) years and the reports shall be made available for inspection by the Department upon request.

804.4 The record keeping requirements of this section shall not apply to any charitable, fraternal, or other type of nonprofit organization or association that conducts programs that result in the voluntary cleanup of land, water resources, or collection for disposal of waste tires.

805 EMERGENCY PLAN

805.1 A licensee shall have and maintain at its business location an emergency plan containing the following information:

- (1) A description of the licensee’s fire prevention plans;
- (2) The name, home address, phone number, and email address of the persons to be contacted in the event of a fire or other type of emergency;
- (3) A list of the emergency response equipment at the licensee’s property, its location, and how it should be used in the event of a fire or other emergency; and

- (4) The procedures to be followed in the event of a fire, including how to contain and dispose of any oily material generated by the combustion of tires.

806 WAIVERS

806.1 Any licensee that has been in operation for at least three (3) years before the effective date of these regulations may seek a waiver from the applicability of § 802.4(c).

806.2 A licensee seeking a waiver from § 802.4(c) shall remain subject to all other provisions of this chapter and shall submit evidence of when it commenced operations as a tire dealer.

806.3 Any waiver issued pursuant to this section shall be valid only to the licensee whose name and business address is listed on the business license issued pursuant to this chapter.

806.4 Any waiver issued pursuant to this section shall not be transferrable to any subsequent owners of the tire dealer business or to any change of address of the tire dealer business.

806.5 A licensee seeking a waiver issued pursuant to this section shall file an application with the Department within one hundred eighty (180) days of the effective date of these regulations. Failure to file an application shall be deemed a forfeiture of the waiver and shall subject the licensee to § 802.4(c).

899 DEFINITIONS

When used in this chapter, the following terms and phrases shall have the meanings ascribed:

Department – the Department of Consumer and Regulatory Affairs.

Vegetative growth – includes tall grass, kudzu, poison ivy, oak and sumac, plants with obnoxious odors, weeds, grasses causing hay fever, and any weed growth that creates a breeding place for mosquitoes.

Waste tire – any automobile, motorcycle, heavy equipment, or truck tire stored or offered for sale by a waste tire generator or otherwise retained by a waste tire generator after having replaced a customer’s new or used tire.

Waste tire generator – any person who buys, sells, or stores new or used tires for use on automobiles, motorcycles, heavy equipment, or trucks and which retains any of the customer’s used tires after replacement.

Title 17 (Business, Occupations and Professions), Chapter 5 (Basic Business License Schedule of Fees), Section 515 (General Service and Repair Endorsement) of the DCMR is amended as follows:

Subsection 515.1 is amended by amending Paragraphs (h) and (i) and adding a new paragraph (j) to read as follows:

- (h) Tour guide: \$73;
- (i) Valet parking company: \$222; and
- (j) Tire dealer: \$497.

Title 16 (Consumers, Commercial Practices, & Civil Infractions), Chapter 33 (Department of Consumer & Regulatory Affairs (DCRA) Infractions), Section 3301 (Business and Professional Licensing Administration Infractions) of the DCMR is amended as follows:

Subsection 3301.1 is amended by amending Paragraphs (jj) and (kk) and adding a new paragraph (ll) to read as follows:

- (jj) D.C. Official Code § 47-2851.03d(a) (operating a business without a general business license endorsement);
- (kk) D.C. Official Code § 47-2851.03d(b) (operating a general contracting or construction management business without a general contractor/construction manager license endorsement); or
- (ll) D.C. Official Code § 47-2832.02 (operating a business without a tire dealer business license).

Subsection 3301.2 is amended by amending Paragraphs (c) and (d) and adding new Paragraphs (e) and (f) to read as follows:

- (c) Employment Services Licensing and Regulation Act of 1984, effective Mar. 13, 1985 (D.C. Law 5-136; D.C. Official Code § 32-401 *et seq.*, except § 32-402(a)) (violation of any provision of the Employment Services Licensing and Regulation Act of 1984, D.C. Law 5-136, or rule issued pursuant thereto, except Section 3(a) (D.C. Official Code § 32-402(a)));

- (d) Automobile Consumer Protection Act of 1984, effective Mar. 14, 1985 (D.C. Law 5-162; D.C. Official Code § 50-501 *et seq.*) (violation of any provision of the Automobile Consumer Protection Act of 1984, or rule issued pursuant thereto).
- (e) D.C. Official Code § 47-2832.02(c) and 17 DCMR § 802.1 (storage of more than five hundred (500) waste tires); or
- (f) 17 DCMR § 803 (failure to establish and maintain a contractual agreement with a waste tire hauler for the removal of waste tires).

A new Subsection 3301.3 is added to read as follows:

3301.3 Violation of any of the following provisions shall be a Class 3 infraction:

- (a) 17 DCMR § 805 (failure to establish and maintain an emergency plan).

A new Subsection 3301.4 is added to read as follows:

3301.4 Violation of any of the following provisions shall be a Class 4 infraction:

- (a) 17 DCMR § 804 (failure to prepare an annual report).

All persons desiring to comment on these proposed regulations should submit comments in writing to Adrienne Lord-Sorenson, Assistant Attorney General, Department of Consumer and Regulatory Affairs, 1100 Fourth Street, SW, Fifth Floor, Washington, D.C. 20024, or via e-mail at Adrienne.Lord-Sorensen@dc.gov, not later than thirty (30) days after publication of this notice in the *D.C. Register*. Persons with questions concerning this Notice of Proposed Rulemaking should call (202) 442-4400. Copies of the proposed rules can be obtained from the address listed above. A copy fee of one dollar (\$1.00) will be charged for each copy of the proposed rulemaking requested. Free copies are available on the DCRA website at <http://dcra.dc.gov> by going to the "About DCRA" tab, clicking on "News Room," and then clicking on "Rulemaking."

DEPARTMENT OF HEALTH CARE FINANCE

NOTICE OF PROPOSED RULEMAKING

The Director of the Department of Health Care Finance (DHCF), pursuant to the authority set forth in An Act to enable the District of Columbia to receive federal financial assistance under Title XIX of the Social Security Act for a medical assistance program, and for other purposes approved December 27, 1967 (81 Stat.774; D.C. Official Code § 1-307.02 (2006 Repl.)) and Section 6(6) of the Department of Health Care Finance Establishment Act of 2007, effective February 27, 2008 (D.C. Law 17-109; D.C. Official Code § 7-771.05(6)(2008 Repl.)), hereby gives notice of a proposed amendment to Chapter 50, Medicaid Reimbursement for Personal Care Services, of Title 29, Public Welfare, of the District of Columbia Municipal Regulations (DCMR).

Personal Care Aide (PCA) services are health-related services that are provided to individuals because they are unable to perform one or more activities of daily living such as bathing, dressing, toileting, ambulation, or feeding oneself as a result of a medical condition or cognitive impairment causing a substantial disability. These proposed amendments will provide DHCF with the tools to increase oversight and closely monitor the quality and appropriateness of services being delivered to beneficiaries.

These proposed rules will amend the existing rules by establishing a process for an independent assessment of need and authorization for PCA services. This change is needed to eliminate any conflicts of interest that may exist when an agency that is assessing the need for the amount, duration and scope of services to be delivered is the same agency that will deliver the services and receive financial compensation for so doing. The proposed rule also eliminates the provision that prohibits a home care agency from claiming more than ten (10) percent of billed service units for PCA services provided through the use of staffing agency personnel. The proposed rules also clarifies that home care agencies are responsible for managing and supervising all PCAs, regardless of employment status and are accountable for compliance with all rules associated with PCA service delivery.

In addition, the proposed rule does the following: clarifies the level of disability that a Medicaid beneficiary must have in order to qualify for PCA services; clarifies requirements for giving advance notice to beneficiaries whenever the Provider proposes to terminate a beneficiary from the provider's care or to reduce or terminate the provision of PCA services; strengthens prohibitions regarding financial relationships between home care agencies, physicians, nurse practitioners and staffing agencies; clarifies record keeping requirements; and clarifies the reimbursable unit of PCA service and the commensurate payment rate. This change in the stated payment rate reflects the Medicaid program's current payment rate and does not represent any change in the amount to be paid for PCA services.

The Director gives notice of the intent to adopt this proposed rule in not less than thirty (30) days from the date of publication of this notice in the *D.C. Register*.

Chapter 50, MEDICAID REIMBURSEMENT FOR PERSONAL CARE AIDE SERVICES, of Title 29, PUBLIC WELFARE, of the DCMR is deleted in its entirety and replaced to read as follow:

CHAPTER 50 MEDICAID REIMBURSEMENTS FOR PERSONAL CARE AIDE SERVICES

5000 GENERAL PROVISIONS

5000.1 These rules establish the standards and conditions of participation for home care agencies providing personal care aide (PCA) services under the District of Columbia Medicaid Program (Medicaid Program).

5000.2 The rules are in support and furtherance of the following goals:

- (a) To provide necessary hands-on assistance with the activities of daily living to beneficiaries who are unable to perform one or more activities of daily living; and
- (b) To encourage home-based care as a preferred and cost-effective alternative to institutional care.

5001 PROVIDER QUALIFICATIONS

5001.1 A Provider receiving reimbursement for PCA services shall:

- (a) Be a home care agency licensed pursuant to the requirements for home care agencies as set forth in the Health Care and Community Residence Facility, Hospice and Home Care Licensure Act of 1983, effective February 24, 1984 (D.C. Law 5-48; D.C. Official Code, §§ 44-501 *et seq.* (2005 Repl. & 2012 Supp.)), and implementing rules; and
- (b) Be enrolled as a Medicare home health agency qualified to offer skilled services as set forth in Sections 1861(o) and 1891(e) of the Social Security Act and 42 CFR § 484.

5001.2 An applicant seeking reimbursement as a Provider under the Medicaid Program shall submit a Medicaid Provider Enrollment Application to the Department of Health Care Finance (DHCF), execute a Provider Agreement and be enrolled as such a Provider.

5001.3 Each Provider application shall contain, but not be limited to, the following:

- (a) Name, address, and business email of the applicant’s organization and location of the applicant’s place of business. An applicant shall submit a separate application for each place of business from which the applicant intends to offer District of Columbia Medicaid program services;

- (b) Answers sufficient to meet requirements as set forth in 42 C.F.R. § 455, subpart B: Disclosure of Information by Providers and Fiscal Agents;
- (c) Names, license numbers and National Provider Identifier (NPI) numbers of all individuals providing personal care services or nursing services from the National Plan and Provider Enumeration System (NPPES) as of the date of the application to become a District of Columbia Medicaid Provider;
- (d) The applicant’s U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services (CMS) Medicare Supplier Letter issued pursuant to 42 C.F.R. § 424.510 to evidence enrollment of the applicant in the Medicare program;
- (e) A copy or copies of all contracts held between the applicant and any staffing agency pertaining to the delivery of personal care services;
- (f) A copy or copies of license(s) held by the employees of any staffing agency or agencies used by the Provider for the delivery of personal care services;
- (g) The applicant’s NPI number as required by the Health Insurance Portability and Accountability Act of 1996, approved August 21, 1996 (Pub.L. No 104-191; 110 Stat. 1936);
- (h) A copy of the applicant’s surety bond, pursuant to requirements set forth in § 5011 of this chapter; and
- (i) A copy of a Certificate of Registration or Certificate of Authority, if required by District law or rules.

5001.4 A Provider shall submit a new Medicaid Provider Enrollment Application within thirty (30) days after any change in business ownership. Re-enrollment or continued enrollment in the Medicaid program after any change in business ownership shall be conditioned upon the Provider’s compliance with all applicable Federal and District requirements.

5001.5 A Provider shall submit a new Medicaid Provider Enrollment Application and successfully re-enroll in the D.C. Medicaid program at least every five (5) years from the date of execution of its most recent Provider Agreement.

5001.6 A Provider shall accept referrals from, and provide requested information to DHCF or its designated agent.

5002 ELIGIBILITY REQUIREMENTS

- 5002.1 To be eligible to receive PCA services, a Medicaid beneficiary must meet all of the following qualifications:
 - (a) Be unable to independently perform one or more activities of daily living for which personal care services are needed;
 - (b) Be in receipt of a written order for PCA services in accordance with Sections 5006.1 and 5006.2; and
 - (c) Be in receipt of a PCA Service Authorization in accordance with Section 5003.

5003 PCA SERVICE AUTHORIZATION REQUEST AND SUBMISSION

5003.1 Except as provided in Section 5003.8, PCA services shall not be initiated or provided on a continuing basis by a Provider without a PCA Service Authorization from DHCF or its designated agent that, for each beneficiary, identifies the amount, duration and scope of PCA services authorized and the number of hours authorized.

5003.2 A Medicaid beneficiary who is seeking PCA services for the first time shall submit his or her request for a PCA Service Authorization to DHCF or its designated agent in writing, accompanied by a copy of the physician’s written order for PCA services that complies with the requirements set forth in Section 5006.

5003.3 DHCF or its designated agent shall be responsible for conducting a face-to-face assessment of each beneficiary using a standardized assessment tool to determine each beneficiary’s need for assistance with activities of daily living that the beneficiary is unable to perform. The assessment shall:

- (a) Confirm and document the beneficiary’s functional limitations and personal goals with respect to long-term care services and supports;
- (b) Be developed in consultation with the beneficiary and/or the beneficiary’s representative;
- (c) Document the beneficiary’s unmet need for services taking into account the contribution of informal supports and other resources in meeting the beneficiary’s needs for assistance;
- (d) Document the amount, frequency, duration, and scope of PCA services needed; and
- (e) Specify the expected outcome(s) of the delivery of the PCA services.

5003.4 Based upon the results of the face-to-face assessment conducted in accordance with Section 5003.3, DHCF or its authorized agent shall issue to the beneficiary a PCA Service Authorization that specifies the amount, frequency,

duration, and scope of PCA services authorized to be provided to the beneficiary.

5003.5 Authorization for PCA services in accordance with these rules, when provided through the DC Medicaid program’s State Plan PCA benefit, shall not exceed eight (8) hours per day or one thousand and forty (1,040) hours in any twelve (12) month period, unless specifically authorized by DHCF or its agent in accordance with this Section.

5003.6 If authorized, PCA services may be provided seven (7) days per week.

5003.7 DHCF or its designated agent shall conduct the initial face-to-face assessment following the receipt of a request for service authorization and shall conduct a reassessment at least every one hundred and eighty (180) days or upon significant change in the beneficiary’s condition. A request for service authorization may be made by a Medicaid beneficiary, the beneficiary’s representative or a Provider.

5003.8 For beneficiaries who were receiving PCA services on the effective date of these rules, the provisions of Sections 5003.1 through 5003.7 pertaining to assessments and PCA Service Authorizations shall take effect on a phased-in basis on a schedule to be established by DHCF not to exceed twelve (12) months from the effective date of these rules.

5003.9 If, based upon the assessment conducted pursuant to this Section, a beneficiary is found to be ineligible for PCA services, or the amount, duration or scope of PCA services is reduced, DHCF or its agent shall issue a Beneficiary Denial or Reduction of Services Letter informing the beneficiary of his or her right to appeal the denial or reduction of services in accordance with federal and District law and regulations.

5004 REFERRALS

5004.1 Upon completion of the PCA Service Authorization, DHCF or its designated agent shall make a referral to the beneficiary's choice of a qualified Provider.

5004.2 A referral to a qualified Provider shall not be considered complete unless it includes all of the following:

- (a) A copy of the physician’s order for PCA services issued in accordance with Section 5006;
- (b) A copy of the completed written assessment of the beneficiary undertaken in accordance with Section 5003.3; and
- (c) A copy of the completed PCA Service Authorization issued in accordance with Section 5003.4.

5005 PLAN OF CARE

5005.1 Each Provider shall conduct an initial face-to-face visit with the beneficiary to develop a plan of care for delivering PCA services no later than seventy-two (72) hours after receiving the referral for services from DHCF or its designated agent.

5005.2 The plan of care shall:

- (a) Be developed in consultation with the beneficiary or the beneficiary's representative;
- (b) Specify how the beneficiary's need, as identified in the assessment conducted in accordance with Section 5003.3, will be met within the amount, duration, scope, and hours of services authorized by the PCA Service Authorization as set forth in Section 5003.4;
- (c) Consider the beneficiary's preferences regarding the scheduling of PCA services;
- (d) Specify the detailed services to be provided, their frequency, and duration, and expected outcome(s) of the services rendered consistent with the PCA Service Authorization; and
- (e) Be approved and signed by the beneficiary's physician or an advanced practice registered nurse within thirty (30) days of the start of care, provided that the physician or advanced practice nurse has had a prior professional relationship with the beneficiary that included an examination(s) provided in a hospital, primary care physician's office, nursing facility, or at the beneficiary's home prior to the prescription of the personal care services.

5005.3 A registered nurse (R.N.) who is employed by the Provider shall review the beneficiary's plan of care at least once every sixty (60) days, and shall update or modify the plan of care as needed. The R.N. shall notify the beneficiary's physician of any significant change in the beneficiary's condition.

5005.4 If an update or modification to a beneficiary's plan of care requires any change in the frequency, duration or scope of PCA services provided to the beneficiary, the Provider must obtain an updated PCA Service Authorization from DHCF or its designated agent.

5006 PROGRAM REQUIREMENTS

5006.1 PCA services shall be ordered, in writing, by a physician who has had a prior professional relationship with the beneficiary that included an examination(s) provided in a hospital, primary care physician's office, nursing facility, or at the beneficiary's home prior to the order for the personal care services. A

written order for PCA services constitutes a certification that the beneficiary is unable to perform one (1) or more activities of daily living for which personal care services are needed.

- 5006.2 A written order for PCA services issued in accordance with § 5006.1 shall be renewed every six (6) months and after any interruption of service greater than fourteen (14) days, including hospital admission.
- 5006.3 Each written order for PCA services under this section shall include the prescriber's NPI number obtained from NPPES.
- 5006.4 A Provider has an on-going responsibility to verify that each beneficiary that receives PCA services from the Provider has current eligibility for the District of Columbia Medicaid program and is eligible for and authorized to receive Personal Care Services.
- 5006.5 An individual or family member other than a spouse, parent of a minor beneficiary, any other legally responsible relative, or court-appointed guardian may provide PCA services. Each family member providing PCA services shall comply with the requirements set forth in these rules.
- 5006.6 The Provider shall initiate services no later than twenty-four (24) hours after completing the plan of care unless the beneficiary's health or safety warrants the need for more immediate service initiation or the beneficiary or beneficiary's representatives agree to begin the services at a later date.
- 5006.7 PCA services shall include, but not be limited to, the following:
- (a) Performance of routine activities of daily living (such as, bathing, transferring, toileting, dressing, feeding, and maintaining bowel and bladder control);
 - (b) Assisting with incontinence, including bed pan use, changing urinary drainage bags, changing protective underwear, and monitoring urine input and output;
 - (c) Assisting beneficiaries with transfer, ambulation and range of motion exercises;
 - (d) Assisting beneficiaries with self-administered medications;
 - (e) Measuring and recording temperature, pulse, blood pressure and respiration;
 - (f) Observing, documenting and reporting the beneficiary's physical condition, behavior, and appearance and reporting all services provided on a daily basis;

- (g) Preparing meals in accordance with dietary guidelines and assistance with eating;
- (h) Performing tasks related to keeping areas occupied by the beneficiary in a condition that promotes the beneficiary's safety;
- (i) Accompanying the beneficiary to medical or dental appointments or place of employment and recreational activities if approved in the beneficiary's plan of care; and
- (j) Recording and reporting to the supervisory health professional, changes in the beneficiary's physical condition, behavior or appearance.

5006.8 PCA services shall not include:

- (a) Services that require the skills of a licensed professional as defined by the District of Columbia Health Occupations Revision Act of 1985, as amended, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code §§ 3-1201.01 *et seq.*);
- (b) Tasks usually performed by chore workers or homemakers, such as cleaning of areas not occupied by the beneficiary and shopping for items not used by the beneficiary; and
- (c) Money management.

5006.9 PCA services shall not be provided in a hospital, nursing facility, intermediate care facility, or other living arrangement which includes personal care as part of the reimbursed service.

5006.10 PCA services may be provided at the beneficiary's place of employment.

5006.11 A PCA is not authorized to make decisions on behalf of a beneficiary.

5006.12 A PCA shall immediately report to the R.N. any significant change in the beneficiary's health status in the case of emergency, or within four (4) hours for other situations, unless indicated otherwise in the beneficiary's plan of care.

5006.13 If the beneficiary seeks to change his or her Provider, the Provider shall assist the beneficiary in transferring to the new Provider. Until the beneficiary is transferred to a new personal care services Provider, the Provider shall continue providing personal care services to the beneficiary until the transfer has been completed successfully and the beneficiary is receiving personal care services from the new Provider.

5006.14 Each Provider shall immediately terminate the services of a PCA and instruct the PCA to discontinue all services to the beneficiary, in any case where the

Provider believes that the beneficiary's physical or mental well-being is endangered by the care or lack of care provided by the aide, or that the beneficiary's property is at risk. The Provider is responsible for assigning a new PCA and ensuring that the beneficiary's needs continue to be met.

5006.15 Each Provider shall conduct annual performance assessments of all personal care aides who deliver services to beneficiaries served by the Provider, regardless of whether the personal care aide is an employee or is secured through another staffing agency. The initial performance assessment shall be conducted no later than three (3) months after the PCA first provides services to any beneficiary served by the Provider.

5006.16 Each Provider shall develop contingency staffing plans to provide coverage for each beneficiary in the event the assigned PCA cannot provide the services or is terminated.

5007 DENIAL, SUSPENSION, REDUCTION OR TERMINATION OF SERVICES

5007.1 When PCA services are no longer desired by the beneficiary or their authorized representative or required in the amount, duration or scope authorized, each Provider shall discontinue or reduce personal care services only after:

- (a) Giving the beneficiary written notice that meets the requirements set forth in Section 5007.2,
- (b) The thirty (30) day notice period prescribed in Section 5007.2 elapses; and
- (c) The beneficiary has not appealed the discontinuation.

5007.2 For Provider initiated denials, suspensions, terminations or reductions of service, each Provider shall notify DHCF or its designated agent and the beneficiary or the beneficiary's authorized representative, in writing, no less than thirty (30) calendar days prior to any denial, suspension, termination or reduction of services, consistent with the requirements set forth in District and Federal law and rules. The beneficiary's record shall contain a copy of the notice and documentation of the date the notice was either personally served upon or mailed to the beneficiary or the beneficiary's designated agent.

5007.3 For denials, suspensions, terminations or reductions of service initiated by DHCF or its agent, DHCF or its designated agent shall notify the beneficiary or the beneficiary's authorized representative, in writing, no less than thirty (30) calendar days prior to any denial, suspension, termination or reduction of services, consistent with the requirements set forth in District and Federal law and rules.

- 5007.4 If the behavior of a beneficiary poses an immediate threat to the safety and well-being of the PCA or PCA Provider staff, the Provider shall immediately suspend or terminate the beneficiary’s services. Suspension of services shall not exceed thirty (30) days.
- 5007.5 Within seventy-two (72) hours of suspension, the Provider shall notify the beneficiary or authorized representative in writing of the following:
 - (a) The grounds for suspension; and
 - (b) The beneficiary’s right to appeal the suspension.
- 5007.6 At the end of the suspension period, the Provider may re-instate or terminate the beneficiary’s services.
- 5007.7 The beneficiary or the beneficiary’s representative shall be provided with a written notice of termination at least fifteen (15) days before the effective date of termination, if the decision is made to terminate services following suspension. The written notice shall comply with District and federal law and rules.

5008 STAFFING

- 5008.1 Each Provider shall utilize registered nurses to manage and provide supervision to PCAs who are qualified to perform all of the functions described in Section 5008.3.
- 5008.2 Each Provider shall verify that each PCA used to deliver services, regardless of whether the personal care aide is an employee of the Provider or is secured through another staffing agency, meets the qualifications set forth in Section 5009.
- 5008.3 Each Provider shall employ an R.N. who is responsible for the following:
 - (a) Accepting and reviewing the beneficiary’s PCA Service Authorization and initial assessment or reassessment of need for personal care services;
 - (b) Developing a written plan of care in accordance with Section 5005 that meets the beneficiary’s assessed needs and preferences within the service limitations authorized in the PCA Service Authorization;
 - (c) Updating each beneficiary’s written plan of care based upon subsequent reassessments of need;
 - (d) Maintaining a clinical record in accordance with Section 5013;

- (e) Reviewing the beneficiary’s plan of care with each assigned PCA and ensuring that each assigned PCA has the requisite training, skills and ability to meet the beneficiary’s identified needs and preferences;
- (f) Monitoring the quality of personal care services on a regular basis and ensuring that PCA services are delivered in accordance with the beneficiary’s Plan of Care;
- (g) Supervising all PCAs, regardless of whether the PCA is an employee of the Provider or is secured through a staffing agency. Supervision shall include on-site supervision at least once every sixty (60) days;
- (h) Coordinating the provision of PCA services with other home health services, as appropriate and communicating with each beneficiary’s physician or advanced practice R.N., regarding changes in the beneficiary’s condition and needs;
- (i) Gathering information regarding the beneficiary's condition and the need for continued care;
- (j) Communicating and coordinating with DHCF or its designated agent regarding changes in the beneficiary’s condition and needs. At a minimum the Provider must communicate to DHCF or its designated agent:
 - 1) Any failure or inability of the provider to deliver authorized services within three (3) business days of the scheduled visit; and
 - 2) Any change in the beneficiary’s status requiring a modification in the amount, duration, or scope of service authorized.
- (k) Counseling the beneficiary and the beneficiary’s family regarding nursing and related needs.

5008.4 The R.N. nurse shall visit each beneficiary within forty-eight (48) hours of initiating personal care services, and no less than every sixty (60) days thereafter, to monitor the implementation of the plan of care and the quality of PCA services provided to the beneficiary.

5008.5 The R.N. may provide an additional supervisory visit to each beneficiary if the situation warrants an additional visit, such as in the case of an assignment of a new personal care aide or change in the beneficiary's health status.

5009 PERSONAL CARE AIDE QUALIFICATIONS

5009.1 Each PCA, whether an employee of the Provider or secured through a staffing agency, shall meet the following qualifications:

- (a) Be at least eighteen (18) years of age;
- (b) Be a citizen of the United States or an alien who is lawfully authorized to work in the United States;
- (c) Be mentally, physically and emotionally competent to provide services as certified by a physician;
- (d) Be able to accept instruction from an R.N.;
- (e) Be certified and meet all of the qualifications, including training requirements, in accordance with the Practice of Nursing Amendment Act of 2009, effective July 7, 2009 (D.C. Law 18-18; 56 DCR 3624).
- (f) Be certified in cardiopulmonary resuscitation (CPR) and maintain current CPR certification;
- (g) Complete three (3) hours of continuing education at quarterly intervals, in addition to annual CPR recertification and be trained on the beneficiary's plan of care;
- (h) Be able to read and write the English language at least at the fifth (5th) grade level and carry out instructions and directions in English;
- (i) Be able to recognize an emergency and be knowledgeable about emergency procedures;
- (j) Be knowledgeable about infection control procedures;
- (k) Confirm on an annual basis that he or she is free from tuberculosis by undergoing an annual purified protein derivative (PPD) skin test;
- (l) Confirm, on an annual basis, that he or she is free from communicable disease by undergoing an annual physical examination by a physician, and obtaining written and signed documentation from the examining physician confirming freedom from communicable disease;
- (m) Pass a criminal background check pursuant to the Health-Care Facility Unlicensed Personnel Criminal Background Check Act of 1998, effective April 20, 1999 (D.C. Law 12-238; D.C. Official Code, §§ 44-551 *et seq.* (2005 Repl. & 2012 Supp.));
- (n) Pass a reference check and a verification of prior employment;
- (o) Provide documentation of acceptance or declination of the hepatitis vaccine; and
- (p) Have an individual NPI number obtained from NPPES.

- 5010.1 A Provider may contract with a licensed staffing agency to secure staff to deliver PCA services. Agreements between the Provider and the a staffing agency providing personal care staffing services shall be in writing and include at a minimum, the following:
- (a) A provision requiring the staffing agency to provide the Provider with the staffing agency's NPI number obtained from the NPPES and the NPI numbers of all individuals providing personal care services to the home care agency throughout the duration of the contract.
 - (b) Business address and e-mail address of each staffing agency ;
 - (c) Provisions making explicit and delineating the Provider's responsibility to:
 - 1) Manage, supervise and evaluate the PCA services secured through a staffing agency; and
 - 2) Be accountable for all services delivered by non-employee PCAs to the same extent as if the PCAs were employees of the Provider.
 - (d) The duration of the agreement, including provisions for renewal, if applicable; and
 - (e) Assurances that the staffing agency shall comply with all applicable federal and District laws and rules, including all relevant licensing requirements imposed by the District of Columbia.
- 5010.2 Each Provider contracting with a staffing agency to provide staffing for personal care services shall:
- (a) Ensure that the staffing agency obtains an NPI number for itself and all personnel performing personal care services through the agency;
 - (b) Provide DHCF with a copy of any and all contract(s) entered into with a staffing agency; and
 - (c) Ensure that each beneficiary's records shall be the property of the beneficiary's Provider and are maintained at the Provider's place of business in accordance with Section 5013.
- 5010.3 A staffing agency supplying staff to the provider for the delivery of personal care services shall be considered an agent of the Provider.
- 5010.4 A Provider is prohibited from having a financial relationship with any staffing agency providing staffing unless the relationship meets one of the exceptions applicable to ownership interests and compensation arrangements established

in 42 U.S.C. § 1320a-7b(b)(3) and 42 C.F.R. § 1001.952. A financial relationship includes but is not limited to:

- (a) A direct or indirect ownership or investment interest (including an option or non-vested interest) by the Provider in a staffing agency. This interest may be in the form of partnership shares, limited liability company memberships, loans, bonds, equity, debt, or other means; and
- (b) A direct or indirect compensation arrangement other than the contract referenced in § 5010.1 between the Provider and the staffing agency for the provision of staff to perform personal care services provided the contract meets the requirements of 42 C.F.R. § 1001.952(d).

5010.5 A Provider is prohibited from contracting with a staffing agency that is or has engaged in any of the following:

- (a) Advertising or marketing directly to Medicaid beneficiaries;
- (b) Misrepresenting the staffing agency as the provider of PCA services; or
- (c) Offering financial or other types of inducements to individuals for the referral of Medicaid beneficiaries, their names, or other identifying information to any health care provider.

5011 INSURANCE

5011.1 Each applicant or Provider shall maintain the following minimum amounts of insurance coverage:

- (a) Blanket malpractice insurance for all employees in the amount of at least one million dollars (\$ 1,000,000) per incident;
- (b) General liability insurance covering personal property damages, bodily injury, libel and slander of at least one million dollars (\$ 1,000,000) per occurrence; and
- (c) Product liability insurance, when applicable.

5011.2 Each applicant or Provider shall post a continuous surety bond in the amount of fifty thousand dollars (\$50,000) against all personal care services claims, suits, judgments, or damages including court costs and attorney's fees arising out of the negligence or omissions of the Provider in the course of providing services to a Medicaid beneficiary or a person believed to be a Medicaid beneficiary. The number of bonds required shall be predicated upon the number of Provider offices enrolled by the applicant or Provider in the Medicaid program.

5012 ADMINISTRATION

- 5012.1 NPI numbers for Providers and staffing agencies, and all personnel delivering personal care services shall be included in all Medicaid billings.
- 5012.2 Each Provider shall have a current organizational chart that clearly describes the organizational structure, management responsibilities, staff responsibilities, lines of authority, and use of any contractors.
- 5012.3 Each Provider shall maintain current copies of all fully executed contracts including all staffing agency contracts pertaining to the delivery of personal care services, in the Provider's office and make them available to DHCF, CMS, and other authorized government officials or their agents when requested.
- 5012.4 Each Provider shall maintain a copy of each license held by their employees and employees of any staffing agency utilized by the Provider for the delivery of personal care services.
- 5012.5 A Provider shall be prohibited from waiving liability or assigning contract authority to any other entity for covered services provided to Medicaid beneficiaries.
- 5012.6 Each Provider shall provide to all employees and contractors (such as staffing agencies providing staffing) a current policy manual which sets forth all of its policies and procedures.
- 5012.7 Each policy manual shall include, but not be limited to, the following information:
- (a) A description of the services to be provided;
 - (b) Procedures for beneficiary care;
 - (c) The reimbursement methodology or fee schedules;
 - (d) Operational schedules;
 - (e) Quality assurance standards;
 - (f) A statement of beneficiary rights and responsibilities;
 - (g) Financial and record-keeping requirements;
 - (h) Procedures for emergency care, infection control and reporting of incidents;
 - (i) A description of staff positions and personnel policies, which shall be reviewed annually, revised as necessary, and dated at time of review;

- (j) Policies and procedures for hiring, performance assessments, grievances, and in-service training of all PCAs who deliver services, regardless of whether the PCA is an employee of the Provider or is secured through a staffing agency;
- (k) An up to date listing of professional staff licensure and registration information;
- (l) An up to date listing of PCA certifications;
- (m) Policies and procedures for providing advance notice to beneficiaries in accordance with Section 5007; and
- (n) Policies, procedures, and presentation materials for owners, managers, employees and contractual staff for in-service training on the following subjects:
 - 1) Compliance with these regulations;
 - 2) Compliance with federal and District False Claims Acts;
 - 3) Preventing, detecting, and reporting fraud, waste, and abuse; and
 - 4) Rights of employees to be protected as whistleblowers.

5013 RECORDS

- 5013.1 Each Provider shall maintain complete and accurate records reflecting the specific personal care services provided to each beneficiary.
- 5013.2 Each Provider shall be responsible for maintaining the confidentiality of each beneficiary’s care, treatment, and records. The disclosure of personal health information by the Provider is subject to all of the provisions set forth in applicable District and Federal laws and rules.
- 5013.3 Each beneficiary's record shall be readily retrievable and shall be kept in a locked room or file maintained and safeguarded against loss or unauthorized use at the location of the Provider's place of business that is identified on the Provider’s Medicaid Provider application.
- 5013.4 Each Provider shall permit reviews and on-site inspections to be conducted by CMS, its agents, DHCF and its agents to determine Provider compliance with all applicable laws.

- 5013.5 Each Provider shall comply with the terms of its Medicaid Provider Agreement with respect to the maintenance of all beneficiary and financial records.
- 5013.6 Each beneficiary's record shall include, but is not limited to, the following information:
 - (a) General information including the beneficiary's name, Medicaid identification number, address, telephone number, age, sex, name and telephone of emergency contact person, authorized representative (if applicable), and primary care physician's or advanced practice registered nurse's name, address, and telephone number;
 - (b) Health care information, including all referrals, assessments, service authorizations, plans of care, and progress notes;
 - (c) Dates and description of PCA services rendered, including the name and NPI of the personal care aide performing the services;
 - (d) Documentation of each supervisory visit of the registered nurse including signed and dated clinical progress notes;
 - (e) Discharge summary, if applicable;
 - (f) Copies of any written notices given to the beneficiary; and
 - (g) Any other appropriate identifying information that is pertinent to beneficiary care.

5014 BENEFICIARY RIGHTS AND RESPONSIBILITIES

- 5014.1 Each Provider shall develop a written statement of the beneficiary's rights and responsibilities consistent with the requirements of this section, which shall be given to each beneficiary in advance of receiving services or during the initial care planning visit before the initiation of services.
- 5014.2 The written statement of the beneficiary's rights and responsibilities shall be prominently displayed at the Provider's business location and available at no cost upon request by a member of the general public.
- 5014.3 Each Provider shall develop and implement policies and procedures outlining the following beneficiary's rights:
 - (a) To be treated with courtesy, dignity and respect;
 - (b) To control his or her own household and lifestyle;
 - (c) To participate in the planning of his or her care and treatment;
 - (d) To receive treatment, care, and services consistent with the plan of care

and to have the plan of care modified for achievement of outcomes;

- (e) To receive services by competent personnel who can communicate with the beneficiary in accordance with the Language Access Act of 2004, effective June 19, 2004 (D.C. Law 15-167; D.C. Official Code § 2-1931 *et seq.*);
- (f) To refuse all or part of any treatment, care, or service and be informed of the consequences;
- (g) To be free from mental and physical abuse, neglect and exploitation from persons providing services;
- (h) To be assured that for purposes of record confidentiality, the disclosure of the contents of the beneficiary's records is subject to all the provisions of applicable District and federal laws;
- (i) To voice a complaint or grievance about treatment, care, or lack of respect for personal property by persons providing services without fear of reprisal;
- (j) To have access to his or her records; and
- (k) To be informed orally and in writing of the following:
 - 1) Services to be provided, including any limits;
 - 2) Amount charged for each service, the amount of payment required from the beneficiary and the billing procedures, if applicable;
 - 3) Whether services are covered by health insurance, Medicare, Medicaid, or any other third party sources;
 - 4) Acceptance, denial, reduction or termination of services;
 - 5) Complaint and appeal procedures;
 - 6) Name, address and telephone number of the Provider;
 - 7) Telephone number of the District of Columbia Medicaid fraud hotline;
 - 8) Beneficiary's freedom from being forced to sign for services that were not provided or were unnecessary; and
 - 9) A statement, provided by DHCF, defining health care fraud and ways to report suspected fraud.

5014.4 Each beneficiary shall be responsible for the following:

- (a) Treating all Provider personnel with respect and dignity;
- (b) Providing accurate information when requested;
- (c) Informing Provider personnel when instructions are not understood or cannot be followed;
- (d) Cooperating in making a safe environment for care within the home; and
- (e) Reporting suspected fraud, waste and abuse.

5014.5 Each Provider shall take appropriate steps to ensure that each beneficiary, including beneficiaries who cannot read or those who have a language or communication barrier, has received the information required pursuant to this section. Each Provider shall document in the records the steps taken to ensure that each beneficiary has received the information.

5015 REIMBURSEMENT

5015.1 Each Provider shall be reimbursed four dollars and eight cents (\$4.08) per fifteen minutes for services rendered by a PCA.

5015.2 Reimbursement for PCA services, when provided through the DC Medicaid program’s State Plan PCA benefit, shall not exceed eight (8) hours per day and shall be limited to the amount, duration, and scope of services set forth in the PCA Service Authorization described in Section 5003.

5015.3 Claims for PCA services submitted by a Provider in any period during which the beneficiary has been admitted to another health care facility including a hospital, nursing home, psychiatric facility or rehabilitation program shall be denied.

5015.4 Claims for PCA service submitted by a Provider for any hours in which the beneficiary was receiving adult day health or other similar service in which PCA services are provided to the beneficiary shall be denied.

5015.5 Each Provider shall agree to accept as payment in full the amount determined by DHCF as Medicaid reimbursement for the authorized services provided to beneficiaries. Providers shall not bill the beneficiary or any member of the beneficiary’s family for PCA services.

5015.6 Each Provider shall agree to bill any and all known third-party payers prior to billing Medicaid.

5015.7 All reimbursable claims for PCA services shall include the NPI numbers for the:

- (a) Provider;

- (b) Physician who ordered the personal care services;
- (c) The staffing agency, if applicable; and
- (d) Personal care aide who provided the personal care services, regardless of whether the personal care aide is an employee of the Provider or is from another staffing agency.

5015.8 Pursuant to 42 C.F.R. § 424.22(d), the Department shall deny PCA service claims or recoup paid claims when Provider records or other evidence indicate that the primary care physician ordering a beneficiary’s treatment has a direct or indirect financial relationship, compensation, ownership or investment interest as defined in 42 CFR § 411.354 in the Provider billing for the services, unless the financial relationship, compensation, ownership or investment interest meets an exception as defined in 42 CFR § 411.355.

5015.9 Claims resulting from marketing by a staffing agency (including face-to-face solicitation at doctors’ offices, home visits, requests for beneficiary Medicaid numbers, or otherwise directing beneficiaries to any Medicaid Provider) shall not be reimbursed.

5016 AUDITS AND REVIEWS

5016.1 DHCF shall perform audits to ensure that Medicaid payments are consistent with efficiency, economy and quality of care and made in accordance with federal and District rules governing Medicaid.

5016.2 The audit process shall be routinely conducted by DHCF to determine, by statistically valid scientific sampling, the appropriateness of services rendered and billed to Medicaid. These audits shall be conducted on-site or through an off-site, desk review.

5016.3 Each Provider shall allow access to relevant records and program documentation upon request and during an on-site audit or review by DHCF, other District of Columbia government officials and representatives of the United States Department of Health and Human Services.

5016.4 If DHCF denies a claim, DHCF shall recoup, by the most expeditious means available, those monies erroneously paid to the Provider for denied claims, following the period of Administrative Review as set forth in § 5017 of these rules.

5016.5 The recoupment amounts for denied claims shall be determined by the following formula:

- (a) A fraction shall be calculated with the numerator consisting of the number of denied paid claims resulting from the audited sample. The

denominator shall be the total number of paid claims from the audit sample; and

- (b) This fraction shall be multiplied by the total dollars paid by DHCF to the Provider during the audit period, to determine the amount recouped. For example, if a Provider received Medicaid reimbursement of ten thousand dollars (\$10,000) during the audit period, and during a review of the claims from the audited sample, it was determined that ten (10) claims out of one hundred (100) claims are denied, then ten percent (10%) of the amount reimbursed by Medicaid during the audit period, or one thousand dollars (\$1000), would be recouped.

5016.6 DHCF shall issue a Notice of Proposed Medicaid Overpayment Recovery (NR), which sets forth the reasons for the recoupment, including the specific reference to the particular sections of the statute, rules, or provider agreement, the amount to be recouped, and the procedures for requesting an administrative review.

5017 APPEALS FOR PROVIDERS AGAINST WHOM A RECOUPMENT IS MADE

5017.1 The Provider shall have sixty (60) days from the date of the NR to request an administrative review of the NR. The request for administrative review of the NR shall be submitted to Manager, Division of Program Integrity, DHCF.

5017.2 The written request for administrative review shall include a specific description of the item to be reviewed, the reason for the request for review, the relief requested, and documentation in support of the relief requested.

5017.3 DHCF shall mail a written determination relative to the administrative review to the provider no later than one hundred twenty (120) days from the date of the written request for administrative review pursuant to § 5017.1.

5017.4 Within fifteen (15) days of receipt of the Medicaid Program’s written determination, the Provider may appeal the written determination by filing a written notice of appeal with the Office of Administrative Hearings (OAH), 441 4th Street, NW, Suite 450 North, Washington, DC 20001.

5017.5 Filing an appeal with the OAH shall not stay any action to recover any overpayment.

5099 DEFINITIONS

When used in this chapter, the following terms and conditions shall have the following meanings:

Activities of Daily Living - The ability to bathe, transfer, dress, eat and feed self, engage in toileting, and maintain bowel and bladder control (continence).

Advanced Practice Registered Nurse - A person who is licensed or authorized to practice as an advanced practice registered nurse pursuant to the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code §§ 3-1201 *et seq.* (2007 Repl. & 2012 Supp.)).

Authorized representative – Any person other than a provider:

- (a) Who is knowledgeable about a resident's circumstances and has been designated by that resident to represent him or her; or
- (b) Who is legally authorized either to administer a resident's financial or personal affairs or to protect and advocate for a resident's rights.

Department of Health Care Finance – The executive agency of the government responsible for administering the Medicaid program within the District of Columbia, effective October 1, 2008.

Family - Any person related to the client or beneficiary by blood, marriage, or adoption.

Order – A formal, written instruction signed by a physician or advanced practice R.N. regarding a specific patient's medical care, treatment or management. An order for PCA services may only be written by a physician in accordance with § 5006.1.

PCA Service Authorization Form – A form that has been developed or approved by DHCF that identifies the amount, duration and scope of PCA services and the number of hours authorized based upon a face-to-face assessment in accordance with § 5003.

Primary care physician - A person who is licensed or authorized to practice medicine pursuant to the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code §§ 3-1201 *et seq.* (2007 Repl. & 2012 Supp.)).

Registered Nurse - A person who is licensed or authorized to practice registered nursing pursuant to the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code §§ 3-1201 *et seq.* (2007 Repl. & 2012 Supp.)).

Staffing Agency – Shall have the same meaning as set forth in the Nurse Staffing Agency Act of 2003, effective March 10, 2004, (D.C. Law 15-74, D.C. Official Code § 44-1051.01 *et seq.*).

Start of Care – The first date upon which a beneficiary receives or is scheduled to receive PCA services.

Comments on the proposed rules shall be submitted in writing to Linda Elam, Ph.D., Senior Deputy Director/Medicaid Director, Department of Health Care Finance, 899 North Capitol Street, N.E., Sixth Floor, Washington, D.C. 20002, via telephone on (202)-442-9115, via email at DHCFPublicComments@dc.gov, or online at www.dcregs.dc.gov, within thirty (30) days after the date of publication of this notice in the *D.C. Register*. Copies of the proposed rules may be obtained from the above address.

**THE DISTRICT OF COLUMBIA
LOTTERY AND CHARITABLE GAMES CONTROL BOARD**

NOTICE OF PROPOSED RULEMAKING

The Executive Director of the District of Columbia Lottery and Charitable Games Control Board, pursuant to the authority set forth under Section 4 of the Law to Legalize Lotteries, Daily Numbers, and Bingo and Raffles for Charitable Purposes in the District of Columbia, effective March 10, 1981 (D.C. Law 3-172; D.C. Official Code § 3-1306 (2007 Repl.)); District of Columbia Financial Responsibility and Management Assistance Authority Order issued September 21, 1996, and Office of the Chief Financial Officer Financial Management Control Order No. 96-22 issued November 18, 1996, hereby gives notice of the intent to adopt the following amendments to Chapters 6 (Claims and Prize Payments) and 9 (Description of On-Line Games) of Title 30 (Lottery and Charitable Games) of the District of Columbia Municipal Regulations (DCMR).

These amendments are necessary to implement the changes to the MEGA MILLIONS® game pursuant to the Multi-State Lottery Association (“MUSL”) MEGA MILLIONS Game Group Agreement. The game changes are scheduled to take place on October 22, 2013.

The Executive Director gives notice of his intent to take final rulemaking action to adopt the amendments in not less than thirty (30) days from the date of publication of this notice in the *D.C. Register*.

Title 30 (Lottery and Charitable Games), Chapter 6 (Claims and Prize Payments), Section 606 (Annuitized Prizes) of the DCMR is amended as follows:

Subsection 606.7 is amended to read as follows:

606.7 The MEGA MILLIONS® annuitized prize shall be paid in thirty (30) graduated annual installments upon completion of internal validation procedures. The initial payment shall be paid upon completion of internal validation procedures. The subsequent twenty-nine (29) payments shall be paid graduated annually to coincide with the month of the Federal auction date at which the bonds were purchased to fund the annuity with graduated annual installments defined in the Mega Millions Lotteries’ Finance and Operations Procedures. Payments shall escalate by a factor of five percent (5%) annually, and annual payments shall be rounded down to the nearest even one thousand dollar (\$1,000.00) increment. All such payments shall be made within seven days of the anniversary of the annual auction date.

Add Subsections 606.8 and 606.9 to read as follows:

- 606.8 If individual shares of the cash held to fund an annuity is less than two hundred fifty-thousand dollars (\$250,000.00), the Mega Millions Product Group, in its sole discretion, may elect to pay the winners their share of the cash held in the Grand Prize Pool.
- 606.9 All Mega Millions annuitized prizes shall be paid graduated annually in thirty (30) payments with the initial payment being made in cash, to be followed by twenty-nine (29) payments funded by the annuity. Prize payments may be rounded down to the nearest one thousand dollars (\$1,000.00).

Title 30 (Lottery and Charitable Games), Chapter 9 (Description of On-Line Games) of the DCMR is amended as follows:

Section 917 (Description of the Mega Millions® Game) is amended to read as follows:

917 DESCRIPTION OF THE MEGA MILLIONS® GAME

- 917.1 MEGA MILLIONS® is a five (5) out of seventy-five (75) plus one (1) out of fifteen (15) online lottery game which pays out the Grand Prize, at the player’s election, as provided in this chapter either on an annuitized pari-mutuel basis or as a cash lump sum payment of the total cash held for this prize pool on a pari-mutuel basis. Except as provided in these rules, all other prizes are paid on a fixed cash basis.
- 917.2 To play MEGA MILLIONS®, a player shall select five (5) different numbers, between one (1) and seventy-five (75) and one additional number between one (1) out of fifteen (15) for input into a terminal.
- 917.3 The price of each MEGA MILLIONS® play shall be \$1.00. A player may purchase up to five plays on one ticket. Multiple draws are available for up to 20 consecutive draws beginning with the current draw. From time to time, the Executive Director may authorize the sale of MEGA MILLIONS® tickets at a discount for promotional purposes. Additionally, a multiplier feature, MEGAPLIER®, is available for an additional \$1.00 per play. Each bet and the respective prize payouts are listed in Section 918 of this chapter.
- 917.4 MEGA MILLIONS® tickets may be purchased in the District of Columbia only at a licensed location from the D.C. Lottery Agent. No MEGA MILLIONS® ticket purchased outside of the District of Columbia may be presented to a D.C. Lottery Agent for payment within the District of Columbia.
- 917.5 MEGA MILLIONS® drawings shall be held at the time(s) and location set out in the MUSL MEGA MILLIONS Game Group Agreement.

- 917.6 In a single drawing, a player may win in only one prize category per single MEGA MILLIONS® play in connection with MEGA MILLIONS® winning numbers, and shall be entitled only to the highest prize.
- 917.7 For purpose of prize calculation with respect to any MEGA MILLIONS® pari-mutuel prize, the calculation shall be rounded down so that prizes shall be paid in multiples of one dollar.
- 917.8 With respect to the MEGA MILLIONS® grand/jackpot prize, the prize amount paid shall be the advertised grand/jackpot prize amount. However, the advertised grand/jackpot prize amount is subject to change based on sales forecasts and/or actual sales. Additionally, this prize amount may be rounded up to the next highest affordable multiple of one million dollars, at the discretion of the party lotteries.
- 917.9 Subject to the laws and rules governing each party lottery, the number of prize categories and the allocation of the prize fund among the prize categories may be changed at the discretion of the directors, for promotional purposes. Such change shall be announced by public notice.
- 917.10 Prize liability cap. Notwithstanding any provision in the rule to the contrary, should total prize liability (exclusive of jackpot prize carry forward) exceed 300 percent of draw sales or 50 percent of draw sales plus \$50,000,000, whichever is less, (both hereinafter referred to as the "liability cap"), the second through fifth prizes shall be paid on a pari-mutuel rather than guaranteed prize basis, provided, however, that in no event shall the pari-mutuel prize be greater than the guaranteed prize. The amount to be used for the allocation of such pari-mutuel prizes (two through five) shall be the liability cap less the amount paid for the jackpot prize and prize levels six through nine.
- 917.10 Subscription sales. A subscription sales program may be offered, at the discretion of the Executive Director.
- 917.11 MEGA MILLIONS® tickets shall show the player's selection of numbers or Quick Pick (QP) numbers, election of the multiplier feature, MEGAPLIER®, boards played, drawing date, jackpot payment option, and validation and reference numbers.
- 917.12 It shall be the exclusive responsibility of the player to verify the accuracy of the player's selection(s) and other data printed on the ticket. A ticket is a bearer instrument until signed. Neither a party lottery nor its sales agents shall be responsible for lost or stolen tickets.
- 917.14 In purchasing a ticket issued for MEGA MILLIONS®, the player agrees to comply with and be bound by all applicable statutes, administrative rules and

regulations, and procedures of the party lottery of the Jurisdiction in which the MEGA MILLIONS® ticket is issued, and by directives and determinations of the director of that party lottery. Additionally, the player shall be bound to all applicable provisions in the MEGA MILLIONS® Finance and Operations Procedures. The player agrees, as its sole and exclusive remedy that claims arising out of a MEGA MILLIONS® ticket can only be pursued against the party lottery of ticket purchase. Litigation, if any, shall only be maintained within the state in which the MEGA MILLIONS® ticket was purchased and only against the party lottery that issued the ticket. Nothing in this rule shall be construed as a waiver of any defense or claim the D.C. Lottery may have in the event a player pursues litigation against the D.C. Lottery, its officers, or employees.

- 917.15 A ticket subject to the validations requirements of this title shall be the only proof of a wager.
- 917.16 Each drawing shall determine, at random, the six winning numbers in accordance with the MEGA MILLIONS® drawing procedures. Any numbers drawn are not declared winning numbers until the drawing is certified by the commission in accordance with the drawing procedures. The winning numbers shall be used in determining all MEGA MILLIONS® winners for that drawing.
- 917.17 For winning MEGA MILLIONS® tickets for which no claim or redemption is made within the specified claim period for each respective party lottery, the corresponding prize monies shall be returned to the other party lotteries in accordance with procedures for the reconciliation of prize liability pursuant to the MUSL MEGA MILLIONS Game Group Agreement and as may be agreed to from time to time by the directors of the party lotteries.
- 917.18 The Executive Director shall announce each incentive or bonus program prior to its commencement. The announcement shall specify the beginning and ending time, if applicable, of the incentive or bonus program and the value for the award(s).
- 917.19 The Prize Pool shall consist of up to fifty-five percent (55%) of each drawing period's sales.

Section 918 (Mega Millions® Fixed Prize Structure and Probability) is amended to read as follows:

918 MEGA MILLIONS® FIXED PRIZE STRUCTURE AND PROBABILITY

918.1 Provided the prize pools are fully funded, the fixed prize payments for MEGA MILLIONS® based on a one dollar (1) bet are as follows:

Number of Matches Per Play

(a)	All five (5) of the first set and Mega Ball	Grand Prize
(b)	All five (5) of the first set and no Mega Ball	\$ 1,000,000.00
(c)	Any four (4) of the first set plus the Mega Ball	\$ 5,000.00
(d)	Any four (4) of the first set and no Mega Ball	\$ 500.00
(e)	Any three (3) of the first set plus the Mega Ball	\$ 50.00
(f)	Any two (2) of the first set plus the Mega Ball	\$ 5.00
(g)	Any three (3) of the first set and no Mega ball	\$ 5.00
(h)	Any one (1) of the first set plus The Mega Ball	\$ 2.00
(i)	None of the first set plus the Mega Ball	\$ 1.00

918.2 The following table sets forth the probability of winning and the probable distribution of winners in and among each prize category, based upon the total number of possible combinations in MEGA MILLIONS®:

PROBABILITY DISTRIBUTION

<u>Number of Matches Per Ticket</u>	<u>Winners</u>	<u>Probability</u>	<u>Probable Set Prize Amount</u>
All five (5) of first set plus the Mega Ball	1	1: 258,890,850	GRAND PRIZE*
All five (5) of the first set and NO Mega Ball	14	1: 18,492,203.57	\$1,000,000.00*
Any four (4) of the first set plus the Mega Ball	350	1: 739,688.14	\$5,000.00
Any four (4) of the first set and no Mega Ball	4,900	1: 52,834.87	\$500.00
Any three (3) of the first set plus the Mega Ball	24,150	1: 10,720.12	\$50.00*
Any two (2) of the first set plus the Mega Ball	338,100	1: 765.75	\$5.00
Any three (3) of the first set plus no Mega Ball	547,400	1: 472.95	\$5.00
Any one (1) of the first set plus the Mega Ball	4,584,475	1: 56.47	\$2.00
None of the first set plus the Mega Ball	12,103,014	1: 21.39	\$1.00
Overall Odds	17,602,404	1:14.71	

918.3 Except as provided in these rules, all prizes awarded shall be paid as lump sum set prizes. Instead of the MEGA MILLIONS® set prize amounts, qualifying MEGAPLIER® plays will pay the amounts shown below when matched with the MEGAPLIER® number drawn:

Prize Levels Standard With Megaplier Purchase					
	Standard	2x	3X	4X	5X
Match 5+0	\$1,000,000.00	\$2,000,000.00	\$3,000,000.00	\$4,000,000.00	\$5,000,000.00
Match 4+1	\$5,000.00	\$10,000.00	\$15,000.00	\$20,000.00	\$25,000.00
Match 4+0	\$500.00	\$1,000.00	\$1,500.00	\$2,000.00	\$2,500.000
Match 3+1	\$50.00	\$100.00	\$150.00	\$200.00	\$250.00
Match 3+0	\$5.00	\$10.00	\$15.00	\$20.00	\$25.00
Match 2+1	\$5.00	\$10.00	\$15.00	\$20.00	\$25.00
Match 1+1	\$2.00	\$4.00	\$6.00	\$8.00	\$10.00
Match 0+1	\$1.00	\$2.00	\$3.00	\$4.00	\$5.00

Multiplier numbers do not apply to the Mega Millions Grand Prize.

918.4 In certain rare instances, the Mega Millions set prize amount may be less than the amount shown. In such case, the MEGAPLIER® prizes will be a multiple of the changed Mega Millions prize amount announced after the draw. For example, if the Match 4+1 Mega Millions set prize amount of five thousand dollars (\$5,000.00) becomes two thousand dollars (\$2,000.00) under the rules of the Mega Millions game, then a MEGAPLIER® player winning that prize amount with a 4X multiplier would win eight thousand dollars (\$8,000): two thousand dollars multiplied by four (\$2,000.00 x 4).

918.5 The following table sets forth the probability of the various MEGAPLIER® numbers being drawn during a single MEGA MILLIONS® drawing, The MEGA MILLIONS® and/or MUSL Group may elect to run limited promotions that may increase the multiplier numbers.

<u>MEGAPLIER®</u>	<u>Probability of Prize Increase</u>
5X - Prize Won Times 5	6 in 15
4X - Prize Won Times 4	3 in 15
3X - Prize Won Times 3	4 in 15
2X - Prize Won Times 2	2 in 15

Multiplier numbers do not apply to the Mega Millions Grand Prize.

Title 30 (Lottery and Charitable Games), Chapter 99 (Definitions) of the DCMR is amended as follows:

Section 9900 is amended by amending the definition for “Megaplier” to read as follows:

MEGAPLIER-A Mega Millions game feature by which a player, for an additional wager of \$1 per play, can increase the guaranteed prize amount

or pari-mutuel prize amount, as applicable, excluding the Grand/Jackpot prize by a factor of two, three, four or five times depending upon the multiplier number that is drawn prior to the Mega Millions drawing.

All persons desiring to comment on the subject matter of this proposed rulemaking should file comments in writing not later than thirty (30) days from the date of publication of this notice in the Register. Comments should be filed with the Executive Director, District of Columbia Lottery and Charitable Games Control Board, 2101 Martin Luther King, Jr., Avenue, S.E., Washington, D.C. 20020. Copies of these proposed rules may be obtained at the address stated above.

**THE DISTRICT OF COLUMBIA
LOTTERY AND CHARITABLE GAMES CONTROL BOARD**

NOTICE OF PROPOSED RULEMAKING

The Executive Director of the District of Columbia Lottery and Charitable Games Control Board, pursuant to the authority set forth in the Law to Legalize Lotteries, Daily Numbers Games, and Bingo and Raffles for Charitable Purposes in the District of Columbia, effective March 10, 1981 (D.C. Law 3-172; D.C. Official Code §§ 3-1306 and 3-1321 (2007 Repl.)); District of Columbia Financial Responsibility and Management Assistance Authority Order issued September 21, 1996; and Office of the Chief Financial Officer Financial Management Control Order No. 96-22 issued November 18, 1996, hereby gives notice of the intent to adopt amendments to Chapters 9 (Description of On-Line Games) and 99 (Definitions) of Title 30 (Lottery and Charitable Games) of the District of Columbia Municipal Regulations (DCMR).

These amendments are necessary to reflect new bets for the DC3 and DC4 PLUS or MINUS NUMBERS game enhancement.

The Executive Director also gives notice of the intent to take final rulemaking action to adopt the amendments in not less than thirty (30) days from the date of publication of this notice in the *D.C. Register*.

Sections 980 and 981 of Chapter 9, DESCRIPTION OF ON-LINE GAMES, of Title 30, LOTTERY AND CHARITABLE GAMES, of the DCMR is amended to read as follows:

980 DC3 and DC4 PLUS OR MINUS

- 980.1 The Agency may conduct a game enhancement for the DC3 and DC4 games called DC3 or DC4 PLUS or MINUS. DC3 and DC4 PLUS or MINUS may be offered to the public and for such time periods as the Executive Director determines.
- 980.2 The DC3 and DC4 PLUS or MINUS option(s) are available as a separate bet type on DC3 and DC4 Games.
- 980.3 Each DC3 and DC4 PLUS or MINUS option shall cost fifty cent (\$.50) or one (\$1) dollar.
- 980.4 Multi-draw tickets can be purchased and the DC3 and DC4 PLUS or MINUS option cost fifty cent (\$.50) or one (\$1) dollar.
- 980.5 There will only be one (1) play per ticket.

- 980.6 A player selects a three (3) digit number manual entry or quick pick (the player's selection). The ticket is assigned twenty - seven (27) unique number combinations (the player's DC3 PLUS or MINUS NUMBERS).
- 980.7 A player selects a four (4) digit number manual entry or quick pick (the player's selection). The ticket is assigned eighty - one (81) unique number combinations (the player's DC4 PLUS or MINUS NUMBERS).
- 980.8 All DC3 PLUS or MINUS NUMBERS the players selected numbers and the twenty - seven (27) DC3 PLUS or MINUS NUMBERS will be printed on the ticket.
- 980.9 All DC4 PLUS NUMBERS the players selected numbers and the eighty - one (81) DC4 PLUS or MINUS NUMBERS will be printed on the ticket.
- 980.10 The twenty - seven (27) PLUS or MINUS NUMBERS represent all number combinations where one or more of the numbers is either one (1) digit higher or lower than the players selected numbers.
- 980.11 The eighty - one (81) PLUS or MINUS NUMBERS represent all number combinations where one or more of the numbers is either one (1) digit higher or lower than the players selected numbers.
- 980.9 The DC3 and DC4 PLUS or MINUS NUMBERS for nine (9) are zero (0) and eight (8), respectively.
- 980.10 The DC3 and DC4 PLUS or MINUS NUMBERS for zero (0) are one (1) and nine (9), respectively.
- 980.11 If a player's number is sold out, then DC3 or DC4 PLUS or MINUS will not be allowed.
- 980.12 If the player's selected number is not sold out, the play is allowed even if one (1) or more of the DC3 or DC4 PLUS or MINUS NUMBERS are sold out.
- 980.13 If the player matches their number exactly they win three hundred dollars (\$100) for DC3 PLUS or MINUS or five hundred dollars (\$500) for DC4 PLUS or MINUS based off a one (\$1) dollar bet.

For Example: If a player purchases a one dollar bet (\$1.00) DC3 PLUS or MINUS ticket, with numbers three (3), four (4), and five (5), the player will win \$100 if the numbers drawn come out straight as three(3), four (4), and five (5). If any of the player's numbers of the three digits are off by one, one number lower or higher than the drawn numbers, the player will win \$20.

For Example: If a player purchases a one dollar bet (\$1.00) DC4 PLUS or MINUS ticket, with numbers three (3), four (4), five (5), and six (6), the player will win \$1000 if the numbers drawn come out straight as three(3), four (4), five (5), and six(6). If any of the player’s numbers of the four digits are off by one, one number lower or higher than the drawn numbers, the player will win \$66.

981 DC3 and DC4 PLUS OR MINUS NUMBERS OVERALL ODDS & PRIZE STRUCTURE(S)

981.1 The overall odds for DC3 PLUS or MINUS are 1:37.04

981.2 The overall odds for DC4 PLUS or MINUS are 1:23.46

981.2 DC4 PLUS or MINUS PRIZE STRUCTURE

DC3 PLUS or MINUS NUMBERS (Prizes Structure)								
Plays		1,000						
Cost		\$ 1.00						
Sales		\$ 1,000.00						
Tier	Tier Definition	Example: Winning Numbers	Ways	1 / Probability	Winners	Prize	Allocation	% Pool
1	Exact	0-5-9	1	1,000.00	1.0	\$100.00	\$ 100.00	10.00%
2	1 Miss	9-5-9, 0-4-9, 0-5-8, 0-5-0, 0-6-9, 1-5-9	6	166.67	6.0	\$ 20.00	\$ 120.00	12.00%
3	2 Miss	9-4-9, 9-5-8, 9-5-0, 9-6-9, 0-4-8, 0-4-0, 0-6-8, 0-6-0, 1-4-9, 1-5-8, 1-5-0, 1-6-9	12	83.33	12.0	\$ 20.00	\$ 240.00	24.00%
4	3 Miss	9-4-8, 9-4-0, 9-6-8, 9-6-0, 1-4-8, 1-4-0, 1-6-8, 1-6-0	8	125.00	8.0	\$ 20.00	\$ 160.00	16.00%

**DC4 PLUS or MINUS NUMBERS
(Prizes Structure)**

Plays		10,000						
Cost		\$ 1.00						
Sales		\$ 10,000.00						
Tier	Tier Definition	Example: Winning Numbers	Ways	1/Probability	Winners	Prize	Allocation	% Pool
1	Exact	1-0-0-9	1	10,000.00	1	\$1,000.00	\$1,000.00	10.00%
2	1 Miss	1-0-0-0, 1-0-0-8, 1-0-1-9, 1-0-9-9, 1-1-0-9, 1-9-0-9, 2-0-0-9, 0-0-0-9	8	1,250.00	8	\$ 65.00	\$ 520.00	5.20%
3	2 Miss	1-0-1-0, 1-0-1-8, 1-0-9-0, 1-0-9-8, 1-1-0-0, 1-1-0-8, 1-1-1-9, 1-1-9-9, 1-9-0-0, 1-9-0-8, 1-9-1-9, 1-9-9-9, 2-0-0-0, 2-0-0-8, 2-0-1-9, 2-0-9-9, 2-1-0-9, 2-9-0-9, 0-0-0-0, 0-0-0-8, 0-0-1-9, 0-0-9-9, 0-1-0-9, 0-9-0-9	24	416.67	24	\$ 66.00	\$1,584.00	15.84%
4	3 Miss	1-1-1-0, 1-1-1-8, 1-1-9-0, 1-1-9-8, 1-9-1-0, 1-9-1-8, 1-9-9-0, 1-9-9-8, 2-0-1-0, 2-0-1-8, 2-0-9-0, 2-0-9-8, 2-1-0-0, 2-1-0-8, 2-1-9-9, 2-1-0-8, 2-1-1-9, 2-1-9-9, 2-9-0-0, 2-9-0-8, 2-9-1-9, 2-9-9-9, 0-0-1-0, 0-0-1-8, 0-0-9-0, 0-0-9-8, 0-1-0-0, 0-1-0-8, 0-1-1-9, 0-1-9-9, 0-9-0-0, 0-9-0-8, 0-9-1-9, 0-9-9-9	32	312.50	32	\$ 66.00	\$2,112.00	21.12%
5	4 Miss	2-1-1-0, 2-1-1-8, 2-1-9-0, 2-1-9-8, 2-9-1-0, 2-9-1-8, 2-9-9-0, 2-9-9-8, 0-1-1-0, 0-1-1-8, 0-1-9-0, 0-1-9-8, 0-9-1-0, 0-9-1-8, 0-9-9-0, 0-9-9-8	16	625.00	16	\$ 66.00	\$1,056.00	10.56%
Over-All Odds 1:			81	123.46	81		\$6,272.00	62.72%

Sections 982 and 983 of Chapter 9, DESCRIPTION OF ON-LINE GAMES, of Title 30, LOTTERY AND CHARITABLE GAMES, of the DCMR are deleted in their entirety.

Section 9900 of Chapter 99, DEFINITIONS, of Title 30, LOTTERY AND CHARITABLE GAMES, of the DCMR is amended by adding the following definition, in alphabetical order, to Subsection 9900.1:

DC3 PLUS or MINUS NUMBERS – The twenty seven (27) unique number combinations based on the player’s DC3 selection. The twenty - seven (27) PLUS or MINUS Numbers represent all of the number combinations where one (1) or more of the numbers is either one (1) digit higher or lower than the players selected numbers.

DC4 PLUS or MINUS NUMBERS – The eighty (81) unique number combinations based on the player’s DC4 selection. The eight (81) PLUS or MINUS Numbers represent all of the number combinations where one (1) or more of the numbers is either one (1) digit higher or lower than the players selected numbers.

All persons desiring to comment on the subject matter of this proposed rulemaking should file comments in writing no later than thirty (30) days from the date of publication of this notice in the *D.C. Register*. Comments should be filed with the Executive Director, District of Columbia Lottery and Charitable Games Control Board, 2101 Martin Luther King, Jr., Avenue, S.E., Washington, D.C. 20020. Copies of these proposed rules may be obtained at the address stated above.

DEPARTMENT OF HEALTH CARE FINANCE

NOTICE OF SECOND EMERGENCY AND PROPOSED RULEMAKING

The Director of the Department of Health Care Finance (DHCF), pursuant to the authority set forth in an Act to enable the District of Columbia to receive federal financial assistance under Title XIX of the Social Security Act for a medical assistance program, and for other purposes, approved December 27, 1967 (81 Stat. 774; D.C. Official Code § 1-307.02 (2006 Repl.; 2012 Supp.)), and Section 6(6) of the Department of Health Care Finance Establishment Act of 2007, effective February 27, 2008 (D.C. Law 17-109; D.C. Official Code § 7-771.05(6) (2008 Repl.)), hereby gives notice of the adoption, on an emergency basis, of an amendment to Chapter 7 of Title 29 of the District of Columbia Municipal Regulations (DCMR) entitled “Medicaid Day Treatment Programs.”

Medicaid day treatment programs, as defined in these rules, are nonresidential programs operated for the purpose of providing medically supervised day treatment services for the following individuals: (1) adults who are elderly; (2) adults who have a developmental disability; (3) adults who have mental disorders; and (4) infants and children who are aged three (3) or younger. Services may include therapeutic activities, occupational, physical and speech therapy, nutrition services and specialized services for individuals with intellectual and mental disabilities.

The U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services (CMS) has required the termination of all existing fee-for-service (FFS) day treatment services authorized pursuant to Chapter 7 of Title 29 of the DCMR. Pursuant to this directive, DHCF has ceased enrollment for new beneficiaries into existing Medicaid fee-for-service day treatment programs effective January 1, 2013. DHCF and other District agencies developed transition plans and successfully transitioned many day treatment users to existing alternative services. Currently, DHCF and other District agencies are developing new service delivery models to address unmet needs. These second emergency and proposed rules will maintain DHCF’s authority to cease enrollment of new beneficiaries into day treatment programs authorized pursuant to Chapter 7 of Title 29 of the DCMR.

Emergency action is necessary for the immediate preservation of the health, safety, and welfare of Medicaid beneficiaries who currently receive Medicaid-funded services. CMS has informed the District that DHCF must conform to the requirements of Title XIX of the Social Security Act by ceasing new enrollment into existing Medicaid FFS day treatment programs and by amending its State Plan for Medical Assistance. The District faces enforcement action if DHCF fails to conform to CMS requirements by maintaining its ban on new fee-for-service day treatment services. Such enforcement action could result in significant disallowances for claims paid under DHCF’s existing day treatment program rules. Disallowances, in turn, would force DHCF to identify budget savings that could reduce services extended to current Medicaid beneficiaries.

A Notice of Emergency and Proposed Rulemaking was published in the *D.C. Register* on December 14, 2012 (59 DCR 014834). Comments were received but no substantive changes have been made. The second emergency rule was adopted on August 16, 2013 and became effective on that date. The emergency rule will remain in effect for one hundred and twenty

(120) days or until December 12, 2013, unless superseded by publication of a Notice of Final Rulemaking in the *D.C. Register*. The Director also gives notice of the intent to take final rulemaking action to adopt these proposed rules in not less than thirty (30) days from the date of publication of this notice in the *D.C. Register*.

Chapter 7 (Medicaid Day Treatment Programs) of Title 29 (Public Welfare) of the DCMR is amended to read as follows:

Section 712 (Admission Procedures) is amended by adding a new Subsection 712.7 to read as follows:

712.7 Effective January 1, 2013, no provider shall accept a new admission to a day treatment program authorized pursuant to this chapter.

Section 714 (Special Admission Requirements for Mentally Retarded Persons) is amended by adding a new Subsection 714.8 to read as follows:

714.8 Effective January 1, 2013, no provider shall accept a new admission to a day treatment program authorized pursuant to this chapter.

Section 718 (Reimbursement Policy) is amended by adding a new Subsection 718.8 to read as follows:

718.8 All claims submitted to DHCF for day treatment services rendered to any new admission admitted to a day treatment program as described in Sections 712 and 714 on or after January 1, 2013 shall be denied.

Section 799 (Definitions) is amended by adding a new definition to read as follows:

New Admission: an individual is a new admission, on or after January 1, 2013, if that individual did not receive day treatment services between October 1, 2012 and December 31, 2012 from any day treatment provider under these rules. An individual who changes from one day treatment provider to another, on or after January 1, 2013, shall also be deemed a new admission under this rule.

Comments on this rule should be submitted in writing to Linda Elam, Ph.D., Medicaid Director, Department of Health Care Finance, Government of the District of Columbia, 899 North Capitol Street, NE, 6th Floor, Washington, D.C. 20002, via telephone on (202) 442-9115, via email at DHCFPubliccomments@dc.gov, or online at www.dcregs.dc.gov, within thirty (30) days of the date of publication of this notice in the *D.C. Register*. Additional copies of this rule are available from the above address.

GOVERNMENT OF THE DISTRICT OF COLUMBIA**ADMINISTRATIVE ISSUANCE SYSTEM**

Mayor's Order 2013-160
September 4, 2013

SUBJECT: Extension of the Term of the Golden Triangle Business Improvement District Pursuant to the Business Improvement Districts Act of 1996

ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(11) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(11) (2012 Supp.), and pursuant to the Business Improvement Districts Act of 1996, effective May 29, 1996, D.C. Law 11-134, D.C. Official Code § 2-1215.01 *et seq.* (2007 Repl. and 2012 Supp.) ("Business Improvement Districts Act"), it is hereby **ORDERED** that:

1. The term of the Golden Triangle Business Improvement District, which is currently set to expire on September 30, 2013, is hereby extended until the earlier of September 30, 2018 or the expiration of the Business Improvement Districts Act.
2. **EFFECTIVE DATE:** This Order shall become effective immediately.


VINCENT C. GRAY
MAYOR

ATTEST: 
CYNTHIA BROCK-SMITH
SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA**ADMINISTRATIVE ISSUANCE SYSTEM**

Mayor's Order 2013-161
September 4, 2013

SUBJECT: Appointments—Advisory Board on Veterans Affairs for the District of Columbia

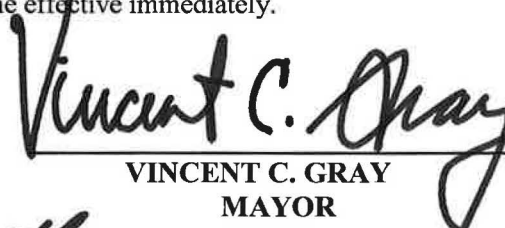
ORIGINATING AGENCY: Office of the Mayor


By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(2) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2) (2012 Supp.), and in accordance with Mayor's Order 2001-92, dated June 22, 2001, as amended by Mayor's Order 2002-142, dated August 19, 2002, it is hereby **ORDERED** that:

1. The following individuals are appointed as members of the Advisory Board on Veterans Affairs for the District of Columbia ("Board") and shall serve in that capacity at the pleasure of the Mayor:

PRINCE E. BROOKS
CECIL C. BYRD, II
WILLIAM HARLEY
JACQUE D. PATTERSON
KATHLEEN F. HOPPE
GEOFFREY MILLARD
FATIMA MILLER
JOSEPH J. WYNN

2. **DAVID L. RAMIREZ** is appointed as an *ex officio* member of the Board, representing the District of Columbia Department of Human Resources, and shall serve in that capacity at the pleasure of the Mayor.
3. **JACQUE D. PATTERSON** is designated as Vice-Chairman of the Board and shall serve in that capacity at the pleasure of the Mayor.
4. **EFFECTIVE DATE:** This Order shall become effective immediately.


VINCENT C. GRAY
MAYOR

ATTEST: 
CYNTHIA BROCK-SMITH
SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA**ADMINISTRATIVE ISSUANCE SYSTEM**

Mayor's Order 2013-162
September 5, 2013

SUBJECT: Reappointment – Commission on Re-Entry and Returning Citizen Affairs


ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(2) and (11) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2) and (11) (2012 Supp.), in accordance with section 4 of the Office on Ex-Offender Affairs and Commission on Re-Entry and Ex-Offender Affairs Establishment Act of 2006, effective March 8, 2007, D.C. Law 16-243, D.C. Official Code § 24-1303 (2012 Supp.), and pursuant to Mayor's Order 2012-31, dated February 28, 2012, which re-designated the Commission on Re-Entry and Ex-Offender Affairs as the Commission on Re-Entry and Returning Citizen Affairs ("Commission"), it is hereby **ORDERED** that:

1. **COURTNEY STEWART**, who was nominated by the Mayor on January 10, 2013, and approved by the Council of the District of Columbia, pursuant to Resolution 20-0106, on April 30, 2013, is reappointed as a member of the Commission, for a term to end August 4, 2015.
2. **COURTNEY STEWART** is appointed Chairperson of the Commission and shall serve in that capacity at the pleasure of the Mayor.
3. **EFFECTIVE DATE:** This Order shall become effective immediately.


VINCENT C. GRAY
MAYOR

ATTEST:


CYNTHIA BROCK-SMITH
SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2013-163
September 5, 2013

SUBJECT: Appointment-Director, Office of Gay, Lesbian, Bisexual and Transgender Affairs

ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(2) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2) (2012 Supp.), pursuant to section 3(a) of the Office of Gay, Lesbian, Bisexual, and Transgender Affairs Act of 2006, effective April 4, 2006, D.C. Law 16-89, D.C. Official Code § 2-1382 (2007 Repl.), and consistent with Mayor's Order 2004-148, dated September 2, 2004, it is hereby **ORDERED** that:

1. **STERLING WASHINGTON** is appointed Director of the Office of Gay, Lesbian, Bisexual and Transgender Affairs, and shall serve in that capacity at the pleasure of the Mayor.
2. This Order supersedes Mayor's Order 2011-37, dated January 31, 2011.
3. **EFFECTIVE DATE:** This Order shall be effective *nunc pro tunc* to January 7, 2013.


 VINCENT C. GRAY
 MAYOR

ATTEST:


 CYNTHIA BROCK-SMITH
 SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA**ADMINISTRATIVE ISSUANCE SYSTEM**

Mayor's Order 2013-164
September 5, 2013

SUBJECT: Appointment – District of Columbia Boxing and Wrestling Commission

ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(2) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2) (2012 Supp.), and in accordance with section 5 of the Boxing and Wrestling Commission Act of 1975, effective October 8, 1975, D.C. Law 1-20, D.C. Official Code § 3-604 (2007 Repl.), which established the District of Columbia Boxing and Wrestling Commission (hereinafter “Commission”), it is hereby **ORDERED** that:

1. **SEAN L. PONDER**, who was nominated by the Mayor on May 20, 2013, and deemed approved by the Council of the District of Columbia pursuant to Proposed Resolution 20-0287 on July 7, 2013, is appointed to the Commission as a member, replacing Viraj V. Gandhi, for a term to end January 5, 2016.
2. **EFFECTIVE DATE:** This Order shall become effective immediately.


VINCENT C. GRAY
MAYOR

ATTEST: 
CYNTHIA BROCK-SMITH
SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA**ADMINISTRATIVE ISSUANCE SYSTEM**

Mayor's Order 2013-165
September 5, 2013

SUBJECT: Designation of Special Event Areas – The Local 11th Street Bridge
Dedication

ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(11) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(11) (2012 Supp.), and pursuant to 19 DCMR § 1301.8, it is hereby **ORDERED** that:

1. The following public space areas shall be designated as Special Event Areas to accommodate activities associated with the local 11th Street Bridge Dedication:
 - a. On Saturday, September 7, 2013, commencing at 5:00 a.m. and continuing until 7:00 p.m., 11th Street, SE from M to O Streets, SE, shall be closed to vehicular traffic; and
 - b. On Saturday, September 7, 2013, commencing at 10:00 a.m. and continuing until 3:00 p.m., the local 11th Street Bridge, shall be closed to vehicular traffic.
2. All ramps from I-295 Northbound and Southbound will remain open with no access to the local 11th Street Bridge.
3. The designated areas shall be operated and overseen by the District Department of Transportation.

- 4. This Order is authorization for the use of the designated streets and curb lanes only, and the named operator shall secure and maintain all other licenses and permits applicable to the activities associated with the operation of the event. All building, health, life, safety, and use of public space requirements shall remain applicable to the Special Event Areas designated by this Order.
- 5. **EFFECTIVE DATE:** This Order shall become effective immediately.



VINCENT C. GRAY
MAYOR

ATTEST: 

CYNTHIA BROCK-SMITH
SECRETARY OF THE DISTRICT OF COLUMBIA

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF MEETING
AGENDA

WEDNESDAY SEPTEMBER 18, 2013 AT 1:00 PM
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

1. Review Request to Extend Safekeeping for an Additional 24 Months. ANC 2E. SMD 2E03. ***Hunan Peking***, 3251 Prospect Street, NW #500, Retailer CR, Lic#: 08348.

2. Review Clarification of Decision to Deny Class Change Due to Distance Issue. ANC 1B. SMD 1B02. ***Cork Market and Tasting Room***, 1805 14th Street, NW, Retailer B, Lic#: 082443.

3. Review Request to Change Mailing Address. ***Current Address***: 2200 M Street NW. ***Proposed Change***: 1150 22nd Street, NW. ANC 2A SMD 2A06. ***The Ritz-Carlton, Washington, DC***. Retailer CH. Lic#: 60273.

4. Review Request for Personal Importation Permit. Importing Alcohol from Moscow, Russia. ANC 2B. SMD 2B01. ***Tammy Young***, 1728 New Hampshire Avenue, NW #302.

5. Review Request for a Class Change from “CR” to “CT”. No pending citations. No investigation matters. No conflict with Settlement Agreement. ANC 1A. SMD 1A04. ***Juanita’s Restaurant***, 3521 14th St NW. Retailer CR, Lic#: 91432.

6. Review Request for a Change of Hours of Operation and Sales. ***Proposed Change***: Sunday through Saturday 5 am – 12 am. No pending citations. No investigation matters. No Settlement Agreement. ANC 4B. SMD 4B03. ***Safeway***, 6500 Piney Branch Rd NW. Retailer B, Lic#: 77988.

7. Review Request for a Change of Hours to Open on Mondays. ***Proposed Change***: Monday 3 pm – 2 am. No conflict with Settlement Agreement. No pending citations. No investigation matters. ***The Elroy***, 1423 H St. NE Retailer CT, Lic #: 91452.

8. Review of Petition for Reconsideration dated August 5, 2013, of Board Order No. 2013-293, from Watergate West Cooperative. *Watergate Hotel*, 2650 Virginia Ave NW, Retailer CH, Lic#: 091162.*

9. Review of Petition for Reinstatement filed by Dr. Patricia D. Kellogg. *Watergate Hotel*, 2650 Virginia Ave NW, Retailer CH, Lic#: 091162.*

10. Review of Petition for Reinstatement filed by Victoria Jennings. *Watergate Hotel*, 2650 Virginia Ave NW, Retailer CH, Lic#: 091162.*

11. Review of Petition for Reinstatement filed by June Walsh. *Watergate Hotel*, 2650 Virginia Ave NW, Retailer CH, Lic#: 091162.*

12. Review of Petition for Reinstatement filed by William Schneider. *Watergate Hotel*, 2650 Virginia Ave NW, Retailer CH, Lic#: 091162.*

13. Review of Petition for Reinstatement filed by Herbert Goda. *Watergate Hotel*, 2650 Virginia Ave NW, Retailer CH, Lic#: 091162.*

14. Review of Petition for Reinstatement filed by Robert Burney. *Watergate Hotel*, 2650 Virginia Ave NW, Retailer CH, Lic#: 091162.*

15. Review of Petition for Reinstatement filed by Kathleen Burney. *Watergate Hotel*, 2650 Virginia Ave NW, Retailer CH, Lic#: 091162.*

16. Review of Response in Opposition to Motion for Reconsideration dated August 12, 2013 from Stephen O'Brien, Counsel for Watergate Hotel. *Watergate Hotel*, 2650 Virginia Ave NW, Retailer CH, Lic#: 091162.*

17. Review of Reply in Support of Petition for Reconsideration dated August 15, 2013 from Stephen H. Marcus, Counsel for the Petitioners. *Watergate Hotel*, 2650 Virginia Ave NW, Retailer CH, Lic#: 091162.*

18. Review of Response in Opposition to Petitions for Reinstatement dated August 26, 2013 from Stephen J. O'Brien Counsel for the Watergate Hotel. *Watergate Hotel*, 2650 Virginia Ave NW, Retailer CH, Lic#: 091162.*
-
19. Review of Request to Reinstate the Application from Sarosh Hussian of The Cusbah. *The Cusbah*, 1128 H Street NE, Retailer CR, Lic #: 88779.*
-
20. Review of Settlement Agreement between ANC 2C and Penn Social, LLC. *Penn Social*, 801 E Street NW, Retailer CX, Lic#:086808.*
-
21. Review of Settlement Agreement between ANC1C and DB Adams Morgan, LLC. *Doner Bistro*, 1654 Columbia Road NW, Retailer D, Lic#:089877.*
-
22. Review of Settlement Agreement between ANC 6C and Wolfgang Puck Catering and Events, LLC. *The Source by Wolfgang Puck*, 575 Pennsylvania Avenue NW, Retailer CR, Lic#:61261.*
-
23. Review of Respondent's Petition to Stay in Case No. 12-CC-00034. *DC Shenanigans*, 2450 18th Street NW, Retailer CT, Lic#: 088119.*
-

*** In accordance with Section D.C. Code §2-574 (Open Meetings), this portion of the meeting will be closed for deliberation and to consult with an attorney to obtain legal advice. The Board's vote will be held in an open session, and the public is permitted to attend.**

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD**

**NOTICE OF MEETING
INVESTIGATIVE AGENDA**

**WEDNESDAY, SEPTEMBER 18, 2013
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

On September 18, 2013 at 4:00 pm, the Alcoholic Beverage Control Board will hold a closed meeting regarding the matters identified below. In accordance with Section 405(b) of the Open Meetings Amendment Act of 2010, the meeting will be closed “to plan, discuss, or hear reports concerning ongoing or planned investigations of alleged criminal or civil misconduct or violations of law or regulations.”

1. Case#13-251-00082 The Park Place at 14th, 920 14TH ST NW Retailer C Nightclub, License#: ABRA-075548

2. Case#13-AUD-00054 Pupuseria San Miguel, 3110 MOUNT PLEASANT ST NW Retailer D Restaurant, License#: ABRA-074630

3. Case#13-251-00090 Lotus, 1420 K ST NW Retailer C Nightclub, License#: ABRA-075162

4. Case#13-AUD-00052 Hilton Washington Embassy Row Hotel, 2015 MASSACHUSETTS AVE NW A Retailer C Hotel, License#: ABRA-077024

5. Case#12-251-00299(a) Red Lounge Hookah, 2013 A 14TH ST NW Retailer C Restaurant, License#: ABRA-076011

6. Case#13-AUD-00058 The Ugly Mug Dining Saloon, 723 8TH ST SE Retailer C Restaurant, License#: ABRA-071793

7. Case#13-CMP-00344 Queen Makeda, 1917 9TH ST NW Retailer C Restaurant, License#: ABRA-060510

8. Case#13-CC-00068 Rumba Cafe, 2443 18TH ST NW Retailer C Restaurant, License#: ABRA-071023

9. Case#13-CC-00082 El Tamarindo Adam Morgan, 1785 FLORIDA AVE NW Retailer C Restaurant, License#: ABRA-071179

10. Case#13-CMP-00343 Crowne Plaza, 1001 14TH ST NW Retailer C Hotel, License#: ABRA-025161

11. Case#13-CMP-00311 El Sauce Restaurant And Carry-Out, 1227 11TH ST NW Retailer D Restaurant, License#: ABRA-072654

12. Case#13-CMP-00360 Brentwood Liquors, 1319 RHODE ISLAND AVE NE Retailer A Retail - Liquor Store, License#: ABRA-060622

13. Case#13-CMP-00409 Brentwood Liquors, 1319 RHODE ISLAND AVE NE Retailer A Retail - Liquor Store, License#: ABRA-060622

14. Case#13-AUD-00053 Palisades Pizzeria, 4885 MACARTHUR BLVD NW Retailer D Restaurant, License#: ABRA-060319

15. Case#13-AUD-00059 Park Hyatt Washington, 1201 24TH ST NW Retailer C Hotel, License#: ABRA-023759

16. Case#13-AUD-00055 Saigon Bistro, 2153 - 2155 P ST NW Retailer C Restaurant, License#: ABRA-081175

17. Case#13-AUD-00057 Johnny Rockets, 3131 M ST NW Retailer C Restaurant, License#: ABRA-081606

18. Case#13-CMP-00310 Eye Bar/Garden of Eden, 1716 I ST NW Retailer C Nightclub, License#: ABRA-083133

19. Case#13-CC-00014 Dirty Martini Inn Bar/Dirty Bar, 1223 CONNECTICUT AVE NW
Retailer C Nightclub, License#: ABRA-083919

20. Case#13-CC-00056 Pi, 2309 18TH ST NW Retailer C Restaurant, License#: ABRA-076754

21. Case#13-AUD-00056 Tackle Box, 3245 M ST NW Retailer C Restaurant, License#: ABRA-084952

22. Case#13-CMP-00321 TruOrleans, 400 H ST NE Retailer C Restaurant, License#: ABRA-086210

23. Case#13-CMP-00312 The Ghibellina, 1610 14TH ST NW Retailer C Tavern, License#: ABRA-088785

24. Case#13-CMP-00342 Black Whiskey, 1410 14TH ST NW Retailer C Tavern, License#: ABRA-091434

ACADEMY OF HOPE PUBLIC CHARTER SCHOOL**REQUEST FOR PROPOSALS**

The Academy of Hope Public Charter School solicits expressions of interest in the form of proposals with references from qualified vendors for each of the services listed below.

Business Services:

1. Cloud Technology services & consulting – support the school’s technology needs with installation, maintenance, repair, and professional development
2. Accounting services – accounting consulting services (Washington, DC CPA Required/Period: Jan 1 - June 30, 2014)
3. Human Resources - outsourced

Questions and proposals may be e-mailed to finance@aohdc.org with the subject line in the type of service. Deadline for submissions is **12:00 pm October 1st (IT and HR services only) and 12:00 pm December 20th for Accounting Services**. Appointments for presentations will be scheduled at the discretion of the school office after receipt of proposals only. No phone calls please.

E-mail is the preferred method for responding but you can also mail proposals and supporting documents to the following address:

Academy of Hope Public Charter School
Attn: Business Office
601 Edgewood St. NE, Ste. 25
Washington, DC 20017

ADVISORY COMMITTEE TO THE OFFICE OF ADMINISTRATIVE HEARINGS**NOTICE OF PUBLIC MEETING****AND REQUEST FOR COMMENTS**

The Advisory Committee to the Office of Administrative Hearings hereby gives notice that the Committee will meet on Wednesday, October 2, 2013 at 9:30 a.m. The meeting is open to the public and will be held at the location below:

Office of Administrative Hearings
441-4th Street, N.W., Suite 450 North
Washington, DC 20001.

The Committee also seeks broad input from stakeholders and the public (including agency ALJ's) on issues that should be considered at the Committee's future meetings. Any recommendations submitted for consideration by the Committee should be consistent with the Committee's jurisdiction as set forth in D.C. Official Code § 2-1831.17:

- (1) Issues of importance to Administrative Law Judges and agencies that should be addressed by the Office;
- (2) Issues and problems relating to administrative adjudication;
- (3) Policies and regulations proposed by the Chief Administrative Law Judge that should be changed; and
- (4) Recommendations for statutory and regulatory changes that are consistent with advancing the purposes of the act.

All comments and recommendations should be sent on or before September 27, 2013 to Ms. LaVita Anthony at lavita.anthony@dc.gov or brian.flowers@dc.gov For further information, please call Ms. Anthony at (202) 724-7681.

BRIDGES PUBLIC CHARTER SCHOOL

PUBLIC NOTIFICATION

Bridges Public Charter School participates in the National School Lunch Program (NSLP) and as part of the renewal process the school is required to inform the community about it. Bridges Public Charter School follows the laws and regulations to participate in the NSLP.

“In accordance with Federal Law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age, or disability.

To file a complaint of discrimination, write USDA, Director, Office of Adjudication, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410 or call toll free (866) 632-9992 (Voice). Individuals who are hearing impaired or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339; or (800) 845-6136 (Spanish). USDA is an equal opportunity provider and employer.”

Also, the District of Columbia Human Rights Act, approved December 13, 1977 (DC Law 2-38; DC Official Code §2-1402.11(2006), as amended) States the following:

Pertinent section of DC Code § 2-1402.11:

It shall be an unlawful discriminatory practice to do any of the following acts, wholly or partially for a discriminatory reason based upon the actual or perceived: race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, family responsibilities, genetic information, disability, matriculation, or political affiliation of any individual. To file a complaint alleging discrimination on one of these bases, please contact the District of Columbia’s Office of Human Rights at (202) 727-3545.

CESAR CHAVEZ PUBLIC CHARTER SCHOOLS
REQUEST FOR PROPOSALS

Replacement of HVAC/RTU-15 ton capacity

The Cesar Chavez Public Charter Schools solicits Request for Proposals for the Replacement of HVAC/RTU-15 ton capacity at the Capitol Hill Location

Scope of Work:

1. New package unit, RTU Carrier 15 ton cap. gas/electric, (208-230) 3 phase, horizontal duct arrangement model#48TCED16ACA5 or compatible system.
2. Provide crane, flatbed truck, etc. to remove existing equipment and dispose of, and place the new unit onto the support frame.
3. Disconnect all electrical, gas, supply return work, gas pipe, and controls from existing equipment.
4. Install new supply return duct-work to tie into the existing ducts near unit.
5. Tie into existing electrical control wiring(low voltage) and reuse the Honeywell 8000 controller.

Send all inquiries to Roc Blakeney/RocFacilities .

[email:rocblakeney@yahoo.com](mailto:rocblakeney@yahoo.com) phone: [202 422-7896](tel:2024227896)

Deadline for submission: Friday, September 20th, 5:00pm

E.L. HAYNES PUBLIC CHARTER SCHOOL

REQUEST FOR PROPOSALS

Blended Learning Model Program Evaluation

E.L. Haynes Public Charter School invites proposals for a blended learning model program evaluation to be completed by June 2015. Proposals are due via email to Jeanne Chang no later than 5:00 PM on October 9, 2013. The RFP with bidding requirements can be obtained by contacting:

Jeanne Chang
E.L. Haynes Public Charter School
Phone: 202.487.1210
Email: jchang@elhaynes.org

**EAGLE ACADEMY PUBLIC CHARTER SCHOOL
NOTICE OF REQUEST FOR QUALIFICATIONS**

General Maintenance & Repairs

Eagle Academy Public Charter School is seeking to contract a qualified provider for various facility related services for a multi-campus school, including but not limited to general building maintenance and repairs, light renovations, moving, painting, and hauling.

The competitive Request for Proposal (RFP) should be sent to jsmith@eagleacademypcs.org. The deadline for replying to the RFP is September 27th, 2013, at 4:00 pm E.S.T.

No proposals will be accepted after the deadline.

**DISTRICT OF COLUMBIA
BOARD OF ELECTIONS**

Certification of Filling Vacancies

In Advisory Neighborhood Commissions

Pursuant to D.C. Official Code §1-309.06(d)(6)(D), If there is only one person qualified to fill the vacancy within the affected single-member district, the vacancy shall be deemed filled by the qualified person, the Board hereby certifies that the vacancies have been filled in the following single-member districts by the individuals listed below:

Daniel Kornfield
Single-Member District 1A01

Alex Underwood
Single-Member District 5E03

DEPARTMENT OF HEALTH CARE FINANCE

NOTICE OF PUBLIC MEETING

District of Columbia Health Information Exchange Policy Board

The District of Columbia Health Information Exchange Policy Board, pursuant to the requirements of Mayor's Order 2012-24, dated February 15, 2012, hereby announces a public meeting of the Board. The meeting will be held **Wednesday, September 18, 2013** at 2:00 pm in the **6th Floor Conference Room 6130** at 899 North Capitol Street, NE, Washington, DC 20002.

The District of Columbia Health Information Exchange Policy Board meeting is open to the public. The topics to be discussed on the agenda include a Welcome and Introduction; Approval of the Minutes from the August 21, 2013 Meeting; Hospital HIE Connection Program; Public Health Upgrade; CCIN Update and Ideas for Collaboration; Project Update: Strategic, Operating and Sustainability Plan, and Evaluation Plan; New Business; and Subcommittee Reports.

If you have any questions, please contact Cleveland Woodson at (202) 724-7342.

KIPP DC PUBLIC CHARTER SCHOOL

REQUEST FOR PROPOSAL

Construction Management Services

KIPP DC invites all interested and qualified construction management firms to submit proposals to provide construction management services for new construction of an 110,000 sf high school building with delivery expected in early June, 2015. Proposals are due no later than 5:00 pm on Monday, September 30, 2013. The RFP can be obtained by contacting via email:

Lindsay Snow, Real Estate Manager
KIPP DC
1003 K Street NW, Suite 700
Washington, DC 20001
Lindsay.Snow@kipfdc.org
(202) 315-6927

MAYA ANGELOU SCHOOLS/SEE FOREVER FOUNDATION**REQUEST FOR PROPOSAL –****LEGAL SERVICES (EDUCATION LAW)**

Short Company Profile: Our mission is to create learning communities in lower income urban areas where all students, particularly those who have not succeeded in traditional schools, can reach their potential and prepare for college, career, and a lifetime of success.

The Maya Angelou Schools/See Forever Foundation would like to engage a law firm or solo-practitioner attorney licensed to practice law in the District of Columbia to provide a range of legal services (education law, including special education) for the Maya Angelou Public Charter Schools, a charter-school LEA in the nation's capital serving approximately 600 students from 7th grade to young adult, with said services to include:

- Advising the organization and its staff on the requirements of education law with a special emphasis on special education, IDEA, and the Americans with Disabilities Act;
- Advising the organization and its staff on all other matters related to education law;
- Representing the organization in mediation upon request, and at all stages of due process beyond mediation, including administrative law, OSSE, and court proceedings;
- Serving as the LEA's point of contact with parents'/guardians' legal counsel;
- Reviewing student records, when appropriate, including IEPs and draft IEPs, clinical case files, and other documentation to provide advice regarding pending or potential mediations or legal matters;
- Reviewing contracts related to special education services; and
- Any other matters as directed by the Board or Chief Executive Officer.

Proposals will be evaluated based on the following criteria:

- Demonstrated ability to provide able legal representation and respond to tight timelines
- Experience with the special education legal environment in the District of Columbia
- Experience with the particular challenges faced by charter schools in DC, as demonstrated by references from other charter LEAs
- Backgrounds and expertise of individual attorneys who may be staffed to work with the organization
- Proposed fees and costs, although the organization is not bound to accept the lowest bid, and the organization reserves the right to negotiate fees with the selected applicant
- Information obtained through the firm's references or other clients
- Best interests of the organization

The following requirements must be satisfied by a successful proposal:

- The proposal should not exceed 10 pages.
- The proposal should substantially address all the evaluation items named above, including references from charter LEA clients in the District of Columbia, with contact information.
- A letter signed by an officer of the firm authorized to negotiate on the firm's behalf should be included as the first page of the proposal and should spell out the basic terms of the proposal.
- Any legal or ethics claims pending or outstanding against the firm, including before any state bar or the bar of any federal court, should be spelled out in an addendum to the proposal.
- Proof of professional liability insurance should be provided as an addendum.

Proposals **must be submitted via email** to Chris Tessone, ctessone@seeforever.org, by no later than six P.M. on September 18, 2013.

DISTRICT OF COLUMBIA RETIREMENT BOARD**INVESTMENT COMMITTEE****NOTICE OF CLOSED MEETING**

September 19, 2013 10:00 a.m.
DCRB Board Room (2nd floor)
900 7th Street, N.W.
Washington, D.C 20001

On September 19, 2013 at 10:00 a.m., the District of Columbia Retirement Board (DCRB) will hold a closed investment committee meeting regarding investment matters. In accordance with D.C. Code §2-575(b)(1), (2), and (11) and §1-909.05(e), the investment committee meeting will be closed to deliberate and make decisions on investments matters, the disclosure of which would jeopardize the ability of the DCRB to implement investment decisions or to achieve investment objectives.

The meeting will be held in the DCRB Board Room (2nd floor) at 900 7th Street, N.W., Washington, D.C 20001.

For additional information, please contact Rabinai Carson, Administrative Specialist, at (202) 343-3200 or rabinai.carson@dc.gov.

DISTRICT OF COLUMBIA RETIREMENT BOARD

NOTICE OF OPEN PUBLIC MEETING

September 19, 2013
12:30 p.m.

DCRB Board Room (2nd floor)
900 7th Street, N.W.
Washington, D.C. 20001

The District of Columbia Retirement Board (DCRB) will hold an Open meeting on September 19, 2013, at 12:30 p.m. The meeting will be held in the DCRB Board Room (2nd floor) at 900 7th Street, N.W., Washington, D.C. 20001. A general agenda for the Open Board meeting is outlined below.

Please call one (1) business day prior to the meeting to ensure the meeting has not been cancelled or rescheduled. For additional information, please contact Rabinai Carson, Administrative Specialist at (202) 343-3200 or rabinai.carson@dc.gov.

AGENDA

- I. Call to Order and Roll Call Chairman Bress
II. Approval of Board Meeting Minutes for July 18, 2013 Chairman Bress
III. Chairman's Comments Chairman Bress
IV. Executive Director's Report Mr. Stanchfield
V. General Counsel Report Ms. Sampson
VI. Investment Committee Report Trustee Blum
VII. Operations Committee Report Trustee Ross
VIII. Benefits Committee Report Trustee Smith
IX. Legislative Committee Report Trustee Blanchard
X. Other Business Chairman Bress
XI. Adjournment Chairman Bress

OFFICE OF THE SECRETARY OF THE DISTRICT OF COLUMBIA
RECOMMEND FOR APPOINTMENTS OF NOTARIES PUBLIC

Notice is hereby given that the following named persons have been recommended for appointment as Notaries Public in and for the District of Columbia, effective on or after October 15, 2013.

Comments on these potential appointments should be submitted, in writing, to the Office of Notary Commissions and Authentications, 441 4th Street, NW, Suite 810 South, Washington, D.C. 20001 within seven (7) days of the publication of this notice in the *D.C. Register* on September 13, 2013. Additional copies of this list are available at the above address or the website of the Office of the Secretary at www.os.dc.gov.

D.C. Office of the Secretary
Recommended for appointment as a DC Notaries Public

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Arechiga-Holt	Cathy	Wells Fargo Bank, NA 1850 M Street, NW	20036
Austin	Jerome	Watson Funeral Home 3435 14th Street, NW	20010
Bah	Gassimou	PNC Bank 4835 Massachusetts Avenue, NW	20016
Beltran	Claudia	Tempus, INC 1225 New York Avenue, NW, Suite 200	20005
Benton	Faith	United Planning Organization 301 Rhode Island Avenue, NW	20001
Blom	Angela	Monarch Title, Inc. 5151 Wisconsin Avenue, NW, Suite 350	20016
Branch	Durand E.	Wells Fargo Bank 1300 I Street, NW	20005
Brown	Kim M.	Eckert Seamans Cherin & Mellott, LLC 1717 Pennsylvania Avenue, NW, Suite 1200	20006
Brown	Sarah	National Public Radio 1111 North Capitol Street, NE	20002
Capers	Theresa	District of Columbia Department of Corrections 1901 D Street, SE	20003
Clarkson	Quineice W.	Bread for the World, Inc. 425 3rd Street, SW, Suite 1200	20024
Collins	Mark	Bennett Group Financial 5335 Wisconsin Avenue, NW, Suite 500	20015
Coplin	Darlene	Justice Federal Credit Union 950 Pennsylvania Avenue, NW, Room 1419	20530

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Davenport	Dora D.	U.S. Department of Housing and Urban Development 451 7th Street, SW, Room 2243	20410
Davis	Gabriele	Wells Fargo Bank 1901 7th Street, NW	20001
Dennard	Maria	U.S. Department of Housing and Urban Development 451 7th Street, SW	20410
Diner	Anne E.	The Climate Reality Project 901 E Street, NW, Suite 610	20004
Emerson	Valerie S.	District of Columbia Department of Corrections 1901 D Street, SE	20003
Flowers	Sonja D.	Self (Dual) 2107 15th Street, SE	20002
Gale	Cara L.	Supreme Court of the United States 1 First Street, NE	20543
Garcia	Brenda M.	Metropolitan Assessment and Renewal Centers, LLC 3120 Georgia Avenue, NW	20010
Gendron	Arlene	Children's National Medical Center 111 Michigan Avenue, NW	20010
Glover-White	Danel	USDHS, United States Citizenship and Immigration Services, Office of Legislative Affairs 20 Massachusetts Avenue, NW, Room 4008, MS2150	20529
Goldsworthy	Mary E.	Amalgamated Transit Union 5025 Wisconsin Avenue, NW	20016
Green	Adriene D.	Bryan Cave, LLP 1155 F Street, NW, Suite 700	20004
Gregory	Carrie Hay	Personal Care Products Council 110 17th Street, NW, Suite 300	20036

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Haidai	Kris	KCI Technologies Inc. 122 C Street, NW, Suite 820	20001
Hickman	Sheila V.	Alliance of Automobile Manufactures, Inc. 803 7th Street, NW, Suite 300	20001
Hinnenkamp	Karen	For The Record, Inc. 1100 H Street, NW, Suite 1050	20005
Hollins	Theresa	United Planning Organization 301 Rhode Island Avenue, NW	20001
Holmes	Andrea K.	Washington Area New Automobile Dealers Association 5301 Wisconsin Avenue, NW, Suite 210	20015
Holmes	Gabe	Congressional Title and Escrow Company, Inc. 650 Pennsylvania Avenue, SE, Suite 170	20003
Horton	John	Thomas B. Fordham Institute 1016 16th Street, NW, 8th Floor	20036
Jenkins	Tiara	Clark Construction Group, LLC 601 Massachusetts Avenue, NW	20001
Johnson	Andrew Tilghman	KCI Technologies Inc. 122 C Street, NW, Suite 820	20001
Kopperud	Judith A.	Self/Dual 4611 Warren Street, NW	20016
Luehring	Shelley	Strategic Marketing Innovations, Inc. 1020 19th Street, NW, Suite 375	20036
Lulkin	Lydia	Utrecht & Phillips 1900 M Street, NW, Suite 500	20036
Manjarres	Natalia	Wells Fargo Bank 1300 Connecticut Avenue, NW	20036

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Martinez	Adriana	National Endowment for the Humanities 1100 Pennsylvania Avenue, NW	20506
Martinez	Dianna	U.S. Securities and Exchange Commission 100 F Street, NE	20549
Miller	Marsha R.	Bank of Georgetown 1054 31st Street, NW, Suite 18	20007
Ndeze	Amani	Wells Fargo Bank 1100 Connecticut Avenue, NW	20036
Peña	Paula A.	Inter-American Development Bank 1300 New York Avenue, NW, Stop E-507	20577
Permenter	Maxie	Wells Fargo Bank 3325 14th Street, NW	20010
Phillips	Jerrod	NARFE Premier Federal Credit Union 1900 E Street, NW, Room G449	20415
Pike	Jennifer	Human Rights Campaign 1640 Rhode Island Avenue, NW	20036
Porter	Darcie	USA for UNHCR 1775 K Street, NW, Suite 580	20006
Powers	Emma	District of Columbia Child and Family Services Agency 200 I Street, SE	20003
Roberson	Cynthia V.B.	Kilpatrick Townsend & Stockton, LLP 607 14th Street, NW, Suite 900	20005
Romero	Kenita Saunders	District of Columbia, Office of the Inspector General 717 14th Street, NW, Suite 500	20005
Runyan	R. Bradley	Stewart Title Group, LLC 11 Dupont Circle, NW, Suite 750	20036

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Sameni	Halleh Z.	REDFIN 2001 S Street, NW, Suite 250	20009
Saunders	Teresa N.	Brownstein Hyatt Farber Schreck, LLP 1350 I Street, NW, Suite 510	20005
Scribner	Marcus	Competitive Enterprise Institute 1899 L Street, NW, 12th Floor	20036
Shackleford	Deborah R.	Campaign for Tobacco-Free Kids 1400 Eye Street, NW, Suite 1200	20005
Shird	Yvette	Congressional Federal Credit Union 50 Independence Avenue, SW	20515
Siddiqui	Sabah K.	Sudow Kohlhagen, LLP 2001 Pennsylvania Avenue, NW, 10 Floor	20006
Sifuentes	Jorge L.	Inter-American Development Bank 1300 New York Avenue, NW, Stop B0660	20577
Simpson	Yulandraul M.	Simpson Tax Services 3020 Adams Street, NE	20018
Smith	Amber	U.S. Department of Homeland Security 3801 Nebraska Avenue, NW	20528
Sobolik	Maxwell	Freedom House 1301 Connecticut Avenue, NW, Suite 400	20036
Sullivan	Lora A.	Self 4701 Connecticut Avenue, NW, Suite 102	20008
Talley-Thomas	Shane J.	Wells Fargo Bank 1300 Connecticut Avenue, NW	20036
Taylor-Davis	Crystal	Metropolitan Assessment and Renewal Centers, LLC 3120 Georgia Avenue, NW	20010

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Thompson	Sharon M.	Bedrock Management 5185 MacArthur Boulevard, NW, Suite 724	20016
Tibbs	Charlene	Self (Dual) 1240 Holbrook Terrance, NE, Suite 201	20002
Townsend	Jennifer L.	Martin Pollak Project, Inc. 2437 15th Street, NW	20009
Trifiletti	Catherine	Asmar, Schor & McKenna, PLLC 5335 Wisconsin Avenue, NW, Suite 400	20015
Tyer	Tiffani W.	U.S. Department of Housing and Urban Development 451 7th Street, SW	20410
Uhl	Kaitlyn	Washington Legal Clinic for the Homeless 1200 U Street, NW, 3rd Floor	20009
Walker-Wright	Gwendolyn	Ain & Bank P.C. 1900 M Street, NW, 6th Floor	20036
Walton	Brianna	Justice Federal Credit Union 950 Pennsylvania Avenue, NW, Room 1419	20530
Watkins	Keith A.	Alion Science & Technology 1100 New Jersey Avenue, SE, Suite 200	20003
White	Nakia	USDHS, United States Citizenship and Immigration Services 20 Massachusetts Avenue, NW, Room 4008	20529
Williams	Marira M.	Image Matters, LLC 1389 Rittenhouse Street, NW	20011
Wogu	Uzorchi J.	District of Columbia Department of Corrections 1901 D Street, SE	20003

**D.C. Office of the Secretary
Recommended for appointment as a DC Notaries Public**

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Young	Diane T.	Merrill Lynch 1152 15th Street, NW, Suite 6000	20005
Zackiewicz	Marion S.	Supreme Court of the United States 1 First Street, NE	20543

TWO RIVERS PUBLIC CHARTER SCHOOL**NOTICE OF REQUEST FOR PROPOSALS****Development Consultant**

Two Rivers is looking for general fundraising and development counsel for a twelve-month period with the primary goal of strengthening its core competencies in resource development. Two Rivers is seeking to enhance its expertise and comfort with private fundraising, and to identify specific strategies and approaches through which to direct its energies to best support its mission. Consultants will be responsible for launching a major individual giving program, strengthening the relationships with foundations, and advising the Framing the Future Gala volunteer committee. Bids are due September 27, 2013. For complete RFP and Statement of Work e-mail Mary Gornick at procurement@tworiverspcs.org

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

BOARD OF DIRECTORS

NOTICE OF PUBLIC MEETING

Environmental Quality and Sewerage Services Committee

The Board of Directors of the District of Columbia Water and Sewer Authority (DC Water) Environmental Quality and Sewerage Services Committee will be holding a meeting on Thursday, September 19, 2013 at 9:30 a.m. The meeting will be held in the Board Room (4th floor) at 5000 Overlook Avenue, S.W., Washington, D.C. 20032. Below is the draft agenda for this meeting. A final agenda will be posted to DC Water's website at www.dewater.com.

For additional information, please contact Linda R. Manley, Board Secretary at (202) 787-2332 or linda.manley@dewater.com.

DRAFT AGENDA

- | | |
|--|--|
| 1. Call to Order | Committee Chairperson |
| 2. AWTP Status Updates
1. BPAWTP Performance | Assistant General Manager,
Plant Operations |
| 3. Status Updates | Chief Engineer |
| 4. Project Status Updates | Director, Engineering &
Technical Services |
| 5. Action Items
- Joint Use
- Non-Joint Use | Chief Engineer |
| 6. Emerging Items/Other Business | |
| 7. Adjournment | Committee Chairperson |

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

BOARD OF DIRECTORS

NOTICE OF PUBLIC MEETING

Water Quality and Water Services Committee

The Board of Directors of the District of Columbia Water and Sewer Authority (DC Water) Water Quality and Water Services Committee will be holding a meeting on Thursday, September 19, 2013, at 11:30 a.m. The meeting will be held in the Board Room (4th floor) at 5000 Overlook Avenue, S.W., Washington, D.C. 20032. Below is the draft agenda for this meeting. A final agenda will be posted to DC Water’s website at www.dewater.com.

For additional information, please contact Linda R. Manley, Board Secretary at (202) 787-2332 or linda.manley@dewater.com.

DRAFT AGENDA

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| 1. Call to Order | Committee Chairperson |
| 2. Water Quality Monitoring | Assistant General Manager, Consumer Ser. |
| 3. Fire Hydrant Upgrade Program | Assistant General Manager, Consumer Ser. |
| 4. Action Items | Assistant General Manager, Consumer Ser. |
| 5. Emerging Issues/Other Business | Assistant General Manager, Consumer Ser |
| 6. Adjournment | Committee Chairperson |

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

Application No. 18570 of 1845 North Capitol Street NE LLC, pursuant to 11 DCMR § 3103.2, for a variance from the lot area requirements under § 401.3, to allow a conversion of a flat into a three-unit apartment house in the R-4 District at premises 1845 North Capitol Street, N.E. (Square 3510, Lot 22).

HEARING DATE: June 18, 2013

DECISION DATE: June 18, 2013

DECISION AND ORDER

This self-certified application was submitted March 28, 2013 by 1845 North Capitol Street NE LLC (“Applicant”), the owner of the property that is the subject of the application. The application was filed pursuant to 11 DCMR § 3103.2 for an area variance from the minimum lot area requirement under § 401.3 to allow a conversion of a two-unit flat into a three-unit apartment house in the R-4 District at premises 1845 North Capitol Street, N.E. (Square 3510, Lot 22). Following a public hearing on June 18, 2013, the Board of Zoning Adjustment (the “Board”) voted 3-0 in a bench decision to grant the application.

PRELIMINARY MATTERS

Notice of Application and Notice of Public Hearing. By memoranda dated April 12, 2013, the Office of Zoning sent notice of the application to the Office of Planning (“OP”); the District Department of Transportation; the Councilmember for Ward 5; Advisory Neighborhood Commission (“ANC”) 5E, the ANC for the area within which the subject property is located; and the single-member district ANC 5E-04.

A public hearing was scheduled for June 18, 2013. Pursuant to 11 DCMR § 3113.13, the Office of Zoning on April 12, 2013, mailed notice of the hearing to the Applicant, the owners of property within 200 feet of the subject property, and ANC 5E. Notice was published in the *D.C. Register* on April 12, 2013 (60 DCR 5580).

Requests for Party Status. In addition to the Applicant, ANC 5E was automatically a party in this proceeding. There were no additional requests for party status.

Applicant’s Case. The Applicant provided evidence in its Applicant’s Statement filed with the Application, and from testimony provided by Cynthia Banuls, a principal of the Applicant.

Government Reports. By report dated June 11, 2013, and through testimony at the public hearing, OP recommended approval of the requested variance.

ANC Report. By Form 129 – Advisory Neighborhood Commission (ANC) Report, including an attachment, filed with the Office of Zoning on June 10, 2013, ANC 5E indicated that, at a

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regular, duly noticed monthly public meeting held on May 21, 2013 with a quorum present, the ANC voted 6-0-2 to recommend that the Board deny the application. In the attachment, ANC 5E claimed four reasons in support of its recommendation: (i) the lot area of 1,311 square feet is less than half the minimum requirement of 2,700 square feet required for a three-unit apartment house conversion in the R-4 District; (ii) approving the variance will set a precedent in the community and developers will expect a zoning variance to convert to three-unit apartment houses; (iii) the subject property has been plagued with water problems at the basement level; and (iv) the building's historical use was not as a four-unit apartment house since the 1951 certificate of occupancy application did not denote the number of units, and the predominant use from 1981 was a two-unit flat. ANC 5E Commissioner Sylvia Pinckney provided testimony at the hearing commensurate with the ANC's resolution.

Persons in support. The Board received 24 letters of support from property owners within 200 feet of the subject property.

FINDINGS OF FACT***The Subject Property and Surrounding Area***

1. The subject property is located at 1845 North Capitol Street, N.E., Square 3510, Lot 22.
2. Lot 22 is a rectangular-shaped property with a land area of 1,311 square feet.
3. The subject property is located in the R-4 Zone District.
4. The subject property is improved with a two-story row dwelling structure with one below-grade level.
5. The subject property was constructed prior to the May 12, 1958 effective date of the current versions of the Zoning Regulations.
6. The most recent certificate of occupancy for the subject property authorized its use as a two-family dwelling, also known as a flat.
7. The subject property has historical certificates of occupancy evidencing use as an apartment house from 1951 until 1989.

The Applicant's Project

8. At the time of Applicant's purchase of the subject property, the building had been vacant for several years and contained three kitchen areas within the building.

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9. The Applicant applied for and received a building permit from DCRA to renovate the building as a three-unit apartment house, based on the existing condition of the building and the existence of certificate of occupancy evidence showing apartment house use prior to 1958.
10. After renovation pursuant to the building permit was substantially completed, the Applicant was denied a certificate of occupancy by DCRA, which claimed that the previous apartment house use was discontinued and therefore could not continue as a nonconforming structure.

Exceptional Condition of the Property Leading to Practical Difficulty

11. According to existing certificate of occupancy evidence, the subject building was approved as an apartment house from at least 1951 until 1989.
12. The Building consisted of three kitchen areas.
13. The Applicant was granted building permits to renovate the subject building as a three-unit apartment house.
14. The Applicant justifiably relied on the building permits to lawfully complete an expensive renovation project to use the subject building for a three-unit apartment house.
15. The Applicant would have a practical difficulty in reconfiguring the subject building back to a two-unit flat, or in closing off and not using the third unit.

No Substantial Detriment to the Public Good or the Integrity of the Zone Plan

16. The Applicant has restored a vacant and neglected property and brought it back to productive use.
17. The Application had letters of support from 24 neighbors, all located within 200 feet of the subject property. Other than ANC 5E, there was no testimony or letters in opposition to the Application.
18. The Applicant acted in good faith reliance on the approval from DCRA to renovate the subject building as a three-unit apartment house.

CONCLUSIONS OF LAW

The Board is authorized under § 8 of the Zoning Act of 1938, D.C. Official Code § 6-631.07(g)(3), to grant variance relief where “by reason of exceptional narrowness, shallowness, or shape of a specific property at the time of the original adoption of the regulations or by reason of exceptional topographical conditions or other extraordinary or exceptional situation or

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condition of a specific piece of property,” the strict application of the Zoning Regulations would result in peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the owner of the property, provided that relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map. (*See* 11 DCMR § 3103.2.)

Under the three-prong test for area variances set out in 11 DCMR § 3103.2, an applicant must demonstrate that (1) as a result of the property’s size, shape, topography, or other extraordinary or exceptional situation or condition inherent in the property; (2) the owner will encounter practical difficulty if the Zoning Regulations are strictly applied; and (3) the requested variance will not result in substantial detriment to the public good or the zone plan. *See Gilmartin v. District of Columbia Bd. of Zoning Adjustment*, 579 A.2d 1164, 1167 (D.C. 1990). In order to prove "practical difficulties," an applicant must demonstrate first, that compliance with the area restriction would be unnecessarily burdensome; and, second, that the practical difficulties are unique to the particular property. *Id.* at 1170.

The District of Columbia Court of Appeals has held that “an exceptional or extraordinary situation or condition” may encompass the buildings on a property, not merely the land itself, and may arise due to a “confluence of factors.” *See Clerics of St. Viator v. District of Columbia Bd. of Zoning Adjustment*, 320 A.2d 291 (D.C. 1974); *Gilmartin v. District of Columbia Bd. of Zoning Adjustment*, 579 A.2d 1164, 1168 (D.C. 1990).

Because a conversion to a three-unit apartment house would require a land area of 2,700 square feet, or 900 square feet per unit, and the lot consists of only 1,331 feet, the applicant requires a variance from the minimum lot restrictions under 11 DCMR § 401.3 to allow the conversion of the subject building to a three-unit apartment house.

The Board concludes that the Application satisfies the requirements necessary for variance relief, as follows:

The Board concludes that the condition and the circumstances surrounding the subject property constitute an exceptional condition and situation. The building has historically been used as an apartment house, was configured for three apartment units when the applicant purchased it, and was approved for significant renovation as a three-unit apartment building. The zoning history of a property, including past actions of governmental authorities, can constitute the “events extraneous to the land” which create the requisite exceptional situation or condition. *Monaco v. D.C. Bd. of Zoning Adjustment*, 407 A.2d 1091, 1097 (D.C. 1979). In *Monaco*, a zoning history which implicitly approved a use and thereby gave rise to good-faith, detrimental reliance by the property owner, helped to establish the necessary exceptional situation.

The situation here is not unlike the circumstance that confronted the Board in *Application No. 17960 of Lucia and Claudio Rosan* (2009), *affirmed, Oakland Condominium v. District of Columbia Bd. of Zoning Adjustment* 22 A.3d 748 (D.C. 2011). Like the applicant in *Rosan*, the

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Applicant here “reasonably relied on the issuance of the building permits by DCRA in believing that they were acting in accordance with the zoning regulations.” *Id.* at 753. Also, the Applicant here “had no reason to understand that the building permit[] did not represent the zoning determination that they were seeking.” *Id.* at 755. Thus, the Applicant’s “good faith and detrimental reliance constitute[ed] an exceptional situation.” *Id.*

The Board concludes that complying with the Zoning Regulations and converting the subject building back to a two-unit flat would impose an unnecessary burden on the owner because of the extraordinary expense necessary for such conversion.

The Board further finds that variance relief can be granted to this applicant without substantial detriment to the public good or the integrity of the zone plan. The R-4 District permits conversions to multiple family dwellings subject to a land area condition that cannot be met here. The additional density resulting will not prove detrimental to the neighborhood and the conversion of the vacant property will remove an existing adverse condition.

The Board notes ANC 5E’s opposition to the application and addresses their four stated concerns as follows: (i) despite the fact that the subject property’s land area was only 1,331 square feet, the application otherwise met the requirements for variance relief; (ii) the Board considers each application for its own merits and is not setting a precedent for other properties in the neighborhood; (iii) previous water problems on the subject property are not relevant to the Board’s consideration of this variance relief and at any rate, this project is likely to correct such problems; and (iv) the subject property has an obvious historical use as an apartment house, which was a contributing, but not the only, factor in the Board’s decision to grant relief.

Based upon the record before the Board and having given great weight to the OP and ANC reports filed in this case, the Board concludes that in seeking the variance relief that the Applicant has met the burden of proving under 11 DCMR § 3103.2, that there exists an exceptional or extraordinary situation or condition related to the property that creates a practical difficulty for the owner in complying with the Zoning Regulations, and that the requested relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map.

For the reasons stated above, the Board concludes that the applicant has met its burden of proof. It is hereby **ORDERED** that the application, subject to Exhibit 13 – Plans, is hereby **GRANTED**.

VOTE: **3-0-2** (S. Kathryn Allen, Jeffrey L. Hinkle, and Robert E. Miller to Approve;
Lloyd J. Jordan not present, and the third mayoral appointee seat vacant).

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BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

The majority of the Board members approved the issuance of this order.

FINAL DATE OF ORDER: September 9, 2013

PURSUANT TO 11 DCMR § 3125.9, NO ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN (10) DAYS AFTER IT BECOMES FINAL PURSUANT TO § 3125.6.

PURSUANT TO 11 DCMR § 3130, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSE OF SECURING A BUILDING PERMIT, OR THE APPLICANT FILES A REQUEST FOR A TIME EXTENSION PURSUANT TO § 3130.6 PRIOR TO THE EXPIRATION OF THE TWO-YEAR PERIOD AND THE REQUEST IS GRANTED. PURSUANT TO § 3129.9, NO OTHER ACTION, INCLUDING THE FILING OR GRANTING OF AN APPLICATION FOR A MODIFICATION PURSUANT TO §§ 3129.2 OR 3129.7, SHALL TOLL OR EXTEND THE TIME PERIOD.

PURSUANT TO 11 DCMR § 3125, APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT.

IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE § 2-1401.01 *ET SEQ.* (ACT), THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, GENETIC INFORMATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.

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