



District of Columbia

REGISTER

HIGHLIGHTS

- DC Council schedules a public oversight roundtable on the status of plans to revise school boundaries and feeder patterns for District of Columbia public schools
- University of the District of Columbia schedules a public hearing on “Strategic Plan, Vision 2020: a Roadmap for Renewal, Innovation, Success and Sustainability”
- Department of Consumer and Regulatory Affairs establishes standards for tire dealers in the District
- District Department of the Environment updates the aquatic life numeric water quality criteria
- Department of Health Care Finance establishes procedures for awarding health care benefit grants
- District Department of the Environment publishes notice of final deadline for submitting 2012 Energy Performance Benchmarking Reports
- Office of the Deputy Mayor for Planning and Economic Development announces funding availability for the Small Business Capital Improvement Grants

DISTRICT OF COLUMBIA REGISTER

Publication Authority and Policy

The District of Columbia Office of Documents and Administrative Issuances (ODAI) publishes the *District of Columbia Register* (ISSN 0419-439X) (*D.C. Register*) every Friday under the authority of the *District of Columbia Documents Act*, D.C. Law 2-153, effective March 6, 1979 (25 DCR 6960). The policies which govern the publication of the *D.C. Register* are set forth in Title 1 of the District of Columbia Municipal Regulations, Chapter 3 (Rules of the Office of Documents and Administrative Issuances.) Copies of the Rules may be obtained from the Office of Documents and Administrative Issuances. Rulemaking documents are also subject to the requirements of the *District of Columbia Administrative Procedure Act*, District of Columbia Official Code, §§2-501 *et seq.*, as amended.

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AN ACT

D.C. ACT 20-186

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

OCTOBER 17, 2013

To amend the Retail Electric Competition and Consumer Protection Act of 1999 to update the net metering provisions to ensure consistency across programs, to allow for the creation of community renewable energy facilities that are renewable energy facilities interconnected at the distribution system level and located in a community served by an electric company, to allow retail customers of an electric company whose meters or accounts are within the District of Columbia and within the same service territory as a community renewable energy facility to subscribe to a community renewable energy facility, to allow for the establishment of subscriber organizations to beneficially own or operate community renewable energy facilities for subscribers, to allow for third parties under contract with subscriber organizations to build, own, or operate community renewable energy facilities, to allow for the monetary value of electricity generated by a community renewable energy facility to be credited to its subscribers to offset subscribers' electricity bills, and to allow the SOS administrator to offset wholesale purchases via community net metering, and to provide appropriate public-private financing mechanisms for renewable energy and related investments; and to amend the Renewable Energy Portfolio Standard Act of 2004 to require that the District Department of the Environment report progress towards solar generation goals.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Community Renewable Energy Amendment Act of 2013".

Sec. 2. The Retail Electric Competition and Consumer Protection Act of 1999, effective May 9, 2000 (D.C. Law 13-107; D.C. Official Code § 34-1501 *et seq.*), is amended as follows:

(a) Section 101 (D.C. Official Code § 34-1501) is amended as follows:

(1) New paragraphs (9A) and (9B) are added to read as follows:

"(9A) "Community net metering" means a billing arrangement under which the monetary value of electric energy generated by a community renewable energy facility and delivered to the electric company's local distribution facilities is used to offset electric energy charges accrued during a subscriber's applicable billing period.

"(9B) "Community renewable energy facility" or "CREF" means an energy facility using renewable resources defined as tier one renewable sources in section 3(15) of the Renewable Energy Portfolio Standard Act of 2004, effective April 12, 2005 (D.C. Law 15-340; D.C. Official Code § 34-1431(15)) that is located within the District of Columbia and where the

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monetary value of electricity generated by the facility is credited to the subscribers of the facility.”.

(2) A new paragraph (12A) is added to read as follows:

“(12A) “CREF credit rate” means a credit rate applied to subscribers of community renewable energy facilities which shall be equal to the standard offer service rate for the General Service Low Voltage Non-Demand Customer class or its successor, as determined by the Commission, based upon section 118.”.

(3) New paragraphs (15A) and (15B) are added to read as follows:

“(15A) “Department” means the District Department of the Environment.

“(15B) “Director” means the Director of the District Department of the Environment or his or her designee.”.

(4) A new paragraph (16A) is added to read as follows:

“(16A) “Electric company” shall have the same meaning as provided in the fifteenth unnumbered paragraph in paragraph 1 of section 8 of An Act Making appropriations to provide for the expenses of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred and fourteen, and for other purposes, approved March 4, 1913 (37 Stat. 976; D.C. Official Code § 34-207).”.

(5) A new paragraph (17B) is added to read as follows:

“(17B) “Individual billing meter” means an individual meter or a set of meters when meters are combined for billing purposes.”.

(6) A new paragraph (24A) is added to read as follows:

“(24A) “Renewable energy credit” shall have the same meaning as provided in section 3(10) of the Renewable Energy Portfolio Standard Act of 2004, effective April 12, 2005 (D.C. Law 15-340; D.C. Official Code § 34-1431(10)).”.

(7) A new paragraph (25A) is added to read as follows:

“(25A) “SOS administrator” means the provider of standard offer service mandated by section 109.”.

(8) New paragraphs (27), (27A), and (27B) are added to read as follows:

“(27) “Subscriber” means a retail customer of the electric company who owns a subscription and who has identified an individual billing meter within the District of Columbia to which the subscription shall be attributed.

“(27A) “Subscriber organization” means any for-profit or nonprofit entity permitted by District of Columbia law that owns or operates one or more community renewable energy facilities for the benefit of the subscribers.

“(27B) “Subscription” means a percentage interest in a community renewable energy facility’s electrical production.”.

(b) A new section 101a is added to read as follows:

“Sec. 101a. Policy findings.

“The Council of the District of Columbia adopts the following policy findings in support of community renewable energy:

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“(1) Local communities benefit from the deployment of tier one renewable energy in the District, and the Council hereby encourages the Department to establish programs that support development of such projects;

“(2) It is in the public interest that the Department encourages broad participation in District-based tier one renewable electric generation by District residents, not-for-profit entities, and for-profit entities through outreach efforts and programs in all 8 wards;

“(3) It is in the public interest that the Department enables the development and deployment of community renewable energy facilities for the following purposes:

“(A) To allow renters and low- to moderate-income retail electric customers to own interests in tier one renewable energy generating facilities;

“(B) To allow interests in tier one renewable energy generation facilities to be portable and transferrable;

“(C) To facilitate market entry for all potential subscribers, while prioritizing those persons most sensitive to market barriers; and

“(D) To encourage developers to promote participation by renters and low- to moderate-income retail electric customers; and

“(4) It is in the public interest for developers to encourage participation by renters and low- to moderate-income retail electric customers.”.

(c) Section 118(b) (D.C. Official Code § 34-1518(b)) is amended by adding a new paragraph (5) to read as follows:

“(5) The Commission shall establish additional rules as necessary for the electric company to implement the following provisions:

“(A) A community renewable energy facility shall meet all applicable safety and performance standards. The Commission may adopt by rulemaking additional control and testing requirements for community renewable energy facilities that the Commission considers necessary to protect public safety and system reliability.

“(B) The owners of, subscribers to, and any subscriber organization controlling a community renewable energy facility shall not be considered public utilities or electricity suppliers solely as a result of their interest or participation in the community renewable energy facility.

“(C) Prices paid for subscriptions and contractual matters in a community renewable energy facility shall not be subject to the jurisdiction of the Commission.

“(D) The subscriber organization or the third-party owner shall own the renewable energy credits associated with the electricity generated by the community renewable energy facility, unless the credits were explicitly contracted for through a separate transaction independent of any net metering or interconnection agreement or contract.

“(E) The owner or operator of each community renewable energy facility shall follow all procedures for interconnection specified in Chapter 40 of Title 15 of the District of Columbia Municipal Regulations.

“(F) All electricity exported to the grid by the community renewable energy facility shall become the property of the SOS administrator, pursuant to section 118a(h), but shall not be counted toward the electric company’s total retail sales for purposes of the

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Renewable Energy Portfolio Standard Act of 2004, effective April 12, 2005 (D.C. Law 15-340; D.C. Official Code § 34-1431 *et seq.*). The SOS administrator shall use subscribed energy to offset purchases from wholesale suppliers for standard offer service.

“(G) The monetary value of subscribed energy produced by a community renewable energy facility shall be determined as established in this section, as implemented by the Commission.

“(H) The amount of electricity generated each month available for allocation as subscribed or unsubscribed energy shall be determined by a revenue quality production meter installed and paid for by the owner of the community renewable energy facility. It shall be the electric company’s responsibility to read the production meter.

“(I) The determination of the monetary value of credits allocated to each subscriber to a particular community renewable energy facility shall be based on each subscriber’s percentage interest of the total production of the community renewable energy facility.

“(J) Each billing month, the value of the credits allocated to each subscriber shall be calculated by multiplying the quantity of kilowatt hours allocated to each subscriber by the subscriber’s CREF credit rate.

“(K) If the value of the credits generated by the community renewable energy facility allocated to the subscriber exceeds the amount owed by the subscriber as shown on the subscriber’s bill at the end of the billing period, the remaining value of the credit shall carry over from month to month until the value of any remaining credits are used.

“(L) If the value of the credit generated by the community renewable energy facility allocated to the subscriber is less than the amount owed by the subscriber as shown on the subscriber’s bill at the end of the applicable billing period, the subscriber shall be billed for the difference between the amount shown on the bill and the value of the available credits.

“(M) If the subscriber is served by an energy supplier other than the SOS administrator, the subscriber shall be billed by the energy supplier for the full kilowatt-hours consumed by the subscriber during the billing period, and will receive the value of the credits generated by the CREF from the SOS administrator at the subscriber’s CREF credit rate.”

(d) A new section 118a is added to read as follows:

“Sec. 118a. Community renewable energy facilities.

“(a) A community renewable energy facility may produce no greater than 5 megawatts of electricity and must have at least 2 subscribers.

“(b) A subscriber to an eligible community renewable energy facility may offset no more than 120% of the subscriber’s electricity consumption over the previous 12 months.

“(c) Each subscription shall represent a percentage of the community renewable energy facility’s generating capacity; provided, that the subscription is intended primarily to offset part or all of the subscriber’s own electrical requirements.

“(d) All individual billing meters for subscriptions to community renewable energy facilities shall be within the District of Columbia.

“(e) A community renewable energy facility may be built, owned, or operated by a third

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party under contract with a subscriber organization.

“(f) A community renewable energy facility may add capacity and subscribers to its facility if the added capacity and subscribers do not reduce the electrical production benefit to existing subscribers.

“(g) A community renewable energy facility may update its subscribers no more frequently than once per quarter. Each quarter the owner of a CREF or its designated agent shall provide the following information about its subscribers to the electric company as required to facilitate net metering for subscribers:

“(1) Name, address, and account number of each subscriber; and

“(2) The percentage interest of each subscriber in the capacity of the CREF;

“(h) The electric company may require that a CREF and its subscribers have their meters read on the same billing cycle.

“(i) If the electrical capacity of a community renewable energy facility is not fully subscribed, the SOS administrator shall purchase the energy associated with the unsubscribed capacity at the PJM Locational Marginal Price for the PEPCO zone, adjusted for ancillary service charges.

“(j) Subscribers shall be eligible to receive electricity credits so long as the CREF continues to generate and provide power to the distribution grid, regardless of the bankruptcy or contractual default of any subscriber or of the subscriber organization.

“(k) A community renewable energy facility shall not add subscribers without adhering to the consumer protection provisions contained in section 107.

“(l) A community renewable energy facility may not sell subscriptions totaling more than 100% of its energy generation.”

(e) New sections 121 and 122 are added to read as follows

“Sec. 121. Consumer disclosure requirements.

“(a) An entity selling or reselling an interest in a community renewable energy facility shall provide a disclosure to the potential subscriber that includes the following, prior to the sale or resale of that subscription:

“(1) A good faith estimate of the annual kilowatt hours to be delivered by the community renewable energy facility based on the size of the subscriber’s interest;

“(2) A plain language explanation of the terms under which the bill credits will be calculated;

“(3) A plain language explanation of the contract provisions regulating the disposition or transfer of the subscription; and

“(4) A plain language explanation of the costs and benefits to the potential subscriber based on the subscriber’s current usage and applicable tariff, for the term of the proposed contract.

“(b) The Mayor or his or her designee may require that any entity engaged in the sale or resale of a subscription in a community renewable energy facility provide additional disclosure to the buyer or lessee, the Mayor, or both.

“(c) All contracts for the sale or resale of a subscription in a community renewable energy facility for use in a residential dwelling may be reviewed by the Mayor or his or her designee

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upon request.

“(d) The Mayor pursuant to Title 1 of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue rules to carry out the disclosure requirements contained in this section.

“Sec. 122. Recovery of CREF implementation costs.

“Pursuant to paragraphs 2 and 94 of section 8 of An Act Making appropriations to provide for the expenses of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred and fourteen, and for other purposes, approved March 4, 1913 (37 Stat. 977, 994; D.C. Official Code §§ 34-1101 and 34-901), the electric company may seek recovery of any costs associated with the implementation of this act in a base rate case. In a base rate case filing that includes recovery of such costs, the electric company shall include in its filing with the Commission any benefits and costs to the electric company. Any recovery of the net costs by the electric company approved by the Commission shall occur solely through a rate assessment of the subscribers.”.

Sec. 3. Section 6 of the Renewable Energy Portfolio Standard Act of 2004, effective April 12, 2005 (D.C. Law 15-340; D.C. Official Code § 34-1434), is amended by adding a new subsection (f) to read as follows:

“(f) The District Department of the Environment shall publish on its website at least annually a report that describes progress towards the solar generation goals provided in the renewable energy portfolio standard and a comparison with other sources of energy used in the District. Each report shall detail the equitable distribution of resources consistent with the policy findings in section 101a of the Retail Electric Competition and Consumer Protection Act of 1999, passed on 2nd reading on October 1, 2013 (Enrolled version of Bill 20-57).”.

Sec. 4. Fiscal impact statement.

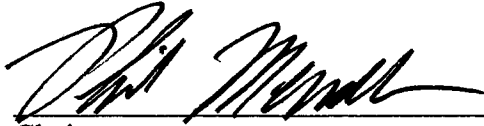
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

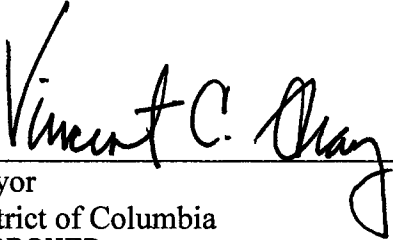
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

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24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
October 17, 2013

ENROLLED ORIGINAL

AN ACT

D.C. ACT 20-187

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

OCTOBER 17, 2013

To amend the District of Columbia Smoking Restriction Act of 1979 to prohibit smoking and the use of tobacco products in or within 25 feet of playgrounds, public recreational facilities, and bus stops in the District, to require the Director of the Department of Parks and Recreation to post "No Smoking" signs in public recreational facilities, and to require the owner or entity responsible for maintaining a private playground to post "No Smoking" signs in the playground; and to amend section 19-702.1 of the District of Columbia Municipal Regulations to prohibit the smoking of tobacco at a playground or public recreational facility.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Smoking Restriction Amendment Act of 2013".

Sec. 2. The District of Columbia Smoking Restriction Act of 1979, effective September 28, 1979 (D.C. Law 3-22; D.C. Official Code 7-1701 *et seq.*), is amended as follows:

(a) Section 3 (D.C. Official Code § 7-1702) is amended as follows:

(1) The existing paragraph (1) is redesignated as paragraph (1A).

(2) A new paragraph (1) is added to read as follows:

"(1) "Bus stop" means a location that has been designated by a pole and appropriate signage as a place where passengers board a bus."

(3) New paragraphs (4A) and (4B) are added to read as follows:

"(4A) "Playground" means a public or private facility intended primarily for recreation and not for residential use, with a portion of the facility that contains at least one separate apparatus intended for the recreation of children, including a sliding board, swing set, and teeterboard.

"(4B) "Public recreational facility" means a park, dog park, trail, community facility, playground, swimming pool, spray park, neighborhood recreation center, or other similar facility that is owned or maintained by the District."

(4) Paragraph (7) is amended to read as follows:

"(7) "Smoking" or "to smoke" means:

"(A) The act of puffing, having in one's possession, holding, or carrying a lighted or smoldering tobacco product, including through the use of smoking equipment of any kind including a pipe, or cigarette papers or tubes; or

"(B) The lighting of a tobacco product, including through the use of smoking equipment of any kind including a pipe, or cigarette papers or tubes."

(b) Section 4 (D.C. Official Code § 7-1703) is amended as follows:

(1) New paragraphs (9) and (10) are added to read as follows:

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“(9) In a playground or public recreational facility or while sitting or standing within 25 feet of the property line of a playground or public recreational facility when another person is present; provided, that the following shall be exempt from this prohibition:

“(A) Smoking or using tobacco on residential property that is located within 25 feet of a playground or public recreational facility; and

“(B) Smoking or using tobacco in places enumerated in section 2015.1 of Title 20 of the District of Columbia Municipal Regulations (20 DCMR § 2105.1) that are located within 25 feet of a playground or public recreational facility.

“(10) In a bus stop or while sitting or standing within 25 feet of a posted bus stop sign located at any bus stop controlled or maintained by the District when another person is present; provided, that the following shall be exempt from this prohibition:

“(A) Smoking or using tobacco on residential property that is located within 25 feet of a bus stop sign posted at a bus stop controlled or maintained by the District; and

“(B) Smoking or using tobacco in places enumerated in section 2015.1 of Title 20 of the District of Columbia Municipal Regulations (20 DCMR § 2105.1) that are located within 25 feet of a bus stop sign posted at a bus stop controlled or maintained by the District.”

(c) Section 5 (D.C. Official Code § 7-1704) is amended by adding new subsections (a-1) and (a-2) to read as follows:

“(a-1) In a public recreational facility, the Director of the Department of Parks and Recreation shall post or cause to be posted signs that read ” No Smoking. Need to quit? Contact the D.C. Quitline at 1-800-Quit-Now (784-8669)”.

“(a-2) In a private playground, the owner, manager, or individual or entity responsible for maintaining the private playground shall post or cause to be posted signs that read “No Smoking. Need to quit? Contact the D.C. Quitline at 1-800-Quit-Now (784-8669).”.

(d) Section 7 (D.C. Official Code § 7-1706) is amended to read as follows:

“Sec 7. Civil penalties.”

“A person who violates a provision of sections 4, 4a, 4b, 4(b), 4(d), 5, or 6, by:

“(1) Smoking in a posted “No Smoking” area or defacing or removing a “No Smoking” sign, or failing to post warning signs as set forth in section 5(a) shall be assessed a civil fine of no less than \$10 nor more than \$50 for the 1st violation; and no less than \$50 nor more than \$100 for each 2nd or subsequent violation; or

“(2) Obscuring, removing, defacing, mutilating, or destroying a sign posted in accordance with the provisions of this act shall be assessed a civil fine of no more than \$300; or

“(3) Failing to post or cause to be posted or to maintain “No Smoking” signs and by failing to warn a smoker observed to be smoking in violation of this act to stop smoking, as required by this act, shall be assessed a civil fine of no more than \$300. Each and every day that the violation continues shall constitute a separate violation, and the civil penalties provided for in this paragraph shall be applicable to each separate offense; provided, that such civil penalties shall not be levied against an employee or officer of a branch, agency, or instrumentality of the District government.”

Sec. 3. Section 702.1 of Title 19 of the District of Columbia Municipal Regulations (19 DCMR § 702.1), is amended to read as follows:

“702.1 The smoking of tobacco is prohibited in a playground or public recreational facility, as

ENROLLED ORIGINAL

those terms are defined in section 3(4A) and (4B) of the District of Columbia Smoking Restriction Act of 1979, effective September 28, 1979 (D.C. Law 3-22; D.C. Official Code § 7-1702(4A) and (4B)).”.

Sec. 4. Applicability.

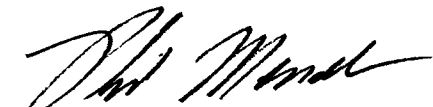
This act shall apply upon the inclusion of its fiscal effect in an approved budget and financial plan, as certified by the Chief Financial Officer to the Budget Director of the Council in a certification published by the Council in the District of Columbia Register.

Sec. 5. Fiscal impact statement.

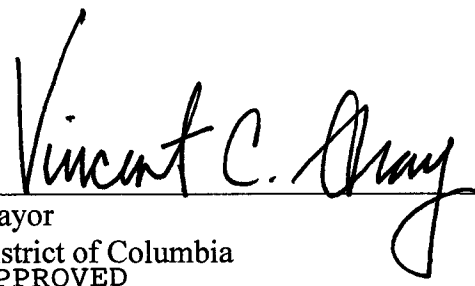
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 6. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
October 17, 2013

ENROLLED ORIGINAL

AN ACT

D.C. ACT 20-188

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

OCTOBER 17, 2013

To amend the District of Columbia Traffic Act, 1925, to require an applicant for a motor vehicle operator's permit to demonstrate knowledge of safely sharing roadways with pedestrians and bicyclists, and to allow bicyclists to use pedestrian traffic control devices to cross an intersection unless otherwise indicated; to amend the Fiscal Year 1997 Budget Support Act of 1996 to require that public space permit holders blocking a sidewalk, bicycle lane, or other pedestrian or bicycle path provide a safe accommodation for pedestrians and bicyclists; and to amend Title 18 of the District of Columbia Municipal Regulations to establish driving record points and civil fines for failure to yield the right-of-way to a bicycle and colliding with a bicycle, to modify the requirement for bicycles to have an audible warning device, and to remove restrictions on where a warning device may be used.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Bicycle Safety Amendment Act of 2013".

Sec. 2. The District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1119; codified in scattered cites of the D.C. Official Code), is amended as follows:

(a) Section 7(a)(1)(B)(i) (D.C. Official Code § 50-1401.01(a)(1)(B)(i)) is amended by striking the phrase "of the District;" and inserting the phrase "and regulations for safely sharing roadways with pedestrians and bicyclists in the District;" in its place.

(b) A new section 9d (D.C. Official Code § 50-2201.04d) is added to read as follows:

"Sec. 9d. Bicyclists' use of leading pedestrian intervals.

"(a) A bicyclist may cross at an intersection while following the pedestrian traffic control signal for the bicyclist's direction of travel unless otherwise directed by traffic signs or traffic control devices.

"(b) A bicyclist may cross an intersection where a leading pedestrian interval is used."

Sec. 3. The Fiscal Year 1997 Budget Support Act of 1996, effective April 9, 1997 (D.C. Law 11-198; codified in scattered cites of the D.C. Official Code), is amended as follows:

(a) Section 603 (D.C. Official Code § 10-1141.03) is amended by adding a new subsection (f) to read as follows:

ENROLLED ORIGINAL

“(f) The Mayor shall require permittees blocking a sidewalk, bicycle lane, or other pedestrian or bicycle path to provide a safe accommodation for pedestrians and bicyclists.”

(b) Section 604 (D.C. Official Code § 10-1141.04) is amended as follows:

(1) Paragraph (4) is amended by striking the phrase “; and” and inserting a semicolon in its place.

(2) Paragraph (5) is amended by striking the period and inserting a semicolon in its place.

(3) New paragraphs (6), (7), and (8) are added to read as follows:

“(6) Treat the blockage of a sidewalk, bicycle lane, or other pedestrian or bicycle path the same as the closure of a lane of traffic, and in these cases apply similar regulations as that of a closure of a lane of traffic for each permit issued under section 603;

“(7) Define “safe accommodation,” as it appears in paragraph (8) of this section and in section 603, in consultation with the Bicycle Advisory Council and the Pedestrian Advisory Council, which definition shall apply to all permittees and shall ensure the safe and expedient passage of pedestrians and bicyclists; and

“(8) Require permittees to submit for approval by the Mayor a traffic management plan that addresses safe accommodation for pedestrians and bicyclists before the issuance of a permit by the Mayor under section 603.”

Sec. 4. Title 18 of the District of Columbia Municipal Regulations (18 DCMR) is amended as follows:

(a) Section 303.2 (18 DCMR § 303.2) is amended by adding to the table new infractions (dd) and (ee) to read as follows:

“(dd) Failing to yield right-of-way to a person operating a bicycle 3 points

“(ee) Colliding with a person operating a bicycle in the process of failing to yield right-of-way 6 points”

(b) Section 1204.5 (18 DCMR § 1204.5) is amended to read as follows:

“1204.5 A bicyclist riding within the District must be capable of making a warning noise, either with a bell or mechanical device, or with his or her voice, audible for a distance of at least one hundred feet (100 ft.).”

(c) Section 1204.7 (18 DCMR § 1204.7) is repealed.

(d) Section 2600.1 (18 DCMR § 2600.1) is amended as follows:

(1) A new infraction is added to the table under the caption “Colliding” to read as follows:

“With a person operating a bicycle (§ 2200.4) 500.00”

(2) A new infraction is added to the table under the caption “Right-of-way” to read as follows:

“Failure to yield right-of-way to a person operating a bicycle (§§ 2207, 2208) 75.00”

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Sec. 5. Fiscal impact statement.

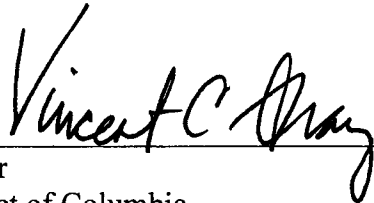
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 6. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
October 17, 2013

ENGROLLED ORIGINAL

AN ACT

D.C. ACT 20-189

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

OCTOBER 17, 2013

To amend Chapter 28 of Title 47 of the District of Columbia Official Code to enable the Mayor to suspend or revoke the business licenses of any business engaged in the buying or selling of stolen items; to amend section 16-1001.04 of the District of Columbia Municipal Regulations to include, in the account of each transaction by a junk dealer or secondhand dealer, information regarding the title of the good transacted; and to amend Chapter 8 of Title 16 of the District of Columbia Official Code to establish the burden of proof for sealing arrest records in certain cases.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Personal Property Robbery Prevention Amendment Act of 2013".

Sec. 2. Chapter 28 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) Section 47-2837(d) is repealed.

(b) Section 47-2844 is amended as follows:

(1) Subsection (a) is amended by striking the phrase "The Council of the District of Columbia is" and inserting the phrase "The Council of the District of Columbia and Mayor are" in its place.

(2) New subsections (a-2) and (a-3) are added to read as follows:

"(a-2)(1) In addition to the provisions of subsection (a-1) of this section, the Mayor, notwithstanding § 2-1801.04(a)(1)), may take the following actions against any licensee, or agent or employee of a licensee, that, with or without the appropriate license required under this chapter, engages in the purchase, sale, exchange, or any other form of commercial transaction involving used goods or merchandise that are knowingly stolen:

"(A) The Mayor, for the first violation of this subsection:

"(i) Shall issue a fine in the amount of \$2,500; and

"(ii) May seal the licensee's premises for up to 96

hours without a prior hearing.

"(B) The Mayor, for the second violation of this subsection:

"(i) Shall issue a fine in the amount of \$5,000;

ENGROLLED ORIGINAL

“(ii) May seal the licensee’s premises for up to 96 hours without a prior hearing; and

“(iii)(I) Shall, within 30 days of the issuance of a fine, require the licensee to submit a remediation plan approved by the Mayor, in consultation with the Chief of Police, that contains the licensee’s plan to prevent any future recurrence of purchasing, selling, exchanging, or otherwise transacting stolen goods and acknowledgement that a subsequent occurrence of engaging in prohibited activities may result in the revocation of all licenses issued to the licensee pursuant to this chapter.

(II) If the licensee fails to submit a remediation plan in accordance with this sub-subparagraph, or if the Mayor rejects the licensee’s remediation plan, the Mayor shall provide written notice to the licensee of the Mayor’s intent to suspend all licenses issued to the licensee pursuant to this chapter for an additional 30 days.

“(C) The Mayor, for the third violation of this subsection:

(i) Shall issue a fine in the amount of \$10,000;

(ii) May seal the licensee’s premises for up to 96 hours without a prior hearing; and

(iii) Shall provide written notice to the licensee of the Mayor’s intent to permanently revoke all licenses issued to the licensee pursuant to this chapter.

“(2)(A) A violation of this subsection shall be a civil infraction for purposes of Chapter 18 of Title 2. Civil fines, penalties, and fees may be imposed as sanctions for any infraction of the provisions of this subsection, or the rules issued under authority of this subsection, pursuant to Chapter 18 of Title 2.

“(B) Adjudication of any infraction of this subsection shall be pursuant to Chapter 18 of Title 2.

“(C) Summary action taken pursuant to this subsection shall be pursuant to subchapter 1 of Chapter 18 of Title 2.

“(3) In addition to other remedies provided by law, the Office of the Attorney General for the District of Columbia may commence an action in the Civil Branch of the Superior Court of the District of Columbia to compel compliance, abate, enjoin, or prevent violations of this subsection. Plaintiff need not prove irreparable injury or harm to obtain a preliminary or temporary injunction.”

“(a-3)(1) The term “knowingly” includes:

“(A) For the purposes of subsections (a-1) and (a-2) of this section, actual notice of a specific violation set forth in subsection (a-1) or (a-2) of this section to the licensee, or agent or employee of the licensee, issued by a District agency notifying the licensee, or agent or employee of the licensee, of the same or similar violation occurring on the licensee’s premises; or

“(B) For the purposes of subsection (a-2) of this section, constructive notice to the licensee, or agent or employee of the licensee, resulting from the failure of the licensee, or agent or employee of the licensee, to ascertain the ownership of the used goods or merchandise.

ENGROLLED ORIGINAL

“(2) For the purposes of this subsection, actual or constructive notice to the agent or employee of the licensee constitutes notice to the licensee.”

(3) Subsection (b) is amended by striking the phrase “the Council” and inserting the phrase “the Mayor” in its place.

Sec. 3. Section 16-1001.04(f) of the District of Columbia Municipal Regulations is amended by striking the phrase “purchase or receipt.” and inserting the phrase “purchase or receipt, including the title of the goods, article, or other thing purchased or received.” in its place.

Sec. 4. Chapter 8 of Title 16 of the District of Columbia Official Code is amended as follows:

(a) Section 16-803(i)(1) is amended to read as follows:

“(i)(1) In a motion filed under subsection (a), (c-1), or (c-2) of this section, the burden shall be on the prosecutor to establish by a preponderance of the evidence that it is not in the interests of justice to grant relief.”

(b) Section 16-803.01(b)(2) is amended to read as follows:

“(2)(A) In all other cases under this section, the Superior Court may grant a motion to seal if it is in the interest of justice to do so. In making this determination, the court shall consider:

“(i) The interests of the movant in sealing the publicly available records of his or her arrest and related court proceedings;

“(ii) The community’s interest in retaining access to those records;

“(iii) The community’s interest in furthering the movant’s rehabilitation and enhancing the movant’s employability; and

“(iv) Any other information it considers relevant.

“(B) The burden shall be on the movant to establish by a preponderance of the evidence that it is in the interest of justice to grant relief.”

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. Effective date.

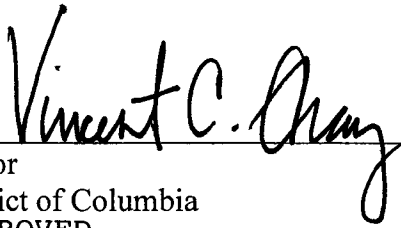
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

ENGROLLED ORIGINAL

24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
October 17, 2013

ENROLLED ORIGINAL

AN ACT

D.C. ACT 20-190

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

OCTOBER 17, 2013

To amend the Senior Citizen Motor Vehicle Accident Prevention Course Certification Act of 1983 to offer an online course to eligible drivers, reduce the required hours for the classroom course, and lower the age of eligibility for the course from 55 to 50 years of age; and to amend section 18-911 of the District of Columbia Municipal Regulations to make corresponding changes.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Older Adult Driver Safety Amendment Act of 2013".

Sec. 2. The Senior Citizen Motor Vehicle Accident Prevention Course Certification Act of 1983, effective February 9, 1984 (D.C. Law 5-46; D.C. Official Code § 50-2001 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 50-2001) is amended by striking the phrase "55 years of age" wherever it appears and inserting the phrase "50 years of age" in its place.

(b) Sections 3 and 4 (D.C. Official Code § 50-2002) are amended as follows:

(1) Subsection (a) is amended by striking the phrase "55 years of age" and inserting the phrase "50 years of age" in its place.

(2) Subsection (b) is amended to read as follows:

"(b) An approved classroom course shall require that each student receives a minimum of 6 hours of instruction for the initial course and 4 hours of instruction for the renewal courses."

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

"(b-1) An approved online course shall require that each student receives validation of instruction that is equal to or greater than that offered in a classroom course."

(c) Sections 5 and 6 (D.C. Official Code § 50-2003) are amended by striking the phrase "55 years of age" wherever it appears and inserting the phrase "50 years of age" in its place.

Sec. 3. Section 911 of Title 18 of the District of Columbia Municipal Regulations (18 DCMR § 911) is amended as follows:

(a) Subsection 911.9 (18 DCMR § 911.9) is amended to read as follows:

"911.9 An approved classroom course shall require that each student receives a minimum of six (6) hours of instruction for the initial course and four (4) hours of instruction for the renewal courses."

ENROLLED ORIGINAL

(b) Subsection 911.10(e) (18 DCMR § 911.10(e)) is amended by striking the phrase “fifty-five (55)” and inserting the phrase “fifty (50)” in its place.

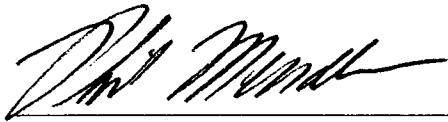
(c) Subsection 911.14(f) (18 DCMR § 911.14(f)) is amended by striking the phrase “fifty-five (55)” and inserting the phrase “fifty (50)” in its place.

Sec. 4. Fiscal impact statement.

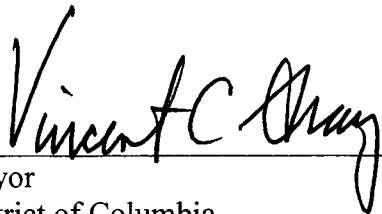
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
October 17, 2013

ENROLLED ORIGINAL

AN ACT

D.C. ACT 20-191IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
OCTOBER 17, 2013

To amend the District of Columbia Traffic Act, 1925, to authorize the issuance of operator's permits and identification cards designating veteran status to applicants who submit appropriate documentation to the Department of Motor Vehicles.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Veteran Status Driver's License Designation Amendment Act of 2013".

Sec. 2. The District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1119; codified in scattered cites of the D.C. Official Code), is amended as follows:

(a) Section 7(b) (D.C. Official Code § 50-1401.01(b)) is amended by adding a new paragraph (3) to read as follows:

"(3) An applicant for an operator's permit who served on active duty in the Armed Forces of the United States and was discharged under conditions other than dishonorable may submit to the Department of Motor Vehicles, along with any other documentation required by this act, a DD Form 214, a WD AGO form, or a DD256 form certifying the applicant's veteran status. Upon receipt of this documentation, the Department of Motor Vehicles shall display the word "veteran" in capital letters on the applicant's operator's permit."

(b) Section 8a(a) (D.C. Official Code § 50-1401.03(a)) is amended as follows:

(1) Designate the existing language as paragraph (1).

(2) A new paragraph (2) is added to read as follows:

"(2) An applicant for an identification card who served on active duty in the Armed Forces of the United States and was discharged under conditions other than dishonorable may submit to the Department of Motor Vehicles, along with any other documentation required by this act, a DD Form 214, a WD AGO form, or a DD256 form certifying the applicant's veteran status. Upon receipt of this documentation, the Department of Motor Vehicles shall display the word "veteran" in capital letters on the applicant's identification card."

Sec. 3. Applicability.

This act shall apply as of October 1, 2013.

ENROLLED ORIGINAL

Sec. 4. Fiscal impact statement.

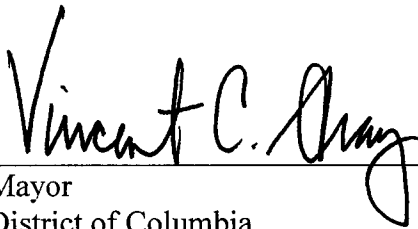
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
October 17, 2013

ENROLLED ORIGINAL

AN ACT

D.C. ACT 20-192

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

OCTOBER 17, 2013

To amend Chapter 13 of Title 18 of the District of Columbia Municipal regulations to establish a waiting period before the commercial driver's license knowledge test may be re-taken, to shorten the waiting period before the commercial driver's license skills test may be retaken, and to increase the number of times per year that the commercial driver's license skills test may be taken.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Commercial Driver's License Tests Amendment Act of 2013".

Sec. 2. Chapter 13 of Title 18 of the District of Columbia Municipal Regulations (18 DCMR § 1300 *et seq.*) is amended as follows:

(a) A new subsection 1315.4a is added to read as follows:

"1315.4a An applicant must wait 72 hours after failing a commercial driver's license knowledge test before re-taking the test."

(b) Subsection 1316.4 (18 DCMR § 1316.4) is amended to read as follows:

"1316.4 An applicant must wait 72 hours after failing a commercial driver's license skills test before re-taking the test."

(c) Subsection 1316.5 (18 DCMR § 1316.5) is amended by striking the phrase "four (4)" and inserting the phrase "six (6)" in its place.

Sec. 3. Fiscal impact statement.

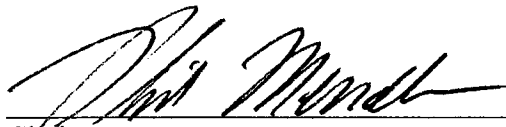
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

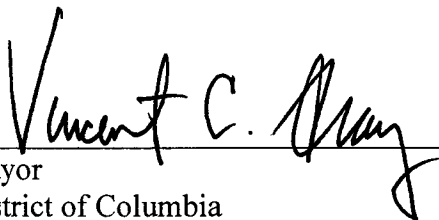
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

ENROLLED ORIGINAL

24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
October 17, 2013

ENROLLED ORIGINAL

AN ACT
D.C. ACT 20-193

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
OCTOBER 17, 2013

To require, on a temporary basis, the Office of the Chief Financial Officer to review all residential real property tax liens sold between September 1, 2003, and September 1, 2013, to consider whether any real property foreclosed upon after a tax lien of less than \$2,500 was sold was the result of excusable neglect or other equitable circumstances warranting relief, to identify what type of relief would provide substantial justice to individuals whose properties were improperly sold, and to submit a report on these matters to the Council by January 31, 2014.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Tax Lien Compensation and Relief Reporting Temporary Act of 2013".

Sec. 2. Review of residential tax lien sales.

The Office of the Chief Financial Officer, Office of Integrity and Oversight shall:

- (1) Conduct a broad review of all residential real property tax liens sold by the Office of the Chief Financial Officer between September 1, 2003, and September 1, 2013;
- (2) Conduct a specific, detailed review of all cases between September 1, 2003 and September 1, 2013 in which residential real properties were foreclosed upon after a tax lien of less than \$2,500 was sold to determine if there is excusable neglect or other equitable circumstances warranting relief;
- (3) Submit a report to the Council on or before January 31, 2014, containing:
 - (A) A list of all residential real property tax liens sold between September 1, 2003 and September 1, 2013, including the following for each:
 - (i) The address and Ward;
 - (ii) An indication as to whether the owner at the time of the sale, if known, was aged 60 years or older, a veteran, or a person with disabilities;
 - (iii) The amount of the underlying unpaid tax, plus any penalties and interest;
 - (iv) The amount of any attorney's fees or costs, if known; and
 - (v) An indication as to whether the property was ultimately foreclosed or redeemed;

ENROLLED ORIGINAL

- (B) A summary of each case reviewed under paragraph (2) of this section, including:
- (i) A recommendation as to whether the former homeowner should be granted relief;
 - (ii) If relief is recommended, the equitable remedy that would provide substantial justice; and
 - (iii) A plan for providing the recommended relief.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director 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. 4. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.

Chairman
Council of the District of Columbia

Mayor
District of Columbia
APPROVED
October 17, 2013

ENROLLED ORIGINAL

AN ACT

D.C. ACT 20-194

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

OCTOBER 17, 2013

To amend, on a temporary basis, Chapter 13 of Title 47 of the District of Columbia Official Code to cancel any tax sale that occurred for the July 2013 tax sale of a resident's real property who is a senior citizen, veteran, or disabled individual, to establish a \$2,000 threshold of taxes owed for any real property to go to a tax sale, to require the District to pay the owner of record before the tax sale any amount received by the District at the tax sale in excess of the amount of taxes due to the District, and to cap attorney fees at \$1,500.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "District Real Property Tax Sale Temporary Act of 2013".

Sec. 2. Chapter 13 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) Section 47-1332(a) is amended to read as follows:

"(a) The Mayor shall sell all real property on which the tax is in arrears unless otherwise provided by law; provided, that:

"(1) For the July 2013 tax sale only, no real property that is owned by a resident who is a veteran of the United States Armed Forces, including of the United States Merchant Marine in time of war, or is receiving a deduction pursuant to § 47-863 shall be offered for sale and any such sale that has been offered shall be cancelled; and

"(2) Upon the effective date of the District Real Property Tax Sale Emergency Act of 2013, passed on emergency basis on September 17, 2013 (Enrolled version of Bill 20-449), no real property shall be offered for sale for taxes if the amount of taxes owed to the District is less than \$2,000."

(b) A new section 47-1347.01 is added to read as follows:

"§ 47-1347.01. Reimbursement to prior owner.

"Beginning December 31, 2013, and applicable to tax sales for which no order has yet become final, concurrent with the final order of foreclosure by the Superior Court, the District shall pay to the owner of record before the tax sale (if the property was the primary residence of the record owner) the surplus, as defined in § 47-1330(7), paid by the purchaser at the tax sale related to the final order. In such instance, the purchaser shall not be refunded or credited the surplus paid, notwithstanding any other provision of law to the contrary."

(c) Section 47-1377(a)(2) is amended as follows:

ENROLLED ORIGINAL

(1) Designate the existing text as subparagraph (A).

(2) A new subparagraph (B) is added to read as follows:

“(B) Beginning July 1, 2013, reasonable attorneys’ fees shall be a maximum of \$1,500.”.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer 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. 4. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.

Chairman
Council of the District of Columbia

Mayor
District of Columbia
APPROVED
October 17, 2013

ENROLLED ORIGINAL

AN ACT
D.C. ACT 20-195

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

OCTOBER 17, 2013

To amend, on a temporary basis, the Homeless Services Reform Act of 2005 to clarify the priority to be given to homeless families for tenant-based housing assistance; to amend section 47-4701 of the District of Columbia Official Code to improve the administrability of the tax abatement financial analysis process; to amend the District of Columbia Public Assistance Act of 1982 to provide the Mayor with authority to establish the review and redetermination schedule for persons receiving POWER benefits; and to amend section 47-2005 of the District of Columbia Official Code to clarify the scope of the processing exemption from the sales tax.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Fiscal Year 2014 Budget Support Technical Clarification Temporary Amendment Act of 2013".

Sec. 2. The Homeless Services Reform Act of 2005, effective October 22, 2005 (D.C. Law 16-35; D.C. Official Code § 4-751.01 *et seq.*), is amended by adding a new section 8c to read as follows:

"Sec. 8c. Placement of first-priority homeless families.

"(a) When funds which have been allocated for tenant-based assistance under section 26c of the District of Columbia Housing Authority Act of 1999, effective March 2, 2007 (D.C. Law 16-192; D.C. Official Code § 6-228), are made available because a family which has been receiving tenant-based assistance no longer requires or has become ineligible for the assistance, the Mayor and the District of Columbia Housing Authority shall use those funds to provide tenant-based assistance to homeless families referred by the Department of Human Services and determined to have first priority to shelter pursuant to 29 DCMR § 2508.01(a)(1). The referrals shall be made in accordance with the special eligibility criteria set forth in 29 DCMR § 2556 through 29 DCMR § 2558.

"(b) Funding for tenant-based assistance which has been made available due to reasons other than the circumstances described in subsection (a) of this section shall not be subject to the requirements of subsection (a) of this section. "

ENROLLED ORIGINAL

Sec. 3. Section 47-4701(b) of the District of Columbia Official Code is amended as follows:

(a) Paragraph (1)(F) is amended as follows:

(1) Sub-subparagraph (ii) is amended by adding the word "and" at the end.

(2) Sub-subparagraph (iii) is amended to read as follows:

"(iii) For exemptions or abatements related to a person or small group of persons that can be readily identified, a review and analysis of the financial condition of the recipient of the proposed exemption or abatement and an advisory opinion stating whether or not it is likely that the recipient could be reasonably expected to meet its fiscal needs without the proposed exemption or abatement. If individual financial information is not available, the requirements of this sub-subparagraph may be met through an advisory opinion on whether the proposed exemption or abatement can reasonably be expected to meet the proposed public policy goal."

(3) Sub-subparagraph (iv) is repealed.

(b) Paragraph (2)(A) is amended by striking the phrase "for a bill that grants an exemption or abatement to a housing development" and inserting the phrase "where applicable" in its place.

Sec. 4. Section 572a(b) of the District of Columbia Public Assistance Act of 1982, effective April 6, 1982 (D.C. Law 4-101; D.C. Official Code § 4-205.72a(b)), is amended by striking the phrase "shall be subject to annual review and redetermination" and inserting the phrase "shall be subject to review and redetermination by the Mayor" in its place.

Sec. 5. Section 47-2005(11) of the District of Columbia Official Code is amended by striking the phrase "refining;" and inserting the phrase "refining of tangible personal property for sale or resale;" in its place.

Sec. 6. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer 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)).

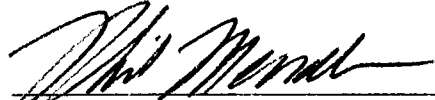
Sec. 7. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

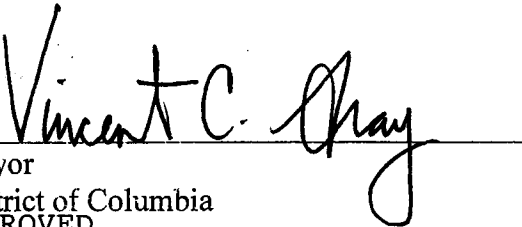
ENROLLED ORIGINAL

24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
October 17, 2013

ENROLLED ORIGINAL

AN ACT

D.C. ACT 20-196

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

OCTOBER 17, 2013

To amend, on a temporary basis, the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011 to remove the requirement that Advisory Neighborhood Commissioners file a confidential disclosure of financial interest requirement, and to require that an Advisory Neighborhood Commissioner certify that the commissioner has filed and paid income and property taxes, diligently safeguarded the assets of the taxpayers, reported known illegal activity, not been offered or accepted a bribe, not directly or indirectly received government funds through improper means, not raised or received funds in violation of federal or district law, and not received or been given anything of value based on any understanding that the commissioner's official actions or judgment or vote would be influenced.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Temporary Amendment Act of 2013".

Sec. 2. Section 225 of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code §1-1162.25), is amended as follows:

(a) Subsection (a) is amended by striking the phrase "Advisory Neighborhood Commissioners and members of the Washington Metropolitan Area Transit Authority Board of Directors" and inserting the phrase "Members of the Washington Metropolitan Area Transit Authority Board of Directors" in its place.

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

"(a-1)(1) An Advisory Neighborhood Commissioner who, as of September 15, 2013, has not filed a report for calendar year 2012 required by this section shall not be required to do so.

"(2) Effective January 1, 2014, an Advisory Neighborhood Commissioner in office for at least 30 days shall be required to file a certification required by section 224(a)(1)(G) for the preceding year. The certification required by this section shall be due May 15th of each year and shall be filed publicly with the Ethics Board."

ENROLLED ORIGINAL

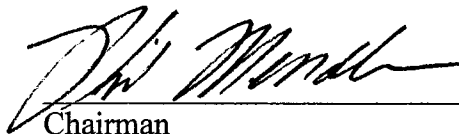
Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director 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)).

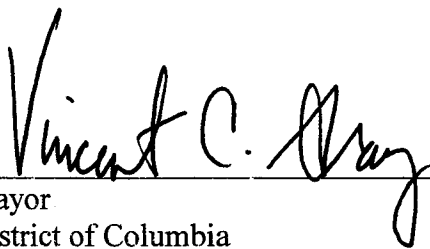
Sec. 4. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
October 17, 2013

ENROLLED ORIGINAL

AN ACT

D.C. ACT 20-197

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

OCTOBER 17, 2013

To amend, on a temporary basis, the Performance Parking Pilot Zone Act of 2008 to prohibit the issuance of citations to a vehicle displaying a visitor parking permit valid as of September 30, 2013, if the vehicle displaying the permit is parked legally and in the designated zone, to maintain current operating procedures by requiring the Mayor, 30 days before the expiration of visitor parking permits, to automatically, on an annual basis, mail replacement visitor parking permits to residences that were issued permits before September 30, 2013, irrespective of whether a request has been made for a permit and at no cost to the recipients, and to prohibit the issuance of a visitor parking permit to a residence that was ineligible to receive a visitor parking permit as of September 15, 2013.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Visitor Parking Pass Preservation Temporary Amendment Act of 2013".

Sec. 2. The Performance Parking Pilot Zone Act of 2008, effective November 25, 2008 (D.C. Law 17-279; D.C. Official Code § 50-2531 *et seq.*), is amended by adding new sections 9, 10, and 11 to read as follows:

"Sec. 9. No citation shall be issued to a vehicle displaying a visitor parking permit that has been distributed pursuant to this act or in connection with a residential permit parking sticker, as defined in section 9901 of Title 18 of the District of Columbia Municipal Regulations (18 DCMR § 9901); provided, that the visitor parking permit is valid as of September 30, 2013, and the vehicle displaying the permit is in the designated zone and parked legally.

"Sec. 10. Each year, 30 days before the expiration of visitor parking permits, the Mayor shall automatically mail replacement visitor parking permits to residences that were issued permits before September 30, 2013, irrespective of whether a request has been made for a permit and at no cost to the recipients.

"Sec. 11. A visitor parking permit shall not be issued to a residence that was ineligible to receive a visitor parking permit as of September 15, 2013."

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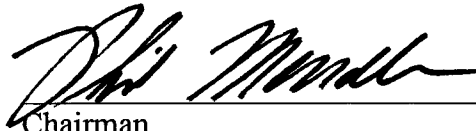
Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director 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)).

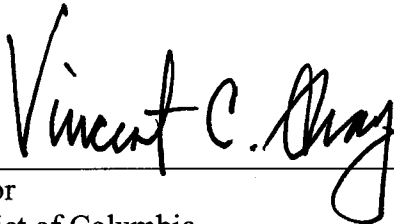
Sec. 4. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
October 17, 2013

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

20-92

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 17, 2013

To recognize the Washington Kastles for their historic 34-game winning streak, the 34th win recorded on July 9, 2013, and for setting a national record among professional sports teams for most consecutive wins.

WHEREAS, in 2008, Mark D. Ein founded the Washington Kastles, and remains the owner today;

WHEREAS, the Washington Kastles played their first match in downtown District of Columbia on July 8, 2008, and finished their inaugural season with a 6-8 overall record;

WHEREAS, in 2009, the Kastles won their first World TeamTennis (“WTT”) Championship;

WHEREAS, in 2011, the Kastles won all 16 of their matches, including the WTT Finals, to become the first team in the 36-year history of the league to complete a perfect season;

WHEREAS, in 2011, the Kastles Stadium at The Wharf was built in Southwest, D.C., and serves as the home stadium for the Washington Kastles;

WHEREAS, in 2012, the Kastles completed an unprecedented second straight undefeated season, winning their third WTT title and increasing their unbeaten run to 32 matches; and

WHEREAS, on Tuesday, July 9, 2013, the Washington Kastles won their 34th consecutive match, defeating the Boston Lobsters 25-12, breaking the pro team sports record of 33 wins in a row by the 1971-72 Los Angeles Lakers, and setting the longest winning streak in major U.S. pro sports history.

ENROLLED ORIGINAL

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Washington Kastles 34-Game Winning Streak Recognition Resolution of 2013”.

Sec. 2. The Council of the District of Columbia recognizes and honors the Washington Kastles and their contribution to sports and 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

20-93

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 17, 2013

To recognize Tony Thompson, 2-time Boxing World Title Challenger, for his commitment to and leadership in the local boxing community.

WHEREAS, the future of boxing in the Washington, D.C. metropolitan area is on the rise;

WHEREAS, professional boxing is a resource that has gone untapped in the local business community;

WHEREAS, a Boxing Extravaganza will take place on October 4, 2013, at the DC Armory;

WHEREAS, participation in this Boxing Extravaganza event not only focuses attention on an important boxing history, but also recognizes the industry as the region’s fastest-growing sport;

WHEREAS, the Boxing Information Center, in association with Babie Girl Production, is to be commended for its unselfish work with providing the community with a professional boxing resource; and

WHEREAS, Tony Thompson, 2-time world title challenger, has dedicated his boxing experience and service to help the community by showing youth how boxing can help them channel energy into a positive and constructive venue.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COMMUNITY, That this resolution may be cited as the “Tony Thompson Recognition Resolution of 2013”.

Sec. 2. The Council of the District of Columbia recognizes and congratulates Tony Thompson as the 2-time Boxing World Title Challenger and community icon.

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

20-94

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 17, 2013

To honor and acknowledge former President Jimmy Carter for his comments on the lack of full citizenship rights for the people of the District of Columbia spoken at the 50th Anniversary of the Civil Rights March on Washington, in August 2013.

WHEREAS, former President Jimmy Carter, the first President since the Civil War from the Deep South, from the heart of the Old Confederacy, owes his ascent to the success of the Civil Rights Movement and declared in his inaugural address as Governor of Georgia that “the time for racial discrimination is over”;

WHEREAS, former President Jimmy Carter joined members of the King family, President Barack Obama, and many others at the 50th Anniversary of the Civil Rights March on Washington ceremony on the steps of the Lincoln Memorial, where the Reverend Martin Luther King delivered his famous “I Have a Dream” speech;

WHEREAS, during his remarks at the 50th Anniversary of the Civil Rights March on Washington, former President Jimmy Carter spoke against a recent Supreme Court decision that erased a key anti-discrimination provision of the Voting Rights Act and mourned a nation flooded with guns and the more than 835,000 African-American men in prison;

WHEREAS, in his remarks, former President Jimmy Carter also expressed that he believed he knew how Dr. King would have reacted to several injustices, including full citizenship rights denied to the people of the District of Columbia; and

WHEREAS, former President Jimmy Carter spoke on “the tremendous agenda ahead of us” and expressed gratitude to Martin Luther King, Jr., that his dream is still alive.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Former President Jimmy Carter Recognition Resolution of 2013”.

ENROLLED ORIGINAL

Sec. 2. The Council of the District of Columbia honors and expresses its gratitude to former President Jimmy Carter for mentioning the need for full citizenship rights for the people of 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

20-95

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 17, 2013

To recognize and honor Duke Ellington School of the Arts for its many contributions to the citizens and the city of Washington, D.C., to congratulate it on 40 years of Making a Difference, and to declare October 10, 2013, as “Duke Ellington School of the Arts Day” in the District of Columbia.

WHEREAS, Duke Ellington School of the Arts was established in 1974 and remains the only District of Columbia public high school to offer a dual curriculum encompassing professional arts training and academic enrichment, in preparation for college and careers in the arts;

WHEREAS, Duke Ellington School of the Arts was founded by Peggy Cooper Cafritz, philanthropist and art collector, and the late dancer and choreographer Mike Malone to house the creative soul of the District of Columbia and to reflect the rich cultural diversity of the United States;

WHEREAS, from the beginning, public and private partnerships have supported the school, which in 2000 evolved into the Duke Ellington School of the Arts Project (DESAP), which includes District of Columbia Public Schools, the Ellington Fund, the John F Kennedy Center for Performing Arts, and George Washington University;

WHEREAS, Duke Ellington School of the Arts’ mission is to nurture and inspire passion for the arts and learning in talented students who might not otherwise have an opportunity to develop their artistic skills; and

WHEREAS, by being offered an intensive arts-based program, students are prepared for post-secondary education or careers in the arts and are prepared to become productive citizens in our global society through a strong focus on community service.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Duke Ellington School of the Arts 40th Anniversary Recognition Resolution of 2013”.

ENROLLED ORIGINAL

Sec. 2. The Council of the District of Columbia recognizes and honors Duke Ellington School of the Arts for its many contributions to the District of Columbia, congratulates it on 40 years of Making a Difference, and declares October 10, 2013, as “Duke Ellington School of the Arts 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

20-96

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 17, 2013

To honor The Kingsbury Center on the occasion of its 75th anniversary.

WHEREAS, The Kingsbury Center was established in 1938 by educator Marion Kingsbury and is the oldest nonprofit educational organization addressing the needs of children and adults with learning disabilities and differences in the District of Columbia area;

WHEREAS, The Kingsbury Center serves nearly 1,000 children, adults, and families through its pre-K to 12th grade school, tutoring, diagnostic testing, and psychological services;

WHEREAS, The Kingsbury Center was named in 2009 as Washington, D.C.'s first America's Promise Place by America's Promise Alliance, founded by General Colin Powell and Alma Powell;

WHEREAS, since the high school's founding, The Kingsbury Center graduates have been accepted to 89 unique colleges and universities located throughout the United States; and

WHEREAS, during its 75-year history, The Kingsbury Center has helped transform the lives of over 10,000 children and adults so they can reach their full potential.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "The Kingsbury Center 75th Recognition Resolution of 2013".

Sec. 2. The Council of the District of Columbia salutes and congratulates The Kingsbury Center on the occasion of 75 inspired years of service to individuals with learning differences, enriching their lives and equipping them to lead full 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

20-97

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 17, 2013

To recognize the fine contributions to the people of the District of Columbia by Ms. Marie over the years and to declare August 31, 2013, as “Ms. Marie Day” in the District of Columbia.

WHEREAS, Ms. Marie has been married to a certain Mr. Jimmy for over 20 years and, as a couple, they have worked as a dynamic duo to help those in recovery;

WHEREAS, Ms. Marie has personally helped hundreds of people and has contributed to the successful restart of those that entered the program;

WHEREAS, she is remembered saying, “hurt [blank blank] hurt”, and known by many and speaks directly to her level of passion and personal commitment to helping those on the journey;

WHEREAS, Ms. Marie is an awesome example for all women of The POWER, and her steadfast commitment to sobriety is truly admirable and well respected;

WHEREAS, she is extremely resourceful, kind, compassionate, inspiring, elegant, and aging gracefully, and her love shown to others is invaluable; and

WHEREAS, on August 31, 2013, Ms. Marie celebrated 30 years of uninterrupted sobriety.

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

Sec. 2. The Council of the District of Columbia recognizes and honors Ms. Marie for her unyielding service and care to residents of the District of Columbia, especially Clean and Sober Streets Organization, and hereby declares August 31, 2013, as “Ms. Marie 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

20-98

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 17, 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 virtue of having immigrated 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, she has touched the lives of hundreds, and has 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".

ENROLLED ORIGINAL

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.

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

20-99

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 17, 2013

To declare October 2013 as “Physical Therapy Month” in the District of Columbia.

WHEREAS, the District of Columbia encourages options for an active and healthy lifestyle;

WHEREAS, the Board of Physical Therapy speaks for the best interests of the public in recommending physical therapy by a licensed physical therapist to achieve physical fitness;

WHEREAS, through a national effort, the District of Columbia Board of Physical Therapy, the District of Columbia Chapter of the American Physical Therapy Association, and all District licensees are encouraged to join together to raise awareness of the importance of preventive health during the month of October;

WHEREAS, on October 5, 2013, the District of Columbia Board of Physical Therapy, in collaboration with the District of Columbia Chapter of the American Physical Therapy Association, will conduct a full-day forum addressing the recent Medicare requirements for reporting patients’ functional limitations; and

WHEREAS, this effort will bring awareness to our community and around the country of healthier and more active lifestyles.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as “Physical Therapy Month Recognition Resolution of 2013”.

Sec. 2. The Council of the District of Columbia recognizes the importance of physical therapy awareness and declares October 2013 as “Physical Therapy Month” 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

20-100

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 17, 2013

To declare September 20, 2013, as “Chiropractic Regulation Day” in the District of Columbia.

WHEREAS, the District of Columbia Board of Chiropractic is hosting the international meeting of chiropractic regulatory agencies through the Federation of Chiropractic Licensing Boards to promote excellence in chiropractic licensing and regulation to better protect the public’s health, safety, and welfare;

WHEREAS, musculoskeletal conditions rank second only to mental and behavioral health diseases as the biggest contributors to the world’s health burden, and this burden intensifies as people live longer;

WHEREAS, the public benefits from care provided by chiropractic professionals who are qualified to properly examine, diagnose, treat, manage, co-manage, and refer to meet those needs, and the public has the right to be protected from patient abuse;

WHEREAS, the services provided by the District of Columbia Board of Chiropractic and the Federation of Chiropractic Licensing Boards help to educate and protect the people’s rights in relation to their health and wellness; and

WHEREAS, the District of Columbia Board of Chiropractic encourages residents to familiarize themselves with the services available to ensure their rights to safe, effective, and ethical chiropractic health care.

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

Sec. 2. The Council of the District of Columbia recognizes the importance of chiropractic treatment awareness and declares September 20, 2013, as “Chiropractic Regulation 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

20-101

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 17, 2013

To recognize the 9:30 Club for being an iconic venue for live musical and other entertainment for the residents of the District of Columbia and to honor the 9:30 Club for its designation as the Best Big-Room Venue in America by *Rolling Stone* Magazine, Top Club by Billboard Touring Awards, and Nightclub of the Year by Pollstar Magazine.

WHEREAS, the 9:30 Club is located at 815 V Street, N.W., in Ward 1 of the District of Columbia;

WHEREAS, the 9:30 Club was originally located at 930 F Street, N.W., has hosted top-flight musical and other acts for the residents of the District of Columbia and the metropolitan Washington, D.C. region for over 30 years;

WHEREAS, the 9:30 Club has the ability to entertain 1,200 people while, at the same time, providing unmatched intimacy for concerts between artists and concert goers;

WHEREAS, the 9:30 Club has provided the residents of the District of Columbia with a wide range of musical talents, ranging from Rock & Roll to Hip/Hop, R&B, Pop, and Comedy;

WHEREAS, the 9:30 Club has hosted and helped to launch some of the District's best homegrown acts, including the Chuck Brown Band, Foo Fighters, Black Flag, and Fugazi;

WHEREAS, the 9:30 Club has hosted some of the world's best acts, including Bob Dylan, Johnny Cash, Dolly Parton, Paul Simon, Tom Jones, Justin Timberlake, Pink, the Beastie Boys, R.E.M., Nirvana, Green Day, Radiohead, the Smashing Pumpkins, Red Hot Chili Peppers, and Adele;

ENROLLED ORIGINAL

WHEREAS, the 9:30 Club has received numerous awards as being a popular venue for viewing concerts and other entertainment acts;

WHEREAS the 9:30 Club is the most attended club of its size in the world;

WHEREAS, the 9:30 Club was recently named the Best Big-Room Music Venue in America by *Rolling Stone* Magazine, Top Club by Billboard Touring Awards, and Nightclub of the Year by Pollstar Magazine;

WHEREAS, Patrick Stump of the band Fall Out Boy said about the 9:30 Club: "It's got so much character, you wonder if the locals know how lucky they are."; and

WHEREAS, the Council of the District of Columbia knows how lucky District locals are to have the 9:30 Club for providing residents with an unmatched entertainment experience.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "9:30 Club Recognition Resolution of 2013".

Sec. 2. The Council of the District of Columbia acknowledges and honors the 9:30 Club for providing the residents of the District an exceptional venue to experience live musical entertainment.

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

20-102

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 17, 2013

To recognize and honor Mount Horeb Baptist Church for its outstanding commitment, dedication, and service to the residents of Washington, D.C., and to celebrate Mount Horeb Baptist Church's 143rd anniversary;

WHEREAS, the Mount Horeb Baptist Church at 2914 Bladensburg Road, N.E., had its beginning in a small house at 203 Warren Street, N.E., in 1870;

WHEREAS, 12 committed Christians met for worship and founded and organized Mount Horeb Baptist Church;

WHEREAS, the Mount Horeb Baptist Church, N.E., is known as an exceptional congregation working to promote New Testament Christianity throughout the District of Columbia;

WHEREAS, the Mount Horeb Baptist Church moved to its current location in 1978 and saw its membership grow to over 500 worshippers, which includes seniors from Fort Lincoln area and the surrounding Ward 5 area;

WHEREAS, under Pastor Reverend Dr. H. B. Sampson, III's leadership, an initiative of 'Going Forward for the Glory of God,' has taken shape and 216 individuals have been impacted by the Mount Horeb Baptist Church through Christian development, baptism, or restoration;

WHEREAS, the Mount Horeb Baptist Church has been active in providing volunteer service to nursing homes and other outreach facilities, and has received service awards for some of these services;

WHEREAS, the Mount Horeb Baptist Church makes its facilities available for voting purposes when elections are held locally and nationally;

ENROLLED ORIGINAL

WHEREAS, the Mount Horeb Baptist Church serves as a resource for the Fort Lincoln neighborhood for community meetings, activities, and events when an additional facility is needed; and

WHEREAS, the Mount Horeb Baptist Church provides free vacation bible community meetings, school, computer camp, and a Christian summer day camp for children, teenagers, and adults.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Mount Horeb Baptist Church 143rd Anniversary Recognition Resolution of 2013".

Sec. 2. The Council of the District of Columbia honors Mount Horeb Baptist Church for decades of extraordinary dedication and service to the residents of Washington, D.C., and celebrates Mount Horeb's 143rd 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

20-103

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 17, 2013

To posthumously honor, recognize, and celebrate the life of Ms. Laurie Ann Siegel, who devoted her life to giving the children of the District of Columbia a global awareness and understanding of diverse cultures across continents and in their own backyards.

WHEREAS, Ms. Laurie Ann Siegel was born in the District of Columbia and spent 41 years faithfully educating its children as a classroom art teacher in the District of Columbia Public Schools system;

WHEREAS, Ms. Laurie Ann Siegel, through her dedicated, conscientious, and compassionate efforts, touched the lives of some 3,000 children of all backgrounds over her teaching career;

WHEREAS, Ms. Laurie Ann Siegel's many students carry with them the skills, attitudes, and sayings she taught them, above all "Be creative with your mistakes.", and still cherish the pins, bead necklaces, Native American dream-catchers, glassworks, clay bowls, and Zuni good luck charms that they made in her class;

WHEREAS, Ms. Laurie Ann Siegel on her own initiative, won numerous grants for summer travel to search the world for objects and ideas from foreign cultures to bring back to inspire her students to an understanding of other peoples and countries, including African weaving crafts and Japanese art and cookery;

WHEREAS, Ms. Laurie Ann Siegel inspired her students to help others around the world by selling their fused glass artwork to raise funds for Save the Children and Doctors Without Borders;

WHEREAS, Ms. Laurie Ann Siegel was instrumental in the Art Education Initiative and in establishing the Artist in Residence program at Watkins Elementary School, bringing her students in touch with many of the area's leading artists;

ENROLLED ORIGINAL

WHEREAS, Ms. Laurie Ann Siegel's positive, cheerful attitude constantly lifted the morale of her colleagues through such efforts as "Soup Fridays," quietly convincing them to make soup and come together for lunch, and beautifying a dingy teacher's lounge and even its bathroom with a table, cloth, vase, clock, and framed Matisse;

WHEREAS, Ms. Laurie Ann Siegel enriched the community artistically, participating in many activities such as the wall sculpture the "Yume Tree" on the corner of 12th and E Streets, S.E.;

WHEREAS, Ms. Laurie Ann Siegel was named Art Teacher of the Year in 2006 and was honored at the annual Mayor's Arts Awards Gala at the Kennedy Center for her outstanding performance in the classroom at Watkins Elementary School;

WHEREAS, Ms. Laurie Ann Siegel continued to give to the community after retiring by mentoring new art teachers, working as an artist-in-residence at local schools, and teaching fused glass classes in her home studio;

WHEREAS, Ms. Laurie Ann Siegel was above all revered by her colleagues, her students, and her community as a kind, giving, and compassionate friend and role model who was always willing to listen, advise, and help; and

WHEREAS, Ms. Laurie Ann Siegel was beloved, respected, and loved by her students, colleagues, community, her 2 children, Eric and Emily, her grandchildren, and her husband, Alan Levine.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Laurie Ann Siegel Posthumous Recognition Resolution of 2013".

Sec. 2. The Council of the District of Columbia recognizes the great contributions of Ms. Laurie Ann Siegel to the city and its residents, and expresses its deep gratitude for her life, work, and legacy 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

20-104

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 17, 2013

To declare October 2013 as “Domestic Violence Awareness Month” in the District of Columbia.

WHEREAS, domestic violence is a pattern of abusive behavior used to exert power and control over an intimate partner;

WHEREAS, the dignity, safety, and well-being of all residents is the foundation of a vibrant and healthy community and intimate partner violence is an epidemic in the District of Columbia that impedes the welfare of all;

WHEREAS, an estimated one out of every 4 women will experience domestic violence at some point in her lifetime, and, based upon that, there may be as many as 75,000 victims of domestic violence residing in the District;

WHEREAS, in 2012, there was a 21% increase in the number of male victims in need of services at District of Columbia’s domestic violence intake centers;

WHEREAS, domestic violence does not discriminate on the basis of age, gender, disability, socio-economic status, or race, although the District had a 63% increase in the number of victims who identified as Asian seeking assistance in 2012;

WHEREAS, all forms of domestic violence, including physical, psychological, emotional, and economic abuse, have devastating long-term effects on victims, and place a strain on the District’s legal and social services systems and overall resources;

WHEREAS, there was a 48% increase in the number of stalking victims who sought access to services in 2012;

WHEREAS, domestic violence is one of the leading causes of homelessness, victims and their families need access to safe and affordable housing, and 88% of unmet requests by victims for services in 2012 were related to the need for housing;

ENROLLED ORIGINAL

WHEREAS, domestic violence affects employment, resulting in 3 to 5 billion dollars' worth of lost wages and reduced productivity each year;

WHEREAS, domestic violence has a major impact on children and teens, and building blocks of healthy relationships and consequences of abuse must be addressed both in schools and out;

WHEREAS, the District has taken important steps to help victims of domestic violence, by providing life-saving public emergency services, establishing 24-hour hotlines, and ensuring that high-quality services are available to every victim seeking help through the proactive efforts of the Office of Victim Services; and

WHEREAS, eradicating domestic violence requires the commitment and support of not only the government but continued public awareness, as well as acknowledgment and responsibility by and for all.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Domestic Violence Awareness Month Recognition Resolution of 2013".

Sec. 2. The Council of the District of Columbia recognizes the severity of the domestic violence crisis in the District of Columbia and continues to raise public awareness and bring this often hidden issue into the open, and declares October of 2013 as "Domestic Violence Awareness Month" 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

20-105

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 17, 2013

To recognize and celebrate Betty Green, the District of Columbia Department of Corrections Chaplain, for being selected as the Salvation Army 2013 Chaplain of the year.

WHEREAS, Chaplain Green began her distinguished career with the District of Columbia Department of Corrections in 1973;

WHEREAS, Chaplain Green has held a number of positions throughout her tenure and with each demonstrated a steadfast commitment to, and love for, the field of corrections;

WHEREAS, Chaplain Green is known by her co-workers and peers as a visionary leader who continuously strives to broaden the services and support offered to offenders during incarceration and upon their release to the community;

WHEREAS, Chaplain Green is credited with being one of the founders of the District of Columbia Department of Corrections Linking Institutions, Neighborhoods and Community Services initiative, which brings together representatives from faith and community-based organizations and the public sector to form a network of pre-release and post-release resources for the inmate population;

WHEREAS, Chaplain Green has made major contributions to the District of Columbia Department of Correction's re-entry programming efforts, led the volunteer corps, and established partnerships that supported the start of another very important departmental initiative, Community Resource Day, which allows inmates preparing for community release to directly access housing, employment, education, and other resources crucial to successful reintegration; and

WHEREAS, Chaplain Green also serves as Assistant to the Pastor of Mount Olive Baptist Church in Northeast Washington, D.C.

ENROLLED ORIGINAL

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Betty Green Chaplain of the Year Recognition Resolution of 2013”.

Sec. 2. The Council of the District of Columbia recognizes and celebrates the distinguished service and extensive accomplishments of Chaplain Green and extends special congratulations to her for being honored as the Salvation Army 2013 Chaplain of the Year.

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

20-106

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 17, 2013

To declare October 2, 2013, as “Natalie Williams Breast Care Awareness Day for Women of Color” in the District of Columbia.

WHEREAS, on July 20, 2012, Natalie Williams, an African American woman residing in Southeast Washington D.C., was diagnosed with Stage 2 Breast Cancer, and on October 2, 2012 underwent a double mastectomy, followed by chemotherapy and radiation in an effort to combat the disease;

WHEREAS, on January 31, 2013, the Natalie Williams Breast Care Foundation was founded to promote breast care awareness among women of color and to raise the awareness about the risk factors of breast cancer, and the importance of early detection;

WHEREAS, October 2013 is the nationally recognized Breast Cancer Awareness month;

WHEREAS, one in 8 women in the United States will develop breast cancer in her lifetime, but African American and Latina women are dying in disproportionate numbers because of the barriers they face while fighting the diseases;

WHEREAS, because the problem of breast cancer is partially due to one’s socio-economic status, these women are less like to get a regular mammogram once they turn 40 and are diagnosed at a later stage;

WHEREAS, less research and educational resources have been dedicated to higher mortality rates for African Americans; and

WHEREAS, screenings for more than 1,000 women of color, educational materials, and giveaways will be available throughout the month at special events and at the United Medical Center to help educate women of color about breast care.

ENROLLED ORIGINAL

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as “Natalie Williams Breast Care Awareness Day for Women of Color Recognition Resolution of 2013”.

Sec. 2. The Council of the District of Columbia recognizes the importance of breast care, and calls upon the residents of this great city to make an effort to familiarize themselves with the risk factors associated with having breast cancer and take the necessary measures to help prevent this deadly disease from affecting their 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

20-107

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 17, 2013

To recognize the exceptional display of athleticism, sportsmanship, and commitment to the great American pastime of baseball by the Capitol City Little League All-Star team in advancing to the semifinal round of the 2013 Little League Mid-Atlantic Regionals in Bristol, Connecticut.

WHEREAS, the 14 players of the Capitol City Little League All-Stars -- Kevin Oakley, Isaac Frumkin, Zach Lordan, Brendan Smith, Noah Gold, Duncan Hudson, Adin McGurk, Aidan Trinity, Collin Bosley-Smith, Sofia Ohanian, Robert Reynolds, Rory Friel, Aaron Rosenthal, and Eli Doroshov -- secured an opportunity to participate in the Mid-Atlantic Regional Tournament by winning the DC Championship in July 2013, beating teams from 5 other little leagues throughout the District of Columbia during the week-long tournament;

WHEREAS, the Capitol City Little League All-Stars team advanced to the Mid-Atlantic Regional semifinals and finished third among other teams from New York, New Jersey, Pennsylvania, Maryland, and Delaware;

WHEREAS, the Capitol City Little League All-Stars secured their spot in the Mid-Atlantic Regional Semi-Finals by coming back from loses against Delaware and Pennsylvania to defeat teams from Maryland and New York;

WHEREAS, by advancing to the semifinals, the Capitol City Little League All-Stars came within 2 wins of advancing to the Little League World Series;

WHEREAS, the Capitol City Little League All-Stars became the first Little League team in the history of the District of Columbia to play in a baseball game televised live on ESPN;

WHEREAS, the team's achievements were only possible through the hard work and dedication of the Capitol City Little League All-Stars volunteers, head coach Thomas Hudson and assistant coaches Seth Rosenthal and Brice Plebani;

ENROLLED ORIGINAL

WHEREAS, the parents of the players on the Capitol City Little League All-Stars played an important role by providing unwavering support to the team and allowing their children to represent the District at this distinguished tournament;

WHEREAS, the performance of the Capitol City Little League All-Stars lays the groundwork for many more wins in the future and eventually the distinct honor of securing the title of Little League World Series Champions;

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Capitol City Little League All-Stars Recognition Resolution of 2013”.

Sec. 2. The District of Columbia is extremely proud of Capitol City Little League All-Stars and recognizes the superior level of sportsmanship displayed by its players and coaches.

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

20-108

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 17, 2013

To honor the organization Knock Out Abuse Against Women for its tireless efforts to educate the public about domestic violence and its work to aid women and children affected by domestic abuse, poverty, and homelessness.

WHEREAS, one out of 4 District women will be a victim of domestic violence;

WHEREAS, research indicates that children who witness domestic violence are more likely to exhibit anxiety, low self-esteem, depression, and anger than children who do not witness violence in the home;

WHEREAS, the nonprofit organization Knock Out Abuse Against Women was founded in 1993 by Jill Sorensen and Cheryl Davis Masri to help victims of domestic violence, particularly women and children;

WHEREAS, Knock Out Abuse Against Women is an organization that seeks to eradicate domestic violence and its effects by raising public awareness and generating financial support for women and children in the District and surrounding areas who are affected by abuse, poverty, and homelessness;

WHEREAS, Knock Out Abuse Against Women organizes several community events in the District, including the collection and delivery of gently used furniture to shelters supported by the organization;

WHEREAS, Knock Out Abuse Against Women has raised more than \$7 million to aid victims of domestic violence;

WHEREAS, Knock Out Abuse Against Women's annual women-only gala involves over 800 dedicated and influential women who raise money for District residents affected by domestic violence;

ENROLLED ORIGINAL

WHEREAS, Knock Out Abuse Against Women partners with local businesses and an array of retailers to host sales where proceeds directly benefit victims of domestic violence;

WHEREAS, Knock Out Abuse Against Women has an extensive reach both within the District community and nationally through its corporate, retail, and philanthropic relationships; and

WHEREAS, the Council of the District of Columbia enthusiastically supports local efforts that raise awareness about abuse and provide aid to victims of domestic violence.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Knock Out Abuse Against Women Recognition Resolution of 2013”.

Sec. 2. The Council of the District of Colombia recognizes and appreciates Knock Out Abuse Against Women, an organization that educates the public about domestic violence and works to aid women and children affected by domestic abuse.

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

COUNCIL OF THE DISTRICT OF COLUMBIA
NOTICE OF INTENT TO ACT ON NEW LEGISLATION

The Council of the District of Columbia hereby gives notice of its intention to consider the following legislative matters for final Council action in not less than **15 days**. Referrals of legislation to various committees of the Council are listed below and are subject to change at the legislative meeting immediately following or coinciding with the date of introduction. It is also noted that legislation may be co-sponsored by other Councilmembers after its introduction.

Interested persons wishing to comment may do so in writing addressed to Nyasha Smith, Secretary to the Council, 1350 Pennsylvania Avenue, NW, Room 5, Washington, D.C. 20004. Copies of bills and proposed resolutions are available in the Legislative Services Division, 1350 Pennsylvania Avenue, NW, Room 10, Washington, D.C. 20004 Telephone: 724-8050 or online at www.dccouncil.us.

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COUNCIL OF THE DISTRICT OF COLUMBIA

PROPOSED LEGISLATION

BILLS

B20-536 Department of Corrections Central Cellblock Management Clarification Amendment Act of 2013

Intro. 10-22-13 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Judiciary and Public Safety

B20-537 Insurance Holding Company and Credit for Reinsurance Modernization Amendment Act of 2013

Intro. 10-22-13 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Business, Consumer, and Regulatory Affairs

B20-539 St. Matthews Evangelical Lutheran Church Community Garden Equitable Real Property Tax Relief Act of 2013

Intro. 10-22-13 by Councilmember Wells and referred to Finance and Revenue

PROPOSED RESOLUTIONS

PR20-510 Board of Funeral Directors Charles Bowman Confirmation Resolution of 2013

Intro. 10-18-13 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Business, Consumer, and Regulatory Affairs

PROPOSED RESOLUTIONS Con't

- PR20-511 Real Estate Commission Ulani D. Prater Gulstone Confirmation Resolution of 2013
- Intro. 10-18-13 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Business, Consumer, and Regulatory Affairs
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- PR20-512 Board of Medicine Dr. Marc Rankin Confirmation Resolution of 2013
- Intro. 10-18-13 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Health
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- PR20-513 Board of Medicine Dr. Lisa K. Fitzpatrick Confirmation Resolution of 2013
- Intro. 10-18-13 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Health
-
- PR20-514 Board of Medicine Mr. Thomas Dawson III, Esquire Confirmation Resolution of 2013
- Intro. 10-18-13 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Health
-
- PR20-515 Commission on Fashion Arts and Events Jennifer M. Fisher Confirmation Resolution of 2013
- Intro. 10-18-13 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Business, Consumer, and Regulatory Affairs
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- PR20-516 Commission on Fashion Arts and Events Marcus A. Williams Confirmation Resolution of 2013
- Intro. 10-18-13 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Business, Consumer, and Regulatory Affairs
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- PR20-517 Public Employee Relations Board Carter M. DeLorme Confirmation Resolution of 2013
- Intro. 10-18-13 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Government Operations
-
- PR20-518 Public Employee Relations Board Charles J. Murphy Confirmation Resolution of 2013
- Intro. 10-18-13 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Government Operations
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PROPOSED RESOLUTIONS Con't

PR20-520 Commission Re-Entry and Returning Citizen Affairs Joseph Thomas Confirmation Resolution of 2013

Intro. 10-22-13 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Judiciary and Public Safety

PR20-523 Director of the Department of Health Joxel Garcia Confirmation Resolution of 2013

Intro. 10-23-13 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Health

PR20-524 Board of Barber and Cosmetology Mr. Paul Roe Confirmation Resolution of 2013

Intro. 10-23-13 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Business, Consumer, and Regulatory Affairs

COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE OF THE WHOLE
NOTICE OF PUBLIC HEARING

1350 Pennsylvania Avenue, NW, Washington, DC 20004

REVISED

CHAIRMAN PHIL MENDELSON
COMMITTEE OF THE WHOLE
ANNOUNCES A PUBLIC HEARING

on

Bill 20-110 “Belmont Park Designation and Establishment Act of 2013”
Bill 20-432 “Calvin and Wilhelmina Rolark Way Designation Act of 2013”
Bill 20-439 “Closing of a Public Alley in Square 150, S.O. 13-10218, Act of 2013”
Bill 20-525 “Annie’s Way Designation Act of 2013”

on

Thursday, November 14, 2013
11:00 a.m., Hearing Room 120, John A. Wilson Building
1350 Pennsylvania Avenue, NW
Washington, DC 20004

Council Chairman Phil Mendelson announces a public hearing of the Committee of the Whole on **Bill 20-110**, the “Belmont Park Designation and Establishment Act of 2013,” **Bill 20-432**, the “Calvin and Wilhelmina Rolark Way Designation Act of 2013,” **Bill 20-439**, the “Closing of Public Alley in Square 150, S.O. 13-10218, Act of 2013” and **Bill 20-525**, the “Annie’s Way Designation Act of 2013.” The public hearing will be held Thursday, November 14, 2013, at 11:00 a.m. in Hearing Room 412 of the John A. Wilson Building, 1350 Pennsylvania Avenue, NW. **This notice has been revised to reflect a change in the Hearing Room from The Council Chamber to Hearing Room 120.**

The stated purpose of **Bill 20-110** is to approve the designation of the public right-of-way adjacent Lot 197 in Square 2526 in Ward 2 as Belmont Park and establish it as a public park under the auspices of the Department of Parks and Recreation. The stated purpose of **Bill 20-432** is to approve the symbolic designation of the 500 block of Foxhall Place, S.E. in Ward 8 as Calvin and Wilhelmina Rolark Way. The stated purpose of **Bill 20-439** is to order the closing of a public alley in Square 150 bounded by Seaton Street, N.W., Florida Ave, N.W., and 17th Street, N.W. in Ward 1. Approval of **Bill 20-439** will allow for the elimination a paper alley located on the applicant’s property. The stated purpose of **Bill 20-525** is to approve the symbolic designation of the 1600 block of Church Street, N.W. in Ward 2 as Annie’s Way.

Those who wish to testify are asked to telephone the Committee of the Whole, at (202) 724-8126, or e-mail Crispus Gordon, III, Legislative Assistant, at cgordon@dccouncil.us and provide their name, address, telephone number, and organizational affiliation, if any, by the close of business Tuesday, November 12, 2013. Persons wishing to testify are encouraged, but not required, to submit 15 copies of written testimony. If submitted by the close of business on November 12, 2013, the testimony will be distributed to Councilmembers before the hearing. Witnesses should limit their testimony to five minutes; less time will be allowed if there are a large number of witnesses. Copies of Bill 20-110, Bill 20-432, Bill 20-439, and Bill 20-525 can be obtained through the Legislative Services Division of the Secretary of the Council or on <http://dcclims1.dccouncil.us/lims>.

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 to the Committee of the Whole, Council of the District of Columbia, Suite 410 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004. The record will close at 5:00 p.m. on Friday, November 29, 2013.

CANCELLED

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

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

ANNOUNCES A PUBLIC OVERSIGHT ROUNDTABLE

On

Public Housing Maintenance and Repairs

NOVEMBER 12, 2013

10:00

ROOM 120

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

On November 12, 2013, Councilmember Muriel Bowser, Chairperson of the Committee on Economic Development, will hold a public oversight roundtable to consider maintenance issues in public housing. The Committee has received numerous complaints from public housing residents regarding inadequate maintenance of public housing sites, including mold, vermin and lack of electricity. Residents have also expressed concern over inadequate inspections and repairs of public housing units by the District of Columbia Housing Authority. The Committee will take testimony from public housing residents and housing providers, as well as agency officials from the District of Columbia Housing Authority.

The public oversight roundtable will begin at 10 o'clock in Room 120 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W.

Individuals and representatives of organizations wishing to testify should contact Kate Kountzman, Legislative Counsel to the Committee on Economic Development, at (202) 724-8198, or kkountzman@dccouncil.us and furnish their name, address, telephone number, and organizational affiliation, if any, by the close of business November 11, 2013. Persons presenting testimony may be limited to 3 minutes in order to permit each witness an opportunity to be heard.

If you are unable to testify at the roundtable, 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 110 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004.

REVISED/UPDATED

**COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE ON EDUCATION
NOTICE OF PUBLIC OVERSIGHT ROUNDTABLE**
1350 Pennsylvania Avenue, NW, Suite 119, Washington, DC 20004

**COUNCILMEMBER DAVID A. CATANIA
CHAIRMAN, COMMITTEE ON EDUCATION
ANNOUNCES A PUBLIC OVERSIGHT ROUNDTABLE**

on

**The status of plans to revise school boundaries and feeder patterns for District of Columbia
Public Schools**

on

**Friday, November 15, 2013 at 9 a.m.
Room 412, John A. Wilson Building
1350 Pennsylvania Avenue, NW
Washington, DC 20004**

Councilmember David A. Catania, Chairman of the Committee on Education, announces the scheduling of a Public Oversight Roundtable by the Committee on Education on the status of plans to revise school boundaries and feeder patterns for District of Columbia Public Schools. The public oversight roundtable will take place at 9 a.m. on Friday, November 15, 2013 in room 412 of the John A. Wilson Building. This notice has been updated to reflect the new location, room 412 of the Wilson Building.

The purpose of the public oversight roundtable is to hear from members of the public and District education officials on the current status of plans to revise school boundaries and feeder patterns for District of Columbia Public Schools.

Members of the public wishing to testify should contact Jamaal Jordan at 202-724-8061 or jjordan@dccouncil.us no later than 5 p.m. on Wednesday, November 13, 2013. Members of the public unable to testify in person may submit written testimony which will be made part of the official record. Copies of written statements should be submitted to the Committee on Education no later than 5 p.m. on Friday, November 22, 2013.

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD**

**NOTICE OF PUBLIC HEARINGS
CALENDAR**

**WEDNESDAY, NOVEMBER 6, 2013
2000 14TH STREET, N.W., SUITE 400S,
WASHINGTON, D.C. 20009**

**Ruthanne Miller, Chairperson
Members:**

Nick Alberti, Donald Brooks, Herman Jones, Mike Silverstein

| | |
|---|----------------|
| Show Cause Hearing (Status) | 9:30 AM |
| Case # 12-CMP-00393(a); Krakatoa, Inc., t/a Chief Ike's Mambo Room, 1723 Columbia Road NW, License #18940, Retailer CT, ANC 1C | |
| Failed to Post In a Conspicuous Place the Name of the Licensee, Substantial Change In Operation Without Board Approval | |
| Show Cause Hearing (Status) | 9:30 AM |
| Case # 13-CMP-00338; Pines Restaurant, Inc., t/a Pines of Florence, 2100 Connecticut Ave NW, License #21995, Retailer CR, ANC 2D | |
| No ABC Manager on Duty, Failed to Post License in a Conspicuous Place | |
| Show Cause Hearing (Status) | 9:30 AM |
| Case # 12-AUD-00039; Amde Sofenias, t/a Queen Makeda, 1917 9th Street NW License #60510, Retailer CR, ANC 1B | |
| Failed to Comply With the Terms of Board Order No. 2013-222 | |
| Show Cause Hearing (Status) | 9:30 AM |
| Case # 12-AUD-00026(a) and # 12-CMP-00281, Amde Sofenias, t/a Queen Makeda, 1917 9th Street NW, License #60510, Retailer CR, ANC 1B | |
| Failed to Comply With the Terms of Board Order No. 2013-057 | |
| Fact Finding Hearing | 9:30 AM |
| Pub Crawl, Date of Event: November 16, 2013, Applicant(s): Melanie Berryhill, on behalf of Veteran DIY, Event Name: 2013 Battle Buddy Bar Crawl Neighborhood: DuPont Circle. <i>The names of the establishments participating in the Pub Crawl are available upon request.</i> | |
| Fact Finding Hearing | 9:30 AM |
| Pub Crawl; Date of Event: November 9, 2013, Applicants: Daniel D. Kramer Event Name: DC Beerathon, Neighborhoods: Dupont Circle, U Street, Logan Circle, 14th Street, Adams Morgan. <i>The names of the establishments participating in the Pub Crawl are available upon request.</i> | |

Board's Calendar

Page -2- November 6, 2013

Show Cause Hearing*

10:00 AM

Case # 13-CMP-00119; Justin's Café, LLC, t/a Justin's Café, 1025 1st Street SE, License #83690, Retailer CR, ANC 6D

Failed to Obtain an Entertainment Endorsement, Violation of Settlement Agreement

Show Cause Hearing*

11:00 AM

Case # 13-251-00072; The Stadium Group, LLC, t/a Stadium, 2127 Queens Chapel Road NE, License #82005, Retailer CN, ANC 5C

Allowed the Establishment to be Used for an Unlawful or Disorderly Purpose, Failed to Follow Security Plan, Failed to Provide Accurate Information to an Investigator

BOARD RECESS AT 12:00 PM

ADMINISTRATIVE AGENDA

1:00 PM

Protest Hearing*

1:30 AM

Case # 13-PRO-00096; The Juniper Group, LLC, t/a The Blaguard, 2003 18th Street NW, License #86012, Retailer CR, ANC 1C

Termination of Settlement Agreement

Protest Hearing*

4:30 PM

Case # 13-PRO-00099; The Griffin Group, LLC, t/a Policy, 1902 14th Street NW, License #76804, Retailer CR, ANC 2B

Termination of Settlement Agreement

***The Board will hold a closed meeting for purposes of deliberating these hearings pursuant to D.C. Official Code §2-574(b)(13).**

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: November 1, 2013
Petition Date: December 16, 2013
Roll Call Hearing Date: December 30, 2013
Protest Hearing Date: February 26, 2014

License No.: ABRA-93492
Licensee: CNS, LLC
Trade Name: Bub and Pop's
License Class: Retailer's Class "C" Restaurant
Address: 1815 M Street, NW
Contact: Andrew Kline: 202-686-7600

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 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 2/26/2014 at 1:30 pm.

NATURE OF OPERATION

A new restaurant serving American Food; Specializing in submarine sandwiches. No Entertainment/No Dancing. Total Occupancy Load 45, Seating 30, Sidewalk Café 8.

HOURS OF OPERATION

Sunday through Thursday: 11am-3am, Friday and Saturday: 11am-4am

HOURS OF ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION

Sunday through Thursday: 11am-2am, Friday and Saturday: 11am-3am

SIDEWALK CAFE HOURS OF OPERATION

Sunday through Thursday: 11am-3am, Friday and Saturday: 11am-4am

SIDEWALK CAFÉ HOURS OF ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION

Sunday through Thursday: 11am-2am, Friday and Saturday: 11am-3am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: November 1, 2013
 Petition Date: December 16, 2013
 Hearing Date: December 30, 2013
 Protest Hearing Date: February 26, 2014

License No.: ABRA-0993572
 Licensee: KAT, LLC
 Trade Name: Cloud Restaurant & Lounge
 License Class: Retailer’s Class “C” Tavern
 Address: 1919 9th Street NW
 Contact: Tesfit Kiflu 703-629-0952

WARD 1 ANC 1B02 SMD 1B02

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 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 for 2/26/14 at 1pm.

NATURE OF OPERATION

This is new Lounge –Live Music- DJ- Singers-Traditional Songs and Dancing. Total # of seats is 50 and the occupancy Load is 50.

HOURS OF OPERATION

Sunday through Saturday 11 am – 6 am

HOURS OF ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION

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

HOURS OF OPERATION FOR THE SIDEWALK CAFÉ

Sunday through Thursday 7 am – 11 pm Friday and Saturday 7 am – 12 am

HOURS OF LIVE ENTERTAINMENT OCCURING OR CONTINUING AFTER 6 PM

Sunday through Thursday 6 pm – 2 am Friday and Saturday 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: 11/1/2013
PETITION DATE: 12/16/2013
HEARING DATE: 12/30/2013

License Number: ABRA-001449
License Class/Type: C Nightclub
SMD: 2B06

Applicant: R A H OF WASHINGTON, D.C
Trade Name: Camelot
Premise Address: 1823 M ST NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 1 pm - 4 am | 1 pm -2:00 am | - |
| MON: | 11:30 am - 4 am | 11:30 am - 2:00 am | - |
| TUE: | 11:30 am - 4 am | 11:30 am - 2:00 am | - |
| WED: | 11:30 am - 4 am | 11:30 am - 2:00 am | - |
| THU: | 11:30 am - 4 am | 11:30 am - 2:00 am | - |
| FRI: | 11:30 am - 4 am | 11:30 am - 3:00am | - |
| SAT: | 11:30 am - 4 am | 11:30 am - 3:00 am | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: November 1, 2013
Petition Date: December 16, 2013
Hearing Date: December 30, 2013
Protest Hearing Date: February 26, 2014

License No.: ABRA-093542
Licensee: EZ Group, LLC
Trade Name: Creme
License Class: Retailer’s Class “C” Restaurant
Address: 2438 14th Street NW
Contact: Tegist Ayalew

WARD 1 ANC 1B05 SMD 1B05

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 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.

NATURE OF OPERATION

This is new full service restaurant serving American Cuisine. Total # of seats is 60 and the occupancy Load is 60, number of seats for the sidewalk café is 10.

HOURS OF OPERATION

Sunday through Thursday 7 am to 2 am, Friday and Saturday 7 am – 4 am

HOURS OF ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION

Sunday 10 – 2 am, Monday through Thursday 8 am – 2 am, Friday and Saturday 8 am – 3 am

HOURS OF OPERATION FOR THE SIDEWALK CAFÉ

Sunday through Thursday 7 am – 11 pm, Friday and Saturday 7 am – 12 am

HOURS OF ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION/SIDEWALK CAFÉ

Sunday 10 am – 11 pm, Monday through Thursday 8 am – 11 pm, Friday and Saturday 8 am -12 am

HOURS OF LIVE ENTERTAINMENT OCCURING OR CONTINUING AFTER 6 PM

Sunday 11 am – 4 pm, Monday through Thursday 2 am, Friday and Saturday 10 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: 11/1/2013
PETITION DATE: 12/16/2013
HEARING DATE: 12/30/2013

License Number: ABRA-074073
License Class/Type: C Tavern
SMD: 2C01

Applicant: Levy Premium Foodservice Limited Partnershi
Trade Name: Levy Restaurant At Mci Center -capitol Club
Premise Address: 601 F ST NW C

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 8 am - 2 am | 10 am - 2 am | - |
| MON: | 9 am - 2 am | 9 am - 2 am | - |
| TUE: | 9 am - 2 am | 9 am - 2 am | - |
| WED: | 9 am - 2 am | 9 am - 2 am | - |
| THU: | 9 am - 2 am | 9 am - 2 am | - |
| FRI: | 9 am - 2 am | 9 am - 2 am | - |
| SAT: | 9 am - 2 am | 9 am - 2 am | - |

License Number: ABRA-078443
License Class/Type: C Tavern
SMD: 1B02

Applicant: 915 U LLC
Trade Name: Velvet Lounge
Premise Address: 915 U ST NW

Endorsements: Cover Charge, Dancing, 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: | 5 pm - 2 am | 5 pm - 2 am | 5 pm - 2 am | 5 pm - 2 am | 6 pm - 2 am |
| MON: | 5 pm - 2 am | 5 pm - 2 am | 5 pm - 2 am | 5 pm - 2 am | 6 pm - 2 am |
| TUE: | 5 pm - 2 am | 5 pm - 2 am | 5 pm - 2 am | 5 pm - 2 am | 6 pm - 2 am |
| WED: | 5 pm - 2 am | 5 pm - 2 am | 5 pm - 2 am | 5 pm - 2 am | 6 pm - 2 am |
| THU: | 5 pm - 2 am | 5 pm - 2 am | 5 pm - 2 am | 5 pm - 2 am | 6 pm - 2 am |
| FRI: | 5 pm - 3 am | 5 pm - 3 am | 5 pm - 3 am | 5 pm - 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 |

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: 11/1/2013
PETITION DATE: 12/16/2013
HEARING DATE: 12/30/2013

License Number: ABRA-085258
License Class/Type: C Tavern
SMD: 1B02

Applicant: YETENBI, INC
Trade Name: Yetenbi Restaurant
Premise Address: 1915 9TH ST NW

Endorsements: Entertainment

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 8 am - 2 am | 11 am - 2 am | 6 pm - 2 am |
| MON: | 8 am - 2 am | 11 am - 2 am | 6 pm - 2 am |
| TUE: | 8 am - 2 am | 11am - 2 am | 6 pm - 2 am |
| WED: | 8 am - 2 am | 11 am - 2 am | 6 pm - 2 am |
| THU: | 8m - 2 am | 11 am - 2 am | 6 pm - 2 am |
| FRI: | 8 - 3 am | 11 am - 3 am | 6 pm - 3 am |
| SAT: | 8 am - 3 am | 11 am - 3 am | 6 pm - 3 am |

License Number: ABRA-088787
License Class/Type: C Tavern
SMD: 1B02

Applicant: Family, LLC
Trade Name: Maraki Restaurant & Lounge
Premise Address: 1930 9TH ST NW

Endorsements: Cover Charge, Dancing, Entertainment

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 10 am - 2 am | 10 am - 2 am | 6 pm - 2 am |
| MON: | 10 am - 2 am | 10 am - 2 am | 6 pm - 2 am |
| TUE: | 10 am - 2 am | 10 am - 2 am | 6 pm - 2 am |
| WED: | 10 am - 2 am | 10 am - 2 am | 6 pm - 2 am |
| THU: | 10 am - 2 am | 10 am - 2 am | 6 pm - 2 am |
| FRI: | 10 am - 3 am | 10 am - 3 am | 6 pm - 3 am |
| SAT: | 10 am - 3 am | 10 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: 11/1/2013
 PETITION DATE: 12/16/2013
 HEARING DATE: 12/30/2013

License Number: ABRA-082969
 License Class/Type: C Tavern
 SMD: 1B02

Applicant: Terfneh Kahsay
 Trade Name: Salina Restaurant
 Premise Address: 1936 9TH ST NW

Endorsements: Dancing, Entertainment

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 11 am - 2 am | 11 am - 2 am | 6 pm - 2 am |
| MON: | 11 am - 2 am | 11 am - 2 am | 6 pm - 2 am |
| TUE: | 11 am - 2 am | 11 am - 2 am | 6 pm - 2 am |
| WED: | 11 am - 2 am | 11 am - 2 am | 6 pm - 2 am |
| THU: | 11 am - 2 am | 11 am - 2 am | 6 pm - 2 am |
| FRI: | 11 am - 3 am | 11 am - 3 am | 10 pm - 3 am |
| SAT: | 11 am - 3 am | 11 am - 3 am | 10 pm - 3 am |

License Number: ABRA-084577
 License Class/Type: C Tavern
 SMD: 1B02

Applicant: H & H, LLC
 Trade Name: AMERICAN ICE COMPANY
 Premise Address: 917 V ST NW

Endorsements: Dancing, 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 - 1 am | 11 am - 1 am | 6 pm - 2 am |
| MON: | 4 pm - 2 am | 4 pm - 2 am | 4 pm - 1 am | 4 pm - 1 am | 6 pm - 2 am |
| TUE: | 4 pm - 2 am | 4 pm - 2 am | 4 pm - 1 am | 4 pm - 1 am | 6 pm - 2 am |
| WED: | 4 pm - 2 am | 4 pm - 2 am | 4 pm - 1 am | 4 pm - 1 am | 6 pm - 2 am |
| THU: | 4 pm - 2 am | 4 pm - 2 am | 4 pm - 1 am | 4 pm - 1 am | 6 pm - 2 am |
| FRI: | 4 pm - 3 am | 4 pm - 3 am | 4 pm - 1 am | 4 pm - 1 am | 6 pm - 3 am |
| SAT: | 11 am - 3 am | 11 am - 3 am | 11 am - 1 am | 11 am - 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: 11/1/2013
PETITION DATE: 12/16/2013
HEARING DATE: 12/30/2013

License Number: ABRA-081092
License Class/Type: C Tavern
SMD: 2B06

Applicant: De Amigo LLC
Trade Name: Sesto Senso/ Andalu/Spot/Lupe/M I A
Premise Address: 1214 18TH ST NW

Endorsements: Cover Charge, Dancing, Entertainment

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 6 pm - 2 am | 6 pm -2 am | 6 pm - 2 am |
| MON: | 11:30 am - 2 am | 11:30 am - 2 am | 10:30 pm - 2 am |
| TUE: | 11:30 am - 2 am | 11:30 am - 2 am | 10:30 pm - 2 am |
| WED: | 11:30 am - 2 am | 11:30 am - 2 am | 10:30 pm - 2 am |
| THU: | 11:30 am - 2 am | 11:30 am - 2 am | 10:30 pm - 2 am |
| FRI: | 11:30 am - 3 am | 11:30 am - 3 am | 10 pm - 3 am |
| SAT: | 5:30 pm - 3 am | 5:30 pm - 3 am | 10 pm - 3 am |

License Number: ABRA-089982
License Class/Type: C Tavern
SMD: 5D01

Applicant: Rappahannock Oyster Bar, LLC
Trade Name: Rappahannock Oyster Bar
Premise Address: 1309 5TH ST NE

Endorsements: Summer Garden

| Days | Hours of Operation | Hours of Sales/Service | Hours of Summer Garden Operation | Hours of Sales Summer Garden | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 7 am - 2 am | 8 am -2 am | 7 am - 2 am | 8 am - 2 am | - |
| MON: | 7 am - 2 am | 8 am - 2 am | 7 am - 2 am | 8 am - 2 am | - |
| TUE: | 7 am - 2 am | 8 am - 2 am | 7 am - 2 am | 8 am - 2 am | - |
| WED: | 7 am - 2 am | 8 am - 2 am | 7 am - 2 am | 8 am - 2 am | - |
| THU: | 7 am - 2 am | 8 am - 2 am | 7 am - 2 am | 8 am - 2 am | - |
| FRI: | 7 am - 3 am | 8 am - 3 am | 7 am - 3 am | 8 am - 3 am | - |
| SAT: | 7 am - 3 am | 8 am - 3 am | 7 am - 3 am | 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: 11/1/2013
 PETITION DATE: 12/16/2013
 HEARING DATE: 12/30/2013

License Number: ABRA-073166
 License Class/Type: C Tavern
 SMD: 6A01

Applicant: The Pug, LLC
 Trade Name: The Pug/Toki Underground
 Premise Address: 1234 H ST NE

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 10:30 am - 5 am | 10:30 am - 2 am | - |
| MON: | 10:30 am - 5 am | 10:30 am - 2 am | - |
| TUE: | 10:30 am - 5 am | 10:30 am - 2 am | - |
| WED: | 10:30 am - 5 am | 10:30 am - 2 am | - |
| THU: | 10:30 am - 5 am | 10:30 am - 2 am | - |
| FRI: | 10:30 am - 5 am | 10:30 am - 3 am | - |
| SAT: | 10:30 am - 5 am | 10:30 am - 3 am | - |

License Number: ABRA-081014
 License Class/Type: C Tavern
 SMD: 6B03

Applicant: DTI Capital Hill, LLC
 Trade Name: Cava Restaurant
 Premise Address: 527 - 529 8TH ST SE

Endorsements: Sidewalk Cafe, Summer Garden

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Summer Garden Operation | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|----------------------------------|------------------------|
| SUN: | 11 am - 1:30 am | 11 am - 1:30 am | 11 am - 1:30 am | 11 am - 1:30 am | - |
| MON: | 11 am - 1:30 am | 11 am - 1:30 am | 11 am - 1:30 am | 11 am - 1:30 am | - |
| TUE: | 11 am - 1:30 am | 11 am - 1:30 am | 11 am - 1:30 am | 11 am - 1:30 am | - |
| WED: | 11 am - 1:30 am | 11 am - 1:30 am | 11 am - 1:30 am | 11 am - 1:30 am | - |
| THU: | 11 am - 1:30 am | 11 am - 1:30 am | 11 am - 1:30 am | 11 am - 1:30 am | - |
| FRI: | 11 am - 2:30 am | 11 am - 2:30 am | 11 am - 2:30 am | 11 am - 2:30 am | - |
| SAT: | 11 am - 2:30 am | 11 am - 2:30 am | 11 am - 2:30 am | 11 am - 2:30 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: 11/1/2013
PETITION DATE: 12/16/2013
HEARING DATE: 12/30/2013

License Number: ABRA-076726
License Class/Type: D Tavern
SMD: 2D02

Applicant: Vulcan, LLC
Trade Name: Veritas Wine Bar
Premise Address: 2031 FLORIDA AVE NW

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: | 4 pm - 2 am | 4 pm - 2 am | 4 pm - 11 pm | 4 pm - 11 pm | - |
| MON: | 4 pm - 2 am | 4 pm - 2 am | 4 pm - 11 pm | 4 pm - 11 pm | - |
| TUE: | 4 pm - 2 am | 4 pm - 2 am | 4 pm - 11 pm | 4 pm - 11 pm | - |
| WED: | 4 pm - 2 am | 4 pm - 2 am | 4 pm - 11 pm | 4 pm - 11 pm | - |
| THU: | 4 pm - 2 am | 4 pm - 2 am | 4 pm - 11 pm | 4 pm - 11 pm | - |
| FRI: | 4 pm - 3 am | 4 pm - 3 am | 4 pm - 12 am | 4 pm - 12 am | - |
| SAT: | 4 pm - 3 am | 4 pm - 3 am | 4 pm - 12 am | 4 pm - 12 am | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION**NOTICE OF PUBLIC HEARING**

Posting Date: November 1, 2013
 Petition Date: December 16, 2013
 Roll Call Hearing Date: December 30, 2013
 Protest Hearing Date: February 26, 2014

License No.: ABRA-93491
 Licensee: Melles Hospitality Group LLC
 \Trade Name: The Alibi Restaurant & Lounge
 License Class: Retailer's Class "C" Restaurant
 Address: 237 2nd Street, NW
 Contact: Andrew Kline: 202-686-7600

WARD 6

ANC 6C

SMD 6C02

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 2/26/2014 at 1:30 pm.

NATURE OF OPERATION

A new restaurant serving American Food. No Nude Performances. Sidewalk Café Seats 40, Total Occupancy: Load 100, Seats 100, Entertainment Endorsement/Dancing

HOURS OF OPERATION

Sunday through Thursday: 7am-2am, Friday and Saturday: 7am-3am

HOURS OF ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION

Sunday through Saturday: 11am-2am

SIDEWALK CAFE HOURS OF OPERATION

Sunday through Thursday: 7am-2am, Friday and Saturday: 7am-3am

SIDEWALK CAFÉ HOURS OF ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION

Sunday through Thursday: 8am-2am, Friday and Saturday: 8am-3am

HOURS OF LIVE ENTERTAINMENT ENDORSEMENT

Sunday through Thursday: 6pm-2am, Friday and Saturday: 6pm-3am

UNIVERSITY OF THE DISTRICT OF COLUMBIA
NOTICE OF PUBLIC HEARINGS

The University of the District of Columbia will conduct three public hearings for the purpose of receiving feedback on the University of the District of Columbia Strategic Plan, "Vision 2020: a Roadmap for Renewal, Innovation, Success and Sustainability."

Monday, November 4, 2013

4:00pm – 8:00pm

University of the District of Columbia Van Ness Campus
4200 Connecticut Avenue, NW
Building 41, Room A-03

Tuesday, November 5, 2013

4:00pm – 8:00pm

University of the District of Columbia Community College
801 North Capitol Street, NE
First Floor, Multipurpose Room

Wednesday, November 6, 2013

4:00pm – 8:00pm

P.R. Harris Education Center
4600 Livingstone Road, SE
Atrium

A summary of the Vision 2020 Plan and the Preliminary Report to the Board of Trustees is available for public review at www.udc.edu/Vision2020.

Interested parties may sign-up and register to testify at any or all of these hearings by visiting www.udc.edu/Vision2020 and providing their name, affiliation, email address and selecting a hearing date. In addition to providing input at the public hearings, interested parties may also submit comments at www.udc.edu/Vision2020 until November 8, 2013.

For additional information, please contact: Thomas E. Redmond, Director, State and Local Affairs, 202-274-5622 or redmond@udc.edu

BOARD OF ZONING ADJUSTMENT
***CORRECTED PUBLIC HEARING NOTICE**

TUESDAY, JANUARY 7, 2014

441 4TH STREET, N.W.

**JERRILY R. KRESS MEMORIAL HEARING ROOM, SUITE 220-SOUTH
WASHINGTON, D.C. 20001**

TO CONSIDER THE FOLLOWING: The Board of Zoning Adjustment will adhere to the following schedule, but reserves the right to hear items on the agenda out of turn.

***Note: This notice is corrected to add Application No. 18691 below.**

9:30 A.M. MORNING HEARING SESSION

A.M.

WARD TWO

18691 **Application of Republic of Georgia**, pursuant to 11 DCMR § 1002, to
ANC-2B permit the location of a chancery in the DC/R-5-B District at premises
1824-27 R Street, N.W. (Square 134, Lot 167).

WARD EIGHT

18682 **Application of Government of the District of Columbia**, pursuant to 11
ANC-8C DCMR § 3103.2, for a variance from the roof structure requirements
under subsection 411.3, for a new Ballou public senior high school, in the
R-5-A District at premises 3401 4th Street, S.E. (Square 5978, Lot 59).

WARD FIVE

18683 **Application of Holy Name Parish**, pursuant to 11 DCMR § 3104.1, for a
ANC-5D special exception to establish a private school (100 students and 9 Staff)
for adults under section 206, in the R-4 District at premises 1125 Neal
Street, N.E. (Square 4065, Lot 819).

WARD ONE

18684 **Application of Howard University**, pursuant to 11 DCMR § 3103.2, for
ANC-1B a variance from the off-street parking requirements under subsection
2101.1, for hospital administrative space in the ARTS/C-2-B District at
premises 2018 Georgia Avenue, N.W. (Square 2877, Lot 1030).

WARD SIX

BZA PUBLIC HEARING NOTICE

JANUARY 7, 2014

PAGE NO. 2

18685 **Application of Polinger Shannon & Luchs**, pursuant to 11 DCMR §
ANC-6C 3104.1, for a special exception to install roof mounted solar panels on an
office building under subsections 400.7 and 411.6, in the C-3-C District at
premises 1200 1st Street, N.E. (Square 672, Lot 849).

WARD FIVE

18686 **Application of Ajaib Toor**, pursuant to 11 DCMR § 3104.1, for a special
ANC-5C exception from the off-street parking requirements under subsections
806.6 and 2101.1, to allow an auto repair garage in the LO/C-M-1 District
at premises 2001 Lawrence Avenue, N.E. (Square 4106, Lot 144).

WARD ONE

18687 **Application of William L. Ricks**, pursuant to 11 DCMR § 3103.2, for a
ANC-1A variance from the lot area requirements under subsection 401.3, a variance
from the rear yard requirements under section 404, and a variance from
the open court requirements under section 406, to allow a three unit
apartment house in the R-4 District at premises 3007 11th Street, N.W.
(Square 2851, Lot 99).

PLEASE NOTE:

Failure of an applicant or appellant to appear at the public hearing will subject the application or appeal to dismissal at the discretion of the Board.

Failure of an applicant or appellant to be adequately prepared to present the application or appeal to the Board, and address the required standards of proof for the application or appeal, may subject the application or appeal to postponement, dismissal or denial. The public hearing in these cases will be conducted in accordance with the provisions of Chapter 31 of the District of Columbia Municipal Regulations, Title 11, and Zoning. Pursuant to Subsection 3117.4, of the Regulations, the Board will impose time limits on the testimony of all individuals. Individuals and organizations interested in any application may testify at the public hearing or submit written comments to the Board.

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 Board, not less than 14 days prior to the date set for the hearing, a Form 140 – Party Status Application Form.** This form may be obtained from the Office of Zoning at the address stated below or downloaded from the Office of Zoning's website at: www.dcoz.dc.gov. All requests and comments should be submitted to the Board through the Director, Office of Zoning, 441 4th Street, NW, Suite 210, Washington, D.C. 20001. Please include the case number on all correspondence.

BZA PUBLIC HEARING NOTICE
JANUARY 7, 2014
PAGE NO. 3

FOR FURTHER INFORMATION, CONTACT THE OFFICE OF ZONING AT (202) 727-6311.

**LLOYD J. JORDAN, CHAIRMAN, S. KATHRYN ALLEN, VICE
CHAIRPERSON, JEFFREY L. HINKLE AND A MEMBER OF THE ZONING
COMMISSION ----- BOARD OF ZONING ADJUSTMENT, CLIFFORD W.
MOY, SECRETARY TO THE BZA, SARA A. BARDIN, DIRECTOR, OFFICE OF
ZONING.**

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS

NOTICE OF FINAL 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 (2012 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 (2012 Repl.)), hereby gives notice of the adoption of 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 and Regulatory Affairs (DCRA) Infractions of DCMR) of DCMR Title 16 (Consumers, Commercial Practices, and Civil Infractions).

The 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 Notice of Proposed Rulemaking was published in the *D.C. Register* on September 13, 2013 (60 DCR 12916). No comments were received and no changes have been made.

The Director took final action on these rules on October 16, 2013. These rules will become effective upon publication 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 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, and Civil Infractions), Chapter 33 (Department of Consumer and Regulatory Affairs (DCRA) Infractions), Section 3301 (Business and Professional Licensing Administration Infractions) of the DCMR is amended as follows:

Section 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).

Section 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 March 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 March 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).

DISTRICT DEPARTMENT OF THE ENVIRONMENT

NOTICE OF FINAL RULEMAKING**District of Columbia Water Quality Standards**

The Director of the District Department of the Environment (DDOE), in accordance with the authority set forth in the District Department of the Environment Establishment Act of 2005, effective February 15, 2006 (D.C. Law 16-51; D.C. Official Code § 8-151.01 *et seq.* (2012 Repl.)), Sections 5 and 21 of the Water Pollution Control Act of 1984, effective March 16, 1985 (D.C. Law 5-188; D.C. Official Code §§ 8-103.04 and 8-103.20 (2012 Repl.)), and Mayor's Order 2006-61, dated June 14, 2006, hereby gives notice of final rulemaking action to amend Chapter 11 (Water Quality Standards) of Title 21 (Water and Sanitation) of the District of Columbia Municipal Regulations (DCMR).

On August 30, 2013, DDOE published the Notice of Proposed Rulemaking in the *D.C. Register* at 60 DCR 012420. Electronic notice was also sent directly to interested parties identified by DDOE. On October 3, 2013, DDOE conducted a public hearing to solicit comments on the rulemaking. DDOE carefully considered the comments received for this rulemaking. All comments received were supportive of the revised criterion. No substantive changes have been made to the proposed rules as published on August 30, 2013. Final rulemaking action was taken on October 23, 2013, and the rules will become effective on the date of publication of this notice in the *D.C. Register*.

Summary of changes from the 2010 Water Quality Standards:

DDOE conducted its Triennial Review of the District of Columbia's Water Quality Standards as required by Section 303(c) of the Federal Clean Water Act (CWA) (33 U.S.C. § 1313 (c)) and the District's Water Pollution Control Act of 1984. It is DDOE's goal to continue to update and make available the latest scientific findings in the ambient water quality criteria that are used to restore and protect the quality of District waters. DDOE considered the environmental, technological, institutional, and socio-economic impact of the revised criterion on the application and enforcement.

DDOE revised the aquatic life numeric criteria for Acrolein from 10.0 µg/L to 3.0 µg/L, a more stringent criteria (§ 1104.8, Table 3). This change was based on EPA toxicity data and other information on the effects of Acrolein that were obtained from EPA's internal and external peer review, including scientific input from the public. The revised criteria will protect most aquatic species from adverse effects due to Acrolein exposure. Acrolein is used as biocide and herbicide to control algae, aquatic weeds and mollusks in recirculating process water systems. Acrolein can enter the aquatic environment by its use as an aquatic herbicide, from industrial discharge, and from the chlorination of organic compounds in drinking water and wastewater treatment. Monitoring studies conducted after field application show that Acrolein can be transported up to 61 miles from the point of application. See *Ambient Aquatic Life Water Quality Criteria for Acrolein*, (CAS Registry Number 107-02-8), (EPA 822-F-09-004), August 2009.

This rulemaking also establishes the aquatic life numeric water quality criteria for Carbaryl pesticide (§ 1104.8, Table 3). The major uses of Carbaryl include insect control on lawns, home gardens, fruit

orchards, forage and field crops, ornamentals, forests, turf, shade trees, poultry and pets. Carbaryl is toxic and potentially harmful to aquatic life and can enter water bodies via runoffs. Carbaryl is the second most frequently found insecticide in water with detections in approximately 50 percent of urban streams. See *Aquatic Life Ambient Water Quality Criteria for Carbaryl* (CAS Registry Number 63-25-2), (EPA-820-R-12-007), April 2012.

All other provisions, tables and definitions in the chapter remain unchanged.

Section 1104.8 of Chapter 11 (Water Quality Standards), Title 21 of the District of Columbia Municipal Regulations, is amended as follows:

1104.8 Unless otherwise stated, the numeric criteria that shall be met to attain and maintain designated uses are as follows in Tables 1 through 3:

TABLE 1 – NUMERIC CRITERIA

| Constituent | Criteria for Classes | | |
|--|----------------------|-----|------|
| | A | B | C |
| Bacteriological (MPN/100 mL) | | | |
| E. coli ¹ | | | |
| Geometric Mean (Maximum 30 day geometric mean for 5 samples) | 126 | | |
| Single Sample Value | 410 | | |
| Physical | | | |
| Dissolved Oxygen (mg/L) Instantaneous minimum (Year-round) ² | | | 5.0 |
| February 1 through May 31 ^{3,5} | | | |
| 7-day mean | | | 6.0 |
| Instantaneous minimum | | | 5.0 |
| June 1 through January 31 ^{3,5} | | | |
| 30-day mean | | | 5.5 |
| 7-day mean | | | 4.0 |
| Instantaneous minimum ⁴ | | | 3.2 |
| Temperature (°C) | | | |
| Maximum | | | 32.2 |
| Maximum change above ambient | | | 2.8 |
| pH | | | |
| Greater than | 6.0 | 6.0 | 6.0 |
| And less than | 8.5 | 8.5 | 8.5 |
| Turbidity increase above ambient (NTU) | 20 | 20 | 20 |
| Secchi Depth ^{3,5} (m)(seasonal segment average) | | | |
| April 1 through October 31 | | | 0.8 |
| Total dissolved gases (maximum % saturation) | | | 110 |
| Hydrogen Sulfide (maximum µg/L) | | | 2.0 |

| | | | |
|---|--|--|------|
| Oil & grease (mg/L) | | | 10.0 |
| Biological | | | |
| Chlorophyll <i>a</i> ^{3,5} ($\mu\text{g/L}$)(seasonal segment average) | | | |
| July 1 through September 30 | | | 25 |

Notes:

¹ The geometric mean criterion shall be used for assessing water quality trends and for permitting. The single sample value criterion shall be used for assessing water quality trends only.

² This criterion applies to nontidal waters.

³ Attainment of the dissolved oxygen, water clarity and chlorophyll *a* water quality criteria that apply to tidally influenced Class C waters will be determined following the guidelines documented in the 2003 United States Environmental Protection Agency publication: Ambient Water Quality Criteria for Dissolved Oxygen, Water Clarity and Chlorophyll *a* for the Chesapeake Bay and its Tidal Tributaries, EPA-903-R-03-002, April 2003, Region III Chesapeake Bay Program Office, Annapolis, Maryland; 2004 Addendum, EPA-903-R-04-005, October 2004; 2007 Addendum, EPA 903-R-07-003 CBP/TRS 285/07, July 2007; 2007 Chlorophyll Criterion Addendum, EPA 903-R-07-005 CBP/TRS 288-07, November 2007; 2008 Addendum, EPA 903-R-08-001 CBP/TRS 290-08, June 2008; and 2010 Criterion Addendum EPA 903-R-10-002 CBP/TRS-301-10, April 2010.

⁴ At temperatures greater than 29°C, in tidally influenced waters, an instantaneous minimum dissolved oxygen concentration of 4.3 mg/L shall apply.

⁵ Shall apply to tidally influenced waters only.

TABLE 2 – NUMERIC CRITERIA

| Constituent ¹ | Criteria for Classes | | |
|--|----------------------|-----------------------|----------------|
| | C | | D ² |
| Trace metals and inorganics in $\mu\text{g/L}$, except where stated otherwise (see Notes below) | CCC 4-Day Avg | CMC 1-Hour Avg | 30-Day Avg |
| Ammonia, total mg N/L | See Note 7 | See Note 8 | |
| Antimony, dissolved | | | 640 |
| Arsenic ³ , dissolved | 150 | 340 | 0.14c |
| Cadmium ^{4,5} , dissolved | [I] ^{CF} | [I.A] ^{CF} | |
| Chlorine, total residual | 11 | 19 | |
| Chromium ⁴ , hexavalent, dissolved | 11 ^{CF} | 16 ^{CF} | |
| Chromium ^{4,5} , trivalent, dissolved | [II] ^{CF} | [II.A] ^{CF} | |
| Copper ^{4,5} , dissolved | [III] ^{CF} | [III.A] ^{CF} | |
| Cyanide, free | 5.2 | 22 | 140 |
| Iron, dissolved | 1000 | | |
| Lead ^{4,5} , dissolved | [IV] ^{CF} | [IV.A] ^{CF} | |
| Mercury ⁴ , total recoverable | 0.77 | 1.4 | 0.15 |

| | | | |
|--|---------------------|---------------------|-------|
| Methylmercury (mg/kg, fish tissue residue) | | | 0.3 |
| Nickel ^{4,5} , dissolved | [V] ^{CF} | [V.A] ^{CF} | 4600 |
| Selenium, total recoverable | 5 | 20 | 4200 |
| Silver ^{4,5} , dissolved | | [VI] ^{CF} | 65000 |
| Thallium, dissolved | | | 0.47 |
| Zinc ^{4,5} , dissolved | [VII] ^{CF} | [VII] ^{CF} | 26000 |

Notes:

¹ For constituents without numerical criteria, standards have not been developed at this time. However, the National Pollutant Discharge Elimination System (NPDES) permitting authority shall address constituents without numerical standards in NPDES permit actions by using the narrative criteria for toxics contained in these water quality standards.

² The Class D Human Health Criteria for metals will be based on Total Recoverable metals.

³ The letter “c” after the Class D Human Health Criteria numeric value means that the criteria is based on carcinogenicity of 10⁻⁶ risk level.

⁴ The superscript “CF” means that the criterion derived from the formula under Note 5 is multiplied by the conversion factor in Table 2a as specified in Subsection 1105.10:

TABLE 2A. CONVERSION FACTORS

| Constituent | CCC | CMC |
|--------------|------------------------------------|------------------------------------|
| Cadmium | 1.101672-[(ln hardness)(0.041838)] | 1.136672-[(ln hardness)(0.041838)] |
| Chromium III | 0.860 | 0.316 |
| Chromium VI | 0.962 | 0.982 |
| Copper | 0.960 | 0.960 |
| Lead | 1.46203-[(ln hardness)(0.145712)] | 1.46203-[(ln hardness)(0.145712)] |
| Mercury | 0.85 | 0.85 |
| Nickel | 0.997 | 0.998 |
| Silver | -- | 0.85 |
| Zinc | 0.986 | 0.978 |

⁵ The formulas for calculating the criterion for the hardness dependent constituents indicated above are as follows:

[I] The numerical CCC criterion for cadmium in µg/L shall be given by:

$$e^{(0.7409[\ln(\text{hardness})]-4.719)}$$

[I.A] The numerical CMC criterion for cadmium in µg/L shall be given by:

$$e^{(1.0166[\ln(\text{hardness})]-3.924)}$$

[II] The numerical CCC criterion for trivalent chromium in µg/L shall be given by:

$$e^{(0.8190[\ln(\text{hardness})]+0.6848)}$$

[II.A] The numerical CMC criterion for trivalent chromium in $\mu\text{g/L}$ shall be given by:

$$e^{(0.8190[\ln(\text{hardness})]+3.7256)}$$

[III] The numerical CCC criterion for copper in $\mu\text{g/L}$ shall be given by:

$$e^{(0.8545[\ln(\text{hardness})]-1.702)}$$

[III.A] The numerical CMC criterion for copper in $\mu\text{g/L}$ shall be given by:

$$e^{(0.9422[\ln(\text{hardness})]-1.700)}$$

[IV] The numerical CCC criterion for lead in $\mu\text{g/L}$ shall be given by:

$$e^{(1.2730[\ln(\text{hardness})]-4.705)}$$

[IV.A] The numerical CMC criterion for lead in $\mu\text{g/L}$ shall be given by:

$$e^{(1.2730[\ln(\text{hardness})]-1.460)}$$

[V] The numerical CCC criterion for nickel in $\mu\text{g/L}$ shall be given by:

$$e^{(0.8460[\ln(\text{hardness})]+0.0584)}$$

[V.A] The numerical CMC criterion for nickel in $\mu\text{g/L}$ shall be given by:

$$e^{(0.8460[\ln(\text{hardness})]+2.255)}$$

[VI] The numerical CMC criterion for silver in $\mu\text{g/L}$ shall be given by:

$$e^{(1.7200[\ln(\text{hardness})]-6.590)}$$

[VII] The numerical CCC criterion for zinc in $\mu\text{g/L}$ shall be given by:

$$e^{(0.8473[\ln(\text{hardness})]+0.884)}$$

[VII.A] The numerical CMC criterion for zinc in $\mu\text{g/L}$ shall be given by:

$$e^{(0.8473[\ln(\text{hardness})]+0.884)}$$

⁶ Hardness in the equations (I) through (VII.A) in Note 5 above shall be measured as mg/L of Calcium Carbonate (CaCO_3). The minimum hardness allowed for use in those equations shall not be less than 25 mg/L, as CaCO_3 , even if the actual ambient hardness is less than 25 mg/L as CaCO_3 . The maximum hardness value allowed for use in those equations shall not exceed 400 mg/L, as CaCO_3 , even if the actual ambient water hardness is greater than 400 mg/L as CaCO_3 .

⁷Criterion Continuous Concentration (CCC) for Total Ammonia:

- (a) The CCC criterion for ammonia (in mg N/L) (i) shall be the thirty (30)-day average concentration for total ammonia computed for a design flow specified in Subsection 1105.5; and (ii) shall account for the influence of the pH and temperature as shown in Table 2b and Table 2c. The highest four (4)-day average within the thirty (30)-day period shall not exceed 2.5 times the CCC.

- (b) The CCC criterion in **Table 2b** for the period March 1st through June 30th was calculated using the following formula, which shall be used to calculate unlisted values: $CCC = [(0.0577/(1+10^{7.688-pH})) + (2.487/(1+10^{pH-7.688}))] \times \text{MIN}(2.85, 1.45 \times 10^{0.028 \times (25-T)})$, where MIN indicates the lesser of the two values (2.85, $1.45 \times 10^{0.028 \times (25-T)}$) separated by a comma.
- (c) The CCC criterion in **Table 2c** for the period July 1st through February 28/29th, was calculated using the following formula, which shall be used to calculate unlisted values: $CCC = [(0.0577/(1+10^{7.688-pH})) + (2.487/(1+10^{pH-7.688}))] \times [1.45 \times 10^{0.028 \times (25-\text{MAX}(T,7))}]$, where MAX indicates the greater of the two values (T,7) separated by a comma.

TABLE 2B. TOTAL AMMONIA
(in milligrams of Nitrogen per liter)
CCC CRITERION FOR VARIOUS pH AND TEMPERATURES
FOR MARCH 1ST THROUGH JUNE 30TH

| pH | Temperature (°C) | | | | | | | | | |
|------|------------------|-------|-------|-------|-------|-------|-------|-------|-------|-------|
| | 0 | 14 | 16 | 18 | 20 | 22 | 24 | 26 | 28 | 30 |
| 6.50 | 6.67 | 6.67 | 6.06 | 5.33 | 4.68 | 4.12 | 3.62 | 3.18 | 2.80 | 2.46 |
| 6.60 | 6.57 | 6.57 | 5.97 | 5.25 | 4.61 | 4.05 | 3.56 | 3.13 | 2.75 | 2.42 |
| 6.70 | 6.44 | 6.44 | 5.86 | 5.15 | 4.52 | 3.98 | 3.42 | 3.00 | 2.64 | 2.32 |
| 6.80 | 6.29 | 6.29 | 5.72 | 5.03 | 4.42 | 3.89 | 3.42 | 3.00 | 2.64 | 2.32 |
| 6.90 | 6.12 | 6.12 | 5.56 | 4.89 | 4.30 | 3.78 | 3.32 | 2.92 | 2.57 | 2.25 |
| 7.00 | 5.91 | 5.91 | 5.37 | 4.72 | 4.15 | 3.65 | 3.21 | 2.82 | 2.48 | 2.18 |
| 7.10 | 5.67 | 5.67 | 5.15 | 4.53 | 3.98 | 3.50 | 3.08 | 2.70 | 2.38 | 2.09 |
| 7.20 | 5.39 | 5.39 | 4.90 | 4.31 | 3.78 | 3.33 | 2.92 | 2.57 | 2.26 | 1.99 |
| 7.30 | 5.08 | 5.08 | 4.61 | 4.06 | 3.57 | 3.13 | 2.76 | 2.42 | 2.13 | 1.87 |
| 7.40 | 4.73 | 4.73 | 4.30 | 3.97 | 3.49 | 3.06 | 2.69 | 2.37 | 2.08 | 1.83 |
| 7.50 | 4.36 | 4.36 | 3.97 | 3.49 | 3.06 | 2.69 | 2.37 | 2.08 | 1.83 | 1.61 |
| 7.60 | 3.98 | 3.98 | 3.61 | 3.18 | 2.79 | 2.45 | 2.16 | 1.90 | 1.67 | 1.47 |
| 7.70 | 3.58 | 3.58 | 3.25 | 2.86 | 2.51 | 2.21 | 1.94 | 1.71 | 1.50 | 1.32 |
| 7.80 | 3.18 | 3.18 | 2.89 | 2.54 | 2.23 | 1.96 | 1.73 | 1.52 | 1.33 | 1.17 |
| 7.90 | 2.80 | 2.80 | 2.54 | 2.24 | 1.96 | 1.73 | 1.52 | 1.33 | 1.17 | 1.03 |
| 8.00 | 2.43 | 2.43 | 2.21 | 1.94 | 1.71 | 1.50 | 1.32 | 1.16 | 1.02 | 0.897 |
| 8.10 | 2.10 | 2.10 | 1.91 | 1.68 | 1.47 | 1.29 | 1.14 | 1.00 | 0.879 | 0.773 |
| 8.20 | 1.79 | 1.79 | 1.63 | 1.43 | 1.26 | 1.11 | 0.973 | 0.855 | 0.752 | 0.661 |
| 8.30 | 1.52 | 1.52 | 1.39 | 1.22 | 1.07 | 0.941 | 0.827 | 0.727 | 0.639 | 0.562 |
| 8.40 | 1.29 | 1.29 | 1.17 | 1.03 | 0.906 | 0.796 | 0.700 | 0.615 | 0.541 | 0.475 |
| 8.50 | 1.09 | 1.09 | 0.990 | 0.870 | 0.765 | 0.672 | 0.591 | 0.520 | 0.457 | 0.401 |
| 8.60 | 0.920 | 0.920 | 0.836 | 0.735 | 0.646 | 0.568 | 0.499 | 0.439 | 0.386 | 0.339 |
| 8.70 | 0.778 | 0.778 | 0.707 | 0.622 | 0.547 | 0.480 | 0.422 | 0.371 | 0.326 | 0.287 |
| 8.80 | 0.661 | 0.661 | 0.601 | 0.528 | 0.464 | 0.408 | 0.359 | 0.315 | 0.277 | 0.208 |

| | | | | | | | | | | |
|-------------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|
| 8.90 | 0.565 | 0.565 | 0.513 | 0.451 | 0.397 | 0.349 | 0.306 | 0.269 | 0.237 | 0.208 |
| 9.00 | 0.486 | 0.486 | 0.442 | 0.389 | 0.342 | 0.300 | 0.264 | 0.232 | 0.204 | 0.179 |

TABLE 2C. TOTAL AMMONIA
(milligrams of Nitrogen per liter)
CCC CRITERION FOR VARIOUS pH AND TEMPERATURES FOR JULY 1ST
THROUGH FEBRUARY 28TH/29TH

| pH | Temperature (°C) | | | | | | | | | |
|-------------|------------------|-------|-------|-------|-------|-------|-------|-------|-------|-------|
| | 0-7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15* | 16* |
| 6.50 | 10.8 | 10.1 | 9.51 | 8.92 | 8.36 | 7.84 | 7.35 | 6.89 | 6.46 | 6.06 |
| 6.60 | 10.7 | 9.99 | 9.37 | 8.79 | 8.24 | 7.72 | 7.24 | 6.79 | 6.36 | 5.97 |
| 6.70 | 10.5 | 9.81 | 9.20 | 8.62 | 8.08 | 7.58 | 7.11 | 6.66 | 6.25 | 5.86 |
| 6.80 | 10.2 | 9.58 | 8.98 | 8.42 | 7.90 | 7.40 | 6.94 | 6.51 | 6.10 | 5.72 |
| 6.90 | 9.93 | 9.31 | 8.73 | 8.19 | 7.68 | 7.20 | 6.75 | 6.33 | 5.93 | 5.56 |
| 7.00 | 9.60 | 9.00 | 8.43 | 7.91 | 7.41 | 6.95 | 6.52 | 6.11 | 5.73 | 5.37 |
| 7.10 | 9.20 | 8.63 | 8.09 | 7.58 | 7.11 | 6.67 | 6.25 | 5.86 | 5.49 | 5.15 |
| 7.20 | 8.75 | 8.20 | 7.69 | 7.21 | 6.76 | 6.34 | 5.94 | 5.57 | 5.22 | 4.90 |
| 7.30 | 8.24 | 7.73 | 7.25 | 6.79 | 6.37 | 5.97 | 5.60 | 5.25 | 4.92 | 4.61 |
| 7.40 | 7.69 | 7.21 | 6.76 | 6.33 | 5.94 | 5.57 | 5.22 | 4.89 | 4.59 | 4.30 |
| 7.50 | 7.09 | 6.64 | 6.23 | 5.84 | 5.48 | 5.13 | 4.81 | 4.51 | 4.23 | 3.97 |
| 7.60 | 6.46 | 6.05 | 5.67 | 5.32 | 4.99 | 4.68 | 4.38 | 4.11 | 3.85 | 3.61 |
| 7.70 | 5.81 | 5.45 | 5.11 | 4.79 | 4.49 | 4.21 | 3.95 | 3.70 | 3.47 | 3.25 |
| 7.80 | 5.17 | 4.84 | 4.54 | 4.26 | 3.99 | 3.74 | 3.51 | 3.29 | 3.09 | 2.89 |
| 7.90 | 4.54 | 4.26 | 3.99 | 3.74 | 3.51 | 3.29 | 3.09 | 2.89 | 2.71 | 2.54 |
| 8.00 | 3.95 | 3.70 | 3.47 | 3.26 | 3.05 | 2.86 | 2.68 | 2.52 | 2.36 | 2.21 |
| 8.10 | 3.41 | 3.19 | 2.99 | 2.81 | 2.63 | 2.47 | 2.31 | 2.17 | 2.03 | 1.91 |
| 8.20 | 2.91 | 2.73 | 2.56 | 2.4 | 2.25 | 2.11 | 1.98 | 1.85 | 1.74 | 1.63 |
| 8.30 | 2.47 | 2.32 | 2.18 | 2.04 | 1.91 | 1.79 | 1.68 | 1.58 | 1.48 | 1.39 |
| 8.40 | 2.09 | 1.96 | 1.84 | 1.73 | 1.62 | 1.52 | 1.42 | 1.33 | 1.25 | 1.17 |
| 8.50 | 1.77 | 1.66 | 1.55 | 1.46 | 1.37 | 1.28 | 1.20 | 1.13 | 1.06 | 0.990 |
| 8.60 | 1.49 | 1.40 | 1.31 | 1.23 | 1.15 | 1.08 | 1.01 | 0.951 | 0.892 | 0.836 |
| 8.70 | 1.26 | 1.18 | 1.11 | 1.04 | 0.976 | 0.915 | 0.858 | 0.805 | 0.754 | 0.707 |
| 8.80 | 1.07 | 1.01 | 0.944 | 0.885 | 0.829 | 0.778 | 0.729 | 0.684 | 0.641 | 0.601 |
| 8.90 | 0.917 | 0.860 | 0.806 | 0.756 | 0.709 | 0.664 | 0.623 | 0.584 | 0.548 | 0.513 |
| 9.00 | 0.790 | 0.740 | 0.694 | 0.651 | 0.610 | 0.572 | 0.536 | 0.503 | 0.471 | 0.442 |

*At 15°C and above, the criterion for July 1st through February 28th/29th is the same as the criterion for March 1st through June 30th.

⁸ Criterion Maximum Concentration (CMC) for Total Ammonia:

- (a) The CMC criterion for total ammonia (in mg N/L) (i) shall be the one (1)-hour average concentration for total ammonia, computed for a design flow

specified in subsection 1105.5; and (ii) shall account for the influence of the pH as shown in Table 2d.

- (b) The CMC criterion was calculated using the following formula, which shall be used to calculate unlisted values: $CMC = [(0.411/(1+10^{7.204-pH})) + [58.4/(1+10^{pH-7.204})]$.

**TABLE 2D. TOTAL AMMONIA
(in milligrams of Nitrogen per liter)
CMC CRITERION FOR VARIOUS pH**

| pH | CMC | pH | CMC | pH | CMC | pH | CMC |
|------|------|------|------|------|------|------|------|
| 6.50 | 48.8 | 7.20 | 29.5 | 7.90 | 10.1 | 8.60 | 2.65 |
| 6.60 | 46.8 | 7.30 | 26.2 | 8.00 | 8.40 | 8.70 | 2.20 |
| 6.70 | 44.6 | 7.40 | 23.0 | 8.10 | 6.95 | 8.80 | 1.84 |
| 6.80 | 42.0 | 7.50 | 19.9 | 8.20 | 5.72 | 8.90 | 1.56 |
| 6.90 | 39.1 | 7.60 | 17.0 | 8.30 | 4.71 | 9.00 | 1.32 |
| 7.00 | 36.1 | 7.70 | 14.4 | 8.40 | 3.88 | | |
| 7.10 | 32.8 | 7.80 | 12.1 | 8.50 | 3.20 | | |

TABLE 3 – ORGANIC COMPOUNDS

| Constituent ¹ Organics (µg/L) | CAS Number | Criteria for Classes | | |
|---|---------------|----------------------|----------------------|----------------|
| | | C | | D ² |
| | | CCC 4-Day Avg | CMC 1-Hour Avg | 30-Day Avg |
| Acrolein | 107028 | 3.0 | 3.0 | 9.0 |
| Acrylonitrile | 107131 | 700.0 | | 0.25,c |
| Aldrin | 309002 | 0.4 | 3.0 | 0.000050,c |
| Benzene | 71432 | 1000 | | 51.0,c |
| Carbon Tetrachloride | 56235 | 1000 | | 1.6,c |
| Chlordane | 57749 | 0.0043 | 2.4 | 0.00081,c |
| Chlorinated benzenes (except Di) | | 25.0 | | |
| Chlorobenzene | 108907 | | | 1600 |
| 1,2-Dichlorobenzene | 95501 | 200 | | 1300 |
| 1,3-Dichlorobenzene | 541731 | 200 | | 960 |
| 1,4-Dichlorobenzene | 106467 | 200 | | 190 |
| Hexachlorobenzene | 118741 | | | 0.00029,c |
| Pentachlorobenzene | 608935 | | | 1.5 |
| 1,2,4,5-Tetrachlorobenzene | 95943 | | | 1.1 |
| 1,2,4-Trichlorobenzene | 120821 | | | 70 |

TABLE 3 – ORGANIC COMPOUNDS

| Constituent ¹ Organics (µg/L) | CAS Number | Criteria for Classes | | |
|---|---------------|----------------------|----------------------|-----------------------------|
| | | C | | D ² |
| | | CCC 4-Day Avg | CMC 1-Hour Avg | 30-Day Avg |
| Chlorinated ethanes | | 50 | | |
| 1,2-Dichloroethane | 107062 | | | 37.0,c |
| Hexachloroethane | 67721 | | | 3.3,c |
| 1,1,2,2-Tetrachloroethane | 79345 | | | 4.0,c |
| 1,1,2-Trichloroethane | 79005 | | | 16.0,c |
| Chlorinated naphthalene | | | | |
| 2-Chloronaphthalene | 91587 | 200 | | 1600 |
| Chlorinated phenols | | | | |
| 2-Chlorophenol | 95578 | 100 | | 150 |
| 2,4-Dichlorophenol | 120832 | 200 | | 290.0 |
| Pentachlorophenol ³ | 87865 | [I] | [I.A] | 3.0,c |
| 2,4,5-Trichlorophenol | 95954 | | | 3600 |
| 2,4,6-Trichlorophenol | 88062 | | | 2.4,c |
| Chloroalkyl ethers | | 1000 | | |
| Bis(2-Chloroethyl)Ether | 111444 | | | 0.53,c |
| Bis(2-Chloroisopropyl)Ether | 108601 | | | 65,000 |
| Bis(Chloromethyl)Ether | 542881 | | | 0.00029 |
| 3,3-Dichlorobenzidine | 91941 | 10 | | 0.028,c |
| Dichloroethylenes | | 1000 | | |
| 1,1-Dichloroethylene | 75354 | | | 7,100,c |
| 1,2-Trans-Dichloroethylene | 156605 | | | 10,000 |
| 1,2-Dichloropropane | 78875 | 2000 | | 15,c |
| Dichloropropenes | | 400 | | |
| 1,3-Dichloropropene | 542756 | | | 21 |
| Dieldrin | 60571 | 0.056 | 0.24 | 0.000054,c |
| 2,4-Dimethylphenol | 105679 | 200 | | 850 |
| 2,4-Dinitrotoluene | 121142 | 33 | | 3.4,c |
| Dioxin (2,3,7,8-TCDD) | 1746016 | | | 0.0000000051,c (5.1 E-8) |
| 1,2-Diphenylhydrazine | 122667 | 30 | | 0.20,c |
| Endosulfan | | 0.056 | 0.22 | 89 |
| Alpha-Endosulfan | 959988 | 0.056 | 0.22 | 89 |
| Beta-Endosulfan | 33213659 | 0.056 | 0.22 | 89 |
| Endosulfan sulfate | 1031078 | | | 89 |
| Endrin | 72208 | 0.036 | 0.086 | 0.060 |
| Endrin aldehyde | 7421934 | | | 0.30 |
| Ethylbenzene | 100414 | 40 | | 2,100 |

TABLE 3 – ORGANIC COMPOUNDS

| Constituent ¹ Organics (µg/L) | CAS Number | Criteria for Classes | | |
|---|---------------|----------------------|----------------------|----------------|
| | | C | | D ² |
| | | CCC 4-Day Avg | CMC 1-Hour Avg | 30-Day Avg |
| Halomethanes | | 1000 | | |
| Bromoform | 75252 | | | 140,c |
| Chloroform | 67663 | 3000 | | 470.0,c |
| Chlorodibromomethane | 124481 | | | 13.0,c |
| Dichlorobromomethane | 75274 | | | 17.0,c |
| Methyl Bromide | 74839 | | | 1,500 |
| Methylene chloride | 75092 | | | 590,c |
| Heptachlor | 76448 | 0.0038 | 0.52 | 0.000079,c |
| Heptachlor epoxide | 1024573 | 0.0038 | 0.52 | 0.000039,c |
| Hexachlorobutadiene | 87683 | 10 | | 18.0,c |
| Hexachlorocyclohexane | | | | |
| alpha-BHC | 319846 | | | 0.0049,c |
| beta-BHC | 319857 | | | 0.017,c |
| gamma-BHC (Lindane) | 58899 | 0.08 | 0.95 | 1.8,c |
| Hexachlorocyclopentadiene | 77474 | 0.5 | | 1,100 |
| Isophorone | 78591 | 1000 | | 960,c |
| Manganese | 7439965 | | | 100 |
| Methoxychlor | 72435 | 0.03 | | |
| Mirex | 2385855 | 0.001 | | |
| Naphthalene | 91203 | 600 | | |
| Nitrobenzene | 98953 | 1000 | | 690 |
| Nitrophenols | | 20 | | |
| 2-Methyl-4,6- Dinitrophenol | 534521 | | | 280 |
| 2,4-Dinitrophenol | 51285 | | | 5,300 |
| Dinitrophenols | 25550587 | | | 5,300 |
| Nitrosamines | | 600 | | 1.24 |
| N-Nitrosodibutylamine | 924163 | | | 0.22 |
| N-Nitrosodiethylamine | 55185 | | | 1.24 |
| N-Nitrosodimethylamine | 62759 | | | 3.0,c |
| N-Nitrosodi-n-Propylamine | 621647 | | | 0.51,c |
| N-Nitrosodiphenylamine | 86306 | | | 6.0,c |
| N-Nitrosopyrrolidine | 930552 | | | 34,c |
| Nonylphenol | 84852153 | 6.6 | 28 | |
| Carbamates | | | | |
| Carbaryl (Sevin) | 63252 | 2.1 | 2.1 | |
| Organochlorides | | | | |
| 4,4'-DDD | 72548 | 0.001 | 1.1 | 0.00031,c |

TABLE 3 – ORGANIC COMPOUNDS

| Constituent ¹ Organics (µg/L) | CAS Number | Criteria for Classes | | |
|---|---------------|----------------------|----------------------|----------------|
| | | C | | D ² |
| | | CCC 4-Day Avg | CMC 1-Hour Avg | 30-Day Avg |
| 4,4'-DDE | 72559 | 0.001 | 1.1 | 0.00022,c |
| 4,4'-DDT | 50293 | 0.001 | 1.1 | 0.00022,c |
| Organophosphates | | | | |
| Guthion | 86500 | 0.01 | | |
| Malathion | 121755 | 0.1 | | |
| Parathion | 56382 | 0.013 | 0.065 | |
| Phenol | 108952 | | | 860,000 |
| Phthalate esters | | 100 | | |
| Bis(2-Ethylhexyl) Phthalate | 117817 | | | 2.2,c |
| Butylbenzyl Phthalate | 85687 | | | 1,900 |
| Diethyl Phthalate | 84662 | | | 44,000 |
| Dimethyl Phthalate | 131113 | | | 1,100,000 |
| Di-n-Butyl Phthalate | 84742 | | | 4,500 |
| Polychlorinated biphenyls ⁴ | | 0.014 | | 0.000064,c |
| Polynuclear aromatic hydrocarbons | | | | |
| Acenaphthene | 83329 | 50 | | 990 |
| Acenaphthylene | 208968 | | | |
| Anthracene | 120127 | | | 40,000 |
| Benzidine | 92875 | 250 | | 0.00020,c |
| Benzo(a)Anthracene | 56553 | | | 0.018,c |
| Benzo(a)Pyrene | 50328 | | | 0.018,c |
| Benzo(b)Fluoranthene | 205992 | | | 0.018,c |
| Benzo(k)Fluoranthene | 207089 | | | 0.018,c |
| Chrysene | 218019 | | | 0.018,c |
| Dibenzo(a,h) Anthracene | 53703 | | | 0.018,c |
| Fluoranthene | 206440 | 400 | | 140.0 |
| Fluorene | 86737 | | | 5,300 |
| Indeno(1,2,3-cd) Pyrene | 193395 | | | 0.018,c |
| Pyrene | 129000 | | | 4,000 |
| Tetrachloroethylene | 127184 | 800 | | 3.3,c |
| Toluene | 108883 | 600 | | 15000 |
| Toxaphene | 8001352 | 0.0002 | 0.73 | 0.00028,c |
| Tributyltin (TBT) | -- | 0.072 | 0.46 | |
| Trichloroethylene | 79016 | 1000 | | 30.0,c |
| Vinyl chloride | 75014 | | | 2.4,c |

Notes:

¹ For constituents without numerical criteria, standards have not been developed at this time. However, permit writers shall address these constituents in NPDES permit actions using the narrative criteria for toxics contained in these water quality standards.

² The letter “c” after the Class D Human Health Criteria numeric value means that the criterion is based on carcinogenicity of 10^{-6} risk level.

³ The formulas for calculating the concentrations of substances indicated above are as follows:

[I] The numerical CCC criterion for pentachlorophenol in $\mu\text{g/L}$ shall be given by:
$$e^{(1.005(\text{pH}) - 5.134)}$$

[I.A] The numerical CMC criterion for pentachlorophenol in $\mu\text{g/L}$ shall be given by:
$$e^{(1.005(\text{pH}) - 4.869)}$$

⁴ The polychlorinated biphenyls (PCB) criterion applies to total PCBs (*e.g.*, the sum of all congener or all isomer or homolog or Aroclor analyses.)

DEPARTMENT OF HEALTH CARE FINANCE

NOTICE OF FINAL 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 of a new Chapter 18 of Title 29 (Public Welfare) of the District of Columbia Municipal Regulations (DCMR), entitled, “Health Care Benefit Grants”.

The Department of Health Care Finance Establishment Act authorizes the Director of DHCF to execute grants with governmental bodies, public and private agencies, institutions and organizations. These final rules establish the standards for determining who may receive a grant and under what circumstances, and establish the procedures for awarding a grant. These rules were developed to be consistent with the requirements set forth in the Grantmaking Sourcebook, issued by the District’s Office of Partnerships and Grant Services.

The Health Information Technology and Clinical Health Act of 2009, enacted under Title XIII of the American Recovery and Reinvestment Act of 2009 (Pub. L. 111-5) authorizes the establishment of the state-wide Health Information Exchange. Having a patient’s health history immediately available can mean the difference between a provider delivering an appropriate level of care or care that could adversely impact a patient. The establishment of a grant program allows the District to assist providers to establish a secure electronic connectivity between hospitals located in the District of Columbia and a state designated health information exchange for advanced health information exchange services. This exchange of information ensures coordination of patient care that should result in efficiencies in the delivery of care.

A Notice of Emergency and Proposed rulemaking was published in the *DC Register* on July 12, 2013 t 60 DCR 10144. No comments were received and no substantive changes have been made. These rules were adopted by the Director on October 21, 2013, and shall become effective on the date of publication of this notice in the *DC Register*.

Title 29 (Public Welfare) of the DCMR is amended as follows:

Add a new Chapter 18, HEALTH CARE BENEFIT GRANTS, to read as follows:

CHAPTER 18 HEALTH CARE BENEFIT GRANTS

1800 GENERAL PROVISIONS

1800.1 This chapter establishes uniform requirements for transferring money or other things of value to recipients outside the District government, where the Department is authorized to make grants.

1800.2 The Director of the Department of Health Care Finance (Department) is authorized to make a grant where:

- (a) A statute authorizes the Department to support or stimulate the activity of the recipient;
- (b) The Department will not be substantially involved in the activity that is supported or stimulated; and
- (c) The Department is not acquiring any property or service of which the District government is a direct beneficiary.

1800.3 The Department is authorized to make grants pursuant to the Department of Health Care Finance Establishment Act of 2007 for the following purposes:

- (a) To maximize the well-being and quality of life for eligible low-income individuals and other populations through the provision of leadership and discretion in administering responsive, effective, and efficient health care benefits;
- (b) To develop a comprehensive efficient, and cost effective health care system for the District's uninsured, underinsured, and low-income residents;
- (c) To develop eligibility, service coverage and service delivery and reimbursement policies for the District's healthcare financing programs that ensure improved access and efficient delivery of services;
- (d) To ensure that the District's healthcare programs maximize available federal financial assistance; and
- (e) To support the healthcare policy, delivery and access initiatives of the Department of Health and other District agencies through sound health-care financing.

1800.4 The Department shall ensure that no individual in a decision-making capacity shall engage in any activity including participation in the selection of a grantee, the administration of an award, or an activity supported by award funds, if the appearance of or an actual conflict of interest would be involved.

1801 GRANT OFFICER

1801.1 The Director shall appoint a Grant Officer who shall serve as the Department's point of contact for grant making activities and shall forward the Grant Officer's

name to the Office of the City Administrator and the Office of Partnership and Grant Services.

1801.2 At minimum, the Department's Grant Officer shall be conversant with:

- (a) The federal uniform administrative requirements for grants; and
- (b) The local requirements governing grants and subgrants.

1802 PRE-AWARD PROCESS

1802.1 Except as provided in Section 1803, all local or federal grants and subgrants to grantees shall be made on a competitive basis.

1802.2 Grant funds awarded as a result of a grant competition must be competed each successive grant term unless:

- (a) The funds are awarded as part of an extension of the original grant;
- (b) The Department has unobligated funds from the original grant that it wishes to award to the original grantee(s);
- (c) The terms of the grant allow the Department to add or modify grant awards; or
- (d) The original award document specifically allows otherwise.

1803 EXCEPTED AWARDS

1803.1 The Department may make a grant award on a sole source basis in appropriate circumstances as determined by the Director in his/her sole discretion that include, but are not limited to:

- (a) The authorization for the award designates the grantee;
- (b) The applicable law defines eligibility in such a way that there is only one eligible applicant;
- (c) There is a recognized coalition or group of service providers through which the broadest community participation may be obtained in serving the targeted clientele; or
- (d) When the services required by the Department are available from only one source and no other type of services will satisfy Department requirements.

- 1803.2 The Department may make a grant award as an earmark if the earmark is clearly authorized by legislation or Agreement that provides the grant funds.
- 1803.3 The Department shall make excepted awards in the same manner as competitive awards except that the Department need not use a review panel.
- 1803.4 The Department shall prepare a written “sole source justification” memorandum signed by the Director explaining the circumstances that justified the absence of competition.
- 1803.5 The sole source justification memorandum shall be maintained in the Department’s records in accordance with Section 1815.

1804 PERFORMANCE STANDARDS

- 1804.1 The Department shall establish standards for grantees in making determinations of demonstrated performance prior to the award of grants and subgrants.
- 1804.2 Determinations of demonstrated performance shall be in writing and take into consideration such matters as whether the applicant has:
- (a) Adequate financial resources or the ability to obtain them;
 - (b) The ability to meet the program design specifications at a reasonable and competitive cost, as well as the ability to meet performance goals;
 - (c) A satisfactory record of past performance in the grant or subgrant subject area, including demonstrated quality of service delivery;
 - (d) Documentation that the grantee has the legal status (*i.e.* business license, non-profit incorporation, etc.) to conduct business within the District of Columbia;
 - (e) A satisfactory record of integrity, business ethics, and fiscal accountability;
 - (f) The necessary organization, experience, accounting and operational controls; and
 - (g) The technical skills to perform the work.
- 1804.3 In the alternative, the Department may determine that an applicant has demonstrated performance by an objective review of available documentation at the discretion of the Director. The rationale for any approvals of demonstrated performance by the alternative process shall be documented in writing and maintained in the Department’s records in accordance with Section 1815.

1805 NOTICE OF FUNDS AVAILABILITY (NOFA)

1805.1 Before making a grant or subgrant, the Department shall prepare a Notice of Funds Availability (NOFA) which shall include:

- (a) A brief description of the purposes for which funds are available;
- (b) The criteria for eligible applicants; and
- (c) The time and location at which the Request for Application (RFA) may be obtained and the process and timetable for submission.

1805.2 Except as provided in Section 1805.3, the Department shall forward the NOFA to the Office of the Secretary (Office of Documents and Administrative Issuance) for publication in the *D.C. Register* no later than 14 days prior to the release of the RFA.

1805.3 The Department may submit the NOFA for publication less than 14 days prior to release of the RFA where the Department determines there is good cause to do so.

1805.4 The Department shall provide a copy of its NOFAs and RFAs to the Office of the City Administrator and the Office for Partnerships and Grant Services (OPGS) no later than three (3) business days prior to publication in the weekly Funding Alert and posting on the District's Grants Clearinghouse on the OPGS website.

1805.5 The Department may choose to disseminate a NOFA by publishing it in local newspapers and community newsletters, direct mailing to all prospective applicants or any other reasonable form of distribution.

1806 REQUEST FOR APPLICATION (RFA)

1806.1 The Department shall prepare an RFA consistent with the OPGS Grants Manual, which shall include:

- (a) A description of the purpose of the program, including a definition of the type and range of services and activities that a grantee or subgrantee shall carry out under a grant or subgrant.
- (b) Where applicable, a requirement that the applicant propose measureable goals, objectives and timeframes, target recipients, and provide a plan of formal evaluation for each specific service proposed by the applicant.
- (c) A "Purpose of Program" section which specifies the time period for which all services will be funded and any other special requirements emanating from the authorizing statute, federal grant agreement or regulations.

- (d) Where applicable, the criteria for scoring applications including, but not limited to:
 - (1) Justification of the need for grant funds, if desirable;
 - (2) Soundness of proposed service delivery plan;
 - (3) Adequacy and reasonableness of proposed resources; and,
 - (4) Required and demonstrated capability for managing the proposed project.
- (e) A reasonable deadline for submitting applications which shall be thirty (30) days unless the Director determines that circumstances warrant a shorter or longer deadline.
- (f) A requirement that the applicant disclose in a written statement, the truth of which is sworn or attested to by the applicant, whether the applicant, or where applicable, any of its officers, partners, principals, members, associates or key employees, within the last three (3) years prior to the date of the application, has:
 - (1) Been indicted or had charges brought against them (if still pending) and/or been convicted of:
 - (i) any crime or offense arising directly or indirectly from the conduct of the applicant's organization, or
 - (ii) any crime or offense involving financial misconduct or fraud; or
 - (2) Been the subject of legal proceedings arising directly from the provision of services by the organization.
- (g) If any response to the disclosures require in Section 1806.1(f) is in the affirmative, the applicant shall fully describe such indictments, charges, convictions, or legal proceedings (and the status and disposition thereof) and surrounding circumstances in writing and provide documentation of the circumstances.

1806.2 Each RFA shall contain the following terms and conditions:

- (a) Funding for this award is contingent on continued funding from the grantor. The RFA does not commit the Department to make an award.
- (b) The Department reserves the right to accept or deny any or all applications if the Department determines it is in the best interest of the Department to

do so. The Department shall notify the applicant if it rejects that applicant’s proposal. The Department may suspend or terminate an outstanding RFA pursuant to its own grant making rule(s) or any applicable federal regulation or requirement.

- (c) The Department reserves the right to issue addenda and/or amendments subsequent to the issuance of the RFA, or to rescind the RFA.
- (d) The Department shall not be liable for any costs incurred in the preparation of applications in response to the RFA. Applicant agrees that all costs incurred in developing the application are the applicant’s sole responsibility.
- (e) The Department may conduct pre-award on-site visits to verify information submitted in the application and to determine if the applicant’s facilities are appropriate for the services intended.
- (f) The Department may enter into negotiations with an applicant and adopt a firm funding amount or other revision of the applicant’s proposal that may result from negotiations.
- (g) The Department shall provide the citations to the statute and implementing regulations that authorize the grant or subgrant including all applicable federal and District regulations.
- (h) The Department shall describe payment provisions identifying how the grantee will be paid for performing under the award; reporting requirements, including programmatic, financial and any special reports required by the granting Department; and compliance conditions that must be met by the grantee.
- (i) If there are any conflicts between the terms and conditions of the RFA and any applicable federal or local law or regulation, or any ambiguity related thereto, then the provisions of the applicable law or regulation shall control and it shall be the responsibility of the applicant to ensure compliance.

1807 APPLICATION SUBMISSION

1807.1 The applicant shall submit a complete application packet on or before the deadline for submission as specified in the RFA.

1807.2 An application submitted after the deadline for submission specified in the RFA will not be considered.

- 1807.3 A completed application shall include all information requested in the RFA, as well as the information specified in Section 1807.4.
- 1807.4 As part of the application packet, the applicant shall submit a Statement of Certification, signed by the duly authorized officer of the applicant organization, the truth of which is sworn or attested to by the applicant which states:
- (a) The individuals, by name, title, address, and phone number who are authorized to negotiate with the Department on behalf of the organization;
 - (b) That the applicant is able to maintain adequate files and records and can and will meet all reporting requirements;
 - (c) That all fiscal records are kept in accordance with Generally Accepted Accounting Principles (GAAP) and account for all funds, tangible assets, revenue, and expenditures whatsoever; that all fiscal records are accurate, complete and current at all times; and that these records will be made available for audit and inspection as required;
 - (d) That the applicant is current on payment of all federal and District taxes, including Unemployment Insurance taxes and Workers' Compensation premiums. This statement of certification shall be accompanied by a certificate from the District of Columbia Office of Tax and Revenue (OTR) stating that the entity has complied with the filing requirements of District of Columbia tax laws and has paid taxes due to the District of Columbia, or is in compliance with any payment agreement with OTR;
 - (e) That the applicant has the demonstrated administrative and financial capability to provide and manage the proposed services and ensure an adequate administrative, performance, and audit trail;
 - (f) That, if required by the Department, the applicant is able to secure a bond, in an amount not less than the total amount of the funds awarded, against losses of money and other property caused by fraudulent or dishonest act committed by any employee, board member, officer, partner, shareholder, or trainee;
 - (g) That the applicant is not proposed for debarment or presently debarred, suspended, or declared ineligible, as required by Executive Order 12549, "Debarment and Suspension," and implemented by 2 CFR § 180, for prospective participants in primary covered transactions and is not proposed for debarment or presently debarred as a result of any actions by the District of Columbia Contract Appeals Board, the Office of Contracting and Procurement, or any other District contract regulating agency;

- (h) That the applicant has the financial resources and technical expertise necessary for the production, construction, equipment and facilities adequate to perform the grant or subgrant, or the ability to obtain them;
- (i) That the applicant has the ability to comply with the required or proposed delivery or performance schedule, taking into consideration all existing and reasonably expected commercial and governmental business commitments;
- (j) That the applicant has a satisfactory record performing similar activities as detailed in the award or, if the grant award is intended to encourage the development and support of organizations without significant previous experience, that the applicant has otherwise established that it has the skills and resources necessary to perform the grant;
- (k) That the applicant has a satisfactory record of integrity and business ethics;
- (l) That the applicant has the necessary organization, experience, accounting and operational controls, and technical skills to implement the grant, or the ability to obtain them;
- (m) That the applicant is in compliance with the applicable District licensing and tax laws and regulations;
- (n) That the applicant complies with provisions of the Drug-Free Workplace Act;
- (o) That the applicant meets all other qualifications and eligibility criteria necessary to receive an award under applicable laws and regulations; and
- (p) That the applicant will, if successful, indemnify, defend and hold harmless the Government of the District of Columbia and its authorized officers, employees, agents and volunteers from any and all claims, actions, losses, damages, and/or liability arising out of this grant or subgrant from any cause whatsoever, including the acts, errors or omissions of any person and for any costs or expenses incurred by the District on account of any claim therefore, except where such indemnification is prohibited by law.

1807.5

Where applicable, the applicant shall provide the name of all of its insurance carriers and the type of insurance provided (*e.g.*, its general liability insurance carrier and automobile insurance carrier, workers' compensation insurance carrier, fidelity bond holder (if applicable)).

1807.6 Upon a request, an applicant shall provide a copy of its most recent and complete set of audited or unaudited financial statements or if audited financial statements have never been prepared due to the size or newness of an organization, the applicant shall provide, at a minimum, an Organizational Budget, an Income Statement (or Profit and Loss Statement), and a Balance Sheet certified by an authorized representative of the organization, and any letters, filings, etc. submitted to the IRS within the three (3) years before the date of the grant application.

1807.7 Upon request, the applicant shall provide evidence of being a legally-authorized entity (*e.g.*, 501(c)(3) determination letter) and a current business license, if relevant for the applicant's business status and any correspondence or other communication received from the IRS within the three (3) years before submission of the grant application that relates to the applicant's tax status.

1808 APPLICATION REVIEW

1808.1 After the NOFA has been published and the RFA released, the Department shall appoint a review panel comprised of a minimum of three individuals.

1808.2 Each review panelist shall:

- (a) Have knowledge and expertise in the objectives of the grant, the RFA and the administrative requirements mandated by the source of the funds; and
- (b) Be free of any conflict of interest or the appearance of a conflict of interest as evidenced by a signed affidavit certifying that they have no personal or vested interest in the organizations that submitted applications in response to the RFA.

1808.3 Review panelists who are employees of the District government may not be compensated and may only serve if they have written authorization from their supervisors to serve on a review panel.

1808.4 Review panelists who are not employees of the District government may be compensated for time served on a panel provided that funds have been authorized and appropriated for such purposes, at a rate that obtains the best qualified panelists at one of the following rates:

- (a) The maximum rate allowable by the federal grantor Department for its own review panelists;
- (b) The amount available in the administrative budget of the grant or subgrant; or
- (c) The maximum daily rate of a current DS-15 pay scale for the Department.

- 1808.5 The Department shall be responsible for the following:
 - (a) Ensuring that the review panelists have the information needed to serve on a panel; and
 - (b) Convening a meeting of the panelists prior to the review activities and instructing the panelists on:
 - (1) The goals and objectives of the grant and the RFA;
 - (2) The scoring criteria and instruments; and
 - (3) The timeframe for completion of the panel’s work.

1808.6 The review panel shall score the applications and make recommendations which applications should be funded based upon the applicant’s demonstrated ability to perform successfully under the terms and conditions of the proposed grant or subgrants. All materials received by the Department or a panel member from any applicant shall be protected, treated as confidential, and used only for purposes of evaluating the applicant’s proposal.

1808.7 After the Grant Officer has received the evaluations and records of the review panel, the Director or his/her designee shall make final decisions on awards and the amounts of each grant or subgrant, subject to the advice of any advisory body required by law or regulation for the funding grant.

1808.8 If the Director or his/her designee decides not to follow the review panel’s recommendations, the Director or his/her designee shall provide a written justification in the grant records that includes a strong rationale supported by documentation for the decision to not follow the review panel’s recommendation.

1808.9 The Director has the discretion to review any claims against the grant review process but the Director’s decision is final and shall not be appealed.

1809 CERTIFICATION OF FUNDS AVAILABILITY

1809.1 Before an award can be given final approval and deemed formally awarded, the Department’s Grant Officer shall obtain a Certification, approved by the Office of the Chief Financial Officer, indicating that the grant amount has been appropriated and budgeted for the fiscal year.

1810 NOTICE OF GRANT AWARD (NOGA)

1810.1 Prior to issuing award documents to successful applicants, the Department shall notify in writing each applicant whose application was not selected for award;

- 1810.2 The Department shall prepare and issue the award documents to the prospective grantee or subgrantee, which shall include a transmittal letter and a NOGA that contains, at a minimum, the following:
- (a) The terms and conditions that apply to the award;
 - (b) Any special conditions and performance standards that may apply;
 - (c) Any available forms for reporting programmatic and financial activities and to request funds;
 - (d) Any conditions for amendment and/or termination of the grant or subgrant;
 - (e) Name, address, telephone number and email address of the granting Department's point of contact;
 - (f) Grant or subgrant number assigned by the granting Department;
 - (g) Catalogue of Federal Domestic Assistance (CFDA) number (if funding is from a federal grant);
 - (h) Beginning and ending dates of the award;
 - (i) Name, title, address and telephone number of the official point of contact for the grantee;
 - (j) Grantee's Tax ID or EIN number;
 - (k) Amount of the funds awarded and the amount of any financial or in-kind matching resources, if any, that the grantee must contribute;
 - (l) Signature lines for the authorized representatives from the Department and grantee; and
 - (m) Language incorporating the application by reference.
- 1810.3 If the award amount and/or project period are different from those in the application or if the Department requires further clarification of proposed performance standards in the application, the applicant shall be required to submit and obtain approval of the requisite modifications.
- 1810.4 Modification of award amount and/or the project period or clarification of proposed performance standards may be accomplished either prior or subsequent to the final award to the awardee.

- 1810.5 The award shall contain a special condition that prohibits expenditure of funds by the grantee until submission and approval of any required modifications or clarification.
- 1810.6 The terms and conditions stated in the award document shall specify the administrative requirements to which the awardee must adhere. The terms and conditions shall contain, but not be limited to, the following items:
- (a) A statement that the award is being made from federal grant funds awarded to the Department, if applicable;
 - (b) Citations to the statute and implementing regulations that authorize the award;
 - (c) The grant's CFDA number, if applicable;
 - (d) All applicable federal and District regulations;
 - (e) Payment provisions identifying how the grantee will be paid for performing under the award;
 - (f) Reporting requirements, including programmatic, financial and any special reports required by the Department;
 - (g) Compliance issues and conditions that must be met by the grantee;
 - (h) Deliverables, deliverable dates, reporting requirements, and the basis for payment; and
 - (i) A statement that the District reserves all rights to use any remedy available in law or regulation for the non-compliance with the grant agreement.

1811 GRANTEE AND SUBGRANTEE RESPONSIBILITIES

- 1811.1 The grantee shall charge only those costs that are consistent with the allowable cost provisions of the respect grant or subgrant, including guidelines issued by the Department.
- 1811.2 The grantee shall grant reasonable access to the District, the Department, any applicable federal department, the Comptroller General of the United States, or any of their duly authorized representatives to any books, documents, papers, and records (including computer records) of the grantee that are directly pertinent to charges to the program, in order to conduct audits and examinations and to make excerpts, transcripts, and photocopies. This right of access also includes timely and reasonable access to grantees' personnel for the purpose of interviews and discussions related to such documents.

- 1811.3 The grantee shall comply with all the applicable District and Federal statutes and regulations as may be amended from time to time including, but not necessarily limited to:
- (a) The Americans with Disabilities Act of 1990, enacted July 26, 1990 (Pub. L. 101-336, 104 Stat. 327; 42 U.S.C. § 12101 *et seq.*);
 - (b) Rehabilitation Act of 1973, enacted September 26, 1973 (Pub. L. 93-112, 87 Stat. 355; 29 U.S.C. § 701 *et seq.*, as amended);
 - (c) The Fair Labor Standards Act of 1938, Chap. 676, enacted June 25, 1938 (Pub. L. 75-718, 52 Stat. 1060; 29 U.S.C. § 201 *et seq.*, as amended);
 - (d) The Occupational Safety and Health Act of 1970, enacted December 29, 1970 (Pub. L. 91-596, 84 Stat. 1590; 26 U.S.C. § 651 *et seq.*, as amended);
 - (e) The Hobbs Anti-Racketeering Act of 1946 (Anti-Corruption), Chap 537, enacted July 3, 1946 (Pub. L. 7986, 60 Stat. 420; 18 U.S.C. § 1951, as amended);
 - (f) Equal Pay Act of 1963, enacted June 10, 1963 (Pub. L. 88-38, 77 Stat.56; 29 U.S.C. § 201 *et seq.*, as amended);
 - (g) Age Discrimination Act of 1975, enacted November 28, 1975 (Pub. L. 94-135, 89 Stat. 728; 42 U.S.C. § 6101 *et seq.*, as amended);
 - (h) Age Discrimination in Employment Act of 1967, enacted December 15, 1967 (Pub. L. 90-202, 81 Stat. 602; 29 U.S.C. § 621 *et seq.*, as amended);
 - (i) Title IX of the Education Amendments of 1972, enacted June 23, 1972 (Pub. L. 92-318, 86 Stat. 235; 20 U.S.C. § 1001, as amended);
 - (j) Immigration Reform and Control Act of 1986, enacted November 6, 1986 (Pub. L. 99-603, 100 Stat. 3359; 8 U.S.C. § 1101, as amended);
 - (k) Executive Order 12459, signed January 16, 1984 (Debarment, Suspension and Exclusion);
 - (l) Family and Medical Leave Act of 1993, enacted Feb. 5, 1993 (Pub. L. 103-3, 107 Stat. 6; 5 U.S.C. § 6381 *et seq.*, as amended);
 - (m) Drug Free Workplace Act of 1988, enacted November 18, 1988 (Pub. L. 100-690, 102 Stat. 4304; 41 U.S.C. § 701 *et seq.*, as amended);

- (n) Assurance of Nondiscrimination and Equal Opportunity as found in District of Columbia Human Rights Act of 1977, effective December 13, 1977, as amended (D.C. Law 2-38; D.C. Official Code § 2-1401.01);
- (o) Title VI of the Civil Rights Act of 1964, enacted July 2, 1964 (Pub.L. 88–352, 78 Stat. 241); and
- (p) District of Columbia Language Access Act of 2004, effective June 19, 2004 (D.C. Law 15 – 167, D.C. Official Code § 2-1931 *et seq.*).

1811.4 Before execution of the award, the grantee shall provide a copy of the binder or cover sheet of their current insurance policy for any policy that covers activities that might be undertaken in connection with performance of the grant, showing the limits of coverage and endorsements.

1811.5 All policies, except the Workers’ Compensation, Errors and Omissions, and Professional Liability policies, that cover activities that might be undertaken in connection with the performance of the grant, shall contain additional endorsements naming the Government of the District of Columbia, and its officers, employees, agents and volunteers as additional named insured with respect to liability abilities arising out of the performance of services under the award.

1811.6 The grantee shall require its insurance carrier of the required coverage to waive all rights of subrogation against the District, its officers, employees, agents, volunteers, contractors and subcontractors.

1812 GRANT MANAGEMENT AND MONITORING

1812.1 The Department shall develop and implement a plan to appropriately monitor all grantees to ensure that all grantees perform in accordance with the terms, conditions and specifications of their grants or subgrants.

1812.2 The Department shall prepare written reports consistent with the Subrecipient Monitoring Manual prepared by the Office of the Chief Financial Officer.

1813 GRANT CLOSE OUT

1813.1 All grantees and subgrantees are subject to audit in connection with the close out of the grant.

1813.2 A grantee or subgrantee that has been designated high risk, or has expended \$500,000 more in grant funds during the grant year, an independent and in-depth financial statement and audit of the type required by OMB Circular A133’s “single audit” for any entity that expends \$500,000 or more of grant funds during the grant year is required.

- 1813.3 A grantee or sub-grantees that are assigned a “medium-risk” assessment by their awarding Department, or those that expend between \$499,999 and \$250,000, shall be required to prepare and file at close-out a less-extensive financial statement report prepared by an independent accountant containing:
- (a) An income statement;
 - (b) A balance sheet;
 - (c) A reconciliation of cash balances;
 - (d) A reconciliation of stockholder equity (if the grantee is a for-profit entity); and
 - (e) An independent review of management’s internal controls.
- 1813.4 A grantee or sub-grantee receiving and expending between \$25,000 and \$249,999 during the grant year shall be required to file a financial statement that contains:
- (a) An income statement;
 - (b) A balance sheet;
 - (c) A reconciliation of cash balances; and
 - (d) A review of management’s internal controls.
- 1813.5 A grantee or sub-grantee assigned a “low-risk” designation, and any other grantee or sub-grantee that receives and spends up to \$24,999, shall file a simple financial report containing:
- (a) An income statement; and
 - (b) A balance sheet.

1814 DISALLOWED COSTS

- 1814.1 Costs charged to a grant or subgrant that do not comply with the terms of the award are subject to disallowance.
- 1814.2 Upon discovery of a disallowable cost, the Department shall notify the grantee in writing and specify the amount of the disallowable cost and the reason.
- 1814.3 The grantee shall have thirty (30) days to provide a written justification to the Department as to why the costs should not be disallowed.

- 1814.4 The Department shall have forty-five (45) days to review the grantee's written justification and issue a decision in writing.
- 1814.5 If the Department determines that the costs should be disallowed, reimbursement in full to the District of said amounts must be made by the grantee within forty-five (45) calendar days after final official notification from the District.
- 1814.6 If the reimbursement is not received in full after forty-five (45) calendar days the grantee shall receive no further grant or subgrant funds from the District until such time as the reimbursement is made in full.

1815 RECORDS AND DISPUTES

- 1815.1 The Department shall establish and maintain the official records of awarded grants or subgrants.
- 1815.2 The Department shall retain the records of all awarded applications and subsequent reports for a period that is the greater of:
- (a) Three (3) years;
 - (b) The time required by the applicable law, regulation or agreement governing the funding for such grant; or
 - (c) At the Department's discretion, a period longer than three (3) years.

1899.99 DEFINITIONS

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

Application Package – A group of specific forms and documents for a specific funding opportunity, which are used to apply for a grant.

Disallowed Costs – Charges to a grant award that the awarding agency determines to be unallowable in accordance with applicable federal cost principles or other terms and conditions in the grant.

Notice of Funding Availability – A publicly available document by which a District agency makes known its intentions to award grants, usually as a result of competition.

Request for Applications- The document that describes the requirements for grant and subgrant applications.

D.C. DEPARTMENT OF HUMAN RESOURCES

NOTICE OF FINAL RULEMAKING

The Director of the D.C. Department of Human Resources, with the concurrence of the City Administrator, pursuant to Mayor’s Order 2008-92, dated June 26, 2008, and in accordance with Title XX of the District of Columbia Government Comprehensive Merit Personnel Act of 1978 (CMPA), effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-620.01 *et seq.* (2012 Repl.)), hereby gives notice that final rulemaking action was taken to amend Chapter 20, “Health,” of Subtitle B of Title 6 of the District of Columbia Municipal Regulations.

The purpose of these rules is to amend Chapter 20 (Health), of Title 6-B (Government Personnel) of the District of Columbia Municipal Regulations (DCMR), in its entirety.

A Notice of Proposed Rulemaking was initially published in the *D.C. Register* on May 3, 2013 at 60 DCR 006501. No comments were received and no changes were made to the Notice of Second Proposed Rulemaking published August 2, 2013 at 60 DCR 011248. The rules were adopted as final on September 20, 2013, and shall be become effective upon publication of this notice in the *D.C. Register*.

D.C. PERSONNEL REGULATIONS

Chapter 20, “Health,” of Subtitle B of Title 6 of the District of Columbia Municipal Regulations is amended as follows:

Section 2049, “Pre-Employment and Other Physical Examinations and General Medical Qualifications Requirement,” is amended as follows:

2049 PRE-EMPLOYMENT AND OTHER PHYSICAL EXAMINATIONS AND GENERAL MEDICAL QUALIFICATIONS REQUIREMENTS

2049.1 The provisions of this section establish the requirements for pre-employment and other physical examinations, including fitness-for-duty examinations; general medical qualifications requirements; and preventive health programs pursuant to Section 2007(2) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978 (CMPA), effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-620.07(2)) (2006 Repl.), with adherence to the provisions of the Americans with Disabilities Act of 1990, approved July 26, 1990 (P.L. 101-336; 42 U.S.C. § 12101 *et seq.*), as amended; other federal or District laws or regulations; and equal employment opportunity considerations.

2049.2 Each individual selected for appointment shall be physically and mentally capable of safe and satisfactory performance of the essential functions of the position for which he or she was selected.

2049.3 Medical determinations shall be made by physicians or practitioners, and

determinations regarding job requirements and performance shall be made by supervisors and managers.

2049.4 To the extent inconsistent with any applicable law or regulation, the provisions of this section shall not apply to:

- (a) Police officers in the Metropolitan Police Department;
- (b) Firefighters in the Fire and Emergency Medical Services Department; and
- (c) Employees on the public sector workers' compensation system pursuant to §§ 2301 through 2347 of the CMPA (D.C. Official Code § 1-623.01 *et seq.* (2011 Supp.)).

2049.5 Personnel authorities may establish physical and mental qualifications requirements that are necessary to perform a specific job or classes of jobs, such as certain jobs in transportation, public works, or security jobs. Any physical and mental qualification requirements established by the personnel authority pursuant to this subsection shall:

- (a) Be related to the duties and responsibilities of the specific job or classes of jobs, and consistent with business necessity.
- (b) Be designed to ensure consideration of individuals having the minimum physical ability necessary to perform the duties of the job efficiently without posing a significant risk of substantial harm to his or her health or safety, or that of others.
- (c) List disqualifying medical conditions only in cases in which job duties require special physical capabilities to safely and satisfactorily perform the duties assigned to the job.
- (d) Be waived by the personnel authority when a determination is made that the appointee or employee is a "qualified individual with a disability," as that term is defined in Section 2099 of this chapter.

2049.6 The personnel authority may require an individual who has applied for or occupies a position with established physical or mental standards or requirements for selection or retention, or established occupational or environmental standards that require medical review, to report for a medical examination or evaluation as follows:

- (a) Prior to appointment or selection (including reemployment on the basis of full or partial recovery from a medical condition);
- (b) On a regularly recurring, periodic basis; or

- (c) Whenever there is a direct question about an employee's continued capacity to meet the established physical or mental standards or requirements of the position, or conditions of employment.

2049.7 As appropriate in the case of positions with physical or mental qualification requirements pursuant to Subsection 2049.5 of this section, a personnel authority may either deny an applicant examination, deny an eligible appointment, or, instruct or allow the employing agency to remove an appointee, by reason of physical or mental unfitness for the position for which he or she has applied, or to which he or she has been appointed.

2049.8 In addition to a medical examination required pursuant to Subsection 2049.5 of this section, an employing agency may require a medical examination because of an employee's conduct or performance on the job. Such an examination shall be ordered only upon approval by the personnel authority of a written request from the agency.

2049.9 The personnel authority or employing agency may offer a medical examination when an employee has made a request for medical reasons for a change in duty status, assignments, or working conditions, or any other benefit or special treatment (including reemployment on the basis of full or partial recovery from a medical condition), and the employing agency, after it has received and reviewed the employee's medical documentation, determines that it cannot grant, support, or act further on the request without verification of the clinical findings and current clinical status.

2049.10 If an employee wishes his or her employing agency to consider any medical condition that may contribute to his or her unacceptable performance on the job, he or she shall furnish medical documentation, as that term is defined in Section 2099 of this chapter, of the condition. After the employing agency's review of the medical documentation supplied by the employee, the employing agency may, at its discretion, require a medical examination in accordance with this section.

2049.11 The medical examination process shall consist of the following:

- (a) When a personnel authority or agency orders or offers a medical examination under this section, it shall inform the applicant or employee in writing of its reasons for ordering or offering the examination, and the consequences for failure to adhere to the request.
- (b) The personnel authority or agency shall designate the examining physician, but shall offer an employee or former employee an opportunity to submit medical documentation from his or her personal physician or practitioner which the agency shall review and consider, or to propose a physician or practitioner of his or her choice.

- (c) The personnel authority or agency shall provide the examining physician or practitioner with a copy of any approved medical evaluation protocol, any applicable medical qualifications and requirements for the position, or a detailed description of the duties of the position, including physical demands and environmental factors.
- (d) The personnel authority or agency may order a psychiatric examination (including a psychological assessment) only when the result of a current general medical examination authorized by the agency or personnel authority under this section indicates no physical explanation for behavior or actions which may affect the safe and efficient performance of the individual or others.
- (e) All medical specialty examinations ordered or offered under this section shall be conducted by a medical specialist.
- (f) The employee shall pay for any medical examination conducted by a physician or practitioner he or she selected, regardless of whether the medical qualifications examination is ordered or offered by the agency or scheduled on the employee's own initiative.
- (g) An agency may authorize, under conditions prescribed by the agency, an agency-required pre-employment medical qualifications examination of an applicant to be conducted by a physician or practitioner designated by the applicant, in which case the applicant shall pay for the examination.
- (h) Each agency shall receive and maintain all medical documentation and records of examinations obtained under this section in accordance with the provisions of Chapter 31 of these regulations.
- (i) The report of an examination conducted under this section shall be made available to the applicant or employee under the provisions of chapter 31 of these regulations.

2049.12 If, based on the review of the medical documentation, in consultation with a physician or practitioner, the employing agency or personnel authority determines that an employee is temporarily disabled from performing his or her duties, the personnel authority may authorize one (1) or more of the following actions, as appropriate:

- (a) Detail;
- (b) Make existing facilities used by the employee readily accessible to and useable by a qualified individual with a disability;

- (c) Temporarily reassign to vacant position;
- (d) Change tour of duty; or
- (e) Any other feasible assistance in returning the employee to full performance capacity.

2049.13 If, based on the review of the medical documentation, in consultation with a physician or practitioner, the employing agency or personnel authority determines that the disability is permanent, the personnel authority shall do the following:

- (a) Determine whether reasonable accommodation can be made that would enable the employee to perform the essential functions of the position;
- (b) In the event of a negative determination under Subsection 2049.13 (a) of this section, determine if there is another position available for which the employee qualifies and in which he or she can perform satisfactorily and safely, with or without reasonable accommodation;
- (c) In the event of a negative determination under Subsection 2049.13 (b) of this section, explore with the employee, or his or her representative, the eligibility requirements and the advisability of filing for disability retirement or social security disability, as appropriate; or
- (d) In the event that the individual does not qualify for or does not apply for disability retirement or social security disability, or, if his or her application has been disapproved, the personnel authority may initiate action to terminate the employee.

2049.14 If, based on the review of the medical documentation, the personnel authority determines that the employee is fit, and the employee continues to be deficient in either conduct or performance, the personnel authority may take administrative action against the employee. Any action taken against a Career Service employee covered under Chapter 16 of these regulations shall be taken under the provisions therein.

2049.15 This section shall not apply to any situation where an employee, due to a problem or condition that adversely affects his or her overall work performance, and with his or her supervisor's approval, is engaged in a voluntary program of medical assistance through a personal physician or practitioner, the Employee Assistance Program under Section 2050 of this chapter, or any other recognized and qualified party. In these situations, a medical examination may be offered at the employee's request, and shall be ordered only if the employee continues to perform unsatisfactorily, or poses a significant risk of substantial harm to his or her health or safety, of that of others.

Section 2050, "Employee Assistance Program," is amended as follows:**2050 EMPLOYEE ASSISTANCE PROGRAM**

- 2050.1 In accordance with Section 2007 (3) of the CMPA (D.C. Official Code § 1-620.07 (3)) (2006 Repl.), it shall be the policy of the District government to provide an Employee Assistance Program (EAP) designed to address personal problems that employees may encounter which may adversely affect their overall work performance or conduct on the job.
- 2050.2 The Director of the Department of Human Resources (Director of the DCHR) shall administer an EAP pursuant to Mayor's Order 91-62, dated May 1, 1991.
- 2050.3 The provisions of a collective bargaining agreement shall take precedence over the provisions of this section, to the extent that there is a difference or conflict.
- 2050.4 The EAP shall provide counseling and related services to employees who are experiencing problems, including, but not limited to, the following problems or issues which may adversely affect work performance or conduct on the job:
- (a) Family and marital problems;
 - (b) Financial difficulties;
 - (c) Emotional or mental illness; and
 - (d) Substance abuse problems.
- 2050.5 Records and information on referral to, or participation in, the EAP, shall be maintained in confidence as provided in Chapter 31 of these regulations and any other applicable federal and District of Columbia laws and regulations.
- 2050.6 An employee who is experiencing problems that adversely affect his or her work performance or conduct on the job shall be encouraged to voluntarily seek assistance to resolve the problems.
- 2050.7 Managers and supervisors should, in appropriate cases, consider referring to the EAP employees who are experiencing problems which adversely affect their overall work performance or conduct on the job before taking administrative action against employees.
- 2050.8 Participation in the EAP shall not preclude the taking of a disciplinary action under Chapter 16 of these regulations, if applicable, or any other appropriate administrative action, in situations where such action is deemed appropriate. The EAP shall not be used in lieu of disciplinary actions, or any other appropriate administrative action.

- 2050.9 Any employee (excluding temporary employees) shall be eligible to receive services through the EAP.
- 2050.10 The EAP shall consist of assessment, counseling, and referral services.
- 2050.11 Involvement in the EAP shall be on the basis of self-referral or agency referral.
- 2050.12 Up to two (2) hours of administrative leave may be granted to an employee to attend his or her initial EAP appointment.
- 2050.13 The services of the EAP shall be provided through contracted health care service provider(s).
- 2050.14 The cost of the initial assessment, counseling, and referral session with the EAP contractor shall be paid in full by the District government, to the extent that the session is not covered by the employee's health insurance carrier.
- 2050.15 Unless a separate program is established pursuant to the provisions of Subsection 2050.19 of this section, participation in the EAP rather than another employee assistance program in the District government by agencies under the personnel authority of the Mayor shall be mandatory.
- 2050.16 The Director of the DCHR shall establish the rates for participation in the EAP.
- 2050.17 The Director of the DCHR may enter into a written agreement with other personnel authorities to provide EAP services.
- 2050.18 Each subordinate agency and independent personnel authority that participates in the EAP administered by the DCHR shall designate an EAP coordinator.
- 2050.19 The Director of the DCHR may authorize the establishment of other employee assistance programs in the District government, and each such program shall be consistent with the provisions of this section.

A new Section 2051, "Wellness Program," is added to read as follows:

2051 WELLNESS PROGRAM

- 2051.1 In accordance with Subsection 2007(4) of the CMPA (D.C. Official Code § 1-620.07(4) (2006 Repl.)), a District government wellness program has been established to improve and promote health and fitness of District government employees.

Section 2099, "Definitions," is amended as follows:

2099 DEFINITIONS

2099.1 For the purposes of this chapter, the following terms shall have the meaning ascribed:

Essential functions of the position – the fundamental job duties of the position that an employee or applicant holds or desires. A job function may be considered essential for any of several reasons, including but not limited to the following: the function may be essential because the reason the position exists is to perform that function; because of the limited number of employees available among whom the performance of that job function can be distributed; and/or the function may be highly specialized so that the incumbent in the position is hired for his or her expertise or ability to perform the particular function.

Evidence of whether a particular function is essential includes, but is not limited to the following: the supervisor's judgment as to which functions are essential; written job descriptions prepared before advertising or interviewing applicants for the job; the amount of time spent on the job performing the function; the consequences of not requiring the incumbent to perform the function; the work experience of past incumbents in the job; and/or the current work experience of incumbents in similar job.

Medical condition – A health impairment which results from injury, illness or disease, including psychiatric disease.

Medical documentation or documentation of a medical condition – a statement from a licensed physician or other appropriate practitioner which provides one (1) or more of the following kinds of information:

- (a) The history of the specific medical condition(s), including references to findings from previous examinations, treatment, and responses to treatment;
- (b) Clinical findings from the most recent medical evaluation, including any of the following that have been obtained:
 - (1) Findings of physical examination;
 - (2) Results of laboratory tests including drug and alcohol screening, X-rays, echocardiograms, and other special evaluations or diagnostic procedures; and
 - (3) In the case of psychiatric disease evaluation of psychological assessment, the findings of a mental status examination and the results of psychological tests, if appropriate;

- (c) Assessment of the current clinical status and plans for future treatment;
- (d) Diagnosis;
- (e) An estimate of the expected date of full or partial recovery;
- (f) An explanation of the impact of the medical condition on the individual's capacity to carry out his or her assigned duties;
- (g) Narrative explanation of the medical basis for any conclusion that the medical condition has or has not become static or well stabilized;
- (h) Narrative explanation of the medical basis for any conclusion that duty restrictions or accommodations are or are not warranted and, if they are, an explanation of their therapeutic or risk-avoiding value; or
- (i) Narrative explanation of the medical basis for any conclusion that indicates the likelihood that the individual is, or is not, expected to suffer injury or harm with or without accommodation, by carrying out the tasks or duties of a position for which he or she is assigned or qualified.

Medical specialist – a physician who is board-certified in a medical specialty.

Physician – A licensed Doctor of Medicine or Doctor of Osteopathy, or a physician who is serving on active duty in the uniformed services and is designated by the uniformed service to conduct examinations under this chapter.

Practitioner – A person providing health services who is not a medical doctor, but who is certified by a national organization and licensed by the District of Columbia or any State to provide the service in question.

Qualified individual with a disability – an individual with a disability who satisfies the requisite skill, experience, education and other job related requirements of the employment position such individual holds or desires, and who, with or without reasonable accommodation, can perform the essential functions of such position.

Reasonable accommodation – modifications or adjustments to a job application process that enable a qualified applicant with a disability to be considered for the position such qualified applicant desires; modifications or adjustments to the work environment, or to the manner or circumstances under which the position held or desired is customarily performed, that enable a qualified individual with a disability to perform the essential functions of that position; or modifications or adjustments that enable a

covered entity's employee with a disability to enjoy equal benefits and privileges of employment as are enjoyed by its other similarly situated employees without disabilities. Reasonable accommodation may include but is not limited to: making existing facilities used by employees readily accessible to and usable by individuals with disabilities; job restructuring; part-time or modified work schedules; reassignment to a vacant position; acquisition or modifications of equipment or devices; appropriate adjustment or modifications of examinations, training materials, or policies; the provision of qualified readers or interpreters; and other similar accommodations for individuals with disabilities. All of the above is contingent upon the needs of the agency. A "covered entity" is an employer, employment agency, labor organization, or joint labor management committee.

Review of medical documentation – assessment of medical documentation by, or in coordination with, a physician to ensure that the following criteria are met:

- (a) The diagnosis or clinical impression is justified in accordance with established diagnostic criteria; and
- (b) The conclusions and recommendations are consistent with generally accepted medical principles and practice.

PUBLIC SERVICE COMMISSION OF THE DISTRICT OF COLUMBIA

NOTICE OF PROPOSED RULEMAKINGFORMAL CASE NO. 1085, IN THE MATTER OF THE INVESTIGATION OF A PURCHASE OF RECEIVABLES PROGRAM IN THE DISTRICT OF COLUMBIA

1. The Public Service Commission of the District of Columbia (Commission) hereby gives notice, pursuant to Sections 34-802 and 2-505 of the District of Columbia Official Code,¹ and pursuant to Order No. 17052 directing the Potomac Electric Power Company (Pepco or the Company) to implement a Purchase of Receivables (POR) program in the District of Columbia,² of our intent to act upon Pepco's tariff filings implementing POR.³ The Commission shall act upon Pepco's Application in not less than 30 days from the date of publication of this Notice of Proposed Rulemaking (NOPR) in the *D.C. Register*.

2. In its Application, Pepco states its intent to modify and provide additional language to the Company's Electric Supplier Coordination Tariff, in order to conform the existing tariff language to allow for the introduction of POR and to detail the components and derivation of the POR Supplier Discount Rates, including the Proposed Discount Factors.⁴ Specifically, Pepco proposes to revise the current tariff pages:

Electricity Supplier Coordination Tariff, P.S.C. of D.C. No.1**First Revised Page No. i****First Revised Page No. ii****First Revised Page No. iii****First Revised Page No. iv****First Revised Page No. v****Original Page No. 27****Original Page No. 28****Original Page No. 29****First Revised Page No. 38****Original Page No. 39****Original Page No. 41****and Original Page No. 42**

¹ D.C. Official Code §§ 34-802 (2001) and 2-505 (2012 Repl.).

² *Formal Case No. 1085, In the Matter of the Investigation of a Purchase of Receivables Program in the District of Columbia (Formal Case. No. 1085)*, Order No. 17052, issued January 18, 2013.

³ *Formal Case No. 1085, Purchase of Receivables Tariff Application*, filed September 20, 2013 and September 27, 2013 (Application).

⁴ Application at 1.

3. In addition to the above tariff modifications, Pepco included in its filing the Company's transition plan to implement POR in the District of Columbia (Attachment B); a description of how the Discount Rates are derived using Standard Offer Service ("SOS") data for the period between June 2012 and May 2013, including a summary by customer group of the Write-Offs, the Program Development Cost, and the Discount Rates expressed as a percentage of SOS Procurement Revenues (Attachment C); the details by month and customer type of the SOS Procurement Revenues, Write-Offs, the Program Development Costs, and each of the components expressed as a percentage of Procurement Revenues (Attachment D); the detailed calculation for the estimated Program Development and Operation Costs by contractor labor hour and contractor rate per hour (Attachment E); and the three-year amortization for the Program Development Cost (Attachment F).

4. Pepco proposes to apply a discount rate of 1.3737% on the receivables associated with Residential customers, schedules R, AE, and R-TM; 1.7598% on receivables associated with Residential customers, Rider RAD and RAD-AE; 1.3296% on receivables associated with Small Commercial customers, Schedules GS-LV ND, T, SL, TS and TN; 0.2083% on the receivables associated with Large Commercial customers, Schedules GS-LV, GS 3A, GT LV, GT 3A, GT 3B and RT; and finally, 0.0130% on the receivables associated with Market Priced Customers, Schedules GSLV-ND, GS-LV, GS 3A, GT LV, GT 3A, T, SL, and TS.

5. The original and proposed tariff pages and attachments are on file with the Commission. They may be reviewed at the Office of the Commission Secretary, Second Floor, West Tower, 1333 H Street, N.W., Washington, D.C. 20005, between the hours of 9:00 a.m. and 5:30 p.m., Monday through Friday, as well as on the Commission's Website at www.dcpsc.org. Copies of the tariff pages and attachments are available, upon request, at a per page reproduction fee.

6. Comments and reply comments on the Application must be made in writing to Brinda Westbrook-Sedgwick, Commission Secretary, at the above address. All comments and reply comments must be received within thirty (30) days and forty-five (45) days, respectively, from the date of publication of this NOPR in the *D.C. Register*. Once the comment period has expired, the Commission will take final rulemaking action on Pepco's Application.

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2013-198
October 24, 2013

SUBJECT: Delegation of Authority – District Department of Transportation DC Streetcar Amendment Act of 2012


ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(6) and (11) of the District of Columbia Home Rule Act, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(6) and (11) (2012 Repl.), section 11r of the Department of Transportation Establishment Act of 2002, effective April 20, 2013, D.C. Law 14-137, to be codified at D.C. Official Code § 50-921.76 (“Act”), it is hereby **ORDERED** that:

1. The Director of the District Department of Transportation is delegated the authority vested in the Mayor to promulgate rules regarding the implementation of the DC Streetcar, including the manner and amount of a fare, fee, or fine, pursuant to section 11r of the 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 2013-199
October 24, 2013

SUBJECT: Designation of Special Event Areas – 5th Street, N.W. between E and F Streets


ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia pursuant to 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 Repl.), and pursuant to 19 DCMR § 1301.8, it is hereby **ORDERED** that:

1. On Wednesday, October 23, 2013, commencing at 9:00 a.m. and continuing until 4:00 p.m., 5th Street, N.W. between E and F Streets, shall be designated as Special Event Areas to accommodate activities associated with the Fire and EMS Department statute dedication.
2. The designated areas shall be operated and overseen by the Fire and EMS Department.
3. 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.
4. **EFFECTIVE DATE:** This Order shall be effective *nunc pro tunc* to October 23, 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 2013-200
October 28, 2013


SUBJECT: Appointment – District of Columbia Public Charter Schools Credit Enhancement Fund Committee

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 Repl.), and in accordance with section 153 of the District of Columbia Appropriations Act of 1999, approved November 29, 1999, 113 Stat. 1501, 1526, Pub. L. 106-113, 20 U.S.C. § 1155(e)(2)(B) (2006), it is hereby **ORDERED** that:

1. **JAMES L. HENDERSON, III** is appointed as a member of the District of Columbia Public Charter Schools Credit Enhancement Fund Committee, replacing Russ Williams, and shall serve in that capacity at the pleasure of the Mayor.
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 2013-201
October 28, 2013

SUBJECT: Establishment of Medical Marijuana Advisory Committee Pursuant to the Legalization of Marijuana for Medical Treatment Initiative of 1999

ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(6) 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(6) and (11) (2012 Repl.) and the Legalization of Marijuana for Medical Treatment Amendment Act of 2010 ("Act"), effective July 27, 2010, D.C. Law 18-210, D.C. Official Code § 7-1671.01 *et seq.* (2012 Repl.), it is hereby **ORDERED** that:

I. ESTABLISHMENT

There is hereby established in the Government of the District of Columbia a Medical Marijuana Advisory Committee (hereinafter "Committee").

II. PURPOSE

The Committee shall monitor best practices in other states, monitor scientific research on the use of medical marijuana, measure the effectiveness of the District's medical marijuana program, make recommendations when the Committee is asked to consult by other agencies, and make recommendations to the Mayor and the Council pursuant to section 10(b) of the Act.

III. ORGANIZATION

The Committee shall be composed of the following two (2) subcommittees: the Intergovernmental Operations Subcommittee and the Scientific Subcommittee. Each subcommittee shall act separately from the other and shall make their reports directly to the Director of the Department of Health ("Director"), who shall transmit the reports to the Mayor and the Council as may be required by section 10(b) of the Act.

IV. FUNCTIONS

- (a) The Intergovernmental Operations Subcommittee shall:
- (1) Monitor best practices in other states, monitor the effectiveness of the District's medical marijuana program, and make recommendations to the Director, and to the Mayor and the Council through the Director, and when asked to consult by the Scientific Subcommittee or other agencies;
 - (2) Issue recommendations to the Director regarding the quantities of cannabis, not to exceed four (4) ounces per month, that are necessary to constitute an adequate supply for qualified patients and designated caregivers, and on security issues; and
 - (3) Issue a report to the Mayor and Council through the Director recommending whether the District should allow qualifying patients and caregivers to cultivate medical marijuana, how to implement and regulate cultivation of medical marijuana by qualifying patients and caregivers, and any other comments the Intergovernmental Operations Subcommittee believes to be of importance.
- (b) The Scientific Subcommittee shall:
- (1) Accept and review petitions for the approval of additional qualifying medical conditions and qualifying medical treatments, and to recommend in favor or against approval to the Director; and
 - (2) Monitor best practices in other states, monitor scientific research on the use of medical marijuana, and make recommendations to the Director, and to the Mayor and the Council through the Director, and when asked to consult by the Intergovernmental Operations Subcommittee or other agencies.

V. MEMBERSHIP

- (a) The Intergovernmental Operations Subcommittee shall consist of four (4) members, who shall be as follows: The Director of the Department of Health, or a subordinate delegee, the Director of the Department of Consumer and Regulatory Affairs, or a subordinate delegee, the Chief of the Metropolitan Police Department, or a subordinate delegee, and the City Administrator, or a subordinate delegee. The Director of the Department of Health ("Director"), or his or her subordinate delegee, shall act as the chair of this Subcommittee. All members of this Subcommittee

shall serve at the pleasure of the Mayor. All actions shall be taken pursuant to a vote of a majority of this Subcommittee.

- (b) The Scientific Subcommittee shall consist of at least four (4) members. The Director of the Department of Health shall appoint the members and the chairperson of this Subcommittee. The members shall possess either medical or scientific expertise that the Director of the Department of Health deems would be useful to this Subcommittee and may be selected from the public or private sector without residency restrictions. All members of this Subcommittee shall serve at the pleasure of the Mayor. All actions shall be taken pursuant to a vote of a majority of this Subcommittee.


VI. EFFECT OF PRIOR ORDERS

This Order supersedes in whole or in part as appropriate, any previously issued Mayor's Orders to the extent such provisions are inconsistent with this Order. Section IV of Mayor's Order 2011-71 dated April 13, 2011 is repealed.

- VII. 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 2013-202
October 28, 2013


SUBJECT: Reappointment – District of Columbia Contract Appeals Board

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 Repl.), and pursuant to section 1001 of the Procurement Practices Reform Act of 2010, effective April 8, 2011, D.C. Law 18-371, D.C. Official Code § 2-360.01 *et seq.* (2012 Repl.), it is hereby **ORDERED** that:

1. **MONICA PARCHMENT**, who was nominated by the Mayor on June 24, 2013, and approved by the Council of the District of Columbia, pursuant to Proposed Resolution 20-0354, on October 8, 2013, for reappointment as a member of the District of Columbia Contract Appeals Board, is appointed for a term to end on July 28, 2017.
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 2013-203
October 29, 2013


SUBJECT: Appointment -- District of Columbia Board of Medicine

ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia pursuant to 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 Repl.), and in accordance with section 203 of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986, D.C. Law 6-99, D.C. Official Code § 3-1202.03 (2012 Repl.), it is hereby **ORDERED** that:

1. **TERRENCE D. STRAUB**, who was nominated by the Mayor on June 25, 2013, and following a forty-five day period of review by the Council of the District of Columbia, whose nomination was deemed approved on October 13, 2013 pursuant to Proposed Resolution 20-358, is appointed as a consumer member of the District of Columbia Board of Medicine, replacing Miriam A. Markowitz, for a term to end August 4, 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 2013-204
October 29, 2013

SUBJECT: Appointment – Mayor's Interfaith Council


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 Repl.), and in accordance with Mayor's Order 2011-110, dated June 20, 2011, it is hereby **ORDERED** that:

1. **MARÍA R. BARRERA, Ed.D.** is appointed as a voting member of the Mayor's Interfaith Council, replacing Reverend Kate S. Murphey, for the remainder of an unexpired term to end July 29, 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 2013-205
October 29, 2013

SUBJECT: Appointment – Interim Director, Office of Human Rights


ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia pursuant to 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 Repl.), it is hereby **ORDERED** that:

1. **MONICA PALACIO** is appointed Interim Director of the Office of Human Rights, and shall serve in that capacity at the pleasure of the Mayor.
2. This Order supersedes Mayor's Order 2011-20, dated January 2, 2011.
3. **EFFECTIVE DATE:** This Order shall be effective November 3, 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 2013-206
October 30, 2013


SUBJECT: Reappointments – District of Columbia Workforce Investment Council

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 Repl.), and in accordance with Mayor's Order 2011-114, dated July 1, 2011, it is hereby **ORDERED** that:

1. **JOSEPH L. ANDRONACO** is reappointed to the District of Columbia Workforce Investment Council ("Council"), as representative of the general community with relevant experience, for a term to end October 11, 2016.
2. **WILLIAM LYLES CARR, III** is reappointed to the Council, as a representative of the private retail sector, for a term to end October 11, 2016.
3. **SOLOMON KEENE, JR.** is reappointed to the Council, as a representative of the private hospitality sector, for a term to end October 11, 2016.
4. **MARULLUS WILLIAMS** is reappointed to the Council, as a representative of the private retail sector, for a term to end October 11, 2016.
5. **EFFECTIVE DATE:** This Order shall be effective *nunc pro tunc* to October 12, 2013.


VINCENT C. GRAY
MAYOR

ATTEST: 
CYNTHIA BROCK-SMITH
SECRETARY OF THE DISTRICT OF COLUMBIA

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, November 6, 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 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 planned agenda items and Committee's jurisdiction (*see*, D.C. Official Code § 2-1831.17), as set forth below:

- (1) Advise the Chief Administrative Law Judge in carrying out his or her duties;
- (2) Identify issues of importance to Administrative Law Judges and agencies that should be addressed by the Office;
- (3) Review issues and problems relating to administrative adjudication;
- (4) Review policies and regulations proposed by the Chief Administrative Law Judge; and
- (5) Make recommendations for statutory and regulatory changes that are consistent with advancing the purposes of the act.

All comments and recommendations should be sent 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.

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF MEETING
AGENDA

WEDNESDAY, NOVEMBER 6, 2013 AT 1:00 PM
2000 14th STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

1. Review Request to Change Hours of Operation, Sales and Consumption. *Approved Hours of Operation:* Sunday-Saturday 8am to 10pm. *Approved Hours of Sales and Consumption:* Sunday-Saturday 9am to 10pm. *Proposed Hours of Operation, Sales and Consumption:* Sunday-Saturday 7am to 10pm. No pending investigative matters. No pending enforcement matters. No Outstanding Fines/Citations. Settlement Agreement. ANC 6C. SMD 6C02. *Capitol Hill Market*, 241 Massachusetts Avenue NE, Retailer B, Lic#: 78727.

2. Review Request to Change Hours of Operation, Sales and Consumption. *Approved Hours of Operation, Sales and Consumption:* Sunday-Saturday 9am to 10pm. *Proposed Hours of Operation, Sales and Consumption:* Sunday-Saturday 7am to 12am. Sale to Minor Infractions. No Settlement Agreement. ANC 4D. SMD 4D01. *Lucky Corner Store*, 5433 Georgia Avenue NW, Retailer B, Lic#: 93115.

3. Review Request for Safekeeping. ANC 1C. SMD 1C01. *A.M. Wine Shoppe*, 2122 18th Street NW, Retailer A, Lic#: 82962.

4. Review Request for New Sidewalk Café. *Proposed Hours of Operation:* Sunday-Thursday 11am to 2am, Friday-Saturday 11am to 3am. *Proposed Hours of Sales and Consumption:* Sunday-Thursday 11am to 1:30am, Friday-Saturday 11am to 2:30am. Outstanding Infractions. Settlement Agreement. ANC 1C. SMD 1C07. *Federal Lounge*, 2477 18th Street NW, Retailer C, Lic#: 91249.

5. Review Request for Manager's License-*Aaron M. Del Giudice*.*

6. Review Request for Manager's License-*Ian C. Shores*.*

7. Review of Motion to Dismiss Show Cause and Status Hearing dated September 18, 2013 from Emanuel N. Mpras Counsel for De Amigis, LLC. *Sesto Senso*, 1214 18th Street NW, Retailer CT, Lic#: 81092.*

8. Review of the District of Columbia's Opposition to the Respondent's Motion to Dismiss. *Sesto Senso*, 1214 18th Street NW, Retailer CT, Lic#: 81092.*

9. Review Request dated October 17, 2013 from Washington Wholesale Liquor Company, to provide retailers with products valued at more than \$50 and less than \$500.

10. Review of Settlement Agreement dated October 22, 2013 between the Group of 5 or more and BRRCO, LLC. *Bolt Burger*, 1010 Massachussetts Avenue NW, Retailer CR, Lic#: 92541.*

11. Review of Settlement Agreement dated October 21, 2013 between ANC 6D and Hill Country DC LLC, *Hill Country*, 101 Tingey Street SE, Retailer CR, Lic#: 092452.*

12. Review of Peition to Terminate the Settlement Agreement dated September 16, 2013 filed by Acott Venture LLC. *Shadow Room*, 2131 K Street NW, Retailer CN, Lic#: 075871.*

13. Review of Petition to Terminate the Settlement Agreement dated October 1, 2013 filed by Christoper Wells. *Club Timehri*, 2439 18th Street NW, Retailer CT, Lic#: 077730.*

14. Review of Petition to Terminate the Settlement Agreement dated September 30, 2013 filed by Stephen J. O'Brien Counsel for The Public Group, LLC. *Public*, 1214B 18th Street NW, Retailer CT, Lic#: 071638.*

* In accordance with D.C. Official Code §2-574(b) Open Meetings Act, 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, NOVEMBER 6, 2013
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

On November 6, 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#13-251-00121 Grand Central, 2447 18TH ST NW Retailer C Restaurant, License#: ABRA-076693

2. Case#13-CC-00108 Alero Restaurant and Lounge, 1301 U ST NW Retailer C Restaurant, License#: ABRA-071881

3. Case#13-CC-00106 TGI Friday, 2100 PENNSYLVANIA AVE NW Retailer C Restaurant, License#: ABRA-060813

4. Case#13-AUD-00063 Bistro 18, 2420 18TH ST NW Retailer C Restaurant, License#: ABRA-086876

5. Case#13-CMP-00477 Little Fountain Cafe/Angles, 2339 18TH ST NW Retailer C Restaurant, License#: ABRA-020251

6. Case#13-CC-00107 Henley Park Hotel, 926 MASSACHUSETTS AVE NW Retailer C Hotel, License#: ABRA-009269

7. Case#13-251-00100(a) Rendezvous Lounge, 2226 18TH ST NW Retailer C Tavern, License#: ABRA-014272

8. Case#13-251-00117 Mari Vanna Restaurant, 1141 CONNECTICUT AVE NW Retailer C Restaurant, License#: ABRA-087559

9. Case#13-CMP-00476 Corina's Restaurant, 831 KENNEDY ST NW Retailer C Restaurant, License#: ABRA-079873

10. Case#13-CMP-00480 Salina Restaurant, 1936 9TH ST NW Retailer C Tavern, License#: ABRA-082969

11. Case#13-CMP-00481 Justin's Cafe, 1025 1ST ST SE Retailer C Restaurant, License#: ABRA-083690

12. Case#13-AUD-00062 Bar Louie, 701 7th ST NW Retailer C Restaurant, License#: ABRA-084428

13. Case#13-CMP-00479 Axum Restaurant, 1934 9th ST NW Retailer C Restaurant, License#: ABRA-089823

14. Case#13-PRO-00098 Meze, 2437 18TH ST NW Retailer C Restaurant, License#: ABRA-060347

15. Case#13-PRO-00099 Policy, 1904 14th ST NW Retailer C Restaurant, License#: ABRA-076804

16. Case#13-PRO-00096 The Blaguard, 2003 18TH ST NW Retailer C Restaurant, License#: ABRA-086012

BRIDGES PUBLIC CHARTER SCHOOL
REQUEST FOR PROPOSALS

Architectural and General Contractor Services

Bridges Public Charter School and its partners and affiliates invite all interested parties to submit proposals to provide architectural or general contractor services for the proposed renovation or new construction of a permanent facility. The required delivery date of the project is July 31, 2014. The complete RFP can be obtained by contacting crollman@programmanagers.com and rfp@buildinghope.org. Please indicate which service you would like to provide so that we may distribute the appropriate RFP. RFPs will be distributed starting November 4, 2013 and are due by 5:00 p.m. on November 15, 2013.

Bridges Public Charter School and its partners and affiliates request proposals to provide architectural or general contractor services for the renovation or new construction of a permanent facility. The complete RFP can be obtained by contacting crollman@programmanagers.com and rfp@buildinghope.org.

The required delivery date of the project is July 31, 2014. The complete RFP can be obtained by contacting crollman@programmanagers.com and rfp@buildinghope.org. RFPs will be distributed starting November 4, 2013 and are due by 5:00 p.m. on November 15, 2013.

CAPITAL CITY PUBLIC CHARTER SCHOOL

REQUEST FOR PROPOSALS

Capital Campaign Consultant

Capital City Public Charter School invites all interested and qualified vendors to submit proposals for Capital Campaign Consultant. Proposals are due no later than 5 P.M. November 15, 2013. The RFP with bidding requirements and supporting documentation can be obtained by contacting Arogya Singh at 202-808-9800 or emailing asingh@ccpcs.org.

GOVERNMENT OF THE DISTRICT OF COLUMBIA

DEPARTMENT ON DISABILITY SERVICES

NOTICE OF BI-MONTHLY PUBLIC MEETINGS

D.C. State Rehabilitation Council (SRC) to Hold Bi-Monthly Meetings

**The Department on Disability Services
Rehabilitation Services Administration
1125 15th St., NW
Conference Room 2B
Washington, DC 20005**

The D.C. State Rehabilitation Council will hold public bi-monthly meetings regarding the operation of the D.C. state vocational rehabilitation program, as mandated by the Rehabilitation Act of 1975, as amended. The following meetings are to be conducted from 9:30-12 pm.

| Dates | Location |
|------------------------------|-----------------------------|
| Thursday, January 09, 2014 | 2B Conference Training Room |
| Thursday, March 13, 2014 | 2B Conference Training Room |
| Thursday, May 8, 2014 | 2B Conference Training Room |
| Thursday, July 10, 2014 | 2B Conference Training Room |
| Thursday, September 11, 2014 | 2B Conference Training Room |

All meetings are open to the public, and individuals who wish to attend should RSVP seven (7) days prior to the meeting by calling 202-442-8663.

If you require reasonable accommodations for attendance, please call 202-442-8432 two (2) weeks before the public meeting to ensure appropriate accommodations.

BOARD OF ELECTIONS**CERTIFICATION OF ANC/SMD VACANCIES**

The District of Columbia Board of Elections hereby gives notice that there are vacancies in two (2) Advisory Neighborhood Commission offices, certified pursuant to D.C. Official Code § 1-309.06(d)(2); 2001 Ed; 2006 Repl. Vol.

VACANT: 2E07, 6D01

Petition Circulation Period: **Monday, November 4, 2013 thru Monday, November 25, 2013**
Petition Challenge Period: **Friday, November 29, 2013 thru Thursday, December 5, 2013**

Candidates seeking the Office of Advisory Neighborhood Commissioner, or their representatives, may pick up nominating petitions at the following location:

**D.C. Board of Elections
441 - 4th Street, NW, Room 250N
Washington, DC 20001**

For more information, the public may call **727-2525**.

DISTRICT DEPARTMENT OF THE ENVIRONMENT

PUBLIC NOTICE

Final Deadline for Submission of 2012 Energy Performance Benchmarking Reports

Notice is hereby given that the deadline for owners of buildings over 100,000 gross square feet to report energy and water performance benchmarking data for calendar year 2012 to the District Department of the Environment (DDOE) has been extended to November 8, 2013. The United States Environmental Protection Agency's ENERGY STAR® Portfolio Manager®, the online tool used for energy benchmarking and for reporting the results to the District, was offline due to the federal government shutdown, but is now back online and fully functional.

Buildings that are still not in compliance as of November 9, 2013 will receive a formal Notice of Violation from DDOE, and, after a warning period of thirty (30) days, may be fined.

Eighty percent (80%) of covered buildings have already reported 2012 benchmarking data; this deadline does not apply to those buildings. To confirm that your building or buildings are in compliance, visit www.ddoe.dc.gov/energybenchmarking.

Privately-owned buildings over 50,000 gross square feet will be required to report energy and water benchmarking data for calendar year 2013 by April 1, 2014. DDOE will publish a list of buildings required to benchmark in 2014 online later this year.

Questions about benchmarking enforcement should be directed to Marshall Duer-Balkind at DDOE at info.benchmark@dc.gov. For technical assistance with the process of benchmarking, you can contact the District of Columbia Sustainable Energy Utility's Benchmarking Help Center at 202-525-7036 or benchmarking@dcseu.com.

DISTRICT DEPARTMENT OF THE ENVIRONMENT

FISCAL YEAR 2014

PUBLIC NOTICE

Notice is hereby given that, pursuant to 40 C.F.R. Part 51.161, and D.C. Official Code §2-505, the Air Quality Division (AQD) of the District Department of the Environment (DDOE), located at 1200 First Street NE, 5th Floor, Washington, DC, intends to issue air quality permits (Nos. 6321-R1, 6322-R1, and 6323-R1) to the United States Marine Corps to operate three (3) 8.37 MMBtu per hour natural gas fired boilers 1, 2 and 3 (serial number 15578-1, 15578-2 and 15578-3) respectively, located at the Marine Barracks, BEQ, Building #20, 8th and I Streets SE, in Washington, DC. The contact person for the facility is Dennis Martin, Facility Manager, United States Marine Corps, at (202) 433-0777. The facility’s mailing address is 8th & I Streets SE, Washington, DC 20390.

Emissions:

Maximum emissions from the three units operating 24 hours per day for 365 days per year, burning natural gas, are expected to be as follows:

| Pollutant | Maximum Annual Emissions (tons/yr) |
|------------------------------------|---|
| Particulate Matter (PM) (Total) | 0.795 |
| Sulfur Oxides (SO _x) | 0.063 |
| Nitrogen Oxides (NO _x) | 10.470 |
| Volatile Organic Compounds (VOC) | 0.576 |
| Carbon Monoxide (CO) | 8.790 |

The proposed overall emission limits for the equipment are as follows:

- a. The total annual emissions of criteria pollutants from the three boilers in aggregate shall not be greater than those specified in the following table [20 DCMR 201]:

| Pollutant | Annual Emissions Limit (ton/yr) |
|---------------------------------------|--|
| Carbon Monoxide (CO) | 8.790 |
| Oxides of Nitrogen (NO _x) | 10.470 |
| Particulate Matter | 0.795 |
| Volatile Organic Compounds (VOC) | 0.567 |
| Sulfur Dioxide (SO ₂) | 0.063 |

- b. Visible emissions shall not be emitted into the outdoor atmosphere from this generator, except that discharges not exceeding forty percent (40%) opacity (unaveraged) shall be permitted for two (2) minutes in any sixty (60) minute period and for an aggregate of twelve

(12) minutes in any twenty-four hour (24 hr.) period during start-up, cleaning, adjustment of combustion controls, or malfunction of the equipment [20 DCMR 606.1].

- c. An emission into the atmosphere of odorous or other air pollutants from any source in any quantity and of any characteristic, and duration which is, or is likely to be injurious to the public health or welfare, or which interferes with the reasonable enjoyment of life or property is prohibited. [20 DCMR 903.1]
- d. Particulate matter emissions from the boilers shall not exceed 0.060 pound per million BTU. *(The Permittee is deemed to have complied with this requirement by complying with Condition III(a) of this permit)* [20 DCMR 600.1]

The permit application and supporting documentation, along with the draft permit are available for public inspection at AQD and copies may be made available between the hours of 8:15 A.M. and 4:45 P.M. Monday through Friday. Interested parties wishing to view these documents should provide their names, addresses, telephone numbers and affiliation, if any, to Stephen S. Ours at (202) 535-1747.

Interested persons may submit written comments or may request a hearing on this subject within 30 days of publication of this notice. The written comments must also include the person's name, telephone number, affiliation, if any, mailing address and a statement outlining the air quality issues in dispute and any facts underscoring those air quality issues. All relevant comments will be considered in issuing the final permit.

Comments on the proposed permit and any request for a public hearing should be addressed to:

Stephen S. Ours
Chief, Permitting Branch
Air Quality Division
District Department of the Environment
1200 First Street NE, 5th Floor
Washington, DC 20002
Stephen.Ours@dc.gov

No written comments or hearing requests postmarked after December 2, 2013 will be accepted.

For more information, please contact Stephen S. Ours at (202) 535-1747.

**DEPARTMENT OF HEALTH CARE FINANCE
NOTICE OF PUBLIC MEETING**

Department of Health Care Finance Pharmacy and Therapeutics Committee

The Department of Health Care Finance (DHCF) Pharmacy and Therapeutics Committee (P&T Committee), pursuant to the requirements of Mayor's Order 2007-46, dated January 23, 2007, hereby announces a public meeting of the P&T Committee to obtain input on the review and maintenance of a Preferred Drug List (PDL) for the District of Columbia. The meeting will be held **Thursday, December 5, 2013**, at 2:30 PM in the 4th Floor Conference Room 406 at 899 North Capitol Street, NE Washington, DC 20002.

The P&T Committee will receive public comments from interested individuals on issues relating to the topics or class reviews to be discussed at this meeting. The clinical drug class review for this meeting will include:

| | |
|-------------------------------------|--|
| Angiotensin Modulators | Antiviral Agents-HSV and Influenza |
| Angiotensin Modulators Combinations | Antiviral Agents, Topical |
| Beta-Blockers | Acne Agents, Topical |
| Calcium Channel Blockers | Psoriasis Agents |
| Antihypertensives, Sympatholytics | Immunomodulators, Atopic Dermatitis |
| Lipotropics, Others | Immunomodulators, Topical |
| Lipotropics, Statins | Growth Hormone |
| Anticoagulants | Androgenic Agents |
| Platelet Aggregation Inhibitors | PAH Agents |
| Ranexa (single agent review) | Progestins for Cachexia |
| Antihyperuricemics | Pancreatic Enzymes |
| Antibiotics, Inhaled | Bone Resorption Suppression & Related Agents |

Any person or organizations who wish to make a presentation to the DHCF P&T Committee should furnish his or her name, address, telephone number, and name of organization represented by calling (202) 442-9076 **no later than 4:45 PM on Tuesday, November 26, 2013**. The person or organization may also submit the aforementioned information via e-mail to Charlene Fairfax (charlene.fairfax@dc.gov).

An individual wishing to make an oral presentation to the P&T Committee will be limited to three (3) minutes. A person wishing to provide written information should supply twenty (20) copies of the written information to the P&T Committee **no later than 4:45 PM on Tuesday, November 26, 2013**. **Handouts are limited to no more than two standard 8-1/2 by 11 inch pages of "bulleted" points (or one page front and back)**. The ready-to-disseminate, written information can also be mailed **to arrive no later than Tuesday, November 26, 2013** to:

Department of Health Care Finance
Attention: Charlene Fairfax, RPh, CDE
441 4th Street, NW, 9th Floor
Washington, DC 20001

DEPARTMENT OF HEALTH**PUBLIC NOTICE**

The District of Columbia Board of Dentistry (“Board”) hereby gives notice of its special meeting pursuant to § 405(b) of the District of Columbia Health Occupation Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1204.05 (b)) (2001) (“Act”).

The special meeting of the Board will be held on Wednesday, November 6, 2013 from 9:00 AM to 1:00 PM. The purpose of the meeting is to plan, discuss, or hear reports concerning licensing issues, ongoing or planned investigations of practice complaints, and or violations of law or regulations. Accordingly, in accordance with Section 405(b) of the Open Meetings Amendment Act of 2010, the meeting will be closed to public attendance and participation.

The meeting will be held at 899 North Capitol Street, NE, Second Floor, Washington, DC 20002. Visit the Department of Health Events link at <http://doh.dc.gov/events> for additional information.

DEPARTMENT OF HEALTH**PUBLIC NOTICE**

The District of Columbia Board of Social Work hereby gives notice, pursuant to § 405 of the District of Columbia Health Occupation Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1204.05 (b)) (2009), of the following:

In observance of the Christmas holiday, the Board will not meet in the month of December for the year 2013.

The District of Columbia Board of Social Work's regularly scheduled monthly meeting is the fourth Monday of each month at 9:30 a.m. The open (public) session begins at 9:30 a.m. The Board of Social Work meets at 899 North Capitol Street, NE, 2nd Floor, Washington, D.C. 20002.

IMAGINE SOUTHEAST PUBLIC CHARTER SCHOOL**Request for Proposals****RFP for High Performing Charter School Operator**

The Board of Directors of Imagine Southeast Public Charter School is issuing an extension of the deadline for receipt of Request for Proposals (“RFP”) for a high performing charter school operator to take over the charter of Imagine Southeast PCS starting in the SY2014-15. Imagine Southeast PCS serves PK-6th grade and opened in 2008 and is located at 3100 Martin Luther King, Jr., Avenue, SE. The RFP deadline is **November 8, 2013** at 1 p.m. One original and five copies must be delivered in a sealed envelope to 3100 Martin Luther King Jr. Ave., SE. in package marked “RFP Response.” To request a copy of the RFP email congressheightschool@gmail.com.

OFFICE OF THE DEPUTY MAYOR FOR PLANNING AND ECONOMIC
DEVELOPMENT

NOTICE OF FUNDING AVAILABILITY

H STREET NE SMALL BUSINESS CAPITAL IMPROVEMENT GRANTS

Grant funds purpose and availability:

The purpose of the H Street NE Small Business Capital Improvement Grants is to support existing small businesses, attract new businesses, increase the District's tax base, and create new jobs for District residents. The Office of the Deputy Mayor Planning and Economic Development (DMPED) will award individual grants up to a maximum of \$85,000 each to support and foster growth amongst small businesses. Grant funds may be utilized to reimburse the grantee for the purposes of improving the subject property or purchasing equipment that will be used onsite. Funding for this program is authorized under the "H Street NE Retail Priority Area Incentive Act of 2010," effective April 8, 2011 (D.C. Law 18-354; D.C. Official Code § 1-325.171 et seq.), and as amended by the "H Street NE Retail Priority Area Incentive Amendment Act of 2012," effective September 20, 2012 (D.C. Law 19-168).

Eligible applicants:

Eligible applicants include small businesses and real estate developers that propose to improve property in preparation for one or more small business tenants. **Eligible retail development projects shall not include liquor stores, restaurants, nightclubs, phone stores, or businesses with 20 or more locations in the United States.**

Eligible applicants must possess all of the following prior to an award being made:

1. Be a registered business in **Good Standing** with the DC Department of Consumer and Regulatory Affairs (DCRA), the DC Office of Tax and Revenue (OTR), the DC Department of Employment Services (DOES), and the federal Internal Revenue Service (IRS).
2. Site control of the property either through fee simple ownership of the site or through an executed contract or lease with the property owner. Grantee must demonstrate site control for at least two years after receiving grant.
3. Direct frontage on the H Street NE corridor from 3rd Street NE to 15th Street NE (or provide technical assistance to these businesses). Prospective applicants can verify their location eligibility at www.greatstreets.dc.gov.

Prior to the execution of a grant agreement, the grantee must enter into a First Source Agreement with the DOES.

The Request for Applications (RFA) will be released on Friday, November 15, 2013. Applicants must submit a completed online application to DMPED by Monday, February 17, 2014 at 4:00 PM.

DMPED will host informational sessions on the Great Streets corridors; once confirmed, details will be posted on both the DMPED website at dcbiz.dc.gov and Great Streets website www.greatstreets.dc.gov.

Please direct all inquiries to LaToyia Hampton, Grants Manager,
Office of the Deputy Mayor for Planning and Economic Development, [1100 4th Street, SW,](http://11004thStreetSW.com)
[Washington, DC 20024](http://WashingtonDC20024.com). Telephone: [\(202\) 724-7648](tel:(202)724-7648). Email: LaToyia.Hampton@dc.gov

The RFA will be available on the Great Streets website at www.greatstreets.dc.gov. Applicants must submit a completed application to DMPED by the deadline. Late applications will not be forwarded to the review team.

OFFICE OF THE DEPUTY MAYOR FOR PLANNING AND ECONOMIC
DEVELOPMENT

NOTICE OF FUNDING AVAILABILITY

GREAT STREETS SMALL BUSINESS CAPITAL IMPROVEMENT GRANTS

Grant funds purpose and availability:

The purpose of the Great Streets Small Business Capital Improvement Grants is to support existing small businesses, attract new businesses, increase the District's tax base, and create new jobs for District residents. The Office of the Deputy Mayor Planning and Economic Development (DMPED) will award individual grants up to a maximum of \$85,000 each to support and foster growth amongst small businesses. Grant funds will be utilized to reimburse the grantee for capital expenditures to improve the subject property.

Eligible applicants:

Eligible applicants include small businesses and real estate developers that propose to improve property in preparation for one or more small business tenants.

Eligible applicants must possess all of the following prior to an award being made:

1. Be a registered business in **Good Standing** with the DC Department of Consumer and Regulatory Affairs (DCRA), the DC Office of Tax and Revenue (OTR), the DC Department of Employment Services (DOES), and the federal Internal Revenue Service (IRS).
2. Site control of the property either through fee simple ownership of the site or through an executed contract or lease with the property owner. Grantee must demonstrate site control for at least two years after receiving grant.
3. Businesses must be located within targeted Great Streets corridors. Prospective applicants can verify their location eligibility at www.greatstreets.dc.gov.

Prior to the execution of a grant agreement, the grantee must enter into a First Source Agreement with the DOES.

The Request for Applications (RFA) will be released on **Friday, November 15, 2013**. Applicants must submit a completed online application to DMPED by **Monday, February 17, 2014 at 4:00 PM**.

DMPED will host multiple informational sessions on the Great Streets corridors; once confirmed, details will be posted on the DMPED website at dcbiz.dc.gov.

Please direct all inquiries to LaToyia Hampton, Grants Manager,
Office of the Deputy Mayor for Planning and Economic Development, 1100 4th Street, SW,
Washington, DC 20024. Telephone: [\(202\) 724-7648](tel:(202)724-7648). Email: LaToyia.Hampton@dc.gov

The RFA will be available on the Great Streets website at greatstreets.dc.gov. Applicants must submit a completed application to DMPED by the deadline. Late applications will not be forwarded to the review team.

**DISTRICT OF COLUMBIA
POLICE OFFICERS STANDARDS AND TRAINING BOARD**

NOTICE OF PUBLIC MEETING

The District of Columbia Police Officers Standards and Training (D.C. POST) Board will hold an open meeting on:

Wednesday, November 20, 2013, 3:30 p.m. – 5:00 p.m.

The meeting will be held in Room 5147, Henry J. Daly Building, 300 Indiana Avenue, Northwest, Washington, D.C. 20001 or as otherwise announced in the D.C. Register. Anyone interested in the work of the D.C. POST Board may attend the meetings. Please note that you must present picture identification in order to enter the building.

Copies of the materials to be voted on by the Board at a particular meeting may be obtained in advance beginning ten (10) business days prior to the meeting. Typed written comments on the materials may be submitted to the Office of the Board at least one (1) business day in advance of the meeting. Written comments received or postmarked after this date will not be accepted.

Members of the public who wish to present oral testimony at a particular meeting should contact the Office of the D.C. POST at least one (1) business day prior to the meeting by telephone or by faxing a written copy of the comments to be presented. Public comments will be limited to the last thirty (30) minutes of the meeting. Individual comments will be limited to three (3) minutes. Members of the public will be scheduled on a “first come-first served” basis.

The contact information is as follows:

District of Columbia Police Officers Standards and Training Board
300 Indiana Avenue, Northwest, Room 6029
Washington, D.C. 20001
dcpost@dc.gov

TREE OF LIFE COMMUNITY PUBLIC CHARTER SCHOOL, INC.**INVITATION FOR BID****Food Service**

Tree of Life Community Public Charter School, Inc. will receive bids until Monday, December 2, 2013 at 4:00 pm for the delivery of breakfast, lunch, snack and/or CACFP supper meals to children enrolled at the school for the 2013-2014 school year with a possible extension of (4) one year renewals. All meals must meet at a minimum, but are not restricted to, the USDA National School Breakfast, Lunch, Afterschool Snack and At-Risk Supper meal pattern requirements. Additional specifications outlined in the Invitation for Bid (IFB) such as; student data, days of service, meal quality, etc. may be obtained from Camille Fountain, Tree of Life Community Public Charter School, 2315 18th Place, NE, Washington, DC 20018, (202) 832-1108, x34 or cfountain@treeoflifepcs.org. **All bids not addressing all areas as outlined in the IFB will not be considered.**

WASHINGTON LATIN PUBLIC CHARTER SCHOOL

REQUEST FOR PROPOSAL

Athletic Equipment Vendor

Issued: November 1, 2013

ORGANIZATION & SERVICE DESCRIPTION

Washington Latin is soliciting proposals from qualified vendors to provide athletic equipment sales for the remainder of the 2013-2014 school year.

Questions and proposals may be e-mailed directly to Washington Latin PCS (bpaul@latinpcs.org) with the subject line as the type of service, Athletic Equipment Sales. Deadline for submission is 12 PM on Friday, November 8, 2013.

E-mail is the preferred method for responding, but you may also mail proposals and supporting documents to the following address, postmarked by November 8:

Washington Latin Public Charter School
Attn: Business Office
5200 2nd Street, NW
Washington, DC 20011

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

Application No. 18636 of JBG/33 N Street LLC, pursuant to 11 DCMR §§ 3104.1 and 3103.2, for a variance from the loading requirements under § 2201 and a special exception from the roof structure requirements under §§ 411 and 770.6, to permit the development of a residential building with ground floor retail in the C-3-C District at premises 33 N Street, N.E. (Square 672, Lot 254¹).

HEARING DATE: October 22, 2013
DECISION DATE: October 22, 2013 (Bench Decision)

SUMMARY ORDER

SELF CERTIFIED

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2. (Exhibit 4.)

The Board of Zoning Adjustment ("Board" or "BZA") provided proper and timely notice of the public hearing on this application by publication in the *D.C. Register* and by mail to Advisory Neighborhood Commission ("ANC") 6C and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 6C, which is automatically a party to this application. ANC 6C submitted a report dated October 12, 2013, in support of the application, which indicated that at a duly noticed, regularly scheduled monthly meeting of the ANC on October 12, 2013, at which a quorum of five out of six Commissioners was present, the ANC voted to support the application by a unanimous vote (5:0:0). (Exhibit 25.) The Office of Planning ("OP") submitted a timely report in support of the application. (Exhibit 26.) The District Department of Transportation also submitted a report citing no objection to the application. (Exhibit 27.)

Variance Relief

As directed by 11 DCMR § 3119.2, the Board has required the applicant to satisfy the burden of proving the elements that are necessary to establish the case, pursuant to § 3103.2, for a variance from § 2201. No parties appeared at the public hearing in opposition to the application. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

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 a variance from § 2201, the applicant has met its burden of proof under 11 DCMR § 3103.2, that there

¹ After the application was filed, Lot 254 was combined with Lots 247, 847, and 848 in Square 672 to become Lot 260 in Square 672.

BZA APPLICATION NO. 18636**PAGE NO. 2**

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 relief requested 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.

Special Exception Relief

As directed by 11 DCMR § 3119.2, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to § 3104.1 for special exception relief under §§ 411 and 770.6. No parties appeared at the public hearing in opposition to this application. Accordingly a decision by the Board to grant this application would not be adverse to any party.

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 the Applicant has met the burden of proof, pursuant to 11 DCMR §§ 411, 770.6, and 3104.1, that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board further concludes that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map.

Pursuant to 11 DCMR § 3100.5, the Board has determined to waive the requirement of 11 DCMR § 3125.3, that the order of the Board be accompanied by findings of fact and conclusions of law. The waiver will not prejudice the rights of any party and is appropriate in this case.

It is therefore **ORDERED** that the application is hereby **GRANTED, SUBJECT TO THE PLANS AT EXHIBIT 24G and H.**

VOTE: 3-0-2 (Lloyd J. Jordan, Jeffrey L. Hinkle and Peter G. May to APPROVE; S. Kathryn Allen not present, not voting; one Board seat vacant.)

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

A majority of the Board members approved the issuance of this summary order.

FINAL DATE OF ORDER: October 24, 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

BZA APPLICATION NO. 18636**PAGE NO. 3**

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.

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

Application No. 18637 of Daniel McKay and Caroline DeMariz, pursuant to 11 DCMR § 3104.1, for a special exception to allow an addition to an existing one-family row dwelling under section 223, not meeting the lot occupancy (section 403) court (section 406) and nonconforming structure (subsection 2001.3) requirements, in the R-4 District at premises 1315 T Street, N.W. (Square 237, Lot 8).

Note: The Applicant withdrew the relief from subsection 411.11. The Board amended the application to include relief for subsection 2001.3, under section 223.

HEARING DATE: October 22, 2013

DECISION DATE: October 22, 2013

SUMMARY ORDER

SELF-CERTIFIED

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2.

The Board provided proper and timely notice of the public hearing on this application by publication in the *D.C. Register* and by mail to Advisory Neighborhood Commission (“ANC”) 1B, and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 1B, which is automatically a party to this application. ANC 1B submitted a letter in support of the application. The Office of Planning (“OP”) submitted a report and testified at the hearing in support of the application. The Department of Transportation submitted a report not objecting to the application. The Board also received several letters from neighbors in support of the application.

As directed by 11 DCMR § 3119.2, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to § 3104.1, for a special exception under subsection 223. No parties appeared at the public hearing in opposition to this application. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board and having given great weight to the OP and ANC reports, the Board concludes that the Applicant has met the burden of proof, pursuant to 11 DCMR §§ 3104.1 and 223, that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board further concludes that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map.

Pursuant to 11 DCMR § 3100.5, the Board has determined to waive the requirement of 11 DCMR § 3125.3, that the order of the Board be accompanied by findings of fact and conclusions of law. It is therefore **ORDERED** that this application (pursuant to Exhibit 9 – Plans) be **GRANTED**.

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VOTE: **3-0-2** (Lloyd J. Jordan, Peter G. May and Jeffrey L. Hinkle to APPROVE. S. Kathryn Allen not present not voting and the third member vacant.)

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: October 22, 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 AT LEAST 30 DAYS PRIOR TO THE EXPIRATION OF THE TWO-YEAR PERIOD AND THAT SUCH REQUEST IS GRANTED. NO OTHER ACTION, INCLUDING THE FILING OR GRANTING OF AN APPLICATION FOR A MODIFICATION PURSUANT TO §§ 3129.2 OR 3129.7, SHALL 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.

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

Application No. 18658 of Kenneth Scott Davies and Edel Quinones, pursuant to 11 DCMR § 3104.1, for a special exception for an addition to a one-family row dwelling under section 223, not meeting the lot area (section 401), lot occupancy (section 403) and nonconforming structure (subsection 2001.3) requirements in the DC/R-4 District at premises 1421 Swann Street, N.W. (Square 206, Lot 115).

DECISION DATE: October 22, 2012 (Expedited Calendar)

SUMMARY ORDER

SELF-CERTIFIED

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2.

Pursuant to 11 DCMR § 3181 this application was tentatively placed on the Board's expedited calendar for decision without hearing as a result of the applicant's waiver of their right to a hearing.

The Board provided proper and timely notice of the decision meeting for this application together with the information required by 11 DCMR § 3118.5 by publication in the *D.C. Register* and by mail to Advisory Neighborhood Commission (ANC) 2B and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 2B, which is automatically a party to this application. ANC 2B submitted a letter in support of the application. The Office of Planning (OP) submitted a report in support of the application. The Department of Transportation submitted a report of no objection to the application.

No objections to expedited calendar consideration were made by any person or entity entitled to do by §§ 2118.6 and 2118.7 and no requests for party status were received. The matter was therefore called on the Board's expedited calendar for the date referenced above and the Board voted to grant the application.

As directed by 11 DCMR § 3119.2, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to § 3104.1, for special exception under section 223. No parties appeared at the public hearing in opposition to this application. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board and having given great weight to the OP and ANC reports, the Board concludes that the Applicant has met the burden of proof, pursuant to 11 DCMR §§ 3104.1 and 223, that the requested relief can be granted as being in harmony with the

BZA APPLICATION NO. 18658

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general purpose and intent of the Zoning Regulations and Map. The Board further concludes that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map.

Pursuant to 11 DCMR § 3100.5, the Board has determined to waive the requirement of 11 DCMR § 3125.3, that the order of the Board be accompanied by findings of fact and conclusions of law. It is therefore **ORDERED** that this application (pursuant to Exhibit 12 – Plans) be **GRANTED**.

VOTE: **3-0-2** (Lloyd J. Jordan, Jeffrey L. Hinkle and Peter G. May to APPROVE. S. Kathryn Allen not present, not voting and the third member vacant.)

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: October 22, 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 AT LEAST 30 DAYS PRIOR TO THE EXPIRATION OF THE TWO-YEAR PERIOD AND THAT SUCH REQUEST IS GRANTED. NO OTHER ACTION, INCLUDING THE FILING OR GRANTING OF AN APPLICATION FOR A MODIFICATION PURSUANT TO §§ 3129.2 OR 3129.7, SHALL 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,

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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.

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

NOTICE OF FILING

APPLICATION NO. 18691

On October 23, 2013, the Foreign Missions/Board of Zoning Adjustment of the District of Columbia, received the above-numbered application from Cynthia A. Giordano, Esq. of the Law Firm of Saul Ewing LLP, on behalf of the Republic of Georgia, pursuant to 11 DCMR § 1002, to permit the location of a in the DC/R-5-B District at premises 1824-27 R Street, N.W. (Square 134, Lot 167).

The application will be considered by the Board in accordance with the requirements of the Foreign Missions Act, and any appropriate provisions of the Title 11 Zoning Regulations.

This is not a notice of public hearing on the application. That notice will be published at least 40 days in advance of the hearing.

For additional information about this application, contact the Office of Zoning, at 441 4th Street, N.W., Suite 200-S, Washington, D.C. 20001, telephone (202) 727-6311.

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

NOTICE OF PROPOSED RULEMAKING

APPLICATION NO. 18691

The Board of Zoning Adjustment of the District of Columbia, pursuant to the authority set forth in section 206 of the Foreign Missions Act, approved August 24, 1982 (96 Stat. 286, D.C. Official Code § 6-1306), and the Zoning Regulations of the District of Columbia, hereby gives notice of its intention to not disapprove, or in the alternative, disapprove the Application of Republic of Georgia, pursuant to 11 DCMR § 1002, to permit the location of a chancery in the DC/R-5-B District at premises 1824-27 R Street, N.W. (Square 134, Lot 167).

Final action on this application will be taken in not less than thirty days from the date of publication of this notice.

Written comments may be submitted to the Board of Zoning Adjustment through the Office of Zoning, at 441 4th Street, N.W., Suite 200-S, Washington, D.C. 20001. Copies of this notice are available from the Office of Zoning. For further information, call (202) 727-6311.

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF FILING
Z.C. Case No. 13-10
(ZP Georgia, LLC – Consolidated PUD and Related Map Amendment @
Square 2892, Lots 102-105, 879, and 910 and
a Portion of a Public Alley to be Closed)
October 23, 2013**

THIS CASE IS OF INTEREST TO ANC 1A

On October 18, 2013, the Office of Zoning received an application from ZP Georgia, LLC (the “Applicant”) for approval of a consolidated PUD and related map amendment for the above-referenced property.

The property that is the subject of this application consists of Lots 102-105, 879, and 910, and a portion of a public alley to be closed in Square 2892 in Northwest Washington, D.C. (Ward 1), which is located on property bounded by Georgia Avenue (east), Lamont Street (north), Kenyon Street (south), and Sherman Avenue (west). The property is currently zoned GA/C-2-A. The Applicant proposes a PUD-related map amendment to rezone the property, for the purposes of this project, to GA/C-2-B.

The Applicant proposes to develop a multiple-family dwelling building with ground-floor retail. The approximately 105-unit project will have a density of 5.95 floor area ratio (“FAR”) and a maximum height of 85 feet, with 96,000 square feet of residential use and 3,816 square feet of retail uses. The project will also include 36 off-street parking spaces located in a below-grade parking garage and two surface parking spaces at the rear of the building.

This case was filed electronically through the Interactive Zoning Information System (“IZIS”), which can be accessed through <http://.dcoz.dc.gov>. For additional information, please contact Sharon S. Schellin, Secretary to the Zoning Commission at (202) 727-6311.

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF FILING**

Z.C. Case No. 13-11

**(Text and Map Amendments to Create the Mount Pleasant Tree and Slope Overlay
District @ Various Lots in Squares 2617, 2619, 2620, and 2621)**

October 23, 2013

THIS CASE IS OF INTEREST TO ANC 1D

On October 23, 2013, the Office of Zoning received a petition from the Mount Pleasant Community Association (“Petitioner”) for approval of text and map amendments for the above-referenced property.

The property that is the subject of this petition consists of Lots 826 and 170 in Square 2617; Lot 809 in Square 2619; Lots 420, 671, 672, 673, 674, 675, 676, 709, 808, 809, 820, 823, and 826 in Square 2620; and Lots 496, 590, 591, 592, 593, 594, 595, 662, 672, 673, 674, 717, 718, 719, 766, 767, 768, 769, 770, 819, 836, 838, 842, 1002, 1003, and 1004 in Square 2621 in Northwest Washington, D.C. (Ward 1), which are bounded by Oakwood Terrace (east), 19th Street (west), Piney Branch Parkway (north), and Ingleside Terrace (south).

The property is currently zoned R-4 (except for Lot 826 in Square 2617, Lot 809 in Square 2619, and Lot 823 in Square 2620, which are unzoned). The Petitioner proposes text and map amendments to create the Mount Pleasant Tree and Slope Overlay District (MtP/TSP).

For additional information, please contact Sharon S. Schellin, Secretary to the Zoning Commission at (202) 727-6311.

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