



District of Columbia

REGISTER

HIGHLIGHTS

- DC Council schedules a Public Oversight Roundtable to review the status of plans to revise the student assignment policies and school boundaries for DC Public Schools
- Taxicab Commission schedules a public hearing to review the Taxicab Rate Structure
- Department of Health establishes a sliding scale program for medical marijuana
- Public Service Commission implements a fee-free credit/debit card service for the company's residential and small commercial customers
- Department of Behavioral Health announces funding availability for a citywide medical mobile outreach vehicle
- Department of Housing and Community Development schedules a stakeholder forum on the "New Streamlined PADD/DFD Application and Solicitation Initiative"
- Department of Human Resources announces establishment of a new job classification system

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.

All documents published in the *D.C. Register* must be submitted in accordance with the applicable provisions of the Rules of the Office of Documents and Administrative Issuances. Documents which are published in the *D.C. Register* include (1) Acts and resolutions of the Council of the District of Columbia; (2) Notices of proposed Council legislation, Council hearings, and other Council actions; (3) Notices of public hearings; (4) Notices of final, proposed, and emergency rulemaking; (5) Mayor's Orders and information on changes in the structure of the District of Columbia government (6) Notices, Opinions, and Orders of District of Columbia Boards, Commissions and Agencies; (7) Documents having general applicability and notices and information of general public interest.

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Except in the case of emergency rules, no rule or document of general applicability and legal effect shall become effective until it is published in the *D.C. Register*. Publication creates a rebuttable legal presumption that a document has been duly issued, prescribed, adopted, or enacted and that the document complies with the requirements of the *District of Columbia Documents Act* and the *District of Columbia Administrative Procedure Act*. The Administrator of the Office of Documents hereby certifies that this issue of the *D.C. Register* contains all documents required to be published under the provisions of the *District of Columbia Documents Act*.

DISTRICT OF COLUMBIA OFFICE OF DOCUMENTS AND ADMINISTRATIVE ISSUANCES

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Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 20-343 on first and second readings January 7, 2014 and February 4, 2014, respectively. Following the signature of the Mayor on February 19, 2014, pursuant to Section 404(e) of the Charter, the bill became Act 20-279 and was published in the February 28, 2014 edition of the D.C. Register (Vol. 61, page 1589). Act 20-279 was transmitted to Congress on March 5, 2014 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 20-279 is now D.C. Law 20-97, effective April 30, 2014.



PHIL MENDELSON
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:


Mar. 5,6,7,10,11,12,13,14,17,18,19,20,21,24,25,26,27,28,31

April 1,2,3,4,7,8,9,10,11,28,29

COUNCIL OF THE DISTRICT OF COLUMBIA**NOTICE****D.C. LAW 20-98****“Closing of a Public Alley in Square 150, S.O. 13-10218, Act of 2014”**

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 20-439 on first and second readings January 7, 2014 and February 4, 2014, respectively. Following the signature of the Mayor on February 20, 2014, pursuant to Section 404(e) of the Charter, the bill became Act 20-280 and was published in the February 28, 2014 edition of the D.C. Register (Vol. 61, page 1592). Act 20-280 was transmitted to Congress on March 5, 2014 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 20-280 is now D.C. Law 20-98, effective April 30, 2014.



PHIL MENDELSON
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

Mar. 5,6,7,10,11,12,13,14,17,18,19,20,21,24,25,26,27,28,31

April 1,2,3,4,7,8,9,10,11,28,29

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 20-99

“Annie’s Way Designation Act of 2014”

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 20-525 on first and second readings January 7, 2014 and February 4, 2014, respectively. Following the signature of the Mayor on February 20, 2014, pursuant to Section 404(e) of the Charter, the bill became Act 20-281 and was published in the February 28, 2014 edition of the D.C. Register (Vol. 61, page 1594). Act 20-281 was transmitted to Congress on March 5, 2014 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 20-281 is now D.C. Law 20-99, effective April 30, 2014.



PHIL MENDELSON
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

Mar. 5,6,7,10,11,12,13,14,17,18,19,20,21,24,25,26,27,28,31

April 1,2,3,4,7,8,9,10,11,28,29

COUNCIL OF THE DISTRICT OF COLUMBIA

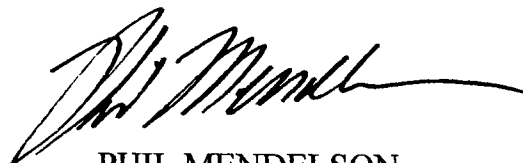
NOTICE

D.C. LAW 20-100

“LGBTQ Homeless Youth Reform Amendment Act of 2014”

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 20-51 on first and second readings January 7, 2014 and February 4, 2014, respectively. Following the signature of the Mayor on February 28, 2014, pursuant to Section 404(e) of the Charter, the bill became Act 20-288 and was published in the March 7, 2014 edition of the D.C. Register (Vol. 61, page 1873). Act 20-288 was transmitted to Congress on March 10, 2014 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 20-288 is now D.C. Law 20-100, effective May 3, 2014.



PHIL MENDELSON
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

Mar. 10,11,12,13,14,17,18,19,20,21,24,25,26,27,28,31

April 1,2,3,4,7,8,9,10,11,28,29,30

May 1,2

COUNCIL OF THE DISTRICT OF COLUMBIA**NOTICE****D.C. LAW 20-101****“Public Service Commission and People’s Counsel
Terms of Service Harmonization Amendment Act of 2014”**

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 20-346 on first and second readings January 7, 2014 and February 4, 2014, respectively. Following the signature of the Mayor on February 28, 2014, pursuant to Section 404(e) of the Charter, the bill became Act 20-289 and was published in the March 7, 2014 edition of the D.C. Register (Vol. 61, page 1880). Act 20-289 was transmitted to Congress on March 10, 2014 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 20-289 is now D.C. Law 20-101, effective May 3, 2014.



PHIL MENDELSON
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

Mar. 3,4,5,6,7,10,11,12,13,14,17,18,19,20,21,24,25,26,27,28,31

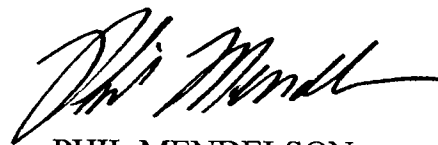
April 1,2,3,4,7,8,9,10,11,28,29,30

May 1,2

COUNCIL OF THE DISTRICT OF COLUMBIA**NOTICE****D.C. LAW 20-102****“Electric Company Infrastructure Improvement Financing Act of 2014”**

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 20-387 on first and second readings January 7, 2014 and February 4, 2014, respectively. Following the signature of the Mayor on March 3, 2014, pursuant to Section 404(e) of the Charter, the bill became Act 20-290 and was published in the March 7, 2014 edition of the D.C. Register (Vol. 61, page 1882). Act 20-290 was transmitted to Congress on March 10, 2014 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 20-290 is now D.C. Law 20-102, effective May 3, 2014.



PHIL MENDELSON
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

Mar. 10,11,12,13,14,17,18,19,20,21,24,25,26,27,28,31

April 1,2,3,4,7,8,9,10,11,28,29,30

May 1,2

ENROLLED ORIGINAL

AN ACT

D.C. ACT 20-324

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MAY 14, 2014

To order the closing of a portion of the public alley in Square 75 bounded by Pennsylvania Avenue, N.W., 22nd Street, N.W., I Street, N.W., and 21st Street, N.W., and accept the dedication of land for alley purposes in Square 75, in Ward 2.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Closing of a Portion of the Public Alley and Acceptance of Dedication of Land for Alley Purposes in Square 75, S.O. 12-03806, Act of 2014".

Sec. 2. Pursuant to section 404 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-204.04), and consistent with the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-201.01 *et seq.*), the Council finds that the portion of the public alley in Square 75, as shown on the Surveyor's plat filed under S.O. 12-03806, is unnecessary for alley purposes and orders it closed, with title to the land to vest as shown on the Surveyor's plat.

Sec. 3. Pursuant to section 302(c) of the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-203.02(3)), the Council accepts the dedication of land for alley purposes as shown on the Surveyor's plat filed under S.O. 12-03806.

Sec. 4. Transmittal.

The Chairman of the Council shall transmit a copy of this act, upon its effective date, to the Office of the Surveyor and the Office of the Recorder of Deeds.

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)).

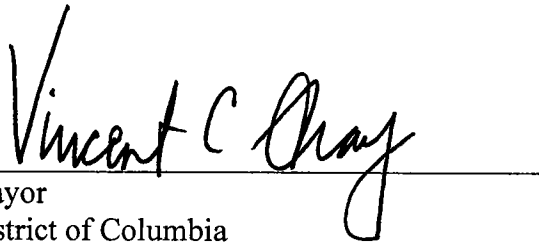
ENROLLED ORIGINAL

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
May 14, 2014

ENROLLED ORIGINAL

AN ACT

D.C. ACT 20-325

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MAY 14, 2014

To amend, on a temporary basis, the Day Care Policy Act of 1979 to permit more than 2 children under 2 years of age in a child development home with a ratio of one adult caregiver to 2 children under 2 years of age.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Child Development Home License Temporary Amendment Act of 2014”.

Sec. 2. Section 2 of the Day Care Policy Act of 1979, effective September 19, 1979 (D.C. Law 3-16; D.C. Official Code § 4-401), is amended as follows:

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

“(1A) The term “Child Development Associate credential” means a credential recognized by the Council for Professional Recognition and accepted by the Office of the State Superintendent of Education to demonstrate competency as a caregiver for young children.”.

(b) Paragraph (3) is amended by striking the phrase “no more than 2 children younger than 2 years of age in the group.” and inserting the phrase “a ratio of one adult caregiver to 2 children if there are 2 or more children younger than 2 years of age in the group; provided, that each adult caregiver possesses a post-secondary degree in early childhood education or a related field as determined by the Office of the State Superintendent of Education, holds a current Child Development Associate (“CDA”) credential, is enrolled in a CDA training program, or can provide evidence of enrollment in a CDA training program that will begin within 6 months of the first day of the adult caregiver’s work with children at the child development home.” in its place.

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)).

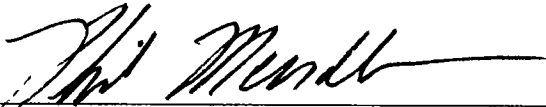
Sec. 4. Effective date.

(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

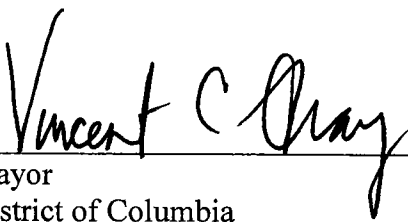
ENROLLED ORIGINAL

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
May 14, 2014

ENROLLED ORIGINAL

AN ACT

D.C. ACT 20-326

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MAY 14, 2014

To amend, on an emergency basis, due to Congressional review, the Animal Control Act of 1979 to clarify that an educational institution is permitted to have animals for educational and instructional purposes.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Classroom Animal for Educational Purposes Clarification Congressional Review Emergency Amendment Act of 2014”.

Sec. 2. Section 9(h) of the Animal Control Act of 1979, effective October 18, 1979 (D.C. Law 3-30; D.C. Official Code § 8-1808(h)), is amended by adding a new paragraph (6) to read as follows:

“(6) Paragraph (1) of this subsection shall not apply to educational institutions that possess animals for educational and instructional purposes and that otherwise comply with humane, sanitary, and safe treatment requirements, as set forth in section 502 of the Animal Protection Amendment Act of 2008, effective December 5, 2008 (D.C. Law 17-281; D.C. Official Code § 8-1851.02).”.

Sec. 3. Applicability.

This act shall apply as of May 12, 2014.

Sec. 4. 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. 5. Effective date.

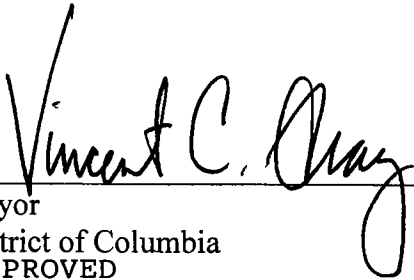
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in

ENROLLED ORIGINAL

section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
May 14, 2014

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 it is introduced.

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
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PROPOSED RESOLUTIONS

PR20-780 District of Columbia Board of Library Trustees Vincent S. Morris Confirmation Resolution of 2014

Intro. 05-13-14 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Education

PR20-781 District of Columbia Board of Library Trustees Karma A. Cottman Confirmation Resolution of 2014

Intro. 05-13-14 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Education

PR20-782 Data-sharing Regulations Approval Resolution of 2014

Intro. 05-13-14 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Human Services

**Council of the District of Columbia
Committee on Health
Notice of Public Hearing
1350 Pennsylvania Ave., N.W., Washington, D.C. 20004**

**COUNCILMEMBER YVETTE M. ALEXANDER, CHAIRPERSON
COMMITTEE ON HEALTH ANNOUNCES A PUBLIC HEARING**

on

Bill 20-501, the “Conversion Therapy for Minors Prohibition Amendment Act of 2013”

**Tuesday, June 10, 2014
12:00 p.m., Room 412, John A. Wilson Building
1350 Pennsylvania Avenue, N.W.
Washington, D.C. 20004**

Councilmember Yvette M. Alexander, Chairperson of the Committee on Health, announces a public hearing on Bill 20-501, the “Conversion Therapy for Minors Prohibition Amendment Act of 2013”. The hearing will take place at 12:00 p.m. on Tuesday, June 10, 2014 in Room 412 of the John A. Wilson Building.

The purpose of this bill is to amend the Mental Health Service Delivery Reform Act of 2001 to prohibit the use of practices designed to change the sexual orientation of a minor by a licensed mental health provider.

Those who wish to testify should contact Rayna Smith, Committee Director to the Committee on Health, at 202-741-2111 or via e-mail at rsmith@dccouncil.us, and provide their name, address, telephone number, organizational affiliation and title (if any) by close of business on Friday, June 6, 2014. Persons wishing to testify are encouraged, but not required, to submit 15 copies of written testimony. If submitted by the close of business on Friday, June 6, 2014, the testimony will be distributed to Councilmembers before the hearing. Witnesses should limit their testimony to four minutes; less time will be allowed if there are a large number of witnesses.

For those unable to testify at the hearing, written statements are encouraged and will be made a part of the official record. Copies of written statements can be emailed to rsmith@dccouncil.us or to mailed to Rayna Smith at the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Room 115, Washington, D.C., 20004. The record will close at 5:00 p.m. on Tuesday, June 17, 2014.

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

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

ANNOUNCES A PUBLIC HEARING ON

B20-0574 – “BOARD OF ELECTIONS NOMINATING PETITION CIRCULATOR AFFIDAVIT AMENDMENT ACT OF 2013;”

B20-0611 – “SPECIAL ELECTION REFORM AMENDMENT ACT OF 2013”

B20-0575 – “PARTY OFFICER ELECTIONS AMENDMENT ACT OF 2013”;

AND

B20-0507, “BOARD OF ETHICS AND GOVERNMENT ACCOUNTABILITY ESTABLISHMENT AND COMPREHENSIVE ETHICS REFORM AMENDMENT ACT OF 2013”

**June 9, 2014, 11:00 AM
Room 412 John A. Wilson Building
1350 Pennsylvania Ave., NW
Washington, D.C. 20004**

On June 9, 2014, Councilmember Kenyan R. McDuffie, Chairperson of the Committee on Government Operations, will convene a public hearing on B20-0574 - Board of Elections Nominating Petition Circulator Affidavit Amendment Act of 2013; B20-0611 - Special Election Reform Amendment Act of 2013; B20-0575 – Party Officer Elections Amendment Act of 2013; And B20-0507, the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2013.

This public hearing will be held in Room 412 of the John A. Wilson Building, 1350 Pennsylvania Ave, NW at 11:00 AM.

The purpose of this hearing is to give the public the opportunity to comment on these measures. The following is an outline of the stated purpose of each bill scheduled to be considered at this hearing:

- The stated purpose of the “Board of Elections Nominating Petition Circulator Affidavit Amendment Act of 2013” is to amend the District of Columbia Election Code of 1955 to establish that each nominating petition circulator must make and

sign an affidavit that states that he or she is a qualified petition circulator as that term is defined in the Election Code.

- The stated purpose of the “Special Election Reform Amendment Act of 2013” is to amend the District of Columbia Election Code of 1955 to align the special election requirements of the Delegate to the House of Representatives from the District of Columbia and Members of the Board of Education of the District with all other District elected officials.
- The stated purpose of the “Party Officer Elections Amendment Act of 2013” is to amend the District of Columbia Election Code of 1955 to permit the election of officials of political parties during any regularly scheduled primary election.
- The stated purpose of the “Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2013” is to amend 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, 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.

The Committee invites the public to testify or to submit written testimony, which will be made a part of the official record. Anyone wishing to testify at the hearing should contact Mr. Ronan Gulstone, Committee Director at (202) 724-8028, or via e-mail at rgulstone@dccouncil.us, and provide their name, address, telephone number, organizational affiliation and title (if any) by close of business Thursday June, 5 2014. Representatives of organizations will be allowed a maximum of five (5) minutes for oral presentation and individuals will be allowed a maximum of three (3) minutes for oral presentation. Witnesses should bring 10 copies of their written testimony and if possible submit a copy of their testimony electronically to rgulstone@dccouncil.us.

If you are unable to testify at the hearing, written statements are encouraged and will be made a part of the official record. Copies of written statements should be submitted either to the Committee, or to Ms. Nyasha Smith, Secretary to the Council, 1350 Pennsylvania Avenue, N.W., Suite 5, Washington, D.C. 20004. The record will close at the end of the business day on June 25, 2014.

**Council of the District of Columbia
Committee on Finance and Revenue
Notice of Public Hearing**

John A. Wilson Building, 1350 Pennsylvania Avenue, N.W. Washington, D.C. 20004

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

ANNOUNCES A PUBLIC HEARING ON:

**Bill 20-583 the “Bezner Real Property Tax Relief Act of 2013”
PR 20-766, the “Real Property Tax Appeals Commission Mr. Andrew D. Dorchester Confirmation
Resolution of 2014”**

**Thursday, June 12, 2014
10:00 a.m.
Room 120 - John A. Wilson Building
1350 Pennsylvania Avenue, NW; Washington, D.C. 20004**

Councilmember Jack Evans, Chairman of the Committee on Finance and Revenue, announces a public hearing to be held on Thursday, June 12, 2014 at 10:00 a.m., in Room 120 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004.

Bill 20-583 the “Bezner Real Property Tax Relief Act of 2013” would provide equitable real property tax relief, and cancel all tax sales on the real property located at Square 777, Lot 860, a small piece of land abutting a residential home, adjacent to 755 Third Street, NE.

PR 20-766, the “Real Property Tax Appeals Commission Mr. Andrew D. Dorchester Confirmation Resolution of 2014” would re-appoint Mr. Andrew Dorchester as a part-time member of the commission for a term to end April 30, 2018.

The Committee invites the public to testify at the hearing. Those who wish to testify should contact Brian McClure, Legislative Assistant at (202) 724-8058 or bmcclure@dccouncil.us, and provide your name, organizational affiliation (if any), and title with the organization by 10:00 a.m. on Wednesday, June 11, 2014. Witnesses should bring 15 copies of their written testimony to the hearing. The Committee allows individuals 3 minutes to provide oral testimony in order to permit each witness an opportunity to be heard. Additional written statements are encouraged and will be made part of the official record. Written statements may be submitted by e-mail to bmcclure@dccouncil.us or mailed to: Council of the District of Columbia; 1350 Pennsylvania Ave., N.W.; Suite 114; Washington D.C. 20004.

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

1350 Pennsylvania Avenue, NW, Washington, DC 20004

CHAIRMAN PHIL MENDELSON
COMMITTEE OF THE WHOLE
ANNOUNCES A PUBLIC HEARING

on

Bill 20-595, "Public-Private Partnership Act of 2013"

on

Thursday, June 12, 2014
1:00 p.m., Council Chamber, John A. Wilson Building
(or Immediately After the Preceding Hearing on Bill 20-677)
1350 Pennsylvania Avenue, NW
Washington, DC 20004

Council Chairman Phil Mendelson announces a public hearing of the Committee of the Whole on **Bill 20-595**, the "Public-Private Partnership Act of 2013." The public hearing will be held Thursday, June 12, 2014, at 1:00 p.m. in the Council Chamber of the John A. Wilson Building, 1350 Pennsylvania Avenue, NW.

The stated purpose of **Bill 20-595** is to establish the District of Columbia Office of Public-Private Partnerships to facilitate the procurement and administration of public-private partnerships in the District of Columbia. It would also establish personnel authority and budget mechanisms for the office, adopt rules and regulations with regard to public-private partnerships, and create a District of Columbia Infrastructure Fund. Further, it would establish requirements for the procurement process for public-private partnerships which includes solicitation and response processes, provides for Council review of solicitations for public-private partnerships, and lays out additional details for the administration of public-private partnerships.

Those who wish to testify are asked to telephone the Committee of the Whole, at (202) 724-8196, or e-mail Evan Cash, Committee Director, at ecash@dccouncil.us and provide their name, address, telephone number, and organizational affiliation, if any, by the close of business Tuesday, June 10, 2014. Persons wishing to testify are encouraged, but not required, to submit 15 copies of written testimony. If submitted by the close of business on June 10, 2014, 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 20-595 can be obtained through the Legislative Services Division of the Secretary of the Council or on <http://lims.dccouncil.us>.

If you are unable to testify at the hearing, written statements are encouraged and will be made a part of the official record. Copies of written statements should be submitted 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 Thursday, June 26, 2014.

**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

**Update on the Status of Plans to Revise Student Assignment Policies and School Boundaries for
District of Columbia Public Schools**

on

**Thursday, June 26, 2014, at 9:00 a.m.
Room 412, John A. Wilson Building
1350 Pennsylvania Avenue, NW
Washington, DC 20004**

David Catania, Chair of the Committee on Education, announces a public oversight roundtable of the Committee on Education. The public oversight roundtable will take place at 9:00 am on Thursday, June 26, 2014 in Room 412 of the John A. Wilson Building.

The Office of the Deputy Mayor for Education (DME) is charged with reviewing and revising student assignment and school boundaries for District of Columbia Public Schools (DCPS). In April, the DME released three preliminary proposal examples; in June, the DME will release its draft proposal. The Committee has received public comments that highlighted significant concerns with the preliminary proposal examples. At this public oversight roundtable, the public will have an opportunity to comment on the draft proposal. In addition, District education officials will discuss the proposal's potential impact on the public education system, including enrollment projections, capital costs, transportation needs, tax revenue, and the general impact on the DCPS operating budget and the Uniform Per Student Funding Formula.

Those who wish to testify are asked to telephone the Committee on Education at 202-724-8000, or e-mail Jamaal Jordan, at jjordan@dccouncil.us, and furnish their name, address, telephone number, and organizational affiliation, if any, by the close of business on Tuesday, June 24, 2014. Persons wishing to testify are encouraged, but not required, to submit 10 copies of written testimony. Panels will have five minutes collectively to present their testimony. Individuals will have three minutes to present their testimony.

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 on Education, Council of the District of Columbia, 1350 Pennsylvania Avenue, N.W., Suite 119, Washington, DC 20004. The record will close at 5:00 p.m. on Thursday, July 10, 2014.

**COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE OF THE WHOLE
NOTICE OF PUBLIC ROUNDTABLE**
1350 Pennsylvania Avenue, NW, Washington, DC 20004

**CHAIRMAN PHIL MENDELSON
COMMITTEE OF THE WHOLE
ANNOUNCES A PUBLIC ROUNDTABLE**

on

**Bill 20-799, Employment Contract of Dr. James E. Lyons, Sr. as Interim President of the
University of the District of Columbia Emergency Act of 2014**

on

**Friday, May 30, 2014
2:00 p.m., Hearing Room 412, John A. Wilson Building
1350 Pennsylvania Avenue, NW
Washington, DC 20004**

Council Chairman Phil Mendelson announces a public roundtable of the Committee of the Whole on Bill 20-799, the “Employment Contract of Dr. James E. Lyons, Sr. as Interim President of the University of the District of Columbia Emergency Act of 2014.” The public roundtable will be held Friday, May 30, 2014, at 2:00 p.m. or immediately following the Committee Hearing on PR 20-754, the “Transfer of Jurisdiction Over Lot 802 in Square 4325 within Fort Lincoln New Town Emergency Approval Resolution of 2014” in Hearing Room 412 of the John A. Wilson Building, 1350 Pennsylvania Avenue, NW.

The stated purpose of Bill 20-799 is to approve, on an emergency basis, the employment contract submitted by the Board of Trustees of the University of the District of Columbia for the appointment of Dr. James E. Lyons, Sr. as Interim President, for a period ending on or before August 31, 2015.

Those who wish to testify are asked to telephone the Committee of the Whole, at (202) 724-8196, or e-mail Taneka Miller, Legislative Counsel, at tmiller@dccouncil.us and provide their name, address, telephone number, and organizational affiliation, if any, by the close of business Wednesday, May 28, 2014. Persons wishing to testify are encouraged, but not required, to submit 15 copies of written testimony. If submitted by the close of business on May 28, 2014, the testimony will be distributed to Councilmembers before the roundtable. Witnesses should limit their testimony to five minutes; less time will be allowed if there are a large number of witnesses. A copy of Bill 20-799 can be obtained through the Legislative Services Division of the Secretary of the Council’s office or at <http://lims.dccouncil.us>.

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 of the Whole, Council of the District of Columbia, Suite 410 of the John A. Wilson Building, 1350 Pennsylvania Avenue, NW, Washington, D.C. 20004. The record will close at 5:00 p.m. on Monday, June 2, 2014.

**COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE OF THE WHOLE
NOTICE OF PUBLIC ROUNDTABLE**
1350 Pennsylvania Avenue, NW, Washington, DC 20004

**CHAIRMAN PHIL MENDELSON
COMMITTEE OF THE WHOLE
ANNOUNCES A PUBLIC ROUNDTABLE**

on

PR 20-754, Transfer of Jurisdiction Over Lot 802 in Square 4325 within Fort Lincoln New Town Emergency Approval Resolution of 2014

on

**Friday, May 30, 2014
12:00 p.m., Hearing Room 412, John A. Wilson Building
1350 Pennsylvania Avenue, NW
Washington, DC 20004**

Council Chairman Phil Mendelson announces a public roundtable of the Committee of the Whole on PR 20-754, the “Transfer of Jurisdiction Over Lot 802 in Square 4325 within Fort Lincoln New Town Emergency Approval Resolution of 2014.” The public roundtable will be held Friday, May 30, 2014, at 12:00 p.m. in Hearing Room 412 of the John A. Wilson Building, 1350 Pennsylvania Avenue, NW.

The stated purpose of PR 20-754 is to approve the transfer of jurisdiction over 0.92 acres of real property owned by the National Park Service that is within Fort Lincoln New Town, and pledged for development therein, comprised of Lot 802 in Square 4325, from the District of Columbia, by the Office of the Deputy Mayor for Planning and Economic Development to the United States, by the Department of the Interior, National Park Service, to be assembled with abutting Urban Renewal land to create a residential development parcel.

Those who wish to testify are asked to telephone the Committee of the Whole, at (202) 724-8196, or e-mail Jessica Jacobs, Legislative Counsel, at jjacobs@dccouncil.us and provide their name, address, telephone number, and organizational affiliation, if any, by the close of business Wednesday, May 28, 2014. Persons wishing to testify are encouraged, but not required, to submit 15 copies of written testimony. If submitted by the close of business on May 28, 2014, the testimony will be distributed to Councilmembers before the roundtable. Witnesses should limit their testimony to five minutes; less time will be allowed if there are a large number of witnesses. A copy of PR 20-754 can be obtained through the Legislative Services Division of the Secretary of the Council’s office or at <http://dcclims1.dccouncil.us/lims>.

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 of the Whole, Council of the District of Columbia, Suite 410 of the John A. Wilson Building, 1350 Pennsylvania Avenue, NW, Washington, D.C. 20004. The record will close at 5:00 p.m. on Monday, June 2, 2014.

**COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE OF THE WHOLE
NOTICE OF PUBLIC ROUNDTABLE**
1350 Pennsylvania Avenue, NW, Washington, DC 20004

**CHAIRMAN PHIL MENDELSON
COMMITTEE OF THE WHOLE
ANNOUNCES A PUBLIC ROUNDTABLE**

on

**PR 20-762, Board of Directors of the Washington Metropolitan Area Transit Authority
Alternate Member Matthew T. Brown Appointment Emergency Approval Resolution of 2014**

**PR 20-770, Commission on Selection and Tenure of Administrative Law Judges of the Office of
Administrative Hearing Joseph N. Onek Appointment Resolution of 2014; and**

**PR 20-771, District of Columbia Commission on Judicial Disabilities and Tenure David P.
Milzman Appointment Resolution of 2014**

on

**Thursday, May 29, 2014
9:30 a.m., Hearing Room 412, John A. Wilson Building
1350 Pennsylvania Avenue, NW
Washington, DC 20004**

Council Chairman Phil Mendelson announces the scheduling of a public roundtable of the Committee of the Whole on PR 20-762, Board of Directors of the Washington Metropolitan Area Transit Authority Alternate Member Matthew T. Brown Appointment Emergency Approval Resolution of 2014; PR 20-770, Commission on Selection and Tenure of Administrative Law Judges of the Office of Administrative Hearing Joseph N. Onek Appointment Resolution of 2014; and PR 20-771, District of Columbia Commission on Judicial Disabilities and Tenure David P. Milzman Appointment Resolution of 2014. The roundtable will be held at 9:30 a.m. on Thursday, May 29, 2014 in Hearing Room 412 of the John A. Wilson Building.

The stated purpose of PR 20-762 is to appoint Mr. Mathew T. Brown as an alternate member of the Board of Directors of the Washington Metropolitan Area Transit Authority. The stated purpose of PR 20-770 is to appoint Joseph N. Onek to the Commission on Selection and tenure of Administrative Law Judges of the Office of Administrative Hearings. The stated purpose of PR 20-771 is to appoint Dr. David Milzman to the District of Columbia Commission on Judicial Disabilities and Tenure.

Those who wish to testify should contact Mr. Brian Moore at (202) 724-8196, or via e-mail at bmoore@dccouncil.us, and provide their name, address, telephone number, organizational affiliation and title (if any) by close of business Tuesday, May 27, 2014. Persons wishing to testify are encouraged, but not required, to submit 15 copies of written testimony. If submitted by the close of business on Tuesday, May 27, 2014 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 the above measures can be obtained through the Legislative Services Division of the Secretary of the Council's office or at <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 Monday, June 2, 2014.

COUNCIL OF THE DISTRICT OF COLUMBIA
Notice of Reprogramming Request

Pursuant to DC Official Code Sec 47-361 et seq. of the Reprogramming Policy Act of 1990, the Council of the District of Columbia gives notice that the Mayor has transmitted the following reprogramming request(s).

A reprogramming will become effective on the 15th day after official receipt unless a Member of the Council files a notice of disapproval of the request which extends the Council's review period to 30 days. If such notice is given, a reprogramming will become effective on the 31st day after its official receipt unless a resolution of approval or disapproval is adopted by the Council prior to that time.

Comments should be addressed to the Secretary to the Council, John A. Wilson Building, 1350 Pennsylvania Avenue, NW, Room 5 Washington, D.C. 20004. Copies of reprogramming requests are available in Legislative Services, Room 10.
Telephone: 724-8050

Reprog. 20-183: Request to reprogram \$900,000 of Fiscal Year 2014 Special Purpose Revenue funds budget authority from the Department of Housing and Community Development (DHCD) to the Department of Insurance, Securities, and Banking (DISB) was filed in the Office of the Secretary on May 15, 2014. This reprogramming ensures that DISB is able to support 5.0 additional temporary FTEs as well as additional contractual service needs.

RECEIVED: 14 day review begins May 16, 2014

Reprog. 20-184: Request to reprogram \$28,050,000 of Capital funds budget authority and allotment within the District Department of Transportation (DDOT) was filed in the Office of the Secretary on May 19, 2014. This reprogramming is needed to properly align the master project budgets to DDOT's planned obligations for the current fiscal year's and future years' spending.

RECEIVED: 14 day review begins May 20, 2014

Reprog. 20-185: Request to reprogram \$650,000 OF Fiscal Year 2014 Special Purpose Revenue funds budget authority within the Office of Cable Television (OCT) was filed in the Office of the Secretary on May 19, 2014. This reprogramming ensures that OCT will be able to support the Public, Educational and Governmental (PEG) entities for the first and second quarters of FY 2014.

RECEIVED: 14 day review begins May 20, 2014

Reprog. 20-186:

Request to reprogram \$545,000 of Fiscal Year 2014 Local funds budget authority within the Department of General Services (DGS) was filed in the Office of the Secretary on May 19, 2014. The funds are needed to cover costs in the Fleet Management unit associated with leased vehicles and the disposal of vehicles.
RECEIVED: 14 day review begins May 20, 2014

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

**NOTICE OF PUBLIC HEARINGS
CALENDAR**

**WEDNESDAY, MAY 28, 2014
2000 14TH STREET, N.W., SUITE 400S
WASHINGTON, D.C. 20009**

**Ruthanne Miller, Chairperson
Members: Nick Alberti, Donald Brooks, Herman Jones
Mike Silverstein, Hector Rodriguez, James Short**

Protest Hearing (Status)	9:30 AM
Case # 14-PRO-00025; Yfe, Inc., t/a 18th Street Lounge, 1212 18th Street NW License #21211, Retailer CT, ANC 2B	
Renewal Application-(Re-Placard)	
Show Cause Hearing (Status)	9:30 AM
Case # 13-CMP-00302; Brixton Pub, LLC, t/a The Brixton, 901 U Street NW License #82871, Retailer CT, ANC 1B	
Operating After Hours, Interfered with an Investigation, Violation of Settlement Agreement	
Show Cause Hearing (Status)	9:30 AM
Case # 14-CMP-00032; LPBS Group, Inc., t/a Neisha Thai, 4445 Wisconsin Ave NW, License #85719, Retailer CR, ANC 3E	
Failed to File Quarterly Statements (3rd Quarter 2013)	
Show Cause Hearing (Status)	9:30 AM
Case # 14-CMP-00007; Brazil, Inc., t/a The Grill from Ipanema, 1858 Columbia Road NW, License #17199, Retailer CR, ANC 1C	
Failed to File Quarterly Statements (3rd Quarter 2013)	
Show Cause Hearing*	10:00 AM
Case # 13-251-00032, # 13-251-00045, # 13-251-00046 and # 13-251-00047 Superclub Ibiza, LLC, t/a Ibiza, 1222 First Street NE, License #74456, Retailer CN, ANC 6C	
Failed to Follow Security Plan	
Fact Finding Hearing*	11:00 AM
Melles Hospitality Group, LLC, t/a The Alibi Restaurant & Lounge, 237 2nd Street NW, License #93491, Retailer CR, ANC 6C	
New Application	

**BOARD RECESS AT 12:00 PM
ADMINISTRATIVE AGENDA**

Board's Calendar

May 28, 2014

Fact Finding Hearing*

1:00 PM

Silkari East, Inc., t/a M Café, 3234 Prospect Street NW, License #87240,
Retailer CR, ANC 2E

License in Extended Safekeeping

Show Cause Hearing*

1:30 PM

Case # 13-CMP-00528; Soo & Chan, Inc., t/a Georgia Avenue Food Barn
6205 Georgia Ave NW, License #71950, Retailer A, ANC 4B

Sold Go-Cups

Show Cause Hearing*

2:30 PM

Case # 13-CMP-00359; JC 7, LLC, t/a NY NY Diva, 2406 18th Street NW
License #92380, Retailer CR, ANC 1C

Substantial Change In Operation Without Board Approval

Show Cause Hearing*

3:30 PM

Case # 13-CMP-00476; Garay Corporation, t/a Corina's Restaurant, 831
Kennedy Street NW, License #79873, Retailer CR, ANC 4D

**Failed to File Quarterly Statements (1st Quarter 2013), Failed to Maintain
Books and Records.**

Protest Hearing*

4:30 PM

Case # 13-PRO-00140; Civil Lounge, LLC, t/a Civil Lounge, 5335 Wisconsin
Ave NW, License #90196, Retailer CT, ANC 3E

Renewal Application

***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: May 23, 2014
Petition Date: July 7, 2014
Roll Call Hearing Date: July 21, 2014
Protest Hearing Date: September 10, 2014

License No.: ABRA-094098
Licensee: Aldi Inc., (Maryland)
Trade Name: Aldi Inc., (Maryland)
License Class: Retailer's Class "B" Full Service Grocery
Address: 901 17th Street, NE
Contact: Rebecca Bowman: 301-360-9915 X115

WARD 5 ANC 5D SMD 5D05

Notice is hereby given that this applicant has applied for a new 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 September 10, 2014 at 4:30 pm.

NATURE OF OPERATION

Full Service Grocery

HOURS OF OPERATION

Sunday: 9am - 7pm, Monday through Friday: 9am - 9pm, Saturday: 9am - 8pm

HOURS OF ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION

Sunday: 9am - 7pm, Monday through Friday: 9am - 9pm, Saturday: 9am - 8pm

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: May 23, 2014
Petition Date: July 7, 2014
Roll Call Hearing Date: July 21, 2014
Protest Hearing Date: September 10, 2014

License No.: ABRA-095028
Licensee: Culture Coffee LLC
Trade Name: Culture Coffee
License Class: Retailer's Class C "Restaurant
Address: 709 - Kennedy St., NW
Contact: SAUNDRELL J. STEVENS: 703-869-4055

WARD 4 ANC 4D SMD 4D01

Notice is hereby given that this applicant has applied for a new 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 September 10, 2014 at 4:30 pm.

NATURE OF OPERATION

Coffee Shop that serves sandwiches, pastries, snakes. Entertainment Endorsement/ Cover Charge, Open Music, Poetry, Book Readings. No dancing. Occupancy load 15.

HOURS OF OPERATION

Sunday: 10am - 5pm, Monday through Friday: 7am - 10pm, Saturday: 8am - 10pm

HOURS OF ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION

Sunday: 12 noon - 5pm, Monday through Friday: 7am - 10pm, Friday: 10am - 10pm

HOURS OF LIVE ENTERTAINMENT ENDORSMENET

Sunday: NONE, Monday through Saturday: 6pm - 10pm

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Correction

Posting Date: April 18, 2014
Petition Date: June 2, 2014
Hearing Date: June 16, 2014
Protest Hearing Date: August 6, 2014

License No.: ABRA-094699
Licensee: MZ-DC, INC.
Trade Name: DC PIZZA
License Class: Retailer's Class "D" Restaurant *
Address: 1103 19th Street, NW
Contact: Lisa Lakin 301-520-1515

WARD 2 ANC 2B SMD 2B06

Notice is hereby given that this applicant has applied for a new 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 August 6, 2014 at 1:30 pm.

NATURE OF OPERATION

Quick service pizzeria. No Entertainment. Total # of seats is 20 and the occupancy load is 45. Total # of sidewalk cafe seats is 24.

HOURS OF OPERATION/ HOURS OF ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION

Sunday through Saturday 10:30 am – 11:30 pm*

HOURS OF OPERATION FOR THE SIDEWALK CAFÉ / HOURS OF ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION FOR THE SIDEWALK CAFE

Sunday through Saturday 10:30 am – 11:30 pm*

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: May 23, 2014
Petition Date: July 7, 2014
Roll Call Hearing Date: July 21, 2014
Protest Hearing Date: September 10, 2014

License No.: ABRA-95281
Licensee: Del Frisco’s of Washington DC, LLC.
Trade Name: Del Frisco’s Double Eagle Steak House
License Class: Retailer’s Class “C” Restaurant
Address: 950 I Street NW
Contact: Michael Fonseca Esq. 202-625-7700

WARD 2 ANC 2C SMD 2C01

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

NATURE OF OPERATION

New fine dining American steakhouse, seafood and American comfort cuisine restaurant. Live entertainment will consist of a live pianist. No nude performances. Sidewalk Café seating 52 patrons. Total occupancy load is 496.

HOURS OF OPERATION AND ALCOHOLIC SALES/SERVICE AND CONSUMPTION

Sunday through Thursday 11am – 1am and Friday & Saturday 11am - 2am

HOURS OF OPERATION AND ALCOHOLIC SALES/SERVICE AND CONSUMPTION FOR SIDEWALK CAFE

Sunday through Saturday 11am-11pm

HOURS OF LIVE ENTERTAINMENT

Sunday through Thursday 11am – 1am and Friday & Saturday 11am - 2am

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
5/23/2014**

Notice is hereby given that:

License Number: ABRA-095030

License Class/Type: C Restaurant

Applicant: INDIA GET RESTAURANT,

Trade Name: India Gate

ANC: 2B02

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

2020 P ST NW, Washington, DC 20036

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

7/7/2014

HEARING WILL BE HELD ON

7/21/2014

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

ENDORSEMENTS:

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	11:30 am - 12 am	11:30 am -12 am	-
Monday:	11:30 am - 12 am	11:30 am - 12 am	-
Tuesday:	11:30 am - 12 am	11:30 am - 12 am	-
Wednesday:	11:30 am - 12 am	11:30 am - 12 am	-
Thursday:	11:30 am - 12 am	11:30 am - 12 am	-
Friday:	11:30 am - 12 am	11:30 an - 12 am	-
Saturday:	11:30 am - 12 am	11:30 am - 12 am	-

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: May 23, 2014

Petition Date: July 7, 2014

Hearing Date: July 21, 2014

License No.: ABRA- 078461

Licensee: M & M Beer & Wine, Inc.

Trade Name: M & M Market

License Class: Retail Class "B" Grocery

Address: 3544 East Capitol Street, NE

Contact: Emanuel Mpras 703-642-9042

WARD 7

ANC 7F

SMD 7F06

Notice is hereby given that this licensee has applied for a substantial change to his license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the hearing date at 10:00 am, 4th Floor, 2000 14th Street, N.W., Washington, DC 20009. Petition and/or request to appear before the Board must be filed on or before the petition date.

Licensee requests the following substantial change to its nature of operation:

Change of Hours**CURRENT HOURS OF OPERATION/SALES/SERVICE/CONSUMPTION**

Sunday through Saturday 9 am – 9 pm

PROPOSED HOURS OF OPERATION/SALES/SERVICE/CONSUMPTION/

Sunday through Saturday 7 am- 12 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: May 23, 2014
Petition Date: July 7, 2014
Hearing Date: July 21, 2014
Protest Hearing Date: September 10, 2014

License No.: ABRA-094784
Licensee: Shawarmaji, LLC
Trade Name: Micho's
License Class: Retailer's Class "C" Restaurant
Address: 500 H Street, NE
Contact: Edward Moawad 301-968-2400

WARD 6 ANC 6C SMD 6C05

Notice is hereby given that this applicant has applied for a new 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 September 10, 2014 at 4:30 pm.

NATURE OF OPERATION

Dine in and out Lebanese Grill Casual Style Restaurant serving sandwiches with healthy appetizers. Total # of seats is 28 and the occupancy load is 28. Total # of summer garden seats is 86.

HOURS OF OPERATION/ HOURS OF ALCOHOLIC BEVERAGE

SALES/SERVICE/CONSUMPTION

Sunday through Thursday 11 am - 9 pm
Friday and Saturday 11am - 2 am

HOURS OF OPERATION/SUMMER GARDEN HOURS OF ALCOHOLIC BEVERAGE

SALES/SERVICE/CONSUMPTION/ SUMMER GARDEN

Sunday through Thursday 11 am - 9 pm
Friday and Saturday 11am - 2 am

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

Posting Date: May 23, 2014
Petition Date: July 7, 2014
Hearing Date: July 21, 2014
Protest Hearing Date: September 10, 2014

License No.: ABRA-095245
Licensee: Debesai Biniam
Trade Name: Minnesota Store
License Class: Retailer's Class "B" 25% Grocery
Address: 3728 Minnesota Avenue NE
Contact: Debesai Biniam 202-271-0170

WARD 7

ANC 7F

SMD 7F06

Notice is hereby given that this applicant has applied for a new 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 June 10, 2014 at 1:30 pm.

NATURE OF OPERATION

This is new Retail Class "B" 25% Grocery

HOURS OF OPERATION/HOURS OF ALCOHOLIC BEVERAGE SALES

Sunday through Saturday 7 am to 11:45 pm

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: May 23, 2014
Petition Date: July 7, 2014
Roll Call Hearing Date: July 21, 2014
Protest Hearing Date: September 10, 2014

License No.: ABRA-95147
Licensee: Passion Food Nine LLC
Trade Name: Penn Commons
License Class: Retailer's Class "C" Restaurant
Address: 700 6th Street NW
Contact: Andrew Kline, 202-686-7600

WARD 2 ANC 2C SMD 2C01

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

NATURE OF OPERATION

New restaurant serving American food with sidewalk cafe seating 40 patrons. No entertainment, no dancing, and no nude performances. Total load is 400.

HOURS OF OPERATION FOR INSIDE PREMISES AND SIDEWALK CAFE

Sunday through Thursday 7am - 2am and Friday & Saturday 7am - 3am

HOURS OF ALCOHOLIC BEVERAGE SALES/SERVICE AND CONSUMPTION FOR INSIDE PREMISES AND SIDEWALK CAFE

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

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

Posting Date: May 23, 2014

Petition Date: July 7, 2014

Hearing Date: July 21, 2012

License No.: ABRA-086789

Licensee: Capitol City Brewing Company LLC

Trade Name: Penthouse Pool & Lounge

License Class: Retailer's Class "C" Tavern

Address: 1612 U Street, NW

Contact: Andrew Kline, 202-686-7600

WARD 2

ANC 2B

SMD 2B08

Notice is hereby given that this applicant has applied for a substantial change to its license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the hearing date at 10:00 am, 4th Floor, 2000 14th Street, N.W., Washington, DC 20009. Petitions and/or requests to appear before the Board must be filed on or before the petition date.

NATURE OF SUBSTANTIAL CHANGES

- Request to expand license premises to include the 4th floor.
- Request to add entertainment endorsement with Deejay and occasional live music.

HOURS OF OPERATION AND ALCOHOLIC BEVERAGE SALES/SERVICE AND CONSUMPTION FOR INSIDE PREMISES AND SUMMER GARDEN

Sunday 10am-12am, Monday through Thursday 8am-12am and Friday & Saturday 8am-1am

HOURS OF LIVE ENTERTAINMENT

Sunday through Thursday 6pm-12am and Friday & Saturday 6pm-1am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: May 23, 2014

Petition Date: July 7, 2014

Hearing Date: July 21, 2014

License No.: ABRA-001782

Licensee: Alamac, Inc.

Trade Name: The River Inn/Dish

License Class: Retailer’s Class “C” Hotel

Address: 924 25th Street, NW

Contact: Michael Fonseca (202) 625-7700

WARD 2

ANC 2A

SMD 2A03

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

NATURE OF SUBSTANTIAL CHANGE

Request is to have a Summer Garden and Sidewalk Cafe. The Summer Garden capacity is 52. The Sidewalk Cafe capacity is 44.

**PROPOSED HOURS OF OPERATION/SALES/SERVICE/CONSUMPTION/
SUMMER GARDEN**

Sunday through Saturday 11:00am- 11:00pm

**PROPOSED HOURS OF OPERATION/SALES/SERVICE/CONSUMPTION/
SIDEWALK CAFE**

Sunday through Saturday 11:00am- 11:00pm

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

Posting Date: May 23, 2014
Petition Date: July 7, 2014
Roll Call Hearing Date: July 21, 2014
Protest Hearing Date: September 10, 2014

License No.: ABRA-095294
Licensee: Ching LLC
Trade Name: So Mi
License Class: Retailer's Class "C" Restaurant
Address: 1425 Wisconsin Avenue Street NW
Contact: Andrew Kline, 202-686-7600

WARD 2

ANC 2E

SMD 2E03

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

NATURE OF OPERATION

New restaurant serving a variety of cuisine including noodle soup and pastries from Tokyo and Hong Kong. No entertainment, no dancing. Total load is 99.

HOURS OF OPERATION

Sunday through Thursday 7am – 2am and Friday & Saturday 7am - 3am

HOURS OF ALCOHOLIC BEVERAGE SALES/SERVICE AND CONSUMPTION

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

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

Posting Date: May 23, 2014

Petition Date: July 7, 2014

Hearing Date: July 21, 2014

License No.: ABRA-079370

Licensee: MDM, LLC

Trade Name: Takoma Station Tavern

License Class: Retailer's Class "C" Tavern

Address: 6914 4th Street NW

Contact: David Boyd, 202-587-2773

WARD 4

ANC 4B

SMD 4B02

Notice is hereby given that this applicant has applied for a substantial change to its license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the hearing date at 10:00 am, 4th Floor, 2000 14th Street, N.W., Washington, DC 20009. Petitions and/or requests to appear before the Board must be filed on or before the petition date.

NATURE OF SUBSTANTIAL CHANGES

- Request to add a rooftop summer garden with seating for 25 patrons.

HOURS OF OPERATION AND ALCOHOLIC BEVERAGE SALES/SERVICE AND CONSUMPTION

Sunday through Thursday 10am-2am and Friday & Saturday 10am-3am

HOURS OF LIVE ENTERTAINMENT

Sunday through Thursday, 10am-1:30am, Friday & Saturday 10am-2:30am

HOURS OF OPERATION AND ALCOHOLIC BEVERAGE SALES/SERVICE AND CONSUMPTION FOR THE SUMMER GARDEN

Sunday through Thursday 10am-2am and Friday & Saturday 10am-3am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
NOTICE OF PUBLIC HEARING

Posting Date: May 23, 2014
Petition Date: July 7, 2014
Hearing Date: July 21, 2014
License No.: ABRA-000755

Licensee: CRV Corporation
Trade Name: The Bottom Line
License Class: Retailer’s Class “C” Tavern
Address: 1716 I Street, NW
Contact: Alexander Heidenberger 202-298-8488

WARD 2 ANC 2B SMD 2B06

Notice is hereby given that this licensee has applied for a substantial change to this license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the hearing date at 10:00 am, 4th Floor, 2000 14th Street, N.W., Washington, DC 20009. Petition and/or request to appear before the Board must be filed on or before the petition date. Licensee requests the following substantial change to its nature of operation:

Change of Hours Request for Premises and Sidewalk

APPROVED HOURS OF OPERATION

Sunday through Wednesday 11 am – 2 am Thursday 11 am-2:30 am
Friday 11 am – 3:30am Saturday 11:30 am-3:30 am

APPROVED HOURS OF ALCOHOLIC BEVERAGE

SALES/SERVICE/CONSUMPTION

Sunday through Thursday 11:30 am – 1:30 am
Friday through Saturday 11:30 am – 2:30am

PROPOSED HOURS OF OPERATION

Sunday through Thursday 8 am – 2 am
Friday through Saturday 8 am – 3:30 am

PROPOSED HOURS OF ALCOHOLIC BEVERAGE

SALES/SERVICE/CONSUMPTION/SUMMER GARDEN

Sunday through Thursday 8 am – 2 am
Friday through Saturday 8 am – 3 am

APPROVED HOURS OF OPERATION/ ALCOHOLIC BEVERAGE

SALES/SERVICE/CONSUMPTION/SIDEWALK CAFE

Sunday through Thursday 11:30 am – 1:30am
Friday through Saturday 11:30 am – 2 am

PROPOSED HOURS OF OPERATION/SIDEWALK CAFE

Sunday through Thursday 9 am – 2 am
Friday through Saturday 9 am – 3 am

PROPOSED ALCOHOLIC BEVERAGE

SALES/SERVICE/CONSUMPTION/SIDEWALK CAFÉ

Sunday through Thursday 9 am – 1:30 am & Friday through Saturday 9 am – 2:30 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: May 23, 2014
Petition Date: July 7, 2014
Roll Call Hearing Date: July 21, 2014
Protest Hearing Date: September 10, 2014

License No.: ABRA-95031
Licensee: Union Social 100, Inc.
Trade Name: Union Social
License Class: Retailer's Class "C" Restaurant
Address: 100 Florida Avenue NE
Contact: Andrew Kline, 202-686-7600

WARD 5 ANC 5E SMD 5E03

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

NATURE OF OPERATION

New restaurant serving American food with summer garden seating 50 patrons. No entertainment, no dancing, and no nude performances. Total load is 250.

HOURS OF OPERATION FOR INSIDE PREMISES AND SUMMER GARDEN

Sunday through Thursday 7am - 2am and Friday & Saturday 7am - 3am

HOURS OF ALCOHOLIC BEVERAGE SALES/SERVICE AND CONSUMPTION FOR INSIDE PREMISES AND SUMMER GARDEN

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

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: May 23, 2014
Petition Date: July 7, 2014
Hearing Date: July 21, 2014
Protest Hearing Date: September 10, 2014

License No.: ABRA-095296
Licensee: 1946 New Hampshire, LLC
Trade Name: Yamas Mediterranean Grill
License Class: Retailer’s Class “D” Restaurant
Address: 1946 New Hampshire Avenue, NW
Contact: Stephen O’Brien 202-625-7700

WARD 2 ANC 2B SMD 2B08

Notice is hereby given that this applicant has applied for a new 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 September 10, 2014 at 1:30 pm.

NATURE OF OPERATION

The establishment will provide Greek and Mediterranean style cuisine. No entertainment or dancing will be provided. No nude performances. Total capacity for Sidewalk Café is 16.

HOURS OF OPERATION

Sunday through Wednesday 6:30 am – 11:30 pm
Thursday through Saturday 6:30 am – 2:00 am

HOURS OF ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION

Sunday through Thursday 8:00 am – 11:30 pm
Friday through Saturday 8:00 am – 12:00 am

HOURS OF OPERATION FOR THE SIDEWALK CAFÉ / HOURS OF ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION FOR THE SIDEWALK CAFE

Sunday through Saturday 10:00 am – 10:00 pm

DEPARTMENT OF GENERAL SERVICES

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

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

Properties: Square 2902, Lot 0804 (Hebrew Nursing Home) (“Vacant 4 Story Brick Structure) located at 1125 Spring Road, NW + Square 2902, Lot 0807 (Paul Robeson School) located at 3700 10th Street, NW

Date: June 17, 2014

Time: 6:30 p.m.

Location: Petworth Library
4200 Kansas Ave. NW
Washington, DC 20011

Contact: Michelle J. Chin, City Planner
Department of General Services
202-645-5011 or Michelle.Chin@dc.gov

DEPARTMENT OF GENERAL SERVICES

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

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

Properties: Square 2892, Lot 0105 – Georgia Avenue NW (“Vacant Lot with Small Structure”)

Date: June 18, 2014

Time: 6:30 p.m.

Location: Petworth District of Columbia Public Library
4200 Kansas Ave NW
Washington, DC 20010

Contact: Regina Payton, Real Estate Specialist
Department of General Services
202.727.7034 or Regina.payton@dc.gov

HISTORIC PRESERVATION REVIEW BOARD**NOTICE OF PUBLIC HEARINGS**

The D.C. Historic Preservation Review Board will hold a public hearing to consider applications to designate the following properties as historic landmarks in the D.C. Inventory of Historic Sites. The Board will also consider the nomination of the properties to the National Register of Historic Places:

Case No. 13-05: Capitol Park Towers
301 G Street SW
Square 540, Lot 110

Case No. 13-18: District Pound and Stable
820 South Capitol Street/9 I Street SW
Square 644, Lot 810 and Part of Lot 812

Case No. 14-07: Standard Materials Company/Gyro Motor Company
770-774 Girard Street NW
Square 2885, Lot 883 (former Lots 820 and 821)

The hearing will take place at **9:00 a.m. on Thursday, June 26, 2014**, at 441 Fourth Street, NW (One Judiciary Square), in Room 220 South. It will be conducted in accordance with the Review Board's Rules of Procedure (10C DCMR 2). A copy of the rules can be obtained from the Historic Preservation Office at 1100 4th Street SW, Suite E650, Washington, D.C. 20024, or by phone at (202) 442-8800, and they are included in the preservation regulations which can be found on the Historic Preservation Office website.

At the same time and place, the Historic Preservation Review Board will also hold a public hearing to consider an application to designate the following property a historic district in the D.C. Inventory of Historic Sites. The Board will also consider the nomination of the property to the National Register of Historic Places:

Case No. 14-12: George Washington/West End Historic District

Including the following squares and parts of squares: all lots in Squares 78-S, 80, 101, 101-N, 102 and 103; most of Square 58 (Lots 5-8, 11 and 802-805); most of Square 77 (Lots 5, 60, 845 and 846); part of Square 78 (Lots 846 and 850); most of Square 79 (Lots 5, the eastern quarter of 64, and 65, 853, 854 and 861); part of Square 81 (Lots 59, 60, 74, 75, 78, 81, 811, 829 and 841); part of Square 104 (Lots 814 and 837); part of Square 121 (Lots 17 and 819); most of Square 122 (Lots 28, 824 and 825); and Reservations 28 and 29, also presently known by the following addresses: 514 19th Street NW; 532, 600, 700, 716, 720, 812, 814 and 820 20th Street NW; 600, 601, 602, 603, 604, 605, 606, 607, 609, 610, 619, 620, 701, 710, 714, 725, 730, 800, 805 and 825 21st Street NW; 515, 518, 520, 522, 524, 526, 603, 605, 607, 609, 611, 613, 615, 617, 619 and 621 22nd Street NW; 1900, 1916, 1918, 1922, 1925, 2000, 2021, 2025, 2031, 2033, 2035, 2037, 2101, 2109, 2111, 2113, 2115, 2121, 2123, 2135, 2140, 2142, 2144, 2145, 2146, 2147, 2148, 2150, 2152, 2154, 2156, 2200, 2206, 2208, 2210, 2212 and 2224 F Street NW; 1914, 1920,

2000, 2002, 2003, 2004, 2008, 2013, 2020, 2023, 2024, 2028, 2029, 2030, 2033, 2034, 2036, 2106, 2108, 2110, 2112, 2114, 2115, 2119, 2125, 2127, 2129, 2130, 2131, 2134, 2136, 2138, 2140 and 2142 G Street NW; 2000, 2003, 2013, 2021, 2029, 2033, 2036, 2100, 2119, 2121 and 2122 H Street NW; 2000 (2000-2042, even numbers; see also Pennsylvania Avenue), 2015, 2017, 2019, 2040, 2100 and 2124 I Street NW; and 2000 (see also I Street), 2019 and 2020 Pennsylvania Avenue NW.

The Board's hearings are open to all interested parties or persons. Public and governmental agencies, Advisory Neighborhood Commissions, property owners, and interested organizations or individuals are invited to testify before the Board. Written testimony may also be submitted prior to the hearing. All submissions should be sent to the address above.

For each property, a copy of the designation application is currently on file and available for inspection by the public at the Historic Preservation Office. A copy of the staff report and recommendation will be available at the office five days prior to the hearing. The office also provides information on the D.C. Inventory of Historic Sites, the National Register of Historic Places, and Federal tax provisions affecting historic property.

If the Historic Preservation Review Board designates the property, it will be included in the D.C. Inventory of Historic Sites, and will be protected by the D.C. Historic Landmark and Historic District Protection Act of 1978. The Review Board will simultaneously consider the nomination of the property to the National Register of Historic Places. The National Register is the Federal government's official list of prehistoric and historic properties worthy of preservation. Listing in the National Register provides recognition and assists in preserving our nation's heritage. Listing provides recognition of the historic importance of properties and assures review of Federal undertakings that might affect the character of such properties. If a property is listed in the Register, certain Federal rehabilitation tax credits for rehabilitation and other provisions may apply. Public visitation rights are not required of owners. The results of listing in the National Register are as follows:

Consideration in Planning for Federal, Federally Licensed, and Federally Assisted Projects: Section 106 of the National Historic Preservation Act of 1966 requires that Federal agencies allow the Advisory Council on Historic Preservation an opportunity to comment on all projects affecting historic properties listed in the National Register. For further information, please refer to 36 CFR 800.

Eligibility for Federal Tax Provisions: If a property is listed in the National Register, certain Federal tax provisions may apply. The Tax Reform Act of 1986 (which revised the historic preservation tax incentives authorized by Congress in the Tax Reform Act of 1976, the Revenue Act of 1978, the Tax Treatment Extension Act of 1980, the Economic Recovery Tax Act of 1981, and the Tax Reform Act of 1984) provides, as of January 1, 1987, for a 20% investment tax credit with a full adjustment to basis for rehabilitating historic commercial, industrial, and rental residential buildings. The former 15% and 20% Investment Tax Credits (ITCs) for rehabilitation of older commercial buildings are combined into a single 10% ITC for commercial and industrial buildings built before 1936. The Tax Treatment Extension Act of 1980 provides Federal tax deductions for charitable contributions for conservation purposes of partial interests in historically important land areas or structures. Whether these provisions are advantageous to

a property owner is dependent upon the particular circumstances of the property and the owner. Because the tax aspects outlined above are complex, individuals should consult legal counsel or the appropriate local Internal Revenue Service office for assistance in determining the tax consequences of the above provisions. For further information on certification requirements, please refer to 36 CFR 67.

Qualification for Federal Grants for Historic Preservation When Funds Are Available: The National Historic Preservation Act of 1966, as amended, authorizes the Secretary of the Interior to grant matching funds to the States (and the District of Columbia) for, among other things, the preservation and protection of properties listed in the National Register.

Owners of private properties nominated to the National Register have an opportunity to concur with or object to listing in accord with the National Historic Preservation Act and 36 CFR 60. Any owner or partial owner of private property who chooses to object to listing must submit to the State Historic Preservation Officer a notarized statement certifying that the party is the sole or partial owner of the private property, and objects to the listing. Each owner or partial owner of private property has one vote regardless of the portion of the property that the party owns. If a majority of private property owners object, a property will not be listed. However, the State Historic Preservation Officer shall submit the nomination to the Keeper of the National Register of Historic Places for a determination of eligibility for listing in the National Register. If the property is then determined eligible for listing, although not formally listed, Federal agencies will be required to allow the Advisory Council on Historic Preservation an opportunity to comment before the agency may fund, license, or assist a project which will affect the property. If an owner chooses to object to the listing of the property, the notarized objection must be submitted to the above address by the date of the Review Board meeting.

For further information, contact Tim Dennee, Landmarks Coordinator, at 202-442-8847.

**MAYOR'S AGENT
FOR THE HISTORIC LANDMARK AND HISTORIC DISTRICT PROTECTION ACT**

REVISED NOTICE OF PUBLIC HEARING

Public notice is hereby given that the Mayor's Agent will continue the public hearing, commenced on May 12, 2014, on an application affecting property subject to the Historic Landmark and Historic District Protection Act of 1978. Interested parties may appear and testify on behalf of, or in opposition to, the application. The hearing will be held at 1100 4th Street SW, Room 4302 (fourth floor).

Hearing Date: **Monday, May 30, 2014 at 9:30 a.m.**
Case Numbers: H.P.A. 14-221 and 14-222
Address: 2234 and 2238 Martin Luther King Jr. Avenue (and 1328 W Street) SE
Squares/Lots: Square 5802, Lots 811 and 978 (and Square 5781, Lot 847)
Applicants: Chapman Development and the District of Columbia Department of Housing and Community Development
Type of Work: Raze/move – Relocation of two contributing buildings to another lot in order to construct a new building on their sites

Affected Historic Property: Anacostia Historic District
Affected ANC: 8A

The Applicant's claim is that the "issuance of the permit to relocate the buildings is 'necessary in the public interest because it is necessary to construct a project of special merit' and '[t]hat the issuance of the permit or admission of the subdivision to record is necessary in the public interest because it is consistent with the purposes of the Act as set forth in D.C. Official Code § 6-1101(b)."

The hearing will be conducted in accordance with the Rules of Procedure pursuant to the Historic Landmark and Historic District Protection Act (Title 10C DCMR Chapters 4 and 30), which are on file with the D.C. Historic Preservation Office and posted on the Office website under "Regulations."

Interested persons or parties are invited to participate in and offer testimony at this hearing. Any person wishing to testify in support of or opposition to the application may appear at the hearing and give evidence without filing in advance. However, any affected person who wishes to be recognized as a party to the case is required to file a request with the Mayor's Agent at least ten working days prior to the hearing. This request shall include the following information: 1) his or her name and address; 2) whether he or she will appear as a proponent or opponent of the application; 3) if he or she will appear through legal counsel, and if so, the name and address of legal counsel; and 4) a written statement setting forth the manner in which he or she may be affected or aggrieved by action upon the application and the grounds upon which he or she supports or opposes the application. Any requests for party status should be sent to the Mayor's Agent at 1100 4th Street SW, Suite E650, Washington, D.C. 20024. For further information, contact the Historic Preservation Office, at (202) 442-8800.

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
TAXICAB COMMISSION**

OFFICE OF THE CHAIRMAN

The DC Taxicab Commission (DCTC) has scheduled a Public Hearing at 10:00 am on Friday, June 20, 2014 at 441 4th Street, NW in the Old Council Chambers to undertake a review of the taxicab rate structure.

DCTC will use a protocol that will divide the hearing into two parts for those who intend to testify:

The first part of the hearing will consist of speakers on behalf of an association or advocacy group that represents vehicle owners and operators; a company or companies; or a company that is planning to begin operating in the District. These speakers may wish to appear together or with their leadership or legal representatives. Participants during this first part will be allowed up to thirty (30) minutes to present and must provide DCTC with ten (10) paper copies of their presentation delivered to DCTC's Executive Office by Wednesday, June 18, 2014 at 4:00pm. It should also be noted that the Commission members may elect to ask questions during this first phase.

Please be advised that if a legal representative, officer, or individual from an association, organization or company testifies during the first part of the hearing, then others from the same association, organization or company will NOT be allowed to testify in the second part of the hearing. The second part of the hearing will be reserved for the general public only. These participants will have five (5) minutes to present. Although it is not required, participants are urged to submit their presentations in writing in advance of the hearing. Please register with Juanda Mixon at 202-645-6018 extension 4 no later than Wednesday, June 18, 2014, by 3:30 pm.

The Commission may create panels for both groups. All participants are reminded that this is an issue of material importance to the public vehicle for hire industry. Therefore, when making suggestions as to what should be added or deleted to the proposed rulemakings, participants should cite the specific section of any current taxicab rate rule that is a concern, and provide a suggestion for alternative language, if appropriate. It is important to be clear and specific with presentations given the importance of taxicab rates to drivers, owners, and the riding public.

The taxicab rate rules which are relevant to the Commission's review appear in Title 31 of the D.C. Municipal Regulations, (including subsections 801 (Passenger Rates and Charges), and 804 (Snow Emergency Fares)), and in the Commission's proposed rulemakings amending Chapter 8 (published in the *D.C. Register* on May 9, 2014, at 61 DCR 4737).

**BOARD OF ZONING ADJUSTMENT
PUBLIC HEARING NOTICE
TUESDAY, JULY 22, 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.

TIME: 9:30 A.M.

A.M.

WARD THREE

18799 **Application of PNC Bank National Assoc.**, pursuant to
ANC-3G 11 DCMR § 3104.1, for a special exception under section 214, to
allow continued use of an accessory parking spaces in the R-2 zoned
western portion of the subject site, to serve the PNC Bank branch on the
C-1 zoned eastern portion of the site, at 3808 through 3816 Morrison
Street, N.W. (Square 1859 Lot 95).

WARD ONE

18800 **Application of 633 Park, Inc.**, pursuant to 11 DCMR § 3103.2, for
ANC-1A variances from the lot area requirements (subsection 401.3), court
requirements (section 406), and nonconforming structures provisions
(subsection 2001.3) to allow the conversion of a church into a 26 unit
apartment building and to construct an addition in an R-4 District at
premises 625 Park Road, NW. (Square 3038, Lot 97).

WARD FIVE

18801 **Application of Fort Lincoln Multifamily Housing LLC and Fort**
ANC-5C **Lincoln Joshua Barney Townhouse LLC**, pursuant to §§ 3103.2 and
3104.1, for a variance from the loading requirements under section 2201,
and a special exception under section 2516, to erect more than one
building on a record lot, in order to construct 103 townhouses and three
multi-family buildings with a total of 260 units in the R-5-D and C-2-B
Districts on the north side of Commodore Joshua Barney Drive, N.E
(Square 4325, Parcel 173/149 and a portion of Parcel 1784/4).

BZA PUBLIC HEARING NOTICE
JULY 22, 2014
PAGE NO. 2

WARD TWO

18802 **Application of Newsletterman Associates LLC**, pursuant to 11 DCMR §
ANC-2B 3104.1, for a special exception to allow office use under section 508, in
the DC/SP-2 District at premises 1727 Massachusetts Avenue, N.W., Unit
C-10 (Square 157, Lots 95 and 96).

WARD ONE

THIS APPLICATION WAS POSTPONED FROM THE JULY 8, 2014, PUBLIC HEARING SESSION:

18790 **Application of Jefferson-11th Street LLC**, pursuant to 11 DCMR §
ANC-1B 3103.2, for a variance from the lot area requirements under section 401,
and a variance from the off-street parking requirements under subsection
2101.1, to add eleven (11) apartment units to the basement level of an
existing 24 unit apartment building in the R-4 District at premises 2724
11th Street, N.W. (Square 2859, Lot 89).

WARD TWO

18793 **Appeal of Advisory Neighborhood Commission 2A**, pursuant to 11
ANC-2A DCMR §§ 3100 and 3101, from a February 28, 2014, decision by the
Zoning Administrator, Department of Consumer and Regulatory Affairs to
permit the installation of signs on an under construction Hilton Garden Inn
in the CR District at premises 2201-2213 M Street, N.W. (Square 50, Lot
87).

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.

BZA PUBLIC HEARING NOTICE

JULY 22, 2014

PAGE NO. 3

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.

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

LLOYD J. JORDAN, CHAIRMAN, S. KATHRYN ALLEN, VICE CHAIRPERSON MARNIQUE HEATH, 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

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
REVISED¹ NOTICE OF PUBLIC HEARING**

**TIME AND PLACE: Monday, June 23, 2014 @ 6:30 p.m.
 Jerrily R. Kress Memorial Hearing Room
 441 4th Street, N.W., Suite 220-S
 Washington, D.C. 20001**

FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:

Case No. 06-11L (Hillel at the George Washington University / The George Washington University)

THIS CASE IS OF INTEREST TO ANC 2A

Application of Hillel at the George Washington University pursuant to 11 DCMR §§ 3103.2 and 3104.1, for variances from the floor area ratio (Section 402), lot occupancy (Section 403), rear yard (Section 404), and parking (Section 2101.1) requirements of the Zoning Regulations, and a special exception from the roof structure setback requirements (Section 411), to permit the construction of a new four-story Hillel building in the R-5-D Zone District at premises 2300 H Street N.W. (Square 42, Lots 820 and 840) (“Property”).

AND

Application of the George Washington University, pursuant to 11 DCMR § 3104.1, for amendment of the approved 2007 Foggy Bottom Campus Plan and further processing approval to permit university use of leased space on two floors in Hillel’s proposed building on the Property.

PLEASE NOTE:

- Failure of the Applicant to appear at the public hearing will subject the application or appeal to dismissal at the discretion of the Commission.
- Failure of the Applicant to be adequately prepared to present the application to the Commission, and address the required standards of proof for the application, may subject the application to postponement, dismissal, or denial.

The public hearing in this case will be conducted in accordance with the provisions of Chapter 31 of the District of Columbia Municipal Regulations, Title 11, Zoning. Pursuant to § 3117.4 of the Regulations, the Commission will impose time limits on the testimony of all individuals.

¹ On May 12, 2014, the Zoning Commission took jurisdiction over BZA Application No.18764 (Hillel’s application for variance and special exception relief related to the Property, and voted to consolidate the Hillel and GW matters related to the Property into Z.C. Case No. 06-11L. Pursuant to this vote, the application was amended on May 14, 2014 to include Hillel’s requested variance and special exception approval. In addition, the Zoning Commission reserved its right to discuss the minor modification submitted by the University in Z.C. Case No. 06-11M/06-12M.

Z.C. NOTICE OF PUBLIC HEARING
Z.C. CASE NO. 06-11L
PAGE 2

How to participate as a witness.

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

How to participate as a party.

Any person who desires to participate as a party in this case must so request and must comply with the provisions of 11 DCMR § 3106.2.

A party has the right to cross-examine witnesses, to submit proposed findings of fact and conclusions of law, to receive a copy of the written decision of the Zoning Commission, and to exercise the other rights of parties as specified in the Zoning Regulations. If you are still unsure of what it means to participate as a party and would like more information on this, please contact the Office of Zoning at dcoz@dc.gov or at (202) 727-6311.

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

If an affected Advisory Neighborhood Commission (ANC), pursuant to 11 DCMR 3012.5, intends to participate at the hearing, the ANC shall also submit the information cited in § 3012.5 (a) through (i). The written report of the ANC shall be filed no later than seven (7) days before the date of the hearing.

All individuals, organizations, or associations wishing to testify in this case are encouraged to inform the Office of Zoning their intent to testify prior to the hearing date. This can be done by mail sent to the address stated below, e-mail (donna.hanousek@dc.gov), or by calling (202) 727-0789.

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

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

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

Z.C. NOTICE OF PUBLIC HEARING
Z.C. CASE NO. 06-11L
PAGE 3

Written statements, in lieu of oral testimony, may be submitted for inclusion in the record. Written statements may be submitted by mail to 441 4th Street, N.W., Suite 200-S, Washington, DC 20001; by e-mail to zcsubmissions@dc.gov; or by fax to (202) 727-6072. Please include the case number on your submission. **FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.**

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

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

TIME AND PLACE: Thursday, July 10, 2014, 6:30 P.M.
Jerrily R. Kress Memorial Hearing Room
441 4th Street, N.W., Suite 220-South
Washington, D.C. 20001

FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:

CASE NO. 10-26B (3321 Georgia, LLC -- PUD Modification @ Square 3040)

THIS CASE IS OF INTEREST TO ANC 1A

On January 15, 2014, the Office of Zoning received an application from 3321 Georgia LLC (the "Applicant"). The Office of Zoning received revised application materials on March 27, 2014, that replaced the materials filed on January 15, 2014. The Applicant is requesting a modification to an approved planned unit development ("PUD") for property located at 3321 Georgia Avenue, N.W. (Square 3040, Lot 130) (the "Subject Property"). The Zoning Commission originally approved a PUD and related map amendment (from the GA/C-2-A Zone District to the GA/C-2-B Zone District) for the Subject Property pursuant to Z.C. Order No. 10-26, the validity of which was extended pursuant to Z.C. Order No. 10-26A.

The Office of Planning provided its report on April 17, 2014. At its public meeting on April 28, 2014, the Zoning Commission voted to set the application down for a public hearing. The Applicant provided its prehearing statement on May 1, 2014.

The Subject Property consists of approximately 22,002 square feet of land area and is located at the southeast corner of Georgia Avenue, N.W. and Morton Street, N.W. Square 3040 is located in the northwest quadrant of the City and is bounded by Morton Street to the north, Square 3043 and Warder Avenue to the east, Lamont Street to the south, and Georgia Avenue to the west. The Subject Property is located in Ward 1 and within the boundaries of Advisory Neighborhood Commission ("ANC") 1A.

The Applicant proposes to construct a residential building with ground floor retail uses on the Subject Property. The project, as modified, will contain approximately 125,446 square feet of gross floor area, with an overall density of 5.70 FAR and a maximum building height of 89 feet, eight inches. The project also includes 22 off-street parking spaces located in a below-grade garage.

The C-2-B Zone District permits mixed residential and commercial development as a matter-of-right, to a maximum lot occupancy of 80 percent for residential use, a maximum density of 3.5 FAR, of which no more than 1.5 FAR may be devoted to other than residential uses, and a maximum height of 65 feet. Under Chapter 24, the guideline for height in a PUD is 90 feet and the guideline for density in a PUD is 6.0 FAR, of which no more than 2.0 FAR may be commercial.

Z.C. NOTICE OF PUBLIC HEARING
Z.C. CASE NO. 10-26B
PAGE 2

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

How to participate as a witness.

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

How to participate as a party.

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

A party has the right to cross-examine witnesses, to submit proposed findings of fact and conclusions of law, to receive a copy of the written decision of the Zoning Commission, and to exercise the other rights of parties as specified in the Zoning Regulations. If you are still unsure of what it means to participate as a party and would like more information on this, please contact the Office of Zoning at dcoz@dc.gov or at (202) 727-6311.

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

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

All individuals, organizations, or associations wishing to testify in this case are encouraged to inform the Office of Zoning their intent to testify prior to the hearing date. This can be done by mail sent to the address stated below, e-mail (donna.hanousek@dc.gov), or by calling (202) 727-0789.

**Z.C. NOTICE OF PUBLIC HEARING
Z.C. CASE NO. 10-26B
PAGE 3**

Time limits.

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

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

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

Information responsive to this notice should be forwarded to the Director, Office of Zoning, Suite 200-S, 441 4th Street, N.W., Washington, D.C. 20001.

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

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

OFFICE OF DOCUMENTS AND ADMINISTRATIVE ISSUANCES

ERRATA NOTICE

The Administrator of the Office of Documents and Administrative Issuances (ODAI), pursuant to the authority set forth in Section 309 of the District of Columbia Administrative Procedure Act, approved October 21, 1968, as amended (82 Stat. 1203; D.C. Official Code § 2-559 (2012 Repl.)), hereby gives notice of corrections to the Notices of Final Rulemaking issued by the Department of Consumer and Regulatory Affairs (DCRA) and published in the *D.C. Register* on March 28, 2014, Part 2, at 61 DCR 2782-3047 and 61 DCR 3063-3455, as amended by Notices of Emergency Rulemaking and Proposed Rulemaking published in the *D.C. Register* on May 9, 2014 at 61 DCR 4760-4775.

The rulemakings adopt the *District of Columbia Construction Codes Supplement of 2013*, Title 12 of the District of Columbia Municipal Regulations (DCMR).

District of Columbia Building Code Supplement of 2013, 12 DCMR Subtitle A

1. Insert the word “Section” in Section 114.1.1 to read as follows:

114.1.1 Issuance. The stop work order shall be in writing, in a form prescribed by the *code official*, and shall be given to the *owner* of the property involved, or to the *owner’s* agent, or to the *person* doing the work. If the stop work order cannot be delivered personally, notice shall be effected by posting the stop work order as provided in Sections 114.1.4 and 114.2 below. Upon service of a stop work order pursuant to Section 114.1.4, the cited work shall immediately cease until the situation is corrected.

2. The provision numbered “**7705.8.7.5 Owner’s responsibility**” should be corrected to read “**705.8.7.5 Owner’s responsibility**” as follows:

7705.8.7.5 Owner’s responsibility. The owner of the building where openings are allowed pursuant to Sections 705.8.7.1 through 705.8.7.4 is responsible for making any changes in the exterior wall or its appurtenant protective systems, to maintain the building compliance with this code, whenever changes occur in the exterior envelope of any building within a distance of 10 feet (3048 mm) or less of that wall, when those changes might affect compliance with this code. The responsibility of the owner shall include but not be limited to, the following: blocking of openings; upgrading of opening protectives; removal or extension of parts of the required sprinkler system protecting the openings; or any other provisions deemed necessary by the *code official* to restore the level of safety provided by this code at the time the openings were permitted.

3. Replace the word “*stair*” with “*stairway*” in Section 1022.9.1, to read as follows:

1022.9.1 Signs outside stairway. A sign complying with ICC A117.1 shall be provided at each entrance to the *exit stairway* and *ramp*, identifying the ~~*stair*~~ *stairway* or *ramp* with

the same designations used for the *stairway* identification signs in Section 1022.9.2.1. The sign also shall state “EXIT” in raised characters and Braille in accordance with Section 1011.4 of the *Building Code*.

4. In Section 1603, replace section number “1603.4” with “1603.2” to read as follows:

1603 CONSTRUCTION DOCUMENTS

Insert new Section 1603.24 in the Building Code to read as follows:

1603.24 Restrictions on loading. It shall be unlawful to place, or cause or permit to be placed, on any floor or roof of a building, structure or portion thereof, a load greater than is permitted by this code.

5. Delete the last sentence in Section 2901.1 Scope to read as follows:

2901.1 Scope. The provisions of this chapter and the ~~*International Plumbing Code*~~ shall govern the erection, installation, *alteration*, repairs, relocation, replacement, *addition* to, use or maintenance of plumbing equipment and systems. Toilet and bathing rooms shall be constructed in accordance with Section 1210. Plumbing systems and equipment shall be constructed, installed and maintained in accordance with the ~~*International Plumbing Code*~~. ~~Private sewage disposal systems shall conform to the *International Private Sewage Disposal Code*.~~

6. Insert the word “Section” in Section 3307.2.2 to read as follows:

3307.2.2 Objections by owner of adjoining premises. The *owner* of adjoining *premises* shall have 30 days from the date that a notification complying with Section 3307.2.1 is delivered to object in writing to the *owner* seeking to undertake the work on the grounds that the proposed work plan will not protect the adjoining *premises*. The objection shall include technical support for the objecting *owner’s* conclusions that the proposed work plan will not protect the adjoining *premises*. A copy of the objection of the *owner* of the adjoining *premises*, with supporting technical documentation, shall be provided to the *code official* by the *owner* seeking to undertake the work. The *code official* is authorized, but not required, to grant a reasonable extension of time to the *owner* receiving a notification under Section 3307.2, if necessary to complete the evaluation of the proposed work plan.

7. Replace the word “Subsection” with the word “Section”, and insert the word “Sections” in Section 3307.2.3.1 to read as follows:

3307.2.3.1 Failure to grant access. If the *owner* of the adjoining *premises* fails to grant written permission (conditional or unconditional) for entry after appropriate notice in compliance with ~~Subsection~~ Section 3307.2, then any protective work requiring access to the adjoining *premises* shall be the responsibility of the *owner* of the adjoining *premises*, and shall

execute such measures to make safe the *premises* without delay so as not to impede or materially delay the original construction, subject to the provisions of Sections 3307.2.3.3 and 3307.2.3.4. The *owner* of the adjoining *premises*.

8. Insert the word “Sections” in Section 3307.2.3.2 to read as follows:

3307.2.3.2. Failure to respond. If the *owner* of the adjoining *premises* does not respond within the 30 day period set forth in Section 3307.2.2, then the *owner* of the adjoining *premises* shall be deemed to have elected to make safe his, her or its *premises*, and shall execute such measures to make safe the *premises* without delay so as not to impede or materially delay the original construction, subject to the provisions of Sections 3307.2.3.3 and 3307.2.3.4.

9. Replace the references to Sections 3107.18.2 and 3107.18.2.3 in Appendix N with “N101.18.2” and “N101.18.2.3” to read as follows:

N101.18.2a Gallery Place Project Graphics Displays in Private Alley. A single, stationary Gallery Place Project Graphic may be erected and maintained in the private alley located between the Gallery Place Project and the property known as the Verizon Center; provided that it complies with the following specific requirements, in addition to the provisions in ~~Sections 3107.18.2~~ N101.18.2 (Additional Requirements and Restrictions) and ~~3107.18.2.3~~ N101.18.2.3 (Intensity or Brilliance of Signs):

District of Columbia Mechanical Code Supplement of 2013, 12 DCMR Subtitle E

1. The phrase “Item 2 of Section 501.3.1” should be inserted in place of “Section 501.3.1(2)” in Section 506.3.13.3 to read as follows:

When an approved odor and grease removal system is installed, termination is permitted in accordance with the requirements of Item 2 of Section 501.3.1(2) of the *Mechanical Code*, provided termination is not less than 15 feet (4572 mm) above the adjoining grade level.

2. The phrase “of the Building Code” should be inserted in Exception 4 a. of Section 607.5.4 to read as follows:

4. *Smoke dampers* are not required in ducted *corridor* penetrations where:

- a. The building is equipped throughout with an *automatic sprinkler system* in accordance with Section 903.3.1.1 or 903.3.1.2 of the Building Code;

3. A comma should be inserted in Section 1003.11.1 as noted:

1003.11.1 Type of Inspection. The annual inspection of unfired pressure vessels shall consist of an *external inspection* including safety devices and other appurtenances. When a vessel is provided with manholes, an *internal inspection* shall also be performed.

- 4. Two provisions are numbered as Section 1003.13.3 in the published rulemaking. The second of the two should be renumbered as 1003.13.4 to read as follows:

1003.13.34 Expiration. The *certificate of competency* shall be issued for a two-year period, provided, however, any *certificate of competency* issued shall become null and void if the inspector holding the *certificate of competency* ceases to be employed or retained by the insurance company upon which his or her *National Board* eligibility is based, or if the *National Board* certification on which the inspector’s *certificate of competency* is based is cancelled or invalidated.

- 5. A comma should be inserted in Section 1003.17.1 as noted:

1003.17.1 Operation prohibited. No *person* shall operate or cause to be operated any *boiler* or unfired *pressure vessel* which is known to be unsafe or which has been condemned by the *code official*. No *person* shall operate or cause to be operated any *boiler* or unfired *pressure vessel*, the further use and operation of which has been ordered discontinued by the *code official*, until the defective or unsafe condition which was the reason for such action has been corrected and a new *certificate of inspection* is issued.

- 6. The word “inches” should be deleted in Section 1005.1 as noted:

1005.1 Steel platforms. To provide access to the top of every power boiler setting, a steel platform shall be provided, reached by means of a stationary steel stairway or ladder. The platform shall be provided with a 4 inch (102 mm) high toe guard, with a steel railing not less than 36 inches (914 mm) ~~inches~~ in height, and shall have a runway not less than 30 inches (762 mm) in width, made of steel grating or other approved material.

- 7. Table 1007.2 should be revised to change the phrase “251 or 2000” to “251 to 2000” to read as follows:

**TABLE 1007.2
EQUALIZER PIPE SIZES**

GRATE AREA (square feet)	S.V.R.C. ^a (pounds per hour)	PIPE SIZE (inches nom.)
Under 4	250 or less	1 ½
4 to 15	251 or to 2000	2 ½
Over 15	2001 or over	4

- 8. The phrase “Item 1 of Section 1010.8” should be substituted for the phrase “Section 1010.8(1)” in Section 1010.8 to read as follows:

1010.8 Minimum capacity. The minimum required capacity of the safety valve or valves, in pounds of steam per hour, shall be determined as follows:

1. For steel or cast iron *boilers*, multiply the area of heating surface in square feet, if available, by 5 or use the maximum rating output of the *boiler* as specified by the manufacturer, whichever is greater.
 2. If the fuel burning equipment installed will produce a greater output than the minimum obtained in Item 1 of Section 1010.8(1), the minimum capacity of the safety valve or valves shall be based on the maximum output obtainable. In any event the requirements of Section 1010.4 shall be met.
9. The reference to “Section 1010.9(3)” in Section 1010.9.1 should be changed to “Item 3 of Section 1010.9” as follows:

1010.9.1 Y-base connection. When a Y-base is used pursuant to Item 3 of Section 1010.9(3) above, the inlet area shall not be less than the combined outlet areas.

10. The phrase “pounds per psi” should be replaced with “pounds per square inch (psi)” in the following Sections:

1008.17 Gauge scale graduation. The scale on the dial of a gauge on a low pressure *boiler* shall be graduated to not less than 30 pounds per square inch (psi) (210 kPa), in 5 psi (35 kPa) increments. Connections to steam gauge siphons shall be of non-ferrous pipe. The gauge shall be visible at all times without the removal of any cover or casing, and shall be of such size and so located as to be easily readable from the operating floor.

1012.3 Feed pump. Each *miniature boiler* operating at a pressure in excess of 25 pounds per square inch (psi) (172 kPa) shall be provided with at least one feed pump or other approved feeding device except where the steam generator is operated with no extraction of steam (closed system).

1015.1 Limited capacity storage tanks. Each hot water storage tank, range boiler, or automatic storage water heater, having a nominal water-containing capacity of 120 gallons (454 L) or less shall be built for a minimum working pressure of 125 pounds per square inch (psi) (862 kPa) and shall be tested hydrostatically to 300 pounds per square inch (psi) (2069 kPa). Each tank shall have clearly and indelibly stamped or stenciled thereon the name of the manufacturer, the maximum allowable working pressure for which it is built, and the test pressure.

1016.1 Minimum working pressure. Each hydro-pneumatic tank shall be constructed for a minimum working pressure of 150 pounds per square inch (psi) (1034 kPa).

1019.2 Weld plate specifications. The base material of the plates to be welded shall be of flange or firebox steel quality, 3/8 inch (9.5 mm) thick and having a tensile strength of not less than 55,000 pounds per square inch (psi) (379 MPa). The plates shall be 5 inches (127 mm) long by 6 inches (152 mm) wide, and shall be prepared for a single “V” groove butt joint.

1022.5.1 Reinstallation. When a *boiler* regulated by Section 1022.5 is removed from an existing setting, it shall not be reinstalled for an allowable working pressure in excess of 15 pounds per square inch (psi) (103 kPa).

1022.6 Boilers with cast-iron headers and mud drums. The maximum allowable working pressure on water-tube *boilers*, the tubes of which are secured to cast-iron or malleable-iron headers or which have cast-iron mud drums, shall not exceed 160 pounds per square inch (psi) (1103 kPa).

1022.7 Assumed tensile strengths. When the tensile strength of steel or wrought iron shell plates is not known, it shall be taken as 55,000 pounds per square inch (psi) (379 212 kPa) for steel and 45,000 pounds per square inch (psi) (310 264 kPa) for wrought iron.

1022.8 Crushing strength of mild steel. The resistance to crushing of mild steel shall be taken at 95,000 pounds per square inch (psi) (655 000 kPa).

1023.3 Gauge cocks. Each *boiler* with an allowable working pressure in excess of 15 pounds per square inch (psi) (103 kPa) shall have three or more gauge cocks located within the range of the visible length of the water glass, except when such *boiler* has two water glasses with independent connections to the boiler located on the same horizontal plane and not less than 2 feet (610 mm) apart.

1023.9.1 Extra heavy blow-off pipe. When the maximum allowable working pressure exceeds 100 pounds per square inch (psi) (689 kPa), the blow-off shall be extra heavy from *boiler* to valve or valves, and shall extend full size without reducers or bushings. Blow-off piping shall be of black wrought iron or black steel and shall be extra heavy pipe. Galvanized pipe shall not be used for this purpose.

1023.9.3 Extra heavy blow-off valves. When the maximum allowable working pressure exceeds 100 pounds per square inch (psi) (689 kPa), each bottom blow-off pipe shall be fitted with two valves or a valve and cock, such valves and cocks to be of the extra heavy type.

1023.10 Feed-water connections. The feed pipe of a steam *boiler* shall be provided with a check valve near the boiler and a valve or cock between the check valve and the *boiler*. When two or more *boilers* are fed from a common source, there shall also be a globe valve on the branch to each *boiler*, between the check valves and the main feed pipe. When a globe valve is used on a feed pipe, the inlet shall be under the disk from the valve. In all cases where the safety valve is set above 25 pounds per square inch (psi)

(172 kPa), there shall be a second means of feeding water against the maximum approved working pressure of the *boiler*.

1024.1 Maximum allowable working pressure. The maximum allowable working pressure of heating *boilers* shall be determined as follows:

1. **Riveted Heating Boilers.** The maximum allowable working pressures on the shell or drum of a riveted heating *boiler* shall be determined in accordance with Section 1022, except that in no case shall the maximum allowable working pressure of a steam boiler exceed 15 pounds per square inch (psi) (103 kPa).

2. **Cast Iron Heating Boilers.** The maximum allowable working pressure of a *boiler* composed principally of cast iron shall not exceed 15 pounds per square inch (psi) (103 kPa), unless such *boiler* complies with all the requirements of the *Mechanical Code* for power *boilers*. The maximum allowable working pressure of a *boiler* having cast-iron shell or heads and steel or wrought-iron tubes shall not exceed 15 pounds per square inch (psi) (103 kPa).

1024.1.1 Low pressure boiler. A radiator in which steam pressure is generated at a pressure of 15 pounds per square inch (psi) (103 kPa) or less shall be considered a low pressure *boiler*.

1024.2 Safety valves. Each steam-heating *boiler* shall be provided with one or more safety valves with a total area of not less than 1 square inch (645 mm²) for each 5 square feet (0.46 m²) of grate area or equivalent if grates are not used. The steam-relieving capacity of the safety valve or valves on any *boiler* shall be sufficient to prevent the *boiler* pressure from rising to more than 5 pounds per square inch (psi) (34 kPa) above the maximum allowable working pressure of the *boiler*.

1024.3.1 Steam pressure gauge. Each steam-heating *boiler* shall have a steam pressure gauge connected to the steam space of the *boiler* itself or on steam pipe near the *boiler*. The graduations of the steam gauge shall not have a range of less than 15 pounds per square inch (psi) (103 kPa) nor more than 30 per square inch (psi) (207 kPa).

1025.2.1 Feed pump. Each *miniature boiler* operating at a pressure in excess of 25 pounds per square inch (psi) (172 kPa) shall be provided with at least one feed pump or other approved water-feeding device.

1025.2.2 Feed water and blow-off connections. Each *miniature boiler* shall be fitted with feed water and blow-off connections that shall not be less than 1/2 inch (13 mm) iron pipe size, unless operated on a closed system. The feed pipe shall be provided with a check valve and a stop valve. The blow-off shall be fitted with a valve or cock and shall be in direct connection with the lowest water space practicable. When the boiler is under pressure, feed water shall not be introduced through the openings or connections used for the column, the water gauge glass or gauge cocks. All valves, pipe fittings and

appliances shall be rated at a minimum of 125 pounds per square inch (psi) (862 kPa) standard pressure.

1025.2.6 Standard stop valve. Each steam line from a *miniature boiler* shall be provided with a 125 pounds per square inch (psi) (862 kPa) standard stop valve located as close to the boiler shell or drum as practicable.

1026.3.2 Age limit. The age limit of a *pressure vessel* having a longitudinal lap joint and a working pressure over 50 pounds per square inch (psi) (345 kPa) shall be 30 years.

1026.7 Tensile strength. When the ultimate tensile strength of steel shell plates is not known, it shall be taken as 55,000 pounds per square inch (psi) (379 000 kPa) for equipment operating at temperatures not exceeding 700 °F (371 °C).

1026.8 Crushing strength of mild steel. The resistance to crushing of mild steel shall be taken at 95,000 pounds per square inch (psi) (655 000 kPa).

District of Columbia Plumbing Code Supplement of 2013, 12 DCMR Subtitle F

1. The term “high risk non-residential structure” should be italicized in Section 603.3.2, and the word “facilities” should be replaced with “structures” to read as follows:

603.3.2 High Risk Non-Residential Structure. Any building, structure or campus that is or contains a facility hereafter classified as a *high risk non-residential structure* shall be required to install a reduced pressure principle backflow prevention assembly conforming to ASSE 1013 on the water service connection. *High risk non-residential structures ~~facilities~~* include, but are not limited to, hospitals, hemoglobin dialysis centers, funeral homes or mortuary facilities, chemical manufacturing plants, car wash facilities, sewage treatment plants, auxiliary water supply systems, wells, dry cleaning plants, laboratories, facilities where radioactive materials are handled, and facilities with a water reuse system.

District of Columbia Property Maintenance Code Supplement of 2013, 12 DCMR Subtitle G

1. In Section 101.2 Scope, replace the reference to “Section 101.4.5.2” with “Section 101.4.5.3.”
2. In Section 101.3 Intent, replace the reference to “Section 101.4.5.3” with “Section 101.4.5.4.”
3. In Section 101.4 Severability, replace the phrase “Partial Invalidity” with “Severability”, and the word “Segregation” with “Severance” to read as follows:

101.4 Severability. The provisions of Sections 102.5, ~~Partial Invalidity~~ Severability, and 102.5.1, ~~Segregation~~ Severance of Invalid Provisions, of 12 DCMR A, shall apply to the *Property Maintenance Code* and are hereby incorporated by reference.

4. In the title of Section 107.7.1.1, the word “closures” is not capitalized. Insert the word “Section” before 107.7.1 in Section 107.7.1.1 to read as follows:

107.7.1.1 Building cClosures. Where the *code official* (a) issues an order or notice to close and barricade a residential *structure* or *dwelling unit*, pursuant to Section 108, or (b) posts a closure or imminently dangerous order or notice pursuant to Section 109, in addition to posting the notice or order as provided in Section 107.7.1, the *code official* shall provide a copy of the notice or order to each *tenant* affected by the notice or order by leaving a copy at each *dwelling unit* or any other reasonable method in the *code official*'s discretion.

5. In Section 302.4.1, insert the metric equivalent “(203 mm) after “8 inches” in exception 2 to read as follows:

Exceptions:

1. Weeds, grasses, or other vegetation planted for agricultural use, if such weeds, grasses or vegetation are located at least 150 feet (45.72 m) from property zoned for nonagricultural use.
2. Healthy plants, grasses, or shrubbery in tended grounds, gardens, or landscape designed yards, which exceed 8 inches (203 mm) in height.

6. In Section 302.4.2.2, the word “Sections” should be substituted for the word “Section” to read as follows:

302.4.2.2 Summary abatement during the same growing season. If the *owner* of any *premises* is served in accordance with the procedures set forth in Sections 107.2 and 107.3 with a notice of violation under Section 302.4 but fails to comply with the terms of the notice of violation, then, the District of Columbia government may summarily abate the violating condition during the same growing season in which the notice of violation was issued without issuance of another notice.

7. In Section 304.11.1, insert the phrase “Unused openings” in the title, to read as follows:

304.11.1 Unused openings. Unused openings in chimneys shall be closed.

8. In Section 304.11.2, insert the phrase “Flue openings” in the title, to read as follows:

304.11.2 Flue openings. All flue openings in chimneys shall be supplied with flue crocks, and metal or masonry thimbles.

9. In Section 308.2.3, replace the word “or” with the word “of” to read as follows:

308.2.3 Housing business. The *operator* of a *housing business* shall not permit the accumulation ~~of~~ of rags, waste paper, broken furniture or any combustible junk in any portions of the premises under the *operator's* control.

10. In Item 2 of Section 404.4.1.1, insert the word “of” to read as follows:

2. The maximum number of occupants accommodated on any single floor of the hotel or motel shall not exceed one person for each 50 square feet (4.6 m²) of the total habitable room area in all of the *rooming units* located on that floor;

11. In Item 5 of Section 404.4.1.1 insert the metric equivalent “(914 mm)” after the term “3 feet” to read as follows:

5. The beds in each high density occupancy room shall be arranged so that the head end of each bed is at least 3 feet (914 mm) distant from the head end of any other bed;

12. In Section 404.4.6, insert the phrase “Room dividers” in the title, and replace the word “four” with the number “4”, to read as follows:

404.4.6 Room dividers. No room shall be divided in any manner into space intended for living, sleeping, eating or cooking purposes by an installed partition or divider of any type above 4 ~~four~~ feet (1219 mm) in height, unless each such subdivided part complies with the requirements for a *habitable* space.

Exception: The enclosure of cabinet-type kitchenettes by doors or other closing devices, where those kitchenettes are too small to be occupied when the doors or other closing devices are closed in a normal manner, shall not be deemed to subdivide the room.

13. Insert the words “with Sections 606.3.1 through 606.3.4” in Section 606.3, to read as follows:

606.3 Maintenance, testing, inspections. Periodic tests and inspections shall be made by the *code official*, or by an *approved* Third Party Inspection Agency, and shall be made at the expense and responsibility of the *owner*. Except as otherwise provided for in this code, the maintenance, inspection and testing of all elevators and conveying systems and their components, including the frequency of inspections and testing, shall conform ~~to~~ with Sections 606.3.1 through 606.3.4.

1. In Section 601, replace the heading “**602.1 Permits**” with the heading “**601.2 Permits**” to read as follows:

601 GENERAL

Strike Section 601.2 of the International Fire Code in its entirety and insert new Section 601.2 in the Fire Code in its place to read as follows:

~~602.1~~ 601.2 Permits. Permits shall be obtained for refrigeration systems and battery systems as set forth in Section 105.6.

District of Columbia Green Construction Code Supplement of 2013, 12 DCMR Subtitle K

1. The term “*Administrative Bulletins*” should be inserted in place of the phrase “the Green Building Program Manual” in Section 611.1.
2. The term “*Mechanical Code*” should be inserted in place of “IMC” in Section 611.1.2.1.

The rules are effective upon the original publication date of March 28, 2014.

Any questions or comments regarding this notice shall be addressed by mail to Victor L. Reid, Esq., Administrator, Office of Documents and Administrative Issuances, 441 4th Street, N.W., Suite 520 South, Washington, D.C. 20001, email at victor.reid@dc.gov, or via telephone at (202) 727-5090.

DEPARTMENT OF HEALTH CARE FINANCE

NOTICE OF FINAL RULEMAKING

The Director of the Department of Health Care Finance, 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 (2012 Repl. & 2013 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) (2012 Repl.)), hereby gives notice of the adoption of an amendment to Section 943 of Chapter 9 (Medicaid Program) of Title 29 (Public Welfare) of the District of Columbia Municipal Regulations (“DCMR”), entitled “Medicaid Clinic Services and Reimbursement.”

These final rules will: (1) expand the types of providers delivering services from physician and nurse practitioners to a broader category encompassing all appropriate health care practitioners delivering services within their scope of practice; (2) establish the health care practitioner’s relationship to the clinic as an employee or contractor; and (3) authorize reimbursement to private clinics pursuant to Section 995 of 29 DCMR.

A Notice of Proposed Rulemaking was published on March 22, 2013 at 60 DCR 004205. No comments were received. No substantive changes have been made. Subsection 943.4(c) was amended to clarify that nurse midwives and nurse practitioners are eligible to deliver services in a clinic-setting consistent with Subsection 943.1. The Director adopted these rules as final on May 8, 2014, and they shall become effective on the date of publication of this notice in the *D.C. Register*.

Section 943 (Medicaid Clinic Services and Reimbursement) of Chapter 9 (Medicaid Program) of Title 29 (Public Welfare) of the DCMR is amended to read as follows:

943 MEDICAID CLINIC SERVICES AND REIMBURSEMENT

- 943.1 Clinic services for Medicaid beneficiaries shall be furnished in a public or private medically-based facility, under the direction of a physician, nurse midwife or nurse practitioner.
- 943.2 Clinic services provided by a nurse midwife or nurse practitioner shall be governed in accordance with the rules governing advanced practice registered nurses issued pursuant to the authority set forth in 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 *et seq.*).
- 943.3 Clinic services shall consist of the following:
- (a) Preventive services;

- (b) Diagnostic services;
- (c) Therapeutic services;
- (d) Rehabilitative services; or
- (e) Palliative services.

943.4 Clinic services shall be provided as follows:

- (a) To beneficiaries in an outpatient setting;
- (b) By a facility that is not part of a hospital; and
- (c) By or under the direction of a physician, nurse midwife or nurse practitioner.

943.5 Clinic services shall only be provided inside the clinic facility.

943.6 A clinic shall have a medical staff that is licensed by the laws of the District of Columbia pursuant to the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1202 *et seq.*), to provide medical services to Medicaid beneficiaries.

943.7 Clinic services rendered by other health care practitioners shall be provided in accordance with the requirements set forth in District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1202 *et seq.*), to provide medical services to Medicaid beneficiaries.

943.8 A physician who directs clinic services shall not be required to be an employee of the clinic, but shall have a direct affiliation with the clinic.

943.9 A physician shall be considered to have a direct affiliation with a clinic when a contractual agreement or some other type of formal arrangement exists between the clinic and the physician. The agreement shall state the amount of time to be spent within the clinic in accordance with accepted standards of medical practice.

943.10 A health care practitioner who delivers service in a clinic may be an employee of a clinic or have a direct affiliation with a clinic when a contractual agreement or some other type of formal arrangement exists between the clinic and the health practitioner. The agreement shall state the amount of time to be spent within the clinic in accordance with accepted standards of medical practice.

- 943.11 A physician who directs clinic services shall not be required to stay on the clinic premises, but shall assure that the services provided are medically necessary and shall assume professional responsibility for the services provided.
- 943.12 A physician or other health care practitioner who is either employed or affiliated with a clinic and deemed appropriate to deliver service based upon their scope of practice shall:
- (a) See each beneficiary at least once;
 - (b) Prescribe the type of care provided by the clinic; and
 - (c) Periodically review the need for continued clinic care, if the clinic services are not limited by the prescription.
- 943.13 Public clinics shall receive an interim rate for clinic services on a per unit basis, which shall be the lesser of the provider's billed charges or the statewide enterprise interim rate. The unit of service shall be consistent with the requirements of the Health Insurance Portability and Accountability Act of 1996, approved August 21, 1996 (Pub. L. 104-191; 42 U.S.C. 201 *et seq.*), and comply with the current procedural terminology (CPT) or Healthcare Common Procedure Coding System (HCPCS) codes.
- 943.14 The final reimbursement rates for medical services delivered in a public clinic shall be one hundred percent (100%) of the reasonable costs of providing services to Medicaid beneficiaries as reported in the Public Clinic and Clinic Laboratory Cost (PCCLC) Report.
- 943.15 Reasonable costs shall be divided into two (2) categories:
- (a) Direct costs or expenses that can be charged to a direct medical service cost center. Direct costs may include but are not limited to salaries, benefits, medically-related contracted services, medically-related supplies and materials or any other cost that can be charged to a direct medical cost center. Direct costs shall be reduced by the amount of any federal payments received by the provider for these costs; and
 - (b) Indirect costs or expenses that are not directly related to a direct medical service cost center. Indirect costs include overhead and other costs common to an operational clinic, and may include but are limited to, administration, financial, public relations, data processing, housekeeping, maintenance, security, insurance, utilities, legal, seminars, conferences, training and meetings. Indirect costs shall be determined by applying the public clinic unrestricted indirect costs rates to its adjusted direct costs.

- 943.16 Statistical or other evidence shall be used as the basis for allocating costs to public clinic services and determining the Medicaid eligibility rate. The Medicaid eligibility rate shall be based on the percentage of Medicaid beneficiaries receiving service in each individual clinic relative to the entire population receiving service in each individual clinic.
- 943.17 The cost reconciliation process shall be conducted for the reporting period covered by the annual PCCLC Report. Interim payments to public clinics shall be compared to Medicaid reimbursable costs at the federal financial participation level to compute the amount due to or from the program.
- 943.18 Each public clinic shall certify on an annual basis an amount equal to each interim rate times the units of service reimbursed during the previous federal fiscal quarter. In addition, each public clinic shall certify on an annual basis through its cost report its total, actual incurred allowable costs and expenditures, including the federal share and non federal share. Public clinics shall only be permitted to certify Medicaid-allowable costs and shall not be permitted to certify any indirect costs that are not included on the annual cost report.
- 943.19 Each public clinic shall complete the annual PCCLC Report for all clinic services delivered during the fiscal year covering October 1 through September 30. The cost report shall be due on or before June 30 of the following year, with the cost reconciliation and settlement process completed by September 30 of the subsequent year.
- 943.20 If a public clinic's interim payments exceed its actual, certified costs, the public clinic shall return an amount equal to the overpayment to Department of Health Care Finance (DHCF). If the actual certified costs exceed the interim Medicaid payments, the federal share of the difference shall be paid to the public clinic. DHCF shall issue a notice of settlement indicating the amount to be received from the provider or paid to the provider.
- 943.21 Reimbursement for private clinic medical services shall be governed in accordance with the provisions set forth in 29 DCMR § 995. Medicaid fee schedules for private clinics shall be published on the DHCF website at www.dhcf.dc.gov.
- 943.22 Federally qualified health centers shall be reimbursed pursuant to 29 DCMR Chapter 45.
- 943.23 Dental services shall be reimbursed pursuant to 29 DCMR Chapter 9.
- 943.24 Free standing mental health clinic services shall be reimbursed pursuant to the methodology set forth in 29 DCMR Chapter 8.

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

Diagnostic service – a medical procedure or supply recommended by a physician or other licensed practitioner of the healing arts, within the scope of his or her practice under state or District law, to enable him or her to identify the existence, nature, or extent of illness, injury, or other health deviation in a beneficiary.

Palliative service – a patient and family-centered service that optimizes quality of life by anticipating, preventing, and treating suffering. Palliative services involve addressing physical, intellectual, emotional, social, and spiritual needs and facilitating patient autonomy, access to information, and choice.

Preventive service – a service provided by a physician or other licensed practitioner of the healing arts within the scope of his or her practice under state or District law to prevent disease, disability, or other health conditions or their progression, prolong life, or promote physical and mental health and efficiency.

Private clinic – a clinic within the District of Columbia that is enrolled as a District Medicaid provider and is not a public clinic.

Public clinic – a clinic within the District of Columbia, which is a governmental entity that is owned, operated, managed, or leased by the District of Columbia government, providing Medicaid reimbursable services.

Rehabilitative service – a medical or remedial service recommended by a physician or other licensed practitioner of the healing arts, within the scope of his or her practice under state or District law, for maximum reduction of physical or mental disability and restoration of a recipient to his or her best possible functional level.

Therapeutic Service – a service and support for an individual with a principal diagnosis of mental illness, a serious emotional or behavioral disorder, or a substance-related disorder.

Comments on these rules should be submitted in writing to Linda Elam, Ph.D., Medicaid Director, Department of Health Care Finance, Government of the District of Columbia, 899 North Capitol Street, NE, 6th Floor, Washington, DC 20002, via telephone on (202) 442-9115, via e-mail at DHCFPubliccomment@dc.gov, or online at www.dcregs.dc.gov, within thirty (30) days of the date of publication of this notice in the *D.C. Register*. Additional copies of these rules are available from the above address.

DEPARTMENT OF HEALTH

NOTICE OF FINAL RULEMAKING

The Director of the Department of Health, pursuant to Section 14 of 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.*), and Mayor's Order 2013-201, dated October 28, 2013, hereby gives notice of the adoption of the following amendments to Subtitle C (Medical Marijuana) of Title 22 (Public Health and Medicine) of the District of Columbia Municipal Regulations (DCMR).

This rulemaking adds a new Chapter 63, setting forth the provision of medical marijuana on a sliding scale to qualifying patients determined eligible, pursuant to § 1300.4 of this subchapter.

These rulemaking was published, as part of a larger rulemaking package, in the *D.C. Register* on March 29, 2013 at 60 DCR 4863. The Department considered the comments and determined that further amendments to this chapter were needed. Therefore, additional changes were made to the proposed rulemaking in §§ 6300.1-6300.3, and 6300.5-6300.6. These changes eliminate a Department controlled fund and instead place the onus on each dispensary to ensure compliance with the sliding scale program, and to submit reports demonstrating such to the Department subject to auditing and sanctions by the Department. The Notice of Second Proposed Rulemaking was published in the *D.C. Register* on August 16, 2013 at 60 DCR 11966, and contained revisions made as a result of considering comments submitted following the publication of the first proposed rulemaking. Written public comments were received from Capital City Care and Takoma Wellness Center, Inc. in connection with publication of the second proposed rulemaking. After consideration of the comments, no changes have been made to the rulemaking.

Following the required period of Council review, the rules were deemed approved by the D.C. Council on October 25, 2013. These final rules will be effective upon publication of this notice in the *D.C. Register*.

A new Chapter 63, SLIDING SCALE PROGRAM, of Subtitle C, MEDICAL MARIJUANA, is added to Title 22, PUBLIC HEALTH AND MEDICINE, of the DCMR to read as follows:

6300 SLIDING SCALE PROGRAM

6300.1 A registered dispensary shall devote two percent (2%) of its annual gross revenue to provide medical marijuana on a sliding scale to qualifying patients determined eligible pursuant to § 1300.4 of this subchapter.

6300.2 Not later than February 15th of each calendar year, each registered dispensary in the District of Columbia shall submit to the Director:

- (a) A statement of its gross revenues for the previous calendar year;

- (b) A statement detailing how the dispensary devoted two percent (2%) of its annual gross revenue to eligible qualifying patients on a sliding scale, which shall include:
 - (1) The name, patient registration number, and date of dispensing for each patient who received medical marijuana on a sliding scale during the previously calendar year; and
 - (2) The discounted amount provided to patients under this program; and
- (c) An attestation, made under penalty of perjury, of the accuracy and truthfulness of the statements submitted pursuant to this subsection.

- 6300.3 A qualifying patient who establishes pursuant to § 1300.4 of this subchapter that his or her income is equal to or less than two hundred percent (200%) of the federal poverty level, shall be entitled to purchase medical marijuana directly, or through a caregiver, on a sliding scale from a registered dispensary in the District of Columbia.
- 6300.4 A registered dispensary shall sell medical marijuana to a qualifying patient, who is registered to purchase medical marijuana on a sliding scale, and possesses a registration card denoting such, at a discount of not less than twenty (20%) of its regular retail price.
- 6300.5 Not later than April 15th of each calendar year, the Department shall review the sliding scale program. As part of its review, the Department may adjust the percentage required to be devoted by dispensaries and the required discount to qualifying patients.
- 6300.6 The gross revenue amount to be devoted by each dispensary to the sliding scale program shall be subject to audit by the Department.
- 6300.7 In addition to any other applicable sanctions, any dispensary that fails to comply with the provisions of this chapter shall be subject to a civil fine under the Civil Infractions Act of two thousand dollars (\$2,000.00) per offense, and each day of violation shall constitute a separate offense.
- 6300.8 Notwithstanding Subsection 6300.7 of this chapter, the Director may revoke the registration of a dispensary that commits egregious or multiple violations of this chapter; that uses fraud to conceal its annual gross revenue; or that submits false or misleading reports to the Director.

PUBLIC SERVICE COMMISSION OF THE DISTRICT OF COLUMBIA

AMENDED NOTICE OF FINAL RULEMAKINGGT 2014-01, IN THE MATTER OF THE APPLICATION OF WASHINGTON GAS LIGHT COMPANY FOR AUTHORITY TO AMEND GENERAL SERVICE PROVISION NO. 4

1. The Public Service Commission of the District of Columbia (“Commission”) hereby gives notice pursuant to D.C. Official Code § 2-505 (2001 ed.) of its amendment to its final rulemaking action published in the *D.C. Register* on April 25, 2014¹ approving the Application of Washington Gas Light Company (“WGL” or “Company”) for authority to amend General Service Provision No. 4 of its tariff to implement Fee-Free Credit/Debit Card Service (“Card Service”) for the Company’s residential and small commercial customers in the District of Columbia.²

2. In its Application, the Company seeks approval of the Card Service, “which will eliminate the fee paid by the Company’s residential and small commercial customers to a third-party processor for credit/debit card bill payments.”³ WGL proposes to make this service available to District of Columbia residential and small commercial customers at no cost. Currently, customers are charged \$4.55 to pay their bills with a credit/debit card, which is paid directly to the third-party processor.⁴ According to WGL, with this new service, these customers will avoid all fees when paying their WGL gas bills with a credit or debit card. In addition, the Company states that delinquent customers trying to pay arrearages will be eligible to pay by credit or debit card.⁵ To effect these changes, WGL proposes to revise the following tariff page:

**Washington Gas Light Company – District of Columbia, PSC of D.C. No. 3
First Revised Page No. 36A**

3. The Commission issued a Notice of Proposed Rulemaking (“NOPR”), which was published in the *D.C. Register* on February 14, 2014, inviting public comment on the proposed tariff amendments.⁶ No comments were filed in response to the NOPR. Subsequently, the

¹ 61 DCR 4180 (April 25, 2014). On May 16, 2014, the Commission announced a change in the nomenclature used to give public notice of its processing of applications for tariff changes from “Notice of Proposed Rulemaking” and “Notice of Final Rulemaking” to “Notice of Proposed Tariff” and “Notice of Approved Tariff,” respectively. 61 DCR 5150 (May 16, 2014). The Commission is using the prior nomenclature for this matter because the prior nomenclature has been used since the commencement of the proceeding.

² *GT 2014-01, Application of Washington Gas Light Company for Authority to Amend General Service Provision No. 4 (“GT 2014-01”),* filed February 4, 2014 (“WGL’s Application”).

³ WGL’s Application at 1.

⁴ *Id.*

⁵ *Id.* at 1-2.

⁶ 61 DCR 1312 (February 14, 2014).

Commission, at its regularly scheduled open meeting held on April 17, 2014, took final action to approve WGL's Application. A Notice of Final Rulemaking ("NOFR") approving the Application was published on April 25, 2014.⁷ The NOFR stated that the new tariff provision would become effective upon publication.

4. On April 29, 2014, WGL notified the Commission that there are still several processes and systems that have to be coordinated prior to implementation of the new tariff provision, including changes to the integrated voice response system and testing. The Company requested that the tariff revisions become effective May 30, 2014, instead of April 25, 2014, to allow for sufficient time to implement these changes.⁸ Subsequently, the Commission, at its regularly scheduled open meeting held on May 19, 2014, took final action to approve WGL's request to change the effective date of the new tariff. Therefore, the new tariff provisions will become effective on May 30, 2014, instead of upon the date of the previously published NOFR, April 25, 2014.

⁷ 61 DCR 4180 (April 25, 2014).

⁸ Letter of Washington Gas Light Company addressed to the Commission's Secretary dated April 29, 2014.

DISTRICT DEPARTMENT OF THE ENVIRONMENT

NOTICE OF PROPOSED RULEMAKING

The Director of the District Department of the Environment (DDOE), pursuant to the authority set forth in Section 107(4) of the District Department of the Environment Establishment Act of 2005, effective February 15, 2006 (D.C. Law 16-51; D.C. Official Code § 8-151.07(4) (2012 Repl.)); and Mayor's Order 2006-61, dated June 14, 2006, hereby gives notice of the following amendments to the text of chapter headings in Title 20 (Environment) of the District of Columbia Municipal Regulations (DCMR).

The amendments make non-substantive changes to the text of chapter headings, to include the applicable subject matter in the title. When the District of Columbia Municipal Regulations were reorganized for online publication, the subtitles in the hard-copy publications were removed. As a result, members of the regulated community have had difficulty navigating the numerous environmental regulations implemented by DDOE. Therefore, DDOE is proposing these amendments to clarify which chapters, previously organized by subtitle, are grouped together and concern the same subject matter. These changes do not alter the meaning, intent, or application of the rules.

The following chapter headings in Title 20 (Environment) of the DCMR are amended by adding the applicable subject matter to the text of the chapter heading, to read as follows:

The heading of Chapter 1 is amended to read "Air Quality - General Rules;"

The heading of Chapter 2 is amended to read "Air Quality - General and Non-Attainment Area Permits;"

The heading of Chapter 3 is amended to read "Air Quality - Operating Permits and Acid Rain Programs;"

The heading of Chapter 4 is amended to read "Air Quality - Ambient Monitoring, Emergency Procedures, and Chemical Accident Prevention;"

The heading of Chapter 5 is amended to read "Air Quality - Source Monitoring and Testing;"

The heading of Chapter 6 is amended to read "Air Quality - Particulates;"

The heading of Chapter 7 is amended to read "Air Quality - Volatile Organic Compounds and Hazardous Air Pollutants;"

The heading of Chapter 8 is amended to read "Air Quality - Asbestos, Sulfur, Nitrogen Oxides, and Lead;"

The heading of Chapter 9 is amended to read "Air Quality - Motor Vehicular Pollutants, Lead, Odors, and Nuisance Pollutants;"

The heading of Chapter 10 is amended to read "Air Quality - Nitrogen Oxides Emissions Budget Program;"

The heading of Chapter 15 is amended to read "Air Quality - General and Transportation Conformity;"

The heading of Chapter 22 is amended to read "Pesticide Control - General Rules;"

The heading of Chapter 23 is amended to read “Pesticide Control - Applicators;”
The heading of Chapter 24 is amended to read “Pesticide Control - Operators;”
The heading of Chapter 25 is amended to read “Pesticide Control - Administration and Enforcement;”

The heading of Chapter 42 is amended to read “Hazardous Waste Management - Standards for the Management of Hazardous Waste and Used Oil;”
The heading of Chapter 43 is amended to read “Hazardous Waste Management - Administration and Enforcement;”

The heading of Chapter 55 is amended to read “Underground Storage Tanks - General Provisions;”
The heading of Chapter 56 is amended to read “Underground Storage Tanks - Tank Notification and Registration, Recordkeeping, Reports, and Notices;”
The heading of Chapter 57 is amended to read “Underground Storage Tanks - New Tank Performance Standards;”
The heading of Chapter 58 is amended to read “Underground Storage Tanks - Upgrades of Existing USTs;”
The heading of Chapter 59 is amended to read “Underground Storage Tanks - Operation and Maintenance of USTs;”
The heading of Chapter 60 is amended to read “Underground Storage Tanks - Release Detection;”
The heading of Chapter 61 is amended to read “Underground Storage Tanks - Out-of-Service and Closure of UST Systems;”
The heading of Chapter 62 is amended to read “Underground Storage Tanks - Reporting of Releases, Investigation, Confirmation, Assessment, and Corrective Action;”
The heading of Chapter 63 is amended to read “Underground Storage Tanks - Right of Entry for Inspections Monitoring, Testing and Corrective Action;”
The heading of Chapter 64 is amended to read “Underground Storage Tanks - District of Columbia UST Trust Fund, District Initiated Corrective Actions and Cost Recovery;”
The heading of Chapter 65 is amended to read “Underground Storage Tanks - Licensing and Certification of Tank Installers, Removers, Testers, and Operator Training Requirements;”
The heading of Chapter 66 is amended to read “Underground Storage Tanks - Enforcement Procedures;”
The heading of Chapter 67 is amended to read “Underground Storage Tanks - Financial Responsibility;” and

The heading of Chapter 70 is amended to read “Underground Storage Tanks - Definitions.”

Comments on this Proposed Rulemaking must be submitted, in writing, no later than thirty (30) days after the date of publication of this notice in the *D.C. Register* to the District Department of

the Environment 1200 First Street, NE, 5th Floor, Washington, D.C. 20002, Attention: Marc Nielsen, Assistant Attorney General, Office of the General Counsel; or sent electronically to marc.nielsen@dc.gov, with “Renaming DDOE Chapter Headings” in the subject line. Copies of the proposed rule may be obtained between the hours of 9:00 A.M. and 5:00 P.M. at the address listed above for a small fee to cover the cost of reproduction or online at <http://ddoe.dc.gov>.

REAL PROPERTY TAX APPEALS COMMISSION**NOTICE OF PROPOSED RULEMAKING**

The Real Property Tax Appeals Commission for the District of Columbia (Commission), pursuant to the authority set forth in the Real Property Tax Appeals Commission Establishment Act of 2010, effective April 8, 2011 (D.C. Law 18-363; D.C. Official Code § 47-825.01a(b)(2) (2012 Repl.)), hereby gives notice of its intent to amend Chapter 20 (Commission of Real Property Assessments and Appeals) of Title 9 (Taxation and Assessments) of the District of Columbia Municipal Regulations (DCMR), in not less than thirty (30) days after the publication of this notice in the *D.C. Register*.

The rulemaking establishes Commission electronic filing procedures.

The proposed rulemaking was adopted by the Commission on April 8, 2014. A thirty (30) day comment period will begin upon publication of this notice in the *D.C. Register*. Directions for submitting comments are located at the end of this notice.

Title 9, TAXATION AND ASSESSMENTS, of the DCMR is amended as follows:

Chapter 20, REAL PROPERTY TAX APPEALS COMMISSION, is amended as follows:

Section 2005, FILING OF A PETITION, is amended as follows:

Subsections 2005.5 through 2005.10 are amended to read as follows, and new Subsections 2005.11 through 2005.17 are added to read as follows:

- 2005.5 A petition may be filed in paper form or electronically, unless otherwise ordered by the Commission.
- 2005.6 No filing fees shall be imposed on a petition filed either in paper form or electronically.
- 2005.7 A petition filed in paper form shall be filed by hand delivery or mailing by first class mail to the Commission at 441 Fourth Street, N.W., Room 360N, Washington, DC 20001.
- 2005.8 A petition filed in paper form shall include the original petition and four (4) photocopies of the original petition.
- 2005.9 A petition filed in paper form shall only be considered timely filed if it is actually received in the Commission's office during business hours within the time established by law, regulation, or Commission order.
- 2005.10 A petition filed electronically shall be filed in the manner prescribed by § 2025.

- 2005.11 A petition filed electronically shall only be considered timely filed if it is received by the electronic filing vendor within the time established by law, regulation, or Commission order.
- 2005.12 If a person files a petition electronically, he or she shall file all subsequent documents in that proceeding electronically, unless a paper filing is authorized by § 2025 or by the Commission.
- 2005.13 Each petition, whether paper or electronic, shall be on a form prescribed by the Commission and shall contain all of the information requested. At a minimum, the petition form shall require the following information:
- (a) The property owner's name, address, and telephone number;
 - (b) If the petitioner is not the owner, the petitioner's name, address, and telephone number;
 - (c) The basis on which the petitioner qualifies to file the petition (for example: owner, person legally or contractually obligated to pay the taxes, or duly authorized representative). If the petitioner is an agent or an attorney filing a petition on behalf of an owner, the petitioner must file a notarized agent authorization form, made available by the Commission, with the petition;
 - (d) An accurate identification of the property in question by its legal description (square and lot number);
 - (e) A statement of the basis for the appeal and supporting documentation; and
 - (f) The petitioner's estimated market value of the property in question, as estimated market value is defined in D.C. Official Code § 47-802(4) (2012 Repl.), together with a statement of the basis for that estimate.
- 2005.14 The petitioner shall file with the petition all information and evidence relevant to his or her petition which exists at the time the petition is filed, including OTR's final decision and response given to the petitioner.
- 2005.15 If the property in question has been improved within two (2) years before the assessment date by new construction, remodeling, or rehabilitation, the petitioner shall submit a complete and detailed schedule of the actual costs of the improvement(s) with the petition.
- 2005.16 If the property is rented, the petitioner shall submit with the petition a schedule of income and expenses for each of the two (2) most recent calendar or fiscal years certified by the property manager or owner as being true and correct to the best of his or her knowledge and belief.

2005.17 The petition shall be certified by the petitioner as being true and correct to the best of the petitioner's knowledge and belief.

A new Section 2025 is added to read as follows:

2025 ELECTRONIC FILING OF PLEADINGS AND OTHER DOCUMENTS

2025.1 All pleadings, motions, memoranda of law, orders, and other documents may be filed electronically through the Commission's designated electronic filing vendor, File and ServeXpress ("Vendor"). The Vendor's electronic filing service, which can be accessed at www.fileandservexpress.com, is referred to in this chapter as the E-File system.

2025.2 The Vendor is appointed as the agent of the Commission to receive, serve, and maintain public access to any document filed electronically with the Commission.

2025.3 In order to file a document electronically with the Commission, a person ("filer") shall first execute an E-File subscriber agreement with the Vendor.

2025.4 After receiving a properly executed E-File subscriber agreement, the Vendor shall assign a user name and password to the filer. The user name and password must be used by the filer to file, serve, receive, review, and retrieve electronically filed pleadings, motions, memoranda of law, orders, and other documents.

2025.5 Unless otherwise ordered by the Commission, an original of all documents filed electronically, including original signatures, shall be maintained by the party filing the document and shall be made available, upon reasonable notice, for inspection by another party in the proceeding or the Commission.

2025.6 The Commission may require a party to provide the Commission with a paper copy of an electronically filed document.

2025.7 If a person files a document electronically in a Commission proceeding, he or she shall file all subsequent documents in that proceeding electronically, unless a document is not able to be filed electronically or a paper filing is authorized by the Commission. A paper copy of a document that is not able to be filed electronically or a paper filing that is authorized by the Commission shall be filed with the Commission according to the appropriate filing deadlines. In addition, the filer shall identify the document in the E-File system as "filed in paper form" to alert the Commission and other parties to the existence of a document not included in the E-File system.

2025.8 Upon receiving an electronically filed document, the E-File system shall issue a receipt to the filer showing the date and time when the document was received.

The receipt shall serve as proof of the date and time when the document was filed, but the receipt does not constitute acceptance of the document by the Commission.

- 2025.9 After review and acceptance of a filing by the Commission, the E-File system shall issue a confirmation of filing to the filer.
- 2025.10 After a confirmation of filing is issued, the E-File system shall allow a user to retrieve and print a file-stamped copy of the accepted filing. The file-stamped copy shall serve as proof that the document has been filed and accepted.
- 2025.11 If a filing is rejected by the Commission, the E-File system will issue a notice of rejection to the filer, and the filer may be required to refile the document(s) to meet the Commission's filing requirements.
- 2025.12 If a document that a filer submitted or attempted to submit electronically is not received by the E-File system because of an error in the transmission of the document, a failure to correctly process the electronic filing when received by the E-File system, or another technical problem experienced by the filer, the Commission may upon satisfactory proof enter an order permitting the document to be filed *nunc pro tunc* to the date it was first attempted to be filed electronically.
- 2025.13 Each electronically filed document shall, to the extent practicable, be formatted in accordance with the applicable rules governing the formatting of such a document, unless the Commission establishes a separate electronic format for the document.
- 2025.14 An electronically filed document shall be deemed to have been signed by the person under whose name the document is filed, and each electronically filed document shall bear a facsimile or typographical signature of that person, along with his or her typed name, address, telephone number, and, where applicable, Bar number. A typographical signature shall be styled “/s/ [person's name]” and shall be treated as a personal signature for all purposes under this chapter and applicable laws.
- 2025.15 A party who subscribes to the E-File system consents to receive electronic service of documents through the E-File system. When a party (“filing party”) electronically files a document in a proceeding, the E-File system will send a notice of filing to the other parties in the proceeding who subscribe to the E-File system (“subscriber parties”). The notice of filing constitutes service on the subscriber party, and the filing party is not required to provide separate notice to a subscriber party. It is the responsibility of the subscriber party to access the E-File system to view the filing.

- 2025.16 The electronic service of a document, as described in § 2025.16, shall be considered as valid and effective service on the party served and shall have the same legal effect as an original paper document served by hand.
- 2025.17 Electronic service shall be deemed complete at the date and time the notice of confirmation is issued by the E-File system to the party served, provided, however, for the purpose of computing time for another party to respond or for an action to be performed or for a right to accrue, a document filed after 5:00 p.m. shall be deemed to have been filed on the next business day.
- 2025.18 If the E-File system or the served filing is inaccessible when the party who was electronically served attempts to view the served filing, the electronically served party shall, absent extraordinary circumstances, be entitled to an equitable extension of the date for any response or the period within which any right accrues or act must be performed.
- 2025.19 The Commission may issue, file, and serve notices, orders, and other documents electronically, subject to the provisions of this chapter.
- 2025.20 A confidential document or a document that contains confidential information may be filed and served electronically. The filing party shall select “sealed electronically” on the E-File system at the time of filing. A document that is sealed electronically shall be viewable only by the party filing the document, the Commission, and the Office of Tax and Revenue.

Section 2099 is amended to read as follows:

2099 DEFINITIONS

2099.1 When used in this chapter, the following words and phrases shall have the meaning ascribed to them below:

Commission - the Real Property Tax Appeals Commission for the District of Columbia.

Commissioner - a member of the Commission.

Chairperson – the Commissioner appointed by the Mayor, with the advice and consent of the Council, as the chairperson of the Commission.

Council - the Council of the District of Columbia.

Confidential information – a valuation record protected under § 47-821(d), a tax return, and information that is personal in nature.

Deputy Chief Financial Officer - the Deputy Chief Financial Officer of the District of Columbia for the Office of Tax and Revenue or the Deputy Chief Financial Officer's duly appointed or authorized agent, designee, or representative.

E-File system – the system for the electronic filing of an original document (pleading, motion, memorandum of law, order, or other document) with the Commission.

Field study – A personal on-site inspection of the physical characteristics of a property, made in conjunction with the decision of a particular case.

Mayor - the Mayor of the District of Columbia or his or her designated agent.

OTR - the District of Columbia's Office of Tax and Revenue.

Panel - refers to a panel consisting of two (2) or three (3) Commissioners, as provided in this chapter, who are authorized to hear, review, and decide real property assessment appeals as provided under D.C. Official Code § 47-825.01a(c)(1)(A) (2012 Repl.).

Panel chairperson - the Commissioner chosen by a Panel to preside over a hearing.

Petitioner - the property owner or the individual or entity legally or contractually obligated to pay the real property taxes on the subject property of a petition for the period in question, or the duly authorized agent, designee, or representative of such person or entity.

Square and lot - the legal description of the property identified by plat on the records of the District of Columbia Surveyor.

Tax year – the period beginning October 1 each year and ending September 30 each succeeding year.

Copies of this proposed rulemaking can be obtained at www.dcregs.dc.gov or by contacting Carlynn Fuller Jenkins, Executive Director of the Commission, Real Property Tax Appeals Commission, 441 4th Street, NW, Suite 360N, Washington, DC 20001. All persons desiring to file comments on the proposed rulemaking action should submit written comments via e-mail to carlynn.fuller@dc.gov or by mail to the Real Property Tax Appeals Commission, 441 4th Street, NW, Suite 360N, Washington, DC 20001, Attn: Carlynn Fuller Jenkins, Executive Director, no later than thirty (30) days after the publication of this notice in the *D.C. Register*.

DISTRICT DEPARTMENT OF THE ENVIRONMENT**NOTICE OF THIRD EMERGENCY RULEMAKING****Soil Erosion and Sediment Control and Stormwater Management Infractions**

The Director of the District Department of the Environment (Department), 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.)); Section 104 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 (2012 Repl.)); the Water Pollution Control Act of 1984, as amended, effective March 16, 1985 (D.C. Law 5-188; D.C. Official Code §§ 8-103.16(f) and 8-103.20 (2012 Repl.)); and Mayor's Order 2006-61, dated June 14, 2006, hereby gives notice of the adoption of an emergency rulemaking to amend Section 3646 (Soil Erosion and Sediment Control and Stormwater Management Infractions) of Chapter 36 (Department of Health (DOH) Infractions) of Title 16 (Civil Infractions Schedule of Fines) of the District of Columbia Municipal Regulations (DCMR).

This emergency rulemaking establishes fines for violations of the District's soil erosion and sediment control and stormwater management regulations. Chapter 32 of Title 16 of the District of Columbia Municipal Regulations (16 DCMR §§ 3200-3201) explains how infractions are classified and lists the fine amounts. The stormwater management and soil erosion and sediment control infractions have been scheduled as follows: Class 1 infractions include the failure to submit a plan or obtain Department approval, the failure to maintain the ongoing environmental obligations of the installed stormwater management system, and the failure to comply with a stop work order; Class 2 infractions are generally those relating to the failure to comply with the conditions in the Department-approved plans, including installing adequate soil erosion and sediment controls at a construction site; Class 3 infractions are violations that are housekeeping in nature, for example, not complying with notice requirements; and Class 4 infractions are violations not scheduled elsewhere.

Emergency rulemaking action is necessary to ensure the protection of the waters of the District of Columbia by seeking compliance with the Department's new stormwater management and soil erosion and sediment control permitting regulations. Those regulations were published in the *D.C. Register* on July 19, 2013 at 60 DCR 10640.

A Notice of Emergency Rulemaking was adopted on September 23, 2013, and published in the *D.C. Register* on October 4, 2013 at 60 DCR 13604. A Notice of Second Emergency Rulemaking was adopted on January 09, 2014, and published in the *D.C. Register* on January 24, 2014 at 61 DCR 730. This emergency rulemaking was adopted on May 8, 2014, supersedes the prior emergency rulemaking, and will expire one hundred and twenty (120) days from the date of adoption, on September 5, 2014, unless earlier superseded by publication of a Notice of Final Rulemaking in the *D.C. Register*. No changes were made from the prior emergency rulemaking.

Chapter 36, DEPARTMENT OF HEALTH (DOH) INFRACTIONS, of Title 16, CIVIL INFRACTIONS SCHEDULE OF FINES, of the DCMR is amended as follows:

Section 3646, SOIL EROSION AND SEDIMENT CONTROL AND STORMWATER MANAGEMENT INFRACTIONS, is amended to read as follows:

3646 SOIL EROSION AND SEDIMENT CONTROL AND STORMWATER MANAGEMENT INFRACTIONS

3646.1 Violation of any of the following provisions shall be a Class 1 infraction:

- (a) 21 DCMR § 504.1 (upon notice from the Department, failure to stop work identified);
- (b) 21 DCMR § 504.5 (unauthorized removal of a posted stop work order);
- (c) 21 DCMR § 504.6 (continuing work stopped by a Department order);
- (d) 21 DCMR § 509.1 (failure to correct soil erosion occurring as the result of natural forces or past land-disturbing activities after an inspection and an order from the Department);
- (e) 21 DCMR § 516.1 (failure to obtain a Department-approved stormwater management plan);
- (f) 21 DCMR § 519.1(b) (failure to comply with the maintenance activities in a Department-approved stormwater management plan);
- (g) 21 DCMR § 527.2 (failure to maintain or achieve the off-site retention volume);
- (h) 21 DCMR § 528.1 (failure to conduct maintenance required by the stormwater management plan approved by the Department);
- (i) 21 DCMR § 528.3 (failure to ensure that a best management practice or a land cover on a lot or parcel is maintained in good working order);
- (j) 21 DCMR § 528.4 (converting natural land cover associated with a stormwater retention requirement to compacted or impervious land cover, resulting in the loss of retention capacity associated with the land conversion);
- (k) 21 DCMR § 528.5 (converting compacted land associated with a stormwater retention requirement to impervious land cover, resulting in the loss of retention capacity associated with the land conversion);

- (l) 21 DCMR § 531.3 (failure to maintain the retention capacity for a best management practice or land cover for the period of time for which the Department certified a Stormwater Retention Credit);
- (m) 21 DCMR § 532.5(b) (failure to replace a certified Stormwater Retention Credit associated with a retention failure);
- (n) 21 DCMR § 534.2 (failure to maintain the retention capacity for a best management practice or land cover for the period of time for which the Department certified the Stormwater Retention Credit);
- (o) 21 DCMR § 532.5 (failure to replace a Stormwater Retention Credit (SRC) for which retention failure has occurred with another SRC or pay the in-lieu fee corresponding to the SRC);
- (p) 21 DCMR § 540.1 (engaging in razing or land-disturbing activity, including stripping, clearing, grading, grubbing, excavating, and filling of land, without obtaining the Department's approval of a soil erosion and sediment control plan); or
- (q) 21 DCMR § 540.5 (working outside the scope of the Department-approved soil erosion and sediment control plan).

3646.2

Violation of any of the following provisions shall be a Class 2 infraction:

- (a) 21 DCMR § 502.2 (failure to conduct all work in accordance with a Department-approved plan or approved plan change);
- (b) 21 DCMR § 503.3 (changing a Department-approved plan or its implementation without Department approval);
- (c) 21 DCMR § 503.6 (proceeding past a stage of construction without obtaining the required Department inspection and approval);
- (d) 21 DCMR § 503.13 (upon notice from the Department, failure to promptly correct work that fails to comply with a Department-approved plan);
- (e) 21 DCMR § 516.3(b) (failure to comply with the terms and conditions of the Department-approved stormwater management plan);
- (f) 21 DCMR § 516.3(c) (failure to comply with the Department's orders and directions to achieve compliance with the Department-approved stormwater management plan);
- (g) 21 DCMR § 516.5 (failure to comply with a Department-approved stormwater management plan);

- (h) 21 DCMR § 518.12 (failure to submit a complete as-built stormwater management plan package within twenty-one (21) days of the Department's final construction inspection);
- (i) 21 DCMR § 518.13 (failure to submit an as-built stormwater management plan or a Record Drawing for a project consisting entirely of work in the public right-of-way);
- (j) 21 DCMR § 528.10 (using soil media removed from a best management practice receiving drainage from an area intended for use or storage of motor vehicles for planting or as fill material);
- (k) 21 DCMR § 528.11 (failure to dispose non-vegetative waste material from cleaning, maintaining, repairing, or replacing a best management practice into a landfill or other facility approved for processing these materials);
- (l) 21 DCMR § 533.3 (transferring ownership of a Stormwater Retention Credit without the Department's approval);
- (m) 21 DCMR § 540.2 (engaging in a demolition project that results in debris, dust, or sediment leaving the site without instituting the necessary control measure(s));
- (n) 21 DCMR § 540.3 (failure to apply each necessary control measure upon receiving instruction to do so by the Department after exposing erodible material and causing erosion);
- (o) 21 DCMR § 542.12 (failure to request the Department's approval at the scheduled stage(s) of construction);
- (p) 21 DCMR § 543.3 (failure to use adequate soil erosion and sediment control measures to prevent transportation of sediment from the site);
- (q) 21 DCMR § 543.5 (failure to protect a best management practice from sedimentation and other damage during construction);
- (r) 21 DCMR § 543.6 (failure to have adequate erosion and sediment control measures in place before and during land disturbance);
- (s) 21 DCMR § 543.7 (failure to have soil erosion and sediment control measures in place to stabilize an exposed area as soon as practicable after construction activity has temporarily or permanently ceased);

- (t) 21 DCMR § 543.9 (failure to implement measures to prevent the discharge of erodible material or waste material to District sewers or District waterbodies);
- (u) 21 DCMR § 543.10(a) (failure to comply with a stormwater pollution prevention plan);
- (v) 21 DCMR § 543.12 (except for the area undergoing construction, failure to stabilize area and install perimeter controls within one (1) week of initial land disturbance or redisturbance);
- (w) 21 DCMR § 543.13 (failure to control runoff from the site by either diverting or conveying the runoff through areas with soil erosion and sediment control measures, such as through the installation of lined conveyance ditches, channels, or checkdams);
- (x) 21 DCMR § 543.14 (failure to apply critical area stabilization to each cut and fill slope);
- (y) 21 DCMR § 543.16(a) (failure to establish and maintain perimeter controls around the stockpile material that is actively being used during a phase of construction);
- (z) 21 DCMR § 543.16 (b) (failure to stabilize stockpiled material with mulch, temporary vegetation, hydro-seed, or plastic within fifteen (15) calendar days after last use or addition of material);
- (aa) 21 DCMR § 543.17 (failure to install required sediment traps or basins and other soil erosion and sediment controls);
- (bb) 21 DCMR § 543.18 (failure to seed and mulch or install a sod or a stabilization blanket immediately after building debris basins, diversions, waterways, or related structures);
- (cc) 21 DCMR § 543.19 (failure to install measures to minimize off-site vehicle tracking at the construction site access);
- (dd) 21 DCMR § 543.20 (failure to remove off-site accumulations of sediment);
- (ee) 21 DCMR § 543.21 (failure to maintain and prevent stabilized areas from becoming unstabilized);
- (ff) 21 DCMR § 545.2 (failure to install measures to achieve a non-eroding velocity for stormwater exiting from a roof or downspout or to temporarily pipe that stormwater directly to a storm drain);

- (gg) 21 DCMR § 545.3 (failure to maximize the preservation of natural vegetation and limit the removal of vegetation to that is necessary for construction or landscaping activity);
- (hh) 21 DCMR § 546.1(a) (exposing more than five hundred linear feet (500 ft) of open trench at any one time for land-disturbing activity that involves work on an underground utility);
- (ii) 21 DCMR § 546.1 (b) (failure to place all excavated material on the uphill side of a trench for land-disturbing activity that involves work on an underground utility);
- (kk) 21 DCMR § 546.1 (c) (failure to install interim or permanent stabilization upon completion of refilling for land-disturbing activity that involves work on an underground utility);
- (ll) 21 DCMR § 546.1 (d) (failure to use mulches and matting to minimize soil erosion when natural or artificial grass filter strips are used to collect sediment from excavated material for land-disturbing activity that involves work on an underground utility); or
- (mm) 21 DCMR § 547.1 (failure to ensure that a responsible person (as described in the Chapter) is present or available if a site involves a land disturbance of five thousand square feet (5,000 ft²) or more).

3646.3

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

- (a) 21 DCMR § 502.4 (failure to notify the Department of a material change in the performance provided for in a Department-approved stormwater pollution prevention plan, including a material change in the volume of stormwater flowing into a best management practice (BMP), a shared BMP, or a land cover);
- (b) 21 DCMR § 503.7(a) (failure to schedule a preconstruction meeting or field visit with the Department at least three (3) business days before commencement of a land-disturbing activity);
- (c) 21 DCMR § 503.7(b) (failure to schedule a preconstruction inspection with the Department at least three (3) business days before beginning construction of a best management practice);
- (d) 21 DCMR § 503.7(c) (failure to schedule an inspection required for a stage of construction or other construction event at least three (3) business days before the anticipated inspection);

- (e) 21 DCMR § 503.7(d) (failure to give notice to the Department within two (2) weeks of completion of the land-disturbing activity); or
- (f) 21 DCMR § 503.7(e) (failure to request a final construction inspection one (1) week before completion of a best management practice).

3646.4

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

- (a) 21 DCMR § 542.2 (failure to make the Department-approved soil erosion and sediment control plan for a project available on site for Department review);
- (b) 21 DCMR § 543.10(b) (failure to post a copy of the Department-approved stormwater pollution prevention plan on site);
- (c) 21 DCMR § 543.22 (failure to post a sign that notifies the public to contact the Department in the event of soil erosion or other pollution); or
- (d) Violation of any provision of the District of Columbia Stormwater Management, Soil Erosion and Sedimentation Control Regulations (21 DCMR, Chapter 5) that is not cited elsewhere in this section.

DEPARTMENT ON DISABILITY SERVICES

NOTICE OF EMERGENCY AND PROPOSED RULEMAKING

The Director of the Department on Disability Services (DDS), pursuant to the authority set forth in Section 109 of the Department on Disability Services Establishment Act of 2006, effective March 14, 2007 (D.C. Law 16-264; D.C. Official Code § 7-761.09 (2012 Repl.)), and Mayor's Order 2007-68, dated March 20, 2007, hereby gives notice of the adoption, on an emergency basis, of the following amendments to Chapter 2 (Blind Vendors Program) of Title 29 (Public Welfare) of the District of Columbia Municipal Regulations (DCMR).

These emergency and proposed rules apply solely to the District of Columbia's Randolph-Sheppard Vending Facilities Program (DC-RSVFP), which is administered by the Department on Disability Services, Rehabilitation Services Administration (DDS/RSA).

These emergency and proposed rules are necessary for the following reasons: (1) to clarify program eligibility requirements; (2) to clarify due process procedures, which are outdated because administrative hearings are now conducted by the Office of Administrative Hearings, not by Hearing Examiners hired by DDS/RSA; (3) to clarify that due process procedures apply to program participants only, and to refer program applicants and trainees to 29 DCMR § 1 *et seq.*, Rehabilitation Services Administration regulations, which governs appeal rights for these individuals; (4) to amend provisions regarding circumstances under which the state licensing agency, DDS/RSA, is required and permitted to terminate participants from the program; (5) to clarify the language in the regulations so that references to the state licensing agency are consistent, as the current regulations refer to "the agency" and "the department" interchangeably; (6) to clarify that administrative support for the program may be provided by either a nominee organization or the state licensing agency; and (7) to eliminate existing requirements regarding set asides, promotions, and transfers, and to provide that policies regarding these requirements shall be established by the state licensing agency with the active participation of the Blind Vendors Committee.

Emergency action is necessary for the immediate preservation of the welfare of DC-RSVFP program participants because the current regulations are not consistent with the current practices, policies, and procedures of the DC-RSVFP, and are not consistent with the corresponding federal rules. The emergency rulemaking was adopted and became effective on May 13, 2014. The emergency rules will remain in effect for 120 days from the effective date or until September 10, 2014, unless superseded by publication of a Notice of Final Rulemaking in the *D.C. Register*, whichever occurs first.

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

Chapter 2, BLIND VENDORS PROGRAM, of Title 29, PUBLIC WELFARE, of the DCMR, is amended as follows:

200 ISSUANCE OF LICENSES

Subsection 200.1 is amended by adding Paragraphs (c), (d), and (e), and to read as follows:

- 200.1 Licenses to operate vending facilities within the Blind Vendors Program (also referred to in this chapter as the “Program” or the Randolph-Sheppard Vending Facilities Program (“RSVFP”)) shall be issued only to blind persons who meet the following criteria:
- (a) Reside in the District at the time of licensing;
 - (b) Are United States citizens;
 - (c) Meet the definition of a blind person in accordance with Section 299 of this Chapter;
 - (d) Successfully complete the Program’s training requirements pursuant to Section 210 of this Chapter; and
 - (e) Obtain a local DC metropolitan police and Federal Bureau of Investigations clearance.

201 TERMINATION OF LICENSES

Subsection 201.1 is amended to read as follows:

- 201.1 Licenses shall be issued for an indefinite period, but shall be subject to suspension or termination in the following circumstances:
- (a) Improvement of vision so that the vendor no longer meets the definition of blindness set forth in § 299; or
 - (b) After affording the vendor an opportunity for a full evidentiary hearing, the licensing agency finds that the vending facility is not being operated in accordance with its rules or regulations, the terms and conditions of the permit, or the terms and conditions of the written agreement with the vendor.

Subsection 201.2 is amended by deleting Paragraph (a), adding Paragraph (c), and renumbering Paragraphs (b) and (c) as Paragraphs (a) and (b), and to read as follows:

- 201.2 Any license granted to an individual for the operation of a vending facility may be suspended or terminated for any of the following reasons:
- (a) Extended illness with medically documented diagnosis of prolonged incapacity of the vendor to operate the vending facility in a manner

consistent with the needs of location or other available locations in the Program;

- (b) Withdrawal of the vendor from the Program upon his or her written notification to the licensing agency; or
- (c) Failure to obtain or loss of U.S. Department of Homeland Security clearance.

202 VENDING FACILITY EQUIPMENT AND INITIAL STOCK

Subsection 202.2 is amended to read as follows:

202.2 The right and title to, and interest in, the equipment and the stock of each vending facility shall be vested in the state licensing agency, or in the nominee for Program purposes, and shall be subject to the paramount right of the licensing agency to direct and control the use, transfer, and disposition of the vending facilities or stock.

203 SETTING ASIDE OF FUNDS

Subsection 203.2 is amended to read as follows:

203.2 The licensing agency may enter into a servicing agreement with a nominee organization for overall managerial services.

Subsection 203.3 is amended to read as follows:

203.3 If the licensing agency enters into a servicing agreement with a nominee organization, the budget for the nominee organization shall be funded completely by funds set aside from the net proceeds from the operation of vending facilities.

Subsection 203.5 is amended to read as follows:

203.5 The licensing agency shall establish in writing the extent to which funds are to be set aside from the net proceeds of the operation of vending facilities and from vending income under 34 C.F.R. § 395.8(c), in an amount determined by the Secretary of Education to be reasonable.

Subsection 203.6 is amended by adding Paragraph (e), and to read as follows:

203.6 Set-aside funds shall be spent only for the following purposes:

- (a) Maintenance and replacement of equipment;
- (b) Purchase of new equipment;

- (c) Management services; and
- (d) Guarantee of a fair minimum return.
- (e) The establishment and maintenance of retirement or pension funds, health insurance contributions, and provision for paid sick leave and vacation time, if it is so determined by a majority vote of blind vendors licensed by the licensing agency, after such agency provides to each such vendor information on all matters relevant to such proposed purposes.

Subsection 203.7 is amended to read as follows:

203.7 The licensing agency shall set out the method of determining the charge for each of the purposes listed in subsection 203.6 of this section, which will be determined with the active participation of the Blind Vendors Committee and which will be designed to prevent, so far as is practicable, a greater charge for any purpose than is reasonably required for that purpose. The licensing agency shall maintain adequate records to support the reasonableness of the charges for each of the purposes listed in this section, including any reserves necessary to assure that such purposes can be achieved on a consistent basis.

Subsection 203.8 is repealed.

203.8 [Repealed]

Subsection 203.10 is repealed.

203.10 [Repealed]

204 INCOME FROM VENDING FACILITIES ON FEDERAL PROPERTY

Subsection 204.1 is amended to read as follows:

204.1 Income from vending machines on federal property which has been disbursed to the licensing agency by a property managing department, agency, or instrumentality of the United States under the vending facility provisions in 34 C.F.R. § 395.8 shall accrue to each blind vendor operating a vending facility on that federal property in an amount not to exceed the average net income of the total number of blind vendors within the District, as determined each fiscal year on the basis of each prior year’s operation, except as provided in § 204.2.

Subsection 204.6 is amended to read as follows:

204.6 The Licensing Agency shall promptly disburse vending machine income to blind vendors upon receipt, on at least a quarterly basis.

Subsection 204.7 is amended to read as follows:

204.7 Unassigned vending machine income retained by the licensing agency shall be used for the establishment and maintenance of retirement or pension plans, for health insurance contributions, and for the provision of paid sick leave and vacation time for blind vendors, if it is so determined by a majority vote of licensed vendors, after each has been furnished information on all matters relevant to these purposes.

207 PROMOTION AND TRANSFER OF VENDORS**Subsection 207.1 is amended to read as follows:**

207.1 The licensing agency, with the active participation of the Blind Vendors Committee, shall establish a promotion and transfer system for vendors that shall be uniformly applied to all vacancies which develop or occur in the Program, or are created when satellite facilities are called down for new vendors admitted to the Program.

Subsection 207.2 is amended to read as follows:

207.2 Eligibility for promotion and transfer or placement of new vendors within the Program shall be governed by a point system which determines the ranking of all licensed vendors.

Subsection 207.3 is amended to read as follows:

207.3 For promotion and transfer, rating points shall be awarded on the basis of seniority and performance. For placement of new vendors, rating points shall be awarded on the basis of scores in training and performance during on-the-job training.

Subsection 207.4 is amended to read as follows:

207.4 When a vending facility vacancy occurs, all vendors shall be notified of the availability of the facility and offered the opportunity to transfer. Decisions regarding transfer shall be made based on the semi-annual ratings list developed by this Committee. When satellite facilities are called down for placement of new vendors, only newly assigned vendors will be eligible for placement in the facilities.

Subsection 207.6 is amended to read as follows:

207.6 Vendors may be denied the opportunity to transfer, on a temporary basis, if the vendor has been placed on a corrective action plan due to performance problems

in managing the facility. The right to transfer shall be reinstated when the vendor successfully completes the corrective action plan.

Subsection 207.9 is amended to read as follows:

207.9 If a former licensee returns to the Program within two years of resignation from the Program, the seniority points earned during the prior tenure shall be reinstated, unless the Promotion and Transfer Committee referenced in § 208 votes unanimously to deny the reinstatement.

Subsection 207.10 is amended to read as follows:

207.10 The licensing agency, with the active participation of the Committee of Blind Vendors, shall establish the system for awarding seniority points. This system shall allocate the number of points awarded per year of service and the maximum number of points a vendor may receive. It shall also address whether and how seniority points are awarded to vendors who return to the program after two years, and whether and how seniority points are awarded to out of state transfers wishing to enter the DC program.

Subsections 207.11 -207.13 are amended to read as follows:

207.11 The licensing agency, with the active participation of the Committee of Blind Vendors, shall develop a system for semi-annual evaluation of performance. This performance system shall, at minimum, evaluate all vendors on their performance in the following areas:

- (a) Supervision of personnel;
- (b) Knowledge of business;
- (c) Ability to serve;
- (d) Care and utilization of equipment;
- (e) Recordkeeping;
- (f) Sanitation;
- (g) Customer relations; and
- (h) Adherence to rules and regulations.

207.12 Performance ratings shall be judged on the manner in which vendors apply themselves to the various phases of vending facility operation and the degree to which they meet the requirements and standards of the Program.

207.13 Performance shall be determined by a semi-annual evaluation of all vendors conducted by the Promotion and Transfer Committee, based upon reports of supervisory personnel of the licensing agency or nominee organization and other pertinent reports including documented complaints.

208 PROMOTION AND TRANSFER COMMITTEE

Subsection 208.1 is amended to read as follows:

208.1 A Promotion and Transfer Committee (“the Committee”) shall act on behalf of the licensing agency for the purpose of applying the provisions of § 207 related to awarding of rating points and decisions regarding promotions and transfers.

Subsection 208.2 is amended to read as follows:

- 208.2 The Committee shall be composed of five representatives selected as follows:
- (a) The Blind Vendors Committee shall select three individuals;
 - (b) The Blind Vendors Committee and licensing agency shall jointly select one individual from the community; and
 - (c) The licensing agency shall select one individual.

Subsection 208.5 is amended to read as follows:

208.5 The Committee shall also meet as often as is necessary to ensure full consideration of every proposed promotion or transfer.

Subsection 208.7 is amended to read as follows:

208.7 The decisions of the Promotion and Transfer Committee in regard to ratings shall be considered final, unless appealed to the Blind Vendors Committee and licensing agency. Any decision of the Promotion and Transfer Committee may only be overturned by a majority vote of the Blind Vendors Committee and the agreement of the licensing agency.

210 TRAINING PROGRAM

Subsection 210.1 is amended to read as follows:

210.1 The licensing agency, with the active participation of the Blind Vendors Committee, shall establish training and retraining programs.

Subsection 210.3 is amended to read as follows:

210.3 Following the acceptance of prospective blind vendors by the licensing agency, training in vending facility management shall be provided by the licensing agency or contractor approved by the SLA to implement the training program.

211 BLIND VENDORS COMMITTEE

Subsection 211.1 is amended to read as follows:

- 211.1 The Blind Vendors Committee, as established under Mayor’s Order 77-131, dated August 8, 1977, as amended by Mayor's Order 78-22, dated January 22, 1978, consistent with 34 C.F.R. § 395.14, shall have the following functions:
- (a) Actively participate with the licensing agency in major administrative decisions and policy and program development decisions affecting the overall administration of the Program;
 - (b) Receive and transmit to the licensing agency grievances at the request of blind vendors and serve as advocates for vendors in connection with grievances;
 - (c) Actively participate with the licensing agency in the development and administration of a program system for the transfer and promotion of blind vendors;
 - (d) Actively participate with the licensing agency in the development of training and retraining programs for blind vendors; and
 - (e) Sponsor, with the assistance of the licensing agency, meetings and instructional conferences for blind vendors within the Program.

212 BLIND VENDORS COMMITTEE: MEMBERS AND ELECTIONS

Subsection 212.1 is amended to read as follows:

- 212.1 The licensing agency shall provide for the biennial election of a Blind Vendors Committee, which shall be fully representative of all blind vendors in the District program.

213 BLIND VENDORS COMMITTEE: ORGANIZATION AND FUNCTIONS

Subsection 213.1 is amended to read as follows:

- 213.1 The Blind Vendors Committee shall be organized to include a chairperson, a vice-chairperson, a treasurer, and a secretary.

Subsection 213.2 is amended to read as follows:

- 213.2 The Committee shall meet regularly with representatives of the licensing agency, and shall operate as a whole and through subcommittees.

Subsection 213.5 is amended to read as follows:

213.5 The Committee and the licensing agency shall meet at least once a month.

214 BLIND VENDORS COMMITTEE: MEETINGS

Subsections 214.1 – 214.5 are amended to read as follows:

214.1 The licensing agency shall provide written notices to all committee members at least one (1) week prior to each regular meeting.

214.2 The notice shall contain the time and place of the meeting and a list of topics planned by the licensing agency for discussion.

214.3 Between regular meetings, written notice shall be given to subcommittee members, or other individuals, of important discussions and decisions making meetings in areas of the subcommittees’ interest.

214.4 The Committee shall have the opportunity to initiate matters for consideration by them and the licensing agency in order to make meaningful contributions to the Program, with the Committee's views and positions taken into careful and serious account by the licensing agency.

214.5 The licensing agency shall have the ultimate responsibility for the administration of the Program. If the licensing agency does not adopt the views and positions of the Committee, the licensing agency shall notify the Committee, in writing, of the decision reached or the action taken and the reasons for the decision or action.

Section 215, HEARINGS, is repealed.

215 [REPEALED]

216 ACCESS TO PROGRAM AND FINANCIAL INFORMATION

Subsection 216.1 is amended to read as follows:

216.1 Each vendor shall be provided access to all program and financial data of the licensing agency relevant to the operation of the Program, including quarterly and annual financial reports, if that disclosure does not violate applicable federal or District laws pertaining to the disclosure of confidential information.

Subsection 216.2 is amended to read as follows:

216.2 Insofar as practicable, data shall be made available in braille or recorded tape and, at the request of the vendor, the licensing agency shall arrange a convenient time to assist in the interpretation of data.

217 EXPLANATION TO VENDOR OF RIGHTS AND RESPONSIBILITIES

Subsection 217.1 is amended to read as follows:

217.1 The licensing agency shall furnish to each vendor copies of documents relating to the operation of the Program, including the rules and regulations which contain written descriptions of the arrangements for providing services, program policies and procedures and due process rights of vendors, the vendors’ agreement, and the permit covering the operation of any facility to which the vendor shall be assigned.

Section 218 is renamed as follows:

218 DUE PROCESS SCOPE AND PROCEDURES FOR BLIND VENDORS, PROGRAM APPLICANTS AND RSVFP TRAINEES

Subsections 218.1 – 218.3 are amended to read as follows:

218.1 The purpose of these regulations is to establish procedures pursuant to 34 C.F.R. § 395.13, which provides vendors the opportunity to resolve disagreements when they are dissatisfied with any licensing agency action arising from the operation or administration of the Program.

- 218.2
- (a) An applicant to the RSVFP, or a trainee in the Program who is dissatisfied with any determination that affects the provision of vocational rehabilitation services, may pursue any of the remedies available to him or her pursuant to 34 C.F.R. § 361.57. Applicants and trainees are DDS/RSA clients and, as such, they are entitled to all due process rights outlined in 29 D.C.M.R. § 135 *et seq.*
 - (b) A vendor who is dissatisfied with any licensing agency action arising from the operation or administration of the Program may pursue any of the following options:
 - (1) Informal administrative review meeting with the Chief of the Division of Services for the Blind (DSB);
 - (2) [Repealed];
 - (3) Impartial due process hearing before the D.C. Office of Administrative Hearings (“OAH”);
 - (c) A vendor aggrieved by an Order issued by OAH, may appeal this Order

either to the D.C. Court of Appeals, pursuant to D.C. Code § 2-1831.16(c)-(e), or to the United States Secretary of Education, pursuant to 34 C.F.R. § 395.13.

- 218.3 A dispute regarding a licensing agency action may be resolved at any level within the appeals process. The appeals process is initiated when a vendor requests an informal administrative review meeting. However, a vendor is not precluded from beginning his or her appeal by requesting an impartial due process hearing as a means of challenging a licensing agency action arising from the operation or administration of the RSVFP.

Section 219 is renamed as follows:

219 NOTICE TO BLIND VENDORS OF DUE PROCESS REMEDIES

Subsection 219.1 is repealed.

- 219.1 [Repealed.]

Subsection 219.2 is amended to read as follows:

- 219.2 Each vendor shall receive written notification of his or her due process remedies at the time of licensure.

220 INFORMAL ADMINISTRATIVE REVIEW MEETING

Subsection 220.1 is amended to read as follows:

- 220.1 An informal administrative review meeting is a non-binding and non-adversarial informal dispute resolution process. The informal administrative review meeting process provides a vendor an opportunity to meet with the Chief of the Division of Services for the Blind (DSB) in an effort to expeditiously resolve a complaint he or she may have about a licensing agency action arising from the operation or administration of the RSVFP. The informal administrative review meeting may involve fact gathering, interviews and negotiation. The informal administrative review meeting is optional and voluntary, and will not deny or delay a vendor an impartial due process hearing, provided pursuant to by 34 C.F.R. § 395.13.

**221 REQUEST FOR INFORMAL ADMINISTRATIVE REVIEW MEETING/
NOTICE TIMELINESS**

Subsection 221.1 is amended to read as follows:

- 221.1 A request for an informal administrative review meeting must be submitted in writing, within ten (10) business days, of the licensing agency action with which the blind vendor is dissatisfied. The time limits in this section may be extended

by the Chief of the Office of Quality Assurance and Federal Compliance (“OQ AFC”) when good cause is shown by one party or at the request of both parties. This request must be addressed to:

Office of Quality Assurance and Federal Compliance
 Attention: Chief
 Department on Disability Services, Rehabilitation Services Administration
 1125 15th Street, NW, 9th Floor
 Washington, D.C. 20005
 (202) 442-8670 (Voice or Relay)

Subsection 221.2, Paragraph (b) is amended to read as follows:

221.2 Within five (5) business days after the request is received, the Chief of OQ AFC will do the following:

- (a) Forward the request to the Chief of the Division of Services for the Blind (DSB); and
- (b) Send a written notification to the vendor stating the date, time and location of the informal administrative review meeting. Notification shall be in an Americans with Disabilities Act (ADA) compliant format, including:
 - (1) in the medium of the applicant or consumer’s choice, including large print, Braille, tape, disk; and
 - (2) provided via e-mail and/or U.S. Priority Mail with Delivery Confirmation requested.

222 INFORMAL ADMINISTRATIVE REVIEW MEETING PROCESS

Subsection 222.1, Paragraph (a) is amended to read as follows:

222.1 (a) Within five (5) business days of receiving the request from the Chief of OQ AFC, the DSB Chief will personally meet with the vendor and his or her authorized representative, unless such meeting is inconvenient for both parties and both parties record this inconvenience in writing. If both parties are unable to meet in person, they will participate in a telephonic conference not later than five (5) business days after receipt of the request from the Chief of OQ AFC; and

Subsection 222.2 is amended to read as follows:

222.2 (a) If the vendor or his or her authorized representative and the DSB Chief successfully resolve the issue(s) addressed during the informal administrative review meeting, the Chief of OQ AFC will place a written

note in the vendor’s file noting that the licensing agency staff will implement the agreed upon resolution within ten (10) business days, absent any unforeseen circumstances outside of the licensing agency staff’s immediate control;

- (b) If the vendor or his or her authorized representative and the DSB Chief are unable to resolve the issue(s) addressed during the informal administrative review meeting, the Chief of OQ AFC shall notify the vendor in writing of his/her right to request an impartial due process hearing, in accordance with 34 C.F.R. § 395.13, within five (5) business days of receiving notification of the outcome from the DSB Chief; and
- (c) Notification shall be in an Americans with Disabilities Act (ADA) compliant format, including:
 - (1) in the medium of the applicant or consumer’s choice, including large print, Braille, tape, disk; and
 - (2) provided via e-mail and/or U.S. Mail.

Section 223, MEDIATION PROCESS FOR BLIND VENDORS AND RSVFP TRAINEES RECEIVING VOCATIONAL REHABILITATION SERVICES, is repealed.

223 [REPEALED]

Section 224, RIGHT TO MEDIATIO, is repealed.

224 [REPEALED]

Section 225, REQUEST FOR MEDIATION / TIMELINESS/SCHEDULING, is repealed.

225 [REPEALED]

Section 226, DECISION OF THE ADMINISTRATIVE REVIEW PANEL, is repealed.

226 [REPEALED]

Section 228, RIGHT TO A HEARING, is repealed.

228 [REPEALED]

229 NOTICE OF RIGHT TO HEARING

Subsection 229.1 is amended to read as follows:

229.1 Each licensee shall be informed, both orally and in writing, at the time of licensure of the following:

- (a) The right to request a full evidentiary hearing before OAH;
- (b) The method by which a hearing may be obtained, as provided in § 232 of these rules;
- (c) The right to be represented by legal counsel, relative, friend, or other spokesperson, at the licensee’s own expense; and
- (d) The right to a qualified interpreter, if a party or a party’s witness is deaf or, because of a hearing impairment, cannot readily understand or communicate the English language.

Section 230, FILING OF DOCUMENTS, is repealed.

230 [REPEALED]

Section 231, RESPONSE TO MOTIONS, is repealed.

231 [REPEALED]

232 REQUEST FOR HEARING; TIMELINESS

Subsection 232.1 is amended to read as follows:

232.1 Each request for a hearing shall be submitted in writing to OAH.

Subsection 232.2 is amended to read as follows:

232.2 The written request for a hearing shall be submitted personally or by U.S. mail.

Subsection 232.4 is amended to read as follows:

232.4 Each complainant shall request a full evidentiary hearing within fifteen (15) business days after an adverse decision based on an administrative review or, in the absence of an administrative review, within fifteen (15) business days of the occurrence of the action upon which the complaint is based.

Section 233, NOTICE OF DOCKETING OF PREHEARING CONFERENCE AND HEARING ADMINISTRATION’S DETERMINATION, ORDER, OR ANSWER, is repealed.

233 [REPEALED]

Section 234, PLACE FOR HEARING; READER SERVICES, is repealed.

234 [REPEALED]

Section 235, NOTICE OF HEARING AND OF HEARING PROCEDURES AND ISSUES, is repealed.

235 [REPEALED]

Section 236, PREHEARING CONFERENCE, is repealed.

236 [REPEALED]

Section 237, CONDUCT OF HEARINGS, is repealed.

237 [REPEALED]

Section 238, DUTIES AND POWERS OF THE HEARING EXAMINER, is repealed.

238 [REPEALED]

Section 239, STANDARD OF PROOF, is repealed.

239 [REPEALED]

Section 240, TRANSCRIPT, is repealed.

240 [REPEALED]

Section 241, DECISION OF THE HEARING EXAMINER, is repealed.

241 [REPEALED]

Section 242, FINAL DECISION, is repealed.

242 [REPEALED]

Section 243, RIGHT TO APPEAL, is repealed.

243 [REPEALED]

Section 245, EXTENSION OF TIME, is repealed.

245 [REPEALED]

Section 246, CONTINUANCES, is repealed.

246 [REPEALED]

Section 247, CONSOLIDATION, is repealed.

247 [REPEALED]

Section 248, SEVERANCE, is repealed.

248 [REPEALED]

Section 249, INTERVENTION, is repealed.

249 [REPEALED]

Section 251, SETTLEMENT, is repealed.

251 [REPEALED]

Section 252, EX PARTE COMMUNICATION, is repealed.

252 [REPEALED]

299 DEFINITIONS

Subsection 299.1 is amended to read as follows:

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

Act - Randolph Sheppard Act, as amended (Pub. L. 74-732, 20 U.S.C. §§ 107-107f).

Administration – the District of Columbia Department on Disability Services, Rehabilitation Services Administration (DDS/RSA). The Rehabilitation Services Administration has been designated as the State Licensing Agency (SLA) for the District of Columbia, responsible for administering the Randolph-Sheppard Vending Facilities Program (RSVFP).

Auxiliary aids and services includes—

- (1) Qualified interpreters, notetakers, transcription services, written materials, telephone handset amplifiers, assistive listening devices, assistive listening systems, telephones compatible with hearing aids, closed caption decoders, open and closed captioning, telecommunications devices for deaf persons

(TDD's), videotext displays, or other effective methods of making aurally delivered materials available to individuals with hearing impairments;

- (2) Qualified readers, taped texts, audio recordings, Brailled materials, large print materials, or other effective methods of making visually delivered materials available to individuals with visual impairments;
- (3) Acquisition or modification of equipment or devices; and
- (4) Other similar services and actions.

Blind licensee - a blind person licensed by the licensing agency to operate a vending facility on federal or other property.

Blind person - a person who after examination by a physician skilled in diseases of the eye or by an optometrist, whichever that person selects, has been determined to have either of the following conditions:

- (a) Not more than 20/200 central visual acuity in the better eye with correcting lenses; or
- (b) An equally disabling loss of the visual field as evidenced by a limitation to the field of vision in the better eye to such a degree that its widest diameter subtends an angle of no greater than twenty degrees (20°).

Call Down – the process for making vacant vending facilities officially available to RSVFP vendors.

Department – the District of Columbia Department on Disability Services (DDS).

Director – the Director of the District of Columbia Department on Disability Services or the Director's designee.

Division of Services for the Blind - a division within the Department on Disability Services, Rehabilitation Services Administration, which provides vocational rehabilitation and entrepreneurial services to blind and sight-impaired individuals.

Due Process Remedies – the collective name for the rights/procedures outlined in Chapter 2 of this Title.

Informal administrative review meeting is an optional first step informal nonbinding, non-adversarial process that the Department on Disability Services/Rehabilitation Services Administration offers to individuals to resolve disputes about a licensing agency action arising from the operation or administration of the RSVFP. The vendor or RSVFP trainee meets

with the Chief of DSB to attempt resolution through interviews, negotiation, and document review.

License - a written instruction issued by the licensing agency to a blind person, authorizing that person to operate a vending facility on federal or other property.

Licensing Agency - the agency designated by the Mayor under this part to issue licenses to blind persons for the operation of vending facilities on federal and other property.

Management services - supervision, inspection, quality control, consultation, accounting, regulating, in-service training, and other related services provided on a systematic basis to support and improve vending facilities operated by blind vendors. It does not include those services or costs which pertain to the on-going operation of an individual facility after the initial establishment period.

Net proceeds - the amount remaining from the sale of articles or services of vending facilities, and any vending machine or other income accruing to blind vendors after deducting the cost of the sale and other expenses (excluding set-aside charges required to be paid by blind vendors).

Nominee - a nonprofit agency or organization designated by the licensing agency through a written agreement to act as its agent in the provision of services to blind licensees under the RSVFP.

Nominee agreement or **servicing agreement** - a written agreement that the licensing agency may enter into by which another agency or organization undertakes to furnish services to blind vendors, containing provisions that:

- (a) Clearly ensure the retention by the licensing agency of full responsibility for the administration and operation of all phases of the Program;
- (b) Provide that no set-aside charges will be collected from blind vendors except as specified in the agreement;
- (c) Specify that no nominee will be allowed to exercise any function with respect to funds for the purchase of new equipment or for ensuring a fair minimum of return to vendors, except to collect and hold solely for disposition in accordance with the order of the licensing agency any charges authorized for those purposes by the licensing agency;
- (d) Specify that only the licensing shall have control with respect to the selection, placement, transfer, financial participation and termination of

the vendors, and the preservation, utilization, and disposition of program assets; and

- (e) Specify the type and extent of the services to be provided under the agreement.

Party - a person admitted to participate in a hearing conducted pursuant to these rules. A complainant and any affected persons shall be entitled to be named parties. The licensing agency shall be deemed to be a party without the necessity of being so named.

Person - an individual, partnership, association, corporation, business trust, legal representative, or organized group of individuals or an agency, authority, or instrumentality of the Federal or District governments.

Proceeding - any formal action before a hearing examiner.

Randolph-Sheppard Vending Facilities Program (RSVFP) – the program which licenses blind vendors and provides ongoing support services, in accordance with the Randolph-Sheppard Vending Stand Act and 34 C.F.R. § 395.7.

Representative - any person authorized by a party to represent that party in a proceeding. Nothing in these rules shall be understood as requiring that a representative be an attorney.

RSVFP Trainee – an individual who:

- (a) is not a licensed vendor pursuant to the Randolph-Sheppard Vending Stand Act; and
- (b) is receiving vocational rehabilitation services / training pursuant to the Rehabilitation Act of 1973, and 34 C.F.R. § 395.11.

Set-aside funds - funds which accrue to the licensing agency from an assessment against the net proceeds of each vending facility in the District's RSVFP and any income from vending machines on federal property which accrues to the licensing agency.

State Committee of Blind Vendors - a committee established pursuant to Mayor's Order 77-131, dated August 8, 1977, as amended by Mayor's Order 78-22, dated January 12, 1978, to advise and consult with the Rehabilitation Services Administration on issues affecting the administration of the Blind Vendors Program.

State Licensing Agency – the State Agency designated by the Secretary, pursuant to 34 C.F.R. § 395 *et seq.*, to issue licenses to blind persons for the operation of vending facilities on Federal and other property.

Vending facility - automatic vending machines, cafeterias, snack bars, cart service, shelters, counters, and other appropriate auxiliary equipment that may be operated by blind licensees and which is necessary for the sale of newspapers, periodicals, confections, tobacco products, foods, beverages, and other articles or services dispensed automatically or manually and prepared on or off the premises in accordance with all applicable health laws, and including the vending or exchange of changes for any lottery authorized by District law and conducted by the licensing agency within the District.

Vending machine - for the purpose of assigning vending machine income under this chapter, a coin or currency operated machine which dispenses articles or services; Provided, that those machines operated by the United States Postal Service for the sale of postage stamps or other postal products and services, machines providing services of a recreational nature, and telephones shall not be considered to be vending machines.

Vendor - a blind licensee who is operating a vending facility on federal or other property.

All persons desiring to comment on these proposed regulations must submit them in writing by mail or email, no later than thirty (30) days from the date of publication of this notice in the *D.C. Register*. Mailed comments should be sent to: Andrew Reese, Deputy Director, Department on Disability Services/Rehabilitation Services Administration, 1125 15th Street NW, 9th Floor, Washington, D.C. 20005. Emailed comments should be submitted at ddsrsa-regcomments@dc.gov. Copies of these proposed regulations may be obtained from DDS/RSA's offices located at 1125 15th Street, NW; the Martin Luther King, Jr. Memorial Library, located at 902 G Street, NW; or online via DDS's website at www.dds.dc.gov.

DISTRICT OF COLUMBIA PUBLIC SCHOOLS

NOTICE OF EMERGENCY AND PROPOSED RULEMAKING

The Chancellor of the District of Columbia Public Schools (DCPS), pursuant to Section 103 of the District of Columbia Public Education Reform Amendment Act of 2007, effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-172(c) (2012 Repl.)), and Mayor’s Order 2007-186 (August 10, 2007), hereby gives notice of the adoption of the following emergency rulemaking. This emergency and proposed rulemaking will amend Section 2200 (Reporting) of Chapter 22 (Grades, Promotion, and Graduation) of Subtitle E, Title 5 (Education), of the District of Columbia Municipal Regulations (DCMR).

The purpose of the rulemaking is to add language regarding the dual credit process that DCPS intends to implement in the 2014-2015 school year, pursuant to the dual enrollment regulations implemented by the Office of the State Superintendent for Education (OSSE) contained in Chapter 24 (Dual Enrollment Regulations) of Subtitle A, Title 5 (Education) of the DCMR. The rulemaking is also making amendments to the numerical calculations and classifications of grades used within DCPS.

Emergency rulemakings are used only for the immediate preservation of the public peace, health, safety, welfare, or morals, pursuant to Section 6(c) of the District of Columbia Administrative Procedures Act, approved October 21, 1968 (82 Stat. 1206; D.C. Official Code § 2-505(c)(2012 Repl.)). This emergency rulemaking is necessitated by the immediate need to ensure that DCPS will be able to implement the dual credit option at the beginning of the 2014-2015 school year, and to allow students to begin planning to utilize the process in the Spring of 2014 as they plan their schedules for the Fall 2014 semester.

The rules were adopted on March 4, 2014 and became effective on that date. The rules will remain in effect for up to one hundred twenty (120) days, expiring on July 2, 2014, unless earlier superseded by a Notice of Final Rulemaking.

The proposed rulemaking will be submitted to the Council for a forty-five (45) day period of review. The Chancellor also hereby gives notice of the intent to adopt this rulemaking, in final, in not less than thirty (30) days from the publication of this notice in the *D.C. Register*, or upon approval of the rulemaking by the Council, whichever occurs later.

Section 2200 (Reporting) of Chapter 22 (Grades, Promotion and Graduation) of Subtitle E (Original Title 5), Title 5 (Education) of the DCMR is deleted and replaced with a new Section 2200 is to read as follows:

2200 REPORTING

2200.1 The marking or grading system of the District of Columbia Public Schools (DCPS) shall be designed to report fairly and accurately student progress and student achievement.

- 2200.2 All policies on marks (grades) and student progress reporting shall be established by DCPS and implemented by the Chancellor.
- 2200.3 The Chancellor shall establish the form(s) for the reporting of marks (grades) and student progress.
- 2200.4 The primary responsibility for evaluating the work of the student shall rest with the teacher.
- 2200.5 All students shall receive instruction leading to the achievement of the DCPS content standards.
- (a) English Language Learners (ELL) shall receive specialized instruction leading to the development of English language skills and the mastery of academic content. A student's mark (grade) in the content area shall not reflect the student's acquisition of English language skills but rather achievement of the content standards.
- (b) Students with disabilities shall receive instruction consistent with the DCPS standards. Individualized Education Plan (IEP) teams or student support teams in the case of 504 eligible students shall determine appropriate accommodations and curricular modifications where necessary. A student's mark (grade) shall not reflect that accommodations have been made.
- 2200.6 At the elementary level; pre-kindergarten through fifth (5th) grade; marks (grades) of 1 through 4 shall be assigned by the teacher to indicate the degree of achievement by a student of the standards in each content area as follows:
- 4 = exceeds the standard (Advanced);
3 = meets the standard (Proficient);
2 = approaches the standard (Basic); and
1 = does not meet the standard (Below Basic).
- For skills or/expectations within subject areas, sub-marks shall be given as follows:
- s = secure;
d = developing;
b = beginning; and
n = not introduced.
- 2200.7 At the Secondary level; sixth (6th) grade through twelfth (12th) grade; marks/grades of A through F shall be assigned by the teacher to indicate the degree of achievement by a student of the content standards in each course. Results of the end of course exam will count for no more than 20% of the final grade. Quality

Points (numerical value) shall be assigned to marks (grades) for use in calculating a student’s overall grade point average (GPA), and marks (grades) received in courses classified as Honors, Advanced Placement, International Baccalaureate, or Dual Credit shall receive higher numerical values than general courses due to the rigor and complexity of the coursework in those programs.

(a) Marks (grades) shall be as follows:

- A = 93 to 100,
- A- = 90 to 92;
- B+ = 87 to 89;
- B = 83 to 86;
- B- = 80 to 82;
- C+ = 79 to 77;
- C = 73 to 76;
- C- = 70 to 72;
- D+ = 67 to 69;
- D = 64 to 66; and
- F = 63 and below.

(c) Quality Points (numerical value) shall be assigned as follows:

	Credit	GPA	On Grade	Honors*	AP, IB or Dual Credit	
A (93%-100%)	Yes	Yes	4.0	4.5	5.0	
A- (90%-92%)	Yes	Yes	3.7	4.2	4.7	
B+(87%-89%)	Yes	Yes	3.3	3.8	4.3	
B (83%-86%)	Yes	Yes	3.0	3.5	4.0	
B- (80%-82%)	Yes	Yes	2.7	3.2	3.7	
C+(77%-79%)	Yes	Yes	2.3	2.8	3.3	
C (73%-76%)	Yes	Yes	2.0	2.5	3.0	
C- (70%-72%)	Yes	Yes	1.7	2.2	2.7	
D+(67%-69%)	Yes	Yes	1.3	1.8	2.3	
D (64%-66%)	Yes	Yes	1.0	1.5	2.0	
F 63% & below	No	Yes	0.0	0.0	0.0	
W	No	Null				W should be used if the student drops the course within three weeks of enrolling in the course.
L (late entry)	No	Null				Converts to AUD (audit) at end of following

						advisory if course is not completed.
I (incomplete.)	No	Null				Converts to F (63%) after 10 school days if coursework is not completed.
M (medical)	No	Null				M should be applied for a student on medical leave as verified by a doctor's note or hospital stay. M may be a final grade but confers no credit.
P (pass)	Yes	Null				
AUD (audit)	No	Null				May be used if a student receives permission from the teacher and principal prior to enrolling in the course.
S - satisfactory	No	Null				For use in homeroom or other non-academic time.
U-unsatisfactory	No	Null				

- *Honors: Intense courses which cover more content in greater depth than general courses of same subject;
- *Advanced Placement: College level courses following The College Board guidelines and testing system;
- *International Baccalaureate: Intense program of study following requirements of the International Baccalaureate Organization.
- *Dual Credit: Refers to the academic credit awarded at both the high school and partnering postsecondary institution after a student successfully completes a dual enrollment course

2200.8 Marks (grades) in courses failed and retaken for credit in grades kindergarten through 12 shall not replace previously earned marks (grades) for any given course, but are included in the student's cumulative Grade Point Average (GPA). Marks (grades) earned in extended education programs such as Summer School, STAY School and Evening Credit Recovery courses have the same credit and

GPA value as standard year courses.

- 2200.9 Mid and end of advisory reporting on student progress: Parents and students will be informed in writing on a regular basis of the progress made toward achieving the content standards. Toward that end, principals are responsible for effectively implementing the following process:
- (a) Parents must be notified, by the end of September, of the name and contact information for the school staff member they should call about concerns impacting their child's academic progress (academic, social or behavioral).
 - (b) If, by the mid-point of an advisory, a teacher considers a student at risk of failing to meet the standards, the teacher shall notify the parent, in writing, and if appropriate refer the student to the student support team.
 - (c) When a student has been identified as at risk of failing to meet the content standards, the principal, teacher(s) (bilingual/English as a Second Language (ESL) special education teacher where appropriate) and other designated staff shall work with the parents and the student to identify appropriate interventions. They may consider a variety of options including but not limited to:
 - (1) Examining and altering current instructional strategies or materials;
 - (2) Tutoring (during or after school);
 - (3) A change in schedule;
 - (4) Referral to other support, social service or health-related services;
 - (5) Problem-solving with other students or individuals who may have an impact on the student's achievement;
 - (6) A change in teacher; and
 - (7) Targeted instruction.
 - (d) If, by the close of the advisory, the problem persists and the student receives a mark (grade) of 2 or 1 at the elementary level or D or F at the secondary level in any of the core subjects, additional options will be considered, including:
 - (1) Referral to additional researched-based support options or alternative programs for more intensive services (pre-referral documentation must provide evidence that other interventions have

been attempted);

- (2) Access to additional instructional time (during the day, extended day or summer school); and
 - (3) Referral to student support team.
- (d) If, by the end of the academic year, the student fails to meet the content standards, an intervention plan will be developed by the current teacher and implemented during the summer and the following academic year.
 - (e) Parents will be engaged in the consideration of additional researched based intervention strategies and will be informed, in writing, of any decision resulting from the researched based intervention strategies.

2200.10 Teachers shall provide marks (grades) for each student and the school system shall issue report cards after the end of each advisory or/marketing period documenting the student's progress toward achieving the content standards. Report cards shall be distributed no later than 10 to 12 working days after the end of the advisory.

2200.11 All students who have not met the standards in a course or in a grade shall be notified no later than the last day of school in order to ensure timely enrollment in Summer School.

Comments on this rulemaking should be submitted, in writing, to Kaya Henderson, Chancellor, DCPS at 1200 First Street, NE, 12th Floor, Washington, D.C. 20002, no later than thirty (30) calendar days after the date of the publication of this notice in the *D.C. Register*. Additional copies of this rule are available from the above address.

GOVERNMENT OF THE DISTRICT OF COLUMBIA**ADMINISTRATIVE ISSUANCE SYSTEM**

Mayor's Order 2014-108
May 7, 2014

SUBJECT: Reappointments and Appointments – Metropolitan Washington Regional
Ryan White Planning 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.), pursuant to section 2602(a)(1) and (b)(1) of the Public Health Service Act of 1944, as amended by section 101 of the Ryan White Comprehensive AIDS Resources Emergency Act of 1990, approved August 18, 1990, 104 Stat. 576, Pub. L. 101-381, 42 U.S.C. § 300ff-12(a)(1) and (b)(1), and in accordance with Mayor's Order 2008-75, dated May 16, 2008, as amended by Mayor's Order 2010-35, dated February 12, 2010, and Mayor's Order 2012-63, dated April 30, 2012, it is hereby **ORDERED** that:

1. **REAPPOINTMENTS:** The following persons are reappointed to the Metropolitan Washington Regional Ryan White Planning Council (hereinafter referred to as "Council") for terms to end April 30, 2016:

**HENRY BISHOP
KEITH CALLAHAN
PATRICIA HAWKINS
STEPHEN BAILOUS
ORLANDO XAVIER HIXON
MAUREEN DEELY**

**MARTHA CAMERON
RONALD SCHERAGA
RONALD SWANDA
DAVID HOOVER
MELVIN CAUTHEN**

2. **APPOINTMENTS:** The following persons are appointed to the Council for terms to end April 30, 2016:

**GUY ANTHONY SHIELDS
JOHN HIGGS
SHARON COKER**

**PHILLIP BAILEY
EARLINE BUDD
JULIO FONSECA**

DONNA MARSCHALL is appointed to the Council, replacing James Brown, for a term to end April 30, 2016.

BRITTANY NASH is appointed to the Council, replacing Sharon Franks-Dunbar, for a term to end April 30, 2016.

BRANDON NICHOLS is appointed to the Council, replacing Herbert Dean Jackson, for a term to end April 30, 2016.

G. SCOTT SANDERS is appointed to the Council, replacing Shella Eng Fon, for a term to end April 30, 2016.


TESSA MCKENZIE is appointed to the Council, replacing Steven Sean Bailey, for a term to end April 30, 2016.

LAKISA BLOCKER is appointed as a government member to the Council, replacing Dr. Gregory Pappas, and shall serve in that capacity at the pleasure of the Mayor.

- 3. **EFFECTIVE DATE:** This Order shall be effective *nunc pro tunc* to April 30, 2014.



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 2014-109
May 8, 2014

SUBJECT: Appointment – Board of Architecture and Interior Designers

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 1002(a) of the Second Omnibus Regulatory Reform Amendment Act of 1998, effective April 20, 1999, D.C. Law 12-261, D.C. Official Code § 47-2853.06(a) (2012 Repl. and 2013 Supp.), which established the Board of Architecture and Interior Designers, it is hereby **ORDERED** that:

1. **CAMETRICK A. H. NESMITH**, who was nominated by the Mayor on February 18, 2014, and was deemed approved by the Council of the District of Columbia pursuant to Proposed Resolution 20-0661 on April 28, 2014, is appointed as a licensed architect member of the Board of Architecture and Interior Designers (hereinafter referred to as "Board"), replacing Genell Anderson, for a term to end November 13, 2015.
2. **KERRY TOUCHETTE**, who was nominated by the Mayor on February 26, 2014, and was deemed approved by the Council of the District of Columbia pursuant to Proposed Resolution 20-0669 on April 28, 2014, is appointed as a licensed interior designer member of the Board, replacing Walter Gagliano, for a term to end November 13, 2015.
3. **EFFECTIVE DATE:** This Order shall become effective immediately.



VINCENT C. GRAY
MAYOR

ATTEST:



CYNTHIA BROCK-SMITH
SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

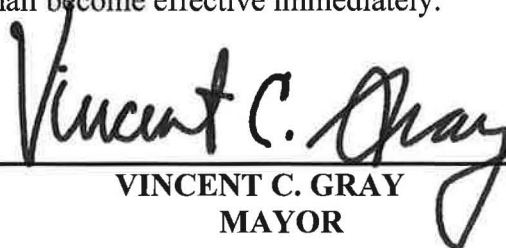
Mayor's Order 2014-110
May 8, 2014

SUBJECT: Re-Appointment – Real Property Tax Appeals Commission for the District of Columbia


ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia 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 2(b)(3) of the Real Property Tax Appeals Commission Establishment Act of 2010, effective April 8, 2011, D.C. Law 18-363, D.C. Official Code § 47-825.01a (2012 Repl. and 2013 Supp.), it is hereby **ORDERED** that:

1. **MAY S. CHAN**, who was nominated by the Mayor on April 1, 2014, and approved by the Council of the District of Columbia, pursuant to Proposed Resolution 20-0720, on May 6, 2014, is re-appointed as a member of the Real Property Tax Appeals Commission for the District of Columbia for a term to end April 30, 2018.
2. **EFFECTIVE DATE:** This Order shall become effective immediately.



 VINCENT C. GRAY
 MAYOR

ATTEST: 

 CYNTHIA BROCK-SMITH
 SECRETARY OF THE DISTRICT OF COLUMBIA

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF MEETING
CANCELLATION AGENDA
WEDNESDAY, MAY 28, 2014 AT 1:00 PM
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

The Board will be cancelling the following licenses for the reasons outlined below.

ABRA- 087074 - *The Dunes*- Retail - CX - 1400 - 1402 Meridian Place, NW
[Licensee requested cancellation of license.]

ABRA- 089601 - *VeraCruz*- Retail - CX - 2106-2108 Vermont Avenue, NW, 2nd Floor
[Licensee requested cancellation of license.]

ABRA- 087627 - *Spectrum*- Retail - CX - 1299 Pennsylvania Avenue, NW
[Licensee did not make 2nd Year Payment.]

ABRA- 087410 - *The Local Vine Cellar Wine & Spirits*- Retail - A - 1001 Pennsylvania Avenue, NW
[Enforcement confirmed that the Licensee is Out of Business and no longer operating.]

ABRA-000042-*Dakota Liquors*-Retail- A -5510 3rd Street, NE
[Enforcement confirmed that the Licensee is Out of Business and no longer operating.]

ABRA- 008469 – *Luigi's Restaurant*- Retail - CR - 1132 19th Street, NW
[Licensee did not make 2nd Year Payment.]

ABRA- 009229 – *Phillips Flagship*- Retail - CR - 900 Water Street, SW
[Licensee did not make 2nd Year Payment.]

ABRA- 060263 – *Palena*- Retail - CR - 3529 Connecticut Avenue, NW
[Licensee did not make 2nd Year Payment.]

Revised 5/2/2014

ABRA- 060301 – *Burma Restaurant*- Retail - CR - 740 6th Street, NW Unit B
[Licensee did not make 2nd Year Payment.]

ABRA- 060536 – *Sodexo @Intelsat*- Retail - CR - 3400 International Drive, NW
[Licensee did not make 2nd Year Payment.]

ABRA- 009238 – *Remington's Nightclub*- Retail - CN - 639 Pennsylvania Avenue, SE
[Licensee requested cancellation of license.]

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

**NOTICE OF MEETING
INVESTIGATIVE AGENDA**

**WEDNESDAY, MAY 28, 2014
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

On May 28, 2014 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#14-CMP-00137 Ulah Bistro, 1214 U ST NW Retailer C Restaurant, License#: ABRA-074175

2. Case#14-251-00113 LOOK, 1909 K ST NW Retailer C Restaurant, License#: ABRA-077812

3. Case#14-CC-00040 Cafe Milano, 3251 PROSPECT ST NW E Retailer C Restaurant, License#: ABRA-017247

4. Case#14-251-00118 Eye Bar/Garden of Eden, 1716 I ST NW Retailer C Nightclub, License#: ABRA-083133

5. Case#14-CMP-00181 Nooshi Capitol Hill, 524 8TH ST SE Retailer C Restaurant, License#: ABRA-085618

6. Case#14-CMP-00183 Paul Bakery, 801 Pennsylvania AVE NW Retailer D Restaurant, License#: ABRA-086639

7. Case#14-CMP-00194 NY NY Diva, 2406 - 2408 18th ST NW Retailer C Restaurant, License#: ABRA-092380

8. Case#14-CMP-00196 Lupo Verde, 1401 T ST NW Retailer C Restaurant, License#: ABRA-088527

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF MEETING
LEGAL AGENDA

WEDNESDAY, MAY 28, 2014 AT 1:00 PM
2000 14th STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

1. Review of letter dated May 13, 2014 from James Nixon. *NY NY Diva*, 2406-2408 18th Street NW, Retailer CR, Lic#: 92380.

2. Review of Settlement Agreement dated May 12, 2014 between The Big Stick LLC, and ANC 6D. *The Big Stick*, 20 M Street SE, Retailer CR, Lic#: 94844.

3. Review of Proposed Amendment to Settlement Agreement dated May 12, 2014 between 1214 CT LLC, ANC 2B and Group of 5 or more. *Rosebar*, 1215 Connecticut Avenue NW, Retailer CT, Lic#: 77883.

4. Review of Settlement Agreement dated May 14, 2014 between Heritage India/The Zanzibar and ANC 2B. *The Zanzibar*, 1901 Pennsylvania Avenue NW, Retailer CR, Lic#: 90050.

5. Review of two (2) request from E & J Gallo to provide retailers with products valued at more than \$50 and less than \$500.

* 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
LICENSING AGENDA

WEDNESDAY, MAY 28, 2014 AT 1:00 PM
2000 14th STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

1. Review Request for Change of Hours. *Approved Hours of Operation, Sales and Consumption*: Sunday 10am to 2am. Monday-Thursday 5pm to 2am. Friday 5pm to 3am. Saturday 10am to 3am. *Proposed Hours of Operation and Sales*: Sunday-Thursday 10am to 2am. Friday and Saturday 10am to 3am. ANC 1B. SMD 1B01. No Outstanding Fines/Citations. No pending enforcement matters. No Conflict with Settlement Agreement. *All Souls*, 725 T Street NW, Retailer CT, License No. 088179.

2. Review Request for Change of Hours. *Approved Hours of Operation and Sales*: Sunday –Saturday 9am to 10pm. *Proposed Hours of Operation and Sales*: Sunday-Saturday 7am to 12am. ANC 5D. SMD 5D02. No Outstanding or Pending Fines/Citations. No conflict with Settlement Agreement. *Northeast Market*, 1201 Mount Olivet Road NE, Retailer B, License No. 094097.

3. Review existing BZA Order for approved retailer application. ANC 4B. SMD 4B06. *The V.I.P. Room*, 6201 3rd Street NW, Retailer CT, License No. 094561.

4. Review application requesting safekeeping for six (6) months. ANC 2E. SMD 2E05. *Zenobia Lounge*, 1025 31ST Street NW, Retailer CR, License No. 085003.

5. Review Application for Manager’s License. *Kevin D. Norris* ABRA-095214.
6. Review Application for Manager’s License. *Christopher M. Metts* ABRA-095272.
7. Review Application for Manager’s License. *Jose M. Gonzalez* ABRA-094361.

***In accordance with D.C. Official Code §2-574(b) of the Open Meetings Amendment 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.**

**DEPARTMENT OF BEHAVIORAL HEALTH
NOTICE OF FUNDING AVAILABILITY (NOFA)**

Prevention Centers (Wards 3 & 4 and Wards 7 & 8)

Purpose/Description of Project

The Government of the District of Columbia Department of Behavioral Health (DBH) Addiction Prevention and Recovery Administration (APRA) has available funding for qualified non-profit and for-profit community-based organizations currently addressing community, public health, substance abuse and behavioral health issues in the DC communities to continue Prevention Centers in Wards 3 & 4 and Wards 7 & 8. The Prevention Centers were developed to strengthen community capacity, address needed community and system changes, reduce substance abuse risk factors, and achieve target outcomes for District children and youth. These Centers are envisioned as dynamic hubs that engage, support, and help connect the many community elements that are needed for promoting healthy children, youth, and families as well as a drug-free city.

Eligibility

Qualified non-profit and for-profit community-based organizations and collaboratives addressing community, public health, substance abuse, and behavioral health issues are eligible and invited to submit applications. Current DC Prevention Center (DCPC) grant recipients are eligible to apply for the Request for Application (RFA) if they establish an office and have a physical presence in the proposed Wards (Wards 3 & 4 and Wards 7 & 8) and meet RFA qualifications.

Review Factors

All applications will be objectively reviewed and scored against the criteria specified in the RFA.

Length of Award

The grant will be for a period of one year from the date of award. The grant may be continued for up to four additional years based on documented project success and availability of funding. Grant recipients will be expected to begin project implementation on October 1, 2014, or after the Year 1 Work Plan and Budget and Budget Narrative has been approved by DBH/APRA.

Available Funding

Approximately \$420,000 will be available each year through September 30, 2019 to fund two Prevention Centers (one in Wards 3 & 4 and one in Wards 7 & 8) in the amount of \$210,000 each to provide access to substance abuse prevention to strengthen communities as places where children and youth are healthy and drug free.

These grants will be awarded by DBH/APRA using funds provided by the United States Department of Health and Human Services (DHHS), Substance Abuse and Mental Health Services Administration (SAMHSA) through the Substance Abuse Prevention and Treatment (SAPT) Block Grant.

Anticipated Number of Awards

Two

Time and Location to Obtain RFA

The Request for Applications (RFA No. DBH PC060914) will be released Monday, June 9, 2014. The RFA will be posted on the Department of Behavioral Health website and on the Office of Partnerships and Grant Services website, www.opgs.dc.gov under the District Grants Clearinghouse. Copies may also be picked up at DBH/APRA offices, 1300 First Street NE, Washington, DC 20002, 3rd Floor (Room 334/Lynne Saffell) beginning Monday, June 9, 2014 from 8:15 a.m. – 4:45 p.m.

Pre-Application Conference

A pre-application conference will be held at DBH/APRA, 1300 First Street NE, Washington, DC 20002, 3rd Floor Conference Room (Room 340) on Wednesday, June 18, 2014 from 1:00 p.m. - 3:00 p.m. Please contact Lynne Saffell at lynne.saffell@dc.gov or (202) 727-8500 for additional information.

Deadline for Applications

The deadline for submission is Wednesday, July 9, 2014, at 4:45 p.m., Daylight Savings Time (DST). Late or incomplete applications will not be forwarded for review.

DEPARTMENT OF BEHAVIORAL HEALTH**NOTICE OF FUNDING AVAILABILITY (NOFA)****Project Orion Citywide Medical Mobile Outreach Vehicle****Purpose/Description of Project**

The Government of the District of Columbia Department of Behavioral Health (DBH) Addiction Prevention and Recovery Administration (APRA) has available funding for a qualified non-profit or for-profit organization to manage, facilitate, and operate a Medical Mobile Outreach Vehicle to reduce the spread of substance use and mental health disorders, HIV/AIDS, and infectious diseases. The Medical Mobile Outreach Vehicle will provide a number of services, including outreach, infectious disease screening, general medical care, substance use and mental health screenings, educational interventions, and case management services for substance use and mental health disorders.

Eligibility

Qualified non-profit and for-profit District of Columbia-based organizations and collaboratives addressing substance use and mental health disorders, HIV/AIDS, and infectious disease issues are eligible and invited to submit applications. Consortiums, collaborations, and partnership groups are eligible if a Lead Agency is named in the application and administers the grant. Additionally, qualified applicant must have the ability to bill Medicaid.

Review Factors

All applications will be objectively reviewed and scored against the criteria specified in the RFA.

Length of Award

The grant will be for a period of one year from the date of award. The grant may be continued for up to four additional years based on documented project success and availability for funding. Grant recipients will be expected to begin project implementation on October 1, 2014, or after the Year 1 Work Plan and Budget and Budget Narrative Justification has been approved by DBH/APRA.

Available Funding

\$300,000 will be available each year through September 30, 2019 to fund one Medical Mobile Outreach Vehicle. This grant will be awarded by DBH/APRA using funds provided by the United States Department of Health and Human Services (DHHS), Substance Abuse and Mental Health Services Administration (SAMHSA) through the Substance Abuse Prevention and Treatment (SAPT) Block Grant.

Anticipated Number of Awards

One

Time and Location to Obtain RFA

The Request for Applications (RFA No. DBH MV060614) will be released Friday, June 6, 2014. The RFA will be posted on the Department of Behavioral Health website and on the Office of Partnerships and Grant Services website, www.opgs.dc.gov under the District Grants Clearinghouse. Copies may also be picked up at DBH/APRA offices, 1300 First Street NE, Washington, DC 20002, 3rd Floor (Reception Area) beginning Friday, June 6, 2014 from 8:15 a.m. – 4:45 p.m.

Pre-Application Conference

A Pre-Application conference will be held at DBH/APRA, 1300 First Street NE, Washington, DC 20002, 3rd Floor Conference Room (Room 340), Tuesday, June 17, 2014, from 10:30am – 12:30pm. Please contact Michael Snoddy at michael.snoddy@dc.gov, or (202) 535-1263 for additional information.

Deadline for Applications

The deadline for submission is Wednesday, July 9, 2014 at 4:45 pm. Daylight Savings Time (DST). Late or incomplete applications will not be forwarded for review.

CEDAR TREE ACADEMY**REQUEST FOR PROPOSALS
Marketing and Professional Development Services**

Cedar Tree Academy Public Charter School invites proposals for Marketing and Professional Development contracts for 2013-2014. Bid specifications may be obtained on our website at www.cedartree-dc.org. Any questions regarding this bid must be submitted in writing to lhenderson@cedartree-dc.org before the RFP deadline. Bids must be submitted to: Dr. LaTonya Henderson, Executive Director/Principal, Cedar Tree Academy Public Charter School, 701 Howard Road, SE, Washington, DC 20020.

Cedar Tree Academy will receive bids until Friday, June 6, 2014 and no later than 2:00 p.m.

Cesar Chavez Public Charter Schools for Public Policy

REQUEST FOR PROPOSALS

The Cesar Chavez Public Charter for Public Policy Schools solicits Request for Proposals consulting bus transportation service for athletic events for Cesar Chavez Public Charter School.

The full text of the proposal is available upon request by sending an email to:
Chavezbids@chavezschools.org

Email questions to Chavezbids@chavezschools.org with the subject line as “Cesar Chavez Bus Proposal”.

Proposals are due not later than: May 27, 2014; 12:00pm

Please email proposals to it. Chavezbids@chavezschools.org

**DISTRICT DEPARTMENT OF THE ENVIRONMENT
NOTICE OF FUNDING AVAILABILITY**

**GRANTS for
Anacostia River Educational Boat Tours**

The District Department of the Environment (“DDOE”) is seeking nonprofit organizations or educational institutions to develop and conduct educational boat tours of the Anacostia River. DDOE seeks to educate the public about the history of the Anacostia River and to raise awareness of human impacts and how to minimize them.

Beginning 5/23/2014, the full text of the Request for Applications (“RFA”) will be available online at DDOE’s website. It will also be available for pickup. A person may obtain a copy of this RFA by any of the following means:

Download by visiting the DDOE’s website, www.ddoe.dc.gov. Look for the following title/section, “Resources,” click on it, cursor over the pull-down “Grants and Funding,” click on it, then, on the new page, cursor down to the announcement for this RFA. Click on “read more,” then choose this document, and related information, to download in PDF format;

Email a request to 2014BoattoursDCRFA.grants@dc.gov with “Request copy of RFA 2014-09-SWMD” in the subject line;

In person by making an appointment to pick up a copy from the DDOE offices 5th floor reception desk at 1200 First Street NE, 5th Floor, Washington, DC 20002 (call Michael DeVito at (202) 645-4231 and mention this RFA by name);
or

Write DDOE at 1200 First Street NE, 5th Floor, Washington, DC 20002, “Attn: Request copy of RFA 2014-09-SWMD” on the outside of the letter.

The deadline for application submissions is 6/20/2014, at 4:30 p.m. Five hard copies must be submitted to the above address and a complete electronic copy must be e-mailed to 2014BoattoursDCRFA.grants@dc.gov.

Eligibility: All the checked institutions below may apply for these grants:

- Nonprofit organizations, including those with IRS 501(c)(3) or 501(c)(4) determinations;
- Faith-based organizations;
- Government agencies; and
- Universities/educational institutions.

Period of Awards: The end date for the work of this grant program will be .

Available Funding: The total amount available for this RFA is approximately \$160,000.00. The amount is subject to continuing availability of funding and approval by the appropriate agencies.

For additional information regarding this RFA, please contact DDOE as instructed in the RFA document, at 2014BoattoursDCRFA.grants@dc.gov.

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 permit #6872 to operate one (1) 230 kW diesel-fired emergency generator set at the United States Department of Agriculture (USDA) property located at 1400 C Street SW, Court 2, South Building, Washington DC 20250. The contact person for the facility is Ed Hogberg at (202) 809-4663.

The proposed emission limits are as follows:

- a. Visible emissions shall not be emitted into the outdoor atmosphere from the 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]
- b. 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]

The estimated emissions from the Emergency Generator are as follows:

Pollutant	Maximum Annual Emissions (tons/yr)
Carbon Monoxide (CO)	0.69
Oxides of Nitrogen (NO _x)	3.201
Total Particulate Matter , PM (Total)	0.227
Sulfur Dioxide (SO _x)	0.212
Volatile Organic Compounds (VOCs)	0.255

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 public 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 June 23, 2014 will be accepted.

For more information, please contact Stephen S. Ours at (202) 535-1747.

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 permit #6873 to operate one (1) 25 kW diesel-fired emergency generator set at the United States Department of Agriculture (USDA) property located at 1400 Independence Avenue SW, Whitten Building, Subcentral Vault, Washington DC 20250. The contact person for the facility is Ed Hogberg at (202) 809-4663.

The proposed emission limits are as follows:

- a. Visible emissions shall not be emitted into the outdoor atmosphere from the 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]
- b. 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]

The estimated emissions from the Emergency Generator are as follows:

Pollutant	Maximum Annual Emissions (tons/yr)
Carbon Monoxide (CO)	0.0601
Oxides of Nitrogen (NO _x)	0.279
Total Particulate Matter , PM (Total)	0.0198
Sulfur Dioxide (SO _x)	0.0185
Volatile Organic Compounds (VOCs)	0.0222

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 public 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 June 23, 2014 will be accepted.

For more information, please contact Stephen S. Ours at (202) 535-1747.

DISTRICT DEPARTMENT OF THE ENVIRONMENT

FISCAL YEAR 2014

PUBLIC NOTICE**AIR QUALITY TITLE V OPERATING PERMIT AND
GENERAL PERMIT FOR
SAINT ELIZABETHS HOSPITAL EAST CAMPUS**

Notice is hereby given that the District of Columbia Department of Behavioral Health has applied for a Title V air quality permit pursuant to the requirements of Title 20 of the District of Columbia Municipal Regulations, Chapters 2 and 3 (20 DCMR Chapters 2 and 3) to operate the following emission units and miscellaneous sources: two 6.0 MMBtu/hr dual-fuel boilers; two 1.0 MMBtu/hr dual-fuel hot water heaters; two 0.6 MMBtu/hr dual-fuel hot water heaters; two 2,000 kW emergency generators, two 8,000-gallon underground storage tanks, natural gas kitchen stoves and fryers, and one wet cooling tower, at the Saint Elizabeths Hospital, East Campus, located at 1100 Alabama Avenue SE, Washington, DC. The contact person for the facility is Mr. Yorick Uzes, at (202) 299-5902.

Saint Elizabeths Hospital-East Campus (SEHEC) has the potential to emit 49.02 tons per year (TPY) of nitrogen oxides (NO_x), 0.163 TPY of sulfur dioxide (SO₂), 2.80 TPY of particulate matter (PM), 1.46 TPY of volatile organic compounds (VOC), 15.60 TPY of carbon monoxide, and 0.000652 TPY of lead.

With the potential to emit approximately 49.02 tons per year of oxides of nitrogen (NO_x), the source has the potential to emit greater than the District's major source threshold of 25 tons per year of NO_x. Therefore, the facility is classified as a major source of air pollution and is subject to 20 DCMR Chapter 3 and must obtain an operating permit under that regulation.

The District Department of the Environment (DDOE) has reviewed the permit application and related documents and has made a preliminary determination that the applicant meets all applicable air quality requirements promulgated by the U.S. Environmental Protection Agency (EPA) and the District. Therefore, draft permit #031-R1 has been prepared.

The application, the draft permit, and all other materials submitted by the applicant [except those entitled to confidential treatment under 20 DCMR 301.1(c)] considered in making this preliminary determination are available for public review during normal business hours at the offices of the District Department of the Environment, 1200 First Street NE, 5th Floor, Washington DC 20002.

A public hearing on this permitting action will not be held unless DDOE has received a request for such a hearing within 30 days of the publication of this notice. Interested parties may also submit written comments on the permitting action. Hearing requests or comments should be directed to Stephen S. Ours, DDOE Air Quality Division, 1200 First Street NE, 5th Floor, Washington DC 20002. Questions about this permitting action should be directed to John C.

Nwoke at (202) 724-7778 or john.nwoke@dc.gov. Comments or hearing requests will not be accepted after June 23, 2014.

THE DC DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

STAKEHOLDER FORUM SERIES

NEW STREAMLINED PADD/DFD APPLICATION AND SOLICITATION INITIATIVE

This presentation will provide an overview of a new streamlined solicitation process designed to allow non-profit and for profit developers the opportunity to respond to a single solicitation for the acquisition of property and gap finance funding.

Date: Wednesday, June 11, 2014
Time: 10:00 am – 1:00 pm
Location: DHCD, Housing Resource Center
1800 Martin Luther King Jr., Avenue, SE
Washington, DC 20020
Garage and street parking available

For additional information or questions please contact Andrea Lee at andrea.lee@dc.gov or by phone at (202) 442-1355.

DHCD Headquarters | 1800 Martin Luther King, Jr. Avenue, SE | Washington, DC 20020
Michael P. Kelly, Director

**DISTRICT OF COLUMBIA HOUSING FINANCE AGENCY
BOARD OF DIRECTORS MEETING**

May 27, 2014
815 Florida Avenue, NW
Washington, DC 20001
5:30 pm

AGENDA

- I. Call to order and verification of quorum.
- II. Approval of minutes from the May 13, 2014 board meeting.
- III. Interim Executive Director's Report.
- IV. Other Business
 - Parkway Overlook
- V. Adjournment.

DEPARTMENT OF HUMAN RESOURCES**PUBLIC NOTICE****ESTABLISHMENT OF NEW CLASSIFICATION SYSTEM**

Pursuant to D.C. Official Code §§ 1-611.01(c) and 1-611.02(d), notice is hereby given that the Department of Human Resources (DCHR) will be implementing a new employment classification system.

The District's Job Evaluation System is a new and modern system that supports the District's strategic goal to recruit, manage and retain a well-qualified and diverse workforce. The new system will:

- Be independent of the Federal government's classification system;
- Be easier and more flexible to administer;
- Reduce the amount of time it takes to recruit and fill positions;
- Be automated and link seamlessly to the PeopleSoft System;
- Better reflect the work performed by District government employees;
- Provide a common platform for organizing, assigning, and managing jobs;
- Identify career paths within the District government; and
- Ensure compensation is competitive, equitable, and fiscally sound.

The District's Job Evaluation System will also replace the position classification standards that are used under the Federal classification system with Job Equivalency Model's Classification Guidelines that will provide information that will be used in determining the service type and job titles for the job.

The Job Equivalency Model

The Job Equivalency Model (JEM) classification approach is a systematic process of evaluating jobs that considers both the internal and external values of a job. The JEM process will be used to establish internal equity among jobs and to develop a foundation for a job ranking. Key differences from the District's current approach include:

- Focus on external markets in addition to internal equity;
- Flexible to create new classifications based on business needs and market changes;
- Greater control over own classification process; and
- Consolidates similar job functions into job families and job groups.

The JEM process will be used to assign a quantitative value to each distinct job and then determine a valid compensation range. The numerical point value assigned to each job, which is based on compensable factors for each service type, establishes the relative pay differences within the organization. The intended outcome of the JEM evaluation process is a position-level salary plan, pay plan and grade.

Applicability

The District's Job Evaluation System will cover approximately 18,000 represented and non-represented employees, from all agencies under the personnel authority of the Mayor, in addition to several independent agencies. This excludes sworn members of the Metropolitan Police Department, firefighters in the Fire and Emergency Medical Services Department, and personnel in the D.C. Public Schools.

Components of the New System

The following are new and significant components of the District's Job Evaluation System:

- Service Type;
- Job Family;
- Job Title;
- Job Level;
- Compensable Factor;
- Grade;
- Job Specification;
- Job Classification Review/Audit Process; and
- Job Classification Appeals Process.

1. Service Type

Each job is assigned a service type based on the nature of work performed. Assigned service types allow for jobs to be grouped in broad categories. Each job shall be grouped in one (1) of the following service types:

- **Administrative Support and Clerical:** Performs standardized job duties which support coordination and workflow of a department/agency/program. Typically, responsible for coordinating the completion of work products and/or supporting the organization through administrative support and/or research.
- **Technician and Paraprofessional:** Performs work that requires specialized knowledge typically gained through a combination of specialized on-the-job training, experience and

possibly vocational courses. For some jobs, duties require specialized manual, procedural, technical or mechanical skills and a comprehensive knowledge of work processes acquired through an apprenticeship, training academy or other specialized training program.

- **Professional:** Performs work that requires constant application of advanced knowledge usually acquired through a college degree in a recognized field, work experience or other specialized training. May also serve as an administrative professional (non-clerical, non-people management) that applies knowledge learned through experience with duties that involve regular process management, analysis, research, original content development, and judgment applied to a professional body of work.
- **General Labor & Skilled Trades:** Performs work that is accomplished through specialized skills gained through a combination of work experience and training. Jobs in this area require a combination of basic knowledge of reading and writing as well as manual skills. Tasks, methods, processes and procedures are accomplished using a combination of adherence to safety requirements, established techniques, published and/or oral instructions, or documented precedent. For some jobs, duties require specialized manual, procedural, technical or mechanical skills and a comprehensive knowledge of work processes acquired through an apprenticeship, training academy or other specialized training program.

2. Job Family

Job families are groups of jobs in similar industries. Below are the job families that have been defined in the new classification system:

- Accounting and Finance;
- Administrative Support and Clerical;
- Architecture and Engineering;
- Communications, Marketing and Public Affairs;
- Corrections;
- Cross Function;
- Economics;
- Education;
- Elections;
- Emergency and Safety;
- Employment Services and Human Capital;
- Environmental Services;
- Equipment, Facilities and Services;

- Food Service;
- Health and Medical;

4

- Human Services;
- Information Technology;
- Insurance, Banking and Securities;
- Investigations;
- Law Enforcement and Security;
- Learning and Development;
- Legal;
- Legislative;
- Library Services;
- Logistics;
- Parks and Recreation;
- Planning;
- Procurement;
- Program and Project Management;
- Quality Control;
- Real Estate and Housing;
- Records, Research, Reporting and Analytics; and
- Regulatory and Compliance.

3. Job Title

New job titles will reflect consistent application of terms, such as, Analyst, Coordinator, Representative, Specialist, Technician, etc. Where there are multiple levels or progressions, the progression is distinguished using a numeric level such as I, II, III, etc.

4. Job Level

Each job shall be assigned a specific job level which is determined by and based upon the compensable factors of the job. Some job groups may not have multiple levels and may exist at a single level. The job levels are defined as follows:

- **Level “I” represents (Entry).** This level indicates that assigned work is of less complexity and scope than the intermediate level. Applies basic knowledge and principles to work that is closely managed. These jobs generally follow specific, outlined procedures.
- **Level “II” represents (Intermediate).** This level requires the application of working knowledge, competencies and skills needed to perform all aspects of the job, under general supervision, in the completion of basic to moderately complex work. This is the

most typical and predominant level of the job.

5

- **Level “III” represents (Specialist/Advanced).** This level consistently applies extensive and advanced knowledge to complex work that requires a skilled and experienced practitioner to function independently. An incumbent at this level is typically required to interpret conflicting rules or practices, a range of possible solutions or other elements that contribute to complex work. Typically, fully authorized to plan, prioritize and handle all duties within their assigned area of responsibility.
- **Level “IV” represents (Senior Specialist/Lead).** This level is typically found in the Administrative Support and Clerical, Technical and Skilled Trades role profiles where the incumbent serves as a lead worker.
 - (a) A Senior Specialist designation is used in the Professional Job Leveling Guide. This job regularly performs highly complex, specialized professional duties. This job applies technical knowledge relative to a specialized field of work and/or industry and may have responsibility for reviewing and integrating the work efforts of other jobs.
 - (b) A Lead is typically found in the Administrative Support and Clerical, the Technician and Paraprofessional, and the General Labor and Skilled Trades Job Leveling Guide where the incumbent serves as a lead worker. This job is expected to handle escalated issues from other staff and serves as a direct technical resource to the team. This job performs similar duties of other employees in the job group, but has additional responsibilities to train, assign work, balance workload, review work, or provide input on performance of at least one District employee on an ongoing basis.
- **Level “V” represents (Principal).** This level is used to describe jobs that perform highly complex professional duties that operate at a strategic level and influence the direction of the District and its ability to serve the citizens. These jobs are expected to provide strategic business/scientific expertise with expectations for innovation and solving problems with minimal precedent. This job applies technical knowledge relative to a specialized field of work and/or industry.

5. Compensable Factor

The compensable factors are used to determine the classification of the position and ultimately the grade of the job. The following eight (8) compensable factors shall be used to determine the grade of a job:

- Leadership;
- Communications and Customer Service;

- Decision Making;
- Impact of Decisions;
- Work Complexity;
- Education;
- Work Experience; and
- Work/Environmental Conditions.

6. Grade

The existing numeric grade system under the Federal classification system has been replaced with an alpha numeric system. For example, grade levels 1 through 5 will now be grade levels A through E.

7. Job Specification

The job specification will replace the official position description document that is used under the Federal classification system. A job specification is the official document that will be used to describe the duties, responsibilities, skills and compensable factors for a specific job. The job specification will include information on the following:

- Job Title;
- Job Code;
- Job Family;
- Pay Grade;
- Sub-Family;
- FLSA Status;
- EEO Code;
- Service Type;
- Job Summary;
- Distinguishing Characteristic;
- Illustrative Duties & Responsibilities;
- Competencies;
- License, Certification and Other Requirements;
- Education;
- Experience; and
- Working/Environmental Conditions.

The job specification will also include information on the qualification requirements for the job. Under the current system, the U.S. Office of Personnel Management's Qualification Standards Operating Manual and Handbook X-118C are used as guides on qualification requirements for jobs. However, qualification requirement information is not currently included in the official position description.

8. Request for Review/Audit of the Classification of a Job

The JEM process will include a classification review/audit process that will allow an employee of a position, the incumbent's supervisor, or the incumbent's designee to request a review of the classification assignment of the position from the agency's HR Authority, in accordance with personnel regulations.

The employee may submit the request to the personnel authority for resolution, provided that there is no response from the agency HR Authority within thirty (30) calendar days or disagreements over classification decisions cannot be resolved at the agency level. The decision and action taken by the personnel authority shall be the final decision.

9. Job Classification Appeals Process

The JEM process will also establish a Job Classification Appeals Process that will allow decisions issued by the personnel authority on classification reviews that result in a demotion of job level or reduction in pay to be appealed by the employee, or his or her designee, to the Job Classification Appeals Board (JCAB).

Before an employee initiates a classification appeal, the following criteria must be met:

- The job in question must have been classified using existing classification records and applicable methodology;
- The employee or his or her designee must initiate the appeal within 15 working days of receipt of a decision issued by the personnel authority on a classification audit request, and the appeal must be written in accordance with the procedures and format issued by the personnel authority; and
- The grounds for any appeal must be the same as those presented to the personnel authority at the time of the initial "Request for Audit" of the job.

For more information on the new District's Job Evaluation System, please contact:

Karla Kirby
Associate Director, Administration for Recruitment and Classification
D.C. Department of Human Resources
441 4th Street, N.W., Suite 330-South
Washington, D.C. 20001
202.442-9700 (Office)
classificationreform.dchr@dc.gov

**MARY MCLEOD BETHUNE DAY ACADEMY
PUBLIC CHARTER SCHOOL**

NOTICE: FOR PROPOSALS FOR MULTIPLE SERVICES

In accordance with section 2204(c) of the District of Columbia School Reform Act of 1995, Mary McLeod Bethune Day Academy solicits proposals for the following services:

- Installation of Variable Refrigerant Flow HVAC System
- Grocery Products and consumables for School Food Service
- Special Education Contracted Services including Speech Therapy, Occupational Therapy, Physical Therapy

For additional information including scopes of work and bid guidelines, please email purchasing@mmbethune.org.

Proposals shall be received no later than 5:00 P.M., Friday, June 13, 2014.

Please submit all proposals via e-mail to purchasing@mmbethune.org

MERIDIAN PCS
REQUEST FOR PROPOSALS

IT Services

The Meridian Public Charter School will receive Bids until Friday 6/6/2014 for the following:

1. Delivery of IT services to include:

a. Unified Management for the following environment

- i. 5 Client Owned Servers
- ii. 2 Routers, Firewalls and Core Switches
- iii. 18 Edge Switches and Access Points
- iv. 9 Network Appliances
- v. Including
 1. Windows updates and patch management; Asset inventory
 2. Proactive server management and anti-virus protection*
 3. Remote 24 x 7 server monitoring, alert remediation
 4. Managed server backup - local backup device required

b. Help Desk and Remote Support

- i. Standard Hours are Mon - Fri 7 a.m. to 7 p.m., in the time zones of supported locations, excluding public holidays

c. On-site Support

- i. Standard Hours for On-Site Support are Monday to Friday, 8 a.m. to 6 p.m., in the time zones of supported locations, excluding public holidays
- ii. During Standard Hours and Outside of Standard Hours

d. Included Services

- i. Guidebook documentation; Itemized monthly billing; Secure Client Portal
- ii. Management of escalations to telecommunications and software providers
- iii. Procurement Services; Assistance with hardware & software purchasing

Specific proposal for bids and all necessary criteria may be obtained from:

Darin A. Knicely, Ed.S.
Chief Officer of Accountability
Meridian Public Charter School
dknicely@meridian-dc.org

**THE NOT-FOR-PROFIT HOSPITAL CORPORATION
BOARD OF DIRECTORS
NOTICE OF PUBLIC MEETING**

The monthly Governing Board meeting of the Board of Directors of the Not-For-Profit Hospital Corporation, an independent instrumentality of the District of Columbia Government, will be held at 9:00 a.m. on Thursday, May 22, 2014. The meeting will be held at 1310 Southern Avenue, SE, Washington, DC 20032, in Conference Room 2/3. Notice of a location or time change will be published in the D.C. Register, posted in the Hospital, and/or posted on the Not-For-Profit Hospital Corporation's website (www.united-medicalcenter.com).

DRAFT AGENDA

I. CALL TO ORDER

II. DETERMINATION OF A QUORUM

III. APPROVAL OF AGENDA

IV. CONSENT AGENDA

A. READING AND APPROVAL OF MINUTES

1. April 24, 2014 – General Board Meeting

B. BOARD EDUCATION SESSION

1. Pam Lee - Customer Centric Healthcare-what is UMC doing/results

C. EXECUTIVE REPORTS

1. Dr. Cyril Allen, Chief Medical Officer
2. Maribel Torres, VP of Nursing
3. Pamela Lee, VP of Hospital Operations
4. Jackie Johnson, VP of Human Resources
5. John Wilcox, Chief Information Officer

V. NONCONSENT AGENDA

A. CHIEF EXECUTIVE REPORTS

1. Michael Davis, CFO
2. David Small, CEO

B. MEDICAL STAFF REPORT

1. Dr. Gilbert Daniel, Chief of Staff

C. COMMITTEE REPORTS

1. Governance Committee Report
2. Strategic Steering Committee Report
3. Finance Committee Report

D. OTHER BUSINESS

1. Old Business
2. New Business

E. ANNOUNCEMENT

1. The next Governing Board Meeting will be held at 9:00am, Thursday, June 26, 2014.

F. ADJOURNMENT

NOTICE OF INTENT TO CLOSE. The NFPHC Board hereby gives notice that it may close the meeting and move to executive session to discuss contracts, settlements, collective bargaining agreements, personnel, discipline, and investigations of alleged criminal or civil misconduct. D.C. Official Code §§2-575(b)(2)(4A)(5),(9),(10),(14).

**OFFICE OF THE DEPUTY MAYOR FOR
PLANNING AND ECONOMIC DEVELOPMENT**

**NOTICE OF PUBLIC MEETING REGARDING
SURPLUS RESOLUTION PURSUANT TO D.C. OFFICIAL CODE §10-801**

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

- Property:** Southeast intersection of Riggs Road, N.E. and South Dakota Avenue, N.E.
PAR 01250030
- Date:** Tuesday, June 10th, 2014
- Time:** 6:30 p.m.
- Location:** Riggs-LaSalle Recreation Center
501 Riggs Road, N.E.
Washington, DC 20011
- Contact:** Marc Bleyer, Marc.Bleyer@dc.gov

**DISTRICT OF COLUMBIA
STATE HISTORIC PRESERVATION OFFICER**

**NOTICE OF INTENT TO NOMINATE HISTORIC DISTRICTS
TO THE NATIONAL REGISTER OF HISTORIC PLACES**

The State Historic Preservation Officer hereby provides public notice of his intent to nominate the following historic district to the National Register of Historic Places. The Historic Preservation Review Board recently designated these properties as a historic district after duly noticed public hearings. The Board designated the Walter Reed Army Medical Center Historic District on April 24, 2014 and recommended that the nomination be forwarded to the National Register of Historic Places.

Under the provisions of the Historic Protection Act (D.C. Code §6-1102(5)(c)), this district becomes effective when the State Historic Preservation Officer nominates or issues a written determination to nominate the properties to the National Register of Historic Places. Thirty (30) days after the date of this notice, the properties will become subject to the D.C. Historic Landmark and Historic District Protection Act of 1978. As applicant for listing the property in the National Register of Historic Places, the Army is revising the nomination to reflect the comments of the State Review Board (the HPRB) and the State Historic Preservation Officer and will forward the final nomination directly to the National Register.

**Designation Case No. 14-10
Walter Reed Army Medical Center Historic District**

Affected property/properties: Parcel 319, Lots 2, 3, 4 and 5, also presently known as or including the following addresses: 6800, 6900 and 7100 Georgia Avenue NW; 1000 and 1010 Butternut Street NW; 7108 14th Street, NW; 6900, 6924, 6932, 6934, 6936, 6938 and 6930 15th Street NW; and 6825 16th Street NW.

Listing in the D.C. Inventory of Historic Sites and the National Register of Historic Places provides recognition of properties significant to the historic and aesthetic heritage of the nation's capital, fosters civic pride in the accomplishments of the past, and assists in preserving important cultural assets for the education, pleasure and welfare of the people of the District of Columbia.

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
DC TAXICAB COMMISSION**

NOTICE OF GENERAL COMMISSION MEETING

The District of Columbia Taxicab Commission will hold its regularly scheduled General Commission Meeting on Wednesday, June 11, 2014 at 10:00 am. The meeting will be held in the Old Council Chambers at 441 4th Street, NW, Washington, DC 20001.

The final agenda will be posted no later than seven (7) days before the General Commission Meeting on the DCTC website at www.dctaxi.dc.gov.

Members of the public are invited to participate in the Public Comment Period. You may present a statement to the Commission on any issue of concern; the Commission generally does not answer questions. Statements are limited to five (5) minutes for registered speakers and two (2) minutes for non-registered speakers. To register, please call 202-645-6018 (ext. 4) no later than 3:30 pm on June 10, 2014. Registered speakers will be called first, in the order of registration. A fifteen (15) minute period will then be provided for **all** non-registered speakers. **Registered speakers must provide ten (10) printed copies of their typewritten statements to the Secretary to the Commission no later than the time they are called to the podium.**

DRAFT AGENDA

- I. Call to Order
- II. Commission Communication
- III. Commission Action Items
- IV. Government Communications and Presentations
- V. General Counsel's Report
- VI. Staff Reports
- VII. Public Comment Period
- VIII. Adjournment

THURGOOD MARSHALL ACADEMY PUBLIC CHARTER HIGH SCHOOL**REQUEST FOR PROPOSALS****Photocopier Lease & Maintenance Services**

Thurgood Marshall Academy—a nonprofit, college-preparatory, public charter high school—seeks a vendor to provide and maintain photocopiers. Proposals should include the following:

A) Equipment & Maintenance Proposal:

At a minimum, bidders must propose rates for leasing and service based on the specifications described below.

In addition, bidders may propose changes.

The winning bidder commits to work in good faith to craft the optimal solution for the school.

1) Equipment Specifications:

- 2 Black & White production-model units in the 80 – 95 ppm range (specify ppm)
- 2 Black & White units at/about 65 ppm (specify ppm)
- 1 Color model at or above 30 ppm
- All machines must provide the following:
 - Sorter/stapler
 - 3-hole-punch drill
 - Color scanner
 - Networkable—i.e., supports the following
 - print-driver from Dell desktops/laptops networked via MS Exchange server and Web-based systems such as Office 365
 - delivery of scans via email
 - Passcode access and tracking

B) Rates & Contracts

Please provide leases and service agreements including the following rate information based on the specifications above (and, separately, for any alternate proposals):

- 1) Monthly fee for 39 month lease (or company's closest equivalent)
- 2) Any annual escalations
- 3) Maintenance contract cost on a per-month or quarterly basis based on 750,000 copies/quarter
- 4) Items included from maintenance contract (such as toner, drums, staples, or parts)
- 5) Cost of maintenance items excluded from contract
- 6) Taxes (reflecting the fact that Thurgood Marshall Academy is a tax-exempt 503(c)(3) not-for-profit)
- 7) Any other fees or costs
- 8) Clearly identified total of quotation, which must be "all in"
- 9) Annual agreements must include an annual option to extend
- 10) Any other terms, conditions, or requirements

Thurgood Marshall Academy PCS Photocopier RFP 2014

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C) **Value Added:**

Describe special features or programs that differentiate equipment and/or service.

D) **Lead Time:**

Specify lead time from contract commitment to use by end-users.

E) **Reliability:**

- 1) Offer statistics or other evidence of reliability of equipment.
- 2) Explain service lead-time for servicing malfunctioning units.
- 3) Describe preventative maintenance procedures.

F) **CBE Registration (optional/a plus):** Contractors may submit their registration number as a DC Community Business Enterprise (“CBE”) if registered with the DC Department of Small & Local Business Development.

Note also:

Non-debarment: By submitting a bid, contractors affirm that they (and lessors/subcontractors, if any) are not an excluded party by or disbarred from doing business with either the U.S. federal government or the government of the District of Columbia.

Bidders’ Conference (optional): The school will hold a bidders’ conference:

Tuesday, June 3, 2014, 10:00 am

Thurgood Marshall Academy

2427 Martin Luther King, Jr. Ave., SE

Washington, DC, 20020

(optional: please RSVP by Friday, May 30, 2014, to dschlossman@tmapchs.org)

Meetings: Demonstrations or one-on-one meetings will be held only with “short list” bidders at the school’s discretion.

Amendments: Amendments and extensions of this RFP—if any—will be published exclusively on the school website—www.thurgoodmarshallacademy.org (with email notice to bidders who have already submitted proposals including email addresses).

Contact: For further information regarding the RFP contact **David Schlossman, 202-276-4722, dschlossman@tmapchs.org**. Further information about Thurgood Marshall Academy—including our nondiscrimination policy—may be found at www.thurgoodmarshallacademy.org.

Deadline & Submission: Submit proposals—including signed contract, contact information, and website address—no later than **5:00 pm Washington, DC time, on Friday, June 6, 2014**, via e-mail to **dschlossman@tmapchs.org**.

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

Order No. 18621-A of Application of The Laborers’ International Union of North America (LiLUNA), Motion for Minor Modification of Approved Plans for Application No. 18621, pursuant to § 3129 of the Zoning Regulations.

The original application was pursuant to 11 DCMR §§ 3104.1 and 3103.2, for special exceptions under §§ 508, 537, 774, 777, and 2514, and for variances under §§ 530, 531, and 2001 to construct additions to an existing office building in the SP-2 and C-4 Districts at premises 901 16th Street, N.W. (Square 199, Lots 61 and 824).

HEARING DATE (original application):	October 1, 2013
DECISION DATE (original application):	October 1, 2013
FINAL ORDER ISSUANCE DATE (Order No. 18621):	October 10, 2013
DECISION DATE FOR MINOR MODIFICATION:	May 13, 2014

SUMMARY ORDER ON REQUEST FOR MINOR MODIFICATION OF APPROVED PLANS

Background

On October 1, 2013, the Board of Zoning Adjustment (the “Board” or “BZA”) approved the application of The Laborers’ International Union of North America (LiLUNA) (the “Applicant”). The Applicant’s original request was for special exceptions under §§ 508, 537, 774, 777, and 2514, and for variances under §§ 530, 531, and 2001 to construct additions to an existing office building in the SP-2 and C-4 Districts at premises 901 16th Street, N.W. (Square 199, Lots 61 and 824). BZA Order No. 18621, approving the original request, was issued on October 10, 2013. That order approved the requested special exceptions and variances to allow the construction of additions to an existing office building, per the approved plans at Exhibit 23 as refined by the Applicant’s PowerPoint at Exhibit 30. Those plans included a roof plan with a four foot screening wall. (Exhibit 37.)

Request for Minor Modification of the Approved Plans

The Applicant submitted a request for minor modification of the approved plans on April 30, 2014. In the motion the Applicant requested a modification to the approved plans so as to increase the height of the rooftop enclosing (screening) walls from the approved four feet in height to seven feet, two inches, per sheets 10 and 11 under Tab A, Exhibit 40. The Applicant indicated that, since Order No. 18621’s approval, it had refined its plans to apply for building permits and, because the mechanical equipment to be placed

BZA APPLICATION NO. 18621-A**PAGE NO. 2**

on the roof was taller than first expected, it had modified its roof plan so the rooftop wall would fully cover or screen the rooftop mechanical equipment, as required under § 411.6. That subsection says in part: “when consisting solely of mechanical equipment, the equipment shall be enclosed fully...”¹ According to the Applicant, the proposed additional height would be “within the permitted 18-foot, 6-inch maximum height permitted...” Moreover, the Applicant confirmed that both the Historic Preservation Office and the neighboring property owner to the east are in support. (Exhibit 40.) The Applicant also stated for the record that this modification of plans does not affect the previously approved zoning relief or require additional relief or any other changes in the application. Moreover, the Applicant stated that the change does not affect the two conditions of the present Order. (Exhibit 40.)

The record indicates that the request for modification was served on all of the parties to the case: the Office of Planning (“OP”) and Advisory Neighborhood Commission (“ANC”) 2B, the affected ANC, and the Single District Member.

Section 3129, specifically § 3129.3, indicates that a request for minor modification “of plans shall be filed with the Board not later than two (2) years after the date of the final order approving the application.” The motion was filed within the two-year period following the final order in the underlying case and thus is timely.

Pursuant to § 3129.4, all parties are allowed to file comments within 10 days of the filed request for modification. OP submitted a report, dated April 30, 2014, recommending approval of the Applicant’s requested minor modification to construct a higher, 7.16 foot wall enclosure in order to fully screen the structures on the roof, such as exhaust fans, boiler exhaust and HVAC equipment, which were taller than first anticipated. No new areas of relief are required. OP noted that although there would be an increase in this portion of the screen wall, it is still well below the permitted 18.5 feet of height. OP also noted that the proposed increase would continue not to overshadow the historic character of the building and had been reviewed by the Historic Preservation Office. (Exhibit 41.) The affected ANC, ANC 2B, did not submit a report.

No objections to the request for minor modification were submitted by any parties to the case. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

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 for modifications of approved plans.

Subsections 3129.5 and 3129.6 of the Zoning Regulations authorizes the Board to grant, without a hearing, requests for minor modifications of approved plans that do not change the material facts upon which the Board based its original approval of the application. (11 DCMR § 3129.6.)

¹ Although the approved special exception is to § 777, the section by reference includes § 411 requirements.

BZA APPLICATION NO. 18621-A

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Based upon the record before the Board and having given great weight to the OP report filed in this case, the Board concludes that in seeking a modification to the approved plans, the Applicant has met its burden of proof under 11 DCMR § 3129, that the modification is minor and no material facts have changed upon which the Board based its decision on the underlying application that would undermine its approval.

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 this application for modification of approved plans is hereby **GRANTED, SUBJECT TO THE APPROVED PLANS IN ORDER 18621, AS MODIFIED BY THE REVISED PLANS, DATED APRIL 25, 2014, AT TAB A AT EXHIBIT 40.** In all other respects, Order No. 18621 remains unchanged.

VOTE on Modification of Order No. 18621: 4-0-1

(Lloyd J. Jordan, Robert E. Miller, Marnique Y. Heath, and Jeffrey L. Hinkle², to APPROVE; and S. Kathryn Allen, not present or participating.)

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

A majority of the Board members approved the issuance of this summary order.

ATTESTED BY: _____
SARA A. BARDIN
Director, Office of Zoning

FINAL DATE OF ORDER: May 15, 2014

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.

² Board member Hinkle noted for the record that although he had not participated in the underlying case, he had read the record and was ready to deliberate on the request for modification.

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

Application No. 18752 of Realty Ventures Inc., pursuant to 11 DCMR § 3104.1, for a special exception for an accessory parking lot under § 214, in the NO/C-2-A and NO/R-3 Districts at premises 2330-2338 Wisconsin Avenue, N.W. (Square 1300, Lot 815).¹

HEARING DATE: May 13, 2014

DECISION DATE: May 13, 2014

SUMMARY ORDER

SELF CERTIFIED

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2. (Exhibit 3.)

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") 3B and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 3B, which is automatically a party to this application. ANC 3B did not appear at the hearing or submit a written report. However, according to the Office of Planning's report, the ANC, at its regularly scheduled meeting of April 10, 2014, voted to support the application. (Exhibit 27.)

The Office of Planning ("OP") submitted a timely report on May 6, 2014, recommending approval of the application with conditions. (Exhibit 27.) The District Department of Transportation ("DDOT") submitted a letter recommending "no objection". (Exhibit 26.)

The Applicant satisfied the burden of § 3119.2 in its request for special exception relief to allow continued use as an accessory parking lot under §§ 3104.1 and 214. 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.

The Board concludes that the Applicant has met the burden of proof for special exception relief, pursuant to 11 DCMR §§ 3104.1 and 214 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.

¹ At the hearing both the Applicant and the property owner appeared. The property owner, Isen Brothers LLC, authorized the Applicant to bring the case on the record and the Board gave leave for the property owner to submit a written authorization for the case record.

BZA APPLICATION NO. 18752

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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 this application be **GRANTED SUBJECT TO THE FOLLOWING CONDITIONS**:

1. Approval shall be for **FIFTEEN (15) YEARS** from the final date of this order.
2. The parking spaces shall be striped.
3. The Applicant shall install and maintain bumper stops to protect all adjoining buildings.
4. The Applicant shall install pervious surface material in the parking lot when the existing surface and subsurface requires replacement.
5. The Applicant shall provide and maintain landscaping as shown on the approved site plan submitted at Exhibit 29 of the record.

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

A majority of the Board members approved the issuance of this summary order.

VOTE: **4-0-1** (Lloyd L. Jordan, Jeffrey L. Hinkle, Marnique Y. Heath, and Robert E. Miller, to Approve; S. Kathryn Allen, not participating or voting.)

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

A majority of the Board members approved the issuance of this order.

FINAL DATE OF ORDER: May 16, 2014

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 SIX MONTHS AFTER IT BECOMES EFFECTIVE UNLESS THE USE APPROVED IN THIS ORDER IS ESTABLISHED WITHIN SUCH SIX-MONTH PERIOD.

PURSUANT TO 11 DCMR § 3205, THE PERSON WHO OWNS, CONTROLS, OCCUPIES, MAINTAINS, OR USES THE SUBJECT PROPERTY, OR ANY PART THERETO, SHALL COMPLY WITH THE CONDITIONS IN THIS ORDER, AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE

BZA APPLICATION NO. 18752

PAGE NO. 3

BOARD OF ZONING ADJUSTMENT. FAILURE TO ABIDE BY THE CONDITIONS IN THIS ORDER, IN WHOLE OR IN PART SHALL BE GROUNDS FOR THE REVOCATION OF ANY BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY ISSUED PURSUANT TO THIS ORDER.

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. 18753 of Robert Holland, et al., pursuant to 11 DCMR § 3104.1, for a special exception for an accessory parking lot under § 214, in the R-2 District at premises 3820-3826 McKinley Street, N.W. (Square 1859, Lots 49, 50, 51, and 92).¹

HEARING DATE: May 13, 2014

DECISION DATE: May 13, 2014

SUMMARY ORDER

SELF CERTIFIED

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2. (Exhibit 5.)

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") 3G and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 3G, which is automatically a party to this application. ANC 3G submitted a timely written report, dated April 28, 2014, in which the ANC indicated that at a properly noticed, regularly scheduled public meeting held on April 28, 2014, with a quorum of four out of five Commissioners present, the ANC voted 4:1 to support the application with conditions, including increasing the term limit to 10 years. (Exhibit 24.)

The Office of Planning ("OP") submitted a timely report on May 6, 2014, recommending approval of the application with conditions, including increasing the term limit of approval to 10 years. (Exhibit 23.) The District Department of Transportation ("DDOT") submitted a letter recommending "no objection". (Exhibit 22.)

The Applicant satisfied the burden of § 3119.2 in its request for special exception relief to allow continued operation of an existing accessory parking lot under §§ 3104.1 and 214. 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.

The Board concludes that the Applicant has met the burden of proof for special exception relief, pursuant to 11 DCMR §§ 3104.1 and 214 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

¹ Prior approvals for the same parking lot include 17904, 16329, and 15851, all of which included four lots (Lots 49, 50, 51, and 92) in Square 1859. The advertised caption mistakenly left out Lot 92 that is part of the subject property. As the application is for the continuation of an existing use that already occupies a given area that was described in those other approvals and no boundary changes are proposed, the error was harmless. It has been corrected in the caption to the order.

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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 this application be **GRANTED SUBJECT TO FOLLOWING CONDITIONS**:

1. Approval shall be for **TEN (10) YEARS** from the final date of this order.
2. The maximum number of spaces in this parking facility shall be 41.
3. No trash dumpsters shall be located on the portion of the lot zoned residential.
4. The parking lot landscaping shall be properly maintained or replaced as needed.
5. Snow and ice shall be promptly removed from the parking lot.
6. Snow and ice shall be promptly removed from the sidewalk located between the parking lot and McKinley Street.
7. The Applicant shall submit a site plan to the Zoning Administrator showing the parking lot configuration for the referenced 41 spaces prior to the issuance of the new Certificate of Occupancy for the accessory parking lot use.
8. Representatives of the owners of the subject property shall establish and maintain a liaison with Advisory Neighborhood Commission 3G to discuss problems that might arise in connection with the operation of the parking lot to ensure that it continues to have no objectionable impact on the immediate area.

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

A majority of the Board members approved the issuance of this summary order.

VOTE: **4-0-1** (Lloyd L. Jordan, Marnique Y. Heath, Jeffrey L. Hinkle, and Robert E. Miller, to Approve; S. Kathryn Allen, not participating or voting.)

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

A majority of the Board members approved the issuance of this order.

FINAL DATE OF ORDER: May 16, 2014

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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 SIX MONTHS AFTER IT BECOMES EFFECTIVE UNLESS THE USE APPROVED IN THIS ORDER IS ESTABLISHED WITHIN SUCH SIX-MONTH PERIOD.

PURSUANT TO 11 DCMR § 3205, THE PERSON WHO OWNS, CONTROLS, OCCUPIES, MAINTAINS, OR USES THE SUBJECT PROPERTY, OR ANY PART THERETO, SHALL COMPLY WITH THE CONDITIONS IN THIS ORDER, AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT. FAILURE TO ABIDE BY THE CONDITIONS IN THIS ORDER, IN WHOLE OR IN PART SHALL BE GROUNDS FOR THE REVOCATION OF ANY BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY ISSUED PURSUANT TO THIS ORDER.

IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE § 2-1401.01 *ET SEQ.* (ACT), THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, GENETIC INFORMATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.

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