



District of Columbia

REGISTER

HIGHLIGHTS

- DC Council passes Act 20-364, Air Quality Amendment Act of 2014
- Office of Planning schedules a public hearing on the Mid City East Small Area Draft Plan
- Department of Health updates guidelines to establish regulations for the practice of graduate professional counselors
- DC Taxicab Commission proposes updates to implement the Coordinated Alternative to Paratransit Services (“CAPS-DC”)
- The Mayor establishes the One City Mayoral Awards Selection Committee
- Office of the State Superintendent of Education announces funding availability for child development centers and homes interested in joining neighborhood-based networks of high quality infant/toddler child care and comprehensive services
- Department of Health, Community Health Administration announces funding availability for innovations in Ambulatory Care Services Grants Program

DISTRICT OF COLUMBIA REGISTER

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DISTRICT OF COLUMBIA OFFICE OF DOCUMENTS AND ADMINISTRATIVE ISSUANCES

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ENROLLED ORIGINAL

AN ACT

D.C. ACT 20-362

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JUNE 23, 2014

To approve, on an emergency basis, Contract No. DCHBX-13-0003(a) to provide technical information technology support services and to authorize payment for the services received and to be received under the contract.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Contract No. DCHBX-13-0003(a) Approval and Payment Authorization Emergency Act of 2014”.

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Contract No. DCHBX-13-0003(a) with Networking For Future, Inc., to provide technical information technology support services and authorizes payment in the amount of \$1,538,000 for services received and to be received under the contract.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

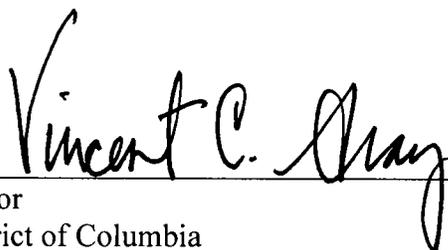
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in

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
June 23, 2014

ENROLLED ORIGINAL

AN ACT

D.C. ACT 20-363

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JUNE 23, 2014

To approve, on an emergency basis, Change Orders Nos. 002 through 005 to Contract No. DCAM-12-CS-0152 between the District of Columbia government and Chiaramonte-Hess, A Joint Venture, for design-build services for Ballou Senior High School, and to authorize payment to Chiaramonte-Hess, A Joint Venture, in the aggregate amount of \$13,658,662 for the goods and services received and to be received under these change orders.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Change Orders Nos. 002 through 005 to Contract No. DCAM-12-CS-0152 Approval and Payment Authorization Emergency Act of 2014".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202(a) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02(a)), the Council approves Change Orders Nos. 002 through 005 to Contract No. DCAM-12-CS-0152 with Chiaramonte-Hess, A Joint Venture, for design-build services for Ballou Senior High School, in the aggregate amount of \$13,658,662, and authorizes payment for the goods and services received and to be received under these change orders.

Sec. 3. Fiscal impact statement.

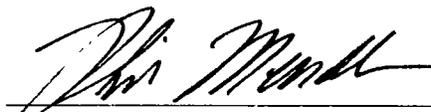
The Council adopts the fiscal statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

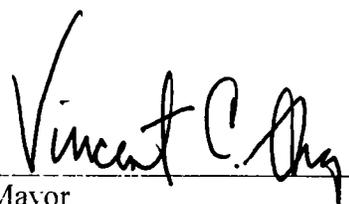
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in

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
June 23, 2014

ENROLLED ORIGINAL

AN ACT
D.C. ACT 20-364

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
JUNE 23, 2014

To amend, on an emergency basis, the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011 to require that Advisory Neighborhood Commissioners and candidates for public office certify that they have filed and paid income and property taxes, diligently safeguarded the assets of the taxpayers and the District, reported known illegal activity, not accepted a bribe, not directly or indirectly received government funds through illegal or 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 their official actions or judgment or vote would be influenced; and to remove the requirement that Advisory Neighborhood Commissioners file a confidential disclosure of financial interest.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Emergency Amendment Act of 2014”.

Sec. 2. The Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1161.01 *et seq.*), is amended as follows:

(a) Section 224(a) (D.C. Official Code § 1-1162.24(a)) is amended as follows:

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

(A) The lead-in language is amended by striking the phrase “Advisory Neighborhood Commissioners and members of the Washington Metropolitan Area Transit Authority Board of Directors appointed pursuant to section 1 of the Washington Metropolitan Area Transit Regulation Compact, approved November 6, 1966 (80 Stat. 1324; D.C. Official Code § 9-1107.01)” and inserting the phrase “Advisory Neighborhood Commissioners, members of the Washington Metropolitan Area Transit Authority Board of Directors appointed pursuant to section 1 of the Washington Metropolitan Area Transit Regulation Compact, approved November 6, 1966 (80 Stat. 1324; D.C. Official Code § 9-1107.01), and candidates for nomination for election, or election, to public office, who are not otherwise required to file pursuant to this paragraph” in its place.

(B) Subparagraph (G)(iv) is amended by striking the phrase “been offered or”.

(2) A new paragraph (3) is added to read as follows:

ENROLLED ORIGINAL

“(3)(A) An Advisory Neighborhood Commissioner who is not otherwise required to file a report pursuant to paragraph (1) of this subsection shall file the certification required by paragraph (1)(G) of this subsection for the preceding year.

“(B) Effective January 1, 2015, a candidate for nomination for election, or election, to public office who is not otherwise required to file a report pursuant to paragraph (1) of this subsection shall file the certification required by paragraph (1)(G) of this subsection for the preceding year.

“(C) A candidate for nomination for election, or election, to public office who, as of May 15, 2014, had not filed a report for calendar year 2013 required by this section and who was not otherwise required to file a report pursuant to paragraph (1) of this subsection shall not be required to do so.”.

(b) Section 225(a) (D.C. Official Code § 1-1162.25(a)) is amended by striking the phrase “Advisory Neighborhood Commissioners and members of the Washington Metropolitan Area Transit Authority Board of Directors” and inserting the phrase “members of the Washington Metropolitan Area Transit Authority Board of Directors” in its place.

Sec. 3. Fiscal impact statement.

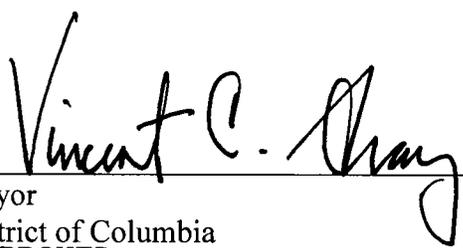
The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

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 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
June 23, 2014

ENROLLED ORIGINAL

AN ACT

D.C. ACT 20-365

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JUNE 23, 2014

To amend the District of Columbia Air Pollution Control Act of 1984 to modify and clarify the authority of the Mayor to establish a comprehensive program for the control and prevention of air pollution in the District of Columbia, to establish an indoor air hazard education program, to provide the Mayor with inspection authority and a right of entry to safeguard and preserve air quality in the District, to require the Mayor to establish an electronic procedure for receiving and responding to air quality complaints, to provide for civil, criminal, administrative and other enforcement of the act, to provide a penalty for false statements, and to provide a right to an administrative appeal of certain actions; to require disclosure of information related to the operation of demand response generating sources to the District Department of the Environment, to prohibit demand response generating sources from being permitted as emergency generators, to require that demand response generating sources implement, at a minimum, best available control technology; to amend the Rental Housing Act of 1985 to require a residential property owner to disclose indoor mold contamination to a tenant; to provide definitions for indoor mold, professional indoor mold assessment, and professional indoor mold remediation, to require the District Department of the Environment to set a threshold of indoor mold beyond which professional remediation is required, to require the District Department of the Environment to issue standards and certifications for indoor mold assessment and remediation, to require a residential property owner to remediate indoor mold, to provide that in a cause of action by a tenant against a residential property owner for a violation of the District Housing or Property Maintenance Codes (“Codes”), an indoor mold assessment finding a threshold level of indoor mold shall create a rebuttable presumption of a violation of the property owner’s obligation to maintain the property under the Codes, to establish the Indoor Mold Assessment and Remediation Fund; and to repeal a section of the District of Columbia Air Pollution Control Act of 1984.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Air Quality Amendment Act of 2014”.

ENROLLED ORIGINAL

TITLE I. AIR POLLUTION CONTROL PROGRAM.

Sec. 101. The District of Columbia Air Pollution Control Act of 1984, effective March 15, 1985 (D.C. Law 5-165; D.C. Official Code § 8-101.01 *et seq.*), is amended as follows:

(a) Section 5 (D.C. Official Code § 8-101.05) is amended to read as follows:

“Sec. 5. Comprehensive air pollution control program.

“(a) The Mayor shall develop a comprehensive program for the control and prevention of air pollution in the District that provides for the administration and enforcement of the requirements of this act and the regulations promulgated pursuant to this act.

“(b)(1) The Mayor, in the administration of the comprehensive program for the control and prevention of outdoor air pollution, may exercise the following powers to safeguard and preserve air quality in the District:

“(A) Conduct research, monitoring, modeling, investigations, experiments, training demonstrations, surveys, and studies, relating to the causes, effects, extent, prevention, and control of air pollution in the District;

“(B) Collect and distribute, through publication, educational and training programs, and other means, the results of, and other information pertaining to, the activities carried out under subparagraph (A) of this paragraph;

“(C) Advise, consult, cooperate, and enter into agreements with the governments and agencies of any state or political subdivision and any interstate or other regional organization representing these states or political subdivisions to:

“(i) Establish cooperative effort and mutual assistance agreements or programs for the prevention and control of air pollution and the enforcement of their respective air pollution laws; and

“(ii) Establish or participate in any organization as may be necessary to carry out these agreements;

“(D) Adopt air pollution control standards, require and issue permits, and establish any other program necessary to regulate sources of air pollution emissions in the District;

“(E) Adopt ambient air quality standards;

“(F) Adopt standards governing emission of nuisance air pollutants likely to injure public health or welfare or interfere with reasonable enjoyment of life and property; and

“(G) Establish and maintain an indoor air hazard education program to educate District residents on the potential threats posed by and mitigation methods for indoor air hazards.

“(2) In determining interference with reasonable enjoyment of life and property under paragraph (1)(F) of this subsection, the Mayor shall consider:

“(A) The frequency, duration, and intensity of the source;

“(B) The number of complaints filed about the source;

“(C) The number of distinct complaints filed about the source;

“(D) The zoning classification of the affected area; and

“(E) The source’s ability to prevent complaints.

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- “(c) For the purpose of executing the authority under this act, the Mayor may:
- “(1) Hold hearings relating to the administration of this act;
 - “(2) Secure necessary scientific, technical, administrative, and operational services, including laboratory facilities, by contract, or otherwise;
 - “(3) Receive and administer grants or donations made to carry out the purposes of this act; and
 - “(4) Take any other action necessary.
- “(d) To assist in enforcing the provisions of this act and regulations issued pursuant to this act, the Mayor shall:
- “(1) Make available an electronic complaint form to receive complaints of air quality violations from the public, including, at a minimum, complaints of odors and engine idling;
 - “(2) Acknowledge receipt of an air quality complaint to the complainant no later than 7 days after receipt, in a writing or through an electronic message;
 - “(3) Track all air quality complaints, the agency’s response to each complaint, and the resolution of each complaint;
 - “(4) Establish an electronic mechanism by which the complainant, the source of the complaint, and any interested party may access any publically available information on the complaint; and
 - “(5) Make publicly available on the District Department of the Environment’s website a quarterly report listing all air quality complaints received and their resolution.”
- (b) New sections 5a, 5b, 5c, 5d, 5e, 5f, 5g, and 5h are added to read as follows:
- “Sec. 5a. Inspection; right of entry.
- “(a) Upon the presentation of appropriate credentials to the owner, agent in charge, or tenant, the Mayor shall have the right, subject to subsection (c) of this section, to enter a premises or inspect an activity reasonably believed to be subject to this act to determine compliance with this act or a regulation promulgated pursuant to this act. The right of entry shall be for the following purposes:
- “(1) Inspection, including the right to inspect and copy records related to compliance with this act and regulations promulgated pursuant to this act;
 - “(2) Observation;
 - “(3) Measurement;
 - “(4) Sampling;
 - “(5) Testing; and
 - “(6) Collection of evidence.
- “(b) The Mayor may:
- “(1) Investigate and take testimony under oath regarding any report of noncompliance with a federal or District law or regulation applicable to air pollution control;
 - “(2) Require a person or entity subject to this act or a regulation promulgated pursuant to this act, or who the Mayor reasonably believes may have information necessary to carry out the purposes of this act, on a one-time, periodic, or continuous basis to:

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“(A) Establish, maintain, and submit records and reports;

“(B) Install, use, and maintain monitoring equipment, and use audit procedures, or methods;

“(C) Sample emissions in accordance with such procedures or methods, at such locations, at such intervals, during such periods and in such manner as the Mayor shall prescribe;

“(D) Keep records on control equipment parameters, production variables, or other indirect data, as appropriate;

“(E) Submit compliance certifications; and

“(F) Provide other information as the Mayor may require.

“(c) If the Mayor is denied access to enter or inspect the premises in accordance with this section, the Mayor may apply to the Superior Court of the District of Columbia, pursuant to D.C. Official Code § 11-941, or the Office of Administrative Hearings, pursuant to section 12(b)(12) of the Office of Administrative Hearings Establishment Act of 2001, effective March 6, 2002 (D.C. Law 14-76; D.C. Official Code § 2-1831.09(b)(12)), for a search warrant. An owner’s denial of access to conduct an inspection in accordance with this section shall constitute a violation of this section, and the owner shall be subject to the civil and administrative penalties imposed by section 5c and the criminal penalties imposed by section 5d.

“(d) The Mayor may require reimbursement of costs for services, including inspections, sample collection, document review, or other reasonable costs or fees incurred in implementing this section and section 5.

“Sec. 5b. Violations.

“Each day of a violation of or failure to comply with this act or a regulation promulgated pursuant to this act shall constitute a separate offense, and the penalties set forth in sections 5c, 5d, 5e, and 5f shall be applicable to each separate offense.

“Sec. 5c. Civil penalties.

“(a) A person who violates this act or a regulation promulgated pursuant to this act shall be civilly liable and shall be subject to a civil penalty of no more than \$37,500 per day per offense. The Mayor may adjust this civil penalty by rulemaking to account for inflation and shall adjust this civil penalty by rulemaking to meet or exceed the civil penalty authorized for violations pertaining to the Clean Air Act, approved July 14, 1955 (77 Stat. 392; 42 U.S.C. § 7401 *et seq.*).

“(b) The Mayor may impose civil infraction penalties, fines, and fees as alternative sanctions for any violation of this act or a regulation promulgated pursuant to this act, pursuant to the procedures 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 § 2-1801.01 *et seq.*).

“Sec. 5d. Criminal penalties.

“A person who willfully or recklessly violates this act or a regulation promulgated pursuant to this act shall be guilty of a misdemeanor and, upon conviction, shall be subject to a fine not to exceed \$25,000 per offense per day, imprisonment not to exceed one year, or both. The fines set forth in this section shall not be limited by section 101 of the Criminal Fine

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Proportionality Amendment Act of 2012, approved June 11, 2013 (D.C. Law 19-317; D.C. Official Code § 22-3571.01).

“Sec. 5e. False statements.

“A person who knowingly makes a false statement in an application, record, report, plan, or other document submitted or maintained under this act shall be guilty of a misdemeanor, and subject to a fine not to exceed \$10,000, imprisonment not to exceed 6 months, or both. The fines set forth in this section shall not be limited by section 101 of the Criminal Fine Proportionality Amendment Act of 2011, effective June 11, 2013 (D.C. Law 19-317; D.C. Official Code § 22-3571.01).

“Sec. 5f. Other sanctions.

“In addition to, or in lieu of, a civil or criminal penalty or fee:

“(1) The Mayor may modify, suspend, revoke, or deny a permit or certification issued by the District for failure to comply with this act or a regulation promulgated pursuant to this act, after notice and opportunity for a hearing pursuant to section 5h; and

“(2) The Attorney General for the District of Columbia may commence appropriate civil action in the Superior Court of the District of Columbia or any other court of competent jurisdiction for damages, cost recovery, reasonable attorney and expert witness fees, and injunctive or other appropriate relief to enforce compliance with this act or the regulations adopted pursuant to this act.

“Sec. 5g. Orders.

“(a) If the Mayor determines that a hazardous condition exists that may endanger the health or safety of the residents or property, or the environment in the District due to a person’s noncompliance with this act or a regulation promulgated pursuant to this act, the Mayor may issue a cease and desist order requiring the person to cease operations immediately or to otherwise cease noncompliance with this act or a regulation promulgated pursuant to this act.

“(b) If the Mayor has reason to believe that there has been a violation of this act or a regulation promulgated pursuant to this act, the Mayor may issue a compliance order requiring a violator to take action to come into compliance with this act or a regulation promulgated pursuant to this act and to take such measures as may be necessary to remedy a hazardous condition.

“Sec. 5h. Administrative appeals.

“(a) A person aggrieved by an action of the Mayor taken pursuant to this act or a regulation promulgated pursuant to this act may appeal the action of the Mayor to the Office of Administrative Hearings, pursuant to section 6(a) of the Office of Administrative Hearings Establishment Act of 2001, effective March 6, 2002 (D.C. Law 14-76; D.C. Official Code § 2-1831.03(a)). The Office of Administrative Hearings shall provide a de novo hearing and shall determine whether the Mayor’s action was legally proper.

“(b) An appeal shall be filed within 15 days after the adverse action of the Mayor or within 20 days if notice of the adverse action is served by United States mail or commercial carrier.

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“(c) A person subject to an order issued pursuant to section 5g shall comply with the order pending appeal.”.

TITLE II. DEMAND RESPONSE GENERATING SOURCES.

Sec. 201. Definitions.

For the purposes of this title, the term:

(1) “Best available control technology” or “BACT” means the pollution control standard as determined by the Director consistent with, but no less stringent than, section 169(3) of the federal Clean Air Act, approved July 14, 1955 (77 Stat. 392; 42 U.S.C. § 7479(3)).

(2) “Demand response generating source” means a stationary generator subject to an agreement or obligation to provide power in response to power grid needs, economic signals from competitive wholesale electric markets, or special retail rates. The term “demand response generating source” shall not include a generator that derives its energy from an energy source that qualifies as a tier one renewable source under the Renewable Energy Portfolio Standard Act of 2004, effective April 12, 2005 (D.C. Law 15-340; D.C. Official Code § 34-1431 *et seq.*).

(3) “Director” means the Director of the District Department of the Environment.

Sec. 202. Disclosure.

A person who owns or operates an internal combustion engine as a demand response generating source shall track and submit an annual report disclosing the total number of hours, including the dates and times, that the source operated during the preceding year, and the total number of hours, including the dates and times, that the source operated as a demand response generating source during the preceding year, as well as any additional information the Director requires. The report shall be submitted to the District Department of the Environment by March 1, 2015, and annually on March 1 thereafter.

Sec. 203. Limitation on the use of a generator as a demand response generating source.

(a) No person shall construct or operate an internal combustion engine as a demand response generating source unless the source implements, at a minimum, current best available control technology in accordance with a permit issued by the Director.

(b) A demand response generating source shall not be classified or permitted as an emergency generator.

(c) Nothing in this title shall prevent the Director from denying an application for or renewal of a permit for a demand response generating source to protect air quality or to encourage energy efficiency or conservation-based demand response in the District.

(d) A person found by the Director to be in violation of this section shall be subject to the civil penalties available under section 5c of the District of Columbia Air Pollution Control Act of 1984, passed on 2nd reading on June 3, 2014 (Enrolled version of Bill 20-368).

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Sec. 204. Rules; fees

(a) The Mayor, pursuant to the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue rules to implement the provisions of this title, including establishing permit fees and other fees necessary to support the implementation of this title.

(b) The Mayor may require reimbursement of costs for services, including inspections, sample collection, document review, or other reasonable costs or fees incurred in implementing this title or a regulation promulgated pursuant to this title.

TITLE III. INDOOR AIR QUALITY.

SUBTITLE A. INDOOR MOLD DISCLOSURE AMENDMENT.

Sec. 301. The Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42-3501.01 *et seq.*), is amended as follows:

(a) Section 222(b)(1) (D.C. Official Code § 42-3502.22(b)(1)) is amended as follows:

(1) Subparagraph (F) is amended by striking the phrase “housing code” and inserting the phrase “housing code and property maintenance code” in its place.

(2) Subparagraph (J) is amended by striking the period and inserting the phrase “; and” in its place.

(3) A new subparagraph (K) is added to read as follows:

“(K) Information known or that should have been known about the presence of indoor mold contamination as defined in section 302(5) of the Air Quality Amendment Act of 2014, passed on 2nd reading on June 3, 2014 (Enrolled version of Bill 20-368), in the rental unit or common areas in the previous 3 years, unless the mold has been remediated by an indoor mold remediation professional certified and licensed by the District.”.

SUBTITLE B. RESIDENTIAL INDOOR MOLD ASSESSMENT AND REMEDIATION.

Sec. 302. Definitions.

For the purposes of this subtitle, the term:

(1) “Director” means the Director of the District Department of the Environment.

(2) “Dwelling unit” means a building or structure used or designed to be used, in whole or in part, as a living or sleeping place for one or more persons.

(3) “Indoor mold assessment professional” means an indoor mold assessor certified and licensed by the District in accordance with section 304.

(4) “Indoor mold” means living or dead fungi or related products or parts, including spores hyphae, and mycotoxins, on an interior surface of a building, including common spaces, utility spaces, HVAC, or other systems.

(5) “Indoor mold contamination” means indoor mold at or above the threshold established under section 303(a)(1).

(6) “Indoor mold remediation professional” means an indoor mold remediator certified and licensed by the District in accordance with section 304.

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(7) "Professional indoor mold assessment" means an indoor mold assessment conducted by an indoor mold assessment professional.

(8) "Professional indoor mold remediation" means an indoor mold remediation conducted by an indoor mold remediation professional.

Sec. 303. Indoor mold assessment and remediation standards.

(a) Consistent with applicable U.S. Environmental Protection Agency or U.S. Department of Labor, Occupational Safety and Health Administration guidelines and regulations relating to the assessment and remediation of mold, the Director shall:

(1) Set a threshold level of indoor mold contamination that requires professional indoor mold remediation at residential properties;

(2) Establish scientific and objective methods to be used by individuals certified by the District when conducting an indoor mold assessment;

(3) Establish minimum performance standards and work practices for conducting professional indoor mold remediation in the District; and

(4) Establish guidelines for the removal of indoor mold below the threshold set by paragraph (1) of this subsection.

(b) When professional indoor mold remediation is required under section 305 because a professional indoor mold assessment found indoor mold contamination at a property, the Director may require the property owner to provide a remediation report from an indoor mold remediation professional to the tenant and to the Department of the Environment.

Sec. 304. Certification of mold assessment and remediation professionals.

(a)(1) The Director shall issue licenses and may issue certifications for conducting indoor mold assessment and remediation in the District.

(2) In licensing a person to conduct indoor mold assessment or remediation, the Director may recognize certification programs of other states or independent bodies that the Director determines to be sufficient to ensure professional conduct of indoor mold assessment or remediation.

(b) No person shall engage in the business of residential indoor mold assessment or remediation unless the person is certified and licensed in accordance with requirements promulgated by the Director.

(c) The Director shall maintain a publicly available list of all certified indoor mold assessment and remediation professionals in the District.

(d) The Director shall establish reasonable and necessary fees to administer this section, including fees for certifications and licenses. The fees shall be set, at a minimum, in an amount sufficient to recover the costs of administering this section. All fees collected under this subsection shall be deposited into the Indoor Mold Assessment and Remediation Fund established under section 308.

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Sec. 305. Indoor mold remediation obligations at residential properties.

(a) A residential property owner who receives written or electronic notice from a tenant that indoor mold or suspected indoor mold exists in the dwelling unit or in a common area of the property shall inspect the property within 7 days and remediate the condition in accordance with subsections (b) and (c) of this section within 30 days of the inspection unless a shorter timeframe is ordered by a court or the Mayor.

(b) Where professional indoor mold remediation is not required under subsection (c) of this section, a residential property owner notified of indoor mold by a tenant in accordance with subsection (a) shall clean and remove the indoor mold from the contaminated surface in accordance with the guidelines established under section 303(a)(4). Failure of the Director to issue guidelines under section 303(a)(4) shall not excuse the residential property owner from the obligation to clean and remove visible indoor mold from the contaminated surface.

(c) If a residential property owner knows or has reason to know that indoor mold contamination exists in a tenant's dwelling unit or in a common area of the property, the residential property owner shall cause the mold to be remediated by an indoor mold remediation professional.

(d) The provisions of this section may be enforced pursuant to section 306.

Sec. 306. Violations.

(a) In a private cause of action, claim, or defense by a tenant against a residential property owner for a violation of Title 12G of the District of Columbia Municipal Regulations (12G DCMR § 101G *et seq.*) ("Property Maintenance Code") or Title 14 of the District of Columbia Municipal Regulations (14 DCMR § 100 *et seq.*) ("Housing Code"):

(1) A professional indoor mold assessment finding indoor mold contamination in a tenant's dwelling unit or a common area of the property shall create a rebuttable presumption of a violation of the property owner's obligation to maintain the property free from defective surface conditions as required by the Property Maintenance Code and the Housing Code. To establish the presumption, the tenant must demonstrate that the property owner received a professional indoor mold assessment in written or electronic form that determined that indoor mold contamination existed in the tenant's dwelling unit.

(2) When ruling in favor of a tenant with respect to a Property Maintenance Code or Housing Code violation based on a professional mold assessment, the court shall have discretion to reimburse indoor mold assessment costs and award attorney fees and court costs to the tenant. The court may award treble damages to a tenant when:

- (A) The tenant discovered the indoor mold;
- (B) A professional indoor mold assessment determined that indoor mold contamination existed in the tenant's dwelling unit;
- (C) The residential property owner received the indoor mold assessment in written or electronic form;
- (D) The residential property owner did not remediate the indoor mold within 60 days; and

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(E) The court finds that the residential property owner acted in bad faith.

(b) In issuing a notice of violation to a property owner for failure to maintain the property free from defective surface conditions as required by the Property Maintenance Code and the Housing Code, the Mayor shall have discretion to rely upon a professional indoor mold assessment.

Sec. 307. No private right of action against the District.

Nothing in this subtitle is intended to, or does, create a private right of action against the government of the District of Columbia and its officers, employees, agents, representatives, contractors, successors, and assigns based upon compliance or noncompliance with its provisions. No person or entity may assert any claim or right as a beneficiary or protected class under this act in any civil, criminal, or administrative action against the District of Columbia.

Sec. 308. Indoor Mold Assessment and Remediation Fund.

(a) There is established a special fund the Indoor Mold Assessment Fund, which shall be administered by the District Department of the Environment in accordance with subsection (c) of this section.

(b) The Fund shall consist of the revenue from the fees collected in accordance with section 304 and any other money accepted for the benefit of the Fund. The Fund may be supplemented by other District funds at the Mayor's discretion or by an act of the Council.

(c)(1) The Fund shall be used to administer the certification and licensing programs established under section 304 and may be used to administer grants issued under paragraph (2) of this subsection.

(2) Where there are funds in excess of the amount needed to administer the certification and licensing programs under section 304, those funds shall be used to provide financial assistance grants to:

(A) Low-income District residents for the purpose of having a professional mold assessment conducted in their premises, in the event that the owner of the resident's property fails to comply with the requirements in section 305; and

(B) Residential property owners without financial means, as determined by the Mayor, to comply with section 305.

(d)(1) The money deposited into the Fund, and any interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

(2) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.

Sec. 309. Common law unaffected.

The remedies under this subtitle do not supplant rights and remedies that may be available against property owners and other liable parties under the common law.

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Sec. 310. Rules.

The Mayor, pursuant to the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue rules to implement the provisions of this subtitle, including civil penalties or fines to enforce this subtitle.

TITLE IV. REPEALER.

Sec. 401. Section 4 of the District of Columbia Air Pollution Control Act of 1984, effective March 15, 1985 (D.C. Law 5-165; D.C. Official Code § 8-101.04), is repealed.

TITLE V. FISCAL IMPACT AND EFFECTIVE DATE.

Sec. 501. Fiscal impact statement.

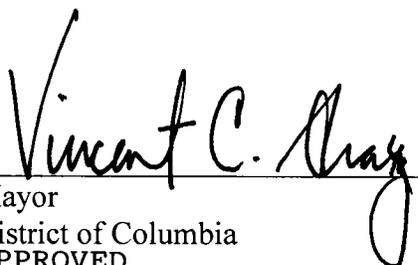
The Council adopts the June 3, 2014 fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 502. 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
June 23, 2014

ENROLLED ORIGINAL

AN ACT

D.C. ACT 20-366

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JUNE 23, 2014

To amend the Business Improvement Districts Act of 1996 to authorize the establishment and administration of the Southwest Business Improvement District.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Southwest Business Improvement District Amendment Act of 2014”.

Sec. 2. The Business Improvement Districts Act of 1996, effective May 29, 1996 (D.C. Law 11-134; D.C. Official Code § 2-1215.01 *et seq.*), is amended as follows:

(a) Section 3 (D.C. Official Code § 2-1215.02) is amended as follows:

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

“(17A) “Net rentable square feet” means the number of net rentable square feet reported to, or on record with, the Office of Tax and Revenue.

(2) Paragraph (18) is amended by striking the phrase “or Capitol Riverfront BID,” and inserting the phrase “Capitol Riverfront BID, Anacostia BID, or Southwest BID,” in its place.

(b) Section 4(b) (D.C. Official Code § 2-1215.04(b)) is amended by striking the phrase “or Anacostia” and inserting the phrase “Anacostia, or Southwest” in its place.

(c) A new section 210 is added to read as follows:

“Sec. 210. Southwest BID.

“(a) Subject to the requirements of sections 5 and 6, the formation of the Southwest BID, including nonexempt real property within the geographic area set forth in subsection (b) of this section, is authorized and the BID taxes established in subsection (c) of this section shall be imposed through the expiration of this act or the termination or dissolution of the BID.

“(b) The Southwest BID shall be comprised of the geographic area bounded by a line beginning the geographic area bounded by a line that starts at the center of the street at the intersection of 15th Street, S.W., and Independence Avenue, S.W.; continuing east along the center line of Independence Avenue, S.W., to the center of the intersection of Independence Avenue, S.W., and 2nd Street, S.W.; continuing south along the center line of 2nd Street, S.W., to the western boundary of the Southeast-Southwest Freeway (I-395); continuing south and southeast along the southwestern boundary of the Southeast-Southwest Freeway (I-395) to the intersection of the Southeast-Southwest Freeway (I-395) and South Capitol Street; continuing south along the center line of South Capitol Street to the intersection of the center line of South

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Capitol Street and the southern boundary of M Street, S.W.; continuing along southern boundary of M Street, S.W., to the center of the intersection of southern boundary of M Street, S.W., and center line of 6th Street, S.W.; continuing along the center line of 6th Street, S.W., to the intersection of 6th Street, S.W., and the water's edge of the Washington Channel; continuing along the bank of the Washington Channel northwest to the intersection of the bank of the Washington Channel and 15th Street, S.W.; continuing along the center line of 15th Street, S.W., to the center of the intersection of 15th Street, S.W., and Independence Avenue, S.W.; provided, that the lots located in Squares 0267, 0268, and 0299 shall not be included within the Southwest BID.

“(c)(1) The BID taxes for the nonexempt properties in the Southwest BID shall be:

“(A)(i) The amount of \$0.15 per square foot for each net rentable square foot of improved Class 2 Property, excluding property defined in D.C. Official Code § 47-813(c-3)(3) and property covered by sub-subparagraph (iii) of this subparagraph for any property for which the owner is required to report net rentable area to the Office of Tax and Revenue or for which the Office of Tax and Revenue has records indicating the net rentable area of the property;

“(ii) The amount of \$0.15 per square foot for each equivalent net rentable square foot of improved Class 2 Property, excluding property defined in D.C. Official Code § 47-813(c-3)(3) and property covered by sub-subparagraph (iii) of this subparagraph for any property for which the owner is not required to report net rentable area to the Office of Tax and Revenue and for which the Office of Tax and Revenue maintains no record of net rentable area. Equivalent net rentable area shall be 90% of gross building area. Gross building area shall be determined using any method that is generally recognized in the Washington Metropolitan area as an appropriate method for measuring gross building area;

“(iii) Notwithstanding sub-subparagraphs (i) and (ii) of this subparagraph, the total BID tax due on a property or assembly of properties (if the property occupies more than one taxable lot) shall not exceed \$100,000 in any year; provided, that this cap may be increased each year proportionately to the applicable annual increase in the BID tax, regardless of whether the BID tax is increased pursuant to paragraph (3) of this subsection or other law;

“(B) The amount of \$0.35 per gross building area for improved vacant and the amount of \$0.35 per gross square feet of land area of unimproved vacant Class 2 Property, Class 3 Property, and Class 4 Property;

“(C) The amount of \$100 per hotel or motel room for property defined in D.C. Official Code § 47-813(c-3)(3); and

“(D) The amount of \$120 per unit of Class 1 Property that contains 10 or more residential units available for rental for nontransient residential dwelling purposes.

“(2) To the extent that a building that is subject to the BID tax is constructed pursuant to a ground lease on land that is exempt from real property taxes, the assessed value of the real property for purposes of the BID tax shall include the value of the building and the leasehold interest, possessory interest, beneficial interest, or beneficial use of the land, and the lessee or use of the land shall be assessed the corresponding BID tax, which shall be a personal

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liability of the lessee. Delinquencies shall be collected in the same manner as possessory interest taxes under D.C. Official Code § 47-1005.01, or as otherwise provided in this act.

“(3) A 4% annual increase in the BID taxes over the current tax year rates specified in paragraph (1) of this subsection is authorized subject to the requirements of section 8(b).”.

Sec. 3. Fiscal impact statement.

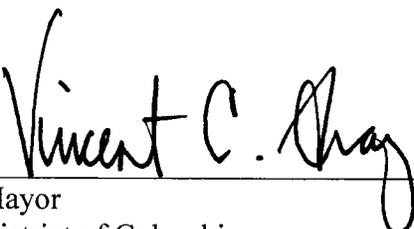
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approve December 24, 1973 (87 Stat. 813; D.C. Official Code §1-206.02(c)(3)).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by 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 §206.02(c)(1)), and publication in the District of Columbia Register.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
June 23, 2014

ENROLLED ORIGINAL

AN ACT

D.C. ACT 20-367

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JUNE 23, 2014

To amend, on a temporary basis, the District of Columbia Workers' Compensation Act of 1979 to match federal statute of limitations for private-sector employees who are injured at work.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Workers' Compensation Statute of Limitations Temporary Amendment Act of 2014".

Sec. 2. Section 36(b) of the District of Columbia Workers' Compensation Act of 1979, effective July 1, 1980 (D.C. Law 3-77; D.C. Official Code § 32-1535(b)), is amended by adding a new sentence at the end to read as follows: "If the employer fails to commence an action against such third person within 90 days after the cause of action is assigned under this section, the right to bring the action shall revert to the person entitled to compensation."

Sec. 3. Applicability.

This act applies to causes of action for negligence for which the 3-year statute of limitations has not expired.

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.

(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

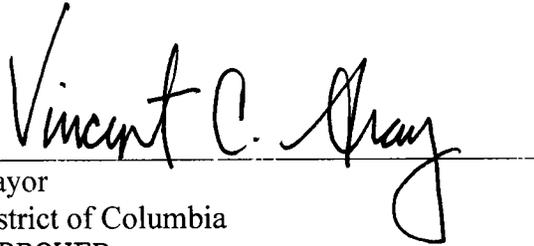
ENROLLED ORIGINAL

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

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
June 23, 2014

ENROLLED ORIGINAL

A RESOLUTION

20-483

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 28, 2014

To declare the existence of an emergency with respect to the need to adjust certain allocations requested in the Fiscal Year 2014 Budget Request Act pursuant to the Omnibus Appropriations Act, 2009.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Fiscal Year 2014 Revised Budget Request Emergency Declaration Resolution of 2014".

Sec. 2. (a) On February 26, 2014, the Office of the Chief Financial Officer provided a revised revenue estimate which showed an increase of \$2.7 million in Fiscal Year 2014. This revenue is bolstered by an additional \$19.8 million from the December revenue estimate and \$49.0 million from the September revenue estimate. These new revenues plus all other revenue sources provide a total of \$6,334.1 million for Fiscal Year 2014.

(b) In addition to these revenues there are also other resources which have been identified that, when netted out, provide an additional \$33.8 million. When combined with existing revenue there is \$6,367.9 million available for expenditure. Currently existing expenditures for Fiscal Year 2014 total \$6,349.6 million, leaving \$18.3 million un-allocated.

(c) Along with this new un-allocated funding, the Mayor has also identified areas of savings. These include \$4.3 million from the D.C. Film Incentive Fund, \$10.0 million from the DC Public Charter Schools, \$20.7 million from the Other Post-Employment Benefits account, and \$51.8 million from sweeping various local, dedicated, and o-type fund balances. When this \$86.8 million is combined with the \$18.3 million, there is \$105.1 million available for expenditure as part of this emergency measure.

(d) The Mayor has identified critical spending items that are being proposed in order to utilize these funds. These include funds for the Housing Production Trust Fund, a Fire and Emergency Medical Services arbitration ruling, pumper and ladder repairs and testing, snow program, technology upgrades at the Metropolitan Police Department, streetscapes for Ward 8, Department of Corrections security cameras, DC Public Library books and materials, and the full repayment of all Fiscal Year 2014 Contingency Cash allocations. These expenditures total \$104.5 million leaving a Fiscal Year 2014 operating margin of \$0.6 million.

ENROLLED ORIGINAL

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Fiscal Year 2014 Revised Budget Request Emergency Adjustment Act of 2014 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

**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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BILLS

B20-844 Small and Certified Business Enterprise Development and Assistance Waiver Certification Amendment Act of 2014

Intro. 06-19-14 by Chairman Mendelson and referred to the Committee on Business, Consumer, and Regulatory Affairs

B20-855 Executive Service Compensation System Changes and Pay Schedule Approval Amendment Act of 2014

Intro. 06-20-14 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Government Operations with comments from the Committee on Judiciary and Public Safety

B20-860 Homeless Prevention Amendment Act of 2014

Intro. 06-25-14 by Councilmember Graham and referred to the Committee on Human Services

B20-861 Manufacturer Licensing Amendment Act of 2014

Intro. 06-25-14 by Councilmember Wells and referred to the Committee on Business, Consumer, and Regulatory Affairs

PROPOSED RESOLUTIONS

PR20-892 District of Columbia Water and Sewer Authority Board of Directors Howard Gibbs Confirmation Resolution of 2014

Intro. 06-20-14 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Transportation and the Environment

PR20-893 District of Columbia Water and Sewer Authority Board of Directors Rachna Butani Confirmation Resolution of 2014

Intro. 06-20-14 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Transportation and the Environment

PR20-894 Board of Physical Therapy Christopher Cousins Confirmation Resolution of 2014

Intro. 06-20-14 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Health

PR20-895 Excepted Service Public Safety Compensation System Changes Approval Resolution of 2014

Intro. 06-20-14 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Government Operations with comments from the Committee on Judiciary and Public Safety

PR20-898 Family Re-housing and Stabilization Program Regulations Approval Resolution of 2014

Intro. 06-20-14 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Human Services

PR20-902 Contract No. CFOPD-10-C-038, On-Line Gaming System and Related Services Approval Resolution of 2014

Intro. 06-24-14 by Chairman Mendelson at the request of the Chief Financial Officer and retained by the Council with comments from the Committee on Finance and Revenue

PR20-903 Reimbursable Details Subsidy Program Resolution of 2014

Intro. 06-25-14 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Business, Consumer, and Regulatory Affairs with comments from the Committee on Judiciary and Public Safety

PROPOSED RESOLUTIONS CON'T

- PR20-905 Real Estate Commission Christine M. Warnke Confirmation Resolution of 2014
- Intro. 06-25-14 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Business, Consumer, and Regulatory Affairs
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- PR20-906 Rental Housing Commission Peter Szegedy-Maszak Confirmation Resolution of 2014
- Intro. 06-25-14 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Economic Development
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- PR20-907 Board of Respiratory Care Jean Williams Confirmation Resolution of 2014
- Intro. 06-25-14 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Health
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- PR20-908 Board of Respiratory Care Carolyn A. Williams Confirmation Resolution of 2014
- Intro. 06-25-14 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Health
-
- PR20-909 District of Columbia Board of Dentistry Yolanda Josey-Baker Confirmation Resolution of 2014
- Intro. 06-25-14 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Health
-
- PR20-910 Interagency Council on Homelessness Cheryl Barnes Confirmation Resolution of 2014
- Intro. 06-25-14 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Human Services
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- PR20-911 Interagency Council on Homelessness Chapman Todd Confirmation Resolution of 2014
- Intro. 06-25-14 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Human Services
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- PR20-912 Interagency Council on Homelessness Robert Scott McNeilly Confirmation Resolution of 2014
- Intro. 06-25-14 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Human Services
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PROPOSED RESOLUTIONS CON'T

PR20-913 Interagency Council on Homelessness Michael Coleman Confirmation Resolution of 2014

Intro. 06-25-14 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Human Services

PR20-914 Board of Real Estate Appraisers Todd Canterbury Confirmation Resolution of 2014

Intro. 06-25-14 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Business, Consumer, and Regulatory Affairs

PR20-915 Board of Real Estate Appraisers Marguerite Allen Confirmation Resolution of 2014

Intro. 06-25-14 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Business, Consumer, and Regulatory Affairs

PR20-916 Housing Finance Agency Board of Directors Martin Craig Pascal Confirmation Resolution of 2014

Intro. 06-25-14 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Economic Development

PR20-917 Housing Finance Agency Board of Directors Derek Ford Confirmation Resolution of 2014

Intro. 06-25-14 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Economic Development

PR20-918 Historic Preservation Review Board Joseph Taylor Confirmation Resolution of 2014

Intro. 06-25-14 by Chairman Mendelson at the request of the Mayor and referred to the Committee of the Whole

PR20-919 Historic Preservation Review Board Rauzia Ruhana Ally Confirmation Resolution of 2014

Intro. 06-25-14 by Chairman Mendelson at the request of the Mayor and referred to the Committee of the Whole

PROPOSED RESOLUTIONS CON'T

PR20-920 Interest Arbitration Award and Settlements between the Government of the District of Columbia Fire and Emergency Medical Services Department and Local 36 International Association of FireFighters (Compensation Unit 4) Resolution of 2014

Intro. 06-25-14 by Chairman Mendelson at the request of the Mayor and referred to the Committee of the Whole

PR20-921 Commission on the Arts and Humanities Gretchen B. Wharton Confirmation Resolution of 2014

Intro. 06-25-14 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Finance and Revenue

PR20-922 Commission on the Arts and Humanities Edmund C. Fleet Confirmation Resolution of 2014

Intro. 06-25-14 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Finance and Revenue

PR20-923 Commission on the Arts and Humanities Darrin Lewis Glymph Confirmation Resolution of 2014

Intro. 06-25-14 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Finance and Revenue

PR20-924 Commission on the Arts and Humanities Mary Ann Miller Confirmation Resolution of 2014

Intro. 06-25-14 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Finance and Revenue

PR20-925 Commission on the Arts and Humanities Judith F. Terra Confirmation Resolution of 2014

Intro. 06-25-14 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Finance and Revenue

PR20-926 Commission on the Arts and Humanities Jose Alberto Ucles Confirmation Resolution of 2014

Intro. 06-25-14 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Finance and Revenue

Council of the District of Columbia

Committee on Human Services

PUBLIC OVERSIGHT ROUNDTABLE

1350 Pennsylvania Avenue, N.W., Room 116, Washington, D.C. 20004

**THE COMMITTEE ON HUMAN SERVICES
COUNCILMEMBER JIM GRAHAM, CHAIRPERSON**

ANNOUNCES A PUBLIC OVERSIGHT ROUNDTABLE ON THE

“500 FAMILIES. 100 DAYS. QUALITY DC HOUSING NOW CAMPAIGN”

AND

**PR20-854, “SENSE OF THE COUNCIL FOR CLOSING DC GENERAL
SHELTER RESOLUTION OF 2014”**

THURSDAY, JULY 10, 2014 AT 2:00 P.M.

ROOM 500

**THE JOHN A. WILSON BUILDING
1350 PENNSYLVANIA AVENUE, N.W.
WASHINGTON, D.C. 20004**

Councilmember Jim Graham, Chairperson of the Committee on Human Services, announces a public oversight roundtable on the “500 Families. 100 Days. Quality DC Housing Now Campaign” and PR 20-854, the “Sense of the Council for Closing DC General Shelter Resolution of 2014.” The roundtable will be held on Thursday, July 10, 2014, at 2:00 p.m., in Room 500 of the John A. Wilson Building.

In April 2014, Mayor Vincent Gray launched the “500 Families. 100 Days. Quality DC Housing Now Campaign”, a key part of his Crisis Response Plan to address the demand for housing for homeless families. Through this citywide campaign, the Department of Human Services, in collaboration with The Community Partnership for the Prevention of Homelessness and Transitional Housing Corporation, plans to identify and lease 500 units of housing in 100 days for families currently in the DC General Shelter and area hotels. This roundtable will examine this initiative, its impact on the FY15 budget, and its effectiveness in moving families out of shelter into stable housing.

PR 20-854 declares the sense of the Council that the District closes and discontinues use of the DC General Shelter for homeless families only when certain benchmarks are met and when there is a sufficient number of appropriate apartment style units and permanent housing options available for existing and newly homeless families.

Those who wish to testify or have questions regarding the roundtable should contact Malcolm Cameron of the Committee on Human Services by e-mail at mcameron@dccouncil.us or by telephone at (202) 724-8191. E-mail contacts to Mr. Cameron should include the residential ward, full name, title, and affiliation -- if

applicable -- of the person(s) testifying. Witnesses should bring 15 copies of their testimony to the roundtable. 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.

If you are unable to testify at the roundtable, written statements are encouraged and will be made a part of the official record. Copies of written statements should be submitted to the Committee on Human Services, 1350 Pennsylvania Avenue, N.W., Suite 116, Washington, D.C. 20004, no later than 6:00 p.m., Monday, July 21, 2014, when the official record will close.

**Council of the District of Columbia
Committee on Business, Consumer, and Regulatory Affairs
Notice of Public Oversight Roundtable**

John A. Wilson Building 1350 Pennsylvania Avenue, NW, Suite G-6 Washington, DC 20004

**Councilmember Vincent B. Orange, Sr., Chairperson
Committee on Business, Consumer, and Regulatory Affairs
Announces a Public Oversight Roundtable**

**Review of District Agency Compliance with Fiscal Year 2014
Small Business Enterprise Expenditure Goals**

**WEDNESDAY, July 9, 2014, 2:30 P.M.
JOHN A. WILSON BUILDING, ROOM 500
1350 PENNSYLVANIA AVENUE, N.W.
Washington, DC 20004**

Councilmember Vincent B. Orange, Sr. announces the scheduling of a public oversight roundtable by the Committee on Business, Consumer, and Regulatory Affairs to review the District of Columbia's agency compliance with fiscal year 2014 Small Business Enterprise expenditure goals through the 2nd quarter of Fiscal Year 2014, ending March 31, 2014. The public oversight roundtable is scheduled for Wednesday, July 9, 2014, at 2:30 p.m. in Room 500 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Washington, DC 20004.

The purpose of the public oversight roundtable is to review the level of compliance by District agencies regarding agency spending with District Small and Certified Business Enterprises, required under the "Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005. The Committee will also review the goals and objectives of the various agencies to achieve full compliance pursuant to the law.

Individuals and representatives of organizations who wish to testify at the public oversight roundtable are asked to contact Ms. Faye Caldwell, Special Assistant to the Committee on Business, Consumer, and Regulatory Affairs, at (202) 727-6683, or via e-mail at fcaldwell@dccouncil.us and furnish their names, addresses, telephone numbers, and organizational affiliation, if any, by the close of business Monday, July 7, 2014. Each witness is requested to bring 20 copies of his/her written testimony. Representatives of organizations and government agencies will be limited to 5 minutes in order to permit each witness an opportunity to be heard. Individual witnesses will be limited to 3 minutes.

If you are unable to testify at the hearing, written statements are encouraged and will be made a part of the official record. The official record will remain open until close of business Monday, July 21, 2014. Copies of written statements should be submitted to the Committee on Small and Local Business Development, Council of the District of Columbia, Suite G-6 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004.

**Council of the District of Columbia
Committee on Business, Consumer, and Regulatory Affairs
Notice of Public Oversight Roundtable**

John A. Wilson Building 1350 Pennsylvania Avenue, NW, Suite G-6 Washington, DC 20004

**Councilmember Vincent B. Orange, Sr., Chairperson
Committee on Business, Consumer, and Regulatory Affairs
Announces a Public Oversight Roundtable**

**Review of the Activities, Projected Revenue and Expenditures of the
DC Office of Motion Picture and Television Development**

**Thursday, July 10, 2014, 2:30 P.M.
JOHN A. WILSON BUILDING, ROOM 120
1350 PENNSYLVANIA AVENUE, N.W.
Washington, DC 20004**

Councilmember Vincent B. Orange, Sr. announces the scheduling of a public oversight roundtable by the Committee on Business, Consumer, and Regulatory Affairs to review the District of Columbia's Office of Motion Picture and Television Development activities and expenditures in Fiscal Year 2014. The public oversight roundtable is scheduled for Thursday, July 10, 2014, at 2:30 p.m. in Room 120 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Washington, DC 20004.

The purpose of the public oversight roundtable is to review the agency's current activities, including its progress to date in attracting out-of-state production to film in the District of Columbia and the recent announcement of Pigmental Studios' intention to relocate from Los Angeles, CA to the District of Columbia. The Committee is interested in learning what incentives were provided to make the relocation of Pigmental Studios possible. According to one source, the District government is giving a \$250,000 grant to Pigmental, which will be used support the studio's relocation.

Individuals and representatives of organizations who wish to testify at the public oversight roundtable are asked to contact Ms. Faye Caldwell, Special Assistant to the Committee on Business, Consumer, and Regulatory Affairs, at (202) 727-6683, or via e-mail at fcaldwell@dccouncil.us and furnish their names, addresses, telephone numbers, and organizational affiliation, if any, by the close of business Tuesday, July 8, 2014. Each witness is requested to bring 20 copies of his/her written testimony. Representatives of organizations and government agencies will be limited to 5 minutes in order to permit each witness an opportunity to be heard. Individual witnesses will be limited to 3 minutes.

If you are unable to testify at the hearing, written statements are encouraged and will be made a part of the official record. The official record will remain open until close of business Monday, July 21, 2014. Copies of written statements should be submitted to the Committee on Small and Local Business Development, Council of the District of Columbia, Suite G-6 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004.

**COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE OF THE WHOLE
NOTICE OF PUBLIC ROUNDTABLE**

1350 Pennsylvania Avenue, NW, Washington, DC 20004

RECONVENED

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

on

PR 20-797, Compensation Collective Bargaining Agreement between the Government of the District of Columbia Fire and Emergency Medical Services Department and Local 36 International Association of FireFighters (Compensation Unit 4) Emergency Approval Resolution of 2014

on

**Tuesday, July 8, 2014
2:00 p.m., Room 412, John A. Wilson Building
1350 Pennsylvania Avenue, NW
Washington, DC 20004**

Council Chairman Phil Mendelson announces the reconvening of a public roundtable of the Committee of the Whole on **PR 20-797**, the “Compensation Collective Bargaining Agreement between the Government of the District of Columbia Fire and Emergency Medical Services Department and Local 36 International Association of FireFighters (Compensation Unit 4) Emergency Approval Resolution of 2014.” The reconvened roundtable will be held on Tuesday, July 8, 2014 at 2:00 pm, or immediately following the Committee hearing on PR 20-839 and PR 20-841, in Hearing Room 412 of the John A. Wilson Building, 1350 Pennsylvania Avenue, NW, Washington, DC, 20004.

This roundtable was initially convened on Tuesday, June 10, 2014, although the Executive withdrew PR 20-797. The Executive has since resubmitted the compensation agreement in the form of PR 20-920, “Interest Arbitration Award and Settlements between the Government of the District of Columbia Fire and Emergency Medical Services Department and Local 36 International Association of FireFighters (Compensation Unit 4) Resolution of 2014.” The reconvened roundtable will continue consideration of the aforementioned compensation agreement, which is now contained in PR 20-920.

Those who wish to testify should contact Ms. Jessica Jacobs, Legislative Counsel, at (202) 724-8196, or via e-mail at jjacobs@dccouncil.us, and provide their name, address, telephone number, organizational affiliation and title (if any) by close of business Thursday, July 3, 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 July 3, 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 20-920 can be obtained through the Legislative Services Division of the Secretary of the Council’s office or on <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. Written statements should be submitted to the Committee of the Whole, Council of the District of Columbia, Suite 410 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004. The record will close at 5:00 p.m. on Friday, July 11, 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. 20-219: Request to reprogram \$1,202,766 of Fiscal Year 2014 Local funds budget authority within the Department of Corrections (DOC) was filed in the Office of the Secretary on June 25, 2014. This reprogramming ensures that DOC is able to procure a truck for work squads, security camera maintenance, a copier machine, laptop computers, video technology equipment, video camcorders equipment rental, inmate assessment tools and software, professional services, educational supplies, time clock kiosks, external audit services, tactical uniforms, security supplies, Department of Health pharmaceuticals, and basic office supplies.

RECEIVED: 14 day review begins June 26, 2014

Reprog. 20-220: Request to reprogram \$5,052,051 of Fiscal Year 2014 Local funds budget authority within the Office of the Chief Financial Officer (OCFO) was filed in the Office of the Secretary on June 26, 2014. This reprogramming supports three technology improvements for the OCFO: (1) the mitigation of computer systems security risks as required by the Internal Revenue Services and other security measures (\$3.1 million); (2) licensing and support costs for the replacement of the District's accounting system (SOAR) (\$899,000); and (3) the Fixed Assets Inventory system contract, which provides for the accounting and management of capital assets as noted as an area of concern in the District's Comprehensive Annual Financial Report (\$1.0 million).

RECEIVED: 14 day review begins June 26, 2014

Reprog. 20-221: Request to reprogram \$1,037,263 of Fiscal Year 2014 Local funds budget authority within the Office of the Chief Medical Examiner (OCME) was filed in the Office of the Secretary on June 26, 2014. This reprogramming ensures that OCME will be able to settle an employment suit, renovate existing offices, purchase supplies, support the existing Body Removal contract, and fund agency travel.

RECEIVED: 14 day review begins June 26, 2014

Reprog. 20-222: Request to reprogram \$3,049,000 of Fiscal Year 2014 Local funds budget authority within the Department of General Services (DGS) was filed in the Office of the Secretary on June 26, 2014. This reprogramming ensures that DGS is able to cover utility costs for District-wide electricity consumption and rent.

RECEIVED: 14 day review begins June 26, 2014

Reprog. 20-223: Request to reprogram \$260,000 of Pay-as-you-go (PYGO) Capital funds budget authority and allotment to the operating funds budget of the Office of the Deputy Mayor for Education (DME) was filed in the Office of the Secretary on June 26, 2014. This reprogramming will support the costs of several education reforms with appropriate operating budget.

RECEIVED: 14 day review begins June 26, 2014

Reprog. 20-224: Request to reprogram \$950,000 of Fiscal Year 2014 Local funds budget authority within the Department of Employment Services (DOES) was filed in the Office of the Secretary on June 26, 2014. This reprogramming ensures that DOES will be able to accommodate the Transitional Employment program participants' payroll once the new minimum wage goes into effect on July 1, 2014.

RECEIVED: 14 day review begins June 26, 2014

Reprog. 20-225: Request to reprogram \$37,195 of Pay-as-you-go (Paygo) Capital funds budget authority and allotment to the operating funds budget of the Department of General Services (DGS) was filed in the Office of the Secretary on June 26, 2014. This reprogramming is necessary to enable the agency to purchase security cameras for the Shepherd Elementary School (ES) modernization project, located at 7800 14th Street NW, Washington, DC.

RECEIVED: 14 day review begins June 26, 2014

Reprog. 20-226: Request to reprogram \$490,935 of Fiscal Year 2014 Local funds budget authority from the Office of Administrative Hearings (OAH) to the District of Columbia National Guard (DCNG) was filed in the Office of the Secretary on June 26, 2014. This reprogramming ensures that DCNG will be able to provide an educational alternative that prepares youth for GED testing, life skills, and job training through the Youth ChalleNGe Program.

RECEIVED: 14 day review begins June 26, 2014

Reprog. 20-227: Request to reprogram \$764,000 of Fiscal Year 2014 Local funds budget authority within the District of Columbia Public Schools (DCPS) was filed in the Office of the Secretary on June 26, 2014. This reprogramming ensures that DCPS' budget is properly aligned with projected expenditures required to be in compliance with the Blackman-Jones Consent Decree.

RECEIVED: 14 day review begins June 26, 2014

Reprog. 20-228: Request to reprogram \$951,014 of Fiscal Year 2014 Local funds budget authority within the D.C. Department of Employment Services (DOES) was filed in the Office of the Secretary on June 26, 2014. This reprogramming ensures that DOES will be able to cover a deficit within the Local Adult Job Training program.

RECEIVED: 14 day review begins June 26, 2014

Reprog. 20-229: Request to reprogram \$128,920 of Fiscal Year 2014 Local funds budget authority within the District of Columbia National Guard (DCNG) was filed in the Office of the Secretary on June 26, 2014. This reprogramming ensures that DCNG will be able to provide an educational alternative that prepares youth for GED testing, life skills, and job training through the DC Youth ChalleNGe Program.

RECEIVED: 14 day review begins June 26, 2014

Reprog. 20-230: Request to reprogram \$64,338 of Capital funds budget authority and allotment within the District Department of Transportation (DDOT) was filed in the Office of the Secretary on June 26, 2014. This reprogramming is needed to properly align Master Project Operations, Safety and System Efficiency (OSS00A) with the Federal Highway Administration's (FHA) obligations for the current fiscal year and future spending.

RECEIVED: 14 day review begins June 26, 2014

Reprog. 20-231: Request to reprogram \$1,278,604 of Fiscal Year 2014 Local funds within the District of Columbia Public Library (DCPL) was filed in the Office of the Secretary on June 26, 2014. This reprogramming ensures that DCPL is able to achieve the following: Upgrade the intranet, website, mobile application, telephone reliability at certain neighborhood libraries, and purchase 24 Tabletop Modular Self-Check stations; Procure body and uniforms, belts, cases, and holders for public safety officers; and Ascertain the attorneys are able to participate in continuing education workshops.

RECEIVED: 14 day review begins June 26, 2014

Reprog. 20-232: Request to reprogram \$143,090 OF Capital funds budget authority and allotment within the District Department of Transportation (DDOT) was filed in the Office of the Secretary on June 26, 2014. This reprogramming is needed to properly align the Master Project Planning, Management and Compliance (PM000A) with the Federal Highway Administration's (FHA) obligations for the current fiscal year and future spending.

RECEIVED: 14 day review begins June 26, 2014

Reprog. 20-233: Request to reprogram \$1,000,000 of Capital funds budget authority and allotment within the Department of General Services (DGS) was filed in the Office of the Secretary on June 26, 2014. This reprogramming will enable DGS to implement the facility renovations for the District of Columbia Public Schools (DCPS).

RECEIVED: 14 day review begins June 26, 2014

Reprog. 20-234: Request to reprogram \$3,558,045 of Fiscal Year 2014 Dedicated Tax funds budget authority within the Office of the Stet Superintendent of Education (OSSE) was filed in the Office of the Secretary on June 26, 2014. This reprogramming ensures that OSSE's budget covers the cost of implementing a system that will automate the application process, grant management and claims processing for Wellness and Nutrition services, in addition to updating the student level data and the health components of the District of Columbia Comprehensive Assessment System.

RECEIVED: 14 day review begins June 26, 2014

Reprog. 20-235: Request to reprogram \$226,696 of Capital funds budget authority and allotment within the District Department of Transportation (DDOT) was filed in the Office of the Secretary on June 26, 2014. This reprogramming is needed to properly align the Master Project Planning, Management and Compliance (PM000A) budgets with the Federal Highway Administration's (FHA) obligations for the current fiscal year and future spending.

RECEIVED: 14 day review begins June 26, 2014

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

**NOTICE OF PUBLIC HEARINGS
CALENDAR**

**WEDNESDAY, JULY 9, 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**

Public Announcement Adams Morgan Moratorium Zone Emergency and Proposed Rules	9:00 AM
Protest Hearing (Status) Case # 14-PRO-00037; Assefa Kidane, t/a Manchester Bar and Restaurant 944 Florida Ave NW, License #75377, Retailer CT, ANC 1B Application to Renew the License	9:30 AM
Protest Hearing (Status) Case # 14-PRO-00039; Zhou Hospitality Group, LLC, t/a UMACA, 733 10th Street NW, License #94099, Retailer CT, ANC 2C Application for a New License	9:30 AM
Protest Hearing (Status) Case # 14-PRO-00040; Stephen Davis, t/a Saloon 45, 1821 18th Street NW License #94842, Retailer CT, ANC 2B Application for a New License	9:30 AM
Show Cause Hearing (Status) Case # 13-CMP-00583; Langston Bar & Grille, LLC, t/a Langston Bar & Grille 1831 Benning Road NE, License #76260, Retailer CR, ANC 6A Failed to File Quarterly Statements (2nd Quarter 2013)	9:30 AM
Show Cause Hearing (Status) Case # 14-CC-00007; Shenpos in DC, Inc., t/a Market of Columbia Plaza 516 23rd Street NW, License #23557, Retailer B, ANC 2A Sale to Minor Violation, Failed to Take Steps Necessary to Ascertain Legal Drinking Age	9:30 AM

Board's Calendar
July 9, 2014

Show Cause Hearing (Status) **9:30 AM**
Case # 14-CC-00005; Shenpos in DC, Inc., t/a Market of Columbia Plaza, 516
23rd Street NW, License #23557, Retailer B, ANC 2A
**Sale to Minor Violation, Failed to Take Steps Necessary to Ascertain Legal
Drinking Age, Interfered with an Investigation**

Show Cause Hearing (Status) **9:30 AM**
Case # 14-CMP-00070; Dahlak Restaurant, Inc., t/a Dahlak Restaurant, 1771 U
Street NW, License #74433, Retailer CR, ANC 1C
Substantial Change In Operation Without Board Approval

Show Cause Hearing* **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)

Fact Finding Hearing* **11:00 AM**
Case # 14-251-00129; TGR, Inc., t/a Look, 1909 K Street NW, License #77812
Retailer CR, ANC 2B
Multiple Assaults Outside of the Establishment

BOARD RECESS AT 12:00 PM
ADMINISTRATIVE AGENDA
1:00 PM

Protest Hearing* **1:30 PM**
Case # 14-PRO-00025, Yfe, Inc., t/a 18th Street Lounge; 1212 18th Street NW
License #21211, Retailer CT, ANC 2B
Application to Renew the License - (Re-Placard)
*This Hearing has been continued to August 13, 2014 at 1:30 pm., at the
request of the Parties.*

Fact Finding Hearing* **1:30 PM**
Cuckoo Marans, LLC, t/a Music & Arts Club/Tropicalia, 2001 14th Street NW
License #83264, Retailer CN, ANC 1B
Application to Change Hours of Operations

Fact Finding Hearing* **2:00 PM**
RCX, LLC, t/a Stadium Club; 2127 Queens Chapel Road, NE, License #94244
Retailer CN, ANC 5C
Transfer Application

Board's Calendar
July 9, 2014

Fact Finding Hearing **2:30 PM**

Pub Crawl; Applicant: Kevin Kirk and Sherry Kirk, Date of Event: July 26, 2014
Event: Snow Day Bar Crawl(Christmas in July), Neighborhood: Multiple
Licensed Premises,Size of Event: 2,000

The names of the establishments participating in the Pub Crawl are available upon request.

Fact Finding Hearing **3:00 PM**

Aniket Shah, t/a Ultra; 360 West 43rd Street, New York, N.Y. 10036
Unlicensed

Fact Finding Hearing* **3:30 PM**

FR&LH, LLC, t/a (Trade Name to Be Determined); 1515 Wisconsin Ave NW
License #N/A, Retailer CR, ANC 2E, **New Application**

Fact Finding Hearing* **4:00 PM**

AN& JM, LLC, t/a (Trade Name to Be Determined); 1513 Wisconsin Ave NW
License #N/A, Retailer CR, ANC 2E
New Application

Fact Finding Hearing* **4:30 PM**

MYIA, LLC, t/a (Trade Name to Be Determined); 1419 Wisconsin Ave NW
License #N/A, Retailer CR, ANC 2E
New Application

Protest Hearing* **4:30 PM**

Case # 14-PRO-00019; The Blagden Alley Entertainment, LLC, t/a The American, 1209 10th Street NW, License #92766, Retailer CR, ANC 2F
Application for a New License
This hearing has been cancelled due to the approval of a Settlement Agreement. See Board Order No. 2014-270.

***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: July 4, 2014
Petition Date: August 18, 2014
Hearing Date: September 2, 2014
Protest Hearing Date: October 22, 2014

License No.: ABRA-095535
Licensee: Mango Concepts, LLC
Trade Name: Mango Tree
License Class: Retailer's Class "C" Restaurant
Address: 925 H Street NW
Contact: Andrew J. 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 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 October 22, 2014 at 1:30 pm.

NATURE OF OPERATION

This is new Retail Class "C" Restaurant that will be serving Thai Food. There will be entertainment with occasional dancing and a Sidewalk Café. There are 213 seats with a total occupancy load of 239. The sidewalk café has seating of 36.

HOURS OF OPERATION / THE PREMISE AND THE SIDEWALK CAFE

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

**HOURS OF ALCOHOLIC BEVERAGES/
SALES/SERVICE/CONSUMPTION/PREMISE AND THE SIDEWALK CAFE**

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

**HOURS OF LIVE ENTERTAINMENT OCCURING OR CONTINUING AFTER 6:00
PM/PREMISE AND SIDEWALK CAFE**

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

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

Posting Date: July 4, 2014
Petition Date: August 18, 2014
Hearing Date: September 2, 2014
Protest Hearing Date: October 22, 2014

License No.: ABRA-086859
Licensee: Clover Logan Circle LLC
Trade Name: Tortilla Coast
License Class: Retailer's Class "C" Restaurant
Address: 1454-1460 P Street, N W
Phone: Brian Sullivan, 202-362-9842 ext. 101

WARD 2

ANC 2F

SMD 2F02

Notice is hereby given that this licensee has applied for a substantial change to the 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, 2000 14th Street, NW, 4th Floor, Washington, D.C. 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 1:30 pm on October 22, 2014.

LICENSEE REQUESTS THE FOLLOWING SUBSTANTIAL CHANGE TO THE NATURE OF OPERATIONS:

To change Hours of Operation and Sales Inside and Summer Garden.

CURRENT HOURS OF OPERATION AND HOURS OF ALCOHOLIC BEVERAGE SALES/CONSUMPTION

Sunday 10 am – 12 am, Monday through Thursday 11 am- 12 am, Friday 11 am-1 am, and Saturday 10 am-1 am

CURRENT HOURS OF OPERATION FOR SUMMER GARDEN

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

CURRENT HOURS OF SALES/CONSUMPTION FOR SUMMER GARDEN

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

PROPOSED HOURS OF OPERATION AND HOURS OF ALCOHOLIC BEVERAGE SALES/CONSUMPTION INSIDE AND SUMMER GARDEN

Sunday 10 am – 1 am Monday through Thursday 11am- 1 am, Friday 11 am 2 am and Saturday 10 am-2 am

DEPARTMENT OF HEALTH
STATE HEALTH PLANNING AND DEVELOPMENT AGENCY
NOTICE OF INFORMATION HEARING

Pursuant to D.C. Official Code § 44-406(b)(4), the District of Columbia State Health Planning and Development Agency ("SHPDA") will hold an information hearing on the application by Transitions Healthcare Capitol City, LLC and 2425 25th Street, S.E., LLC for the Acquisition of Washington Nursing Facility - Certificate of Need Registration No. 14-8-2. The hearing will be held on Friday, July 25, 2014, at 11:00 a.m., at 899 North Capitol Street, N.E., 4th Floor, Room 407, Washington, D.C. 20002.

The hearing shall include a presentation by the Applicant, describing its plans and addressing the certifications provided pursuant to D.C. Official Code § 44-406(b)(1) and an opportunity for affected persons to testify. Persons who wish to testify should contact the SHPDA on (202) 442-5875 before 4:45 p.m., by Thursday, July 24, 2014. Each member of the public who wishes to testify will be allowed a maximum of five (5) minutes. Written statements may be submitted to:

The State Health Planning and Development Agency
899 North Capitol Street, N.E.
Second Floor
Washington, D.C. 20002

Written statements must be received before the record closes at 4:45 p.m. on Friday, August 1, 2014. Persons who would like to review the Certificate of Need application or who have questions relative to the hearing may contact the SHPDA on (202) 442-5875.

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

The D.C. Historic Preservation Review Board will hold a public hearing to consider an application to designate the following property a historic landmarks 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. 14-17: Terminal Refrigerating and Warehousing Company
300 D Street SW
Square 536, Lot 53**

The hearing will take place at **9:00 a.m. on Thursday, July 24, 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, DC 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 hearing is 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 historic landmark 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 or 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****NOTICE OF PUBLIC HEARING**

Public notice is hereby given that the Mayor's Agent will hold a public hearing 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: **Friday, August 1, 2014, at 9:30 a.m.**
Case Number: H.P.A. 14-393
Address: 2501 (2507) 1st Street NW
Square/Lot: 3128/800
Applicant: Vision McMillan Partners LLC
Type of Work: Raze

Affected Historic Property: McMillan Park Reservoir
Affected ANC: 5E

The Applicant's claim is that the issuance of the raze permit is necessary in the public interest to allow the construction of a project of special merit.

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.

DISTRICT OF COLUMBIA OFFICE OF PLANNING
NOTICE OF AVAILABILITY OF THE MID CITY EAST
SMALL AREA DRAFT PLAN FOR PUBLIC COMMENT

ACTION: Notice of Availability of the Mid City East Small Area Plan Draft for Public Comment.

SUMMARY: The Mid City East Small Area Plan (“Draft Plan”) is a framework plan—the result of an intensive 18-month long community-based planning process. The Draft Plan provides a framework for conservation, development, sustainability and connectivity in Mid City East, which includes the neighborhoods of Bates/Truxton Circle, Bloomingdale, Eckington, Hanover, LeDroit Park, and Sursum Corda, as well as sections of Edgewood and Stronghold. Further, the 2006 DC Comprehensive Plan “Action MC-2.7.A: North Capitol Revitalization Strategy” specifies the preparation of a small area plan for the North Capitol/Florida Avenue business district.

The vision for the Mid City East Small Area Plan is to improve quality of life and enhance neighborhood amenities and character while supporting a community of culturally, economically, and generationally diverse residents. The Draft Plan incorporates the goals from the Comprehensive Plan as well as the goals developed through the community and stakeholder process.

The Small Area Plan was also informed by technical analyses including an Existing Conditions analysis, a Historic and Cultural Resources report, and a Market Study. The plan also incorporates recommendations from the District Department of Transportation’s Mid City East Livability Study, which was conducted in collaboration with the Office of Planning (OP) and was completed in October 2013.

The Office of Planning (DCOP) has published for public review and comment the Draft Plan for Mid City East. The DCOP is providing a 30-day public comment period on the Mid City East Plan. Comments must be submitted to the office by the closing date, Tuesday, September 2, 2014.

The Draft Plan conveys a shared vision, records the guiding principles that were developed through the community-based planning process, and includes key recommendations for neighborhood character, commercial revitalization, redevelopment, public realm, parks/green space and connectivity. It includes an implementation strategy to serve as a roadmap for implementing plan recommendations including projected timeframe and responsible entity. The Draft Plan provides residents, land owners, developers, city officials and District agencies with a framework to guide future development in the study area.

The DCOP, working in collaboration with the cooperating agencies, will consider all public comments on the Draft Plan and make its final recommendations on the project to the Mayor of the District of Columbia. Subsequently, the Mayor will submit to the District of Columbia City Council for consideration a Revised Draft Plan. The Council will provide additional opportunities for public comments, and will make its final decision regarding this project and any modifications and conditions it might impose on the plan. The Mayor, through the cooperating agencies will implement the plan.

FOR FURTHER INFORMATION CONTACT: Chelsea Liedstrand, Citywide Planner by mail 1100 4th Street SW., Suite E650, Washington, DC 20024; by phone (202) 442-7600; fax (202) 442-7638 or email at: [Liedstrand, Chelsea \(OP\) Chelsea.Liedstrand@dc.gov](mailto:Liedstrand,Chelsea(OP)@dc.gov)

The Draft Plan is available for review at the following locations:

Harry Thomas Recreation Center:
1743 Lincoln Rd NE,
Washington, DC 20002

Walker Jones Library:
155 L St NW
Washington, DC 20001

Martin Luther King Jr. Library:
901 G Street, NW
Washington, DC 20001

Office of Planning:
1100 4th Street SW, Suite E650
Washington, DC 20024

The Draft Plan is also available online at the DC Office Planning Web site:
www.planning.dc.gov or www.midcityeast.com
Please click on link for "Mid City East Draft Small Area Plan".

Public Comment

Written comments on the Draft Plan must be submitted by September 2, 2014. Comments must include a name, address and any organization for which the comments represent. Please send all comments to:

Chelsea Liedstrand,
Citywide Planner
1100 4th Street SW., Suite E650,

Washington, DC 20024
(202) 442-7600 (p)
(202) 442-7638 (f)
Chelsea.Liedstrand@dc.gov

Mayoral Hearing

In addition to receiving written comments on the Draft Plan, DC Office of Planning will host a Mayoral Hearing on **July 29, 2014, from 6:30-8:30pm** at **The Summit at St. Martin's located at 116 T Street, N.E., Second Floor, Washington, DC 20002**. Please note that comments can be submitted until **September 2, 2014**. At the hearing, DC Office of Planning will provide boards with visual representation pertaining to the recommendations set forth within the Draft Plan and respond to any questions relative to the graphic displays. Following this, members of the public will have an opportunity to offer comments for the public record.

Submitted by: Chelsea Liedstrand, Citywide Planner, by mail 1100 4th Street SW., Suite E650, Washington, DC 20024; by phone (202) 442-7600; fax (202) 442-7638 or email at: Liedstrand, Chelsea (OP) Chelsea.Liedstrand@dc.gov

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

TIME AND PLACE: Monday, September 22, 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. 03-12Q/03-13Q (Capper Carrollsburg Venture, LLC and D.C. Housing Authority – Modification to 1st-Stage PUD @ Squares 739, 767, and 768)

THIS CASE IS OF INTEREST TO ANCs 6B and 6D

On December 31, 2013, the Office of Zoning received an application from Capper Carrollsburg Venture, LLC and the District of Columbia Housing Authority ("DCHA") (collectively, the "Applicant"). The Applicant is requesting a modification to the first-stage planned unit development ("PUD") and related zoning map amendment approved for Squares 739, 767, and 768 (the "Subject Property"), pursuant to Z.C. Order No. 03-12/03-13, as modified by 03-12H/03-13H. The Subject Property is part of a larger PUD, approved pursuant to Z.C. Order No. 03-12/03-13, effective October 8, 2004, that included 707 public housing replacement units.

The Office of Planning provided its set down report on January 31, 2014. At its February 10, 2014 public meeting the Commission set down the modification for a public hearing. The Commission also deferred consideration of a companion time extension request made in Z.C. Case No., 03-12R/03-13R until its consideration of final action under this case. The Applicant provided its prehearing statement on April 29, 2014.

In the Applicant's application materials, dated January 2, 2014, the Applicant sought a modification to the first-stage approval to reallocate the location and distribution of the remaining required Annual Contribution Contract ("ACC") units to provide 99 ACC units in Square 739; 48 ACC units in Square 767; 59 ACC units in Square 768; and 30 ACC units off-site in Lot 77 in Square 737. In the Applicant's subsequent prehearing submission materials, dated April 29, 2014, the Applicant revised its request so that rather than identifying Squares 739, 767, and 768 as the location for the remaining 206 on-site ACC units, the Applicant sought the flexibility to construct these units anywhere on the undeveloped squares within the PUD boundaries without identifying the number of units per square at this time.

The overall PUD site consists of approximately 33 acres of land area and is generally bounded by 2nd Street on the west, 7th Street on the east, Virginia Avenue on the north, and M Street on the south, all in the southeast quadrant of the District (the "PUD Site"). The PUD Site is within the boundaries of Advisory Neighborhood Commission 6D. The requested modification will maintain the approved total number of 707 public housing units proposed for the PUD Site. Instead of providing 695 ACC units on the PUD Site and 12 ACC units off-site, as approved in

Z.C. NOTICE OF PUBLIC HEARING
Z.C. CASE NO. 03-12Q/03-13Q
PAGE 2

Z.C. Order No. 03-12/03-13, the modified development will provide 665 ACC units on the PUD Site and 42 ACC units on off-site locations. The requested modification does not change any of the zoning parameters for the approved PUD.

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

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Z.C. CASE NO. 03-12Q/03-13Q
PAGE 3

mail sent to the address stated below, e-mail (donna.hanousek@dc.gov), or by calling (202) 727-0789.

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

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. 744; 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 a new Section 921 of Chapter 9 (Medicaid Program), Title 29 (Public Welfare), of the District of Columbia Municipal Regulations (DCMR), entitled “Lead Investigations for Medicaid-Eligible Children”.

These rules authorize Medicaid reimbursement to the D.C. Department of the Environment (DDOE) or its agents to conduct environmental investigations that determine the presence of lead in a child’s primary residence when a medical diagnosis indicates an elevated blood level. This service is covered under the Medicaid State Plan and will be provided pursuant to the Early and Periodic, Screening, Diagnostic and Treatment benefit. This service also supports DDOE in its mission to reduce District children’s exposure to lead contamination.

A Notice of Proposed Rulemaking was published in the *D.C. Register* on April 25, 2014 at 61 DCR 004200. No comments were received and no substantive changes have been made. The Director adopted these rules on June 23, 2014 and they shall become effective on the date of publication of this notice in the *D.C. Register*.

Chapter 9 (Medicaid Program), Title 29 (Public Welfare), of the District of Columbia Municipal Regulations (DCMR), is amended by adding the following new Section 921 to read as follows:

921 LEAD INVESTIGATIONS FOR MEDICAID-ELIGIBLE CHILDREN UNDER THE AGE OF TWENTY-ONE

921.1 Medicaid reimbursement shall be available to the D.C. Department of the Environment (“DDOE”) or its agent(s) to conduct investigations that determine the source of lead contamination in the primary residence of Medicaid-eligible children under the age of twenty-one (21) who have been diagnosed with elevated blood lead levels.

921.2 Reimbursement for an environmental investigation to identify lead contamination shall be limited to reimbursement for one (1) investigation per home where a Medicaid-eligible child who has been diagnosed with an elevated blood level resides.

921.3 Reimbursement shall only be provided if the investigation was performed by a certified Lead Risk Assessor.

921.4 The cost of testing of environmental substances identified during the on-site investigation shall not be reimbursable under this section.

921.5 The reimbursement rate for an environmental investigation shall be \$476.72 for one (1) visit which shall represent one (1) unit of service.

921.99 **DEFINITIONS**

For purposes of this section, the following terms shall have the meanings ascribed.

Risk Assessor – An individual who has been trained by an accredited training program and certified to conduct risk assessments (D.C. Official Code § 8-231.01 *et seq*).

DEPARTMENT OF HEALTH CARE FINANCE

NOTICE OF FINAL RULEMAKING

The Director of the Department of Health Care Finance (DHCF), pursuant to the authority set forth in An Act to enable the District of Columbia to receive federal financial assistance under Title XIX of the Social Security Act for a medical assistance program, and for other purposes, approved December 27, 1967 (81 Stat. 774; D.C. Official Code § 1-307.02 (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 4209 of Chapter 42 (Home and Community-Based Services Waiver for Persons who are Elderly and Individuals with Physical Disabilities) of Title 29 (Public Welfare) of the District of Columbia Municipal Register (DCMR).

These final rules amend the previously published standards governing reimbursement of providers of personal care services under the Home and Community-Based Services Waiver for Persons who are Elderly and Individuals with Physical Disabilities (EPD Waiver) by increasing the rates for services rendered by a personal care aide (PCA) to comply with the Living Wage Act of 2006, effective June 8, 2006 (D.C. Law 16-118; D.C. Official Code § 2-220.01 *et seq.* (2012 Repl.)).

A Notice of Emergency and Proposed rulemaking was published in the *D.C. Register* on April 18, 2014 at 61 DCR 004029. No comments were received and no changes have been made. The Director adopted these rules on June 20, 2014, and they shall become effective on the date of publication of this notice in the *DC Register*.

Section 4209 (Reimbursement Rates: Personal Care Aide Services) of Chapter 42 (Home and Community-Based Services Waiver for Persons who are Elderly and Individuals with Physical Disabilities) of Title 29 (Public Welfare) of the DCMR is amended as follows:

Subsections 4209.2 and 4209.3 are amended to read as follows:

- 4209.2 Each Provider shall be reimbursed four dollars and thirty-five cents (\$4.35) per fifteen minutes for services rendered by a PCA, of which three dollars and forty cents (\$3.40) per fifteen minutes shall be paid to the PCA to comply with the Living Wage Act of 2006, effective June 8, 2006 (D.C. Law 16-118; D.C. Official Code § 2-220.1 *et seq.* (2012 Repl.)).
- 4209.3 A unit of service for PCA services shall be fifteen minutes spent performing the allowable tasks.

DEPARTMENT OF HEALTH CARE FINANCE

NOTICE OF FINAL RULEMAKING

The Director of the Department of Health Care Finance (DHCF), pursuant to the authority set forth in An Act to enable the District of Columbia to receive federal financial assistance under Title XIX of the Social Security Act for a medical assistance program, and for other purposes, approved December 27, 1967 (81 Stat. 774; D.C. Official Code § 1-307.02 (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 Subsection 5015.1 of Chapter 50 (Medicaid Reimbursements for Personal Care Aide Services) of Title 29 (Public Welfare) of the District of Columbia Municipal Register (DCMR).

These final rules amend the previously published standards governing reimbursement of providers of personal care services under the District of Columbia State Plan for Medical Assistance by increasing the rates for services rendered by a personal care aide (PCA) to comply with the Living Wage Act of 2006, effective June 8, 2006 (D.C. Law 16-118; D.C. Official Code § 2-220.01 *et seq.* (2012 Repl.)).

A Notice of Emergency and Proposed Rulemaking was published in the *D.C. Register* on April 18, 2014 at 61 DCR 004031. No comments were received and no changes have been made. The Director adopted these rules on June 20, 2014 and they shall become effective on the date of publication of this notice in the *D.C. Register*.

Section 5015 (Reimbursement) of Chapter 50 (Medicaid Reimbursement for Personal Care Aide Services) of Title 29 (Public Welfare) of the DCMR is amended as follows:

Subsection 5015.1 is amended to read as follows:

5015.1 Each Provider shall be reimbursed four dollars and thirty-five cents (\$4.35) per fifteen minutes for services rendered by a PCA, of which three dollars and forty cents (\$3.40) per fifteen minutes shall be paid to the PCA to comply with the Living Wage Act of 2006, effective June 8, 2006 (D.C. Law 16-118; D.C. Official Code § 2-220.01 *et seq.* (2012 Repl.)).

DEPARTMENT OF HEALTH

NOTICE OF FINAL RULEMAKING

The Director of the Department of Health, pursuant to the authority set forth under § 302(14) of the District of Columbia Health Occupations Revision Act of 1985 (“Act”), effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1203.02(14) (2012 Repl.)), and Mayor’s Order 98-140, dated August 20, 1998, hereby gives notice of his intent to adopt the following amendments for Title 17 (Business, Occupations & Professions) with a new Chapter 91 (Graduate Professional Counselor) of the District of Columbia Municipal Regulations (DCMR).

The purpose of the amendment is to promulgate regulations for the profession “Graduate Professional Counselor”, which was established pursuant to the Practice of Professional Counseling and Addiction Counseling Amendment Act of 2009, effective July 7, 2009 (D.C. Law 18-0013; D.C. Official Code §§ 3-1201.02, *et seq.* (2012 Repl.)).

These amendments were published as Notice of Proposed Rulemaking in the *D.C. Register* on February 28, 2014 at 61 DCR 001743. No comments were received. No changes have been made. These rules were adopted March 14, 2014 and will become effective upon publication of this notice in the *D.C. Register*.

Title 17 (Business, Occupations & Professions) is amended to add a new Chapter 91 as follows:

CHAPTER 91 GRADUATE PROFESSIONAL COUNSELOR

9100	General Provisions
9101	Term of License
9102	Transition from Licensure as a Graduate Professional Counselor to Professional Counselor
9103	Educational Requirements
9104	Waiver of Educational and Experiential Requirements for Licensure
9105	Supervised Experience Requirements
9106	Applicants Educated in Foreign Countries
9107	National Examination
9108	Licensed Graduate Professional Counselor Practice
9109	[Reserved]
9110	[Reserved]
9111	Standards of Conduct
9199	Definitions

9100 GENERAL PROVISIONS

9100.1 This chapter shall apply to applicants for and holders of a license to practice as a graduate professional counselor.

9100.2 Chapters 40 (Health Occupations: General Rules) and 41 (Health Occupations: Administrative Procedures) of this title shall supplement this chapter.

9101 TERM OF LICENSE

9101.1 A license issued pursuant to this chapter shall be valid for no greater than five (5) years from the date of issuance provided that the period may be extended for good cause shown. The license shall expire at 12:00 midnight on the date of expiration.

9102 TRANSITION FROM LICENSURE AS A GRADUATE PROFESSIONAL COUNSELOR TO PROFESSIONAL COUNSELOR

9102.1 A graduate professional counselor pursuing licensure as a professional counselor shall furnish proof satisfactory to the Board that he or she has completed the following:

- (a) At least three thousand five hundred (3,500) hours of post-Master's or postdoctoral experience pursuant to 17 DCMR § 6603.1(b);
- (b) Sixty (60) graduate semester hours of a counseling program as set forth at to 17 DCMR § 6602.2(a); and
- (c) Licensure as a graduate professional counselor or its substantial equivalent.

9102.2 If an applicant for licensure as a professional counselor does not meet the requirements of § 9102.1(a) and the applicant elects to complete his or her supervised practice requirements in the District of Columbia, the applicant shall first obtain licensure as a graduate professional counselor or its equivalent and work under the immediate and direct supervision of a professional counselor, psychologist, psychiatrist, or independent social worker, who is licensed in the District of Columbia under the Act.

9103 EDUCATIONAL REQUIREMENTS

9103.1 Except as otherwise provided in this chapter, an applicant for a license shall furnish proof satisfactory to the Board, in accordance with § 710 of the Act, D.C. Official Code § 3-1207.10, of the following:

- (a) That the applicant has received a Master's degree or higher from an institution of higher education which was accredited, at the time the degree was conferred, by an accrediting body recognized by the Secretary of the United States Department of Education, the Council on Postsecondary Accreditation, or its successor;
- (b) That the Master's program is accredited by the Council for Accreditation of Counseling and Related Educational Programs (CACREP) or is deemed

by the board to be substantially equivalent to a CACREP approved program; and

- (c) That the applicant has completed a minimum of forty-eight (48) semester hours or the equivalent number of quarter or trimester hours converted into semester hours in counseling or related field of study after earning a bachelor's degree.

9103.2 For the purpose of meeting the requirements of § 9103.1, the following shall apply:

- (a) All courses earned in a graduate degree program in counseling shall be counted toward the required forty-eight (48) semester hours. Courses earned outside of a counseling degree program shall be evaluated individually by the Board.
- (b) The fields of study related to counseling that are acceptable to the Board include:
 - (1) Social science;
 - (2) Psychology;
 - (3) Social work;
 - (4) Human service;
 - (5) Behavioral science;
 - (6) Psychiatric nursing;
 - (7) Rehabilitation counseling;
 - (8) Family counseling;
 - (9) Individual and family development;
 - (10) Student counseling and personnel service;
 - (11) Mental health and human service;
 - (12) Addiction;
 - (13) Family and community service; and
 - (14) Creative arts therapy.

- 9103.3 In order to obtain credit for the courses, the content of an applicant's degree program and courses shall include, at a minimum, the following:
- (a) Counseling theory and practice;
 - (b) Human growth and development;
 - (c) Lifestyle and career development;
 - (d) Group counseling;
 - (e) Appraisal, assessment, and testing of individuals;
 - (f) Principles of etiology, diagnosis, treatment planning, and prevention of mental and emotional disorders and dysfunctional behavior;
 - (g) Social and cultural foundations including multicultural counseling;
 - (h) Marriage and family counseling;
 - (i) Research and program evaluation;
 - (j) Professional orientation and ethics; and
 - (k) Counseling practicum or internship.
- 9103.4 An applicant shall submit to the Board, along with the completed application, certified transcripts of the applicant's educational records from each educational institution from which credits were earned that are relevant to the licensure application. Transcripts shall only be accepted if they are mailed directly by the educational institution from which credits were earned.
- 9103.5 The applicant shall provide the Board with course descriptions detailing the subject matter of the courses listed on the applicant's certified transcript if the subject matter of the courses differs from those listed in Subsection 9103.2.
- 9104 **WAIVER OF EDUCATIONAL AND EXPERIENTIAL REQUIREMENTS FOR LICENSURE**
- 9104.1 The Board shall waive the educational requirements of § 9102.1(b) and the supervised experience requirements of § 9105 provided that:
- (a) The applicant has received a Master's degree on or before the date these regulations have been published as final rulemaking; or

- (b) The applicant is currently enrolled in a Master's program at the time of publication of these regulations as final rulemaking; and
- (c) An application for licensure is submitted within one (1) year from the date these regulations have been published as final rulemaking.

9105 SUPERVISED EXPERIENCE REQUIREMENTS

- 9105.1 An applicant for a license shall furnish proof satisfactory to the Board that he or she has completed, in a university-approved counseling setting, a one hundred (100) hour face-to-face supervised practicum followed by a six hundred (600) hour face to face supervised internship.
- 9105.2 Pursuant to § 9105.1, at least forty (40) hours of the one hundred (100) hours of supervised practicum shall be in the form of direct service to clients.
- 9105.3 Pursuant to § 9105.2, an applicant shall have acquired at least one (1) hour per week of individual or triadic face-to-face supervision provided by a program faculty member, student supervisor, or a site supervisor working in biweekly consultation with a program faculty member in accordance with a supervision contract.
- 9105.4 In addition to individual or triadic supervision, the applicant shall receive one and one-half (1.5) hours per week of group supervision during the practicum by a program faculty member or a student supervisor.
- 9105.5 Pursuant to § 9105.1, at least two hundred forty (240) hours of the six hundred (600) hours of supervised internship shall be in direct service to clients.
- 9105.6 Pursuant to § 9105.5, one (1) hour per week of individual or triadic face-to-face supervision shall be provided to the applicant by an on-site supervisor and one and one-half (1.5) hours per week of group supervision shall be provided by a program faculty member.
- 9105.7 A graduate professional counselor under supervision shall identify himself or herself as such at all times when practicing professional counseling.
- 9105.8 A supervisor or supervisee shall within two (2) weeks of commencing supervision submit to the Board a supervised practice form which supplies the Board with the following information:
- (a) The supervisor's name, address, state of licensure, and license number;
 - (b) The supervisee's name;
 - (c) The expected period of supervision (start and ending dates); and

- (d) The nature and location of the supervision.

9106 APPLICANTS EDUCATED IN FOREIGN COUNTRIES

9106.1 The Board may grant a license to practice professional counseling to an applicant who completed an educational program in a college or university in a foreign country which is not accredited in accordance with § 9103 if the applicant meets the following requirements:

- (a) Meets all requirements of this chapter except for § 9103.1; and
- (b) Demonstrates to the satisfaction of the Board that the applicant's education and training are substantially equivalent to the requirements of this chapter and the Act in ensuring that the applicant is qualified to practice professional counseling by submitting the documentation required by Subsection 9106.2 of this section.

9106.2 An applicant under this section shall, in lieu of meeting the requirements of § 9103.1, submit one of the following:

- (a) Proof satisfactory to the Board that the applicant has received a master's degree or higher from a foreign institution which was accredited, at the time the degree was conferred, by an accrediting body recognized by the national government of the country in which the institution is located; or
- (b) A certification from a private education evaluation service approved by the Board that the applicant's foreign education is substantially equivalent to the education provided in an accredited program.

9106.3 The Board may interview an applicant under this section to determine whether the applicant's education or training meets the requirements of the Act and this chapter.

9106.4 If a document required by this chapter is in a language other than English, an applicant shall arrange for its translation into English by a translation service acceptable to the Board and shall submit a translation signed by the translator attesting to its accuracy.

9107 NATIONAL EXAMINATION

9107.1 To qualify for a license, an applicant shall receive a score on the National Counselor Examination designated by the National Board for Certified Counselors as a passing score for that administration of the National Counselor Examination.

9107.2 An applicant who, prior to applying for a license, has taken and passed an examination administered by a professional counselor licensure board in another jurisdiction in the United States, by the Commission for Certified Rehabilitation Counselors, or by the National Academy of Certified Mental Health Counselors (now a specialty within the National Board for Certified Counselors), will not be required to take the National Counselor Examination. An applicant relying on an alternative examination shall submit to the Board the applicant's examination results which have been certified or validated by the entity that administered the examination.

9108 LICENSED GRADUATE PROFESSIONAL COUNSELOR PRACTICE

9108.1 A licensed graduate professional counselor shall only practice under the general and immediate supervision of a professional counselor, psychologist, psychiatrist, or independent clinical social worker licensed in the District of Columbia under the Act.

9108.2 A person who has been denied a license or disciplined in the District of Columbia or other jurisdiction in the United States shall not practice pursuant to this section unless authorized by the Board in writing to do so.

9108.3 A supervisor shall be responsible for all supervised practice by a graduate during the period of supervision, and is subject to disciplinary action for any violation of the Act or this chapter by the graduate.

9108.4 A graduate professional counselor shall be subject to disciplinary action for any violation of the Act or this chapter. The Board may deny an application for a license by a graduate who is found to have violated the Act or this chapter, in accordance with Chapter 41 of this title.

9109 [RESERVED]

9110 [RESERVED]

9111 STANDARDS OF CONDUCT

9111.1 Graduate professional counselors shall not discriminate against clients because of age, color, culture, disability, ethnic group, gender, race, religion, sexual orientation, marital status, or socioeconomic status.

9111.2 Graduate professional counselors shall inform clients, preferably in writing, regarding the counseling process and counseling relationship at or before the time counseling begins and throughout the relationship.

9111.3 Graduate professional counselors shall make every effort to avoid dual relationship with clients that could impair their professional judgment or increase the risk of harm to clients. When a dual relationship cannot be avoided, graduate

professional counselors shall take appropriate steps to ensure that their judgment is not impaired and that no exploitation occurs.

- 9111.4 Graduate professional counselors shall not engage in any type of sexual intimacies with current clients and shall not engage in sexual intimacies with former clients within a minimum of two years after terminating the counseling relationship. Graduate professional counselors who engage in such a relationship after two years following termination shall have the responsibility to thoroughly examine and document that such relations did not have an exploitative nature.
- 9111.5 Graduate professional counselors shall take reasonable precautions to protect clients from physical or psychological trauma resulting from interactions during group work.
- 9111.6 Graduate professional counselors shall explain to clients, prior to their entering the counseling relationship, financial arrangements related to professional services.
- 9111.7 Graduate professional counselors shall assist in making appropriate arrangements for the continuation of treatment of clients, when necessary, following termination of counseling relationship.
- 9111.8 Graduate professional counselors shall avoid entering or immediately terminate a counseling relationship if it is determined that they are unable to be of professional assistance to a client. The counselors shall assist in making an appropriate referral to the client.
- 9111.9 Graduate professional counselors shall keep information related to counseling services confidential unless disclosure is in the best interest of clients, is required for the welfare of others, or is required by law.
- 9111.10 Graduate professional counselors shall take measures to ensure that subordinates maintain client privacy and confidentiality.
- 9111.11 Graduate professional counselors shall not disclose information about one family member in counseling to another family member without prior consent.
- 9111.12 Graduate professional counselors shall maintain appropriate confidentiality in creating, storing, accessing, transferring and disposing of counseling records.
- 9111.13 Graduate professional counselors shall obtain prior consent from clients in order to electronically record or observe sessions.
- 9111.14 Except as provided in § 9109.9, graduate professional counselors shall obtain client consent to disclose or transfer records to third parties.

- 9111.15 Graduate professional counselors shall disguise the identity of the client when using data for training, research or publication.
- 9111.16 Graduate professional counselors shall practice only within the boundaries of their competence.
- 9111.17 Graduate professional counselors shall engage in continuing education to maintain their professional competence.
- 9111.18 Graduate professional counselors shall refrain from offering professional services when their personal problems or conflicts may cause harm to a client or others.
- 9111.19 Graduate professional counselors shall accurately represent their credentials and services when advertising.
- 9111.20 Graduate professional counselors shall claim or imply only professional credentials possessed and shall correct any known misrepresentation of their credentials by others.
- 9111.21 Graduate professional counselors shall not engage in sexual harassment.
- 9111.22 With the consent of the client, graduate professional counselors shall inform other mental health professionals serving the same client that a counseling relationship between the counselor and client exists.
- 9111.23 Graduate professional counselors shall alert their employers when the employer's institutional policies may be potentially disruptive or damaging to counselors' professional responsibilities or that may limit their effectiveness or deny clients' rights.
- 9111.24 Graduate professional counselors shall select competent staff and shall assign responsibilities compatible with staff skills and experiences.
- 9111.25 Graduate professional counselors shall not engage in exploitative relationships with individuals over whom they have supervisory, evaluative, or instructional control or authority.
- 9111.26 Graduate professional counselors shall not accept fees or other remuneration for consultation with persons entitled to such services through the counselors' employing agency or institution.
- 9111.27 Graduate professional counselors shall not accept referral fees.
- 9111.28 Graduate professional counselors shall perform only testing and assessment services for which they are competent.

- 9111.29 Graduate professional counselors shall not allow the use of psychological assessment techniques by unqualified persons under their supervision.
- 9111.30 Graduate professional counselors shall use assessment instruments in the manner for which they were intended.
- 9111.31 Graduate professional counselors shall provide explanations to clients prior to assessment about the nature and purposes of assessment and the specific uses of results.
- 9111.32 Graduate professional counselors shall ensure that accurate and appropriate interpretations accompany any release of testing and assessment information.
- 9111.33 Graduate professional counselors shall not base their assessment or intervention decisions or recommendations on data or test results that are obsolete or outdated for the current purpose.
- 9111.34 Graduate professional counselors shall give credit to students or supervisees for their contributions to research and scholarly projects.
- 9111.35 Graduate professional counselors who offer clinical supervision services shall be trained and prepared in supervision methods and techniques.
- 9111.36 Graduate professional counselors shall clearly state to students and supervisees in advance of training, the levels of competency expected, appraisal methods, and timing of evaluations. Graduate professional counselors shall provide students and supervisees periodic performance appraisals and evaluation feedback throughout the training program.
- 9111.37 Graduate professional counselors shall make every effort to ensure that the rights of peers are not violated when students and supervisees are assigned to lead counseling groups or provide clinical supervision.
- 9111.38 Graduate professional counselors shall assist students and supervisees in securing remedial assistance, when needed, and shall dismiss from the training program students and supervisees who are unable to provide competent services due to academic or personal limitations.
- 9111.39 Graduate professional counselors who lead experiential trainings for students or supervisees shall not be influenced by the students' and supervisees' self disclosure when assigning grades.
- 9111.40 Students and supervisees preparing to become graduate professional counselors shall adhere to the American Counseling Association's Code of Ethics and the Standards of Practice of counselors.

- 9111.41 Graduate professional counselors shall avoid causing physical, social or psychological harm or injury to subjects of research.
- 9111.42 Graduate professional counselors shall keep confidential information obtained about research participants.
- 9111.43 Graduate professional counselors shall report all variables and conditions known to the investigators that may affect research data or outcomes.
- 9111.44 Graduate professional counselors shall not distort or misrepresent research data or fabricate or intentionally bias research results.
- 9111.45 Graduate professional counselors shall give appropriate credit to those who have contributed to research and publications.
- 9111.46 Graduate professional counselors shall take appropriate action when they reasonably believe that counselors or other mental health professionals are acting in an unethical manner.
- 9111.47 Graduate professional counselors shall not initiate, participate in, or encourage the filing of ethical complaints that are unwarranted, or intended to harm a mental health professional rather than to protect clients or the public.

9199 DEFINITIONS

- 9199.1 When used in these regulations, the following terms shall have the following meanings ascribed:

Act – the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code §§ 3-1201 *et seq.*), as amended.

Face-to-face supervision – supervision that is live, interactive, and visual. Video supervision is permitted as long as the session is synchronous (real time) and involves verbal and visual interaction during the supervision.

General supervision – supervision in which the supervisor is available to the person supervised, either in person or by a communications device.

Graduate professional counselor - a person licensed under the Act to practice as a graduate professional counselor.

Immediate supervision – supervision in which the supervisor is physically present with the person supervised and either discussing or observing the person's practice.

Practice of professional counseling – means engaging in counseling or psychotherapy activities, including cognitive behavioral therapy or other modality, with or without compensation, to facilitate human development and to identify and remediate mental, emotional, or behavioral conditions and associated difficulties that interfere with mental health and wellness. The practice of professional counseling includes: the processes of conducting interviews, tests, and other forms of assessment for the purpose of diagnosing individuals, families, and groups, as outlined in the Diagnostic and Statistical Manual of Disorders or other appropriate classification schemes, and determining treatment goals and objectives; and assisting individuals, families, and groups through a professional relationship to achieve long-term effective mental, emotional, physical, spiritual, social, educational, or career development and adjustment.

Triadic supervision – supervision composed of a supervisor and two (2) counseling students.

BOARD OF ETHICS AND GOVERNMENT ACCOUNTABILITY**NOTICE OF PROPOSED RULEMAKING**

The Board of Ethics and Government Accountability (“Ethics Board”), pursuant to the authority set forth in Section 209 of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1162.09 (2012 Repl.)), hereby gives notice of intent to adopt proposed rulemaking to add a new Chapter 59 (Non-Public Admonitions and Negotiated Dispositions) to Title 3 (Elections and Ethics) of the District of Columbia Municipal Regulations (“DCMR”).

The rulemaking will establish the procedures, sanctions, and penalties for nonpublic informal dispositions and for negotiated dispositions.

The Ethics Board authorized the promulgation of this rulemaking on June 5, 2014. Final rulemaking action shall be taken in not less than thirty (30) days after the date of publication of this notice in the *D.C. Register*.

Title 3 (Elections and Ethics) of the DCMR is amended by adding a new Chapter 59 to read as follows:

**CHAPTER 59 NON-PUBLIC ADMONITIONS AND NEGOTIATED
DISPOSITIONS**

5900 APPLICABILITY

5900.1 The provisions of this chapter shall establish the procedures for non-public, informal admonitions and for negotiated dispositions, authorized by Section 221(a)(4) of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective February 22, 2014 (D.C. Law 20-75; D.C. Official Code § 1-1162.21(a)(4)).

5901 NON-PUBLIC ADMONITIONS

5901.1 The Director of Government Ethics may impose a non-public, informal admonition for low-level violations of the Code of Conduct, including or similar to the following:

- (a) A one-time, minor misuse of government property;
- (b) A time and leave issue, where it is not habitual and did not have a specific harmful impact;
- (c) A non-uniform application of a regulation or policy by a supervisor, where it is not a regular occurrence and was not for an unlawful purpose;

- (d) A relatively minor action based, at least in part, on advice or guidance sought in good faith from another, such as a supervisor, and given in good faith, though erroneous; or
- (e) Any minor, incidental ethics violation where the person made amends and rectified the situation.

5901.2 Respondents who receive a non-public, informal admonition imposed by the Director of Government Ethics may request the Director to reconsider the imposition of a non-public, informal admonition by submitting a written application therefore within 15 days of being served with the admonition. Except for good cause shown, the Director shall not review any late-filed application.

5901.3 An application for reconsideration shall include the following items and information:

- (a) A detailed statement that respondent did not commit the conduct at issue or a detailed statement explaining why the conduct at issue does not violate the Code of Conduct;
- (c) Any evidence supporting respondent's statement; and
- (d) The names and contact information of any fact witnesses who may be able to provide relevant and material evidence regarding the conduct at issue or the circumstances surrounding the conduct.

5901.4 All the materials required by § 5901.3 shall be submitted with the application for reconsideration. The Director of Government Ethics is not required to accept materials submitted subsequent to the filing of the application except upon a showing of good cause by respondent. The decision of the Director not to review items and information submitted by respondent is not appealable to the Ethics Board.

5901.5 The Director of Government Ethics shall respond, in writing, with a determination on the request for reconsideration within thirty (30) days of the receipt of the application; provided, that, if the Director accepts any late-filed item or piece of information as provided in § 5901.4, he or she shall determine the request for reconsideration within thirty (30) days of the receipt of the last-filed item or piece of information.

5901.6 If the Director of Government Ethics requires additional time to determine a request for reconsideration for any reason other than as provided in § 5901.5, he or she shall notify respondent, in writing, of the need for an additional thirty (30) to ninety (90) days to reach a determination of the request.

- 5901.7 Respondent may appeal the denial of a request for reconsideration to the Ethics Board. The appeal shall be in writing, set forth the specific reasons why the respondent disagrees with the denial, and shall be filed with the Ethics Board within 15 days of service of the denial on respondent.
- 5901.8 The Ethics Board shall consider on appeal only the items and information that were part of the Director of Government Ethic's final determination of the request for reconsideration.
- 5901.9 Within 60 days after the filing of the appeal, the Ethics Board shall render its decision, which shall set forth the reasons for the decision and, if the Director's denial of reconsideration is upheld, shall also instruct respondent to refer to § 5404 to determine his or her right to appeal.

5902 NEGOTIATED DISPOSITIONS

- 5902.1 A violation of the Code of Conduct may result in the negotiated disposition of a matter offered by the Director of Government Ethics, and accepted by respondent, subject to approval by the Ethics Board.
- 5902.2 The Director of Government Ethics or respondent can initiate a negotiated disposition at any point after an investigation has been opened by the Director and prior to the issuance of a final Order of the Ethics Board.
- 5902.3 A negotiated disposition shall be drafted by the Director of Government Ethics, who may, in his or her sole discretion, share the draft with respondent for any comments or suggested revisions. The decision of the Director of Government Ethics not to share a draft negotiated disposition with respondent for comments and changes is not appealable to the Ethics Board.
- 5902.4 The Director of Government Ethics and respondent may engage in discussions, including face-to-face meetings, telephone conversations, email exchanges, and other methods of communication, as often as necessary to negotiate a disposition.
- 5902.5 In the event that discussions between the Director of Government Ethics and respondent do not lead to a finalized negotiated disposition, the following shall be inadmissible as evidence in an open and adversarial hearing before the Ethics Board in the same matter:
- (a) The fact that a negotiated disposition had been initiated or discussed; and
 - (b) Any oral statements of fact or admissions made by respondent to the Director solely during the discussions related to a negotiated disposition.
- 5902.6 In the event that discussions between the Director of Government Ethics and respondent do not lead to a finalized negotiated disposition, any documents

provided by or on behalf of respondent to the Director shall not satisfy respondent's discovery obligations in the event that a hearing notice is issued to respondent by the Ethics Board in the same matter.

- 5902.7 In the event that discussions between the Director of Government Ethics and respondent do not lead to a finalized negotiated disposition, any documents provided by or on behalf of respondent to the Director may be used by the Director in an open and adversarial hearing before the Ethics Board in the same matter.
- 5902.8 A negotiated disposition of a matter shall be subject to approval by the Ethics Board.
- 5902.9 Prior to the Ethics Board's approval of a negotiated disposition, respondent shall not communicate with the Ethics Board *ex parte* on any substantive matters related to the negotiated disposition, or appear before the Ethics Board in closed session regarding the negotiated disposition without the express leave of the Ethics Board.
- 5902.10 Prior to the Ethics Board's approval of a negotiated disposition, the Ethics Board may, in its sole discretion, grant respondent's request to appear before it in open session on any substantive matter related to the negotiated disposition; provided, that respondent specify, in writing, the reason for the appearance request. The decision of the Ethics Board to deny respondent's request to appear before it in an open session on any substantive matter related to the negotiated dispositions is not a final order of the Ethics Board and is not appealable to D.C. Superior Court.
- 5902.11 The document memorializing a negotiated disposition shall include the following:
- (a) A summary of the facts that show, by substantial evidence, respondent's violation of those provisions of the Code of Conduct set forth in the negotiated disposition;
 - (b) All penalties agreed upon by the Director of Government Ethics and respondent;
 - (c) A provision that any fine or restitution payable by respondent shall be due and owing at the time the negotiated disposition is approved by the Ethics Board; provided, that the Director of Government Ethics and respondent may agree that any fine or restitution be paid in certain installments over a period not to exceed one (1) year from the date of the Board's approval; and
 - (d) The terms of any expungement provision; and
 - (e) Any other provisions as may be agreed upon by the Director of

Government Ethics and respondent so as to fully and fairly reflect the terms of the negotiated disposition.

5902.12 A negotiated disposition may include, but not be limited to, one or more of the following sanctions:

- (a) Fines of not more than \$5,000 per violation or three (3) times the amount of an unlawful contribution, expenditure, gift, honorarium, or receipt of outside income for each violation;
- (b) Fines of not more than \$25,000 for a violation of the Code of Conduct that substantially threatens the public trust;
- (c) Public censure;
- (d) Public reprimand;
- (e) Public admonition;
- (f) Non-public, informal admonition;
- (g) Community service; provided, that the nature of the community service, the required number of service hours, the time period in which the required service hours are to be performed, and the location at (or the entity through which) the service is to be performed shall be specified in the negotiated disposition and that the information provided by respondent to show completion of the community service be verifiable by the Director of Government Ethics;
- (h) Restitution; provided, that the amount of restitution, the identity of the recipient of the restitution, and the form of respondent's proof of payment shall be specified in the negotiated disposition;
- (i) Remediation; or
- (j) Any other sanction or penalty, as agreed to by the Director of Government Ethics and respondent.

5902.13 Respondent may request the Director of Government Ethics to include a provision in the negotiated disposition that respondent may be eligible to apply for expungement of the negotiated disposition after a specified period of time.

5902.14 The decision to include an expungement provision in the negotiated disposition and the establishment of the period of time for respondent's expungement application rest solely in the discretion of the Director of Government Ethics, is not appealable to the Ethics Board, and may be based upon one or more of the

following factors:

- (a) The seriousness of respondent's conduct;
- (b) The impact of respondent's conduct on members of the public;
- (c) The deterrent value to other District government employees;
- (d) Respondent's prior and subsequent conduct;
- (e) Respondent's efforts at rehabilitation; or
- (f) Any other factors, as determined by the Director of Government Ethics.

5902.15 Where an expungement provision is included in the negotiated disposition, the Director of Government Ethics shall specify a period between six (6) months and one (1) year from the effective date of the negotiated disposition as the time after which respondent may apply for expungement.

5902.16 After the specified period, respondent may apply, in writing, for the negotiated disposition to be expunged; provided, that respondent includes with the application a written certification, signed under oath, that all of the following have occurred:

- (a) Respondent has satisfactorily fulfilled all the terms of the negotiated disposition;
- (b) There are no new or pending allegations of ethical misconduct against respondent; and
- (c) There have been no additional findings of ethical misconduct against respondent between the effective date of the negotiated disposition and the date of the expungement application.

5902.17 The Director of Government Ethics shall respond, in writing, to respondent's expungement application within 15 days of its receipt. The Director shall specify the reasons for denying an expungement application.

5902.18 Respondent may appeal the decision of the Director of Government Ethics to deny the expungement request to the Ethics Board. The appeal shall be in writing, set forth the specific reasons why respondent disagrees with the denial, and shall be filed with the Board within 15 days of service of the denial on respondent.

5902.19 Within 60 days after the filing of the appeal, the Ethics Board shall render its decision, which shall set forth the reasons for the decision and, if the Director's denial of expungement is upheld, shall also instruct respondent to refer to § 5404

to determine his or her right to appeal.

- 5902.20 Where the Director of Government Ethics, or the Ethics Board on appeal, grants respondent's expungement application, the document memorializing the negotiated disposition shall be removed from the Ethics Board's website and, along with any other documents in the possession of the Director or the Board concerning the expunged matter, shall be retained by the Director of Government Ethics, but treated as non-public confidential documents.
- 5902.21 Except as provided in §§ 5902.22 and 5902.23, responses to inquiries for, or concerning the existence of, records that have been expunged will be: "No records are available."
- 5902.22 Expunged records will be available, upon written request, to any court, prosecutor, or law enforcement agency for any lawful purpose concerning the investigation or prosecution of any offense.
- 5902.23 Expunged records will not be available to any person, entity, or government agency for the purpose of making employment decisions, unless the records are demanded by a lawfully issued administrative, grand jury, or court-ordered subpoena.
- 5902.24 The Director of Government Ethics will take no action to remove references to, or records concerning, an expunged matter that are in the possession of other persons, entities, government agencies, or the news media, from private or public access.
- 5902.25 A negotiated disposition, except where the result is a non-public, informal disposition, shall be made available to the public by posting on the Ethics Board's website within thirty (30) days after the Board's approval.
- 5902.26 The Director of Government Ethics, in his or her sole discretion, may redact any negotiated disposition before posting to prevent the public disclosure of confidential or protected information, such as respondent's home address, the full names of persons other than respondent, Social Security numbers, and medical information. The decisions of the Director of Government Ethics regarding redactions are not appealable to the Ethics Board.
- 5902.27 A negotiated disposition that has been approved by the Ethics Board shall operate as a final order of the Ethics Board.
- 5902.28 Respondent's acceptance of a negotiated disposition shall be deemed a waiver of the right to appeal the negotiated disposition upon its approval by the Ethics Board.
- 5902.29 Upon a determination that respondent has breached the terms of a negotiated

disposition, the Director of Government Ethics may do the following:

- (a) Allow respondent to cure the breach and continue with the terms of the negotiated disposition;
- (b) Recommend that the Ethics Board nullify the negotiated disposition and hold an open and adversarial hearing on the matter; or
- (c) Seek authorization from the Ethics Board to file, on the Board's behalf, a petition in the Superior Court of the District of Columbia for enforcement of any civil penalty provided for in the negotiated disposition.

5902.30 The Director of Government Ethics' determination that respondent has breached the terms of the negotiated disposition is appealable to the Ethics Board:

- (a) Respondent shall file such appeal with the Ethics Board within 30 days of notification that Respondent is in breach of the negotiated disposition; and
- (b) Respondent may provide any pertinent materials for review by the Ethics Board.

5902.31 Respondent's acceptance of a negotiated disposition shall be deemed a waiver of any statute of limitation defenses in the event that the Ethics Board decides to hold an open and adversarial hearing on the matter as a result of respondent's breach.

5999 DEFINITIONS

5999.1 The terms and phrases used in this chapter shall have the meanings set forth in the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011 ("Ethics Act"), effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1161.01), and this section, unless the text or context of the particular section, subsection, or paragraph provides otherwise.

Ethics Board – the Board of Ethics and Government Accountability, established by Section 202 of the Ethics Act (D.C. Official Code § 1-1162.02).

Expunged - records of a particular matter retained by the Director of Government Ethics and that are closed against the inspection of their contents.

Document – writings, drawings, graphs, charts, photographs, electronic records, and any other data compilations from which information can be obtained or translated, if necessary, through detection devices into reasonably usable form.

Respondent – the person who is the subject of an investigation, enforcement action, non-public, informal admonition, or a negotiated disposition.

All persons interested in commenting on the subject matter in this proposed rulemaking action may file comments in writing, not later than thirty (30) days after the publication of this notice in the *D.C. Register*, with Stacie Pittell, General Counsel, Board of Ethics and Government Accountability, 441 4th Street, N.W., 830 South, Washington, D.C. 20001. Comments also may be sent electronically to bega@dc.gov. Copies of the proposed rulemaking may be obtained at www.dcregs.dc.gov or contacting the Board of Ethics and Government Accountability at bega@dc.gov.

DISTRICT OF COLUMBIA TAXICAB COMMISSION

NOTICE OF PROPOSED RULEMAKING

The District of Columbia Taxicab Commission (“Commission”), pursuant to the authority set forth in Sections 8(c)(1), (2), (3), (4), (5), (7), (10), (12), (13), (17), (18), (19); 14, 20, 20a and 20f of the District of Columbia Taxicab Commission Establishment Act of 1985 (“Establishment Act”), effective March 25, 1986 (D.C. Law 6-97; D.C. Official Code §§ 50-307(c)(1), (2), (3), (4), (5), (7), (10), (12), (13), (17), (18), (19), 50-313, 50-319, 50-320 and 50-325 (2012 Repl. & 2013 Supp.)), hereby gives notice of its intent to adopt a new Chapter 18 (Wheelchair Accessible Paratransit Taxicab Service) and amend Chapter 8 (Operation of Taxicabs) of Title 31 (Taxicabs and Public Vehicles for Hire) of the District of Columbia Municipal Regulations (DCMR).

The proposed rules would implement the Coordinated Alternative to Paratransit Services – DC (“CAPS-DC”) Pilot Program between the D.C. Government and the Washington Metropolitan Area Transit Authority (WMATA). CAPS-DC would provide a cost-effective alternative to MetroAccess paratransit services for MetroAccess dialysis patients residing in the District who consent to participate in the new program. CAPS-DC would provide patients with rides to and from WMATA-identified dialysis centers, using vehicles associated with taxicab companies that have been approved to participate in CAPS-DC under these new rules. The proposed rules govern the provision of CAPS-DC services by approved taxicab companies, and include rules for: (1) taxicab company eligibility and application for approval; (2) driver training; (3) the prioritization of service requests for wheelchair accessible vehicles; (4) the provision of service by operators to ensure patients receive transportation when needed; (5) the establishment of CAPS-DC fares and payment methods; (6) taxicab company accounting and reporting requirements; and (7) the purchase of a new, compressed natural gas-powered wheelchair accessible vehicles by each approved taxicab company each time the company completes 3,000 CAPS-DC trips.

The Commission voted to adopt these rules on June 11, 2014. The Commission also hereby gives notice of the intent to take final rulemaking action to adopt these proposed rules in not less than thirty (30) days after the publication of this notice of proposed rulemaking in the *D.C. Register*. Directions for submitting comments may be found at the end of this notice.

The Commission intends to add Chapter 18, WHEELCHAIR ACCESSIBLE PARATRANSIT TAXICAB SERVICE, of Title 31, TAXICABS AND PUBLIC VEHICLES FOR HIRE, of the DCMR to read as follows:

CHAPTER 18 WHEELCHAIR ACCESSIBLE PARATRANSIT TAXICAB SERVICE

1800 APPLICATION AND SCOPE

1800.1 This chapter establishes licensing and other requirements applicable to taxicab companies (“companies”), operators, and vehicles, that are approved under this chapter to provide paratransit taxicab service, including wheelchair accessible

service, as a participant in the Coordinated Alternative to Paratransit Services (CAPS-DC), to ensure the safety of passengers and operators, to protect consumers, and for other lawful purposes within the authority of the Commission.

- 1800.2 The provisions of this chapter shall be interpreted to comply with the language and intent of the Act, as amended.
- 1800.3 In the event of a conflict between a provision of this chapter and a provision of another chapter of this title, the more restrictive provision shall control.

1801 GENERAL PROVISIONS

- 1801.1 Any taxicab company with current operating authority under Chapter 5 of this title and in good standing with the Office, which is interested in participating in CAPS-DC, may apply to the Office for a CAPS-DC approval pursuant to this chapter.
- 1801.2 No person shall participate in a CAPS-DC trip unless the company, operator, and vehicle have been approved to participate in CAPS-DC under this chapter, and the company, operator, and vehicle are in compliance with all applicable provisions of this title and other applicable laws.
- 1801.3 Nothing in this chapter shall be construed as soliciting or creating a contractual relationship, agency relationship, or employer-employee relationship between the District of Columbia and any other person or entity.

1802 TAXICAB COMPANIES – ELIGIBILITY

- 1802.1 Each taxicab company interested in participating in CAPS-DC (“applicant”) shall be in compliance with the requirements of this section at the time of its application under § 1803.
- 1802.2 Each applicant shall be in compliance with all applicable provisions of this title in addition to those set forth in this chapter.
- 1802.3 Each applicant shall possess all necessary endorsements on its Department of Consumer and Regulatory Affairs (“DCRA”) basic business license for provision of CAPS-DC, if any.
- 1802.4 Each applicant shall possess insurance under Chapter 9 which extends to its participation in CAPS-DC, including the participation of its associated operators and vehicles.
- 1802.5 Each applicant shall be in compliance with, or ready and able to comply with, all operating requirements in § 1806.

1803 TAXICAB COMPANIES – APPLICATION

1803.1 Each applicant shall provide the following information and documentation to the Office:

- (a) The name of the applicant;
- (b) The trade name(s) and logo used by the company, if any;
- (c) Information and documentation showing that the business is in compliance with the eligibility requirements of § 1802; and
- (d) Such other information and documentation as the Office deems necessary to determine that the applicant meets the requirements for approval under this title and other applicable laws.

1803.2 Each application filed with the Office under this section shall:

- (a) Be full and complete;
- (b) Be accompanied by full and complete documentation;
- (c) Be notarized and provided under penalty of perjury; and
- (d) Be accompanied by an application fee of five hundred dollars (\$500).

1804 TAXICAB COMPANIES – REVIEW OF APPLICATION

1804.1 The Office shall review each application pursuant to the Clean Hands Before Receiving a License or Permit Act of 1996 (Clean Hands Act) effective May 11, 1996 (D.C. Law 11-118, D.C. Official Code §§ 47-2861, *et seq.*) and shall deny the application of any applicant not in compliance with the Clean Hands Act.

1804.2 An application may be denied if the applicant does not cooperate with the Office during the application process, if the application is not complete, or if the applicant provides materially false information for the purpose of inducing the Office to grant the application.

1804.3 If the Office denies an application:

- (a) The Office shall state the reasons for its decision in writing; and
- (b) The applicant may appeal the decision to the Chief of the Office within fifteen (15) calendar days, and, otherwise, the decision shall constitute a final decision of the Office. The Chief shall issue a decision on an appeal within thirty (30) calendar days. A timely appeal of a denial shall extend

any existing approval pending the Chief's decision. A decision of the Chief to affirm or reverse a denial shall constitute a final decision of the Office. A decision of the Chief to remand to the Office for further review of an application shall extend any existing approval pending the final decision of the Office.

1804.4 Each CAPS-DC approval shall be effective for twelve (12) months, provided however, that the approval shall not be effective during any time when the company's operating authority under Chapter 5 has been suspended, revoked, or not renewed.

1804.5 The Office shall provide to the applicant a physical certificate reflecting the grant of CAPS-DC approval and the period thereof pursuant to § 1804.4. The certificate shall be the property of the Office, and shall be returned to the Office at the expiration of the approval period or otherwise as provided in this title.

1804.6 The Office shall maintain on the Commission's website the name and contact information of each taxicab company approved to participate in CAPS-DC.

1805 TAXICAB COMPANIES – RENEWAL

1805.1 Each company shall apply to renew its CAPS-DC approval not later than sixty (60) days prior to the expiration date of its existing approval.

1805.2 Each company that fails to apply for renewal of its approval prior to the twenty ninth (29th) day prior to the expiration date of its existing approval shall be required to surrender its certificate of CAPS-DC approval at the end of the approval period, and apply for a new approval.

1805.3 Each company which applies to renew its CAPS-DC approval shall, at the time it files its renewal application, be in full compliance with this title and other applicable laws.

1805.4 Unless the Office provides otherwise in writing, all requirements for a new approval shall apply to a renewal approval.

1805.5 A CAPS-DC approval shall continue in force and effect beyond its expiration period, during such time as an application for renewal of such approval is pending, provided such application was timely filed and the application is complete.

1806 TAXICAB COMPANIES AND OPERATORS – OPERATING REQUIREMENTS

1806.1 Each company that participates in CAPS-DC shall have current operating authority under Chapter 5 of this title, be in good standing with the Office,

including no pending enforcement actions, and be in compliance with all other applicable provisions of this title and other applicable laws.

- 1806.2 Each company shall maintain appropriate business records of its compliance with the provisions of this chapter and participation in CAPS-DC, and shall retain such records according to industry best practices for not less than five (5) years.
- 1806.3 Each participating company shall, at such times as directed in writing by the Office, acquire one or more wheelchair accessible paratransit vans from the Washington Metropolitan Area Transit Authority (“WMATA vans”), consistent with all applicable District, WMATA, and Federal laws and regulations, and with an applicable issuance, instruction, or guidance issued by the Office, and:
- (a) If the Office makes grants available for the purpose of acquiring WMATA vans, each company may apply for such grant, not to exceed four thousand eight hundred dollars (\$4,800) per vehicle, pursuant to all applicable grant regulations and guidelines;
 - (b) If a grant is approved by the Office, the company shall expend the grant in the manner required for WMATA van acquisition;
 - (c) The company shall dispose of any replaced WMATA van as required by law in effect at the time the WMATA van was acquired; and
 - (d) The company’s failure to comply with the requirements of parts (a), (b), or (c) of this subsection may result in the suspension or revocation of a company’s CAPS-DC approval.
- 1806.4 Each time a company has completed three thousand (3,000) CAPS-DC trips, it shall have sixty (60) days to purchase and place into service a new wheelchair accessible vehicle with side-door accessibility and a power ramp, propelled exclusively by compressed natural gas. A company that fails to comply with the foregoing requirement shall be subject to a civil fine of not more than twenty-five dollars (\$25) per day for each day on which it is not in compliance, and, after thirty (30) days of non-compliance, shall be subject to suspension or revocation of its CAPS-DC approval, and may be required to refund to the Office any grant funding provided to the company for the acquisition of WMATA vans.
- 1806.5 Each company shall provide a training program, consistent with applicable law and approved by the Office, to train operators who render service using wheelchair accessible vehicles, which shall include training on interfacing with persons with disabilities, operating mobility equipment, passenger assistance techniques, and operating wheelchair accessible vehicles. Each company shall offer reasonable incentives to drivers to complete the training. No wheelchair accessible vehicle shall be operated by an operator who has not received the training.

1806.6 Each company shall maintain with the Office a current and accurate inventory of all active operators and vehicles approved for and providing CAPS-DC service, updated in such manner and at such times as determined by the Office, of the following information:

- (a) For each operator: name, cellular telephone number, DCTC commercial operator's license number, and an indication of whether the operator has completed the wheelchair service training pursuant to § 1806.5, and, if so, the date of completion; and
- (b) For each vehicle: year, make, model, color, PVIN, tag number, and an indication of whether the vehicle is wheelchair accessible.

1806.7 Each company shall ensure that:

- (a) Each operator:
 - (1) Possesses a current and valid DCTC commercial operator's license; and
 - (2) If the operator is operating a wheelchair accessible vehicle, is trained to provide wheelchair service, as required by § 1806.5.
- (b) Each vehicle:
 - (1) Is in compliance with all applicable provisions of this title, including: vehicle licensing requirements; uniform color scheme requirements in Chapter 5; and equipment requirements in Chapter 6 (including the requirements for a modern taximeter system (MTS) unit and a uniform dome light);
 - (2) If it is a wheelchair accessible vehicle, is operated only by an operator trained to provide wheelchair service, as required by this section;
 - (3) If it is a wheelchair accessible vehicle, other than a WMATA van or a wheelchair accessible vehicle that was owned by or associated with the company prior to its approval to participate in CAPS-DC, is exclusively powered by CNG and is wheelchair accessible through a side door with a power ramp; and
 - (4) Has an MTS unit consistent with § 603, which has been further configured to report all CAPS-DC trip data in a format directed by the Office.

- 1806.8 The rates and charges, and acceptable forms of payment, for each CAPS-DC trip shall be in accordance with the following requirements.
- (a) The total charges for a CAPS-DC trip shall be the flat rate fare of thirty three dollars (\$33), plus any gratuity which a passenger chooses to add to the total fare.
 - (b) Each CAPS-DC passenger shall be charged a flat rate fare of five dollars (\$5) per CAPS-DC trip, which shall remain with the operator, with the remaining fare of twenty eight dollars (\$28) to be paid by the CAPS-DC debit card.
 - (c) No passenger surcharge shall be collected from a passenger for a CAPS-DC trip.
- 1806.9 Each company shall make CAPS-DC service available to any CAPS-DC participant who requests service through a telephone dispatch service, and may also provide digital dispatch service operated in accordance with Chapter 16. A company may also make CAPS-DC service available through a single digital dispatch service (DDS) registered under Chapter 16.
- 1806.10 Each company shall accept a dispatch for a trip anywhere within the District, and shall accept any booking made at least one (1) hour prior to service.
- 1806.11 Each company shall use its WMATA vans in the following descending order of priority to the extent permitted by all applicable laws:
- (a) A CAPS-DC passenger;
 - (b) Any passenger requesting a wheelchair accessible vehicle; and
 - (c) Any other passenger.
- 1806.12 Each company shall ensure that wheelchair service is available at all times when CAPS-DC service or booking is required to be available under this chapter.
- 1806.13 Each CAPS-DC trip shall be between a WMATA-approved dialysis center and another location in the District. When a passenger is picked up at a dialysis center, the passenger shall be returned to the pickup location of the CAPS-DC trip which brought the passenger to the dialysis center, if any.
- 1806.14 Each company shall require each operator to verify that the photograph and information on the passenger's MetroAccess Card matches the information on the CAPS-DC debit card prior to the start of a CAPS-DC trip.

- 1806.15 Each company shall provide invoices and reports of its CAPS-DC trips and its compliance with this chapter at such times and in such forms as directed in an applicable issuance, instruction, or guidance issued by the Office.
- 1806.16 Where a vehicle dispatched to pick up a CAPS-DC passenger is unable to render service for any reason, including the passenger's inability to pay or equipment (vehicle or MTS unit) malfunction, the following provisions shall apply:
- (a) The operator shall immediately notify the passenger and the company of the circumstances;
 - (b) If the passenger is unable to pay, the operator shall provide service and the company shall promptly notify the Office and make appropriate arrangements for payment; and
 - (c) If there has been an equipment malfunction, the company shall immediately dispatch another vehicle to that location. The passenger may choose to wait inside the first vehicle until the second vehicle arrives, at no charge to the passenger. The operator shall comply with the requirements in Chapter 6 concerning equipment malfunctions.
- 1806.17 An operator who fails to comply with any provision of § 1806.17 shall be subject to a civil fine of two hundred fifty dollars (\$250). A company which fails to comply with subsection (b) or (c) of § 1806.17 shall be subject to a civil fine of five hundred dollars (\$500).

1807 PROHIBITIONS

- 1807.1 No company or operator shall charge a CAPS-DC passenger a rate higher than the rates established by this chapter, or require payment in a form not authorized by this chapter.
- 1807.2 No operator shall violate an applicable provision of this chapter.
- 1807.3 No company shall violate an applicable provision of this chapter.

1808 PENALTIES

- 1808.1 Each violation of this chapter by a company or operator shall subject the company or operator to a civil fine and/or other penalty as established by a provision of this chapter, provided however, that any pattern of non-compliance with the provisions of this chapter by a company shall also subject the company to the suspension, revocation, and/or non-renewal of its CAPS-DC approval.
- 1808.2 Except where otherwise specified in this chapter, the following civil fines are established for violations of this chapter, which shall double for the second

violation of the same provision, and triple for each violation of the same provision thereafter:

- (a) A civil fine of five hundred dollars (\$500) dollars where no civil fine is enumerated for a violation by a company; and
- (b) A civil fine of two hundred fifty dollars (\$250) dollars where no civil fine is enumerated for a violation by an operator.

1808.3 The enforcement of any provision of this chapter shall be governed by the applicable procedures of Chapter 7.

1899 DEFINITIONS

1899.1 The following words and phrases shall have the meanings ascribed:

“**ADA**” – the Americans with Disabilities Act as defined in this chapter.

“**Americans with Disabilities Act**” – the Americans with Disabilities Act of 1990, effective July 26, 1990 (104 Stat. 328; 42 U.S.C. §§ 12101 *et seq.*)

“**CAPS-DC**” - “Coordinated Alternative to Paratransit Services” as defined in this chapter.

“**CAPS-DC debit card**” – a payment card issued by the District to MetroAccess participants who have consented to participate in CAPS-DC.

“**CAPS-DC trip**” – a one-way trip to or from a participating CAPS-DC dialysis center.

“**CNG vehicle**” - an automobile powered exclusively by compressed natural gas.

“**Coordinated Alternative to Paratransit Services**” – a program to provide paratransit service, including wheelchair accessible service, to dialysis patients.

“**MetroAccess Card**” – an identification card issued by WMATA to passengers who participate in its MetroAccess program.

“**Office**” - the Office of Taxicabs established pursuant to Section 13 of the District of Columbia Taxicab Commission Establishment Act of 1985, effective March 25, 1986 (D.C. Law 6-97; D.C. Official Code §§ 50-301 *et seq.* (2012 Repl.)).

“**Washington Metropolitan Area Transit Authority**” – the regional transportation agency created by interstate compact to serve the

Washington Metropolitan Area.

“Wheelchair-accessible vehicle” - a vehicle compliant with the Americans with Disabilities Act and its implementing regulations, including 49 C.F.R. Part 38.1- 38.39, which accommodates a passenger using a wheelchair or other personal mobility device who needs a ramp or lift to enter or exit the vehicle.

“Wheelchair service” – service provided by a wheelchair accessible vehicle.

“WMATA” - “Washington Metropolitan Area Transit Authority” as defined in this chapter.

CHAPTER 8, OPERATION OF TAXICABS, of Title 31, TAXICABS AND PUBLIC VEHICLES FOR HIRE, of the DCMR, is amended as follows:

A new Subsection 801.12 is added to read as follows:

801.12 Notwithstanding any provision of this chapter, taxicab companies and operators approved to participate in the Coordinated Alternative to Paratransit Service (CAPS-DC), while providing CAPS-DC service pursuant to Chapter 18, shall charge only the rates, charges, and fares set forth in Chapter 18.

Copies of this proposed rulemaking can be obtained at www.dcregs.dc.gov or by contacting Juanda Mixon, Secretary to the Commission, District of Columbia Taxicab Commission, 2041 Martin Luther King, Jr., Avenue, S.E., Suite 204, Washington, D.C. 20020. All persons desiring to file comments on the proposed rulemaking action should submit written comments via e-mail to dctc@dc.gov or by mail to the DC Taxicab Commission, 2041 Martin Luther King, Jr., Ave., S.E., Suite 204, Washington, DC 20020, Attn: Juanda Mixon, Secretary to the Commission, no later than thirty (30) days after the publication of this notice in the *D.C. Register*.

DISTRICT DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED RULEMAKING

The Director of the District Department of Transportation (“Department”), pursuant to the authority set forth in Sections 4(a)(5)(A) (assigning authority to coordinate and manage public space permits and records to the Department Director), 5(4)(A) (assigning duty to review and approve public space permit requests to the Department Director), and 6(b) (transferring the public right-of-way maintenance function previously delegated to the Department of Public Works (DPW) under Section III (F) of Reorganization Plan No. 4 of 1983 to the Department) of the Department of Transportation Establishment Act of 2002 (“DDOT Establishment Act”), effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code §§ 50-921.03(5)(A), 50-921.04(4)(A), and 50-921.05(b) (2012 Repl.)), and Section 604 of the Fiscal Year 1997 Budget Support Act of 1996, effective April 9, 1997 (D.C. Law 11-198; D.C. Official Code §§ 10-1141.04 (2012 Repl. & 2013 Supp.)), which was delegated to the Director of DPW pursuant to Mayor’s Order 96-175, dated December 9, 1996, and subsequently transferred to the Director of the Department in Section 7 of the DDOT Establishment Act (transferring to the Director of the Department all transportation-related authority previously delegated to the Director of the Department of Public Works) (D.C. Official Code § 50-921.06 (2012 Repl.)), hereby gives notice of the intent to adopt amendments to Chapter 1 (Occupation and Use of Public Space) and Chapter 33 (Public Right-of-Way Occupancy Permits) of Title 24 (Public Space and Safety) of the District of Columbia Municipal Regulations (DCMR).

These proposed rules will revise the definition of the term “public parking”, as that term is used in Chapters 1 and 33 of Title 24, to explicitly exclude U.S. reservations which have been transferred jurisdictionally to the District of Columbia. Additionally, the proposed rules will establish the Department’s policies and procedures to obtain a public right of way occupancy permit for the purpose of making private improvements to U.S. reservations that are controlled by the Department. The proposed rules will also make explicit the Department’s authority to modify or remove private improvements made to such reservations.

Final rulemaking action to adopt these amendments shall be taken in not less than thirty (30) days from the date of publication of this notice in the *D.C. Register*.

Title 24, PUBLIC SPACE AND SAFETY, is amended as follows:

Chapter 1, OCCUPATION AND USE OF PUBLIC SPACE, is amended as follows:

Section 102, PUBLIC PARKING: UPKEEP AND PLANTINGS, is amended by repealing Subsection 102.8.

Section 199, DEFINITIONS, is amended by adding a new definition after the definition of “Personalized Marker”, to read as follows:

Public parking -- the area of public space devoted to open space, greenery, parks, or parking that lies between the property line, which may or may not

coincide with the building restriction line, and the edge of the actual or planned sidewalk that is nearer to the property line, as the property line and sidewalk are shown on the records of the District; except, the term “public parking” does not include United States reservations.

Chapter 33, PUBLIC RIGHT-OF-WAY OCCUPANCY PERMITS, is amended as follows

A new Section 3314 is added to read as follows:

3314 PRIVATE IMPROVEMENTS TO CERTAIN UNITED STATES RESERVATIONS UNDER THE JURISDICTION OF THE DISTRICT DEPARTMENT OF TRANSPORTATION

3314.1 It is the policy of the Department that the United States reservations that are triangle parks under the Department’s jurisdiction should be preserved as publicly accessible neighborhood amenities in addition to maintaining them for the purpose for which the reservation was transferred to the District.

3314.2 No person shall make a landscaping or hardscaping improvement, such as the removal or planting of shrubbery or trees or the installation of paving, fencing, benches, or other fixtures, to a United States reservation that is a triangle park under the Department’s jurisdiction without first obtaining a public right of way occupancy permit from the Director.

3314.3 Notwithstanding § 3314.2, a person may mow grass or perform other landscape maintenance to existing grass areas or planting beds on, or may clean up, a United States reservation that is a triangle park under the Department’s jurisdiction without the need to first obtain a public right of way occupancy permit from the Director.

3314.4 The Director shall not issue a permit to make a landscaping or hardscaping improvement to a United States reservation that is a triangle park under Department’s jurisdiction unless the proposed improvement:

- (a) Does not change the real or implied function of the park as a public open space;
- (b) Preserves public access to the park;
- (c) Promotes the public enjoyment and use of the park; and
- (d) Avoids the use of impervious surface coverings to the maximum extent practicable.

3314.5 Before issuing a permit for a landscaping or hardscaping improvement to a United States reservation that is a triangle park under the Department’s jurisdiction, the

Director shall send the permit application to the affected Advisory Neighborhood Commission (ANC) for its review and recommendations. The Director shall provide the ANC thirty (30) business days to perform its review and provide its recommendations.

- 3314.6 The recommendations, if any, of the affected ANC shall be given great weight, as that term is described in Section 13(d)(3)(A) of the Advisory Neighborhood Councils Act of 1975, effective March 26, 1976 (D.C. Law 1-58; D.C. Official Code § 1-309.10(d)(3)(A)).
- 3314.7 The Director may modify or remove any public or private improvements made to a United States reservation that is a triangle park under the Department's jurisdiction.
- 3314.8 Notwithstanding §§ 3310.3 and 3310.4 of this chapter, the Director may revoke any permit issued pursuant to this section at any time.

Section 3399, DEFINITIONS, is amended as follows:

A new definition is added, after the definition of "Personalized paver", to read as follows:

Public parking -- the area of public space devoted to open space, greenery, parks, or parking that lies between the property line, which may or may not coincide with the building restriction line, and the edge of the actual or planned sidewalk that is nearer to the property line, as the property line and sidewalk are shown on the records of the District; except, the term "public parking" does not include United States reservations.

A new definition is added, after the definition of "Stand-alone conduit", to read as follows:

Triangle park – an area of open space, generally triangular in shape, that is located at the intersection of two (2) streets (generally, one of which is orthogonal and one of which is diagonal) and that has been set aside for public ownership. Examples of triangle parks include United States Reservations 142 and 143, located at the intersection of New Hampshire Avenue and 20th Street, NW; United States Reservation 230, located at the intersection of Independence Avenue and North Carolina Avenue, SE; and United States Reservation 61, located at the intersection of Massachusetts Avenue and P Street, NW.

All persons interested in commenting on the subject matter in this proposed rulemaking may file comments in writing, not later than thirty (30) days after the publication of this notice in the *D.C. Register*, with Samuel D. Zimbabwe, Associate Director, District Department of Transportation, 55 M Street, S.E., 5th Floor, Washington, D.C. 20003. An interested person may also send comments electronically to publicspace.policy@dc.gov. Copies of this proposed rulemaking are

available, at cost, by writing to the above address, and are also available electronically, at no cost, on the District Department of Transportation's website at www.ddot.dc.gov.

THE OFFICE OF CONTRACTING AND PROCUREMENT**NOTICE OF EMERGENCY AND PROPOSED RULEMAKING**

The Chief Procurement Officer of the District of Columbia, pursuant to the authority set forth in Section 1106 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-361.06 (2012 Repl.)), hereby gives notice of the adoption, on an emergency basis, of an amendment to Subsection 3205.1 of Chapter 32 (Contract Financing and Funding) of Title 27 (Contracts and Procurement) of the District of Columbia Municipal Regulations (“DCMR”).

This amendment adds a new paragraph (q) to Subsection 3205.1, which permits the Chief Procurement Officer to authorize advance payments to District of Columbia colleges or universities that provide facilities to the Department of Employment Services for summer sessions of the Mayor’s Youth Leadership Institute (“YLI”). The YLI is required to provide two (2) two-week long summer training programs each year to eligible District youth. The summer programs are required to be facilitated at a District college or university. District colleges and universities require prepayment for the use of their facilities.

Arrangements for the YLI summer programs are already underway; therefore adoption of these emergency rules is necessary for the immediate preservation and promotion of public safety and welfare.

The emergency rules will remain in effect for up to one hundred twenty (120) days from June 4, 2014, the date of their adoption, and will expire on October 2, 2014 or upon publication of a Notice of Final Rulemaking in the *D.C. Register*, whichever occurs first. The Chief Procurement Officer also gives notice of intent to take final rulemaking action to adopt this amendment in not less than thirty (30) days from the date of publication of this notice in the *D.C. Register*.

Subsection 3205.1 of Chapter 32, CONTRACT FINANCING AND FUNDING, of Title 27, CONTRACTS AND PROCUREMENTS, of the DCMR is amended by adding a new paragraph (q) to read as follows:

- (q) Notwithstanding subparagraphs (a) through (g) above, the contracting officer may authorize advance payments to responsible District of Columbia colleges or universities that provide facilities to the Department of Employment Services for summer sessions of the Mayor’s Youth Leadership Institute upon a determination in writing by the Director that the advance payment is in the best interest of the District.

All persons desiring to comment on the subject matter of this proposed rulemaking should submit comments in writing to the Chief Procurement Officer, 441 4th Street, 700 South, Washington, D.C. 20001. Comments may be sent by email to OCPRulemaking@dc.gov, by postal mail or hand delivery to the address above. Comments must be received no later than thirty (30) days after the date of publication of this notice in the *D.C. Register*. A copy of this proposed rulemaking may be requested at the same address and e-mail as above, or by calling (202) 727-0252.

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2014-149
June 20, 2014

SUBJECT: Establishment - One City Mayoral Awards Selection Committee

ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422 (2), (3), and (11) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22 (2), (3), and (11) (2012 Repl.), the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979, D.C. Law 2-139, D.C. Official Code § 1-601.01 *et seq.* (2012 Repl.), and Chapter 19 of Title 6B of the District of Columbia Municipal Regulations, it is hereby **ORDERED** that:

I. ESTABLISHMENT

There is established a One City Mayoral Awards Selection Committee ("Committee").

II. PURPOSE

The Committee shall advise the Mayor on the administration of the Mayoral Awards Program which recognizes first level supervisory employees, nonsupervisory employees, and volunteers for exceptional service, dedication, ingenuity, and excellence as demonstrated by their suggestions, inventions, superior accomplishments, length of service, or other meritorious efforts. The Committee also shall advise the Mayor on the administration of department and agency awards programs.

III. FUNCTIONS

The Committee shall:

- (a) Review the awards categories and the nomination and selection criteria for all categories in the One City Mayoral Awards Program;
- (b) Select award recipients;
- (c) Make recommendations to the Mayor regarding awards to be presented to persons recognized in the One City Mayoral Award Program;

- (d) Assist in activities sponsored in connection with District of Columbia Government Employees Week;
- (e) Review and make recommendations regarding criteria and procedures to implement awards programs at the department and agency level;
- (f) Assist in identifying resources to support awards programs;
- (g) Provide for an annual evaluation of the Mayoral Awards Program and agency awards programs; and
- (h) Perform such other related duties as may be assigned.

IV. COMPOSITION

- (a) The Committee shall consist of nine (9) members as follows:
 - (1) The City Administrator;
 - (2) The Director of the D.C. Department of Human Resources;
 - (3) The Secretary of the District of Columbia;
 - (4) Two (2) current employees of the District government appointed by the Mayor;
 - (5) Two (2) residents of the District of Columbia appointed by the Mayor who are not either current or former District government employees. If either of these residents, during their term on the Committee, becomes a District government employee, he or she may no longer serve on the Committee, and the remainder of his or her term shall be filled by a successor appointee who meets the qualifications of this provision; and
 - (6) Two (2) representatives of collective bargaining units for District government employees appointed by the Mayor.

V. TERMS

- (a) The City Administrator, the Director of Human Resources and the Secretary of the District of Columbia shall be permanent members of the Awards Committee and shall serve at the pleasure of the Mayor. The other members of the Committee shall serve staggered three-year terms so that the terms of one-third of the members end each year.
- (b) Members appointed to fill vacancies in unexpired terms shall be appointed only for the remainder of those terms.
- (c) Members may serve beyond the end of their terms until reappointed or replaced.

VI. ORGANIZATION

- (a) The Mayor shall appoint a Chairperson and a Vice Chairperson from among the members of the Committee who shall serve in those capacities at the pleasure of the Mayor.
- (b) The Chairperson may appoint such subcommittees as are deemed necessary for the efficient operation of the Committee. The membership of these subcommittees may include persons who are not members of the Committee. However, every subcommittee must be chaired by a member of the Committee.

VII. COMPENSATION

Members of the Committee shall serve without compensation. The expenses of the committee as a whole and of individual members, when approved in advance by the Director of Human Resources, shall become obligations against funds designated for that purpose.

VIII. ADMINISTRATION

The D.C. Department of Human Resources shall provide administrative and staff support for the Committee.

IX. RESCISSION

This Order rescinds Mayor's Order 87-216, dated September 17, 1987.

- X. 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 2014-150
June 23, 2014

SUBJECT: Reappointments – 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 sections 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 for a term to end two years from the effective date of this Order:

**BARBARA CHINN
TARSHA MOORE
ERVIN SMITH**

- 2. **EFFECTIVE DATE:** This Order shall become effective immediately.



**VINCENT C. GRAY
MAYOR**

ATTEST: 

**CYNTHIA BROCK-SMITH
SECRETARY OF THE DISTRICT OF COLUMBIA**

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

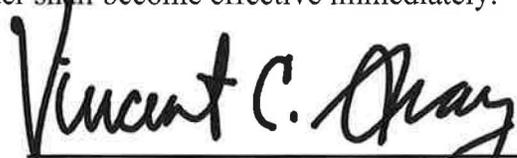
Mayor's Order 2014-151
June 24, 2014

SUBJECT: Reappointments – Apprenticeship Council

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 pursuant to section 2 of An Act To provide for voluntary apprenticeship in the District of Columbia, approved May 21, 1946, 60 Stat. 204, D.C. Official Code § 32-1402 (2012 Repl.), it is hereby **ORDERED** that:

1. **IOANNIS J. XANTHOS**, who was nominated by the Mayor on March 19, 2014 and, following a forty-five day period of review by the Council of the District of Columbia, whose nomination was deemed approved pursuant to Proposed Resolution 20-0705 on June 2, 2014, is reappointed as an employer representative member of the Apprenticeship Council (“Council”), for a term to end November 19, 2016.
2. **VIOLET M. CARTER**, who was nominated by the Mayor on March 19, 2014 and, following a forty-five day period of review by the Council of the District of Columbia, whose nomination was deemed approved pursuant to Proposed Resolution 20-0706 on June 2, 2014, is reappointed as an employee representative member of the Council, for a term to end November 19, 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

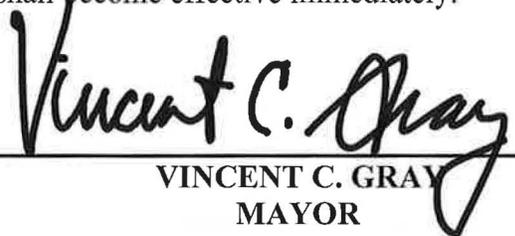
Mayor's Order 2014-152
June 26, 2014

SUBJECT: Appointment – Commission for Women

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 3 of the District of Columbia Commission for Women Act of 1978, effective September 22, 1978, D.C. Law 2-109, D.C. Official Code § 3-702 (2012 Repl. and 2014 Supp.), it is hereby **ORDERED** that:

1. **LAURA VERONICA NELSON** is appointed as a member of the Commission for Women, replacing Charlotte L. McConnell, to complete the remainder of an unexpired term to end April 20, 2015.
2. **EFFECTIVE DATE:** This Order shall become effective immediately.


VINCENT C. GRAY
MAYOR

ATTEST: 
CYNTHIA BROCK-SMITH
SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2014-153
June 27, 2014

SUBJECT: Delegation of Authority - Department of Motor Vehicles, District of Columbia Traffic Act of 1925

ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(6) and (11) of the District of Columbia Home Rule Act, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(6) and (11) (2012 Repl.), it is hereby **ORDERED** that:

1. The Director of the Department of Motor Vehicles is delegated the authority vested in the Mayor to promulgate rules to implement the limited purpose driver license, permit or identification card pursuant to section 8c(h) of the District of Columbia Traffic Act of 1925, effective January 17, 2014 (D.C. Law 20-62; D.C. Official Code § 50-1401.05(h) (2014 Supp.)).
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****INVESTIGATIVE AGENDA****WEDNESDAY, JULY 9, 2014****2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

On July 9, 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#14-251-00115 LIV Nightclub, 2001 11TH ST NW B Retailer C Nightclub, License#: ABRA-074894

2. Case#14-CC-00067 Comet Pizza, 5037 CONNECTICUT AVE NW Retailer C Restaurant, License#: ABRA-074897

3. Case#14-AUD-00037 Co Co Sala, 927 F ST NW Retailer C Restaurant, License#: ABRA-076457

4. Case#14-CC-00066 Bistro Du Coin, 1738 CONNECTICUT AVE NW Retailer C Restaurant, License#: ABRA-076495

5. Case#14-AUD-00042 Jenny's, 1000 WATER ST SW Retailer C Restaurant, License#: ABRA-071114

6. Case#14-AUD-00041 Granville Moore's Brickyard, 1238 H ST NE Retailer C Restaurant, License#: ABRA-072792

7. Case#14-AUD-00044 Le Pain Quotidien, 2815 M ST NW Retailer C Restaurant, License#: ABRA-077337

8. Case#14-AUD-00045 Matisse Bar & Grill, 4934 WISCONSIN AVE NW Retailer C Restaurant, License#: ABRA-025496

9. Case#14-AUD-00036 Capitol Hill Tandor and Grill, 419 8TH ST SE Retailer C Restaurant, License#: ABRA-060689

10. Case#14-AUD-00039 El Rinconcito Cafe, 1129 11TH ST NW Retailer C Restaurant, License#: ABRA-024338

11. Case#14-CMP-00197 Potomac Wines And Spirits, 3100 M ST NW Retailer A Retail - Liquor Store, License#: ABRA-001926

12. Case#14-CC-00070 Martin Luther King's Grocery, 2420 MARTIN LUTHER KING JR AVE SE Retailer B Retail - Grocery, License#: ABRA-021489

13. Case#14-CC-00075 Jones Deli, 4350 TEXAS AVE SE Retailer B Retail - Grocery, License#: ABRA-013972

14. Case#14-CMP-00240 Howard Theatre, 620 T ST NW Retailer C Multipurpose, License#: ABRA-088646

15. Case#14-CC-00060 Alabama Convenience, 2209 Alabama AVE SE Retailer B Retail - Class B, License#:ABRA-080896

16. Case#14-AUD-00038 Donovan House/Zentan, 1155 14TH ST NW Retailer C Hotel, License#: ABRA-082474

17. Case#14-AUD-00043 Justin's Cafe, 1025 1ST ST SE Retailer C Restaurant, License#: ABRA-083690

18. Case#14-251-00160 Cities, 919 19th ST NW Retailer C Restaurant, License#: ABRA-086319

19. Case#14-AUD-00040 Fuel Pizza & Wings, 1606 K ST NW Retailer C Restaurant, License#: ABRA-088452

20. Case#14-251-00013 Howard Theatre, 620 T ST NW Retailer C Multipurpose, License#: ABRA-088646

21. Case#14-CMP-00220 Heritage India/ The Zanzibar, 1901 PENNSYLVANIA AVE NW Retailer C Restaurant, License#: ABRA-090050

22. Case#14-CMP-00109 NEW TOWN KITCHEN AND LOUNGE, 1336 U ST NW Retailer C Tavern, License#:ABRA-093095

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF MEETING

LEGAL AGENDA

WEDNESDAY, JULY 9, 2014 AT 1:00 PM
2000 14th STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

1. Review of Resolution dated June 16, 2014 from Will Stephens ANC2B Chairman. *Hampton Inn*, 1729 H Street NW, Retailer CH, Lic#: 91668. *Originally Published on the June 25, 2014 Board's Agenda*

2. Review of Motion to Consolidate Protest of Applications for Renewal of License and Termination of Settlement Agreement dated June 30, 2014 from Florence Harmon of ANC 2A. *Shadow Room*, 2131 K Street NW, Retailer CN, Lic#: 75871.

3. Review of Motion for Reconsideration of Order on Dismissal of Petition to Terminate a Settlement Agreement and on Petitioner's Request for Reinstatement. *Vendetta*, 1210 H Street NE, Retailer CT, Lic#: 72234.

4. Review of Opposition to Motion for Reconsideration of Order on Dismissal of Petition to Terminate a Settlement Agreement and on Petitioner's Request for Reinstatement. *Vendetta*, 1210 H Street NE, Retailer CT, Lic#: 72234.

5. Review of Petition to Stay Board Order 2014-252. *Sesto Senso*, 1214 18th Street NW, Retailer CT, Lic#: 81092.

6. Review of Letter dated June 24, 2014 from Michael R. Cotton Protestant. *The VIP Room*, 6201 3rd Street NW, Retailer CT, Lic#: 94561.

7. Review of request to grandfather in the protest of the Group of Five or more dated June 26, 2014 from William Isasi Protestant. *New Town Kitchen and Lounge*, 1336 U Street NW, Retailer CT, Lic#: 93095.

8. Review of Settlement Agreement dated June 26, 2014 between ANC 3/4G and American City Diner. *American City Diner*, 5532 Connecticut Avenue NW, Retailer D, Lic#: 94922.

9. Review of Settlement Agreement dated June 17, 2014 between ANC 3F and Laliguars DC, LLC. *Laliguras Indian & Nepali Bistro*, 4221 B Connecticut Avenue NW, Retailer CR, Lic#: 95042.

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

11. Review of Emergency and Proposed Rulemaking for Adams Morgan Moratorium Zone.

*** 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, JULY 9, 2014 AT 1:00 PM

2000 14th STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

1. Review letter from Attorney Andrew J. Kline requesting to amend license by changing address of premises. ANC 2B. SMD 2B05. No Outstanding Fines/Citations. No pending Enforcement matters. No Conflict with Settlement Agreement. *Joe's Seafood, Prime Steak and Stone Crab*, 750 15th Street NW, Retailer CR04, License No. 093894.

2. Review letter from attorney Steven J. O'Brien with Change of Hours application request to operate premise and sidewalk café one hour earlier on Sunday and Saturday. *Approved Hours of Operation, Alcoholic Beverage Sales and Consumption (Premises)*: Sunday 9am to 12am, Monday-Thursday 8am to 12am, Friday 8am to 1am, Saturday 9am to 1am. *Approved Hours of Operation, Alcoholic Beverage Sales and Consumption (Sidewalk Café)*: Sunday 9am to 11pm, Monday-Thursday 8am to 11pm, Friday and Saturday 8am to 12am. *Proposed Hours of Operation, Alcoholic Beverage Sales and Consumption (Premises)*: Sunday 8am to 12am. *Proposed Hours of Operation, Alcoholic Beverage Sales and Consumption (Sidewalk Café)*: Sunday 8am to 11pm. ANC 2F. SMD 2F02. No Outstanding Fines or Citations. No pending Enforcement matters. No conflict with Settlement Agreement. *Commissary*, 1443 P Street NW, Retailer CR01, License No. 071487.

3. Review Change of Hours application request to change hours of premises, sidewalk café, and summer garden. *Approved Hours of Operation, Alcoholic Beverage Sales and Consumption (Premises)*: Sunday 9am to 12am, Monday-Thursday 8am to 12am, Friday 8am to 1am, Saturday 9am to 1am. *Approved Hours of Operation, Alcoholic Beverage Sales and Consumption (Sidewalk Café)*: Sunday 9am to 11pm, Monday-Thursday 8am to 11pm, Friday and Saturday 8am to 12am. *Proposed Hours of Operation, Alcoholic Beverage Sales and Consumption (Premises)*: Sunday 8am to 12am. *Proposed Hours of Operation, Alcoholic Beverage Sales and Consumption (Sidewalk Café)*: Sunday 8am to 11pm. ANC 3E. SMD 3E01. No Outstanding Fines or Citations. No pending Enforcement matters. No conflict with Settlement Agreement. *Public Tenley*, 4611 41st Street NW, Retailer CR03, License No. 085626.

Board's Agenda –July 9, 2014 - Page 2

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4. Review application for rooftop Summer Garden Endorsement. ***Proposed Hours of Operation, Alcoholic Beverage Sales and Consumption:*** Sunday-Thursday 10am to 2am, Friday and Saturday 10am to 3am. ANC 3E. SMD 3E01. No Outstanding Fines or Citations. No pending Enforcement matters. No conflict with Settlement Agreement. ***Public Tenley***, 4611 41st Street NW, Retailer CR03, License No. 085626.
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5. Review letter from attorney Michael D. Fonseca with documentation for Involuntary Transfer of license. ANC 5C. SMD 5C02. No Outstanding Fines or Citations. No pending Enforcement matters. Settlement Agreement. ***Bliss***, 2122 24th Place NE, Retailer CT03, License No. 079778 (Oxygen).
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6. Review application for Change of Hours. ***Approved Hours of Operation, Alcoholic Beverage Sales and Consumption:*** Sunday-Thursday 12pm to 1am, Friday and Saturday 12pm to 2am. ***Proposed Hours of Operation, Alcoholic Beverage Sales and Consumption:*** Sunday-Thursday 8am to 2am, Friday and Saturday 8am to 3am. ANC 1B. SMD 1B10. No Outstanding Fines or Citations. No pending Enforcement matters. Settlement Agreement. ***Tipsy Peacock***, 2915 Georgia Avenue NW, Retailer CT01, License No. 094764.
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7. Review application for Change of Hours. ***Approved Hours of Operation, Alcoholic Beverage Sales and Consumption (Premises):*** Sunday 10:30am to 12am. Monday-Saturday 11:30am to 12am. ***Proposed Hours of Operation, Alcoholic Beverage Sales and Consumption (Premises):*** extend closing all days by 1 hour (until 1am). ***Approved Hours of Operation, Alcoholic Beverage Sales and Consumption (Summer Garden):*** Sunday 10:30am to 12am. Monday-Saturday 11:30am to 12am. ***Proposed Hours of Operation, Alcoholic Beverage Sales and Consumption (Summer Garden):*** extend closing all days by 1 hour (until 1am). ANC 2C. SMD 2C01. No Outstanding Fines or Citations. No pending enforcement matters. Settlement Agreement. ***Chef Geoff's Downtown***, 1301 Pennsylvania Avenue NW, Retailer Class CR03, License No. 060577.
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8. Review license for Entertainment Endorsement and notification. ANC 1B. SMD 1B02. No Outstanding Fines or Citations. No pending enforcement matters. No Settlement Agreement. *Crème*, 2436 14th Street NW, Retailer CR01, License No. 093542.
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9. Review application for Change of Hours. *Approved Hours of Operation*: Sunday-Saturday 7am to 10pm. *Approved Hours of Alcoholic Beverage Sales*: Sunday-Saturday 9am to 10pm. *Proposed Hours of Operation and Alcoholic Beverage Sales*: Sunday 10am to 6pm (closed 4th Sunday), Monday-Thursday 7am to 8pm, Friday 7am to 9pm, Saturday 9am to 9pm. ANC 8A. SMD. No Outstanding Fines or Citations. No pending Enforcement matters. No Settlement Agreement. *Good Hope Deli and Market*, 1738 Good Hope Road SE, Retailer B Grocery, License No. 093974.
-

10. Review application to place license in Safekeeping. ANC 1B. SMD 1B01. No Outstanding Fines or Citations. No pending Enforcement matters. No Settlement Agreement. *Le Droit Park Market*, 1901 4th Street NW, Retailer B Grocery, License No. 060507.
-

11. Review letter from attorney Steven J. O'Brien with Change of Hours Application. *Approved Hours of Operation, Alcoholic Beverage Sales and Consumption*: Sunday-Saturday 4pm to 12am. *Proposed Hours of Operation*: Sunday-Saturday 7am to 12am. *Proposed Hours of Alcoholic Beverage Sales and Consumption*: Sunday-Saturday 11:30am to 12am. ANC 2E. SMD 2E01. No Outstanding Fines or Citations. No pending Enforcement matters. No Settlement Agreement. *The Leavey Center*, 3800 Reservoir Road NW, Retailer CR03, License No. 012331.
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12. Review letter from attorney Steven J. O'Brien with Change of Hours Application for Sidewalk Café operation and service. ***Approved Hours of Operation, Alcoholic Beverage Sales and Consumption:*** Sunday 11:30am to 11pm. Monday-Thursday 11:30am to 10pm. Friday and Saturday 11:30am to 11pm. ***Proposed Hours of Operation, Alcoholic Beverage Sales and Consumption:*** Sunday-Thursday 11:30am to 11pm. Friday and Saturday 11:30am to 12am. ANC 3C. SMD 3C09. No Outstanding Fines or Citations. No pending Enforcement matters. No Settlement Agreement. ***La Piquette***, 3712-3714 Macomb Street NW, Retailer CR01, License No. 093706.
-

13. Review application for Manager's License. ***Sara E. Kagen***-ABRA-095553.

***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.**

**APPLETREE EARLY LEARNING PCS
REQUEST FOR PROPOSALS**

AppleTree Early Learning PCS is seeking organizations that can provide one or all of the following services:

Psychological services

Speech and Language services

Physical Therapy Services

Occupational Therapy Services

Social work clinical supervisor

Please contact Jade Bryant, Special Education and Social Work Manager, for details on the RFP.

The deadline for responding to the RFP is July, 15, 2014 at 4 p.m.

Contact:

Jade Bryant

Special Education and Social Work Manager

415 Michigan Avenue, NE

Washington, DC 20017

(202)488-3990

DISTRICT OF COLUMBIA HOUSING FINANCE AGENCY
BOARD OF DIRECTORS MEETING

July 9, 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 June 24, 2014 board meeting.
- III. Vote to close meeting to discuss the approval of the Metro Village project and bond transaction.

Pursuant to the District of Columbia Administrative Procedure Act, the Chairperson of the Board of Directors will call a vote to close the meeting in order to discuss, establish, or instruct the public body's staff or negotiating agents concerning the position to be taken in negotiating the price and other material terms of the Metro Village project and bond transaction. An open meeting would adversely affect the bargaining position or negotiation strategy of the public body. (D.C. Code §2-575(b)(2)).

- IV. Re-open meeting.
- V. Consideration of DCHFA Final Bond Resolution No. 2014-07 for the approval of Metro Village.
- VI. Interim Executive Director's Report.
- VII. Other Business.
 - Budget Update – Second Quarter of Fiscal Year 2014 Budget Progress Report.
 - Vote to close meeting to discuss the terms of contracts related to Parkway Overlook.

Pursuant to the District of Columbia Administrative Procedure Act, the Chairperson of the Board of Directors will call a vote to close the meeting in order to discuss, establish, or instruct the public body's staff or negotiating agents concerning the position to

be taken in negotiating the price and other material terms of the contracts related to Parkway Overlook. An open meeting would adversely affect the bargaining position or negotiation strategy of the public body. (D.C. Code §2-575(b)(2)).

VIII. Re-open meeting.

IX. Adjournment.

DC INTERNATIONAL SCHOOL

REQUEST FOR PROPOSAL

Food Service Management Services

DC International School is advertising the opportunity to bid on the delivery of breakfast, lunch, snack and/or CACFP supper meals to children enrolled at the school for the 2014-2015 school year with a possible extension of (4) one year renewals. All meals must meet at a minimum, but are not restricted to, the USDA National School Breakfast, Lunch, Afterschool Snack and At Risk Supper meal pattern requirements. Additional specifications outlined in the Request for Proposals (RFP) such as; student data, days of service, meal quality, etc. may be obtained beginning on Friday, July 4, 2014 from:

Denise Lyons

(202) 459-4790

denise@dcinternationalschool.org

All bids not addressing all areas as outlined in the IFB (RFP) will not be considered. Bids must be received by July 28, 2014 by 2 pm. Bids must be submitted in person between 9 am and 2 pm at 220 Taylor Street NW, Washington, DC 20017 or by mail to PO Box 43250, Washington, DC 20010.

OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION

NOTICE OF FUNDING AVAILABILITY

**Fiscal Year 2015 Child Development Centers and Homes Interested in Joining
Neighborhood-based Networks of High Quality Infant/Toddler Child Care and
Comprehensive Services****Request for Applications Release Date: July 11, 2014****Registration for Mandatory Pre-Application Conference Date: July 28, 2014****Mandatory Pre-Application Conference Date: July 29, 2014****Grant Application Submission Deadline: August 12, 2014**

The Office of the State Superintendent of Education (“OSSE”) is the State Education Agency for the District of Columbia and is charged with raising the quality of education for all District (“DC”) residents. The Division of Early Learning (“DEL”) within OSSE is charged to provide leadership and coordination to ensure that all District of Columbia children, from birth to kindergarten entrance, have access to high quality early childhood development programs and are well prepared for school. OSSE administers a number of federally and locally funded programs for early care, child development and early intervention. OSSE provides funding for child care services (including before and after school care) to children ages birth through thirteen (13) years, including services through age eighteen (18) for children with disabilities.

Request for Applications: As part of the Mayor’s proposed \$7.1 million in the fiscal year 2015 (“FY15”) budget for improving and expanding the quality of infant and toddler the care, OSSE seeks applications (“RFA”) from child development center and child development home providers interested in joining a neighborhood-based network to provide Early Head Start (“EHS”) early learning and development services to infants, toddlers, and their families. Partner child care providers would receive resources and technical assistance to achieve and maintain federal program performance standards for Early Head Start from neighborhood-based hub agencies.

This new initiative has the potential to leverage an estimated two million dollars (\$2 million) in federal funding that will be available to the District to support EHS and child care partnerships (see <http://eclkc.ohs.acf.hhs.gov/hslc/hs/grants/ehs-ccp>). The federal Partnership grant will fund new or existing Early Head Start grantees to partner with licensed center-based or family child care providers who agree to meet the federal standards. As such, organizations that respond to this RFA must agree to collaborate on this federal grant opportunity in order to ensure that the available federal funds are maximized to support the children and families in high priority neighborhoods, and special populations (dual language learners, homeless, foster, children of teen parents, children with special needs).

This new initiative – Neighborhood-based Networks - will ensure more children and families benefit from early, continuous, intensive, and comprehensive child development and family support services, including educational, health, nutritional, behavioral, and family support

services which enhance the physical, social, emotional, and intellectual development of participating children.

Anticipated Number of Awards: OSSE seeks to fund one (1) or more Grantees to serve as a partner child care provider. Should a grantee fail to achieve the stated goals and objectives described in the individual proposal under this application that grantee may be subject to penalties that include, but are not limited to, loss of funding, suspension or termination.

Available Funding for Awards: OSSE plans to utilize the Mayor's proposed FY15 funding and existing agency managed dollars, including those available through child care subsidy and early intervention, to partner with qualified agencies responding to this RFA. This Request for Applications (RFA) does not commit OSSE to make an award.

Eligibility Criteria: OSSE seeks information from child development centers and home providers that are willing to enter into partnerships and be part of a neighborhood-based network in partnership with a hub agency that would serve as the federal grantee. To be eligible, responding agencies must:

- Have the capacity and desire to serve children and families in Wards 1, 4, 5, 6, 7, and 8.
- Commit to full support of the strategy, including a non-competition agreement and sharing of data and information necessary to develop a successful federal grant application.
- Have previous experience with and knowledge of federal EHS/Head Start Program Performance Standards.

Information Requested from Potential Child Care Partners: Child care providers must be licensed, have a Gold quality rating, and have experience serving infants and toddlers. Applicants are required to provide the following information:

- Description of your agency or home, including location, years in operation, and current and potential licensed capacity for infants and for toddlers by age (0-12, 12-24, 24-36 months).
- Any participation in subsidized child care, including capacity for subsidized care for infants and toddlers, and whether Level II approved.
- Experience and qualifications of director or home care provider, infant and toddler teachers and family child care provider and assistants, especially any specialized training in infant and toddler care.
- Your current use of any curriculum, child assessment, or other tools to enhance the quality of early learning and development and interactions between children and teachers.
- Your current accreditation status and year of most recent review by a nationally accredited body.
- Whether you currently serve children with special needs or disabilities, and familiarity with IFSP and IEP plans and early intervention systems.
- Your approaches to engaging parents and families in early learning and development of their children.

- Participation in the Child and Adult Care Food Program (“CACFP”) and approaches to supporting healthy food and nutrition information in your program or home.
- Whether your program serves preschool age children through pre-k incentive or subsidized slots, and how many you serve in each. Please note, number of full time children in part-time and full-time subsidized child care.
- Your interest in becoming an Early Head Start center or home provider, and approaches to meeting the relevant listed expectations. What expertise and resources would you bring? What are the gaps? What additional resources would be needed to meet the expectations?

Important Dates: The Request for Application (RFA) will be available on July 11, 2014. Applications may be obtained from the Office of Partnerships and Grant Services website, Funding Alert link @ <http://opgs.dc.gov/page/funding-alert>, the *DC Register*, <http://www.dcregs.dc.gov/> or the Office of the State Superintendent of Education (OSSE) website, <http://osse.dc.gov/>. Applications may also be obtained from Mr. Walter C. Lundy, Jr., Associate Director: please send an email to Walter.Lundy@dc.gov to request an electronic copy of the application.

All parties planning to apply for this grant must attend the Pre-Application Conference and are required to RSVP to Ms. Lilian Tetteh via email to Lilian.Tetteh@dc.gov by July 28, 2014. Parties interested in applying for this RFA are **required** to attend the **mandatory** Pre-Application Conference that will be held on July 29, 2014, -1:00 p.m. to 3:00 p.m. EST at 810 First Street, NE, 3rd Floor Conference Room (Side B), Washington, DC 20002. The **deadline for application submission is August 12, 2014 via electronic submission at 3:30 p.m. EST.**

OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION

NOTICE OF FUNDING AVAILABILITY**Fiscal Year 2015 Hub Agencies for Neighborhood-based Networks of High Quality Infant/Toddler Child Care and Comprehensive Services****Request for Applications Release Date: July 3, 2014****Registration for Mandatory Pre-Application Conference Date: July 7, 2014****Mandatory Pre-Application Conference Date: July 8, 2014****Grant Application Submission Deadline: July 17, 2014**

The Office of the State Superintendent of Education (“OSSE”) is the State Education Agency for the District of Columbia (“District”) and is charged with raising the quality of education for all DC residents. The Division of Early Learning (“DEL”) within OSSE is charged to provide leadership and coordination to ensure that all District of Columbia children, from birth to kindergarten entrance, have access to high quality early childhood development programs and are well prepared for school. OSSE administers a number of federally and locally funded programs for early care, child development and early intervention. OSSE provides funding for child care services (including before and after school care) to children ages birth through thirteen (13) years, including services through age eighteen (18) for children with disabilities.

Request for Applications: As part of the Mayor’s proposed \$7.1 million in the fiscal year 2015 (“FY15”) budget for improving and expanding the quality of infant and toddler care, OSSE seeks applications (“RFA”) from child development center and child development home providers interested in joining a neighborhood-based network to provide Early Head Start (“EHS”) early learning and development services to infants, toddlers, and their families. Partner child care providers would receive resources and technical assistance to achieve and maintain federal program performance standards for Early Head Start from neighborhood-based hub agencies.

This new initiative has the potential to leverage an estimated two million dollars (\$2 million) in federal funding that will be available to the District to support EHS and child care partnerships (see <http://eclkc.ohs.acf.hhs.gov/hslc/hs/grants/ehs-ccp>). The federal Partnership grant will fund new or existing Early Head Start grantees to partner with licensed center-based or family child care providers who agree to meet the federal standards. As such, organizations that respond to this RFA must agree to collaborate on this federal grant opportunity in order to ensure that the available federal funds are maximized to support the children and families in high priority neighborhoods, and special populations (dual language learners, homeless, foster, children of teen parents, children with special needs).

This new initiative – Neighborhood-based Networks - will ensure more children and families benefit from early, continuous, intensive, and comprehensive child development and family support services, including educational, health, nutritional, behavioral, and

family support services which enhance the physical, social, emotional, and intellectual development of participating children.

Anticipated Number of Awards: OSSE seeks to fund one (1) or more Grantees to serve as a partner child care provider. Should a grantee fail to achieve the stated goals and objectives described in the individual proposal under this application that grantee may be subject to penalties that include, but are not limited to, loss of funding, suspension or termination.

Available Funding for Awards: OSSE plans to utilize \$1.8 million from the Mayor's proposed funding allocation for early learning and existing agency managed dollars, including those available through child care subsidy and early intervention, to partner with qualified agencies responding to this RFA.

Eligibility Criteria: OSSE seeks information from organizations willing to join a One City approach to raising the quality of infant and toddler child care by serving as neighborhood-based technical assistance hub. To be eligible, responding agencies must:

- Have the capacity and desire to serve children and families in Wards 1, 4, 5, 6, 7, and 8.
- Commit to full support of the strategy, including a non-competition agreement and sharing of data and information necessary to develop a successful federal grant application.
- Have previous experience with and knowledge of federal EHS/Head Start Program Performance Standards.

Information Requested from Potential Child Care Partners: Agencies interested in being a Neighborhood-based Quality Improvement Hub may be current Head Start or Early Head Start grantees, and/or organizations with a track record of success in administering federal funds and providing high-quality infant and toddler care. Applicants are required to provide the following information:

Your agency capacity to service as a federal grantee, including current or former status as an Early Head Start or Head Start grantee, other federal grants currently managed by your agency, and date of most recent independent financial audit.

- Current partnerships or collaborations with child care providers, including any technical assistance, or professional development expertise. Or, stated commitment to partner with either child care centers, homes, or both.
- Information about current infant and toddler program, including total licensed capacity by age (0-12, 12-24, 24-36 months) and capacity for subsidized slots, by age.
- Sources of funding for the program (subsidy, private, EHS, philanthropic), if a current EHS grantee, please describe federally funded program options and number of children and families participating in each.

- Information about program services provided to children and families, including information about innovative approaches to working with special populations (homeless, foster, dual language learner, teen parents)
- Data on wait list for services by ward/neighborhood, and any plans or opportunities for expansion of infant/toddler services
- Capacity to work with child care partners to ensure the delivery of comprehensive services, including health, nutritional, behavioral, and family support and engagement.
- Potential approach to meeting the following expectations for a Hub agency. What expertise and resources would your agency bring to the table? What are the gaps? What additional supports would be needed to meet this vision?
 - Develop collaborative, supportive relationships with child care centers, family child care homes, and home visiting programs active in their neighborhood cluster.
 - Conduct outreach to identify eligible high needs children and families in the community and assist in placing them in participating child care programs.
 - Coordinate determination of federal Early Head Start eligibility for families in child care settings, and child care subsidy eligibility for families in the networks, in a manner that simplifies the process as best possible for families.
 - Work with child care partner staff so that they: establish school readiness goals and approaches to providing high quality early learning and development services; select and use a research-based curriculum that addresses the cognitive, social emotional, physical, language and literacy, and approaches to learning domains; implement ongoing assessment practices; and develop and implement professional development plans and include child care staff in orientation and training opportunities provided to their staff as appropriate.
 - Provide comprehensive health, nutrition, family engagement, and social services meeting federal Program Performance Standards to children enrolled at child care sites (homes/centers) in the network, and conduct on-going monitoring consistent with federal requirements.
 - Employ or contract with federally required staff or consultants as needed to support quality provision of early childhood development, family support and engagement, health, mental health, nutrition, and disabilities support services to children and families at child care sites (homes/centers) in the network, including specialists in family child care for those hubs interested in partnerships with family child care home providers.
 - Create parent policy councils or include representatives of parents in child care partners in existing policy councils.

Important Dates: The Request for Application (RFA) will be available on July 3, 2014. Applications may be obtained from the Office of Partnerships and Grant Services website, Funding Alert link @ <http://opgs.dc.gov/page/funding-alert> , the DC Register <http://www.dcregs.dc.gov/> or the Office of the State Superintendent of Education (OSSE)

website, <http://osse.dc.gov/>. Applications may also be obtained from Mr. Walter C. Lundy, Jr., Associate Director, please send an email to Walter.Lundy@dc.gov to request an electronic copy of the application.

All parties planning to apply for this grant must attend the Pre-Application Conference and are required to RSVP to Ms. Lilian Tetteh via email to Lilian.Tetteh@dc.gov by July 7, 2014. Parties interested in applying for this RFA are **required** to attend the **mandatory** Pre-Application Conference that will be held on July 8, 2014, 1:00 p.m. to 3:00 p.m. EST at 810 First Street, NE, 3rd Floor Conference Room (Side B), Washington, DC 20002. The **deadline for application submission is July 17, 2014, via electronic submission at 3:30 p.m. EST.**

BOARD OF ELECTIONS AND ETHICS**NOTICE OF PUBLICATION**

The Board of Elections, at a Special Board Meeting on Wednesday, June 25, 2014, formulated the short title, summary statement, and legislative text of the "No Worker Shall Make Less Than the Minimum Wage Act." Pursuant to D.C. Code § 1-1001.16 (2001 ed.), the Board hereby publishes the aforementioned formulations as follows:

INITIATIVE MEASURE

NO. 73

SHORT TITLE

"No Worker Shall Make Less Than the Minimum Wage Act"

SUMMARY STATEMENT

If enacted, the No Worker Shall Make Less Than the Minimum Wage Act will:

- increase the minimum wage in the District of Columbia to \$12.50 hourly, or \$1.00 above the federal minimum wage, whichever is greater, by 2017;
- gradually increase the minimum wage for tipped employees so that they receive the same minimum wage as other employees by 2021;
- beginning in 2018, require the minimum wage to increase yearly in proportion to increases in the Consumer Price Index; and
- ensure that the minimum wage increases will not apply to D.C. government employees or employees of D.C. government contractors.

LEGISLATIVE TEXT

BE IT ENACTED BY THE ELECTORS OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "No Worker Shall Make Less Than the Minimum Wage Act."

Sec. 2. The Minimum Wage Act Revision Act of 1992, effective March 25, 1993 (D.C. Law 9-248; D.C. Official Code § 32-1001, *et seq*) (Act 9-394), as amended, is amended as follows:

(a) Section 4 (D.C. Official Code § 32-1003) is amended to read as follows:

"(a)(1) Except as provided in subsection (h) of this section, as of January 1, 2005, the minimum wage required to be paid to any employee by any employer in the District

of Columbia shall be \$6.60 an hour, or the minimum wage set by the United States government pursuant to the Fair Labor Standards Act (29 U.S.C. § 206 et seq.) ("Fair Labor Standards Act"), plus \$1, whichever is greater.

(2) Except as provided in subsection (h) of this section, as of January 1, 2006, the minimum wage required to be paid to any employee by any employer in the District of Columbia shall be \$7 an hour, or the minimum wage set by the United States government pursuant to the Fair Labor Standards Act, plus \$1, whichever is greater.

(3) Except as provided in subsection (h) of this section, as of July 1, 2014, the minimum wage required to be paid to any employee by any employer in the District of Columbia shall be \$9.50 an hour, or the minimum wage set by the United States government pursuant to the Fair Labor Standards Act, plus \$1, whichever is greater.

(4) Except as provided in subsection (h) of this section, as of July 1, 2015, the minimum wage required to be paid to any employee by any employer in the District of Columbia shall be \$10.50 an hour, or the minimum wage set by the United States government pursuant to the Fair Labor Standards Act, plus \$1, whichever is greater.

(5) Except as provided in subsection (h) of this section, as of July 1, 2016, the minimum wage required to be paid to any employee by any employer in the District of Columbia shall be \$11.50 an hour, or the minimum wage set by the United States government pursuant to the Fair Labor Standards Act, plus \$1, whichever is greater.

(6) Except as provided in subsection (h) of this section, as of July 1, 2017, the minimum wage required to be paid to any employee by any employer in the District of Columbia shall be \$12.50 an hour, or the minimum wage set by the United States government pursuant to the Fair Labor Standards Act, plus \$1, whichever is greater.

(7)(1) Except as provided in subsection (h) of this section, beginning on July 1, 2018 and no later than July 1 of each successive year, the minimum wage provided in this subsection shall be increased in proportion to the annual average increase, if any, in the Consumer Price Index for All Urban Consumers in the Washington Metropolitan Statistical Area published by the Bureau of Labor Statistics of the United States Department of Labor for the previous calendar year. Any increase under this paragraph shall be adjusted to the nearest multiple of \$.05.

(2) The Mayor shall publish in the District of Columbia Register and make available to employers a bulletin announcing the adjusted minimum wage rate as provided in this paragraph. The bulletin shall be published at least 30 days prior to the annual minimum wage rate adjustment.

(b) A person shall be employed in the District of Columbia when:

(1) The person regularly spends more than 50% of their working time in the District of Columbia; or

(2) The person's employment is based in the District of Columbia and the person regularly spends a substantial amount of their working time in the District of Columbia and not more than 50% of their working time in any particular state.

(c) No employer shall employ any employee for a workweek that is longer than 40 hours, unless the employee receives compensation for employment in excess of 40 hours at a rate not less than 1 1/2 times the regular rate at which the employee is employed.

(d) All workers with disabilities shall be paid at a rate not less than the minimum wage, except in those instances where a certificate has been issued by the United States Department of Labor that authorizes the payment of less to workers with disabilities under § 214(c) of the Fair Labor Standards Act.

(e) No employer shall be deemed to have violated subsection (c) of this section if the employee works for retail or service establishment and:

(1) The regular rate of pay of the employee is in excess of 1 1/2 times the minimum hourly rate applicable to the employee under this subchapter; and

(2) More than 1/2 of the employee's compensation for a representative period (not less than 1 month) represents commissions on goods or services.

(f)(1) As of January 1, 2005, the minimum wage required to be paid by any employer in the District of Columbia to any employee who receives gratuities shall be \$2.77 an hour, provided that the employee actually receives gratuities in an amount at least equal to the difference between the hourly wage paid and the minimum wage as set by subsection (a) of this section.

(2) As of July 1, 2016, the minimum wage required to be paid by any employer in the District of Columbia to any employee who receives gratuities shall be \$4.50 an hour, provided that the employee actually receives gratuities in an amount at least equal to the difference between the hourly wage paid and the minimum wage as set by subsection (a) of this section.

(3) As of July 1, 2017, the minimum wage required to be paid by any employer in the District of Columbia to any employee who receives gratuities shall be \$6.00 an hour, provided that the employee actually receives gratuities in an amount at least equal to the difference between the hourly wage paid and the minimum wage as set by subsection (a) of this section.

(4) As of July 1, 2018, the minimum wage required to be paid by any employer in the District of Columbia to any employee who receives gratuities shall be \$8.75 an hour, provided that the employee actually receives gratuities in an amount at least equal to the difference between the hourly wage paid and the minimum wage as set by subsection (a) of this section.

(5) As of July 1, 2019, the minimum wage required to be paid by any employer in the District of Columbia to any employee who receives gratuities shall be \$10.50 an hour, provided that the employee actually receives gratuities in an amount at least equal to the difference between the hourly wage paid and the minimum wage as set by subsection (a) of this section.

(6) As of July 1, 2020, the minimum wage required to be paid by any employer in the District of Columbia to any employee who receives gratuities shall be \$12.00 an hour, provided that the employee actually receives gratuities in an amount at least equal to the difference between the hourly wage paid and the minimum wage as set by subsection (a) of this section.

(7) As of July 1, 2021, the minimum wage required to be paid by any employer in the District of Columbia to any employee who receives gratuities shall be the minimum wage as set by subsection (a) of this section.

(8) To the extent that the Mayor exercises his regulatory authority under § 32-1006 to allow employers to temporarily pay newly hired persons 18 years of age or older a wage lower than the minimum wage set by subsection (a) of this section, the wage an employer pays pursuant to such regulation or regulations to an employee who receives gratuities shall in no case be lower than the wage required to be paid to employees who do not receive gratuities under such regulation or regulations, and in no case lower than the minimum wage set by § 206(a)(1)(C) of the Fair Labor Standards Act or any successor provision. No employer may take any action to displace employees (including partial displacements such as reduction in hours, wages, or employment benefits) for the purpose of hiring individuals at the wage authorized by such regulations.

(g) Subsections (f)(1), (f)(2), (f)(3), (f)(4), (f)(5), and (f)(6) of this section shall not apply to an employee who receives gratuities unless:

(1) The employee has been informed by the employer of the provisions of subsection (f) of this section; and

(2) All gratuities received by the employee have been retained by the employee, except that this provision shall not be construed to prohibit the pooling of gratuities among employees who customarily receive gratuities.

(h) An employer shall pay a security officer working in an office building in the District of Columbia wages, or any combination of wages and benefits, that are not less than the combined amount of the minimum wage and fringe benefit rate for the guard 1 classification established by the United States Secretary of Labor pursuant to the Service Contract Act of 1965, approved October 22, 1965 (79 Stat. 1034; 41 U.S.C. § 351), as amended.

(i)(1) Subsections (a)(6), (f)(2), (f)(3), (f)(4), (f)(5), (f)(6), (f)(7) and (f)(8) of this section shall not apply to an "affiliated employee" as that term is defined at D.C. Official Code § 2-220.02(1).

(2) Nothing in this subsection (i) shall interfere with the operation of any provision of the Living Wage Act of 2006 (D.C. Law 16-118, D.C. Official Code § 2-220.01 *et seq.*) as amended."

(b) A new Section 17 (D.C. Official Code § 32-1016) is added to read as follows:

"Section 17. Severability.

If any provision of this Chapter or the application thereof to any person or circumstance is held to be unconstitutional or otherwise invalid, the declaration of invalidity shall not affect other provisions or applications of the Chapter which can be given effect without the invalid provision or application, and to this end the provisions of this Chapter are deemed severable."

Sec. 3. Nothing in this act shall be construed as preventing the Council of the District of Columbia from increasing minimum wages or benefits to levels in excess of those provided for in this act for any category of employees.

Sec. 4. Fiscal impact statement.

Sec. 5. Effective date.

This act shall take effect after a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Self-government and Government Reorganization Act (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.

DISTRICT DEPARTMENT OF THE ENVIRONMENT

FISCAL YEAR 2014

PUBLIC NOTICE

Notice is hereby given that, pursuant to 40 C.F.R. Part 51.161, and D.C. Official Code §2-505, the Air Quality Division (AQD) of the District Department of the Environment (DDOE), located at 1200 First Street NE, 5th Floor, Washington, DC, intends to issue air quality permits (#6404-R1, and #6405-R1) to the United States Department of the Treasury, Bureau of Engraving and Printing (the Permittee) to operate an two (2) existing 1,000 kW (1,495 HP) diesel fired emergency generator sets at 14th and C Streets, SW, Washington, DC 20228. The contact person for the facility is David Kaczka at (202) 874-2107.

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 postmarked after August 4, 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 #6871 to operate one (1) 800 kW diesel-fired emergency generator set at the United States Department of Agriculture (USDA) property located at 1400 C Street SW, Court 3, 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)	0.753
Oxides of Nitrogen (NO _x)	9.30
Total Particulate Matter, (PM Total)	0.66
Sulfur Dioxide (SO _x)	0.615
Volatile Organic Compounds (VOCs)	2.004

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 August 4, 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 #6910 to JBG/Forth Totten North, LLC (the Permittee) to construct and operate an 260 kW (402 HP) natural gas fired emergency generator set at 5661 3rd Street NE, Washington, DC 20011. The contact person for the facility is J. Michael Mansager, Vice President at (202) 817-3507.

Emissions:

Maximum annual potential emissions from the unit are expected to be as follows:

Pollutant	Maximum Annual Emissions (tons/yr)
Total Particulate Matter (PM Total)	0.01
Sulfur Oxides (SO _x)	0.0004
Nitrogen Oxides (NO _x)	0.2
Volatile Organic Compounds (VOC)	0.2
Carbon Monoxide (CO)	0.4

The proposed overall emission limits for the equipment are as follows:

- a. Emissions from this unit shall not exceed those in the following table [40 CFR 60.4233(d) and Subpart JJJJ, Table 1]:

Pollutant Emission Limits (g/HP-hr)		
NO _x	CO	VOC
2.0	4.0	1.0

- b. Visible emissions shall not be emitted into the outdoor atmosphere from this generator, except that discharges not exceeding forty percent (40%) opacity (unaveraged) shall be permitted for two (2) minutes in any sixty (60) minute period and for an aggregate of twelve (12) minutes in any twenty-four hour (24 hr.) period during start-up, cleaning, adjustment of combustion controls, or malfunction of the equipment [20 DCMR 606.1].
- c. An emission into the atmosphere of odorous or other air pollutants from any source in any quantity and of any characteristic, and duration which is, or is likely to be injurious to the public health or welfare, or which interferes with the reasonable enjoyment of life or property is prohibited. [20 DCMR 903.1]

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 postmarked after August 4, 2014 will be accepted.

For more information, please contact Stephen S. Ours at (202) 535-1747.

DEPARTMENT OF FORENSIC SCIENCES**NOTICE OF PUBLIC MEETING**

On July 18, 2014, the Department of Forensic Sciences will be hosting a meeting of the Science Advisory Board in the Hayward Bennett Room at the Consolidated Forensic Laboratory, 401 E Street SW, Washington, DC 20024. The meeting will commence at 9:00 a.m. Any questions should be directed to Herb Thomas, 202.7278267. Mr. Thomas can also be reached at Herbert.Thomas@dc.gov.

DC Department of Forensic Sciences Science Advisory Board Meeting**18 JUL 14**

9:00 a.m. - 9:30 a.m.	Review Minutes Administrative Issues Discussion of Agenda
9:30 a.m. - 11:00 a.m.	Unit Managers (9)
11:00 a.m. - Noon	Divisional Directors
Noon - 1:00 p.m.	Deputy Directors, Quality, Training, IT Working Lunch
1:00 p.m. - 2:30 p.m.	Updates on Digital Evidence Unit, Materials Analysis Unit, Public Health Laboratory, Crime Scene Sciences
2:30 p.m. - 3:30 p.m.	Notifications <ul style="list-style-type: none">• Quality Issues Reporting• Science Updates• Travel• Research Discussion
3:30: p.m. - 4:00 p.m.	Discussion with Board Next Meeting/ Agenda/ Dates
4:00 p.m.	Adjournment

HEALTH BENEFIT EXCHANGE AUTHORITY**NOTICE OF PUBLIC MEETING****Executive Board of the Health Benefit Exchange Authority**

The Executive Board of the Health Benefit Exchange Authority, pursuant to the requirements of Section 6 of the Health Benefit Exchange Authority Establishment Act of 2011, effective March 2, 2012 (D.C. Law 19-0094), hereby announces a public meeting of the Executive Board. The meeting will be at 1100 15th Street, NW, Suite 800 Washington, DC 20001 on **Wednesday, July 9, 2014 at 5:30 pm**. The call in number is 1-877-668-4493, Access code 736 397 754.

The Executive Board meeting is open to the public.

If you have any questions, please contact Debra Curtis at (202) 741-0899.

DEPARTMENT OF HEALTH**PUBLIC NOTICE**

The District of Columbia Board of Long Term Care Administration (“Board”) hereby gives notice of its regular meetings for the calendar year 2014, pursuant to § 405 of the District of Columbia Health Occupation Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1204.05 (b)) (2012 Repl.) (“Act”).

The Board, formerly the Board of Nursing Home Administration, will hold a special meeting on Wednesday, July 9, 2014 from 10:00 am to 12:00 pm to plan, discuss, or hear reports concerning licensing issues, ongoing or planned investigations of practice complaints, and or violations of law or regulations. The meeting will be closed to public attendance in accordance with Section 405(b) of the Open Meetings Amendment Act of 2010, D.C. Official Code § 2-574(b).

The Board’s next regular meeting will be held from 9:45 am to 12:00 pm on Wednesday, September 10, 2014. The meeting will be open to the public from 9:45 am until 11:00 am to discuss various agenda items and any comments and/or concerns from the public. In accordance with Section 405(b) of the Open Meetings Amendment Act of 2010, the meeting will be closed from 11:00 am to 12:00 pm to plan, discuss, or hear reports concerning licensing issues, ongoing or planned investigations of practice complaints, and or violations of law or regulations.

The meetings will be held at 899 North Capitol Street, NE, Second Floor, Washington, DC 20002. Visit the Department of Health’s Events webpage at www.doh.dc.gov/events to view the agenda.

DEPARTMENT OF HEALTH**PUBLIC NOTICE**

The District of Columbia Board of Psychology (“Board”) hereby gives notice of its regular meeting, pursuant to § 405 of the District of Columbia Health Occupation Revision Act of 1985, D.C. Official Code § 3-1204.05 (b)) (2012 Repl.).

The Board’s next regular meeting will be held on Friday, July 18, 2014. The meeting will be open to the public from 9:30 am until 10:30 am to discuss various agenda items and any comments and/or concerns from the public. At this meeting, the Board will consider and set its new meeting schedule for fiscal year 2015. In accordance with Section 405(b) of the Open Meetings Act of 2010, D.C. Official Code § 2-574(b), the meeting will be closed from 10:30 am to 12:00 pm to plan, discuss, or hear reports concerning licensing issues, ongoing or planned investigations of practice complaints, and or violations of law or regulations.

The meeting will be held at 899 North Capitol Street, NE, Second Floor, Washington, DC 20002. Visit the Department of Health’s Events webpage at www.doh.dc.gov/events to view the agenda.

**DISTRICT OF COLUMBIA DEPARTMENT OF HEALTH
COMMUNITY HEALTH ADMINISTRATION**

**NOTICE OF FUNDING AVAILABILITY
Request for Applications RFA# CHA_DACCS071814**

DIFFUSION OF AMBULATORY CARE SERVICES GRANTS PROGRAM

The Government of the District of Columbia, Department of Health (DOH) Community Health Administration (CHA) is soliciting applications for funding from established District health care providers to establish or expand primary and/or specialty care services for patients in the catchment area that includes zip codes 20002, 20003, 20019, 20020, 20024, and 20032.

This funding will be available through local appropriations in the Fiscal Year 2015 budget, and will be subject to the enactment of the Fiscal Year 2015 Budget Support Act of 2014.

Approximately \$2,250,000 in local appropriated funds will be available for up to five (5) awards. Award sizes will range from a minimum of \$150,000 up to a maximum of \$2,000,000 per year. The grant period is projected to start October 1, 2014 and end September 30, 2015. The grants may be extended for a maximum of four (4) additional option years – for a total of five years of funding - subject to availability of funds, grantee performance, and continued need.

The following entities are eligible to apply for grant funds under this RFA: not-for-profit public and private organizations in DC with a demonstrated track record of providing comprehensive primary care to medically-vulnerable populations in the District – particularly those located in the 20002, 20003, 20019, 20020, 20024, and 20032 zip codes.

The release date for **RFA# CHA_DACCS071814 is Friday, July 18, 2014**. The RFA will be posted in the District Grants Clearinghouse section of the Office of Partnerships and Grants Services website, <http://opgs.dc.gov/page/opgs-district-grants-clearinghouse>. A limited number of copies of the RFA will be available for pick up at DOH/CHA offices located at 899 North Capitol Street, NE Washington, DC 20002 3rd floor*.

A Pre-Application Conference will be held at 899 North Capitol St. NE*, **on Monday, July 28, 2014, from 2:00pm – 4:00 pm**. The deadline for submission of applications will be **Friday, August 15, 2014 at 4:30 pm**.

For questions, please contact Bryan Cheseman at bryan.cheseman@dc.gov or at (202) 442-9339.

*899 N. Capitol St. NE is a secured building. Government issued identification must be presented for entrance.

DISTRICT OF COLUMBIA DEPARTMENT OF HEALTH

COMMUNITY HEALTH ADMINISTRATION

NOTICE OF FUNDING AVAILABILITY
Request for Applications **RFA#CHA_IACS072514****INNOVATIONS IN AMBULATORY CARE SERVICES GRANTS PROGRAM**

The Government of the District of Columbia, Department of Health (DOH) Community Health Administration (CHA) is soliciting applications for funding to implement or continue innovations in primary care services delivery that increase access to care for DC residents.

This funding will be available through local appropriations in the Fiscal Year 2015 budget, and will be subject to the enactment of the Fiscal Year 2015 Budget Support Act of 2014.

Approximately \$750,000 in local appropriated funds will be available for up to four (4) awards. Award sizes will range from a minimum of \$75,000 up to a maximum of \$500,000 per year. Awards are projected to start October 1, 2014 and end September 30, 2015. The grants may be extended for a maximum of two (2) additional option years – for a total of three years of funding - subject to availability of funds, grantee performance, and program evaluation findings.

The following entities are eligible to apply for grant funds under this RFA: not-for-profit public and private organizations in DC with a demonstrated track record of providing comprehensive primary medical, dental, and/or behavioral health care to medically-vulnerable populations in the District.

The release date for RFA# CHA_IACS072514 is Friday, July 25, 2014. The RFA will be posted in the District Grants Clearinghouse section of the Office of Partnerships and Grants Services website, <http://opgs.dc.gov/page/opgs-district-grants-clearinghouse>. A limited number of copies of the RFA will be available for pick up at DOH/CHA offices located at 899 North Capitol Street, NE Washington, DC 20002 3rd floor*.

A Pre-Application Conference will be held at 899 North Capitol St. NE*, on **Monday, August 4, 2014, from 2:00pm – 4:00 pm**. The deadline for submission of applications will be **Friday, August 22, 2014 at 4:30 pm**.

For questions, please contact Bryan Cheseman at bryan.cheseman@dc.gov or at (202) 442-9339.

*899 N. Capitol St. NE is a secured building. Government issued identification must be presented for entrance.

KIPP DC PUBLIC CHARTER SCHOOL**REQUEST FOR PROPOSALS****Below Grade Waterproofing Services**

KIPP DC is soliciting proposals from qualified vendors for Below Grade Waterproofing Services. The competitive Request for Proposal can be found on KIPP DC's website at <http://www.kippdc.org/public-information/>. Proposals are due no later than 5:00 P.M., EST, July 11, 2014. No proposals will be accepted after the deadline. Questions can be addressed to JSalsbury@pmmcompanies.com.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
EXECUTIVE OFFICE OF THE MAYOR
OFFICE OF THE GENERAL COUNSEL TO THE MAYOR

Freedom of Information Act Appeal 2013-76

September 17, 2013

Bernard Solnik, Esq.

Dear Mr. Solnik:

This letter responds to your administrative appeal to the Mayor under the District of Columbia Freedom of Information Act, D.C. Official Code § 2-537(a)(2001) (“DC FOIA”), dated August 27, 2013 (the “Appeal”). You, on behalf of a client (“Appellant”), assert that Metropolitan Police Department (“MPD”) improperly withheld records in response to your request for information under DC FOIA dated February 28, 2013 (the “FOIA Request”) by failing to respond fully to the FOIA Request.

Appellant’s FOIA Request sought records regarding an accident occurring on October, 2013, including all reports, photographs, videos, and statements of witnesses, the driver of the car, and his client. In response, by letter dated April 18, 2013, MPD provided an event chronology and photographs, but, based on privacy, withheld certain of the photographs, redacted the names and telephone numbers of the event callers, and redacted the event chronology with respect to vehicles which were in the area. In addition, MPD stated that it was reviewing the accident reports and videos and would provide “a redacted copy of the report and video(s)” after it completed its review. When no further response was received, Appellant filed the Appeal, asserting that MPD indicates that responsive records exist and that such records are not exempt from disclosure.

In its response, by email by letter dated September 12, 2013, MPD stated that it has completed its review of the of an accident report and videos and have released them to Appellant, with redactions to such records to protect identifying information which would constitute an unwarranted invasion of privacy under D.C. Official Code § 2-534(a)(2).

Based upon the foregoing, we will now consider the Appeal to be moot and it is dismissed.

We note two points in this connection. First, while Appellant has stated that the records are not exempt from disclosure and MPD has redacted the records to protect privacy under D.C. Official Code § 2-534(a)(2), we assume that Appellant has no objection as Appellant did not contest similar redactions in the records which were provided to him previously. Second, although

Bernard Solnik, Esq.
Freedom of Information Act Appeal 2013-76
July 2, 2014
Page 2

Appellant states a belief that there are witness or other statements, we assume that such statements are reflected in the accident report which MPD has provided. To the extent such

assumptions are not the case, Appellant may challenge, by separate appeal, the supplemental response of MPD.

Sincerely,

Donald S. Kaufman
Deputy General Counsel

cc: Ronald B. Harris, Esq.
Teresa Quon Hyden, Esq.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
EXECUTIVE OFFICE OF THE MAYOR
OFFICE OF THE GENERAL COUNSEL TO THE MAYOR

Freedom of Information Act Appeal: 2013-80

September 20, 2013

Sergeant James Rogers

Dear Sgt. Rogers:

This letter responds to your administrative appeal to the Mayor under the District of Columbia Freedom of Information Act, D.C. Official Code § 2-537(a)(2001) (“DC FOIA”), dated September 10, 2013 (the “Appeal”). You (“Appellant”) assert that Metropolitan Police Department (“MPD”) improperly withheld records in response to your request for information under DC FOIA dated March 21, 2013 (the “FOIA Request”) by failing to respond to the FOIA Request.

Appellant’s FOIA Request sought records relating to the selection process for the position of Range Sergeant, including the names of applicants, the names of evaluators, selection criteria, and evaluations of applicants. When a final response was not received, Appellant initiated the Appeal. In its response to the Appeal, dated September 18, 2013, MPD stated that it contacted Appellant and advised him that the disclosure of certain information in the requested records would constitute a clearly unwarranted invasion of personal privacy under D.C Official Code § 2-534(a)(2). MPD states further that, based thereon, Appellant narrowed the scope of his request and MPD provided to him the records identified in his revised request.

Based on the foregoing, we will now consider the Appeal to be moot and it is dismissed; provided, that the dismissal shall be without prejudice to Appellant to assert any challenge, by separate appeal, to the response of MPD to his revised request.

Sincerely,

Donald S. Kaufman
Deputy General Counsel

cc: Ronald B. Harris, Esq.
Teresa Quon Hyden, Esq.

MUNDO VERDE PUBLIC CHARTER SCHOOL**REQUEST FOR PROPOSALS****Network and Wireless Equipment and Installation**

Mundo Verde Public Charter School invites all interested and qualified vendors to submit proposals for network and wireless equipment and installation for a 40,000 square foot facility. Proposals are due no later than 5 P.M. July 11, 2014.

The RFP with bidding requirements and supporting documentation can be obtained by contacting Elle Carne at (202) 630-8373 or emailing ecarne@mundoverdepcs.org.

All bids not addressing all areas as outlined in the RFP will not be considered.

OPTIONS PUBLIC CHARTER SCHOOL

REQUEST FOR PROPOSALS

Multiple Services

Options Public Charter School is accepting proposals through Friday, July 18, 2014 at 3:00 p.m. for the following services:

- 1) Janitorial;
- 2) Facility Maintenance & Management;
- 3) Security Services.

An on-site Pre-Bid Meeting is scheduled for Thursday, July 10, 2014 at 10:00 a.m.

Please email rfoxworth@optionsschool.org to request a full copy of the RFP.

PUBLIC SERVICE COMMISSION OF THE DISTRICT OF COLUMBIA**NOTICE****Liberty Audit of Pepco and PHI Service Company (“PHISCO”)**

1. By Order No. 16087, in Formal Case No. 1076, the Public Service Commission of the District of Columbia (“Commission”) directed the Potomac Electric Power Company (“Pepco” or “the Company”) to procure a contractor to conduct an independent management audit of the Company including costs of the [PHI] service Company [(“PHISCO”)] allocated to Pepco in the District of Columbia. The overarching premise of the management audit is to look at management, operating practices and procedures, and the services provided to Pepco, to determine its effectiveness and efficiency and whether the costs being incurred and allocated to Pepco are reasonable and appropriate. To that end, a management audit contract was awarded to the Liberty Consulting Group (“Liberty”). On June 16, 2014, the management audit (“Liberty Audit”) was submitted to the Commission. The Commission hereby gives notice that the public version of the Liberty Audit is available for review and comment by interested parties.¹ All persons interested in commenting on the Liberty Audit are invited to submit written comments no later than 60 days from the date of publication of this notice in the *D.C. Register*. Reply comments are due 20 days thereafter.

2. Liberty’s audit included a review of Pepco’s operations specific to the District of Columbia and an examination of PHISCO costs charged to Pepco, executive management, systems operations, financial operations, and information technology. At a minimum, Liberty’s audit was to address the following areas and review:

- a. Previous audits relating to Pepco or PHISCO, including a review of the KPMG Audit, the Overland Audit and the FERC Audit in order to determine which areas in the various audit reports that the auditor will rely on in conducting the Pepco and PHI management audit, and the reasons each was relied on;
- b. PHISCO charges to Pepco, including an analysis of the charges over the past 3 years (2009, 2010, and 2011) to determine whether the various components of those costs are reasonable and competitive. The tests for reasonableness will include, but not be limited to, comparison of PHISCO costs to the competitive market and to third parties. The Contractor must provide breakdowns of the various PHISCO cost components

¹ A confidential version of the audit is only available to parties who have executed a confidentiality agreement with Pepco in Formal Case No. 1076.

FC 1076
Liberty Audit

- charged to Pepco and the methods it used in determining whether those costs are reasonable;
- c. Executive Management, including a review of the Company's Board of Directors, officers, divisions, management organizational structure, corporate objectives, corporate planning, corporate communications, and administration;
 - d. System Operations, including a review of Pepco's distribution assets, electric supply, system design, system operation and maintenance, construction projects, construction budget, and street lighting. In addition, the review should also include, but not be limited to, ancillary services provided by generators/generation services or loads, not by equipment, e.g., scheduling control and dispatch;
 - e. System Planning and Power Supply Management, including, but not limited to, electric load modeling, model outputs and actions taken by Pepco, and power adequacy (<1 full day of power loss in 10 years); Also, assess the adequacy of Pepco's 40 year efforts of 4 kV to 13 kV conversions, and whether a comprehensive, long-term conversion plan and schedule (as opposed to case-by-case basis) is needed;
 - f. Underground facilities, including an assessment of Pepco's program for protecting its underground facilities and assets from damage;
 - g. Financial Operations, including a review of the Company's capital structure, financial performance, ratings, cash management, accounting and controls, taxes, internal auditing, corporate finance, financial planning, capital budgeting, cost control, stranded costs, and rates;
 - h. Marketing Operations, including a review of the Company's marketing organizational structure, departments, functions, energy efficiency, and conservation and load management ("CL&M");
 - i. Human Resources, including a review of staffing, companywide wage and salary policies, compensation and incentive programs (including executive, managerial, professional, salaried, non-salaried, and union employees), employee benefits including pensions and other post retirement employee benefits ("OPEB"), employee development and

FC 1076
Liberty Audit

training, performance evaluation, labor relations, manpower planning, and process management;

- j. Customer Services, including a review of quality of customer service, meter reading, complaints and inquiries, credit and collections, service theft, and customer support systems;
- k. External Relations, including a review of regulatory relations and compliance, governmental affairs, investor relations, and public relations and communication; and, affiliate company transactions between all PHI entities and Pepco, including reviews of all costs and allocations from all operating and non-operating entities;
- l. Information Technology, including, but not limited to, systems to ensure same-time access to information available to the transmission provider (per FERC Order 889 on Open Access Same-Time Information System “OASIS”);
- m. Support Services, including a review of risk management, legal, facilities management, purchasing and materials management, transportation, and records management; and
- n. Any other areas that affect the functions, operations, and internal controls of Pepco in the District of Columbia.

3. The public version of the Liberty Audit is available for review at the Public Service Commission’s Office of the Commission Secretary, 1333 H Street, NW, 2nd Floor – West Tower, Washington, D.C. 20005 between the hours of 9:00 a.m. and 5:30 p.m., Monday through Friday. Copies of the Liberty Audit can be purchased at the Commission at the actual reproduction cost with 24 hour notice. The Liberty Audit may also be reviewed online at the Commission website <http://www.dcpsec.org> at “News Flash.” All written comments should be filed with Brinda Westbrook-Sedgwick, Commission Secretary, at the above address or at the Commission’s website at <http://www.dcpsec.org> no later than 60 days from the date of publication of this notice in the *D.C. Register*. Reply comments are due 20 days thereafter.

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY**BOARD OF DIRECTORS****NOTICE OF PUBLIC MEETING****Governance Committee**

The Board of Directors of the District of Columbia Water and Sewer Authority (DC Water) Governance Committee will be holding a meeting on Wednesday, July 9, 2014 at 9:00 a.m. The meeting will be held in the Board Room (4th floor) at 5000 Overlook Avenue, S.W., Washington, D.C. 20032. Below is the draft agenda for this meeting. A final agenda will be posted to DC Water's website at www.dewater.com.

For additional information, please contact Linda R. Manley, Board Secretary at (202) 787-2332 or linda.manley@dewater.com.

DRAFT AGENDA

- | | |
|--|---------------------------------|
| 1. Call to Order | Chairperson |
| 2. Government Affairs: Update | Government Relations
Manager |
| 3. Update on the Compliance Monitoring Program | TBD |
| 4. Update on the Workforce Development Program | Chief of Staff |
| 5. Emerging Issues | Chairperson |
| 6. Agenda for Upcoming Committee Meeting (TBD) | Chairperson |
| 7. Adjournment | Chairperson |

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY**BOARD OF DIRECTORS****NOTICE OF PUBLIC MEETING****Human Resources and Labor Relations Committee**

The Board of Directors of the District of Columbia Water and Sewer Authority (DC Water) Human Resources and Labor Relations Committee will be holding a meeting on Wednesday, July 9, 2014 at 11:00 a.m. The meeting will be held in the Board Room (4th floor) at 5000 Overlook Avenue, S.W., Washington, D.C. 20032. Below is the draft agenda for this meeting. A final agenda will be posted to DC Water's website at www.dcwater.com.

For additional information, please contact Linda R. Manley, Board Secretary at (202) 787-2332 or لمانley@dcwater.com.

DRAFT AGENDA

- | | | |
|----|--|-----------------------|
| 1. | Call to Order | Committee Chairperson |
| 2. | Human Resource Updates | |
| 3. | Other Business | |
| 4. | Executive Session – To discuss personnel matters pursuant to D.C. Official Code § 2-575(b)(10) | Committee Chairperson |
| 5. | Adjournment | Committee Chairperson |

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

Application No. 18782 of Fenton 302/304 M St LLC, pursuant to 11 DCMR § 3103.2, for area variances from the nonconforming structure (§ 2001.3), lot occupancy, (§ 403), rear yard (§ 404), and closed court (§ 406) requirements to allow a third floor addition to an existing one-family row dwelling in the DD/R-5-B District at 302 M Street, N.W. (Square 524, Lot 4).¹

HEARING DATES: June 17, 2014² and June 24, 2014
DECISION DATE: June 24, 2014 (Bench Decision)

SUMMARY ORDER

SELF-CERTIFIED

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2. (Exhibits 5 and 19C.)

The Board provided proper and timely notice of the public hearing on this application by publication in the *D.C. Register* and by mail to the Applicant, Advisory Neighborhood Commission (“ANC”) 6E, and to all owners of property within 200 feet of the property that is the subject of this application. The subject property is located within the jurisdiction of ANC 6E, which is automatically a party to this application. ANC 6E submitted a letter in support of the application, indicating that at a duly noticed meeting on June 3, 2014, at which a quorum was present, the ANC voted unanimously (5 in favor, 0 opposed, and no abstentions), to support the request for variance relief. (Exhibit 23.) The Office of Planning (“OP”) submitted a timely report indicating that it did not recommend approval of the variance relief under §§ 403, 404, 406, and 2001.3, but that if the Board found that the Applicant met the variance test for the requested lot occupancy and § 2001.3 relief, OP did not have major concerns with the closed court or rear yard relief requests. (Exhibit 22.) The District’s Department of Transportation (“DDOT”) also submitted a timely report indicating that DDOT had no objection to the application. (Exhibit 21.)

¹ The application, which originally was for a special exception under § 223, was amended to include variance relief under §§ 2001.3, 403, 404, and 406. (Exhibit 19.) The caption has been amended to reflect those changes. The application had been scheduled for expedited review under § 223 and at the Applicant’s request, this case was postponed for a public hearing on June 24, 2014 to hear the case for variance relief. (Exhibit 19.)

² The Applicant requested that the public hearing for the case be moved to June 24, 2014, so it could be heard with another case, BZA Case No. 18786, that was filed by the same Applicant and had the same counsel. BZA Case No. 18786 had been scheduled to be heard on June 24th. (Exhibit 19.) The Board granted the request and heard both cases together on June 24, 2014. The Board approved both cases under one motion and vote.

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As directed by 11 DCMR § 3119.2, the Board required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case for a variance under § 3103.2 from the strict application of the nonconforming structure (§ 2001.3), lot occupancy, (§ 403), rear yard (§ 404), and closed court (§ 406) requirements to allow a third floor addition to an existing one-family row dwelling in the DD/R-5-B District. 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 closed the record at the conclusion of the hearing. Based upon the record before the Board, and having given great weight to the ANC and OP reports filed in this case, the Board concludes that the Applicant has met the burden of proof pursuant to 11 DCMR § 3103.2 for area variances under §§ 403, 404, 406, and 2001.3, that there exists an exceptional or extraordinary situation or condition related to the property that creates a practical difficulty for the owner in complying with the Zoning Regulations, and that the requested relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map.

Pursuant to 11 DCMR § 3100.5, the Board has determined to waive the requirements of 11 DCMR § 3125.3, that the order of the Board be accompanied by findings of fact and conclusions of law. The waiver will not prejudice the rights of any party and is appropriate in this case.

It is therefore **ORDERED** that the application is hereby **GRANTED, SUBJECT TO THE REVISED APPROVED PLANS AT EXHIBIT 19B.**

VOTE: **4-0-1** (Lloyd L. Jordan, Marnique Y. Heath, Jeffrey L. Hinkle, and Marcie I. Cohen, to approve; S. Kathryn Allen, and not present, not 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: June 26, 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 TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSE OF SECURING A BUILDING

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PERMIT, OR THE APPLICANT FILES A REQUEST FOR A TIME EXTENSION PURSUANT TO § 3130.6 PRIOR TO THE EXPIRATION OF THE TWO-YEAR PERIOD AND THE REQUEST IS GRANTED. PURSUANT TO § 3129.9, NO OTHER ACTION, INCLUDING THE FILING OR GRANTING OF AN APPLICATION FOR A MODIFICATION PURSUANT TO §§ 3129.2 OR 3129.7, SHALL TOLL OR EXTEND THE TIME PERIOD.

PURSUANT TO 11 DCMR § 3125, APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT.

IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE § 2-1401.01 *ET SEQ.* (ACT), THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, GENETIC INFORMATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

Application No. 18785 of Ditto Residential LLC, pursuant to 11 DCMR §§ 3104.1 and 3103.2, for a variance from the off-street parking requirements under subsection 2101.1, and driveway slope requirements under subsection 2117.8, and a special exception from the roof structure provisions under subsection 411.11 and 770.6, to allow the construction of a new four story plus cellar 45 unit residential building in the C-2-A District at premises 1326 Florida Avenue, N.E. (Square 4068, Lot 835).

HEARING DATE: June 24, 2014
DECISION DATE: June 24, 2014

SUMMARY ORDER

SELF-CERTIFIED

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2.

The Board of Zoning Adjustment (“Board”) provided proper and timely notice of the public hearing on this application by publication in the *D.C. Register*, and by mail to Advisory Neighborhood Commission (“ANC”) 5D and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 5D, which is automatically a party to this application. The ANC submitted a letter in support of the application. The Office of Planning (“OP”) submitted a report in support of the application. The Department of Transportation had no objection to the application.

Variance

As directed by 11 DCMR § 3119.2, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case, pursuant to § 3103.2, for a variance from §§ 210.1 and 2117.8. No parties appeared at the public hearing in opposition to this application. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board and having given great weight to the OP and ANC reports filed in this case, the Board concludes that in seeking a variance from §§ 2101.1 and 2117.8, the applicant has met the burden of proving under 11 DCMR § 3103.2, that there exists an exceptional or extraordinary situation or condition related to the property that creates a practical difficulty for the owner in complying with the Zoning Regulations, and that the relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map.

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As directed by 11 DCMR § 3119.2, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to § 3104.1, for a special exception under sections 411.11 and 770.6. No parties appeared at the public hearing in opposition to this application. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

The Board concludes that the Applicant has met the burden of proof, pursuant to 11 DCMR §§ 3104.1, 411.11 and 770.6, that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board further concludes that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map.

Pursuant to 11 DCMR § 3100.5, the Board has determined to waive the requirement of 11 DCMR § 3125.3, that the order of the Board be accompanied by findings of fact and conclusions of law. It is therefore **ORDERED** that this application (pursuant to Exhibit 55C - Plans) is hereby **GRANTED** with the following **CONDITIONS**:

1. For a five year period, the Applicant shall offer all new tenants either an annual Capital Bikeshare or car share membership;
2. The Applicant shall install an electronic transportation information screen in the lobby that would show real time arrival/availability for nearby trains, buses, carshare, and Bikeshare or, in the alternate, the Applicant shall provide notice to the tenants of applicable cell phone applications or other means of obtaining this same real-time multi-transit information; and,
3. The Applicant shall work with the District Department of Transportation to identify an appropriate loading area adjacent to the site.

VOTE: **4-0-1** (Lloyd J. Jordan, Jeffrey L. Hinkle, Marnique Y. Heath and Macie I. Cohen to APPROVE. S. Kathryn Allen not present, not 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: June 26, 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 TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE

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PURPOSE OF SECURING A BUILDING PERMIT, OR THE APPLICANT FILES A REQUEST FOR A TIME EXTENSION PURSUANT TO § 3130.6 AT LEAST 30 DAYS PRIOR TO THE EXPIRATION OF THE TWO-YEAR PERIOD AND THAT SUCH REQUEST IS GRANTED. NO OTHER ACTION, INCLUDING THE FILING OR GRANTING OF AN APPLICATION FOR A MODIFICATION PURSUANT TO §§ 3129.2 OR 3129.7, SHALL EXTEND THE TIME PERIOD.

PURSUANT TO 11 DCMR § 3125, APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT.

PURSUANT TO 11 DCMR § 3205, 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. 18786 of Fenton 302/304 M St LLC, pursuant to 11 DCMR § 3103.2, for variances from the floor area ratio (§ 402), lot occupancy (§ 403), rear yard (§ 404) and off-street parking (§ 2101.1) requirements to construct a new one-family dwelling in the DD/R-5-B District at premises 304 M Street, N.W. (Square 524, Lot 19).¹

HEARING DATE: June 24, 2014
DECISION DATE: June 24, 2014 (Bench Decision)

SUMMARY ORDER

SELF-CERTIFIED

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2. (Exhibit 6.)

The Board provided proper and timely notice of the public hearing on this application by publication in the *D.C. Register* and by mail to the Applicant, Advisory Neighborhood Commission (“ANC”) 6E, and to all owners of property within 200 feet of the property that is the subject of this application. The subject property is located within the jurisdiction of ANC 6E, which is automatically a party to this application. ANC 6E submitted a letter in support of the application, in which it indicated that at a duly noticed meeting on June 3, 2014, at which a quorum was present, the ANC voted unanimously (5 in favor, 0 opposed, and no abstentions) to support the application. (Exhibit 30.) The Office of Planning (“OP”) submitted a timely report in which OP recommended denial of the request for variance relief under §§ 402 and 403 and also indicated it had no major concerns regarding the requests for variance relief under §§ 404 and 2101.1 if the Board found that the variance test was met for the other relief requested. (Exhibit 29.) The District’s Department of Transportation (“DDOT”) also submitted a report indicating it had no objection to the application. (Exhibit 27.)

Twenty-four letters of support from neighbors were submitted for the record. (Exhibit 24.)

A party status request in opposition was filed by Karen Miller Reese (Exhibit 25); however, Ms. Reese withdrew that request for party status.

As directed by 11 DCMR § 3119.2, the Board required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case for a variance under § 3103.2 from the strict application of the floor area ratio (§ 402), lot occupancy (§

¹ The application was heard together with BZA Case No. 18782 which was filed by the same Applicant. The Board approved this case and 18782 under one motion and vote.

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403), rear yard (§ 404) and off-street parking (§ 2101.1) requirements to construct a new one-family dwelling in the DD/R-5-B District. 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 closed the record at the conclusion of the hearing. Based upon the record before the Board, and having given great weight to the ANC and OP reports filed in this case, the Board concludes that the Applicant has met the burden of proof pursuant to 11 DCMR § 3103.2 for area variances under §§ 402, 403, 404, and 2101.1, that there exists an exceptional or extraordinary situation or condition related to the property that creates a practical difficulty for the owner in complying with the Zoning Regulations, and that the requested relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map.

Pursuant to 11 DCMR § 3100.5, the Board has determined to waive the requirements of 11 DCMR § 3125.3, that the order of the Board be accompanied by findings of fact and conclusions of law. The waiver will not prejudice the rights of any party and is appropriate in this case.

It is therefore **ORDERED** that the application is hereby **GRANTED, SUBJECT TO THE APPROVED PLANS AT EXHIBIT 10.**

VOTE: **4-0-1** (Lloyd L. Jordan, Marnique Y. Heath, Jeffrey L. Hinkle, and Marcie I. Cohen to approve, S. Kathryn Allen, not present, not 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: June 26, 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 TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSE OF SECURING A BUILDING PERMIT, OR THE APPLICANT FILES A REQUEST FOR A TIME EXTENSION PURSUANT TO § 3130.6 PRIOR TO THE EXPIRATION OF THE TWO-YEAR PERIOD AND THE REQUEST IS GRANTED. PURSUANT TO § 3129.9, NO

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OTHER ACTION, INCLUDING THE FILING OR GRANTING OF AN APPLICATION FOR A MODIFICATION PURSUANT TO §§ 3129.2 OR 3129.7, SHALL TOLL OR EXTEND THE TIME PERIOD.

PURSUANT TO 11 DCMR § 3125, APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT.

IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE § 2-1401.01 *ET SEQ.* (ACT), THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, GENETIC INFORMATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.

GOVERNMENT OF THE DISTRICT OF COLUMBIA

BOARD OF ZONING ADJUSTMENT

**441 4TH STREET, N.W.
SUITE 200-SOUTH
WASHINGTON, D.C. 20001**

PUBLIC NOTICE OF CLOSED MEETING

In accordance with § 405(c) of the Open Meetings Act, D.C. Official Code § 2-575 (c), on 06/24/14, the Board of Zoning Adjustment voted 4-0-1 to hold closed meetings telephonically on Monday, July 7th, 14th, 21st and 28th beginning at 4:00 pm for the purpose of obtaining legal advice from counsel and/or to deliberate upon, but not voting on the cases scheduled to be publicly heard or decided by the Board on the day after each such closed meeting, as those cases are identified on the Board’s agendas for July 8th, 15th, 22nd and 29th 2014.

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

LLOYD J. JORDAN, CHAIRMAN, S. KATHRYN ALLEN, 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.

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