



District of Columbia

REGISTER

HIGHLIGHTS

- D.C. Council passes Law 20-131, Vending Regulations Temporary Amendment Act of 2014
- D.C. Council schedules a public hearing on rent control and residential lease bills
- Office of the Deputy Mayor for Education schedules a public hearing on the surplus of four school buildings
- Public Charter School Board schedules a public hearing on school applications for charter amendments
- Department of Insurance, Securities and Banking establishes guidelines for the Loan Participation and Innovation Finance programs
- Public Service Commission notifies public of applications by Potomac Electric Power Company and Washington Gas Light Company to amend their tariffs

DISTRICT OF COLUMBIA REGISTER

Publication Authority and Policy

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

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

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The deadline for receiving documents from the District of Columbia Agencies, Boards, Commissions, and Public Charter schools is TUESDAY, NOON of the week of publication. The deadline for receiving documents from the District of Columbia Council is WEDNESDAY, NOON of the week of publication. If an official District government holiday falls on Monday or Friday, the deadline for receiving documents remains the same as outlined above. If an official District government holiday falls on Tuesday, Wednesday or Thursday, the deadline for receiving documents is one day earlier from the deadlines outlined above.

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Legal Effect of Publication - Certification

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

DISTRICT OF COLUMBIA OFFICE OF DOCUMENTS AND ADMINISTRATIVE ISSUANCES

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COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 20-131

“Vending Regulations Temporary Amendment Act of 2014”

Pursuant to Section 412 of the District of Columbia Home Rule Act, P L 93-198 (the Charter), the Council of the District of Columbia adopted Bill 20-745 on first and second readings May 6, 2014, and June 3, 2014, respectively Following the signature of the Mayor on June 17, 2014, pursuant to Section 404(e) of the Charter, the bill became Act 20-354 and was published in the June 27, 2014 edition of the D C Register (Vol 61, page 6336) Act 20-354 was transmitted to Congress on June 26, 2014 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 20-354 is now D C Law 20-131, effective August 8, 2014



Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period

June	26, 27, 30
July	1, 2, 3, 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 21, 22, 23, 24, 25, 28, 29, 30, 31
August	1, 4, 5, 6, 7

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 20-132

“Educator Evaluation Data Collection Temporary Amendment Act of 2014”

Pursuant to Section 412 of the District of Columbia Home Rule Act, P L 93-198 (the Charter), the Council of the District of Columbia adopted Bill 20-748 on first and second readings May 6, 2014, and June 3, 2014, respectively Following the signature of the Mayor on June 17, 2014, pursuant to Section 404(e) of the Charter, the bill became Act 20-355 and was published in the June 27, 2014 edition of the D C Register (Vol 61, page 6338) Act 20-355 was transmitted to Congress on June 26, 2014 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 20-355 is now D C Law 20-132, effective August 8, 2014



Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period

June	26, 27, 30
July	1, 2, 3, 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 21, 22, 23, 24, 25, 28, 29, 30, 31
August	1, 4, 5, 6, 7

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 20-133

“Health Benefit Exchange Authority Financial Sustainability
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Pursuant to Section 412 of the District of Columbia Home Rule Act, P L 93-198 (the Charter), the Council of the District of Columbia adopted Bill 20-776 on first and second readings May 6, 2014, and June 3, 2014, respectively Following the signature of the Mayor on June 18, 2014, pursuant to Section 404(e) of the Charter, the bill became Act 20-356 and was published in the June 27, 2014 edition of the D C Register (Vol 61, page 6340) Act 20-356 was transmitted to Congress on June 26, 2014 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 20-356 is now D C Law 20-133, effective August 8, 2014



Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period

June	26, 27, 30
July	1, 2, 3, 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 21, 22, 23, 24, 25, 28, 29, 30, 31
August	1, 4, 5, 6, 7

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 20-134

“Special Event Waste Diversion Amendment Act of 2014”

Pursuant to Section 412 of the District of Columbia Home Rule Act, P L 93-198 (the Charter), the Council of the District of Columbia adopted Bill 20-344 on first and second readings May 6, 2014, and June 3, 2014, respectively Following the signature of the Mayor on June 18, 2014, pursuant to Section 404(e) of the Charter, the bill became Act 20-357 and was published in the June 27, 2014 edition of the D C Register (Vol 61, page 6342) Act 20-357 was transmitted to Congress on June 26, 2014 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 20-357 is now D C Law 20-134, effective August 8, 2014



Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period

June	26, 27, 30
July	1, 2, 3, 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 21, 22, 23, 24, 25, 28, 29, 30, 31
August	1, 4, 5, 6, 7

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

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

ANNOUNCE A PUBLIC HEARING

On

B20-052, Rent Control Voluntary Agreement Procedure Amendment Act of 2013

B20-074, Residential Lease Omnibus Amendment Act of 2013

B20-830, the Rent Control Amendment Act of 2014

B20-837, the Rent Control Improvement and Protection Amendment Act of 2014

B20-895, the Rent Control Hardship Petition Amendment Act of 2014

SEPTEMBER 25, 2014

11:00 AM

ROOM 412

JOHN A. WILSON BUILDING

1350 PENNSYLVANIA AVENUE, N.W.

On September 25, 2014, Councilmember Muriel Bowser, Chairperson of the Committee on Economic Development, will hold a public hearing to consider legislation regarding landlord-tenant law.

Bill 20-052, the Rent Control Voluntary Agreement Procedure Amendment Act of 2013, would require a 21-day period for affected tenants to have an opportunity to submit testimony on a proposed voluntary agreement, provide additional criteria for the Rent Administrator to deny a voluntary agreement, and eliminate automatic approval of voluntary agreements.

Bill 20-074, the Residential Lease Omnibus Amendment Act of 2013, would require that mandatory fees or services be included in the maximum rent charged, extend tenants' opportunity to purchase for a twelve month period if a unit owner takes possession for personal occupancy, establish a reasonable standard for the purpose, time, and notice of a landlord's inspection of a unit, bar lease terms that require more than 30-days notice of a tenant's intent to vacate a unit, and bar lease terms that unreasonably restrict a tenant's ability to sublet a unit.

Bill 20-830, the Rent Control Amendment Act of 2014, would prohibit rent increases when a housing provider fails to give elderly or disabled tenants notice of their rights, to have a registered agent, or requiring unnecessary proof of a tenant's elderly or disabled status. The bill would also cap rent increases for elderly or disabled tenants to the lesser of 5%, the Consumer Price Index, or the Social Security Cost of Living Adjustment and cap rent increases for other tenants at 2% plus the Consumer Price Index up to 10%. Finally, Bill 20-830 clarifies the process for proving a tenant's elderly and disabled status.

Bill 20-837, the Rent Control Improvement and Protection Amendment Act of 2014, extends the time period for the Rent Administrator to review a hardship petition, lowers the statutory rate of return to 8%, changes the standard for calculating a rate of return, provides additional protections for the review of voluntary agreements, and establishes new penalties for violations of tenant law.

Bill 20-895, the Rent Control Hardship Petition Amendment Act of 2014, requires the creation of an online search database of rental documents, bars the selective or delayed implementation of rent increases, lowers the statutory rate of return to 8%, changes the standard for calculating a rate of return, eliminates conditional approval of hardship petitions, makes changes to the capital improvement petition process, and provide additional protections for the review of voluntary agreements.

The public hearing will begin at 11:00 AM in Room 412 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W.

Individuals and representatives of community organizations wishing to testify should contact Judah Gluckman, Legislative Counsel to the Committee on Economic Development, at (202) 724-8025, or jgluckman@dccouncil.us and furnish their name, address, telephone number, and organizational affiliation, if any, by the close of business September 24, 2014. Persons presenting testimony may be limited to 3 minutes in order to permit each witness an opportunity to be heard. Please provide the Committee 20 copies of any written testimony.

If you are unable to testify at the hearing, written statements are encouraged and will be made a part of the official record. Copies of written statements should be submitted by the close of business on October 9, 2014, to the Committee on Economic Development, Council of the District of Columbia, Suite 110 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004.

Council of the District of Columbia
Committee on Human Services
NOTICE OF PUBLIC HEARING
1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004

**THE COMMITTEE ON HUMAN SERVICES
JIM GRAHAM, CHAIRMAN**

ANNOUNCES A PUBLIC HEARING ON

**BILL 20-897, THE “PLAN FOR COMPREHENSIVE SERVICES FOR HOMELESS
INDIVIDUALS AT 425 2ND STREET, N.W. AMENDMENT ACT OF 2014”**

THURSDAY, OCTOBER 2, 2014 AT 11:00 A.M.

**COUNCIL CHAMBER - 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 hearing on Bill 20-897, the “Plan for Comprehensive Services for Homeless Individuals at 425 2nd Street, N.W. Amendment Act of 2014.” The hearing will be held on Thursday, October 2, 2014 at 11:00 a.m., in Room 500 of the John A. Wilson Building.

Bill 20-735 would amend the Homeless Services Reform Act of 2005 to require the Mayor to develop a plan that provides a range of comprehensive services that address the assessed needs of homeless individuals at 425 2nd Street, N.W., and that complies with the Statement of Principles as developed by the Center for Creative Non-Violence Task Force.

Those who wish to testify should contact Mr. Malcolm Cameron of the Committee on Human Services by e-mail at mcameron@dccouncil.us or by telephone at (202) 724-8191 by Wednesday, October 1, 2014. 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 written testimony to the hearing. Witnesses representing an organization should limit their testimony to five minutes; individual witnesses will have three minutes.

If you are unable to testify at the hearing, written statements are encouraged and will be made a part of the official record. Copies of written statements should be submitted to the Committee on Human Services, 1350 Pennsylvania Avenue, N.W., Room 116, Washington, D.C. 20004, no later than 5:30 p.m., Thursday, October 9, 2014.

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

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

THURSDAY, SEPTEMBER 18, 2014 AT 11:00 A.M.

**D.C. GENERAL SHELTER
1900 MASSACHUSETTS AVENUE, SE
WASHINGTON, DC 20003**

Councilmember Jim Graham, Chairperson of the Committee on Human Services, announces a public oversight roundtable on PR 20-854, the “Sense of the Council for Closing DC General Shelter Resolution of 2014” (Part II). The roundtable will be held on Thursday, September 18, 2014, at 11:00 a.m., in the Activity Room in the Main Building at D.C. General Shelter.

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. This roundtable will provide an opportunity for the residents of DC General Shelter to comment on the provisions of the resolution.

Those who wish to testify should contact Mr. Malcolm Cameron of the Committee on Human Services by e-mail at mcameron@dccouncil.us or by telephone at (202) 724-8191 by Wednesday, September 17, 2014. 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 written testimony to the roundtable. Witnesses representing an organization should limit their testimony to five minutes; individual witnesses will have three minutes.

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 5:30 p.m., Thursday, September 25, 2014, when the official record will close.

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

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

AND

**COUNCILMEMBER KENYAN MCDUFFIE, CHAIRPERSON
 COMMITTEE ON GOVERNMENT OPERATIONS**

ANNOUNCE A JOINT PUBLIC ROUNDTABLE

On

**Proposed Resolution 20-846, the “Barnaby Road Parcel 238/40 Surplus Declaration
 and Approval Resolution of 2014”**

AND

**Proposed Resolution 20-847, the “Barnaby Road Parcel 238/40 Disposition Approval
 Resolution of 2014”**

SEPTEMBER 25, 2014

10:00 A.M.

ROOM 412

JOHN A. WILSON BUILDING

1350 PENNSYLVANIA AVENUE, N.W.

On Thursday, September 25, 2014, Councilmember Muriel Bowser, Chairperson of the Committee on Economic Development, and Councilmember Kenyan McDuffie, Chairperson of the Committee on Government Operations, will hold a joint public roundtable to consider Proposed Resolution 20-846, the Barnaby Road Parcel 238/40 Surplus Declaration and Approval Resolution of 2014 and Proposed Resolution 20-847, the Barnaby Road Parcel 238/40 Disposition Approval Resolution of 2014.

Proposed Resolutions 20-846 and 20-847 will, respectively, declare the District owned property known as Parcel 238/40 located on Barnaby Road, SE, between Bonini Road and Chesapeake Street, SE, as surplus, and authorize the Department of General Services to dispose of the unimproved land through a sale to Ways of the World Community Development Corporation (“WOW-CDC”). WOW-CDC will assemble this parcel along with Square 6249, Lot 0837, the

adjacent property that runs along the east boundary of Parcel 238/40, to provide frontage for single family affordable and workforce townhouses that will face Barnaby Road.

The joint public roundtable will begin at 10:00 a.m. in Room 412 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W.

Individuals and representatives of community organizations wishing to testify should contact Tsega Bekele, Legislative Counsel to the Committee on Economic Development, at (202) 724-8052, or tbekele@dccouncil.us and furnish his or her name, address, telephone number, and organizational affiliation, if any, by the close of business on September 24, 2014. Persons presenting testimony may be limited to 3 minutes in order to permit each witness an opportunity to be heard. Please provide the Committee with 20 copies of any written testimony.

If you are unable to testify at the joint public roundtable, written statements are encouraged and will be made a part of the official record. Copies of written statements should be submitted by the close of business on October 9, 2014, to the Committee on Economic Development, Council of the District of Columbia, Suite 110 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004.

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF PUBLIC HEARINGS
CALENDAR

WEDNESDAY, SEPTEMBER 10, 2014
2000 14TH STREET, N.W., SUITE 400S
WASHINGTON, D.C. 20009

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

- Protest Hearing (Status)** **9:30 AM**
Case # 14-PRO-00051; Micherie, LLC, t/a Cheerz, 7303 Georgia Ave NW
License #95178, Retailer CR, ANC 4B
Application to Renew the License
- Protest Hearing (Status)** **9:30 AM**
Case # 14-PRO-00046; Capitol City Brewing Company, LLC, t/a Penthouse
Pool & Lounge, 1612 U Street NW, License #86789, Retailer CT, ANC 2B
**Substantial Change (Expansion to 4th Floor and Entertainment
Endorsement)**
- Protest Hearing (Status)** **9:30 AM**
Case # 14-PRO-00060; Giant of Maryland, LLC, t/a Giant #2379, 3336,
Wisconsin Ave NW, License #95376, Retailer DR, ANC 3C
Application for a New License
- Protest Hearing (Status)** **9:30 AM**
Case # 14-PRO-00050; MDM, LLC, t/a Takoma Station Tavern, 6914 4th Street
NW, License #79370, Retailer CT, ANC 4B
Substantial Change (Rooftop Summer Garden with 25 Seats)
- Protest Hearing (Status)** **9:30 AM**
Case # 14-PRO-00058; Four Kicks, LLC, t/a Lunchbox, 5335 Wisconsin Ave
NW, License #95410, Retailer CR, ANC 3E
Application for a New License
- Show Cause Hearing (Status)** **9:30 AM**
Case # 14-CMP-00224; MST Enterprises, Inc. t/a Churreria Madrid Restaurant
2505 Champlain Street NW, License #60806, Retailer CR, ANC 1C
Operating After Hours

Board's Calendar

September 10, 2014

Show Cause Hearing (Status)

9:30 AM

Case # 14-CC-00036; Hak, LLC, t/a Midtown, 1219 Connecticut Ave NW
License #72087, Retailer CR, ANC 2B

**Sale to Minor Violation, Failed to Take Steps Necessary to Ascertain Legal
Drinking Age**

Show Cause Hearing (Status)

9:30 AM

Case # 14-251-00133, MPAC, LLC, t/a The Scene, 2221 Adams Place NE
License #78642, Retailer CX, ANC 5C

**Failed to Follow Settlement Agreement, Security Plan or Board Order,
Allowed the Establishment to be Used for an Unlawful or Disorderly
Purpose**

Show Cause Hearing (Status)

9:30 AM

Case # 14-CC-00025; Louis and Associates, Inc., t/a Magic Gourd Restaurant
528 23rd Street NW, License #1015, Retailer CR, ANC 2A

Sale to Minor Violation

Show Cause Hearing (Status)

9:30 AM

Case # 14-CMP-00176; Good Fortune, Inc., t/a Plum Blossom, 1915 18th Street
NW, License #76620, Retailer CR, ANC 2B

Failed to File Quarterly Statements (4th Quarter 2013)

Fact Finding Hearing

9:30 AM

Cyril W. Smith and Warren J. Smith, t/a California Liquors, 2100 18th Street NW
License #5018, Retailer A, ANC 1C

License in Safekeeping

Show Cause Hearing

10:00 AM

Case # 13-AUD-00070 and 13-AUD-00070(a), The New Brookland Café, LLC,
t/a Brookland Café, 3740 12th Street NE, License #83121, Retailer CR, ANC 5B

**Failed to File Quarterly Statements (1st Quarter 2013 and 2nd Quarter
2013)**

Show Cause Hearing

10:00 AM

Case # 14-AUD-00021; Garay Corporation, t/a Corina's Restaurant, 831
Kennedy Street NW, License #79873, Retailer CR, ANC 4D

Failed to Meet Food Sales Requirements

Show Cause Hearing

11:00 AM

Case # 13-CMP-00479 and 13-CMP-00479(a); Axumawit Incorporation, Inc.,
t/a Axum Restaurant, 1934 9th Street NW, License #89823, Retailer CR, ANC

**1B, Operating After Hours, Violation of Settlement Agreement, Failed to
Follow Security Plan**

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

Protest Hearing **1:30 PM**

Case # 14-PRO-00033; Acott Ventures, LLC, t/a Shadow Room, 2131 K Street NW, License #75871, Retailer CN, ANC 2A

Termination of Settlement Agreement

Protest Hearing **1:30 PM**

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

Protest Hearing **1:30 PM**

Case # 13-PRO-00174; Ekho Events, Inc., t/a Echostage, 2135 Queens Chapel Road NE, License #90250, Retailer CN, ANC 5C

Application to Renew the License

Protest Hearing **4:30 PM**

Case # 14-PRO-00032; M Street Management Group, LLC, t/a 1819 Club, 1819 M Street NW, License #71088, Retailer CN, ANC 2B

Application to Renew the License

***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
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF MEETING
INVESTIGATIVE AGENDA

WEDNESDAY, SEPTEMBER 10, 2014
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

On September 10, 2014 at 4:00 pm, the Alcoholic Beverage Control Board will hold a closed meeting regarding the matters identified below. In accordance with Section 405(b) of the Open Meetings Amendment Act of 2010, the meeting will be closed “to plan, discuss, or hear reports concerning ongoing or planned investigations of alleged criminal or civil misconduct or violations of law or regulations.”

1. Case#14-CMP-00336 Bacio Pizzeria, 81 SEATON PL NW Retailer C Tavern, License#: ABRA-092663
-

2. Case#14-CMP-00136(a) My Canton Restaurant, 1772 COLUMBIA RD NW Retailer C Restaurant, License#: ABRA-075479
-

3. Case#14-CMP-00332 Madam's Organ, 2461 18TH ST NW Retailer C Tavern, License#: ABRA-025273
-

4. Case#14-CMP-00255 Universal Liquors, 2018 FLORIDA AVE NW Retailer A Retail - Liquor Store, License#: ABRA-072213
-

5. Case#14-251-00201 Lucky Bar, 1221 CONNECTICUT AVE NW Retailer C Tavern, License#: ABRA-020234
-

6. Case#14-CMP-00351 Aqua Restaurant, 1818 NEW YORK AVE NE A Retailer C Tavern, License#: ABRA-060477
-

7. Case#14-CMP-00334 Tony Cheng's Seafood Restaurant, 619 H ST NW B Retailer C Restaurant, License#: ABRA-011730
-

8. Case#14-251-00227 Macombo Lounge, 5335 GEORGIA AVE NW Retailer C Nightclub, License#: ABRA-000771

9. Case#14-CMP-00335 Doubletree Washington DC, 1515 RHODE ISLAND AVE NW Retailer C Hotel, License#: ABRA-079383

10. Case#14-CMP-00448 Saba One Stop Delicatessen Convenience Store, 1364 FLORIDA AVE NE Retailer B Retail - Grocery, License#: ABRA-081091

11. Case#14-251-00173 Public Bar, 1214 A 18TH ST NW A Retailer C Tavern, License#: ABRA-081238

12. Case#14-CMP-00244 Barcode, 1101 17TH ST NW Retailer C Tavern, License#: ABRA-082039

13. Case#14-251-00176 Barcode, 1101 17TH ST NW Retailer C Tavern, License#: ABRA-082039

14. Case#14-251-00200 Barcode, 1101 17TH ST NW Retailer C Tavern, License#: ABRA-082039

15. Case#14-CMP-00452 Paul Bakery, 1078 WISCONSIN AVE NW Retailer C Restaurant, License#: ABRA-084926

16. Case#14-CMP-00333 Gryphon (The), 1337 CONNECTICUT AVE NW Retailer C Tavern, License#: ABRA-090830

17. Case#14-251-00229 Howard Theatre, 620 T ST NW Retailer C Multipurpose, License#: ABRA-088646

18. Case#14-CMP-00429 The Showtime, 113 RHODE ISLAND AVE NW Retailer C Tavern, License#: ABRA-089186

19. Case#14-CMP-00449 Hanks Oyster Bar , 633 PENNSYLVANIA AVE SE Retailer C Restaurant, License#: ABRA-089718

20. Case#14-CMP-00468 Barcelona Wine Bar, 1622 14TH ST NW Retailer C Restaurant, License#: ABRA-089785

21. Case#14-CMP-00430 Lucky Corner Store, 5433 GEORGIA AVE NW Retailer B Retail - Class B, License#: ABRA-093115

22. Case#14-PRO-00032 1819 Club, 1819 M ST NW Retailer C Nightclub, License#: ABRA-071088

23. Case#14-PRO-00037 Manchester Bar & Restaurant, 944 FLORIDA AVE NW Retailer C Tavern, License#: ABRA-075377

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

**NOTICE OF MEETING
SUPPLEMENTAL INVESTIGATIVE AGENDA**

**WEDNESDAY, SEPTEMBER 10, 2014
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

The items listed below were previously published in the D.C. Register on the dates listed in the item.

1. Case#14-CC-00095 Desperados Pizza, 1342 U ST NW Retailer C Tavern, License#: ABRA-084731 (Previously published in the 8/1/14 DC Register)
-

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF MEETING
LEGAL AGENDA

WEDNESDAY, SEPTEMBER 10, 2014 AT 1:00 PM
2000 14th STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

1. Review of Applicant's Motion to Dismiss the Protest submitted by Richard Bianco, Esq. on behalf of the VIP Room. *The VIP Room*, 6201 3rd St., NW, Retailer CT, License No.: 094561
(Postponed from August 13, 2014)

2. Review of Group of 5 or More Protestant's Opposition to Applicant's Motion to Dismiss. *The VIP Room*, 6201 3rd St., NW, Retailer CT, License No.: 094561.
(Postponed from August 13, 2014)

3. Review of Settlement Agreement dated July 29, 2014 between ANC 4B and The VIP Room. *VIP Room*, 6201 3rd Street NW, Retailer CT, License No.: 94561.
(Postponed from August 13, 2014)

4. Review of Letter dated August 18, 2014 submitted by Commissioner Ronald Austin of ANC 4B06. *VIP Room*, 6201 3rd Street NW, Retailer CT, License No.: 94561.

5. Review of Motion to Dismiss Protest of ANC 3C, dated August 8, 2014, submitted by Stephen O'Brien, Esq. on behalf of Giant. *Giant #2379*, 3336 Wisconsin Avenue, N.W., Retailer DR, License No.: 095376.

6. Review of Opposition to Applicant's Motion to Dismiss Protest of ANC 3C, dated August 10, 2014, submitted by Commissioner Carl Roller of ANC 3C. *Giant #2379*, 3336 Wisconsin Avenue, N.W., Retailer DR, License No.: 095376.

7. Review of Reply to Opposition to Motion to Dismiss Protest of ANC 3C, dated August 14, 2014, submitted by Stephen O'Brien, Esq. on behalf of Giant. *Giant #2379*, 3336 Wisconsin Avenue, N.W., Retailer DR, License No.: 095376.

8. Review of Request for Reconsideration of Board Order No. 2014-274, dated August 11, 2014, submitted by the Kalorama Citizens Association and the Reed-Cooke Neighborhood Association. *Pi*, 2309 18th Street, NW, Retailer C, License No.: 076754.

9. Review of Petition for Reconsideration or Clarification, dated August 11, 2014, submitted by Richard Bianco, Esq. on behalf of Pi. *Pi*, 2309 18th Street, NW, Retailer C, License No.: 076754.

10. Review of Motion for Reconsideration, dated August 13, 2014, submitted by Guangsha Wang, Sole Member of Middle Kingdom Realty, LLC. *Chi Cha Lounge*, 1624 U Street, N.W., Retailer CT, License No.: 026519.

11. Review of Opposition to Motion for Reconsideration, dated August 15, 2014, submitted by Emanuel Mpras, Esq. on behalf of Chi Cha Lounge. *Chi Cha Lounge*, 1624 U Street, N.W., Retailer CT, License No.: 026519.

12. Review of Motion for Reconsideration, dated August 10, 2014, submitted by Gina Mondesir, Esq. on behalf of Bistro 18. *Bistro 18*, 2420 18th Street, N.W., Retailer CT, License No.: 086876.

13. Review of District of Columbia's Response to Licensee's Motion to Reconsider, dated August 11, 2014, submitted by Amy Schmidt, Esq. on behalf of the DC Office of the Attorney General. *Bistro 18*, 2420 18th Street, N.W., Retailer CT, License No.: 086876.

14. Review of Request for an Off-Premises Storage Permit, submitted by Brian Fuchs, Owner of Wagshal's. *Wagshal's*, 3201 New Mexico Ave., N.W., Retailer B, License No.: 092730.

15. Review of Motion to Dismiss Applicant's Petition to Terminate ANC 2A Settlement Agreement, dated August 27, 2014, submitted by Florence Harmon on behalf of ANC 2A 06. *Shadow Room*, 2131 K Street, N.W., Retailer CN, License No.: 075871.

16. Review of Motion to Permit Use of Prior Evidence at Hearing on Applicant's Petition to Terminate ANC 2A Settlement Agreement, dated August 27, 2014, submitted by Florence Harmon on behalf of ANC 2A 06. *Shadow Room*, 2131 K Street, N.W., Retailer CN, License No.: 075871.

17. Review of Motion for Reconsideration, dated August 27, 2014, submitted by Stephen O'Brien on behalf of Ozio Martini and Cigar Lounge. *Ozio Martini and Cigar Lounge*, 1813 M Street, N.W., Retailer CN, License No.: 089394.

18. Review of Motion for Enlargement of Time to File an Opposition, dated August 28, 2014, submitted by Kelly Burchell, Esq. on behalf of Cheerz. *Cheerz*, 7303 Georgia Avenue, N.W., Retailer CR, License No.: 095178.

19. Review of Opposition to Objections of ABRA's Notice of Intent to Nullify and Void Settlement Agreement and Stay Enforcement of Settlement Agreement by ANC 4B, GFEDDS, and Ms. Gina Masterson, dated August 28, 2014, submitted by Kelly Burchell, Esq. on behalf of Cheerz. *Cheerz*, 7303 Georgia Avenue, N.W., Retailer CR, License No.: 095178.

*** 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, SEPTEMBER 10, 2014 AT 1:00 PM
2000 14th STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

1. Review Application for Safekeeping of License. ANC 2A. SMD 2A04. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. *Watergate Wine & Beverage*, 2544 Virginia Avenue NW, Retailer A Liquor Store, License No. 078595.

2. Review Request for Extension of Safekeeping Status of License through December 31, 2014. Original Safekeeping Date: October 30, 2013. ANC 6A. SMD 6A08. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. *Dansby and Catino*, 101 15th Street NE, Retailer B Grocery, License No. 093591.

3. Review Application for Safekeeping of License. ANC 3D. SMD 3D07. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. *Bon Appetit Management Company*, 4801 Massachusetts Avenue NW, Retailer CR, License No. 071077.

4. Review Entertainment Endorsement Application. Entertainment to include occasional light music and jazz. ANC 2C. SMD 2C01. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. *Boss Shepherd's*, 1299 Pennsylvania Avenue NW, Retailer CR, License No. 093794.

5. Review Change of Hours Application. *Approved Hours of Operation and Alcoholic Beverage Sales and Consumption*: Sunday-Thursday 11am to 2am, Friday-Saturday 11am to 3am. *Proposed Hours of Operation and Alcoholic Beverage Sales and Consumption*: Sunday-Thursday 9am to 2am, Friday-Saturday 9am to 3am. ANC 6A. SMD 6A01. No outstanding fines/citations. No outstanding violations. Pending enforcement matter: Failure to file Quarterly Statement. No conflict with Settlement Agreement. *Granville Moore's Brickyard*, 1238 H Street NE, Retailer CR, License No. 072792.

-
6. Review Change of Hours Application. ***Approved Hours of Operation and Alcoholic Beverage Sales:*** Monday-Saturday 9am to 10pm. ***Proposed Hours of Operation and Alcoholic Beverage Sales:*** Sunday-Saturday 9am to 12am. ANC 5E. SMD 5E02. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. ***Edgewood International Wine and Spirits***, 2303 4th Street NE, Retailer A Liquor Store, License No. 095032.
-
7. Review Request for Expansion of Storage Space to Third Floor. ANC 1C. SMD 1C03. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No conflict with Settlement Agreement. ***DC Shenanigans***, 2450 18th Street NW, Retailer CT, License No. 088119.
-
8. Review Request for Tasting Permit. ANC 2E. SMD 2E03. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. ***Towne Wine & Liquor***. 1326 Wisconsin Avenue NW, Retailer A Liquor Store, License No. 093813.
-
9. Review Request for Change of Hours/Days of Entertainment Endorsement. ***Approved Hours of Entertainment:*** Thursday-Saturday 6pm to 1am. ***Proposed Hours of Entertainment:*** Thursday 6pm to 1:30am. Friday-Saturday 6pm to 2:30am, Sunday 6pm to 11pm. ANC 6A. SMD 6A06. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No conflict with Settlement Agreement. ***RedRocks***, 1348 H Street NE, Retailer CR, License No. 090997.
-

***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.**

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

ON

9/5/2014

Notice is hereby given that:

License Number: ABRA-084429

License Class/Type: B Retail - Groce

Applicant: Hi Suk Corporation

Trade Name: Brightwood Supermarket

ANC: 4B08

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

100 Kennedy ST NW, WASHINGTON, DC 20011

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

10/20/2014

HEARING WILL BE HELD ON

11/3/2014

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

ENDORSEMENTS:

Days	Hours of Operation	Hours of Sales/Service	
Sunday:	8 am - 11 pm	9 am -10 pm	-
Monday:	8 am - 11 pm	9 am - 10 pm	-
Tuesday:	8 am - 11 pm	9 am - 10 pm	-
Wednesday:	8 am - 11 pm	9 am - 10 pm	-
Thursday:	8 am - 11 pm	9 am - 10 pm	-
Friday:	8 am - 11 pm	9 am - 10 pm	-
Saturday:	8 am - 11 pm	9 am - 10 pm	-

FOR FURTHER INFORMATION CALL (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

ON

9/5/2014

Notice is hereby given that:

License Number: ABRA-090871

License Class/Type: B Retail - Groce

Applicant: Brown Yi, Inc.

Trade Name: Brown Street Market

ANC: 1D01

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

3320 BROWN ST NW, WASHINGTON, DC 20010

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

10/20/2014

HEARING WILL BE HELD ON

11/3/2014

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

ENDORSEMENTS:

Days	Hours of Operation	Hours of Sales/Service	
Sunday:	8 am - 8 pm	9 am - 8 pm	-
Monday:	7 am - 8 pm	9:30 am - 8 pm	-
Tuesday:	7 am - 8 pm	9:30 am - 8 pm	-
Wednesday:	7 am - 8 pm	9:30 am - 8 pm	-
Thursday:	7 am - 8 pm	9:30 am - 8 pm	-
Friday:	7 am - 8 pm	9:30 am - 8 pm	-
Saturday:	8 am - 8 pm	9:30 am - 8 pm	-

FOR FURTHER INFORMATION CALL (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

ON

9/5/2014

Notice is hereby given that:

License Number: ABRA-086078

License Class/Type: B Retail - Groce

Applicant: ME & JJJS, Inc.

Trade Name: Family Food and Delicatessen Store

ANC: 4C08

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

3713 NEW HAMPSHIRE AVE NW, WASHINGTON, DC 20010

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

10/20/2014

HEARING WILL BE HELD ON

11/3/2014

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

ENDORSEMENTS:

Days	Hours of Operation	Hours of Sales/Service	
Sunday:	8 am - 12 am	9 am -12 am	-
Monday:	8 am - 12 am	9 am - 12 am	-
Tuesday:	8 am - 12 am	9 am - 12 am	-
Wednesday:	8 am - 12 am	9 am - 12 am	-
Thursday:	8 am - 12 am	9 am - 12 am	-
Friday:	8 am - 12 am	9 am - 12 am	-
Saturday:	8 am - 12 am	9 am - 12 am	-

FOR FURTHER INFORMATION CALL (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

ON

9/5/2014

Notice is hereby given that:

License Number: ABRA-060722

License Class/Type: B Retail - Groce

Applicant: Friendly David's Market, Inc.

Trade Name: Friendly Food Market

ANC: 6D06

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

1399 HALF ST SW, Washington, DC 20024

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

10/20/2014

HEARING WILL BE HELD ON

11/3/2014

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

ENDORSEMENTS:

Days	Hours of Operation	Hours of Sales/Service	
Sunday:	8 am - 10 pm	9 am -9 pm	-
Monday:	8 am - 10 pm	9 am - 9 pm	-
Tuesday:	8 am - 10 pm	9 am - 9 pm	-
Wednesday:	8 am - 10 pm	9 am - 9 pm	-
Thursday:	8 am - 10 pm	9 am - 9 pm	-
Friday:	8 am - 10 pm	9 am - 9 pm	-
Saturday:	8 am - 10 pm	9 am - 9 pm	-

FOR FURTHER INFORMATION CALL (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

ON

9/5/2014

Notice is hereby given that:

License Number: ABRA-083128

License Class/Type: B Retail - Groce

Applicant: Ramos Market, Inc.

Trade Name: International Progresso Market

ANC: 1D04

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

3158 MOUNT PLEASANT ST NW, WASHINGTON, DC 20010

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

10/20/2014

HEARING WILL BE HELD ON

11/3/2014

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

ENDORSEMENTS:

Days	Hours of Operation	Hours of Sales/Service	
Sunday:	8 am - 7pm	8am -7 pm	-
Monday:	8 am - 9 pm	8 am - 9 pm	-
Tuesday:	8 am - 9 pm	8 am - 9 pm	-
Wednesday:	8 am - 9 pm	8 am - 9 pm	-
Thursday:	8 am - 9 pm	8 am - 9 pm	-
Friday:	8 am - 9 pm	8 am - 9 pm	-
Saturday:	8 am - 9 pm	8 am - 9 pm	-

FOR FURTHER INFORMATION CALL (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

ON

9/5/2014

Notice is hereby given that:

License Number: ABRA-087818

License Class/Type: B Retail - Groce

Applicant: Asmara Incorporated

Trade Name: Kenilworth Market

ANC: 7D03

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

1612 KENILWORTH AVE NE, WASHINGTON, DC 20019

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

10/20/2014

HEARING WILL BE HELD ON

11/3/2014

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

ENDORSEMENTS:

Days	Hours of Operation	Hours of Sales/Service	
Sunday:	9 am - 12 am	9 am -12 am	-
Monday:	9 am - 12 am	9 am - 12 am	-
Tuesday:	9 am - 12 am	9 am - 12 am	-
Wednesday:	9 am - 12 am	9 am - 12 am	-
Thursday:	9 am - 12 am	9 am - 12 am	-
Friday:	9 am - 12 am	9 am - 12 am	-
Saturday:	9 am - 12 am	9 am - 12 am	-

FOR FURTHER INFORMATION CALL (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

ON

9/5/2014

Notice is hereby given that:

License Number: ABRA-088858

License Class/Type: B Retail - Groce

Applicant: Liff's Market, LLC

Trade Name: Liff's Market

ANC: 8C03

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

600 ALABAMA AVE SE, WASHINGTON, DC 20032

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

10/20/2014

HEARING WILL BE HELD ON

11/3/2014

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

ENDORSEMENTS:

Days	Hours of Operation	Hours of Sales/Service	
Sunday:	6 am - 6 am	7 am - 12 am	-
Monday:	6 am - 6 am	7am - 12 am	-
Tuesday:	6 am - 6 am	7 am - 12 am	-
Wednesday:	6 am - 6 am	7 am - 12 am	-
Thursday:	6 am - 6 am	7 am - 12 am	-
Friday:	6 am - 6am	7 am - 12 am	-
Saturday:	6 am - 6 am	7 am - 12 am	-

FOR FURTHER INFORMATION CALL (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

ON

9/5/2014

Notice is hereby given that:

License Number: ABRA-074057

License Class/Type: B Retail - Groce

Applicant: 2130 P Incorporated

Trade Name: Metro Supermarket

ANC: 2B02

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

2130 P ST NW, Washington, DC 20037

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

10/20/2014

HEARING WILL BE HELD ON

11/3/2014

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

ENDORSEMENTS:

Days	Hours of Operation	Hours of Sales/Service	
Sunday:	9 am - 8 pm	9 am -8 pm	-
Monday:	8 am - 9 pm	9 am - 9 pm	-
Tuesday:	8 am - 9 pm	9 am - 9 pm	-
Wednesday:	8 am - 9 pm	9 am - 9 pm	-
Thursday:	8 am - 9 pm	9 am - 9 pm	-
Friday:	8 am - 9 pm	9 am - 9 pm	-
Saturday:	8 am - 9 pm	9 am - 9 pm	-

FOR FURTHER INFORMATION CALL (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

ON

9/5/2014

Notice is hereby given that:

License Number: ABRA-073973

License Class/Type: B Retail - Groce

Applicant: Xaing Fong Corporation

Trade Name: North Sea Carryout Restaurant

ANC: 1C07

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

2479 18TH ST NW, WASHINGTON, DC 20009

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

10/20/2014

HEARING WILL BE HELD ON

11/3/2014

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

ENDORSEMENTS:

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

FOR FURTHER INFORMATION CALL (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

ON

9/5/2014

Notice is hereby given that:

License Number: ABRA-092730

License Class/Type: B Retail - Groce

Applicant: Wagshal's 3201 LLC

Trade Name: Wagshal's

ANC: 3D08

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

3201 NEW MEXICO AVE NW, WASHINGTON, DC 20016

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

10/20/2014

HEARING WILL BE HELD ON

11/3/2014

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

ENDORSEMENTS: Tasting

Days	Hours of Operation	Hours of Sales/Service	
Sunday:	8 am - 9 pm	8 am -9 pm	-
Monday:	8 am - 9 pm	8 am - 9 pm	-
Tuesday:	8 am - 9 pm	8 am - 9 pm	-
Wednesday:	8 am - 9 pm	8 am - 9 pm	-
Thursday:	8 am - 9 pm	8 am - 9 pm	-
Friday:	8 am - 9 pm	8 am - 9 pm	-
Saturday:	8 am - 9 pm	8 am - 9 pm	-

FOR FURTHER INFORMATION CALL (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

ON

9/5/2014

Notice is hereby given that:

License Number: ABRA-014531

License Class/Type: B Retail - Groce

Applicant: Young Kon Ko & Yong Sun

Trade Name: Yang's Market

ANC: 5E

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

138 U ST NE, Washington, DC 20002

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

10/20/2014

HEARING WILL BE HELD ON

11/3/2014

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

ENDORSEMENTS:

Days	Hours of Operation	Hours of Sales/Service	
Sunday:	8 am - 9:30 pm	9 am -9 pm	-
Monday:	8 am - 9:30 pm	9 am - 9 pm	-
Tuesday:	8 am - 9:30 pm	9 am - 9 pm	-
Wednesday:	8 am - 9:30 pm	9 am - 9 pm	-
Thursday:	8 am - 9:30 pm	9 am - 9 pm	-
Friday:	8 am - 9:30 pm	9 am - 9 pm	-
Saturday:	8 am - 9:30 pm	9 am - 9 pm	-

FOR FURTHER INFORMATION CALL (202) 442-4423

OFFICE OF THE DEPUTY MAYOR FOR EDUCATION**NOTICE OF PUBLIC MEETINGS REGARDING
SURPLUS RESOLUTIONS PURSUANT TO D.C. OFFICIAL CODE 10-801**

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

Properties: Square 5344, Lot 0802 – 4650 Benning Road, SE (“Fletcher Johnson School Building”)

Date: September 10, 2014

Time: 6:30 p.m.

Location: Dorothy I. Height/Benning Neighborhood Library
3935 Benning Road NE
Washington, DC 20019

Contact: Althea O. Holford
Office of the Deputy Mayor for Education
202.727.4036 or althea.holford@dc.gov

OFFICE OF THE DEPUTY MAYOR FOR EDUCATION**NOTICE OF PUBLIC MEETINGS REGARDING
SURPLUS RESOLUTIONS PURSUANT TO D.C. OFFICIAL CODE 10-801**

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

Properties: 4531, Lot 0820 – 500 19th Street, NE (“Gibbs School Building”)

Date: September 9, 2014

Time: 6:30 p.m.

Location: Rosedale Recreation Center
1701 Gales Street, NE
Washington, DC 20002

Contact: Althea O. Holford
Office of the Deputy Mayor for Education
202.727.4036 or althea.holford@dc.gov

OFFICE OF THE DEPUTY MAYOR FOR EDUCATION**NOTICE OF PUBLIC MEETINGS REGARDING
SURPLUS RESOLUTIONS PURSUANT TO D.C. OFFICIAL CODE 10-801**

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

Properties: Square 3382, Lot 0000 – 100 Gallatin Street, NE (“Mamie D. Lee School Building”)

Date: September 11, 2014

Time: 6:30 p.m.

Location: Lamond-Riggs Neighborhood Library
5401 South Dakota Ave, NE
Washington, DC 20011

Contact: Althea O. Holford
Office of the Deputy Mayor for Education
202.727.4036 or althea.holford@dc.gov

OFFICE OF THE DEPUTY MAYOR FOR EDUCATION**NOTICE OF PUBLIC MEETINGS REGARDING
SURPLUS RESOLUTIONS PURSUANT TO D.C. OFFICIAL CODE 10-801**

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

Properties: PAR 02350075 – 3301 Wheeler Road, SE (“MC Terrell School Building”)

Date: September 15, 2014

Time: 6:30 p.m.

Location: MC Terrell School
3301 Wheeler Road, SE
Washington, DC 20032

Contact: Althea O. Holford
Office of the Deputy Mayor for Education
202.727.4036 or althea.holford@dc.gov

DISTRICT OF COLUMBIA PUBLIC CHARTER SCHOOL BOARD**NOTIFICATION OF CHARTER AMENDMENT**

The District of Columbia Public Charter School Board (“PCSB”) hereby gives notice, dated September 2, 2014 of Inspired Teaching Public Charter School’s intent to amend its goals in school year 2014-2015. PCSB will hold a public hearing during the regularly scheduled board meeting on October 14, 2014. Subsequently, the board will hold a vote on the matter during the regularly scheduled board meeting on November 17, 2014. For further information, please contact Laterica Quinn, Equity and Fidelity Specialist, at 202-328-2660. Please call 202-328-2660 to submit public comment or email public.comment@dcpsb.org.

DISTRICT OF COLUMBIA PUBLIC CHARTER SCHOOL BOARD**NOTIFICATION OF CHARTER AMENDMENT**

The District of Columbia Public Charter School Board (“PCSB”) hereby gives notice, dated September 2, 2014 of Richard Wright Public Charter School’s intent to amend its goals in school year 2014-2015. PCSB will hold a public hearing during the regularly scheduled board meeting on October 14, 2014. Subsequently, the board will hold a vote on the matter during the regularly scheduled board meeting on November 17, 2014. For further information, please contact Laterica Quinn, Equity and Fidelity Specialist, at 202-328-2660. Please call 202-328-2660 to submit public comment or email public.comment@dcpsb.org.

**BOARD OF ZONING ADJUSTMENT
PUBLIC HEARING NOTICE
TUESDAY, NOVEMBER 18, 2014
441 4TH STREET, N.W.
JERRILY R. KRESS MEMORIAL HEARING ROOM, SUITE 220-SOUTH
WASHINGTON, D.C. 20001**

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

TIME: 9:30 A.M.

WARD SIX

18855 **Application of David S. and Martha Stracener Dantzie**, pursuant to 11
ANC-6B DCMR § 3104.1, for a special exception to allow an addition to a one-
family semi-detached dwelling under section 223, not meeting
requirements for lot occupancy (section 403), rear yard (section 404) and
enlargement of a nonconforming structure (subsection 2001.3) in the R-4
District at premises 213 11th Street, S.E. (Square 969, Lots 804 and 805).

WARD SIX

18859 **Application of Travis and Holly Greaves**, pursuant to 11 DCMR §
ANC-6B 3104.1, for a special exception to allow a rear addition to a flat (two-
family dwelling) under section 223, not meeting the lot occupancy
(section 403) requirements in the CAP/R-4 District at premises 438 New
Jersey Avenue, S.E. (Square 694, Lot 834).

WARD SIX

18861 **Application of Justin and Margaret Kitsch**, pursuant to 11 DCMR §
ANC-6E 3103.2, for a variance from the lot occupancy (section 403) requirements
to allow a rear deck addition to a row dwelling in the R-4 District at 1330
5th Street, N.W. (Square 480, Lot 843).

WARD SIX

18856 **Application of Lock 7 Development**, pursuant to 11 DCMR § 3103.2, for
ANC-6E a variance from the requirements regarding lot area (section 401);
nonconforming structures (subsection 2001.3) with respect to lot
occupancy (section 403) and courts (section 406); and compact parking
spaces (subsections 2115 and 2101.1) to allow a multiunit dwelling with
three compact parking spaces in an R-4 District at 1514 8th Street N.W.
(Square 397, Lots 830 and 831).

BZA PUBLIC HEARING NOTICE

NOVEMBER 18, 2014

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WARD TWO

18860 **Application of 1301 K Street Limited Partnership**, pursuant to 11
ANC-2F DCMR § 3104.1, for special exception relief from the rear yard
 requirements under section 774.1, to renovate an existing building for
 office use in the C-4 District at premises 1301-1315 K Street, N.W.
 (Square 248, Lots 822, 823, 824, 830, 7002 and 7003).

WARD THREE

18857 **Appeal of Advisory Neighborhood Commission 3D**, pursuant to 11
ANC-3D DCMR §§ 3100 and 3101, from a July 14, 2014, decision by the
 Department of Consumer and Regulatory Affairs to issue Building Permit
 No. FD1400058, allowing the construction of a two story parking garage
 for the American University in the R-5-B District at premises 4400
 Massachusetts Avenue, N.W. (Square 1601, Lot 3).

PLEASE NOTE:

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

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

Except for the affected ANC, any person who desires to participate as a party in this case must clearly demonstrate that the person's interests would likely be more significantly, distinctly, or uniquely affected by the proposed zoning action than other persons in the general public. **Persons seeking party status shall file with the Board, not less than 14 days prior to the date set for the hearing, a Form 140 – Party Status Application Form.** This form may be obtained from the Office of Zoning at the address stated below or downloaded from the Office of Zoning's website at: www.dcoz.dc.gov. All requests and comments should be submitted to the Board through the Director, Office of Zoning, 441 4th Street, NW, Suite 210, Washington, D.C. 20001. Please include the case number on all correspondence.

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

BZA PUBLIC HEARING NOTICE

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

THE OFFICE OF CONTRACTING AND PROCUREMENT**NOTICE OF FINAL RULEMAKING**

The Chief Procurement Officer (“CPO”) 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 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.

The CPO gave notice of his intent to adopt these rules on June 4, 2014, and the proposed rules were published in the *D.C. Register* on July 4, 2014, at 61 DCR 6854. No changes have been made to the text of the rules as published. The CPO took final action to adopt these rules on August 15, 2014.

The rulemaking will become effective upon 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.

**DISTRICT OF COLUMBIA
DEPARTMENT OF INSURANCE, SECURITIES AND BANKING**

NOTICE OF FINAL RULEMAKING

The Acting Commissioner of the Department of Insurance, Securities and Banking (“DISB”), pursuant to the authority set forth in Section 105(c) of the 21st Century Financial Modernization Act of 2000, effective June 9, 2001 (D.C. Law 13-308; D.C. Official Code § 26-551.05(c) (2012 Repl.)), hereby gives notice of his intent to adopt the following amendment to add a new Chapter 29, entitled “The State Small Business Credit Initiative” (“SSBCI”), to Subtitle C (Banking and Financial Institutions) of Title 26 (Insurance, Securities and Banking) of the District of Columbia Municipal Regulations (“DCMR”).

These rules are necessary to implement two (2) new programs, the District of Columbia Loan Participation Program (“Loan Participation Program”) and the District of Columbia Innovation Finance Program (“Innovation Finance Program”), and combine the programs’ regulations in one place with the District of Columbia Collateral Support Program’s (“Collateral Support Program”) regulations. The Collateral Support Program’s regulations are currently in 27 DCMR § 851. All of these regulations will now be in Title 26 of the DCMR.

The emergency and proposed rulemaking was originally published on July 11, 2014 in the D.C. Register at 61 DCR 007063, by the Acting Commissioner and became effective on that date. The comment period ended on August 11, 2014. No public comments were received. In order to clarify that only federal money will be used in the District SSBCI Programs, DISB added subsection 2900.5. In all other respects no changes were made and this Final Rulemaking is identical to the Emergency and Proposed Rulemaking. This rule was adopted as final on August 22, 2014 and will take effect immediately upon publication of this notice in the *D.C. Register*.

A new Chapter 29 is added to Subtitle C (Banking and Financial Institutions) of Title 26 (Insurance, Securities and Banking) of the DCMR to read as follows:

CHAPTER 29 STATE SMALL BUSINESS CREDIT INITIATIVE

2900

SCOPE

- 2900.1 Unless specified otherwise, these regulations shall apply to the Collateral Support Program, the Loan Participation Program, and the Innovation Finance Program, which are implemented pursuant to Section 105(a)(2), (3) and (12) of the 21st Century Financial Modernization Act of 2000, effective June 9, 2001 (D.C. Law 13-308; D.C. Official Code § 26-551.05 (a)(2), (a)(3) and (a)(12)).
- 2900.2 The Department of Insurance, Securities and Banking may, in its discretion, outsource the loan underwriting process to a qualified non-profit organization or financial institution.

- 2900.3 The Commissioner of the Department of Insurance, Securities and Banking may waive provisions of these rules upon good cause shown, provided the waiver is consistent with the State Small Business Credit Initiative (“SSBCI”) requirements from the United States Department of the Treasury.
- 2900.4 All forms prescribed or authorized by this chapter can be found on the Department website at <http://disb.dc.gov/page/small-business-lending-state-small-business-credit-initiative-ssbci>.
- 2900.5 The Collateral Support Program, the Loan Participation Program, and the Innovation Finance Program, collectively known as the District SSBCI Programs, will implement the federal SSBCI program and will only use federal monies in their implementation.

2901 COLLATERAL SUPPORT PROGRAM

- 2901.1 The Collateral Support Program shall provide a cash collateral deposit to an Eligible Lender in order to enhance the collateral coverage of an Eligible Recipient that is otherwise qualified but unable to meet the Eligible Lender’s security requirements. The cash collateral deposit will then be pledged as collateral on behalf of the Eligible Recipient.
- 2901.2 The Department of Insurance, Securities and Banking (“DISB”) may deposit cash assets of up to fifty percent (50%) of the loan amount but no more than one million dollars (\$1,000,000). The maximum term of an Enrolled Loan shall not exceed seven (7) years.

2902 ELIGIBLE LENDERS – COLLATERAL SUPPORT PROGRAM

- 2902.1 An Eligible Lender for the Collateral Support Program shall be:
- (a) A federally insured commercial lender;
 - (b) A federally insured credit union; or
 - (c) A Community Development Financial Institution.
- 2902.2 An Eligible Lender shall enroll in the Collateral Support Program by providing to DISB:
- (a) A signed SSBCI Participation Agreement with DISB;
 - (b) A certification that it is in compliance with the requirements of 31 C.F.R. § 1020.220;

- (c) A certification that, consistent with OMB Circular A-129, it has at least twenty percent (20%) of its own capital at risk in any loan enrolled in the District SSBCI Programs, unless a waiver is granted;
- (d) A certification that no principal of the lender has been convicted of a sex offense against a minor as such term is defined in Section 111 of the Sex Offender Registration and Notification Act (42 U.S.C. § 16911); and
- (e) Any other document necessary for the administration of the District SSBCI Programs or for compliance with the U.S. Treasury's SSBCI.

2903 ELIGIBLE RECIPIENTS – COLLATERAL SUPPORT PROGRAM

2903.1 An Eligible Recipient under the Collateral Support Program shall:

- (a) Be a non-public company that is registered in the District and is subject to tax under the laws of the District;
- (b) Have, or sign an agreement pledging that it will have within six (6) months after funding:
 - (1) Its principal offices within the District, demonstrated by a lease or a deed; and
 - (2) At least seventy-five percent (75%) of its employees, including those of its affiliates and subsidiaries, working in the District;
- (c) Have less than seven hundred and fifty (750) existing employees, including those of its affiliates and subsidiaries; and
- (d) Provide, or sign an agreement pledging that it will provide, within six (6) months after funding, at least twenty-five percent (25%) of its W-2 employee positions to District residents.

2903.2 If the funding from the District of Columbia is three hundred thousand dollars (\$300,000) or more, the requirement stated in § 2903.1(d) shall be met by an executed First Source Agreement.

2903.3 The provisions in § 2903.1 may be waived, and the deadlines extended, in whole or in part, by the Commissioner if the Eligible Recipient demonstrates a reasonable need for waiver and if a waiver will not violate the SSBCI Guidelines of the U.S. Department of the Treasury.

2903.4 The Eligible Recipient and any owner of the Eligible Recipient owning at least a twenty percent (20%) interest in the Eligible Recipient shall execute covenants pledging to continue to comply with Program requirements of maintaining its

principal offices within the District and providing at least twenty-five percent (25%) of its W-2 employee positions to District residents.

2903.5

An Eligible Recipient shall not be:

- (a) An executive officer, director, or principal shareholder of the financial institution or qualified non-profit organizations enrolling the loan;
- (b) A member of the immediate family of an executive officer, director, or principal shareholder of the financial institution or qualified non-profit organization enrolling the loan;
- (c) A related interest of such an executive officer, director, principal shareholder, or member of the immediate family;
- (d) A business engaged in speculative activities that develop profits from fluctuations in price rather than through normal course of trade, such as wildcatting for oil or dealing in commodities futures, unless those activities are incidental to the regular activities of the business and part of a legitimate risk management strategy to guard against price fluctuations related to the regular activities of the business;
- (e) A business that earns more than half of its annual net revenue from lending activities, unless the business is a non-bank or non-bank holding company or Community Development Financial Institution;
- (f) A business engaged in pyramid sales, where a participant's primary incentive is based on the sales made by an ever-increasing number of participants; or
- (g) A business engaged in activities that are prohibited by federal or District of Columbia law.

2903.6

For the purpose of these Eligible Recipient restrictions, as described in § 2903.5 (a), (b) and (c) above, the terms “executive officer,” “director,” “principal shareholder,” “immediate family,” and “related interest” refer to the same relationship to a financial institution lender or qualified non-profit organization as the relationship described in 12 C.F.R. part 215, or any successor to such part.

2903.7

An Eligible Recipient under the Collateral Support Program shall certify that no principal of the Eligible Recipient has been convicted of a sex offense against a minor as such term is defined in Section 111 of the Sex Offender Registration and Notification Act (42 U.S.C. § 16911).

2903.8 For the purposes of the certifications required under § 2902.2(d) and § 2903.7, “principal” is defined as:

- (a) If a sole proprietorship, the proprietor;
- (b) If a partnership, each managing partner and each partner who holds twenty percent (20%) or more ownership interest in the partnership; and
- (c) If a corporation, limited liability company, association or a development company, each director, each of the five (5) most highly compensated executives, officers, or employees of the entity, and each direct or indirect holder of twenty percent (20%) or more of the ownership stock or stock equivalent of the entity.

2904 LOAN REQUIREMENTS – COLLATERAL SUPPORT PROGRAM

2904.1 Loans or investments facilitated by the Collateral Support Program shall be used for a business purpose, including working capital, inventory, expansion, renovations, start-up costs, and refinancing. The entire proceeds of the loan or investment shall be used within the District.

2904.2 The loan proceeds from the Collateral Support Program shall not be used:

- (a) To repay delinquent federal or District of Columbia income taxes unless the Eligible Recipient has a payment plan in place with the relevant taxing authority;
- (b) To repay taxes held in trust or escrow, for example, payroll or sales taxes;
- (c) To reimburse funds owed to any owner, including any equity injection or injection of capital for the business’s continuance;
- (d) To purchase any portion of the ownership interest of any owner of the business;
- (e) To acquire or hold passive investments;
- (f) For refinancing of existing debt, other than a refinancing permitted by § 2904.10;
- (g) For legal or illegal gambling; or
- (h) For evangelizing, proselytizing, or lobbying.

2904.3 Personal guarantees must be given by any individual holding twenty percent (20%) or more ownership interest in the Eligible Recipient.

- 2904.4 An Eligible Lender shall file a loan for enrollment in the Collateral Support Program by:
- (a) Delivering to DISB, within five (5) business days before the Eligible Lender closes the loan, a copy of the District SSBCI Program Enrollment Form executed by an authorized officer of the Eligible Lender;
 - (b) Providing DISB with any other documentation and information related to the loan that DISB requires; and
 - (c) Complying with any other enrollment procedures that DISB may reasonably require in writing.
- 2904.5 The filing of a loan for enrollment shall be considered to occur on the date on which the Eligible Lender submits to DISB the documentation requested by DISB in § 2904.4.
- 2904.6 DISB shall review the loan and related transaction documents that memorialize the terms and conditions of the loan, and DISB shall issue a final approval if the loan, Eligible Lender, Eligible Recipient, and other aspects of the transaction are determined to comply and satisfy all applicable requirements.
- 2904.7 If DISB issues a final approval of the loan, the Eligible Lender and Eligible Recipient shall execute all documentation requested by DISB to memorialize the terms and conditions of the loan to be enrolled in the Collateral Support Program.
- 2904.8 The Eligible Lender, Eligible Recipient, and all other parties to the transaction shall execute all of the documents required to close or settle the transaction. The terms, conditions, and material language of the executed documents shall be consistent with those upon which DISB issued a final approval.
- 2904.9 The loan shall be considered enrolled in the Collateral Support Program when DISB receives copies of all executed transaction documents that it previously approved and submits a funding request to Office of the Chief Financial Officer.
- 2904.10 A loan or line of credit refinanced from a different lender may be enrolled in the Collateral Support Program. Loans or lines of credit with the same lender or its affiliate may be refinanced and enrolled in the Collateral Support Program if such loans and lines of credit meet the following conditions:
- (a) The new loan or line of credit includes the advancement of new monies to a small business borrower (excluding closing costs);

- (b) The new credit supported with Collateral Support Program funding is based on new underwriting of the small business's ability to repay and a new approval by the Eligible Lender;
 - (c) The proceeds from the new credit are only used to satisfy the outstanding balance of a loan or line of credit that has already matured or otherwise termed and the prior debt was used for an eligible business purpose, as defined above; and
 - (d) The new credit has not been extended for the sole purpose of refinancing existing debt owed to the same financial institution lender.
- 2904.11 If the outstanding balance of a loan that is not a line of credit is reduced to zero (0), that loan shall no longer be considered an Enrolled Loan in the Collateral Support Program.
- 2904.12 If a loan that is a line of credit has an outstanding balance of zero (0) for twelve (12) consecutive months, it will no longer be considered an Enrolled Loan in the Collateral Support Program, unless, before the expiration of the twelve (12) month period, the Eligible Lender has reaffirmed in writing to the Eligible Recipient that the line of credit will remain open and the Eligible Recipient has acknowledged that reaffirmation in writing to the Eligible Lender and DISB.
- 2904.13 To renew an enrolled line of credit or extend the maturity date of an enrolled line of credit:
- (a) An Eligible Lender shall send notice to DISB of the renewal or extension;
 - (b) The Eligible Recipient shall consent to the extension in writing; and
 - (c) DISB shall receive a new enrollment form.
- 2904.14 If an enrolled line of credit is not renewed or extended, it shall no longer be considered enrolled in the Collateral Support Program after its maturity date has passed.
- 2904.15 If an enrolled line of credit has an outstanding balance of zero (0) for twelve (12) consecutive months, it shall no longer be enrolled in the Collateral Support Program, unless, before the expiration of the twelve (12) month period, the Eligible Lender has reaffirmed in writing to the Eligible Recipient that the line of credit shall remain open and the Eligible Recipient has acknowledged that reaffirmation in writing to the Eligible Lender and DISB.

2905 CASH COLLATERAL ACCOUNTS

- 2905.1 All Collateral Support Program funds transferred to a cash collateral account shall be the property of, and solely controlled by, DISB. Interest or income earned on the funds shall be credited to the cash collateral account.
- 2905.2 DISB may withdraw at any time from a cash collateral account all interest or income that has been credited to the cash collateral account. DISB may use interest or income withdrawals for any purpose in connection with the SSBCI Programs.
- 2905.3 The cash collateral account shall be reduced proportionately with the principal reduction of the loan, on an annual basis or sooner if the loan is paid off.
- 2905.4 Each cash collateral account for a participating Eligible Lender shall be established in the name of DISB and maintained at that Eligible Lender or at another designated insured depository financial institution in a segregated account. This account shall be identified as "DISB SSBCI Fund - Collateral Support Program" or other name that DISB determines.
- 2905.5 The cash collateral accounts shall be interest bearing. Participating Eligible Lenders shall not charge DISB any fees related to the Collateral Support Program transactions, for the maintenance of a cash collateral account, or any other related fees.
- 2905.6 After an Eligible Lender charges off all or part of a loan enrolled in the Collateral Support Program, and after making other efforts to collect upon the Enrolled Loan, including but not limited to seeking judgment and levying against collateral, the Eligible Lender may file a claim with DISB.
- 2905.7 The Eligible Lender may file the claim by submitting a completed claim form, executed by an authorized officer of the Eligible Lender, along with any additional information that DISB requires.
- 2905.8 The Eligible Lender's claim may include:
- (a) The amount of the enrolled principal left unpaid by Eligible Lender's collection efforts;
 - (b) Up to ninety (90) days of accrued interest; and
 - (c) Fifty percent (50%) of the reasonable, documented out-of-pocket expenses incurred by the Eligible Lender, but not paid by the Eligible Recipient, in pursuing collection efforts, including the preservation of collateral.

- 2905.9 The total amount of the Eligible Lender's claim may not exceed the amount of funds in the cash collateral account for that particular loan.
- 2905.10 Upon receipt and acceptance by DISB of a claim filed by the Eligible Lender, DISB shall promptly pay the claim as submitted solely from funds in the cash collateral account for that particular loan.
- 2905.11 If after DISB pays the claim, the Eligible Lender recovers from an Eligible Recipient any amount for which payment of the claim was made, the Eligible Lender shall promptly pay to DISB the amount recovered, less its reasonable, documented out-of-pocket expenses.
- 2905.12 The Eligible Lender shall retain documentation in its files of its out-of-pocket expenses. The Eligible Lender shall only be required to pay to DISB amounts in excess of the amount needed to fully cover the Eligible Lender's loss on a loan under the Collateral Support Program.
- 2905.13 DISB may charge a closing fee of up to four percent (4%) of the balance of the cash collateral account at closing and an annual fee of up to four percent (4%) of the annual balance of the cash collateral account.
- 2905.14 If a participating Eligible Lender discontinues using the Collateral Support Program and no additional loans are being made under the Collateral Support Program, DISB shall make withdrawals against each cash collateral account proportionately to the outstanding balance of the loan until each loan has been repaid. At that time, DISB shall withdraw all remaining funds in the account.

2906 REPORTING REQUIREMENTS – COLLATERAL SUPPORT PROGRAM

- 2906.1 Each Eligible Lender and Eligible Recipient shall make the following reports:
- (a) If an Enrolled Loan account becomes delinquent and falls sixty (60) days past due, the Eligible Lender shall notify DISB in writing within ten (10) business days of the delinquency.
 - (b) The Eligible Lender shall submit to DISB annually, within thirty (30) days after the year-end, a report listing borrowers and outstanding balances of all Enrolled Loans as of the end of that preceding year.
 - (1) In computing the aggregate outstanding balances of all Enrolled Loans, the balance of any loan shall be no greater than the covered amount of the loan as enrolled.
 - (2) For lines of credit, the outstanding balance shall be the enrolled line of credit amount.

- (3) The report shall include the following information, in addition to any other information DISB reasonably requests:
 - (A) Name of Eligible Recipient;
 - (B) Amount of loan;
 - (C) Amount of Enrolled Loan;
 - (D) Type of loan (Term or Line);
 - (E) Outstanding balance of loan;
 - (F) If a term loan, the lesser of the outstanding balance or the Enrolled Loan amount and the enrollment date;
 - (G) If a line of credit, the enrolled line of credit amount and the maturity date;
 - (H) Payment history related to Enrolled Loan; and
 - (I) Lender's most recently completed internal loan review and quality rating for an Eligible Recipient.

(c) Each Eligible Recipient shall submit the following information to DISB within sixty (60) days after the year-end and at any other time reasonably requested by DISB:

- (1) The Eligible Recipient's annual revenues in the prior fiscal year;
- (2) The number of the Eligible Recipient's full-time and part-time equivalent employees, including those who are District residents by ward, and number of jobs created and retained as a result of the loan for the Eligible Recipient; and
- (3) Any additional documentation and information DISB reasonably requires.

2906.2 Failure to file a complete annual report or comply with any required covenants under § 2901 through § 2906 of this chapter may result in a fine of twenty-five dollars (\$25.00) per day for each violation. This fine shall not exceed one percent (1%) of the Enrolled Loan for each violation. It shall be payable by the Eligible Recipient and any owner of the Eligible Recipient who owns at least twenty percent (20%) interest in the Eligible Recipient.

2906.3 DISB may, in its sole discretion, terminate its obligation to enroll loans under the Collateral Support Program by issuing a notice of termination to an Eligible Lender. The termination shall apply on the effective date specified in the notice of termination, except that the termination shall not apply to any Enrolled Loan that is made on or before the date on which the Eligible Lender receives the notice of termination.

2907-2909 RESERVED

2910 LOAN PARTICIPATION PROGRAM

2910.1 The Loan Participation Program shall purchase participation interests in loans, including principal and interest, made by an Eligible Lender to certain Eligible Recipients that exhibit short-term cash flow deficiencies or lack equity or sufficient collateral resources.

2910.2 DISB may purchase up to fifty percent (50%) of the loan amount but no more than one million dollars (\$1,000,000). The maximum term of an Enrolled Loan shall not exceed seven (7) years. DISB may purchase participation interests at subsidized interest rates or may assume a subordinated lien position in the event of default.

2911 ELIGIBLE LENDERS – LOAN PARTICIPATION PROGRAM

2911.1 An Eligible Lender for the Loan Participation Program shall be:

- (a) A federally insured commercial lender;
- (b) A federally insured credit union; or
- (c) A Community Development Financial Institution.

2911.2 An Eligible Lender shall enroll in the Loan Participation Program by providing to DISB:

- (a) A signed State Small Business Credit Initiative Participation Agreement with DISB;
- (b) A certification that it is in compliance with the requirements of 31 C.F.R. § 1020.220;
- (c) A certification that, consistent with OMB Circular A-129, it has at least twenty percent (20%) of its own capital at risk in any loan enrolled in the District SSBCI Programs, unless a waiver is granted;

- (d) A certification that no principal of the lender has been convicted of a sex offense against a minor as such term is defined in Section 111 of the Sex Offender Registration and Notification Act (42 U.S.C. § 16911); and
- (e) Any other document necessary for the administration of the District SSBCI Programs or for compliance with the U.S. Treasury's SSBCI.

2912 ELIGIBLE RECIPIENTS – LOAN PARTICIPATION PROGRAM

2912.1 An Eligible Recipient under the Loan Participation Program shall:

- (a) Be a non-public company that is registered in the District and is subject to tax under the laws of the District;
- (b) Have, or sign an agreement pledging that it will have within six (6) months after funding:
 - (1) Its principal offices within the District, demonstrated by a lease or a deed; and
 - (2) At least seventy-five percent (75%) of its employees, including those of its affiliates and subsidiaries, working in the District;
- (c) Have less than seven hundred and fifty (750) existing employees, including those of its affiliates and subsidiaries; and
- (d) Provide, or sign an agreement pledging that it will provide, within six (6) months after funding, at least twenty-five percent (25%) of its W-2 employee positions to District residents.

2912.2 If the funding from the District of Columbia is three hundred thousand dollars (\$300,000) or more, the requirement stated in § 2912.1(d) shall be met by an executed First Source Agreement.

2912.3 The provisions of §§ 2911.1 – 2912.2 may be waived, and the deadlines extended, in whole or in part, by the Commissioner if the Eligible Recipient demonstrates a reasonable need for waiver and if such waiver will not violate the SSBCI Guidelines of the U.S. Department of the Treasury.

2912.4 The Eligible Recipient and any owner of the Eligible Recipient owning at least twenty percent (20%) interest in the Eligible Recipient shall execute covenants, pledging to continue to comply with the Program requirements of maintaining its principal offices within the District and providing at least twenty-five percent (25%) of its W-2 employee positions to District residents.

- 2912.5 An Eligible Recipient shall not be:
- (a) An executive officer, director, or principal shareholder of the financial institution or qualified non-profit organization enrolling the loan;
 - (b) A member of the immediate family of an executive officer, director, or principal shareholder of the financial institution or qualified non-profit organization enrolling the loan;
 - (c) A related interest of such an executive officer, director, principal shareholder, or member of the immediate family;
 - (d) A business engaged in speculative activities that develop profits from fluctuations in price rather than through normal course of trade, such as wildcatting for oil or dealing in commodities futures, unless those activities are incidental to the regular activities of the business and part of a legitimate risk management strategy to guard against price fluctuations related to the regular activities of the business;
 - (e) A business that earns more than half of its annual net revenue from lending activities, unless the business is a non-bank or non-bank holding company or Community Development Financial Institution;
 - (f) A business engaged in pyramid sales, where a participant's primary incentive is based on the sales made by an ever-increasing number of participants; or
 - (g) A business engaged in activities that are prohibited by federal or District of Columbia law.
- 2912.6 For the purpose of these Eligible Recipient restrictions, as described in § 2912.5 (a), (b) and (c) above, the terms “executive officer,” “director,” “principal shareholder,” “immediate family,” and “related interest” refer to the same relationship to a financial institution lender or qualified non-profit organization as the relationship described in 12 C.F.R. part 215, or any successor to such part.
- 2912.7 Eligible Recipients under the Loan Participation Program shall certify that no principal of the Eligible Recipient has been convicted of a sex offense against a minor as such term is defined in Section 111 of the Sex Offender Registration and Notification Act (42 U.S.C. § 16911).
- 2912.8 For the purposes of the certification required in § 2911.2(d) and § 2912.7, “principal” is defined as:

- (a) If a sole proprietorship, the proprietor;
- (b) If a partnership, each managing partner and each partner who holds twenty percent (20%) or more ownership interest in the partnership; or
- (c) If a corporation, limited liability company, association or a development company, each director, each of the five (5) most highly compensated executives, officers, or employees of the entity, and each direct or indirect holder of twenty percent (20%) or more of the ownership stock or stock equivalent of the entity.

2913 LOAN REQUIREMENTS – LOAN PARTICIPATION PROGRAM

2913.1 Loans facilitated by the Loan Participation Program shall be used for a business purpose, including working capital, inventory, expansion, renovations, start-up costs, and refinancing. The entire proceeds of the loan or investment shall be used within the District.

2913.2 The loan proceeds from the Loan Participation Program shall not be used:

- (a) To repay delinquent federal or District of Columbia income taxes unless the Eligible Recipient has a payment plan in place with the relevant taxing authority;
- (b) To repay taxes held in trust or escrow, for example, payroll or sales taxes;
- (c) To reimburse funds owed to any owner, including any equity injection or injection of capital for the business's continuance;
- (d) To purchase any portion of the ownership interest of any owner of the business;
- (e) To acquire or hold passive investments;
- (f) For refinancing of existing debt, other than a refinancing permitted by § 2914.13;
- (g) For legal or illegal gambling; or
- (h) For evangelizing, proselytizing, or lobbying.

2913.3 Personal guarantees are required from any individual holding twenty percent (20%) or more ownership interest in the Eligible Recipient.

2913.4 An Eligible Lender shall file a loan for enrollment in the Loan Participation Program by:

- (a) Delivering to DISB, within five (5) business days before the Eligible Lender closes the loan, a copy of the District SSBCI Program Enrollment executed by an authorized officer of the Eligible Lender;
- (b) Providing DISB with any other documentation or information related to the loan that DISB requires; and
- (c) Complying with any other enrollment procedures that DISB may reasonably require in writing.

2913.5 The filing of a loan for enrollment shall be considered to occur on the date on which the Eligible Lender submits to DISB the documentation requested by DISB in § 2913.4.

2913.6 DISB shall review the loan and related transaction documents that memorialize the terms and conditions of the loan, and DISB shall issue a final approval if the loan, Eligible Lender, Eligible Recipient, and other aspects of the transaction are determined to comply and satisfy all applicable requirements.

2913.7 If DISB issues a final approval of the loan, the Eligible Lender and Eligible Recipient shall execute all documentation requested by DISB to memorialize the terms and conditions of the loan to be enrolled in the Loan Participation Program.

2913.8 The Eligible Lender, Eligible Recipient, and all other parties to the transaction shall execute all of the documents required to close or settle the transaction. The terms, conditions, and material language of the executed documents shall be consistent with those upon which DISB issued a final approval.

2913.9 The loan shall be considered enrolled in the Loan Participation Program when DISB receives copies of all executed transaction documents that it previously approved and submits a funding request to Office of the Chief Financial Officer.

2914 PARTICIPATION REQUIREMENTS – LOAN PARTICIPATION PROGRAM

2914.1 To enroll a loan in the Loan Participation Program, the Eligible Lender shall elect on the prescribed District SSBCI Enrollment Form, or such other form required by DISB, the applicable Loan Participation Program category.

2914.2 Under the Standard Loan Participation category, DISB acquires a percentage participation of the Enrolled Loan from the Eligible Lender to an Eligible Recipient in consideration for DISB receiving interest accruing at a rate equal to the rate at which an Eligible Recipient pays an Eligible Lender pursuant to the terms of the Loan Participation Program documents.

- 2914.3 If the Eligible Recipient defaults in payment to the Eligible Lender, or to DISB pursuant to the terms of the Loan Participation Program documents for a Standard Loan Participation, DISB shall receive the proportional benefit of all amounts received from the Eligible Recipient or realized from the Eligible Recipient's collateral following the default.
- 2914.4 To qualify for a Standard Loan Participation category, an Eligible Recipient need not meet any of the five (5) additional enrollment criteria described in § 2914.11.
- 2914.5 Under the Interest Subsidy Loan Participation category, DISB acquires a percentage participation of the Enrolled Loan from an Eligible Lender to an Eligible Recipient in consideration for DISB receiving interest accruing at a rate equal to half of the percentage per annum charged by the Eligible Lender on the Enrolled Loan to the Eligible Recipient.
- 2914.6 If the Eligible Recipient defaults in payment to the Eligible Lender, or to DISB pursuant to the terms of the Loan Participation Program documents for an Interest Subsidy Loan Participation, DISB shall receive the proportional benefit of all amounts received from the Eligible Recipient or realized from the Eligible Recipient's collateral following the default.
- 2914.7 To qualify for an Interest Subsidy Loan Participation category, an Eligible Recipient shall meet at least one (1), but not more than four (4), of the five (5) additional enrollment criteria described in § 2914.11.
- 2914.8 Under the Interest Subsidy Subordinated Loan Participation category, DISB acquires a percentage participation of the Enrolled Loan from an Eligible Lender to an Eligible Recipient in consideration for DISB receiving interest accruing at a rate equal to half of the percentage per annum charged by the Eligible Lender on the Enrolled Loan to the Eligible Recipient.
- 2914.9 If the Eligible Recipient defaults in payment to the Eligible Lender, or to DISB pursuant to the terms of the Loan Participation Program documents for an Interest Subsidy Subordinated Loan Participation, the amounts owed by the Eligible Recipient to DISB with respect to a loan participation shall be subordinated to amounts owed by the Eligible Recipient to the Eligible Lender.
- 2914.10 To qualify for an Interest Subsidy Subordinated Loan Participation, an Eligible Recipient shall meet at least two (2) and up to five (5) of the additional enrollment criteria described in § 2914.11. Qualification under this category may be subject to additional criteria, as determined by the Commissioner, to include:
- (a) A minimum equity contribution of ten percent (10%), which may not be borrowed;

- (b) A debt service coverage ratio of one and two-tenths (1.2) (a lower minimum debt service coverage ratio may be allowed with reasonable explanation);
- (c) Financial statements for the three (3) immediately preceding fiscal years, demonstrating at least one (1) year of profitability; and
- (d) A credit score of six hundred and sixty (660) or higher (lower credit scores may be allowed with a reasonable explanation).

2914.11

Additional enrollment criteria for qualification under the enrollment categories described in §§ 2914.1 – 2914.10 above are as follows:

- (a) Employment of District residents:
 - (1) An Eligible Recipient shall employ District residents in at least forty percent (40%) of the Eligible Recipient's total full-time equivalent positions.
 - (2) In lieu of the employment required in paragraph (1) of this subsection, the Eligible Recipient shall sign an agreement pledging that the Eligible Recipient will hire District residents in at least forty percent (40%) of the Eligible Recipient's total full-time equivalent positions within six (6) months after funding.
 - (3) An Eligible Recipient shall maintain forty percent (40%) full-time equivalent District employees for the duration of the Enrolled Loan.
 - (4) The six (6) month period for compliance may be extended at the discretion of the Commissioner if the Eligible Recipient demonstrates a reasonable need for extension.
- (b) An Eligible Recipient shall sign an agreement to allocate at least ten percent (10%) of all new and future hires to be targeted new hires as defined by the Federal Work Opportunities Tax Credit, 26 U.S. C. § 51(d). The agreement shall endure for the duration of the Enrolled Loan.
- (c) An Eligible Recipient shall:
 - (1) Be a certified business enterprise, as identified under D.C. Official Code §§ 2-218 *et seq.* or pledge to become a certified business enterprise within six (6) months of funding; or
 - (2) Have more than fifty percent (50%) of its business enterprise minority-owned or woman-owned.

- (d) An Eligible Recipient shall have its principal office located in a census tract where the poverty rate exceeds twenty percent (20%).
- (e) A loan will be made to an Eligible Recipient that has its principal office located in a retail priority area as identified under D.C. Official Code § 2-1217.73.

2914.12 The Eligible Recipient and any owner of the Eligible Recipient owning at least twenty percent (20%) interest in the Eligible Recipient shall execute covenants, pledging to continue to comply with each additional enrollment criteria as described under § 2914.11 for the enrollment option chosen by the Eligible Recipient.

2914.13 A loan or line of credit refinanced from a different lender may be enrolled in the Loan Participation Program. Loans or lines of credit with the same lender or its affiliate may be refinanced and enrolled in the Loan Participation Program if such loans and lines of credit meet the following conditions:

- (a) The new loan or line of credit includes the advancement of new monies to a small business borrower (excluding closing costs);
- (b) The new credit supported with Loan Participation Program funding is based on new underwriting of the small business's ability to repay and a new approval by the Eligible Lender;
- (c) The proceeds from the new credit is only to be used to satisfy the outstanding balance of a loan or line of credit that has already matured or otherwise termed and the prior debt was used for an eligible business purpose, as defined by above; and
- (d) The new credit has not been extended for the sole purpose of refinancing existing debt owed to the same financial institution lender.

2914.14 If the loan is not a line of credit and has no outstanding balance, that loan will no longer be considered an Enrolled Loan in the Loan Participation Program.

2914.15 To renew an enrolled line of credit or extend the maturity date of an enrolled line of credit:

- (a) An Eligible Lender shall send notice to DISB of the renewal or extension;
- (b) The Eligible Recipient shall consent to the extension in writing; and
- (c) DISB shall receive a new enrollment form.

- 2914.16 If an enrolled line of credit is not renewed or extended it shall no longer be considered enrolled in the Loan Participation Program after its maturity date has passed.
- 2914.17 If an enrolled line of credit has no outstanding balance for twelve (12) consecutive months, it will no longer be enrolled in the Loan Participation Program unless, before the expiration of the twelve (12) month period, the Eligible Lender has reaffirmed in writing to the Eligible Recipient that the line of credit will remain open and the Eligible Recipient has acknowledged that reaffirmation in writing to the Eligible Lender and DISB.
- 2914.18 DISB shall be the legal and equitable owner of the DISB share of a loan enrolled in the Loan Participation Program and all security and documents related to the DISB share of the loan.
- 2914.19 The enrollment of a loan by the Eligible Lender in the Loan Participation Program constitutes a sale by the Eligible Lender to DISB of the DISB share in the Enrolled Loan and security and related documents. This sale is not, however, an extension of credit by DISB to the Eligible Lender.
- 2914.20 DISB shall not disburse monies related to its purchase of a portion of a loan enrolled in the Loan Participation Program at or prior to the closing of the loan by an Eligible Lender and Eligible Recipient. Monies DISB pays to the Eligible Lender shall not be disbursed by the Eligible Lender to an Eligible Recipient without the Eligible Recipient's full execution of all of the Loan Participation Program documents.
- 2914.21 For each Enrolled Loan for which DISB owns a participation share the Eligible Lender shall:
- (a) Negotiate, control, manage and service the Enrolled Loan;
 - (b) Enforce or refrain from enforcing the loan documents;
 - (c) Give consents, approvals or waivers in connection with the loan documents;
 - (d) Acquire additional security for the Enrolled Loan; and
 - (e) Take or refrain from taking any action and make any determination provided for in the loan documents.
- 2914.22 The Eligible Lender and DISB shall share all principal and interest payments and other collections under any loan enrolled by the Eligible Lender in the Loan Participation Program in proportion to their respective percentage interests in the

loan, with appropriate provisions made for any differences in interest rates and payment schedules of the Eligible Lender and DISB.

2914.23 The Eligible Lender shall collect all payments made under any loan enrolled by the Eligible Lender in the Loan Participation Program and remit the principal and interest amounts due to DISB within ten (10) business days following the Eligible Lender's receipt of such payments from the Eligible Recipient.

2914.24 The remittance shall be paid by certified check or money order payable by the Eligible Lender to DISB. The Eligible Lender shall provide all detail reasonably requested by DISB regarding the breakdown of individual payments, including itemization of the principal and interest.

2915 REPORTING REQUIREMENTS – LOAN PARTICIPATION PROGRAM

2915.1 Each Eligible Lender and Eligible Recipient shall make the following reports:

- (a) If an Enrolled Loan account becomes delinquent and falls sixty (60) days past its due date, the Eligible Lender shall notify DISB in writing within ten (10) business days of the delinquency.
- (b) The Eligible Lender shall submit to DISB annually, within thirty (30) days after the year-end, a report listing borrowers and outstanding balances of all Enrolled Loans as of the end of that preceding year.
 - (1) In computing the aggregate outstanding balances of all Enrolled Loans, the balance of any loan shall be no greater than the covered amount of the loan as enrolled.
 - (2) For lines of credit, the outstanding balance shall be the enrolled line of credit amount.
 - (3) The report shall include the following information, in addition to any other information DISB reasonably requests:
 - (A) Name of Eligible Recipient;
 - (B) Amount of loan;
 - (C) Amount of Enrolled Loan;
 - (D) Type of loan (Term or Line);
 - (E) Outstanding balance of loan;

- (F) If a term loan, the enrollment date and the lesser of the outstanding balance or the Enrolled Loan amount;
- (G) If a line of credit, the enrolled line of credit amount and the maturity date;
- (H) Payment history related to Enrolled Loan; and
- (I) Lender’s most recently completed internal loan review and quality rating for an Eligible Recipient.

(c) Each Eligible Recipient shall submit the following information to DISB within sixty (60) days after the year-end and at any other time DISB reasonably requests:

- (1) The Eligible Recipient’s annual revenues in the prior fiscal year;
- (2) The number of the Eligible Recipient’s full-time and part-time equivalent employees, including those who are District residents by ward, and number of jobs created and retained as a result of the loan for the Eligible Recipient; and
- (3) Any additional documentation and information DISB reasonably requires.

2915.2 Failure to file a complete annual report or comply with any required covenants under §§ 2910 – 2915 of this chapter may result in a fine of twenty-five dollars (\$25.00) per day for each violation. This fine shall not exceed one percent (1%) of the Enrolled Loan for each violation. It shall be payable by the Eligible Recipient and any owner of the Eligible Recipient who owns at least twenty percent (20%) interest in the Eligible Recipient.

2915.3 DISB may terminate its obligation to enroll loans under the Loan Participation Program. The termination shall apply on the effective date specified in the notice of termination, except that the termination shall not apply to any Enrolled Loan that is made on or before the date on which the Eligible Lender receives the notice of termination.

2916-2919 RESERVED

2920 INNOVATION FINANCE PROGRAM

2920.1 The Innovation Finance Program shall provide capital to Innovation Finance Companies, which shall be co-invested into Eligible Recipients seeking innovative financing alternatives to traditional commercial financing.

- 2920.2 DISB may provide capital of up to fifty percent (50%) of the investment but no more than five hundred thousand dollars (\$500,000). Where applicable, principal and interest repayments on an investment may be deferred until the occurrence of a liquidity event, as described in §§ 2920.3 – 2920.5.
- 2920.3 A liquidity event shall occur in any transaction in which the Innovation Finance Company receives: cash or equity securities having a “readily determinable fair value,” as defined by the Financial Accounting Standards Board Accounting Standards Codification, as amended (“marketable securities”), in exchange for securities of the Eligible Recipient (or any securities into which such securities are converted or for which such securities are exchanged).
- 2920.4 Any payment to an Innovation Finance Company, including dividends and payments of principal or interest, shall be considered a liquidity event.
- 2920.5 Share exchanges and other similar transactions shall not be considered liquidity events to the extent that DISB’s interest in the Eligible Recipient is not tendered for cash or a marketable security. The liquidity horizon shall not exceed ten (10) years.
- 2920.6 An Innovation Finance Company’s failure to liquidate its investment in an Eligible Recipient and to pay the District its pro-rata share of the initial investment and return on investment shall be included in the loan documents or limited partnership agreement between DISB and the Innovation Finance Company as an event of default.

2921 INNOVATION FINANCE COMPANY - INNOVATION FINANCE PROGRAM

- 2921.1 An Innovation Finance Company shall demonstrate to the Commissioner that it has a track record of positive return on investment and be an entity in one of the following categories:
- (a) Certified by the U.S. Treasury Department’s CDFI Fund as a Community Development Financial Institution;
 - (b) Registered as a Business Development Company, as defined under the Investment Company Act of 1940;
 - (c) Certified by the U.S. Small Business Administration as a Small Business Investment Company (SBIC), New Market Venture Capital Company, or Rural Business Investment Company; or
 - (d) Any other entity that has at least five million (\$5,000,000) of assets under management and demonstrates to the Commissioner that it has qualified management and staff.

- 2921.2 An Innovation Finance Company shall enroll in the Innovation Finance Program by providing to DISB:
- (a) An application for enrollment;
 - (b) A signed Innovation Finance Program Participation Agreement with DISB;
 - (c) A certification that it is in compliance with the requirements of the District of Columbia and federal securities laws;
 - (d) A certification that, consistent with OMB Circular A-129, it has at least twenty percent (20%) of its own capital at risk in any investment enrolled in the Innovation Finance Program, unless a waiver is granted;
 - (e) A certification that no principal of the Innovation Finance Company has been convicted of a sex offense against a minor as such term is defined in Section 111 of the Sex Offender Registration and Notification Act (42 U.S.C. § 16911); and
 - (f) Any other document DISB determines is necessary for the administration of the District SSBCI Programs or for compliance with the U.S. Treasury's SSBCI.

2922 ELIGIBLE RECIPIENTS AND INVESTMENT REQUIREMENTS – INNOVATION FINANCE PROGRAM

- 2922.1 If an Innovation Finance Company files an investment for enrollment in the Innovation Finance Program, the Innovation Finance Company shall elect which category of enrollment it qualifies for and shall submit written evidence demonstrating that the investment qualifies under the category.
- 2922.2 Enrollment Category 1: Standard Co-Investment. To qualify for a Standard Co-Investment, an Eligible Recipient shall:
- (a) Be a non-public company that is registered in the District and is subject to tax under the laws of the District;
 - (b) Have, or sign an agreement pledging that it will have within six (6) months after funding:
 - (1) Its principal offices within the District, demonstrated by a lease or a deed; and
 - (2) At least seventy-five percent (75%) of its employees, including those of its affiliates and subsidiaries, working in the District;

- (c) Have less than seven hundred and fifty (750) existing employees, including those of its affiliates and subsidiaries; and
 - (d) Provide, or sign an agreement pledging that it will provide, within six (6) months after funding, at least twenty-five percent (25%) of its W-2 employee positions to District residents.
- 2922.3 If the funding from the District of Columbia is three hundred thousand dollars (\$300,000) or more, the requirement stated in § 2922.2(d) shall be met by an executed First Source Agreement.
- 2922.4 The provisions of § 2922.2 may be waived, and the deadlines extended, in whole or in part, by the Commissioner if the Eligible Recipient demonstrates a reasonable need for waiver and if the waiver will not violate the SSBCI Guidelines of the U.S. Department of the Treasury.
- 2922.5 The Eligible Recipient and any owner of the Eligible Recipient owning at least a twenty percent (20%) interest in the Eligible Recipient shall execute covenants, pledging to continue to comply with the Program requirements of maintaining its principal offices within the District and to providing at least twenty-five percent (25%) of its W-2 employee positions to District residents.
- 2922.6 In addition to its own pro rata share in the total return on investment (ROI) on a performing investment, the Innovation Finance Company shall receive a maximum of twenty-five percent (25%) of DISB's pro rata share of the total ROI.
- 2922.7 Enrollment Category 2: Enhanced Co-Investment. To qualify for Enhanced Co-Investment, an Eligible Recipient shall:
- (a) Be a non-public company that is registered in the District and is subject to tax under the laws of the District;
 - (b) Have, or sign an agreement pledging that it will have within six (6) months after funding:
 - (1) Its principal offices within the District, demonstrated by a lease or a deed; and
 - (2) At least seventy-five percent (75%) of its employees, including those of its affiliates and subsidiaries, working in the District;
 - (c) Have less than seven hundred and fifty (750) existing employees, including those of its affiliates and subsidiaries; and

- (d) Provide, or sign an agreement pledging that it will provide within six (6) months after funding, at least twenty-five percent (25%) of its W-2 employee positions to District residents.

2922.8 If the funding from the District of Columbia is three hundred thousand dollars (\$300,000) or more, the requirement stated in § 2922.7(d) shall be met by an executed First Source Agreement.

2922.9 The provisions under § 2922.7 may be waived, and the deadlines extended, in whole or in part, by the Commissioner if the Eligible Recipient demonstrates a reasonable need for waiver and if such waiver will not violate the SSBCI Guidelines of the U.S. Department of the Treasury.

2922.10 An Eligible Recipient of Enhanced Co-Investment shall also sign an agreement to comply with at least one (1), but not more than three (3), of the following additional enrollment criteria for which an enhanced co-investment return of five percent (5%) shall be provided for each:

- (a) Employment of District residents.
 - (1) The Eligible Recipient shall employ District residents in at least forty percent (40%) of the Eligible Recipient's total full-time equivalent positions or sign an agreement pledging that the Eligible Recipient will hire District residents in at least forty percent (40%) of the Eligible Recipient's total full-time equivalent positions within six (6) months after funding; and
 - (2) The Eligible Recipient shall maintain forty percent (40%) full-time equivalent District employees for the duration of the Enrolled Loan;
- (b) The Eligible Recipient shall sign an agreement to allocate at least ten percent (10%) of all new and future hires to be targeted new hires as defined by the Federal Work Opportunities Tax Credit Act, 26 U.S.C. § 51(d). The agreement shall endure for the duration of the Enrolled Investment;
- (c) The Eligible Recipient shall meet at least one (1) of the following:
 - (1) Be a certified business enterprise, as identified under D.C. Official Code §§ 2-218 *et seq.*, or pledge to become a certified business enterprise within six (6) months of funding; or
 - (2) Has more than fifty percent (50%) of the business enterprise of the Eligible Recipient minority-owned or woman-owned;

- (d) The Eligible Recipient shall have its principal office located in a census tract where the poverty rate exceeds twenty percent (20%); and
- (e) The Eligible Recipient shall have its principal office located on retail priority areas as identified under D.C. Official Code § 2-1217.73.

2922.11 The Eligible Recipient of Enhanced Co-Investment, and any owner of the Eligible Recipient owning at least twenty percent (20%) interest in the Eligible Recipient shall execute covenants pledging to continue to comply with the additional enrollment criteria as described under § 2922.10 for the enrollment category chosen by the Eligible Recipient.

2922.12 In addition to its own pro rata share in the total ROI on a performing investment, the Innovation Finance Company shall receive the minimum twenty-five percent (25%) share of DISB's pro rata share of the total ROI and shall receive an additional five percent (5%), up to a total of forty percent (40%) of DISB's pro rata share of the total ROI, for each of the economic development goals stated in § 2922.10 that are met.

2922.13 In both categories of enrollment, DISB shall receive the proportional benefit of all amounts received from the Eligible Recipient or realized from the Eligible Recipient's collateral following default or loss.

2922.14 An Enrolled Investment may be used to refinance a loan or line of credit from a different lender under the Innovation Finance Program.

2922.15 An Eligible Recipient shall not be:

- (a) An executive officer, director, or principal shareholder of the Innovation Finance Company enrolling the investment;
- (b) A member of the immediate family of an executive officer, director, or principal shareholder of the Innovation Finance Company enrolling the investment;
- (c) A related interest of an executive officer, director, principal shareholder, or member of the immediate family;
- (d) A business engaged in speculative activities that develop profits from fluctuations in price rather than through the normal course of trade, such as wildcatting for oil or dealing in commodities futures, unless those activities are incidental to the regular activities of the business and part of a legitimate risk management strategy to guard against price fluctuations related to the regular activities of the business;

- (e) A business that earns more than half of its annual net revenue from lending activities, unless the business is a non-bank or non-bank holding company or community development financial institution;
- (f) A business engaged in pyramid sales, where a participant's primary incentive is based on the sales made by an ever-increasing number of participants; or
- (g) A business engaged in activities that are prohibited by federal or District of Columbia law.

2922.16 For the purpose of these Eligible Recipient restrictions, as described in § 2922.15(a), (b), and (c) above, the terms “executive officer,” “director,” “principal shareholder,” “immediate family,” and “related interest” refer to the same relationship to an Innovation Finance Company as the relationship described in 12 C.F. R. part 215 or any successor to such part.

2922.17 An Eligible Recipient under the Innovation Finance Program shall certify that no principal of the Eligible Recipient has been convicted of a sex offense against a minor as such term is defined in Section 111 of the Sex Offender Registration and Notification Act (42 U.S.C. § 16911).

2922.18 For the purposes of the certification required under § 2921.2(e) and § 2922.17, “principal” is defined as:

- (a) If a sole proprietorship, the proprietor;
- (b) If a partnership, each managing partner and each partner who holds twenty percent (20%) or more ownership interest in the partnership; or
- (c) If a corporation, limited liability company, association or a development company, each director, each of the five (5) most highly compensated executives, officers, or employees of the entity, and each direct or indirect holder of twenty percent (20%) or more of the ownership stock or stock equivalent of the entity.

2922.19 An Eligible Recipient shall use the investments facilitated by the Innovation Finance Program for a business purpose, including working capital, inventory, expansion, renovations, start-up costs, and refinancing. The entire proceeds of the investment shall be used within the District.

2922.20 The investment from the Innovation Finance Program shall not be used:

- (a) To repay delinquent federal or District of Columbia income taxes unless the Eligible Recipient has a payment plan in place with the relevant taxing authority;

- (b) To repay taxes held in trust or escrow, for example, payroll or sales taxes;
- (c) To reimburse funds owed to any owner, including any equity injection or injection of capital for the business's continuance;
- (d) To purchase any portion of the ownership interest of any owner of the business;
- (e) To acquire or hold passive investments;
- (f) For legal or illegal gambling; or
- (g) For evangelizing, proselytizing, or lobbying.

2922.21 An Innovation Finance Company shall file an investment for enrollment in the Innovation Finance Program by:

- (a) Delivering to DISB, within thirty (30) business days before funding, a copy of the District SSBCI Program Enrollment Form executed by an authorized officer of the Innovation Finance Company;
- (b) Providing DISB with any other documentation and information related to the investment that DISB requires; and
- (c) Complying with any other enrollment procedures that DISB may reasonably require in writing.

2922.22 The filing of an investment for enrollment shall be considered to occur on the date on which the Innovation Finance Company submits to DISB the documentation requested by DISB in § 2922.21.

2922.23 DISB shall review the investment and related transaction documents that memorialize the terms and conditions of the investment, and DISB shall issue a final approval if the investment, Innovation Finance Company, Eligible Recipient, and other aspects of the transaction are determined to comply and satisfy all applicable requirements.

2922.24 The Innovation Finance Company and Eligible Recipient shall execute all documentation requested by DISB to memorialize the terms and conditions of the investment to be enrolled in the Innovation Finance Program.

2922.25 The Innovation Finance Company, Eligible Recipient, and all other parties to the transaction shall execute all of the documents required to close or settle the transaction. The terms, conditions, and material language of the executed

documents shall be consistent with those upon which DISB issued a final approval.

2922.26 The investment shall be considered enrolled in the Finance Innovation Program when DISB receives copies of all executed transaction documents that it previously approved and submits a funding request to Office of the Chief Financial Officer.

2922.27 DISB shall not commit capital from SSBCI Program Funds to an Innovation Finance Company until the Innovation Finance Company receives from other investors a matching commitment of at least the same amount to be invested by the District. Draws against SSBCI Program Fund commitments shall not exceed the Program Fund’s pro rata share of the aggregate commitments to the Innovation Finance Program funds from all investors.

2923 REPORTING REQUIREMENTS – INNOVATION FINANCE PROGRAM

2923.1 Each Eligible Recipient under the Innovation Finance Program shall annually submit the following information to DISB within sixty (60) days after the year-end and at any other time DISB reasonably requests:

- (a) The Eligible Recipient’s annual revenues, if any, in the prior fiscal year;
- (b) The number of the Eligible Recipient’s full-time and part-time equivalent employees, including those who are District residents by ward, and the number of jobs created and retained as a result of the investment for the Eligible Recipient; and
- (c) Any additional documentation and information DISB reasonably requires.

2923.2 Failure to file a complete annual report or comply with any required covenants under § 2920 through § 2923 of this chapter shall result in a fine of twenty-five dollars (\$25.00) per day for each violation. This fine shall not exceed one percent (1%) of the Enrolled Investment for each violation. It shall be payable by the Eligible Recipient and any owner of the Eligible Recipient, owning at least twenty percent (20%) interest in the Eligible Recipient.

2923.3 DISB may terminate its obligation to enroll investments under the Innovation Finance Program by issuing a notice of termination to an Innovation Finance Company. The termination shall apply on the effective date specified in the notice of termination, except that the termination shall not apply to any Enrolled Loan or Enrolled Investment that is made on or before the date on which the notice of termination is received by the Innovation Finance Company.

2924-2998 RESERVED

2999

DEFINITIONS

Capital: A loan, line of credit, any credit facility, or investment made in exchange for an interest in the ownership of the entity receiving the investment.

Community Development Financial Institution: A financial institution certified by the U.S. Department of the Treasury as a Community Development Financial Institution.

Eligible Lender: Any federally insured commercial lender, federally insured credit union, or Community Development Financial Institution.

Enrolled Investment: An investment enrolled in one (1) or more SSBCI Programs.

Enrolled Loan: A loan, line of credit, or other facility enrolled in one (1) or more SSBCI Programs.

Full-Time Equivalent: Employee count based on a two thousand (2000) hour year. This count includes seasonal and part-time employees based on the proportion of a two thousand (2000) hour year worked.

Innovation Finance Company: Any Community Development Financial Institution, Business Development Company, Small Business Investment Company, New Market Venture Capital Company, Rural Business Investment Company, or any entity that has five million dollars (\$5,000,000) of assets under management and can demonstrate qualified management and staff.

Liquidity Horizon: The time required to exit the investment.

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2014-205
August 20, 2014

SUBJECT: Appointment – Advisory Board on Veterans Affairs for the District of Columbia


ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(2) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2) (2012 Repl.), and in accordance with Mayor's Order 2001-92, dated June 22, 2001, as amended by Mayor's Order 2002-142, dated August 19, 2002, it is hereby **ORDERED** that:

1. **NATHAN SABLE** is appointed as a member of the Advisory Board on Veterans Affairs for the District of Columbia and shall serve in that capacity at the pleasure of the Mayor.
2. **EFFECTIVE DATE:** This Order shall become effective immediately.



 VINCENT C. GRAY
 MAYOR

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

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2014-206
August 20, 2014

SUBJECT: Appointment – Commission on Aging


ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(2) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2) (2012 Repl.), and in accordance with section 402 of the District of Columbia Act on the Aging, effective October 29, 1975, D.C. Law 1-24, D.C. Official Code § 7-504.02 (2012 Repl.), it is hereby **ORDERED** that:

1. **ROBERT LOUIS JACKSON, II** is appointed as a member of the Commission on Aging, replacing Dwan L. Tai, for a term to end October 28, 2016.
2. **EFFECTIVE DATE:** This Order shall become effective immediately.



 VINCENT C. GRAY
 MAYOR

ATTEST: 

 CYNTHIA BROCK-SMITH
 SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2014-207
August 26, 2014


SUBJECT: Appointment – Advisory Board on Veterans Affairs for the District of Columbia

ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia 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 Mayor's Order 2001-92, dated June 22, 2001, as amended by Mayor's Order 2002-142, dated August 19, 2002, it is hereby **ORDERED** that:

1. **DONALD BROOKS** is appointed as a member of the Advisory Board on Veterans Affairs for the District of Columbia and shall serve in that capacity at the pleasure of the Mayor.
2. **EFFECTIVE DATE:** This Order shall become effective immediately.


VINCENT C. GRAY
MAYOR

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

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2014-208
August 26, 2014

SUBJECT: Appointments – 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. **AISHA BOND** is appointed as a member of the Commission for Women (“Commission), replacing Ailena Mayo-Mills, to complete the remainder of an unexpired term to end April 20, 2015.
2. **ROBIN MARLIN** is appointed as a member of the Commission, replacing Amoretta Morris, to complete the remainder of an unexpired term to end April 20, 2015.
3. **LYDIA NYLANDER** is appointed as a member of the Commission, replacing Denese Lombardi, to complete the remainder of an unexpired term to end April 20, 2015.
4. **EFFECTIVE DATE:** This Order shall become effective immediately.



 VINCENT C. GRAY
 MAYOR

ATTEST: 

 CYNTHIA BROCK-SMITH
 SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2014-209
August 26, 2014

SUBJECT: Reappointment – Board of Dentistry


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 201 of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986, D.C. Law 6-99, D.C. Official Code § 3-1202.01 (2012 Repl.), which established the Board of Dentistry, it is hereby **ORDERED** that:

1. **DR. JEZELLE A. SONNIER**, who was nominated by the Mayor on January 8, 2014, and whose nomination was deemed approved by the Council of the District of Columbia pursuant to Proposed Resolution 20-0620, on March 8, 2014, is reappointed as a licensed dentist member to the Board of Dentistry, for a term to end November 30, 2016.
2. **EFFECTIVE DATE:** This Order shall become effective immediately.



VINCENT C. GRAY
MAYOR

ATTEST: 

CYNTHIA BROCK-SMITH
SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2014-210
August 27, 2014

SUBJECT: Appointment – District of Columbia Interagency Coordinating Council
(DC ICC)

ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia pursuant to section 422(11) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(11) (2012 Repl.), in accordance with the Individuals with Disabilities Education Act, approved November 29, 1975, Pub. L. 94-142, 20 U.S.C. § 1400 *et seq.*, and its applicable implementing federal regulations, and Mayor's Order 2012-49, dated April 5, 2012, as amended by Mayor's Order 2013-053, dated March 4, 2013, it is hereby **ORDERED** that:

1. **CYNTHIA MCEWEN** is appointed, as a parent of an infant or toddler with a disability or a child with a disability aged six or younger, with knowledge of, or experience with, programs for infants and toddlers with disabilities, member to the District of Columbia Interagency Coordinating Council, for a term to end May 3, 2017.
2. **EFFECTIVE DATE:** This Order shall become effective immediately.



VINCENT C. GRAY
MAYOR

ATTEST: 

CYNTHIA BROCK-SMITH
SECRETARY OF THE DISTRICT OF COLUMBIA

OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION

NOTICE OF PUBLIC MEETING

Healthy Youth and Schools Commission Meeting Agenda

September 9th, 3:00-5:00 pm

810 1st Street, NE, Washington, DC 20002, Grand Hall Side B

- | | |
|-----------|--|
| 3:00-3:05 | Welcome and Introductions |
| 3:05-3:20 | OSSE Update <ul style="list-style-type: none">• School Meal Data• HSA Activities Update |
| 3:20-4:45 | Healthy Youth and Schools Commission Business |
| 4:45-5:00 | Announcements/Closing |

**ELSIE WHITLOW STOKES COMMUNITY FREEDOM PUBLIC CHARTER SCHOOL
REQUEST FOR PROPOSAL**

Supply and Delivery of Grocery, Produce, Bread, and Meat Products

Elsie Whitlow Stokes PCS is advertising the opportunity to bid on the supply and delivery of Grocery, Produce, Bread, and Meat Items to school site for the 2014-2015 school year with a possible extension of (2) one year renewals. All food items 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 Proposal (RFP) such as; student data, days of service, product quality, etc. may be obtained beginning on Friday, September 5, 2014, by sending an email request to ewsprocurement@gmail.com.

Proposals will be accepted at 3700 Oakview Terrace, NE, Washington, DC 20017 on Tuesday, September 23, 2014 no later than 1:00 p.m. For more information, please contact ewsprocurement@gmail.com.

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



[BA09/02/14](#)

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 Permit #6007-R2 to the Cello Partnership (DBA Verizon Wireless) to operate one diesel-fired emergency generator set located in Washington, DC. The contact person for the facility is Matthew Melito, Director of Operations, at (800) 488-7900.

Emergency Generator to be Permitted

Equipment Location	Address	Generator Size	Engine Size	Permit No.
Verizon Wireless 2001 East Capitol St. SE Washington, DC	2001 East Capitol St. SE, Washington, DC 20003	60 kW	100 bhp	6007-R2

The application to operate the emergency generator and the draft renewal permit and supporting documents are available for public inspection at AQD and copies may be made available between the hours of 8:15 A.M. and 4:45 P.M. Monday through Friday. Interested parties wishing to view these documents should provide their names, addresses, telephone numbers and affiliation, if any, to Stephen S. Ours at (202) 535-1747.

Interested persons may submit written comments or may request a hearing on this subject within 30 days of publication of this notice. The written comments must also include the person's name, telephone number, affiliation, if any, mailing address and a statement outlining the air quality issues in dispute and any facts underscoring those air quality issues. All relevant comments will be considered in issuing the final permit.

Comments on the proposed permit and any request for a public hearing should be addressed to:

Stephen S. Ours
Chief, Permitting Branch
Air Quality Division
District Department of the Environment
1200 First Street NE, 5th Floor
Washington, DC 20002
Stephen.Ours@dc.gov

No written comments or hearing requests postmarked after October 6, 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 Permit #6008-R2 to Cello Partnership (DBA Verizon Wireless) to operate one existing emergency natural gas fired generator located in Washington, DC. The contact person for the facility is Matthew Melito, Director of Operations, at (800) 488-7900.

Emergency Generator to be Permitted

Equipment Location	Address	Generator Size	Engine Size	Permit No.
Verizon Wireless 1850 K .St. NW Washington, DC	1850 K Street NW, Washington, DC 20003	60 kW	100 bhp	6008-R2

The application to operate the emergency generator and the draft renewal permit and supporting documents are available for public inspection at AQD and copies may be made available between the hours of 8:15 A.M. and 4:45 P.M. Monday through Friday. Interested parties wishing to view these documents should provide their names, addresses, telephone numbers and affiliation, if any, to Stephen S. Ours at (202) 535-1747.

Interested persons may submit written comments or may request a hearing on this subject within 30 days of publication of this notice. The written comments must also include the person's name, telephone number, affiliation, if any, mailing address and a statement outlining the air quality issues in dispute and any facts underscoring those air quality issues. All relevant comments will be considered in issuing the final permit.

Comments on the proposed permit and any request for a public hearing should be addressed to:

Stephen S. Ours
Chief, Permitting Branch
Air Quality Division
District Department of the Environment
1200 First Street NE, 5th Floor
Washington, DC 20002
Stephen.Ours@dc.gov

No written comments or hearing requests postmarked after October 6, 2014 will be accepted.

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

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 held at 1100 15th Street, NW, 8th Floor, Washington, DC 20005 on **Wednesday, September 10, 2014 at 5:30 pm**. The call in number is 1-877-668-4493, Access code 735 522 138.

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
HEALTH PROFESSIONAL LICENSING ADMINISTRATION**

NOTICE OF MEETING

Board of Chiropractic
September 9, 2014

On September 9, 2014 at 1:00 pm, the Board of Chiropractic will hold a meeting to consider and discuss a range of matters impacting competency and safety in the practice of medicine.

In accordance with Section 405(b) of the Open Meetings Amendment Act of 2010, the meeting will be closed from 1:00 pm until 2:30 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 open to the public from 2:30 pm to 3:30 pm to discuss various agenda items and any comments and/or concerns from the public. After which the Board will reconvene in closed session to continue its deliberations until 4:30 pm.

The meeting location is 899 North Capitol Street NE, 2nd Floor, Washington, DC 20002.

Meeting times and/or locations are subject to change – please visit the Board of Chiropractic website www.doh.dc.gov/boc and select BOC Calendars and Agendas to view the agenda and any changes that may have occurred.

Executive Director for the Board – Jacqueline A. Watson, DO, MBA, (202) 724-8755.

**DEPARTMENT OF HEALTH
HEALTH PROFESSIONAL LICENSING ADMINISTRATION**

NOTICE OF MEETING

Board of Medicine
September 11, 2014

On SEPTEMBER 11, 2014 at 8:30 am, the Board of Medicine will hold a meeting to consider and discuss a range of matters impacting competency and safety in the practice of medicine.

In accordance with Section 405(b) of the Open Meetings Amendment Act of 2010, the meeting will be closed from 8:30 am until 10:30 am 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 open to the public from 10:30 am to 11:30 am to discuss various agenda items and any comments and/or concerns from the public. After which the Board will reconvene in closed session to continue its deliberations until 12:00 pm.

The meeting location is 899 North Capitol Street NE, 2nd Floor, Washington, DC 20002.

Meeting times and/or locations are subject to change – please visit the Board of Medicine website www.doh.dc.gov/bomed and select BoMed Calendars and Agendas to view the agenda and any changes that may have occurred.

Executive Director for the Board – Jacqueline A. Watson, DO, MBA, (202) 724-8755.

**DISTRICT OF COLUMBIA HOUSING FINANCE AGENCY
BOARD OF DIRECTORS MEETING**

September 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 August 26, 2014 board meeting.
- III. Vote to close meeting to discuss the approval of the Beacon Center 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 Beacon Center 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 Eligibility Resolution No. 2014-12 for the Beacon Center.
- VI. Interim Executive Director's Report.
- VII. Other Business.
 - Update – Government Affairs
 - Update - Parkway Overlook
 - Proposed Fiscal Year 2015 Budget
- VIII. Adjournment.

DEPUTY MAYOR FOR PLANNING AND ECONOMIC DEVELOPMENT
MEETING NOTICE AND AGENDA

**Walter Reed Local Redevelopment Authority and
Community Advisory Committee**

Pursuant to D.C. Official Code § 10-1906, the Walter Reed Local Redevelopment Authority and Community Advisory Committee will hold a public meeting at the following time and location:

September 8, 2014
6:30pm – 8:00pm

Fort Stevens Recreation Center
Multipurpose Room #150
1327 Van Buren Street, N.W., D.C. 20012

MEETING AGENDA

- I. Opening Remarks

- II. LRA Project Overview and Update
 - a. Presentation by Children's National Medical Center
 - b. Master Developer Negotiations
 - c. Economic Development Conveyance Negotiations
 - d. Community Pool

- III. Master Development Team overview and update
 - a. Economic Development Forum

- IV. Questions

For questions, please contact Martine Combal, Walter Reed Local Redevelopment Authority Director at 202-727-6365 or martine.combal@dc.gov.

DISTRICT OF COLUMBIA PUBLIC CHARTER SCHOOL BOARD**NOTICE OF CHANGE IN BOARD MEETING DATE**

The District of Columbia Public Charter School Board (“PCSB”) hereby gives notice, dated September 2, 2014 of change of date for the regularly scheduled October Board Meeting. The Board will meet on October 14, 2014, at 7:30pm at:

3333 14th Street NW
Suite 210
Washington, DC 20010

For further information, please call 202-328-2660, or if you would like to submit written testimony, please email public.comment@dcpsb.org or call 202-328-2660.

DISTRICT OF COLUMBIA PUBLIC CHARTER SCHOOL BOARD**NOTIFICATION OF CHANGE IN BOARD MEETING LOCATION**

The District of Columbia Public Charter School Board (“PCSB”) hereby gives notice, dated September 2, 2014 of change of location for the regularly scheduled Board Meeting on September 15, 2014, at 7:30pm. The Board will meet at:

KIPP DC Grow Academy located
421 P Street NW,
Washington, DC 20001.

For further information, please call 202-328-2660, or if you would like to submit written testimony, please email public.comment@dcpcsb.org or call 202-328-2660.

PUBLIC SERVICE COMMISSION OF THE DISTRICT OF COLUMBIA

NOTICE OF PROPOSED TARIFF

FORMAL CASE NO. 1017, IN THE MATTER OF THE DEVELOPMENT AND DESIGNATION OF STANDARD OFFER SERVICE IN THE DISTRICT OF COLUMBIA

1. The Public Service Commission of the District of Columbia (“Commission”) hereby gives notice, pursuant to section 34-802 of the District of Columbia Official Code and in accordance with section 2-505 of the District of Columbia Official Code,¹ of its intent to act upon the proposed tariff amendment of the Potomac Electric Power Company (“Pepco” or “Company”)² in not less than thirty (30) days from the date of publication of this Notice of Proposed Tariff (“NOPT”) in the *D.C. Register*.

2. Pepco’s proposed tariff amendment updates the retail transmission rates included in the Rider Standard Offer Service “to reflect the current Federal Energy Regulatory Commission (‘FERC’) approved wholesale transmission rates, which went into effect [on] June 1, 2014.”³ Pepco states that the “updated Network Integrated Transmission Service rate is based on the data in the 2013 FERC Form 1 for Pepco, which was filed with the FERC on April 17, 2014.”⁴ According to Pepco, the filed wholesale transmission rate for the Pepco Zone effective June 1, 2014 is \$24,949 per megawatt-year for Network Integrated Transmission Service, which is currently reflected in Attachment H-9 of the PJM Open Access Transmission Tariff. The Network Integrated Transmission Service rate reflects a rate of \$20,835 per megawatt-year, which is net of the Schedule 12 Transmission Enhancement Charges due to projects within the Pepco Zone.⁵ In addition, the load in the Pepco Zone is responsible for Schedule 12 Transmission Enhancement charges due to transmission projects outside of the Pepco Zone and the rate for these projects is \$4,473 per megawatt-year.⁶ Combining these two rates results in an overall wholesale transmission rate for load in the Pepco Zone of \$25,308 per megawatt-year. After calculating the retail transmission revenue requirement, Pepco has reflected the revised retail rates for the Transmission Service Charge for each rate class on its revised tariff pages.⁷

¹ D.C. Code § 34-802 (2001); D.C. Code § 2-505 (2001).

² *Formal Case No. 1017, In the Matter of the Development and Designation of Standard Offer Service in the District of Columbia* (“*Formal Case No. 1017*”), Letter from Dennis P. Jamouneau, Assistant General Counsel, Legal Services, Potomac Electric Power Company, to Brinda Westbrook-Sedgwick, Commission Secretary, Public Service Commission of the District of Columbia, filed July 25, 2014 (“Pepco Letter”).

³ *Formal Case No. 1017*, Pepco Letter.

⁴ *Formal Case No. 1017*, Pepco Letter.

⁵ *Formal Case No. 1017*, Pepco Letter. See Attachment E.

⁶ *Formal Case No. 1017*, Pepco Letter. See Attachment D.

⁷ *Formal Case No. 1017*, Pepco Letter. See Attachment A. Pepco indicates that Attachment A also shows the “corresponding retail transmission revenue requirements.” Pepco indicates that Attachment B provides “[t]he Proposed Rider Standard Offer Service (‘SOS’) containing the revised retail rates for Transmission Service’ as well as “the updated Rider ‘SOS’ showing additions and deletions from the current Rider ‘SOS.’” Finally, Pepco indicates that Attachment C provides “[w]orkpapers showing the details of the rate design calculations.”

3. Pepco proposes to amend the following thirteen (13) tariff pages:

ELECTRICITY TARIFF, P.S.C.-D.C. No. 1
Seventy-Third Revised Page No. R-1
Seventy-Third Revised Page No. R-2
Sixty-Sixth Revised Page No. R-2.1
Forty-Second Revised Page No. R-2.2
Nineteenth Revised Page No. R-41
Nineteenth Revised Page No. R-41.1
Nineteenth Revised Page No. R-41.2
Nineteenth Revised Page No. R-41.3
Nineteenth Revised Page No. R-41.4
Nineteenth Revised Page No. R-41.5
Nineteenth Revised Page No. R-41.6
Nineteenth Revised Page No. R-41.7
Nineteenth Revised Page No. R-41.8

4. The filing may be reviewed at the Office of the Commission Secretary, 1333 H Street, N.W., Second Floor, West Tower, Washington, D.C. 20005, between the hours of 9:00 a.m. and 5:30 p.m., Monday through Friday. A copy of the proposed tariff amendment is available upon request, at a per-page reproduction cost from the Office of the Commission Secretary or via the Commission's website at www.dcpSC.org.

5. Comments and reply comments on Pepco's proposed tariff amendment must be made in writing to Brinda Westbrook-Sedgwick, Commission Secretary, at the address above. All comments and reply comments must be received not later than thirty (30) and forty-five (45) days, respectively, after publication of this NOPT in the *D.C. Register*. Once the comment period has expired, the Commission will take final action on Pepco's tariff filing.

PUBLIC SERVICE COMMISSION OF THE DISTRICT OF COLUMBIA

NOTICE OF PROPOSED TARIFF

GAS TARIFF 2014-02, IN THE MATTER OF WASHINGTON GAS LIGHT COMPANY'S APPLICATION TO AMEND RATE SCHEDULE NOS. 1 AND 1A.

1. The Public Service Commission of the District of Columbia ("Commission") hereby gives notice, pursuant to section 34-802 of the District of Columbia Official Code ("D.C. Code") and in accordance with section 2-505 of the D.C. Code,¹ of its intent to act upon the proposed tariff amendment of Washington Gas Light Company's ("WGL" or "Company")² in not less than thirty (30) days from the date of publication of this Notice of Proposed Tariff ("NOPT") in the *D.C. Register*.

2. WGL's proposed tariff amendment requests authority to revise Rate Schedule Nos. 1 and 1A to clarify the late payment charge applicable to WGL's Residential customer classes and to remove other obsolete language. WGL notes that the Consumer Bill of Rights was amended and no longer provides for late payment charges. Therefore, WGL seeks to incorporate the late payment charge previously adopted and incorporated in Commission regulations.³ More specifically, WGL's clarifying tariff language indicates that the late payment fee shall be 1% in the first month, and an additional 1 ½% per month thereafter, of the unpaid bill amounts not paid within 20 days after rendition of the customer's bill.

3. WGL proposes to amend the following two (2) tariff pages:

**NATURAL GAS TARIFF, P.S.C. of D.C. No. 3
Fifth Revised Page No. 3
Superseding Fourth Page No. 3**

**P.S.C. of D.C. No. 3
Fifth Revised Page No. 9A
Superseding Fourth Page No. 3**

4. The filing may be reviewed at the Office of the Commission Secretary, 1333 H Street, N.W., Second Floor, West Tower, Washington, D.C. 20005, between the hours of 9:00 a.m. and 5:30 p.m., Monday through Friday. A copy of the proposed tariff amendment is available upon request, at a per-page reproduction cost from the Office of the Commission Secretary or via the Commission's website at www.dcpsc.org.

¹ D.C. Code § 34-802 (2001); D.C. Code § 2-505 (2001).

² Gas Tariff 2014-02, *In the Matter of Washington Gas Light Company's Application to Amend Rate Schedule Nos. 1 and 1A* ("Gas Tariff 2014-02"), Letter from Cathy Thurston-Seignious, Supervisor, Administrative and Associate General Counsel, Washington Gas Light Company Power Company, to Brinda Westbrook-Sedgwick, Commission Secretary, Public Service Commission of the District of Columbia, filed July 25, 2014 ("WGL's Letter").

³ *Formal Case No. 610*, Order No. 5686, issued January 31, 1975.

5. Comments and reply comments on WGL's proposed tariff amendment must be made in writing to Brinda Westbrook-Sedgwick, Commission Secretary, at the address above. All comments and reply comments must be received not later than thirty (30) and forty-five (45) days, respectively, after publication of this NOPT in the *D.C. Register*. Once the comment period has expired, the Commission will take final action on Pepco's tariff filing.

OFFICE OF THE SECRETARY OF THE DISTRICT OF COLUMBIA
RECOMMEND FOR APPOINTMENTS OF NOTARIES PUBLIC

Notice is hereby given that the following named persons have been recommended for appointment as Notaries Public in and for the District of Columbia, effective on or after October 1, 2014.

Comments on these potential appointments should be submitted, in writing, to the Office of Notary Commissions and Authentications, 441 4th Street, NW, Suite 810 South, Washington, D.C. 20001 within seven (7) days of the publication of this notice in the *D.C. Register* on September 5, 2014. Additional copies of this list are available at the above address or the website of the Office of the Secretary at www.os.dc.gov.

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Recommended for appointment as a DC Notaries Public

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Acevedo	Joanne	JMT, Inc. 1 Massachusetts Avenue, NW, Suite 840	20001
Allen	S. Kathryn	Answer Title 10 G Street NE, Suite 460	20002
Anderson	Leigh F.	Energy Resources International, Inc. 1015 18th Street, NW, Suite 650	20036
Anderson	Tara S.	DC Housing Authority 1133 North Capitol Street, NE	20002
Antoline	Miklyn L.	McKenna Long & Aldridge LLP 1900 K Street, NW	20006
Avalos	Heather	Gore Brothers Reporting & Videoconferencing 1025 Connecticut Avenue, NW, Suite 1000	20036
Bah	Ramata	Wells Fargo Bank 3325 14th Street, NW	20010
Ballard	Stephen M.	Heritage Title & Escrow Company 2000 Florida Avenue, NW, Suite 250	20009
Bates	Linda E.	American Federation of State, County and Municipal Employees, AFL-CIO 1101 17th Street, NW, Suite 900	20036
Berlepsch	Katherine	NAFSA: Association of International Educators 1307 New York Avenue, NW, Suite 800	20005
Bishop	William R.	U.S. International Trade Commission 500 E Street, SW, Suite 112	20436
Briggs	Cynthia Z.	Department of Consumer and Regulatory Affairs 1100 4th Street, SW, Suite E500	20024
Briley, Jr.	John A.	Self (Dual) 6205 30th Street, NW	20015

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Brillantine	Frances M.	Catholic University of America Law Library 3600 John McCormack Road, NE	20064
Brown	Edwina M.	United States Mint 801 9th Street, NW	20020
Calkin	Michael S.	Washington Growth Strategies LLC 2200 Pennsylvania Avenue, NW, Suite 400 East	20037
Carr	Sheronda L.	National Association of Home Builders 3701 15th Street, NW	20018
Carter	Cindy	Capitol Hill Group 2052 West Virginia Avenue, NE	20002
Castaneda	Angela Patricia	Price Benowitz LLP 409 7th Street, NW, Suite 200	20004
Clarke	Cherylann	Kirkland & Ellis LLP 655 15th Street, NW	20018
Contrata	Kyle A.	NAFSA: Association of International Educators 1307 New York Avenue, NW, Suite 800	20005
Crockard	Hastings Faulkner	Easterly Partners, LLC 2101 L Street, NW	20037
Cromartie	Marsha E.	Self 3318 16th Street, NW	20018
Davillier	Faheemah	The Public Defender Service for the District of Columbia 633 Indiana Avenue, NW	20004
Davis	Anna Felder	Love Is The Key, Desktop Publishing and Workshop Services 3425 5th Street, SE , Unit 11	20032
Davis	Jordan	Marshall Heights Community Development Organization Willis P Greene Manor 4425 Nannie Helen Burroughs Avenue,	20019

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Davis	Sharon M.	NE Crowell and Moring 1001 Pennsylvania Avenue, NW	20004
Days	Petruzzelli	The Public Defender Service for the District of Columbia 633 Indiana Avenue, NW	20004
Delaney	John M.	The Rock Creek Group, LP 1133 Connecticut Avenue, NW, Suite 810	20036
Depass	Michelle	Perkins Coie LLP 700 13th Street, NW	20005
Edmonds	Nadine Delores	Kirkland & Ellis, LLP 655 Fifteenth Street, NW, Suite 1200	20005
Ellis	Henrietta	Holland & Knight, LLP 800 17th Street, NW, Suite 1100	20006
Farmer	Catherine	National Archives 700 Pennsylvania Avenue, NW	20408
Fatusin	Olufemi	Bank of America 1001 Pennsylvania Avenue, NW	20004
Feldman	Jan C.	ICMA-RC 777 North Capitol Street, NE	20002
Fitzgerald	Lolita Evelyn	Government of the District of Columbia, Child and Family Services Agency 200 I Street, SE	20003
Foundation-Allen	Vanessa	Small Business Investor Alliance 1100 H Street, NW, Suite 610	20005
Galowin	Melissa	American Federation of Labor and Congress of Industrial Organizations 815 16th Street, NW	20006
Green	Demita	DiGenova & Toensing, LLP 1776 K Street, NW, Suite 737	20006

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Green	Linda E.	Self 501 Webster Street, NW	20011
Green	Rosa M.	Self 3861 Beecher Street, NW	20007
Guthrie	Leslie	The Public Defender Service for the District of Columbia 633 Indiana Avenue, NW	20004
Hanna	Matthew	The Public Defender Service for the District of Columbia 633 Indiana Avenue, NW	20004
Harmel	Barbara L.	Davis Polk & Wardwell, LLP 901 15th Street, NW	20005
Harris	Demetria	Self (Dual) 1441 34th Street, SE	20002
Higgins	Alice	Self 3433 Wisconsin Avenue, NW	20016
Holeman	Sheila V.	Gilbert, LLP 1100 New York Avenue, NW, Suite 700	20005
Iglesias	Carlos R.	Bello, Bello & Associates, LLC 220 L Street, NE, Suite 6	20002
Ingraham	Gwendolen C.	Louis Berger 1250 23rd Street, NW	20037
Isom	Kimberly	M & M Appliance Sales and Services Inc. 6201 Blair Road, NW	20011
Johnston	Aleksander S.	Self 4215 Alton Place, NW	20016
Kirby	Patrick	The Public Defender Service for the District of Columbia 633 Indiana Avenue, NW	20004

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LaFontant	Sophia	The Public Defender Service for the District of Columbia 633 Indiana Avenue, NW	20004
Lemke	Stephanie M.	Cozen O'Connor 1627 I Street, NW, Suite 1100	20006
Lewis	Darian Keith	Self 3034 Otis Street, NE	20018
Li	Stephanie	National Music Publishers' Association 975 F Street, NW, Suite 375	20004
Love-Jones	April	National Labor Relations Board 1099 14th Street, NW, Suite 8514	20570
Lucas	Cecilia	Wells Fargo Bank 1447 P Street, NW	20005
McCrae	Ervin H.	Maiden and Associates, PC 4930 Wisconsin Avenue, NW	20016
McDermitt	Edward	The Public Defender Service for the District of Columbia 633 Indiana Avenue, NW	20004
McKay	Annie	Lock 7 Development 1345 S Street, NW	20009
Melcher	Ericka Vivian	Long & Foster Real Estate 1680 Wisconsin Avenue, NW	20007
Michelle Metraux	Maricela	The Barker Adoption Foundation 1066 30th Street, NW	20007
Miller	Ashley E.	Wilson Sonsini Goodrich & Rosati 1700 K Street, NW, Fifth Floor	20006
Miller	Jason W.	Reiter & Hill, PLLC 1145 19th Street, NW, Suite 410	20036

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Mooney	Emily Brooke	McManus Darden & Felsen LLP 1155 15th Street, NW, Suite 810	20005
Musgrove	Karen P.	Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C. 701 Pennsylvania Avenue, NW, Suite 900	20004
Nunes	Luiz	The Public Defender Service for the District of Columbia 633 Indiana Avenue, NW	20004
Obrien	Michael	City Construction, LLC 1312 Decatur Street, NW	20011
Paniagua	Gina	The Public Defender Service for the District of Columbia 633 Indiana Avenue, NW	20004
Patil	Rekha	The Public Defender Service for the District of Columbia 633 Indiana Avenue, NW	20004
Patten	Anna	Klamp & Associates, P.C. 2000 P Street, NW, Suite 708	20036
Petersen	Dara Lyn	Mayer Brown 1999 K Street, NW	20006
Piernikowski	Julie	Challenger Center for Space Science Education 422 First Street, SE, 3rd Floor	20003
Redmond	Katie	The Public Defender Service for the District of Columbia 633 Indiana Avenue, NW	20004
Reeves	Felice L.	Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C. 701 Pennsylvania Avenue, NW, Suite 900	20004
Rettberg	Rachel Marie	Intelligent Transportation Society of America 1100 New Jersey Avenue, SE, Suite	20003

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Richtmyre	Daniel	850 Americans for the Arts 1000 Vermont Avenue, NW, 6th Floor	20005
Ricks	Denise	Deso & Buckley, P.C. 1828 L Street, NW, Suite 270	20036
Roldan	Jorge	The Public Defender Service for the District of Columbia 633 Indiana Avenue, NW	20004
Rucker	Michael	The Public Defender Service for the District of Columbia 633 Indiana Avenue, NW	20004
Sauer	Corey A.	The Public Defender Service for the District of Columbia 633 Indiana Avenue, NW	20004
Savoy	Cynthia R.	Envision Realty 14757 Main Street, Suite 109	20770
Scott	Taryn Y.	Duncan, Weinberg, Genzer & Pembroke, P.C. 1615 M Street, NW	20036
Shawahin	Jeanne M.	Pinnacle Title & Escrow, Inc 1776 Eye Street, NW, Suite 701	20006
Simmons	Ashleigh R.	Olender Reporting, Inc 1100 Connecticut Avenue, NW	20036
Simms	Patricia A.	National Oceanic and Atmospheric Administration 1401 Constitution Avenue, NW, Room 51030	20230
Smith	Kiaann	American Passport and Visa International 1901 Pennsylvania Avenue, NW, Suite 903	20006
Spriggs	Jameika	Capital One Bank, N.A. 925 15th Street, NW	20005

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Stegman	Lindsay	Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C. 701 Pennsylvania Avenue, NW, Suite 900	20004
Stevens	Shirley	Self 4625 Minnesota Avenue, NE	20019
Taliaferro	Andrea B.	Butzel Long 1747 Pennsylvania Avenue, NW, Suite 300	20006
Taylor, Sr.	Martin L.	Capitol City Associates, Inc. 2307 Skyland Place, SE	20020
Terry	Sue A.	Merrill LAD Reporting 1325 G Street, NW, Suite 200	20005
Thomas	Angel V.	Wells Fargo Bank 1700 Pennsylvania Avenue, NW	20006
Veronesi	Saritta	Federal Title and Escrow Company 5335 Wisconsin Avenue, NW, 7th Floor	20015
Walker	Wanda	Kirkland & Ellis LLP 655 15th Street, NW	20005
Warner	Keisha A.	Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C. 701 Pennsylvania Avenue, NW, Suite 900	20004
Weatherspoon	Cynthia	State Department Federal Credit Union 4th & P Streets, SW, Building 41	20319
Williams	Maythis A.	Financial Markets International, Inc. 818 Connecticut Avenue, NW, Suite 300	20006
Xanthakos	Natalia	Gibson, Dunn & Crutcher, LLP 1050 Connecticut Avenue, NW	20036

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Young	Pebbles P.	Armed Forces Retirement Home 3700 North Capitol Street, NW, Box 580	20011
Zarkpah	Beatrice	PNC Bank, Inc. 4835 Massachusetts Avenue, NW	20016
Ziegler	Eric A.	Fannie Mae 3900 Wisconsin Avenue, NW	20016

UNIVERSITY OF THE DISTRICT OF COLUMBIA
FACILITIES COMMITTEE OF THE BOARD OF TRUSTEES

NOTICE OF PUBLIC MEETING

The Facilities Committee of the Board of Trustees of the University of the District of Columbia will be meeting on Tuesday, September 9, 2014 at 6:00 p.m. The meeting will be held in the Board Room, Third Floor, Building 39 at the Van Ness Campus, 4200 Connecticut Avenue, N.W., Washington, D.C. 20008. Below is the planned agenda for the meeting. The final agenda will be posted to the University of the District of Columbia's website at www.udc.edu.

For additional information, please contact: Beverly Franklin, Executive Secretary, at (202) 274-6258 or bfranklin@udc.edu.

Planned Agenda

- I. Call to Order and Roll Call
- II. Approval of Minutes
- III. Capital Construction Updates
 - a. New Student Center
 - b. Auditorium Renovations
 - c. Green Roof Installation
 - d. SEAS Renovation
 - e. Backus Phase II
 - f. Building 52 Garage and Entry
 - g. Other Items and New Business
- IV. Closing Remarks

Adjournment

**WILLIAM E. DOAR JR. PUBLIC CHARTER SCHOOL FOR THE PERFORMING
ARTS**

NOTICE: FOR PROPOSALS FOR MULTIPLE SERVICES

The William E. Doar Jr. Public Charter School for the Performing Arts, in compliance with Section 2204 (c) of the District of Columbia School Reform Act of 1995 (“Act”), hereby solicits expressions of interest from Vendors or Consultants for the following tasks and services:

1. Evening Cleaning Service – 40,000 sq. feet over two floors. To include cleaning supplies, equipment, replacement of toilet paper, hand soap, urinal cakes, etc. Organization must be bonded and insured and all employees must pass background checks.
2. Security Service for one site. 2 major entrances/exits between two floors. Additional Security patrols needed for arrival and dismissal.
3. Accounting/Bookkeeping Service - Monthly and annual accounting services to include: monthly reconciliation, financial statement preparation, adjusting journal entries, audit preparation, state and federal tax return preparation and other various and sundry tasks related to the accounting and bookkeeping of the School. Respondents can reply to all or part of this RFP.
4. Special Education - W. E. Doar Jr. Public Charter school is soliciting certified special education teachers to provide inclusion specialized instruction, write IEP goals, documentation and follow Special Education Law for students from Pre Kindergarten to 8th grade.

W. E. Doar Jr. Public Charter School is soliciting certified speech-language and occupational therapists for special education students in grades Pre-K to 8th grades.

5. Student Data Management Services – Ensure functionality of student information system in order to support school operations. Complete all data reporting requirements for school. Contact data analysis in support of school leadership.
6. Human Resources Services/Recruitment: Seeks Human Resources outsourcing firm to provide all aspects of human resources from hiring, recruitment of senior staff members and teaching staff, policy development, process improvement, state and federal law compliance, benefits administration and employee training. Respondents can reply to all or part of this RFP.
7. Food Service – one site: up to 500 students. Vendor needed for school year only – August through June. Must be able to provide bag lunches and unitized meals upon request. All other meals should be able to be served family style. Must be able to provide other catering services as needed. Will entertain one year or five year contracts.

8. Music Education Services – Soliciting proposals from high quality music education organizations to provide full time music instruction to grade Pre-K through 8th.
9. Theater Education Services – Soliciting proposals from high quality theater education organizations to provide full time theater instruction to grade Pre-K through 8th.
10. School Improvement Services – Seeking a proven school turnaround provider to lead targeted school improvement efforts with the goals of: raising students test scores on the DC CAS, increasing the school’s overall PMF Score, ensuring best practice school design and program implementation, including preparation for transition to PARCC exams.
11. Attorney – Legal Services
12. School Assessment – Student assessment and professional development for teachers.

Location:

William E. Doar J. PCS
705 Edgewood Street, NE
Washington, DC 20017

Proposal Submission

A Portable Document Format (pdf) election version of your proposal must be received by the school no later than **2:00 p.m. EST on September 15, 2014** unless otherwise stated in associated RFP’s. Proposals should be emailed to bids@wedjschool.us

For information regarding the school please see: www.wedjschool.us

No phone call submission or late responses please. Interviews, samples, demonstrations will be scheduled at our request after the review of the proposals only.

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
ZONING COMMISSION ORDER NO. 06-10C
Z.C. Case No. 06-10C**

**The Morris & Gwendolyn Cafritz Foundation, Art Place at Ft Totten, LLC
(Minor Modification to an Approved Planned Unit Development
Squares 3765 and 3769 and Portions of Squares 3766, 3767, and 3768)
June 30, 2014**

Pursuant to notice, a public meeting of the Zoning Commission for the District of Columbia (the "Commission") was held on June 9, 2014 and on June 30, 2014. At the meetings, the Commission considered an application from The Morris and Gwendolyn Cafritz Foundation and Art Place at Ft Totten, LLC (collectively, the "Applicant") for a minor modification to an approved planned unit development ("PUD") for property located in Squares 3765 and 3769 and portions of Squares 3766, 3767, and 3768 (the "Property"). The requested modification applies only to "Building A," located at 5180 South Dakota Avenue, N.E. (Square 3765, Lot 5), the portion of the PUD that received consolidated approval pursuant to Z.C. Order No. 06-10 as modified by Z.C. Order No. 06-10A. Because the modification was deemed minor, a public hearing on the request was not required. The Commission determined that this modification request was properly before it under the provisions of §§ 2409.9 and 3030 of the Zoning Regulations (11 DCMR).

FINDINGS OF FACT

1. By Z.C. Order No. 06-10, effective January 15, 2010, the Commission granted first-stage PUD approval to replace an aging complex of low-rise multi-family residential buildings and three small warehouses on the Property with a multi-phase mixed-use complex of four buildings consisting of more than 900 units of multi-family residential (including approximately 171 income-restricted units), approximately 315,000 square feet of retail uses, and approximately 300,000 square feet devoted to cultural, arts, and community uses (the "Project").
2. At the same time that it granted first-stage PUD approval for the Project, the Commission granted consolidated approval for the Applicant to move forward with the first phase of the Project, referenced as "Building A," and located at the southern end of the Property. Building A was approved for a total gross floor area of 804,880 square feet, of which not more than 150,205 gross square feet were to be devoted to non-residential uses, including accessory parking and a grocery store. Above its retail and parking base, Building A was approved to contain between 510 and 550 multi-family residential units, 141 of which are to be dedicated for affordable housing and senior affordable housing. The Commission granted a minor modification to the PUD in Z.C. Order No. 06-10A to relocate the grocery component from Building A to Building B on a different portion of the Property, with other retail uses to be located in Building A.
3. By Application dated May 8, 2014, the Applicant requested a minor modification to the consolidated PUD approval granted for the first phase of the Project, to reduce the amount of residential parking required to be provided in Building A by approximately 80

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parking spaces, representing a reduction from 344 spaces to 264 spaces devoted to residential use, but still above the minimum required by the Zoning Regulations. This reduction will be accomplished by a revision to the approved drawings of removing the sixth level and a portion of the fifth level of the above-grade residential parking.

4. The Applicant requested that the Commission treat the modification as minor, and therefore consider the request pursuant to the Consent Calendar procedures of § 3030 of the Zoning Regulations. The Applicant explained that based on market and expert transportation research in moving Building A forward with construction, it is possible to reduce a portion of the residential parking provided in the above-grade structure of Building A without detrimental impact to the operation of the building and without visible impacts to the approved design. The Applicant also confirmed the market trends of declining vehicle travel, decreasing vehicle ownership, and increasing use of non-vehicular modes of transportation in the metropolitan Washington, D.C. area within the past few years since the PUD was first reviewed and approved in 2008 and 2009. Based on these findings, the Applicant reevaluated the amount of parking that would be necessary in Building A, especially given its close proximity to numerous public transportation options, including the Fort Totten Metrorail station (Exhibit ["Ex."] 2.)
5. The approved plans for Building A provide a total of 681 vehicle parking spaces, of which 337 spaces are devoted to retail and service uses and are located in two below-grade levels within Building A, and 344 spaces are provided for residential units in a six-story above-grade parking structure in the western portion of Building A, wrapped on three sides by residential units and on the fourth by a "green" screen. Pursuant to § 2101.1 of the Zoning Regulations, parking for "apartment house or multiple dwelling" in the C-2-B Districts is a minimum of one space for each three dwelling units. Thus, in the C-2-B Districts, 520 dwelling units would normally generate a parking requirement of at least 173 spaces. The PUD approval for Building A provides 344 spaces for 510-550 dwelling units, which equates to a ratio of roughly two spaces for each three dwelling units, which is twice the ratio that would be required under the Zoning Regulations for a residential project of this scope. With the requested reduction of 80 parking spaces, the approximately 264 spaces provided will still exceed the 173 spaces that would be required for the residential portion of Building A under the Zoning Regulations.
6. The Applicant served copies of the requested modification to Advisory Neighborhood Commission ("ANC") 5A, ANC 4B, and the Lamond-Riggs Citizens Association. On February 26, 2014, at its duly noticed, regularly scheduled public meeting, with a quorum present, ANC 5A considered and discussed the requested modification. The Applicant also presented its request at a public meeting on April 9, 2014, hosted by the ANC Single Member District 5A08 representative, the district within which the Property is located. During this meeting, no concerns were raised regarding the requested parking reduction. On June 25, 2014, at its duly noticed, regularly scheduled public meeting at which a

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- quorum was present, ANC 5A voted unanimously to support the modification request, which support was memorialized into a letter, dated June 25, 2014. (Ex. 9.)
7. The District of Columbia Office of Zoning referred this matter to the Office of Planning ("OP") for analysis and recommendation. By memorandum dated May 30, 2014, OP stated its support for approval of the requested parking reduction as a minor modification, provided that the Applicant supply certain additional information prior to the scheduled June 9, 2014 consideration date. (Ex. 6.) By letter dated June 6, 2014, the Applicant submitted the following items requested by OP: (i) a table comparing the originally approved and proposed/modified totals for parking, gross floor area, and floor area ratio ("FAR") for Building A and the overall PUD; (ii) a revised list of proposed modifications to Conditions 6 and 7 of Z.C. Order No. 06-10A; and (iii) a consolidated redline update to all of the Consolidated PUD Order's conditions. (Ex. 7.) By letter dated June 9, 2014, the Applicant submitted a corrected version of the consolidated redline update to the Consolidated PUD Order's conditions, which had failed to include a change made to Paragraph 7b of the Decision section of the order following the Commission's approval of Z.C. Case No. 06-10A. (Ex. 8.)
 8. On June 9, 2014, at its regularly scheduled public meeting, the Commission reviewed the modification request as a Consent Calendar matter and determined to table the request until such time as the Commission received correspondence from ANC 5A regarding its position regarding the minor modification request. ANC 5A submitted its letter of support to the Office of Zoning on June 25, 2014. (Ex. 9.)
 9. On June 30, 2014, at its regularly scheduled public meeting, the Commission reviewed the modification request as a Consent Calendar matter and granted approval of the minor modification to Z.C. Order Nos. 06-10 and 06-10A. The Commission concurs with the Applicant that the approval of the requested modification is appropriate and not inconsistent with the intent of 11 DCMR §§ 2409.9 and 3030.

CONCLUSIONS OF LAW

Upon consideration of the record in this application, the Commission concludes that the proposed modification is minor and is consistent with the intent of the Commission's approval of the PUD in Z.C. Order No. 06-10 as modified in Z.C. Order No. 06-10A.

The Commission concludes that approval of the requested modification is in the best interest of the District of Columbia and is consistent with the intent and purpose of the Zoning Regulations and Zoning Map.

The Commission further finds that approval of the modification to the approved PUD is not inconsistent with the District of Columbia Comprehensive Plan (10-A DCMR), and that the

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modification does not impact material elements of the Project, including permitted use, height, or project amenities or benefits.

The modification is of such a minor nature that its consideration as a consent calendar item without a public hearing is appropriate.

DECISION

In consideration of the Findings of Fact and Conclusions of Law provided herein, the Zoning Commission for the District of Columbia hereby **ORDERS APPROVAL** of the application for modification of an approved PUD for Squares 3765 and 3769 and portions of Squares 3766, 3767, and 3768 and **ORDERS** that the following modifications be made to Conditions No. 6 and 7a. of Z.C. Order Nos. 06-10 and 06-10A. Deletions are shown in strikethrough. Insertions are shown in underlined text.

Condition No. 6 of Z.C. Order No. 06-10A is revised as follows:

6. The consolidated portion of the PUD shall be developed in accordance with the plans submitted to the Commission on September 18, 2009, as amended and supplemented by the plans submitted on October 22, 2009, and the plans submitted on May 8, 2014, located, respectively, at Exhibits 71 and 89 of the record in Z.C. Case 06-10 and Exhibit 2B of the Z.C. Case No. 06-10C (collectively, the "Plans"), and the guidelines, conditions, and standards herein.

Condition No. 7 of Z.C. Order No. 06-10A is revised as follows:

7. The PUD, upon completion, shall include a maximum of ~~2,018,880~~ 1,994,201 gross square feet. The distribution of uses and densities, and the amount of parking and loading, shall be ~~as shown on Sheet 8 (Development Data) of the Plans~~, as follows:
 - a. Building A shall have a maximum total gross floor area of ~~804,880~~ 780,201 square feet (~~3.72~~ 3.60 FAR) on its own site, of which not more than 150,205 gross square feet shall be devoted to non-residential uses, including accessory parking. Nonresidential uses shall include retail totaling approximately 112,350 square feet, approximately 19,210 square feet of flexible commercial and a 7,250 square foot child care center. Building heights shall range from 55 feet (at the corner of South Dakota Avenue and the newly-extended Ingraham Street) up to a maximum of approximately 74 feet. A total of approximately ~~684~~ 601 parking spaces shall be provided in a combination of underground and structured parking, approximately ~~344~~ 264 of which shall be devoted to residential uses. Building A shall have a maximum lot occupancy of approximately 87%;

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Pursuant to § 2409.3 of the Zoning Regulations, the Applicant shall record a notice of modification of Z.C. Order No. 06-10C among the land records of the District of Columbia. After recordation of the notice of modification, the Applicant shall provide a copy of the same for the records of the Office of Zoning.

On June 30, 2014, upon the motion of Commissioner Cohen, as seconded by Commissioner Miller, the Zoning Commission **ADOPTED** this application by a vote of 4-0-1 (Anthony J. Hood, Marcie I. Cohen, Peter G. May, Robert Miller to adopted; Michael G. Turnbull not present, not voting).

In accordance with the provisions of 11 DCMR § 3028, this Order shall become final and effective upon publication in the *D.C. Register*, that is on September 5, 2014.

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