



District of Columbia

REGISTER

HIGHLIGHTS

- D.C. Council passes Resolution 20-621, Long-Term Care Stabilization Emergency Declaration Resolution of 2014
- D.C. Council schedules a public hearing on Bill 20-902, Omnibus Alcoholic Beverage Regulation Amendment Act of 2014
- D.C. Council schedules an oversight roundtable on the “Update on the 500 Families. 100 Days. Quality DC Housing Now Campaign”
- Board of Elections adds the position of Attorney General to the list of contests on the Primary, General, and Special Election ballots
- Board of Elections notifies public about Initiative Measure “No Worker Shall Make Less Than the Minimum Wage Act of 2016”
- District Department of Transportation sets rules for safeguarding pedestrians and bicyclists on sidewalks

DISTRICT OF COLUMBIA REGISTER

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ENROLLED ORIGINAL

A RESOLUTION

20-595

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 23, 2014

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

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

Sec. 2. (a) Act 20-368, the Fiscal Year 2014 Revised Budget Request Emergency Adjustment Act of 2014, was enacted on June 27, 2014, and expires on September 25, 2014. The act includes important adjustments to the Fiscal Year 2014 budget as well as provisions that are necessary to balance the approved Fiscal Year 2015 budget.

(b) A temporary version of the legislation, Act 20-376, was transmitted to Congress on July 29, 2014, and is currently undergoing congressional review. The temporary legislation is projected to become law on October 7, 2014.

(c) A congressional review emergency is necessary to prevent a gap in the law and to ensure that the Fiscal Year 2014 and 2015 budgets remain balanced.

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

20-596

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 23, 2014

To declare the existence of an emergency, due to congressional review, with respect to the need to amend the District of Columbia Election Code of 1955 to establish that each nominating petition circulator must make and sign an affidavit that states that he or she is a qualified petition circulator as that term is defined in the Election Code.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Board of Elections Nominating Petition Circulator Affidavit Second Congressional Review Emergency Declaration Resolution of 2014”.

Sec. 2. (a) The Board of Elections Nominating Petition Circulator Affidavit Temporary Amendment Act of 2013, effective February 22, 2014 (D.C. Act 20-240; 61 DCR 3464) (“Temporary Act”), will expire on October 3, 2014.

(b) The Nominating Petition Circulator Affidavit Amendment Act of 2014, enacted on July 29, 2014 (D.C. Act 20-386; 61 DCR 8057) (“Permanent Act”), is projected to become law on October 21, 2014.

(c) This congressional review emergency legislation is necessary to prevent a gap in the law between the expiration of the Temporary Act and the effective date of the Permanent Act.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Board of Elections Nominating Petition Circulator Affidavit Second Congressional Review Emergency Amendment Act of 2014 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

20-597

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 23, 2014

To declare that the District-owned real property located at 5201 Hayes Street, N.E., known for tax and assessment purposes as Lot 0809 in Square 5197, is no longer required for public purposes.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “5201 Hayes Street, N.E., Surplus Property Declaration Resolution of 2014”.

Sec. 2. Findings.

(a) The District is the owner of the real property located at 5201 Hayes Street, N.E., known for tax and assessment purposes as Lot 0809, in Square 5197 (the “Property”), and consists of approximately 93,540 square feet of land.

(b) The Property is no longer required for public purposes because the Property’s condition cannot viably accommodate a District agency use or other public use without cost-prohibitive new construction. The most pragmatic solution for reactivating this space is to declare the Property surplus and dispose of the Property for redevelopment.

(c) The District has satisfied the public hearing requirements of section 1(a-1)(4) of An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801(a-1)(4)) (“Act”), by holding a public hearing on March 19, 2013, at the H.D. Woodson Senior High School, located at 540 55th Street, N.E.

Sec. 3. Pursuant to section 1(a-1) of the Act, the Council finds that the Property is no longer required for public purposes.

Sec. 4. Transmittal.

The Council shall transmit a copy of this resolution, upon its adoption, to the Mayor.

Sec. 5. Fiscal impact statement.

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

ENROLLED ORIGINAL

Sec. 6. Effective date.

This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

20-598

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 23, 2014

To approve the disposition of District-owned real property located at 5201 Hayes Street, N.E., known for tax and assessment purposes as Lot 0809 in Square 5197.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “5201 Hayes Street, N.E. Disposition Approval Resolution of 2014”.

Sec. 2. Definitions.

For the purposes of this resolution, the term:

(1) “CBE Agreement” means an agreement governing certain obligations of the Purchaser under the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.01 *et seq.*) (“CBE Act”), including the equity and development participation requirements set forth in section 2349a of the CBE Act (D.C. Official Code § 2-218.49a).

(2) “Certified Business Enterprise” means a business enterprise or joint venture certified pursuant to the Small, Local and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.01 *et seq.*).

(3) “First Source Agreement” means an agreement with the District governing certain obligations of the Purchaser pursuant to section 4 of the First Source Employment Agreement Act of 1984, effective June 29, 1984 (D.C. Law 5-93; D.C. Official Code § 2-219.03), and Mayor’s Order 83-265, dated November 9, 1983, regarding job creation and employment generated as a result of the construction on the Property.

(4) “Property” means the real property located at 5201 Hayes Street, N.E., that is approximately 93,450 square feet of land known for tax and assessment purposes as Lot 0809 in Square 5197.

(5) “Purchaser” means the development team consisting of Pennrose Properties, a limited liability company registered to do business in the District with a business address of 575 S. Charles St Baltimore, Maryland 21201, and the Warrenton Group, a District of Columbia limited liability company, with a business address of 5335 Wisconsin Ave., NW, Suite 440, Washington, DC 20015, its successor, or one of its affiliates or assignees approved by the Mayor.

ENROLLED ORIGINAL

Sec. 3. Approval of disposition.

(a) Pursuant to section 1(b)(8)(F) of An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801(b)(8)(F)) (“Act”), the Mayor transmitted to the Council a request for approval to dispose of the Property through a public or private sale to the bidder providing the most benefit to the District.

(b) The intended use of the Property is a residential development that includes replacement housing for Lincoln Heights/Richardson Dwellings and any ancillary uses allowed under applicable law.

(c) The proposed disposition shall include the following terms and conditions, in addition to any other terms and conditions as the Mayor deems necessary or appropriate:

(1) The Purchaser shall enter into an agreement that shall require the Purchaser to, at a minimum, contract with Certified Business Enterprises for at least 35% of the contract dollar volume of the Project, and shall require at least 20% equity and 20% development participation of Certified Business Enterprises; and

(2) The Purchaser shall enter into a First Source Agreement with the District that shall govern certain obligations of the Purchaser pursuant to section 4 of the First Source Employment Agreement Act of 1984, effective June 29, 1984 (D.C. Law 5-93; D.C. Official Code § 2-219.03), and Mayor’s Order 83-265, dated November 9, 1983, regarding job creation and employment as a result of the construction on the Property.

(d) All documents that are submitted with this resolution pursuant to section 1(b-1) of the Act shall be consistent with the executed Memorandum of Understanding or term sheet transmitted to the Council pursuant to section 1(b-1)(2) of the Act.

(e) The Council finds that the Property is no longer required for public purposes.

(f) The Council approves the disposition of the Property.

Sec. 4. Transmittal of resolution.

The Council shall transmit a copy of this resolution, upon its adoption, to the Mayor.

Sec. 5. Fiscal impact statement.

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

Sec. 6. Effective date.

This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

20-599

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 23, 2014

To declare that the District-owned real property, formerly the site of the R.L. Christian Community Library, located at 1300 H Street, N.E., and known for tax and assessment purposes as Parcels 0097, 0098, 0099, 0100, 0101, 0102, and 0103 in Square 1026, is no longer required for public purposes.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “1300 H Street, N.E., Surplus Property Declaration Resolution of 2014”.

Sec. 2. Findings.

(a) The District is the owner of the real property located at 1300 H Street, N.E., known for tax and assessment purposes as Parcels 0097, 0098, 0099, 0100, 0101, 0102, and 0103 in Square 1026 (“Property”). The Property consists of approximately 10,800 square feet of land.

(b) The Property is no longer required for public purposes because the Property’s condition cannot viably accommodate a District agency use or other public use without cost-prohibitive new construction. The most pragmatic solution for reactivating this space is to declare the Property surplus and dispose of the Property for redevelopment.

(c) The District has satisfied the public hearing requirements of section 1(a-1)(4) of An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801 (a-1)(4)) (“Act”), by holding a public hearing on October 24, 2013, at the Sherwood Recreation Center located at 640 10th Street, N.E.

Sec. 3. Pursuant to section 1(a-1) of the Act, the Council determines that the Property is no longer required for public purposes.

Sec. 4. Transmittal.

The Council shall transmit a copy of this resolution, upon its adoption, to the Mayor.

Sec. 5. Fiscal impact statement.

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

ENROLLED ORIGINAL

Sec. 6. Effective date.

This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

20-600

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 23, 2014

To approve the disposition of District-owned real property formerly known as the site of the R.L. Christian Community Library, located at 1300 H Street, N.E., and known for tax and assessment purposes as Parcels 0097, 0098, 0099, 0100, 0101, 0102, and 0103 in Square 1026.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “1300 H Street, N.E. Disposition Approval Resolution of 2014”.

Sec. 2. Definitions.

For the purposes of this resolution, the term:

(1) “CBE Agreement” means an agreement governing certain obligations of the Purchaser under the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.01 *et seq.*) (“CBE Act”), including the equity and development participation requirements set forth in section 2349a of the CBE Act (D.C. Official Code § 2-218.49a).

(2) “Certified Business Enterprise” means a business enterprise or joint venture certified pursuant to the Small, Local and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.01 *et seq.*).

(3) “First Source Agreement” means an agreement with the District governing certain obligations of the Purchaser pursuant to section 4 of the First Source Employment Agreement Act of 1984, effective June 29, 1984 (D.C. Law 5-93; D.C. Official Code § 2-219.03), and Mayor’s Order 83-265, dated November 9, 1983, regarding job creation and employment generated as a result of the construction on the Property.

(4) “Property” means the real property located at 1300 H Street, N.E., that is approximately 10,800 square feet of land and is known for tax and assessment purposes as Parcels 0097, 0098, 0099, 0100, 0101, 0102, and 0103 in Square 1026.

(5) “Purchaser” means 1300 H Street NE LLC, a District of Columbia limited liability company with a business address of 1519 Connecticut Avenue N.W., Suite 200, Washington, D.C. 20036, its successor, or one of its affiliates or assignees approved by the Mayor.

ENROLLED ORIGINAL

Sec. 3. Approval of disposition.

(a) Pursuant to section 1(b)(8)(F) of An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801(b)(8)(F)) (“Act”), the Mayor transmitted to the Council a request for approval to dispose of the Property through a public or private sale to the bidder providing the most benefit to the District.

(b) The intended use of the Property is a mixed-use residential and retail development and any ancillary uses allowed under applicable law.

(c) The Property shall contain affordable housing as described in the term sheet submitted with this resolution.

(d) The proposed disposition shall include the following terms and conditions, in addition to any other terms and conditions as the Mayor deems necessary or appropriate:

(1) The Purchaser shall enter into an agreement requiring the Purchaser to, at a minimum, contract with Certified Business Enterprises for at least 35% of the contract dollar volume of the Project, and shall require at least 20% equity and 20% development participation of Certified Business Enterprises; and

(2) The Purchaser shall enter into a First Source Agreement with the District that shall govern certain obligations of the Purchaser pursuant to section 4 of the First Source Employment Agreement Act of 1984, effective June 29, 1984 (D.C. Law 5-93; D.C. Official Code § 2-219.03), and Mayor’s Order 83-265, dated November 9, 1983, regarding job creation and employment as a result of the construction on the Property.

(e) All documents that are submitted with this resolution pursuant to section 1(b-1) of the Act shall be consistent with the executed Memorandum of Understanding or term sheet transmitted to the Council pursuant section 1(b-1)(2) of the Act.

(f) The Council finds that the Property is no longer required for public purposes.

(g) The Council approves the disposition of the Property.

Sec. 4. Transmittal of resolution.

The Council shall transmit a copy of this resolution, upon its adoption, to the Mayor.

Sec. 5. Fiscal impact statement.

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

Sec. 6. Effective date.

This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

20-601

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 23, 2014

To confirm the reappointment of Ms. Motoko Aizawa to the Commission on Human Rights.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Commission on Human Rights Motoko Aizawa Confirmation Resolution of 2014”.

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Ms. Motoko Aizawa
2828 Upton Street, N.W.
Washington, D.C. 20008
(Ward 3)

as a member of the Commission on Human Rights, established by section 401 of the Human Rights Act of 1977, effective December 7, 2004 (D.C. Law 15-216; D.C. Official Code § 2-1404.01), in accordance with section 2(e)(8) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(e)(8)), for a term to end December 31, 2016.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

20-602

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 23, 2014

To appoint Dr. Konrad L. Dawson to the Not-for-Profit Hospital Corporation Board of Directors.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Not-for-Profit Hospital Corporation Board of Directors Konrad L. Dawson Appointment Resolution of 2014”.

Sec. 2. The Council of the District of Columbia appoints:

Dr. Konrad L. Dawson, MD, FACS, PC
10515 Aubinoe Farm Drive
Bethesda, MD 20814

as a member of the Not-for-Profit Hospital Corporation Board of Directors, pursuant to section 5115 of the Not-for-Profit Hospital Corporation Establishment Amendment Act of 2011, effective September 14, 2011 (D.C. Law 19-21; D.C. Official Code § 44-951.04), and notwithstanding Rule 277 of the Rules of Organization and Procedure for the Council of the District of Columbia, Council Period 20 (Res. 20-1; 60 DCR 627), for a term to end March 15, 2016.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the appointee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

A RESOLUTION

20-603

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 23, 2014

To confirm the appointment of Mr. Vincent S. Morris to the Board of Library Trustees.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Board of Library Trustees Vincent Morris Confirmation Resolution of 2014".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Vincent S. Morris
332 E. Street, N.E.
Washington, D.C. 20002
(Ward 6)

as a member of the Board of Library Trustees, established by section 4 of An Act To establish and provide for the maintenance of a free public library and reading room in the District of Columbia, approved June 3, 1896 (29 Stat. 244; D.C. Official Code § 39-104), replacing John Hill, for a term to end January 5, 2019.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

20-604

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 23, 2014

To confirm the appointment of Ms. Karma A. Cottman to the Board of Library Trustees.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Board of Library Trustees Karma Cottman Confirmation Resolution of 2014".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Karma A. Cottman
3420 Texas Avenue, S.E.
Washington, D.C. 20020
(Ward 7)

as a member of the Board of Library Trustees, established by section 4 of An Act To establish and provide for the maintenance of a free public library and reading room in the District of Columbia, approved June 3, 1896 (29 Stat. 244; D.C. Official Code § 39-104), replacing Bonnie Cohen, for a term to end January 5, 2016.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

20-605

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 23, 2014

To confirm the appointment of Mr. Enrique Cruz to the Public Charter School Board.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Public Charter School Board Enrique Cruz Confirmation Resolution of 2014".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Enrique Cruz
2835 Hurst Terrace, N.W.
Washington, D.C. 20016
(Ward 3)

as a member of the Public Charter School Board, established by section 2214 of the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321; D.C. Official Code § 38-1802.14), for a term to end February 24, 2018.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

20-606

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 23, 2014

To declare the existence of an emergency with respect to the need to approve Change Order Nos. 001 through 003 to the Contract for construction services for the renovation and modernization of the Office of Cable Television, Contract DCAM-13-CS-0003, and to authorize payment to GCS, Inc., in the aggregate amount of \$1,625,115.15 for the goods and services received and to be received under these change orders.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Change Order Nos. 001 through 003 to Contract No. DCAM-13-CS-0003 Approval and Payment Authorization Emergency Declaration Resolution of 2014".

Sec. 2.(a) There exists an immediate need to approve Change Order Nos. 001 through 003 to Contract No. DCAM-13-CS-0003 for additional construction services required to complete the renovation and modernization of the Office of Cable Television in the aggregate amount of \$1,625,115.15, and to authorize payment for the goods and services received and to be received from GCS, Inc., under these change orders.

(b) The underlying contract was previously approved by the Council (CA20-93). During the contract's first 12- month period, from March 1, 2013, through February 28, 2014, the Department issued Change Order Nos. 001 and 001A. The aggregate value of these change orders was \$315,221.15, which is less than \$1 million, and therefore did not require Council approval.

(c) During the contract's second 12- month period, from March 1, 2014, through February 28, 2015, the Department executed Change Order No. 002 in the amount of \$899,830.00. The proposed Change Order 003 in the amount of \$410,000 will cause the aggregate value of change orders issued, during the second 12-month period of the contract, to exceed \$1 million; thus, Council approval is required.

(d) The proposed Change Order No. 003, in the amount of \$410,000, will increase the aggregate value of Change Order Nos. 001 through 003 to \$1,625,115.15.

(e) Council approval of Change Order Nos. 002 and 003 in the aggregate amount of \$1,309,930.00 is required pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), because the change orders will increase the total expenditures under the Contract by an amount in excess of \$1 million during a 12-month period.

ENROLLED ORIGINAL

(f) In addition, Council approval is necessary to compensate GCS, Inc., for work completed and to be completed under Change Order Nos. 002 and 003 to Contract No. DCAM-13-CS-0003.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Change Order Nos. 001 through 003 to Contract No. DCAM-13-CS-0003 Approval and Payment Authorization Emergency Act of 2014 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

20-607

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 23, 2014

To confirm the appointment of Mr. Matthew T. Brown as the Director of the District Department of Transportation.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Director of the District Department of Transportation Matthew T. Brown Confirmation Resolution of 2014”.

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Matthew T. Brown
1228 C Street, S.E.
Washington, D.C. 20003
(Ward 6)

as the Director of the District Department of Transportation, established by section 2 of the Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.01), in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), to serve at the pleasure of the Mayor.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

20-608

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 23, 2014

To confirm the appointment of Mr. Matthew T. Brown as an alternate member of the District of Columbia Water and Sewer Authority Board of Directors.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Water and Sewer Authority Board of Directors Matthew T. Brown Confirmation Resolution of 2014".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Matthew T. Brown
1228 C Street, S.E.
Washington, D.C. 20003
(Ward 6)

as an alternate member of the Board of Directors of the District of Columbia Water and Sewer Authority, in accordance with section 204 of the Water and Sewer Authority Establishment and Department of Public Works Reorganization Act of 1996, effective April 18, 1996 (D.C. Law 11-111; D.C. Official Code § 34-2202.04), replacing Terry Bellamy, for a term to end September 12, 2015.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

20-609

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 23, 2014

To declare the existence of an emergency with respect to the need to amend the Tenant Opportunity to Purchase Act of 1980 to clarify the tenant opportunity to purchase in the case of the sale of multi-unit housing for the purposes of demolition, or a notice of discontinuance of housing use, or a notice of discontinuance of subsidized housing.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Tenant Opportunity to Purchase Emergency Declaration Resolution of 2014”.

Sec. 2.(a) Pursuant to the Tenant Opportunity to Purchase Act of 1980 (“Tenant Opportunity to Purchase Act”) tenants of multi-unit housing must be given the first opportunity to purchase the property at a price and terms that are in fact a bona fide offer of sale.

(b) On July 10 of this year, it was learned that the owner of a 302-unit, project-based Section 8 housing accommodation is selling this property. Pursuant to the Tenant Opportunity to Purchase Act, the owner offered the property to the tenants to purchase. The purchase price: \$250 million, more than 7 times the assessed value of \$36 million.

(c) For the right of tenants to purchase their homes under the Tenant Opportunity to Purchase Act to be more than a charade, for it to be a bona fide offer as the law intended, an owner’s offered sale price must be fair and genuine.

(d) Given the imminent loss of these 302 subsidized housing units, and, at the same time, the effort to house 500 currently homeless families falling short, it is imperative that the Council act immediately to amend the Tenant Opportunity to Purchase Act to set reasonable parameters and define what a bona fide offer means.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Tenant Opportunity to Purchase Emergency Amendment Act of 2014 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

20-610

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 23, 2014

To declare the existence of an emergency with respect to the need to authorize the Mayor to solicit advertisements and sponsorships to generate revenue for the District of Columbia Public Schools and the Annual District of Columbia Interscholastic Athletic Association Championship Turkey Bowl game.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Turkey Bowl Revenue Generation and Sponsorship Emergency Declaration Resolution of 2014".

Sec. 2. (a) The District of Columbia Public Schools ("DCPS") anticipates budgetary challenges that constrain it from promoting the Annual District of Columbia Interscholastic Athletic Association Championship Turkey Bowl game ("Turkey Bowl") in a manner that would permit it to maximize turnout and showcase its championship game. In the past, DCPS has solicited advertising from parents, family members, and friends of the student athletes to support the game.

(b) Due to longstanding restrictions against commercial advertising involving District property, sponsorships may not be solicited or accepted as a donation absent specific legislative authority.

(c) There is precedent for this type of public-private partnership initiative. In 2012, the Council authorized the DC State Athletic Office to engage in sponsorship and fundraising activity, pursuant to the District of Columbia State Athletic Activities, Programs, and Office Fund Emergency Act of 2012, effective February 1, 2013 (D.C. Act 19-770; 60 DCR 1074). In 2011, the Council enacted the Turkey Bowl Revenue Generation and Sponsorship Emergency Act of 2011, effective October 14, 2011 (D.C. Act 19-191; 58 DCR 9152), authorizing the Mayor to solicit advertisements and sponsorships under a 1 to 3 year contract to generate revenue for DCPS and the Turkey Bowl. The Council also authorized the Department of Parks and Recreation ("DPR") to contract for advertisements and sponsorships for facilities within the DPR inventory from unspecified partners in Title VI, Subtitle E of the Fiscal Year 2012 Budget Support Act of 2011, effective July 22, 2011 (D.C. Law 19-21; 58 DCR 6226), for the same reasons.

(d) The Mayor estimates that authorizing paid sponsorships will result in much-needed revenue to supplement existing funds to keep, and possibly expand, the Turkey Bowl and other DCPS sports activities.

(e) If the emergency legislation is not adopted, Turkey Bowl sponsorship opportunities will be lost because the game is scheduled to be played in November 2014.

ENROLLED ORIGINAL

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Turkey Bowl Revenue Generation and Sponsorship Emergency Act of 2014 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

20-611

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 23, 2014

To declare the existence of an emergency with respect to the need to amend the Business Improvement Districts Act of 1996 to update the laws concerning business improvement districts.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Business Improvement Districts Emergency Declaration Resolution of 2014”.

Sec. 2. (a) The emergency legislation is necessary to allow business improvement districts to implement changes pursuant to the Business Improvement District Amendment Act of 2014, passed on 2nd reading on September 23, 2014 (Enrolled version of Bill 20-203), before the beginning of Fiscal Year 2015.

(b) The amendments made by this legislation will allow the business improvement districts to update their bylaws and other measures as well as partake in updated payment methods. The legislation also contains updated definitions of what properties are taxable as well as updated taxation procedures.

(c) The changes made in the legislation will allow the business improvement districts to incorporate different property types as well as incorporate adjacent properties along with the changes to meeting protocol and payment options.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Business Improvement Districts Emergency Amendment Act of 2014 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

20-612

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 23, 2014

To declare the existence of an emergency with respect to the need for the Council to state that the Mayor make it a top priority of this government for District agencies to strive to meet their small business enterprise expenditure goals through the fourth quarter of Fiscal Year 2015.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Sense of the Council in Support of District Agencies Compliance with SBE Expenditure Goals Emergency Declaration Resolution of 2014”.

Sec. 2. (a) The Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.01 *et seq.*), mandates that District agencies procure 50% of their expendable budget for goods and services from small business enterprise (“SBE”) each fiscal year.

(b) The Department of Small and Local Business Development (“DSLBD”) is tasked with enforcing compliance with SBE contracting and procurement goals.

(c) The Office of the District of Columbia Auditor on September 3, 2014, published the “District of Columbia Agencies’ Compliance with Fiscal Year 2014 Small Business Enterprise Expenditure Goals through the 3rd Quarter of Fiscal Year 2014” report.

(d) The results found in the report were discouraging, and reveal the District government has not been following the requirements of the law.

(e) According to DSLBD’s QuickBase database, as of August 14, 2014, the 82 District agencies had a total Fiscal Year 2014 reported appropriated budget of \$10,409,072,337 and a total reported expendable budget for goods and services of \$990,204,474.

(f) Based on the expendable budget of \$990,204,474, the Fiscal Year 2014 SBE expenditure goal for the 82 agencies was \$495,102,237.

(g) The 82 agencies as a whole spent only \$83,884,615 with SBEs through the third quarter of Fiscal Year 2014, only 17% towards the \$495,102,237 total Fiscal Year 2014 SBE expenditures goal for all of the 82 agencies.

(h) The Fiscal Year 2014 expenditure exhibits a decline in SBE expenditure compliance for District agencies and demonstrates a regressive financial state for the small business community.

ENROLLED ORIGINAL

(i) In 2002, \$300 million was spent with the small business community; in 2003, \$410 million was spent with the small business community; in 2004, \$424 million was spent with the small business community; in 2005, \$481 million was spent with the small business community. Nearly a decade later, despite the District's immense economic growth, less money is being circulated within the small business community.

(j) District agencies have chronically fallen short of meeting their expenditure goals for 3 consecutive years, dating back to Fiscal Year 2011; in Fiscal Year 2011, 45% of the expenditures goal was met, in Fiscal Year 2012, 20% of the expenditures goal was met, in Fiscal Year 2013, 34% of the expenditures goal was met. To date, in Fiscal Year 2014, 17% of the goal has been met.

(k) District agency SBE expenditure goals for fiscal years 2011, 2012, and 2013 were a combined \$1,409,066,100 but District agencies spent only \$413,211,178 for fiscal years 2011, 2012, and 2013, resulting in nearly \$1 billion unspent with the SBE community for fiscal years 2011 through 2013.

(l) It is important for the Council to remain cognizant of this issue and adopt the Sense of the Council resolution on an emergency basis to make clear to the Mayor that it must be a top priority of this government that District agencies strive to meet their SBE expenditure goals through the fourth quarter of Fiscal Year 2015.

(m) It is the sense of the Council that the executive branch should commence spending on October 1, 2014, and monitor the spending through September 30, 2015, to ensure that all District agencies are meeting their SBE expenditure goals.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Sense of the Council in Support of District Agencies Compliance with SBE Expenditure Goals Emergency Resolution of 2014 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

20-613

THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 23, 2014

To declare, on an emergency basis, the sense of the Council that the Mayor make it a top priority of this government for District agencies to strive to meet their small business enterprise expenditure goals through the fourth quarter of Fiscal Year 2015.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Sense of the Council in Support of District Agencies Compliance with SBE Expenditure Goals Emergency Resolution of 2014”.

Sec. 2. (a) The Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.01 *et seq.*), mandates that District agencies procure 50% of their expendable budget for goods and services from small business enterprise (“SBE”) each fiscal year.

(b) The Department of Small and Local Business Development (“DSLBD”) is tasked with enforcing compliance with SBE contracting and procurement goals.

(c) The Office of the District of Columbia Auditor on September 3, 2014, published the “District of Columbia Agencies’ Compliance with Fiscal Year 2014 Small Business Enterprise Expenditure Goals through the 3rd Quarter of Fiscal Year 2014” report.

(d) The results found in the report were discouraging and reveal that the District government has not been following the requirements of the law.

(e) According to DSLBD’s QuickBase database, as of August 14, 2014, the 82 District agencies had a total Fiscal Year 2014 reported appropriated budget of \$10,409,072,337 and a total reported expendable budget for goods and services of \$990,204,474.

(f) Based on the expendable budget of \$990,204,474, the Fiscal Year 2014 SBE expenditure goal for the 82 agencies was \$495,102,237.

(g) The 82 agencies as a whole spent only \$83,884,615 with SBEs through the third quarter of Fiscal Year 2014, only 17% towards the \$495,102,237 total Fiscal Year 2014 SBE expenditures goal for all of the 82 agencies.

ENROLLED ORIGINAL

(h) The Fiscal Year 2014 expenditure exhibits a decline in SBE expenditure compliance for District agencies and demonstrates a regressive financial state for the small business community.

(i) In 2002, \$300 million was spent with the small business community; in 2003, \$410 million was spent with the small business community; in 2004, \$424 million was spent with the small business community; in 2005, \$481 million was spent with the small business community. Nearly a decade later, despite the District's immense economic growth, less money is being circulated within the small business community.

(j) District agencies have chronically fallen short of meeting their expenditure goals for 3 consecutive years, dating back to Fiscal Year 2011; in Fiscal Year 2011, 45% of the expenditures goal was met, in Fiscal Year 2012, 20% of the expenditures goal was met, in Fiscal Year 2013, 34% of the expenditures goal was met. To date, in Fiscal Year 2014, 17% of the goal has been met.

(k) District agencies SBE expenditure goals for fiscal years 2011, 2012, and 2013 were a combined \$1,409,066,100 but District agencies spent only \$413,211,178 for fiscal years 2011, 2012, and 2013, resulting in nearly \$1 billion unspent with the SBE community for fiscal years 2011 through 2013.

(l) It is important for the Council to remain cognizant of this issue and pass this resolution on an emergency basis to make clear to the Mayor that it must be a top priority of this government that District agencies strive to meet their SBE expenditure goals through the fourth quarter of Fiscal Year 2014.

Sec. 3. It is the sense of the Council that:

(1) The executive branch should commence spending on October 1, 2014, and monitor the spending through September 30, 2015, to ensure that all District agencies are meeting their SBE expenditure goals.

(2) All 82 District agencies should strive to meet their SBE expenditure goals and that strict compliance with the law will be beneficial to the District's small business community, beneficial to the citizens of the District, and will create more jobs and stimulate the economy of the District.

Sec. 4. The Chairman of the Council shall transmit a copy of this resolution, upon its adoption, to the Mayor.

Sec. 5. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

20-614

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 23, 2014

To declare the existence of an emergency with respect to the need to amend the District of Columbia Workers' Compensation Act of 1979 to match the federal statute of limitations for private-sector employees who are injured at work.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Workers' Compensation Statute of Limitations Second Emergency Declaration Resolution of 2014".

Sec. 2. (a) Previously, under District law, a private-sector employee who was injured on the job had only 6 months to file a lawsuit against the party responsible for the employee's injury. After 6 months, the injured worker's rights to recover damages were automatically assigned to the employee's employer and its insurance company.

(b) A 6-month time limit to file a lawsuit is often too short for District residents who are injured on the job to investigate cases and deal with significant life issues following their at-work accidents. Moreover, the injured worker's employer and the employer's insurance company may not take action or have the interests of the injured worker in mind when doing so.

(c) If an individual were injured in a District location other than a workplace, the individual would have 3 years to file a lawsuit against the party responsible for the injury, as the standard 3-year statute of limitations for negligence would apply.

(d) The District's private-sector workers compensation statute, which was enacted in 1979, was modeled on the federal Longshore and Harbor Workers' Compensation Act ("LHWCA").

(e) In 1984, Congress changed the corresponding section of the LHWCA. Under federal law, if an injured employee does not file a lawsuit within 6 months, the employee's rights to do so are still automatically assigned to the employee's employer and its insurance company; however, if the employer and its insurance company do not take action within 90 days, the right to sue automatically reverts back to the injured employee.

(f) Although the District's private-sector workers compensation statute was modeled on the LHWCA, the District statute was never amended to reflect the 1984 amendment to the LHWCA. Because of this, District residents who are injured on the job have only 6 months to

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file a lawsuit, while residents who are injured outside of the workplace have 3 years to commence legal action.

(g) As a result of this inequity, the Council previously enacted emergency and temporary legislation that amended the District's private-sector workers' compensation statute to match the federal law on which it was based. On June 23, 2014, the Council enacted Bill 20-786, the Workers' Compensation Statute of Limitations Temporary Amendment Act of 2014; however, due to delays in the congressional calendar, the effective date for Bill 20-786 was delayed until September 9, 2014. The previous emergency legislation, Bill 20-785, the Workers' Compensation Statute of Limitations Emergency Amendment Act, expired on August 20, 2014, leaving a gap during which an injured worker would not be covered by the revised statute of limitations. Under this new emergency legislation, Bill 20-925, the Workers' Compensation Statute of Limitations Second Emergency Amendment Act of 2014, workers injured in the gap period will retroactively receive the full 3-year statute of limitations to bring their claim.

(h) This emergency legislation would amend the private-sector workers' compensation statute to match the federal law on which it was based. With this change, if an injured employee does not file a lawsuit against the party responsible for the employee's injury within 6 months, the right to sue will still automatically transfer to the employee's employer and its insurance company; however, as under federal law, if the employer and its insurance company do not take action within 90 days, the right to sue will revert back to the injured employee, and the District's standard 3-year statute of limitations will apply.

(i) In addition to matching federal law, this emergency legislation would make the District's statute of limitations for injured workers similar to laws in neighboring jurisdictions. In Maryland, the statute of limitations for injured workers to file suit is 3 years. In Virginia, the statute of limitations is 2 years.

(j) This emergency legislation is necessary to provide a fair opportunity for injured employees to recover damages for injuries that they have received.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Workers' Compensation Statute of Limitations Second Emergency Amendment Act of 2014 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

20-615

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 23, 2014

To declare the existence of an emergency with respect to the need to amend the Firearms Control Regulations Act of 1975 to permit individuals to register a firearm for self-defense in their place of business, to provide a Freedom of Information Act exception, to specify application requirements for applying for a license to carry a concealed pistol, to specify the duration of such licenses and requirements for renewal of licenses, to establish duties of licensees, to provide for revocation of licenses, to create a criminal offense of carrying while impaired, to specify prohibitions on licensees, to establish a Concealed Pistol Licensing Review Board, to specify penalties for violations, and to require the Mayor to issue rules; and to amend An Act To control the possession, sale, transfer and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of evidence, and for other purposes to authorize the Chief of Police to issue licenses to carry a concealed pistol to District residents and non-residents provided certain conditions are met.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “License to Carry a Pistol Emergency Declaration Resolution of 2014”.

Sec. 2. (a) On July 24, 2014, the United States District Court for the District of Columbia (“Court”) issued a decision in the case of *Palmer v. District of Columbia*, finding the District’s complete ban on the carrying of handguns in public is unconstitutional. This order was made public on July 26, 2014.

(b) The Court’s ruling enjoined the District from enforcing local law prohibiting the carrying of firearms in public by District residents, and by non-residents based solely on the fact that they are not residents of the District of Columbia.

(c) On July 28, 2014, the District filed a motion to stay the Court’s ruling pending appeal or, in the alternative, for 180 days. The District also asked the Court to grant an immediate stay of its ruling while it evaluated this motion.

(d) In response, on July 29, 2014, the Court granted the District’s motion for a stay, for 90 days or until October 22, 2014, in order to allow the Council an opportunity to enact legislation consistent with the *Palmer* ruling.

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(e) The License to Carry a Pistol Emergency Amendment Act of 2014, passed on emergency basis on September 23, 2014 (Enrolled version of Bill 20-926), reflects the Council's response to the *Palmer* case.

(f) This legislation will create a scheme for the Chief of Police to issue licenses to carry concealed pistols in the District to both residents and nonresidents.

(g) A permanent version of this legislation will be introduced simultaneously, in order to allow the public full opportunity to comment on the measure with sufficient time for Council approval before the end of the Council Period.

(h) Enacting Bill 20-926, the License to Carry a Pistol Emergency Amendment Act of 2014, immediately will ensure that the District has a system in place for law-abiding and qualifying residents and nonresidents of the District to apply to carry a concealed pistol in compliance with the Court's order in *Palmer*, and pending the approval of permanent legislation.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the License to Carry a Pistol Emergency Amendment Act of 2014 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

20-616

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 23, 2014

To declare the existence of an emergency with respect to the need to clarify the boundaries of the Georgia Avenue Priority Area.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Georgia Avenue Great Streets Neighborhood Retail Priority Area Emergency Declaration Resolution of 2014”.

Sec. 2. (a) In November, 2009, at the request of the 14th Street Block group, Councilmember Bowser, joined by former Mayor Adrian Fenty, community stakeholders, and District government agencies, participated in a walk-thru along the 14th Street, N.W., corridor from Spring Road to Longfellow Street to begin a strategy for improvements along this section of Ward 4.

(b) The community identified a number of safety improvements needed, including lights, crosswalks, intersections, and stop signs, as well as improvements needed for business façades, vacant properties, new businesses, transportation, and residential properties.

(c) The District’s Office of Planning, including Gizachew Andargeh, Malaika Abernathy, and Tarek Bolden, led a small area planning process with a variety of stakeholders including Advisory Neighborhood Commissioners and civic leaders, property owners, business tenants, residents, and District government agencies to determine how best to revitalize the corridor over the next 5-10 years.

(d) The community engagement process was extensive; over 50 public meetings were held.

(e) The following were active participants and key to the development of the Central 14th Street Vision Plan and Revitalization Strategy Plan: Advisory Neighborhood Commission 4C and 4A; the 14th Street Block Group; representatives from the 16th Street Heights Civic Association; the Brightwood Community Association; Friends of 16th Street Heights Parks; the Crestwood Civic Association; and key involvement from business representatives including members of the 14th Street Uptown Business Association.

(f) This 2.5-year process resulted in a plan that provides guidance on land use, zoning, urban design, and connectivity and is intended to direct economic growth along 14th Street, N.W., by improving neighborhood retail choices and amenities; specifically targeting 3 very distinct commercial nodes.

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(g) On October 22, 2012, the Council held a public hearing, and on November 15, 2012, the plan was approved.

(h) To help implement the plan, the Council approved an expansion of the Georgia Avenue Retail Priority Area to include 2 of the 3 distinct commercial nodes, but the legislation inadvertently excluded the 3rd node.

(i) Emergency legislation is necessary to include the 3rd commercial node within the Georgia Avenue Priority Area thus making businesses in this node eligible for Great Streets Small Business Capital Improvement Grants.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Georgia Avenue Great Streets Neighborhood Retail Priority Area Emergency Amendment Act of 2014 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

20-617

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 23, 2014

To declare the existence of an emergency with respect to the need to amend the Rental Housing Act of 1985 to limit the amount of a hardship petition conditional rent increase to 5% of the rent charged, and to require that a rent adjustment be repaid by a housing provider to a tenant within 21 days of a conditional increase being amended.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Rent Control Hardship Petition Limitation Emergency Declaration Resolution of 2014”.

Sec. 2. (a) The District’s rent control regime is established by the Rental Housing Act of 1985; approximately 79,000 housing units are subject to the law, accounting for 66% of the rental housing stock in the District.

(b) For units subject to rent control, annual rent increases are limited to a maximum of 10% for most tenants and 5% for seniors and individuals with disabilities.

(c) However, under the hardship petition process, a housing provider can apply to the Rent Administrator at the Department of Housing and Community Development to raise rents by more than the standard increase in order to achieve a 12% rate of return on the housing provider’s investment in the building.

(d) The hardship petition requires the housing provider to submit a schedule of income and expenses, which the Rent Administrator can use to calculate a new rent based on the 12% rate of return.

(e) If a hardship petition isn’t decided within 90 days, the housing provider can automatically start collecting the rent for which the housing provider originally applied.

(f) Hardship petitions are rarely decided within the 90-day time period; consequently conditional increases are frequently granted that result in rent increases of 50% to 100%.

(g) These rent increases place a significant burden on low-income renters, increasing the likelihood of displacement.

(h) In one example, tenants of a building in Ward 7 were charged a 34% increase and were threatened with eviction if they did not pay. Tenants were forced to file a lawsuit challenging the increase based on numerous housing code violations, and the dispute was prolonged for more than 4 years, during which time the higher rents were paid into a court-mandated escrow account to the satisfaction of neither side.

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(i) A conditional increase may be reversed, though it is often too late for tenants who have been displaced by rent increases that housing providers were ultimately not authorized to charge.

(j) More than 88 hardship petitions were filed between 2007 and 2013, significantly raising the rent on thousands of residents as a result.

(k) Without swift action by the Council to counter opportunities for abuse, additional tenants could be priced out of their homes.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Rent Control Hardship Petition Limitation Emergency Amendment Act of 2014 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

20-618

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 23, 2014

To declare the existence of an emergency with respect to the need to approve the commemorative work on Reservation 157 to be known as the Carter G. Woodson Memorial.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Carter G. Woodson Memorial Commemorative Work Emergency Declaration Resolution of 2014”.

Sec. 2. (a) On May 28, 2014, Chairman Phil Mendelson, at the request of the Mayor, introduced PR 20-808, the Chuck Brown Memorial, Carter G. Woodson Memorial, and Metro Memorial Park Commemorative Works Approval Resolution of 2014. That legislation was referred to the Committee of the Whole, which held a hearing on the resolution on July 2, 2014.

(b) The proposed Carter G. Woodson Memorial contained in PR 20-808 has received necessary approvals from all relevant local and federal boards and commissions, including the Commission on the Arts and Humanities, the National Capital Memorial Advisory Committee, the National Capital Planning Commission, the Commission of Fine Arts, the local Advisory Neighborhood Commission 6E, and the Commemorative Works Committee.

(c) The Carter G. Woodson Memorial would be located at the corner of Rhode Island Avenue and 9th Street, N.W., near the Carter G. Woodson House National Historic Site being developed as a new park unit by the National Park Service.

(d) The memorial will honor Carter G. Woodson, who was an African-American historian, author, and journalist and who was one of the first scholars to study African American history and is considered the father of black history. He moved to Washington, D.C., in 1895, graduated from Douglass High School in 1897, taught in D.C. Public Schools, served as Dean of the College of Arts and Sciences at Howard University, and lived at 1538 9th Street, N.W., from 1915 until his death in 1950.

(e) The proposed memorial design will include an interactive sculpture of Carter G. Woodson seated on a circular stone bench, surrounded by a paved plaza, and set within a landscaped, triangle park.

(f) Because all necessary approvals have been obtained, funding has been identified, planning for the Memorial is well underway, and because of the need to order materials to complete the memorial park as soon as possible before the winter months, the memorial should be approved.

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(g) PR 20-808 contained approvals for 2 other memorials, one of which was passed by the Council on an emergency basis on July 14, 2014, and the other which has not yet received all necessary approvals from local and federal entities. PR 20-808, however, cannot be adopted only in part to approve the Carter G. Woodson Memorial. Because of procedural and time constraints, the Council could not act to consider another resolution in a timely manner.

(h) Approval of emergency legislation will allow the development of the Carter G. Woodson memorial to proceed in the fall.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Carter G. Woodson Commemorative Works Emergency Approval Act of 2014 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

20-619

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 23, 2014

To declare the existence of an emergency with respect to the need to symbolically designate the public alley in Square 2655, bounded by Colorado Avenue, N.W., and Blagden Avenue, N.W., in Ward 4, as Zion Baptist Church Way.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Zion Baptist Church Way Emergency Declaration Resolution of 2014”.

Sec. 2. (a) On February 10, 2014, Bill 20-683, the Zion Baptist Church Way Designation Act of 2014, was introduced by Councilmember Bowser. Bill 20-683 would symbolically designate the public alley in Square 2655, bounded by Colorado Avenue, N.W., and Blagden Avenue, N.W., in Ward 4, as Zion Baptist Church Way. That legislation was referred to the Committee of the Whole, which held a hearing on the bill on July 2, 2014.

(b) Zion Baptist Church has long served not only the Ward 4 community where it is located, but residents across the District of Columbia. For 30 years, the church has partnered with the District Office on Aging to provide senior daycare services for District residents at the Genevieve N. Johnson Senior Day Care Center near the church on Blagden Avenue. It has also worked with other organizations across the city to meet the needs of the community.

(c) Zion Baptist Church has been a community fixture 52 years at its current location, as well as throughout its history. The congregation plans to celebrate its 150-year anniversary on Sunday, September 28, 2014.

(d) The Committee of the Whole marked up Bill 20-683 at its regular meeting on September 23, 2014, and the measure is on the consent agenda for first reading for a legislative meeting following the Committee of the Whole.

(e) Approval of emergency legislation will allow the symbolic designation of the alley to coincide with its sesquicentennial celebration.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Zion Baptist Church Way Emergency Designation Act of 2014 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

20-620

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 23, 2014

To declare the existence of an emergency with respect to the need to amend the District of Columbia Municipal Regulations to allow a student with disabilities attending a private school to play on a District of Columbia Public Schools (“DCPS”) sports team if the student has played with the team for at least 2 years and resides within the DCPS school’s boundary.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “DCPS Football for Special Needs Students Regulation Emergency Declaration Resolution of 2014”.

Sec. 2. Findings.

(a) The purpose of this emergency legislation is to hold harmless 2 students with learning disabilities who are being unfairly penalized for a mistake made by the District of Columbia Public Schools (“DCPS”). For the past 2 seasons, DCPS has allowed 2 students with learning disabilities who attend a special education school that does not offer football to play on the football team of Woodrow Wilson High School (“Wilson”), the students’ in-boundary DCPS high school. The District’s State Athletic Rules expressly permit DCPS to let students with learning disabilities to play for Wilson. 5 DCMR § 2701.12(c). The rules even allow DCPS to charge the parents for the cost of playing on the team, so that allowing the students to pay does not cost the District anything. *Id.* Unfortunately, this year, DCPS kicked the students off of the team the day of their first game.

(b) DCPS’s position is that whether the students can play for Wilson depends solely upon who is paying the tuition for them to attend the special education school. If DCPS is paying their tuition, DCPS would allow the students to play for Wilson. Here, however, because the parents are paying the students’ tuition (thus, saving the District tens of thousands of dollars per year), the students cannot play for Wilson. Unfortunately, DCPS did not follow its own policy and allowed these students to play for Wilson for the past 2 seasons.

(c) This emergency legislation would not change DCPS’ policy. DCPS could maintain this questionable practice if it so chooses. This bill simply grandfathers in the 2 students who have been playing for Wilson for the past 2 seasons and allows them to remain on the team until they graduate. DCPS is at fault for not following its own policy and allowing these students with

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disabilities to play for Wilson for the past 2 years, and these students should not be punished for DCPS' mistake.

(d) Organized sports can have profound benefits for students with disabilities. Playing sports can boost their confidence and self-esteem and can help advance their development. It improves their coordination and range of motion. Additionally, by being part of a sports team, a quintessential experience of youth, these children can have a sense of normalcy. Moreover, increased integration with the broader community and children with different backgrounds benefits the development and wellness of children with disabilities.

(e) This emergency legislation is narrowly tailored and precisely limited to simply hold harmless the 2 students with special needs who have been playing for Wilson for the past 2 years and who through no fault of their own have been kicked off the team that they love. They live within the Wilson boundary and but for their need for special education would attend Wilson.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the DCPS Football for Special Needs Students Regulation Emergency Amendment Act of 2014 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

20-621

COUNCIL OF THE DISTRICT OF COLUMBIA

September 23, 2014

To declare the existence of an emergency with respect to the need to amend the Health Services Planning Program Re-establishment Act of 1996 to exempt from the certificate of need requirements a change in ownership of the Specialty Hospital of Washington; and to provide the authority for the appointment of a receiver of a hospital.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Long-Term Care Stabilization Emergency Declaration Resolution of 2014”.

Sec. 2. (a) The Specialty Hospital of Washington is in financial difficulty that may result in bankruptcy protection while it reorganizes, possible sale to another owner, or dissolution.

(b) Enactment of the Long-Term Care Stabilization Emergency Amendment Act of 2014, passed on an emergency basis on September 23, 2014 (Enrolled version of Bill 20-859) will protect fragile long-term care patients from disruption of their care.

(c) Enactment of the Long-Term Care Stabilization Emergency Amendment Act of 2014 will expedite the transfer of ownership of the Specialty Hospital of Washington to another owner with minimal impact on patient care.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Long-Term Care Stabilization Emergency Amendment Act of 2014 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE OF INTENT TO ACT ON NEW LEGISLATION

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

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

COUNCIL OF THE DISTRICT OF COLUMBIA**PROPOSED LEGISLATION****BILLS**

- | | |
|---------|---|
| B20-898 | Adoption Fee Amendment Act of 2014

Intro. 07-14-14 by Chairman Mendelson and re-referred to the Committee of the Whole |
| B20-954 | Metropolitan Police Department Command Staff Exempt Time Off Amendment Act of 2014

Intro. 9-30-14 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Judiciary and Public Safety |
| B20-955 | Closing of a Portion of Manchester Lane adjacent to Square 2742, S.O. 08- 3083, Act of 2014

Intro. 10-2-14 by Chairman Mendelson at the request of the Mayor and referred to the Committee of the Whole |
-

B20-966 Turkey Bowl Revenue Generation and Sponsorship Act of 2014
Intro. 10-7-14 by Chairman Mendelson and referred to Committee of the Whole with comments from the Committee on Education

B20-967 Cashell Alley Designation Act of 2014
Intro. 10-7-14 by Chairman Evans and referred to the Committee of the Whole

RESOLUTIONS

PR20-1059 Construction Codes Amendment Approval Resolution of 2014
Intro. 9-30-14 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Business, Consumer, and Regulatory Affairs

PR20-1062 Metropolitan Police Department Captain and Lieutenant Shift Differential Approval Resolution of 2014
Intro. 9-30-14 by Chairman Mendelson at the request of the Mayor and referred to the Committee of the Whole with comments from the Committee on Judiciary and Public Safety

PR20-1063 Interest Arbitration Award between the University of the District of Columbia and the University of the District of Columbia Faculty Association Approval Resolution of 2014
Intro. 10-2-14 by Chairman Mendelson at the request of the Mayor and referred to the Committee of the Whole

PR20-1071 Board of Social Work Anne M. Selee Confirmation Resolution of 2014
Intro. 10-3-14 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Health

PR20-1072 Board of Social Work Velva R. T. Spriggs Confirmation Resolution of 2014
Intro. 10-3-14 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Health

PR20-1073 Board of Social Work Michelle Y. Rose Confirmation Resolution of 2014
Intro. 10-3-14 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Health

PR20-1074 Board of Marriage and Family Therapy Sheila A. Holt
Confirmation Resolution of 2014
Intro. 10-3-14 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Health

PR20-1075 Washington Convention and Sports Authority Board of Directors
Cheryle Doggett Confirmation Resolution of 2014
Intro. 10-3-14 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Finance and Revenue

PR20-1076 Washington Convention and Sports Authority Board of Directors
Linda Greenan Confirmation Resolution of 2014
Intro. 10-3-14 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Finance and Revenue

PR20-1077 Washington Convention and Sports Authority Board of Directors William
Hall Confirmation Resolution of 2014
Intro. 10-3-14 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Finance and Revenue

PR20-1078 District of Columbia Auditor Kathleen Patterson Appointment Approval of
2014

Intro. 10-7-14 by Chairman Mendelson and referred to the Committee of the
Whole

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

1350 Pennsylvania Avenue, NW, Washington, DC 20004

REVISED

CHAIRMAN PHIL MENDELSON
COMMITTEE OF THE WHOLE
ANNOUNCES A PUBLIC HEARING

on

Bill 20-261, Lawrence Guyot Way Designation Act of 2014

Bill 20-722, Percy Battle Way Designation Act of 2014

Bill 20-831, D.C. No Taxation Without Representation Way Designation Act of 2014

Bill 20-893, D.C. Statehood Now Boulevard Designation Act of 2014

Bill 20-967, Cashell Alley Designation Act of 2014

Bill 20-829, D.C. Rocks, So We Need One Act of 2014

on

Wednesday, October 29, 2014

1:00 p.m., Hearing Room 412, John A. Wilson Building

1350 Pennsylvania Avenue, NW

Washington, DC 20004

Council Chairman Phil Mendelson announces a public hearing of the Committee of the Whole on **Bill 20-261**, the “Lawrence Guyot Way Designation Act of 2013,” **Bill 20-722**, the “Percy Battle Way Designation Act of 2014,” **Bill 20-831**, the “D.C. No Taxation Without Representation Way Designation Act of 2014,” **Bill 20-893**, the “D.C. Statehood Now Boulevard Designation Act of 2014,” **Bill 20-967**, the “Cashell Alley Designation Act of 2014,” and **Bill 20-839**, the “D.C. Rocks, So We Need One Act of 2014.” The public hearing will be held Wednesday, October 29, 2014, at 1:00 p.m. in Hearing Room 412 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W. **This notice has been revised to reschedule the hearing and to include additional bills (Bill 20-261, Bill 20-967, and Bill 20-829).**

The stated purpose of **Bill 20-261** is to symbolically designate U Street, N.W. from 5th Street N.W. to 6th Street N.W. in Ward 1 as Lawrence Guyot Way. The stated purpose of **Bill 20-722** is to symbolically designate the 1100 block of Chicago Street, S.E., between Martin Luther King Jr. Avenue, S.E. and Railroad Avenue, S.E., in Ward 8, as Percy Battle Way. The stated purpose of **Bill 20-831** is to symbolically designate First Street, N.E and First Street, S.E. between Constitution Avenue and Independence Avenue, in Ward 6 as D.C. No Taxation Without Representation Way. The stated purpose of **Bill 20-893** is to symbolically designate the 1500 and 1600 blocks of Pennsylvania Avenue, N.W., in Ward 2, as D.C. Statehood Now Boulevard. The stated purpose of **Bill 20-967** is to symbolically designate the public alley in Square 1272, behind the 3200 block (3213-3217) of Volta Place, N.W., in Ward 2, as Cashell Alley. The stated purpose of **Bill 20-829** is to designate the Potomac Bluestone as the official rock of the District of Columbia.

Those who wish to testify are asked to telephone the Committee of the Whole, at (202) 724-8196, or e-mail Evan Cash, Committee Director, at ecash@dccouncil.us and provide their name, address, telephone number, and organizational affiliation, if any, by the close of business Monday, October 27, 2014. Persons wishing to testify are encouraged, but not required, to submit 15 copies of written testimony. If submitted by the close of business on October 27, 2014, the testimony will be distributed to Councilmembers before the hearing. Witnesses should limit their testimony to four minutes; less time will be allowed if there are a large number of witnesses. A copy of the bills can be obtained through the Legislative Services Division of the Secretary of the Council's office or on <http://lims.dccouncil.us>.

If you are unable to testify at the hearing, written statements are encouraged and will be made a part of the official record. Copies of written statements should be submitted to the Committee of the Whole, Council of the District of Columbia, Suite 410 of the John A. Wilson Building, 1350 Pennsylvania Avenue, NW, Washington, D.C. 20004. The record will close at 5:00 p.m. on November 12, 2014.

**Council of the District of Columbia
Committee on Business, Consumer, and Regulatory Affairs and
Committee on Finance and Revenue
Notice of a Joint Public Hearing**

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

**Councilmember Vincent B. Orange, Sr., Chair
Committee on Business, Consumer, and Regulatory Affairs**

and

**Councilmember Jack Evans, Chair
Committee on Finance and Revenue**

Announce A Joint Public Hearing

on

**Sections 6, 7, 8, and 9 of B20-466, The “Marijuana Legalization and
Regulation Act of 2013”**

**Thursday, October 30, 2014, 11:00 A.M.
John A. Wilson Building, Room 500
1350 Pennsylvania Avenue, N.W.
Washington, DC 20004**

Councilmembers Vincent B. Orange, Sr. and Jack Evans announce the scheduling of a joint public hearing by the Committee on Business, Consumer, and Regulatory Affairs and the Committee on Finance and Revenue on sections 6, 7, 8 and 9 of B20-466, the “Marijuana Legalization and Regulation Act of 2013”. The public hearing is scheduled for Thursday, October 30, 2014 at 11:00 a.m. in Room 500 of the John A. Wilson Building, 1350 Pennsylvania Ave., NW, Washington, DC 20004.

Sections 6, 7, 8, and 9 of B20-466, the “Marijuana Legalization and Regulation Act of 2013” would amend Title 25 of the District of Columbia Official Code to establish the licensing and regulation infrastructure for the production and sale of marijuana, useable marijuana, and marijuana-infused products in the District of Columbia. Furthermore, B20-466 would establish a dedicated marijuana fund, which shall consist of marijuana excise taxes, license fees, penalties, forfeitures, and all other monies, income, or revenue received by the Alcoholic Beverage Regulation Administration from marijuana-related activities.

Individuals and representatives of organizations who wish to testify at the public hearing are asked to contact Faye Caldwell of the Committee on Business, Consumer, and Regulatory Affairs at (202) 727-6683 or by email at fcaldwell@dccouncil.us and provide their name(s), address, telephone number, email address and organizational affiliation, if any, by close of business Thursday, October 23, 2014. Each witness is requested to bring 20 copies of his/her written testimony. Representatives of organizations and government agencies will be limited to 5 minutes in order to permit each witness an opportunity to be heard. Individual witnesses will be limited to 3 minutes.

If you are unable to testify at the public hearing, written statements are encouraged and will be made a part of the official record. The official record will remain open until close of business Monday, November 10, 2014. Copies of written statements should be submitted to the Committee on Business, Consumer, and Regulatory Affairs, Council of the District of Columbia, Suite G-6 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004.

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

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

REVISED

**COUNCILMEMBER VINCENT B. ORANGE, SR., CHAIR
COMMITTEE ON BUSINESS, CONSUMER, AND REGULATORY
AFFAIRS
ANNOUNCES A PUBLIC HEARING**

ON

**B20-478, THE “FIRST-TIME SALE TO MINOR PENALTY REVISION
ACT OF 2013”**

**B20-503, THE “ALCOHOLIC BEVERAGE WINDOW ADVERTISEMENT
LIMITATION ACT OF 2013”**

**B20-571, THE “WARD 7 ALCOHOL LICENSE LIMITATION ACT OF
2013”**

**B20-598, THE “ALCOHOL SALES TO MINORS ENFORCEMENT
AMENDMENT ACT OF 2013”**

**B20-891, THE “OFFICE OF MOTION PICTURE AND TELEVISION
DEVELOPMENT DIRECTOR CONFIRMATION ACT OF 2014”**

**B20-902, THE “OMNIBUS ALCOHOLIC BEVERAGE REGULATION
AMENDMENT ACT OF 2014”**

**B20-934, THE “MANUFACTURER TASTING PERMIT SECOND
AMENDMENT ACT OF 2014”**

**MONDAY, OCTOBER 27, 2014, 10:00 A.M.
JOHN A. WILSON BUILDING, ROOM 123
1350 PENNSYLVANIA AVENUE, N.W.
WASHINGTON, DC 20004**

Councilmember Vincent B. Orange, Sr. announces the rescheduling of a public hearing by the Committee on Business, Consumer, and Regulatory Affairs on B20-891, the “Office of Motion Picture and Television Development Director Confirmation Act of 2014” and B20-902, the “Omnibus Alcoholic Beverage Regulation Amendment Act of 2014” from Thursday, October 16, 2014 to Monday, October 27, 2014. The public hearing will be held at 10:00 a.m. in Room 123 of the John A. Wilson Building, 1350 Pennsylvania Ave., NW, Washington, DC 20004. *Further, this notice is revised to include: B20-478, the “First-Time Sale to Minor Penalty Revision Act of 2013, B20-503, the “Alcoholic Beverage Window Advertisement Limitation Act of 2013, B20-571, the “Ward 7 Alcohol License Limitation Act of 2013”, B20-598, the “Alcohol Sales to Minors Enforcement Amendment Act of 2013, and B20-934 the “Manufacturer Tasting Permit Second Amendment Act of 2014”.*

B20-478, the “First-Time Sale to Minor Penalty Revision Act of 2013” will enhance the penalties for the prohibited sale of alcohol to minors or intoxicated persons by increasing fines and suspension periods and requiring a mandatory revocation of an establishment’s permit after 4 or more violations.

B20-503, the “Alcoholic Beverage Window Advertisement Limitation Act of 2013” requires that all alcohol related advertisements only be displayed in the window of a licensed establishment if the total area covered by the advertisements does not exceed 25% of the total window space.

B20-571, the “Ward 7 Alcohol License Limitation Act of 2013” would impose a moratorium on the issuance of new Class A and Class B liquor licenses in Ward 7.

B20-598, the “Alcohol Sales to Minors Enforcement Amendment Act of 2013” will require the Alcoholic Beverage Control Board to conduct a minimum number of checks for the sale of alcohol to minors.

B20-844, the “Office of Motion Picture and Television Development Director Confirmation Act of 2014” establishes the Office of Motion Picture and Television Development and requires that the Mayoral nomination of the Director of the Office of Motion Picture and Television Development be subject to the affirmative approval of the Council.

B20-902, the “Omnibus Alcoholic Beverage Regulation Amendment Act of 2014” amends Title 25 of the District of Columbia Official Code to create a new festival license; clarify that the Ward 4 moratorium applies to Class A and Class B off-premises licenses; clarify that Settlement Agreements are not enforceable when a license is transferred to a new location; delete the requirement that licenses must apply annually for holiday extended hours; and provide authority for the Alcoholic Beverage Regulation Administration investigators to seize a suspended, revoked or cancelled license.

Finally, B20-934, the “Manufacturer Tasting Permit Second Amendment Act of 2014” would amend Title 25 of the District of Columbia Official Code to allow a licensee under a manufacturer’s license, class A, to obtain an on-site sales and consumption permit.

Individuals and representatives of organizations who wish to testify at the public hearing are asked to contact Faye Caldwell of the Committee on Business, Consumer, and Regulatory Affairs at (202) 727-6683 or by email at fcaldwell@dccouncil.us and provide their name(s), address, telephone number, email address and organizational affiliation, if any, by close of business Monday, October 20, 2014. Each witness is requested to bring 20 copies of his/her written testimony. Representatives of organizations and government agencies will be limited to 5 minutes in order to permit each witness an opportunity to be heard. Individual witnesses will be limited to 3 minutes.

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

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

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

REVISED AND ABBREVIATED

**COUNCILMEMBER VINCENT B. ORANGE, SR., CHAIR
COMMITTEE ON BUSINESS, CONSUMER, AND REGULATORY
AFFAIRS
ANNOUNCES A PUBLIC HEARING**

ON

**B20-892, THE “SMALL AND CERTIFIED BUSINESS ENTERPRISE
DEVELOPMENT AND ASSISTANCE WAIVER CERTIFICATION
AMENDMENT ACT OF 2014”**

**B20-938, THE “CERTIFIED BUSINESS RE-CERTIFICATION
AMENDMENT ACT OF 2014”**

**B20-939, THE “SMALL AND CERTIFIED BUSINESS ENTERPRISE
QUARTERLY EXPENDITURE AMENDMENT ACT OF 2014”**

AND

**THE OFFICE OF THE DISTRICT OF COLUMBIA AUDITOR’S REPORT:
DISTRICT OF COLUMBIA AGENCIES’ AND CONTRACTORS’
COMPLIANCE WITH SUBCONTRACTING REQUIREMENTS NEEDS
SIGNIFICANT IMPROVEMENT**

**WEDNESDAY, OCTOBER 22, 2014, 10:00 A.M.
JOHN A. WILSON BUILDING, ROOM 500
1350 PENNSYLVANIA AVENUE, N.W.
WASHINGTON, DC 20004**

Councilmember Vincent B. Orange, Sr. announces the scheduling of a public hearing by the Committee on Business, Consumer, and Regulatory Affairs on B20-892, the “Small and Certified Business Enterprise Development and Assistance Waiver Certification Amendment Act of 2014”, B20-938, the “Certified Business Re-Certification Amendment Act of 2014”, B20-939, the “Small and Certified Business Enterprise Quarterly Expenditure Amendment Act of 2014”.

The public hearing is scheduled for Wednesday, October 22, 2014 at 10:00 a.m. in Room 500 of the John A. Wilson Building, 1350 Pennsylvania Ave., NW, Washington, DC 20004. *This notice is revised to include the Office of the District of Columbia Auditor's Report: District Agencies' and Contractors' Compliance with Subcontracting Requirements Needs Significant Improvement. The notice is being abbreviated in order to provide timely notice to the public.*

B20-892, the "Small and Certified Business Enterprise Development and Assistance Waiver Certification Amendment Act of 2014" amends the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005 ("Act") to require the Director of the Department of Small and Local Business Development ("DSLBD"), prior to granting a waiver under Section 2346 of the Act, to conduct a good faith effort to determine that there are no qualified small or certified business enterprises to perform the contract solicitation. Further, the Director would be required to wait 20 days before granting a proposed waiver and must issue a written waiver certification that all good faith requirements have been met.

B20-938, the "Certified Business Re-Certification Amendment Act of 2014" would amend the Act to allow for self-certification, longer re-certification times for a business that has been previously certified and to reduce the amount of paperwork necessary for re-certification.

B20-939, the "Small and Certified Business Enterprise Quarterly Expenditure Amendment Act of 2014" would amend the Act to require all District agencies spend at least 25% of its expendable budget on a quarterly basis with Small Business Enterprises (SBE), prohibit agencies from spending more than 50% of its non-SBE expendable budget with non-SBE's, and provides a penalty for agency directors for non-compliance.

In addition, the Committee will review the Office of the District of Columbia Auditor's Report titled "District Agencies' and Contractors' Compliance with Subcontracting Requirements Needs Significant Improvement". The Committee will review the District government agencies' and contractors' monitoring and compliance of the 35% Certified Business Enterprise (CBE) subcontracting requirement on all District construction and non-construction contracts over \$250,000.

Individuals and representatives of organizations who wish to testify at the public hearing are asked to contact Faye Caldwell of the Committee on Business, Consumer, and Regulatory Affairs at (202) 727-6683 or by email at fcaldwell@dccouncil.us and provide their name(s), address, telephone number, email address and organizational affiliation, if any, by close of business Wednesday, October 15, 2014. Each witness is requested to bring 20 copies of his/her written testimony. Representatives of organizations and government agencies will be limited to 5 minutes in order to permit each witness an opportunity to be heard. Individual witnesses will be limited to 3 minutes.

If you are unable to testify at the public hearing, written statements are encouraged and will be made a part of the official record. The official record will remain open until close of business Monday, November 3, 2014. Copies of written statements should be submitted to the Committee on Business, Consumer, and Regulatory Affairs, Council of the District of Columbia, Suite G-6 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004.

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

1350 Pennsylvania Avenue, NW, Washington, DC 20004

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

on

Bill 20-898, Adoption Fee Amendment Act of 2014

on

**Wednesday, October 29, 2014
11:00 a.m., Hearing Room 412, John A. Wilson Building
1350 Pennsylvania Avenue, NW
Washington, DC 20004**

Council Chairman Phil Mendelson announces the scheduling of a public hearing of the Committee of the Whole on Bill 20-898, Adoption Fee Amendment Act of 2014. The hearing will be held at 11:00 a.m. on Wednesday, October 29, 2014 in Hearing Room 412 of the John A. Wilson Building.

The stated purpose of Bill 20-898 is to regulate the placing of children in family homes and for other purposes, to allow for reasonable fees for the transportation and living expenses of the birth mother, to allow for payment of the actual costs of the medical and legal expenses of the birth mother, to raise the fee cap for child-placing agencies to \$10,000, and to clarify the 14 calendar day right of revocation for parents relinquishing parental rights.

Those who wish to testify are asked to telephone the Committee of the Whole, at (202) 724-8196, or email Taneka Miller, Legislative Counsel, at tmiller@dccouncil.us, and provide their name, address, telephone number, organizational affiliation and title (if any) by close of business Monday, October 27, 2014. Persons wishing to testify are encouraged, but not required, to submit 15 copies of written testimony. If submitted by the close of business on Monday, October 27, 2014 the testimony will be distributed to Councilmembers before the hearing. Witnesses should limit their testimony to five minutes; less time will be allowed if there are a large number of witnesses. A copy of Bill 20-898 can be obtained through the Legislative Services Division of the Secretary of the Council's office or on <http://lims.dccouncil.us>.

If you are unable to testify at the hearing, written statements are encouraged and will be made a part of the official record. Written statements should be submitted to the Committee of the Whole, Council of the District of Columbia, Suite 410 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004. The record will close at 5:00 p.m. on November 12, 2014.

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

1350 Pennsylvania Avenue, NW, Washington, DC 20004

CHAIRMAN PHIL MENDELSON
COMMITTEE OF THE WHOLE
ANNOUNCES A PUBLIC HEARING

on

Bill 20-907, Dedication of a Public Alley in Square 752, S.O. 14-15491, Act of 2014

and

**Bill 20-955, Closing of a Portion of Manchester Lane, adjacent to Square 2742,
S.O. 08-3083, Act of 2014**

on

Wednesday, October 29, 2014

12:00 p.m., Hearing Room 412, John A. Wilson Building

1350 Pennsylvania Avenue, NW

Washington, DC 20004

Council Chairman Phil Mendelson announces the scheduling of a public hearing of the Committee of Whole on Bill 20-907, the “Dedication of a Public Alley in Square 752, S.O. 14-15491, Act of 2014,” and Bill 20-955, “Closing of a Portion of Manchester Lane, adjacent to Square 2742, S.O. 08-3083, Act of 2014.” The hearing will be held Wednesday, October 29, 2014 at 12:00 p.m. in Hearing Room 412 of the John A. Wilson Building, 1350 Pennsylvania Avenue, NW.

The stated purpose of **Bill 20-907** is to accept the dedication of land for public alley purposes in Square 752, bounded by H Street, 2nd Street, G Street, and 3rd Street in Northeast Washington, D.C., in Ward 6. The proposed legislation relates to a residential development project that includes retail uses. The stated purpose of **Bill 20-955** is to order the closing of a portion of Manchester Lane, adjacent to Square 2742, bound by Missouri Avenue and 17th Street, in Northwest Washington, D.C., in Ward 4. This closure was requested by the abutting private property owner. The portion of Manchester Lane requested to be closed extends through Rock Creek Park, and is not currently used for vehicular travel.

Those who wish to testify are asked to telephone the Committee of the Whole, at (202) 724-8196, or e-mail Jessica Jacobs, Legislative Counsel, at jjacobs@dccouncil.us and provide their name, address, telephone number, and organizational affiliation, if any, by the close of business Monday, October 27, 2014. Persons wishing to testify are encouraged, but not required, to submit 15 copies of written testimony. If submitted by the close of business on October 27, 2014, the testimony will be distributed to Councilmembers before the hearing. Witnesses should limit their testimony to five minutes; less time will be allowed if there are a large number of witnesses. Copies of Bill 20-907 and Bill 20-955 can be obtained through the Legislative Services Division of the Secretary of the Council’s office or on <http://lims.dccouncil.us>.

If you are unable to testify at the hearing, written statements are encouraged and will be made a part of the official record. Copies of written statements should be submitted to the Committee of the Whole, Council of the District of Columbia, Suite 410 of the John A. Wilson Building, 1350 Pennsylvania Avenue, NW, Washington, D.C. 20004. The record will close at 5:00 p.m. on Wednesday, November 12, 2014.

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

1350 Pennsylvania Avenue, NW, Washington, DC 20004

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

on

Bill 20-966, Turkey Bowl Revenue Generation and Sponsorship Act of 2014

on

**Wednesday, October 29, 2014
2:30 p.m., Hearing Room 412, John A. Wilson Building
1350 Pennsylvania Avenue, NW
Washington, DC 20004**

Council Chairman Phil Mendelson announces the scheduling of a public hearing of the Committee of the Whole on Bill 20-966, Turkey Bowl Revenue Generation and Sponsorship Act of 2014. The hearing will be held at 2:30 p.m. on Wednesday, October 29, 2014 in Hearing Room 412 of the John A. Wilson Building.

The stated purpose of Bill 20-966 is to authorize the Mayor to solicit advertisements and sponsorships to generate revenue for the District of Columbia Public Schools and the annual District of Columbia Interscholastic Athletic Association Championship Turkey Bowl game.

Those who wish to testify are asked to telephone the Committee of the Whole, at (202) 724-8196, or email Taneka Miller, Legislative Counsel, at tmiller@dccouncil.us, and provide their name, address, telephone number, organizational affiliation and title (if any) by close of business Monday, October 27, 2014. Persons wishing to testify are encouraged, but not required, to submit 15 copies of written testimony. If submitted by the close of business on Monday, October 27, 2014 the testimony will be distributed to Councilmembers before the hearing. Witnesses should limit their testimony to five minutes; less time will be allowed if there are a large number of witnesses. A copy of Bill 20-966 can be obtained through the Legislative Services Division of the Secretary of the Council's office or on <http://lims.dccouncil.us>.

If you are unable to testify at the hearing, written statements are encouraged and will be made a part of the official record. Written statements should be submitted to the Committee of the Whole, Council of the District of Columbia, Suite 410 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004. The record will close at 5:00 p.m. on November 12, 2014.

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

1350 Pennsylvania Avenue, NW, Washington, DC 20004

REVISED

CHAIRMAN PHIL MENDELSON
COMMITTEE OF THE WHOLE
ANNOUNCES A PUBLIC HEARING

on

**PR 20-972, District of Columbia Commemorative Works Committee Barbara Deutsch
Confirmation Resolution of 2014**

on

**Wednesday, October 29, 2014
2:00 p.m., Hearing Room 412, John A. Wilson Building
1350 Pennsylvania Avenue, NW
Washington, DC 20004**

Council Chairman Phil Mendelson announces the scheduling of a public hearing of the Committee of Whole on PR 20-972, District of Columbia Commemorative Works Committee Barbara Deutsch Confirmation Resolution of 2014. The hearing will be held Wednesday, October 29, 2014 at 2:00 p.m. in Hearing Room 412 of the John A. Wilson Building, 1350 Pennsylvania Avenue, NW. **This notice has been revised to reflect a new hearing date and time, and the removal of a second Commemorative Works Committee nomination.**

The stated purpose of PR 20-972 is to confirm the appointment of Barbara Deutsch as a citizen member of the District of Columbia Commemorative Works Committee (CWC). The CWC advises and recommends to the Council a disposition of each application to place a commemorative work on public space in the District of Columbia. The CWC is made up of three citizens and nine ex-officio members appointed by the Mayor. The purpose of this hearing is to receive testimony from government and public witnesses as to the fitness of Ms. Deutsch for the CWC.

Those who wish to testify are asked to telephone the Committee of the Whole, at (202) 724-8196, or e-mail Evan Cash, Committee Director, at ecash@dccouncil.us and provide their name, address, telephone number, and organizational affiliation, if any, by the close of business Monday, October 27, 2014. Persons wishing to testify are encouraged, but not required, to submit 15 copies of written testimony. If submitted by the close of business on October 27, 2014, the testimony will be distributed to Councilmembers before the hearing. Witnesses should limit their testimony to five minutes; less time will be allowed if there are a large number of witnesses. Copies of PR 20-972 can be obtained through the Legislative Services Division of the Secretary of the Council's office or on <http://lims.dccouncil.us>.

If you are unable to testify at the hearing, written statements are encouraged and will be made a part of the official record. Copies of written statements should be submitted to the Committee of the Whole, Council of the District of Columbia, Suite 410 of the John A. Wilson Building, 1350 Pennsylvania Avenue, NW, Washington, D.C. 20004. The record will close at 5:00 p.m. on Wednesday, November 12, 2014.

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

1350 Pennsylvania Avenue, NW, Washington, DC 20004

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

on

**PR 20-1078, District of Columbia Auditor Kathleen Patterson Appointment Approval
Resolution of 2014**

on

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

Council Chairman Phil Mendelson announces the scheduling of a public hearing of the Committee of the Whole on PR 20-1078, District of Columbia Auditor Kathleen Patterson Appointment Approval Resolution of 2014. The hearing will be held at 2:30 p.m. on Thursday, October 30, 2014 in Hearing Room 412 of the John A. Wilson Building.

The stated purpose of PR 20-1078 is to approve the appointment of Ms. Kathleen Patterson as the District of Columbia Auditor (Auditor) for the remainder of a 6-year term that expires on February 25, 2017. The mission of the Office of the District of Columbia Auditor (ODCA) is to support the Council of the District of Columbia by conducting audits that improve the economy, efficiency, and accountability of District government. The purpose of this hearing is to receive testimony from government and public witnesses as to the fitness of this nominee for the Auditor.

Those who wish to testify are asked to telephone the Committee of the Whole, at (202) 724-8196, or email Taneka Miller, Legislative Counsel, at tmiller@dccouncil.us, and provide their name, address, telephone number, organizational affiliation and title (if any) by close of business Tuesday, October 28, 2014. Persons wishing to testify are encouraged, but not required, to submit 15 copies of written testimony. If submitted by the close of business on Tuesday, October 28, 2014 the testimony will be distributed to Councilmembers before the hearing. Witnesses should limit their testimony to five minutes; less time will be allowed if there are a large number of witnesses. A copy of PR 20-1078 can be obtained through the Legislative Services Division of the Secretary of the Council's office or on <http://lims.dccouncil.us>.

If you are unable to testify at the hearing, written statements are encouraged and will be made a part of the official record. Written statements should be submitted to the Committee of the Whole, Council of the District of Columbia, Suite 410 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004. The record will close at 5:00 p.m. on November 13, 2014.

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

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

**ANNOUNCES A PUBLIC OVERSIGHT ROUNDTABLE ON
THE DEPARTMENT OF GENERAL SERVICES' REPORTING AND USE OF CERTIFIED
BUSINESS ENTERPRISES AND SMALL BUSINESS ENTERPRISES**

AND

A REVIEW OF FISCAL YEAR 2014 SCHOOL MODERNIZATIONS

**Wednesday, October 29, 2014, 11:00 AM
Room 500, John A. Wilson Building
1350 Pennsylvania Ave., NW
Washington, D.C. 20004**

On Wednesday, October 29, 2014, Councilmember Kenyan R. McDuffie, Chairperson of the Committee on Government Operations, will convene a public oversight roundtable on several aspects of the performance of the Department of General Services (DGS). This public oversight roundtable will be held in Room 500 of the John A. Wilson Building, 1350 Pennsylvania Ave., NW at 11:00 AM.

The Committee will explore the FY 2014 school modernizations that took place throughout the District. In 2007, the District of Columbia Public Schools (DCPS) along with the Deputy Mayor for Education (DME) selected schools to be modernized over the next 15 years for \$3.2 billion. With this, DGS works with DCPS to create a budget and meet the requirements of educational specifications in accordance with a master facilities plan. The uniform goal for all schools is to create a modern and green learning environment that elevates the quality of life in the District.

DGS has set forth a commitment to promoting the growth and success of the District's Certified Business Enterprise (CBE) firms by ensuring their full participation in the government contracting and procurement process. Additionally, pursuant to District law, DGS shall attempt to procure, on an annual basis, 50% of the dollar volume of its goods and services to small business enterprises (SBE). The Committee will evaluate the agency's compliance with such requirements.

The Committee invites the public to testify or to submit written testimony, which will be made a part of the official record. Anyone wishing to testify at the hearing should contact Ms. Tai Meah, Senior Legislative Counsel at (202) 724-8028, or via e-mail at tmeah@dccouncil.us, and provide their name, address, telephone number, organizational affiliation and title (if any) by close of business Tuesday, October 28, 2014. Representatives of organizations will be allowed a maximum of five (5) minutes for oral presentation and individuals will be allowed a maximum of three (3) minutes for oral presentation (time limits may change at the discretion of the Chairman). Witnesses should bring 10 copies of their written testimony and, if possible, submit a copy of their testimony electronically to tmeah@dccouncil.us.

If you are unable to testify at the hearing, written statements are encouraged and will be made a part of the official record. Copies of written statements should be submitted either to the Committee, or to Ms. Nyasha Smith, Secretary to the Council, 1350 Pennsylvania Avenue, N.W., Suite 5, Washington, D.C. 20004. The record will close at the end of the business day on November 13, 2014.

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

NOTICE OF PUBLIC OVERSIGHT ROUNDTABLE ON
The PlayDC Master Plan, the DPR permitting process, and facilities management

Tuesday, October 14, 2014
at 11:30 a.m.
in Room 412 of the
John A. Wilson Building
1350 Pennsylvania Avenue, NW
Washington, DC 20004

On Tuesday, October 14, 2014, Councilmember Mary M. Cheh, Chairperson of the Committee on the Transportation and the Environment, will hold a public oversight roundtable on the PlayDC Facilities Plan, the DPR permitting process and facilities management. The public oversight roundtable will directly follow public hearing on Bill 20-904, the Department of Parks and Recreation Fee-based Use Permit Authority Clarification Act of 2014. The public oversight roundtable will begin at 11:30 a.m. in Room 412 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., or directly after the public hearing on Bill 20-904.

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

If you are unable to testify in person, written statements are encouraged and will be made a part of the official record. Copies of written statements should be submitted to Ms. Aukima Benjamin, staff assistant to the Committee on Transportation and the Environment, John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Suite 108, Washington, D.C. 20004. They may also be e-mailed to abenjamin@dccouncil.us or faxed to (202) 724-8118. The record will close at the end of the business day on October 14, 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

REVISED

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

ANNOUNCES A PUBLIC OVERSIGHT ROUNDTABLE ON

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

AND

**“AN UPDATE ON THE 500 FAMILIES. 100 DAYS. QUALITY DC HOUSING NOW
CAMPAIGN”**

TUESDAY, OCTOBER 14, 2014 AT 1:00 P.M.

**ACTIVITY ROOM, 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) and “An Update on the 500 Families. 100 Days. Quality DC Housing Now Campaign.” The roundtable will be held on Tuesday, October 14, 2014, at 1:00 p.m., in the Activity Room in the Main Building at D.C. General Shelter. **This revised notice reflects a rescheduled hearing date and time.**

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.

In April 2014, Mayor Vincent Gray launched the “500 Families.100 Days. Quality DC Housing Now Campaign”, a key part of his Crisis Response Plan to address the demand for housing for homeless families. Through this citywide campaign, the Department of Human Services, in collaboration with The Community Partnership for the Prevention of Homelessness and Transitional Housing Corporation, had plans to identify and lease 500 units of housing in 100 days for families currently in the DC General Shelter and area hotels. This roundtable will also provide DHS with the opportunity to update the Council on the progress made towards accomplishing the goals of this initiative.

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. 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., Friday, October 24, 2014, when the official record will close.

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

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

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

ANNOUNCES A PUBLIC ROUNDTABLE ON:

PR 20-1053, the “Commission on the Arts and Humanities Susan Clampitt Confirmation Resolution of 2014”

PR20-834, the “Washington Convention and Sports Authority Board of Directors Julio Ortiz Confirmation Resolution of 2014”

PR 20-1075 the “Washington Convention and Sports Authority Board of Directors Cheryle Doggett Confirmation Resolution of 2014”

PR 20-1076 the “Washington Convention and Sports Authority Board of Directors Linda Greenan Confirmation Resolution of 2014”

PR 20-1077 the “Washington Convention and Sports Authority Board of Directors William Hall Confirmation Resolution of 2014”

Thursday, October 16, 2014

9:30 a.m.

Room 120 - John A. Wilson Building

1350 Pennsylvania Avenue, NW, Washington, D.C. 20004

Councilmember Jack Evans, Chairman of the Committee on Finance and Revenue, announces a public roundtable to be held on Thursday, October 16, 2014 at 9:30 a.m. in Room 120 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004.

PR 20-1053, the “Commission on the Arts and Humanities Susan Clampitt Confirmation Resolution of 2014” would confirm the reappointment of Susan Clampitt as member of the Commission on Arts and Humanities, for a term to end June 30, 2017.

PR20-834, the “Washington Convention and Sports Authority Board of Directors Julio Ortiz Confirmation Resolution of 2014” would confirm the reappointment of Julio “Jay” Haddock Ortiz as a member of the Washington Convention and Sports Authority Board of Directors.

PR20- 1075, the “ Washington Convention and Sports Authority Board of Directors Cheryle Doggett Confirmation Resolution of 2014” would confirm the appointment of Cheryle Doggett as a member of the Washington Convention and Sports Authority Board of Directors.

PR20- 1076, the “ Washington Convention and Sports Authority Board of Directors Linda Greenan Confirmation Resolution of 2014” would confirm the reappointment of Linda Greenan as a member of the Washington Convention and Sports Authority Board of Directors.

PR20- 1077, the “ Washington Convention and Sports Authority Board of Directors William Hall Confirmation Resolution of 2014” would confirm the reappointment of William Hall as a member of the Washington Convention and Sports Authority Board of Directors.

The Committee invites the public to testify at the roundtable. Those who wish to testify should contact Sarina Loy, Committee Aide at (202) 724-8058 or sloy@dccouncil.us, and provide your name, organizational affiliation (if any), and title with the organization by 9:30 a.m. on Wednesday, October 15, 2014. Witnesses should bring 15 copies of their written testimony to the hearing. The Committee allows individuals 3 minutes to provide oral testimony in order to permit each witness an opportunity to be heard. Additional written statements are encouraged and will be made part of the official record. Written statements may be submitted by e-mail to sloy@dccouncil.us or mailed to: Committee on Finance and Revenue, Council of the District of Columbia, 1350 Pennsylvania Ave., N.W., Suite 114, Washington D.C. 20004.

COUNCIL OF THE DISTRICT OF COLUMBIA
CONSIDERATION OF TEMPORARY LEGISLATION

B20-958, “Fiscal Year 2015 Budget Support Clarification Temporary Act of 2014”, **B20-962**, “Grocery Store and Food Retail Restrictive Covenant Prohibition Temporary Act of 2014”, and **B20-964**, “H Street, N.E. Retail Priority Area Incentive Temporary Amendment Act of 2014” were adopted on first reading on October 7, 2014. These temporary measures were considered in accordance with Council Rule 413. A final reading on these measures will occur on October 28, 2014.

COUNCIL OF THE DISTRICT OF COLUMBIA EXCEPTED SERVICE APPOINTMENTS AS OF SEPTEMBER 30, 2014

NOTICE OF EXCEPTED SERVICE EMPLOYEES

D.C. Code § 1-609.03(c) requires that a list of all new appointees to Excepted Service positions established under the provisions of § 1-609.03(a) be published in the D.C. Register. In accordance with the foregoing, the following information is hereby published for the following positions.

COUNCIL OF THE DISTRICT OF COLUMBIA			
NAME	POSITION TITLE	GRADE	TYPE OF APPOINTMENT
Brandt, John Paul	Legislative Counsel	6	Excepted Service - Reg Appt
Imadojemu, Osazee	Legislative Counsel	6	Excepted Service - Reg Appt
Johnson, Peter	Committee Director	9	Excepted Service - Reg Appt
Wade, Diamond	Administrative Assistant	2	Excepted Service - Reg Appt

COUNCIL OF THE DISTRICT OF COLUMBIA
Notice of Reprogramming Request

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

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

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

Reprog. 20-248: Request to reprogram \$980,000 of Capital Funds Budget Authority and Allotment within the Department of Fire and Emergency Medical Services (FEMS) was filed in the Office of the Secretary on October 2, 2014. This reprogramming is needed to support the cost of rehabilitating the agency's fleet of two boats (one icebreaker and one fire boat).

RECEIVED: 14 day review begins October 3,, 2014

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: October 10, 2014
Petition Date: November 24, 2014
Roll Call Hearing Date: December 8, 2014
Protest Hearing Date: February 18, 2015

License No.: ABRA-096910
Licensee: Bayou Bakery on the Hill LLC
Trade Name: Bayou Bakery on the Hill
License Class: Retailer's Class "C" Restaurant
Address: 921 Pennsylvania Avenue SE
Contact: Andrew Kline, 202-686-7600

WARD 6

ANC 6B

SMD 6B04

Notice is hereby given that this applicant has applied for a new license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the Roll Call Hearing Date at 10:00 am, 4th Floor, 2000 14th Street, N.W., Washington, DC 20009. Petitions and/or requests to appear before the Board must be filed on or before the Petition Date. The Protest Hearing Date is scheduled for February 18, 2015 at 1:30pm.

NATURE OF OPERATION

New full service restaurant serving American cuisine. Occasional live entertainment consisting of a Band or DJ and Dancing. Summer Garden with seating for 40 patrons.

HOURS OF OPERATION FOR INSIDE PREMISES AND SUMMER GARDEN

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

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

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

HOURS OF LIVE ENTERTAINMENT FOR INSIDE PREMISES AND SUMMER GARDEN

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

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: October 10, 2014
Petition Date: November 24, 2014
Hearing Date: December 8, 2014
Protest Date: February 18, 2015

License No.: ABRA-096402
Licensee: Cava Meze Grill Chinatown, LLC
Trade Name: Cava Meze Grill
License Class: Retailer's Class "C" Restaurant
Address: 707 H St., NW
Contact: Rosemarie Salguero 202-589-1836

WARD 2 ANC 2C SMD 2C01

Notice is hereby given that this applicant has applied for a license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the hearing date at 10:00 am, 4th Floor, 2000 14th Street, N.W., Washington, DC 20009. Petition and/or request to appear before the Board must be filed on or before the petition date. The Protest Hearing Date is scheduled for 1:30 pm on February 18, 2015.

NATURE OF OPERATION

Restaurant serving authentic Greek cuisine with a seating capacity of 61 inside. Total occupancy load of 88.

HOURS OF OPERATION AND ALCOHOLIC BEVERAGES SALES/SERVICE/CONSUMPTION

Sunday through Saturday 11 am - 10 pm

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

ON

9/19/2014

****CORRECTION**

Notice is hereby given that:

License Number: ABRA-078965

License Class/Type: B Retail - Grocery

Applicant: KMRY, Incorporated

Trade Name: New Reservoir Market

ANC: **5E07

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

1942 1ST ST NW

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

11/3/2014

A HEARING WILL BE HELD ON:

11/17/2014

AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009

Days	Hours of Operation	Hours of Sales/Service
Sunday:	7:30 am - 12 am	9 am -12 am
Monday:	7:30 am - 12 am	9 am - 12 am
Tuesday:	7:30 am - 12 am	9 am - 12 am
Wednesday:	7:30 am - 12 am	9 am - 12 am
Thursday:	7:30 am - 12 am	9 am - 12 am
Friday:	7:30 am - 12 am	9 am - 12 am
Saturday:	7:30 am - 12 am	9 am - 12 am
ENDORSEMENTS:		

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

ON

9/26/2014

****CORRECTION**

Notice is hereby given that:

License Number: ABRA-083125

License Class/Type: B Retail - Class B

Applicant: Shitu, Inc.

Trade Name: Gee's Market

ANC: **1A08

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

3583 WARDER ST NW

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

11/10/2014

A HEARING WILL BE HELD ON:

11/24/2014

AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009

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
ENDORSEMENTS:		

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

ON

10/3/2014

****CORRECTION**

Notice is hereby given that:

License Number: ABRA-019046

License Class/Type: B Retail - Grocery

Applicant: B & S Business Enterprises, Inc.

Trade Name: Randall Grocery

ANC: **7B01

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

2924 MINNESOTA AVE SE

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

11/17/2014

A HEARING WILL BE HELD ON:

12/1/2014

AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009

Days	Hours of Operation	Hours of Sales/Service
Sunday:	7 am - 11pm	7 am -11 pm
Monday:	7 am - 11pm	7 am - 11 pm
Tuesday:	7 am - 11pm	7 am - 11 pm
Wednesday:	7 am - 11pm	7 am - 11 pm
Thursday:	7 am - 11pm	7 am - 11 pm
Friday:	7 am - 11pm	7 am - 11 pm
Saturday:	7 am - 11pm	7 am - 11 pm
ENDORSEMENTS:		

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

ON

10/3/2014

****CORRECTION**

Notice is hereby given that:

License Number: ABRA-083937

License Class/Type: B Retail - Class B

Applicant: DJ Sun Market, Inc

Trade Name: Sun Market

ANC: **5E09

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

415 RHODE ISLAND AVE NE

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

11/17/2014

A HEARING WILL BE HELD ON:

12/1/2014

AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009

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

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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

RENEWAL NOTICES

POSTING DATE: 10/10/2014
PETITION DATE: 11/24/2014
HEARING DATE: 12/8/2014

License Number: ABRA-075139
License Class/Type: B Retail - Groce
SMD: 1B12

Applicant: Keum Soo's Food, Inc.
Trade Name: Best D C Supermarket
Premise Address: 1507 U ST NW

Endorsements: Tasting

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

License Number: ABRA-076414
License Class/Type: B Retail - Groce
SMD: 6B01

Applicant: Park & Song, Inc.
Trade Name: Congress Market
Premise Address: 421 EAST CAPITOL ST SE

Endorsements:

Days	Hours of Operation	Hours of Sales/Service
SUN:	7:30 am - 11 pm	10 am -10 pm
MON:	7:30 am - 11 pm	9 am - 10 pm
TUE:	7:30 am - 11 pm	9 am - 10 pm
WED:	7:30 am - 11 pm	9 am - 10 pm
THU:	7:30 am - 11 pm	9 am - 10 pm
FRI:	7:30 am - 11 pm	9 am - 10 pm
SAT:	7:30 am - 11 pm	9 am - 10 pm

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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

RENEWAL NOTICES

POSTING DATE: 10/10/2014
PETITION DATE: 11/24/2014
HEARING DATE: 12/8/2014

License Number: ABRA-071204

Applicant: M & K Inc

License Class/Type: B Retail - Groce

Trade Name: ABC Grocery

SMD: 6E02

Premise Address: 1401 6TH ST NW

Endorsements:

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

License Number: ABRA-071763

Applicant: Stop & Go LLC

License Class/Type: B Retail - Groce

Trade Name: Stop & Go Market

SMD: 1A10

Premise Address: 3001 SHERMAN AVE NW

Endorsements:

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

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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

RENEWAL NOTICES

POSTING DATE: 10/10/2014
PETITION DATE: 11/24/2014
HEARING DATE: 12/8/2014

License Number: ABRA-026520
License Class/Type: B Retail - Groce
SMD: 6D02

Applicant: Tariq Hussain
Trade Name: 7-Eleven
Premise Address: 1101 SOUTH CAPITOL ST SW

Endorsements:

Days	Hours of Operation	Hours of Sales/Service
SUN:	24 hours -	9 am -10 pm
MON:	24 hours -	9 am - 10 pm
TUE:	24 hours -	9 am - 10 pm
WED:	24 hours -	9 am - 10 pm
THU:	24 hours -	9 am - 10 pm
FRI:	24 hours -	9 am - 10 pm
SAT:	24 hours -	9 am - 10 pm

License Number: ABRA-060454
License Class/Type: B Retail - Groce
SMD: 2B09

Applicant: Bella Investments, Inc.
Trade Name: New Hampshire Market
Premise Address: 1900 16TH ST NW

Endorsements:

Days	Hours of Operation	Hours of Sales/Service
SUN:	8 am - 12 am	9 am -12 am
MON:	8 am - 12 am	9 am - 12 am
TUE:	8 am - 12 am	9 am - 12 am
WED:	8 am - 12 am	9 am - 12 am
THU:	8 am - 12 am	9 am - 12 am
FRI:	8 am - 12 am	9 am - 12 am
SAT:	8 am - 12 am	9 am - 12 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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

RENEWAL NOTICES

POSTING DATE: 10/10/2014
PETITION DATE: 11/24/2014
HEARING DATE: 12/8/2014

License Number: ABRA-010677
License Class/Type: B Retail - Groce
SMD: 7C07

Applicant: Parker Enterprises Inc
Trade Name: Suburban Market
Premise Address: 4600 SHERIFF RD NE

Endorsements:

Days	Hours of Operation	Hours of Sales/Service
SUN:	7 am - 6 pm	9 am - 6 pm
MON:	7 am - 6 pm	9 am - 6 pm
TUE:	7 am - 6 pm	9 am - 6 pm
WED:	7 am - 6 pm	9 am - 6 pm
THU:	7 am - 6 pm	9 am - 6 pm
FRI:	7 am - 6 pm	9 am - 6 pm
SAT:	7 am - 6 pm	9 am - 6 pm

License Number: ABRA-013994
License Class/Type: B Retail - Groce
SMD: 3C03

Applicant: P & M Pharmacy Inc
Trade Name: Cathedral Pharmacy
Premise Address: 3000 CONNECTICUT AVE NW C

Endorsements:

Days	Hours of Operation	Hours of Sales/Service
SUN:	9 am - 6 pm	9 am - 6 pm
MON:	8:30 am - 7 pm	9 am - 7 pm
TUE:	8:30 am - 7 pm	9 am - 7 pm
WED:	8:30 am - 7 pm	9 am - 7 pm
THU:	8:30 am - 7 pm	9 am - 7 pm
FRI:	8:30 am - 7 pm	9 am - 7 pm
SAT:	9 am - 6 pm	9 am - 6 pm

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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

RENEWAL NOTICES

POSTING DATE: 10/10/2014
PETITION DATE: 11/24/2014
HEARING DATE: 12/8/2014

License Number: ABRA-081331
License Class/Type: B Retail - Groce
SMD: 3G05

Applicant: Broad Branch Market LLC
Trade Name: The Broad Branch Market
Premise Address: 5608 BROAD BRANCH RD NW

Endorsements: Tasting

Days	Hours of Operation	Hours of Sales/Service
SUN:	7 am - 10 pm	9 am -10 pm
MON:	7 am - 10 pm	9 am - 10 pm
TUE:	7 am - 10 pm	9 am - 10 pm
WED:	7 am - 10 pm	9 am - 10 pm
THU:	7 am - 10 pm	9 am - 10 pm
FRI:	7 am - 10 pm	9 am - 10 pm
SAT:	7 am - 10 pm	9 am - 10 pm

License Number: ABRA-084981
License Class/Type: B Retail - Groce
SMD: 1A10

Applicant: Lamont Market Associates, Inc.
Trade Name: Lamont Market
Premise Address: 450 LAMONT ST NW

Endorsements:

Days	Hours of Operation	Hours of Sales/Service
SUN:	8 am - 9 pm	9 am -9 pm
MON:	8 am - 9 pm	9 am - 9 pm
TUE:	8 am - 9 pm	9 am - 9 pm
WED:	8 am - 9 pm	9 am - 9 pm
THU:	8 am - 9 pm	9 am - 9 pm
FRI:	8 am - 9 pm	9 am - 9 pm
SAT:	8 am - 9 pm	9 am - 9 pm

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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

RENEWAL NOTICES

POSTING DATE: 10/10/2014
PETITION DATE: 11/24/2014
HEARING DATE: 12/8/2014

License Number: ABRA-088966

Applicant: Hanmi Corp

License Class/Type: B Retail - Groce

Trade Name: Best World Supermarket

SMD: 1D04

Premise Address: 3178 MOUNT PLEASANT ST NW

Endorsements:

Days	Hours of Operation	Hours of Sales/Service
SUN:	8 am - 10 pm	9:30 am -10 pm
MON:	8 am - 9:30 pm	9 am - 9:30 pm
TUE:	8 am - 9:30 pm	9 am - 9:30 pm
WED:	8 am - 9:30 pm	9 am - 9:30 pm
THU:	8 am - 9:30 pm	9 am - 9:30 pm
FRI:	8 am - 9:30 pm	9 am - 9:30 pm
SAT:	8 am - 9:30 pm	9 am - 9:30 pm

License Number: ABRA-089668

Applicant: HYUN, INC.

License Class/Type: B Retail - Groce

Trade Name: MIMI's CONVENIENCE

SMD: 3D04

Premise Address: 5435 MacArthur BLVD NW

Endorsements:

Days	Hours of Operation	Hours of Sales/Service
SUN:	CLOSED -	CLOSED -
MON:	6:30 am - 10 pm	9 am - 10 pm
TUE:	6:30 am - 10 pm	9 am - 10 pm
WED:	6:30 am - 10 pm	9 am - 10 pm
THU:	6:30 am - 10 pm	9 am - 10 pm
FRI:	6:30 am - 10 pm	9 am - 10 pm
SAT:	6:30 am - :10 pm	9 am - 10 pm

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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

RENEWAL NOTICES

POSTING DATE: 10/10/2014
PETITION DATE: 11/24/2014
HEARING DATE: 12/8/2014

License Number: ABRA-094178

Applicant: S & G Inc.

License Class/Type: B Retail - Groce

Trade Name: Park Market

SMD: 1A04

Premise Address: 3400 13TH ST NW

Endorsements:

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

License Number: ABRA-078242

Applicant: E & K, Limited Liability Company

License Class/Type: B Retail - Class

Trade Name: 13th Street Market

SMD: 1A04

Premise Address: 3582 13TH ST NW

Endorsements:

Days	Hours of Operation	Hours of Sales/Service
SUN:	9 am - 12 am	9 am -12 am
MON:	9 am - 12 am	9 am - 12 am
TUE:	9 am - 12 am	9 am - 12 am
WED:	9 am - 12 am	9 am - 12 am
THU:	9 am - 12 am	9 am - 12 am
FRI:	9 am - 12 am	9 am - 12 am
SAT:	9 am - 12 am	9 am - 12 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 10/10/2014
PETITION DATE: 11/24/2014
HEARING DATE: 12/8/2014

License Number: ABRA-078895
License Class/Type: B Retail - Groce
SMD: 1A05

Applicant: Target Corporation
Trade Name: Target Store T-2259
Premise Address: 3100 14TH ST NW

Endorsements:

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

License Number: ABRA-026649
License Class/Type: B Retail - Groce
SMD: 1A09

Applicant: Hwang & Hyun O Kim
Trade Name: D & B Deli Carryout
Premise Address: 3412 GEORGIA AVE NW

Endorsements:

Days	Hours of Operation	Hours of Sales/Service
SUN:	7 am - 7 pm	9 am -7 pm
MON:	7 am - 7 pm	9 am - 7 pm
TUE:	7 am - 7 pm	9 am - 7 pm
WED:	7 am - 7 pm	9 am - 7 pm
THU:	7 am - 7 pm	9 am - 7 pm
FRI:	7 am - 7 pm	9 am - 7 pm
SAT:	7 am - 7 pm	9 am - 7 pm

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

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RENEWAL NOTICES

POSTING DATE: 10/10/2014
PETITION DATE: 11/24/2014
HEARING DATE: 12/8/2014

License Number: ABRA-093808

Applicant: BIN & AB LLC

License Class/Type: B Retail - Groce

Trade Name: Gray's Market

SMD: 1A09

Premise Address: 3306 GEORGIA AVE NW

Endorsements:

Days	Hours of Operation	Hours of Sales/Service
SUN:	7 am - 12 am	7 am -12 am
MON:	7 am - 12 am	7 am - 12 am
TUE:	7 am - 12 am	7 am - 12 am
WED:	7 am - 12 am	7 am - 12 am
THU:	7 am - 12 am	7 am - 12 am
FRI:	7 am - 12 am	7 am - 12 am
SAT:	7 am - 12 am	7 am - 12 am

License Number: ABRA-077898

Applicant: Jin Woo Her

License Class/Type: B Retail - Groce

Trade Name: Fairmont Market

SMD: 1B03

Premise Address: 2628 11TH ST NW

Endorsements:

Days	Hours of Operation	Hours of Sales/Service
SUN:	8:30 am - 9 pm	9 am -9 pm
MON:	8:30 am - 9 pm	9 am - 9 pm
TUE:	8:30 am - 9 pm	9 am - 9 pm
WED:	8:30 am - 9 pm	9 am - 9 pm
THU:	8:30 am - 9 pm	9 am - 9 pm
FRI:	8:30 am - 9 pm	9 am - 9 pm
SAT:	8:30 am - 9 pm	9 am - 9 pm

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

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RENEWAL NOTICES

POSTING DATE: 10/10/2014
PETITION DATE: 11/24/2014
HEARING DATE: 12/8/2014

License Number: ABRA-092095
License Class/Type: B Retail - Class
SMD: 1B05

Applicant: S & H, Inc,
Trade Name: STREETS MARKET & CAFE
Premise Address: 2400 14th ST NW

Endorsements: Tasting

Days	Hours of Operation	Hours of Sales/Service
SUN:	8 am - 10 pm	8 am -10 pm
MON:	8 am - 10 pm	8 am - 10 pm
TUE:	8 am - 10 pm	8 am - 10 pm
WED:	8 am - 10 pm	8 am - 10 pm
THU:	8 am - 10 pm	8 am - 10 pm
FRI:	8 am - 10 pm	8 am - 10 pm
SAT:	8 am - 10 pm	8 am - 10 pm

License Number: ABRA-090326
License Class/Type: B Retail - Groce
SMD: 2B04

Applicant: Metaril, LLC
Trade Name: Prego Again
Premise Address: 1617 17TH ST NW

Endorsements: Tasting

Days	Hours of Operation	Hours of Sales/Service
SUN:	9 am - 10 pm	9 am -10 pm
MON:	9 am - 12 am	9 am - 12 am
TUE:	9 am - 12pm	9 am - 12 am
WED:	9 am - 12 am	9 am - 12 am
THU:	9 am - 12 pm	9 am - 12 am
FRI:	9 am - 12 am	9 am - 12 am
SAT:	9 am - 12 am	9 am - 12 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

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RENEWAL NOTICES

POSTING DATE: 10/10/2014
PETITION DATE: 11/24/2014
HEARING DATE: 12/8/2014

License Number: ABRA-091668
License Class/Type: B Retail - Class
SMD: 2B06

Applicant: Lodging Concessions, LLC
Trade Name: Hampton Inn-White House Suite
Premise Address: 1729 H ST NW

Endorsements:

Days	Hours of Operation	Hours of Sales/Service
SUN:	7 am - 12 am	7 am -12 am
MON:	7 am - 12 am	7 am - 12 am
TUE:	7 am - 12 am	7 am - 12 am
WED:	7 am - 12 am	7 am - 12 am
THU:	7 am - 12 am	7 am - 12 am
FRI:	7 am - 12 am	7 am - 12 am
SAT:	7 am - 12 am	7 am - 12 am

License Number: ABRA-079966
License Class/Type: B Retail - Groce
SMD: 2E03

Applicant: MMTM LLC
Trade Name: Marvelous Market
Premise Address: 3217 P ST NW

Endorsements:

Days	Hours of Operation	Hours of Sales/Service
SUN:	7 am - 11 pm	9 am -9 pm
MON:	8 am - 11 pm	9 am - 9 pm
TUE:	9 am - 11 pm	9 am - 9 pm
WED:	9 am - 11 pm	9 am - 9 pm
THU:	9 am - 11 pm	9 am - 9 pm
FRI:	9 am - 11 pm	9 am - 9 pm
SAT:	9 am - 11 pm	9 am - 9 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

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RENEWAL NOTICES

POSTING DATE: 10/10/2014
PETITION DATE: 11/24/2014
HEARING DATE: 12/8/2014

License Number: ABRA-018083
License Class/Type: B Retail - Groce
SMD: 2E05

Applicant: Dean & Deluca of Georgetown, Inc
Trade Name: Dean & Deluca
Premise Address: 3276 M ST NW

Endorsements: Tasting

Days	Hours of Operation	Hours of Sales/Service
SUN:	8 am - 9 pm	8 am -9 pm
MON:	8 am - 9 pm	8 am - 9 pm
TUE:	8 am - 9 pm	8 am - 9 pm
WED:	8 am - 9 pm	8 am - 9 pm
THU:	8 am - 9 pm	8 am - 9 pm
FRI:	8 am - 9 pm	8 am - 9 pm
SAT:	8 am - 9 pm	8 am - 9 pm

License Number: ABRA-082681
License Class/Type: B Retail - Groce
SMD: 2F02

Applicant: The Landragin Operating Company Three, LLC
Trade Name: Cork & Fork
Premise Address: 1522 14TH ST NW

Endorsements: Tasting

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

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

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RENEWAL NOTICES

POSTING DATE: 10/10/2014
PETITION DATE: 11/24/2014
HEARING DATE: 12/8/2014

License Number: ABRA-086606
License Class/Type: B Retail - Groce
SMD: 2F06

Applicant: S & K CORPORATION
Trade Name: 11th & M Corner Market
Premise Address: 1133 11TH ST NW

Endorsements:

Days	Hours of Operation	Hours of Sales/Service
SUN:	8 am - 9 pm	9 am -9 pm
MON:	8 am - 9 pm	9 am - 9 pm
TUE:	8 am - 9 pm	9 am - 9 pm
WED:	8 am - 9 pm	9 am - 9 apm
THU:	8 am - 9 pm	9 am - 9 pm
FRI:	8 am - 9 pm	9 am - 9 pm
SAT:	8 am - 9 pm	9 am - 9 pm

License Number: ABRA-092834
License Class/Type: B Retail - Groce
SMD: 3F05

Applicant: Little Red Fox LLC
Trade Name: Little Red Fox
Premise Address: 5035 CONNECTICUT AVE NW

Endorsements: Tasting

Days	Hours of Operation	Hours of Sales/Service
SUN:	7:30am - 11:30pm	9:00am -11:30pm
MON:	7:30am - 11:30pm	9:00am - 11:30pm
TUE:	7:30am - 11:30pm	9:00am - 11:30pm
WED:	7:30am - 11:30pm	9:00am - 11:30pm
THU:	7:30am - 11:30pm	9:00am - 11:30pm
FRI:	7:30am - 11:30pm	9:00am - 11:30pm
SAT:	7:30am - 11:30pm	9:00am - 11:30pm

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

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RENEWAL NOTICES

POSTING DATE: 10/10/2014
PETITION DATE: 11/24/2014
HEARING DATE: 12/8/2014

License Number: ABRA-095921
License Class/Type: B Retail - Groce
SMD: 4C10

Applicant: Addisu Teddy LLC
Trade Name: Upshur Grocery
Premise Address: 233 UPSHUR ST NW

Endorsements: Tasting

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

License Number: ABRA-093115
License Class/Type: B Retail - Class
SMD: 4D01

Applicant: YD Progress, LLC
Trade Name: Lucky Corner Store
Premise Address: 5433 GEORGIA AVE NW

Endorsements:

Days	Hours of Operation	Hours of Sales/Service
SUN:	7 am - 12 am	7 am -12 am
MON:	7 am - 12 am	7 am - 12 am
TUE:	7 am - 12 am	7 am - 12 am
WED:	7 am - 12 am	7 am - 12 am
THU:	7 am - 12 am	7 am - 12 am
FRI:	7 am - 12 am	7 am - 12 am
SAT:	7 am - 12 am	7 am - 12 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

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RENEWAL NOTICES

POSTING DATE: 10/10/2014
PETITION DATE: 11/24/2014
HEARING DATE: 12/8/2014

License Number: ABRA-091196

Applicant: A AND A LLC

License Class/Type: B Retail - Groce

Trade Name: Georgia Line Convenience Store

SMD: 4D04

Premise Address: 5125 GEORGIA AVE NW

Endorsements:

Days	Hours of Operation	Hours of Sales/Service
SUN:	6 am - 10pm	none -none
MON:	6 am - 10pm	9 am - 10pm
TUE:	6 am - 10pm	9 am - 10pm
WED:	6 am - 10pm	9 am - 10pm
THU:	6 am - 10pm	9 am - 10pm
FRI:	6 am - 12 am	9 am - 10pm
SAT:	6 am - 12 am	9 am - 10pm

License Number: ABRA-095044

Applicant: S & L LLC

License Class/Type: B Retail - Groce

Trade Name: Midnight Delicatessen

SMD: 4D06

Premise Address: 4701 GEORGIA AVE NW

Endorsements:

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

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

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RENEWAL NOTICES

POSTING DATE: 10/10/2014
PETITION DATE: 11/24/2014
HEARING DATE: 12/8/2014

License Number: ABRA-094097
License Class/Type: B Retail - Groce
SMD: 5D02

Applicant: North Woodbridge, LLC
Trade Name: Northeast Supermarket
Premise Address: 1201 MOUNT OLIVET RD NE

Endorsements:

Days	Hours of Operation	Hours of Sales/Service
SUN:	7 am - 12 am	7 am -12 am
MON:	7 am - 12 am	7 am - 12 am
TUE:	7 am - 12 am	7 am - 12 am
WED:	7 am - 12 am	7 am - 12 am
THU:	7 am - 7 am	7 am - 12 am
FRI:	7 am - 12 am	7 am - 12 am
SAT:	7 am - 12 am	7 am - 12 am

License Number: ABRA-094098
License Class/Type: B Retail - Groce
SMD: 5D05

Applicant: ALDI INC.(MARYLAND)
Trade Name: ALDI INC (MARYLAND)
Premise Address: 901 17TH ST NE

Endorsements:

Days	Hours of Operation	Hours of Sales/Service
SUN:	9am - 9pm	9am -9pm
MON:	9am - 9pm	9am - 9pm
TUE:	9am - 9pm	9am - 9pm
WED:	9am - 9pm	9am - 9pm
THU:	9am - 9pm	9am - 9pm
FRI:	9am - 9pm	9am - 9pm
SAT:	9am - 9pm	9am - 9pm

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

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RENEWAL NOTICES

POSTING DATE: 10/10/2014
PETITION DATE: 11/24/2014
HEARING DATE: 12/8/2014

License Number: ABRA-094621
License Class/Type: B Retail - Class
SMD: 5D06

Applicant: BODEGA MARKET LLC
Trade Name: BODEGA MARKET
Premise Address: 1136 FLORIDA AVE NE

Endorsements:

Days	Hours of Operation	Hours of Sales/Service
SUN:	7am - 12am	7am -12am
MON:	7am - 12am	7am - 12am
TUE:	7am - 12am	7am - 12am
WED:	7am - 12am	7am - 12am
THU:	7am - 12am	7am - 12am
FRI:	7am - 12am	7am - 12am
SAT:	7am - 12am	7am - 12am

License Number: ABRA-091021
License Class/Type: B Retail - Groce
SMD: 5E09

Applicant: Capitol, LLC
Trade Name: Capitol Market
Premise Address: 2501 NORTH CAPITOL ST NE

Endorsements:

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

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

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RENEWAL NOTICES

POSTING DATE: 10/10/2014
PETITION DATE: 11/24/2014
HEARING DATE: 12/8/2014

License Number: ABRA-093687
License Class/Type: B Retail - Groce
SMD: 6B02

Applicant: Radici Uno (One Root), LLC
Trade Name: The Silver Spork
Premise Address: 301 - 303 7th ST SE

Endorsements:

Days	Hours of Operation	Hours of Sales/Service
SUN:	7 am - 9 pm	9 am - 9 pm
MON:	7 am - 11 pm	9 am - 11 pm
TUE:	7 am - 11 pm	9 am - 11 pm
WED:	7 am - 11 pm	9 am - 11 pm
THU:	7 am - 11 pm	9 am - 11 pm
FRI:	7 am - 11 pm	9 am - 11 pm
SAT:	7 am - 11 pm	9 am - 11 pm

License Number: ABRA-089011
License Class/Type: B Retail - Groce
SMD: 6B10

Applicant: Moonkor Corporation
Trade Name: S.E. Market
Premise Address: 1500 INDEPENDENCE AVE SE

Endorsements:

Days	Hours of Operation	Hours of Sales/Service
SUN:	8 am - 9 pm	9 am - 9 pm
MON:	8 am - 9 pm	9 am - 9 pm
TUE:	8 am - 9 pm	9 am - 9 pm
WED:	8 am - 9 pm	9 am - 9 pm
THU:	8 am - 9 pm	9 am - 9 pm
FRI:	8 am - 9 pm	9 am - 9 pm
SAT:	8 am - 9 pm	9 am - 9 pm

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

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RENEWAL NOTICES

POSTING DATE: 10/10/2014
PETITION DATE: 11/24/2014
HEARING DATE: 12/8/2014

License Number: ABRA-078727
License Class/Type: B Retail - Groce
SMD: 6C02

Applicant: SMJ & Capitol Hill, Inc.
Trade Name: Capitol Hill Market
Premise Address: 241 MASSACHUSETTS AVE NE

Endorsements:

Days	Hours of Operation	Hours of Sales/Service
SUN:	7 am - 10 pm	7 am -10 pm
MON:	7 am - 10 pm	7 am - 10 pm
TUE:	7 am - 10 pm	7 am - 10 pm
WED:	7 am - 10 pm	7 am - 10 pm
THU:	7 am - 10 pm	7 am - 10 pm
FRI:	7 am - 10 pm	7 am - 10 pm
SAT:	7 am - 10 pm	7 am - 10 pm

License Number: ABRA-026009
License Class/Type: B Retail - Groce
SMD: 6C06

Applicant: Ibnoujala Khalid
Trade Name: ABC Grocery
Premise Address: 522 K ST NE

Endorsements:

Days	Hours of Operation	Hours of Sales/Service
SUN:	7 am - 11 pm	7 am -11 pm
MON:	7 am - 11 pm	7 am - 11 pm
TUE:	7 am - 11 pm	7 am - 11 pm
WED:	7 am - 11 pm	7 am - 11 pm
THU:	7 am - 11 pm	7 am - 11 pm
FRI:	7 am - 11 pm	7 am - 11 pm
SAT:	7 am - 11 pm	7 am - 11 pm

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

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RENEWAL NOTICES

POSTING DATE: 10/10/2014
PETITION DATE: 11/24/2014
HEARING DATE: 12/8/2014

License Number: ABRA-021721
License Class/Type: B Retail - Groce
SMD: 6E04

Applicant: No Jun Choon & Myong A
Trade Name: Andy's Carryout
Premise Address: 209 NEW YORK AVE NW

Endorsements:

Days	Hours of Operation	Hours of Sales/Service
SUN:	9 am - 9 pm	9 am -9 pm
MON:	9 am - 9 pm	9 am - 9 pm
TUE:	9 am - 9 pm	9 am - 9 pm
WED:	9 am - 9 pm	9 am - 9 pm
THU:	9 am - 9 pm	9 am - 9 pm
FRI:	9 am - 9 pm	9 am - 9 pm
SAT:	9 am - 9 pm	9 am - 9 pm

License Number: ABRA-082453
License Class/Type: B Retail - Groce
SMD: 7E07

Applicant: STANLEY LLC
Trade Name: Toni's Market
Premise Address: 5319 EAST CAPITOL ST SE

Endorsements:

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

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

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RENEWAL NOTICES

POSTING DATE: 10/10/2014

PETITION DATE: 11/24/2014

HEARING DATE: 12/8/2014

License Number: ABRA-096107

Applicant: 4686 MLK, LLC

License Class/Type: B Retail - Groce

Trade Name: Fort Drum Market

SMD: 8D04

Premise Address: 4686 MARTIN LUTHER KING JR AVE SW

Endorsements:

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

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: October 10, 2014
Petition Date: November 24, 2014
Hearing Date: December 8, 2014

License No.: ABRA-088603
Licensee: Impala, LLC
Trade Name: Impala Cantina y Taqueria
License Class: Retailer’s Class “C” Tavern
Address: 1358 H St., NE
Contact: Troy Hickman, Agent 202-733-3427

WARD 6

ANC 6A

SMD 6A06

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

Applicant requests an entertainment endorsement to allow live, recorded Latin Jazz/Salsa music and dancing.

CURRENT HOURS OF OPERATION

Sunday 10 am- 2 am, Monday through Thursday 11 am – 2 am and
Friday & Saturday 11am – 3 am

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

Sunday 10 am – 2 am, Monday through Thursday 11 am – 2 am and
Friday & Saturday 11 am – 3 am

HOUR OF ENTERTAINMENT

Sunday 10 am – 2 am, Monday through Thursday 11 am – 2 am and
Friday & Saturday 11 am – 3 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: October 10, 2014
Petition Date: November 24, 2014
Hearing Date: December 08, 2014
Protest Hearing Date: February 18, 2015

License No.: ABRA-087818
Licensee: Asmara Incorporated
Trade Name: Kenilworth Market
License Class: Retailer's "B"
Address: 1612 Kenilworth Avenue, NE
Contact Information: Kevin Lee 703 941-3133

WARD 7

ANC 7D

SMD 7D03

Notice is hereby given that this licensee has applied for a substantial change to the License under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the hearing date at 10:00 am, 2000 14th Street, NW, 4th Floor, Washington, D.C. 20009. Petitions and/or requests to appear before the Board must be filed on or before the Petition Date. The Protest Hearing Date is scheduled for 4:30 pm on February 18, 2015.

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

Class change from a Retailer "B" to Retailer "A"

Current Hours of Operation and Alcoholic Beverage Sales and Consumption

Sunday through Saturday 9am to 12 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: October 10, 2014
Petition Date: November 24, 2014
Hearing Date: December 08, 2014
Protest Hearing Date: February 18, 2015

License No.: ABRA-060080
Licensee: Haile G. Bainesai
Trade Name: Selam Restaurant
License Class: Retailer's "C" Restaurant
Address: 1524 - 1526 U Street, NW
Contact Information: Haile G. Bainesai (202)462-4758

WARD 2

ANC 2B

SMD 2B09

Notice is hereby given that this licensee has applied for a substantial change to the License under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the hearing date at 10:00 am, 2000 14th Street, NW, 4th Floor, Washington, D.C. 20009. Petitions and/or requests to appear before the Board must be filed on or before the Petition Date. The Protest Hearing Date is scheduled for 1:30 pm on February 18, 2015.

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

Class change from a Retailer "C" Restaurant to a Retailer "C" Tavern

Current Hours of Operations

Sunday through Thursday 9 am -2 am, Friday and Saturday, 9 am-3 am

Current Hours of Alcoholic Beverage Sales, Service, and Consumption

Sunday through Thursday 9 am -2 am, Friday and Saturday, 9 am-3 am

Hours of Entertainment

Sunday through Thursday 9 pm-1 am, Friday and Saturday 9 pm- 2am

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

Posting Date: October 10, 2014
Petition Date: November 24, 2014
Hearing Date: December 8, 2014

License No.: ABRA-089186
Licensee: Spodeeodee
Trade Name: Showtime
License Class: Retailer's Class "C" Tavern
Address: 113 Rhode Island Ave, NW
Contact: Rosemarie Salguero, Agent

WARD 5

ANC 5E

SMD 5E07

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

Applicant requests a sidewalk café with an occupancy load of 6 seats.

CURRENT HOURS OF OPERATION

Sunday 3 pm- 2 am, Monday through Thursday 10 am – 2 am and
Friday & Saturday 10am – 3 am

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

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

HOUR OF ENTERTAINMENT

Sunday 3 pm – 2 am, Monday through Thursday 2 pm – 11 pm Friday & Saturday 2 pm – 12 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: October 10, 2014
Petition Date: November 24, 2014
Hearing Date: December 8, 2014

License No.: ABRA- 096839
Licensee: Capital Yacht Club
Trade Name: The Capital Yacht Club
License Class: Retail Class "C" Club
Address: 1000 Water St. SW
Contact: Freddi Lipstein 202-488-8110

WARD 6

ANC 6D

SMD 6D04

Notice is hereby given that this applicant has applied for a license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such license on the hearing date at 10:00 am, 2000 14th Street NW, 4th Floor, Suite 400S, Petition and/or request to appear before the Board must be filed on or before the petition date.

NATURE OF OPERATION

Transfer to a new location from 1000 Water Street SW to 660 Water St SW

HOURS OF OPERATION/ HOURS OF SALE/SERVICE

Sunday 10 am -2 am, Monday through Saturday 8 am – 2 am

****READVERTISEMENT**

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: October 10, 2014
Petition Date: November 24, 2014
Hearing Date: December 08, 2014
Protest Hearing Date: February 18, 2015

License No.: ABRA-096522
Licensee: SEB, Inc,
Trade Name: Uncle Chip's
License Class: Retail Class "C" Tavern
Address: 1514 North Capitol Street, NW
Contact: Shannon E. Boyle 202 999-4990

WARD 5 ANC 5E SMD 5E05

Notice is hereby given that this applicant has applied for a new license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such license on the Hearing Date at 10:00 am, 2000 14th Street, N.W., 400 South, Washington, DC 20009. Petitions and/or requests to appear before the Board must be filed on or before the Petition Date. The Protest Hearing Date is scheduled for 1:30pm on February 18, 2015.

NATURE OF OPERATION

New Tavern. Serving bakery items. Social Meeting place. Occupancy load is 8. Sidewalk Cafe.

HOURS OF OPERATON AND ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION

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

HOURS OF OPERATON FOR SIDEWALK CAFÉ (18 SEATS)

Sunday through Saturday 7 am – 12 am

HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION IN SIDEWALK CAFE (18 SEATS)

Sunday through Saturday 8 am – 12 am

****RESCINDED ADVERTISEMENT**

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: October 10, 2014
Petition Date: November 24, 2014
Hearing Date: December 08, 2014
Protest Hearing Date: February 18, 2015

License No.: ABRA-096572
Licensee: SEB, Inc,
Trade Name: Uncle Chip’s
License Class: Retail Class “C” Tavern
Address: 1514 North Capitol Street, NW.
Contact: Shannon E. Boyle 202 999-4990

WARD 5

ANC 5E

SMD 5E05

Notice is hereby given that this applicant has applied for a new license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such license on the Hearing Date at 10:00 am, 2000 14th Street, N.W., 400 South, Washington, DC 20009. Petitions and/or requests to appear before the Board must be filed on or before the Petition Date. The Protest Hearing Date is scheduled for 1:30pm on February 04, 2015.

NATURE OF OPERATION

New Tavern. Serving bakery items. Social Meeting place. Occupancy load is 8. Sidewalk Cafe.

HOURS OF OPERATON

Sunday through Saturday 7 am – 10 pm

HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION

Sunday through Saturday 8 am – 10 pm

HOURS OF OPERATON FOR SIDEWALK CAFÉ (18 SEATS)

Sunday through Saturday 7 am – 10 pm

**HOURS ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION
IN SIDEWALK CAFE (18 SEATS)**

Sunday through Saturday 8 am – 10 pm

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

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

Case No. 13-20: James Ormond Wilson Normal School**1100 Harvard Street NW****Square 2856, part of Lot 812**

Applicant: Historic Washington Architecture, Inc.

Affected ANC: Advisory Neighborhood Commission 1B

Case No. 13-21: Blanche Kelso Bruce School**770 Kenyon Street NW****Square 2891, Lot 823**

Applicant: Advisory Neighborhood Commission 1A

Affected ANC: Advisory Neighborhood Commission 1A

The hearing will take place at **9:00 a.m. on Thursday, November 20, 2014**, at 441 Fourth Street, NW (One Judiciary Square), in Room 220 South. It will be conducted in accordance with the Review Board's Rules of Procedure (10C DCMR 2). A copy of the rules can be obtained from the Historic Preservation Office at 1100 4th Street, SW, Suite E650, Washington, DC 20024, or by phone at (202) 442-8800, and they are included in the preservation regulations which can be found on the Historic Preservation Office website.

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

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

If the Historic Preservation Review Board designates the property, it will be included in the D.C. Inventory of Historic Sites, and will be protected by the D.C. Historic Landmark and Historic District Protection Act of 1978. The Review Board will simultaneously consider the nomination of the property to the National Register of Historic Places. The National Register is the Federal government's official list of prehistoric and historic properties worthy of preservation. Listing in the National Register provides recognition and assists in preserving our nation's heritage. Listing provides recognition of the historic importance of properties and assures review of Federal undertakings that might affect the character of such properties. If a property is listed in the Register, certain Federal rehabilitation tax credits for rehabilitation and other provisions may

apply. Public visitation rights are not required of owners. The results of listing in the National Register are as follow:

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

Eligibility for Federal Tax Provisions: If a property is listed in the National Register, certain Federal tax provisions may apply. The Tax Reform Act of 1986 (which revised the historic preservation tax incentives authorized by Congress in the Tax Reform Act of 1976, the Revenue Act of 1978, the Tax Treatment Extension Act of 1980, the Economic Recovery Tax Act of 1981, and the Tax Reform Act of 1984) provides, as of January 1, 1987, for a 20% investment tax credit with a full adjustment to basis for rehabilitating historic commercial, industrial, and rental residential buildings. The former 15% and 20% Investment Tax Credits (ITCs) for rehabilitation of older commercial buildings are combined into a single 10% ITC for commercial and industrial buildings built before 1936. The Tax Treatment Extension Act of 1980 provides Federal tax deductions for charitable contributions for conservation purposes of partial interests in historically important land areas or structures. Whether these provisions are advantageous to a property owner is dependent upon the particular circumstances of the property and the owner. Because the tax aspects outlined above are complex, individuals should consult legal counsel or the appropriate local Internal Revenue Service office for assistance in determining the tax consequences of the above provisions. For further information on certification requirements, please refer to 36 CFR 67.

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

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

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

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

Case No. 14-19: Rock Creek Valley Historic District

including the following federally owned reservations:

Rock Creek Park, Klingle Valley Parkway, Soapstone Creek Valley,
Beach
Parkway, Blair Portal, Pinehurst Parkway, Woodley Park, Melvin Hazen
Park, the Peirce Mill Springhouse area, and the northern edge of the
National Zoological Park also known as Reservations 308A, 356, 339,
402, 432, 433, 545, 563, 630 and 635

These are all federally owned properties. No private properties are proposed for inclusion.

The hearing will take place at **9:00 a.m. on Thursday, November 20, 2014**, at 441 Fourth Street, NW (One Judiciary Square), in Room 220 South. It will be conducted in accordance with the Review Board's Rules of Procedure (10C DCMR 2). A copy of the rules can be obtained from the Historic Preservation Office at 1100 4th Street, SW, Suite E650, Washington, DC 20024, or by phone at (202) 442-8800, and they are included in the preservation regulations which can be found on the Historic Preservation Office website.

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

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

If the Historic Preservation Review Board designates the district, it will be included in the D.C. Inventory of Historic Sites, and will be protected by the D.C. Historic Landmark and Historic District Protection Act of 1978. The Review Board will simultaneously consider the nomination of the properties to the National Register of Historic Places. The National Register is the Federal government's official list of prehistoric and historic properties worthy of preservation. Listing in the National Register provides recognition and assists in preserving our nation's heritage. Listing provides recognition of the historic importance of properties and assures review of Federal undertakings that might affect the character of such properties. If a property is listed in the Register, certain Federal rehabilitation tax credits for rehabilitation and other provisions may

apply. Public visitation rights are not required of owners. The results of listing in the National Register are as follows:

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

Eligibility for Federal Tax Provisions: If a property is listed in the National Register, certain Federal tax provisions may apply. The Tax Reform Act of 1986 (which revised the historic preservation tax incentives authorized by Congress in the Tax Reform Act of 1976, the Revenue Act of 1978, the Tax Treatment Extension Act of 1980, the Economic Recovery Tax Act of 1981, and the Tax Reform Act of 1984) provides, as of January 1, 1987, for a 20% investment tax credit with a full adjustment to basis for rehabilitating historic commercial, industrial, and rental residential buildings. The former 15% and 20% Investment Tax Credits (ITCs) for rehabilitation of older commercial buildings are combined into a single 10% ITC for commercial and industrial buildings built before 1936. The Tax Treatment Extension Act of 1980 provides Federal tax deductions for charitable contributions for conservation purposes of partial interests in historically important land areas or structures. Whether these provisions are advantageous to a property owner is dependent upon the particular circumstances of the property and the owner. Because the tax aspects outlined above are complex, individuals should consult legal counsel or the appropriate local Internal Revenue Service office for assistance in determining the tax consequences of the above provisions. For further information on certification requirements, please refer to 36 CFR 67.

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

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

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

DISTRICT OF COLUMBIA PUBLIC CHARTER SCHOOL BOARD**NOTIFICATION OF PUBLIC HEARING****Children's Guild Public Charter School**

The District of Columbia Public Charter School Board ("PCSB") hereby gives notice, dated Tuesday, October 7, 2014, of Children's Guild Public Charter School's request to amend its conditionally approved petition by expanding to grades 9-12. PCSB will hold a special public hearing on the matter on Monday, November 3, 2014 during its regularly scheduled Board Meeting. PCSB will hold a vote on the matter during its regularly scheduled Board Meeting on Monday, November 17, 2014. For further information, please contact Ms. Tami Lewis, Senior Special Education Advisor, at 202-328-2660. Please contact 202-328-2660 or email public.comment@dcpsb.org to submit public comment.

**BOARD OF ZONING ADJUSTMENT
PUBLIC HEARING NOTICE
TUESDAY, JANUARY 6, 2015
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 TWO

18884 **Application of 1351 LLC**, pursuant to 11 DCMR §§ 3104.1 and 3103.2 for a
ANC-2E special exception from the zone district boundary line crossing a lot
 requirements under § 2514.1(d), and a variance from the rear yard requirements
 under § 774.1, to allow an addition to an existing structure in the C-2-A and R-3
 Districts at premises 1351 Wisconsin Avenue, N.W. (Square 1243, Lot 811).

WARD SIX

18885 **Application of Amanda Thomas**, pursuant to 11 DCMR §§ 3104.1 and 3103.2
ANC-6B for a special exception under § 223, not meeting the minimum lot dimension
 requirements under § 401.1, the lot occupancy requirements under § 403.2, the
 rear yard requirements under § 404.1, and the court width requirements under §
 406.1, and a variance from the alley setback requirements under § 2300.2, to
 allow the enlargement of an existing deck and accessory garage to an existing
 single family dwelling in the R-4 District at premises 1401 Massachusetts
 Avenue, S.E. (Square 1059-S, Lot 11).

WARD TWO

18887 **Application of District of Columbia CVS Pharmacy LLC**, pursuant to 11
ANC-2B DCMR § 3104.1, for a special exception from the roof structure enclosure
 requirements under §§ 411 and 770.6, for an existing two-story building in the
 DD/C-3-C District at premises 6-7 Dupont Circle, N.W. (Square 114, Lot 25).

WARD FIVE

18889 **Application of DAZ LLC**, pursuant to 11 DCMR § 3103.2, for a variance from
ANC-5E the minimum lot area requirements under § 401.3, to allow the conversion of an
 existing single family dwelling to a three unit apartment house in the R-4 District
 at premises 24 Rhode Island Avenue, N.E. (Square 3508, Lot 16).

BZA PUBLIC HEARING NOTICE

JANUARY 6, 2015

PAGE NO. 2

WARD SIX

18890 **Application of Rock Creek-650 LLC**, pursuant to 11 DCMR §§ 3103.2 and
ANC-6C 3104.1, for variances from the parking requirements under § 2101.1, the parking
space size requirements under § 2115.2, and the loading requirements under §
2201.1, and a special exception from the HS Overlay special exception
requirements under § 1325.1 to allow an addition that increases the gross floor
area of an existing building by more than 50% on a lot that has 6,000 square feet
or more of land area in the HS-H/C-2-B District at premises 646-654 H Street,
N.E. (Square 858, Lots 1, 2, 800, 801, and 802).

WARD SIX

18891 **Application of 14 & H, LLC**, pursuant to 11 DCMR §§ 3103.2 and 3104.1, for
ANC-6A variances from the height requirements under § 770, the FAR requirements under
§ 771, the lot occupancy requirements under § 772, the parking requirements
under § 2101.1, and special exceptions from the roof structure setback
requirements under §§ 411.11 and 770.6, and the HS Overlay special exception
requirements under § 1320.4 to allow construction of a multifamily residential
building with ground floor retail on a lot that has 6,000 square feet or more of
land area in the HS-A/C-3-A District at premises 1401 Florida Avenue, N.E. and
1402-1410 H Street N.E. (Square 1049, Lots 5, 6, 802, 803, and 804).

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,

BZA PUBLIC HEARING NOTICE
JANUARY 6, 2015
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441 4th Street, NW, Suite 210, Washington, D.C. 20001. Please include the case number on all correspondence.

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

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

DISTRICT OF COLUMBIA BOARD OF ELECTIONS

NOTICE OF FINAL RULEMAKING

The District of Columbia Board of Elections, pursuant to the authority set forth in The District of Columbia Election Code of 1955, approved August 12, 1955, as amended (69 Stat. 699; D.C. Official Code § 1-1001.05(a)(14) (2012 Repl.)), hereby gives notice of final rulemaking action to adopt amendments to Section 1202 (Order of Contests and Questions) of Chapter 12 (Ballots), Title 3 (Elections and Ethics), of the District of Columbia Municipal Regulations (DCMR)

The amendment to Chapter 12 determines the order of contests and questions on the Primary, General, and Special Election ballots. The position of Attorney General is added to the list of contests.

A Notice of Emergency and Proposed Rulemaking with respect to these amendments was published in the *D.C. Register* on August 15, 2014, at 61 DCR 008567. No written comments on the proposed rules were received during the public comment period, and no substantive changes have been made to the regulations as proposed. The Board took final rulemaking action with respect to these amendments at a regular meeting on Wednesday, October 1, 2014.

These final rules will become effective upon publication of this notice in the *D.C. Register*.

Section 1202, ORDER OF CONTESTS AND QUESTIONS, of Chapter 12, BALLOTS, Title 3, ELECTIONS AND ETHICS, of the DCMR is amended to read as follows:

1202 ORDER OF CONTESTS AND QUESTIONS

1202.1 Contests and questions in any Primary, General or Special Election, if applicable to that election, shall appear on the ballot in the following order:

- (a) Electors for President and Vice President of the United States;
- (b) Delegate to the U.S. House of Representatives;
- (c) Mayor of the District of Columbia;
- (d) Chairman of the Council of the District of Columbia;
- (e) At-Large Member of the Council of the District of Columbia;
- (f) Ward Member of the Council of the District of Columbia;
- (g) Attorney General of the District of Columbia;
- (h) United States Senator;
- (i) United States Representative;

- (j) At-Large Member of the State Board of Education;
- (k) Ward Member of the State Board of Education;
- (l) Advisory Neighborhood Commissioner;
- (m) Short title and summary statement of each proposed initiative, referendum, and Charter amendment; and
- (n) Recall measures.

DEPARTMENT OF MOTOR VEHICLES

NOTICE OF FINAL RULEMAKING

The Director of the Department of Motor Vehicles (“Director”), pursuant to the authority set forth in Sections 1825 and 1826 of the Department of Motor Vehicles Establishment Act of 1998, effective March 26, 1999 (D.C. Law 12-175; D.C. Official Code §§ 50-904 and 50-905 (2012 Repl.)), Sections 6 and 7 of the District of Columbia Traffic Act of 1925, approved March 3, 1925 (43 Stat. 1121; D.C. Official Code §§ 50-2201.03 and 50-1401.01 (2012 Repl.)), Section 3 of the Uniform Classification and Commercial Driver’s License Act of 1990, effective September 20, 1990 (D.C. Law 8-161; D.C. Official Code § 50-402) (2012 Repl.)), and Mayor’s Order 91-161, dated October 15, 1991, hereby gives notice of adoption of the following rulemaking that will amend Chapters 13 (Classification and Issuance of Commercial Driver’s Licenses) and 99 (Definitions) of Title 18 (Vehicles and Traffic) of the District of Columbia Municipal Regulations (“DCMR”).

In compliance with 49 C.F.R. § 390.5, the proposed rulemaking exempts an operator of a DC Streetcar from needing a commercial driver license while operating a DC Streetcar and conforms the definition of DC Streetcar with the definition set forth in the Department of Transportation Establishment Act, effective April 20, 2013 (D.C. Law 19-268; D.C. Official Code § 50-921.71(1)).

No comments were received and no changes were made to the text of the proposed rules, as published in a Notice of Proposed Rulemaking in the *D.C. Register* on August 29, 2014 at 61 DCR 8971. The final rules were adopted on September 29, 2014 and will be effective upon publication of this notice in the *D.C. Register*.

Title 18, VEHICLES AND TRAFFIC, of the DCMR is amended as follows:

Chapter 13, CLASSIFICATION AND ISSUANCE OF COMMERCIAL DRIVER'S LICENSES, is amended as follows:

Section 1329, EXEMPTIONS TO THE COMMERCIAL DRIVER'S LICENSE REQUIREMENTS, is amended by adding a new subsection 1329.4 to read as follows:

1329.4 A driver of a DC Streetcar, as defined in Section 9901 of this title, shall be exempt from this chapter.

Chapter 99, DEFINITIONS, is amended as follows:

Section 9901, DEFINITIONS, is amended by adding a definition for DC Streetcar as follows:

DC Streetcar - means a local fixed guideway transit network offering rail passenger service operated by the District government or its agent.

The definition “Streetcar” (“Streetcar - a car other than a railroad train for transporting persons or property and operated upon rails”) is repealed.

DISTRICT DEPARTMENT OF TRANSPORTATION

NOTICE OF FINAL RULEMAKING

The Director of the District Department of Transportation (DDOT), pursuant to the authority in Sections 4(5)(A) (assigning authority to coordinate and manage public space permits and records to the Department Director), 5(3)(D)(i) and (iii) (allocating and regulating on-street parking), and 5(4)(A) (assigning duty to review and approve public space permit requests to the Department Director) of the Department of Transportation Establishment Act of 2002 (“DDOT Establishment Act”), effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code §§ 50-921.03(5)(A), 50-921.04(3)(D)(i) and (iii), and 50-921.04(4)(A)) (2012 Repl.), and Sections 6(a)(6) and 6(b), of the District of Columbia Traffic Act, approved March 3, 1925 (43 Stat. 1121; D.C. Official Code §§ 50-2201.03 (a)(6), and (b) (2012 Repl.)), hereby gives notice of the adoption of rules that amend Chapter 24 (Stopping, Standing, Parking, and Other Non-Moving Violations) of Title 18 (Vehicles and Traffic) of the District of Columbia Municipal Regulations (DCMR).

The rules extend the current annual visitor parking permit (VPP) program until December 31, 2014 for each household with a VPP pass or eligible to receive a VPP pass. The Director has published a separate rulemaking for public comment detailing a new permanent annual VPP program DDOT plans to implement.

A Notice of Emergency and Proposed Rulemaking was published in the *D.C. Register* on August 1, 2014 at 61 DCR 7903. No comments were received and no changes were made to the proposed rulemaking.

DDOT adopted the rules as final on October 10, 2014. The rules will go into effect upon the date of publication of this Notice of Final Rulemaking in the *D.C. Register*.

Title 18, VEHICLES AND TRAFFIC, of the DCMR is amended as follows:

Chapter 24, STOPPING, STANDING, PARKING, AND OTHER NON-MOVING VIOLATIONS, is amended as follows:

Section 2414, VISITOR OR TEMPORARY PERMITS, is amended as follows:

Subsection 2414.11 is amended to read as follows:

2414.11 Any annual visitor parking permit issued prior to July 25, 2014 shall expire December 31, 2014.

A new Subsection 2414.12 is added to read as follows:

2414.12 Any residence eligible to receive an annual visitor parking permit on July 25, 2014 shall be eligible to receive a visitor parking permit that shall expire December 31, 2014.

DISTRICT DEPARTMENT OF TRANSPORTATION

NOTICE OF FINAL RULEMAKING

The Director of the District Department of Transportation (DDOT), pursuant to the authority set forth in Sections 4(a)(5)(A) (assigning authority to coordinate and manage public space permits and records to the DDOT Director), 5(4)(A) (assigning duty to review and approve public space permit requests to the DDOT Director), and 6(b) (transferring the public right-of-way maintenance function previously delegated to the Department of Public Works (DPW) under Section III(F) of Reorganization Plan No. 4 of 1983 to DDOT) of the Department of Transportation Establishment Act of 2002 (“DDOT Establishment Act”), effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code §§ 50-921.03(5)(A), 50-921.04(4)(A), and 50-921.05(b) (2012 Repl. & 2014 Supp.)), and Title VI of the Fiscal Year 1997 Budget Support Act of 1996, effective April 9, 1997 (D.C. Law 11-198; D.C. Official Code §§ 10-1141.01, 10-1141.02, 10-1141.03, 10-1141.03a, 10-1141.05, and 10-1141.06 (2013 Repl. & 2014 Supp.)), which was delegated to the DPW Director pursuant to Mayor’s Order 96-175, dated December 9, 1996, and D.C. Official Code §§ 10-1141.03(f), 10-1141.04(5), 10-1141.04(6), 10-1141.04(7), and 10-1141.04(8) (2013 Repl. & 2014 Supp.), and subsequently transferred to the DDOT Director in Section 7 of the DDOT Establishment Act (transferring to the DDOT Director all transportation-related authority previously delegated to the DPW Director) (D.C. Official Code § 50-921.06 (2012 Repl.)), hereby gives notice of the intent to adopt amendments to Chapter 33 (Public Right-of-way Occupancy Permits) of Title 24 (Public Space and Safety) of the District of Columbia Municipal Regulations (DCMR).

These rules implement amendments to the Fiscal Year 1997 Budget Support Act of 1996, effective April 9, 1997 (D.C. Law 11-198; D.C. Official Code §§ 10-1141.01, 10-1141.02, 10-1141.03, 10-1141.03a, 10-1141.04, 10-1141.05, and 10-1141.06 (2013 Repl. & 2014 Supp.)) made by the Bicycle Safety Amendment Act of 2013, effective December 13, 2013 (D.C. Law 20-49; D.C. Official Code §§ 50-1401.01(a)(1)(B)(i), 50-2201.04d, 10-1141.03, 10-1104.04 (2014 Supp.)) by adding a new Section 3315 (Safe Accommodation for Pedestrians and Bicyclists) to Title 24 of the DCMR. The rules require permittees blocking a sidewalk, bike lane or other public bicycle path to provide a safe and convenient route for pedestrians and bicyclists through or around a work zone that is equal to the accommodation that was provided to pedestrians and bicyclists before the blockage of the sidewalk, bicycle lane, or other public bicycle path.

A Notice of Proposed Rulemaking was published in the *D.C. Register* on August 15, 2014, at 61 DCR 8555, as Section 3314, but was subsequently renumbered to Section 3315 to accommodate another rulemaking that had already amended Section 3314.

Public comments were received from several commentators and all were in favor of the proposed rules, but two of those commentators suggested several changes. One commentator was concerned that while a safe accommodation is required for the blockage of a bike path (or trail), there is not a list of preferred alternate methods of routing bikes around the blockage. DDOT has determined that trail conditions vary greatly and the specific accommodation can best be determined on a case-by-case basis depending on the surrounding topography, availability of

space adjacent to the trail and the availability of convenient roadway detour routes. The other commentator suggested various temporary traffic control practices that DDOT has determined are already in common practice and unnecessary or that would be impractical to implement at this time, such as requiring audio signals as part of the temporary traffic control. Other than the aforementioned section re-numbering, no changes were made to text of the proposed rules.

DDOT adopted the rules as final on October 10, 2014. The rules will go into effect upon the date of publication of this Notice of Final Rulemaking in the *D.C. Register*.

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

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

A new Section 3315 (Safe Accommodation for Pedestrians and Bicyclists) is added to read as follows:

3315 SAFE ACCOMMODATION FOR PEDESTRIANS AND BICYCLISTS

- 3315.1 A public right-of-way occupancy permit that authorizes blockage of a sidewalk, bicycle lane, or other public bicycle path shall require the permittee to provide a safe accommodation for pedestrians and bicyclists.
- 3315.2 The blockage of a sidewalk, bicycle lane, or other public bicycle path shall be treated in the same manner as the closure of a lane of motor vehicle traffic by applying similar temporary traffic control practices as would be applied to the closure of a lane of motor vehicle traffic for each permit issued. The design and placement of the temporary traffic control signs, devices and roadway markings shall be in compliance with the most recent edition of the Manual on Uniform Traffic Control Devices (MUTCD).
- 3315.3 The term “safe accommodation” means a safe and convenient route for pedestrians and bicyclists that ensures an accommodation through or around a work zone that is equal to the accommodation that was provided to pedestrians and bicyclists before the blockage of the sidewalk, bicycle lane, or other public bicycle path.
- 3315.4 (a) The safe accommodation for pedestrians shall meet or exceed the current DDOT standards, “Pedestrian Safety and Work Zone Standards – Covered and Open Walkways” including the following:
- (1) Routing priority; provided that closing a sidewalk and routing pedestrians to the sidewalk on the opposite side of the street shall only be approved as a last resort for the duration of time needed to assure pedestrian safety in the absence of other practicable routing options;

- (2) Compliance with the Americans with Disabilities Act of 1990, approved July 26, 1990 (Pub. L. 101-336, 42 U.S.C. §§ 12101 *et seq.*);
 - (3) Protecting pedestrians from adjacent construction activities;
 - (4) Covering the pedestrian walkway when overhead danger is present;
 - (5) Physically separating pedestrians from vehicular traffic;
 - (6) Covered walkway structural specifications; and
 - (7) Modification requests.
- (b) The permittee shall maintain the pedestrian route free of obstructions and surface hazards, such as construction equipment, construction materials, debris, mud and loose gravel at all times.
 - (c) The routing for a safe accommodation for bicyclists shall replicate the safety level of the existing bicycle route, such as by providing:
 - (1) A route that is physically separated from motor vehicle traffic if a protected bicycle lane is blocked or providing a route that is for the exclusive use by bicyclists if a bicycle lane is blocked whenever feasible;
 - (2) A route which is free of obstructions and surface hazards, such as construction equipment, construction materials, debris, holes, mud, loose gravel, milled surfaces and uneven pavement; and
 - (3) A route that does not share a covered or open walkway with pedestrians.
 - (d) The method for providing the safe accommodation for bicyclists shall be prioritized as follows:
 - (1) Closing a parking lane and keeping the adjacent bicycle lane open;
 - (2) Shifting the bicycle lane to a location on the same roadway to bypass the work zone, and if necessary, shifting and narrowing the adjacent motor vehicle traffic lanes; provided the adjacent motor vehicle travel lanes shall be maintained at no less than ten feet (10 ft.) wide;

- (3) Closing the adjacent motor vehicle travel lane to provide space for a bicycle lane; provided that a minimum of one (1) motor vehicle travel lane shall remain in the same direction of travel;
- (4) Merging the bicycle lane and the adjacent motor vehicle travel lane into a shared travel lane adjacent to the work zone, installing sharrow lane markings in the shared travel lane and installing work zone signage directing bicyclists to merge into the shared travel lane; provided the shared travel lane shall be maintained at no less than thirteen feet (13 ft.) wide; and
- (5) As a last resort, detouring bicyclists onto an adjacent roadway, in which case the detour route shall replicate, as closely as practicable, the level of safety found on the bicycle route being blocked.

3315.5 Each applicant submitting a permit application to the Director which will result in the blockage of a sidewalk, bicycle lane, or other public bicycle path, shall submit for approval by the Director a traffic management plan that addresses safe accommodation for pedestrians and bicyclists before the issuance of a permit by the Director.

3315.6 The traffic management plan submitted to the Director pursuant to Subsection 3315.5 shall require MUTCD-complaint work zone signage, devices and roadway markings that adequately warn right-of-way users of upcoming changes and marks the alternate route as follows:

- (a) Signage intended only for pedestrians shall display the word "pedestrians" or the pedestrian symbol and shall adequately warn of any route change and clearly mark the alternate route;
- (b) Signage intended only for bicyclists shall display the word "bicycles," the word "bicyclists," or the bicycle symbol and clearly mark the alternate route;
- (c) Signage shall adequately warn bicyclists and motorists alike of any lane shift or shared lane condition; and
- (d) Any additional signage or roadway markings, such as signage or roadway markings for a lane shift, a sharrow lane, or a detour route, shall be provided and maintained for the length of the altered route.

3315.7 If a safe accommodation for pedestrians or bicyclists must be closed intermittently during off-peak hours due to conflicts with construction activities or construction vehicles, the traffic management plan submitted to the Director pursuant to Subsection 3315.5 shall require that:

- (a) Flaggers be posted at each end of the closed pedestrian or bicycle route for the entire duration of time the intermittent closure is in place; and
- (b) The safe and reasonable flow of pedestrian and bicycle traffic be maintained in preference to construction activities and the flow of construction vehicles.

3315.8 The Director may revoke a public right-of-way occupancy permit authorizing the blockage of a sidewalk, bicycle lane, or other pedestrian or bicycle path for any of the following reasons:

- (a) The permittee fails to comply with a provision of Subsections 3315.1 through 3315.7 above;
- (b) The permittee does not comply with the traffic management plan approved by the Director;
- (c) To protect the public safety and welfare; or
- (d) Any other reason authorized by law.

Section 3399, DEFINITIONS, is amended as follows:

New definitions are added in alphabetical order to read as follows:

Bicycle lane – a portion of a roadway that has been designated for preferential or exclusive use by bicyclists by pavement markings and, if used, signs.

MUTCD – the current edition of the Manual on Uniform Traffic Control Devices for Streets and Highways, Part 6, as approved by the Federal Highway Administration.

Pedestrian – a person travelling on foot or using a wheelchair or motorized wheelchair.

Protected bicycle lane – a bicycle lane which is physically separated from motor vehicle lanes or is buffered from a motor vehicle lane by a combination of roadway markings and delineator posts.

Public bicycle path – a right-of-way under the jurisdiction and control of the District of Columbia for use primarily by bicycles and pedestrians. (D.C. Official Code § 50-1609(6) (2012 Repl.)).

Sharrow lane markings – lane markings which indicate to motorists and bicyclists that the lane is intended to be shared by both motor vehicles and bicycles.

Sidewalk – the paved portion of a street between the curb lines or the lateral lines of a roadway and the adjacent property lines intended for the use of pedestrians.

DISTRICT DEPARTMENT OF THE ENVIRONMENT

NOTICE OF PROPOSED RULEMAKING**Fees for Stormwater Management, and Soil Erosion and Sediment Control**

The Director of the District Department of the Environment (Department) in accordance with the authority set forth in the District Department of the Environment Establishment Act of 2005, effective February 15, 2006, as amended (D.C. Law 16-51; D.C. Official Code §§ 8-151.01 *et seq.* (2012 Repl.)); the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October 5, 1985, as amended (D.C. Law 6-42; D.C. Official Code §§ 2-1801.01 *et seq.* (2012 Repl.)); the National Capital Revitalization Corporation and Anacostia Waterfront Corporation Reorganization Act of 2008, effective March 26, 2008 (D.C. Law 17-138; 55 DCR 1689 (February 22, 2008)), as amended by the Anacostia Waterfront Environmental Standards Amendment Act of 2012, effective October 23, 2012 (D.C. Law 19-192; D.C. Official Code §§ 2-1226.31 *et seq.*) (2012 Repl. & 2014 Supp.)); the Soil Erosion and Sedimentation Control Act of 1977, effective September 28, 1977 (D.C. Law 2-23; D.C. Official Code §§ 8-1701 *et seq.* (2012 Repl.)), as amended by the Soil Erosion and Sedimentation Control Amendment Act of 1994, effective August 26, 1994, (D.C. Law 10-166; 41 DCR 4892 (July 22, 1994)); the Uniform Environmental Covenants Act of 2005, effective May 12, 2006, as amended (D.C. Law 16-95; D.C. Official Code §§ 8-671.01 *et seq.* (2012 Repl.)); the Water Pollution Control Act of 1984, effective March 16, 1985, as amended (D.C. Law 5-188; D.C. Official Code §§ 8-103.01 *et seq.* (2012 Repl.)); and Mayor's Order 2006-61, dated June 14, 2006, hereby gives notice of the intent to adopt the following amendments to Chapter 5 (Water Quality and Pollution) of Title 21 (Water and Sanitation) of the District of Columbia Municipal Regulations (DCMR), in no less than thirty (30) days from the date of publication of this notice in the *D.C. Register*.

The Stormwater Management, and Soil Erosion and Sediment Control Regulations were published as final in the *D.C. Register* on July 19, 2013 at 60 DCR 10640, after several proposed rulemakings and extensive public participation. These amendments update existing fees that the Department adjusts annually for inflation, using the Urban Consumer Price Index published by the United States Bureau of Labor Statistics, as required by 21 DCMR § 501.1. All fees are rounded to the nearest cent. Adjustments in future years will be applied to the adjusted value of the prior year rather than the rounded value.

Chapter 5, WATER QUALITY AND POLLUTION, of Title 21, WATER AND SANITATION, DCMR is amended as follows:**Section 501, FEES, is amended as follows:****Subsection 501.3 is amended to read as follows:**

501.3 An applicant for Department approval of a soil erosion and sediment control plan shall pay the fees in Table 1 for Department services at the indicated time, as applicable:

Table 1. Fees for Soil Erosion and Sediment Control Plan Review

Payment Type	Payment Requirement	Fees by Land Disturbance Type		
		Residential	All Other	
		≥ 50 ft ² and < 500 ft ²	≥ 50ft ² and < 5,000 ft ²	≥ 5,000 ft ²
Initial	Due upon filing for building permit	\$51.04	\$444.01	\$1,092.17
Final • Clearing and grading > 5,000 ft ² • Excavation base fee • Excavation > 66 yd ³ • Filling > 66 yd ³	Due before building permit is issued	n/a		\$0.15 per 100 ft ²
		n/a	\$444.01	
		\$0.10 per yd ³		
		\$0.10 per yd ³		
Supplemental	Due before building permit is issued	\$102.07	\$102.07	\$1,020.72

Subsection 501.04 is amended to read as follows:

501.4 An applicant for Department approval of a Stormwater Management Plan (SWMP) shall pay the fees in Table 2 for Department services at the indicated time, as applicable:

Table 2. Fees for Stormwater Management Plan Review

Payment Type	Payment Requirement	Fees by Combined Area of Land Disturbance and Substantial Improvement Building Footprint	
		≥ 5,000 ft ² and ≤ 10,000 ft ²	> 10,000 ft ²
Initial	Due upon filing for building permit	\$3,368.39	\$6,226.41
Final	Due before building permit is issued	\$1,531.09	\$2,449.74
Supplemental	Due before building permit is issued	\$1,020.72	\$2,041.45

Subsection 501.6 is amended to read as follows:

501.6 An applicant shall be required to pay the fees in Table 3 for review of a Stormwater Pollution Prevention Plan only if the site is regulated under the Construction General Permit issued by Region III of the Environmental Protection Agency.

Table 3. Additional Fees

Review or Inspection Type	Fees by Combined Area of Land Disturbance and Substantial Improvement Building Footprint	
	≤ 10,000 ft ²	> 10,000 ft ²
Soil characteristics inquiry	\$153.11	
Geotechnical report review	\$71.45 per hour	
Pre-development review meeting	No charge for first hour \$71.45 per additional hour	
After-hours inspection fee	\$51.04 per hour	
Stormwater pollution plan review	\$1,122.80	
Dewatering pollution reduction plan review	\$1,122.80	\$2,143.52
Application for relief from extraordinarily difficult site conditions	\$510.36	\$1,020.72

Subsection 501.7 is amended to read as follows:

501.7 An applicant for Department approval of a SWMP for a project being conducted solely to install a Best Management Practice (BMP) or land cover for Department certification of a Stormwater Retention Credit (SRC) shall pay the fees in Table 4 for Department services at the indicated time, as applicable, except that:

- (a) A person who is paying a review fee in Table 2 for a major regulated project shall not be required to pay a review fee in Table 4 for the same project; and
- (b) A person who has paid each applicable fee to the Department for its review of a SWMP shall not be required to pay a review fee in Table 4 for the same project:

Table 4. Fees for Review of Stormwater Management Plan to Certify Stormwater Retention Credits

Payment Type	Payment Requirement	Fees by Combined Area of Land Disturbance and Substantial Improvement Building Footprint	
		≤ 10,000 ft ²	> 10,000 ft ²
Initial	Due upon filing for building permit	\$586.92	\$867.61
Final	Due before building permit is issued	\$127.59	\$204.14
Supplemental	Due before building permit is issued	\$510.36	

Subsection 501.10 is amended to read as follows:

501.10 An applicant for Department approval of a Green Area Ratio plan shall pay the fees in Table 5 for Department services at the indicated time:

Table 5. Fees for Review of Green Area Ratio Plan

Payment Type	Payment Requirement	Fees by Combined Area of Land Disturbance and Substantial Improvement Building Footprint	
		≤ 10,000 ft ²	> 10,000 ft ²
Initial	Due upon filing for building permit	\$586.92	\$867.61
Final	Due before building permit is issued	\$127.59	\$204.10
Supplemental	For reviews after first resubmission	\$510.36	

Subsection 501.11 is amended to read as follows:

501.11 The in lieu fee shall be three dollars and fifty-seven cents (\$3.57) per year for each gallon of Off-Site Retention Volume (Offv).

Subsection 501.13 is amended to read as follows:

501.13 A person shall pay the fees in Table 6 for the indicated resource before receipt of the resource:

Table 6. Fees for Resources

Paper Copies of Documents	Cost
District Standards and Specifications for Soil Erosion and Sediment Control	\$51.04
District Stormwater Management Guidebook	\$51.04
District Erosion and Sediment Control Standard Notes and Details (24 in x 36 in)	\$25.52

PUBLIC COMMENT

All persons desiring to comment on the proposed rulemaking should file comments in writing not later than thirty (30) days after publication of this notice in the *D.C. Register*. Comments should be clearly marked “Stormwater Fee Inflation Adjustment” and filed with DDOE, Stormwater Management Division, 1200 First Street, N.E., 6th Floor, Washington, DC 20002, Attention: Jeff Seltzer, or e-mailed to jeffrey.seltzer@dc.gov. Copies of the above documents may be obtained from DDOE at the same address. The Director will consider all comments received before publishing a final rulemaking.

OFFICE OF THE ATTORNEY GENERAL FOR THE DISTRICT OF COLUMBIA

MAYOR'S OFFICE OF LEGAL COUNSEL

NOTICE OF EMERGENCY AND PROPOSED RULEMAKING

Pursuant to the authority set forth in Section 861 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective April 20, 1999 (D.C. Law 12-260; D.C. Official Code § 1-608.61 (2012 Repl.)), as amended by the Elected Attorney General Implementation and Legal Service Establishment Technical Emergency Amendment Act of 2014 ("Implementation Act"), enacted July 14, 2014 (D.C. Act 20-377; 61 DCR 7598 (August 1, 2014)), and any substantially identical successor legislation, the Attorney General and the Interim Director of the Mayor's Office of Legal Counsel jointly give notice of their adoption, on an emergency basis, of amendments to Chapter 36 (Legal Service) of Title 6, Subtitle B (Government Personnel) of the District of Columbia Municipal Regulations (DCMR).

The amendments bring the rules into conformity with the Implementation Act's creation of the Mayor's Office of Legal Counsel and the transfer of attorneys who work at subordinate agencies but are employed by the Office of the Attorney General (OAG) from OAG to those subordinate agencies.

This emergency action is based on the need to have the rules governing the District's Legal Service reflect the actual organization of the Legal Service as established by current law. The existing rules apply only to OAG attorneys and there are currently no rules governing personnel matters for the other attorneys in the Legal Service. Emergency action was required to protect the public welfare by ensuring that appropriate standards are applied to personnel matters relating to employees conducting the District's legal affairs. This emergency rulemaking was adopted on October 1, 2014 and became effective immediately on that date. These emergency rules will expire on January 28, 2015, or upon publication of a Notice of Final Rulemaking in the *D.C. Register*, whichever occurs first.

The Attorney General and the Interim Director of the Mayor's Office of Legal Counsel also give notice of their intent to take final rulemaking action to adopt these amendments in not less than thirty (30) days from the date of publication of this notice in the *D.C. Register*.

Chapter 36, LEGAL SERVICE, of Title 6-B, GOVERNMENT PERSONNEL, of the DCMR is amended to read as follows:

3600 APPLICABILITY

3600.1 This chapter applies to all attorneys appointed to the Legal Service who are employed by the Office of the Attorney General for the District of Columbia, the Mayor's Office of Legal Counsel, or a subordinate agency.

3600.2 The time limitations contained in this chapter requiring action within a specific number of days are to be complied with to the extent feasible, except that time

limitations for compliance with training requirements under Sections 3610, 3611 and 3612 shall be complied with strictly.

3601 APPOINTMENT

- 3601.1 Attorneys employed by the Office of the Attorney General, the Mayor's Office of Legal Counsel, and subordinate agencies wherever located in the District government, shall be hired by the Attorney General, the Director of the Mayor's Office of Legal Counsel, or the relevant agency head, as applicable, in accordance with hiring procedures jointly established by Office Order of the Attorney General and the Director.
- 3601.2 The Attorney General and the Director shall establish hiring procedures by Office Orders of their respective offices.
- 3601.3 Hiring decisions for attorneys shall take into account:
- (a) Requirements of the position to be filled;
 - (b) Professional characteristics of the applicant, including:
 - (1) Analytical skill;
 - (2) Litigation, transactional, and/or counseling experience, if relevant;
 - (3) Oral skills;
 - (4) Writing skills; and
 - (5) Substantive legal knowledge; and
 - (c) Personal characteristics of the applicant.
- 3601.4 The Attorney General, or his or her designee, shall interview every candidate for an attorney position in the Office of the Attorney General.
- 3601.5 The relevant agency head and the Director, or their designees, shall interview every candidate for an attorney position at a subordinate agency, and the Director shall interview every candidate for an attorney position in the Mayor's Office of Legal Counsel.
- 3601.6 Any attorney in a position above LX-1, or in an equivalent position, who is appointed to the Senior Executive Attorney Service by the Attorney General, the Director, or an agency head shall be notified in writing by the Attorney General, the Director, or the agency head, as applicable, that he or she is being appointed to a Senior Executive Attorney Service position.

- 3601.7 Attorneys shall be appointed to the Legal Service non-competitively, so long as each attorney appointed meets the qualification standards established for the position.
- 3601.8 Each attorney shall swear or affirm an oath as follows: "I (attorney's name), do solemnly swear (or affirm) that I will faithfully execute the laws of the United States of America and of the District of Columbia, and will to the best of my ability, preserve, protect and defend the Constitution of the United States, and will faithfully discharge the duties of the office which I am about to enter."
- 3601.9 An appointment to a position in the Legal Service may be for full-time employment, intermittent employment, part-time employment, or time-limited employment.

3602 TRANSFERS, STEP INCREASES, AND PROMOTIONS

- 3602.1 Attorneys employed by the Office of the Attorney General may request voluntary rotation to another unit within the Office of the Attorney General in accordance with rotation procedures established by Office Order of the Attorney General.
- 3602.2 Attorneys employed by subordinate agencies, including the Mayor's Office of Legal Counsel, may request voluntary rotation to a position in another agency in accordance with rotation procedures established by the Director of the Mayor's Office of Legal Counsel. The rotation of an attorney shall be subject to the approval of the agency heads involved and the Director.
- 3602.3 Changes in assignment of attorneys employed by the Office of the Attorney General may be made by the Attorney General at any time to meet the needs of the Office of the Attorney General.
- 3602.4 With the consent of the agency head involved, the Director may assign an attorney employed by the Mayor's Office of Legal Counsel to perform work as or for the General Counsel of a subordinate agency.
- 3602.5 An attorney may receive a within-grade step increase only if he or she received a rating of "successful," "excellent," or "outstanding" for the rating period immediately prior to the due date for a within-grade step increase. Failure to achieve the required rating shall result in the due date for the step increase being delayed for an additional year.
- 3602.6 All recommendations for promotion to grades LA 14 and above shall be submitted to the Attorney General or the Director, as applicable, once annually at a time and in a manner to be determined respectively by these officials. If the employee has not been supervised by his or her current supervisor for at least ninety (90) days, the input of the employee's prior supervisor shall be sought. An

attorney may receive a promotion to a higher grade if the following criteria are met:

- (a) The attorney has been at the prior grade level for at least twelve (12) months preceding the recommendation for promotion;
- (b) The attorney has demonstrated consistent superior performance, as demonstrated by the two most recent performance evaluations, if available;
- (c) The attorney demonstrates specialized expertise or professional distinction; and
- (d) The attorney demonstrates satisfactory handling of an increasingly more complex workload.

3603 INDIVIDUAL ACCOUNTABILITY PLANS (LINE ATTORNEYS) AND PERFORMANCE PLANS (ALL OTHER ATTORNEYS)

3603.1 Each supervisor shall prepare annually, at least thirty (30) days prior to the end of the rating period, a draft Individual Accountability Plan for every line attorney under his or her supervision for the following rating period. This requirement may be satisfied by requiring the line attorney supervised to prepare a draft Individual Accountability Plan for the supervisor's approval.

3603.2 Each supervisor shall review the Job Description for every line attorney under his or her supervision annually, at least thirty (30) days prior to the end of the rating period. The supervisor may recommend changes to Job Descriptions to the Attorney General, the Director, or the agency head, as applicable. This requirement may be satisfied by requiring the line attorney supervised to review his or her Job Description and prepare recommended changes for the supervisor's approval.

3603.3 A supervisor is not required to prepare an Individual Accountability Plan or review a Job Description for any line attorney who the supervisor knows is scheduled within six (6) months after the beginning of the following rating period to leave, rotate or transfer from the legal office, or unit within the legal office, to which he or she is assigned.

3603.4 A supervisor shall provide each line attorney with a copy of his or her draft Individual Accountability Plan, along with a copy of his or her draft revised Job Description, upon completion by the supervisor.

3603.5 Each line attorney may provide written comments on the content of his or her draft Individual Accountability Plan and Job Description to the supervisor within fifteen (15) days of receiving them from his or her supervisor.

- 3603.6 A supervisor shall consider, but need not adopt, the comments made by a line attorney regarding a draft Individual Accountability Plan or Job Description.
- 3603.7 Each supervisor shall prepare a final Individual Accountability Plan and make final recommendations for changes to the Job Description for each line attorney under his or her supervision by the first day of the rating period. A copy of each shall be transmitted to the Attorney General, the Director, or the agency head, as applicable, for approval.
- 3603.8 An Individual Accountability Plan shall include, but need not be limited to:
- (a) Measurable goals and professional development expectations for the line attorney that parallel specific job duties and responsibilities, work behaviors, or projects within each of the categories listed in (b);
 - (b) Appropriate performance standards, including but not limited to those from the following list, and the weight to be accorded to each:
 - (1) Conduct of legal research and writing;
 - (2) Oral preparation and presentation;
 - (3) Efficiency, productivity, and work habits;
 - (4) Professional conduct and effectiveness in working with others;
 - (5) Office procedures;
 - (6) Job Knowledge; and
 - (7) Litigation, transaction and/or counseling skills (as appropriate); and
 - (c) Training requirements to be provided in-house and non-in-house.
- 3603.9 Upon approval of the Individual Accountability Plan and revised Job Description by the Attorney General, the Director, or the agency head, the applicable official shall forward the revised Job Description to the relevant personnel authority for final approval.
- 3603.10 Each supervisor shall provide each line attorney with a copy of his or her final Individual Accountability Plan during the first week of the rating period, and shall provide each line attorney with a copy of his or her revised Job Description as soon as practicable after the personnel authority approves it. The line attorney's

previous job description shall continue to apply until the personnel authority approves any proposed revisions.

3603.11 The supervisor of a line attorney who is newly-hired, rotated, or transferred into the unit between thirty (30) days prior to the end of a rating period and one hundred- twenty (120) days prior to the end of the following rating period, shall provide the line attorney with a final Individual Accountability Plan and Job Description within thirty (30) days after appointment, rotation or transfer. The supervisor of the line attorney may, at his or her option, provide the line attorney with an opportunity to comment on a draft Individual Accountability Plan and a draft Job Description

3603.12 During the first week of a new rating period, each supervisor shall prepare and submit to the Training Director of the Office of the Attorney General, the Director, or the agency head, as applicable, in a format specified by the Training Director, the Director, or the agency head, a report summarizing any training requirements included in Individual Accountability Plans for line attorneys under his or her supervision. The report shall identify subject-matter areas where training is needed and include suggestions as to the types of programs and courses that could be used to meet those identified training needs. Agency head shall provide the Director with copies of these reports for attorneys employed by their agency.

3603.13 Performance Plans for supervisors and non-supervisory attorneys as described in Sections 3606 and 3607 shall be prepared in accordance with Sections 1406, 1407, 1408, and 1409 of Chapter 14 of the District of Columbia Personnel Regulations.

3604 EVALUATION OF PERFORMANCE - RATING PERIODS, ELIGIBILITY FOR EVALUATION, CRITERIA FOR EVALUATION, AND RATING LEVELS

3604.1 The rating period for line attorneys shall run from September 1st to August 31st. The rating period for all other attorneys covered by these rules (supervisors and the non-supervisory attorneys described in Sections 3606 and 3607 shall run from October 1st to September 30th.

3604.2 Written evaluations shall be based on at least one hundred-twenty (120) days of experience supervising the line attorney evaluated.

(a) Line attorneys who have been employed for fewer than one hundred-twenty (120) days prior to the end of the rating period, shall not be evaluated.

(b) If a line attorney has been employed for at least one hundred-twenty (120) days prior to the end of the rating period, but the supervisor of the line

attorney at the time of the evaluation lacks at least one hundred-twenty (120) days of direct experience supervising the line attorney, the supervisor shall evaluate the line attorney based on an advisory evaluation prepared by a former supervisor or any other person, who had at least one hundred-twenty (120) days of direct experience supervising the line attorney during the rating period within the agency. If no such advisory evaluation is available, the line attorney shall not be evaluated.

- 3604.3 Each evaluation shall assess the line attorney's achievement of the performance standards and specific goals set out in his or her Individual Accountability Plan during the rating period.
- 3604.4 Evaluations may, at the discretion of the supervisor, include input from citizens, customers, peers, and others with whom the line attorney had regular professional contact during the rating period.
- 3604.5 Beginning with the 2008-2009 rating period, the evaluation of the performance of supervisors and the non-supervisory attorneys described in Sections 3606 and 3607 shall no longer be under the District government's Performance Management Program (PMP), but instead shall be under the in-house performance evaluation system described in these rules.
- 3604.6 Written evaluations of supervisors and non-supervisory attorneys as described in Sections 3606 and 3607 who have been reassigned to a position with different duties and responsibilities within ninety (90) days of the end of the rating period shall be rated not later than thirty (30) days from the effective date of the reassignment. If such an attorney is promoted or demoted during the ninety (90) days prior to the end of the rating period, he or she shall be rated not later than thirty (30) days from the effective date of the promotion or demotion. If such an attorney is reinstated or restored to duty during the ninety (90) days prior to the end of the rating period, he or she shall be rated at the end of the next rating period. If such an attorney transfers to an agency under the Mayor's or the Attorney General's personnel authority from another personnel authority or is newly appointed during the ninety (90) days prior to the end of the rating period, he or she shall be rated at the end of the next rating period.
- 3604.7 Any supervisor or non-supervisory attorney as described in Sections 3606 and 3607 who is reinstated, restored, newly appointed, or transferred shall automatically be considered as having been assigned a rating of "successful," which shall remain the official rating of record until such time as replaced by another official rating.
- 3604.8 For line attorneys and non-supervisory attorneys described in Sections 3605 and 3607, each written evaluation shall assign an overall rating to the attorney of "outstanding," "excellent," "successful," "needs improvement," or "fails expectations." For all attorneys covered by these rules other than line attorneys

and non-supervisory attorneys described in Sections 3605 and 3607, each written evaluation shall assign an overall rating to the attorney of “outstanding,” “successful,” “needs improvement,” or “fails expectations.”

3605 EVALUATION OF PERFORMANCE – LINE ATTORNEYS

- 3605.1 Each supervisor shall prepare a written evaluation for every line attorney under his or her supervision annually, within twenty (20) days after the end of the rating period. Written evaluations shall be prepared using a form that is jointly approved by the Attorney General and the Director of the Mayor’s Office of Legal Counsel.
- 3605.2 Each supervisor shall submit evaluations of line attorneys to his or her supervisor for review, comment, or revision. Each supervisor who reviews an evaluation shall complete his or her review within five (5) days of receipt of the evaluation and shall immediately return the draft evaluation to the supervisor who prepared it.
- 3605.3 The supervisor who prepared the evaluation shall complete any revision requested by his or her supervisor within seven (7) days of receipt of the evaluation.
- 3605.4 After completion of any revisions under Subsection 3605.3, the evaluation shall be reviewed by every supervisor in the chain of command from the line attorney up to the Attorney General, the Director, or the agency head, as applicable. Each supervisor within the chain of command shall complete his or her review within five (5) days of receipt of the evaluation and forward the evaluation, along with his or her comments for revision, up the chain of command. The final supervisor in the chain of command below the Attorney General, the Director, or the agency head shall, upon completion of his or her review, return the evaluation to the supervisor who prepared it for revision prior to transmittal to the Attorney General, the Director, or the agency head.
- 3605.5 As soon as practicable after the receipt of the evaluations, the Attorney General, the Director, or the agency head shall complete his or her review. In reviewing evaluations of line attorneys, the Attorney General, the Director, or the agency head may consult with the supervisor who prepared the evaluation, any person who prepared an advisory evaluation, and the supervisors in the chain of command for the relevant unit.
- 3605.6 If the Attorney General, the Director, or the agency head decides that an evaluation should be changed, the supervisor who prepared the evaluation shall make all changes that are directed by the Attorney General, the Director, or the agency head within five (5) days of receipt of the Attorney General’s, the Director’s or the agency head’s directive.
- 3605.7 Each supervisor shall review the evaluation with the line attorney evaluated within twenty (20) days of receipt of the approved evaluation from the Attorney

General, the Director, or the agency head or within twenty (20) days after completion of any revisions directed by the Attorney General, the Director, or the agency head. Both the line attorney evaluated and his or her supervisor shall sign the written evaluation to confirm that it has been reviewed.

- 3605.8 If a line attorney disagrees with the written evaluation, he or she may appeal it within thirty (30) days of receipt to the appropriate review committee established by the Attorney General or the Director.
- 3605.9 The Attorney General and the Director shall each establish a Performance Evaluation Review Committee ("Committee") for line attorneys within their jurisdiction. Line attorneys employed by subordinate agencies and the Mayor's Office of Legal Counsel are within the Director's jurisdiction. The Attorney General and the Director shall each appoint nine (9) managing attorneys to their respective Committees, which shall sit in three-member panels as designated by the Attorney General and the Director.
- 3605.10 The Committees shall be empowered to review the basis for the direct supervisor's rating, conduct a hearing, receive written briefs, and issue a written decision which may approve, modify, or reject the performance rating. The line attorney shall initially provide the Attorney General or the Director (or their designees) with a notice of appeal, including any request for a hearing, within thirty (30) days of receipt of the evaluation. The Committee shall circulate the notice to the line attorney's direct supervisor and to every supervisor in the chain of command between the line attorney and the Attorney General, the Director, or the agency head.
- 3605.11 The Committees have the discretion to decide whether to grant any request for a hearing. If a request for a hearing is granted, the committee shall circulate a hearing notice to the line attorney and to every supervisor in the chain of command between the line attorney and the Attorney General, the Director, or the agency head, which provides:
- (a) The place of the hearing and a hearing date and time no more than fifteen (15) days from the date of the hearing notice;
 - (b) That the line attorney may review, upon request to his or her direct supervisor, all materials upon which the evaluation is based;
 - (c) That the line attorney may be represented by an approved attorney, or other representative at the hearing; and
 - (d) That the line attorney has the right to testify and present evidence at the hearing.

3605.12 The hearing shall be closed except for the line attorney, his or her representative, the line attorney's direct supervisor, and every supervisor in the chain of command between the direct supervisor and the Attorney General, the Director, or the agency head. There shall be no discovery procedures except as provided in this section. An official record shall be kept of the hearing. The Committee may hold a pre-hearing conference in order to:

- (a) Formulate and simplify the issues, including the elimination of frivolous claims or defenses;
- (b) Obtain admissions of fact and of documents that will avoid unnecessary proof, stipulations regarding the authenticity of documents, and advance rulings on the admissibility of evidence;
- (c) Obtain identification of all witnesses and documents, which identification shall be binding at the hearing, except as, in the discretion of the committee, the interests of justice warrant the addition of witnesses and documents at the hearing;
- (d) Achieve settlement of the dispute;
- (e) Dispose of any pending motions;
- (f) Set reasonable limits on the time allowed for presenting evidence;
- (g) Establish a post-hearing briefing schedule, which may permit written briefs or other documents to be filed by the line attorney, the line attorney's direct supervisor, and each supervisor in the chain of command between the line attorney and the Attorney General, the Director, or the agency head; and
- (h) Address such other matters as may facilitate the just and efficient disposition of the matter.

3605.13 If the Committee decides, in its discretion, to reject any request for a hearing, in whole or in part, it shall so advise the line attorney, the attorney's direct supervisor, and each supervisor in the chain of command between the line attorney and the Attorney General, the Director, or the agency head. The Committee shall circulate a notice that schedules the filing of written briefs or other documents to the line attorney, the line attorney's direct supervisor, and each supervisor in the chain of command between the line attorney and the Attorney General, the Director, or the agency head. The Committee may schedule a meeting with the line attorney, the line attorney's direct supervisor, and each supervisor in the chain of command between the line attorney and the Attorney General, the Director, or the agency head in order to address the matters raised in the appeal.

- 3605.14 The Committee shall provide the line attorney, the line attorney's direct supervisor, and every supervisor in the chain of command between the line attorney and the Attorney General, the Director, or the agency head with a final written administrative decision within thirty (30) days of the conclusion of the appeal proceeding. The final written administrative decision shall be accompanied by notice of the right to appeal the decision to the Attorney General, the Director, or the agency head within thirty (30) days of receipt of the decision by the line attorney.
- 3605.15 The Attorney General, the Director, or the agency head shall circulate the line attorney's notice of appeal to the line attorney's direct supervisor and to every supervisor in the chain of command between the direct supervisor and the Attorney General, the Director, or the agency head.
- 3605.16 The Attorney General, the Director, or the agency head shall review the basis for the three-person committee's decision *de novo*, without taking any additional evidence. As part of this review, the Attorney General, the Director, or the agency head may permit written appellate briefs to be filed in accordance with a schedule established by the Attorney General, the Director, or the agency head. No oral arguments shall be permitted. The Attorney General, the Director or the agency head may, in the exercise of his or her discretion, hold a pre-briefing conference for the purposes, among others, of formulating and simplifying the issues, disposing of any pending motions, attempting to settle the dispute, establishing a schedule for the filing of written briefs or other documents, and addressing such other matters as may facilitate the just and efficient disposition of the appeal.
- 3605.17 The Attorney General, the Director, or the agency head shall provide the line attorney, the line attorney's direct supervisor, and every supervisor in the chain of command between the direct supervisor and the Attorney General, the Director, or the agency head with a final written administrative decision within a reasonable time after the final brief is filed. The Attorney General's, the Director's, or the agency head's decision shall be final and no further appeal shall be allowed.
- 3605.18 Each supervisor shall perform at least one (1) interim evaluation of every attorney under his or her supervision annually, in the ninth (9th) month of the rating period. An interim evaluation shall consist of an informal meeting to discuss the line attorney's performance under his or her Individual Accountability Plan. At his or her discretion, a supervisor may provide a written interim evaluation. Any written interim evaluation shall be provided to the attorney evaluated, but shall not be included in the attorney's official personnel file unless the supervisor rates the attorney as "needs improvement" or lower. At his or her discretion, or at the request of the Attorney General, Director, or agency head, a supervisor may perform interim evaluations no more frequently than once every three (3) months during the rating period. Interim evaluations rating a line attorney as "needs

improvement” or lower may be changed by mutual agreement or by the filing of an appeal as provided in this section.

- 3605.19 Appeals from evaluations of line attorneys prepared for the rating period ending on August 31, 2014 shall be reviewed by the Attorney General and the Committee established by the Attorney General notwithstanding the attorney’s transfer to a different agency prior to the conclusion of the review and appeal process.

3606 EVALUATION OF PERFORMANCE – SUPERVISORS

- 3606.1 Each supervisor in the Legal Service below the level of Chief Deputy Attorney General, Director of the Mayor’s Office of Legal Counsel, or agency head shall prepare a written evaluation for every supervisor reporting directly to him or her annually, within ten (30) days after the end of the rating period. Written evaluations shall be prepared using a form that is jointly approved by the Attorney General and the Director of the Mayor’s Office of Legal Counsel.
- 3606.2 The Chief Deputy shall evaluate any Special or Senior Counsel that reports to him or her in accordance with this section.
- 3606.3 The supervisor shall review evaluations with supervisors evaluated within fourteen (14) days of completion. As a result of this meeting, the evaluation may be changed by mutual agreement. Both the supervisor evaluated and his or her immediate supervisor shall sign the evaluation to confirm that it has been reviewed.
- 3606.4 If no mutual agreement to change the evaluation of a supervisor is reached, the supervisor evaluated may prepare a statement of written objections within five (5) days of the meeting and forward the evaluation and written objections to the Chief Deputy, the Director, or the agency head, as applicable, with a copy to every supervisor in the chain of command up to the Chief Deputy, the Director, or the agency head.
- 3606.5 If the attorney evaluated is a Deputy or a Special or Senior Counsel to the Chief Deputy, the Chief Deputy shall immediately forward the evaluation and the written objections to the Attorney General.
- 3606.6 In reviewing written objections of a supervisor, the Chief Deputy, the Director, or the agency head may consult with the supervisor evaluated and the supervisor who prepared the evaluation. The Chief Deputy, the Director, or the agency head shall complete his or her review within five (5) days of the receipt of the objections, and shall direct the supervisor who prepared the evaluation to make any changes based on that review.
- 3606.7 The supervisor evaluated or the supervisor who prepared the evaluation may submit a written appeal from the decision of the Chief Deputy, the Director, or

the agency head to the Attorney General, or the Director, within five (5) days of receipt of the Chief Deputy's, the Director's, or the agency head's decision. Review by the Director of an evaluation the Director completed for a supervisor in the Mayor's Office of Legal Counsel shall take the form of a reconsideration.

- 3606.8 The Attorney General or the Director may consult with the supervisor evaluated, the supervisor who prepared the evaluation, and any supervisor in the chain of command between the supervisor evaluated and the Attorney General or Director before making a decision. The decision of the Attorney General or Director shall be in writing and circulated among the supervisors in the chain of command for the supervisor evaluated within five (5) days of receipt of the appeal.
- 3606.9 The supervisor who prepared the evaluation shall revise the evaluation as necessary in accordance with the Attorney General's or Director's decision.
- 3606.10 The decision of the Attorney General or Director shall be final, and shall not be subject to further appeal.
- 3606.11 Each supervisor shall perform at least one interim evaluation of every supervisor under his or her supervision annually, in the ninth (9th) month of the rating period. An interim evaluation shall consist of an informal meeting to discuss the attorney's performance under his or her Performance Plan. At his or her discretion, a supervisor may provide a written interim evaluation. Any written interim evaluation shall be provided to the attorney evaluated, but shall not be included in the attorney's official personnel file.
- 3606.12 Any supervisor who fails to meet any deadline as described in this section may be subject to disciplinary action in accordance with Section 3614.

3607 EVALUATION OF PERFORMANCE - CHIEF DEPUTY, GENERAL COUNSEL, SPECIAL DEPUTY, SPECIAL COUNSEL, AND SENIOR COUNSEL

- 3607.1 The Attorney General shall prepare a written evaluation of the Chief Deputy Attorney General, each Special Deputy Attorney General, each Special Counsel to the Attorney General, each Senior Counsel to the Attorney General, and any other attorney who reports directly to the Attorney General annually, within thirty (30) days after the end of the rating period.
- 3607.2 The head of each subordinate agency shall, in consultation with the Director of the Mayor's Office of Legal Counsel, prepare a written evaluation of the General Counsel and any attorney who reports directly to the agency head annually, within thirty (30) days after the end of the rating period.

- 3607.3 The Director shall prepare a written evaluation of each supervisor or other attorney who reports directly to the Director annually, within thirty (30) days after the end of the rating period.
- 3607.4 Written evaluations shall be prepared using a form that is jointly approved by the Attorney General and the Director.
- 3607.5 The Attorney General, the Director, and the agency heads shall review evaluations with attorneys evaluated within fourteen (14) days of completion. As a result of this meeting, the evaluation may be changed by mutual agreement and made final within five (5) days. Both the attorney evaluated and the Attorney General, the Director, or the agency head shall sign the evaluation to confirm that it has been reviewed.
- 3607.6 The Attorney General, the Director, or the agency head shall perform at least one interim evaluation of every attorney who reports directly to the Attorney General, the Director, or the agency head annually, in the ninth month of the rating period. An interim evaluation shall consist of an informal meeting to discuss the attorney's performance under his or her Performance Plan. At his or her discretion, the Attorney General, the Director, or the agency head may provide a written interim evaluation. Any written interim evaluation shall be provided to the attorney evaluated, but shall not be included in the attorney's official personnel file.

**3608 EVALUATION OF PERFORMANCE - NON-DELEGATED
SUBORDINATE [REPEALED]**

3609 PERFORMANCE IMPROVEMENT PLANS

- 3609.1 Each attorney, other than attorneys in Senior Executive Attorney Service positions, assigned an overall rating of "needs improvement" in an annual or interim evaluation shall be provided with a Performance Improvement Plan, on a form jointly approved by the Attorney General and the Director of the Mayor's Office of Legal Counsel.
- 3609.2 The Performance Improvement Plan shall identify specific areas where improvement is needed in performing the attorney's work in a manner that meets the expectations of an attorney in that grade. Each line attorney who receives either a "needs improvement" rating in any performance element or overall or a "fails expectations" rating in any performance element shall be provided with such a Performance Improvement Plan. Each line attorney who receives a "fails expectations" rating overall shall be provided with an advance written notice of proposed removal under Section 3614 of this chapter.
- 3609.3 The Performance Improvement Plan shall be prepared by the supervisor and shall be provided to the attorney within thirty (30) days of his or her receipt of the

evaluation. A copy of all Performance Improvement Plans shall be provided to the Attorney General, the Director, or the agency head and the Director, as applicable.

- 3609.4 A Performance Improvement Plan shall:
- (a) Identify performance standards where the attorney fails to meet job requirements;
 - (b) Outline specific action steps that are necessary for the attorney to improve in the deficient area(s), including training if applicable and available;
 - (c) Identify measures that the supervisor will use to determine whether action steps have been successfully completed, and whether performance has improved;
 - (d) Provide for monitoring of attorney progress as needed; and
 - (e) Include a time by which each action item shall be completed.

3609.5 After the Performance Improvement Plan is developed and forwarded to an attorney, he or she shall be given at least three (3) months to demonstrate improvement.

3609.6 Attorney performance under the Performance Improvement Plan shall be an additional basis for evaluation at any interim evaluation and the annual written evaluation.

3609.7 Each supervisor shall prepare and submit to the Training Director of the Office of the Attorney General, the Director, or the agency head and the Director, as applicable, a report summarizing any training requirements included in Performance Improvement Plans for attorneys under his or her supervision. This report shall be submitted at the same time that the Performance Improvement Plan is provided to the affected attorney. The report shall identify subject-matter areas where training is needed and include suggestions as to the types of programs and courses that could be used to meet those identified training needs.

3610 ANNUAL MANDATORY TRAINING – GENERALLY

3610.1 The Attorney General shall establish and administer an annual mandatory program of continuing legal education for attorneys in the Legal Service who are employed by the Office of the Attorney General.

3610.2 The Attorney General shall establish and administer an annual mandatory program of training to maintain and enhance the management supervisory skills of Legal Service supervisory attorneys employed in the Office of the Attorney General.

- 3610.3 The Director of the Mayor's Office of Legal Counsel shall establish and administer annual mandatory training programs comparable to those required under §§ 3610.1 and 3610.2, for Legal Service attorneys and supervisors in the Mayor's Office of Legal Counsel and the subordinate agencies.
- 3610.4 Training programs offered by the Office of the Attorney General shall, to the extent practicable, be made available with no charge to Legal Service attorneys employed by the Mayor's Office of Legal Counsel and the subordinate agencies. Likewise, training programs offered by the Mayor's Office of Legal Counsel for attorneys employed by that office and the subordinate agencies shall, to the extent practicable, be made available with no charge to attorneys in the Office of the Attorney General.
- 3610.5 The Attorney General shall designate a Training Director to oversee, arrange, and approve mandatory training programs and requirements for attorneys in the Office of the Attorney General.
- 3610.6 Any decision of the Training Director is subject to direction and review by the Attorney General or the Attorney General's designee.
- 3610.7 Annual mandatory training requirements shall be completed during each rating period.
- 3610.8 Any attorney for whom compliance with any of the training requirements of this chapter is inordinately difficult due to a severe, prolonged illness, a disability, or other good cause, may seek a waiver from mandatory training requirements. An attorney may do so by submitting a request to the Training Director for attorneys employed by the Office of the Attorney General or to the Director for attorneys employed by the Mayor's Office of Legal Counsel or the subordinate agencies, as applicable. The request for a waiver shall include any appropriate or required supporting material or documentation.
- 3610.9 A waiver request shall be promptly submitted when the grounds for the waiver request become known to the attorney. Failure to request a waiver in a timely manner may be considered by the Training Director or the Director in determining whether to grant a waiver.
- 3610.10 A waiver shall be valid for a specific time period granted by the Training Director or the Director not to exceed one year, unless renewed or extended.
- 3610.11 Failure to comply with the training requirements of this chapter during a rating period, without receiving a waiver, shall be considered by a supervisor in evaluating an attorney and setting the overall rating.

- 3610.12 All training requests for credit to satisfy mandatory requirements shall be submitted to the Training Director or the Director, as applicable, for authorization and approval before participation in any in-house or other training.
- 3610.13 A credit hour shall be equivalent to sixty (60) minutes of instruction.
- 3610.14 The Training Director and Director, as applicable, shall issue written procedures with respect to making requests for training, obtaining prior approval of training, and other requirements.
- 3610.15 When an attorney fails to complete training for which the District has incurred an expense, the expenses incurred shall be repaid to the District by the attorney if the Training Director or Director determines that the attorney unjustifiably failed to complete the training.
- 3610.16 Attorneys in the Legal Service who are newly-appointed within one hundred-twenty (120) days of the end of a rating period shall not be required to complete any training during that rating period. Any attorney in the Legal Service who is newly-appointed more than one hundred-twenty (120) days prior to the end of the rating period, shall be required to complete a pro rata portion of the training requirements for the rating year in which he or she is appointed.
- 3610.17 Attorneys shall evaluate training programs attended on forms provided for such purpose.
- 3610.18 The Training Director and the Director shall maintain records of payments made for travel, tuition, and fees, and other necessary expenses of training. The official record of such expenses for the Office of the Attorney General shall be the record kept by the Financial Officer for the Office of the Attorney General.
- 3610.19 An attorney assigned to full-time training shall be counted as being in full pay status, up to a maximum of eight (8) hours a day or forty (40) hours a week.
- 3610.20 An attorney assigned to training on less than a full-time basis shall be counted as being in pay status the same number of hours spent in instruction plus necessary travel time.
- 3610.21 An attorney selected for non-mandatory training in a non-District facility shall agree in writing to continue in the service of the subordinate agency after the end of the training for a period of time at least equal to the length of the training period.

3611 MANDATORY CONTINUING LEGAL EDUCATION

- 3611.1 Subject to the availability of in-house or other training approved and paid for by the District, each attorney shall complete at least twelve (12) credit hours of legal education during each rating period.
- 3611.2 At least three (3) hours of the twelve (12) required credit hours of legal education shall be instruction in ethics, to the extent training is available.
- 3611.3 Attorneys with less than three (3) years in the Legal Service shall fulfill the ethics requirement solely by attendance at courses devoted to instruction in ethics.
- 3611.4 Subject to the approval of the Training Director or the Director of the Mayor's Office of Legal Counsel, attorneys with more than three (3) years in the Legal Service may fulfill the ethics requirement by attending courses addressing other subjects of the law if a specific ethical component is included that is related to the substance of the instruction involved.
- 3611.5 Other substantive course requirements, including the subject matter of courses and the hours of required instruction, shall be determined, arranged, and approved by the Training Director and the Director.
- 3611.6 In addition to in-house training programs and training programs offered by outside providers, the following activities within the rating period may, pursuant to guidelines adopted by the Training Director and the Director, be pre-approved to qualify for credit for continuing legal education:
- (a) Providing instruction in a legal education program;
 - (b) Publication of an original work on a legal topic in a recognized legal periodical or by a legal publishing house;
 - (c) Self-study (for example, formal showings of audio and video tapes produced by an accredited sponsor of legal programs);
 - (d) Attendance at or audit of a law school class(es);
 - (e) Courses for self-improvement in civility, human relations, stress and time management; or
 - (f) Participation in meetings and conferences with a legal training component.

3612 MANDATORY MANAGEMENT TRAINING

- 3612.1 Subject to the availability of in-house or other training that is provided by and paid for by the District, supervisors in the Legal Service shall complete at least twelve (12) hours of management training during each rating period. In addition to this requirement, the Attorney General and the Director of the Mayor's Office

of Legal Counsel may make any additional training mandatory for a supervisor, if it is provided by and paid for by the District.

3612.2 Subject to the availability of in-house or other training that is provided by and paid for by the District, attorneys appointed as supervisors on or after the effective date of this chapter shall attend a program of forty (40) hours of basic District government supervisory skills training within one hundred-sixty (160) days of appointment to a supervisory position.

3612.3 In addition to in-house management training programs or management training programs offered by outside providers, the following activities within the rating period may, pursuant to guidelines adopted by the Training Director and the Director, be pre-approved to qualify for credit toward annual management training requirements for attorneys:

- (a) Providing instruction in a management program;
- (b) Publication of an original work related to management issues, in a recognized business periodical or by a known publishing house; or
- (c) Participation in meetings and conferences with a management training component.

3613 RESERVED

3614 DISCIPLINE

3614.1 An attorney appointed to the Legal Service, other than an attorney in a Senior Executive Attorney Service position, shall be disciplined in accordance with this section.

3614.2 An attorney appointed to a Senior Executive Attorney Service position shall be subject to discipline or termination at-will. If a termination is not for delinquency or misconduct, the Attorney General or the Director of the Mayor’s Office of Legal Counsel may recommend appointment to another available position in the Legal Service.

3614.3 An attorney, other than an attorney in a Senior Executive Attorney Service position, shall be subject to discipline or termination for unacceptable performance or for any other reason that is not arbitrary or capricious.

3614.4 Discipline may include reprimand, suspension (with or without pay), reduction of grade or step, and removal.

3614.5 An attorney, other than an attorney in a Senior Executive Attorney Service position, shall be provided at least a ten (10) day written notice prior to the

imposition of discipline against him or her. The notice shall contain all of the following:

- (a) The reasons for the disciplinary action;
- (b) The discipline to be imposed; and
- (c) A statement that the stated discipline shall be imposed in ten (10) days from the date of the notice unless the attorney responds in writing to the Attorney General, the Director, or the agency head, as applicable, within ten (10) days of receiving the notice, and that the response may include a request for a hearing.

3614.6 If the attorney submits a response as provided in Subsection 3614.5(c), the Attorney General, the Director, or the agency head, as applicable, may, within ten (10) days of receipt of the attorney's response, grant a hearing on the matter. The hearing notice shall provide:

- (a) The place of the hearing and a hearing date and time not less than fifteen (15) nor more than thirty (30) days from the date of the hearing notice;
- (b) That the attorney may review, upon request to his or her supervisor, all materials upon which the disciplinary action is based, including, but not limited to statements of witnesses, documents, and reports of investigations or extracts therefrom;
- (c) That the attorney may be represented by an approved attorney, or other representative, at the hearing; and
- (d) That the attorney has the right to present evidence at the hearing, including written statements of witnesses, affidavits, or both.

3614.7 A hearing pursuant to Subsection 3614.6 may be held before the Attorney General, the Director, or the agency head, as applicable, or their designees and shall be closed except for the attorney, his or her representative, and the supervisor who issued the disciplinary action notice. There shall be no discovery procedures except as provided in this section. An official record shall be kept of the hearing.

3614.8 The Attorney General, the Director, or the agency head, as applicable shall provide the attorney with a final written administrative decision within fifteen (15) days of the hearing date, or within fifteen (15) days of receipt of the attorney's response under Subsection 3614.5(c) if no hearing is held. The agency head shall consult with the Director in reaching a final decision.

3614.9 The decision of the Attorney General shall be final with respect to attorneys employed by the Office of the Attorney General. The final decision of the Mayor's Office of Legal Counsel or subordinate agency head shall be accompanied by notice of the right to appeal the decision to the Mayor within five (5) days of receipt of the decision. The decision of the Mayor issued in response to such an appeal shall be final.

3615 SEPARATION PAY

3615.1 An attorney in a Senior Executive Attorney Service position who is involuntarily discharged shall be paid separation pay upon separation for non-disciplinary reasons based on length of service as a Series 905 attorney in the District government as follows:

- (a) 4 weeks of separation pay for persons with 1-5 years of service;
- (b) 8 weeks of separation pay for persons with 6-14 years of service; or
- (c) 12 weeks of separation pay for persons with more than 15 years of service.

3615.2 The number of weeks of separation pay authorized pursuant to this section shall not exceed the number of weeks between the individual's separation and the individual's appointment to another position in the District government. An individual who receives separation pay pursuant to this section, and who is subsequently appointed to any position in the District government during the period of weeks represented by that payment, shall be required to repay the amount of separation pay attributable to the period covered by such appointment. The pro-rated amount to be repaid shall be based on the entire amount of the separation pay, including all required deductions for taxes, and shall be paid to the agency that made the separation pay.

3615.3 Separation pay shall be provided at the time of separation as a lump sum, one-time payment, subject only to the withholdings of federal, District of Columbia, and State income taxes, and social security taxes, if applicable.

3615.4 When a determination is made that a Senior Executive Attorney is not entitled to receive separation pay because the employee's separation is for disciplinary reasons, the Attorney General or the Director of the Mayor's Office of Legal Counsel, as applicable, shall provide the employee with a written notice within thirty (30) days of termination containing all of the following:

- (a) Notification that the employee is not entitled to separation pay;
- (b) The reasons for the determination that the employee is not entitled to separation pay; and

- (c) A statement that the decision shall be final in five (5) days from the date of the notice unless the employee responds to it, in writing, within five (5) days of receiving the notice.

3615.5 If the employee submits a response as provided in Subsection 3615.4(c), the Attorney General or the Director shall issue a final administrative decision to the employee. If the final administrative decision grants severance pay, this decision shall not reverse the employee's termination.

3616 REDUCTIONS IN FORCE

3616.1 In the case of line attorneys and of supervisors and the non-supervisory attorneys described in Sections 3606 and 3607 who do not occupy a Senior Executive Attorney service position, reductions in force shall be governed by the provisions of Chapter 24 of the Personnel Regulations, except that references to Chapter 16 in Chapter 24 shall be read as a reference to Section 3614 of these rules.

3617 RESERVED

3618 ATTORNEY GOOD STANDING IN THE D.C. BAR REQUIREMENT

3618.1 The provisions of this section shall be applicable to each attorney appointed to the Legal Service who is employed by the Office of the Attorney General, the Mayor's Office of Legal Counsel, or a subordinate agency and who is required to be a member of the District of Columbia Bar as a prerequisite of employment. This section is also applicable to an individual who is a member in good standing of the bar of another jurisdiction and who has filed a timely application for admission to the District of Columbia Bar.

3618.2 An appointee to a Legal Service position shall remain a member in good standing of the District of Columbia Bar during his or her employment in the Legal Service. An appointee who is a member in good standing of the bar of another state or territory and who has filed an application with the D.C. Court of Appeals for admission to the District of Columbia Bar shall present a certificate of good standing to the Office of the Attorney General, the Director of the Mayor's Office of Legal Counsel, or the agency head, as applicable, upon notification of his or her admission to the District of Columbia Bar, within five (5) business days of such notification, and such admission shall occur within three hundred sixty (360) days of the appointee's initial employment as an attorney by the District government. The appointee shall thereafter remain a member in good standing of the District of Columbia Bar.

3618.3 An appointee to a Legal Service position shall notify the Attorney General, the Director, or the agency head, as applicable immediately of any sanction proposed by the D.C. Office of Bar Counsel, any hearing regarding any proposed

disciplinary action, or any disciplinary action taken by the D.C. Court of Appeals against that attorney.

3618.4 An appointee to a Legal Service position who is suspended from practice by the D.C. Court of Appeals shall not remain in an attorney position during the suspension period. The Attorney General, the Director, or the agency head may, at his or her discretion, request the re-assignment of such an appointee to a non-attorney position in the Office of the Attorney General or another agency.

3618.5 An appointee to a Legal Service position shall not be compensated for services provided pursuant to the appointee's employment as an attorney unless such an individual is duly licensed and authorized to practice as an attorney under the law of the District of Columbia. This prohibition shall not apply to an appointee who is a member in good standing of the bar of another state or territory who has filed an application with the D.C. Court of Appeals for admission to the District of Columbia Bar and such admission has occurred within three hundred sixty (360) days of the appointee's initial employment as an attorney by the District government.

3699 DEFINITIONS

3699.1 In this chapter, the following terms shall have the following meanings:

Act – The District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code §§ 1-610.51 *et seq.* (2012 Repl.)), as amended by the Legal Service Establishment Amendment Act of 1998, effective April 20, 1999 (D.C. Law 12-260; D.C. Official Code §§ 1-601.01, *et seq.* (2012 Repl.)); as amended by both the Technical Amendments Act of 1999, effective April 12, 2000 (D.C. Law 13-91; 47 DCR 520 (January 28, 2000)), and the Legal Service Amendment Act of 2005, effective October 20, 2005 (D.C. Law 16-33; 52 DCR 7503 (August 12, 2005)); as amended by the Elected Attorney General Implementation and Legal Service Establishment Amendment Act of 2013, effective December 13, 2013 (D.C. Law 20-60; 60 DCR 15487 (November 8, 2013)); and as amended by any subsequent laws.

Administrative hearing officer – A person whose duties, in whole or in substantial part, consist of conducting or presiding over hearings in contested matters pursuant to law or regulation, or who is engaged primarily in adjudicatory functions on behalf of an agency, rather than investigative, prosecutorial or advisory functions, including, but not limited to any person who bears the title Hearing Officer, Hearing Examiner, Attorney Examiner, Administrative Law Judge, Administrative Judge, or Adjudication Specialist.

Administrative law judge – A person whose duties, in whole or in substantial part, consist of conducting or presiding over hearings in contested matters pursuant to law or regulation, or who is engaged primarily in adjudicatory functions on behalf of an agency, rather than investigative, prosecutorial or advisory functions, including, but not limited to any person who bears the title Hearing Officer, Hearing Examiner, Attorney Examiner, Administrative Law Judge, Administrative Judge, or Adjudication Specialist.

Attorney – Any position that is classified as part of Series 905, except for any position that is occupied by a person whose duties, in whole or in substantial part, consist of hearing cases as an administrative law judge or an administrative hearing officer.

Attorney General for the District of Columbia – The chief legal officer of the District Government, elected by the voters to head the Office of the Attorney General for the District of Columbia and to conduct all law business of the District Government.

Calendar year – The period of time beginning with the first full pay period in January through the beginning of the first full pay period in January of the following year as determined by the Office of Personnel.

Chain of command – The order of authority of positions within the Office of the Attorney General for the District of Columbia, the Mayor's Office of Legal Counsel, and the offices of the General Counsels for subordinate agencies employing attorneys in the Legal Service.

Chief Deputy – An official, designated by the Attorney General for the District of Columbia, who is the highest-ranking official in the chain of command in the Office of the Attorney General for the District of Columbia other than the Attorney General.

Competencies – Behaviors demonstrated on the job by supervisors described in Sections 3606 and 3607 of these rules as follows: Program Management; Staff Supervision; Performance Management; Work Productivity; Communication; Customer Service; and Regulations Adherence. These behaviors shall have the meaning established by the Attorney General for the District of Columbia and the Director of the Mayor's Office of Legal Counsel.

Days – Calendar days.

Director – The Director of the Mayor's Office of Legal Counsel.

Equivalent position – Any attorney position at any grade in which the attorney performs work or has responsibilities that are substantially similar to the work or responsibilities of any Legal Service position that is classified at LX-2 or above.

Excellent (line attorneys and non-supervisory attorneys under Sections 3605 and 3607 of these rules) – Performance is clearly above the generally expected performance level for attorneys of comparable experience. Quality of work is consistently very good. The attorney’s development is progressing rapidly and continued growth is anticipated. An attorney will receive an overall rating of “excellent” when seventy-five percent (75%) or more of weighted categories fall within the “excellent” level without a “fails expectations” or “needs improvement” rating in any element.

Fails expectations (line attorneys and non-supervisory attorneys under Sections 3605 and 3607 of these rules) – Performance is significantly below the generally expected performance level for attorneys of comparable experience. Considerable weaknesses exist in substantive or other areas. An attorney will receive an overall rating of “fails expectations” when fifteen percent (15%) or more of weighted categories fall within the “fails expectations” level.

Fails expectations (supervisors under Section 3606 of these rules) – Performance is significantly below the generally expected performance level of supervisors of comparable experience. There are considerable weaknesses in substantive or other areas. The overall rating of “fails expectations” results from application of the formula, Overall Performance Rating = Sum of all Competency Ratings (each competency weighed equally)/Number of Competencies, where the total figure derived on the right side of this formula is in the range “1.0-1.7”.

Legal Service – The service established pursuant to Title VIII-B of the Act, to include every attorney employed by the Office of the Attorney General for the District of Columbia or a non-exempt subordinate agency or independent agency in a Series 905 position.

Line attorney – Any attorney who is not a supervisor, excluding attorneys who report directly to the Attorney General for the District of Columbia, or the Chief Deputy Attorney General, or a subordinate agency head.

Mayor’s Office of Legal Counsel – The Office established under Section 101 of the Elected Attorney General Implementation and Legal Service Establishment Amendment Act of 2013, effective December 13, 2013 (D.C. Law 20-60; D.C. Official Code § 1-608.51a), to, among other things, coordinate administrative and other activities related to Legal Service attorneys in subordinate agencies.

Needs improvement (line attorneys and non-supervisory attorneys under Sections 3605 and 3607 of these rules) – Performance is below the generally expected performance level for attorneys of comparable experience and requires more supervision and follow-up than is expected. Quality of work is inconsistent and/or improvement is necessary in substantive or other areas. An attorney will receive an overall “needs improvement” rating when fifteen percent (15%) or more of weighted categories fall within the “needs improvement” level.

Needs improvement (supervisors only under Section 3606 of these rules) – Performance is below the generally expected performance level for supervisors of comparable experience and requires more follow-up than is expected. Quality of work is inconsistent and/or improvement is necessary in substantive or other areas. Two (2) points are awarded to both each competency and each S.M.A.R.T. goal rated as “needs improvement.” The overall rating of “needs improvement” results from application of the formula, Overall Performance Rating = (Sum of all Competency Ratings/Number of Competencies x .4) + (Sum of all S.M.A.R.T. Goal Ratings/Number of S.M.A.R.T. Goals x .6), where the total figure derived on the right side of this formula is in the range “1.8-2.8”.

Outstanding (line attorneys and non-supervisory attorneys under Sections 3605 and 3607 of these rules) – Performance consistently exceeds highest expectations by a wide margin. This rating is reserved for truly exceptional individuals who are significantly above the generally expected performance level for attorneys of comparable experience. An attorney will receive an overall “outstanding” rating when eighty percent (80%) or more of the weighted categories fall within the “outstanding” level.

Outstanding (supervisors under Section 3606 of these rules) – Performance consistently exceeds highest expectations by a wide margin. This rating is reserved for truly exceptional individuals who are significantly above the generally expected performance level for supervisors of comparable experience. Four (4) points are awarded to both each competency and each S.M.A.R.T. goal rated as “outstanding.” The overall rating of “outstanding” results from application of the formula, Overall Performance Rating = (Sum of all Competency Ratings/Number of Competencies x .4) + (Sum of all S.M.A.R.T. Goal Ratings/Number of S.M.A.R.T. Goals x .6), where the total figure derived on the right side of this formula is in the range “3.6-4.0”.

Performance Management Program (PMP) – The systematic process by which an agency involves its employees, as individuals and members of a group,

in improving performance in the accomplishment of agency mission and goals, as set out in Chapter 14 of the District of Columbia Personnel Regulations, which was in effect for attorney-supervisors and non-supervisory attorneys under Sections 3606 and 3607 of these rules for the 2002-2003 through the 2007-2008 rating periods.

Rating period – September 1st to August 31st for line attorneys under Section 3605 of these rules, and October 1st to September 30th for all other attorneys covered by these rules.

Senior Executive Attorney Service position – (A) Any attorney position that is classified above LA-15 or LX-1, or an equivalent position, and in which the employee: (i) directs the work of an organizational unit; (ii) is held accountable for the success of one or more specific programs or projects; (iii) monitors progress toward organizational goals and periodically evaluates and makes appropriate adjustments to these goals; (iv) supervises the work of employees other than personal assistants; (v) performs important legal policy-making or policy-determining functions; or (vi) provides significant leadership in legal counseling or in the trial of cases; or (B) Any attorney who is a Chief Deputy Attorney General, Deputy Attorney General, Special Deputy Attorney General, Senior Counsel to the Attorney General, Special Counsel to the Attorney General, any other attorney in the Office of the Attorney General for the District of Columbia who routinely reports directly to the Attorney General; or (C) Any attorney who is a General Counsel employed by a subordinate agency.

S.M.A.R.T. goals – Specific, measurable, attainable, realistic, and time-related goals that are established annually for a supervisory or other non-line attorney either by the Attorney General for the District of Columbia, the Director, an agency head, or another high-level supervisor.

Subordinate agency – An agency under the direct administrative control of the Mayor.

Successful (line attorneys and non-supervisory attorneys under Sections 3605 and 3607 of these rules) – Performance generally meets and occasionally exceeds the level expected for attorneys of comparable experience without the need for ongoing supervision. The attorney produces quality work. An attorney will receive an overall “successful” rating when sixty percent (60%) or more of weighted categories fall within the “successful” level without a “fails expectations” rating in any element.

Successful (supervisors only under Section 3606 of these rules) – Performance generally meets and occasionally exceeds the level expected for supervisors of comparable experience without the need for ongoing

supervision. The supervisor produces quality work. Three (3) points are awarded to both each competency and each S.M.A.R.T. goal rated as “successful.” The overall rating of “successful” results from application of the formula, Overall Performance Rating = (Sum of all Competency Ratings/Number of Competencies x .4) + (Sum of all S.M.A.R.T. Goal Ratings/Number of S.M.A.R.T. Goals x .6), where the total figure derived on the right side of this formula is in the range “2.9-3.5”.

Supervisor – A person who 1) possesses the authority to recommend the hiring, promotion, transfer, discipline, or discharge of a subordinate attorney; 2) has the authority to direct, as well as assign work to a subordinate attorney; and 3) is responsible for the review of work, approval of leave, and evaluation of job performance of subordinate attorneys.

Training Director – The person designated by the Attorney General for the District of Columbia to oversee, arrange, and approve training, or an equivalent officer assigned by the Attorney General to supervise training.

Unit – The portion of an organization composed of all the attorneys under the direct supervision of a single supervisor.

Comments on these proposed rules should be sent in writing to Laurie Ensworth, Office of the Attorney General of the District of Columbia, 1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004, or electronically to laurie.ensworth@dc.gov, not later than thirty (30) days after the date of publication of this notice in the *D.C. Register*. Copies of the proposed rules may also be obtained from OAG at the address stated above.

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF PUBLIC HEARINGS
CALENDAR

WEDNESDAY, OCTOBER 15, 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

- Show Cause Hearing*** **9:30 AM**
Case # 14-251-00044; Backdoor, Inc., t/a Bachelors Mill/Backdoor Pub, 1104
8th Street SE, License #11277, Retailer CT, ANC 6B
**Failed to Follow Security Plan, Allowed the Establishment to be Used for an
Unlawful or Disorderly Purpose**
- Fact Finding Hearing** **9:30 AM**
Pub Crawl: Applicant: Edwardo Romano, Dates of Event: October 31, 2014 and
November 1, 2014, Event: Halloween Bar Crawl, Neighborhood: Multiple
Licensed Premises, Size of Event:300 to 400
*The names of the establishments participating in the Pub Crawl are available
upon request.*
- Fact Finding Hearing*** **9:30 AM**
Alemeshet Bayou t/a To Be Determined (formerly 2203 14th St NW), 2203
14th Street NW, License #90459, Retailer B
Request to Extend Safekeeping
- Show Cause Hearing*** **10:00 AM**
Case # 14-CMP-00070; Dahlak Restaurant, Inc., t/a Dahlak Restaurant, 1771 U
Street NW, License #74433, Retailer CR, ANC 1C
Substantial Change In Operation Without Board Approval
- Show Cause Hearing*** **10:30 AM**
Case # 14-CC-00005; Shenpos in DC, Inc., t/a Market of Columbia Plaza, 516
23rd Street NW, License #23557, Retailer B, ANC 2A
**Sale to Minor Violation (three counts), Failed to Take Steps Necessary to
Ascertain Legal Drinking Age, (three counts), Interfered with an
Investigation**

Board's Calendar
October 15, 2014

Show Cause Hearing* **11:00 AM**
Case # 14-CC-00007; Shenpos in DC, Inc., t/a Market of Columbia Plaza, 516
23rd Street NW, License #23557, Retailer B, ANC 2A
**Sale to Minor Violation (two counts), Failed to Take Steps Necessary to
Ascertain Legal Drinking Age (two counts)**

Show Cause Hearing* **11:30 AM**
Case # 12-CMP-00688; Hak, LLC., t/a Midtown, 1219 Connecticut Ave NW
License #72087, Retailer CN, ANC 2B
**Sale to Minor, Failed to Take Steps Necessary to Ascertain Legal Drinking
Age**

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

Show Cause Hearing* **1:30 PM**
Case # 13-CMP-00583; Langston Bar & Grille, LLC, t/a Langston Bar & Grille
1831 Benning Road NE, License #76260, Retailer CR, ANC 6A
Failed to File Quarterly Statements (2nd Quarter 2013)

Show Cause Hearing* **2:30 PM**
Case # 13-CC-00119; Chicago/Washington, DC, Inc., t/a Morton's The
Steakhouse, 3251 Prospect Street NW, License #3880, Retailer CR, ANC 2E
Interfered with an Investigation

Fact Finding Hearing* **2:30 PM**
Case No. 14-251-00227; Jefferson Grill, Inc., t/ Macombo Lounge, 5335
Georgia Ave NW, License No. 771, Retailer CN, ANC 4D
Assault with Deadly Weapon

Fact Finding Hearing* **3:30 PM**
Case No. 14-251-00248; Bud and Papa, Inc., t/a Layla Lounge, 501 Morse
Street NE, License No. 79238, Retailer CT, ANC 5D
Assault with Deadly Weapon

Protest Hearing* **4:30 PM**
Case # 13-PRO-00173 and # 14-PRO-00057; Caribbean Vibes, Inc., t/a Club
Timehri, 2439 18th Street NW, License #77730, Retailer CT, ANC 1C
Application to Renew the License, Termination of Settlement Agreement

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

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

**NOTICE OF MEETING
INVESTIGATIVE AGENDA**

**WEDNESDAY, OCTOBER 15, 2014
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

On October 15, 2014 at 4:00 pm, the Alcoholic Beverage Control Board will hold a closed meeting regarding the matters identified below. In accordance with Section 405(b) of the Open Meetings Amendment Act of 2010, the meeting will be closed “to plan, discuss, or hear reports concerning ongoing or planned investigations of alleged criminal or civil misconduct or violations of law or regulations.”

1. Case#14-251-00171 Eclipse Restaurant & Nightclub, 2820 BLADENSBURG RD NE Retailer C Nightclub, License#:ABRA-075424

2. Case#14-AUD-00096 Miriam's Cafeteria, 3931 14TH ST NW Retailer C Restaurant, License#: ABRA-075536

3. Case#14-251-00228 Josephine, 1010 Vermont AVE NW Retailer C Tavern, License#: ABRA-076906

4. Case#14-CMP-00462 Midtown, 1219 CONNECTICUT AVE NW Retailer C Nightclub, License#: ABRA-072087

5. Case#14-AUD-00099 Kitty O'Shea's DC, 4624 WISCONSIN AVE NW Retailer C Restaurant, License#:ABRA-090464

6. Case#14-CMP-00250 Johana's Restaurant, 4728 14TH ST NW Retailer C Tavern, License#: ABRA-025996

7. Case#14-CMP-00325 Madam's Organ, 2461 18TH ST NW Retailer C Tavern, License#: ABRA-025273

8. Case#14-CMP-00491 NEWTOWN KITCHEN AND LOUNGE, 1336 U ST NW Retailer C Tavern, License#:ABRA-093095

9. Case#14-AUD-00076 Masa 14, 1825 14TH ST NW Retailer C Restaurant, License#: ABRA-081469

10. Case#14-CMP-00465 The Brixton, 901 U ST NW Retailer C Tavern, License#: ABRA-082871

11. Case#14-251-00199 U Street Music Hall, 1115 U ST NW Retailer C Multipurpose, License#: ABRA-083219

12. Case#14-251-00177 Lost Society, 2001 14TH ST NW Retailer C Tavern, License#: ABRA-083420

13. Case#14-AUD-00095 EL CENTRO D.F., 1819 14TH ST NW Retailer C Restaurant, License#: ABRA-084847

14. Case#14-CMP-00243 Neisha Thai, 4445 WISCONSIN AVE NW Retailer C Restaurant, License#: ABRA-085719

15. Case#14-CMP-00467 Boqueria, 1837 M ST NW Retailer C Restaurant, License#: ABRA-087794

16. Case#14-CMP-00464 Crown Liquors, 1325 Connecticut AVE NW Retailer A Retail - Liquor Store, License#:ABRA-088121

17. Case#14-AUD-00094 Black & Orange, 1931 14TH ST NW Retailer C Restaurant, License#: ABRA-088273

18. Case#14-AUD-00100 Fuel Pizza & Wings, 1606 K ST NW Retailer C Restaurant, License#: ABRA-088452

19. Case#14-AUD-00103 Fuel Pizza & Wings, 600 F ST NW Retailer C Restaurant, License#: ABRA-088727

20. Case#14-AUD-00098 Panas Gourmet Empanadas, 2029 P ST NW Retailer D Restaurant, License#: ABRA-088954

21. Case#14-CMP-00463 Lucky Corner Store, 5433 GEORGIA AVE NW Retailer B Retail - Class B, License#:ABRA-093115

22. Case#14-AUD-00097 Ritz Carlton Georgetown, 3100 SOUTH ST ST NW Retailer C Hotel, License#: ABRA-060660

23. Case#14-AUD-00102 Ethiopia Restaurant & Market, 4630 14TH ST NW Retailer C Restaurant, License#: ABRA-091373

24. Case#13-PRO-00173 Club Timehri, 2439 18TH ST NW Retailer C Tavern, License#: ABRA-077730

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF MEETING
LEGAL AGENDA

WEDNESDAY, OCTOBER 15, 2014 AT 1:00 PM
2000 14th STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

1. Review of Amendment to Settlement Agreement among ANC 2E, the Citizens Association of Georgetown, Protestant William Moroney and Gypsy Sally's. *Gypsy Sally's*, 3401 K St., NW, Retailer CT, License No.: 090582.

2. Review of Settlement Agreement between ANC 3E and Dancing Crab. *Dancing Crab*, 4615 41st St., NW, Retailer C, License No.: 090297.

3. Review of Settlement Agreement among ANC 2E, the Citizens Association of Georgetown, Protestant Robert Yahn and After Peacock Room. *After Peacock Room*, 2622 P St., NW, Retailer C, License No.: 095964.

4. Review of Settlement Agreement between Celia Properties, LLP and Terminal Alley, dated October 6, 2014. *Terminal Alley*, 3701 Benning Road, NE, Retailer CT, License No.: 09386.

5. Review of Settlement Agreement between ANC 1B and The Hilltop Restaurant, dated September 17, 2014. *Hilltop Restaurant*, 2737 Sherman Ave. NW, Retailer CT, License No.: 060236.

6. Review of Amendment to Settlement Agreement between Kalorama Citizens Association and Casa Oaxaca. *Casa Oaxca*, 2106 18th Street NW, Retailer CR, License No.: 076070.

7. Review of Petition to Unilaterally Amend or Terminate a Settlement Agreement. *Georgia Line Convenience Store*, 5125 Georgia Ave., NW, Retailer B, License No.: 091196.

8. Review of Petition to Unilaterally Amend or Terminate a Settlement Agreement. *Jublee Market*, 2316 4th St., NE, Retailer B, License No.: 074162.

9. Review of Petition to Unilaterally Amend or Terminate a Settlement Agreement. *Martha's Market*, 2400 Minnesota Ave. SE, Retailer B, License No.: 20020.

10. Review of Petition to Unilaterally Amend or Terminate a Settlement Agreement. *1101 Convenience Mart*, 1101 H St., NE, Retailer B, License No.: 086305.

11. Review of Letter in response to Protest Hearing Investigative Report, dated August 28, 2014, submitted by Kwamina Williford, Esq. on behalf of Echostage. *Echostage*, 2135 Queens Chapel Road, NE, Retailer CN, License No.: 090250.

12. Review of Letter in response to Protest Hearing Investigative Report, dated August 28, 2014, submitted by Kwamina Williford, Esq. on behalf of Barcode. *Barcode*, 1701 L Street, NW, Retailer CT, License No.: 082039.

13. Review of Withdrawal of Record Exhibits, dated September 25, 2014, submitted by Ted Liu, Vice President, Tian Tian Fang Restaurant. *Tian Tian Fang Restaurant*, 1334 9th St., NW, Retailer CN, License No.: 090311.

14. Review of Request for Off-Site Storage, dated October 3, 2014, submitted by Paul Pascal Esq., on behalf of Ima Pizza Stores, LLC. *&Pizza*, multiple locations, Retailer C, License Nos.: 089158, 092159, 094478, 094712, 096224.

15. Review of Settlement Offer, dated July 23, 2014, requesting approval of Application without entertainment endorsement and agreement to prohibit Martin Scahill from holding additional ABC licenses, submitted by Camelia Mazard on behalf of **Melles Hospitality Group, LLC, t/a The Alibi Restaurant and Lounge**, 237 2nd Street, N.W., Application for New Retailer's Class CR License, License No. 93491.*

16. Review of Letter "Substantial Evidence/Law," submitted Martin Scahill, in his individual capacity, related to the Application for a New Retailer's CR License filed by **Melles Hospitality Group, LLC, t/a The Alibi Restaurant and Lounge**, 237 2nd Street, N.W., License No. 93491.*

17. Review of Petition in Protest to the Application of Melles Hospitality Group and Motion to Replacard, dated May 20, 2014, filed by Charles Parsons, Intervenor, in the matter of **Melles Hospitality Group, LLC, t/a The Alibi Restaurant and Lounge**, 237 2nd Street, N.W., Application for New Retailer's Class CR License, License No. 93491, License No. 93491.*
-
18. Review of Supplemental Points and Authorities in Support of Petition in Protest to the Application of Melles Hospitality Group, submitted August 25, 2014, filed by Charles Parsons, Intervenor, in the matter of **Melles Hospitality Group, LLC, t/a The Alibi Restaurant and Lounge**, 237 2nd Street, N.W., Application for New Retailer's Class CR License, License No. 93491, License No. 93491.*
-
19. Review of Applicant's Response to Petitions in Protest to the Application of Melles Hospitality Group, filed on August 26, 2014, submitted by Camelia Mazard, on behalf of **Melles Hospitality Group, LLC, t/a The Alibi Restaurant and Lounge**, 237 2nd Street, N.W., Application for New Retailer's Class CR License, License No. 93491, License No. 93491.*
-
20. Review of Board Order No. 2014-119 and 2014-129 issued in the matter of **Melles Hospitality Group, LLC, t/a The Alibi Restaurant and Lounge**, 237 2nd Street, N.W., Application for New Retailer's Class CR License, License No. 93491, License No. 93491.*
-

*** 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, OCTOBER 15, 2014 AT 1:00 PM
2000 14th STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

1. Review Request for Extension of Safekeeping of License – 2nd Request. Original Safekeeping Date: 2010. ANC 5C. SMD 5C04. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. *Skylark Lounge (formerly)*, 1943 New York Avenue NE (formerly), Retailer CN, License No. 090611.

2. Review Request for Class Change from Retailer B to Retailer A. ANC 5D. SMD 5D06. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No conflict with Settlement Agreement. *Staples Beer & Wine Grocery LLC*, 1364 Florida Avenue NE, Retailer B Grocery, License No. 096294.

3. Review Request for Change of Hours. *Approved Hours of Operation and Alcoholic Beverage Sales and Consumption*: Sunday 11am to 10:30pm, Monday-Thursday 12pm to 10:30pm, Friday 12:00pm to 11:30pm, Saturday 11am to 11:30pm. *Proposed Hours of Operation and Alcoholic Beverage Sales and Consumption*: Sunday 11am to 11pm, Monday-Thursday 12pm to 11pm, Friday 12pm to 12am, Saturday 11am to 12am. ANC 2F. SMD 2F02. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No conflict with Settlement Agreement. *Logan Tavern*, 1423 P Street NW, Retailer CR, License No. 060706.

4. Review Request for Change of Hours to Premises and Sidewalk Café. *Approved Hours of Operation, Alcoholic Beverage Sales and Consumption, and Live Entertainment for Premises*: Sunday-Thursday 11am-2am, Friday-Saturday 11am-3am. *Approved Hours of Operation and Alcoholic Beverage Sales and Consumption for Sidewalk Café*: Sunday-Saturday 11am-1am. *Proposed Hours of Operation for Premises*: Sunday-Thursday 7am-2am, Friday-Saturday 7am-3am. *Proposed Hours of Alcoholic Beverage Sales and Consumption for Premises*: Sunday-Thursday 9am-2am, Friday-Saturday 9am-3am. *Proposed Hours of Operation for Sidewalk Café*: Sunday-Thursday 7am-2am, Friday-Saturday 7am-3am. *Proposed Hours of Alcoholic Beverage Sales and Consumption for Sidewalk Café*: Sunday-Thursday 9am-2am, Friday-Saturday 9am-3am. ANC 2B. SMD 2B06. No outstanding fines/citations. Pending Enforcement Matter: Case #14-251-00170, Assaulted and Impeded ABRA Investigator, Substantial Change in Operations without approval. Fact Finding Hearing for 8/6/2014 referred

to the OAG for Show Cause Hearing. No Settlement Agreement. *Science Club*, 1136 19th Street NW, Retailer CT, License No. 074353.

5. Review Application for Sidewalk Café Endorsement. ANC 2B. SMD 2B01. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. *Bistro Bistro B Lounge*, 1727 Connecticut Avenue NW, Retailer CT, License No. 081479.
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6. Review Application for Entertainment Endorsement. Entertainment to include DJ or Live Music for Private Events. ANC 2F. SMD 2F06. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. *Baby Wale*, 1124 9th Street NW, Retailer CR, License No 090863.
-

7. Review Request to Cancel Tasting Endorsement for Year 2. ANC 1B. SMD 1B12. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. *Best DC Supermarket*, 1507 U Street NW, Retailer B Grocery, License No. 075139.
-

8. Review Application for On-Site Sales and Consumption Permit. ANC 5E. SMD 5E01. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. *Chocolate City Beer*, 2801 8th Street NE, Retailer B Manufacturer ABRA-085708.
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9. Review Application for Manager's License. *Deana A. Ballard*-ABRA 096422.
-

10. Review Application for Manager's License, *Dennis D. Kim*-ABRA 096862.
-

11. Review Application for Manager's License, *Antonio M. Williams*-ABRA 096262.

***In accordance with D.C. Official Code §2-574(b) of the Open Meetings Amendment Act, this portion of the meeting will be closed for deliberation and to consult with an attorney to obtain legal advice. The Board's vote will be held in an open session, and the public is permitted to attend.**

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS**CONSTRUCTION CODES COORDINATING BOARD****NOTICE OF MEETINGS**

The Construction Codes Coordinating Board will be holding October and November meetings according to the following schedule:

October 29, 2014: 10 AM – 12 PM

November 19, 2014: 10: AM – 12 PM

The meetings will be held at 1100 Fourth Street, SW, Fourth Floor Conference Room, Washington, D.C. 20024. The location is on the Metro Green Line, at the Waterfront/SEU stop. Limited paid parking is available on site.

Board information is available on the website of the Department of Consumer and Regulatory Affairs at dcra.dc.gov, under “Events Calendar”.

BOARD OF ELECTIONS
NOTICE OF PUBLICATION

The Board of Elections, at its regular Board Meeting on Wednesday, October 1, 2014, formulated the short title, summary statement, and legislative text of the “No Worker Shall Make Less Than the Minimum Wage Act of 2016.” Pursuant to D.C. Code § 1-1001.16 (2001 ed.), the Board hereby publishes the aforementioned formulations as follows:

INITIATIVE MEASURE

NO. 74

SHORT TITLE

“No Worker Shall Make Less Than the Minimum Wage Act of 2016”

SUMMARY STATEMENT

If enacted, this Initiative will:

- increase the minimum wage in the District of Columbia to \$15.00 hourly, or \$1.00 above the federal minimum wage, whichever is greater, by 2019;
- gradually increase the minimum wage for tipped employees so that they receive the same minimum wage as other employees by 2024;
- beginning in 2020, require the minimum wage to increase yearly in proportion to increases in the Consumer Price Index; and
- ensure that the minimum wage increases not prescribed by current law will not apply to D.C. government employees or employees of D.C. government contractors.

LEGISLATIVE TEXT

BE IT ENACTED BY THE ELECTORS OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "No Worker Shall Make Less Than the Minimum Wage Act of 2016."

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

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

"(a)(1) Except as provided in subsection (h) of this section, as of January 1, 2005, the minimum wage required to be paid to any employee by any employer in the District of Columbia shall be \$6.60 an hour, or the minimum wage set by the United States

government pursuant to the Fair Labor Standards Act (29 U.S.C. § 206 et seq.) ("Fair Labor Standards Act"), plus \$1, whichever is greater.

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

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

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

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

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

(7) Except as provided in subsection (h) of this section, as of July 1, 2018, the minimum wage required to be paid to any employee by any employer in the District of Columbia shall be \$13.75 an hour, or the minimum wage set by the United States government pursuant to the Fair Labor Standards Act, plus \$1, whichever is greater.

(8) Except as provided in subsection (h) of this section, as of July 1, 2019, the minimum wage required to be paid to any employee by any employer in the District of Columbia shall be \$15.00 an hour, or the minimum wage set by the United States government pursuant to the Fair Labor Standards Act, plus \$1, whichever is greater.

(9)(1) Except as provided in subsection (h) of this section, beginning on July 1, 2020 and no later than July 1 of each successive year, the minimum wage provided in this subsection shall be increased in proportion to the annual average increase, if any, in the Consumer Price Index for All Urban Consumers in the Washington Metropolitan Statistical Area published by the Bureau of Labor Statistics of the United States Department of Labor for the previous calendar year. Any increase under this paragraph shall be adjusted to the nearest multiple of \$.05.

(2) The Mayor shall publish in the District of Columbia Register and make available to employers a bulletin announcing the adjusted minimum wage rate as

provided in this paragraph. The bulletin shall be published at least 30 days prior to the annual minimum wage rate adjustment.

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

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

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

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

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

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

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

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

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

(2) As of July 1, 2017, the minimum wage required to be paid by any employer in the District of Columbia to any employee who receives gratuities shall be \$4.50 an hour, provided that the employee actually receives gratuities in an amount at least equal to the difference between the hourly wage paid and the minimum wage as set by subsection (a) of this section.

(3) As of July 1, 2018, the minimum wage required to be paid by any employer in the District of Columbia to any employee who receives gratuities shall be \$6.00 an hour, provided that the employee actually receives gratuities in an amount at least equal to the difference between the hourly wage paid and the minimum wage as set by subsection (a) of this section.

(4) As of July 1, 2019, the minimum wage required to be paid by any employer in the District of Columbia to any employee who receives gratuities shall be \$8.75 an hour, provided that the employee actually receives gratuities in an amount at least equal to the difference between the hourly wage paid and the minimum wage as set by subsection (a) of this section.

(5) As of July 1, 2020, the minimum wage required to be paid by any employer in the District of Columbia to any employee who receives gratuities shall be \$10.50 an hour, provided that the employee actually receives gratuities in an amount at least equal to the difference between the hourly wage paid and the minimum wage as set by subsection (a) of this section.

(6) As of July 1, 2021, the minimum wage required to be paid by any employer in the District of Columbia to any employee who receives gratuities shall be \$12.00 an hour, provided that the employee actually receives gratuities in an amount at least equal to the difference between the hourly wage paid and the minimum wage as set by subsection (a) of this section.

(7) As of July 1, 2022, the minimum wage required to be paid by any employer in the District of Columbia to any employee who receives gratuities shall be \$13.50 an hour, provided that the employee actually receives gratuities in an amount at least equal to the difference between the hourly wage paid and the minimum wage as set by subsection (a) of this section.

(8) As of July 1, 2023, the minimum wage required to be paid by any employer in the District of Columbia to any employee who receives gratuities shall be \$15.00 an hour, provided that the employee actually receives gratuities in an amount at least equal to the difference between the hourly wage paid and the minimum wage as set by subsection (a) of this section.

(9) As of July 1, 2024, the minimum wage required to be paid by any employer in the District of Columbia to any employee who receives gratuities shall be the minimum wage as set by subsection (a) of this section.

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

(g) Subsections (f)(1), (f)(2), (f)(3), (f)(4), (f)(5), (f)(6), (f)(7) and (f)(8) of this section shall not apply to an employee who receives gratuities unless:

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

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

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

(i)(1) Subsections (a)(6), (a)(7), (a)(8), (f)(2), (f)(3), (f)(4), (f)(5), (f)(6), (f)(7), (f)(8), (f)(9) and (f)(10) of this section shall not apply to an "affiliated employee" as that term is defined at D.C. Official Code § 2-220.02(1).

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

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

"Section 17. Severability.

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

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

Sec. 4. Fiscal impact statement.

Sec. 5. Effective date.

This act shall take effect after a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Self-government and Government Reorganization Act (Home Rule Act), approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

DISTRICT OF COLUMBIA OFFICE OF EMPLOYEE APPEALS
FISCAL YEAR 2015 MONTHLY MEETING SCHEDULE

This notice outlines the schedule of the regular meetings of the Board for the Office of Employee Appeals. Portions of the meetings are held in open session, and the public is invited to attend. The meetings are held at 1100 4th Street, Suite 380E, NW, Washington, D.C. A copy of the draft agenda for each meeting will be posted on the agency's website and the lobby of the Office of Employee Appeals. For further information, please contact the front desk at 202.727.0004. This schedule is subject to change.

DATE	TIME	ROOM NUMBER
Tuesday, October 28, 2014	11:00 AM	Room 380 East
Tuesday, December 09, 2014	11:00 AM	Room 380 East
Tuesday, January 20, 2015	11:00 AM	Room 380 East
Tuesday, March 3, 2015	11:00 AM	Room 380 East
Tuesday, April 14, 2015	11:00 AM	Room 380 East
Tuesday, June 9, 2015	11:00 AM	Room 380 East
Tuesday, July 21, 2015	11:00 AM	Room 380 East
Tuesday, September 8, 2015	11:00 AM	Room 380 East

DISTRICT DEPARTMENT OF THE ENVIRONMENT

FISCAL YEAR 2015

PUBLIC NOTICE

Notice is hereby given that, pursuant to 40 C.F.R. Part 51.161, and D.C. Official Code §2-505, the Air Quality Division (AQD) of the District Department of the Environment (DDOE), located at 1200 First Street NE, 5th Floor, Washington, DC, intends to issue air quality permit #6438-R1 to MCI Communication Services, Inc. to operate one (1) 520 kW Caterpillar, model 3412 (serial # 5NA10154) emergency generator set with a 739 HP diesel fired engine at 1120 G Street NW, Washington, DC. The contact person for the facility is Randolph S. Moore, Environmental Manager, at (804) 772-6709.

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

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

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

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

No written comments or hearing requests postmarked after November 10, 2014 will be accepted.

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

DISTRICT DEPARTMENT OF THE ENVIRONMENT

FISCAL YEAR 2015

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Permit Number	Equipment Location	Generator Electrical Output	Engine Size	Make/Model
6439-R1	7 th Floor	105 kW	149 HP	Caterpillar/3304
6440-R1	6 th Floor	520 kW	739 HP	Caterpillar/3412
6441-R1	6 th Floor	300 kW	1,065 HP	Caterpillar/3508

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FISCAL YEAR 2015

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Permit Number	Generator Electrical Output	Engine Fuel Type/Size (HP)	Model	Serial #
6442-R1	750 kW	Diesel/1135	750DFHA	C970632436
6443-R1	750 kW	Diesel/1135	750DFHA	C970632435

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FISCAL YEAR 2015

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

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DISTRICT DEPARTMENT OF THE ENVIRONMENT

FISCAL YEAR 2015

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DISTRICT DEPARTMENT OF THE ENVIRONMENT

FISCAL YEAR 2015

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

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DISTRICT DEPARTMENT OF THE ENVIRONMENT

FISCAL YEAR 2015

PUBLIC NOTICE

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

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DISTRICT DEPARTMENT OF THE ENVIRONMENT

FISCAL YEAR 2015

PUBLIC NOTICE

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Permit Number	Generator Electrical Output	Engine Size	Make/Model	Serial #
6448-R1	2,000 kW	2,848 HP	Caterpillar /3516	4GN0069
6449-R1	2,000 kW	2,848 HP	Caterpillar /3516	4GN0062

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

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

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

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

No written comments or hearing requests postmarked after November 10, 2014 will be accepted.

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

DISTRICT DEPARTMENT OF THE ENVIRONMENT

FISCAL YEAR 2015

PUBLIC NOTICE

Notice is hereby given that, pursuant to 40 C.F.R. Part 51.161, and D.C. Official Code §2-505, the Air Quality Division (AQD) of the District Department of the Environment (DDOE), located at 1200 First Street NE, 5th Floor, Washington, DC, intends to issue air quality permit #6450-R1 to MCI Communication Services, Inc. to operate one 250 kW Caterpillar, model D343 (serial # 62B10812) emergency generator with 355 HP diesel engine at 2030 M Street NW, Washington DC. The contact person for the facility is Randolph S. Moore, Environmental Manager, at (804) 772-6709.

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

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DISTRICT DEPARTMENT OF THE ENVIRONMENT

FISCAL YEAR 2015

PUBLIC NOTICE

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Emissions:

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

	Maximum Annual Emissions
Pollutant	(tons/yr)
Total Particulate Matter (PM Total)	0.005
Sulfur Oxides (SO _x)	0.0003
Nitrogen Oxides (NO _x)	0.003
Volatile Organic Compounds (VOC)	0.042
Carbon Monoxide (CO)	0.043

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

- a. Emissions from the unit shall not exceed those in the following table, as measured according to the procedures set forth in 40 CFR 89, Subpart E [20 DCMR 201, 40 CFR 60.4233(e), and 40 CFR 60 Subpart JJJJ, Table 1]: *(Note that the emission standards in the following table are more stringent than those required for emergency engines because the engine covered by this permit was certified to operate as a non-emergency engine and the unit must be properly maintained to continue to meet the standards to which it has been certified.)*

Pollutant Emission Limits (g/HP-hr)		
NO _x	CO	VOC
1.0	2.0	0.7

- b. Visible emissions shall not be emitted into the outdoor atmosphere from the generator, except that discharges not exceeding forty percent (40%) opacity (unaveraged) shall be permitted for two (2) minutes in any sixty (60) minute period and for an aggregate of twelve (12) minutes in any twenty-four hour (24 hr.) period during start-up, cleaning, adjustment of combustion controls, or malfunction of the equipment [20 DCMR 606.1].

- c. An emission into the atmosphere of odorous or other air pollutants from any source in any quantity and of any characteristic, and duration which is, or is likely to be injurious to the public health or welfare, or which interferes with the reasonable enjoyment of life or property is prohibited. [20 DCMR 903.1]

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

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

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DISTRICT DEPARTMENT OF THE ENVIRONMENT

FISCAL YEAR 2015

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 #6925 to New Cingular Wireless PCS, LLC dba AT&T Mobility, to construct and operate one diesel-fired emergency generator set, located in Washington, DC. The contact person for the applicant is Barbara Walden, Manager, Environment, Health and Safety, at (925) 327-2532.

Emergency Generator to be Permitted

Equipment Location	Address	Generator Standby Rating (Engine Size)	Generator Model	Permit No.
1005 3 rd Street NE Washington, DC	1005 3 rd Street NE Washington, DC 20002	80 kW (131 bhp/98 kW)	Generac/ SD080	6925

The proposed emission limits are as follows:

- a. Emissions shall not exceed those found in the following table, as measured according to the procedures set forth in 40 CFR 89, Subpart E. [40 CFR 60.4205(b), 40 CFR 60.4202(a)(2) and 40 CFR 89.112(a)]

Emission Standards	
Pollutant	g/kW-hr
NMHC+NO _x	4.0
CO	5.0
PM	0.30

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

The estimated maximum emissions the emergency generator are as follows:

Pollutant	Maximum Annual Emissions (tons/yr)
Carbon Monoxide (CO)	0.27
Oxides of Nitrogen (NO _x)	0.22
Volatile Organic Compounds (VOC)	0.22
Total Particulate Matter (PM Total)	0.02
Sulfur Dioxide (SO _x)	0.07

The application to construct and operate the emergency generator and the draft 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:

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DISTRICT DEPARTMENT OF THE ENVIRONMENT

FISCAL YEAR 2015

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 #6926 to New Cingular Wireless PCS, LLC dba AT&T Mobility, to construct and operate one diesel-fired emergency generator set, located in Washington, DC. The contact person for the applicant is Barbara Walden, Manager, Environment, Health and Safety, at (925) 327-2532.

Emergency Generator to be Permitted

Equipment Location	Address	Generator Standby Rating (Engine Size)	Generator Model	Permit No.
2700 Martin Luther King Jr Ave. SE Washington, DC	2700 Martin Luther King Jr Ave. SE Washington, DC 20020	100 kW (152 bhp/113 kW)	Generac/ SD100	6926

The proposed emission limits are as follows:

- a. Emissions shall not exceed those found in the following table, as measured according to the procedures set forth in 40 CFR 89, Subpart E. [40 CFR 60.4205(b), 40 CFR 60.4202(a)(2) and 40 CFR 89.112(a)]

Emission Standards	
Pollutant	g/kW-hr
NMHC+NO _x	4.0
CO	5.0
PM	0.30

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

The estimated maximum emissions from the emergency generator are as follows:

Pollutant	Maximum Annual Emissions (tons/yr)
Carbon Monoxide (CO)	0.31
Oxides of Nitrogen (NO _x)	0.25
Volatile Organic Compounds (VOC)	0.25
Total Particulate Matter (PM Total)	0.02
Sulfur Dioxide (SO _x)	0.08

The application to construct and operate the emergency generator and the draft 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.

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**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ETHICS AND GOVERNMENT ACCOUNTABILITY**

Office of Government Ethics

Advisory Opinion – Redacted – Post-employment

VIA U.S. MAIL & EMAIL

September 25, 2014

Ms. 

Dear Ms. :

This responds to your request of August 26, 2014, for a formal advisory opinion regarding the post-employment restrictions that will apply to you, now that you have left District government service. Based on an earlier discussion we had on August 15, 2014, and on follow-up emails in which you provided additional information, I can provide the following advice.

You state that you left your position as Director of the Office of Policy and Legislative Affairs (“OPLA”) in the Executive Office of the Mayor (“EOM”) to work for a private law firm and that your last day of work was Friday, September 5, 2014. Further, you state that your position involved, in short, coordinating the policy decision-making process that informed the implementation of the Mayor’s policy and legislative agendas. More specifically, you were responsible for policy development, maintaining relations with the federal government and with the Council, and drafting or reviewing all agency testimony given at Council hearings and all legislation introduced by the agencies. You also state that, as part of your position at the private law firm, you will be working in the public policy practice group, representing clients in their navigation of government, including the District of Columbia government.

Post-Employment Restrictions

Although the District has implemented post-employment regulations, they are not intended to prevent its employees from working in the private sector after their government service ends or to be so restrictive as to make following the regulations themselves impossible. There are, however, certain requirements¹ that former employees

¹ The discussion of post-employment requirements in this advisory opinion is based on 6B DCMR, Chapter 18 (employee conduct), which was revised and became effective on April 11, 2014. See 61 DCR 3799.

must abide by during three somewhat overlapping post-service time periods. Those time periods are a one-year “cooling-off” period, a two-year ban on behind-the-scenes activities and working on matters over which employees may have had official responsibility, and a permanent ban on working on particular government matters involving specific parties. I will, in that order, discuss the restrictions imposed in each of the time periods, especially because the regulations underlying the cooling-off period raise the threshold question of how to define your former agency.

One-Year Cooling-Off Period

A former District government employee – other than a special government employee² who serves for fewer than one-hundred and thirty (130) days in a calendar year – is “prohibited for one (1) year from having any transactions with the *former agency* intended to influence the agency in connection with any particular government matter pending before the agency or in which it has a direct and substantial interest, whether or not such matter involves a specific party.” 6B DCMR § 1811.10 (emphasis added).

The restriction in 6B DCMR § 1811.10 “is intended to prohibit the possible use of personal influence based on past government affiliations to facilitate the transaction of business,” 6B DCMR § 1811.11, which explains why the one-year prohibition is sometimes referred to as a cooling-off period.³ Accordingly, the prohibition applies “without regard to whether the former employee had participated in, or had responsibility for, the particular matter, and [includes] matters that first arise after the employee leaves government service.” *Id.* The prohibition also applies whether the former employee represents him or herself or someone else, either by appearance before the former agency or through communications with the agency. *See* DCMR § 1811.12.

While the foregoing restrictions may appear to be clear enough, what, for you, as the former OPLA Director, constitutes your former agency is not. Some discussion, then, is necessary in order for this advice to be most useful to you.

The term “agency” is defined as “any unit of the District of Columbia government required by law, by the Mayor of the District of Columbia, or by the Council of the District of Columbia to administer any law, rule, or any regulation adopted under authority of law.” 6B DCMR § 1899.1. The former agency for most employees can be ascertained fairly easily. However, the EOM presents at least two definitional difficulties. First, the District Personnel Manual (“DPM”), which is codified in 6B DCMR, does not define the EOM. Second, as an operational matter, each Mayor configures the EOM to suit his or her particular official needs. Therefore, these obstacles must be overcome by finding guidance outside of the DPM itself, and a logical starting point is the Charter, the source of the District’s governmental authority.

² A special government employee is “any officer or employee of an agency who is retained, designated, appointed, or employed to perform temporary duties either on a full-time or intermittent basis, with or without compensation, for not to exceed one hundred and thirty (130) days during any period of three hundred and sixty five (365) consecutive days.” 6B DCMR § 1899.1.

³ In your email of September 2, 2014, you asked on what date the one-year cooling off period would begin, given that your last day of work was set to be Friday, September 5, 2014. Assuming you worked the typical Sunday to Saturday payroll period, your last day on payroll was Saturday, September 6, 2014, and your one-year cooling off period began on Sunday, September 7, 2014, at 12:00 a.m.

Section 422 of the Charter (D.C. Official Code § 1-204.22) provides that the Mayor is “the chief executive officer of the District government,” and, as such, generally is “responsible for the proper execution of all laws relating to the District, and for the proper administration of the affairs of the District coming under his jurisdiction and control.” Further, the Mayor may, with certain exceptions not relevant here, delegate any of his functions to, among others, “any officer, employee, or agency of the executive office of the Mayor” *Id.* at section 422(6) (D.C. Official Code § 1-204.22(6)).

The Charter does not define the phrase “executive office of the Mayor.” *See id.* at section 103 (D.C. Official Code § 1-201.03). Useful support, however, is provided by the Government Reorganization Procedures Act of 1981 (“Reorganization Procedures Act”), effective October 17, 1981 (D.C. Law 4-42; D.C. Official Code § 1-315.01 *et seq.*), which was passed to implement the Mayor’s authority to “reorganize the offices, agencies, and other entities within the executive branch of the government of the District.”⁴

Section 3(3) of the Reorganization Procedures Act (D.C. Official Code § 1-315.02(3)) defines “Executive Office of the Mayor” to mean “those offices or agencies expressly established to provide managerial, budgetary, personnel, secretarial, planning, informational, and special assistance to the Mayor in carrying out the Mayor’s administrative functions in the management of the District government.”⁵ Further, section 7 of the Reorganization Procedures Act (D.C. Official Code § 1-315.06) requires the Mayor annually to submit to the Council a chart “detailing the organization and structure of the District government.”

I verified with Mayor Gray’s General Counsel, who formerly was the General Counsel to the Council, that the only time a Mayor submits an organization chart to the Council is as part of the annual budget proposal. The organization chart for the current fiscal year, Fiscal Year 2014, can be accessed at <http://cfo.dc.gov/node/467962>, and it lists OPLA as one of several offices comprising the EOM.⁶ Further, the EOM itself is elsewhere described in the budget materials as “provid[ing] District agencies with vision and policy direction and provid[ing] agencies with the leadership, support, and oversight to

⁴ Section 422(12) of the Charter (D.C. Official Code § 1-204.22(12)).

⁵ Section 3(1) of the Reorganization Procedures Act (D.C. Official Code § 1-315.02(1)) expressly excludes the EOM from the definition of the term “agency.” That exclusion, however, is understandable for purposes of the Reorganization Procedures Act itself. Section 4 of the Act (D.C. Official Code § 1-315.03) defines reorganization generally as an “action which results in the transfer, consolidation, abolition, or authorization with respect to functions and hierarchy, *between or among agencies*, and which affects the structure or structures thereof.” (Emphasis added.) On the other hand, the Mayor’s configuring (or reconfiguring) agencies and offices within the EOM represents a realignment, rather than a reorganization accomplished pursuant to the Reorganization Procedures Act. *See* Mayor’s Order 2009-90 (dated June 2, 2009) (explaining that the Order “applies to realignments *within* a District government department or agency that affect the *internal* structure or functions of the department or agency but do not constitute a reorganization”) (emphasis added).

⁶ The other offices listed in the chart and elsewhere in the Fiscal Year 2014 budget materials as making up the EOM include the Office of the Chief of Staff, the Office of Budget and Finance, the Office of Communications, the Mayor’s Correspondence Unit, the Scheduling Unit, the Office of Support Services, Fleet Management, the Office of Cable Television, the Office of Boards and Commissions, the Office of Community Affairs, the Office of Community Relations and Services, the Office of Partnerships and Grant Services, the Office on Ex-Offenders Affairs/Office on Returning Citizen Affairs, the Office on Women’s Policy and Initiatives, the Commission on Women, Serve DC, the Youth Advisory Council, the Office of African Affairs, the Office of Asian & Pacific Islander Affairs, the Office of GLBT Affairs, the Office on Latino Affairs, the Office of Religious Affairs, the Office of Veteran Affairs, the Office of the Secretary, and the Office of the General Counsel.

implement specific policy goals and objectives.”⁷

Based on the foregoing, I conclude that, for purposes of the one-year post-employment cooling off period, your former agency is the EOM. More specifically, your former agency is the Mayor and the agencies and offices designated by the Mayor, including OPLA, as comprising the EOM in the Fiscal Year 2014 budget submission to the Council. Notably, neither the subordinate agencies of the District, the offices of the various Deputy Mayors, nor the Office of the City Administrator fall within the definition.

That said, you are prohibited for one year from September 7, 2014, from having any transactions with the EOM that are intended to influence the agency on any particular government matter pending before it or in which it has a direct and substantial interest.⁸ Although the term “particular government matter” is not defined in 6B DCMR § 1899.1, matters such as contracts, leases, and other projects involving specific parties are clearly included in it. Ordinarily, matters of general rulemaking, policymaking, and legislation are not particular matters. In some limited situations, however, they may be so narrowly focused on discrete and identifiable classes of persons, even if they do not involve specific parties, that they may nonetheless meet the prohibition. *See* Memorandum from Robert I. Cusick, Dir., U.S. Office of Government Ethics, to Designated Agency Ethics Officials on “Particular Matter Involving Specific Parties,” “Particular Matter,” and “Matter,” at 8 (DO-06-29; Oct. 4, 2006) (“Essentially, the term [particular matter] covers two categories of matters: (1) those that involve specific parties . . . , and (2) those that do not involve specific parties but at least focus on the interests of a discrete and identifiable class of persons, such as a particular industry or profession.”). On the other hand, “consideration or adoption of broad policy options directed to the interests of a large and diverse group of persons” does not fall within this category of matters. *Id.* at 9.

Two Year Ban: Behind-the Scenes Advice and Official Responsibility

Former District government employees are also subject to a two-year ban that can take either or both of two forms. The first prohibits former employees from giving behind-the-scenes advice or assistance to someone else in representing another person before *any* District agency. Specifically, 6B DCMR § 1811.8 prohibits former employees for two years from knowingly “aiding, counseling, advising, consulting, or assisting” in representing any other person (except the District) before an agency as to a particular government matter involving a specific party,⁹ if the former employee participated personally and substantially in that matter as a government employee.

⁷ Fiscal Year 2014 Budget and Fiscal Plan at A-29.

⁸ Note that, while it may not come into play in your case, an exception to this general one-year prohibition does exist. If the District were to become your client during the period, and you would be both representing the District and solely acting on the District’s behalf, you would not be prohibited from having transactions with the EOM, making formal or informal appearances before the agency, or having oral or written communications with it. There are two formal advisory opinions on our website that address this exception in substantially more detail. The first opinion was issued on April 17, 2014, to a former Department of General Services employee, and it can be accessed at <http://www.bega-dc.gov/sites/default/files/documents/1165-001%20-%20Advisory%20Opinion.pdf>. The second opinion was issued on May 20, 2014, to a former Assistant Attorney General, and it can be accessed at <http://www.bega-dc.gov/sites/default/files/documents/1167-001%20-%20Advisory%20Opinion%20-%20Redacted.pdf>.

⁹ The term “particular government matter involving a specific party” is defined in 6B DCMR § 1899.1 as “any judicial or other proceeding, application, request for a ruling or other determination, contract, claim, controversy, investigation,

Although the term “participated personally and substantially” is not defined in 6B DCMR § 1899.1, relevant federal regulations do define the term, and I turn to them here.¹⁰ To participate “personally” means to participate “(i) [d]irectly, either individually or in combination with other persons; or (ii) [t]hrough direct and active supervision of the participation of any person he supervises, including a subordinate.” 5 C.F.R. § 2641.201(i)(2). To participate “substantially” means that the employee’s involvement is “of significance to the matter,” 5 C.F.R. § 2641.201(i)(3), and, of note for purposes of the second form of the two-year ban, “requires more than official responsibility, knowledge, perfunctory involvement, or involvement on an administrative or peripheral issue.” *Id.* In your case, for example, you mentioned that, while at OPLA, you worked on a tax abatement/rebate matter relating to a particular entity and that you understand that you cannot work on that matter, as a private attorney, for the life of the matter. You represented that firewalls have been set up in your private law firm to address that issue. I agree that your work on the tax abatement/rebate matter relating to a particular entity amounted to personal and substantial participation. Pursuant to 6B DCMR § 1811.8, then, you are prohibited, as a private attorney, from giving any behind-the-scenes advice or assistance on the matter for two years. Indeed, as explained below with respect to the permanent ban, you cannot do any work on the matter during its lifetime. The second form of the two-year ban prohibits former District employees from working on matters in which they did not participate personally and substantially, but over which they had official responsibility. Specifically, 6B DCMR § 1811.5 prohibits them for two years from knowingly “acting as an attorney, agent, or representative in any formal or informal matter before an agency if [they] previously had official responsibility for that matter.”¹¹ The term “official responsibility” is defined in 6B DCMR § 1899.1 as “direct administrative or operating authority, whether intermediate or final, and either exercisable alone or with others, personally or through subordinates, to approve, disapprove, or otherwise direct governmental action.” Generally, I apply the definition to former managers or agency heads, such as yourself as the Director of OPLA, who had oversight of many matters under their jurisdiction, but generally did not perform the work on those matters. Instead, these individuals provide general supervision over the matters for which they ultimately were responsible.

Permanent Ban for the Lifetime of Particular Matters Involving Specific Parties

A former District government employee also is “permanently prohibited from knowingly acting as an attorney, agent, or representative in any formal or informal appearance before [any] agency as to a particular matter involving a specific party if the employee participated personally and substantially in that matter as a government employee.” 6B DCMR § 1811.3. Similarly, 6B DCMR § 1811.4 provides that a former employee is “permanently prohibited from making any oral or written communication to [any] agency

charge, accusation, arrest, or other particular matter in which the District government is a party or has a direct and substantial interest, and which has application to one (1) or more specifically identified persons or entities.”

¹⁰ See 6B DCMR § 1811.1 (“District employees shall comply with the provisions of 18 U.S.C. § 207 and implementing regulations set forth at 5 C.F.R. Part 2641, Subparts A and B [post-employment conflict of interest provisions].”).

¹¹ For purposes of § 1811.5, 6B DCMR § 1811.6 provides that “a matter for which the former government employee had official responsibility is any matter that was actually pending under the former employee’s responsibility within a period of one (1) year before the termination of such responsibility.” Further, 6B DCMR § 1811.7 provides that the two-year period in 6B DCMR § 1811.5 is to be “measured from the date when the former employee’s responsibility for a particular matter ends, not from the termination of government service, unless the two (2) occur simultaneously.”

with the intent to influence that agency on behalf of another as to a particular government matter involving a specific party if the employee participated personally and substantially in that matter as a government employee.”

These two provisions, in other words, operate as permanent bans on your undertaking representational activities as a private attorney, including other than routine communications, regarding any particular matters involving specific parties on which you did substantive work while in the government’s employ – not just during your time at OPLA. The bans apply to engaging in such activities before all District agencies and last, in any given case, for the lifetime of the matter.

Conclusion

This advice is provided to you pursuant to section 219 of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011 (“Ethics Act”), effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1162.19), which empowers me to provide such guidance. As a result, no enforcement action for violation of the District’s Code of Conduct may be taken against you in this context, provided that you have made full and accurate disclosure of all relevant circumstances and information in seeking this advisory opinion.

You also are advised that the Ethics Act requires this opinion to be published in the District of Columbia Register within 30 days of its issuance, but that your identity will not be disclosed unless you consent to such disclosure in writing. We encourage individuals to so consent in the interest of greater government transparency. Please, then, let me know your wishes about disclosure.

If you have any questions or wish to discuss this matter further, I can be reached at 202-481-3411, or by email at darrin.sobin@dc.gov.

Sincerely,

_____/s/_____

DARRIN P. SOBIN
Director of Government Ethics
Board of Ethics and Government Accountability

1229-001

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

October 14, 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 September 23, 2014 board meeting.
- III. Vote to close meeting to discuss the approval of the Lincoln Westmoreland Apartments project and bond transaction and The Brightwood Portfolio 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 Lincoln Westmoreland Apartments project and bond transaction and The Brightwood Portfolio project and bond transaction. An open meeting would adversely affect the bargaining position or negotiation strategy of the public body. (D.C. Code §2-575(b)(2)).

- IV. Re-open meeting.
- V. Consideration of DCHFA Final Bond Resolution No. 2014-15 for Lincoln Westmoreland Apartments.
- VI. Consideration of DCHFA Final Bond Resolution No. 2014-16 for The Brightwood Portfolio.
- VII. Consideration of DCHFA Resolution No. 2014-09(G) Ratifying the Purchase and Sale of Parkway Overlook Apartments East and West Approved by the Board on September 23, 2014.
- VIII. Interim Executive Director's Report.
- IX. Other Business.
 - Presentation – CohnReznick upcoming audit of the Agency
- X. Adjournment.

KIPP DC PUBLIC CHARTER SCHOOLS**REQUEST FOR PROPOSALS****Technology Equipment & Services**

KIPP DC is soliciting proposals for Technology Equipment & Services. A detailed Request for Proposal can be found on KIPP DC's website at <http://www.kippdc.org/public-information/>. Proposals are due no later than 5:00 P.M., EST, October 24, 2014.

MUNDO VERDE BILINGUAL PUBLIC CHARTER SCHOOL**REQUEST FOR PROPOSALS****Janitorial Supplies**

Mundo Verde Bilingual Public Charter School invites all interested and qualified vendors to submit proposals for Janitorial Supplies for a 40,000 square foot facility. Proposals are due no later than 4 P.M. October 24, 2014. The RFP with bidding requirements and supporting documentation can be obtained by contacting Elle Carne at ecarne@mundoverdepcs.org. **All bids not addressing all areas as outlined in the RFP will not be considered.**

THE NOT-FOR-PROFIT HOSPITAL CORPORATION**BOARD OF DIRECTORS****NOTICE OF PUBLIC MEETING**

The monthly Governing Board meeting of the Board of Directors of the Not-For-Profit Hospital Corporation, an independent instrumentality of the District of Columbia Government, will be held at 8:30 a.m. on Thursday, October 9, 2014. The meeting will be held at 1310 Southern Avenue, SE, Washington, DC 20032, in Conference Room 2/3. Notice of a location or time change will be published in the D.C. Register, posted in the Hospital, and/or posted on the Not-For-Profit Hospital Corporation's website (www.united-medicalcenter.com).

AGENDA

- I. CALL TO ORDER**
- II. APPROVAL OF AGENDA**
- III. CONSENT AGENDA**
 - A. Board of Ethics and Government Accountability
- IV. ANNOUNCEMENT**
 - a. UMC Job Fair – October 11, 2014 @ 12noon-3pm
 - b. The next Governing Board Meeting will be held at 9:00am, Thursday, October 24, 2014.
- V. ADJOURNMENT**

NOTICE OF INTENT TO CLOSE. The NFPHC Board hereby gives notice that it may close the meeting and move to executive session to train and develop members of a public body and staff. D.C. Official Code §§2-575(b)(4A)(12).

OPTIONS PUBLIC CHARTER SCHOOL
REQUESTS FOR PROPOSALS

IT Services

Options Public Charter School is accepting proposals with references from qualified vendors for the delivery of IT services to include the following:

- management and maintenance of the school's computers and other electronic equipment, network, servers, routers, switches, access points, and other aspects of the IT environment;
- help desk and remote support;
- on-site support; and
- other services such as documentation, itemized billing, procurement and assistance with hardware and software purchasing.

Email questions, requests for the full RFP, and proposals to proposals@optionschool.org with "IT Services RFP" in the subject line. Deadline for submissions is 3:00 p.m. on Monday, October 20, 2014. Appointments for presentations or walkthroughs will be scheduled at the discretion of the school. **No phone calls please.**

**OFFICE OF THE DEPUTY MAYOR FOR
PLANNING AND ECONOMIC DEVELOPMENT**

**NOTICE OF PUBLIC MEETING REGARDING
SURPLUS RESOLUTION PURSUANT TO D.C. OFFICIAL CODE §10-801**

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

Property: Hill East District Redevelopment – Phase 1
Parcels F-1 and G1*

Date: Wednesday, October 29, 2014

Time: 6:00 p.m.

Location: St. Coletta of Greater Washington
1901 Independence Avenue, S.E.
Washington, DC 20003

Contact: Ketan Gada, Ketan.Gada@dc.gov

*Parcel F-1 is bound on the west by 19th Street, SE, on the north by Burke Street, SE, and on the south by C Street, SE. Parcel G-1 is bound on the west by 19th Street, SE, on the north by C Street, SE, on the south by Massachusetts Avenue, SE, and on the east by 20th Street SE. These parcels are separated by C Street, SE and both the parcels are located in Ward 7.

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 October 7, 2014 of change of location for the regularly scheduled Board Meeting on October 14, 2014, at 6:30pm. The Board will meet at:

Friendship PCS – Chamberlain Elementary located
1345 Potomac Ave, SE
Washington, DC 20003

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.

OFFICE OF THE DEPUTY MAYOR FOR PUBLIC SAFETY AND JUSTICE

D.C. CORRECTIONS INFORMATION COUNCIL

NOTICE OF PUBLIC MEETING

The DC Corrections Information Council (CIC), in accordance with the D.C. Official Code §1-207.42 and § 2-575, hereby gives notice that it has scheduled the following meeting **Tuesday October 14, 2014** from **6:30 pm** to **8:00 pm**. For additional information, please contact Shakenia Bryant, CIC Office Manager, at (202)478-9211 or Shakenia.Bryant@dc.gov.

The CIC is an independent monitoring body mandated to inspect and monitor conditions of confinement at facilities operated by the Federal Bureau of Prisons (FBOP), DC Department of Corrections (DOC) and their contract facilities where DC residents are incarcerated. Through its mandate the CIC will collect information from many different sources, including site visits, and report its observations and recommendations.

Below is the draft agenda for this meeting. A final agenda will be posted on the CIC's website, available at <http://cic.dc.gov/>.

DRAFT AGENDA

- I. Call to Order (Board Chair)
- II. Roll Call (Board Chair)
- III. Reports: USP Allenwood, FCI Allenwood Low, Rivers, and USP Atlanta
- IV. Recent Inspections
- V. Community Outreach Intern
- VI. Questions/Comments
- VII. Schedule Next CIC Open Meeting and Set Open Meeting Schedule
- VIII. Vote to Close Remainder of Meeting, pursuant to DC Code 2-574(c)(1)
- IX. Closed Session of Meeting (if approved by majority of CIC Board)
- X. Adjournment (Board Chair)

CLOSED MEETING

- I. Closed Session of Meeting (if approved by majority of CIC Board)
- II. Adjournment (Board Chair)

PUBLIC SERVICE COMMISSION OF THE DISTRICT OF COLUMBIA**PUBLIC NOTICE****FORMAL CASE NO. 1102, IN THE MATTER OF THE INVESTIGATION INTO THE CONTINUED USE OF VERIZON WASHINGTON, DC, INC.'S COPPER INFRASTRUCTURE TO PROVIDE TELECOMMUNICATIONS SERVICES**

1. This Notice informs the public that the Public Service Commission of the District of Columbia (“Commission”) seeks input on its investigation regarding Verizon Washington, DC, Inc.’s (“Verizon DC”) continued use of its copper infrastructure for the provision of telecommunications services in the District of Columbia and whether, and under what circumstances, the Company plans to transition customers from the telecommunications services provided over copper facilities to telecommunications services provided over fiber facilities. On December 3 and 4, 2014, the Commission will hold an evidentiary hearing on the following nine (9) issues:

1. Are there services, capabilities and functionalities of voice telecommunications service provided within a wire center service area that can be provided by copper lines connected to TDM-based circuit switched equipment which cannot also be provided by fiber lines connected to TDM circuit switched equipment or to fiber lines connected to IP softswitch equipment? If yes, specify and explain the importance of such to residential and business customers.
2. Do voice telecommunications services provided within a wire center service area that utilize fiber lines connected to either TDM-based circuit switch equipment or to IP softswitch equipment provide the same or better call and response capabilities for emergency services (including: fire, police and medical emergency response services and Personal Emergency Response System services), crisis management, priority access and security services (including law enforcement call monitoring services) as are provided when copper lines connected to TDM circuit switches are utilized to provide such services? If the answer is no, what additional equipment or services are needed to achieve the same level of response capabilities as exist with copper facilities?
3. Are there significant differences between voice telecommunications services provided over: copper lines connected to TDM-based circuit switch equipment; fiber lines connected to TDM-based circuit switched equipment; fiber lines connected to IP softswitch equipment; and VoIP service utilizing fiber lines connected to the public Internet or to private Internet networks? If so, should each of these voice telecommunication

services be classified as separate types of voice telecommunications service and treated differently for regulatory purposes? If so, why?

4. Are there services, capabilities and functionalities of voice telecommunications service provided within a wire center service area that telecommunications service providers should be required to provide to customers irrespective of whether the carrier utilizes copper lines connected to TDM-based circuit switch equipment or fiber lines connected to TDM-based circuit switched equipment? If so, what are those services, capabilities and functionalities?
5. What network reliability, public safety, and service quality standards should be applied to voice telecommunications services provided within an exchange area that utilize fiber lines connected to TDM-based circuit switched equipment?
6. Are Verizon DC's circuit-switched fiber or FiOS voice services, technically structured and provisioned at the customer's premises and within Verizon's network in the District to be classified as Internet Protocol-enabled Service or Voice Over Internet Protocol Service as defined in D.C. Code § 34-2001(7A) or 34-2001(23)?
7. Are there areas in the District where there are poorly performing copper-based facilities but no immediate plans to transition to fiber facilities? If so, what is the timeframe for Verizon DC's deployment of fiber-based facilities to these areas and what are the plans for maintaining adequate and safe voice service in these areas, including plans for deploying alternate facilities, if any?
8. What information and disclosures should Verizon DC provide to District consumers about the features of voice service on fiber facilities before they switch from copper to fiber facilities, and what information and disclosures should Verizon DC provide to District consumers about the features of unregulated VoIP services before they may switch from regulated voice to unregulated VoIP services and why?
9. Are District customers who want to retain or return to copper facilities being allowed to do so and if not, why not?¹

2. The Commission will convene a second community hearing to receive comments from the public on these issues on the following date:

November 10, 2014 – 6 pm
Cleveland Park Neighborhood Library
First Floor Auditorium
3310 Connecticut Ave NW,
Washington, DC 20008

3. **Those who wish to testify at this community hearing should contact the Commission Secretary by the close of business on October 30, 2014 by contacting the Commission Secretary at (202) 626-5150 or bwestbrook@psc.dc.gov.** Representatives of organizations shall be permitted a maximum of five (5) minutes for oral presentations. Individuals shall be permitted a maximum of three (3) minutes for oral presentations. If an organization or an individual is unable to offer comments at the community hearing, written statements may be submitted by **November 17, 2014, addressed to Brinda Westbrook-Sedgwick, Commission Secretary**, Public Service Commission of the District of Columbia, 1333 H Street, NW, Suite 200 West Tower, Washington DC 20005.

4. Any person who is deaf or hard-of-hearing, and cannot readily understand or communicate in spoken English, and persons with disabilities who need special accommodations in order to participate in the hearing, must contact the Commission Secretary by the close of seven (7) days prior to the date of the community hearing. Persons who wish to testify in Spanish, Chinese, Amharic, or Korean must also contact the Commission Secretary by close of business three (3) business days before the date of the hearing. **The number to call to request special accommodations and interpretation services is (202) 626-5150.**

5. Copies of previously filed documents in this proceeding, *Formal Case No. 1102*, are available on the Commission's website (www.dcpsc.org) and inspection at the Commission's Office of the Commission Secretary, 1333 H Street, NW, Suite 200 West Tower, Washington DC 20005 between the hours of 9:00 a.m. through 5:30 p.m., Monday through Friday. Copies of any of the documents in this proceeding may be purchased at the Commission at a cost of \$0.10 per page, actual reproduction cost.

PUBLIC SERVICE COMMISSION OF THE DISTRICT OF COLUMBIA

PUBLIC NOTICE

RM27-2014-01, IN THE MATTER OF THE COMMISSION'S INVESTIGATION INTO THE RULES GOVERNING LOCAL EXCHANGE CARRIER QUALITY OF SERVICE STANDARDS FOR THE DISTRICT

1. By this Public Notice, the Public Service Commission of the District of Columbia ("Commission") informs interested persons of an extension of time to file reply comments in Response to a Notice of Proposed Rulemaking ("NOPR") published in this proceeding on July 11, 2014 in *D.C. Register*¹ and a Public Notice published in the *D.C. Register* on August 8, 2014.² The NOPR seeks to amend 15 DCMR § 2720, the retail quality of service rules applicable to telecommunications service providers.

2. Through this Public Notice, the Commission extends the reply comment period from October 14, 2014 to November 14, 2014.

3. All persons interested in filing reply comments on the subject matter of the NOPR shall file reply comments with Brinda Westbrook-Sedgwick, Commission Secretary, Public Service Commission of the District of Columbia, 1333 H Street, Suite 200 West Tower, Washington DC 20005. Copies of the NOPR may be obtained by visiting the Commission's website at www.dcpsc.org or at cost, by contacting the Commission Secretary at the above address.

¹ 61 *D.C. Reg.* 7057 (July 11, 2014).

² 61 *D.C. Reg.* 8195 (August 8, 2014).

DISTRICT OF COLUMBIA RETIREMENT BOARD**NOTICE OF OPEN PUBLIC MEETING**

October 16, 2014
10:00 a.m.

900 7th Street, N.W.
2nd Floor, DCRB Boardroom
Washington, D.C. 20001

The District of Columbia Retirement Board (DCRB) will hold an Open meeting on Thursday, October 16, at 10:00 a.m. The meeting will be held at 900 7th Street, N.W., 2nd floor, DCRB Boardroom, Washington, D.C. 20001. A general agenda for the Open Board meeting is outlined below.

Please call one (1) business day prior to the meeting to ensure the meeting has not been cancelled or rescheduled. For additional information, please contact Deborah Reaves, Executive Assistant/Office Manager at (202) 343-3200 or Deborah.reaves@dc.gov.

AGENDA

- | | | |
|-------|-----------------------------------|-----------------|
| I. | Call to Order and Roll Call | Chairman Bress |
| II. | Approval of Board Meeting Minutes | Chairman Bress |
| III. | Chairman's Comments | Chairman Bress |
| IV. | Fiduciary Training | TBD |
| V. | Ethics Training | TBD |
| VI. | Executive Director's Report | Mr. Stanchfield |
| VII. | Investment Committee Report | Ms. Blum |
| VIII. | Operations Committee Report | Mr. Ross |
| IX. | Benefits Committee Report | Mr. Smith |
| X. | Legislative Committee Report | Mr. Blanchard |
| XI. | Audit Committee Report | Mr. Hankins |
| XII. | Other Business | Chairman Bress |
| XIII. | Adjournment | |

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 November 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 October 10, 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.

D.C. Office of the Secretary
Recommended for appointment as a DC Notaries PublicEffective: November 1, 2014
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Armstrong	Evelyn Hunter	Self 5222 Central Avenue, SE	20019
Bagley	Hershel	Self 936 T Street, NW	20001
Bauer	Kelly	The Carlyle Group 1001 Pennsylvania Avenue, NW, Suite 220 South	20004
Beale	Sylvia L.	Cleary Gottlieb Steen & Hamilton LLP 2000 Pennsylvania Avenue, NW	20006
Becker	John E.	UMWA Health and Retirement Funds 2121 K Street, NW, Suite 350	20037
Benning	Lori Ann	Coalition for Juvenile Justice 1319 F Street, NW, Suite 402	20004
Blackwell	Esther T.	Premium Title & Escrow, LLC 3407 14th Street, NW	20010
Blersch	Melody D.	Close It! Title Services, Inc. 5335 Wisconsin Avenue, NW, Suite 700	20015
Boateng-Oduro	Adwoa	Wells Fargo Bank 1510 K Street, NW	20005
Bowie	Monica T.	Self 611 Emerson Street, NW	20011
Brady	Patricie M.	District of Columbia Court of Appeals 430 E Street, NW	20001
Brantley	Kim M.	Ace-Federal Reports 1625 I Street, NW, Suite 790	20006
Burkley	Desiree D.	TD Bank 1753 Connecticut Avenue, NW	20009
Butcher	Linda S.	Fannie Mae 3900 Wisconsin Avenue, NW	20016

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Recommended for appointment as a DC Notaries Public

Effective: November 1, 2014

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Carlos	Sharon S.	Cooley LLP 1299 Pennsylvania Avenue, NW, Suite 700	20004
Carter	Robin	Cato Institute 1000 Massachusetts Avenue, NW	20001
Chewning	Caroline	United Technologies 1101 Pennsylvania Avenue, NW, 10th Floor	20004
Coleman	Jean M.	Johnson Law Group International 1321 Pennsylvania Avenue, SE	20003
Coombs	Tamika	Project Redirect 1816 12th Street, NW	20009
Cooper	Mariana	Wells Fargo Bank 1850 M Street, NW	20036
Cruz	Matthews	Diversified Reporting 1101 16th Street, NW	20036
Cuffey	Marquita Maria	Cleary Gottlieb LLP 2000 Pennsylvania Avenue, NW	20006
Davies	Colin J. A.	Self 3833 Garfield Street, NW	20007
Davis	Erika Jacqueline	Clery Gottlieb Steen & Hamilton, LLP 2000 Pennsylvania Avenue, NW, Suite 2000	20006
Devoti	Patricia B.	Federal Deposit Insurance Corporation 550 17th Street, NW	20429
Diaz	Beverly A.	Congressional Federal Credit Union 15 Independence Avenue, SE	20515
Diggs	Ernestine M.	Hogan Lovells LLP 555 13th Street, NW	20004
Dingman- Woodsmall	Lacey	US Securities and Exchange Commission 100 F Street, NW	 20549

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Dorch	Adina I.	ICMA-RC 777 North Capitol Street, NE, Suite 600	20002
Dorsey	Dawne	Department of Housing and Community Development 1800 Martin Luther King, Jr., Avenue, SE	20020
D'Sena	Janice D.	American Association of State Colleges and Universities 1307 New York Avenue, NW, Suite 500	20005
Dudley	Stephanie N.	Federal Title & Escrow Company 5335 Wisconsin Avenue, NW, Suite 700	20015
Dudley	Timothy A.	Dudley Pro Realty, LLC 2101 Rhode Island Avenue, NE	20018
Dunlap	Thomas M.	DunlapWeaver PLLC 5335 Wisconsin Avenue, NW, Suite 440	20015
Emmanouilidis	Sergios N.	MVS USA 1050 Connecticut Avenue, NW, Suite 1000	20036
Fernandez	Patricia	Self 1628 K Street, NE	20002
Friend	Carolyn E.	Misty Klapper & Associates 1150 Connecticut Avenue, NW, Suite 900	20036
Golden	Sandra D.	Premium Title & Escrow, LLC 3407 14th Street, NW	20010
Grimmett	Pamela L.	PNC Bank 3806 12th Street, NE	20017
Guzman	Marice	Bracewell & Giuliani LLP 2000 K Street, NW, Suite 500	20006
Hart	Pamela	AIPAC 251 H Street, NW	20001

**D.C. Office of the Secretary
Recommended for appointment as a DC Notaries Public**

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Herrera	Wesley	Wells Fargo Bank 2000 L Street, NW	20036
Hornbeck	Kirk A.	Washington Pre-Trial Services, Inc. 4626 Wisconsin Avenue, NW, Suite 300	20016
Hrnciar	Amanda	FTI Consulting, Inc. 1101 K Street, NW, Suite B100	20005
Jackson	Crystal	Industrial Bank 4812 Georgia Avenue, NW	20011
James	Janella L.	Pillsbury 2300 N Street, NW	20037
Johnson	Jennifer	The NEA Foundation for the Improvement of Education 1201 16th Street, NW, Suite 416	20036
Johnson	Austin	The American Israel Public Affairs Committee 251 H Street, NW	20001
Jones	Ernestine P.	US Department of Housing and Urban Development 820 First Street, NE	20002
Jones	Michelle S.	NARFE Premier FCU 445 12th Street, SW, Portal II, Room B515	20554
Kane	Rose Aimee Victoria Agnes	Alderman, Devorsetz & Hora PLLC 1025 Connecticut Avenue, NW, Suite 615	20036
Kuhr	Liesel S.	National Education Association 1201 16th Street, NW	20036
Lara	Monique	Derrick & Humphries, PLLC 1029 Vermont Avenue, NW	20005
Lawson	Drew	Bookoff McAndrews, PLLC 2401 Pennsylvania Avenue, NW, Suite 450	20037

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Lewis	Lisa I.	Freedom House 1301 Connecticut Avenue, NW, Suite 400	20036
Lindsay	Nadine	Ullico Inc. 1625 Eye street, NW, 5th Floor	20006
Loots	James M.	Law Offices of James M. Loots 634 G Street, SE, Suite 200	20003
Lott, Sr.	Tarik O.	Self 1527 North Carolina Avenue, NE	20002
Love	Horescia	Bank of America 901 K Street, NW	20011
Maddox	Jean	Wilkes Artis, Chartered 1825 I Street, NW, Suite 300	20006
Mainz	Andrew D.	Wells Fargo Bank 1447 P Street, NW	20005
Mayer	Jesse	Fenway Summer, LLC 1072 Thomas Jefferson Street, NW	20007
Mayhew	Adam Lee	Dila Construction 1242 Pennsylvania Avenue, SE	20003
McAndrews	Daniel P.	Revolution Corporate Services, Inc. 1717 Rhode Island Avenue, NW, 10th Floor	20036
McHugh	Kathleen T.	Fidelity National Financial, Inc. 1015 15th Street, NW, Suite 300	20005
Meleance	Monique	Self 721 Oglethorpe Street, NW	20011
Mena	Guadalupe	Housing Counseling Services, Inc. 2410 17th Street, NW, Suite 100	20009

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Mercer-Jones	Donna	King & Spalding LLP 1700 Pennsylvania Avenue, NW, Suite 200	20006
Mills	Loretta S.	Congressional Federal Credit Union 15 Independence Avenue, SE	20515
Mitchell-Johnson	Jennifer A.	WP Company LLC (The Washington Post) 1150 15th Street, NW	20071
Mooney	Dorothy Lynn	Powers Pyles Sutter & Verville, P.C. 1501 M Street, NW, 7th Floor	20005
Moore	Keith D.	Volunteers of America Chesapeake 1330 New Hampshire Avenue, NW, Suite B4	20036
Moore	Keith Frizell	Self 66 U Street, NW	20001
Munir	Jalilah	G4S Secure Solutions (USA), Inc. 400 7th Street, SW	20024
Olson	Cheryl L.	Jenner and Block, LLP 1099 New York Avenue, NW, Suite 900	20001
Paltineanu	Ioan	Darala Investment and Development Corporation 888 17th Street, NW, Suite 620	20006
Patterson	Cecele M.	News Corp 300 New Jersey Avenue, NW, Suite 900	20001
Paz	Juanita C.	Wells Fargo Bank 1934 14th Street, NW	20009
Peters	Marjorie	Alderson Court Reporting 1155 Connecticut Avenue, NW, Suite 200	20036
Phifer	Lauren A.	Clarion Partners 1440 New York Avenue, NW, Suite 200	20005

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Phillips	Vincent L.	Tax Express 1313 Pennsylvania Avenue, SE	20003
Porter	Michelle D.	U.S. Department of Housing and Urban Development 820 First Street, NE, Suite 300	20002
Reed	Alethea E.	Specialty Hospital of Washington 700 Constitution Avenue, NE	20002
Reyes	Jose M.	American Public Transportation Association 1666 K Street, NW, Suite 1100	20006
Roberts	Shelly-Ann	Wilkes Artis, Chartered 1825 I Street, NW, Suite 300	20006
Robin	Janet R.	Arnold & Porter, LLP 555 12th Street, NW	20004
Romanov	Alexander	Citibank 1901 Wisconsin Avenue, NW	20007
Roseborough	Donna S.	Choice USA/URGE 1317 F Street, NW, Suite 501	20004
Shivakoti	Jwala	Bank of America 3 Dupont Circle, NW	20036
Simi	Scott	Wells Fargo Bank 444 North Capitol Street, NW	20001
Stewart	Sheri C.	Merrill Deposition Services 1325 G Street, NW, Suite 200	20005
Surwit	Sarah J.	Gore Brothers Reporting & Videoconferencing 1025 Connecticut Avenue, NW, Suite 1000	20036
Sushner	Marc	Certified Title Corporation 1050 Connecticut Avenue, NW, 10th Floor	20036
Tegman	Jeffrey Bennett	Self 1133 14th Street, NW, Apt. 204	20005

**D.C. Office of the Secretary
Recommended for appointment as a DC Notaries Public****Effective: November 1, 2014****Page 9**

Thorstad	Katherine M.	Skadden Arps 1440 New York Avenue, NW	20005
Tinker, II	Otero L.	Lewis Baach PLLC 1899 Pennsylvania Avenue, NW, Suite 600	20006
Turner	Carmelita	Husch Blackwell LLP 750 17th Street, NW	20006
Vitielliss	Theresa	Price WaterhouseCoopers (PWC) 1730 Pennsylvania Avenue, NW	20006
Wint	Aresh-Bekau	Bank of America 1090 Vermont Avenue, NW	20005
Werkneh	Meron	Brownstein Hyatt Farber Schreck, LLP 1350 I Street, NW	20005
White	Barbara J.	Self 2237 Proud Street, SE	20020
Williams	Chandelle L.	NASA Credit Union 300 E Street, SW, Suite GC-21	20546
Yanes	Vilma	Tax Express 1313 Pennsylvania Avenue, SE	20003
Yonki	Andrew	Same Day Process Service 1219 11th Street, NW	20001

**SERVE DC
THE MAYOR'S OFFICE ON VOLUNTEERISM**

DC COMMISSION FOR NATIONAL & COMMUNITY SERVICE

NOTICE OF PUBLIC MEETING

The commission for National & Community Service will be holding a meeting on Tuesday, October 14th, 2014 from 6:00pm to 8:00pm. The meeting will be held at the Reeves Center located at 2000 14th Street NW, Suite 101, Washington DC 20009. Below is the draft agenda for this meeting.

For additional information, please contact Sheena Washington, Executive Assistant at (202) 727-9857 or sheena.washington@dc.gov.

DRAFT AGENDA

- | | |
|--|--------------------|
| 1. Call to Order | Board Chairman |
| 2. Discussion of Mayor's Community Service Awards | Executive Director |
| 3. Program Site Visits | Executive Director |
| 4. Serve DC Staff Updates | Executive Director |
| 5. Announcements | Board Chairman |
| 6. Adjourn | Board Chairman |

WASHINGTON LATIN PUBLIC CHARTER SCHOOL**REQUEST FOR PROPOSALS****Special Education Services**

Issued: October 10, 2014

Washington Latin is soliciting proposals from qualified vendors to provide special education services for the remainder of the 2014-2015 academic school year. This vendor will provide specialized instruction through tutoring in the areas of mathematics, reading and written expression.

Questions and proposals should be e-mailed directly to Washington Latin PCS (bpaul@latinpcs.org or kroberts@latinpcs.org) with the subject line as the type of service, Special Education Services. Deadline for submission is 12 PM on Friday, October 17, 2014.

E-mail is the preferred method for responding, but you may also mail proposals and supporting documents to the address below. Proposals must be in our office by the above stated deadline.

Washington Latin Public Charter School
Attn: Business Office
5200 2nd Street, NW
Washington, DC 20011

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

BOARD OF DIRECTORS

NOTICE OF PUBLIC MEETING

Environmental Quality and Sewerage Services Committee

The Board of Directors of the District of Columbia Water and Sewer Authority (DC Water) Environmental Quality and Sewerage Services Committee will be holding a meeting on Thursday, October 16, 2014 at 9:30 a.m. The meeting will be held in the Board Room (4th floor) at 5000 Overlook Avenue, S.W., Washington, D.C. 20032. Below is the draft agenda for this meeting. A final agenda will be posted to DC Water's website at www.dewater.com.

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

DRAFT AGENDA

- | | |
|--|--|
| 1. Call to Order | Committee Chairperson |
| 2. AWTP Status Updates
1. BPAWTP Performance | Assistant General Manager,
Plant Operations |
| 3. Status Updates | Chief Engineer |
| 4. Project Status Updates | Director, Engineering &
Technical Services |
| 5. Action Items
- Joint Use
- Non-Joint Use | Chief Engineer |
| 6. Emerging Items/Other Business | |
| 7. Adjournment | Committee Chairperson |

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

BOARD OF DIRECTORS

NOTICE OF PUBLIC MEETING

Water Quality and Water Services Committee

The Board of Directors of the District of Columbia Water and Sewer Authority (DC Water) Water Quality and Water Services Committee will be holding a meeting on Thursday, October 16, 2014 at 11:30 a.m. The meeting will be held in the Board Room (4th floor) at 5000 Overlook Avenue, S.W., Washington, D.C. 20032. Below is the draft agenda for this meeting. A final agenda will be posted to DC Water’s website at www.dewater.com.

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

DRAFT AGENDA

- | | |
|--|--|
| 1. Call to Order | Committee Chairperson |
| 2. Water Quality Monitoring | Assistant General Manager, Consumer Ser. |
| 3. Action Items | Assistant General Manager, Consumer Ser. |
| 4. Emerging Issues/Other Business | Assistant General Manager, Consumer Ser |
| 5. Adjournment | Committee Chairperson |

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

Application No. 18767 of Darryl R. Clark, pursuant to 11 DCMR § 3103.2, for a variance from the lot area requirements under § 401, a variance from the lot width requirements under § 401, a variance from the side yard requirements under § 405, a variance from the parking requirements under § 2101.1, to construct two new one-family semi-detached dwellings in the R-2 District at premises 305 and 307 55th Street, N.E. (Square 5250, Lots 68 and 70).¹

HEARING DATES: June 10, 2014, July 22, 2014, and September 23, 2014
DECISION DATE: September 23, 2014

SUMMARY ORDER

REVIEW BY THE ZONING ADMINISTRATOR

The application was accompanied by a memorandum from the Zoning Administrator certifying the required relief.

The Board of Zoning Adjustment (“Board”) provided proper and timely notice of the public hearing on this application by publication in the *D.C. Register*, and by mail to Advisory Neighborhood Commission (“ANC”) 7C and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 7C, which is automatically a party to this application. ANC 7C submitted a report in support for the application. (Exhibit 30.) The Office of Planning (“OP”) submitted a report in support of the application. (Exhibit 23.) The D.C. Department of Transportation filed a report expressing no objection to the application. (Exhibit 24.) Finally, one letter from a neighbor was filed in support of the application. (Exhibit 26.)

As directed by 11 DCMR § 3119.2, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case, pursuant to § 3103.2, for variances from §§ 401, 405, and 2101.1. The only parties to this case were the Applicant and ANC 7C which supported the application. There were no parties in opposition. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board and having given great weight to the ANC and OP reports filed in this case, the Board concludes that in seeking variances from §§ 401, 405, and

¹ The Applicant originally requested special exception relief related to the pervious surface requirements (§ 412). At the public hearing of September 23, 2014, the Office of Planning noted that this relief was requested by the Applicant based on a misunderstanding, and it is not needed. The Board was in agreement with this assessment. Therefore, this relief has been eliminated from the Application, and the caption has been amended accordingly.

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2101.1, the applicant has met the burden of proving under 11 DCMR § 3103.2, that there exists an exceptional or extraordinary situation or condition related to the property that creates a practical difficulty for the owner in complying with the Zoning Regulations, and that the relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map.

Pursuant to 11 DCMR § 3100.5, the Board has determined to waive the requirement of 11 DCMR § 3125.3, that the order of the Board be accompanied by findings of fact and conclusions of law. The waiver will not prejudice the rights of any party, and is appropriate in this case. It is therefore **ORDERED** that this application is hereby **GRANTED, SUBJECT TO THE APPROVED PLANS IN THE RECORD AT EXHIBIT 7.**

VOTE: 4-0-1 (Lloyd J. Jordan, Marnique Y. Heath, Jeffrey L. Hinkle, and Anthony J. Hood to APPROVE; S. Kathryn Allen not present, not voting.)

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

A majority of the Board members approved the issuance of this order.

FINAL DATE OF ORDER: October 2, 2014

PURSUANT TO 11 DCMR § 3125.9, NO ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN (10) DAYS AFTER IT BECOMES FINAL PURSUANT TO § 3125.6.

PURSUANT TO 11 DCMR § 3130, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSE OF SECURING A BUILDING PERMIT, OR THE APPLICANT FILES A REQUEST FOR A TIME EXTENSION PURSUANT TO § 3130.6 AT LEAST 30 DAYS PRIOR TO THE EXPIRATION OF THE TWO-YEAR PERIOD AND THAT SUCH REQUEST IS GRANTED. NO OTHER ACTION, INCLUDING THE FILING OR GRANTING OF AN APPLICATION FOR A MODIFICATION PURSUANT TO §§ 3129.2 OR 3129.7, SHALL EXTEND THE TIME PERIOD.

PURSUANT TO 11 DCMR § 3125, APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE.

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AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT.

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

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

Application No. 18779 of Christine Trankiem, Pursuant to 11 DCMR § 3103.2, for variances from the lot occupancy (§ 403), rear yard (§ 404) and nonconforming structure (§ 2001.3) requirements to allow a rear deck addition to an existing one-family row dwelling in the R-4 District at premises 2761 Woodley Place, N.W. (Square 2206, Lot 121).

HEARING DATES: June 24, 2014¹ and September 30, 2014
DECISION DATE: September 30, 2014

SUMMARY ORDER

REVIEW BY THE ZONING ADMINISTRATOR

The application was accompanied by a memorandum, dated March 11, 2014, from the Zoning Administrator, which stated that Board of Zoning Adjustment (“Board” or “BZA”) approval is required for variances from §§ 2001.3(a) & (b), 403.2, and 404.1. (Exhibit 6.)

The Board provided proper and timely notice of the public hearing on this application by publication in the *D.C. Register* and by mail to the Applicant, Advisory Neighborhood Commission (“ANC”) 3C, and to all owners of property within 200 feet of the property that is the subject of this application. The subject property is located within the jurisdiction of ANC 3C, which is automatically a party to this application. The ANC submitted a report with a resolution of no objections and support. The ANC’s report indicated that at a regular, duly noticed meeting held on September 15, 2014, with a quorum present, the ANC met and considered the application and voted unanimously to support it. (Exhibit 30.)

The Office of Planning (“OP”) submitted a timely report in which OP stated that it could not recommend approval of the area variance relief requested. (Exhibit 25.) However, at the hearing OP reversed its position and testified in support of the application based on its review of additional information submitted by the Applicant. (Exhibit 28.) The District’s Department of Transportation (“DDOT”) submitted a timely report indicating it had no objection to the application. (Exhibit 23.)

Letters of support were also submitted to the record by two sets of neighbors. (Exhibits 27 and 29.) Another neighbor testified in support of the application at the public hearing on September 30th.

As directed by 11 DCMR § 3119.2, the Board required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case for variances

¹ The application was postponed from the June 24, 2014 public hearing agenda at the Applicant’s request.

BZA APPLICATION NO. 18779
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under § 3103.2 from the strict application of the lot occupancy (§ 403), rear yard (§ 404) and nonconforming structure (§ 2001.3) requirements to allow a rear deck addition to an existing one-family row dwelling in the R-4 District. No parties appeared at the public hearing in opposition to the application. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

The Board closed the record at the conclusion of the hearing. Based upon the record before the Board, and having given great weight to the ANC and OP reports filed in this case, the Board concludes that the Applicant has met the burden of proof pursuant to 11 DCMR § 3103.2 for area variances under §§ 403, 404, and 2001.3, that there exists an exceptional or extraordinary situation or condition related to the property that creates a practical difficulty for the owner in complying with the Zoning Regulations, and that the requested relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map.

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

It is therefore **ORDERED** that the application is hereby **GRANTED, SUBJECT TO THE APPROVED PLANS AT EXHIBIT 11.**

VOTE: **5-0-0** (Lloyd L. Jordan, Marnique Y. Heath, S. Kathryn Allen, Jeffrey L. Hinkle, and Anthony J. Hood to APPROVE.)

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

A majority of the Board members approved the issuance of this order.

FINAL DATE OF ORDER: October 6, 2014

PURSUANT TO 11 DCMR § 3125.9, NO ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN (10) DAYS AFTER IT BECOMES FINAL PURSUANT TO § 3125.6.

PURSUANT TO 11 DCMR § 3130, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSE OF SECURING A BUILDING PERMIT, OR THE APPLICANT FILES A REQUEST FOR A TIME EXTENSION PURSUANT TO § 3130.6 PRIOR TO THE EXPIRATION OF THE TWO-YEAR

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PERIOD AND THE REQUEST IS GRANTED. PURSUANT TO § 3129.9, NO OTHER ACTION, INCLUDING THE FILING OR GRANTING OF AN APPLICATION FOR A MODIFICATION PURSUANT TO §§ 3129.2 OR 3129.7, SHALL TOLL OR EXTEND THE TIME PERIOD.

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

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

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

Application No. 18821 of Jemal's Hecht's LLC and Petco, pursuant to 11 DCMR § 3104.1, for special exceptions for animal boarding, pet grooming, and pet store under §§ 802.21, 802.25, and 802.26, in the C-M-3 District, at premises 1401 New York Avenue, N.E. (Square 4037, Lot 804).

HEARING DATE: September 23, 2014

DECISION DATE: September 23, 2014

SUMMARY ORDER

SELF-CERTIFIED

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

The Board of Zoning Adjustment ("Board" or "BZA") provided proper and timely notice of the public hearing on this application by publication in the *D.C. Register* and by mail to Advisory Neighborhood Commission ("ANC") 5D and to owners of property located within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 5D, which is automatically a party to this application. The ANC submitted a written report of support. The ANC's letter, dated June 10, 2014, stated that at a duly noticed and scheduled public meeting held on June 10, 2014, at which a quorum was present, the ANC voted 5-0 to support the application. (Exhibits 13 and 30.)

The Office of Planning ("OP") submitted a timely report on August 29, 2014, recommending approval of the application (Exhibit 27) and testified in support of the application at the hearing. The District Department of Transportation ("DDOT") submitted a timely report of no objection, subject to conditions. (Exhibit 31.)

As directed by 11 DCMR § 3119.2, the Board required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case for special exceptions for animal boarding, pet grooming, and pet store under §§ 802.21, 802.25, and 802.26, in the C-M-3 District. No parties appeared at the public hearing in opposition to the application. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

The Board concludes that the Applicant has met the burden of proof for special exception relief, pursuant to 11 DCMR § 3104.1 and §§ 802.21, 802.25, and 802.26, and that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board further concludes that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map.

**BZA APPLICATION NO. 18821
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Pursuant to 11 DCMR § 3100.5, the Board has determined to waive the requirement of 11 DCMR § 3125.3, that the order of the Board be accompanied by findings of fact and conclusions of law. The waiver will not prejudice the rights of any party and is appropriate in this case.

It is therefore **ORDERED THAT THIS APPLICATION IS HEREBY GRANTED SUBJECT TO THE APPROVED REVISED PLANS IN THE RECORD AT EXHIBITS 30C and 30D AND THE FOLLOWING CONDITIONS:**

1. A loading management plan shall be implemented to reduce tenant loading conflicts.
2. No loading shall occur on New York Avenue at any time.
3. A loading dock manager shall be identified to schedule and coordinate the use of the loading facilities among building tenants.

VOTE: **4-0-1** (Lloyd J. Jordan, Marnique Y. Heath, Jeffrey L. Hinkle, and Anthony J. Hood to APPROVE; S. Kathryn Allen, not present or participating.)

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

A majority of the Board members approved the issuance of this order.

FINAL DATE OF ORDER: October 1, 2014

PURSUANT TO 11 DCMR § 3125.9, NO ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN (10) DAYS AFTER IT BECOMES FINAL PURSUANT TO § 3125.6.

PURSUANT TO 11 DCMR § 3130, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSE OF SECURING A BUILDING PERMIT, OR THE APPLICANT FILES A REQUEST FOR A TIME EXTENSION PURSUANT TO § 3130.6 AT LEAST 30 DAYS PRIOR TO THE EXPIRATION OF THE TWO-YEAR PERIOD AND THAT SUCH REQUEST IS GRANTED. NO OTHER ACTION, INCLUDING THE FILING OR GRANTING OF AN APPLICATION FOR A MODIFICATION PURSUANT TO §§ 3129.2 OR 3129.7, SHALL EXTEND THE TIME PERIOD.

PURSUANT TO 11 DCMR § 3125, APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION

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

PURSUANT TO 11 DCMR § 3205, THE PERSON WHO OWNS, CONTROLS, OCCUPIES, MAINTAINS, OR USES THE SUBJECT PROPERTY, OR ANY PART THERETO, SHALL COMPLY WITH THE CONDITIONS IN THIS ORDER, AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT. FAILURE TO ABIDE BY THE CONDITIONS IN THIS ORDER, IN WHOLE OR IN PART SHALL BE GROUNDS FOR THE REVOCATION OF ANY BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY ISSUED PURSUANT TO THIS ORDER.

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

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

Application No. 18826 of Lalit K. Gupta, pursuant to 11 DCMR § 3104.1, for a special exception to allow an accessory apartment within an existing one-family detached dwelling under § 202.10¹, and a special exception to allow a rear addition pursuant to § 223 unrelated to the accessory apartment, not meeting the side yard (§ 405.9) and additional non-conformity (§ 2001.3) requirements in the R-1-B District at premises 2957 Newark Street, N.W. (Square 2070, Lot 39).²

HEARING DATE: September 30, 2014

DECISION DATE: September 30, 2014

SUMMARY ORDER

SELF-CERTIFIED

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2. (Exhibits 4, 5 (original), and 28, 29 (revised).)

The Board of Zoning Adjustment (“Board”) provided proper and timely notice of the public hearing on this application by publication in the *D.C. Register*, and by mail to Advisory Neighborhood Commission (“ANC”) 3C and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 3C, which is automatically a party to this application. The ANC submitted a letter in support of the application. The ANC indicated that at its duly noticed, regular meeting on September 15, 2014, at which a quorum was present, the ANC voted by a unanimous voice vote to support the application. (Exhibit 30.)

The Office of Planning (“OP”) submitted a timely report in support of the application. (Exhibit 33.) The Department of Transportation (“DDOT”) had no objection to the application. (Exhibit 31.)

As directed by 11 DCMR § 3119.2, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to § 3104.1, for special exceptions under §§ 202.10, 223, 405.9, and 2001.3. No parties appeared at the public hearing in opposition to this application. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

¹ In granting this relief, the Board also granted the Applicant’s request for a waiver of the requirement of a detached dwelling under § 202.10 because the attached garage was built to the eastern property line, making the house a semi-detached dwelling.

² The Applicant requested an amendment to the application to request § 223 relief (side yard) for the proposed addition unrelated to the accessory apartment relief. (Exhibits 28 and 29.) The caption has been amended accordingly.

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Based upon the record before the Board and having given great weight to the OP and ANC reports filed in this case, the Board concludes that the Applicant has met the burden of proof, pursuant to 11 DCMR §§ 3104.1, 202.10, 223, 405.9, and 2001.3, that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board further concludes that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map.

Pursuant to 11 DCMR § 3100.5, the Board has determined to waive the requirement of 11 DCMR § 3125.3, that the order of the Board be accompanied by findings of fact and conclusions of law. It is therefore **ORDERED THAT THIS APPLICATION IS HEREBY GRANTED SUBJECT TO THE APPROVED PLANS IN THE RECORD AT EXHIBITS 8-11 AND 29 (SHEETS BZA-2 AND ASK8.28A).**

VOTE: **5-0-0** (Lloyd J. Jordan, Jeffrey L. Hinkle, S. Kathryn Allen, Marnique Y. Heath, and Anthony J. Hood to APPROVE.)

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

A majority of the Board members approved the issuance of this order.

FINAL DATE OF ORDER: October 3, 2014

PURSUANT TO 11 DCMR § 3125.9, NO ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN (10) DAYS AFTER IT BECOMES FINAL PURSUANT TO § 3125.6.

PURSUANT TO 11 DCMR § 3130, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSE OF SECURING A BUILDING PERMIT, OR THE APPLICANT FILES A REQUEST FOR A TIME EXTENSION PURSUANT TO § 3130.6 PRIOR TO THE EXPIRATION OF THE TWO-YEAR PERIOD AND THE REQUEST IS GRANTED. PURSUANT TO § 3129.9, NO OTHER ACTION, INCLUDING THE FILING OR GRANTING OF AN APPLICATION FOR A MODIFICATION PURSUANT TO §§ 3129.2 OR 3129.7, SHALL TOLL OR EXTEND THE TIME PERIOD.

PURSUANT TO 11 DCMR § 3125, APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE. AN APPLICANT SHALL CARRY OUT THE

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CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT.

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

D.C. BOARD OF ZONING ADJUSTMENT**Chairman's Motion and Follow-up Announcement for Closed Meetings for
Legal Advice and Deliberating but Not Voting****Month of **OCTOBER** 2014 Roll Call Vote**

“In accordance with Section 405(c) of the Open Meetings Act, D.C. Official Code Section 2-575(c), I move that the Board of Zoning Adjustment hold closed meetings on the Mondays

of:

- October 6th;
- October 20th; and
- October 27th.

These meetings start at 4:00 p.m. and are held for the purpose of obtaining legal advice from our counsel and deliberating upon, but not voting on the cases scheduled to be publicly heard or decided by the Board on the day after each such closed meeting. Those cases are identified on the Board's public hearing agendas for October 7th, October 21st, and October 28th.

A closed meeting for these purposes is permitted by Sections 405(b)(4) and (b)(13) of the Act.

Is there a second?

(Once Seconded): Will the Secretary please take a roll call vote on the motion?

(As it appears the Motion has passed): I request that the Office of Zoning provide notice of these closed meetings in accordance with the Act.

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
ZONING COMMISSION ORDER NO. 08-33B**

Z.C. Case No. 08-33B

Conference Center Associates I, LLC

**(Time Extensions for Consolidated Planned Unit Development and
First Stage Planned Unit Development @ Parcel 121/31)**

February 10, 2014

Pursuant to notice, a public meeting of the Zoning Commission for the District of Columbia ("Commission") was held on February 10, 2014. At that meeting, the Commission approved the request of Conference Center Associates I, LLC ("Applicant") for a second two-year time extension in which to file a building permit application for the consolidated planned unit development ("PUD") and Zoning Map Amendment application, and a one-year time extension period for the first-stage PUD approval approved by Z.C. Order No. 08-33. The property (Parcel 121/31) that is the subject of this request is located at the intersection of Irving Street, N.E. and Michigan Avenue, N.E. ("Property"). The time extension requests were made pursuant to Chapters 1 and 24 of the District of Columbia Zoning Regulations.

FINDINGS OF FACT

BACKGROUND INFORMATION

1. Z.C. Case No. 08-33 included both a consolidated PUD approval and a first-stage PUD approval. The consolidated PUD project approved in Z.C. Order No. 08-33, which became final and effective on December 25, 2009, authorized the construction of a hotel, conference center, restaurant, parking structure, and retail space on the eastern half of the Property. The 314 room hotel (which includes a restaurant) and conference center has frontage along Michigan Avenue, N.E. and Irving Street, N.E. and a four-story above-grade structure along Michigan Avenue that will include retail uses at grade and in a basement level and 400 parking spaces. A 200 space surface parking lot on the northern portion of the Property was also approved in the consolidated PUD application. Z.C. Order No. 08-33 also authorized the rezoning of the Property from unzoned (designated as GOV) to the C-3-A Zone District.
2. The first-stage PUD approval included two nine story buildings with a measured building height of 94.5 feet (as measured from the curb at Irving Street) that will be no taller than 90 feet as measured from the finished grade at the building. The two buildings will be dedicated to either additional hotel and/or residential units and may include more space for conference center uses. A below-grade parking structure including 295 parking spaces is also included in the first-stage PUD approval. The first-stage PUD approval is effective until December 25, 2014.
3. On December 21, 2011, the Applicant filed a written request that the Commission grant a two-year time extension in which the Applicant was required to file a building permit application for the consolidated PUD and Zoning Map Amendment application. Pursuant to Z.C. Order No. 08-33A, the Commission determined that the Applicant had met the

Z.C. ORDER NO. 08-33B

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- relevant requirements of § 2408.8 of the Zoning Regulations and extended the time period in which the Applicant was required to file a building permit application for the consolidated PUD until December 25, 2013.
4. In the December 21, 2011, time extension request, the Applicant also requested approval to extend the period of the first-stage PUD approval. Pursuant to Condition No. 20 of Z.C. Order No. 08-33, the first-stage PUD approval is effective until December 25, 2014. The Applicant requested that the first-stage PUD approval be extended until December 25, 2016. In Z.C. Order No. 08-33A, the Commission denied the two-year time extension request for the first-stage PUD application approved in Z.C. Order No. 08-33. However, the Commission's denial was "without prejudice to the Applicant filing a renewed request once the issue becomes ripe."
 5. On December 23, 2013, the Applicant filed the present time extension request, which sought an additional two years, until December 25, 2015, in which time it will be required to file a building permit application to construct the approved consolidated PUD project ("Request"). The Applicant also requested a one-year time extension of the approval of the first-stage PUD approval, so that the first-stage PUD approval will be extended until December 25, 2015.
 6. The Applicant noted that just as in the period from 2009-2011, it engaged in significant efforts in the past two years to find debt and equity financing for this project. The Applicant noted that those efforts have not been fruitful due to the ongoing difficult lending environment for new hotel projects and the specific factors that impact this project – a hotel and conference center with restaurant and retail in an unproven hotel market. (Exhibit ["Ex."] 1.)
 7. The Applicant also provided evidence that the credit crisis hit the hospitality industry particularly hard. Nationally, hotel financing slowed to a trickle. Even as some areas of the real estate market have returned (such as multi-family housing), the hospitality industry has continued to face strong headwinds. The Applicant provided an article from the August 21, 2013 edition of Hotel News Now which notes: "Construction financing is loosening in the U.S., but it still has a long way to go before new supply reaches its long-run average." This article also states: "Financing remains the most significant hurdle to overcome for new development". In particular, the DC-MD-VA hospitality market was recently found to be the worst performer, in terms of RevPAR – revenue per available room, of the top 25 markets in the country. (Ex. 1, 3, 5.)
 8. The Applicant noted that while there is continuing interest in investing in the project from equity investors and lenders, the hotel lending environment remains particularly difficult for the DC region due to both the continued fallout on lending from the national economic downturn and the impact in 2012 and 2013 of the government spending reductions due to sequestration and government budget battles, including the recent government shutdown. These constraints on government spending greatly reduced both

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government travel and travel by government contractors, the combined effect of which was the poor relative revenue performance of the DC-MD-VA hospitality market compared to the rest of the nation. The previously identified concerns about the nature of the project include the following:

- Hotels as higher risk than other forms of commercial real estate;
- Hotel financing is much more available for existing hotels with demonstrable historical performance as opposed to new construction; and
- No previous track record for hotels in the area of DC where the project is located, so a lack of comparable projects for valuation purposes.

(Ex. 1, 5.)

9. In response to issues raised at the January 27, 2014 public meeting, the Applicant submitted additional information on February 3, 2014. The Applicant noted that from 2011 to the present the Applicant continued to actively explore financing opportunities with brokers, equity investors and lenders with whom the members of the project team have had prior relationships and from newly identified sources. The Applicant estimated that it had over 25 meetings and follow-up discussions with brokers, equity investors, regional and national bank representatives, as well as other financing sources. The Applicant provided evidence that it was faced with untenable financing terms of a 50% equity requirement and extremely high interest rates, in the range of 8-10%. (Ex. 9.)
10. In its January 17, 2014 report to the Commission, the Office of Planning (“OP”) recommended approval of the PUD time extension request. OP concluded that the Applicant satisfied the relevant standards of §§ 2408.10 and 2408.11. (Ex. 7, 8.)

CONCLUSIONS OF LAW

The Commission may extend the time period of an approved second stage or consolidated PUD provided the requirements of 11 DCMR § 2408.10 and 2408.11 are satisfied. Subsection 2407.11 authorizes the Commission to extend a first stage PUD “in accordance with the standard and process for second-stage PUD extensions set forth in § 2408.10 through 2408.12.”

Subsection 2408.10(a) requires that the applicant serve the extension request on all parties and that all parties are allowed 30 days to respond. The only party in Z.C. Case Nos. 08-33 and 08-33A was Advisory Neighborhood Commission (“ANC”) 5C. Due to the redistricting of the ANCs in accordance with the results of the 2010 Census, the Property is now located in ANC 5A. The Single Member District ANC Commissioner for the Property is Mr. Ronnie Edwards. Commissioner Edwards was the SMD Commissioner for the Property during the Zoning Commission’s review of Z.C. Case Nos. 08-33 and 08-33A. ANC 5A was properly served with this time extension request, but ANC 5A did not participate in this Request.

Section 2408.10(b) requires that the Commission find that there is no substantial change in any of the material facts upon which the Commission based its original approval of the PUD that

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would undermine the Commission's justification for approving the original PUD. Based on the information provided by the Applicant and OP, the Commission concludes that extending the time period of approval for the consolidated PUD is appropriate, as there are no substantial changes in the material facts that the Commission relied on in approving the original consolidated PUD application.

Section 2408.10(c) requires that the applicant demonstrate with substantial evidence that there is a good cause for the proposed extension, as provided in § 2408.11. Pursuant to § 2408.11, an extension of validity of a PUD may be granted if the applicant has demonstrated with substantial evidence one or more of the following criteria:

- (a) An inability to obtain sufficient project financing for the PUD, following an applicant's diligent good faith efforts to obtain such financing because of changes in economic and market conditions beyond the applicant's reasonable control;
- (b) An inability to secure all required governmental agency approvals for a PUD by the expiration date of the PUD order because of delays in the governmental agency approval process that are beyond the applicant's reasonable control; or
- (c) The existence of pending litigation or such other condition, circumstance or factor beyond the applicant's reasonable control that renders the applicant unable to comply with the time limits of the PUD order.

The Commission finds that there is good cause shown to extend the period of time in which the Applicant is required to file a building permit application for the hotel and conference center project approved in the consolidated PUD application. The Applicant engaged in numerous meetings with financial institutions and brokers in order to obtain project financing and was presented with financing terms that the Commission recognizes as not sufficient to allow this project to move forward. In addition, the Commission notes the distinct impacts that the current real estate recession has had on the hospitality industry and in particular the hospitality industry in the DC Metropolitan region due to sequestration budget cuts and government budget battles. The Commission concludes that the Applicant did use diligent good faith efforts to obtain the necessary financing for the consolidated PUD project and was ultimately not able to obtain the necessary financing due to economic and market conditions that were beyond the Applicant's reasonable control. For these reasons, the Commission finds that the Applicant has satisfied the requirements of 11 DCMR§ 2408.11(a) regarding the consolidated PUD application.

The first-stage PUD application approved in Z.C. Case No. 08-33 is effective until December 25, 2014. The Commission concludes the Applicant provided appropriate notice to the interested party by serving ANC 5A with a copy of the Application and allowing the ANC 30 days to respond. The Commission concludes that all of the reasons for extending the period of approval of the consolidated PUD application are appropriate to extend the time period of approval for the first-stage PUD approval for one additional year. The Commission believes that having the

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expiration dates of both the consolidated and first-stage PUD approvals on December 25, 2015 is entirely appropriate.

The Commission is required under § 13(d) of the Advisory Neighborhood Commissions Act of 1975, effective March 26, 1976 (D.C. Law 1-21; D.C. Official Code § 1-309.10(d)) to give “great weight” to the issues and concerns raised in the written report of the affected ANC. As noted above, ANC 5A was properly served with this time extension request but did not participate in this case.

The Commission is required under § 5 of the Office of Zoning Independence Act of 1990, effective September 20, 1990 (DC Law 8-163, D.C. Official Code § 6-623.04), to give great weight to OP recommendations (as discussed in Findings of Fact #10 above). OP recommended approval of the time extension request and the Commission concurs in its recommendation.

DECISION

In consideration of the above Findings of Fact and Conclusions of Law contained in this Order, the Zoning Commission for the District of Columbia **ORDERS APPROVAL** of a two-year time extension of the consolidated PUD application approved in Z.C. Order No. 08-33 and extended in Z.C. Order No. 08-33A. The consolidated PUD approved by the Commission shall be valid until December 25, 2015, within which time the Applicant will be required to file a building permit application to construct the approved consolidated PUD, and construction of the Consolidated PUD must start no later than December 25, 2016.

In consideration of the above Findings of Fact and Conclusions of Law contained in this Order, the Zoning Commission for the District of Columbia **ORDERS APPROVAL** of a one-year time extension of the first-stage PUD application approved in Z.C. Order No. 08-33. The first-stage PUD approved by the Commission shall be valid until December 25, 2015, within which time the Applicant will be required to file a second stage PUD application for the remaining portions of the PUD.

On February 10, 2014, upon motion by Commissioner Cohen, as seconded by Commissioner Turnbull, the Zoning Commission **APPROVED** this application at its public meeting by a vote of 5-0-0 (Anthony J. Hood, Marcie I. Cohen, Robert E. Miller, Peter G. May, and Michael G. Turnbull to approve).

In accordance with the provisions of 11 DCMR 3028.8, this Order shall become final and effective upon publication in the *D. C. Register* on October 10, 2014.

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF FILING
Z.C. Case No. 14-17
(AE Tower, LLC – Map Amendment @ Square 4310, Lot 808
October 2, 2014

THIS CASE IS OF INTEREST TO ANC 5C

On September 29, 2014, the Office of Zoning received an application from AE Tower, LLC (the “Applicant”) for approval of a map amendment for the above-referenced property.

The property that is the subject of this application consists of Lot 808 in Square 4310 in Northeast Washington, D.C. (Ward 5), which is located at 2911 Rhode Island Avenue, N.E. The property is currently zoned R-1-B. The Applicant proposes a map amendment to rezone the property to C-2-A.

The R-1-B Zone District permits matter-of-right development of single-family residential uses for detached dwellings with a minimum lot width of 50 feet for residential, churches, and public recreation and community centers and 120 feet for schools; a minimum lot area of 5,000 square feet for residential, churches, and public recreation and community centers and 15,000 square feet for schools; a maximum lot occupancy of 60% for a church or public school use, 20% for public recreation and community centers, and 40% for all other structures; and a maximum height of three stories/40 feet (60 feet for churches and schools and 45 feet for public recreation and community centers). Rear yard requirements are 25 feet; side yard requirements are eight feet.

The C-2-A Zone District permits matter-of-right low-density development, including office employment centers, shopping centers, medium-bulk mixed use centers, and housing to a maximum lot occupancy of 60% for residential use and 100% for all other uses; a maximum density of 2.5 floor area ratio (“FAR”) for residential use and 1.5 FAR for other permitted uses; and a maximum height of 50 feet. Rear yard requirements are 15 feet; one family detached dwellings and one family semi-detached dwellings side yard requirements are eight feet.

This case was filed electronically through the Interactive Zoning Information System (“IZIS”), which can be accessed through <http://dcoz.dc.gov>. For additional information, please contact Sharon S. Schellin, Secretary to the Zoning Commission at (202) 727-6311.

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF FILING**

Z.C. Case No. 14-18

**(Mid-City Financial Corporation – First-Stage PUD and Related Map Amendment
@ Various Lots and a Parcel in Squares 3953, 3954, 4024, and 4025)**

October 6, 2014

THIS CASE IS OF INTEREST TO ANC 5C AND 5B

On October 1, 2014, the Office of Zoning received an application from Mid-City Financial Corporation (the “Applicant”) for approval of a first-stage planned unit development (“PUD”) and related map amendment for the above-referenced property.

The property that is the subject of this application consists of the squares, lots, and a parcel shown in the chart below, and is located in Northeast Washington, D.C. (Ward 5), at the intersection of Rhode Island and Montana Avenues, N.E. on the site currently improved with the Brookland Manor and the Brentwood Shopping Center. The property is currently zoned R-5-A and C-2-A. The Applicant proposes a PUD-related map amendment to rezone the property, for the purposes of this project, to the R-5-B, C-2A, C-2-B, and various split zones (as shown in the chart below).

The Applicant proposes to redevelop the property into a new community with a new street grid which will create eight new blocks for development and a centrally located community green and pedestrian walk of approximately two acres of land area. The PUD will contain a variety of housing types (2,200 residential units) and a significant retail component (200,000 square feet).

CHART OF PROPOSED PUD-RELATED ZONING MAP CHANGES

Square No.	Lot No.	Existing Zoning	Requested Zoning
3953; 3954; 4025 3954	1-3; 1-3; 1,5,6,7 Parcel 143/45	R-5-A C-2-A	R-5-B C-2-B
3954	4	R-5-A	C-2-B
3954	5	R-5-A	C-2-B / R-5-B
4024	1- 4	R-5-A	C-2- C-2-B/C-2-A
4025	2&4	R-5-A	C-2-A/R-5-B
4025	3	R-5-A	C-2-A

This case was filed electronically through the Interactive Zoning Information System (“IZIS”), which can be accessed through <http://dcoz.dc.gov>. For additional information, please contact Sharon S. Schellin, Secretary to the Zoning Commission at (202) 727-6311.

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