

District of Columbia

REGISTER

HIGHLIGHTS

- DC Council passes Act 20-265 Minimum Wage Amendment Act of 2013
- DC Council schedules Fiscal Year 2013-2014 Agency Performance Oversight Hearings
- District Dept. of the Environment announces funding availability for the FY14 Green Building Fund Grant
- Department of Health announces funding availability for the Demonstration Grants for Expanding Access to Care
- District Dept. of the Environment announces public comment period for the Draft Remedial Investigation of Anacostia River Sediments: Work Plan and the Draft Stormwater Retrofit Plan

DISTRICT OF COLUMBIA REGISTER

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CONTENTS

ACTIONS OF THE COUNCIL OF THE DISTRICT OF COLUMBIA

DC ACTS

A20-264 Contract No. DCPL-2009-C-0004B Modification
Approval and Payment Authorization Emergency
Act of 2014 [B20-630]..... 000776 - 000777

A20-265 Minimum Wage Amendment Act of 2013 [B20-459]..... 000778 - 000780

A20-266 Closing of a Portion of the Public Alley in
Square 5452, S.O. 12-03541, Act of 2014 [B20-298] 000781 - 000782

A20-267 Microstamping Implementation Temporary Amendment
Act of 2014 [B20-613]..... 000783 - 000784

A20-268 Transportation Infrastructure Mitigation Congressional
Review Emergency Amendment Act of 2014 [B20-633]..... 000785 - 000787

A20-269 Contract No. NFPHC-151 Modifications Nos. 4-7
Approval and Payment Authorization Emergency Act
of 2014 [B20-629] 000788 - 000789

A20-270 Extension of time to Dispose of the Strand Theater
Congressional Review Emergency Amendment
Act of 2014 [B20-637]..... 000790 - 000791

ADOPTED CEREMONIAL RESOLUTIONS

ACR 20-151 Virginia Ali 80th Birthday Celebration Recognition
Resolution of 2013 000792 - 000793

ACR 20-152 Behrouz T. “Rocky” Rakani Recognition
Resolution of 2013 000794 - 000795

ACR 20-153 Our Heroes Day Recognition Resolution of 2013..... 000796 - 000797

ACR 20-154 Malik Melodies Sisterhood, Inc. 35th Anniversary
Recognition Resolution of 2013..... 000798 - 000799

ACR 20-155 Dusty Hernandez-Harrison Recognition
Resolution of 2013 000800 - 000801

ACR 20-156 Howard D. Woodson High School Warriors
Football Team DCIAA and DCSAA Championship
Recognition Resolution of 2013..... 000802 - 000803

ACTIONS OF THE COUNCIL OF THE DISTRICT OF COLUMBIA CONT'D

BILLS INTRODUCED AND PROPOSED RESOLUTIONS

Intent to Act on New Legislation -

Bills B20-647 through B20-652, and Proposed Resolutions PR20-624 and PR20-625	000804 - 000805
--	-----------------

COUNCIL HEARINGS

Notice of Public Hearings -

B20-58	Tenant Bill of Rights Act of 2013 (revised).....	000806
B20-365	Underinsured Motorist Carrier Fairness Amendment Act of 2013.....	000807 - 000808
B20-212	Life and Health Insurance Guaranty Association Consumer Protection Amendment Act of 2013.....	000807 - 000808
B20-540	Community Development Amendment Act of 2013.....	000807 - 000808
B20-577	Shiloh Way Designation Act of 2013.....	000809
B20-596	Beta Sigma Way Designation Act of 2013.....	000809
B20-615	Closing of a Portion of the Public Alley and Acceptance of Dedication of Land for Alley Purposes in Square 75, S.O. 12-03806 Act of 2013	000809
B20-607	Child Development Home License Regulation Amendment Act of 2013 (revised)	000810
B20-640	District of Columbia Science, Technology, Engineering , and Math Fund Establishment Act of 2014 (rev/abbrev)	000811
The District of Columbia Streetcar System (rev/abbrev) and Bills:		
B20-431, B20-546, B20-549, B20-564, and B20-576.....		000812 - 000813
B20-431, Transportation Infrastructure Mitigation Amendment Act of 2013 (rev/abbrev)		000812 - 000813
B20-546, Transportation Infrastructure Improvements GARVEE Bond Financing Amendment Act of 2013 (rev/abbrev).....		000812 - 000813
B20-549, Integrated Premium Transit System Amendment Act of 2013 (rev/abbrev)		000812 - 000813
B20-564, New York Avenue Gateway Hotel Development and Financial Incentives Act of 2013 (rev/abbrev)		000812 – 000813
B20-576, Vault Fee Assessment Amendment Act of 2013 (rev/abbrev)		000812 - 000813

ACTIONS OF THE COUNCIL OF THE DISTRICT OF COLUMBIA CONT'D

COUNCIL HEARINGS CONT'D

Notice of Public Oversight Hearings -

Fiscal Year 2013-2014 Agency Performance Oversight Hearings 000814 - 000821

Notice of Public Oversight Roundtables -

A Proposal to Add a Bus Shelter Near Alice Deal Middle School..... 000822

Shelter Provisions for Homeless Families During the
2013-2014 Hypothermia Season (revised) 000823

ACTIONS OF THE EXECUTIVE BRANCH AND INDEPENDENT AGENCIES

PUBLIC HEARINGS

Alcoholic Beverage Regulation Administration -

- ABC Board's Calendar – February 5, 2014 000827 - 000828
- Don Jaime - ANC 1D - Class Change 000824
- Gypsy Sally's - ANC 2E - Substantial Change..... 000829
- Halftime Sports Bar - ANC 6A - New..... 000830
- Il Canale - ANC 2E - Substantial Change 000831
- Ivy City Tavern - ANC 5D - New 000832
- Maple -ANC 1A Substantial Change 000834
- Malaysian Kopitiam - ANC 2B - Change of Hours 000833
- Pinnacle Consumption LLC - ANC 5E - New 000835
- Public - ANC 3E - Substantial Change..... 000825
- Rumors Restaurant - ANC 2B - Substantial Change..... 000826
- Sabor Latino Bar & Grill - ANC 4C - Substantial Change 000836
- Stadium - ANC 5C - Renewal 000837
- Sweet Mango Cafe - ANC 4C - Correction..... 000838
- Zenobia Lounge - ANC 2E - Renewal 000839

FINAL RULEMAKING

Behavioral Health, Dept. of – Amend 22 DCMR (Health),
Subtitle A (Mental Health), to add a new Ch. 56 (Supported
Independent Living Program – Reimbursement) to establish
reimbursement requirements for the Supported
Independent Living (SIL) service providers 000840 - 000842

Child and Family Services Agency – Amend 29 DCMR (Public
Welfare) to add Ch. 85 (Family Assessments in Child Welfare) to
provide procedures for family assessment referrals in lieu of
an investigation 000843 - 000845

Health Care Finance, Department of – Amend 29 DCMR
(Public Welfare), Ch. 7 (Medicaid Day Treatment
Programs) to maintain DHCF’s authority to cease enrollment
of new beneficiaries into day treatment programs 000846 - 000850

ACTIONS OF THE EXECUTIVE BRANCH AND INDEPENDENT AGENCIES CONT'D

FINAL RULEMAKING CONT'D

Health Care Finance, Dept. of – Amend 29 DCMR (Public Welfare),
Ch. 9 (Medicaid Program), Section 1924 (Family Training
Services), to establish standards governing reimbursement to
professionals who provide family training services to
caregivers of participants in the Home and Community-Based
Waiver for Individuals with Intellectual and Developmental
Disabilities (“ID/DD Waiver”) 000851 - 000852

Human Services, Department of - Amend 29 DCMR
(Public Welfare), Ch. 58 (Temporary Assistance for Needy
Families) to update the definition of “minor” 000853

Public Service Commission - FC No. 1111 to Amend 15 DCMR
(Public Utilities and Cable Television), Ch. 1 (Rules of Practice
and Procedure) to add Sec. 151 (Critical Infrastructure
Information) and update Sec. 199 (Definitions) 000854 - 000858

PROPOSED RULEMAKING

Health, Department of – Amend 17 DCMR (Business,
Occupations, and Professions), Ch. 64 (Optometry), Sec. 6407
(Approved Continuing Education Programs and Activities)
to update regulations for correspondence courses 000859 - 000860

EMERGENCY AND PROPOSED RULEMAKING

Alcoholic Beverage Control Board – Amend 23 DCMR
(Alcoholic Beverages), Ch. 3 (Limitations on Licenses), Sec. 306
to impose a three (3) year moratorium on the issuance of any new
Retailer Class CT/DT and CN/DN licenses in the East Dupont Circle
Moratorium Zone 000861 - 000865

Health Care Finance, Dept. of – Amend 29 DCMR (Public Welfare),
Ch. 19 (Home and Community-Based Waiver Services for Persons with
Intellectual and Disabilities), Sec. 1914 (Vehicle Modifications),
to establish standards governing reimbursement for vehicle
modification services 000866 - 000869

Health Care Finance, Dept. of – Amend 29 DCMR (Welfare),
Ch. 19 (Home and Community-Based Waiver for Individuals with
Intellectual and Developmental Disabilities) to add Sec. 1922
(Employment Readiness Services) to establish reimbursement
standards for employment readiness service providers; second
emergency and proposed rulemaking to incorporate review changes
from rulemaking published on October 18, 2013 at 60 DCR 14844 000870 - 000876

ACTIONS OF THE EXECUTIVE BRANCH AND INDEPENDENT AGENCIES CONT'D

EMERGENCY AND PROPOSED RULEMAKING CONT'D

Health Care Finance, Dept. of - Amend 29 DCMR (Public Welfare),
 Ch. 65 (Medicaid Reimbursement to Nursing Facilities),
 Sec. 6508 (Final Per Diem Rate Calculation), to clarify formula
 for calculating the annual inflation adjustment; second
 emergency and proposed rulemaking required since amendments
 are still under review000877 - 000880

**NOTICES, OPINIONS, AND ORDERS CONT'D
BOARDS, COMMISSIONS, AND AGENCIES**

Alcoholic Beverage Regulation Administration -
 ABC Board's Investigative Agenda – February 5, 2014..... 000881
 ABC Board's Legal Agenda – February 5, 2014 000882
 ABC Board's Licensing Agenda – February 5, 2014 000883

Consumer and Regulatory Affairs, Department of - Meetings
 Board of Accountancy - February 4, 2014..... 000884
 Board of Barber and Cosmetology - February 3, 2014 000885
 Board of Funeral Directors - February 6, 2014..... 000886
 Board of Industrial Trades - February 18, 2014..... 000887
 Board of Professional Engineering - February 27, 2014 000888

 Board of Real Estate Appraisers - February 19, 2014..... 000889
 Boards and Commissions – February Scheduled Meetings 000890
 Boxing and Wrestling Commission - February 11, 2014..... 000891
 Construction Codes Coordinating Board –
 Special meeting - February 4, 2014 000892
 Real Estate Commission - February 11, 2014..... 000893

DC International School - Invitation for Bid
 Work Visa Assistance 000894

Disability Services, Department on -
 Rescheduled Statewide Independent Living Council (SILC) Meeting 000895

Education, Office of the State Superintendent of -
 Public Charter School Credit Enhancement Fund Committee –
 2014 Meeting Schedule..... 000896

Elections, Board of - Certification of ANC/SMD Vacancies
 3F06, 5A04 and 7F07..... 000897

Environment, District Dept. of the - Notice of Public Comment Period
 Draft Remedial Investigation of Anacostia River Sediments: Work Plan 000898
 Draft Stormwater Retrofit Plan 000899

ACTIONS OF THE EXECUTIVE BRANCH AND INDEPENDENT AGENCIES CONT'D

**NOTICES, OPINIONS, AND ORDERS CONT'D
BOARDS, COMMISSIONS, AND AGENCIES CONT'D**

Environment, District Dept. of the - Funding Availability
 FY14 Green Building Fund Grant..... 000900

Environment, District Department of the - Permit
 #6794 Bank of America, 730 15th Street NW 000901 - 000902
 #6812 Georgetown University, Research Resource
 Facility at 3700 O Street NW 000903 - 000904
 #6819 Goodwill First, Inc., 3001 Earl Place NE..... 000905 - 000906
 #6840 Celtic Demolition Inc., McMillan Sand Filtration
 Plant Site, 1st and Channing Streets NW 000907 - 000908
 #6852 Pak American Corporation, 37 L Street SE 000909 - 000910

Environment, District Department of the - Case
 VCP2011- Proposed Issuance of a Voluntary Cleanup Program
 020 Certificate of Completion - Brownfield Revitalization
 Voluntary Cleanup Program..... 000911

Friendship PCS - Request for Proposals
 Custodial and Facilities Management Services..... 000912

Health , Department of / CHA - Funding Availability
 Demonstration Grants for Expanding Access to Care..... 000913

Health , Department of - Meetings
 Board of Dietetics and Nutrition - February 4, 2014 000914
 Medical Marijuana Advisory Committee,
 Scientific Subcommittee - February 14, 2014..... 000915

Health Benefit Exchange Authority, DC -
 Executive Board Meeting - February 12, 2014 000916

Housing and Community Development, Department of -
 Housing Production Trust Fund (HPTF) Advisory Board Meeting –
 February 3, 2014 000917

Housing Authority, DC - Board of Commissioners -
 2014 Public Meeting Schedule..... 000918

Human Resources, Department of -
 Excepted Service Employees (as of January 6, 2014)..... 000919 - 000931

ACTIONS OF THE EXECUTIVE BRANCH AND INDEPENDENT AGENCIES CONT'D

**NOTICES, OPINIONS, AND ORDERS CONT'D
BOARDS, COMMISSIONS, AND AGENCIES CONT'D**

Insurance, Securities and Banking, Department of -
 District of Columbia Financial Literacy Council meeting –
 February 18, 2014..... 000932

Public Charter School Board, DC - meeting
 Booker T. Washington PCS's Renewal Application –
 January 30, 2014..... 000933

Secretary, Office of the -
 Commission on the Martin Luther King, Jr. Holiday –
 2014 Meeting Schedule.....000934
 Public Meeting - February 5, 2014 000935

Thurgood Marshall Academy - Revised RFP -
 Caterer for Annual Gala Fund-Raising Event 000936

Water and Sewer Authority, DC - Meetings
 Audit Committee Meeting - February 6, 2014 000937

Women's Policy and Initiatives, Office on - Meetings
 DC Commission for Women Meeting - February 6, 2014..... 000938

Zoning Adjustment, Board of -
 18633 The National Community Church - ANC 7B000939 - 000942
 18663 The Lab School - ANC 3D000943 - 000947
 18678 The Embassy of the Sultanate of Oman - ANC 2B000948 - 000953
 18689 Hong Deng - ANC 6B000954 - 000956
 18704 Richard & Robin Appia - ANC 4C.....000957 - 000959

Zoning Commission - Closed Meeting - February 18, 2014 000961

Zoning Commission -
 10-26B 3321 Georgia, LLC - Notice of Filing 000960

ENROLLED ORIGINAL

AN ACT

D.C. ACT 20-264

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JANUARY 13, 2014

To approve, on an emergency basis, Option Year Four to Contract No. DCPL-2009-C-0004B with Baker & Taylor, Inc., for the purchase of new books, electronic materials, and other book-related services for the District of Columbia Public Library (“DCPL”) and authorize payment for those services received and to be received under the contract.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Contract No. DCPL-2009-C-0004B Modification Approval and Payment Authorization Emergency Act of 2014”.

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Option Year Four to Contract No. DCPL-2009-C-0004B with Baker and Taylor, Inc., for books, electronic materials, programmatic initiatives support, and other book-related services, and authorizes payment in the amount of \$1,295,000 for services received and to be received under the contract for the period of January 21, 2013, to January 20, 2014.

Sec. 3. Fiscal impact statement.

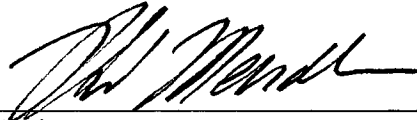
The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

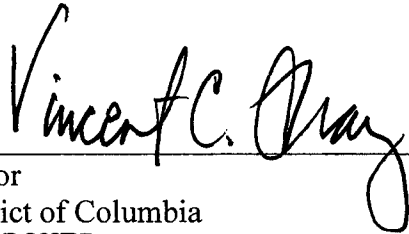
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in

ENROLLED ORIGINAL

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
January 13, 2014

ENROLLED ORIGINAL

AN ACT

D.C. ACT 20-265

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JANUARY 15, 2014

To amend the Minimum Wage Act Revision Act of 1992 to increase the minimum wage in the District of Columbia to \$11.50 an hour in 3 steps, to require the minimum wage during each successive year to increase in proportion to the increase in the Consumer Price Index, to require the Mayor to provide employers copies or summaries of the District's minimum wage law, and to require employers who employ tipped employees to certify on a quarterly basis that their employees earn a minimum wage.

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

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.*), is amended as follows:

(a) Section 4(a) (D.C. Official Code § 32-1003(a)) is amended by adding paragraphs (3), (4), (5), and (6) to read as follows:

"(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)(1) Except as provided in subsection (h) of this section, beginning on July 1, 2017 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

ENROLLED ORIGINAL

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 before the annual minimum wage rate adjustment.”.

(b) Section 10(b) (D.C. Official Code § 32-1009(b)) is amended by striking the phrase “on request”.

(c) A new section 10a is added to read as follows:

“Sec. 10a. Notice requirements for tipped wages.

“(a) An employer who employs an employee who is paid in accordance with section 4(f) shall submit a quarterly wage report within 30 days of the end of each quarter to the Mayor certifying that the employee was paid the required minimum wage.

“(b)(1) The Mayor shall create an Internet-based portal for online reporting of the quarterly wage reports required by subsection (a) of this section.

“(2) An employer shall submit its quarterly wage reports online unless the employer claims that online reporting creates a hardship, in which case the employer shall submit its reports in hard-copy form.

“(3) The Mayor shall provide reporting requirements training to educate employers about the reporting requirements and use of the Internet-based portal.

“(c) The Mayor shall:

“(1) Perform random reporting audits after each quarterly report deadline to ensure compliance; and

“(2) Submit an annual report to the Secretary to the Council of the compliance data collected.”.

(d) Section 11(2) (D.C. Official Code § 32-1010(2)) is amended as follows:

(1) Strike the phrase “sections 9 and 10” and insert the phrase “sections 9, 10, and 10a” in its place.

(2) Strike the phrase “section 9” and insert the phrase “sections 9 and 10a” in its place.

Sec. 3. Applicability.

Section 2(b)-(d) of this act shall apply upon the inclusion of its fiscal effect in an approved budget and financial plan, as certified by the Chief Financial Officer to the Budget Director of the Council in a certification published by the Council in the District of Columbia Register.


ENROLLED ORIGINAL

Sec. 4. Fiscal impact statement.

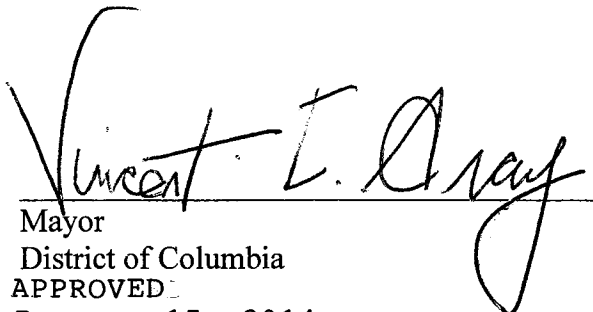
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
January 15, 2014

ENROLLED ORIGINAL

AN ACT

D.C. ACT 20-266

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JANUARY 14, 2014

To order the closing of a portion of the public alley in Square 5452, bounded by F Street, S.E., 33rd Street, S.E., E Street, S.E., and Minnesota Avenue, S.E., in Ward 7.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Closing of a Portion of the Public Alley in Square 5452, S.O. 12-03541, Act of 2014”.

Sec. 2. Pursuant to section 404 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-204.04), and consistent with the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-201.01 *et seq.*), the Council finds the portion of the public alley in Square 5452, as shown on the Surveyor’s plat filed under S.O. 12-03541, is unnecessary for alley purposes and orders it closed, with title to the land to vest as shown on the Surveyor’s plat.

Sec. 3. Transmittal.

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

Sec. 4. Fiscal impact statement.

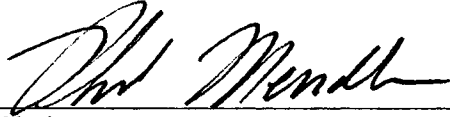
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

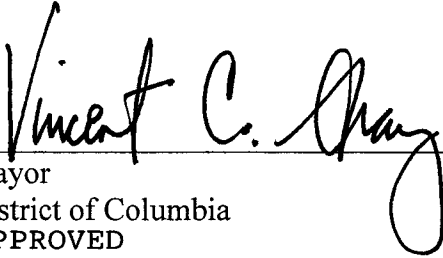
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

ENROLLED ORIGINAL

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
January 14, 2014

ENROLLED ORIGINAL

AN ACT
D.C. ACT 20-267

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JANUARY 15, 2014

To amend, on a temporary basis, the Firearms Control Regulations Act of 1975 to extend to January 1, 2016, the date for implementation of the microstamping requirement for semiautomatic pistols.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Microstamping Implementation Temporary Amendment Act of 2014".

Sec. 2. The Firearms Control Regulations Act of 1975, effective September 24, 1976 (D.C. Law 1-85; D.C. Official Code § 7-2501.01 *et seq.*), is amended as follows:

(a) Section 408(b) (D.C. Official Code § 7-2504.08(b)) is amended by striking the phrase "January 1, 2014" wherever it appears and inserting the phrase "January 1, 2016" in its place.

(b) Section 503 (D.C. Official Code § 7-2505.03), is amended by striking the phrase "January 1, 2014" wherever it appears and inserting the phrase "January 1, 2016" in its place.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

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

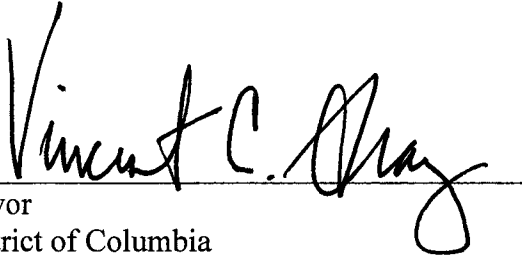
ENROLLED ORIGINAL

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

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
January 15, 2014

ENROLLED ORIGINAL

AN ACT

D.C. ACT 20-268

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JANUARY 15, 2014

To amend, on an emergency basis, due to Congressional review, the Department of Transportation Establishment Act of 2002 to create a separate fund for the deposit of fees for project review and mitigation measures by developers, property owners, and utility companies in connection with projects on private property or public space that may impact the District Department of Transportation's ("DDOT") ability to manage and maintain the transportation infrastructure in the District, to authorize expenditures from the fund, and to authorize the Director of DDOT to enter into a payment agreement for services related to DDOT's review of proposed and existing projects.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Transportation Infrastructure Mitigation Congressional Review Emergency Amendment Act of 2014".

Sec. 2. The Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.01 *et seq.*), is amended as follows:

(a) Section 3(f) (D.C. Official Code § 50-921.02(f)) is amended to read as follows:

"(f)(1) The Director may enter into a payment agreement with the developer, person, property owner, utility company, federal government, and governmental jurisdiction for all services related to DDOT's reviews of proposed and existing projects on private property and public space and for mitigation measures, including bikeshare stations, to address a project's impact on DDOT's ability to manage and maintain the transportation infrastructure in the District.

"(2) A payment required under a payment agreement shall be reasonably related to the cost of the service provided by DDOT."

(b) The second section 9f (D.C. Official Code 50-921.16) is redesignated as section 9h.

(c) A new section 9i is added to read as follows:

"Sec. 9i. Transportation Infrastructure Project Review Fund.

ENROLLED ORIGINAL

“(a) There is established as a special fund the Transportation Infrastructure Project Review Fund (“Fund”), which shall be administered by the Director of the DDOT in accordance with subsection (c) of this section.

“(b) The Fund shall consist of the revenue collected from the following sources pursuant to section 3(f):

“(1) Payments from an individual or entity, including a developer, property owner, utility company, the federal government, or another governmental jurisdiction, to review the individual or entity’s plans for a proposed or existing project on private property or public space to determine the impact the project will have on DDOT’s ability to manage and maintain the transportation infrastructure in the District; and

“(2) Payments for mitigation measures related to a proposed project on private property or public space to minimize the impact the project will have on DDOT’s ability to manage and maintain the transportation infrastructure in the District.

“(c) The Fund shall be used for the following purposes:

“(1) To fund reviews of projects on private property or public space that will affect DDOT’s ability to manage and maintain the transportation infrastructure in the District;

“(2) To fund mitigation measures, including traffic mitigation and bikeshare stations, related to projects on private property or public space that will affect DDOT’s ability to manage and maintain the transportation infrastructure in the District;

“(3) To fund studies on private property that could be affected by transportation infrastructure projects; and

“(4) To the extent not needed for the purposes set forth in paragraphs (1), (2), and (3) of this subsection, for local transportation enhancement or local infrastructure projects.

“(d) The fees deposited into the Fund shall be separate from any funds paid for the temporary use of public space or the use of the public right of way, pursuant to the District of Columbia Public Space Rental Act, approved October 17, 1968 (82 Stat. 1156; D.C. Official Code § 10-1101.01 *et seq.*), 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 *et seq.*).

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

“(2) Subject to authorization by Congress, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.”.

Sec. 3. Applicability.

This act shall apply as of January 15, 2014.


Sec. 4. Fiscal impact statement.

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

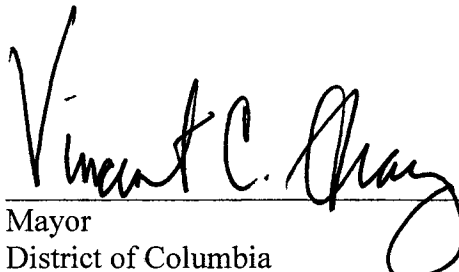
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Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
January 15, 2014

ENROLLED ORIGINAL

AN ACT

D.C. ACT 20-269

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JANUARY 16, 2014

To approve, on an emergency basis, Modifications Nos. 4-7 to Contract No. NFPHC-151 between the Not-for-Profit Hospital Corporation (“NFPHC”) and Wisconsin Avenue Psychiatric Center *dba* Psychiatric Institute of Washington (“PIW”), to provide management and operation of the Behavioral Health and Professional Psychiatric Services Program, and to authorize payment for the services received and to be received under the contract modifications.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Contract No. NFPHC-151 Modifications Nos. 4-7 Approval and Payment Authorization Emergency Act of 2014”.

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-252.02), the Council approves Modifications Nos. 4-7 to Contract No. NFPHC-151 between the NFPHC and PIW to provide, in consultation with the NFPHC, management and operation of the Behavioral Health and Professional Psychiatric Services Program at the NFPHC, and authorizes payment in the total amount of \$1,856,767.00 for services received and to be received under the contract modifications.

Sec. 3. Fiscal impact statement.

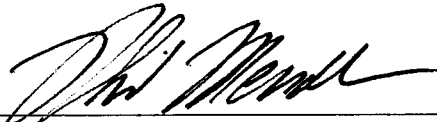
The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; ; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

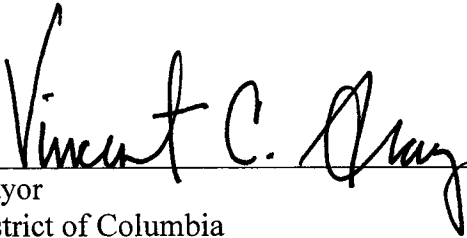
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in

ENROLLED ORIGINAL

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
January 16, 2014

ENROLLED ORIGINAL

AN ACT

D.C. ACT 20-270

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JANUARY 16, 2014

To amend, on an emergency basis, due to Congressional review, An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes to extend the time in which the Mayor may dispose of certain District-owned real property located at 5131 Nannie Helen Burroughs Avenue, N.E., known as the Strand Theater.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Extension of Time to Dispose of the Strand Theater Congressional Review Emergency Amendment Act of 2014”.

Sec. 2. Section 1 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), is amended by adding a new subsection (d-6) to read as follows:

“(d-6) Notwithstanding subsection (d) of this section, the time period within which the Mayor may dispose of the property located at 5131 Nannie Helen Burroughs Avenue, N.E., known as the Strand Theater, for which disposition was approved by the Council pursuant to the Strand Theater Disposition Approval Resolution of 2009, effective October 6, 2009 (Res. 18-263; 56 DCR 8410), and extended by the Strand Theater Disposition Extension Approval Resolution of 2011, effective September 20, 2011 (Res. 19-246; 58 DCR 8477), is extended to October 6, 2014.”.

Sec. 3. Applicability.

This act shall apply as of January 15, 2014.

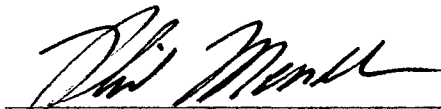
Sec. 4. Fiscal impact statement.

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

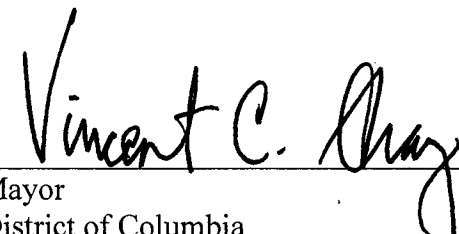
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Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
January 16, 2014

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

20-151

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

December 17, 2013

To honor and recognize Virginia Ali for her dedicated service and contributions to the people of the District of Columbia, congratulate her as she celebrates her 80th birthday, and declare December 17, 2013, as “Virginia Ali Day” in the District of Columbia. .

WHEREAS, Virginia Ali was born in rural Tappahannock, Virginia on December 17, 1933;

WHEREAS, Virginia Ali attended Virginia Union University in Richmond, Virginia;

WHEREAS, Virginia Ali moved to Washington, D.C. after completing college at the age of 21;

WHEREAS, Virginia Ali’s first job was with the Industrial Bank of Washington, the only minority bank in Washington, D.C.;

WHEREAS, Virginia Ali, at the age of 24, married Ben Ali in 1958;

WHEREAS, Virginia Ali and her husband, Ben Ali, decided to open a restaurant after Ben’s dream of a career in dentistry was halted due to a severe injury;

WHEREAS, Virginia and Ben Ali purchased a building located at 1213 U Street and used their \$5,000 savings to begin renovations;

WHEREAS, U Street was known as the “Black Broadway” for its live performances and entertainment;

WHEREAS, Virginia and Ben Ali, on August 22, 1958, opened Ben’s Chili Bowl for business;

WHEREAS, during the 1968 riots and during the time the neighborhood was

ENROLLED ORIGINAL

experiencing increased drug activity, Virginia and Ben Ali continued to work and keep Ben's Chili Bowl open and accessible not only to the neighborhood but to the city as well;

WHEREAS, Ben's Chili Bowl has received numerous awards and accolades, including the prestigious "America's Classics" award from the James Beard Foundation;

WHEREAS, in 2008, Ben and Virginia Ali were given the Key to the City by District of Columbia Mayor Adrian Fenty, and in 2009 Ben's Chili Bowl received the American Dream Award by the National Restaurant Association;

WHEREAS, known for its chili hot dogs and half smokes, Virginia and Ben Ali's restaurant is a Washington, D.C. historic landmark serving not only local visitors but visitors from all over the world;

WHEREAS, Ben's Chili Bowl has catered to many renowned individuals, including Dr. Martin Luther King, Jr., Nat King Cole, Diana Washington, Harry Belafonte, Chris Rock, Bill Cosby, and President Barack Obama;

WHEREAS, Virginia and Ben Ali have over 50 years of success with Ben's Chili Bowl, and the business continues to grow each day; and

WHEREAS, Virginia and Ben Ali have 3 sons, 2 of whom continue their parents' legacy at Ben's Chili Bowl.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Virginia Ali 80th Birthday Celebration Recognition Resolution of 2013".

Sec. 2. The Council of the District of Columbia recognizes and honors Virginia Ali for her outstanding contributions and invaluable service to the residents of Washington, D.C. and declares December 17, 2013, as "Virginia Ali Day" in the District of Columbia.

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

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

20-152

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

December 17, 2013

To recognize the entrepreneurial contributions and advocacy work of Behrouz T. “Rocky” Rakani rendered to the Mt. Pleasant community in the District of Columbia, and to declare October 27, 2013, as “Behrouz T. “Rocky” Rakani Day” in the District of Columbia.

WHEREAS, affectionately referred to as “Rocky” by residents and customers, Mr. Rakani was born in Tehran, Iran;

WHEREAS, following years of formal training, Mr. Rakani later went on to achieve the coveted title of champion Olympic Style wrestler;

WHEREAS, as a member of the Iranian Special Forces, Mr. Rakani was selected to serve at the Iranian Embassy in 1971 as head of security;

WHEREAS, following a change of career, Mr. Rakani decided to relocate and rebuild in the United States of America;

WHEREAS, in 1985, Argyle Convenient Store officially opened in the Mt. Pleasant community in Ward 1;

WHEREAS, the store immediately became a popular and well-respected location where neighbors enjoyed great conversations, children strengthened their math skills by calculating the total cost of their purchase, and generations of local patrons established long-term connections with the Rakani family;

WHEREAS, with an extended work schedule, Mr. Rakani remained a consistent and dedicated supporter of the Mt. Pleasant Business Association;

WHEREAS, Mr. Rakani continuously made uninterrupted monetary contributions to support Bancroft and Sacred Heart Schools;

ENROLLED ORIGINAL

WHEREAS, in addition, Mr. Rakani personally provided certificates of credit to students that successfully achieved honor roll, and this program that he initiated positively reinforced academic achievement and great behavior;

WHEREAS, Mr. Rakani also would allow youth to shop in his store at no cost;

WHEREAS, Mr. Rakani’s primary goal was to transform his establishment into an encouraging and positive place for local youth, and many return to express their appreciation for his insight and guidance; and

WHEREAS, Mr. Rakani is continuously supported by his wife, 3 daughters, 2 son-in-laws, 6 grandchildren and one great grandchild.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Behrouz T. “Rocky” Rakani Recognition Resolution of 2013".

Sec. 2. The Council of the District of Columbia recognizes and honors Behrouz T. (“Rocky”) Rakani for his contributions and invaluable service to the District of Columbia, and hereby declares October 27, 2013, as “Behrouz T. “Rocky” Rakani Day” in the District of Columbia.

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

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

20-153

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

December 17, 2013

To recognize the Our Heroes exhibit and the invaluable contributions made by Our Heroes to the District of Columbia on behalf of people born with or infected with HIV/AIDS, and to declare December 2, 2013, as “Our Heroes Day” in the District of Columbia.

WHEREAS, Our Heroes is an organization committed to telling a visual story of people impacted by AIDS/HIV through black and white photographs;

WHEREAS, this valuable collection of images share individual and collective stories of inner strength, perseverance, and compassion;

WHEREAS, since the organization was created, over 200 images have been taken over a 30-year period, beginning in 1983, that specifically highlight people, locations, organizations, and events that directly contributed to telling the story of the War Against AIDS in Washington, D.C.;

WHEREAS, all of the sacred images encourage an in-depth understanding and further acceptance of people living with HIV/AIDS;

WHEREAS, Our Heroes is committed to sharing these intimate and transparent stories of the human journey and acknowledges the vital support provided on behalf of countless direct support professionals in a meaningful and impactful way; and

WHEREAS, in 2006, the Our Heroes collection made its debut at the John A. Wilson Building, and following the formal introduction, 50 additional photos have been successfully added to the collection; and

WHEREAS, as intended, this historical and powerful exhibit continuously encourages dialogue that educates the public on risk factors, dispels myths associated with the deadly disease, and promotes advocacy.

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

ENROLLED ORIGINAL

Sec. 2. The Council of the District of Columbia recognizes the work, and artistic advocacy provided by Our Heroes to assist persons impacted with AIDS/HIV and hereby declares December 2, 2013, as “Our Heroes Day” in the District of Columbia.

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

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

20-154

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

December 17, 2013

To recognize Malik Melodies Sisterhood, Inc. on its 35th anniversary and for investing in District of Columbia artists, promoting women’s self-determination, and supporting cultural awareness.

WHEREAS, Malik Melodies Sisterhood, Inc. is a nonprofit 501(c)4 leadership development organization dedicated to fostering cultural enrichment and committed to advocating for civic and social responsibility;

WHEREAS, Malik Melodies Sisterhood, Inc. was founded on December 14, 1978, at Long Island University by 24 conscious and innovative women to develop self-determined and motivated community leaders;

WHEREAS, Malik Melodies Sisterhood, Inc., endeavors to elevate the awareness of its members and the community-at-large to the richness and diversity of their respective ancestral history;

WHEREAS, Malik Melodies Sisterhood, Inc. has contributed 35 years of service to the community and recently began the Artist Networking & Mentor Initiative to invest in young District artists;

WHEREAS, Malik Melodies Sisterhood, Inc.’s Artist Networking & Mentor Initiative was created to pair young emerging artists with professional and established adult artists, create networking and mentoring relationships, and aid in advancing the students’ opportunities, skills and creativity;

WHEREAS, Malik Melodies Sisterhood, Inc. has collaborated with the Allstate Corporation and the Ward 5-based Edgewood/Brookland Family Support Collaborative to provide a financial wellness workshop for women and design a financial wellness series that will focus on college students and low-middle income families in the District of Columbia;

WHEREAS, Malik Melodies Sisterhood, Inc. has supported the District-based Asa Restoration Project, a historical archaeological excavation in Egypt of a 25th Dynasty Priest, and hosts annual fundraisers for the project in Ward 5; and

ENROLLED ORIGINAL

WHEREAS, in addition to the aforementioned projects, Malik Melodies Sisterhood, Inc. has developed other initiatives, including the Angela Pauling Memorial Scholarship and the Dr. John Henrik Clarke Commemorative U.S. Postage Stamp campaign.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Malik Melodies Sisterhood, Inc. 35th Anniversary Recognition Resolution of 2013”.

Sec. 2. The Council of the District of Columbia recognizes and honors Malik Melodies Sisterhood, Inc. on the occasion of its 35th anniversary and for their continued commitment to building women leaders, educating the community on cultural awareness, and investing in artists in Washington D.C.

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

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

20-155

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

December 17, 2013

To recognize native Washingtonian and professional boxer Dusty Hernandez-Harrison.

WHEREAS, Dusty Hernandez-Harrison is a native Washingtonian, hailing from Southeast, Washington, D.C.;

WHEREAS, Dusty Hernandez-Harrison has been boxing longer than he can remember, and participated in his first exhibition at the age of 6;

WHEREAS, Dusty Hernandez-Harrison began competing in sanctioned amateur matches by the age of 8;

WHEREAS, Dusty Hernandez-Harrison quickly amassed many wins and championship medals, including the National Silver Gloves Championships, National Golden Gloves Championships, and the Ringside World Championships, in an amateur career that spanned 197 bouts with a record of 167-30;

WHEREAS, Dusty Hernandez-Harrison became a professional boxer at the age of 17, becoming the youngest licensed professional fighter in the United States;

WHEREAS, Dusty Hernandez-Harrison won his first professional bout by a 40-36 shutout on all 3 judges' scorecards, and has been winning ever since;

WHEREAS, Dusty Hernandez-Harrison made his hometown professional debut on December 10, 2011, fighting on the undercard of an HBO World Championship Boxing television broadcast and winning in a first-round TKO;

WHEREAS, Dusty Hernandez-Harrison remains undefeated as a 19-year old professional boxer with a record of 18-0, with 10 wins from knockouts;

WHEREAS, Dusty Hernandez-Harrison became the WBC Youth Welterweight World Champion on November 2, 2013, in Madison Square Garden in his first 10-round matchup;

ENROLLED ORIGINAL

WHEREAS, Dusty Hernandez-Harrison maintains a busy schedule both in and out of the ring as a boxer, student at the University of the District of Columbia, inspiring speaker, and budding businessman and entrepreneur; and

WHEREAS, Dusty Hernandez-Harrison is represented by Jeff Fried and All-In Entertainment, and trained under the watchful eye of his father, Buddy Harrison.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Dusty Hernandez-Harrison Recognition Resolution of 2013”.

Sec. 2. The Council of the District of Columbia congratulates Dusty Hernandez-Harrison on his many accomplishments as a professional boxer and current WBC Youth Welterweight World Champion, and bids him continued success.

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

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

20-156

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

December 17, 2013

To recognize and congratulate the Howard D. Woodson High School Warriors Football Team for becoming the 2013 DCIAA and DCSAA Football Champions.

WHEREAS, the Howard D. Woodson High School Warriors Football Team defeated the Woodrow Wilson High School Tigers 25-13 at the 44th Annual Turkey Bowl at Eastern High School on November, 28, 2013, marking the Warriors’ second Turkey Bowl title in 4 years and the 11th Turkey Bowl that Woodson has won;

WHEREAS, the Howard D. Woodson High School Warriors Football Team, in winning the Turkey Bowl, became the 2013 District of Columbia Interscholastic Athletic Association (“DCIAA”) Football Champions;

WHEREAS, the Howard D. Woodson High School Warriors Football Team beat the Friendship Collegiate Public Charter School Knights 25-8 in the AA Championship Title game of the District of Columbia State Athletic Association (“DCSAA”) at Catholic University on December 6, 2013, marking the school’s first DCSAA title;

WHEREAS, the Howard D. Woodson High School Warriors Football Team finished the 2013 season on a 10-game winning streak with an undefeated 7-0 conference record and an overall record of 11-3;

WHEREAS, the Howard D. Woodson High School Warriors Football Team included D’Andre Payne (#1, DB/WR, Sr.), who was named Most Valuable Player of both the DCIAA and the DCSAA football title games; and

WHEREAS, the Howard D. Woodson High School Warriors Football Team, coached by Steve Scott, also consisted of:

- #56 Austin Anderson, DL/OL, Sr.
- #26 Tyrell Bailey, RB, Jr.
- #54 Calvin Banks, DL/OL, Jr.
- #71 Michael Banks, OL/DL, Sr.

- #66 Alanta BarBour, OL/DL, Sr.
- #15 Dana Bray, DB, Jr.
- #12 Malik Bullock, WR, Jr.
- #55 Sequan Bussie-Stewart, OL/DL, Sr.

- #9 Dereon Carr, DB/WR, Sr.
- #8 Daijon Carson, DB, Sr.
- #28 Jai Carson, RB/DB, Sr.
- #3 Tamonie Chambliss, WR, Sr.
- #70 Albert Chisley, DL/OL, Sr.
- #17 Charles Coleman, WR, Jr.
- #2 Rashad Cooper, QB, Jr.
- #80 Mailk Davis, WR, Jr.
- #34 Marcel Foster, RB, Fr.
- #20 Malik Gant, DB, Jr.
- #25 Kevin Holland, DB/RB, Sr.
- #11 Deonte Jackson, LB, Sr.
- #5 DuWayne Johnson, DB, Jr.
- #23 Jervon Johnson, DB, Jr.
- #29 Eric Jones, DB, Jr.
- #7 Jamaal Jones, LB, Jr.
- #22 Derrick Judd, WR, Sr.

- #88 Eric Lomax, WR, Sr.
- #13 Aidan Lomotey, DE/TE, Sr.
- #50 Anthony Mayes, OL/DL, Jr.
- #74 Richard Mitchell, DL/OL, Jr.
- #14 Christopher Mordecai, DB, Jr.
- #4 Parnell Motley, WR, So.
- #6 Charles Peeler, WR, Fr.
- #60 Pashur Quarles, DL/OL, Jr.
- #52 Harvey Robinson-Coleman, LB/OL, Jr.
- #21 Harry Terrell, RB, Sr.
- #32 Khiry Thomas, DE/LB, So.
- #24 Vincente' Tillman, DB, Sr.
- #75 Robert Wertz, DL/OL, Jr.
- #10 Tarrin Weston, DB, Jr.
- #30 Tavon Whitlow, RB, Sr.
- #72 Jalil Williams, DL/OL, Sr.
- #35 DaTonic Woodfork, RB, Sr.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Howard D. Woodson High School Warriors Football Team DCIAA and DCSAA Championship Recognition Resolution of 2013”.

Sec. 2. The Council of the District of Columbia commends the Howard D. Woodson High School Warriors Football Team for their 2013 football season, and congratulates the team for winning the Turkey Bowl and becoming the 2013 DCIAA and DCSAA (AA) Football Champions.

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

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

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

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

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

BILLS

B20-647 Housing Production Trust Fund Supplemental Funding Act of 2014
Intro. 01-23-14 by Councilmembers McDuffie, Bowser and Evans and referred to the Committee of the Whole

B20-648 Condominium Fee Fairness Act of 2014
Intro. 01-23-14 by Councilmembers Bowser and McDuffie and referred to the Committee on Economic Development

B20-649 Contractor Pay-to-Play Elimination Amendment Act of 2014
Intro. 01-23-14 by Chairman Mendelson and referred to the Committee of the Whole

B20-650 Government Grant Administration Amendment Act of 2014
Intro. 01-23-14 by Chairman Mendelson and referred to the Committee of the Whole

B20-651 District of Columbia Law Revision Commission Amendment Act of 2014
Intro. 01-23-14 by Chairman Mendelson and referred to the Committee of the Whole

BILLS CON'T

B20-652 Donations from Manufactures Amendment Act of 2014

Intro. 01-23-14 by Councilmember Wells and referred to the Committee on Business, Consumer, and Regulatory Affairs

PROPOSED RESOLUTIONS

PR20-624 Not-for-Profit Hospital Corporation Board of Directors H. Patrick Swygert Confirmation Resolution of 2014

Intro. 01-22-14 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Health

PR20-625 Not-for-Profit Hospital Corporation Board of Directors Dr. Julianne M. Malveaux Confirmation Resolution of 2014

Intro. 01-22-14 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Health

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

Revised

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

ANNOUNCE A PUBLIC HEARING

On

Bill 20-58, the Tenant Bill of Rights Act of 2013

MARCH 11, 2014

10:00 AM

ROOM 412

JOHN A. WILSON BUILDING

1350 PENNSYLVANIA AVENUE, N.W.

On March 11, 2014, Councilmember Muriel Bowser, Chairperson of the Committee on Economic Development, will hold a public hearing to consider Bill 20-58. The Tenant Bill of Rights Act of 2013 would require the Office of the Tenant Advocate to produce a Tenant Bill of Rights, require all leases for residential rental units to be accompanied by the Tenant Bill of Rights, and to establish civil penalties for landlords that fail to provide the Tenant Bill of Rights to tenants at the time that the lease is first presented.

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

Individuals and representatives of community organizations wishing to testify should contact Judah Gluckman, Legislative Counsel to the Committee on Economic Development, at (202) 724-8025, or jgluckman@dccouncil.us and furnish their name, address, telephone number, and organizational affiliation, if any, by the close of business March 10, 2014. Persons presenting testimony may be limited to 3 minutes in order to permit each witness an opportunity to be heard. Please provide the Committee 20 copies of any written testimony.

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

This notice is revised to reflect the new time and location of the hearing from previously scheduled date of December 10, 2013, which was cancelled due to the government closure for inclement weather.

000806

**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, Ste. G-6 Washington, DC 20004

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

ANNOUNCES A PUBLIC HEARING ON

B20-365, THE “UNDERINSURED MOTORIST CARRIER FAIRNESS AMENDMENT ACT OF 2013”

B20-212, THE “LIFE AND HEALTH INSURANCE GUARANTY ASSOCIATION CONSUMER PROTECTION AMENDMENT ACT OF 2013

B20-540, THE “COMMUNITY DEVELOPMENT AMENDMENT ACT OF 2013”

**Friday, February 28, 2014, 10:00 am
John A. Wilson Building, Room 123
1350 Pennsylvania Ave., NW
Washington, D.C. 20004**

Councilmember Vincent B. Orange, Sr. announces the scheduling of a public hearing of the Committee on Business, Consumer, and Regulatory Affairs for the purpose of receiving testimony on following measures: B20-365, the “Underinsured Motorist Carrier Fairness Amendment Act of 2013”; B20-212, the “Life and Health Insurance Guaranty Association Consumer Protection Amendment Act of 2013”; and B20-540, the “Community Development Amendment Act of 2013”. The public hearing is scheduled for Friday, February 28, 2014 at 10:00 a.m. in Room 123 of the John A. Wilson Building located at 1350 Pennsylvania Ave., N.W., Washington, DC 20004.

B20-365, the “Underinsured Motorist Carrier Fairness Amendment Act of 2013”, proposes to require action by an underinsured motorist insurer when liability insurance is exhausted. B20-212, the “Life and Health Insurance Guaranty Association Consumer Protection Amendment Act of 2013” would increase coverage levels to ensure that insureds receive the full benefits of their policies or contracts in the event of insolvency. And B20-540, the Insurance Guaranty Association Consumer Protection Amendment Act of 2013” proposes to amend the Community Development Act of 2000 to increase lending and services to underserved borrowers, including low- and moderate-income borrowers, minority borrowers and older adults, and to encourage increased community development and investment by financial institutions operating with the District of Columbia.

Individuals and representatives of organizations who wish to testify at the public hearing are asked to contact Ms. Faye Caldwell or Gene Fisher of the Committee on Business, Consumer,

and Regulatory Affairs at (202) 727-6683 or by email at fcaldwell@dccouncil.us or gfisher@dccouncil.us. Witnesses are asked to furnish their names, addresses, telephone number, email address, and organizational affiliation, if any, by the close of business, Friday, February 21, 2014. Each witness is requested to bring 20 copies of his/her written testimony. Representatives of organizations and government agencies will be limited to 5 minutes in order to permit each witness an opportunity to be heard. Individual witnesses will be limited to 3 minutes.

If you are unable to testify at the hearing, written statements are encouraged and will be made part of the official record. The official record will remain open until the close of business of Friday, March 14, 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 20-577 “Shiloh Way Designation Act of 2013”
Bill 20-596 “Phi Beta Sigma Way Designation Act of 2013”
Bill 20-615 “Closing of a Portion of the Public Alley and Acceptance of Dedication of Land for Alley Purposes in Square 75, S.O. 12-03806 Act of 2013”

on

Thursday, February 20, 2014
10:00 a.m., Hearing Room 120, John A. Wilson Building
1350 Pennsylvania Avenue, NW
Washington, DC 20004

Council Chairman Phil Mendelson announces a public hearing of the Committee of the Whole on **Bill 20-577**, the “Shiloh Way Designation Act of 2013,” **Bill 20-596**, the “Phi Beta Sigma Way Designation Act of 2013,” and **Bill 20-615**, the “Closing of a Portion of the Public Alley and Acceptance of Dedication of Land for Alley Purposes in Square 75, S.O. 12-03806, Act of 2013.” The public hearing will be held Thursday, February 20, 2014, at 10:00 a.m. in Hearing Room 120 of the John A. Wilson Building, 1350 Pennsylvania Avenue, NW.

The stated purpose of **Bill 20-577** is to approve the symbolic designation of the public alley in Square 365 bounded by 9th Street, N.W., Q Street, N.W., 10th Street, N.W. and P Street, N.W. in Ward 6 as Shiloh Way. The stated purpose of **Bill 20-596** is to approve the symbolic designation of the 100 block of Kennedy Street, N.W. in Ward 4 as Phi Beta Sigma Way. The stated purpose of **Bill 20-615** is to order the closing of a portion of the public alley in Square 75 bounded by Pennsylvania Avenue, N.W., 22nd Street, N.W., I Street, N.W., and 21st Street, N.W. and accept the dedication of land for alley purposes in Square 75 in Ward 2.

Those who wish to testify are asked to telephone the Committee of the Whole, at (202) 724-8126, or e-mail Crispus Gordon, III, Legislative Assistant, at cgordon@dccouncil.us and provide their name, address, telephone number, and organizational affiliation, if any, by the close of business Tuesday, February 18, 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 February 18, 2013, the testimony will be distributed to Councilmembers before the hearing. Witnesses should limit their testimony to five minutes; less time will be allowed if there are a large number of witnesses. Copies of Bill 20-577, Bill 20-596, and Bill 20-615 can be obtained through the Legislative Services Division of the Secretary of the Council or on <http://dcclims1.dccouncil.us/lims>.

If you are unable to testify at the hearing, written statements are encouraged and will be made a part of the official record. Copies of written statements should be submitted to the Committee of the Whole, Council of the District of Columbia, Suite 410 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004. The record will close at 5:00 p.m. on Thursday, March 6, 2014.

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

REVISED

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

ANNOUNCES A PUBLIC HEARING ON

**BILL 20-0607, THE “CHILD DEVELOPMENT HOME LICENSE REGULATION
AMENDMENT ACT OF 2013”**

THURSDAY, MARCH 20, 2014 AT 11:00 A.M.

**ROOM 412
THE JOHN A. WILSON BUILDING
1350 PENNSYLVANIA AVENUE, N.W.
WASHINGTON, D.C. 20004**

Councilmember Jim Graham, Chairperson of the Committee on Human Services, announces the **rescheduling** of a Public Hearing on Bill 20-0607, the “Child Development Home License Regulation Amendment Act of 2013” to allow additional time for stakeholder participation. The hearing will be held on Thursday, March 20, 2014 at 11:00 a.m. in Room 412 of the John A. Wilson Building. **This revised notice reflects a change in the date and hearing room of the hearing.**

Bill 20-0607 would change the existing limit which prohibits “child development homes” from serving more than two (2) children younger than two (2) years of age. The legislation would allow a “child development home” to be licensed to serve up to six (6) children with a ratio of one (1) adult to two (2) children if there are two (2) or more children younger than two (2) years of age in the group.

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 hearing. Witnesses representing an organization should limit their testimony to five minutes; individual witnesses will have three minutes.

If you are unable to testify at the hearing, written statements are encouraged and will be made a part of the official record. Copies of written statements should be submitted to the Committee on Human Services, 1350 Pennsylvania Avenue, N.W., Room 116, Washington, D.C. 20004, no later than 5:30 p.m., April 4, 2014.

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

Revised/Abbreviated

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

ANNOUNCES A PUBLIC HEARING

ON

**Bill 20-640, District of Columbia Science, Technology, Engineering, and Math Fund
Establishment Act of 2014**

FEBRUARY 12, 2014

10:00 AM

ROOM 123

JOHN A. WILSON BUILDING

1350 PENNSYLVANIA AVENUE, N.W.

On February 12, 2014, Councilmember Muriel Bowser, Chairperson of the Committee on Economic Development will hold a public hearing to consider Bill 20-640, the District of Columbia Science, Technology, Engineering, and Math Fund Establishment act of 2014.

Bill 20-640 would establish a fund administered by the Deputy Mayor for Planning and Economic Development to provide grants to eligible non-profit organizations for the purpose of promoting education and training programs that support careers, businesses, and economic development in fields related to science, technology, engineering, and math.

The public hearing will begin at 10:00 AM in Room 123 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W.

Individuals and representatives of organizations wishing to testify should contact Rob Hawkins, Legislative Director for the Committee on Economic Development, at (202) 741-0921, or rhawkins@dccouncil.us and furnish their name, address, telephone number, and organizational affiliation, if any, by the close of business Tuesday, February 11, 2014. Persons presenting testimony may be limited to 3 minutes in order to permit each witness an opportunity to be heard.

If you are unable to testify at the roundtable, written statements are encouraged and will be made a part of the official record. Copies of written statements should be submitted to the Committee on Economic Development, Council of the District of Columbia, Suite 112 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004.

This notice has been revised to reflect the new location for the public hearing.
This notice is abbreviated to provide timely notice to the public.

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

REVISED / ABBREVIATED

NOTICE OF PUBLIC HEARING ON

The District of Columbia Streetcar System

and

Bill 20-431, the Transportation Infrastructure Mitigation Amendment Act of 2013
Bill 20-546, the Transportation Infrastructure Improvements GARVEE Bond
Financing Amendment Act of 2013
B20-549, the Integrated Premium Transit System Amendment Act of 2013
Section 10 of Bill 20-564, the New York Avenue Gateway Hotel Development
and Financial Incentives Act of 2013
Bill 20-576, the Vault Fee Assessment Amendment Act of 2013

Friday, February 7, 2014
at 11:00 a.m.
in Room 500 of the
John A. Wilson Building
1350 Pennsylvania Avenue, NW
Washington, DC 20004

On Monday, February 7, 2014, Councilmember Mary M. Cheh, Chairperson of the Committee on the Transportation and the Environment, will hold a public hearing on the District of Columbia Streetcar System. The Roundtable will begin at 11:00 a.m. in Room 500 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W.

The District Department of Transportation has planned an 8-line, 37-mile streetcar system throughout the District. Passenger service is expected to begin on the initial H Street / Benning Road segment in early 2014. The District is already spending tens of millions of dollars on the streetcar system and has budgeted an additional \$400 million during the next 6 years. At the same time, the Mayor has convened a task force to consider the future governance and financing of the system, and he has solicited private companies to help build, operate, and maintain the first 22-miles of streetcar service. The purpose of this hearing is to discuss the status of the initial segment, plans for future lines, proposals from the private sector, governance alternatives, and financing options for the streetcar system.

In addition, the Committee will also consider a series of technical bills related to the District Department of Transportation. Bill 20-431 would create a fund to receive money from developers to pay for traffic studies and mitigation. Bill 20-546 would allow the District to issue GARVEE bonds to fund the Frederick Douglass Memorial Bridge project. Bill 20-549 would allow the District to contract with private entities to design, build,

operate, and maintain transit systems. Section 10 of Bill 20-564 would require the District to construct a Streetcar line on Bladensburg Road, NE. Bill 20-576 would clarify that any changes in vault fees would apply only prospectively.

The Committee invites the public to testify or to submit written testimony, which will be made a part of the official Hearing 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 February 10, 2014.

The date of this hearing has changed to Friday, February 7, because of the snowstorm that affected the District on the January 22, 2014, when this hearing was originally scheduled to be heard.

COUNCIL OF THE DISTRICT OF COLUMBIA
ABBREVIATED NOTICE OF PUBLIC HEARINGS
AGENCY PERFORMANCE OVERSIGHT HEARINGS
FISCAL YEAR 2013-2014

1/27/2014

SUMMARY

February 5, 2014	Committee of the Whole Public Briefing on the Fiscal Year 2013 Comprehensive Annual Financial Report (CAFR) 9:30 a.m. in Room 500
February 12, 2014	Committee of the Whole Public Briefing from the Tax Revision Commission @ 2:30 p.m. in Room 500
February 10, 2014 to March 7, 2014	Agency Performance Oversight Hearings on Fiscal Year 2013-2014

The Council of the District of Columbia hereby gives notice of its intention to hold public oversight hearings on agency performances for FY 2013 and FY 2014. The hearings will begin Tuesday, February 10, 2014 and conclude on Friday, March 7, 2014 and will take place in the Council Chamber (Room 500), Room 412, Room 120, and Room 123 of the John A. Wilson Building; 1350 Pennsylvania Avenue, N.W.; Washington, DC 20004.

Persons wishing to testify are encouraged, but not required, to submit written testimony in advance of each hearing to Nyasha Smith, Secretary to the Council of the District of Columbia; Suite 5; John A. Wilson Building; 1350 Pennsylvania Avenue, N.W.; Washington, DC 20004. If a written statement cannot be provided prior to the day of the hearing, please have at least 10 copies of your written statement available on the day of the hearing for immediate distribution to the Council. The hearing record will close two business days following the conclusion of each respective hearing. Persons submitting written statements for the record should observe this deadline. For more information about the Council's budget performance oversight hearing schedule please contact the Council's Office of the Budget Director at (202) 724-8544.

Addendum of Changes to Schedule:

<u>New Date</u>	<u>Original Date</u>	<u>Hearing</u>
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COMMITTEE OF THE WHOLE

Chairman Phil Mendelson

WEDNESDAY, FEBRUARY 5, 2014; COUNCIL CHAMBER (Room 500)	
Time	Subject
9:30 a.m. - End	Committee of the Whole Public Briefing on the Fiscal Year 2013 Comprehensive Annual Financial Report (CAFR)

COMMITTEE ON GOVERNMENT OPERATIONS

Chairperson Kenyan McDuffie

MONDAY, FEBRUARY 10, 2014; COUNCIL CHAMBER (Room 500)	
Time	Agency
10:00 a.m. - End	Office of the Chief Technology Officer
	Board of Ethics and Government Accountability
	Office of Risk Management (Disability Compensation Fund)

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Ronan Gulstone, rgulstone@dccouncil.us or by calling 202-478-2456.

COMMITTEE ON HUMAN SERVICES

Chairperson Jim Graham

MONDAY, FEBRUARY 10, 2014; Room 412	
Time	Agency
11:00 a.m. - End	Children and Youth Investment Trust Corporation

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Malcolm Cameron, mcameron@dccouncil.us or by calling 202-724-8191.

COMMITTEE ON ECONOMIC DEVELOPMENT

Chairperson Muriel Bowser

TUESDAY, FEBRUARY 11, 2014; COUNCIL CHAMBER (Room 500)	
Time	Agency
10:00 a.m. - End	Department of Housing and Community Development
	Office of the Deputy Mayor for Planning and Economic Development

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Judah Gluckman, jgluckman@dccouncil.us or Rob Hawkins, rhawkins@dccouncil.us or by calling 202-724-8052.

COMMITTEE ON HUMAN SERVICES

Chairperson Jim Graham

WEDNESDAY, FEBRUARY 12, 2014; Room 412	
Time	Agency
11:00 a.m. - End	Child and Family Services Agency

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Malcolm Cameron, mcameron@dccouncil.us or by calling 202-724-8191.

COMMITTEE OF THE WHOLE

Chairman Phil Mendelson

WEDNESDAY, FEBRUARY 12, 2014; COUNCIL CHAMBER (Room 500)	
Time	Agency
2:30 p.m. - End	Committee of the Whole Public Briefing on the Recommendation of the Tax Revision Commission

COMMITTEE ON EDUCATION

Chairperson David Catania

THURSDAY, FEBRUARY 13, 2014; COUNCIL CHAMBER (Room 500)	
Time	Agency
10:00 a.m. - End	District of Columbia Public Schools (Public Witnesses Only)

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Jamaal Jordan, jjordan@dccouncil.us or by calling 202-724-8061.

COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY **Chairperson Tommy Wells**

THURSDAY, FEBRUARY 13, 2014; Room 123	
Time	Agency
10:00 a.m. - End	Office of Victim Services
	Justice Grants Administration
	Office of the Attorney General
	Office of Unified Communications
	Office of Administrative Hearings

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Tawanna Shuford, tshuford@dccouncil.us or by calling 202-724-7808.

COMMITTEE ON TRANSPORTATION & THE ENVIRONMENT **Chairperson Mary Cheh**

THURSDAY, FEBRUARY 13, 2014; Room 120	
Time	Agency
11:00 a.m.	Taxicab Commission
1:00 p.m.	Department of Parks and Recreation

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Aukima Benjamin, abenjamin@dccouncil.us or by calling 202-724-8062.

COMMITTEE ON FINANCE AND REVENUE **Chairperson Jack Evans**

FRIDAY, FEBRUARY 14, 2014; COUNCIL CHAMBER (Room 500)	
Time	Agency
10:00 a.m. - End	Commission on the Arts and Humanities
	Washington Convention and Sports Authority (EventsDC)
	Destination DC

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Sarina Loy, sloy@dccouncil.us or by calling 202-724-8058.

COMMITTEE ON BUSINESS, CONSUMER & REGULATORY AFFAIRS **Chairperson Vincent Orange**

WEDNESDAY, FEBRUARY 19, 2014; COUNCIL CHAMBER (Room 500)	
Time	Agency
10:00 a.m. - End	Department of Consumer and Regulatory Affairs
	Department of Insurance, Securities and Banking
	Office of Tenant Advocate
	Alcoholic Beverage Regulatory Administration

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Faye Caldwell, fcaldwell@dccouncil.us (please cc: gfisher@dccouncil.us) or by calling 202-727-6683.

COMMITTEE ON ECONOMIC DEVELOPMENT **Chairperson Muriel Bowser**

WEDNESDAY, FEBRUARY 19, 2014; Room 412	
Time	Agency
10:00 a.m. - End	Washington Metropolitan Area Transit Authority
	Office of Cable Television
	Housing Authority
	Housing Finance Agency

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Judah Gluckman, jgluckman@dccouncil.us or by calling 202-724-8052.

COMMITTEE ON EDUCATION **Chairperson David Catania**

WEDNESDAY, FEBRUARY 19, 2014; Room 120	
Time	Agency
10:00 a.m. - End	State Board of Education
	Office of the Deputy Mayor for Education
	Public Library System

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Jamaal Jordan, jjordan@dccouncil.us or by calling 202-724-8061.

COMMITTEE ON HUMAN SERVICES

Chairperson Jim Graham

THURSDAY, FEBRUARY 20, 2014; Room 412	
Time	Agency
11:00 a.m. - End	Department of Youth Rehabilitation Services

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Malcolm Cameron, mcameron@dccouncil.us or by calling 202-724-8191.

COMMITTEE ON GOVERNMENT OPERATIONS

Chairperson Kenyan McDuffie

THURSDAY, FEBRUARY 20, 2014; Room 123	
Time	Agency
10:00 a.m. - End	Office of the Inspector General
	Public Employees Relations Board
	Department of General Services

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Ronan Gulstone, rgulstone@dccouncil.us or by calling 202-478-2456.

COMMITTEE OF THE WHOLE

Chairman Phil Mendelson

MONDAY, FEBRUARY 24, 2014; COUNCIL CHAMBER (Room 500)	
Time	Agency
9:30 a.m. - 4:00 p.m.	University of the District of Columbia
	University of the District of Columbia Community College

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Christina Setlow, csetlow@dccouncil.us or by calling 202-724-8196.

COMMITTEE ON GOVERNMENT OPERATIONS

Chairperson Kenyan McDuffie

MONDAY, FEBRUARY 24, 2014; Room 412	
Time	Agency
10:00 a.m. - End	Advisory Neighborhood Commission
	Office of the City Administrator
	Executive Office of the Mayor
	- Office of Policy and Legislative Affairs
	- ServeDC
	- Office of Community Affairs
	- Advisory Commission on Caribbean Community Affairs
	- Advisory Committee to the Office of GLBT Affairs
	- Commission on African Affairs
	- Commission on African American Affairs
	- Commission on Asian and Pacific Islander Affairs
	- Commission for Women
	- Commission on Latino Community Development
	- Interfaith Council
	- Office of Asian and Pacific Islanders Affairs
	- Office of Gay, Lesbian, Bisexual, and Transgender Affairs
- Office of Partnerships and Grants Services	
- Office of Veteran's Affairs	
- Office on African Affairs	
- Office on Latino Affairs	

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Ronan Gulstone, rgulstone@dccouncil.us or by calling 202-478-2456.

COMMITTEE ON EDUCATION

Chairperson David Catania

MONDAY, FEBRUARY 24, 2014; Room 123	
Time	Agency
10:00 a.m. - End	Office of State Superintendent of Education
	Education Licensure Commission
	Healthy Youth and Schools Commission
	Public Charter School Credit Enhancement Fund Committee

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Jamaal Jordan, jjordan@dccouncil.us or by calling 202-724-8061.

COMMITTEE ON HEALTH

Chairperson Yvette Alexander

TUESDAY, FEBRUARY 25, 2014; COUNCIL CHAMBER (Room 500)	
Time	Agency
10:00 a.m. - End	Office on Aging
	Deputy Mayor for Health and Human Services

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Rayna Smith, rsmith@dccouncil.us or by calling 202-741-2111.

COMMITTEE ON THE WHOLE

Chairman Phil Mendelson

TUESDAY, FEBRUARY 25, 2014; Room 412	
Time	Agency
Noon - 6:00 p.m.	Office of Contracting and Procurement
	Innovation Fund

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Evan Cash, ecash@dccouncil.us or by calling 202-724-8196.

COMMITTEE ON TRANSPORTATION & THE ENVIRONMENT

Chairperson Mary Cheh

TUESDAY, FEBRUARY 25, 2014; Room 123	
Time	Agency
1:00 p.m. - End	Washington Aqueduct
	District of Columbia Water and Sewer Authority (DCWater)
	District Department of the Environment

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Aukima Benjamin, abenjamin@dccouncil.us or by calling 202-724-8062.

COMMITTEE ON HUMAN SERVICES

Chairperson Jim Graham

WEDNESDAY, FEBRUARY 26, 2014; COUNCIL CHAMBER (Room 500)	
Time	Agency
11:00 a.m. - End	Department of Human Services

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Malcolm Cameron, mcameron@dccouncil.us or by calling 202-724-8191.

COMMITTEE ON BUSINESS, CONSUMER & REGULATORY AFFAIRS

Chairperson Vincent Orange

WEDNESDAY, FEBRUARY 26, 2014; Room 412	
Time	Agency
10:00 a.m. - End	Department of Small & Local Business Development
	Department of Employment Services
	Workforce Investment Council
	Office of Motion Picture & Television Development

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Faye Caldwell, fcaldwell@dccouncil.us (cc:gfisher@dccouncil.us) or by calling 202-727-6683.

COMMITTEE ON HEALTH

Chairperson Yvette Alexander

WEDNESDAY, FEBRUARY 26, 2014; Room 120	
Time	Agency
10:00 a.m. - End	Health Benefit Exchange Authority

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Rayna Smith, rsmith@dccouncil.us or by calling 202-741-2111.

COMMITTEE ON FINANCE AND REVENUE

Chairperson Jack Evans

THURSDAY, FEBRUARY 27, 2014; COUNCIL CHAMBER (Room 500)	
Time	Agency
10:00 a.m. - End	Office of Chief Financial Officer
	D.C. Lottery
	Real Property Tax Appeals Commission

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Sarina Loy, sloy@dccouncil.us or by calling 202-724-8058.

COMMITTEE ON EDUCATION

Chairperson David Catania

THURSDAY, FEBRUARY 27, 2014; Room 412	
Time	Agency
10:00 a.m. - End	District of Columbia Public Schools (Government Witnesses Only)

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Jamaal Jordan, jjordan@dccouncil.us or by calling 202-724-8061.

COMMITTEE ON GOVERNMENT OPERATIONS

Chairperson Kenyan McDuffie

THURSDAY, FEBRUARY 27, 2014; Room 120	
Time	Agency
10:00 a.m. - End	Public Service Commission
	Office of People's Counsel
	Office of Employee Appeals
	Secretary of the District of Columbia

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Ronan Gulstone, rgulstone@dccouncil.us or by calling 202-478-2456.

COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY

Chairperson Tommy Wells

FRIDAY, FEBRUARY 28, 2014; COUNCIL CHAMBER (Room 500)	
Time	Agency
10:00 a.m. - End	Judicial Nomination Commission
	Metropolitan Police Department
	District of Columbia National Guard
	Homeland Security and Emergency Management Agency
	Office of Human Rights

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Tawanna Shuford, tshuford@dccouncil.us or by calling 202-724-7808.

COMMITTEE ON TRANSPORTATION & THE ENVIRONMENT

Chairperson Mary Cheh

FRIDAY, FEBRUARY 28, 2014; Room 412	
Time	Agency
11:00 a.m.	Department of Motor Vehicles
1:00 p.m.	Department of Public Works

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Aukima Benjamin, abenjamin@dccouncil.us or by calling 202-724-8062.

COMMITTEE OF THE WHOLE

Chairman Phil Mendelson

FRIDAY, FEBRUARY 28, 2014; Room 120	
Time	Agency
Noon - 4:00 p.m.	Metropolitan Washington Airports Authority
	Metropolitan Washington Council of Governments
	District of Columbia Auditor
	Office of Budget and Planning
	Office of Labor Relations & Collective Bargaining

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Renee Johnson, rjohnson@dccouncil.us or by calling 202-724-8196.

COMMITTEE ON TRANSPORTATION & THE ENVIRONMENT Chairperson Mary Cheh

MONDAY, MARCH 3, 2014; COUNCIL CHAMBER (Room 500)	
Time	Agency
11:00 a.m. - End	Pedestrian Advisory Council
	Bicycle Advisory Council
	Department of Transportation

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Aukima Benjamin, abenjamin@dccouncil.us or by calling 202-724-8062.

COMMITTEE ON THE JUDICIARY AND PUBLIC SAFETY Chairperson Tommy Wells

MONDAY, MARCH 3, 2014; Room 123	
Time	Agency
10:00 a.m. - End	Commission on Judicial Disabilities and Tenure
	Department of Corrections
	Office of Returning Citizens
	Corrections Information Council
	Department of Forensic Sciences
	Office of the Chief Medical Examiner

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Tawanna Shuford, tshuford@dccouncil.us or by calling 202-724-7808.

COMMITTEE OF THE WHOLE Chairman Phil Mendelson

WEDNESDAY, MARCH 5, 2014; COUNCIL CHAMBER (Room 500)	
Time	Agency
9:30 a.m. - 6:00 p.m.	Contract Appeals Board
	Retirement Board
	Retiree Health Contribution
	Teacher's Retirement System
	Police Officers' and Firefighters' Retirement System
	Office of Zoning
	Office of Planning

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Jessica Jacobs, jjacobs@dccouncil.us or by calling 202-724-8196.

COMMITTEE ON HEALTH Chairperson Yvette Alexander

WEDNESDAY, MARCH 5, 2014; Room 412	
Time	Agency
10:00 a.m. - End	Department of Behavioral Health
	Not-for-Profit-Hospital Corporation

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Rayna Smith, rsmith@dccouncil.us or by calling 202-741-2111.

COMMITTEE ON HUMAN SERVICES Chairperson Jim Graham

WEDNESDAY, MARCH 5, 2014; Room 123	
Time	Agency
11:00 a.m.	Office of Disability Rights
2:00 p.m.	Department of Disability Services

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Malcolm Cameron, mcameron@dccouncil.us or by calling 202-724-8191.

COMMITTEE ON GOVERNMENT OPERATIONS **Chairperson Kenyan McDuffie**

THURSDAY, MARCH 6, 2014; COUNCIL CHAMBER (Room 500)	
Time	Agency
10:00 a.m. - End	Department of Human Resources
	Board of Elections
	Office of Campaign Finance

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Ronan Gulstone, rgulstone@dccouncil.us or by calling 202-478-2456.

COMMITTEE ON EDUCATION **Chairperson David Catania**

THURSDAY, MARCH 6, 2014; Room 412	
Time	Agency
10:00 a.m. - End	Public Charter School Board
	Public Charter Schools

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Jamaal Jordan, jjordan@dccouncil.us or by calling 202-724-8061.

COMMITTEE ON HEALTH **Chairperson Yvette Alexander**

THURSDAY, MARCH 6, 2014; Room 120	
Time	Agency
10:00 a.m. - End	Department of Healthcare Finance

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Rayna Smith, rsmith@dccouncil.us or by calling 202-741-2111.

COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY **Chairperson Tommy Wells**

FRIDAY, MARCH 7, 2014; COUNCIL CHAMBER (Room 500)	
Time	Agency
10:00 a.m. - End	Sentencing and Criminal Code Revision Commission
	Fire and Emergency Medical Services
	Office of Police Complaints
	Criminal Justice Coordinating Council
	Deputy Mayor for Public Safety and Justice

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Ms. Tawanna Shuford, tshuford@dccouncil.us or by calling 202-724-7808.

COMMITTEE ON HEALTH **Chairperson Yvette Alexander**

FRIDAY, MARCH 7, 2014; Room 412	
Time	Agency
10:00 a.m.	Department of Health
	Department of Health Professional Licensing Boards

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Rayna Smith, rsmith@dccouncil.us or by calling 202-741-2111.

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

NOTICE OF PUBLIC OVERSIGHT ROUNDTABLE ON

**A Proposal to Add a Bus Shelter
Near Alice Deal Middle School**

Thursday, February 6, 2014
from 4:00 p.m. to 5:00 p.m.
in Room 412 of the
John A. Wilson Building
1350 Pennsylvania Avenue, NW
Washington, DC 20004

On Thursday, February 6, 2014, Councilmember Mary M. Cheh, Chairperson of the Committee on the Transportation and the Environment, will hold a public oversight roundtable on a proposal to add a bus shelter near Alice Deal Middle School. The Roundtable will begin at 4:00 p.m. in Room 412 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W.

The purpose of this hearing is to receive a proposal from the Alice Deal Middle School Student Council on adding a bus shelter on Nebraska Avenue near the school. The District Department of Transportation is responsible for bus shelters in the District and will be testify in response to the Deal Student Council's proposal.

The Committee invites the public to testify or to submit written testimony, which will be made a part of the official Hearing 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 February 20, 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
JIM GRAHAM, CHAIRPERSON****ANNOUNCES A PUBLIC OVERSIGHT ROUNDTABLE ON****“SHELTER PROVISIONS FOR HOMELESS FAMILIES DURING THE 2013-
2014 HYPOTHERMIA SEASON”****MONDAY, FEBRUARY 3, 2014 -- 11:00 A.M.****ROOM 500
THE JOHN A. WILSON BUILDING
1350 PENNSYLVANIA AVENUE, N.W.
WASHINGTON, D.C. 20004**

Councilmember Jim Graham, Chairperson of the Committee on Human Services, announces the **rescheduling** of the public oversight roundtable on “Shelter Provisions for Homeless Families During the 2013-2014 Hypothermia Season.” The roundtable will be held on Monday, February 3, 2014, at 11:00 a.m., in Room 500, of the John A. Wilson Building. **This revised notice reflects a change in the date of the roundtable.**

According to Emergency Shelter Nightly Census administered by The Community Partnership for the Prevention of Homelessness, as of January 15, 2014, there were 280 homeless families at DC General Shelter and 349 families in motel placements. The purpose of this roundtable is to discuss the Department of Human Services’ plan to ensure that homeless families in emergency shelter are receiving adequate case management, transportation, and other support services. The roundtable will also focus on the agency’s exit strategy for families in emergency shelter.

Those who wish to testify or have questions regarding the roundtable should contact Malcolm Cameron of the Committee on Human Services by e-mail at mcameron@dccouncil.us or by telephone at (202) 724-8191. E-mail contacts to Mr. Cameron should include the residential ward, full name, title, and affiliation -- if applicable -- of the person(s) testifying. Witnesses should bring 15 copies of their testimony to the roundtable. Representatives of organizations will be allowed a maximum of five (5) minutes for oral presentation and individuals will be allowed a maximum of three (3) minutes for oral presentation.

If you are unable to testify at the roundtable, written statements are encouraged and will be made a part of the official record. Copies of written statements should be submitted to the Committee on Human Services, 1350 Pennsylvania Avenue, N.W., Suite 116, Washington, D.C. 20004, no later than 6:00 p.m., Thursday, February 13, 2014.

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: January 31, 2014
Petition Date: March 17, 2014
Hearing Date: March 31, 2014

License No.: ABRA-021925
Licensee: Jaime T. Carillo
Trade Name: Don Jaime
License Class: Retailer’s Class “C” Restaurant
Address: 3209 Mt Pleasant, NW
Contact: Jaime Carillo 202-232-3875

WARD 1 ANC 1D SMD 1D04

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.

NATURE OF OPERATION

License Class Change from CR to CT

HOURS OF OPERATION

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

SALES/SERVICE/CONSUMPTION OF ALCOHOLIC BEVERAGE

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

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: January 31, 2014
Petition Date: March 17, 2014
Hearing Date: March 31, 2014

License No.: ABRA-085626
Licensee: Public Tenley PGT, LLC
Trade Name: Public
License Class: Retail Class "C" Restaurant
Address: 4611 41st Street, NW
Contact: Jeff Jackson 202-251-1566

WARD 3 ANC 3E SMD 3E01

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.

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

Request a class change from Class "C" Restaurant license to Class "C" Tavern license

HOURS OF OPERATION AND ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION

Sunday 10am - 1am, Monday through Thursday 5pm - 1am, Friday and Saturday 5pm - 3am

HOURS OF LIVE ENTERTAINMENT OCCURRING OR CONTINUING AFTER 6PM

Sunday through Thursday 6pm - 1am, Friday and Saturday 6pm - 3am

HOURS OF OPERATION AND ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION/ SUMMER GARDEN #1

Sunday 10am - 12am, Monday through Thursday 5pm - 12am, Friday and Saturday 5pm - 1am

HOURS OF OPERATION AND ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION/ SUMMER GARDEN #2

Sunday 10am - 2am, Monday through Thursday 5pm - 2am, Friday and Saturday 5pm - 3am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: January 31, 2014
Petition Date: March 17, 2014
Hearing Date: March 31, 2014

License No.: ABRA-071717
Licensee: 1900 M Restaurant Associates, Inc.
Trade Name: Rumors Restaurant
License Class: Retailer "C" " Nightclub
Address: 1900 M Street, NW
\Contact: Andrew Kline: 202-686-7600

WARD 2 ANC 2B SMD 2B06

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, 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.

NATURE OF OPERATION

Retailer Class "C" NIGHTCLUB with total occupancy load 100 and SIDEWALK CAFÉ ENDORSEMENT

Requesting to increase seating capacity for Unenclosed Patio to 32 SEATS and Enclosed Patio SEATS to 56

HOURS OF OPERATON FOR SIDEWALK CAFE

Sunday through Thursday: 11:30am- 2am, Friday and Saturday: 11:30am-3am.

HOURS OF SALES/SERVICE/CONSUMPTION OF ALCOHOLIC BEVERAGES FOR SIDEALK CAFE

Sunday through Thursday: 11:30am-2am, Friday and Saturday:11:30am-3am

HOURS OF OPERATION AND HOURS OF SALES/SERVICE/CONSUMPTION OF ALCOHOLIC BEVERAGES

Sunday through Thursday: 11:30am- 2am, Friday and Saturday: 11:30am-3am.

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

**NOTICE OF PUBLIC HEARINGS
CALENDAR**

**WEDNESDAY, FEBRUARY 5, 2014
2000 14TH STREET, N.W., SUITE 400S
WASHINGTON, D.C. 20009**

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

Protest Hearing (Status)	9:30 AM
Case # 13-PRO-00161; The Fireplace Restaurant t/a The Fireplace, 2161 P Street NW, License #14419, Retailer CT, ANC 2B	
Renewal Application	
Protest Hearing (Status)	9:30 AM
Case # 13-PRO-00152; Soloman Enterprises, LLC, t/a Climax Restaurant and Hookah Bar, 900 Florida Ave NW, License #88290, Retailer CT, ANC 1B	
Renewal Application	
Show Cause Hearing (Status)	9:30 AM
Case # 12-CMP-00680, # 12-251-00316, # 12-251-00316(a) and #13-251-00072; The Stadium Group, LLC, t/a Stadium, 2127 Queens Chapel Road NE License #82005, Retailer CN, ANC 5C	
Operating After Hours, Provided "Back-up Drinks", Noise Violation, Provided False or Misleading Information, Failed to Follow Security Plan, Violation of Special Event Safety/Security Plan, Violated the Portion of your Special Event Safety/Security Plan, Allowed the Establishment to be Used for an Unlawful or Disorderly Purpose, Violation of Settlement Agreement, Failed to Provide Accurate Information to an Investigator	
Fact Finding Hearing	9:30 AM
Pub Crawl, Date of Event: February 15, 2014, Applicant: Kevin Kirk Event Name: Snow Day Presidential Bar Crawl, Neighborhood: Dupont Circle, Size of Event: 2000 <i>The names of the establishments participating in the Pub Crawl are available upon request.</i>	
Fact Finding Hearing*	9:30 AM
Terminal Alley, LLC, t/a Terminal Alley, 3701 Benning Road NE, License #93983, Retailer CT, ANC 7F	
Review of License Application	

Board's Calendar

February 5, 2014

Show Cause Hearing*

10:00 AM

Case # 12-AUD-00058(a); Lalibela, Inc., t/a Lalibella Ethiopian Restaurant
1415 14th Street NW, License #23745, Retailer CR, ANC 2F

Failed to Qualify as a Restaurant, Failed to Maintain Books and Records

Show Cause Hearing*

11:00 AM

Case # 11-CMP-00385; Saigon Bistro, LLC, t/a Saigon Bistro, 2153 P Street
NW, License #81175, Retailer CR, ANC 2B

Failed to File Quarterly Statements (2nd Quarter 2011)

BOARD RECESS AT 12:00 PM

ADMINISTRATIVE AGENDA

1:00 PM

Protest Hearing*

1:30 PM

Case # 13-PRO-00065; GBP, LLC, t/a Tackle Box, 3245 M Street NW,
License #84952, Retailer CR, ANC 2E

Renewal Application

Protest Hearing*

4:30 PM

Case # 13-PRO-00066; Pure Hospitality, LLC, t/a Bandolero, 3241 M Street
NW, License #75631, Retailer CR, ANC 2E

Renewal Application

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

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: January 31, 2014
Petition Date: March 17, 2014
Hearing Date: March 31, 2014

License No.: ABRA-090582
Licensee: Gypsy Sally’s Acoustic Tavern, LLC
Trade Name: Gypsy Sally’s
License Class: Retail Class “C” Restaurant
Address: 3401 K St. NW
Contact: Karen Ensor 202-333-7700

WARD 2

ANC 2E

SMD 2E05

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

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

Request a class change from Class CR license to Class CT license

HOURS OF OPERATION

Sunday through Tuesday 7 am – 12 am, Wednesday through Saturday 7 am – 2 am

HOURS OF ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION

Sunday through Tuesday 8 am – 12 am, Wednesday through Saturday 8 am – 2 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: January 31, 2014
Petition Date: March 17, 2014
Hearing Date: March 31, 2014
Protest Hearing Date: May 21, 2014

License No.: ABRA-094107
Licensee: New York Avenue Beach Bar LLC
Trade Name: Halftime Sports Bar
License Class: Retailer’s Class “C” Tavern
Address: 1427 H Street NE Washington, DC 20002
Contact: Karl Graham 240-832-8526

WARD 6

ANC 6A

SMD 6A06

Notice is hereby given that this applicant has applied for a license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such license on the hearing date at 10:00 am, 2000 14th Street, N.W., 400 South, Washington, DC 20009. Petitions and/or requests to appear before the Board must be filed on or before the petition date. The Protest Hearing Date is scheduled for May 21, 2014 at 1:30pm.

NATURE OF OPERATION

This is a new “C” Tavern. Sports Bar with sports shows on TV’s throughout the bar. Food to be served will be french fries, hamburgers and chicken wings.

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

Sunday from 10am - 2am, Monday through Thursday 12pm – 2am, Friday from 12pm – 3am and Saturday from 10am to 3am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: January 31, 2014
Petition Date: March 17, 2014
Hearing Date: March 31, 2014

License No.: ABRA-83707
Licensee: GF, INC.
Trade Name: II CANALE
License Class: Retailer "C" "Restaurant"
Address: 1063 31st Street, NW
\Contact: Paul Pascal: 202-544-5839

WARD 2 ANC 2E SMD 2E05

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, 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.

NATURE OF OPERATION

Retailer Class "C" Restaurant with occupancy load of 88 including ENTERTAINMENT, SIDEWALK CAFÉ and SUMMER GARDEN. Requesting to expand into 1065 31st Street, NW. 1st and 2nd floors and Sidewalk Café increase to 30 seats. Summer Garden increase to 150 seats. Increases total Seating Occupancy Load to 442. Seating to 56.

HOURS OF OPERATION FOR SIDEWALK CAFE

Sunday through Saturday: 11am-2am.

HOURS OF SALES/SERVICE/CONSUMPTION OF ALCOHOLIC BEVERAGES FOR SIDEALK CAFE

Sunday through Saturday: 11am-2am.

HOURS OF OPERATION AND HOURS OF SALES/SERVICE/CONSUMPTION OF ALCOHOLIC BEVERAGES

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

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

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

ENTERTAINMENT HOURS

Sunday through Saturday: 11am-10pm

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

Posting Date: January 31, 2014
Petition Date: March 17, 2014
Hearing Date: March 31, 2014
Protest Date: May 21, 2014

License No.: ABRA-093795
Licensee: Ivy City Tavern, Inc.
Trade Name: Ivy City Tavern
License Class: Retail Class "C" Tavern
Address: 1356 Okie Street, N.E.
Contact: Jonathan L. Framer, 202 744-9496

WARD 5

ANC 5D

SMD 5D01

Notice is hereby given that this applicant has applied for a license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such license on the Hearing Date at 10:00 am, 2000 14th Street, N.W., 400 South, Washington, DC 20009. Petitions and/or requests to appear before the Board must be filed on or before the Petition Date. The Protest Hearing Date is scheduled for 1:30pm on May 21, 2014 .

NATURE OF OPERATION

New Tavern. Seafood base menu. Entertainment with dancing, live bands, cover charge and DJ. Occupancy load is 49. Summer Garden.

HOURS OF OPERATON

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

HOURS OF SALES/SERVICE/CONSUMPTION

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

HOURS OF OPERATON FOR SUMMER GARDEN (25 SEATS)

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

HOURS OF SALES/SERVICE/CONSUMPTION OF SUMMER GARDEN

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

HOURS OF ENTERTAINMENT INSIDE AND SUMMER GARDEN

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

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

Posting Date: January 31, 2014
Petition Date: March 17, 2014
Hearing Date: March 31, 2014

License No.: ABRA-060144
Licensee: Malaysian Kopitiam Inc.
Trade Name: Malaysia Kopitiam
License Class: Retailer's Class "C" Tavern
Address: 1827 M Street, NW
Contact: Chong Phoen 202-833-6232

WARD 2

ANC 2B

SMD 2B06

Notice is hereby given that this applicant has applied for a license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such 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.

NATURE OF OPERATION

Change of Hours Request

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

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

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: January 31, 2014
Petition Date: March 17, 2014
Hearing Date: March 31, 2014

License No.: ABRA-082211
Licensee: Local 11, LLC
Trade Name: Maple
License Class: Retailer’s Class “C” Tavern
Address: 3418 11th St. NW
Contact: Lori Roberson 202-486-5857

WARD 1 ANC 1A SMD 1A07

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 is requesting to expand to the adjacent ground level space increasing the seating capacity to 66, use of the second floor with 18 seats and increase outdoor seating capacity on side walk cafe to 34 seats.

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

Sunday 10 am – 2 am, Monday through Thursday 11:30 am – 2 am and Friday & Saturday 11:30 am – 3 am

HOOR OF SIDEWALK CAFÉ

Sunday 10 am – 11 pm, Monday through Thursday 11:30 am – 11 pm and Friday & Saturday 11:30 am – 12 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: January 31, 2014
Petition Date: March 3, 2014
Hearing Date: March 17, 2013
Protest Hearing Date: May 7, 2014

License No.: ABRA-093948
Licensee: Pinnacle Consumption, LLC
Trade Name: TBD
License Class: Retailer's Class "C" Tavern
Address: 716 Monroe Street NE
Contact: Erin Sharkey 202-686-7000

WARD 5 ANC 5E SMD 5E01

Notice is hereby given that this applicant has applied for a license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such license on the hearing date at 10:00 am, 2000 14th Street, N.W., 400 South, Washington, DC 20009. Petitions and/or requests to appear before the Board must be filed on or before the petition date. The Protest Hearing Date is scheduled for May 7, 2014 at 1:30-pm.

NATURE OF OPERATION

This is new restaurant with a summer garden serving classic American food. No entertainment, no dancing, and no nude performances. Total # of seats is 165 and the occupancy Load is 199. Total # of summer garden seats is 48.

HOURS OF OPERATION

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

HOURS OF ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION

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

HOURS OF OPERATION FOR THE SUMMER GARDEN

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

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

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

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: January 31, 2014
Petition Date: March 17, 2014
Hearing Date: March 31, 2014

License No.: ABRA-084113
Licensee: GC Latin Productions, LLC
Trade Name: Sabor Latino Bar & Grill
License Class: Retail Class "C" Restaurant
Address: 3910 14th Street, NW
Contact: Erin Sharkey 202-686-7600

WARD 4

ANC 4C

SMD 4C04

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.

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

Request a class change from Class "C" Restaurant license to Class "C" Tavern license

HOURS OF OPERATION AND ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION

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

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

Sunday through Saturday 11am - 11:30pm

HOURS OF LIVE ENTERTAINMENT OCCURING OR CONTINUING AFTER 6PM

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

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
1/31/2014

Notice is hereby given that:

License Number: ABRA-082005

License Class/Type: C Nightclub

Applicant: The Stadium Group LLC

Trade Name: Stadium

ANC: 5C

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

2127 QUEENS CHAPEL RD NE, WASHINGTON, DC 20018

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

3/17/2014

HEARING WILL BE HELD ON

3/31/2014

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

ENDORSEMENTS: Summer Garden

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	11 am - 3 am	11 am - 2 am	-
Monday:	11 am - 3 am	11 am - 2 am	-
Tuesday:	11 am - 3 am	11 am - 2 am	-
Wednesday:	11 am - 3 am	11 am - 2 am	-
Thursday:	11 am - 3 am	11 am - 2 am	-
Friday:	11 am - 4 am	11 am - 3 am	-
Saturday:	11 am - 4 am	11 am - 3 am	-

Days	Hours of Summer Garden Operation	Hours of Sales Summer Garden
Sunday:	11 am - 2 am	11 am - 2 am
Monday:	11 am - 2 am	11 am - 2 am
Tuesday:	11 am - 2 am	11 am - 2 am
Wednesday:	11 am - 2 am	11 am - 2 am
Thursday:	11 am - 2 am	11 am - 2 am
Friday:	11 am - 3 am	11 am - 3 am
Saturday:	11 am - 3 am	11 am - 3 am

****Correction****

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: January 24, 2014
Petition Date: March 10, 2014
Hearing Date: March 24, 2014

License No.: ABRA-072512
Licensee: Sweet Mango Cafe Corporation
Trade Name: Sweet Mango Cafe
License Class: Retailer’s Class “C” Restaurant
Address: 3701 New Hampshire Avenue, NW
Contact: Reginald James 202-726-2646

WARD 4

ANC 4C

SMD 4C08

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

NATURE OF SUBSTANTIAL CHANGE

Request is for a new Entertainment Endorsement. The Premise capacity is 200.

CURRENT HOURS OF OPERATION/ SUMMER GARDEN

Sunday through Thursday 10 am – 12 am Friday and Saturday 10 am -2 am

CURRENT SALES/SERVICE/CONSUMPTION/SUMMER GARDEN

Sunday through Thursday 11 am – 12 am Friday and Saturday 11 am -2 am

HOURS OF ENTERTAINMENT - DANCING AND COVER CHARGE

Sunday through Thursday 6 pm – 12 am Friday and Saturday 6 pm – 2 am

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
1/31/2014**

Notice is hereby given that:

License Number: ABRA-085003

License Class/Type: C Restaurant

Applicant: American Arab Communication
and Translation Center, LLC

Trade Name: Zenobia Lounge

ANC: 2E05

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

1025 31ST ST NW, WASHINGTON, DC 20007

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

3/17/2014

HEARING WILL BE HELD ON

3/31/2014

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

ENDORSEMENTS:

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	10 am - 1 am	10 am -1 am	-
Monday:	10 am - 1 am	10 am - 1 am	-
Tuesday:	10 am - 1 am	10 am - 1 am	-
Wednesday:	10 am - 1 am	10 am - 1 am	-
Thursday:	10 am - 1 am	10 am - 1 am	-
Friday:	10 am - 2 am	10 am - 2 am	-
Saturday:	10 am - 2 am	10 am - 2 am	-

DEPARTMENT OF BEHAVIORAL HEALTH

NOTICE OF FINAL RULEMAKING

The Director of the Department of Behavioral Health (“the Department”), pursuant to the authority set forth in Sections 5113, 5115, 5117 and 5118 of the Fiscal Year 2014 Budget Support Congressional Review Emergency Act of 2013, signed October 17, 2013 (D.C. Act 20-0204; 60 DCR 15341), and the similar succeeding legislation, hereby gives notice of his intent to adopt a new Chapter 56 to be entitled “Supported Independent Living — Reimbursement”, of Subtitle A (Mental Health) of Title 22 (Health) of the District of Columbia Municipal Regulations (DCMR).

The Department provides Supported Independent Living Services to individuals enrolled in the public mental health system. The basic goal of Supported Independent Living (SIL) services and supports is to provide a safe, home setting that includes community support within the consumers’ living environment, and allows consumers to recover from their mental illness while living independently on their own. In addition, SIL services provide assistance to consumers in moving forward and in transitioning to a less restrictive living environment with training in life skills activities, home management, community services, and supports that are provided through a comprehensive continuum of care on an individual, flexible recovery driven basis. This type of SIL is appropriate for consumers that require limited assistance and supervision in personal care. SIL services include weekly home visits and monitoring conducted to provide every opportunity for the consumer to be successful in living independently within the community.

This rule establishes the reimbursement requirements and rates for those qualified Supported Independent Living providers which have contracted with the Department to provide SIL services to those consumers who have been determined to need SIL supports.

The proposed rulemaking was published on November 8, 2013, in the *D.C. Register* at 60 DCR 015566. No comments were received and no changes have been made to the proposed amendments as published. The Department of Behavioral Health took final action on the amendments on January 6, 2014. These amendments will become effective on the date of publication of this notice in the *D.C. Register*.

Subtitle A (Mental Health) of Title 22 (Health) of the District of Columbia Municipal Regulations is amended by adding a new Chapter 56 (Supported Independent Living Program – Reimbursement) to read as follows:

CHAPTER 56 SUPPORTED INDEPENDENT LIVING PROGRAM - REIMBURSEMENT

5600 PURPOSE

5600.1 This chapter establishes the daily reimbursement rate for the Supported Independent Living (SIL) service. Establishment of a daily reimbursement rate will allow the Department of Behavioral Health (Department) to contract with

providers who enter into a contract with the Department to provide SIL supportive services for specific consumers at an established rate.

5600.2 Nothing in this chapter grants any right or entitlement to reimbursement to an SIL provider for the costs of SIL services. Eligibility for reimbursement for SIL services is determined solely by the Human Care Agreement (HCA) contract between the Department and the SIL provider and is subject to the availability of appropriated funds.

5601 REIMBURSEMENT RATE

5601.1 The SIL rate is as set forth below:

SERVICE	RATE	UNIT
Supported Independent Living	\$13.50	Daily

5602 ELIGIBILITY

5602.1 A qualified SIL provider must be a Department-certified Mental Health Rehabilitation Services (MHRS) provider in good standing, maintain a valid Certificate of Occupancy that authorizes the number of housing units to be provided for SIL and have a valid business license on file with the Department’s Office of Accountability.

5603 SUBMISSION OF CLAIM; PAYMENT OF VOUCHER

5603.1 In order for claims to be eligible for reimbursement, the MHRS provider shall:

- (a) Submit claims through the Department’s electronic billing system pursuant to this chapter, the Department’s billing policy, and the terms of the HCA between the Department and the MHRS provider; and
- (b) Complete appropriate documentation to support all claims under its HCA with the Department and shall retain such documentation for a minimum of six (6) years or longer if necessary to ensure the completion of any audit.

5603.2 The Department will reimburse an MHRS provider for a claim that is determined by the Department to be eligible for reimbursement pursuant to the terms of this chapter, applicable Department policies, and the HCA between the Department and the MHRS provider, subject to the availability of appropriated funds.

5604 AUDITS

5604.1 An SIL provider shall, upon the request of the Department, cooperate in any audit or investigation concerning the SIL. Failure to cooperate or to provide the

necessary information and documentation shall result in recoupment of the reimbursement and may result in other actions available to the Department pursuant to applicable policies and the HCA.

5699 DEFINITIONS

5699.1 When used in this chapter, the following terms shall have the meaning ascribed:

Consumer - Adult, child, or youth who seeks or receives mental health services or mental health supports funded or regulated by the Department.

Mental Health Rehabilitation Services or “**MHRS**” - Mental health rehabilitative or palliative services provided by a Department-certified community mental health provider in accordance with the District of Columbia State Medicaid Plan, the provider’s Human Care Agreement with the Department and Chapter 34 of this title.

MHRS provider - An organization certified by the Department to provide MHRS. MHRS provider includes Core Service Agencies, sub-providers, and specialty providers.

Supported Independent Living or “**SIL**” - Housing designed for individuals who have an ability to engage with others and in community activities. The goal of this level of care is to teach consumers how to manage their illness and enhance skills in activities of daily living in order to live safely in the community.

CHILD AND FAMILY SERVICES AGENCY

NOTICE OF FINAL RULEMAKING

The Director of the Child and Family Services Agency, acting pursuant to the authority set forth in Section 601(d) of the Prevention of Child Abuse and Neglect Act of 1977, effective September 23, 1977 (D.C. Law 2-22; D.C. Official Code § 4-1303.03(a-1)(12) (2012 Repl. & 2013 Supp.), Section 601(d) of the Families Together Amendment Act of 2010, effective September 24, 2010 (D.C. Law 18-228; D.C. Official Code § 4-1306.01(d) (2012 Repl. & 2013 Supp.)) (Act), and Mayor’s Order 2010-185, dated December 27, 2010, hereby gives notice of the adoption of a new Chapter 85, entitled “Family Assessments in Child Welfare” to Title 29 (Public Welfare) of the District of Columbia Municipal Regulations (DCMR).

The rules provide the procedure for referring a family for a family assessment in lieu of an investigation in response to certain reports of abuse or neglect.

A Notice of Proposed Rulemaking was published in the *D.C. Register* on November 25, 2011 at 58 DCR 10001. Written comments were received from the public in connection with this publication and one technical change was made in Section 8501.4, which incorrectly referred to § 8501.1 rather than § 8501.2. The proposed rulemaking was submitted to the Council on June 24, 2013, for a 30 day period of review, as required by D.C. Official Code § 4-1306.01(d). As the 30 day review period expired without action by the Council to approve or disapprove the proposed rules, the proposed rules have been deemed approved. Final action to adopt these rules was taken on December 18, 2013.

These rules will take effect immediately upon publication of this notice in the *D.C. Register*.

Title 29, PUBLIC WELFARE, of the DCMR is amended by adding a new Chapter 85, FAMILY ASSESSMENTS IN CHILD WELFARE, to read as follows:

CHAPTER 85 FAMILY ASSESSMENTS IN CHILD WELFARE

- 8500 PURPOSE
- 8501 FAMILY ASSESSMENT
- 8599 DEFINITIONS

8500 PURPOSE

8500.1 The purpose of this chapter is to allow the Agency to respond to specific allegations of child abuse or neglect with a family assessment response.

8501 FAMILY ASSESSMENT

8501.1 A family assessment is an evaluation, for the purpose of developing a service plan, to determine:

- (a) A family's strengths and needs;
- (b) The safety of any children in the home, including assessing whether there exists a risk of abuse or neglect of any child, but excluding a determination as to whether a report of abuse or neglect is substantiated, inconclusive, or unfounded;
- (c) A family's ability to function as a cohesive unit; and
- (d) A family's access to resources.

8501.2 The Agency may conduct a family assessment in response to a report of suspected child abuse or neglect, if the report does not involve:

- (a) Child fatality;
- (b) Suspected sex abuse; or
- (c) Circumstances causing the Agency to suspect that a child is at imminent risk of or has experienced abuse or neglect that the Agency determines to be severe.

8501.3 If the Agency determines that a family assessment should be conducted:

- (a) The assessment shall begin as soon as possible but no later than five (5) days after the Agency receives the report of suspected abuse or neglect; and
- (b) The Agency shall see the child and all other children in the household within five (5) days of receiving the report of suspected abuse or neglect.

8501.4 If at any time the Agency determines that the circumstances outlined in § 8501.2 exist, a report referred for a family assessment shall be re-referred to the Agency for an investigation.

8501.5 The family's cooperation with the family assessment shall be voluntary.

8501.6 If the Agency determines that the family needs services, the Agency shall assist the family in obtaining these services.

8501.7 A family's acceptance of services offered as a result of the family assessment shall be voluntary.

8599 DEFINITIONS

8599.1 The following term shall have the meaning ascribed below:

Agency – the D.C. Child and Family Services Agency.

DEPARTMENT OF HEALTH CARE FINANCE

NOTICE OF FINAL RULEMAKING

The Director of the Department of Health Care Finance (DHCF), pursuant to the authority set forth in an Act to enable the District of Columbia to receive federal financial assistance under Title XIX of the Social Security Act for a medical assistance program, and for other purposes, approved December 27, 1967 (81 Stat. 774; D.C. Official Code § 1-307.02 (2012 Repl. & 2013 Supp.)), and in Section 6(6) of the Department of Health Care Finance Establishment Act of 2007, effective February 27, 2008 (D.C. Law 17-109; D.C. Official Code § 7-771.05(6) (2012 Repl.)), hereby gives notice of his intent to adopt an amendment to Title 29 (Public Welfare) of the District of Columbia Municipal Regulations (“DCMR”). The amendment will repeal Section 942, entitled “Family Training Services”, of Chapter 9 (Medicaid Program), and adopt a new Section 1924, entitled “Family Training Services”, of Chapter 19 (Home and Community-Based Waiver for Individuals with Intellectual and Developmental Disabilities).

These final rules establish standards governing reimbursement for professionals who provide family training services to caregivers of participants in the Home and Community-Based Waiver for Individuals with Intellectual and Developmental Disabilities (“ID/DD Waiver”), and conditions of participation for the Medicaid providers employing family training services professionals.

The ID/DD Waiver was approved by the Council of the District of Columbia and renewed by the U.S. Department of Health and Human Services, Centers for Medicaid and Medicare Services for a five-year period beginning November 20, 2012. Family training services are training, counseling, and other professional support services offered to the families of persons enrolled in the ID/DD Waiver or to other uncompensated persons providing support to an ID/DD Waiver participant. These amend the previously published final rules by: (1) deleting Section 942 and codifying the rules in a new Section 1924; (2) specifying the authorization requirements to obtain reimbursement for family training services; and (3) specifying various family training services utilization and monitoring requirements, including documents to be maintained for auditing.

A Notice of Emergency and Proposed rulemaking was published in the *D.C. Register* on November 29, 2013 at 60 DCR 16332. No comments were received. The Director adopted these rules on January 24, 2014 and they shall become effective on the date of publication of this notice in the *D.C. Register*.

Section 942 (Family Training Services) of Chapter 9 (Medicaid Program) of Title 29 (Public Welfare) of the DCMR is repealed.

A new Section 1924 (Family Training Services) is added to Chapter 19 (Home and Community-Based Services for Individuals with Intellectual and Developmental Disabilities) of Title 29 (Public Welfare) of the DCMR to read as follows:

1924 FAMILY TRAINING SERVICES

- 1924.1 This section shall establish conditions of participation for Medicaid providers enumerated in § 1924.9 (“Medicaid Providers”) and family training services professionals enumerated in § 1924.8 (“professionals”) to provide family training services to caregivers of persons enrolled in the Home and Community-Based Services Waiver for Persons with Intellectual and Developmental Disabilities (ID/DD Waiver).
- 1924.2 Family training services are training, counseling, and other professional support services offered to uncompensated caregivers who provide support, training, companionship, or supervision to persons enrolled in the ID/DD Waiver.
- 1924.3 Uncompensated caregivers include any family member, neighbor, friend, companion, or co-worker who regularly provides uncompensated care to the person.
- 1924.4 In order to be eligible for reimbursement, each Medicaid provider must obtain prior authorization from the Department on Disabilities Services (DDS) prior to providing, or allowing any professional to provide, family training services. In its request for prior authorization, the Medicaid provider shall document the following:
- (a) The ID/DD Waiver participant’s need for additional, uncompensated support;
 - (b) The family training services professional who will provide the family training services; and
 - (c) The individual caregivers who will receive the family training services.
- 1924.5 In order to be eligible for Medicaid reimbursement, each family training services professional shall conduct an assessment of family training needs within the first four (4) hours of service delivery, and shall develop a training plan with training goals and techniques that will assist the ID/DD Waiver participant’s unpaid caregivers. The training plan shall include measurable outcomes and a schedule of approved family training services to be provided, and shall be submitted by the Medicaid provider to DDS before services are delivered.
- 1924.6 In order to be eligible for Medicaid reimbursement, each Medicaid provider shall document the following in the ID/DD Waiver participant’s Individual Support Plan (ISP) and Plan of Care:
- (a) The date and amount of family training services provided;
 - (b) The nature of the family training services provided;
 - (c) The professional who provided the family training services; and
 - (d) The individual caregivers who received the family training services.

- 1924.7 Medicaid reimbursable family training services shall include the following activities:
- (a) Instruction about treatment regimens and other services included in the person's ISP and Plan of Care;
 - (b) Instruction on the use of equipment specified in the person's ISP and Plan of Care;
 - (c) Counseling aimed at assisting the unpaid caregiver in meeting the needs of the person; and
 - (d) Follow up training necessary to safely maintain the person at home.
- 1924.8 Medicaid reimbursable family training services shall be provided by the following professionals:
- (a) Special Education Teachers;
 - (b) Licensed Graduate Social Workers;
 - (c) Licensed Clinical Social Workers;
 - (d) Physical Therapists;
 - (e) Occupational Therapists;
 - (f) Registered Nurses; or
 - (g) Speech Pathologists.
- 1924.9 In order to be eligible for Medicaid reimbursement, each family training services professional shall be employed by the following Medicaid providers:
- (a) An ID/DD Waiver Provider enrolled by DDS; or
 - (b) A Home Health Agency as defined in Section 1999 of Chapter 19 of Title 29 of the DCMR.
- 1924.10 Each Medicaid provider shall comply with Section 1904 (Provider Qualifications) and Section 1905 (Provider Enrollment Process) of Chapter 19 of Title 29 of the DCMR.
- 1924.11 Each Medicaid provider shall maintain the following documents for monitoring and audit reviews:

- (a) A copy of the most recent DDS approved ISP and Plan of Care, which shall include the documentation required by § 1924.6;
 - (b) The training plan developed in accordance with the requirements of § 1924.5 ; and
 - (c) The documents required to be maintained under Section 1909 (Records and Confidentiality of Information) of Chapter 19 of Title 29 of the DCMR.
- 1924.12 Each Medicaid provider shall comply with Section 1908 (Reporting Requirements) and Section 1911 (Individual Rights) of Chapter 19 of Title 29 of the DCMR.
- 1924.13 Medicaid reimbursement shall not be available when family training services are provided concurrently with the following ID/DD Waiver services:
- (a) Supported living;
 - (b) Residential habilitation; or
 - (c) Host home without transportation.
- 1924.14 Medicaid reimbursable family training services shall not exceed a total of four (4) hours per day and one hundred (100) hours per year. Any hours in excess of these limits must be pre-approved by DDS pursuant to § 1924.15.
- 1924.15 In order to be eligible for Medicaid reimbursement, professionals requesting pre-approval from DDS to provide family training services in excess of four (4) hours per day and one hundred (100) hours per year must demonstrate the need for such services. The decision of DDS to approve or disapprove the request for additional services, in whole or in part, shall be final.
- 1924.16 The Medicaid reimbursement rate for family training services shall be sixty dollars (\$60) per hour. The billable unit of service for family training services shall be fifteen (15) minutes.

Section (1999) DEFINITIONS is amended to read as follows:

Special Education Teacher- An individual with a Master's Degree in Special Education from an accredited college or university and a teacher's certificate in the jurisdiction where services are provided.

Physical Therapist – An individual who is licensed to practice physical therapy pursuant to Section 501 of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C.

Official Code § 3-1205.01) or licensed to practice physical therapy in the jurisdiction where services are provided.

Occupational Therapist – An individual who is licensed to practice occupational therapy pursuant to the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1201 *et seq.*) or licensed to practice occupational therapy in the jurisdiction where services are provided.

DEPARTMENT OF HEALTH CARE FINANCE

NOTICE OF FINAL RULEMAKING

The Director of the Department of Health Care Finance (DHCF), pursuant to the authority set forth in an Act to enable the District of Columbia to receive federal financial assistance under Title XIX of the Social Security Act for a medical assistance program, and for other purposes, approved December 27, 1967 (81 Stat. 774; D.C. Official Code § 1-307.02 (2012 Repl. & 2013 Supp.)), and Section 6(6) of the Department of Health Care Finance Establishment Act of 2007, effective February 27, 2008 (D.C. Law 17-109; D.C. Official Code § 7-771.05(6) (2012 Repl.)), hereby gives notice of the adoption of an amendment to Chapter 7 (Medicaid Day Treatment Programs) of Title 29 (Public Welfare) of the District of Columbia Municipal Regulations (DCMR).

Medicaid day treatment programs, as defined in these rules, are nonresidential programs operated for the purpose of providing medically supervised day treatment services for the following individuals: (1) adults who are elderly; (2) adults who have a developmental disability; (3) adults who have mental disorders; and (4) infants and children who are aged three (3) or younger. Services may include therapeutic activities, occupational, physical and speech therapy, nutrition services and specialized services for individuals with intellectual and mental disabilities.

The U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services (CMS) has required the termination of all existing fee-for-service (FFS) day treatment services authorized under Chapter 7, Title 29 of the DCMR. Pursuant to this directive, DHCF has ceased enrollment for new beneficiaries into existing Medicaid fee-for-service day treatment programs effective January 1, 2013. DHCF and other District agencies developed transition plans and successfully transitioned many day treatment users to existing alternative services. Currently, DHCF and other District agencies are developing new service delivery models to address unmet needs. These rules will maintain DHCF's authority to cease enrollment of new beneficiaries into day treatment programs authorized under Chapter 7, Title 29 of the DCMR.

CMS has informed the District that DHCF must conform to the requirements of Title XIX of the Social Security Act by ceasing new enrollment into existing Medicaid FFS day treatment programs and by amending its State Plan for Medical Assistance. The District faces enforcement action if DHCF fails to conform to CMS requirements by maintaining its ban on new fee-for-service day treatment services. Such enforcement action could result in significant disallowances for claims paid under DHCF's existing day treatment program rules. Disallowances, in turn, would force DHCF to identify budget savings that could reduce services extended to current Medicaid beneficiaries.

A Notice of Second Emergency and Proposed Rulemaking was published in the *D.C. Register* on September 13, 2013 at 60 DCR 012959. No comments were received and no substantive changes have been made. The Director adopted these rules on January 10, 2014 and they shall become effective on the date of publication of this notice in the *D.C. Register*.

Chapter 7 (Medicaid Day Treatment Programs) of Title 29 (Public Welfare) of the DCMR is amended to read as follows:

Section 712 (Admission Procedures) is amended by adding a new Subsection 712.7 to read as follows:

712.7 Effective January 1, 2013, no provider shall accept a new admission to a day treatment program authorized pursuant to this chapter.

Section 714 (Special Admission Requirements for Mentally Retarded Persons) is amended by adding a new Subsection 714.8 to read as follows:

714.8 Effective January 1, 2013, no provider shall accept a new admission to a day treatment program authorized pursuant to this chapter.

Section 718 (Reimbursement Policy) is amended by adding a new Subsection 718.8 to read as follows:

718.8 All claims submitted to DHCF for day treatment services rendered to any new admission admitted to a day treatment program as described in Sections 712 and 714 on or after January 1, 2013 shall be denied.

Section 799 (Definitions) is amended by adding a new definition to read as follows:

New Admission: an individual is a new admission, on or after January 1, 2013, if that individual did not receive day treatment services between October 1, 2012 and December 31, 2012 from any day treatment provider under these rules. An individual who changes from one day treatment provider to another, on or after January 1, 2013, shall also be deemed a new admission under this rule.

DEPARTMENT OF HUMAN SERVICES

NOTICE OF FINAL RULEMAKING

The Director of the District of Columbia Department of Human Services (DHS), pursuant to authority set forth in Section 205 of the District of Columbia Public Assistance Act of 1982 (Public Assistance Act), as added September 10, 1985, effective April 6, 1982 (D.C. Law 6-35; D.C. Official Code § 4-202.05(a)(2012 Repl. & 2013 Supp.)) and Mayor's Order 1986-40, dated March 13, 1986, hereby gives notice of adoption of the amendment to Chapter 58 (Temporary Assistance of Needy Families) of Title 29 (Public Welfare) of the District of Columbia Municipal Regulations (DCMR).

The purpose of the rulemaking is to amend the definition of "minor" in 29 DCMR § 5899. This amendment will conform the definition of "minor" in the regulations with the amended definition of "minor" in Section 5052 of Fiscal Year 2014 Budget Support Emergency Amendment Act of 2013, signed July 30, 2013 (D.C. Act 20-130; 60 DCR 11384) (FY2014 BSEA), or similar succeeding legislation. The Council for the District of Columbia (Council) amended the definition of "minor" in the FY2014 BSEA so as to ensure that the District of Columbia's definition of "minor" is consistent with the federal law's definition of "minor" for purposes of Temporary Assistance for Needy Families. *See* 45 C.F.R. § 260.30.

The proposed rules were published in the *D.C. Register* on December 6, 2013, at 60 DCR 16659. No comments were received in response to the Notice of Proposed Rulemaking, and no changes have been made to the rules since published as proposed. The rules were adopted as final on January 16, 2014, and shall take effect upon publication of this notice in the *D.C. Register*.

Section 5899 (Definitions) of Section 58 (Temporary Assistance for Needy Families) of 29 DCMR is amended as follows:

The definition of "minor" is amended to read as follows:

"Minor" - a person who is:

- (a) Less than 18 years of age; or
- (b) Less than 19 years of age and is a full-time student in a secondary school (or in the equivalent level of vocational or technical training).

PUBLIC SERVICE COMMISSION OF THE DISTRICT OF COLUMBIA

NOTICE OF FINAL RULEMAKING**FORMAL CASE NO. 1111, IN THE MATTER OF THE INVESTIGATION OF THE PUBLIC SERVICE COMMISSION INTO ITS RULES OF PRACTICE AND PROCEDURE PERTAINING TO CRITICAL INFRASTRUCTURE INFORMATION**

1. The Public Service Commission of the District of Columbia (“Commission”) hereby gives notice pursuant to Sections 34-802 and 2-505 of the District of Columbia Code¹ of its final rulemaking action adopting a new section, Section 151 (“Critical Infrastructure Information”), and amendments to Section 199 (“Definitions”) to Chapter 1, “Rules of Practice and Procedure” of Title 15, “Public Utilities and Cable Television”, of the District of Columbia Municipal Regulations (“DCMR”). The Commission issued a Notice of Proposed Rulemaking (“NOPR”) which was published in the *D.C. Register* on December 6, 2013, giving notice of the Commission’s intent to adopt the new Section 151 and the amendments to Section 199.² No comments were filed in response to the NOPR.

2. As indicated in the NOPR, the purpose of the new Section 151 and the amendments to Section 199, which adds two new definitions (“Critical Infrastructure” and “Critical Infrastructure Information”), is to establish procedures for the Commission’s treatment of information claimed by a party to be confidential critical infrastructure information, including procedures for determining production or disclosure of such information requested by other parties. Accordingly, the Commission, at its regularly scheduled open meeting held on January 23, 2014, took final action to adopt Section 151 and the amendments to Section 199 as proposed in the NOPR published in the *D.C. Register* on December 6, 2013. The following rules will become effective upon publication of the Notice of Final Rulemaking (“NOFR”) in the *D.C. Register*.

3. Section 151 is added to Chapter 1 of the Commission’s rules as follows:

151 CRITICAL INFRASTRUCTURE INFORMATION

151.1 If a party or an intervenor makes a request for information from a public utility company (“Company”) during the course of a Commission investigation or proceeding and the Company objects to the production of the requested information because it deems the requested information to be “critical infrastructure information” (“CII”), and the requesting party files a motion to compel the production of the requested information, the following procedures shall be applied:

(a) Within five (5) days from the date that a motion to compel disclosure of the information is filed, the Company shall file with the Office of the

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

² 60 DCR 16660 (December 6, 2013).

Commission Secretary a confidential filing that identifies the materials that it deems to be “critical infrastructure information” (“CII”) for which it is seeking privileged material protection. The filing shall contain the following information:

- (1) A sealed copy of the requested information for the Commission’s inspection *in camera* or, a description of the information requested and an explanation for why the information is not being filed at this time;
 - (2) An explanation of the internal measures that are currently in place to protect the requested information;
 - (3) A statement of whether the information is currently being provided to any non-company personnel and, if so, to whom and under what circumstances;
 - (4) A statement of whether any special level of security clearance is required to view all or a portion of the requested information;
 - (5) A copy of a Non-Disclosure Agreement setting out the terms and conditions under which the requested information would be provided, or an explanation of why a Non-Disclosure Agreement would not suffice to protect the requested information and no Non-Disclosure Agreement is being provided;
 - (6) An explanation of the alternative controls, if any, pursuant to which the Company would make available the requested information;
 - (7) Any other information that the Company believes is relevant to its request to protect the requested information; and
 - (8) A sworn affidavit signed by an Executive Officer of the Company attesting to the information being submitted.
- (b) The Company shall also file in the Office of the Commission Secretary a public version of its filing with a notation and shall serve a copy of its filing on the requesting party.
- (c) Within five (5) days of receiving the Company’s filing, the requesting party shall file a response with the Office of the Commission Secretary. The response shall contain the following information:

- (1) The name of the requesting party and the names, titles and company affiliations of each person who would be granted access to the requested information;
 - (2) The reason(s) that the requested information is needed, including why it is relevant and material to the subject matter of the investigation or the proceeding at the Commission;
 - (3) The reason(s) why the requesting party should be granted access to the requested information, including whether the requesting party has any requisite security clearance, if applicable;
 - (4) Whether the requesting party is prepared to sign the Non-Disclosure Agreement provided by the Company and if not, why not;
 - (5) Whether the requesting party is prepared to accept the alternative controls identified by the Company for the receipt of the requested information;
 - (6) Any additional information that the requesting party believes is relevant to the request for the information; and
 - (7) An affidavit from the head of the organization of the requesting party attesting to the information in the response.
- (d) If the response contains confidential information, the requesting party shall file a confidential and a public version of the response.

151.2 Within five (5) days after the requesting party has filed its response, either the Company or the requesting party may file a motion requesting an evidentiary hearing. The party making the request shall list in its motion each and every fact in dispute requiring resolution and the reasons therefore. Responses to the motion shall be filed within five (5) days after the motion has been filed.

151.3 The Commission will review the filings made pursuant to §§ 151.1 and 151.2 and conduct an *in camera* review of the information that has been submitted. The Commission may request additional information from the Company or the requesting party, such information to be provided at the Commission's option through additional affidavits, through proffers by counsel, or in an evidentiary hearing.

151.4 Within ten (10) days of the receipt of all filings, including supplemental filings where required, the Commission shall issue an order that contains the following determinations:

- (a) Whether the Company has met its burden of proving that the requested information is CII and subject to the rules and procedures under Section 151;
- (b) If the requested information is deemed CII, whether the Company has justified the restrictions, if any, that it has requested for the disclosure of the information to the requesting party;
- (c) If the requested material is CII, whether the requesting party has justified its need for the requested information in light of the sensitivity of the information and has demonstrated that it is eligible to receive the requested information; and
- (d) If the Commission determines that a protective order is necessary for the disclosure of the CII, the conditions to be placed on the release of the information.

151.5 Any person may file an application in writing requesting a reconsideration or modification of the matters involved pursuant to the rules for reconsideration set forth in Section 140 of Chapter 1 of the Commission's rules, except that any application for reconsideration or modification shall be filed within ten (10) days after the issuance of the order or decision.

151.6 If a person that is not a party in an investigation or proceeding before the Commission makes a request of the Commission for information received from a Company that has been deemed CII, or that may be CII, the request shall be handled pursuant to the procedures for a Freedom of Information Act Request as set forth in Chapter 7 of the Commission's rules.

4. Section 199 of Chapter 1 of the Commission's rules is amended by adding the following definitions:

199 DEFINITIONS

Critical Infrastructure - existing and proposed infrastructure systems and assets, whether physical or virtual so vital to the District of Columbia or the United States that the incapacity or destruction of such infrastructure system or asset could jeopardize the physical security, economic security, health, safety, or welfare of the public.

Critical Infrastructure Information - information not customarily in the public domain that is related to the security of critical infrastructure of companies that are regulated by the Public Service Commission of the District of Columbia including:

- (a) actual, potential, or threatened interference with, attack on, compromise of, or incapacitation of critical infrastructure or protected systems by either physical or computer-based attack or similar conduct (including the misuse of or unauthorized access to all types of communications and data transmission systems) that violates Federal, or District of Columbia laws, harms interstate commerce of the United States or the economy of the District of Columbia, or threatens public health or safety;
- (b) the ability of any critical infrastructure or protected system to resist such interference, compromise, or incapacitation, including any planned or past assessment, projection, or estimate of the vulnerability of critical infrastructure or a protected system, including security testing, risk evaluation thereto, risk management planning, or risk audit; or
- (c) any planned or past operational problem or solution regarding critical infrastructure or protected systems, including repair, recovery, reconstruction, insurance, or continuity, to the extent it is related to such interference, compromise, or incapacitation.

DEPARTMENT OF HEALTH

NOTICE OF PROPOSED RULEMAKING

The Director of the Department of Health, pursuant to the authority set forth in Section 302(14) of the District of Columbia Health Occupations Revision Act of 1985 (“Act”), effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1203.02(14) (2012 Repl.)), and Mayor’s Order 98-140, dated August 20, 1998, hereby gives notice of his intent to adopt the following amendments to Title 17 (Business, Occupations, and Professions) of the District of Columbia Municipal Regulations (DCMR) in not less than thirty (30) days after the date of publication of this notice in the *D.C. Register*.

This rulemaking will update and revise the provisions regulating optometry by defining correspondence courses.

CHAPTER 64, OPTOMETRY, of TITLE 17, BUSINESS, OCCUPATIONS, AND PROFESSIONS OF THE DCMR is amended as follows:

Section 6407 is amended to read as follows:

6407 APPROVED CONTINUING EDUCATION PROGRAMS AND ACTIVITIES

6407.2 The Board may approve the following types of continuing education programs, if the program meets the requirements of § 6407.3:

- (a) An undergraduate or graduate course given at an accredited college or university;
- (b) A seminar or workshop;
- (c) An educational program given at a conference;
- (d) In-service training; and
- (e) A correspondence course. For the purpose of this section, a correspondence course includes a course that may be gathered through electronic media.

All persons desiring to comment on the subject matter of this proposed rulemaking action shall submit written comments, not later than thirty (30) days after the date of publication of this notice in the *D.C. Register*, to Phillip L. Husband, General Counsel, Department of Health, Office of the General Counsel, 899 North Capitol Street, N.E., 5th Floor, Washington, D.C. 20002. Copies of the proposed rules may be obtained between the hours of 8:00 a.m. and 4:00

p.m., Monday through Friday, excluding holidays, at the address listed above, or by contacting Van Brathwaite, Assistant Attorney General, D.C. Department of Health, 899 N. Capitol Street, N.E., 2nd Floor, Washington, D.C. 20002, (202) 442-4899, or at Van.Brathwaite@dc.

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

NOTICE OF EMERGENCY AND PROPOSED RULEMAKING

The Alcoholic Beverage Control Board (Board), pursuant to the authority set forth in Title 25, D.C. Code Enactment and Related Amendments Act of 2001, effective May 3, 2001 (D.C. Law 13-298; D.C. Official Code § 25-351(a) (2012 Repl.)) and Section 303 of Title 23 of the District of Columbia Municipal Regulations (DCMR), hereby gives notice of the following emergency and proposed rules to replace existing Section 306 of Chapter 3 (Limitations on Licenses) of Title 23 (Alcoholic Beverages) of the DCMR, to impose a three (3) year moratorium on the issuance of any new Retailer Class CT/DT and CN/DN licenses issued in a portion of East Dupont Circle which shall be known as the East Dupont Circle Moratorium Zone (EDCMZ).

These emergency and proposed rules also lift the restrictions on the number of Retailer Class A, Class B, Class CR/DR, and Class CX/DX licenses; retain the current exemptions for hotels; retain the existing language pertaining to the transfer of ownership; retain the prohibition on the transfer of Retailer Class CT/DT or CN/DN from outside the moratorium zone to inside the moratorium zone; and retain the prohibition on the change of all Retailer Class CT/DT or CN/DN licenses.

By way of background, the existing moratorium expired on September 23, 2013. The Board voted on an emergency basis on September 18, 2013, by a vote of five (5) to zero (0) to keep the existing moratorium temporarily in place. The Board required additional time to consider two proposals submitted by community groups regarding the future of the EDCMZ.

On August 19, 2013, Advisory Neighborhood Commission (ANC) 2B filed a Resolution to Extend and Modify the East Dupont Circle Liquor Moratorium (Resolution). This Resolution was adopted by the ANC on August 14, 2013. The ANC Resolution resulted from a series of public meetings that were held by the ANC from May 2013 through August 2013, with the purpose of receiving public input from stakeholders and constituents in order to formulate a recommendation for the Board.

In summary, the ANC seeks renewal of the existing EDCMZ for a three (3) year period with certain modifications. Those modifications include maintaining the cap on Retailer Class CT/DT and CN/DN; lifting the restrictions on the number of Retailer Class A, Class B, Class CR/DR, and Class CX/DX licenses; retaining the current exemptions for hotels; retaining the existing language pertaining to the transfer of ownership; retaining the prohibition on the transfer of Retailer Class CT/DT or CN/DN from outside the moratorium zone to inside the moratorium zone; and retain the prohibition on the change of all Retailer Class CT/DT or CN/DN licenses.

The second proposal was submitted by the Dupont Circle Citizens Association (DCCA) on August 13, 2013. The DCCA requests a temporary one hundred twenty (120) day extension to allow time for further research. Additionally, the DCCA seeks to collect additional data it deems relevant to the undertaking of this rulemaking; specifically the status of inactive licenses, and the

analysis of the potential effects of all options. Furthermore, the DCCA desires to form a working group on retail and arrive at a collaborative agreement with other interested parties.

The Board believed that both proposals merited further evaluation and thus held a hearing on October 24, 2013, pursuant to D.C. Official Code § 25-354 (2012 Repl.), to receive public comment on the written proposals. At the public hearing, the Board heard testimony from Will Stephens, Chairperson of ANC 2B, in support of the ANC proposal, and from Robin Diener and Ramon Estrada, on behalf of the DCCA proposal. Ms. Diener is the Chair of the Regulatory Committee of the DCCA and Mr. Estrada is the President of DCCA.

Commissioner Stephens testified that his ANC held a series of listening sessions that were noticed and open to the public to receive comment on the existing moratorium. These sessions were constructive and well attended, and were held for the benefit of the affected 17th Street NW residents, as well as the businesses located in the broader neighborhood of Dupont Circle. A wide range of comments from those in attendance guided the ANC in shaping its proposal. Additionally, the ANC held another round of listening sessions following publication of the draft proposal. After the second round of listening sessions concluded, the proposal was considered by the full Commission at its August 2013 meeting. The ANC adopted the proposal as described above, when Commissioner Stephens broke a tie on the four (4) to four (4) vote. The four non-prevailing votes desired to lift the existing moratorium altogether.

Commissioner Stephens believes that a modification of the existing moratorium is the appropriate solution to incorporate the concerns of the community who desire to enliven the neighborhood, and those who fear that a complete lifting may result in unintended consequences. There is also a desire on the part of the ANC and the community to ensure that the neighborhood does not foreclose opportunities for livable retail such as hardware stores, dry cleaners, and flower shops.

Commissioner Stephens further testified that the process used by the ANC to gather and discern community input is consistent with their past processes used in other moratoria hearings, to include the recently considered moratorium at 14th and U Streets NW.

Commissioner Stephens explained that the rationale for retaining the restrictions on CT/DT and CN/DN licenses is due to the issues of peace, order and quiet that remain an ongoing concern for the neighborhood. Thus, the cap on restaurants was lifted to allow for continued growth of a vibrant and active neighborhood, without risking public safety that sometimes accompanies taverns and nightclubs.

Commissioner Stephens testified that the ANC made no recommendations with respect to amending 23 DCMR § 307.9 regarding the limitations on expansion of service or sale of alcoholic beverages into any adjoining or adjacent space, property, or lot.

Ms. Diener, on behalf of the DCCA, testified that her organization sought a more robust report from the ANC, specifically regarding the preservation of neighborhood retail businesses. She doesn't believe that enough data was provided in the ANC report to guide the Board in its

decision-making. Ms. Diener submitted that further study is necessary to examine this particular issue in greater detail, and that an additional one hundred and twenty (120) days would allow all concerned parties to address this issue. She testified that the DCCA was prepared to assist the ANC in this undertaking, but was not invited to contribute when the proposal was initially drafted. She also stated that she was unaware that the business community had provided input on the ANC's proposal.

The DCCA has requested additional time to work with the ANC, Main Streets and local businesses, in order to develop a more comprehensive report for the Board's consideration. Ms. Diener further testified that merely lifting the cap on restaurants does not guarantee that the community will receive the kind of restaurants that are appropriate for that neighborhood. She stated that the churn in ABC-licensed establishments sought by some residents is a sign of businesses failing, and that the Dupont Circle neighborhood is currently enjoying a stable environment due to the success of the businesses located there.

Mr. Estrada testified that part of the study proposed by the DCCA would include interviewing property brokers, landlords and surrounding businesses. He further stated that these broader interviews were originally the objective of the ANC, but that it was never accomplished. The DCCA would like to explore all options to understand whether a more measured relaxation of the moratorium isn't more appropriate than the lifting of the cap on the licenses of an entire retailer's class.

The Board took the views of ANC 2B and DCCA into consideration and determined that the ANC proposal to continue the moratorium while allowing for modifications to lift certain restrictions constitutes a reasonable, measured, and appropriate solution for the Dupont Circle neighborhood.

In reaching its decision, the Board gave great weight to the written recommendations of ANC 2B as required by Section 13(d)(3) of the Advisory Neighborhood Councils Act of 1975, effective October 10, 1975 (D.C. Law 1-21; D.C. Official Code § 1-309.10(d)(3) (2012 Repl.), and D.C. Official Code § 25-609 (2012 Repl. & 2013 Supp.).

Specifically, the Board agrees with the testimony provided by ANC 2B to: (1) renew the existing EDCMZ for a three (3) year period; (2) maintain the cap on Retailer Class CT/DT and CN/DN; (3) lift the restrictions on the number of Retailer Class A, Class B, Class CR/DR and Class CX/DX licenses; (4) retain the current exemptions for hotels; (5) retain the existing language pertaining to the transfer of ownership; (6) retain the prohibition on the transfer of Retailer Class CT/DT or CN/DN from outside the moratorium zone to inside the moratorium zone; and (7) retain the prohibition on the change of all Retailer Class CT/DT or CN/DN licenses.

Additionally, notwithstanding the absence of a recommendation from the ANC, the Board will further modify the existing moratorium by lifting the limitations on the expansion of service or sale of alcoholic beverages into any adjoining or adjacent space, property, or lot. In doing so, the Board cautions licensees who seek a lateral expansion to do so with an understanding that

Dupont Circle is a historical neighborhood and as such, the Board will give great scrutiny to any request that profoundly changes the nature and character of the neighborhood.

Furthermore, the Board finds that the DCCA has had plenty of time and opportunity to produce a more substantive proposal for the Board’s consideration. By virtue of the adoption of the emergency rulemaking, the DCCA has received its requested additional time to produce a more detailed study. Sufficient time has passed since the filing of DCCA’s proposal on August 13, 2013, to have allowed the DCCA its desired undertaking, and even more time will be granted while these proposed rules are published for another thirty (30) day comment period. Indeed, the Board was surprised to learn at the October 24, 2013, hearing that the DCCA had not begun any preliminary steps to demonstrate good faith in its efforts to convene a task force or seek input from neighborhood community groups and retail businesses.

Pursuant to § 25-351, the Board determined that it was in the public interest to renew the moratorium with certain modifications, and in doing so, the Board based its decision upon the appropriateness standards set forth in D.C. Official Code §§ 25-313 and 25-314 (2012 Repl.). Specifically, under D.C. Official Code § 25-313(b), the testimony presented at the hearing as well as the written proposal with regard to peace, order, and quiet, justified the need for the renewal of the moratorium zone with a relaxation of some of the current restrictions.

The statements set forth above reflect the written reasons for the Board’s decision as required by 23 DCMR § 303.1.

Emergency rulemakings are used only for the immediate preservation of the public peace, health, safety, welfare, or morals, pursuant to 1 DCMR § 311.4(e). The existing EDCMZ expires on January 18, 2014, requiring the Board to make a determination regarding the future of the EDCMZ. The emergency action is necessary for the preservation of the health, safety and welfare of the District residents in order to: (1) ensure that the limitations placed on the issuance of new retailer’s licenses Class CT, CN, DT, or DN, are maintained; and (2) keep the existing EDCMZ in place until the Board can adopt final rules regarding its renewal.

These emergency and proposed rules were adopted by the Board on November 20, 2013, by a five (0) to zero (0) vote and became effective on that date. The rules will remain in effect for up to one hundred twenty (120) days, expiring March 20, 2014, unless earlier superseded by proposed and final rulemakings.

Section 306, EAST DUPONT CIRCLE MORATORIUM ZONE, of Chapter 3, LIMITATIONS ON LICENSES, of Title 23, ALCOHOLIC BEVERAGES, of the DCMR, is amended to read as follows:

306 EAST DUPONT CIRCLE MORATORIUM ZONE.

306.1 A limit shall exist on the number of Retailer’s licenses issued in the area that extends approximately six hundred (600) feet in all directions from the intersection of 17th and Q Streets, N.W., Washington, D.C., as follows: Class CT

or Class DT – Two and (2); Class CN or DN – Zero (0). This area shall be known as the East Dupont Circle Moratorium Zone.

- 306.2 The East Dupont Circle Moratorium Zone is more specifically described as the area bounded by a line beginning at New Hampshire Avenue and S Street, N.W.; continuing east on S Street, N.W., to 17th Street, N.W.; continuing south on 17th Street, N.W., to Riggs Place, N.W.; continuing east on Riggs Place, N.W., to 16th Street, N.W.; continuing south on 16th Street, N.W., to P Street, N.W.; continuing west on P Street, N.W., to 18th Street, N.W.; continuing north on 18th Street, N.W., to New Hampshire Avenue, N.W.; and continuing northeast on New Hampshire Avenue, N.W. to S Street, N.W.
- 306.3 All hotels, whether present or future, shall be exempt from the East Dupont Circle Moratorium Zone.
- 306.4 Nothing in this section shall prohibit the Board from approving the transfer of ownership of a CT or DT located within the East Dupont Circle Moratorium Zone, subject to the requirements of the Act and this title.
- 306.5 Nothing in this section shall prohibit the Board from approving the transfer of a license from a location within the East Dupont Circle Moratorium Zone to a new location within the East Dupont Circle Moratorium Zone.
- 306.6 A license holder outside the East Dupont Circle Moratorium Zone shall not be permitted to transfer its license to a location within the East Dupont Circle Moratorium Zone unless the transfer will not exceed the number of licenses permitted in the East Dupont Circle Moratorium Zone for that particular class or type, as set forth in Section 306.1.
- 306.7 Subject to the limitation set forth in Section 306.8, nothing in this section shall prohibit the filing of a license application or a valid protest of any transfer or change of license class.
- 306.8 No licensee in the East Dupont Circle Moratorium Zone shall be permitted to request a change of license class to CT, DT, CN, or DN.
- 306.9 This section shall expire three (3) years after the date of publication of the notice of final rulemaking.

Copies of the proposed rulemaking can be obtained by contacting Martha Jenkins, General Counsel, Alcoholic Beverage Regulation Administration, 2000 14th Street, N.W., Suite 400, Washington, D.C. 20009. Persons with questions concerning the rulemaking should contact Martha Jenkins at 202-442-4456 or email martha.jenkins@dc.gov. All persons desiring to comment on the proposed rulemaking must submit their written comments, no later than thirty (30) days after the date of publication of this notice in the *D.C. Register*, to the above address.

DEPARTMENT OF HEALTH CARE FINANCE

NOTICE OF EMERGENCY AND PROPOSED RULEMAKING

The Director of the Department of Health Care Finance (DHCF), pursuant to the authority set forth in an Act to enable the District of Columbia to receive federal financial assistance under Title XIX of the Social Security Act for a medical assistance program, and for other purposes, approved December 27, 1967 (81 Stat. 774; D.C. Official Code § 1-307.02 (2012 Repl. & 2013 Supp.)) and Section 6(6) of the Department of Health Care Finance Establishment Act of 2007, effective February 27, 2008 (D.C. Law 17-109; D.C. Official Code § 7-771.05(6) (2012 Repl.)), hereby gives notice of the adoption, on an emergency basis, of an amendment to Section 1914, entitled “Vehicle Modifications”, of Chapter 19 (Home and Community-Based Waiver Services for Persons with Intellectual and Disabilities) of Title 29 (Public Welfare) of the District of Columbia Municipal Regulations (DCMR).

These emergency and proposed rules establish standards governing reimbursement for vehicle modification services provided to participants in the Home and Community-Based Waiver Services for Individuals with Intellectual and Developmental Disabilities (ID/DD Waiver) and conditions of participation for providers.

The ID/DD Waiver was approved by the Council of the District of Columbia and renewed by the U.S. Department of Health and Human Services, Centers for Medicaid and Medicare Services for a five-year period beginning November 20, 2012. Vehicle modifications are designed to help the person function with greater independence. The adaptations or modifications to a vehicle may include the installation of a lift or other adaptations to make the vehicle accessible to the person, or to enable the person to drive the vehicle. These rules amend the previously published rules by: (1) establishing service authorization requirements for vehicle modification services; (2) specifying documents to maintain for monitoring and audit reviews); and (3) establishing requirements to request additional services beyond the limitations or caps on a service.

Emergency action is necessary for the immediate preservation of the health, safety, and welfare of ID/DD Waiver participants who are in need of vehicle modification services. The ID/DD Waivers serves some of the District’s most vulnerable residents. Under current reporting and record maintenance requirements there are insufficient safeguards in place to ascertain that vehicle modification providers are taking the necessary steps to ensure that beneficiaries are receiving high quality and appropriate services from qualified providers. Therefore, in order to ensure that the Waiver participant’s health, safety, and welfare are not threatened by the lapse in access to vehicle modification services, it is necessary that these rules be published on an emergency basis.

The emergency rulemaking was adopted on January 6, 2014, and became effective on that date. The emergency rules shall remain in effect for one hundred and twenty (120) days or until May 5, 2014, unless superseded by publication of a Notice of Final Rulemaking in the *D.C. Register*. The Director also gives notice of the intent to take final rulemaking action to adopt these proposed rules in not less than thirty (30) days after the date of publication of this notice in the *D.C. Register*.

Section 1914 (Vehicle Modification Services) of Chapter 19 (Home and Community-Based Services Waiver for Individuals with Intellectual and Developmental Disabilities) of Title 29 (Public Welfare) of the DCMR is amended to read as follows:

1914 VEHICLE MODIFICATION SERVICES

- 1914.1 This section establishes the conditions for Medicaid providers of vehicle modification services enumerated in § 1914.7 (“Medicaid Providers”) to provide vehicle modification (VM) services to persons enrolled in the Home and Community-Based Services Waiver for Persons with Intellectual and Developmental Disabilities (ID/DD).
- 1914.2 VM services are physical adaptations or modifications to a vehicle, including the installation of a lift or other physical adaptations to make the vehicle accessible to the person, or to enable the person to drive the vehicle.
- 1914.3 In order to be eligible for reimbursement, each Medicaid provider must obtain prior authorization from the Department on Disability Services (DDS) prior to providing VM services. The request for prior authorization shall include a written justification demonstrating how the services will aid the person in functioning with greater independence and that the vehicle being serviced shall be owned by the person or the person's family, guardian, or other primary caretaker who is not providing Residential Habilitation Services, Host Home, or Supported Living Services.
- 1914.4 Medicaid reimbursable VM services shall consist of one of the following modifications or adjustments:
- (a) Hydraulic lifts;
 - (b) Access ramps;
 - (c) Modified doors;
 - (d) Modified seating;
 - (e) Installation of equipment to secure a wheelchair or installing another assistive technology device; or
 - (f) Installation of equipment to make access, egress, or travel more comfortable, safe and secure.
- 1914.5 VM services shall include instruction in the use of the adapted vehicle.
- 1914.6 VM services shall be provided consistent with any stipulations or recommendations from the dealer of the vehicle's make and model.

- 1914.7 Each provider of Medicaid reimbursable VM services shall:
- (a) Be an approved home and community based waiver services provider;
 - (b) Comply with Section 1904 (Provider Qualifications) and Section 1905 (Provider Enrollment Process) of Chapter 19 of Title 29 DCMR;
 - (c) Demonstrate knowledge in meeting applicable standards of installation, repair, and maintenance of vehicle adaptations and shall also be authorized by the manufacturer to install, repair, and maintain such systems where possible; and
 - (d) Have a current license, certification, or registration with the District of Columbia as appropriate for the services being purchased; and comply with all applicable business licensing requirements in the District of Columbia or in the jurisdiction where VM services are provided.
- 1914.8 Before receiving approval to deliver VM services, the provider of VM services shall perform an evaluation which:
- (a) Confirms that the vehicle is structurally sound;
 - (b) Confirms that the vehicle can accommodate the proposed VM services;
 - (c) Recommends the installation process for delivering VM services; and
 - (d) Identifies the need for training after installation of the modification or physical adaptation.
- 1914.9 Before pre-authorization of any VM services, the vehicle owner shall submit at least three (3) bids to the DDS service coordinator for comparison of the most cost efficient use of Medicaid waiver funding for the service.
- 1914.10 Services shall only be authorized for reimbursement in accordance with the following provider requirements:
- (a) The amount and cost of services to be received shall be documented in the ISP, Plan of Care and Summary of Supports and Services; and
 - (b) VM services shall not conflict with the service limitations described under Section 1914.17.
- 1914.11 Each provider of VM services shall maintain the following documents for monitoring and audit reviews:

- (a) A written evaluation in accordance with the service requirements described under Section 1914.8;
- (b) An itemized list describing the specific expenditures or purchases related to the physical adaptation or modification to the vehicle for which reimbursement is claimed;
- (c) Receipts or copies of receipts verifying the specific expenditures or purchases for which reimbursement is claimed; and
- (d) Any stipulation or recommendations from the dealer pertaining to the vehicle's make and model related to the provision of VM services.

1914.12 Medicaid reimbursable VM services shall be available for modification of no more than two (2) vehicles for the duration of the waiver and shall not exceed a total of ten thousand dollars (\$10,000), unless the person receives service authorization from DDS through an exception.

1914.13 Exceptions to the ten thousand dollar (\$10,000) limit for the two (2) vehicles over the duration of the waiver may be approved by DDS on a case by case basis, with supporting documentation by the DDS Medicaid Waiver Supervisor or a designated Developmental Disabilities Administration (DDA) staff member demonstrating need.

1914.14 In order to be eligible for Medicaid reimbursement, vehicle modifications shall not include the cost of the vehicle to be modified or the rental costs of vehicles with modifications or adaptations for use by the person.

1914.15 The purchase or installation of car seats are not considered a vehicle modification and shall not be reimbursed by the Medicaid program.

1914.16 Medicaid reimbursable VM services shall exclude any maintenance or repairs to the vehicle.

1914.17 Medicaid reimbursable VM services shall not be provided to those persons residing in Residential Habilitation, Host Homes and Supported Living Facilities.

Comments on the proposed rule shall be submitted, in writing, to Linda Elam, Ph.D., Senior Deputy Director/State Medicaid Director, Department of Health Care Finance, 441 4th Street, NW, Suite 900, Washington, D.C. 20001, via telephone on (202) 442-9075, via email at Publiccomments@dc.gov, or online at www.dcregs.dc.gov, within thirty (30) days after the date of publication of this notice in the D.C. Register. Copies of the proposed rule may be obtained from the above address.

DEPARTMENT OF HEALTH CARE FINANCE

NOTICE OF EMERGENCY AND PROPOSED RULEMAKING

The Director of the Department of Health Care Finance (DHCF), pursuant to the authority set forth in an Act to enable the District of Columbia to receive federal financial assistance under Title XIX of the Social Security Act for a medical assistance program, and for other purposes, approved December 27, 1967 (81 Stat. 744; D.C. Official Code § 1-307.02 (2012 Repl. & 2013 Supp.)) and Section 6(6) of the Department of Health Care Finance Establishment Act of 2007, effective February 27, 2008 (D.C. Law 17-109; D.C. Official Code § 7-771.05(6) (2012 Repl.)), hereby gives notice of the adoption, on an emergency basis, of a new Section 1922, entitled “Employment Readiness Services” of Chapter 19 (Home and Community-Based Services for Individuals with Intellectual and Developmental Disabilities), Title 29 (Public Welfare), of the District of Columbia Municipal Register.

The notice of second emergency and proposed rules amends the previously published standards governing providers of employment readiness services for participants enrolled in the Home and Community-Based Services Waiver for Individuals with Intellectual and Developmental Disabilities (Waiver). These rules amend the previously published rules by: (1) clarifying words and/or phrases to reflect more person-centered language and simplify interpretation of the rule; (2) establishing that a person receiving employment readiness services may pursue employment opportunities at any time to enter the general work force; and (3) clarifying that providers shall perform assessment activities, at least annually or more often if needed.

Emergency action is necessary for the immediate preservation of the health, safety, and welfare of Waiver participants who are in need of employment readiness services. Based upon current service delivery requirements, there are insufficient safeguards in place to make sure that providers are taking the necessary steps to ensure that beneficiaries are receiving high quality, appropriate services from qualified providers. These emergency and proposed rules will clarify the duties and responsibilities of employment readiness providers relating to assessment activities and increase accountability of providers. Therefore, in order to ensure that the residents’ health, safety, and welfare are not threatened by the lapse of access to employment readiness services provided by qualified and accountable providers, it is necessary that these rules be published on an emergency basis.

An initial notice of emergency and proposed rulemaking was published in the *D.C. Register* on October 18, 2013 at 60 DCR 14844. Numerous comments were received and accordingly, the substantive changes described above have been made to the rules. The emergency rulemaking was adopted on January 6, 2014 and became effective on that date. The emergency rules shall remain in effect for one hundred and twenty (120) days or until May 5, 2014 unless superseded by publication of a Notice of Final Rulemaking in the *D.C. Register*.

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

Section 920 (Prevocational Services) of Chapter 9 (Medicaid Program) of Title 29 (Public Welfare) of the DCMR is repealed.

A new Section 1922 (Employment Readiness Services) is added to Chapter 19 (Home and Community Based Services for Individuals with Intellectual and Developmental Disabilities) of Title 29 (Public Welfare) of the DCMR to read as follows:

1922 EMPLOYMENT READINESS SERVICES

- 1922.1 This section establishes standards governing Medicaid eligibility for employment readiness services for persons enrolled in the Home and Community-Based Services Waiver for Persons with Intellectual and Developmental Disabilities (Waiver) and establishes conditions of participation for providers of employment readiness services.
- 1922.2 Employment readiness services occur over a defined period of time with specific outcomes to be achieved, and provide learning and work experiences, including volunteer work, where a person enrolled in the Waiver can develop general, non-job-task-specific strengths and skills that contribute to employability in paid employment in an integrated community setting. A person receiving employment readiness services may pursue employment opportunities at any time to enter the general work force.
- 1922.3 To be eligible for Medicaid reimbursable employment readiness services, the services shall be identified in the ISP, Plan of Care, and Summary of Supports for each person enrolled in Waiver, and each person shall:
- (a) Demonstrate a need for employment readiness services; and
 - (b) Have employment related goals included in the ISP.
- 1922.4 To be eligible for Medicaid reimbursement, employment readiness services shall consist of the following:
- (a) Providing opportunities for persons enrolled in the Waiver to develop general, non-job, task-specific strengths and skills that contribute to employability and are consistent with the person's goals;
 - (b) Assessment activities that occur annually or more frequently based upon the needs of the person, including customized employment assessment and conducting a person-centered vocational and situational assessment and employment readiness assessments provided at community businesses and other community settings;
 - (c) Social and soft skills training, including, but not limited to the following:

- (1) Following and interpreting instructions;
 - (2) Interpersonal skills;
 - (3) Communication skills for communicating with supervisors, co-workers, and customers;
 - (4) Travel skills;
 - (5) Respecting the rights of others and understanding personal rights and responsibilities; and
 - (6) Decision-making skills and strategies.
- (d) Developing work skills which shall include, at a minimum, teaching the person the following:
- (1) Appropriate workplace attire, attitude, and conduct;
 - (2) Work ethics;
 - (3) Attendance and punctuality;
 - (4) Task completion;
 - (5) Job safety;
 - (6) Attending to personal needs, such as personal hygiene or medication management; and
 - (7) Interviewing skills.
- (e) Coordinating transportation to community activities utilizing the Medicaid Non-Emergency Transportation Broker; and
- (f) Coordinating volunteer experiences as set forth in § 1922.5

1922.5

Volunteer experiences shall be time limited and must allow the person to develop experience and build skills to further the person's employment goal, as identified in his or her ISP. A person enrolled in the Waiver may volunteer at a not-for-profit organization or an approved government agency, but may not volunteer for the provider agency or another business affiliated with the provider on an on-going basis for any task that the provider would otherwise hire a person to do; if volunteering occurs at a for-profit business, the provider shall meet any requirements released by the U.S. Department of Labor. The guidance can be found at: <http://www.dol.gov/whd/regs/compliance/whdfs71.pdf>.

- 1922.6 To be eligible for Medicaid reimbursement, a vocational assessment, completed by a qualified professional, shall be conducted within the first ninety (90) days of participation, and shall include an assessment of the following:
- (a) Employment-related goals based on a person's strengths, interests, and areas for improvement;
 - (b) Available natural or community supports;
 - (c) Personal concerns and preferences;
 - (d) Work and career interests based on exploration and/or discovery; and
 - (e) Accommodations and supports that may be required once the person is employed.
- 1922.7 To be eligible for Medicaid reimbursement, a vocational assessment shall be conducted at least annually by the provider to evaluate each person enrolled in the Waiver's acquisition of employment-related skills based on the person's career preferences and goals as specified in their ISP and Plan of Care.
- 1922.8 Each provider of Medicaid reimbursable employment readiness services shall develop an individualized service delivery plan described under Section 1909 (Records and Confidentiality of Information) of Chapter 19 of Title 29 DCMR reflecting the person enrolled in the Waiver's interests, career preferences, choices, goals and prioritized needs. The plan shall:
- (a) Define the specific outcomes to be achieved over a specified period of time;
 - (b) Describe the activities in the plan which shall be functional and chosen by the person;
 - (c) Describe how the plan shall support a person in the development of employment related skills, including social skills such as interviewing skills, professionalism; and attending to one's personal needs; and
 - (d) Describe a pattern of life experiences common to other persons of the same age and the community at large.
- 1922.9 Each provider of Medicaid reimbursable employment readiness services shall submit reports to Department on Disability Services (DDS) service coordinator on a quarterly basis, consistent with the record maintenance requirements described under Section 1909 (Records and Confidentiality of Information) of Chapter 19 of Title 29 DCMR. These reports shall also include the following information:

- (a) Volunteer activities provided; and
- (b) Employment readiness service activities provided.

1922.10 Each provider of Medicaid reimbursable employment readiness services shall maintain the following documents for monitoring and review, in addition to the record maintenance requirements described under Section 1909 (Records and Confidentiality of Information) of Chapter 19 of Title 29 of the DCMR:

- (a) A copy of the comprehensive vocational assessment; and
- (b) A written schedule identifying the utilization of employment readiness services.

1922.11 To receive Medicaid reimbursement, employment readiness services shall be provided in the community or a facility-based setting.

1922.12 To receive Medicaid reimbursement, each provider of employment readiness services shall be a Home and Community-Based Services (HCBS) Provider agency and shall meet the following requirements:

- (a) Comply with the requirements described under Section 1904 (Provider Qualifications) and Section 1905 (Provider Enrollment Process) of Chapter 19 of Title 29 of the DCMR;
- (b) Demonstrate, through experience or academic attainment of the executive staff, the ability and qualification to provide employment readiness services for persons with intellectual and developmental disabilities with varying habilitation needs; and
- (c) Have at least one staff member with a bachelor's degree in vocational rehabilitation or a similar discipline, and one (1) year of combined supervisory and "job coaching" experience or experience providing employment services to person with disabilities.

1922.13 When employment readiness services are provided in a facility, each facility shall comply with all applicable federal, District, or state and local laws and regulations in order to receive Medicaid reimbursement.

1922.14 If an entity other than the Waiver provider is responsible for compensating the person for employment related training services, payment shall be in accordance with the United States Fair Labor Standards Act of 1985.

- 1922.15 The employment readiness Medicaid reimbursement rate shall include coverage for any personal care services provided by an employment readiness services provider.
- 1922.16 To be eligible for Medicaid reimbursement, each Direct Support Professional providing personal care services, under the criteria described under Section 1922.15, shall meet the following requirements:
- (a) Comply with Section 1906 (Requirements for Direct Support Professionals) of Chapter 19 of Title 29 of the DCMR; and
 - (b) Have at least one (1) year of experience working with people with intellectual and developmental disabilities, or one year of comparable experience.
- 1922.17 Services shall be authorized for Medicaid reimbursement if:
- (a) DDS provided a written service authorization before the commencement of services;
 - (b) The provider conducts an initial vocational assessment and then an annual assessment thereafter and develops an employment readiness plan with training goals and techniques that will assist the person to achieve employment readiness goals and outcomes. The initial vocational assessment shall be completed within the first ninety (90) days of service delivery;
 - (c) The service name and provider delivering services are identified in the ISP and Plan of Care;
 - (d) The ISP, Plan of Care, and Summary of Supports and Services documents the amount and frequency of services to be received; and
 - (e) Services shall not conflict with the service limitations described under Section 1922.18 (Service Limitations).
- 1922.18 In order to receive Medicaid reimbursement, services shall only be furnished to a person enrolled in the Waiver for up to eight (8) hours per day, not to exceed forty (40) hours per week.
- 1922.19 Medicaid reimbursable employment readiness services shall not be provided, or billed for, during the same hours and on the same day as the following services:
- (a) Day Habilitation;
 - (b) Supported Employment;
 - (c) In-Home Supports; and

(d) Individualized Day Supports.

- 1922.20 If the person is employed by the Waiver provider, the Medicaid reimbursement rate shall not be used towards the person's compensation, wages, or stipend.
- 1922.21 Employment readiness services are ineligible for Medicaid reimbursement if the services are available to the person through programs funded under Title I of the Rehabilitation Act of 1973, enacted September 26, 1973, as amended (Pub. L. 93-112; 29 U.S.C. § 720 *et seq.*), or the Individuals with Disabilities Education Act, enacted April 13, 1970, as amended (Pub. L. 91-230; 20 U.S.C. § 1400 *et seq.*) (hereinafter the "Acts"). Each person receiving employment readiness services under the Waiver shall submit documentation to the provider, demonstrating that employment readiness services are not otherwise available pursuant to the Acts referenced above, for inclusion in his or her record, ISP, and Plan of Care.
- 1922.22 Medicaid reimbursable employment readiness services shall be provided for a maximum of eight (8) hours a day, and shall not include time spent in transportation to and from the program.
- 1922.23 The billable unit of service for Medicaid reimbursable employment readiness services shall be fifteen (15) minutes. The reimbursement rate for employment readiness services shall be fifteen dollars and twenty cents (\$15.20) per hour or three dollars and eighty cents (\$3.80) per billable unit. A provider shall provide at least eight (8) minutes of service in a span of fifteen (15) continuous minutes in order to be able to bill a unit of service.

Section 1999 (DEFINITIONS) is amended by adding the following:

Non-job, task-specific skills – General skills designed to support employment goals, such as resume writing, interviewing skills, and the ability to communicate effectively.

Stipend – Nominal fee paid to a person for participation in activities designed to achieve his or her employment goal, as identified in the person's ISP.

Travel Training- Training the waiver participant to use public transportation to travel safely to their job or training work site.

Comments on these rules should be submitted in writing to Linda Elam, Ph.D., Senior Deputy Director/Medicaid Director, Department of Health Care Finance, Government of the District of Columbia, 441 4th Street, NW, Suite 900, Washington DC 20001, via telephone on (202) 442-9115, via email at DHCFPubliccomments@dc.gov, or online at www.dcregs.dc.gov, within thirty (30) days of the date of publication of this notice in the *D.C. Register*. Additional copies of these rules are available from the above address.

DEPARTMENT OF HEALTH CARE FINANCE

NOTICE OF SECOND EMERGENCY AND PROPOSED RULEMAKING

The Director of the Department of Health Care Finance (DHCF), pursuant to the authority set forth in an Act to enable the District of Columbia to receive federal financial assistance under Title XIX of the Social Security Act for a medical assistance program, and for other purposes, approved December 27, 1967 (81 Stat.744; Pub. L. 90-227, D.C. Official Code § 1-307.02 (2012 Repl. & 2013 Supp.)), and Section 6(6) of the Department of Health Care Finance Establishment Act of 2007, effective February 27, 2008 (D.C. Law 17-109; D.C. Official Code § 7-771.05(6) (2012 Repl.)), hereby gives notice of the adoption, on an emergency basis, of an amendment to Chapter 65 (Medicaid Reimbursement to Nursing Facilities) of Title 29 (Public Welfare) of the District of Columbia Municipal Regulations (DCMR).

Pursuant to Section 6508, entitled “Final Per Diem Rate Calculation”, each nursing facility located in the District of Columbia participating in the Medicaid program is reimbursed on a prospective basis, at a facility-specific per diem rate. This rate is calculated by establishing a base year per diem rate for each facility, adjusted semi-annually for case-mix, adjusted annually for inflation, and subject to other adjustments. Effective January 1, 2011, an amendment to the State Plan eliminated the annual inflation adjustment in order to create budget savings.

DHCF has submitted a State Plan amendment to the Centers for Medicare and Medicaid Services (CMS) that, if approved, will reinstate the annual inflation adjustment for nursing facility per diem rates; this amendment includes minor clarifications of the formula for calculating the annual inflation adjustment from January 1, 2006 to the present, to reflect actual accounting practices. Preceding the State Plan submission, the amendment was approved by the Council of the District of Columbia through the Medical Assistance Program Emergency Amendment Act of 2013, signed July 30, 2013 (D.C. Act 20-130; 60 DCR 11384). Since the amendment is still under review by CMS, a second emergency and proposed rulemaking is required to maintain the preservation of health, welfare and safety of District residents under the care of nursing facilities that continue to provide safe and appropriate health care services to District Medicaid beneficiaries. The estimated federal impact for fiscal year 2014 will be \$3.209 million. For fiscal year 2015, the estimated federal impact will be \$3.263 million.

A Notice of Emergency and Proposed Rulemaking was published on September 27, 2013 at 60 DCR 013421. No comments were received and no substantive changes have been made. The second emergency and proposed rulemaking was adopted on January 10, 2014 and became effective on that date. The emergency rule will remain in effect for one hundred and twenty (120) days or until May 9, 2014, unless superseded by publication of a Notice of Final Rulemaking in the *D.C. Register*. The Director also gives notice of the intent to take final rulemaking action to adopt these proposed rules in not less than thirty (30) days from the date of publication of this notice in the *D.C. Register*.

Section 6508 (FINAL PER DIEM RATE CALCULATION) of Chapter 65 (MEDICAID REIMBURSEMENT TO NURSING FACILITIES) of Title 29 (PUBLIC WELFARE) of the DCMR is amended by amending Subsection 6508.1 to read as follows:

6508.1 Each nursing facility's per diem rate effective January 1, 2006 shall be the sum of subparagraphs (a), (b), and (c) as set forth below:

- (a) The nursing and resident care base year cost per diem, which shall be calculated as follows:
 - (1) Effective January 1, 2006, through September 30, 2007, the nursing and resident care base year cost per diem established pursuant to Section 6505, adjusted for inflation to March 30, 2003, using the CMS Prospective Payment System Skilled Nursing Facility Input Price Index (CMS Index).
 - (2) Effective October 1, 2007, through September 30, 2008, the nursing and resident care base year cost per diem calculated pursuant to Subsection 6508.1(a)(1), adjusted for inflation using the CMS Index for District Fiscal Years 2006, 2007, and 2008.
 - (3) Effective October 1, 2008, through September 30, 2009, the nursing and resident care base year cost per diem calculated pursuant to Subsection 6508.1(a)(2), adjusted for inflation using the CMS Index.
 - (4) Effective October 1, 2009 through December 31, 2010, the nursing and resident care base year cost per diem calculated pursuant to Subsection 6508.1(a)(3), adjusted for inflation using the CMS Index.
 - (5) Effective January 1, 2011 through September 30, 2013, the annual inflation adjustment shall be eliminated.
 - (6) Effective October 1, 2013, the nursing and resident care base year cost per diem calculated pursuant to Subsection 6508.1(a)(4), shall be annually adjusted for inflation using the CMS Index. This inflation adjustment shall not apply or be calculated for the period in which the inflation adjustment was eliminated in Subsection 6508.1(a)(5).
- (b) The routine and support base year cost per diem, which shall be calculated as follows:
 - (1) Effective January 1, 2006, through September 30, 2007, the routine and support base year per diem established pursuant to Section 6506, adjusted for inflation to March 30, 2003, using the CMS Prospective Payment System Skilled Nursing Facility Input Price Index (CMS Index).

- (2) Effective October 1, 2007, through September 30, 2008, the routine and support base year cost per diem calculated pursuant to Subsection 6508.1(b)(1), indexed for inflation using the CMS Index.
 - (3) Effective October 1, 2008, through September 30, 2009, the routine and support base year cost per diem calculated pursuant to Subsection 6508.1(b)(2), adjusted for inflation using the CMS Index.
 - (4) Effective October 1, 2009 through December 2010, the routine and support base year cost per diem calculated according to Subsection 6508.1(b)(3), adjusted for inflation using the CMS Index.
 - (5) Effective January 2011 through September 30, 2013, the annual inflation adjustment is eliminated.
 - (6) Effective October 1, 2013, the routine and support base year cost per diem calculated pursuant to Subsection 6508.1(b)(4), shall be annually adjusted for inflation using the CMS Index. This inflation adjustment shall not apply or be calculated for the period in which the inflation adjustment was eliminated in Subsection 6508.1(b)(5).
- (c) The capital-related base year cost per diem, which shall be calculated as follows:
- (1) Effective January 1, 2006, through September 30, 2007, the capital-related base year cost per diem established pursuant to Section 6507 adjusted for inflation to March 30, 2003, using the CMS Prospective Payment System Skilled Nursing Facility Input Price Index (CMS Index). The inflation adjustment in this subparagraph shall not be applied to depreciation, amortization, and interest on capital related expenditures.
 - (2) Effective October 1, 2007, through September 30, 2008, the capital-related base year cost per diem calculated pursuant to Subsection 6508.1(c)(1) adjusted for inflation using the CMS Index for District Fiscal Years 2006, 2007, and 2008. The inflation adjustment in this subparagraph shall not be applied to depreciation, amortization and interest on capital related expenditures.
 - (3) Effective October 1, 2008, through September 30, 2009, the capital-related base year cost per diem calculated pursuant to

Subsection 6508.1(c)(2) adjusted for inflation using the CMS Index. The inflation adjustment in this subsection shall not be applied to depreciation, amortization and interest on capital related expenditures.

- (4) Effective October 1, 2009 through December 31, 2010, the capital-related base year cost per diem calculated pursuant to Subsection 6508.1(c)(3) adjusted for inflation using the CMS Index. The inflation adjustment in this subsection shall not be applied to depreciation, amortization and interest on capital-related expenditures.
- (5) Effective January 2011 through September 30, 2013, the annual inflation adjustment is eliminated.
- (6) Effective October 1, 2013, the capital-related base year cost per diem calculated pursuant to Subsection 6508.1(c)(4), shall be annually adjusted for inflation using the CMS Index. This inflation adjustment shall not apply or be calculated for the period in which the inflation adjustment was eliminated in Subsection 6508.1(c)(5). The inflation adjustment in this subsection shall not be applied to depreciation, amortization and interest on capital-related expenditures.

Comments on the emergency and proposed rule shall be submitted, in writing, to Linda Elam, Ph.D., MPH, Senior Deputy Director/State Medicaid Director, Department of Health Care Finance, 441 4th Street, NW, Suite 900S, Washington, D.C. 20001, via telephone at (202) 442-9115, via e-mail at DHCFpubliccomments@dc.gov, or online at www.dcregs.dc.gov, within thirty (30) days after the date of publication of this notice in the *D.C. Register*. Copies of the emergency and proposed rule may be obtained from the above address.

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

**NOTICE OF MEETING
INVESTIGATIVE AGENDA**

**WEDNESDAY, FEBRUARY 5, 2014
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

On February 5, 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-AUD-00002 Hotel Helix, 1430 RHODE ISLAND AVE NW Retailer C Hotel,
License#: ABRA-079243

2. Case#14-AUD-00005 Jo Jo Restaurant & Bar, 1518 U ST NW Retailer C Restaurant,
License#: ABRA-060737

3. Case#14-251-00009 Policy, 1904 14th ST NW Retailer C Restaurant, License#: ABRA-
076804

4. Case#14-AUD-00003 Holiday Inn Express Hotel & Suites, 1917 BLADENSBURG RD NE
Retailer C Hotel, License#:ABRA-082836

5. Case#14-251-00008 Ambassador Restaurant, 1907 9th ST NW Retailer C Restaurant,
License#: ABRA-090422

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF MEETING
LEGAL AGENDA

WEDNESDAY, FEBRUARY 5, 2014 AT 1:00 PM
2000 14th STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

1. Review of Settlement Agreement dated January 14, 2014 between Victoria Rizzo and Rustik Tavern. *Rustik Tavern*, 84 T Street NW, Retailer CT, Lic#: 86517.
-

2. Review of Settlement Agreement dated September 27, 2013 between ANC 2E and 1218 Wisconsin Inc. *El Centro*, 1218 Wisconsin Avenue NW, Retailer CT, Lic#: 84847
-

3. Review of One (1) Request from E & J Gallo to provide retailers with products valued at more than \$50 and less than \$500.
-

4. Review of One (1) Request from Kendall Jackson to provide retailers with products valued at more than \$50 and less than \$500.
-

*** In accordance with Section 405(b) of the Open Meetings Amendment Act of 2010, 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, FEBRUARY 5, 2014 AT 1:00 PM
2000 14th STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

1. Review Change Hours Request. ***Approved Hours of Operation, Sales and Consumption:*** Sunday-Thursday 11am to 2am, Friday and Saturday 11am to 3am. ***Approved Hours of Entertainment:*** Sunday-Thursday 9pm to 12:30am, Friday-Saturday 10pm to 2:30am. ***Proposed Hours of Operation:*** Sunday-Thursday 7am to 2am, Friday-Saturday 7am to 3am, ***Proposed Hours of Sales and Consumption:*** Sunday-Thursday 8am to 2am, Friday and Saturday 8am to 3am. ***Proposed Hours of Entertainment:*** Sunday-Thursday 6pm to 2am, Friday-Saturday 6pm to 3am. No outstanding fines/citations. Settlement Agreement. ANC 2E. SMD 2E05. ***Ri Ra Irish Pub***, 3123-3125 M Street NW, Retailer CR, License No. 92168.

2. Review Change of Hours Request. ***Approved Hours of Operation:*** Sunday-Saturday 9am to 9pm. ***Proposed Hours of Operation:*** Sunday-Saturday 7am to 10pm. No pending enforcement matters. Outstanding fines. Settlement Agreement. ANC 6B. SMD 6B10. ***Southeast Market***, 1500 Independence Avenue SE, Retailer B, License No. 08011.

3. Review Letter Requesting Endorsement for Offsite Storage of Invoices. No pending enforcement matters. No outstanding fines/citations. Settlement Agreement. ANC 2E. SMD 2E05. ***El Centro D. F.***, 1218 Wisconsin Avenue NW, Retailer CT, License No. 00604.

4. Review Request from Washington Wholesale Liquor Company seeking approval to provide products for retailers. ***Washington Wholesale Liquor Company***, Wholesaler A. License No. 60518.

5. Review Application for Manager's License for ***Mitchell J. Mellor***, ABRA-94174.

*** In accordance with Section 405(b) of the Open Meetings Amendment Act of 2010, 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
OCCUPATIONAL AND PROFESSIONAL LICENSING DIVISION**

NOTICE OF PUBLIC MEETING

**Board of Accountancy
1100 4th Street SW, Room E300
Washington, DC 20024**

AGENDA

**February 4, 2014
9:00 A.M.**

- 1) Meeting Call to Order
- 2) Attendees
- 3) Comments from the Public
- 4) Minutes: Review draft of 7 January 2014
- 5) Old Business
- 6) New Business
- 7) Correspondence
- 8) Adjournment

Next Scheduled Meeting – Tuesday, 4 March 2014
Location: 1100 4th Street SW, Conference Room E300

**DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
OCCUPATIONAL AND PROFESSIONAL LICENSING DIVISION**

NOTICE OF PUBLIC MEETING

**Board of Barber and Cosmetology
1100 4th Street SW, Room E300
Washington, DC 20024**

Meeting Agenda

**February 3, 2014
10:00 a.m.**

1. Call to Order – 10:00 a.m.
2. Members Present
3. Staff Present
4. Comments from the Public
5. Review of Correspondence
6. Applications for Licensure
7. Executive Session (Closed to the Public)
8. Old Business
9. New Business
10. Adjourn
11. Next Scheduled Board Meeting – March 3, 2014.

**DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
OCCUPATIONAL AND PROFESSIONAL LICENSING DIVISION**

NOTICE OF PUBLIC MEETING

**Board of Funeral Directors
1100 4th Street SW, Room E300
Washington, DC 20024**

Meeting Agenda

**February 6, 2014
1:00 P.M.**

1. Call to Order – 1:00 p.m.
2. Members Present
3. Staff Present
4. Comments from the Public / DC Agency Representative(s)
5. Review of Correspondence
6. Applications for Licensure
7. Draft Minutes, January 2014
8. Executive Session (Closed to the Public)
9. Old Business
10. New Business
11. Adjourn
12. Next Scheduled Board Meeting – March 6, 2014 at 1:00 p.m.

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS,
OCCUPATIONAL AND PROFESSIONAL LICENSING DIVISION

NOTICE OF PUBLIC MEETING

Board of Industrial Trades
1100 4th Street SW, Room 300 A/B
Washington, DC 20024

AGENDA

February 18, 2014
1:00 P.M -4:00 P.M.

- I. Call to Order
- II. Ascertainment of Quorum
- III. Adoption of the Agenda
- IV. Acknowledgment of Adoption of the Minutes
- V. Report from the Chairperson
 - a) Elevator applications on PULSE
 - b) DCMR updates
 - c) New Board Member
- VI. New Business
 - a) Reciprocity with other Jurisdictions
- VII. Opportunity for Public Comments
- VIII. Executive Session

Executive Session (non-public) to Discuss Ongoing, Confidential Preliminary Investigations pursuant to D.C. Official Code § 2-575(b)(14), to deliberate on a decision in which the Industrial Trades Board will exercise quasi-judicial functions pursuant to D.C. Official Code § 2-575(b)(13)

 - a) Review of applications
 - b) Recommendations from committee meetings to Ratify
- IX. Resumption of Public Meeting
- X. Adjournment

Next Scheduled Board Meeting: March 18, 2014 @ 1:00 PM – 4:00 PM, Room 300A/B
1100 4th Street, Washington, DC 20024

**DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
OCCUPATIONAL AND PROFESSIONAL LICENSING DIVISION**

NOTICE OF PUBLIC MEETING

**Board of Professional Engineering
1100 4th Street SW, Room E300
Washington, DC 20024**

AGENDA

**February 27, 2014
9:30 A.M.**

- 1) Meeting Call to Order
- 2) Attendees
- 3) Comments from the Public
- 4) Minutes: Review draft of 23 January 2014
- 5) Old Business
- 6) New Business
- 7) Executive Session
- 8) Application Committee Report
- 9) Adjournment

Next Scheduled Meeting – Thursday, 24 April 2014 (tentative)
Location: 1100 4th Street SW, Conference Room E300

**DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
OCCUPATIONAL AND PROFESSIONAL LICENSING DIVISION**

NOTICE OF PUBLIC MEETING

**District of Columbia Board of Real Estate Appraisers
1100 4th Street SW, Room 300 B
Washington, DC 20024**

AGENDA

**February 19, 2014
10:00 A.M.**

1. Call to Order – 10:00 a.m.
2. Executive Session (Closed to the Public) – 10:00 – 10:30 a.m.
 - A. Legal Committee Recommendations
 - B. Legal Counsel Report
3. Attendance (Start of Public Session) – 10:30 a.m.
4. Comments from the Public
5. Minutes - Draft, January 15, 2013
6. Recommendations
 - A. Review - Applications for Licensure
 - B. Legal Committee Report
 - C. Education Committee Report
 - D. Budget Report
 - E. 2014 Calendar
 - F. Correspondence
7. Old Business
8. New Business
9. Adjourn

Next Scheduled Regular Meeting, March 19, 2014
1100 4th Street, SW, Room 300B, Washington, DC 20024

**D.C. DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
BUSINESS AND PROFESSIONAL LICENSING ADMINISTRATION**

SCHEDULED MEETINGS OF BOARDS AND COMMISSIONS

February 2014

CONTACT PERSON	BOARDS AND COMMISSIONS	DATE	TIME/ LOCATION
Daniel Burton	Board of Accountancy	4	8:30 am-12:00pm
Lisa Branscomb	Board of Appraisers	19	8:30 am-4:00 pm
Jason Sockwell	Board Architects and Interior Designers	NO MEETING	8:30 am-1:00 pm
Cynthia Briggs	Board of Barber and Cosmetology	3	10:00 am-2:00 pm
Sheldon Brown	Boxing and Wrestling Commission	11	7:00-pm-8:30 pm
Kevin Cyrus	Board of Funeral Directors	6	9:30am-2:00 pm
Jason Sockwell	Board of Professional Engineering	27	9:30 am-1:30 pm
Leon Lewis	Real Estate Commission	11	8:30 am-1:00 pm
Pamela Hall	Board of Industrial Trades	18	1:00 pm-4:00 pm
	Asbestos Electrical Elevators Plumbing Refrigeration/Air Conditioning Steam and Other Operating Engineers		

Dates and Times are subject to change. All meetings are held at 1100 4th St., SW, Suite E-300 A-B Washington, DC 20024. For further information on this schedule, please contact the front desk at 202-442-4320.

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS

NOTICE OF PUBLIC MEETING

D.C. BOXING AND WRESTLING COMMISSION
1100 4th Street SW-Suite E500, SW
Washington, DC. 20024

Website: http://www.pearsonvue.com/dc/boxing_wrestling/

Meeting Agenda

February 11, 2014
7:00 P.M.

CALL TO ORDER & ROLL CALL

COMMENTS FROM THE PUBLIC & GUEST INTRODUCTIONS

REVIEW OF MINUTES

1. Approval of Minutes

UPCOMING EVENTS

1. February 15, 2014 Amateur MMA Event at the Echo Stage presented by OO Fights & Spike Punch MMA: Conflict 27
2. September 13, 2014 Dr. McKnight Amateur Event
3. November 13, 2013 Pro-Boxing Flight Night at the Washington Hilton Hotel: Fight For Children

OLD BUSINESS

1. Mayor's Cup Amateur Event: July 2014
2. DC Gym Assessment: February 2014 Tuesday & Thursday

NEW BUSINESS

1. Officials License Renewal
2. Upcoming Amateur Events

ADJORNMENT

NEXT REGULAR SCHEDULED MEETING IS MARCH 11, 2014

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
CONSTRUCTION CODES COORDINATING BOARD

NOTICE OF SPECIAL MEETING

The Construction Codes Coordinating Board will be holding a special meeting on Tuesday, February 4, 2014 at 10:30 a.m.

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".

**DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
OCCUPATIONAL AND PROFESSIONAL LICENSING DIVISION**

NOTICE OF PUBLIC MEETING

District of Columbia Real Estate Commission
1100 4th Street, S.W., Room 300B
Washington, D.C. 20024

AGENDA
February 11, 2014

1. Call to Order - 9:30 a.m.
2. Executive Session (Closed to the Public) – 9:30 -10:30 a.m.
 - A. Legal Committee Recommendations
 - B. Legal Counsel Report
3. Attendance (Start of Public Session) – 10:30 a.m.
4. Comments from the Public
5. Minutes - Draft, November 12, 2013
6. Recommendations
 - A. Review - Applications for Licensure
 - B. Legal Committee Report
 - C. Education Committee Report
 - D. Budget Report
 - E. 2014 Calendar
 - F. Correspondence
7. Old Business
 - Non-Employee IDs
8. New Business
 1. Vote – Historic Preservation Seminars - Funding – May 2014
 2. Vote - Attendees – ARELLO Mid-Year Meeting – San Diego, California, April 9-12, 2014
9. Adjourn

Next Scheduled Regular Meeting, March 11, 2014,
1100 4th Street, SW, Room 300B, Washington, DC 20024

DC INTERNATIONAL SCHOOL**INVITATION FOR BID**

RFP for US Work Visa Assistance: DC International School is seeking competitive bids from qualified vendors for obtaining and ensuring compliance with US work visas for necessary staff. Please include qualifications, experience, pricing and references. **Deadline for submissions is close of business Friday, February 21, 2014. Please e-mail proposals and supporting documents to rfp@dcinternationalschool.org.**

GOVERNMENT OF THE DISTRICT OF COLUMBIA

DEPARTMENT ON DISABILITY SERVICES

NOTICE OF RESCHEDULED MEETING

District of Columbia Statewide Independent Living Council (SILC) Quarterly Meetings

The Department on Disability Services
Rehabilitation Services Administration
1125 15th St., NW
Conference Room 2B
Washington, DC 20005

The District of Columbia Statewide Independent Living Council (DCSILC) announces the rescheduling of the January 23, 2014, general meeting. The new meeting will be held on March 6, 2014. The January meeting was postponed due to inclement weather. The remaining DCSILC meetings, will take place as scheduled. They will be hosted by the Department on Disability Services Rehabilitation Services Administration (DDS-RSA) at 1125 15th Street, NW, Washington, DC 20005, in the 2nd floor conference room 2B from 12-2:00pm.

As previously announced (DC Register Vol. 60, Issue 49), all SILC meetings will occur bimonthly on the fourth Thursday of the selected month. The remaining dates are as follows:

Thursday, March 27, 2014

Thursday, May 22, 2014

Thursday, July 24, 2014

Thursday, September 25, 2014

All DCSILC general meetings are open to the public. Individuals who wish to attend and need accommodations should contact Ms. Dahlia Johnson, Administrative Assistant, DCSILC, at least seven (7) days prior to the scheduled meeting date, by phone, 202-442-8748 or email, dahlia.johnson@dc.gov.

OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION
OFFICE OF PUBLIC CHARTER SCHOOL FINANCING AND SUPPORT
ANNOUNCES 2014 MEETING SCHEDULE
FOR THE DISTRICT OF COLUMBIA PUBLIC CHARTER SCHOOL CREDIT
ENHANCEMENT FUND COMMITTEE

The Office of the State Superintendent of Education hereby announces that it will hold meetings on February 20, 2014, March 20, 2014, April 17, 2014, May 15, 2014, June 19, 2014, July 17, 2014, August 21, 2014, September 18, 2014, October 16, 2014, November 20, 2014, and December 18, 2014, for the District of Columbia Public Charter School Credit Enhancement Fund Committee.

The meetings will take place at 810 First Street, N.E., 9th Floor, Washington, D.C., 20002 from 12:30 pm to 1:30 pm. For additional information, please contact:

Alina Tsanova, Financial Program Specialist
Office of Public Charter School
Financing and Support
810 First Street, N.E., 8th Floor,
Washington, DC 20002
Tele: 202-741-5535
Fax: 202-727-2019
alina.tsanova@dc.gov
www.osse.dc.gov

BOARD OF ELECTIONS**CERTIFICATION OF ANC/SMD VACANCIES**

The District of Columbia Board of Elections hereby gives notice that there are vacancies in three (3) Advisory Neighborhood Commission offices, certified pursuant to D.C. Official Code § 1-309.06(d)(2); 2001 Ed; 2006 Repl. Vol.

VACANT: 3F06, 5A04 and 7F07

Petition Circulation Period: **Monday, February 3, 2014 thru Monday, February 24, 2014**
Petition Challenge Period: **Thursday, February 27, 2014 thru Wednesday, March 5, 2014**

Candidates seeking the Office of Advisory Neighborhood Commissioner, or their representatives, may pick up nominating petitions at the following location:

**D.C. Board of Elections
441 - 4th Street, NW, Room 250N
Washington, DC 20001**

For more information, the public may call **727-2525**.

DISTRICT DEPARTMENT OF THE ENVIRONMENT**NOTICE OF PUBLIC COMMENT PERIOD**

Draft Remedial Investigation of Anacostia River Sediments: Work Plan

The District Department of the Environment has released for public comment, the draft work plan titled “Remedial Investigation of Anacostia River Sediments”. This work plan will serve as the primary planning document to guide current remediation efforts in the District. It also proposes a comprehensive evaluation plan to both assess the degree of contamination found in sediments within the tidal portion of the river and remedy or clean up these environmental contaminants.

The draft work plan is accessible at: <http://ddoe.dc.gov/riworkplan2014>

The draft work plan is also available for public review at the following location:

Toxic Substances Division
District Department of the Environment (DDOE)
1200 1st Street, N.E., 5th Floor
Washington, DC 20002

Interested Parties may also request copy for a charge to cover the cost of copying by contacting the Toxic Substances Division at the above address or calling (202) 654-6017.

Written comments on the draft work plan must be received by the Toxic Substances Division at the address listed above within thirty (30) days from the date of this publication. DDOE will consider all relevant public comments it receives before finalizing the Draft Work Plan.

Please refer to “Remedial Investigation of Anacostia River Sediments – Work Plan” in any correspondence related to this document.

DISTRICT DEPARTMENT OF THE ENVIRONMENT**NOTICE OF PUBLIC COMMENT PERIOD****Draft Stormwater Retrofit Plan**

The District Department of the Environment (the Department) is soliciting comments on a draft Stormwater Retrofit Plan. Section 4.1.5.1 of the National Pollutant Discharge Elimination System permit for the District's Municipal Separate Storm Sewer System (NPDES Permit No. DC 0000221) directs the District to develop a program that establishes performance metrics for retrofit projects. In accordance with this requirement, the Department has developed a draft Stormwater Retrofit Plan, which is available on the Department's website at <http://ddoe.dc.gov/stormwaterretrofitplan>, or upon request by contacting the Department's Stormwater Management Division at (202) 741-2136.

The Department is committed to considering the public's comments while finalizing this Plan. Interested persons may submit written comments on the draft Plan, which must include the person's name, telephone number, affiliation, if any, mailing address, a statement outlining their concerns, and any facts underscoring those concerns. All comments must be submitted within thirty (30) days after the date of publication of this notice in the *D.C. Register*.

Comments should be clearly marked "Stormwater Retrofit Plan" and either (1) mailed or hand-delivered to DDOE, Stormwater Management Division, 1200 First Street, N.E., 5th Floor, Washington, DC 20002, Attention: Stormwater Retrofit Plan, or (2) e-mailed to jeffrey.seltzer@dc.gov.

The Department will consider all timely received comments before finalizing the plan. All comments will be treated as public documents and will be made available for public viewing on the Department's website. When the Department identifies a comment containing copyrighted material, the Department will provide a reference to that material on the website. If a comment is sent by e-mail, the email address will be automatically captured and included as part of the comment that is placed in the public record and made available on the Department's website. If the Department cannot read a comment due to technical difficulties, and the email address contains an error, the Department may not be able to contact the commenter for clarification and may not be able to consider the comment. Including the commenter's name and contact information in the comment will avoid this difficulty.

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

**GRANTS for the
FY14 Green Building Fund Grant**

The District of Columbia District Department of the Environment (“DDOE”) is seeking nonprofit organizations, government agencies, or educational institutions to help us meet the ambitious goals related to green buildings set out in the Mayor's Sustainable DC Plan.

Beginning 1/31/2014, the full text of the Request for Applications (“RFA”) will be available online at DDOE’s web site. It will also be available for pick-up. A person may obtain a copy of this RFA by any of the following:

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

Email a request to 2014greenbuildingrfa.grants@dc.gov with “Request copy of RFA 2014-2-OPS” in the subject line;

In person by making an appointment to pick up a copy from DDOE's offices at the 5th floor reception desk at 1200 First Street, N.E., Washington, DC 20002 (call Latonia Tabb at (202) 645-5664 and mention this RFA by name); or

Write DDOE at 1200 First Street, N.E., 5th Floor, Washington, DC 20002, “Attn: Request copy of RFA 2014-2-OPS” on the outside of the letter.

The deadline for application submissions is 2/28/2014 at 4:30 p.m. Five hard copies must be submitted to the above address and a complete electronic copy must be e-mailed to 2014greenbuildingrfa.grants@dc.gov.

Eligibility: All the checked institutions below may apply for these grants:

- Nonprofit organizations, including those with IRS 501(c)(3) or 501(c)(4) determinations;
- Faith based organizations, and educational institutions;
- Government agency and
- University / Higher Education.

Period of Awards: The end date for the work of this grant program will be 9/30/2014.

Available Funding: The total amount available for this RFA is approximately \$325,000.00. The amount is subject to continuing availability of funding and approval by the appropriate agencies.

For additional information regarding this RFA, please contact DDOE as instructed in the RFA document, or after reviewing the document, at 2014greenbuildingrfa.grants@dc.gov.

DISTRICT DEPARTMENT OF THE ENVIRONMENT

FISCAL YEAR 2014

PUBLIC NOTICE

Notice is hereby given that, pursuant to 40 C.F.R. Part 51.161, and D.C. Official Code §2-505, the Air Quality Division (AQD) of the District Department of the Environment (DDOE), located at 1200 First Street NE, 5th Floor, Washington, DC, intends to issue an air quality permit #6794 to Bank of America to construct and operate a 200 kW diesel fuel fired emergency generator set at 730 15th Street NW, Washington, DC 20024. The contact person for facility is Dawn Reeves, Environmental Coordinator at 980-406-0566. The applicant’s mailing address is 525 North Tryon Street, 5th Floor (NC1-023-05-54), Charlotte, NC 28255.

Emissions:

Maximum emissions from the 200 kW emergency generator, operating five hundred (500) hours per year, is expected to be as follows:

	Maximum Annual Emissions
Pollutant	(tons/yr)
Particulate Matter (PM) (Total)	0.01
Sulfur Oxides (SOx)	0.0008
Nitrogen Oxides (NOx)	0.40
Volatile Organic Compounds (VOC)	0.01
Carbon Monoxide (CO)	0.06

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. [40 CFR 60.4205(b), 40 CFR 60.4202(a)(2) and 40 CFR 89.112(a)]:

Pollutant Emission Limits (g/kW-hr)		
NMHC+NOx	CO	PM
4.0	3.5	0.20

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

public health or welfare, or which interferes with the reasonable enjoyment of life or property is prohibited. [20 DCMR 903.1]

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

Interested persons may submit written comments or may request a 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 March 3, 2014 will be accepted.

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

DISTRICT DEPARTMENT OF THE ENVIRONMENT

FISCAL YEAR 2014

PUBLIC NOTICE

Notice is hereby given that, pursuant to 40 C.F.R. Part 51.161, and D.C. Official Code §2-505, the Air Quality Division (AQD) of the District Department of the Environment (DDOE), located at 1200 First Street NE, 5th Floor, Washington, DC, intends to issue an air quality permit (#6812) to Georgetown University to construct and operate one (1) 450 kW diesel fired emergency generator set at the Research Resource Facility at 3700 O Street NW, Washington, DC 20057. The contact person for facility is Gregory Simmons, AVP Facilities Operation, Design & Construction at (202) 594-6523. The applicant’s mailing address is 3700 O Street NW, Washington, DC 20057.

Emissions:

Maximum emissions from the emergency generator, operating five hundred (500) hours per year, is expected to be as follows:

	Maximum Annual Emissions
Pollutant	(tons/yr)
Particulate Matter (PM) (Total)	0.011
Sulfur Oxides (SO _x)	0.002
Nitrogen Oxides (NO _x)	1.82
Volatile Organic Compounds (VOC)	0.03
Carbon Monoxide (CO)	0.15

The proposed emission limits for the unit 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. [40 CFR 60.4205(b), 40 CFR 60.4202(a)(2) and 40 CFR 89.112(a)]:

Pollutant Emission Limits (g/kW-hr)		
NMHC+NO _x	CO	PM
4.0	3.5	0.20

- b. Visible emissions shall not be emitted into the outdoor atmosphere from this generator, except that discharges not exceeding forty percent (40%) opacity (unaveraged) shall be permitted for two (2) minutes in any sixty (60) minute period and for an aggregate of twelve (12) minutes in any twenty-four hour (24 hr.) period during start-up, cleaning, adjustment of combustion controls, or malfunction of the equipment [20 DCMR 606.1].

- c. An emission into the atmosphere of odorous or other air pollutants from any source in any quantity and of any characteristic, and duration which is, or is likely to be injurious to the public health or welfare, or which interferes with the reasonable enjoyment of life or property is prohibited. [20 DCMR 903.1]

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

Interested persons may submit written comments or may request a 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 March 3, 2014 will be accepted.

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

DISTRICT DEPARTMENT OF THE ENVIRONMENT

FISCAL YEAR 2014

PUBLIC NOTICE

Notice is hereby given that, pursuant to 40 C.F.R. Part 51.161, and D.C. Official Code §2-505, the Air Quality Division (AQD) of the District Department of the Environment (DDOE), located at 1200 First Street NE, 5th Floor, Washington, DC, intends to issue an air quality permit (#6819) to Goodwill Inc., to operate an auto body paint spray booth at 3001 Earl Place NE. The contact person for the facility is Tsegaye Kebede, Board Chairman, at (202) 269-6690.

Emissions:

The maximum estimated potential emissions of volatile organic compound (VOC) from the auto body paint spray booth equipment, operating fifty two weeks (52) per year, is expected to be as follows:

	Maximum Annual Emissions
Pollutant	(tons/yr)
Volatile Organic Compounds (VOC)	5.85

The proposed emission limits are as follows:

- a. No chemical strippers containing methylene chloride (MeCl) shall be used for paint stripping at the facility. [20 DCMR 201.1]
- b. Paints and refinishing coatings that contain volatile organic compounds (VOCs) in excess of the limits specified in Table I below, including any VOC containing materials added to the original coating supplied by the manufacturer, shall be prohibited. [20 DCMR 718.3]

Table I: Allowable Content of VOCs in Mobile Equipment Repair and Refinishing Coatings (*as applied*)

Coating Type	Weight	Limit*
	(Pounds per gallon)	(Grams per liter)
Automotive pretreatment primer	6.5	780
Automotive primer-surfacer	4.8	575
Automotive primer-sealer	4.6	550
Automotive topcoat:		
single stage-topcoat	5.0	600
2 stage basecoat/clearcoat	5.0	600
3 or 4-stage basecoat/clearcoat	5.2	625
Automotive multi-colored topcoat	5.7	680
Automotive specialty coating	7.0	840

*Weight of VOC per volume of coating (minus water and non-VOC solvents)

- c. An emission into the atmosphere of odorous or other air pollutants from any source in any quantity and of any characteristic, and duration which is, or is likely to be injurious to the public health or welfare, or which interferes with the reasonable enjoyment of life or property is prohibited. [20 DCMR 903.1]
- d. Visible emissions shall not be emitted into the outdoor atmosphere from the paint spray booth. [20 DCMR 201.1, 606.1 and 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 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 March 3, 2014 will be accepted.

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

DISTRICT DEPARTMENT OF THE ENVIRONMENT

FISCAL YEAR 2014

PUBLIC NOTICE

Notice is hereby given that, pursuant to 40 C.F.R. Part 51.161, and D.C. Official Code §2-505, the Air Quality Division (AQD) of the District Department of the Environment (DDOE), located at 1200 First Street NE, 5th Floor, Washington, DC, intends to issue an air quality permit (#6840) to Celtic Demolition, Inc. to construct and operate a portable crushing plant at the McMillan Sand Filtration Plant located at 1st and Channing Streets NW, Washington, DC. The contact person for the applicant is Ross Tumulty, President, at (703) 739-9103. The applicant’s mailing address is 2121 Eisenhower Avenue, Suite 200 Alexandria, VA 22314.

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

- a. Emissions of dust shall be minimized in accordance with the requirements of 20 DCMR 605 and the “Operational Limitations” of the permit.
- b. The emission of fugitive dust from any material handling, screening, crushing, grinding, conveying, mixing, or other industrial-type operation or process is prohibited. [20 DCMR 605.2]
- c. Emissions from the engine powering the crusher shall not exceed those achieved by proper operation of the equipment in accordance with manufacturer’s specifications.
- d. Visible emissions shall not be emitted into the outdoor atmosphere from stationary sources; provided, that the 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, soot blowing, adjustment of combustion controls, or malfunction of the equipment. [20 DCMR 606.1]
- e. 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]

Emissions from the unit are not expected to exceed the following:

Pollutant	Maximum Annual Emissions (tons/yr)
Particulate Matter (PM)	0.071
Carbon Monoxide (CO)	0.011
Oxides of Nitrogen (NO _x)	0.373
Volatile Organic Compounds (VOC)	0.085

Pollutant	Maximum Annual Emissions (tons/yr)
Oxides of Sulfur (SO _x)	0.063

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

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

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

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

No written comments or hearing requests postmarked after March 3, 2014 will be accepted.

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

DISTRICT DEPARTMENT OF THE ENVIRONMENT

FISCAL YEAR 2014

PUBLIC NOTICE

Notice is hereby given that, pursuant to 40 C.F.R. Part 51.161, and D.C. Official Code §2-505, the Air Quality Division (AQD) of the District Department of the Environment (DDOE), located at 1200 First Street NE, 5th Floor, Washington, DC, intends to issue an air quality permit (#6852) to Pak American Corporation, to operate an auto body paint spray booth at 37 L Street SE, Washington DC. The contact person for the facility is Imran Butt, President, at (202) 488-4844.

Emissions:

The maximum estimated potential emissions of volatile organic compound (VOC) from the auto body paint spray booth equipment, operating fifty two weeks (52) per year, is expected to be as follows:

	Maximum Annual Emissions
Pollutant	(tons/yr)
Volatile Organic Compounds (VOC)	5.85

The proposed emission limits are as follows:

- a. No chemical strippers containing methylene chloride (MeCl) shall be used for paint stripping at the facility. [20 DCMR 201.1]
- b. Paints and refinishing coatings that contain volatile organic compounds (VOCs) in excess of the limits specified in Table I below, including any VOC containing materials added to the original coating supplied by the manufacturer, shall be prohibited. [20 DCMR 718.3]

Table I: Allowable Content of VOCs in Mobile Equipment Repair and Refinishing Coatings (*as applied*)

Coating Type	Weight	Limit*
	(Pounds per gallon)	(Grams per liter)
Automotive pretreatment primer	6.5	780
Automotive primer-surfacer	4.8	575
Automotive primer-sealer	4.6	550
Automotive topcoat:		
single stage-topcoat	5.0	600
2 stage basecoat/clearcoat	5.0	600
3 or 4-stage basecoat/clearcoat	5.2	625
Automotive multi-colored topcoat	5.7	680
Automotive specialty coating	7.0	840

*Weight of VOC per volume of coating (minus water and non-VOC solvents)

- c. An emission into the atmosphere of odorous or other air pollutants from any source in any quantity and of any characteristic, and duration which is, or is likely to be injurious to the public health or welfare, or which interferes with the reasonable enjoyment of life or property is prohibited. [20 DCMR 903.1]
- d. Visible emissions shall not be emitted into the outdoor atmosphere from the paint spray booth. [20 DCMR 201.1, 606.1 and 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 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 March 3, 2014 will be accepted.

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

DISTRICT DEPARTMENT OF THE ENVIRONMENT**NOTICE OF PROPOSED ISSUANCE OF A VOLUNTARY CLEANUP PROGRAM
CERTIFICATE OF COMPLETION**

Brownfield Revitalization Voluntary Cleanup Program

Pursuant to § 601(b) of the Brownfield Revitalization Amendment Act of 2000, D. C. Law 13-312, D.C. Official Code §§ 8-631 *et seq.*, as amended April 8, 2011, D.C. Law 18-369 (herein referred to as the “Act”), the Voluntary Cleanup Program in the District Department of the Environment (DDOE), Land Remediation and Development Branch (LRDB), is informing the public that it has received a Site Completion Report and a request for a Certificate of Completion to support a Voluntary Cleanup Program (VCP) application. The applicant for real properties addressed as 3306-3440 Wisconsin Ave., NW & 3709-3715 Newark Street, NW, Case No. VCP2011-020, is Friendship Macomb SC, Inc., 1385 Hancock Street, Quincy, MA 02169.

The application identified sources of petroleum and chlorinated organic solvents in soil and groundwater. The applicant has performed the approved remediation action in compliance with the VCP protocol and is redeveloping the property into a mixed-use commercial office, retail and residential development. Based on the cleanup oversight and review of the site completion report, the Voluntary Cleanup Program has determined the issuance of a Certificate of Completion (COC) is warranted.

Pursuant to § 601(b) of the Act, this notice will also be mailed to the Advisory Neighborhood Commission (ANC) for the area in which the property is located. The application is available for public review at the following location:

Voluntary Cleanup Program
District Department of the Environment (DDOE)
1200 First Street, NE, Fifth Floor
Washington, DC 20002

Interested parties may also request a copy of the Site Completion Report and related documents for a charge to cover the cost of copying by contacting the Voluntary Cleanup Program at the above address or calling (202) 535-2600.

Written comments on the proposed issuance of the COC must be received by the VCP program at the address listed above within twenty one (21) days from the date of this publication. DDOE is required to consider all public comments it receives before acting on the application, the cleanup action plan, or a certificate of completion.

FRIENDSHIP PUBLIC CHARTER SCHOOL**INVITATION FOR BID**

Friendship Public Charter School (**FPCS**) is soliciting proposals from qualified vendors **to provide CUSTODIAL AND FACILITIES MANAGEMENT SERVICES in accordance with the bidding requirements and specifications detailed in the RFP.** The RFP can be obtained by contacting ProcurementInquiry@friendshipschools.org. Proposals are due no later than 5:00 PM February 19th 2014.

DISTRICT OF COLUMBIA DEPARTMENT OF HEALTH
COMMUNITY HEALTH ADMINISTRATION

NOTICE OF FUNDING AVAILABILITY

Request for Applications #CHA_PCDEMG_021414

Demonstration Grants for Expanding Access to Care

The Government of the District of Columbia, Department of Health (DOH), Community Health Administration (CHA) is soliciting applications from qualified applicants to conduct feasibility assessments and/or demonstration projects to expand access to health care through telehealth or urgent care. The grants to be awarded through this Request for Applications (RFA) will serve as seed funding for eligible organizations to implement new and/or to enhance existing healthcare services via telehealth or urgent care.

Approximately \$400,000 in local appropriated funds will become available for up to five (5) awards. Award sizes will range from a minimum of \$50,000 up to a maximum of \$200,000. Funds are available for a program period of six (6) months (April through September 2014).

This funding is made available using local appropriations in the Fiscal Year 2014 Budget Support Act of 2013 through the Department of Health Function Clarification Amendment Act of 2013 (D.C. Law 18-111; DC Official Code 7-736.01) whereby for Fiscal year 2014, the Director of the Department of Health shall have the authority to issue grants to qualified community organizations for the purposes of providing ambulatory health services.

The following entities are eligible to apply: not-for-profit public and private organizations with a demonstrated track record in providing primary medical, dental or behavioral health care to medically vulnerable populations.

A limited number of copies of the RFA will be available for pickup at DOH/CHA offices located at 899 North Capitol Street, NE Washington, DC 20002 on the 3rd floor and on the website www.opgs.dc.gov under the District Grants Clearinghouse on Friday, February 14, 2014. Submission deadline is **Friday March 7, 2014**. All applications must be received in the DOH/CHA suite on the third floor by **4:30 pm**.

The Pre-Application Conference will be held at the CHA offices located at 899 North Capitol Street, NE Washington, DC 20002 3rd floor Room 306 Monday, February 24, 2014 from 11:30 am to 1:00 pm. Please contact Taiwana Lucienne at (202) 442-6101 or at Taiwana.Lucienne@dc.gov for additional information.

**CHA is located in a secured building. Government issued identification must be presented for entrance.

DEPARTMENT OF HEALTH**PUBLIC NOTICE**

The District of Columbia Board of Dietetics and Nutrition hereby gives notice pursuant to § 405 of the District of Columbia Health Occupation Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1204.05 (b)) (2009).

The District of Columbia Board of Dietetics and Nutrition's regularly scheduled quarterly meeting will be held on Tuesday, February 4, 2014. The open (public) session begins at 9:30 a.m. The Board of Dietetics and Nutrition meets at 899 North Capitol Street, NE, 2nd Floor, Washington, D.C. 20002.

DEPARTMENT OF HEALTH

PUBLIC NOTICE

The Acting Director of the Department of Health hereby gives the following notice pursuant to § 405 of the District of Columbia Health Occupation Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1204.05 (b)) (2009); Section 14 of the Legalization of Marijuana for Medical Treatment Amendment Act of 2010 (Act), effective July 27, 2010 (D.C. Law 18-210; D.C. Official Code §§ 7-1671.01, *et seq.* (2012 Supp.)), and Mayor's Order 2013-201, dated October 28, 2013.

The District of Columbia Medical Marijuana Scientific Subcommittee of the Medical Marijuana Advisory Committee will hold a meeting on:

Friday, February 14, 2014, at 9:30 am.
At 899 North Capitol St, NE, Room 216
Washington, D.C. 20002.

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

The Executive Board of the Health Benefit Exchange Authority, pursuant to the requirements of Section 6 of the Health Benefit Exchange Authority Establishment Act of 2011, effective March 2, 2012 (D.C. Law 19-0094), hereby announces a public meeting of the Executive Board. The meeting will be at 1100 15th Street, NW, Suite 800 Washington, DC 20001 on **Wednesday, February 12, 2014 at 5:30 pm**. The call in number is 1-877-668-4493, Access code 732 989 362.

The Executive Board meeting is open to the public.

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

**DISTRICT OF COLUMBIA GOVERNMENT
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
HOUSING PRODUCTION TRUST FUND ADVISORY BOARD**

MEETING NOTICE

DC Department of Housing and Community Development (DHCD)-Housing Production Trust Fund (HPTF) Advisory Board announces its next Meeting on **Monday, February 3, 2014, at 10:00 A.M.**, at the DHCD, Housing Resource Center, 1800 Martin Luther King Jr., Avenue, SE, Washington, DC 20020. See Draft Agenda below.

For additional information, please contact Oke Anyaegbunam via e-mail at Oke.Anyaegbunam@dc.gov or by telephone at 202-442-7200.

DRAFT AGENDA (as of 1.17.14):

Call to Order, David Bowers, Chair

- 1) Approval of Prior Meeting Summaries
- 2) Presentation/Discussion Item: Options for Leveraging HPTF Dollars for Affordable Housing
- 3) Updates on HPTF Activities
 - a. DHCD Status Update on the FY 2013 NOFA recipients; in particular, the types of projects and income ranges.
 - b. DHCD Update on use of Rapid Rehousing Temporary Housing Assistance for the 0-30% income range subsidies.
- 4) Old Business
 - a. Review of HPTF Budgeting Issues
- 5) New Business
 - a. Discussion of Stakeholder Meeting
- 6) Announcements
- 7) Public Comments
- 8) Adjournment

**DISTRICT OF COLUMBIA HOUSING AUTHORITY
BOARD OF COMMISSIONERS****NOTICE OF PUBLIC MEETINGS**

1133 NORTH CAPITOL STREET, NORTHEAST
WASHINGTON, D.C. 20002-7599
202-535-1000

The regular meetings of the Board of Commissioners of the District of Columbia Housing Authority (“DCHA”) are held in open session on the second Wednesday of each month. The dates, times and locations of the meetings for the year 2014 are set forth below:

January 8, 2014	CANCELLED	1:00 p.m.
February 12, 2014	1133 North Capitol St., N.E.	1:00 p.m.
March 12, 2014	Edgewood Terrace 645 Edgewood Street, N.E.	1:00 p.m.
April 9, 2014	1133 North Capitol St., N.E.	1:00 p.m.
May 14, 2014	Sibley Plaza 1240 North Capitol St., N.W.	1:00 p.m.
June 11, 2014	1133 North Capitol St., N.E.	1:00 p.m.
July 9, 2014	Wheeler Creek 900 Varney Street, S.E.	1:00 p.m.
August 13, 2014	1133 North Capitol St., N.E.	1:00 p.m.
September 10, 2014	Potomac Gardens 1225 G Street, S. E.	1:00 p.m.
October 8, 2014	1133 North Capitol St., N.E.	1:00 p.m.
November 12, 2014	Greenleaf Gardens 203 N Street, S.W.	1:00 p.m.
December 10, 2014	Annual & Regular meeting 1133 North Capitol St., NE	1:00 p.m.

A draft agenda for the regular meetings of the DCHA Board of Commissioners and the working session will be posted at 1133 North Capitol Street, NE and on the District of Columbia Housing Authority website: www.dchousing.org

DEPARTMENT OF HUMAN RESOURCES

EXCEPTED SERVICE EMPLOYEES AS OF JANUARY 6, 2014

NOTICE OF EXCEPTED SERVICE EMPLOYEES

D.C. Official Code § 1-609.03(c) requires that a list of Excepted Service positions established under the provision of § 1-609.03(a) along with the types of excepted service appointment, names, position titles, and grades of all persons appointed to these positions be published in the *D.C. Register*. In accordance with the foregoing, the following information is hereby published for the following positions.

OFFICE OF THE MAYOR				
<i>APPOINTMENT TYPE</i>	<i>LAST NAME</i>	<i>FIRST NAME</i>	<i>POSITION TITLE</i>	<i>GRADE</i>
Excepted Service	Murphy	Christopher	Chief of Staff	11
Excepted Service	Goulet	Eric	Budget Director	11
Excepted Service	Flowers	Brian	General Counsel	11
Excepted Service	Jackson	Janene	Dir., Pol & Legislative Affairs	11
Excepted Service	Bunn	Sheila	Deputy Chief of Staff	10
Excepted Service	Evans	Kenneth	Deputy Budget Director	10
Excepted Service	Glaude	Stephen	Director, Community and Religion	10
Excepted Service	Ribeiro	Pedro	Director of Communications	08
Excepted Service	Kaufman	Donald	Deputy General Counsel	10
Excepted Service	McGaw	John	Deputy Director	10
Excepted Service	Banta	Susan	Budget Officer	09
Excepted Service	Constantino	Justin	Senior Budget Analyst	09
Excepted Service	Fimbres	Francisco	Director of Community Relation	09
Excepted Service	Gorman	Darryl	Dir. Boards & Commissions	09
Excepted Service	Murray	Christopher	Budget Analyst	09
Excepted Service	Richardson	Jeffrey	Executive Director	09
Excepted Service	Barge	Lolita	Director of Legislative Support	08
Excepted Service	Barnes	Lafayette	Program Analyst	08

OFFICE OF THE MAYOR				
<i>APPOINTMENT TYPE</i>	<i>LAST NAME</i>	<i>FIRST NAME</i>	<i>POSITION TITLE</i>	<i>GRADE</i>
Excepted Service	DeVillier	Mikelle	Special Assistant	08
Excepted Service	Ferguson	Ursula	Correspondence Officer	08
Excepted Service	McCoy	Doxie	Senior Communications Officer	08
Excepted Service	Pittman	James	Deputy Director	08
Excepted Service	Washington	Sterling	Director	08
Excepted Service	Anthony	Lavita	Executive Assistant	07
Excepted Service	Atkins	Latisha	Deputy Dir. Neighborhood Engage	07
Excepted Service	Bland	Stephanie	Special Assistant	07
Excepted Service	Coombs	John	Policy Analyst	07
Excepted Service	Henry	Kristen	National Service Officer	07
Excepted Service	Jennings	Cedric	Director	07
Excepted Service	Lowery	Terese	Exec Dir. for Comm on Women	07
Excepted Service	Mangum	Larry	Special Assistant	07
Excepted Service	Rogers	Jonathan	Budget Analyst	07
Excepted Service	Thompson	Tiffanie	Budget Analyst	07
Excepted Service	Desjardins	Matthew	Comm. & Initiatives Specialist	06
Excepted Service	Fluker	Clarence	Comm. & Initiatives Specialist	06
Excepted Service	George	Deborah	Policy Analyst	06
Excepted Service	Hayworth	JohnPaul	Policy Analyst	06
Excepted Service	Levine	Daryl	Special Assistant	06
Excepted Service	Marus	Robert	Writer Editor	06
Excepted Service	Muhammad	Sedrick	Special Assistant	06
Excepted Service	Nutall	Dexter	Executive Assistant	06
Excepted Service	Oding	Alimayu	Visual Information Specialist	06

OFFICE OF THE MAYOR				
<i>APPOINTMENT TYPE</i>	<i>LAST NAME</i>	<i>FIRST NAME</i>	<i>POSITION TITLE</i>	<i>GRADE</i>
Excepted Service	Williamson	Jason	Neighborhood Corps Specialist	06
Excepted Service	Adams	Lisa	Policy Analyst	05
Excepted Service	Hernandez Maduro	Frank	Community Relations Specialist	05
Excepted Service	Holman	Keith	Community Service Representative	05
Excepted Service	Kelly	Deborah	Contract & Reprogram. Special.	05
Excepted Service	Loudermilk	Amy	Program Analyst	05
Excepted Service	Norris	Rufus	Constituent Services Special.	05
Excepted Service	Walker	David	Staff Assistant	05
Excepted Service	Watson	Leonard	Special Assistant	05
Excepted Service	Williams	Marchim	Outreach & Service Specialist	05
Excepted Service	Wright	Brittney	Outreach & Service Specialist	05
Excepted Service	Teferi	Winta	Program Analyst	04
Excepted Service	Allen	Darin	Scheduling Specialist	03
Excepted Service	Johnson	Stephanie	Administrative Support Specialist	03
Excepted Service	Latta	Aretha	Administrative Assistant	03
Excepted Service	Saki-Tay	Inez	Correspondence Mgmt. Spec.	03
Excepted Service	Weaver	Zachary	Policy Analyst	02
Excepted Service	Sanders	Lorenzo	Clerical Assistant	01

OFFICE OF THE CITY ADMINISTRATOR				
<i>APPOINTMENT TYPE</i>	<i>LAST NAME</i>	<i>FIRST NAME</i>	<i>POSITION TITLE</i>	<i>GRADE</i>
Excepted Service	Lew	Allen	City Administrator	11
Excepted Service	Graves	Warren	Chief of Staff	11

OFFICE OF THE CITY ADMINISTRATOR				
<i>APPOINTMENT TYPE</i>	<i>LAST NAME</i>	<i>FIRST NAME</i>	<i>POSITION TITLE</i>	<i>GRADE</i>
Excepted Service	Campbell	Natasha	Director, LRCB	10
Excepted Service	Robinson	Anthony	Director	10
Excepted Service	Kreiswirth	Barry	Senior Legal Advisor	09
Excepted Service	Love	Phyllis	Management & Prog Anal Ofcr	08
Excepted Service	Moss	J	Executive Assistant	07

OFFICE OF THE INSPECTOR GENERAL				
<i>APPOINTMENT TYPE</i>	<i>LAST NAME</i>	<i>FIRST NAME</i>	<i>POSITION TITLE</i>	<i>GRADE</i>
Excepted Service	Branson	Karen	General Counsel	10
Excepted Service	Bruce	Blanche	Deputy Inspector General	10
Excepted Service	Burke	Roger	Chief of Staff	10
Excepted Service	Kennedy	Susan	Supvy Attorney Advisor	10
Excepted Service	King	Ronald	Supervisory Auditor	10
Excepted Service	Sweeney	Brian	Supvy Criminal Investigator	10
Excepted Service	Wright	Alvin	Asst IG Inspector/Evaluation	10
Excepted Service	Lucchesi	Victoria	Deputy Gen Counsel	09
Excepted Service	Silverman	Stuart	Attorney	09
Excepted Service	Weeks	Marcus	Attorney-Advisor	09
Excepted Service	Wolfingbarger	Brentton	Supv Attorney Advisor	09
Excepted Service	Muracco	Dominick	Attorney-Advisor	08
Excepted Service	Nguyen	Dangkhoea	Attorney Advisor	08

OFFICE OF THE INSPECTOR GENERAL				
<i>APPOINTMENT TYPE</i>	<i>LAST NAME</i>	<i>FIRST NAME</i>	<i>POSITION TITLE</i>	<i>GRADE</i>
Excepted Service	Van Croft	Keith	Attorney-Advisor	08
Excepted Service	Williams	Burnette	Attorney-Advisor	08

DEPARTMENT OF GENERAL SERVICES				
<i>APPOINTMENT TYPE</i>	<i>LAST NAME</i>	<i>FIRST NAME</i>	<i>POSITION TITLE</i>	<i>GRADE</i>
Excepted Service	Burrell	Scott	Chief Operations Officer	11
Excepted Service	Harper	Ollie	Dep. Dir. for Facilities Mgmt.	11
Excepted Service	Bellamy	Sandy	Management and Program Analyst	08

OFFICE OF THE SECRETARY				
<i>APPOINTMENT TYPE</i>	<i>LAST NAME</i>	<i>FIRST NAME</i>	<i>POSITION TITLE</i>	<i>GRADE</i>
Excepted Service	Ferrell Benavides	Aretha	Deputy Director	09
Excepted Service	Elwood	Patricia	Protocol Officer	08
Excepted Service	Reid	Victor	Administrator, Ofc of Document	08
Excepted Service	Davis	Clarence	Public Records Administrator	07
Excepted Service	Phipps	Richard	Notary & Authent. Officer	07
Excepted Service	Pierno	Robert	Special Assistant	05

DEPARTMENT OF CORRECTIONS				
<i>APPOINTMENT TYPE</i>	<i>LAST NAME</i>	<i>FIRST NAME</i>	<i>POSITION TITLE</i>	<i>GRADE</i>
Excepted Service	Mynett	Beth	Medical Officer	11
Excepted Service	Brown	Jerry	Program Analyst	06

DEPARTMENT OF CORRECTIONS				
<i>APPOINTMENT TYPE</i>	<i>LAST NAME</i>	<i>FIRST NAME</i>	<i>POSITION TITLE</i>	<i>GRADE</i>
Excepted Service	Etheridge	Lashonia	Staff Assistant	02

DC DEPARTMENT OF HUMAN RESOURCES				
<i>APPOINTMENT TYPE</i>	<i>LAST NAME</i>	<i>FIRST NAME</i>	<i>POSITION TITLE</i>	<i>GRADE</i>
Excepted Service	Williams	Kimberly	Deputy Director	11
Excepted Service	Seed	Sudie Mae	Management and Program Analyst	07

HOMELAND SECURITIES & EMERGENCY MANAGEMENT AGENCY				
<i>APPOINTMENT TYPE</i>	<i>LAST NAME</i>	<i>FIRST NAME</i>	<i>POSITION TITLE</i>	<i>GRADE</i>
Excepted Service	Thomas	Jorhena	Fusion Center Operations Manager	08
Excepted Service	Brannum	Robert	Community Outreach Specialist	06
Excepted Service	Boone	William	Emergency Oper & Info. Spec.	05

OFFICE ON LATINO AFFAIRS				
<i>APPOINTMENT TYPE</i>	<i>LAST NAME</i>	<i>FIRST NAME</i>	<i>POSITION TITLE</i>	<i>GRADE</i>
Excepted Service	Sinisterra	Didier	Deputy Director on Latino Affairs	07

DEPARTMENT OF EMPLOYMENT SERVICES				
<i>APPOINTMENT TYPE</i>	<i>LAST NAME</i>	<i>FIRST NAME</i>	<i>POSITION TITLE</i>	<i>GRADE</i>
Excepted Service	Becks	Valencia	Outreach & Service Specialist	05
Excepted Service	Barragan	Juan	Outreach & Service Specialist	05

OFFICE OF CABLE TELEVISION				
<i>APPOINTMENT TYPE</i>	<i>LAST NAME</i>	<i>FIRST NAME</i>	<i>POSITION TITLE</i>	<i>GRADE</i>
Excepted Service	Washington	Lindsay	Producer	03

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS				
<i>APPOINTMENT TYPE</i>	<i>LAST NAME</i>	<i>FIRST NAME</i>	<i>POSITION TITLE</i>	<i>GRADE</i>
Excepted Service	Reich	Stephanie	Chief of Staff	09

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT				
<i>APPOINTMENT TYPE</i>	<i>LAST NAME</i>	<i>FIRST NAME</i>	<i>POSITION TITLE</i>	<i>GRADE</i>
Excepted Service	Szegedy Maszak	Peter	Attorney Examiner	10
Excepted Service	Young	Ronald	Attorney Examiner	10
Excepted Service	Anderson	Keith	Rent Administrator	09
Excepted Service	Fields	Beatrice	Legislative Affairs Specialist	09
Excepted Service	Bailey	Milton	Chief of Staff	09

OFFICE OF PLANNING				
<i>APPOINTMENT TYPE</i>	<i>LAST NAME</i>	<i>FIRST NAME</i>	<i>POSITION TITLE</i>	<i>GRADE</i>
Excepted Service	Levy	David	Special Assistant for Substance	09

DEPUTY MAYOR FOR PLANNING AND ECONOMIC DEVELOPMENT				
<i>APPOINTMENT TYPE</i>	<i>LAST NAME</i>	<i>FIRST NAME</i>	<i>POSITION TITLE</i>	<i>GRADE</i>
Excepted Service	Nichols	Richard	Chief of Staff	11
Excepted Service	Miller	Mark	Chief Operating Officer	10

DEPUTY MAYOR FOR PLANNING AND ECONOMIC DEVELOPMENT				
<i>APPOINTMENT TYPE</i>	<i>LAST NAME</i>	<i>FIRST NAME</i>	<i>POSITION TITLE</i>	<i>GRADE</i>
Excepted Service	Trueblood	Andrew	Deputy Chief of Staff	09
Excepted Service	Cross	Jason	Special Assistant	08
Excepted Service	Ellis	Gary	Special Assistant	08
Excepted Service	Tyus	Darnetta	Special Assistant	08

DEPARTMENT OF SMALL AND LOCAL BUSINESS				
<i>APPOINTMENT TYPE</i>	<i>LAST NAME</i>	<i>FIRST NAME</i>	<i>POSITION TITLE</i>	<i>GRADE</i>
Excepted Service	Summers	Robert	Acting Director	10
Excepted Service	Edwards	Ronnie	Deputy Dir of Busi Os	09

DEPARTMENT OF FORENSIC SCIENCES				
<i>APPOINTMENT TYPE</i>	<i>LAST NAME</i>	<i>FIRST NAME</i>	<i>POSITION TITLE</i>	<i>GRADE</i>
Excepted Service	Maguire	Christopher	Deputy Director	11
Excepted Service	Funk	Christine	General Counsel	10

METROPOLITAN POLICE DEPARTMENT				
<i>APPOINTMENT TYPE</i>	<i>LAST NAME</i>	<i>FIRST NAME</i>	<i>POSITION TITLE</i>	<i>GRADE</i>
Excepted Service	Durham	Alfred	Chief of Staff	11
Excepted Service	Bromeland	Matthew	Special Assistant to the Chief	09
Excepted Service	Crump	Gwendolyn	Director, Office of Corporate	09
Excepted Service	Major	Jacob	Lieutenant	09
Excepted Service	O'Meara	Kelly	Executive Director, Strategic	09

FIRE AND EMERGENCY MEDICAL SERVICES DEPARTMENT				
<i>APPOINTMENT TYPE</i>	<i>LAST NAME</i>	<i>FIRST NAME</i>	<i>POSITION TITLE</i>	<i>GRADE</i>
Excepted Service	Miramontes	David	Medical Director	11
Excepted Service	Lewis	Turna	Labor Management Liaison Specialist	10
Excepted Service	Andre	Karen	Labor Management Liaison Officer	09
Excepted Service	Roque	Sarah	Public Health Analyst	07

PS&J CLUSTER, OFFICE OF THE DEPUTY MAYOR				
<i>APPOINTMENT TYPE</i>	<i>LAST NAME</i>	<i>FIRST NAME</i>	<i>POSITION TITLE</i>	<i>GRADE</i>
Excepted Service	Quander	Paul	Deputy Mayor	11
Excepted Service	Booth	Quincy	Chief of Staff	10
Excepted Service	Hook	Melissa	Justice Grants Administrator	09
Excepted Service	Stewart-Ponder	Gitana	Legislative & Policy Analyst	07
Excepted Service	Thompson	Emile	Legislative & Policy Analyst	07
Excepted Service	Compani	Cara	Program Analyst	05
Excepted Service	McCray	Tykisha	Staff Assistant	03

OFFICE OF THE CHIEF MEDICAL EXAMINER				
<i>APPOINTMENT TYPE</i>	<i>LAST NAME</i>	<i>FIRST NAME</i>	<i>POSITION TITLE</i>	<i>GRADE</i>
Excepted Service	Fields	Beverly	Chief of Staff	10

OFFICE OF STATE SUPERINTENDENT OF EDUCATION				
<i>APPOINTMENT TYPE</i>	<i>LAST NAME</i>	<i>FIRST NAME</i>	<i>POSITION TITLE</i>	<i>GRADE</i>
Excepted Service	Aguierre	Jesus	Interim State Superintendent of Education	11

OFFICE OF THE DEPUTY MAYOR FOR EDUCATION				
<i>APPOINTMENT TYPE</i>	<i>LAST NAME</i>	<i>FIRST NAME</i>	<i>POSITION TITLE</i>	<i>GRADE</i>
Excepted Service	Calderon	Miriam	Special Assistant	10
Excepted Service	Salimi	Scheherazade	Chief of Staff	09
Excepted Service	Greenberg	Judith	Special Assistant	09
Excepted Service	Bleyer	Marc	Policy Analyst	08
Excepted Service	Comey	Jennifer	Special Assistant	08
Excepted Service	Fejeran	Celine	Program Analyst	07

DEPARTMENT OF PARKS AND RECREATION				
<i>APPOINTMENT TYPE</i>	<i>LAST NAME</i>	<i>FIRST NAME</i>	<i>POSITION TITLE</i>	<i>GRADE</i>
Excepted Service	Shanklin	Sharia	Interim Director	11
Excepted Service	Newman	Rachel	Writer Editor	05

DEPARTMENT OF HEALTH				
<i>APPOINTMENT TYPE</i>	<i>LAST NAME</i>	<i>FIRST NAME</i>	<i>POSITION TITLE</i>	<i>GRADE</i>
Excepted Service	Kharfen	Michael	Senior Deputy Director	11
Excepted Service	Amy	Brian	Senior Deputy Director	10
Excepted Service	Shorter	Chris	Chief Operating Officer	10
Excepted Service	Chichester	Colette	Chief of Staff	09

OFFICE OF HUMAN RIGHTS				
<i>APPOINTMENT TYPE</i>	<i>LAST NAME</i>	<i>FIRST NAME</i>	<i>POSITION TITLE</i>	<i>GRADE</i>
Excepted Service	Palacio	Monica	Acting Director	10

DEPARTMENT OF HUMAN SERVICES				
<i>APPOINTMENT TYPE</i>	<i>LAST NAME</i>	<i>FIRST NAME</i>	<i>POSITION TITLE</i>	<i>GRADE</i>
Excepted Service	Nabors-Jackson	Nikol	Chief Operating Officer	10
Excepted Service	Thompson	Sakina	Policy & Prog Support Advisor	10

OFFICE OF THE DEPUTY MAYOR FOR HEALTH AND HUMAN SERVICES				
<i>APPOINTMENT TYPE</i>	<i>LAST NAME</i>	<i>FIRST NAME</i>	<i>POSITION TITLE</i>	<i>GRADE</i>
Excepted Service	Otero	Beatriz	Dep Mayor for Health & Human Services	11
Excepted Service	Quinones	Ariana	Chief of Staff	10
Excepted Service	Joseph	Rachel	Special Assistant	07
Excepted Service	Nagda	Sonia	Special Assistant	07
Excepted Service	Gomez	Sandra	Administrative Support Specialist	03

DEPARTMENT OF HEALTH CARE FINANCE				
<i>APPOINTMENT TYPE</i>	<i>LAST NAME</i>	<i>FIRST NAME</i>	<i>POSITION TITLE</i>	<i>GRADE</i>
Excepted Service	Elam	Linda	Deputy Director	11
Excepted Service	Nathan	Ganayswaran	Dep. Dir. for Medicaid Finance	11
Excepted Service	Vowels	Robert	Medical Officer	10
Excepted Service	McCabe	Heather	Special Assistant	10
Excepted Service	Rapp	Melisa	Chief of Staff	09

DEPARTMENT OF YOUTH AND REHABILITATION SERVICES				
<i>APPOINTMENT TYPE</i>	<i>LAST NAME</i>	<i>FIRST NAME</i>	<i>POSITION TITLE</i>	<i>GRADE</i>
Excepted Service	Bellard	Alsan	Health Services Medical Officer	11

DISTRICT DEPARTMENT OF TRANSPORTATION				
<i>APPOINTMENT TYPE</i>	<i>LAST NAME</i>	<i>FIRST NAME</i>	<i>POSITION TITLE</i>	<i>GRADE</i>
Excepted Service	Nicholson	Ronaldo	Chief Transportation Engineer	11
Excepted Service	Jackson	Carl	Assoc Dir for Prog Transp Svcs	10
Excepted Service	FitzGerald	Christopher	Community Service Representative	05
Excepted Service	Archie	Davena	Community Service Representative	05

DEPARTMENT OF PUBLIC WORKS				
<i>APPOINTMENT TYPE</i>	<i>LAST NAME</i>	<i>FIRST NAME</i>	<i>POSITION TITLE</i>	<i>GRADE</i>
Excepted Service	Carter	Michael	Deputy Director for Operations	10
Excepted Service	Thomas	Carl	Clean City Coordinator	09
Excepted Service	Lee	Sandra	Outreach & Service Specialist	05
Excepted Service	Bulger	James	Outreach & Service Specialist	05

CHILD AND FAMILY SERVICES AGENCY				
<i>APPOINTMENT TYPE</i>	<i>LAST NAME</i>	<i>FIRST NAME</i>	<i>POSITION TITLE</i>	<i>GRADE</i>
Excepted Service	Rosenberg	Michele	Chief of Staff	08

DEPARTMENT OF BEHAVIORAL HEALTH				
<i>APPOINTMENT TYPE</i>	<i>LAST NAME</i>	<i>FIRST NAME</i>	<i>POSITION TITLE</i>	<i>GRADE</i>
Excepted Service	Canavan	Patrick	Health System Administrator	11
Excepted Service	Buckson	Frances	Senior Deputy Director, APRA	11

DEPARTMENT OF INSURANCE, SECURITIES AND BANKING				
<i>APPOINTMENT TYPE</i>	<i>LAST NAME</i>	<i>FIRST NAME</i>	<i>POSITION TITLE</i>	<i>GRADE</i>
Excepted Service	Jones	Phyllis	Chief of Staff	11

OFFICE OF MOTION PICTURE & TELEVISION				
<i>APPOINTMENT TYPE</i>	<i>LAST NAME</i>	<i>FIRST NAME</i>	<i>POSITION TITLE</i>	<i>GRADE</i>
Excepted Service	Niles	John	Interim Director	10
Excepted Service	Palmer	Crystal	Sr. Motion Picture Advisor	10
Excepted Service	Green	Leslie	Senior Communications Manager	08

DC TAXICAB COMMISSION				
<i>APPOINTMENT TYPE</i>	<i>LAST NAME</i>	<i>FIRST NAME</i>	<i>POSITION TITLE</i>	<i>GRADE</i>
Excepted Service	Linton	Ron	Chairman DC Taxicab Commission	10
Excepted Service	McInnis	Sharon	Licensing & Enforcement Ofcr.	08
Excepted Service	Waters	Neville	Public Affairs Specialist	08

OFFICE OF TENANT ADVOCATE				
<i>APPOINTMENT TYPE</i>	<i>LAST NAME</i>	<i>FIRST NAME</i>	<i>POSITION TITLE</i>	<i>GRADE</i>
Excepted Service	Shreve	Johanna	Chief Tenant Advocate	09

OFFICE OF VETERAN AFFAIRS				
<i>APPOINTMENT TYPE</i>	<i>LAST NAME</i>	<i>FIRST NAME</i>	<i>POSITION TITLE</i>	<i>GRADE</i>
Excepted Service	Cary	Matthew	Director, Veterans Affairs	09
Excepted Service	Fabrikant	Michael	Outreach & Service Specialist	05

DEPARTMENT OF INSURANCE, SECURITIES, AND BANKING**DISTRICT OF COLUMBIA FINANCIAL LITERACY COUNCIL****NOTICE OF PUBLIC MEETING**

The Members of the District of Columbia Financial Literacy Council (DCFLC) will hold a meeting on Tuesday, February 18, 2014 at 2:00 PM. The meeting will be held at the DC Department of Insurance, Securities and Banking, 810 First St, NE, 7th Floor Conference Room, Washington, DC 20002. Below is the draft agenda for this meeting. A final agenda will be posted to the Department of Insurance, Securities, and Banking's website at <http://disb.dc.gov>.

For additional information, please call (202) 442-7832 or e-mail: idirys.abdullah@dc.gov

DRAFT AGENDA

- I. Call to Order**
- II. Welcoming Remarks**
- III. Minutes of the Previous Meeting**
- IV. New Business**
- V. Public Comments**
- VI. Executive Session**
- VII. Adjournment**

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

The District of Columbia Public Charter School Board (“PCSB”) hereby gives notice, dated Tuesday, January 28, 2014, of a public meeting regarding the renewal application of Booker T. Washington Public Charter School. The hearing will be held on Thursday, January 30, 2014 at 5:30 PM at PCSB’s offices, located at 3333 14th Street, NW, Suite 210. For further information, please contact Ms. Sarah Medway, Charter Agreement Specialist, at 202-328-2665.

OFFICE OF THE SECRETARY

THE DISTRICT OF COLUMBIA COMMISSION ON THE
MARTIN LUTHER KING, JR. HOLIDAY

NOTICE OF 2014 MEETING SCHEDULE

The regular monthly meetings of the District of Columbia Commission on the Martin Luther King, Jr. Holiday are held in open session on the first Wednesday of the months listed below. The following are dates and times for the regular monthly meetings to be held in 2014.

All meetings are held at 200 I Street SE, Washington, DC 20003 in the offices of the DC Commission on Arts and Humanities unless otherwise indicated. Notice of the location of a meeting other than 200 I Street, SE will be published in the *D.C. Register* and posted on the Office of the Secretary's website (www.os.dc.gov). A notice will be published in the *D.C. Register* for each meeting with a draft agenda.

Wednesday, February 5, 2014	1:00 p.m.
Wednesday, March 5, 2014	1:00 p.m.
Wednesday, April 2, 2014	1:00 p.m.
Wednesday, May 7, 2014	1:00 p.m.
Wednesday, June 4, 2014	1:00 p.m.
Wednesday, July 2, 2014	1:00 p.m.
Wednesday, September 3, 2014	1:00 p.m.
Wednesday, October 1, 2014	1:00 p.m.
Wednesday, November 5, 2014	1:00 p.m.
Wednesday, December 3, 2014	1:00 p.m.

OFFICE OF THE SECRETARY

**THE DISTRICT OF COLUMBIA COMMISSION ON THE
MARTIN LUTHER KING, JR. HOLIDAY**

NOTICE OF PUBLIC MEETING

**Wednesday, February 5, 2014
200 I Street SE, Washington, DC 20001**

The District of Columbia Commission on the Martin Luther King, Jr. Holiday will hold its open public meeting on Wednesday, February 5, 2014 at 1:00 pm in the Offices of the DC Commission on the Arts and Humanities. The Commission will be in attendance to discuss the organization of the Commission and ideas for program and events. If you have any questions or concerns, please feel free to contact Sharon Anderson at sharond.anderson@dc.gov.

THURGOOD MARSHALL ACADEMY PUBLIC CHARTER HIGH SCHOOL**REQUEST FOR PROPOSALS****Revised RFP—Caterer for Annual Gala Fund-Raising Event**

Thurgood Marshall Academy—a nonprofit, college-preparatory, public charter high school—seeks a caterer for its Shining Star Gala via this revised Request For Proposals. The annual event raises funds that support the school’s rigorous curriculum and youth development services, as well as honoring supporters and raising public awareness about the school’s work.

Ideal caterers will be able to provide, but are not limited to, the following services:

- Available on Thursday, May 1, 2014
- Ability to host 300-400 guests for 1) a main building event with at least two bar stations and six food stations spread throughout a two-story space as well as passed heavy hors d’oeuvres/dinner items; and 2) a seated dessert portion of the event in a gymnasium to include at least one bar station; **please provide per-person cost per meal**
- Elegant presentation and high-end menu options
- Provide alternative and comparable menu options for guests with dietary restrictions, particularly vegetarian and vegan options
- Provide tables, linens, chairs, utensils, glassware, china, serving/kitchen equipment as appropriate, tables/linens for display and other decorative elements (**include cost in bid**)
- Must provide appropriate number of staff to accommodate event described above: servers, cooks/kitchen attendants & bartenders
- Ability to set up four hours prior to event and clean up that evening
- Ability to assist with floral arrangements, lighting, and valet as determined necessary by Thurgood Marshall Academy
- Must hold liquor license and insurance as set by industry standards
- Experience with school fundraising events preferred
- Flexibility and capacity to negotiate further with school to finalize plans

Further information about Thurgood Marshall Academy—including our nondiscrimination policy—may be found at www.thurgoodmarshallacademy.org.

By submitting a bid, contractors affirm that they (and subcontractors, if any) are not an excluded party by or disbarred from doing business with either the U.S. federal government or the government of the District of Columbia.

Optional (a plus): contractors may submit their registration number as a DC Community Business Enterprise (“CBE”) if registered with the DC Department of Small & Local Business Development.

For further information contact Juliet Kline, 202-563-6862 x105 or jkline@tmapchs.org.

Submit proposals—including unsigned contract and website address—no later than **Noon EST on Friday, February 7, 2014**, via e-mail to jkline@tmapchs.org.

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

BOARD OF DIRECTORS

NOTICE OF PUBLIC MEETING

Audit Committee

The Board of Directors of the District of Columbia Water and Sewer Authority (DC Water) Audit Committee will be holding a meeting on Thursday, February 6, 2014 at 11:00 a.m. The meeting will be held in the Board Room (4th floor) at 5000 Overlook Avenue, S.W., Washington, D.C. 20032. Below is the draft agenda for this meeting. A final agenda will be posted to DC Water's website at www.dcwater.com.

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

DRAFT AGENDA

- | | |
|--|------------------|
| 1. Call to Order | Chairperson |
| 2. Review of Internal Audit and Plan Development | Internal Auditor |
| 3. Adjournment | Chairperson |

**OFFICE ON WOMEN'S POLICY AND INITIATIVES
DISTRICT OF COLUMBIA COMMISSION FOR WOMEN**

NOTICE OF PUBLIC MEETING

**Thursday, February 6, 2014
6:45 PM – 8:45 PM**

John A. Wilson Building
1350 Pennsylvania Avenue, NW
Room 301
Washington, DC 20004

The District of Columbia Commission for Women will hold its monthly meeting on Thursday, February 6, 2014 at 6:45 p.m. The meeting will be held at the John A. Wilson Building, 1350 Pennsylvania Avenue, NW, Room 301, Washington, DC 20004.

For additional information, please contact Terese Lowery, Executive Director at (202) 724-7690 or women@dc.gov.

DRAFT AGENDA

- I. Call to Order**

- II. Special Guest Presentation on Childcare, Pre-K and Related Issues**
 - **RaeShawn Crosson-Settles**
Interim Assistant Superintendent of Early Childhood Education

- III. Debrief from the Montgomery County Commission for Women**
Legislative Briefing

- IV. Discussion of Winter Commission Events and**
Plans for Women's History Month

- V. Questions, Comments, Concerns**

- VI. Adjournment**

Please note that this is a draft agenda and subject to change.

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

Application No. 18633 of the National Community Church, pursuant to 11 DCMR §§ 3104.1 and 3103.2, for a special exception under § 334, a special exception from the roof structure requirements under § 411.11, a variance from the structural alteration limitations under § 334.3, a variance from the floor area ratio requirements under § 402, a variance from the lot occupancy requirements under § 403, a variance from the rear yard requirements under § 404, and a variance from the nonconforming structure provisions under § 2001.3, to allow an addition to and renovation of an existing building for a community service center, including an indoor basketball court in the R-5-A District at premises 2826 Q Street, S.E. (Square 5583, Lot 804).

HEARING DATES: October 8, 2013; November 5, 2013; and January 14, 2014¹

DECISION DATE: January 14, 2014

SUMMARY ORDER

SELF CERTIFIED

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2. (Exhibit 6.)

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") 7B and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 7B, which is automatically a party to this application. ANC 7B filed a letter report, dated December 27, 2013, which indicated that at a properly noticed, regularly scheduled public meeting held on December 19, 2013, with a quorum of Commissioners present, the ANC voted unanimously (6:0) to support the application with conditions. (Exhibit 34.) The ANC had previously filed a report indicating that at a properly noticed public meeting on October 17, 2013, with a quorum present, the ANC had submitted a Memorandum of Understanding ("MOU") that it wanted the parties to enter into and made its approval of the application contingent of the Applicant revising its design and operation of the building and its entering into the proposed MOU with the ANC. (Exhibit 32.) The ANC testified at the public hearing. The Board found that the elements of the MOU did not warrant inclusion as conditions in the order; but the Applicant and ANC could enter into a legally binding agreement separately. The ANC and Applicant agreed to enter into the MOU separately.

The Office of Planning ("OP") submitted timely reports on October 29, 2013 and January 7 2014, both recommending approval of the application with two conditions. (Exhibits 30

¹ At the Applicant's request, the Board postponed the public hearings on October 8, and November 5, 2013, to allow the Applicant time to work through the ANC's issues on the proposal. (Exhibits 25 and 31.)

BZA APPLICATION NO. 18633

PAGE NO. 2

and 35.) By its letter, dated October 24, 2013, the District Department of Transportation ("DDOT") recommended approval of the Applicant's request for the variance and special exception relief. (Exhibit 29.)

Variance Relief

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 pursuant to § 3103.2 for variances from the strict requirements of the structural alteration limitations under § 334.3, the floor area ratio requirements under § 402, the lot occupancy requirements under § 403, from the rear yard requirements under § 404, and the nonconforming structure provisions under § 2001.3, to allow an addition to and renovation of an existing building for a community service center, including an indoor basketball court in the R-5-A 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.

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 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 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.

Special Exception Relief

The Applicant also satisfied the burden of § 3119.2 in its request for special exception relief from §334 and from the roof structure requirements of § 411.11, pursuant to § 3104.1. No parties appeared at the public hearing in opposition to the application. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board, and having given great weight to the ANC and OP reports filed in this case, the Board concludes that the Applicant has met the burden of proof for special exception relief, pursuant to 11 DCMR §§ 3104.1, 334, and 411.11 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

BZA APPLICATION NO. 18633

PAGE NO. 3

conclusions of law. The waiver will not prejudice the rights of any party and is appropriate in this case.

It is therefore **ORDERED** that this application be **GRANTED SUBJECT TO THE REVISED PLANS AT EXHIBIT 33 AND WITH THE FOLLOWING CONDITIONS:**

1. The Applicant shall restrict onsite activities to those directly related to service center programs.
2. The Applicant shall ensure that the existing parking pad is repaved and striped in accordance with the applicable provisions of §§ 2115-2117.

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

A majority of the Board members approved the issuance of this summary order.

VOTE: **3-0-2** (Lloyd L. Jordan, S. Kathryn Allen, and Marcie I. Cohen, to Approve; Jeffrey L. Hinkle, not participating or voting; the third Mayoral appointee vacant.)

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: January 24, 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

BZA APPLICATION NO. 18633

PAGE NO. 4

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. 18663 of the Lab School, pursuant to 11 DCMR §§ 3104.1 and 3103.2, for a variance from the off-street parking requirements § 2101.1, a variance from the loading requirements under § 2201.1, and a special exception to allow an addition to an existing private school under § 206, in the R-1-B District at premises 4759 Reservoir Road, N.W. (Square 1372, Lot 25).¹

HEARING DATES: November 19, 2013 and January 14, 2014

DECISION DATE: January 14, 2014

SUMMARY ORDER

SELF CERTIFIED

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2. (Exhibit 4.)

The Board of Zoning Adjustment ("Board" or "BZA") provided proper and timely notice of the public hearing on this application by publication in the *D.C. Register* and by mail to Advisory Neighborhood Commission ("ANC") 3D and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 3D, which is automatically a party to this application. ANC 3D both testified at the public hearing on January 14, 2014 and submitted a letter report, dated January 11, 2014. The ANC's report indicated that at a properly noticed, regularly scheduled public meeting held on January 8, 2014, with a quorum of Commissioners present at all times, the ANC voted unanimously (10:0:0) to support the application with conditions.² The ANC report also noted that the ANC had considered the application at its December 4, 2013 meeting and voted unanimously (10:0:0) at that meeting to recommend preliminary approval of the application subject to agreement on language to address parking concerns outlined by the ANC and submission of a construction management plan. That language was agreed to at the ANC's January 8th meeting. (Exhibit 29.)

The Office of Planning ("OP") submitted a timely report on January 7, 2014, recommending approval of the application with conditions. (Exhibit 28.) By its letter, dated January 10, 2014, the District Department of Transportation ("DDOT") indicated it had no objection to the Applicant's requests for variance and special exception relief. (Exhibit 30.)

Variance Relief

¹ The Applicant amended the application to add variance relief from the loading requirements under § 2201.1. The caption has been adjusted from that which was advertised accordingly.

² The Board waived the time requirements for filing the ANC report and allowed it into the record.

BZA APPLICATION NO. 18663

PAGE NO. 2

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 pursuant to § 3103.2 for area variances from the strict requirements of the off-street parking requirements § 2101.1 and from the minimum loading requirements under § 2201.1. No parties appeared at the public hearing in opposition to the application. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board, and having given great weight to the ANC and OP reports filed in this case, the Board concludes that 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 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.

Special Exception Relief

The Applicant also satisfied the burden of § 3119.2 in its request for special exception relief to allow an addition to an existing private school under §§ 3104.1 and 206. 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 206 that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board further concludes that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map.

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

It is therefore **ORDERED** that this application be **GRANTED SUBJECT TO THE REVISED PLANS AT EXHIBIT 27 AND WITH THE FOLLOWING CONDITIONS³**:

³ These conditions include conditions that were established as a part of Case No. 18237. The maximum enrollment of students and maximum number of faculty, staff, and administrative personnel remain unchanged from those approved in that prior case. These previously approved conditions are being consolidated in this order with newly proposed language so that all applicable conditions that pertain to this Applicant are in a single order for easy reference.

BZA APPLICATION NO. 18663

PAGE NO. 3

1. The maximum enrollment shall be 330 students.
2. The maximum number of faculty, staff, and administrative personnel, including part-time employees shall be 182.
3. Within 30 days of each academic year, the School shall provide to ANC 3D a report indicating current student enrollment and the number of faculty/staff.
4. The Lab School (“School”, “Lab School”, or “LSW”) shall fully implement and comply with the Traffic Management Plan (“TMP”) approved in Case No. 18237 and submitted as Exhibit 33 in the instant case. The TMP shall mandate that no new trips be generated beyond the existing limit of 165 morning peak hour trips. It shall also require that a traffic monitoring survey be performed once every semester.
5. Within 45 days of each traffic monitoring survey required in the TMP, the School shall provide to DDOT and ANC 3D a report indicating its compliance with the TMP. Compliance with the TMP shall be measured by whether the School maintains a morning peak hour trip generation of no greater than 165 trips. If the School exceeds 165 trips during the a.m. peak period for two consecutive reporting periods, additional transportation management measures shall be triggered. Such measures shall require stringent obligations from the School to reduce the morning peak hour trip generation and may include measures such as prohibiting new staff from arriving to the campus by car. If the School still exceeds 165 trips during the morning peak period after the third consecutive survey is conducted, it must file an application with the BZA for review of the conditions of approval of this application within 30 days.
6. The Lab School shall host public meetings at least once every four months to discuss any matters of concern to the community regarding the School and to discuss possible measures for addressing such concerns. Notice of the time and location of the meetings shall be sent to the ANC, the Foxhall Community Citizens Association and the Palisades Citizens Association and posted on the School’s website at least 30 days in advance.
7. In order to ensure that the removal of the on-campus parking spaces will not impact the adjacent streets or neighborhood, Lab School will maintain a minimum of 38 off-campus parking spaces, secured through leases or by other means exclusive of the use of public parking spaces. LSW will monitor its parking demand once each semester (Fall and Spring) to determine how many secured off-campus parking spaces are required to meet LSW’s parking demand needs subject to the following conditions:
 - a. The parking monitoring survey shall be conducted within 30 days of the start of each semester. A report documenting results of the parking monitoring

BZA APPLICATION NO. 18663

PAGE NO. 4

survey will be submitted to DDOT and the ANC within 45 days of the completion of the monitoring survey.

- b. The School shall commit to a maximum parking demand threshold of 129 parked vehicles including on and off-campus parking (exclusive of public parking spaces), during the typical weekday peak hour. The number of parked vehicles within the 38-space secured off-campus parking area will be defined in the monitoring report.
- c. If the School’s actual parking demand is equal to or less than the parking demand threshold during the typical weekday peak hour for four (4) consecutive semesters (or monitoring periods), subject to DDOT and ANC approval, LSW may reduce the number of secured off-campus parking spaces by a number approved in consultation with the ANC.
- d. If the School’s actual parking demand is greater than the parking demand threshold during the typical weekday peak hour for any monitoring period, additional TMP measures must be implemented immediately. If Lab School fails for a second consecutive time, it must return to the Board for its review of the conditions of approval.

8. The Lab School shall comply with the Construction Management Plan submitted as Exhibit 34 in the record.

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

A majority of the Board members approved the issuance of this summary order.

VOTE: **3-0-2** (Lloyd L. Jordan, S. Kathryn Allen, and Marcie I. Cohen to Approve; Jeffrey L. Hinkle, not participating or voting; the third Mayoral appointee vacant.)

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: January 16, 2014

PURSUANT TO 11 DCMR § 3125.9, NO ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN (10) DAYS AFTER IT BECOMES FINAL PURSUANT TO § 3125.6.

PURSUANT TO 11 DCMR § 3130, THIS ORDER SHALL NOT BE VALID FOR MORE THAN 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

BZA APPLICATION NO. 18663

PAGE NO. 5

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

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

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. 18678 of the Embassy of the Sultanate of Oman, pursuant to 11 DCMR § 1002, to allow the location of a chancery annex and to permit an improvement in the public space in connection with the chancery, in the SP-2 District at premises 1100 16th Street, N.W. (Square 183, Lot 106).

NOTICE OF FINAL RULEMAKING

and

DETERMINATION AND ORDER

The Board of Zoning Adjustment ("Board"), pursuant to the authority set forth in § 206 of the Foreign Mission Act ("FMA"), approved August 24, 1982 (96 Stat. 283; D.C. Official Code, § 6-1306) (2012 Repl.), and Chapter 10 of the Zoning Regulations of the District of Columbia, 11 DCMR, and following the December 17, 2013 public hearing, hereby gives notice of the adoption of its determination to not disapprove the application of the Embassy of the Sultanate of Oman ("Applicant") to locate a chancery annex in the SP-2 District at premises 1100 16th Street, N.W. (Square 183, Lot 106) (the "Subject Property"), and to make a related improvement in the public space by erecting a statue in front of the Property.

Specifically, the Embassy proposed to locate a chancery annex for its cultural office in the Subject Property, to be known as the Sultan Qaboos Cultural Center. The Subject Property is located at the northwest corner of 16th and L Streets, N.W. and contains 5,725 square feet of land area. The Property is located in the SP-2 Zone District, and is also located in the Sixteenth Street Historic District and within the boundaries of the Central Employment Area. The Property is improved with a five-story building containing 22,533.04 feet of gross floor area (FAR 3.94) and 5,833.43 square feet of cellar floor area. The building, constructed in phases between 1909 and the mid-twentieth century, is made of brick and concrete with a stucco façade. The building has been vacant since July 2011. The building has a history of non-residential uses, and was most recently occupied by the WVSA School for Arts in Learning, a public charter school.

The Cultural Center will be open to the public Monday through Friday from 9:00 am to 5:00 pm. The initial staff size will be three persons, and will grow to approximately 10 as the various programs described herein are established, and may grow to approximately 25 if the Embassy's Cultural Mission administrative offices are relocated to the building.

The building will contain a variety of office, exhibition, and classroom spaces. Specifically, the lower-level of the building will contain an activity/workshop space, storage space, and approximately three classrooms, accommodating a maximum of between five and 10 students each, to be used for Arabic instruction Monday through Thursday evenings from 6:00 pm to 9:30 pm, beginning in late 2014 or early 2015. The first floor will contain a research library, and

BZA APPLICATION NO. 18678**PAGE NO. 2**

fixed exhibition space open to the public, displaying traditional Omani handicrafts, including costumes, textiles, basketry, pottery, and silver. This space will be open to the public Monday through Friday from 9:00 am to 5:00 pm, and the Embassy anticipates 40-80 visitors per month. The second floor will house offices for seven full-time employees, a large conference/meeting/presentation hall, a conference room, and a kitchen/break room. The conference/meeting/presentation hall will be used for public programs, such as lectures on Omani history and culture and workshops for K-12 teachers and small organized groups of visitors. This space can hold approximately 50-75 persons, and the Embassy expects to host approximately four programs per month. The third and mezzanine levels will contain four additional offices plus conference rooms, and either open offices for the administrative staff or extra function space for the Embassy. The fourth floor and outdoor terrace will be used as entertainment space for private events hosted by the Embassy after 6:00 pm. The Embassy anticipates approximately four of these events per year.

The building contains a garage with one parking space, which will generally be used by the Director of the Cultural Center but can also serve as a loading space for a small commercial vehicle. Trash will be stored in the garage and picked up in the public alley to the rear of the building. The plans submitted with this application (Exhibit 32) provide more complete information about the proposed building and uses. The public space was recently landscaped by the current owner (Exhibit 37). The Applicant proposed to make an improvement to the public space by erecting a statue at the front of the property, in the public space, and to improve the exterior of the building by replacing doors and windows, and adding signage, as detailed in the plans (Exhibit 32).

A notice of proposed rulemaking was published in the October 11, 2013 edition of the *D.C. Register*. No comments were received in response.

Pursuant to § 206(d) of the Foreign Missions Act, D.C. Official Code § 6-1306(d), the Board's consideration of chancery applications is based exclusively upon the six factors delineated in that provision. For certain of these factors, the provision also indicates who is to make the relevant finding. Those factors and the relevant findings are as follows:

1. **The international obligation of the United States to facilitate the provision of adequate and secure facilities for foreign missions in the Nation's Capital.**

As recommended by the Secretary of State, the Board finds that favorable action on the application will fulfill the international obligation of the United States to facilitate the acquisition of adequate and secure premises by the Government of the Sultanate of Oman for its diplomatic mission in Washington. (Exhibit 28.)

2. **Historic preservation, as determined by the Board of Zoning Adjustment in carrying out this section; and in order to ensure compatibility with historic landmarks and districts, substantial compliance with District of Columbia and**

BZA APPLICATION NO. 18678**PAGE NO. 3****Federal regulations governing historic preservation shall be required with respect to new construction and to demolition of or alteration to historic landmarks.**

As confirmed by the Historic Preservation Office, the Subject Property is a contributing structure in the National Register of Historic Places Registration Form for the Sixteenth Street Historic District Boundary Increase. The Board must first determine whether there has been substantial compliance with applicable historic preservation regulations. While “‘substantial compliance’ is not defined in the FMA or the Zoning Regulations, in *Sheridan-Kalorama Historical Ass'n. v. Christopher*, 49 F.3d 750, 311 U.S. App. D.C. 16 (D.C. Cir. 1995), the United States Court of Appeals for the District of Columbia Circuit noted that “compliance” with these laws is not as much a matter of meeting any specific standard as it is of submitting the proposal to the appropriate regulatory body or bodies for review and comment,” 49 F.3d at 759, 311 U.S. App. D.C. at 25. In that case, the court found substantial compliance through the referral of the application to the Mayor's Agent for Historic Preservation. At present, the Mayor has made the Director of the Office of Planning (“OP”) his agent for carrying out his historic preservation responsibilities and, as noted, notice of this application was provided to OP, which stated that the State Historic Preservation Officer, located with OP, determined that the proposal as depicted on the plans is in substantial compliance with the applicable historic preservation regulations in general and the Sixteenth Street Historic District in particular.

3. **The adequacy of off-street or other parking and the extent to which the area will be served by public transportation to reduce parking requirements, subject to such special security requirements as may be determined by the Secretary of State, after consultation with Federal agencies authorized to perform protective services.**

The Board agrees with the conclusions reached in the reports submitted to OP (Exhibit 33) and the D.C. Department of Transportation (“DDOT”) (Exhibit 34), that the property is adequately served by sufficient on-site parking and extensive public transportation services. Although the Subject Property presently contains only one on-site parking space, the Subject Property is in close proximity to public transportation that will reduce the demand for parking. Specifically, the Subject Property is well served by public transportation with convenient access to the Red, Orange, and Blue Line Metrorail stations. The Subject Property is located 0.2 miles east of the Farragut North Red Line Metrorail station and is within 0.4 miles of both the McPherson Square and the Farragut West Orange/Blue Line Metrorail Stations. There is ample Metrobus service in the area, with the S1, S2, and S4 Metrobus lines traversing along 16th Street in front of the Property, and at least 15 additional Metrobus lines at Farragut and McPherson Squares, both located within three blocks of the site. The D.C. Circulator Bus that runs between Georgetown and Union Station has a stop at 16th and K Streets, N.W., one block south of the site. Taxis regularly pass by the Property in both directions along 16th Street and along L Street, and three Capital BikeShare stations are located within two-to-three blocks from the Property. The Property has a walkscore of 94 (a “walkers’ paradise”) and a transit score of 100 (See www.walkscore.com). These alternative options for commuting provide a variety of

BZA APPLICATION NO. 18678
PAGE NO. 4

transportation modes for building employees and visitors, to minimize the transportation impacts of the proposed chancery use for the building. In addition, there are two public parking garages located on L Street N.W., one of which is next door to the Subject Property, and the other is across the street. Operators of these two adjacent parking garages have indicated to the Embassy the ample availability of parking, either on a daily or monthly basis, should the need arise. There are at least eight other public parking garages located within 0.4 miles of the Property.

Following consultation with Federal agencies authorized to perform protective services for foreign missions, the Secretary of State has determined that there exist no special security requirements relating to parking in the case (Exhibit 28).

4. **The extent to which the area is capable of being adequately protected, as determined by the Secretary of State, after consultation with Federal agencies authorized to perform protective services.**

After consultation with Federal agencies authorized to perform protective services, the Secretary of State has determined that the Subject Property and the area are capable of being adequately protected (Exhibit 28).

5. **The municipal interest, as determined by the Mayor.**

The Director of the Office of Planning, on behalf of the Mayor of the District of Columbia, has determined that the proposed chancery use is not contrary to the municipal interest and is not inconsistent with the existing neighborhood character or the Comprehensive Plan (Exhibit 33).

OP requested (Exhibit 33) that the Embassy plant tulip poplar trees in the public space, inside the fence line along 16th Street, and DDOT requested (Exhibit 34) that the Embassy plant two willow oak trees in that same location. The landscaping plan (Exhibit 37) (which indicates the existing condition) shows three crepe myrtles in that area. The Embassy representative stated that the project budget does not include funds to replace the crepe myrtles with two new trees, but the Embassy would be willing to do so if future project fund allocations allow for this replacement to occur. The Board indicated that the Embassy may plant two trees of either species in this location at that time.

6. **The Federal interest, as determined by the Secretary of State.**

As stated by the Department of State, there is a federal interest in this project. "The Government of the Sultanate of Oman is a reliable partner in providing for the needs of the U.S. Embassy in Muscat, including an increased security presence during periods of increased threats. Such cooperation is essential for successfully achieving the Federal Government's mission for providing safe, secure and functional facilities for the conduct of U.S. diplomacy and the promotion of U.S. interests worldwide."

BZA APPLICATION NO. 18678
PAGE NO. 5

Based upon its consideration of the six factors discussed above, the Board has decided not to disapprove this Application.

As a result, the Applicant will be permitted to locate its Chancery Annex to the building structure at 1100 16th Street, N.W. In addition, the Applicant will be permitted to erect a statue at the front of the Property. The statue shall not exceed the approximate dimensions of 6 ft. x 6 ft. x 3 ft., in accordance with the submitted plans (Exhibit 32). Exterior window and door replacements, and signage, will also be permitted in accordance with the submitted plans. Tree replacement in the public space, as noted above, will also be permitted.

ANC Great Weight

The Board is required under § 13 (d) of the Advisory Neighborhood Commission Act of 1975, effective March 26, 1976 (D.C. Law 1-21; D.C. Official Code § 1-309.10(d) (2001) to give great weight to the issues and concerns raised in the written report of the affected Advisory Neighborhood Commission (“ANC”) which is ANC 2B. The ANC provided a resolution stating it supports the Application. The resolution further indicated that it was unanimously adopted at a scheduled and noticed public meeting with a quorum present (Exhibit 31). The Board's decision to not disapprove the Application is consistent with the ANC's resolution.

Accordingly, it is **ORDERED** that the application is **NOT DISAPPROVED**, and is subject to Exhibit 5 – Plat of Survey, Exhibit 32C – Plans, and Exhibit 37 – Landscape Plan.

Vote of the Board of Zoning Adjustment taken at its public hearing on December 17, 2013, to Not Disapprove the application:

VOTE: **3-0-2** (Lloyd J. Jordan, Marcel C. Acosta, and Peter G. May to Not Disapprove; S. Kathryn Allen not present, not voting; one Board seat vacant.)

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

The majority of the Board members approved the issuance of this order.

FINAL DATE OF ORDER: January 24, 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.

APPROVAL OF THIS 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

BZA APPLICATION NO. 18678**PAGE NO. 6**

OF AN EXISTING BUILDING OR STRUCTURE. THE 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 SUBJECT TO DISCIPLINARY ACTION.

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

Application No. 18689 of Hong Deng, pursuant to 11 DCMR § 3103.2, for a variance from the off-street parking requirements under § 2101.1, to allow the construction of a flat (two-family dwelling) in the R-4 District at premises 1620 A Street, S.E. (Square 1085, Lot 801).

HEARING DATE: January 14, 2014

DECISION DATE: January 14, 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 (the "Board") provided proper and timely notice of the public hearing on this application by publication in the *D.C. Register* and by mail to Advisory Neighborhood Commission ("ANC") 6B, and to owners of property within 200 feet of the site. The site is located within the jurisdiction of ANC 6B, which is automatically a party to this application. ANC 6B submitted a timely written report dated December 20, 2013, in support of the application, which indicated that at a duly noticed, regularly scheduled monthly meeting of the ANC on December 16, 2013, at which a quorum was present, the ANC voted to support the application by a unanimous vote of 7-0-0. (Exhibit 22.) The Office of Planning ("OP") submitted a timely report in support of the application. (Exhibit 23.) The District Department of Transportation ("DDOT") did not submit a report, but the OP report stated that DDOT had indicated to OP that it would not likely approve a curb cut at the subject site. (Exhibit 23.)

A letter of support for the application was submitted to the record from the Capitol Hill Restoration Society. (Exhibit 27.) An email in support of the application was submitted to the record from Margaret Butler, 1613 A Street, S.E. (Exhibit 26.)

A letter in opposition to the application was submitted to the record by Gaye Hooper, 1612 A Street, S.E. (Exhibit 25.)

As directed by 11 DCMR § 3119.2, the Board required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case for a variance under § 3103.2 from the strict application of the off-street parking requirements under § 2101.1. 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.

BZA APPLICATION NO. 18689**PAGE NO. 2**

Based upon the record before the Board and having given great weight to the OP and ANC reports filed in this case, the Board concludes that in seeking the variance relief that 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 or undue hardship for the owner in complying with the Zoning Regulations, and that the requested relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map.

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

It is therefore **ORDERED** that the application is hereby **GRANTED, SUBJECT TO THE REVISED SITE PLANS¹ AT EXHIBIT 31.**

VOTE: **3-0-2** (Lloyd J. Jordan, Marcie I. Cohen, and S. Kathryn Allen to APPROVE; Jeffrey L. Hinkle, not participating or voting, and one Board seat vacant.)

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

A majority of the Board members approved the issuance of this summary order.

FINAL DATE OF ORDER: January 17, 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.

¹ The revised site plans show that court relief is no longer required.

BZA APPLICATION NO. 18689**PAGE NO. 3**

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. 18704 of Richard and Robin Appia, pursuant to 11 DCMR § 3104.1, for a special exception for an addition to a one-family row dwelling under section 223, not meeting the lot occupancy (section 403) and nonconforming structure (2001.3) requirements in the R-4 District at premises 621 Upshur Street, N.W. (Square 3226, Lot 80).

DECISION DATE: January 14, 2014 (Expedited Calendar)

SUMMARY ORDER

SELF-CERTIFIED

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2.

Pursuant to 11 DCMR § 3181 this application was tentatively placed on the Board's expedited calendar for decision without hearing as a result of the applicant's waiver of their right to a hearing.

The Board provided proper and timely notice of the decision meeting for this application together with the information required by 11 DCMR § 3118.5, by publication in the *D.C. Register* and by mail to Advisory Neighborhood Commission (ANC) 4C and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 4C, which is automatically a party to this application. ANC 4C submitted a letter in support of the application. The Office of Planning (OP) submitted a report in support of the application. The Department of Transportation submitted a report of no objection to the application. The Board waived a portion of the posting requirement as a preliminary matter.

No objections to expedited calendar consideration were made by any person or entity entitled to do by §§ 2118.6 and 2118.7 and no requests for party status were received. The matter was therefore called on the Board's expedited calendar for the date referenced above and the Board voted to grant the application.

As directed by 11 DCMR § 3119.2, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to § 3104.1, for special exception under section 223. No parties appeared at the public hearing in opposition to this application. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board and having given great weight to the OP and ANC reports, the Board concludes that the Applicant has met the burden of proof, pursuant to 11 DCMR §§ 3104.1 and 223, that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board further concludes

BZA APPLICATION NO. 18704

PAGE NO. 2

that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map.

Pursuant to 11 DCMR § 3100.5, the Board has determined to waive the requirement of 11 DCMR § 3125.3, that the order of the Board be accompanied by findings of fact and conclusions of law. It is therefore **ORDERED** that this application (pursuant to Exhibit 10 – Plans) be **GRANTED**.

VOTE: **3-0-2** (Lloyd J. Jordan, Marcie I. Cohen and S. Kathryn Allen to Approve. Jeffrey L. Hinkle not present, not voting and the third Mayoral member seat vacant.)

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

The majority of the Board members approved the issuance of this order.

FINAL DATE OF ORDER: January 14, 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. 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

BZA APPLICATION NO. 18704

PAGE NO. 3

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.

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF FILING
Z.C. Case No. 10-26B
(3321 Georgia, LLC – PUD Modification @ Square 3040, Lot 130)
January 22, 2014**

THIS CASE IS OF INTEREST TO ANC 1A

On January 15, 2014, the Office of Zoning received an application from 3321 Georgia, LLC (the “Applicant”) for approval of a modification of a planned unit development (“PUD”) for the above-referenced property.

The property that is the subject of this application consists of Lot 130 in Square 3040 in Northwest Washington, D.C. (Ward 1), which is located at 3321-3335 Georgia Avenue, N.W. The property is currently zoned, for the purposes of this project, GA/C-2-B (the underlying zoning is GA/C-2-A).

The Applicant proposes to make the following modifications to the PUD: 1) increase the number of residential units from 112 to 126; 2) increase the total square footage from 118,160 to 125,423 (increasing the residential square footage from 82,801 to 95,735, decreasing the retail square footage from 7,190 to 4,330, and decreasing the loading and circulation space from 23,031 to 22,220); 3) increase the parking from 49 to 51 spaces; and 4) make minor refinements to the exterior of the building.

The modified project will have a density of 5.70 floor area ratio (“FAR”) and maximum building height of 89 feet, eight inches, compared to the maximum density of 5.37 FAR and maximum building height of 90 feet in the approved PUD.

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 CLOSED MEETINGS**

TIME AND PLACE: **Tuesday, February 18, 2014, @ 9:00 a.m.**
Jerrily R. Kress Memorial Hearing Room
441 4th Street, N.W., Suite 220
Washington, D.C. 20001

FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:

The Zoning Commission, in accordance with § 406 of the District of Columbia Administrative Procedure Act (“Act”)(D.C. Official Code § 2-576), hereby provides notice it will hold a closed meeting at the time and place noted above for the purpose of receiving training as permitted by D.C. Official Code § 2-575(b)(12).

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

District of Columbia REGISTER – January 31, 2014 – Vol. 61 - No. 5 776 – 961