

District of Columbia

REGISTER

HIGHLIGHTS

- D.C. Council passes Law 21-72, Health-Care Decisions Amendment Act of 2015
- D.C. Council passes Law 21-74, Higher Education Licensure Commission Amendment Act of 2015
- D.C. Council passes Resolution 21-431, Supporting Normalcy and Empowering Children in Foster Care Emergency Declaration Resolution of 2016
- Department of Consumer and Regulatory Affairs establishes standards for inspecting fuel stations
- Department of Energy and Environment solicits comments on the Anacostia River Sediments: Draft Phase I Remedial Investigation Report
- Department of Human Resources publishes a list of Excepted Service Employees as of March 1, 2016
- Office of the Deputy Mayor for Planning and Economic Development announces funding availability for H Street NE Small Business Capital Improvement and Starburst Burst Revitalization Grants
- D.C. Taxicab Commission clarifies enforcement rules for deadlines, suspensions, notices, and appeals

DISTRICT OF COLUMBIA REGISTER

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DISTRICT OF COLUMBIA OFFICE OF DOCUMENTS AND ADMINISTRATIVE ISSUANCES

RM 520 – 441 4th ST, ONE JUDICIARY SQ. - WASHINGTON, D.C. 20001 - (202) 727-5090

MURIEL E. BOWSER
MAYOR

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ADMINISTRATOR

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COUNCIL OF THE DISTRICT OF COLUMBIA

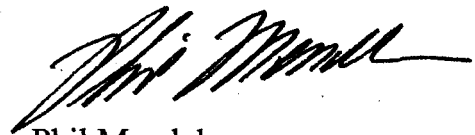
NOTICE

D.C. LAW 21-72

"Health-Care Decisions Amendment Act of 2015"

As required by Section 412(a) of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 21-171 on first and second readings November 3, 2015, and December 1, 2015, respectively. Following the signature of the Mayor on December 29, 2015, as required by Section 404(e) of the Charter, the bill became Act 21-247 and was published in the January 8, 2016 edition of the D.C. Register (Vol. 63, page 208). Act 21-247 was transmitted to Congress on January 8, 2016 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 21-247 is now D.C. Law 21-72, effective February 27, 2016.



Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

January	8, 11, 12, 13, 14, 15, 19, 20, 21, 22, 25, 26, 27, 28, 29
February	1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 22, 23, 24, 25, 26

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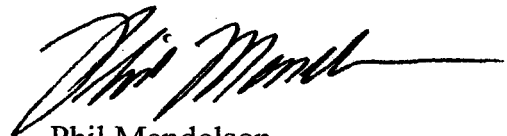
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D.C. LAW 21-73

"Uniform Interstate Family Support Act of 2015"

As required by Section 412(a) of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 21-245 on first and second readings November 3, 2015, and December 1, 2015, respectively. Following the signature of the Mayor on December 29, 2015, as required by Section 404(e) of the Charter, the bill became Act 21-249 and was published in the January 8, 2016 edition of the D.C. Register (Vol. 63, page 222). Act 21-249 was transmitted to Congress on January 8, 2016 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 21-249 is now D.C. Law 21-73, effective February 27, 2016.



Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

January	8, 11, 12, 13, 14, 15, 19, 20, 21, 22, 25, 26, 27, 28, 29
February	1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 22, 23, 24, 25, 26

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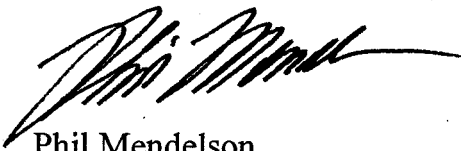
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D.C. LAW 21-74

**"Higher Education Licensure Commission
Amendment Act of 2015"**

As required by Section 412(a) of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 21-295 on first and second readings November 3, 2015, and December 1, 2015, respectively. Following the signature of the Mayor on December 29, 2015, as required by Section 404(e) of the Charter, the bill became Act 21-250 and was published in the January 8, 2016 edition of the D.C. Register (Vol. 63, page 252). Act 21-250 was transmitted to Congress on January 8, 2016 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 21-250 is now D.C. Law 21-74, effective February 27, 2016.



Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

January	8, 11, 12, 13, 14, 15, 19, 20, 21, 22, 25, 26, 27, 28, 29
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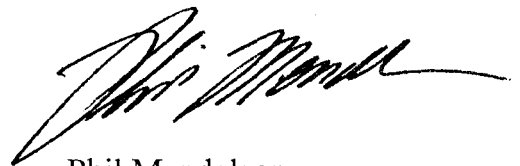
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D.C. LAW 21-75

**"Interim Eligibility and Minimum Shelter
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As required by Section 412(a) of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 21-352 on first and second readings November 3, 2015, and December 1, 2015, respectively. Following the signature of the Mayor on December 29, 2015, as required by Section 404(e) of the Charter, the bill became Act 21-251 and was published in the January 8, 2016 edition of the D.C. Register (Vol. 63, page 257). Act 21-251 was transmitted to Congress on January 8, 2016 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 21-251 is now D.C. Law 21-75, effective February 27, 2016.



Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

January	8, 11, 12, 13, 14, 15, 19, 20, 21, 22, 25, 26, 27, 28, 29
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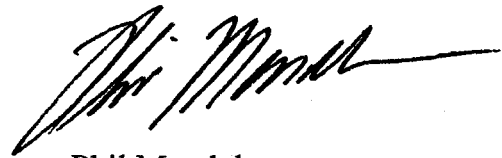
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D.C. LAW 21-76

**"Fiscal Year 2016 Budget Support Clarification
Temporary Amendment Act of 2015"**

As required by Section 412(a) of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 21-396 on first, amended first, and second readings on September 22, 2015, November 3, 2015, and December 1, 2015, respectively. Following the signature of the Mayor on December 29, 2015, as required by Section 404(e) of the Charter, the bill became Act 21-252 and was published in the January 8, 2016 edition of the D.C. Register (Vol. 63, page 264). Act 21-252 was transmitted to Congress on January 8, 2016 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 21-252 is now D.C. Law 21-76, effective February 27, 2016.



Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

January	8, 11, 12, 13, 14, 15, 19, 20, 21, 22, 25, 26, 27, 28, 29
February	1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 22, 23, 24, 25, 26

ENROLLED ORIGINAL

A RESOLUTION

21-225

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

October 6, 2015

To approve the negotiated compensation collective bargaining agreement submitted by the Mayor between the Department of Health, Department of Youth Rehabilitation Services, Department on Disability Services, Department of Health Care Finance, Child and Family Services Agency, and the Office of the Chief Medical Examiner and employees in Compensation Unit 13, who are represented by the District of Columbia Nurses Association.

RESOLVED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Collective Bargaining Agreement between the District of Columbia and Compensation Unit 13, District of Columbia Nurses Association Approval Resolution of 2015".

Sec. 2. Pursuant to section 1717(j) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Code § 1-617.17(j)), the Council of the District of Columbia approves the compensation collective bargaining agreement between the Department of Health, Department of Youth Rehabilitative Services, Department on Disability Services, Department of Health Care Finance, Child and Family Services Agency, and the Office of the Chief Medical Examiner and employees in Compensation Unit 13, who are represented by the District of Columbia Nurses Association, which was transmitted by the Mayor to the Council on September 16, 2015.

Sec. 3. Transmittal.

The Council shall transmit a copy of this resolution, upon its adoption, to the District of Columbia Nurses Association and to the Mayor.

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 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

21-226

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

October 6, 2015

To approve the extension of the time limit for the disposition of certain District-owned real property located at 965 Florida Avenue, N.W., and known for tax and assessment purposes as Lot 1102 in Square 2873.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “965 Florida Avenue, N.W. Disposition Extension Approval Resolution of 2015”.

Sec. 2. (a) Pursuant to section 1(d) 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(d)), the Mayor transmitted to the Council a request for approval of 2 additional years of time, amounting to 4 years total, for the disposition of certain real property located at 965 Florida Avenue, N.W., and comprising approximately 63,418 square feet of land, designated for purposes of taxation and assessment as Lot 1102 in Square 2873 (“Property”), which disposition was approved by the Council pursuant to the 965 Florida Avenue, N.W. Disposition Approval Resolution of 2015, effective September 22, 2015 (Res. 21-214; 62 DCR 13413)(“Disposition Approval Resolution”).

(b) The Mayor transmitted a status report on efforts made to dispose of the Property, as well as the reasons for the inability to dispose of the Property within the original 2-year time period authorized by the Disposition Approval Resolution.

(c) The Council approves the additional time requested by the Mayor to dispose of the Property and extends the time period until September 22, 2019.

Sec. 3. Transmittal.

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

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 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

21-307

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

December 1, 2015

To approve the negotiated compensation collective bargaining agreement submitted by the Mayor between the Department of Behavioral Health and employees who are represented by the District of Columbia Nurses Association.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Compensation Agreement between the Department of Behavioral Health and District of Columbia Nurses Association Approval Resolution of 2015".

Sec. 2. Pursuant to section 1717(j) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Code § 1-617.17(j)), the Council of the District of Columbia approves the compensation collective bargaining agreement between the Department of Behavioral Health and the District of Columbia Nurses Association, which was transmitted by the Mayor to the Council on November 13, 2015.

Sec. 3. Transmittal.

The Council shall transmit a copy of this resolution, upon its adoption, to the District of Columbia Nurses Association and to the Mayor.

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 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

21-336

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

December 15, 2015

To confirm the reappointment of Judge Maxine E. McBean as a member of the Contract Appeals Board.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract Appeals Board Maxine E. McBean Confirmation Resolution of 2015".

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

Judge Maxine E. McBean
955 26th Street, N.W.
Washington, D.C. 20037
(Ward 2)

as a member of the Contract Appeals Board, established by section 1001 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-360.01), for a term to end July 28, 2019.

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

21-337

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

December 15, 2015

To confirm the reappointment of Judge Marc D. Loud, St. as a member and Chairperson of the Contract Appeals Board.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract Appeals Board Marc D. Loud Confirmation Resolution of 2015".

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

Judge Marc D. Loud, Sr.
1439 Holly Street, N.W.
Washington, D.C. 20012
(Ward 4)

as a member and Chairperson of the Contract Appeals Board, established by section 1001 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-360.01), notwithstanding section 1002(a)(1) of such act, for a term to end July 28, 2018.

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

21-415

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 1, 2016

To declare that the District-owned real property located between 1300 and 1100 Alabama Avenue, S.E., and known for tax and assessment purposes as Lots 809, 811, 812, 813, and 823 in Square S-5868, is no longer required for public purposes.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “St. Elizabeths East Campus – Phase I Surplus Property Declaration Resolution of 2016”.

Sec. 2. Findings.

(a) The District is the owner of the real property located between 1300 and 1100 Alabama Avenue, S.E., known for tax and assessment purposes as Lots 809, 811, 812, 813, and 823 in Square S-5868 (“Property”). The Property consists of approximately 685,918 square feet of land, or approximately 15.72 acres, that includes vacant parcels and historic vacant buildings.

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

(c) The District has satisfied the public hearing requirements of section 1(a-1)(4) of An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801(a-1)(4)) (“Act”), by holding a public hearing on September 19, 2015, at the R.I.S.E Demonstration Center, located at 2730 Martin Luther King Jr. Avenue, S.E.

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

Sec. 4. Transmittal.

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

Sec. 5. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 6. Effective date.

This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

21-418

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 1, 2016

To confirm the appointment of Mr. Anthony Wash to the District of Columbia Taxicab Commission.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “District of Columbia Taxicab Commission Anthony Wash Confirmation Resolution of 2016”.

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

Mr. Anthony Wash
106 16th Street, S.E.
Washington, D.C. 20003
(Ward 6)

as a public member of the District of Columbia Taxicab Commission, established by section 5 of the District of Columbia Taxicab Establishment Act of 1985, effective March 25, 1986 (D.C. Law 6-97; D.C. Official Code § 50-301.04), replacing Gladys Mack, for an unexpired term to end May 4, 2018.

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

21-419

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 1, 2016

To confirm the appointment of Mr. Jonathan M. Zeitler to the District of Columbia Taxicab Commission.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “District of Columbia Taxicab Commission Jonathan Zeitler Confirmation Resolution of 2016”.

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

Mr. Jonathan M. Zeitler
3318 Quesada Street, N.W.
Washington, D.C. 20015
(Ward 3)

as an industry member of the District of Columbia Taxicab Commission, established by section 5 of the District of Columbia Taxicab Establishment Act of 1985, effective March 25, 1986 (D.C. Law 6-97; D.C. Official Code § 50-301.04), replacing Stanley Tapscott, whose term expired May 4, 2014, for a term to end May 4, 2019.

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

21-420

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 1, 2016

To confirm the appointment of Ms. Michelle L. Pourciau to the District of Columbia Taxicab Commission.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “District of Columbia Taxicab Commission Michelle Pourciau Confirmation Resolution of 2016”.

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

Ms. Michelle L. Pourciau
3023 Oliver Street, N.W.
Washington, D.C. 20015
(Ward 3)

as an industry member of the District of Columbia Taxicab Commission, established by section 5 of the District of Columbia Taxicab Establishment Act of 1985, effective March 25, 1986 (D.C. Law 6-97; D.C. Official Code § 50-301.04), replacing Paul Cohn, whose term expired May 4, 2014, for a term to end May 4, 2019.

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

21-421

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 1, 2016

To confirm the reappointment of Mr. Elliott L. Ferguson, II to the District of Columbia Taxicab Commission.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Taxicab Commission Elliott L. Ferguson Confirmation Resolution of 2016".

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

Mr. Elliott L. Ferguson, II
222 Kentucky Avenue, S.E.
Washington, D.C. 20003
(Ward 6)

as a public member of the District of Columbia Taxicab Commission, established by section 5 of the District of Columbia Taxicab Establishment Act of 1985, effective March 25, 1986 (D.C. Law 6-97; D.C. Official Code § 50-301.04), for a term to end May 4, 2020.

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

21-422

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 1, 2016

To declare the existence of an emergency with respect to the need to approve Human Care Agreement No. CW39771 with BoysTown Washington D.C., Inc. to provide group home services for youth that are in the temporary custody of the Department of Youth and Rehabilitative Services as wards of the District via court order and to authorize payment for the services received and to be received under that human care agreement.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Human Care Agreement No. CW39771 Approval and Payment Authorization Emergency Declaration Resolution of 2016".

Sec. 2. (a) There exists an immediate need to approve Human Care Agreement ("HCA") No. CW39771 with BoysTown Washington D.C., Inc. ("BoysTown") to provide group home services for youth that are in the temporary custody of the District's Department of Youth and Rehabilitative Services ("DYRS") and to authorize payment for the services received and to be received under that HCA.

(b) On October 1, 2015, the Office of Contracting and Procurement ("OCP"), on behalf of the Department of Youth and Rehabilitative Services, entered into a letter Human Care Agreement No. CW39771 with BoysTown to provide group home services for youth between 12 and 21 years of age who are in the custody of DYRS via court order in the not-to-exceed contract amount of \$721,440 The letter HCA was to be definitized within 120 days.

(c) OCP now desires to definitize the HCA and increase the contract ceiling amount to \$2,194,380 for the period from October 1, 2015 through September 30, 2016.

(d) Council approval is necessary because the contract is more than \$1 million during a 12-month period. Council approval is also necessary to allow the continuation of these vital services. Without Council approval, BoysTown cannot be paid for services provided in excess of \$1 million.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it

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necessary that the Contract No. CW39771 Approval and Payment Authorization
Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

21-423

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 1, 2016

To declare the existence of an emergency with respect to the need to approve the exercise of Option Year 2 of Contract No. DCAM-14-CS-0001B with Broughton Construction Company, LLC, for District of Columbia Public Schools and Department of Parks and Recreation small construction projects and to authorize payment for services received and to be received under Option Year 2 of the contract.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Exercise of Option Year 2 of Contract No. DCAM-14-CS-0001B Approval and Payment Authorization Emergency Declaration Resolution of 2016”.

Sec. 2.(a) There exists an immediate need to approve the exercise of Option Year 2 of Contract No. DCAM-14-CS-0001B, the Amended and Restated Basic Ordering Agreement Fiscal Year 2014 DCPS and DPR Small Construction Projects.

(b) The Initial Contract with Broughton Construction Company, LLC was approved by the Council (D.C. Act 20-403), with terms and conditions that were amended and restated, resulting in the issuance of the Amended and Restated Basic Ordering Agreement Fiscal Year 2014 DCPS and DPR Small Construction Projects (“Contract”) with an established not-to-exceed value of \$10 million and 2 one-year options to extend the term of the contract. All work, under the Contract was awarded and released through individual project task orders, based on a competitive bidding process, as set forth in section 1.2 of the Contract. Task orders may be issued up to the maximum not-to-exceed amount of \$10 million, which could cause the aggregate not-to-exceed value of the Contract, after Council’s approval of the Contract, to exceed the \$1 million threshold provided in section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51).

(c) The base year of the Contract ended on September 30, 2014. Option Year 1 of the Contract was exercised, in part, in mid-October 2014 through a bilateral letter agreement. Subsequently, the Council approved the full exercise of Option Year 1 (CA20-0510), the first of the 2 one-year options, to extend the term of the contract for Fiscal Year 2015, and Option Year 1 was bilaterally exercised by the parties notwithstanding the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.01 *et seq.*) Option Year 1 of the Contract maintained the same structure and terms, and established a \$10

ENROLLED ORIGINAL

million not-to-exceed value. Because task orders could have been issued up to \$10,000,000, the aggregate could have exceeded the \$1 million threshold and required Council approval.

(d) In Fiscal Year 2016, the Department of General Services partially exercised Option Year 2, bilaterally, with a not-to-exceed amount of \$975,000. Council approval is now required for the full exercise of Option Year 2 of the Amended and Restated Basic Ordering Agreement for Fiscal Year 2014 DCPS and DPR Small Construction Projects, to extend the term of the contract through Fiscal Year 2016. The terms and conditions of the contract have not changed, and the not-to-exceed value of Option Year 2 would be increased to \$10 million. The full exercise of Option Year 2 is bilateral.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Exercise of Option Year 2 of Contract No. DCAM-14-CS-0001B Approval and Payment Authorization Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

21-424

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 1, 2016

To approve an agreement to enter into a long-term subsidy contract for 15 years in support of the District's Local Rent Supplement Program to fund housing costs associated with affordable housing units for Contract No. 2014-LRSP-06A with NSV Residential, LLC, for program units located at 1333 N Street, N.W., Washington, D.C. 20005.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Local Rent Supplement Program Contract No. 2014-LRSP-06A Approval Resolution of 2016".

Sec. 2. (a) In 2007, the District passed title II of the Fiscal Year 2007 Budget Support Act of 2006 ("BSA") to provide funding for affordable housing for extremely low-income households in the District. The passage of the BSA created the Local Rent Supplement Program ("LRSP"), a program designed to provide affordable housing and supportive services to extremely low-income District residents, including those who are homeless or in need of supportive services, such as elderly individuals or those with disabilities, through project-based, tenant-based and sponsored-based LRSP affordable housing units. The BSA provided for the District of Columbia Housing Authority ("DCHA") to administer the LRSP on behalf of the District.

(b) In April 2014, the DCHA participated in a Request for Proposals issued by the District of Columbia Department of Housing and Community Development. Of the total proposals received, 12 developers were chosen to work with DCHA and other District agencies to develop affordable housing and permanent supportive housing units for extremely low-income families making from 0% to 30% of the area's median income, as well as the chronically homeless and individuals with mental or physical disabilities. Upon approval of the agreement to enter into a long-term contract ("ALTSC") by the Council, DCHA will execute the agreement with the selected housing provider under the LRSP.

(c) There exists an immediate need to approve the ALTSC with NSV Residential, LLC, in order to provide long-term affordable housing units for extremely low-income households in the District for units located at 1333 N Street, N.W.

(d) The Council's approval authorizes the ALTSC between DCHA and NSV Residential, LLC, with respect to the payment of rental subsidy, and allows the owner to lease the

ENROLLED ORIGINAL

rehabilitated units at N Street Village and house District extremely low-income households with incomes at 30% or less of the area median income.

Sec. 3. 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 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 the ALTSC with NSV Residential, LLC, to provide an operating subsidy in support of 37 affordable housing units, in an initial amount not to exceed \$574,536 annually.

Sec. 4. Transmittal.

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

Sec. 5. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 6. Effective date.

This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

21-425

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 1, 2016

To declare the existence of an emergency with respect to the need to amend the National Capital Revitalization Corporation and Anacostia Waterfront Corporation Reorganization Act of 2008 to clarify that grants from the Economic Development Special Account may be made on a non-competitive basis.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “DMPED Special Account Grant-making Clarification Emergency Declaration Resolution of 2016”.

Sec. 2. (a) The Deputy Mayor for Planning and Economic Development (“DMPED”) administers the Economic Development Special Account (“EDSA”) that is used to provide economic development assistance, through the provision of grants, loans, and credit support or enhancement, and to implement other programs, projects, and initiatives.

(b) The EDSA is primarily funded through the proceeds from leases associated with from former National Capital Revitalization Corporation and Anacostia Waterfront Corporation properties.

(c) In 2015, the Grant Administration Amendment Act of 2015, effective October 22, 2015 (D.C. Law L21-36; 62 DCR 10905), was enacted, requiring all grants over \$50,000 to be awarded on a competitive basis.

(d) Historically, DMPED has awarded grants from the EDSA to targeted recipients including the Chamber of Commerce, the Washington DC Economic Partnership, Destination DC, and Events DC.

(e) DMPED is currently in the process of awarding grants, but due to the changes made in the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), the grants cannot be awarded to the intended recipients without a competitive process, even though these grants are intended to be targeted.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the DMPED Special Account Grant-making Clarification Emergency Amendment Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

21-426

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 1, 2016

To declare the existence of an emergency with respect to the need to close a portion of a public alley system in Square 2882, bounded by Euclid Street, N.W., to the north, 9th Street, N.W., to the east, Barry Place, N.W., to the south, and Sherman Avenue, N.W., to the west, in Ward 1.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Closing of a Portion of the Public Alley in Square 2882, S.O. 14-21729, Emergency Declaration Resolution of 2016".

Sec. 2. (a) There exists an immediate need to approve emergency legislation to close a portion of the public alley system in Square 2882, S.O. 14-21729.

(b) The purpose of the alley closing is to facilitate the redevelopment of a parcel of land on the north side of Barry Place, N.W., between 9th Street and Sherman Avenue. The approximate land area is 1.35 acres. The site is partially vacant and otherwise currently improved with a warehouse and 6 townhomes. The proposed development will consist of a 6-story mixed-use building offering 319 residential units totaling approximately 237,000 square feet, retail space of approximately 12,000 square feet, and a parking garage with approximately 145 spaces. Vehicular access to the garage will be provided from 9th Street.

(c) The proposed building will occupy 93% of the site, including all portions of the existing alley proposed to be closed. Accordingly, there will be no need for the alleys upon completion of the proposed development.

(d) A permanent version of this legislation passed 1st reading unanimously on February 2, 2016, and will be considered by the Council on 2nd reading on March 1, 2016. Making the closing effective sooner than after congressional review would enable the project to proceed without the risk of delay.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Closing of a Portion of a Public Alley in Square 2882, S.O. 14-21729, Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

21-427

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 1, 2016

To declare the existence of an emergency with respect to the need to authorize the Mayor to acquire and dispose of a portion of the former Walter Reed Army Medical Center located at 6900 Georgia Avenue, N.W., to establish the Walter Reed Reinvestment Fund into which certain funds received in connection with the site shall be deposited, to establish the Walter Reed Redevelopment Fund into which certain possessory interest tax revenues shall be deposited, and to authorize the provision of grants by the Deputy Mayor for Planning and Economic Development in connection with the redevelopment and operation of the site; and to amend An Act To provide for the abatement of nuisances in the District of Columbia by the Commissioners of said District, and for other purposes to exempt the buildings on the site from vacant building registration requirements for a certain period of time.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Walter Reed Development Omnibus Emergency Declaration Resolution of 2016”.

Sec. 2. (a) There exists an immediate need to approve emergency legislation to authorize the Mayor to acquire and dispose of property located at the former Walter Reed Army Medical Center.

(b) The legislation will facilitate the development of an approximately 60-acre land parcel bounded by Fern Street, N.W., to the north, Georgia Avenue, N.W., to the east, and Aspen Street, N.W., to the south. The parcel currently contains a number of historic buildings and will be developed into a mix of residential, office, retail, hospitality, nonprofit, educational, medical, arts, and green spaces. The property is currently owned by the federal government. The legislation will authorize the Mayor to purchase the land and immediately convey it to a master developer. The legislation will also establish 2 funds to collect revenue related to the site and reinvest it into the site.

(c) A permanent version of this legislation passed 1st reading unanimously on February 16, 2016 and will be considered by the Council on 2nd reading on March 1, 2016. Given the decision to approve the acquisition and disposition of the Walter Reed site, there is no benefit to further delay. Making the legislation effective sooner will enable to the development to move forward in a timely manner and without the risk of delay.

ENROLLED ORIGINAL

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Walter Reed Development Omnibus Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

21-428

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 1, 2016

To declare the existence of an emergency with respect to the need to amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to authorize the salary of the director of the Homeland Security and Emergency Management Agency.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Director of the Homeland Security and Emergency Management Agency Salary Approval Emergency Declaration Resolution of 2016”.

Sec. 2. (a) Christopher Geldart was appointed acting director of the Homeland Security and Emergency Management Agency (“HSEMA”) on May 31, 2012. On June 14, 2012, the Mayor transmitted to the Council a resolution to approve the nomination of Mr. Geldart as permanent director of HSEMA. On October 16, 2012, the Council unanimously approved his nomination, and Mr. Geldart has served as the director of HSEMA continuously since that time.

(b) Since his appointment as HSEMA director, Mr. Geldart has been critical to the success of many high-priority District-wide initiatives and has successfully managed a number of important events, including:

(1) Serving as incident commander in response to the District's January 2016 blizzard, leading response efforts and coordinating District agencies through all operational response and recovery phases, overseeing the operation of the District's emergency operations center, and ensuring successful procurement of resources and assets from other states and the federal government to assist the District's response efforts;

(2) Serving as interim director of the Office of Unified Communications (“OUC”) from April 2015 to January 2016, and during that time increasing minimum staffing, hiring new call takers, implementing schedule changes, and increasing the number of EMS channels to ensure staffing flexibility to support OUC's call volume and improving OUC's continuity of operations plan to ensure continued agency operations during a crisis;

(3) Creating and overseeing the implementation of the District Preparedness System, the District's comprehensive approach to homeland security and emergency management; and

(4) Leading the development of the proposal to bring the Department of Homeland Security's Securing the Cities grant program to the national capital region, resulting

ENROLLED ORIGINAL

in a grant of up to \$30 million to build the regional nuclear detection capability for law enforcement and first responder organizations within the region.

(c) Mr. Geldart’s current salary does not reflect his skills, experience, accomplishments, and level of service.

(d) The current salary schedule for Executive Service employees, however, does not authorize the Mayor to provide a higher salary to Mr. Geldart.

(e) There is an immediate need to approve an increased salary for Mr. Geldart that reflects his skills, experience, accomplishments, and level of service in order to retain his services for the District government.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Director of the Homeland Security and Emergency Management Agency Salary Approval Emergency Amendment Act of 2016 be approved after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

21-429

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 1, 2016

To declare the existence of an emergency with respect to the need to amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to create incentives for the retention and recruitment of Metropolitan Police Department officers.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Metropolitan Police Department Officer Retention and Recruitment Incentives Emergency Declaration Resolution of 2016”.

Sec. 2. (a) In 1989, the Metropolitan Police Department (“MPD”) began a massive hiring effort that culminated in approximately 1,500 officers being hired in fewer than 2 years.

(b) Since MPD officers hired at that time are eligible for retirement once they have served 25 years and reached 50 years of age, the District now has a large number of officers eligible for retirement.

(c) By the end of 2015, more than 1/3 of MPD lieutenants and detectives, and almost 1/3 of sergeants, were eligible to retire. More than 60% of the MPD command staff, comprising the Assistant Chiefs, Commanders, and Inspectors, were also eligible to retire.

(d) The number of Metropolitan Police Department officers has not increased to keep pace with the increasing population.

(e) By lowering the number of years of active military service or other law enforcement service required to be eligible for appointment, MPD will be able to increase the number of eligible recruits while maintaining the current qualification and eligibility standards.

(f) Additionally, enactment of this legislation will allow MPD to immediately launch a recruitment effort for experienced officers to participate in a new 11-week training program at the Police Academy. This new lateral hiring program is expected to hire and deploy an additional 50 officers this year.

(g) By offering Fair Labor Standards Act-exempt time off for work performed in excess of an 80-hour biweekly pay period to experienced police officers in command staff positions, as well as their civilian equivalents, the Chief of Police will be able to ensure the wellness of her most-experienced officers.

ENROLLED ORIGINAL

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Metropolitan Police Department Officer Retention and Recruitment Incentives Emergency Amendment Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

21-430

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 1, 2016

To declare the existence of an emergency with respect to the need to approve Modification No. 4 and proposed Modification No. 7 to Human Care Agreement No. DCJZ-2012-H-0020 (CW20561) to provide family reunification home services to District youth, and to authorize payment for the services received and to be received under the contract modifications.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Modifications to Human Care Agreement No. DCJZ-2012-H-0020 (CW20561) Approval and Payment Authorization Emergency Declaration Resolution of 2016”.

Sec. 2. (a) There exists a need to approve Modification No. 4 and proposed Modification No. 7 to Human Care Agreement No. DCJZ-2012-H-0020 (CW20561) with Center City Community Corporation to provide family reunification home services to District youth, and to authorize payment for services received and to be received under the contract modifications.

(b) On June 1, 2015, by Modification No. 4, the Office of Contracting and Procurement, on behalf of the Department of Youth Rehabilitation Services, exercised option year 3 of Human Care Agreement No. DCJZ-2012-H-0020 (CW20561) to provide family reunification home services to District youth for the period from June 1, 2015, to May 31, 2016, in the ceiling amount of \$962,128.

(c) Modification No. 7 is now necessary to increase the amount for option year 3 to \$1,923,352.

(d) Council approval is necessary since these modifications increase the contract by more than \$1 million during a 12-month period.

(e) Approval is necessary to allow the continuation of these vital services. Without this approval, Center City Community Corporation cannot be paid for services provided in excess of \$1 million for the contract period June 1, 2015, through May 31, 2016.

ENROLLED ORIGINAL

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modifications to Human Care Agreement No. DCJZ-2012-H-0020 (CW20561) Approval and Payment Authorization Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

21-431

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 1, 2016

To declare the existence of an emergency with respect to the need to amend the Prevention of Child Abuse and Neglect Act of 1977 to include in the definition of case plan additional requirements for children 14 years of age and older, to define the reasonable and prudent parent standard, to require that foster children receive a credit report on an annual basis beginning at 14 years of age, and to require the use of the reasonable and prudent parent standard by foster parents and group homes; and to amend section 16-2323 of the District of Columbia Official Code to require additional reporting requirements for children who have been placed in another planned permanent living arrangement.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Supporting Normalcy and Empowering Children in Foster Care Emergency Declaration Resolution of 2016”.

Sec. 2. (a) Title IV-E of the Social Security Act, approved June 17, 1980 (94 Stat. 501; 42 U.S.C § 670 *et seq.*) (“Title IV-E”), provides federal funds to states and the District of Columbia for foster care and guardianship and adoption assistance programs.

(b) The Preventing Sex Trafficking and Strengthening Families Act, approved September 29, 2014 (128 Stat. 1941; 42 U.S.C. § 675), requires states and the District, as a condition of receiving Title IV-E funds, to support normalcy for foster children by implementing the reasonable and prudent parent standard, empowering foster children 14 years of age and older by consulting them in the development of their case and transition plans and providing them with credit reports, and improving another planned permanent living arrangement by requiring additional reporting requirements.

(c) For the District to be eligible for Title IV-E funding, it must enact legislation by April 1, 2016, that implements the reasonable and prudent standard, empowers foster children 14 years of age and older, and improves the permanency goal of another planned permanent living arrangement.

(d) Emergency legislation is necessary to ensure that the District of Columbia maintains compliance with the federal requirements and continues to be eligible for Title IV-E funding.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Supporting Normalcy and Empowering Children in Foster Care Emergency Amendment Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

21-432

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 1, 2016

To declare the existence of an emergency with respect to the need to approve Contract No. CW40436 with NCS Pearson, Inc., to provide necessary support and systems for the professional licensing operation of the Department of Consumer and Regulatory Affairs and to authorize payment for the services received and to be received under the contract.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. CW40436 Approval and Payment Authorization Emergency Declaration Resolution of 2016".

Sec. 2. (a) There exists an immediate need to approve Contract No. CW40436 with NCS Pearson, Inc., ("Pearson") to manage and operate functions, including personnel, equipment, and supplies, to perform licensing operations for 18 non-health professional boards for the professional licensing operation of the Department of Consumer and Regulatory Affairs ("DCRA") and to authorize payment for the services received and to be received under the contract.

(b) On December 30, 2015, the Office of Contracting and Procurement ("OCP"), on behalf of DCRA, entered into sole source Contract No. CW40436 with Pearson to provide necessary support and systems for DCRA's professional licensing operation from January 1, 2016, through June 30, 2016, in the total contract amount of \$666,250. On February 18, 2016, Modification No. 2 increased the total contract amount by \$313,750, to \$980,000.

(c) OCP now desires to increase the contract amount from \$980,000 to \$1,950,000.

(d) Council approval is necessary since the contract is more than \$1 million during a 12-month period.

(e) Approval is necessary to allow the continuation of these vital services. Without this approval, Pearson cannot be paid for services provided in excess of \$1 million.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Contract No. CW40436 Approval and Payment Authorization Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

21-433

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 1, 2016

To declare the existence of an emergency with respect to the need to approve multiyear Contract No. CW41459 with Raimi & Associates to provide consulting support to the Office of Planning.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. CW41459 Approval Emergency Declaration Resolution of 2016".

Sec. 2. (a) The Office of Contracting and Procurement, on behalf of the Office of Planning, proposes to enter into a multiyear contract with Raimi & Associates to provide consulting support to the Office of Planning.

(b) The price under this multiyear contract with Raimi & Associates is \$656,804.

(c) Council approval is necessary because the term of the contract is more than one year. Council approval is also necessary to allow the District to continue to receive the benefit of these vital services from Raimi & Associates without interruption.

(d) These critical services can only be obtained through an award of the multiyear contract with Raimi & Associates.

Sec 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Contract No. CW41459 Emergency Approval Resolution of 2016 be on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

21-434

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 1, 2016

To approve, on an emergency basis, multiyear Contract No. CW41459 with Raimi & Associates to provide consulting support to the Office of Planning.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Contract No. CW41459 Emergency Approval Resolution of 2016”.

Sec. 2. Pursuant to section 451(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51(c)(3)), and 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 multiyear Contract No. CW41459 between the Office of Contracting and Procurement, on behalf of the Office of Planning, and Raimi & Associates to provide consulting support to the Office of Planning in the not-to-exceed amount of \$656,804 for a period of 18 months from the date of the award.

Sec. 3. Transmittal.

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

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 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

21-435

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 1, 2016

To declare the existence of an emergency with respect to the need to approve the exercise of option year 2, via Change Order No. 005, of Contract No. DCAM-14-CS-0096A with The Keystone Plus Construction Corporation for on-call construction, maintenance, and repair services, and to authorize payment for the goods and services received and to be received under option year 2 of the contract.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Exercise of Option Year 2 of Contract No. DCAM-14-CS-0096A Approval and Payment Authorization Emergency Declaration Resolution of 2016”.

Sec. 2.(a) There exists an immediate need to approve the exercise of option year 2, via Change Order No. 005, to Contract No. DCAM-14-CS-0096A with The Keystone Plus Construction Corporation for on-call construction, maintenance, and repair services, and to authorize payment in the not-to-exceed amount of \$3,282,475.16 for the goods and services received and to be received under option year 2 of the contract.

(b) In Fiscal Year 2014, the Department of General Services (the “Department”) awarded Contract No. DCAM-14-CS-0096A to The Keystone Plus Construction Corporation to provide on-call construction, maintenance, and repair services at certain District facilities, which was submitted to the Council for review and approval and was approved (CA20-0341). Subsequently, the Department exercised the first of the 2 one-year options contemplated by the Contract to extend the term of the Contract through Fiscal Year 2015; that action was also submitted to the Council for review and approval and was approved (CA20-0552). Thereafter, the Department partially exercised the second option year on a zero-dollar basis and issued Change Order No. 001 to the partial exercise in the amount of \$750,000, Change Order No. 002 in the amount of \$114,739.18, Change Order No. 003 in the amount of \$67,735.98, and Change Order No. 004 in the amount of \$0, the aggregate value of which was \$932,475.16; thus, Council approval was not required. The Department now desires to exercise option year 2 in full, via Change Order No. 005, and to provide additional funding as the term is extended.

(c) Council approval of Change Order No. 005 is required pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), because the Change Order will increase the total expenditure under Contract

ENROLLED ORIGINAL

No. DCAM-14-CS-0096A for option year 2 by an amount in excess of \$1 million during a 12-month period.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Exercise of Option Year 2 of Contract No. DCAM-14-CS-0096A Approval and Payment Authorization Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

21-436

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 1, 2016

To declare the existence of an emergency with respect to the need to approve the exercise of option year 2 of Contract No. DCAM-14-CS-0001D with Hess Construction + Engineering Services, Inc. for DCPS and DPR small construction projects, and to authorize payment in the not-to-exceed amount of \$10 million for goods and services received and to be received under option year 2 of the contract.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Exercise of Option Year 2 of Contract No. DCAM-14-CS-0001D Approval and Payment Authorization Emergency Declaration Resolution of 2016”.

Sec. 2.(a) There exists an immediate need to approve the exercise of option year 2 of Contract No. DCAM-14-CS-0001D with Hess Construction + Engineering Services, Inc. for DCPS and DPR small construction projects,, and to authorize payment in the not-to-exceed amount of \$10 million for the goods and services received and to be received under option year 2 of the contract.

(b) Contract No. DCAM-14-CS-0001D (the “Contract”) was approved by the Council (CA20-0334) with an established not-to-exceed value of \$10 million and 2 one-year options to extend the term of the Contract. All work under the Contract was to be awarded and released through individual project task orders, based on a competitive bidding process, as set forth in Section 1.2 of the Contract.

(c) The base year of the Contract ended on September 30, 2014. Option year one of the Contract was exercised in part in mid-October 2014 through a bilateral letter agreement. Subsequently, the Council approved the full exercise of option year one (CA20-0512) to extend the term of the contract through Fiscal Year 2015 in the aggregate not-to-exceed amount of \$10 million.

(d) Thereafter, in Fiscal Year 2016, the Department of General Services partially exercised option year 2 of the Contract in the not-to-exceed amount of \$975,000. Council approval is now required for the full exercise of option year 2, to extend the term of the Contract through Fiscal Year 2016. The terms and conditions of the Contract have not changed, and the aggregate not-to-exceed value of option year 2 would be increased to \$10 million.

ENROLLED ORIGINAL

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Exercise of Option Year 2 of Contract No. DCAM-14-CS-0001D Approval and Payment Authorization Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

21-437

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 1, 2016

To declare the existence of an emergency with respect to the need to approve the exercise of option year 2, via Change Order No. 004, of Contract No. DCAM-14-CS-0096C with Broughton Construction Company, LLC for on-call construction, maintenance, and repair services, and to authorize payment for the goods and services received and to be received under option year 2 of the contract.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Exercise of Option Year 2 of Contract No. DCAM-14-CS-0096C Approval and Payment Authorization Emergency Declaration Resolution of 2016.

Sec. 2.(a) There exists an immediate need to approve the exercise of option year 2, via Change Order No. 004, to Contract No. DCAM-14-CS-0096C with Broughton Construction Company, LLC for on-call construction, maintenance, and repair services, and to authorize payment in the not-to-exceed amount of \$2,494,043 for the goods and services received and to be received under option year 2 of the contract.

(b) In Fiscal Year 2014, the Department of General Services (the “Department”) awarded Contract No. DCAM-14-CS-0096C (the “Contract”) to Broughton Construction Company, LLC to provide on-call construction, maintenance, and repair services at certain District facilities, which was submitted to the Council for review and approval and was approved (CA20-0343). Subsequently, the Department exercised the first of the 2 one-year options contemplated by the Contract to extend the term of the Contract through Fiscal Year 2015; that action was also submitted to the Council for review and approval and was approved (CA20-0544). Thereafter, the Department partially exercised the second option year on a zero-dollar basis and issued Change Order No. 001 in the amount of \$750,000, Change Order No. 002 in the amount of \$144,043, and Change Order No. 003 in the amount of \$0, the aggregate value of which was \$894,043; thus, Council approval was not required. The Department now desires to exercise option year 2 in full, via Change Order No. 004, and to provide additional funding as the term is extended.

(c) Council approval of Change Order No. 004 is required pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), because the Change Order will increase the total expenditure under Contract

ENROLLED ORIGINAL

No. DCAM-14-CS-0096C for option year 2 by an amount in excess of \$1 million during a 12-month period.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Exercise of Option Year 2 of Contract No. DCAM-14-CS-0096C Approval and Payment Authorization Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

21-171

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 1, 2016

To recognize, honor, and express overwhelming gratitude to Connie Jo Lierman for her commitment to excellence and for her numerous contributions to the District of Columbia and its residents, particularly its children.

WHEREAS, Connie Jo Lierman joined the Children's Hospital National Medical Center in 1972 as a clinical specialist, and worked in pediatric nursing services until 1996, caring for her patients and their families both in and out of the hospital;

WHEREAS, Connie Jo Lierman served as a faculty associate at the University of Maryland School of Nursing from 1977 to 1981;

WHEREAS, Connie Jo Lierman joined the Community of Hope as a Pediatric Nurse Practitioner in 1997, where she provided thorough health care and compassionate service to the neediest children in the District of Columbia;

WHEREAS, Connie Jo Lierman served as a member of the District of Columbia Board of Nursing from 1986 through 1993; and

WHEREAS, Connie Jo Lierman provided heartfelt, compassionate, and effective care to all her patients, regardless of income; guidance to the medical residents who served with her; and dedication to the mission of the Community of Hope clinic.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Connie Jo Lierman Recognition Resolution of 2016".

Sec. 2. The Council of the District of Columbia is proud to recognize, honor, and express its overwhelming gratitude to Connie Jo Lierman, a believer in the power of nursing and caring to make a difference in the lives of children, families, and communities.

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

21-172

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 1, 2016

To honor Bishop Dr. Shirley Holloway for her remarkable commitment and service to the citizens of District of Columbia and Ward 8.

WHEREAS, Bishop Holloway is the founder and CEO of The House of Help City of Hope organization;

WHEREAS, Bishop Holloway is the Senior Pastor of The Word and Worship Centers in Ward 8 of the District of Columbia;

WHEREAS, Bishop Holloway is the host of Legendary Teachings and the Bishop Holloway show, local weekly broadcasts;

WHEREAS, through her organization, The House of Help City of Hope, Bishop Holloway established and runs intermediate treatment facilities that have helped and housed over 41,000 individuals battling addiction;

WHEREAS, the work of The House of Help City of Hope organization has been featured in The Washington Post, The Washington Times, The New York Post, and Afro-American News;

WHEREAS, Bishop Holloway has established innovative new programs to help chemically dependent individuals into long-term recovery;

WHEREAS, Bishop Holloway is the founder of the From Homeless to Home Ownership Program, a program assisting formerly homeless individuals purchase homes;

WHEREAS, Bishop Holloway was the recipient of the Martin Luther King, Jr. "Living the Dream" Award in 2007 in recognition of her work and service;

ENROLLED ORIGINAL

WHEREAS, Bishop Holloway received the Washington Post Humanitarian Award; and

WHEREAS, Bishop Holloway's House of Help City of Hope is graduating its 21st class of 8 individuals this year.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Bishop Dr. Shirley Holloway Recognition Resolution of 2016".

Sec. 2. The Council of the District of Columbia recognizes, honors, and celebrates the work of Bishop Dr. Shirley Holloway, including her distinguished service and contributions to 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

21-173

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 1, 2016

To recognize Peoples Congregational United Church of Christ, located at 4704 13th Street, N.W., for its contributions to the Ward 4 community, and to celebrate the church on its 125th anniversary.

WHEREAS, Peoples Congregational United Church of Christ is a diverse, progressive church located in Petworth, a Ward 4 neighborhood;

WHEREAS, in 1890, the original founders of Peoples Congregational United Church of Christ left Asbury Methodist Episcopal Church and formed a new congregation, the Reform Club of Asbury;

WHEREAS, on March 6, 1891, Peoples Congregational United Church of Christ was officially founded with 175 members, and conducted its early worship services in Nash Hall at 708 O Street, N.W.;

WHEREAS, in 1894, Peoples Congregational United Church of Christ constructed a church at 628 M Street, N.W., and remained at the location for 60 years;

WHEREAS, because membership grew substantially, Peoples Congregational United Church of Christ moved to its current location at 4704 13th Street, N.W., in April of 1954 and later constructed the Elmes Center to accommodate members and the community;

WHEREAS, in 1991, Peoples Congregational United Church of Christ constructed a new sanctuary that remains—to this day—a symbol of the church's dedication and involvement in the community;

WHEREAS, Peoples Congregational United Church of Christ provides numerous services to its members and the community through 9 different church committees, including the Scholarship Committee, the Music and Arts Committee, and the Evangelism and Outreach Committee; through its organizations, including G.R.O.W. Young Adult Ministry, Men's Fellowship, and Peoples Jazz Society; and through its community outreach initiatives, including the SHARE Ministry and the church's food pantry;

ENROLLED ORIGINAL

WHEREAS, the spiritual leader of Peoples Congregational United Church of Christ is acting Senior Minister Reverend Leslie Dowdell-Cannon who began her leadership in the church in 1997 under the guidance of Dr. A. Knighton Stanley; and

WHEREAS, Peoples Congregational United Church of Christ has contributed greatly to the Ward 4 community and has been providing spiritual guidance and community service for 125 years.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “125th Anniversary of Peoples Congregational United Church of Christ Recognition Resolution of 2016”.

Sec. 2. The Council recognizes Peoples Congregational United Church of Christ, located at 4704 13th Street, N.W., for its contributions to the Ward 4 community, and celebrates the church on its 125th anniversary

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

21-174

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 1, 2016

To honor the life and service of Maxine A. Nightingale-Starling.

WHEREAS, Maxine A. Nightingale-Starling was affectionately known under her signature moniker “Nightingale” and worked tirelessly as a grassroots organizer and political strategist;

WHEREAS, Maxine A. Nightingale-Starling was no stranger to community development, advocacy, social and constituent services, and business management, and brought 3 decades of entrepreneurial experience and serves as an advocate for young people, the disabled, seniors, and military families;

WHEREAS, Maxine A. Nightingale-Starling was a Vietnam-era veteran, having served her country honorably in the United States Air Force, and continued to establish relationships with social services for veterans and military families;

WHEREAS, Maxine A. Nightingale-Starling worked among the circuit court judges in the District of Columbia to provide at-risk youth with second chances, life coaching, wrap-around services, education, and community support;

WHEREAS, Maxine A. Nightingale-Starling became aware of the limited housing options for the disabled from her own personal health and physical challenges, and worked to advocate for accommodations to include, housing, transportation, sidewalk and street access, job placement, and overall support services;

WHEREAS, Maxine A. Nightingale-Starling was the Advisory Neighborhood Commission 7E Chair and Commissioner for the 7E06 Single Member District, working to serve her community as well as unifying the Ward 7 communities and ANCs; and

WHEREAS, Maxine A. Nightingale-Starling labored toward her vision of one community for Ward 7 by establishing ANC quarterly meetings to converge strategies to identifying solutions to similar problems throughout Ward 7.

ENROLLED ORIGINAL

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Maxine A. Nightingale-Starling Recognition Resolution of 2016”.

Sec. 2. The Council of the District of Columbia recognizes Maxine A. Nightingale-Starling for her work to strengthen Ward 7 by bridging gaps among the varying communities and organizations.

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

21-175

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 1, 2016

To recognize the month of March as “Developmental Disabilities Awareness Month” in the District of Columbia and to promote the strengths and achievements of District of Columbia residents with developmental and intellectual disabilities.

WHEREAS, in 1987, President Ronald Reagan proclaimed the month of March as “Developmental Disabilities Awareness Month”, calling upon all Americans to provide the “encouragement and opportunities” necessary for people with developmental disabilities to “lead productive lives and to achieve their full potential”;

WHEREAS, the theme for this year’s Developmental Disabilities Awareness Month is “Side-by-Side DC”, calling upon all District of Columbia residents, with and without disabilities, to work, live, learn, and play side-by-side;

WHEREAS, Developmental Disabilities Awareness Month reminds us that there are an estimated 9,500 District of Columbia residents who have developmental disabilities;

WHEREAS, Developmental Disabilities Awareness Month celebrates the families of people with developmental disabilities, who deserve our recognition for their care, commitment, and ongoing support that are essential in assisting individuals with developmental disabilities lead independent and productive lives;

WHEREAS, Developmental Disabilities Awareness Month acknowledges the many gifts and talents of people with developmental disabilities that enrich our community and enhance our diversity;

WHEREAS, Developmental Disabilities Awareness Month reminds us that people with developmental disabilities share a common desire to achieve personal success through education, meaningful work, and community involvement;

WHEREAS, Developmental Disabilities Awareness Month highlights the partnership between the District of Columbia government, advocacy community, and provider organizations to raise public awareness about people with developmental disabilities; and

ENROLLED ORIGINAL

WHEREAS, Developmental Disabilities Awareness Month encourages us to recognize the importance of achieving a fully inclusive community for all residents of the District of Columbia.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Developmental Disabilities Awareness Month Recognition Resolution of 2016”.

Sec. 2. The Council of the District of Columbia recognizes the contributions of people with developmental disabilities, and declares the month of March as “Developmental Disabilities Awareness Month” in the District of Columbia as a confirmation of the District of Columbia’s continued support for residents with developmental disabilities and those who support them to achieve their goals.

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

21-176

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 1, 2016

To recognize the month of March as “National Kidney Awareness Month” in the District of Columbia in order to raise awareness for chronic kidney disease , kidney cancer, and the proactive ways to reduce the risk of kidney failure.

WHEREAS, there are an estimated 26 million American adults living with chronic kidney disease (“CKD”);

WHEREAS, many individuals are unaware of their status as there are often no symptoms until the disease has progressed;

WHEREAS, kidney cancer affects 65,000 adults each year;

WHEREAS, it is critical that attention be brought to this often-overlooked, but increasingly common disease;

WHEREAS, persons at increased risk for developing CKD include those who are over 60 years of age, those with diabetes, cardiovascular disease, high blood pressure, or a family history of kidney disease;

WHEREAS, African Americans account for 35% percent of dialysis patients in the U.S., but only 13% of the overall U.S. population;

WHEREAS, early detection -- which is comprised of 3 simple tests: blood pressure, urine albumin, and serum creatinine -- can help prevent the progression of CKD;

WHEREAS, the Washington D.C. metropolitan area has one of the highest rates of kidney disease nationwide, with nearly 7,000 patients on dialysis, and more than 1,700 people waiting for a life-saving kidney transplant;

ENROLLED ORIGINAL

WHEREAS, End Stage Renal Disease , the 9th leading cause of death in the U.S., has a prevalence rate of over 2,000 District residents per year, and an incidence rate of 360 District residents per year, of which 190 are males and 160 are females – of those, roughly 300 are Black or African American;

WHEREAS, in 2014, there were 220 deaths due to dialysis in the District;

WHEREAS, the National Minority Organ and Tissue Transplant Education Program is the first program of its kind in the country designed to educate minority communities on facts about organ and tissue transplantation and empower these communities to become involved in addressing the shortage of donors; and

WHEREAS, the National Kidney Foundation will offer free kidney screenings, interactive Q&A sessions, as well as host events aimed at promoting awareness, early detection, and prevention throughout the month of March.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “National Kidney Awareness Month Recognition Resolution of 2016”.

Sec. 2. The Council of the District of Columbia hereby declares March 2016 as “National Kidney Awareness Month” in the District of Columbia and encourages all citizens to recognize the importance of kidney health, and the prevention, early detection, and treatment of kidney disease.

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

21-177

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 1, 2016

To declare March 15, 2016 as “DCIAA Athletic Training Day” in the District of Columbia and to recognize the extensive service and hard work of athletic trainers dedicated to protecting the health and safety of student-athletes in the District.

WHEREAS, the District of Columbia Interscholastic Athletic Association (“DCIAA”) athletic trainers are highly qualified, multi-skilled health care professionals who provide comprehensive athletic medical care to the student-athletes of the District of Columbia Public Schools (“DCPS”) system;

WHEREAS, these services safeguard the well-being of each of those student-athletes by implementing national standards of care in regard to athlete safety;

WHEREAS, the DCIAA athletic trainers continuously focus on concussion screening and management, injury prevention, facility safety, emergency action planning, appropriate pre-participation medical screening, thorough evaluation and treatment of injuries, comprehensive post-injury rehabilitation, referrals to appropriate medical experts, and education for student-athletes, parents, and coaches in areas such as concussion recognition and management, cardiac emergencies, sickle cell, heat, humidity, and hydration concerns to promote a safe and healthy environment in which DCPS student-athletes may participate;

WHEREAS, these services benefit the families of DCPS student-athletes by minimizing costs associated with insurance co-pays, travel expenditures to and from outside medical appointments, time loss for parents from work, and academic time loss for student-athletes;

WHEREAS, the DCIAA had the foresight to choose the athletic trainers as the best possible personnel for protecting the welfare of its student-athletes 25 years ago and has since made a commitment to support the athletic trainers in providing comprehensive athletic medical care; and

WHEREAS, the DCIAA athletic trainers have met the rigorous criteria set forth by the National Athletic Trainers’ Association (“NATA”) to achieve recognition as Safe Sport Schools

ENROLLED ORIGINAL

and are being so recognized at the 2016 Youth Sports Safety Summit hosted by the NATA and the Youth Sports Safety Alliance.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “DCIAA Athletic Training Day Recognition Resolution of 2016”.

Sec. 2. The Council of the District of Columbia hereby declares March 15, 2016 as “DCIAA Athletic Training Day” in the District of Columbia and encourages all citizens to recognize the significant impact athletic trainers have made on the health and well-being of the DCIAA’s student athletes.

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

21-178

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 1, 2016

To declare the month of March as “Social Work Month” in the District of Columbia in order to recognize professional social workers and their service to the residents of the District of Columbia.

WHEREAS, the primary mission of the social work profession is to enhance the welfare of communities, promote social justice, and to assist the most vulnerable in our society meet their basic needs;

WHEREAS, social work is one of the fastest growing careers in the United States, with more than 4,500 licensed social workers in the District of Columbia;

WHEREAS, social workers enrich all areas of our community by improving the happiness, health, and prosperity in our government, schools, universities, social service agencies, military, and mental health and health care facilities;

WHEREAS, social workers daily exhibit the characteristics that inspired this year’s Social Work Month theme, “Forging Solutions Out of Challenges,” by helping individuals, communities, and society tackle and solve issues they are confronted with;

WHEREAS, social workers have helped this nation live up to its ideals by successfully advocating for equal rights for all, including women, African Americans, Latinos, people who identify as LGBTQ, and various ethnic, cultural, and religious groups;

WHEREAS, social workers are the largest group of mental health care providers in the United States and work to help people overcome depression, anxiety, substance abuse, and other disorders so they can lead more fulfilling lives;

WHEREAS, social workers work with families across the District of Columbia to protect children and improve their social and psychological welfare;

WHEREAS, social workers work with families and schools to foster future generations by ensuring students reach their full academic and personal potential;

ENROLLED ORIGINAL

WHEREAS, social workers work with older adults and their families to improve their quality of life, their ability to live independently as long as possible, and to get access to quality mental health and health care services;

WHEREAS, social workers work with individuals and families experiencing homelessness in the District of Columbia to help ensure that homelessness is a rare, brief, and non-recurring experience; and

WHEREAS, the DC Metro Chapter of the National Association of Social Workers has been providing services to and advocating on behalf of local social workers since 1975.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Social Work Month Recognition Resolution of 2016”.

Sec. 2. The Council of the District of Columbia recognizes the many contributions made by social workers in the District of Columbia, declares the month of March 2016 as “Social Work Month” in the District of Columbia, and calls upon all residents of the District to join with the National Association of Social Workers DC Metro Chapter in celebration and support of the social work profession.

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.

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

- | | |
|---------|--|
| B21-659 | Telecommunications Modernization Amendment Act of 2016

Intro. 3-3-16 by Councilmembers Orange and Todd and referred to the Committee on Business, Consumer, and Regulatory Affairs |
| <hr/> | |
| B21-660 | Walker Jones/Northwest One Unity Health Center Tax Abatement Amendment Act of 2016

Intro. 3-7-16 by Councilmembers Allen and Evans and referred to the Committee on Finance and Revenue |
| <hr/> | |
| B21-661 | Social Equity Empowers Dreams Economic Development, Workforce Development, Housing, and Education Amendment Act of 2016

Intro. 3-1-16 by Councilmember May and referred sequentially to the Committee on Health and Human Services, the Committee on Education, and the Committee on Housing and Community Development until July 15, 2016, and then sequentially to the Committee on Finance and Revenue and the Committee of the Whole. |
-

B21-662 Public Housing Rehabilitation Amendment Act of 2016
Intro. 3-15-16 by Councilmembers Silverman, Cheh, Nadeau, and Allen and referred to the Committee on Housing and Community Development

B21-663 Ensuring Public Access to Government Buildings Amendment Act of 2016
Intro. 3-15-16 by Councilmembers Grosso and Cheh and referred to the Committee on Transportation and the Environment with comments from the Committee on Judiciary and the Committee of the Whole.

PROPOSED RESOLUTIONS

PR21-591 West Dupont Circle Moratorium Zone Approval Resolution of 2016
Intro. 3-3-16 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Business, Consumer, and Regulatory Affairs

PR21-592 District of Columbia Housing Authority Board of Commissioners Nakeisha Neal Jones Confirmation Resolution of 2016
Intro. 3-4-16 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Housing and Community Development

PR21-593 LGBTQ Homeless Youth Rules Approval Resolution of 2016
Intro. 3-8-16 by Chairman Mendelson at the request of the Mayor and referred to the Committee of the Whole

PR21-594 Local Rent Supplement Program Contract No. 2014-LRSP-07A Approval Resolution of 2016
Intro. 3-10-16 by Chairman Mendelson at the request of the District of Columbia Housing Authority, and Retained by the Council with comments from the Committee on Housing and Community Development

PR21-595 Marijuana Private Club Task Force Brianne Nadeau and Brandon Todd Appointment Resolution of 2016
Intro. 3-15-16 by Chairman Mendelson and Retained by the Council

PR21-596 Children and Youth Investment Trust Corporation Board of Directors Donald
L. Hense Appointment Resolution of 2016

Intro. 3-15-16 by Chairman Mendelson and referred to the Committee of the
Whole

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

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

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

ANNOUNCES A PUBLIC HEARING ON:

Bill 21-402, the “Ingleside Presbyterian Retirement Community, Inc. Real Property Tax Exemption and Real Property Tax Relief Act of 2015”

Wednesday, April 13, 2016

9:30 a.m.

**Council Chamber - John A. Wilson Building
1350 Pennsylvania Avenue, NW, Washington, D.C. 20004**

Councilmember Jack Evans, Chairman of the Committee on Finance and Revenue, announces a public hearing to be held on Wednesday, April 13, 2016 at 9:30 a.m. in Room 500 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004.

Bill 21-402, the “Ingleside Presbyterian Retirement Community, Inc. Real Property Tax Exemption and Real Property Tax Relief Act of 2015”, would amend Chapter 10 of Title of the District of Columbia Official Code to provide real property tax relief for Lots 802 and 809 in Square 2287, owned by Ingleside Presbyterian Retirement Community, Inc. (“Ingleside”), and to provide equitable real property tax relief to Ingleside. The property is located at 3050 Military Road, NW. The bill also provides for all real property taxes, interest, penalties, fees and other related charges assessed against the property owned, be forgiven for a period beginning with tax year 2015 through the effective date of the act.

The Committee invites the public to testify at the hearing. Those who wish to testify should contact Sarina Loy, Committee Aide at (202) 724-8058 or sloy@dccouncil.us, and provide your name, organizational affiliation (if any), and title with the organization by 9:30 a.m. on Tuesday, April 12, 2016. Witnesses should bring 15 copies of their written testimony to the hearing. The Committee allows individuals 3 minutes to provide oral testimony in order to permit each witness an opportunity to be heard. Additional written statements are encouraged and will be made part of the official record. Written statements may be submitted by e-mail to sloy@dccouncil.us or mailed to: Council of the District of Columbia, 1350 Pennsylvania Ave., N.W., Suite 114, Washington D.C. 20004.

COUNCIL OF THE DISTRICT OF COLUMBIA
Notice of Reprogramming Requests

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

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

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

Reprog. 21-175: Request to reprogram \$7,567,901 of Fiscal Year 2016 Local funds budget authority within the District of Columbia Public Schools (DCPS) was filed in the Office of the Secretary on March 9, 2016. This reprogramming is needed to ensure that DCPS' budget is properly aligned to accommodate changes in class sizes and DCPS initiatives.

RECEIVED: 14 day review begins March 10, 2016

Reprog. 21-176: Request to reprogram \$8,695,461 of Fiscal Year 2016 Local funds budget authority within the District of Columbia Public Schools (DCPS) was filed in the Office of the Secretary on March 9, 2016. This reprogramming is needed to ensure that DCPS' budget is properly aligned to accommodate changes within organizations and DCPS initiatives.

RECEIVED: 14 day review begins March 10, 2016

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
NOTICE OF PUBLIC HEARING

Posting Date: March 18, 2016
Petition Date: May 2, 2016
Hearing Date: May 16, 2016

License No.: ABRA-071204
Licensee: M & K, Inc.
Trade Name: ABC Grocery
License Class: Retailer's Class "B" Grocery
Address: 1401 6th Street, N.W.
Contact: Yebeltal Kebede: (202) 669-3091

WARD 6

ANC 6E

SMD 6E02

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

NATURE OF SUBSTANTIAL CHANGE

Request to Change Class from a Retailer's "B" Grocery to a Retailer's "A" Liquor Store.

CURRENT HOURS OF OPERATION/ALCOHOLIC BEVERAGE SALES/SERVICE

Sunday through Saturday 9:00am to 10:00pm

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: March 18, 2016
Petition Date: May 2, 2016
Hearing Date: May 16, 2016

License No.: ABRA-021918
Licensee: CEC Inc
Trade Name: Bistro Lepic
License Class: Retailer's Class "C" Restaurant
Address: 1736 Wisconsin Avenue, N.W.
Contact: Bruno Fortin: (202) 333-0111

WARD 2 ANC 2E SMD 2E02

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.

NATURE OF SUBSTANTIAL CHANGE

Applicant requests a Change of Hours of operation, alcoholic beverage sales and consumption and live entertainment.

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

Sunday through Saturday 11:30 am - 12:00 am

CURRENT HOURS OF LIVE ENTERTAINMENT

Wednesday 7:00 pm- 10:00 pm, No Entertainment Thursday-Tuesday

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

Sunday through Thursday 11:30 am - 1:00 am, Friday and Saturday 11:30 am - 3:00 am

PROPOSED HOURS OF LIVE ENTERTAINMENT

Monday 7:00 pm - 10:00 pm, Wednesday 7:00 pm - 10:00 pm, No Entertainment Thursday-Sunday or Tuesday

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date:	March 18, 2016
Petition Date:	May 2, 2016
Roll Call Hearing Date:	May 16, 2016
Protest Hearing Date:	July 13, 2016
License No.:	ABRA-101753
Licensee:	Trump Old Post Office LLC
Trade Name:	BLT Prime
License Class:	Retailer's Class "C" Restaurant
Address:	1100 Pennsylvania Avenue N.W.
Contact:	Stephen J. O'Brien: 202-625-7700

WARD 2

ANC 2C

SMD 2C01

Notice is hereby given that this applicant has applied for a new license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the Roll Call Hearing Date at 10:00 am, 4th Floor, 2000 14th Street, N.W., Washington, DC 20009. Petitions and/or requests to appear before the Board must be filed on or before the Petition Date. The Protest Hearing Date is scheduled for July 13, 2016 at 1:30pm.

NATURE OF OPERATION

New restaurant serving a variety of dishes, such as a vast selection of fresh seafood, signature salads, and seasonal specials, as well as BLT dessert classics.

HOURS OF OPERATION

Sunday through Saturday 12am - 12am (24 hour operations)

HOURS OF ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION

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

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
3/18/2016**

Notice is hereby given that:

License Number: ABRA-000150

License Class/Type: C Club

Applicant: Cosmos Club

Trade Name: Cosmos Club

ANC: 2B02

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

2121 MASSACHUSETTS AVE NW

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

5/2/2016

A HEARING WILL BE HELD ON:

5/16/2016

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	7 am - 1am	11 am - 1am
Monday:	7am - 1am	11 am - 1am
Tuesday:	7 am - 1am	11 am - 1am
Wednesday:	7 am - 1am	11 am - 1am
Thursday:	7 am - 1am	11 am - 1am
Friday:	7 am - 1am	11 am - 1am
Saturday:	7 am - 1am	11 am - 1 am

ENDORSEMENTS: Summer Garden

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
3/18/2016**

Notice is hereby given that:

License Number: ABRA-060796

License Class/Type: C Hotel

Applicant: Compass Group USA, Inc.

Trade Name: Gallaudet University Conference Center

ANC: 5D01

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

800 FLORIDA AVE NE

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

5/2/2016

A HEARING WILL BE HELD ON:

5/16/2016

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	24 hours -	12 pm -2 am
Monday:	24 hours -	12 pm - 2 am
Tuesday:	24 hours -	12 pm - 2 am
Wednesday:	24 hours -	12 pm - 2 am
Thursday:	24 hours -	12 pm - 2 am
Friday:	24 hours -	12 pm - 3 am
Saturday:	24 hours -	12 pm - 3 am

ENDORSEMENTS: Dancing Entertainment

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
3/18/2016**

Notice is hereby given that:

License Number: ABRA-074900

License Class/Type: C Hotel

Applicant: DTRS Washington, LLC

Trade Name: Four Seasons Hotel

ANC: 2E05

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

2800 - 2810 Pennsylvania AVE NW

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

5/2/2016

A HEARING WILL BE HELD ON:

5/16/2016

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	24 - Hours	8 am - 2 am
Monday:	24 - Hours	8 am - 2 am
Tuesday:	24 - Hours	8 am - 2 am
Wednesday:	24 - Hours	8 am - 2 am
Thursday:	24 - Hours	8 am - 2 am
Friday:	24 - Hours	8 am - 3 am
Saturday:	24 - Hours	8 am - 3 am

ENDORSEMENTS: Entertainment Summer Garden

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
3/18/2016**

Notice is hereby given that:

License Number: ABRA-075008

License Class/Type: C Hotel

Applicant: HHC TRS Melrose LLC

Trade Name: Melrose Hotel

ANC: 2A03

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

2430 PENNSYLVANIA AVE NW

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

5/2/2016

A HEARING WILL BE HELD ON:

5/16/2016

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	24 hours -	10 am -2 am
Monday:	24 hours -	8 am - 2 am
Tuesday:	24 hours -	8 am - 2 am
Wednesday:	24 hours -	8 am - 2 am
Thursday:	24 hours -	8 am - 2 am
Friday:	24 hours -	8 am - 3 am
Saturday:	24 hours -	8 am - 3 am

ENDORSEMENTS: Sidewalk Cafe

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
3/18/2016**

Notice is hereby given that:

License Number: ABRA-079236

License Class/Type: C Hotel

Applicant: DC I&G Capital Lessee, LLC

Trade Name: The Liaison Capitol Hill/Art and Soul/Art's Bar

ANC: 6C02

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

415 NEW JERSEY AVE NW

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

5/2/2016

A HEARING WILL BE HELD ON:

5/16/2016

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

Days	Hours of Operation	Hours of Sales/Service
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

ENDORSEMENTS: Cover Charge Dancing Entertainment Sidewalk Cafe Summer G

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
3/18/2016**

Notice is hereby given that:

License Number: ABRA-079854

License Class/Type: C Hotel

Applicant: DC CY Owner, LLC

Trade Name: Courtyard by Marriott Washington DC/US Capitol

ANC: 6C06

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

1325 2ND ST NE

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

5/2/2016

A HEARING WILL BE HELD ON:

5/16/2016

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	24 hours -	10 am -2 am
Monday:	24 hours -	8 am - 2 am
Tuesday:	24 hours -	8 am - 2 am
Wednesday:	24 hours -	8 am - 2 am
Thursday:	24 hours -	8 am - 2 am
Friday:	24 hours -	8 am - 3 am
Saturday:	24 hours -	8 am - 3 am

ENDORSEMENTS: Entertainment

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
3/18/2016**

Notice is hereby given that:

License Number: ABRA-083883

License Class/Type: C Hotel

Applicant: H Street Shuffle Lessee, LLC

Trade Name: Sofitel Lafayette Square Washington DC

ANC: 2C01

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

806 15TH ST NW

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

5/2/2016

A HEARING WILL BE HELD ON:

5/16/2016

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	10 am - 2 am	10 am -2 am
Monday:	8 am - 2 am	8 am - 2 am
Tuesday:	8 am - 2 am	8 am - 2 am
Wednesday:	8 am - 2 am	8 am - 2 am
Thursday:	8 am - 2 am	8 am - 2 am
Friday:	8 am - 3 am	8 am - 3 am
Saturday:	8 am - 3 am	8 am - 3 am

ENDORSEMENTS: Dancing Entertainment Sidewalk Cafe

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
3/18/2016**

Notice is hereby given that:

License Number: ABRA-087920

License Class/Type: C Hotel

Applicant: CCHH GHDC, LLC

Trade Name: Grand Hyatt Washington

ANC: 2C01

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

1000 H ST NW

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

5/2/2016

A HEARING WILL BE HELD ON:

5/16/2016

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	24 - HOURS	10 AM - 2 AM
Monday:	24 - HOURS	8 AM - 2 AM
Tuesday:	24 - HOURS	8 AM - 2 AM
Wednesday:	24 - HOURS	8 AM - 2 AM
Thursday:	24 - HOURS	8 AM - 2 AM
Friday:	24 - HOURS	8 AM - 3 AM
Saturday:	24 - HOURS	8 AM - 3 AM

ENDORSEMENTS: Dancing Entertainment

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
3/18/2016**

Notice is hereby given that:

License Number: ABRA-091225

License Class/Type: C Hotel

Applicant: LM-DC Hotel, LLC

Trade Name: Loews Madison Hotel

ANC: 2F05

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

1177 15TH ST NW

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

5/2/2016

A HEARING WILL BE HELD ON:

5/16/2016

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	10am - 2am	10am -2am
Monday:	9am - 2am	9am - 2am
Tuesday:	9am - 2am	9am - 2am
Wednesday:	9am - 2am	9am - 2am
Thursday:	9am - 2am	9am - 2am
Friday:	9am - 3am	9am - 3am
Saturday:	9am - 3am	9am - 3am

ENDORSEMENTS: Cover Charge Dancing Entertainment Sidewalk Cafe

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
3/18/2016**

Notice is hereby given that:

License Number: ABRA-077573

License Class/Type: C Multipurpose

Applicant: Wolfgang Puck Catering and Events, LLC

Trade Name: Newseum

ANC: 2C03

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

555 PENNSYLVANIA AVE NW

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

5/2/2016

A HEARING WILL BE HELD ON:

5/16/2016

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	7 am - 2 am	10 am - 2 am
Monday:	7 am - 2 am	8 am - 2 am
Tuesday:	7 am - 2 am	8 am - 2 am
Wednesday:	7 am - 2 am	8 am - 2 am
Thursday:	7 am - 2 am	8 am - 2 am
Friday:	7 am - 3 am	8 am - 3 am
Saturday:	7 am - 3 am	8 am - 3 am

ENDORSEMENTS:

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
3/18/2016**

Notice is hereby given that:

License Number: ABRA-011479

License Class/Type: C Restaurant

Applicant: Winners Chinatown, Inc.

Trade Name: Chinatown Express

ANC: 2C01

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

746 6TH ST NW

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

5/2/2016

A HEARING WILL BE HELD ON:

5/16/2016

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

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

ENDORSEMENTS: Sidewalk Cafe

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
3/18/2016**

Notice is hereby given that:

License Number: ABRA-012993

License Class/Type: C Restaurant

Applicant: Rosewood Regency Co., Inc.

Trade Name: Bua Restaurant & Bar

ANC: 2B05

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

1635 P ST NW

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

5/2/2016

A HEARING WILL BE HELD ON:

5/16/2016

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

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

ENDORSEMENTS: Summer Garden

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
3/18/2016**

Notice is hereby given that:

License Number: ABRA-013995

License Class/Type: C Restaurant

Applicant: Parthenon Inc.

Trade Name: Parthenon Restaurant & Chevy Chase Lounge

ANC: 3G06

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

5510 CONNECTICUT AVE NW

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

5/2/2016

A HEARING WILL BE HELD ON:

5/16/2016

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

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

ENDORSEMENTS: Sidewalk Cafe

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
3/18/2016**

Notice is hereby given that:

License Number: ABRA-017247

License Class/Type: C Restaurant

Applicant: Prospect Cafe Milano Inc.

Trade Name: Cafe Milano

ANC: 2E03

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

3251 PROSPECT ST NW E

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

5/2/2016

A HEARING WILL BE HELD ON:

5/16/2016

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	7 am - 2 am	10 am - 2 am
Monday:	7 am - 2 am	10 am - 2 am
Tuesday:	7 am - 2 am	10 am - 2 am
Wednesday:	7 am - 2 am	10 am - 2 am
Thursday:	7 am - 2 am	10 am - 2 am
Friday:	7 am - 3 am	10 am - 3 am
Saturday:	7 am - 3 am	10 am - 3 am

ENDORSEMENTS: Entertainment Sidewalk Cafe

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
3/18/2016**

Notice is hereby given that:

License Number: ABRA-021599

License Class/Type: C Restaurant

Applicant: D B Restaurant, Inc.

Trade Name: Arucola

ANC: 3G06

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

5534 CONNECTICUT AVE NW

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

5/2/2016

A HEARING WILL BE HELD ON:

5/16/2016

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	10:30 am - 12 am	10:30 am - 12 am
Monday:	10:30 am - 12 am	10:30 am - 12 am
Tuesday:	10:30 am - 12 am	10:30 am - 12 am
Wednesday:	10:30 am - 12 am	10:30 am - 12 am
Thursday:	10:30 am - 12 am	10:30 am - 12 am
Friday:	10:30 am - 12 am	10:30 am - 12 am
Saturday:	10:30 am - 12 am	10:30 am - 12 am

ENDORSEMENTS: Sidewalk Cafe

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
3/18/2016**

Notice is hereby given that:

License Number: ABRA-025268

License Class/Type: C Restaurant

Applicant: Cady's Alley Restaurant Concepts, LLC

Trade Name: Leopold's Kafe Konditorei/L2

ANC: 2E05

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

3315 Cady's Alley NW

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

5/2/2016

A HEARING WILL BE HELD ON:

5/16/2016

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	7 am - 2 am	10 am - 1:30 am
Monday:	7 am - 2 am	8 am - 1:30 am
Tuesday:	7 am - 2 am	8 am - 1:30 am
Wednesday:	7 am - 2 am	8 am - 1:30 am
Thursday:	7 am - 2 am	8 am - 1:30 am
Friday:	7 am - 3 am	8 am - 2:30 am
Saturday:	7 am - 3 am	8 am - 2:30 am

ENDORSEMENTS: Cover Charge Entertainment Sidewalk Cafe

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
3/18/2016**

Notice is hereby given that:

License Number: ABRA-060396

License Class/Type: C Restaurant

Applicant: Sizzling Express-Columbia Plaza, Inc.

Trade Name: Sizzling Express

ANC: 2A05

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

538 23RD ST NW

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

5/2/2016

A HEARING WILL BE HELD ON:

5/16/2016

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	11 am - 7 pm	n/a -n/a
Monday:	6:30 am - 10 pm	11:30 am - 10 pm
Tuesday:	6:30 am - 10 pm	11:30 am - 10 pm
Wednesday:	6:30 am - 10 pm	11:30 am - 10 pm
Thursday:	6:30 am - 10 pm	11:30 am - 10 pm
Friday:	6:30 am - 10 pm	11:30 am - 10 pm
Saturday:	7 am - 10 pm	11:30 am - 10 pm

ENDORSEMENTS: Summer Garden

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
3/18/2016**

Notice is hereby given that:

License Number: ABRA-060735

License Class/Type: C Restaurant

Applicant: Latasca Inc.

Trade Name: La Tasca

ANC: 2C01

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

722 7TH ST NW

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

5/2/2016

A HEARING WILL BE HELD ON:

5/16/2016

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	11 am - 1 am	11 am -1 am
Monday:	11 am - 1 am	11 am - 1 am
Tuesday:	11 am - 1 am	11 am - 1 am
Wednesday:	11 am - 1 am	11 am - 1 am
Thursday:	11 am - 1 am	11 am - 1 am
Friday:	11 am - 1 am	11 am - 1 am
Saturday:	11 am - 1 am	11 am - 1 am

ENDORSEMENTS: Cover Charge Entertainment

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
3/18/2016**

Notice is hereby given that:

License Number: ABRA-060813

License Class/Type: C Restaurant

Applicant: Atlanta Restaurant Partners LLC

Trade Name: TGI Friday

ANC: 2A07

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

2100 PENNSYLVANIA AVE NW

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

5/2/2016

A HEARING WILL BE HELD ON:

5/16/2016

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	11 am - 12 am	11 am -12 am
Monday:	11 am - 12 am	11 am - 12 am
Tuesday:	11 am - 12 am	11 am - 12 am
Wednesday:	11 am - 12 am	11 am - 12 am
Thursday:	11 am - 12 am	11 am - 12 am
Friday:	11 am - 1 am	11 am - 1 am
Saturday:	11 am - 1 am	11 am - 1 am

ENDORSEMENTS: Entertainment Summer Garden

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
3/18/2016**

Notice is hereby given that:

License Number: ABRA-071036

License Class/Type: C Restaurant

Applicant: Kaz, LLC

Trade Name: Kaz Sushi

ANC: 2B06

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

1915 I ST NW

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

5/2/2016

A HEARING WILL BE HELD ON:

5/16/2016

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

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

ENDORSEMENTS:

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
3/18/2016**

Notice is hereby given that:

License Number: ABRA-072529

License Class/Type: C Restaurant

Applicant: Ventnor Group, LLC

Trade Name: Ventnor Sports Cafe

ANC: 1C07

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

2411 18TH ST NW

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

5/2/2016

A HEARING WILL BE HELD ON:

5/16/2016

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	9 am - 2 am	9 am - 2 am
Monday:	9 am - 2 am	9 am - 2 am
Tuesday:	9 am - 2 am	9 am - 2 am
Wednesday:	9 am - 2 am	9 am - 2 am
Thursday:	9 am - 2 am	9 am - 2 am
Friday:	9 am - 3 am	9 am - 3 am
Saturday:	9 am - 3 am	9 am - 3 am

ENDORSEMENTS: Summer Garden

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
3/18/2016**

Notice is hereby given that:

License Number: ABRA-074004

License Class/Type: C Restaurant

Applicant: Rainbow Inn, Inc

Trade Name: Jackey Cafe

ANC: 2C01

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

611 H ST NW

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

5/2/2016

A HEARING WILL BE HELD ON:

5/16/2016

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	10 am - 3 am	10:30 am - 2 am
Monday:	10 am - 3 am	10:30 am - 2 am
Tuesday:	10 am - 3 am	10:30 am - 2 am
Wednesday:	10 am - 3 am	10:30 am - 2 am
Thursday:	10 am - 3 am	10:30 am - 2 am
Friday:	10 am - 4 am	10:30 am - 3 am
Saturday:	10 am - 4 am	10:30 am - 3 am

ENDORSEMENTS:

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
3/18/2016**

Notice is hereby given that:

License Number: ABRA-075870

License Class/Type: C Restaurant

Applicant: Al Tiramisu, Inc.

Trade Name: Al Tiramisu

ANC: 2B02

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

2014 P ST NW

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

5/2/2016

A HEARING WILL BE HELD ON:

5/16/2016

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

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

ENDORSEMENTS: Sidewalk Cafe

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
3/18/2016**

Notice is hereby given that:

License Number: ABRA-077565

License Class/Type: C Restaurant

Applicant: Wolfgang Puck Catering and Events, LLC

Trade Name: The Source by Wolfgang Puck

ANC: 2C03

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

575 PENNSYLVANIA AVE NW

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

5/2/2016

A HEARING WILL BE HELD ON:

5/16/2016

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	11:30 am - 12 am	11:30 am - 12 am
Monday:	11:30 am - 12 am	11:30 am - 12 am
Tuesday:	11:30 am - 12 am	11:30 am - 12 am
Wednesday:	11:30 am - 12 am	11:30 am - 12 am
Thursday:	11:30 am - 12 am	11:30 am - 12 am
Friday:	11:30 am - 1 am	11:30 am - 1 am
Saturday:	11:30 am - 1 am	11:30 am - 1 am

ENDORSEMENTS: Dancing Entertainment

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
3/18/2016**

Notice is hereby given that:

License Number: ABRA-080975

License Class/Type: C Restaurant

Applicant: La Trattoria LLC

Trade Name: Siroc

ANC: 2F05

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

915 15TH ST NW

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

5/2/2016

A HEARING WILL BE HELD ON:

5/16/2016

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	11:30 am - 10:30pm	11:30 am -10:30pm
Monday:	11:30 am - 10:30 pm	11:30 am - 10:30 pm
Tuesday:	11:30 am - 10:30 pm	11:30 am - 10:30 pm
Wednesday:	11:30 am - 10:30 pm	11:30 am - 10:30 pm
Thursday:	11:30 am - 10:30 pm	11:30 am - 10:30 pm
Friday:	11:30 am - 10:30 pm	11:30 am - 10:30 pm
Saturday:	11:30 am - 10:30 pm	11:30 am - 10:30 pm

ENDORSEMENTS: Sidewalk Cafe

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
3/18/2016**

Notice is hereby given that:

License Number: ABRA-081849

License Class/Type: C Restaurant

Applicant: Fasil Ethiopian Restaurant, LLC

Trade Name: Uptown Ethiopian Fusion Cuisine

ANC: 6E01

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

1608 7TH ST NW

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

5/2/2016

A HEARING WILL BE HELD ON:

5/16/2016

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	7 am - 2 am	11 am - 2 am
Monday:	7 am - 2 am	11 am - 2 am
Tuesday:	7 am - 2 am	11 am - 2 am
Wednesday:	7 am - 2 am	11 am - 2 am
Thursday:	7 am - 2 am	11 am - 2 am
Friday:	7 am - 3 am	11 am - 3 am
Saturday:	7 am - 3 am	11 am - 3 am

ENDORSEMENTS: Entertainment

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
3/18/2016**

Notice is hereby given that:

License Number: ABRA-082062

License Class/Type: C Restaurant

Applicant: Kookoovaya, Inc

Trade Name: We, The Pizza

ANC: 6B01

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

305 PENNSYLVANIA AVE SE

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

5/2/2016

A HEARING WILL BE HELD ON:

5/16/2016

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	11 am - 5 pm	11 am -5 pm
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

ENDORSEMENTS: Sidewalk Cafe

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
3/18/2016**

Notice is hereby given that:

License Number: ABRA-082921

License Class/Type: C Restaurant

Applicant: Musings Corporation

Trade Name: Muzette

ANC: 1C07

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

2305 18TH ST NW 1

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

5/2/2016

A HEARING WILL BE HELD ON:

5/16/2016

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

Days	Hours of Operation	Hours of Sales/Service
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

ENDORSEMENTS: Entertainment

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
3/18/2016**

Notice is hereby given that:

License Number: ABRA-083047

License Class/Type: C Restaurant

Applicant: Carmine's DC, LLC

Trade Name: Carmine's

ANC: 2C03

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

425 7th ST NW

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

5/2/2016

A HEARING WILL BE HELD ON:

5/16/2016

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	7 am - 2 am	10 am - 2 am
Monday:	7 am - 2 am	8 am - 2 am
Tuesday:	7 am - 2 am	8 am - 2 am
Wednesday:	7 am - 2 am	8 am - 2 am
Thursday:	7 am - 2 am	8 am - 2 am
Friday:	7 am - 2 am	8 am - 2 am
Saturday:	7 am - 2 am	8 am - 2 am

ENDORSEMENTS: Sidewalk Cafe

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
3/18/2016**

Notice is hereby given that:

License Number: ABRA-083769

License Class/Type: C Restaurant

Applicant: BCI Food Services, LLC

Trade Name: Garden District

ANC: 1B12

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

1801 14TH ST NW

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

5/2/2016

A HEARING WILL BE HELD ON:

5/16/2016

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	11 am - 1:30 am	11 am - 1 am
Monday:	11 am - 1:30 am	11 am - 1 am
Tuesday:	11 am - 1:30 am	11 am - 1 am
Wednesday:	11 am - 1:30 am	11 am - 1 am
Thursday:	11 am - 1:30 am	11 am - 1 am
Friday:	11 am - 2:30 am	11 am - 2 am
Saturday:	11 am - 2:30 am	11 am - 2 am

ENDORSEMENTS: Sidewalk Cafe Summer Garden

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
3/18/2016**

Notice is hereby given that:

License Number: ABRA-087780

License Class/Type: C Restaurant

Applicant: Da Luft DC, Inc.

Trade Name: Da Luft Restaurant & Lounge

ANC: 6A01

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

1242 H ST NE

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

5/2/2016

A HEARING WILL BE HELD ON:

5/16/2016

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	12 pm - 2 am	12 pm -2 am
Monday:	12 pm - 2 am	12 pm - 2 am
Tuesday:	12 pm - 2 am	12 pm - 2 am
Wednesday:	12 pm - 2 am	12 pm - 2 am
Thursday:	12 pm - 2 am	12 pm - 2 am
Friday:	12 pm - 3 am	12 pm - 3 am
Saturday:	12 pm - 3 am	12 pm - 3 am

ENDORSEMENTS: Cover Charge Dancing Entertainment

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
3/18/2016**

Notice is hereby given that:

License Number: ABRA-088274

License Class/Type: C Restaurant

Applicant: Restaurant Seki, LLC

Trade Name: Izakaya Seki

ANC: 1B02

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

1117 V ST NW

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

5/2/2016

A HEARING WILL BE HELD ON:

5/16/2016

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	5 pm - 1 am	5 pm - 1 am
Monday:	5 pm - 12 am	5 pm - 12 am
Tuesday:	5 pm - 12 am	5 pm - 12 am
Wednesday:	5 pm - 12 am	5 pm - 12 am
Thursday:	5 pm - 1 am	5 pm - 1 am
Friday:	5 pm - 2 am	5 pm - 2 am
Saturday:	5 pm - 2 am	5 pm - 2 am

ENDORSEMENTS:

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
3/18/2016**

Notice is hereby given that:

License Number: ABRA-088504

License Class/Type: C Restaurant

Applicant: 1541 Q LLC

Trade Name: Etto

ANC: 2F02

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

1541 14TH ST NW

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

5/2/2016

A HEARING WILL BE HELD ON:

5/16/2016

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	8am - 1:30am	8am - 1am
Monday:	8am - 1:30am	8am - 1am
Tuesday:	8am - 1:30am	8am - 1am
Wednesday:	8am - 1:30am	8am - 1am
Thursday:	8am - 1:30am	8am - 1am
Friday:	8am - 2:30am	8am - 2am
Saturday:	8am - 2:30am	8am - 2am

ENDORSEMENTS: Sidewalk Cafe

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
3/18/2016**

Notice is hereby given that:

License Number: ABRA-088757

License Class/Type: C Restaurant

Applicant: El Don LLC

Trade Name: El Don Restaurant

ANC: 4C05

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

4403 14th ST NW

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

5/2/2016

A HEARING WILL BE HELD ON:

5/16/2016

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	7 am - 2 am	10 am - 2 am
Monday:	7 am - 2 am	8 am - 2 am
Tuesday:	7 am - 2 am	8 am - 2 am
Wednesday:	7 am - 2 am	8 am - 2 am
Thursday:	7 am - 2 am	8 am - 2 am
Friday:	7 am - 3 am	8 am - 3 am
Saturday:	7 am - 3 am	8 am - 3 am

ENDORSEMENTS: Dancing Entertainment

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
3/18/2016**

Notice is hereby given that:

License Number: ABRA-089622

License Class/Type: C Restaurant

Applicant: Mendelsohn Hospitality Group

Trade Name: Bearnaise

ANC: 6B01

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

313 - 315 Pennsylvania AVE SE

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

5/2/2016

A HEARING WILL BE HELD ON:

5/16/2016

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	11 am - 12 am	11 am -12 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

ENDORSEMENTS: Sidewalk Cafe

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
3/18/2016**

Notice is hereby given that:

License Number: ABRA-090884

License Class/Type: C Restaurant

Applicant: Rose's 1 LLC

Trade Name: Rose's Luxury

ANC: 6B03

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

717 8TH ST SE

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

5/2/2016

A HEARING WILL BE HELD ON:

5/16/2016

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	8 am - 2 am	8 am - 2 am
Monday:	8 am - 2 am	8 am - 2 am
Tuesday:	8 am - 2 am	8 am - 2 am
Wednesday:	8 am - 2 am	8 am - 2 am
Thursday:	8 am - 2 am	8 am - 2 am
Friday:	8 am - 3 am	8 am - 3 am
Saturday:	8 am - 3 am	8 am - 3 am

ENDORSEMENTS: Sidewalk Cafe

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
3/18/2016**

Notice is hereby given that:

License Number: ABRA-092512

License Class/Type: C Restaurant

Applicant: Eye Street Dining Inc

Trade Name: Alba Osteria

ANC: 6E05

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

425 I ST NW

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

5/2/2016

A HEARING WILL BE HELD ON:

5/16/2016

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	7AM - 2AM	8AM - 2AM
Monday:	7AM - 2AM	8AM - 2AM
Tuesday:	7AM - 2AM	8AM - 2AM
Wednesday:	7AM - 2AM	8AM - 2AM
Thursday:	7AM - 2AM	8AM - 2AM
Friday:	7AM - 3AM	8AM - 3AM
Saturday:	7AM - 3AM	8AM - 3AM

ENDORSEMENTS: Entertainment Sidewalk Cafe

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
3/18/2016**

Notice is hereby given that:

License Number: ABRA-092808

License Class/Type: C Restaurant

Applicant: GCDC, LLC

Trade Name: GCDC

ANC: 2A08

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

1730 PENNSYLVANIA AVE NW

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

5/2/2016

A HEARING WILL BE HELD ON:

5/16/2016

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

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

ENDORSEMENTS: Sidewalk Cafe

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
3/18/2016**

Notice is hereby given that:

License Number: ABRA-094995

License Class/Type: C Restaurant

Applicant: SOLIS INCORPORATED

Trade Name: El Sol Restaurant

ANC: 4C05

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

3911 14TH ST NW

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

5/2/2016

A HEARING WILL BE HELD ON:

5/16/2016

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	8AM - 2AM	8AM - 2AM
Monday:	8AM - 2AM	8AM - 2AM
Tuesday:	8AM - 2AM	8AM - 2AM
Wednesday:	8AM - 2AM	8AM - 2AM
Thursday:	8AM - 2AM	8AM - 2AM
Friday:	8AM - 3AM	8AM - 3AM
Saturday:	8AM - 3AM	8AM - 3AM

ENDORSEMENTS: Sidewalk Cafe

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
3/18/2016**

Notice is hereby given that:

License Number: ABRA-095631

License Class/Type: C Restaurant

Applicant: Davali LLC

Trade Name: Westchester Dining Room

ANC: 3B04

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

4000 CATHEDRAL AVE NW

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

5/2/2016

A HEARING WILL BE HELD ON:

5/16/2016

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

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

ENDORSEMENTS:

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
3/18/2016**

Notice is hereby given that:

License Number: ABRA-097368

License Class/Type: C Restaurant

Applicant: DTRS, Washington, LLC

Trade Name: Eno Wine Bar

ANC: 2E05

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

2810 Pennsylvania AVE NW

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

5/2/2016

A HEARING WILL BE HELD ON:

5/16/2016

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	8am - 2am	8am -2am
Monday:	8am - 2am	8am - 2am
Tuesday:	8am - 2am	8am - 2am
Wednesday:	8am - 2am	8am - 2am
Thursday:	8am - 2am	8am - 2am
Friday:	8am - 3am	8am - 3am
Saturday:	8am - 3am	8am - 3am

ENDORSEMENTS: Entertainment Sidewalk Cafe

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
3/18/2016**

Notice is hereby given that:

License Number: ABRA-097653

License Class/Type: C Restaurant

Applicant: K Street Dining, Inc.

Trade Name: L'hommage

ANC: 6E05

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

450 K ST NW

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

5/2/2016

A HEARING WILL BE HELD ON:

5/16/2016

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	8am - 2am	8am -2am
Monday:	8am - 2am	8am - 2am
Tuesday:	8am - 2am	8am - 2am
Wednesday:	8am - 2am	8am - 2am
Thursday:	8am - 2am	8am - 2am
Friday:	8am - 3am	8am - 3am
Saturday:	8am - 3am	8am - 3am

ENDORSEMENTS: Entertainment Sidewalk Cafe

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
3/18/2016**

Notice is hereby given that:

License Number: ABRA-097957

License Class/Type: C Restaurant

Applicant: Raku at Cathedral Commons LLC

Trade Name: Raku

ANC: 3C07

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

3312 Wisconsin AVE NW

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

5/2/2016

A HEARING WILL BE HELD ON:

5/16/2016

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	10:30am - 1am	10:30am - 1am
Monday:	11am - 1am	11am - 1am
Tuesday:	11am - 1am	11am - 1am
Wednesday:	11am - 1am	11am - 1am
Thursday:	11am - 1am	11am - 1am
Friday:	11am - 2am	11am - 2am
Saturday:	11am - 2am	11am - 2am

ENDORSEMENTS: Sidewalk Cafe

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
3/18/2016**

Notice is hereby given that:

License Number: ABRA-098996

License Class/Type: C Restaurant

Applicant: A. Montero Food LLC

Trade Name: Taqueria Habanero

ANC: 4C04

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

3710 14TH ST NW

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

5/2/2016

A HEARING WILL BE HELD ON:

5/16/2016

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	6 am - 2 am	10am -2 am
Monday:	6 am - 2 am	10 am - 2 am
Tuesday:	6 am - 2 am	10 am - 2 am
Wednesday:	6 am - 2 am	10 am - 2 am
Thursday:	6 am - 2 am	10 am - 2 am
Friday:	6 am - 3 am	10 am - 3 am
Saturday:	6 am - 3 am	10 am - 3 am

ENDORSEMENTS:

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
3/18/2016**

Notice is hereby given that:

License Number: ABRA-099065

License Class/Type: C Restaurant

Applicant: EL SOL LLC

Trade Name: EL SOL RESTAURANT & TEQUILERIA

ANC: 2F07

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

1227 11TH ST NW

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

5/2/2016

A HEARING WILL BE HELD ON:

5/16/2016

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	8am - 1am	8am - 1am
Monday:	8am - 1am	8am - 1am
Tuesday:	8am - 1am	8am - 1am
Wednesday:	8am - 1am	8am - 1am
Thursday:	8am - 1am	8am - 1am
Friday:	8am - 2am	8am - 2am
Saturday:	8am - 2am	8am - 2am

ENDORSEMENTS:

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
3/18/2016**

Notice is hereby given that:

License Number: ABRA-099385

License Class/Type: C Restaurant

Applicant: J Shoo & Sun A Inc.

Trade Name: Kenny's Smokehouse

ANC: 6C03

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

732 MARYLAND AVE NE

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

5/2/2016

A HEARING WILL BE HELD ON:

5/16/2016

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	11 am - 10:30 pm	Closed -Closed
Monday:	11 am - 9:30 pm	11 am - 9:30 pm
Tuesday:	11 am - 9:30 pm	11 am - 9:30 pm
Wednesday:	11 am - 9:30 pm	11 am - 9:30 pm
Thursday:	11 am - 9:30 pm	11 am - 9:30 pm
Friday:	11 am - 10:30 pm	11 am - 10:30 pm
Saturday:	11 am - 10:30 pm	11 am - 10:30 pm

ENDORSEMENTS: Sidewalk Cafe

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
3/18/2016**

Notice is hereby given that:

License Number: ABRA-099451

License Class/Type: C Restaurant

Applicant: Flores LLC

Trade Name: Joselyn Restaurant Bar & Lounge

ANC: 1A09

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

3303 Georgia AVE NW

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

5/2/2016

A HEARING WILL BE HELD ON:

5/16/2016

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	6 am - 2 am	10 am - 2 am
Monday:	6 am - 2 am	10 am - 2 am
Tuesday:	6 am - 2 am	10 am - 2 am
Wednesday:	6 am - 2 am	10 am - 2 am
Thursday:	6 am - 2 am	10 am - 2 am
Friday:	6 am - 3 am	10 am - 3 am
Saturday:	6 am - 3 am	10 am - 3 am

ENDORSEMENTS: Dancing Entertainment

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
3/18/2016**

Notice is hereby given that:

License Number: ABRA-089763

License Class/Type: D Multipurpose

Applicant: Merlot Art, LLC

Trade Name: Merlot's Masterpiece

ANC: 2B09

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

1512 U ST NW

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

5/2/2016

A HEARING WILL BE HELD ON:

5/16/2016

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	10 am - 6 pm	10 am -6 pm
Monday:	10 am - 11 pm	10 am - 11 pm
Tuesday:	10 am - 11 pm	10 am - 11 pm
Wednesday:	10 am - 11 pm	10 am - 11 pm
Thursday:	10 am - 11 pm	10 am - 11 pm
Friday:	10 am - 12 am	10 am - 12 am
Saturday:	10 am - 12 am	10 am - 12 am

ENDORSEMENTS:

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
3/18/2016**

Notice is hereby given that:

License Number: ABRA-007255

License Class/Type: D Restaurant

Applicant: F D K Restaurant Of National Place, Inc.

Trade Name: A Slice Of Italy Pizzeria

ANC: 2C01

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

1331 PENNSYLVANIA AVE NW D

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

5/2/2016

A HEARING WILL BE HELD ON:

5/16/2016

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	closed -	closed -closed
Monday:	10 am - 7 pm	11 am - 7 pm
Tuesday:	10 am - 7 pm	11 am - 7 pm
Wednesday:	10 am - 7 pm	11 am - 7 pm
Thursday:	10 am - 7 pm	11 am - 7 pm
Friday:	10 am - 7 pm	11 am - 7 pm
Saturday:	11 am - 6 pm	11 am - 6 pm

ENDORSEMENTS:

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
3/18/2016**

Notice is hereby given that:

License Number: ABRA-078027

License Class/Type: D Restaurant

Applicant: Sunnyside Group, LLC

Trade Name: Good Stuff Eatery

ANC: 6B01

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

303 PENNSYLVANIA AVE SE

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

5/2/2016

A HEARING WILL BE HELD ON:

5/16/2016

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	11 am - 10 pm	11 am -10 pm
Monday:	11 am - 11 pm	11 am - 11 pm
Tuesday:	11 am - 11 pm	11 am - 11 pm
Wednesday:	11 am - 11 pm	11 am - 11 pm
Thursday:	11 am - 11 pm	11 am - 11 pm
Friday:	11 am - 12 am	11 am - 12 am
Saturday:	11 am - 12 am	11 am - 12 am

ENDORSEMENTS: Sidewalk Cafe

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
3/18/2016**

Notice is hereby given that:

License Number: ABRA-078677

License Class/Type: D Restaurant

Applicant: Wilkinson-Mehr Group, LLC

Trade Name: Pete's New Haven Style Apizza

ANC: 1A03

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

1400 IRVING ST NW

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

5/2/2016

A HEARING WILL BE HELD ON:

5/16/2016

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	10 am - 12 am	10 am -12 am
Monday:	10 am - 12 am	10 am - 12 am
Tuesday:	10 am - 12 am	10 am - 12 am
Wednesday:	10 am - 12 am	10 am - 12 am
Thursday:	10 am - 12 am	10 am - 12 am
Friday:	10 am - 1 am	10 am - 1 am
Saturday:	10 am - 1 am	10 am - 1 am

ENDORSEMENTS: Summer Garden

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
3/18/2016**

Notice is hereby given that:

License Number: ABRA-083794

License Class/Type: D Restaurant

Applicant: The Knowles Marr Group, LLC

Trade Name: Pete's New Haven Style Apizza

ANC: 3E03

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

4940 WISCONSIN AVE NW

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

5/2/2016

A HEARING WILL BE HELD ON:

5/16/2016

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	10 am - 12 am	10 am -12 am
Monday:	10 am - 12 am	10 am - 12 am
Tuesday:	10 am - 12 am	10 am - 12 am
Wednesday:	10 am - 12 am	10 am - 12 am
Thursday:	10 am - 12 am	10 am - 12 am
Friday:	10 am - 12 am	10 am - 12 am
Saturday:	10 am - 12 am	10 am - 12 am

ENDORSEMENTS: Sidewalk Cafe

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
3/18/2016**

Notice is hereby given that:

License Number: ABRA-085707

License Class/Type: D Restaurant

Applicant: Pica Taco, Inc.

Trade Name: Pica Taco

ANC: 1B04

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

1406 FLORIDA AVE NW

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

5/2/2016

A HEARING WILL BE HELD ON:

5/16/2016

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

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

ENDORSEMENTS: Sidewalk Cafe

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
3/18/2016**

Notice is hereby given that:

License Number: ABRA-086435

License Class/Type: D Restaurant

Applicant: Capital Fresh, Inc.

Trade Name: MGM Roast Beef

ANC: 5C05

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

1905 BRENTWOOD RD NE

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

5/2/2016

A HEARING WILL BE HELD ON:

5/16/2016

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	7 am - 11:30 pm	10 am - 11:30 pm
Monday:	7 am - 11:30 pm	8 am - 11:30 pm
Tuesday:	7 am - 11:30 pm	8 am - 11:30 pm
Wednesday:	7 am - 11:30 pm	8 am - 11:30 pm
Thursday:	7 am - 11:30 pm	8 am - 11:30 pm
Friday:	7 am - 11:30 pm	8 am - 11:30 pm
Saturday:	7 am - 11:30 pm	8 am - 11:30 pm

ENDORSEMENTS: Sidewalk Cafe

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
3/18/2016**

Notice is hereby given that:

License Number: ABRA-098286

License Class/Type: D Restaurant

Applicant: HD Enterprises, Inc.

Trade Name: Hunan Dynasty

ANC: 6B01

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

215 PENNSYLVANIA AVE SE

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

5/2/2016

A HEARING WILL BE HELD ON:

5/16/2016

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	12 pm - 10 pm	12 pm - 10 pm
Monday:	11 am - 10 pm	11 am - 10 pm
Tuesday:	11 am - 10 pm	11 am - 10 pm
Wednesday:	11 am - 10 pm	11 am - 10 pm
Thursday:	11 am - 10 pm	11 am - 10 pm
Friday:	11 am - 11 pm	11 am - 11 pm
Saturday:	12 pm - 11 pm	12 pm - 11 pm

ENDORSEMENTS:

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: March 18, 2016
Petition Date: May 2, 2016
Hearing Date: May 16, 2016

License No.: ABRA-098205
Licensee: Only Paradise Restaurant, Inc.
Trade Name: Golden Paradise Restaurant
License Class: Retailer’s Class “C” Restaurant
Address: 3909-3905 14th Street, N.W.
Contact: Ana De Leon: 202-246-7601

WARD 4

ANC 4C

SMD 4C05

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

NATURE OF SUBSTANTIAL CHANGE

Request to add Entertainment Endorsement to offer Live Entertainment.

CURRENT HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION FOR INSIDE PREMISES

Sunday through Thursday 10:00am to 2:00am, Friday and Saturday 10:00am to 3:00am

PROPOSED HOURS OF OPERATION FOR LIVE ENTERTAINMENT

Sunday through Thursday 6:00 pm to 2:00 am, Friday and Saturday 6:00 pm to 3:00am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: March 18, 2016
Petition Date: May 2, 2016
Hearing Date: May 16, 2016
Protest Date: July 13, 2016

License No.: ABRA-101833
Licensee: AMML, LLC
Trade Name: Lupo Alimentari & Vineri
License Class: Retailer's Class "C" Restaurant
Address: 4814 MacArthur Boulevard, N.W.
Contact: Keith Lively: (202) 589-1834

WARD 3

ANC 3D

SMD 3D05

Notice is hereby given that this licensee has applied for a new license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the hearing date at 10:00 am, 4th Floor, 2000 14th Street, N.W., Washington, DC 20009. Petition and/or request to appear before the Board must be filed on or before the Petition Date. The Protest Hearing Date is scheduled on July 13, 2016 at 4:30pm.

NATURE OF OPERATION

New C Restaurant with a Total Occupancy Load of 115 seats. Applicant requests to have an Entertainment Endorsement and a Sidewalk Café with seating for 14 patrons.

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

Sunday through Thursday 11:00 am – 2:00 am, Friday and Saturday 11:00 am – 3:00 am

HOURS OF LIVE ENTERTAINMENT FOR PREMISES AND SIDEWALK CAFE

Sunday through Thursday 6:00 pm – 2:00 am, Friday and Saturday 6:00 pm – 3:00 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: March 18, 2016

Petition Date: May 2, 2016

Hearing Date: May 16, 2016

License No. ABRA-077454

Licensee: Marleny's Restaurant, Inc.

Trade Name: Marleny's Restaurant & Carryout

License Class: "C" Restaurant

Address: 3201 Mount Pleasant St NW

WARD: 1

ANC: 1D

SMD: 1D04

The Alcoholic Beverage Regulation Administration (ABRA) provides notice that the Licensee has filed a Petition to Amend or Terminate the Settlement Agreement(s) attached to its license.

The current parties to the agreement(s) are: Marleny's Restaurant and Mount Pleasant Neighborhood Alliance

A copy of the Petition may be obtained by contacting ABRA's Public Information Office at 202-442-4423.

Objectors are entitled to be heard before the granting of such a request on the Hearing Date, at 2000 14th Street, N.W., 400 South, Washington, D.C., 20002.

Petitions or requests to appear before the Board must be filed on or before the Petition Date.

**ALCOHOLIC BEVERAGE REGULATION
ADMINISTRATION
ON
3/18/2016**

Notice is hereby given that:

License Number: ABRA-077454 License Class/Type: C Restaurant

Applicant: Marleny's Restaurant Inc.

Trade Name: Marleny's Restaurant & Carryout

ANC: 1D04

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

3201 MOUNT PLEASANT ST NW

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

5/2/2016

A HEARING WILL BE HELD ON:

5/16/2016

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	6 am - 1:30 am	10 am - 1:30 am
Monday:	6 am - 12:30 am	10 am - 12:30 am
Tuesday:	6 am - 12 :30 am	10 am - 12:30 am
Wednesday:	6 am - 12:30 am	10 am - 12:30 am
Thursday:	6 am - 12:30 am	10 am - 12:30 am
Friday:	6 am - 2:30 am	10 am - 2:30 am
Saturday:	6 am - 2:30 am	10 am - 2:30 am

ENDORSEMENTS:

FOR FURTHER INFORMATION CALL: (202) 442-4423

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

Posting Date: March 18, 2016
Petition Date: May 2, 2016
Hearing Date: May 16, 2016

License No.: ABRA-024470
Licensee: Magic Meals, Inc.
Trade Name: Nooshi
License Class: Retailer's Class "C" Restaurant
Address: 1120 19th Street, N.W.
Contact: Chrissie Chang: (703) 992-3994

WARD 2

ANC 2B

SMD 2B06

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

NATURE OF SUBSTANTIAL CHANGE

Applicant requests expansion of Sidewalk Café to seat 50 patrons.

**CURRENT HOURS OF OPERATION AND ALCOHOLIC BEVERAGE SALES,
SERVICE AND CONSUMPTION FOR PREMISES AND SIDEWALK CAFE**

Sunday through Saturday 11:30am to 2:00am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: March 18, 2016
Petition Date: May 2, 2016
Hearing Date: May 16, 2016
Protest Date: July 13, 2016

License No.: ABRA-101916
Licensee: URBN 14th Street, LLC
Trade Name: Pizzeria Vetri
License Class: Retailer's Class "C" Restaurant
Address: 2221 14th Street, N.W.
Contact: Lupe Martinez: (213) 417-2345

WARD 1 ANC 1B SMD 1B04

Notice is hereby given that this licensee has applied for a new license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the hearing date at 10:00 am, 4th Floor, 2000 14th Street, N.W., Washington, DC 20009. Petition and/or request to appear before the Board must be filed on or before the Petition Date. The Protest Hearing Date is scheduled on July 13, 2016 at 1:30pm.

NATURE OF OPERATION

A casual dining restaurant serving authentic Italian pizza. Total Occupancy Load of 107 seats. Sidewalk Café with seating for 38 patrons.

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

Sunday through Thursday 11:00 am – 11:00 pm, Friday and Saturday 11:00 am – 1:00 am

**ALCOHOLIC BEVERAGE REGULATION
ADMINISTRATION
ON**

****Correction**

3/4/2016

Notice is hereby given that:

License Number: ABRA-095816

License Class/Type: C Restaurant

Applicant: Sapol Varadaa, LLC

Trade Name: Thai Phoon

***ANC: 2B01

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

2011 S ST NW

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

4/18/2016

A HEARING WILL BE HELD ON:

5/2/2016

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

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

ENDORSEMENTS: Sidewalk Cafe

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION
ADMINISTRATION**

ON

****RESCIND**

3/4/2016

Notice is hereby given that:

License Number: ABRA-095816

License Class/Type: C Restaurant

Applicant: Sapol Varadaa, LLC

Trade Name: Thai Phoon

***ANC: 3C09

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

2011 S ST NW

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

4/18/2016

A HEARING WILL BE HELD ON:

5/2/2016

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

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

ENDORSEMENTS: Sidewalk Cafe

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

READVERTISEMENT/CORRECTION

**Posting Date: March 18, 2016
**Petition Date: May 2, 2016
**Hearing Date: May 16, 2016

License No.: ABRA-094844
Licensee: The Big Stick, LLC
Trade Name: The Big Stick
License Class: Retailer's Class "C" Restaurant
Address: 20 M Street, S.E.
Contact: Justin Ross: (202) 750-7724

WARD 6

ANC 6D

SMD 6D02

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.

NATURE OF SUBSTANTIAL CHANGE

Applicant requests a Change of Hours of Sidewalk Café operation and alcoholic beverage sales and consumption.

CURRENT HOURS OF SIDEWALK CAFÉ OPERATION/ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION

Sunday through Saturday 10:00 am – 11:00 pm

PROPOSED HOURS OF SIDEWALK CAFÉ OPERATION/ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION

Sunday through Thursday 10:00am – 1:00am, Friday and Saturday 10:00 am – 2:00 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

****RESCIND****

****Posting Date:** March 11, 2016
****Petition Date:** April 25, 2016
****Hearing Date:** May 9, 2016

License No.: ABRA-094844
Licensee: The Big Stick, LLC
Trade Name: The Big Stick
License Class: Retailer’s Class “C” Restaurant
Address: 20 M Street, S.E.
Contact: Justin Ross: (202) 750-7724

WARD 6

ANC 6D

SMD 6D02

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.

NATURE OF SUBSTANTIAL CHANGE

****Applicant requests a Change of Hours of operation and alcoholic beverage sales and consumption.**

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

Sunday through Saturday 10:00 am – 11:00 pm

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

Sunday through Thursday 10:00am – 1:00am, Friday and Saturday 10:00 am – 2:00 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: March 18, 2016
Petition Date: May 2, 2016
Hearing Date: May 16, 2016
Protest Hearing: July 13, 2016

License No.: ABRA-102077
Licensee: GRGDC3 L.L.C.
Trade Name: Village Whiskey
License Class: Retailer's Class "C" Restaurant
Address: 902 N Street N.W. Rear
Contact: Michael Fonseca: 202-625-7700

WARD 2

ANC 2F

SMD 2F06

Notice is hereby given that this applicant has applied for a new license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such license on the hearing date at 10:00 am, 2000 14th Street, N.W., 400 South, Washington, DC 20009. Petition and/or request to appear before the Board must be filed on or before the petition date. The Protest Hearing Date is scheduled for 1:30 PM on July 13, 2016.

NATURE OF OPERATION

New full-service American restaurant with 62 interior seats. Total Occupancy Load is 148. Rooftop Summer Garden.

HOURS OF OPERATON AND ALCOHOLIC BEVERAGE

SALES/SERVICE/CONSUMPTION FOR PREMISES AND SUMMER GARDEN

Sunday through Thursday 11 am – 11pm, Friday and Saturday 11 am – 1 am

**BOARD OF ZONING ADJUSTMENT
REVISED PUBLIC HEARING NOTICE**

TUESDAY, APRIL 26, 2016

441 4TH STREET, N.W.

**JERRILY R. KRESS MEMORIAL HEARING ROOM, SUITE 220-SOUTH
WASHINGTON, D.C. 20001**

Case added: 19219	Case removed: N/A
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TO CONSIDER THE FOLLOWING: The Board of Zoning Adjustment will adhere to the following schedule, but reserves the right to hear items on the agenda out of turn.

TIME: 9:30 A.M.

WARD ONE

19242
ANC-1C **Appeal of ANC 1C**, pursuant to 11 DCMR §§ 3100 and 3101, from November 16, 2015 and December 15, 2015 decisions by the Zoning Administrator, Department of Consumer and Regulatory Affairs, to issue Building Permit Nos. B1412288 and B1601746, to permit two parking spaces in the rear yard of a residential lot in the R-5-B District at premises 1828 Ontario Place N.W. (Square 2583, Lot 438).

WARD SIX

19250
ANC-6A **Application of 920 H LLC**, pursuant to 11 DCMR § 3103.2, for variances from the lot occupancy requirements under § 1324.4, the off-street parking requirements under § 2101.1, and the parking space size requirements under § 2115.1, to allow the construction of a mixed-use building with a restaurant and nine residential units in the HS-R/C-2-A District at premises 920-922 H Street N.E. (Square 933, Lots 57 and 803).

WARD SIX

19252
ANC-6B **Application of Susan Hillberg**, pursuant to 11 DCMR § 3104.1, for a special exception under § 223, not meeting the lot occupancy requirements under § 403.2, and the court requirements under § 406, to construct a rear addition to an existing one-family dwelling in the R-5-B District at premises 605 G Street S.E. (Square 878, Lot 154).

WARD FIVE

19253
ANC-5E **Application of Shaed School DC**, pursuant to 11 DCMR § 3103.2, for a variance from the off-street parking space requirements under § 2101.1, to continue operation of an existing public charter school in the R-4 District at premises 200 Douglas Street N.E. (Square 3552, Lot 816).

BZA PUBLIC HEARING NOTICE

APRIL 26, 2016

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THIS CASE WAS POSTPONED FROM THE PUBLIC HEARING OF DECEMBER 8, 2015 AT THE APPLICANT’S REQUEST, AND CONTINUED BY THE BOARD FROM MARCH 1, 2016:

WARD FIVE

19141 **Application of Janis C. Gross**, pursuant to 11 DCMR § 3103.2, for variances
ANC-5A from the lot occupancy requirements under § 403.2, and the carport requirements
 under § 2300.8, to permit a detached carport structure in the R-2 District at
 premises 4608 Sargent Road N.E. (Square 3916, Lot 8).

THIS CASE WAS POSTPONED FROM THE PUBLIC HEARING OF MARCH 8, 2016 AT THE APPLICANT’S REQUEST:

WARD TWO

19213 **Application of PVS International, LLC**, pursuant to 11 DCMR § 3104.1,
ANC-2E for a special exception from the fast-food establishment requirements pursuant to
 § 733, to permit the continued operation of a fast-food establishment with 45
 seats in the C-2-A District at premises 3347 M Street N.W. (Square 1205, Lot
 810).

THIS CASE WAS POSTPONED FROM THE PUBLIC HEARING OF MARCH 22, 2016 DUE TO CHANGE IN RELIEF BEING SOUGHT:

WARD FIVE

19219 **Application of 2001 2nd St NE, LLC**, pursuant to 11 DCMR § 3104.1, for a
ANC-5E special exception from the residential conversion requirements pursuant to §§
 336.5 and 336.13, to expand an existing two-story, four-unit apartment house
 into a three-story, six-unit apartment house in the R-4 District at premises 2001
 2nd Street N.E. (Square 3565, Lot 58).

PLEASE NOTE:

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

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

BZA PUBLIC HEARING NOTICE

APRIL 26, 2016

PAGE NO. 3

the testimony of all individuals. Individuals and organizations interested in any application may testify at the public hearing or submit written comments to the Board.

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

**Note that party status is not permitted in Foreign Missions cases.*

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

MARNIQUE Y. HEATH, CHAIRMAN, FREDERICK L. HILL, VICE CHAIRPERSON, JEFFREY L. HINKLE, AND A MEMBER OF THE ZONING COMMISSION, CLIFFORD W. MOY, SECRETARY TO THE BZA, SARA A. BARDIN, DIRECTOR, OFFICE OF ZONING.

**BOARD OF ZONING ADJUSTMENT
PUBLIC HEARING NOTICE
TUESDAY, MAY 10, 2016
441 4TH STREET, N.W.
JERRILY R. KRESS MEMORIAL HEARING ROOM, SUITE 220-SOUTH
WASHINGTON, D.C. 20001**

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

TIME: 9:30 A.M.

WARD ONE

19249
ANC-1B **Application of Jennifer Wisdom**, pursuant to 11 DCMR § 3103.2, for variances from the limit on number of story requirements under § 400.1, the lot occupancy requirements under § 403.2, the rear yard requirements under § 404.1, and the non-conforming structure requirements under § 2101.1, to construct a new one-family dwelling on an unimproved lot in the R-4 District at premises 1850 5th Street N.W. (Square 3093, Lot 46).

WARD ONE

19251
ANC-1A **Application of Girma Tekleab**, pursuant to 11 DCMR § 3103.2, for a variance from the use requirements under § 333.5, to add a deli operation to an existing grocery store in the R-4 District at premises 3001 Sherman Avenue N.W. (Square 2890, Lot 35).

WARD SIX

19254
ANC-6E **Application of 1612 Seventh Street NW LP**, pursuant to 11 DCMR §§ 3103.2 and 3104.1, for variances from the lot occupancy requirements under § 772.1, and the rear yard requirements under § 774.1, and special exceptions from the off-street parking requirements under § 2101.1, and the historic structure parking requirements under § 2120.6, to allow the rehabilitation of and addition to a contributing historic structure for conversion to a mixed-use building with first and second floor retail uses, and eight residential units in the C-2-A District at premises 1612-1616 7th Street N.W. (Square 420, Lot 38).

WARD TWO

19255
ANC-2B **Application of David G. Helfrich**, pursuant to 11 DCMR § 3103.2, for a variance from the nonconforming structure requirements under § 2001.3, to permit an addition to an existing one-family dwelling in the DC/R-5-B District at premises 1735 Fraser Court N.W. (Square 110, Lot 819).

BZA PUBLIC HEARING NOTICE

MAY 10, 2016

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WARD ONE

19256 **Application of Kerry Reichs**, pursuant to 11 DCMR § 3103.2, for a variance
ANC-1D from the nonconforming structure requirements under § 2001.3, to permit an
 addition to an existing one-family dwelling in the R-4 District at premises 1716
 Hobart Street N.W. (Square 2588, Lot 15).

WARD THREE

19257 **Application of D.C. Public Library**, pursuant to 11 DCMR §§ 2108.1 and
ANC-3C 3104.1, for a special exception from the off-street parking requirements under §
 2101.1, to replace an existing library with a new, two-story library in the CP/C-2-
 A District at premises 3310 Connecticut Avenue N.W. (Square 2082, Lot 868).

PLEASE NOTE:

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

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

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

**Note that party status is not permitted in Foreign Missions cases.*

BZA PUBLIC HEARING NOTICE

MAY 10, 2016

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

**MARNIQUE Y. HEATH, CHAIRMAN, FREDERICK L. HILL, VICE CHAIRPERSON,
JEFFREY L. HINKLE, AND A MEMBER OF THE ZONING COMMISSION,
CLIFFORD W. MOY, SECRETARY TO THE BZA, SARA A. BARDIN, DIRECTOR,
OFFICE OF ZONING.**

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS

NOTICE OF FINAL RULEMAKING

The Director of the Department of Consumer and Regulatory Affairs, pursuant to the authority under Section 18a(a) of An Act to establish standard weights and measures for the District of Columbia, to define the duties of the Superintendent of Weights, Measures, and Markets of the District of Columbia, and for other purposes, approved March 3, 1921 (41 Stat. 1223), as amended by the Gasoline and Fuel Pump Octane Measurement Amendment Act of 2012, effective September 20, 2012 (D.C. Law 19-168; D.C. Official Code § 37-201.18a(a) (2015 Supp.)), and Reorganization Plan No. 1 of 1983, effective March 31, 1983, hereby gives notice of the adoption of a new Chapter 17 (Octane Fuel Measurements) to Title 16 (Consumers, Commercial Practices, and Civil Infractions) of the District of Columbia Municipal Regulations (DCMR).

The rulemaking establishes standards for inspections of fuel stations and collection and measurement of motor fuel for purposes of determining octane levels.

Notices of Proposed Rulemaking were published on December 19, 2014 at 61 DCR 12787, and then on December 11, 2015 at 62 DCR 15854. No comments were received, and no changes have been made from the last proposed rulemaking.

The rules were adopted as final on January 19, 2016 and will become effective upon publication of this notice in the *D.C. Register*.

A new Chapter 17, OCTANE FUEL MEASUREMENTS, is added to Title 16 DCMR, CONSUMERS, COMMERCIAL PRACTICES, AND CIVIL INFRACTIONS, to read as follows:

CHAPTER 17 OCTANE FUEL MEASUREMENTS**1700 MINIMUM OCTANE LEVELS**

1700.1 Octane levels where automotive fuel is offered for sale or use shall meet the following minimum standards:

- (a) Automotive fuel advertised at an octane rating of 87 shall measure at an octane level of 86.5 or higher;
- (b) Automotive fuel advertised at an octane rating of 89 shall measure at an octane level of 88.5 or higher;
- (c) Automotive fuel advertised at an octane rating of 93 shall measure at an octane level of 92.5 or higher;

- (d) Automotive fuel advertised at an octane rating of 94 shall measure at an octane level of 93.5 or higher.

1701 SEMI-ANNUAL INSPECTION OF OCTANE LEVELS

- 1701.1 DCRA shall inspect and test, at least once every six (6) months, the octane level of gasoline at every location where automotive fuel is offered for sale or use in the District of Columbia.
- 1701.2 DCRA shall test each octane level of gasoline at the location.

1702 FUEL SAMPLE TEST

- 1702.1 The DCRA inspector performing an octane level test shall have the following equipment to obtain a fuel sample:
 - (a) Neoprene gloves;
 - (b) A facial mask;
 - (c) A liter-size cylindrical aluminum container with a self-locking cap;
 - (d) A portable octane analyzer;
 - (e) A portable octane analyzer sample holder jar or equivalent device;
 - (f) Safety cones;
 - (g) A metal gasoline container; and
 - (h) A metal funnel.
- 1702.2 The DCRA inspector shall take the following steps for each octane rating test:
 - (a) Confirm that the DCRA Weights and Measure Certificate is conspicuously posted;
 - (b) Obtain the condensation level and existing quantity of gasoline from the Veeder-Root tank gauge or equivalent measurement device prior to testing;
 - (c) Place safety cones around the gasoline dispenser to block off the work area;
 - (d) Write the advertised octane rating of the gasoline, found on the gasoline dispenser, on the liter-size cylindrical aluminum container;

- (e) Fill the liter-size cylindrical aluminum container with gasoline from the gasoline dispenser to be tested;
- (f) Transfer the gasoline to the portable octane analyzer sample-holder jar;
- (g) Tare the portable octane analyzer or equivalent device;
- (h) Place the portable octane analyzer sample-holder jar in the portable octane analyzer or equivalent device for measurement;
- (i) Measure the octane level of the gasoline sample and retain the results from the portable octane analyzer or equivalent device; and
- (j) Return the extracted gasoline that was not used for testing to the proper underground tank.

1702.3 In cases where there is a blended service station dispenser, the DCRA inspector shall extract one (1) gallon of the gasoline of the octane rating to be tested and shall store that gallon in the metal gas container before filling the liter-size cylindrical aluminum container for testing. This process shall be repeated for each octane grade.

1702.4 The DCRA inspector shall return the gasoline to the underground tank after testing.

1703 **SECOND FUEL-SAMPLE TEST**

1703.1 If the octane rating measures within the 0.5 tolerance set forth in § 1700.1, the gasoline shall be deemed to have passed the octane rating test and the DCRA inspector shall continue to inspect the remaining octane ratings at the fueling station.

1703.2 If the measured octane rating of a tested gasoline is below the 0.5 tolerance set forth in § 1700.1, the DCRA inspector shall perform a second fuel-sample test by taking the following steps:

- (a) Take a sample of the gasoline from the underground storage tank;
- (b) Fill the liter-size cylindrical aluminum container with the desired gasoline to be tested;
- (c) Transfer the gasoline to be tested to the portable octane analyzer sample holder jar;

- (d) Place the portable octane analyzer sample holder jar in the portable octane analyzer or equivalent device for measurement;
- (e) Measure the octane level of the gasoline sample using the portable octane analyzer or equivalent device;
- (f) Determine whether the octane level is below the 0.5 tolerance set forth in § 1700.1;
- (g) Retain the results from the portable octane analyzer; and
- (h) Send the sample from the underground storage tank to the Motor Fuel Testing Lab of the Comptroller of Maryland or another testing lab authorized by the Director, as described in § 1704, if the octane level is below the 0.5 tolerance set forth in § 1700.1.

1704 ANALYSIS OF FUEL SAMPLE BY A THIRD PARTY

- 1704.1 Only the second sample from the underground storage tank that measures below the 0.5 tolerance shall be sent to the Motor Fuel Testing Lab of the Comptroller of Maryland or another testing lab authorized by the Director within twenty-four (24) hours of collection.
- 1704.2 If the Motor Fuel Testing Lab of the Comptroller of Maryland or other testing lab authorized by the Director confirms that gasoline sample from the underground storage tank measures below the 0.5 tolerance of the automotive fuel advertised, the DCRA inspector shall return to the location where the sample was retrieved within twenty-four (24) hours or the next business day and repeat the procedure set forth in § 1702 to re-determine whether the gasoline measures below the 0.5 tolerance set forth in § 1700.1.
- 1704.3 If the test performed pursuant to § 1702 re-confirms that the gasoline measures below the 0.5 tolerance of the automotive fuel advertised, the DCRA inspector shall condemn the service station dispenser nozzle where the fuel was retrieved.

1705 CONDEMNATION OF A DISPENSING SYSTEM, STORAGE TANK, OR OTHER DISPENSING DEVICE

- 1705.1 To condemn a service station dispenser nozzle as required by § 1704.3, the DCRA inspector shall affix a condemnation tag and/or boot to the service station dispenser and place a wire seal over the service station dispenser nozzle. The condemnation tag and/or boot shall state that it is unlawful to remove, break, mutilate, or destroy any notice, seal, or order issued by DCRA.
- 1705.2 If the gasoline which failed the octane rating test is dispensed from a blended service station dispenser, the entire blended service station dispenser shall be

condemned and no gasoline shall be dispensed from that blended service station dispenser.

1705.3 The condemnation tag and/or boot shall not be removed by a DCRA inspector until the DCRA inspector has re-inspected the service station dispenser and determined it to be in compliance.

1705.4 No person other than a DCRA inspector shall remove, break, mutilate, or destroy the condemnation tag and/or boot.

1706 RECORD KEEPING

1706.1 For each condemnation, DCRA shall maintain a record consisting of:

- (a) A description of the device the DCRA inspector used to retrieve the gasoline sample from the service station dispenser;
- (b) The fuel sample test from § 1702, second fuel-sample test from § 1703, Comptroller test from § 1704 and re-test results from § 1704.2;
- (c) The name and address of the owner; and
- (d) The date of inspection(s).

1706.2 DCRA shall retain the record for three (3) years after the date of condemnation.

1707 FUEL COLOR CODE CHARTS

1707.1 Each gasoline station shall have a color-coded chart that clearly identifies which color represents each octane rating. The colors used shall comply with the then-current version of American Petroleum Institute (API) Recommended Practice 1637, "Using the API Color-Symbol System to Mark Equipment and Vehicles for Product Identification at Service Stations and Distribution Terminals."

1707.2 The color-coded chart shall be conspicuously posted in or upon the premises so that it may be readily seen by the DCRA inspector, DCRA investigator, or person(s) delivering fuel without requiring the person(s) to enter the premises (*i.e.* posted so that the chart can be viewed from the exterior of the kiosk or store).

1707.3 The fill pipe and/or access cover for each underground fuel-storage tank shall be painted to match the appropriate octane rating color from the color-coded chart.

1708 FUEL LABELING

1708.1 Gasoline labels shall comply with 16 C.F.R. § 306.12, "Automotive Fuel Ratings, Certification and Posting-Labels."

1799 DEFINITIONS

Blended service station dispenser- a pump that has a single nozzle that dispenses more than one (1) octane rating.

Motor fuel testing lab - a lab that analyzes incoming petroleum products for their quality and to ensure that samples of various grades of motor fuels comply with state and/or federal Environmental Protection Agency guidelines.

Portable Octane Analyzer- a portable octane analyzer, for use with gasoline, that measures the octane number via near-infrared transmission spectroscopy. It consists of three primary components: the analyzer, a sample container and a light shield. (*i.e.*, ZX-101XL Octane analyzer or similar device.)

Service station dispenser- a pump that draws gasoline from underground storage tanks.

Tolerance - a value fixing the limit of allowable error or departure from true performance or value.

Chapter 33, DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS (DCRA) INFRACTIONS, is amended as follows:

Section 3303, DCRA OFFICE OF INVESTIGATION- WEIGHTS AND MEASURES INFRACTIONS, Subsection 3303.1, is amended to read as follows:

3303.1 Violation of any of the following provisions shall be a Class 1 infraction:

- (a) Chapter 118, Section 32a of An Act To establish standard weights and measures for the District of Columbia; to define the duties of the Superintendent of Weights, Measures and Markets of the District of Columbia and for other purposes, effective December 7, 2004 (D.C. Law 15-205; D.C. Official Code § 37-201.33) (operating a weighing or measuring device without payment of the registration and inspection fee);
- (b) Chapter 118, Section 3, of An Act To establish standard weights and measures for the District of Columbia; to define the duties of the Superintendent of Weights, Measures and Markets of the District of Columbia and for other purposes, approved March 3, 1921 (41 Stat. 1218; D.C. Official Code § 37-201.03(a)) (use of any weighing device that has not been inspected and approved);
- (c) Chapter 118, Section 4, of An Act To establish standard weights and measures for the District of Columbia; to define the duties of the

Superintendent of Weights, Measures and Markets of the District of Columbia and for other purposes, approved March 3, 1921 (41 Stat. 1218; D.C. Official Code § 37-201.04) (use of any weighing device that has been altered without inspection and approval or after altering any tag or label attached thereto without the permission of the Director);

- (d) Chapter 118, Section 5, of An Act To establish standard weights and measures for the District of Columbia; to define the duties of the Superintendent of Weights, Measures and Markets of the District of Columbia and for other purposes, approved March 3, 1921 (41 Stat. 1218; D.C. Official Code § 37-201.05) (obstruction of inspection);
- (e) Chapter 118, Section 20 of An Act To establish standard weights and measures for the District of Columbia; to define the duties of the Superintendent of Weights, Measures and Markets of the District of Columbia and for other purposes, approved March 3, 1921 (41 Stat. 1223; D.C. Official Code § 37-201.20) (use of a pump or similar device which does not measure correctly);
- (f) Chapter 118, Section 22, of An Act To establish standard weights and measures for the District of Columbia; to define the duties of the Superintendent of Weights, Measures and Markets of the District of Columbia and for other purposes, approved March 3, 1921 (41 Stat. 1224; D.C. Official Code § 37-201.22) (refusing inspection);
- (g) Chapter 118, Section 18a of An Act To establish standard weights and measures for the District of Columbia; to define the duties of the Superintendent of Weights, Measures and Markets of the District of Columbia and for other purposes, approved March 3, 1921 (41 Stat. 1223; D.C. Official Code § 37-201.18a-1) (sale of nonconforming automotive fuel or use of nonconforming service dispensing system, storage tank or other dispensing device).

DISTRICT OF COLUMBIA TAXICAB COMMISSION

NOTICE OF FINAL RULEMAKING

The District of Columbia Taxicab Commission (“Commission”), pursuant to the authority set forth in Sections 8(c) (2), (3), (7), (14), (16), (17) and (19), 14, and 20j of the District of Columbia Taxicab Commission Establishment Act of 1985 (“Establishment Act”), effective March 25, 1986 (D.C. Law 6-97; D.C. Official Code §§ 50-307(c)(2), (3), (7), (14), (16), (17), and (19), 50-313 and 50-329 (2014 Repl. & 2015 Supp.)), hereby gives notice of its adoption of amendments to Chapter 7 (Enforcement) of Title 31 (Taxicabs and Public Vehicles for Hire) of the District of Columbia Municipal Regulations (DCMR).

The rulemaking amends Chapter 7 to clarify: (1) that the Office of Taxicabs’ (“Office”) failure to comply with Title 31 DCMR deadlines which do not violate a Respondent’s substantial legal rights shall not result in the dismissal of an enforcement action; (2) the requirements for the issuance of notices of proposed suspensions and revocations; (3) that an action taken by the Office may be appealed to the Commission, a hearing examiner of the Office, or the Office of Administrative Hearings, at the discretion of the Office.

Proposed rulemaking was adopted by the Commission on August 12, 2015, and published in the *D.C. Register* on November 6, 2015 at 62 DCR 014359. The Commission received comments during the comment period, which ended on December 6, 2015. These comments included suggestions that DCTC clarified: (1) whether hearing examiners’ decisions under proposed § 703.9 are appealable to OAH; and (2) the standard of review for decisions by the Commission under § 703.11. In response to these comments, DCTC has clarified that hearing examiners’ decisions shall not be appealable to OAH, and that decisions by the Commission under § 703.11 shall not be reversed by OAH unless they are clearly erroneous and/or reflect an abuse of discretion. No substantial changes were made.

The Commission voted to adopt these rules as final on January 20, 2016, and they will become effective upon publication in the *D.C. Register*.

Chapter 7, ENFORCEMENT, of Title 31 DCMR, TAXICABS AND PUBLIC VEHICLES FOR HIRE, is amended as follows:**Section 700, APPLICATION AND SCOPE, is amended as follows:****Subsection 700.5 is amended to read as follows:**

700.5 The provisions of this chapter shall apply to all matters and contested cases pending on the date of publication of the final rulemaking in the *D.C. Register*, respectively, to the extent allowed by the District of Columbia Administrative Procedure Act (“DCAPA”) effective October 8, 1975 (D.C. Law 1-19; D.C. Official Code §§ 2-501 *et seq.*) and other applicable law.

A new Subsection 700.6 is added to read as follows:

700.6 The Office’s failure to comply with a deadline established by a provision of this title shall not be a basis for the dismissal of an enforcement action except

where the Respondent proves that the Respondent's substantial legal rights would be violated in the absence of a dismissal, and that no reasonable procedural remedy, such as a continuance or enlargement of time, can be fashioned to cure the violation.

Section 703, ENFORCEMENT ACTIONS, is amended as follows:

Subsections 703.5 and 703.6 are amended to read as follows:

- 703.5 The enumeration of enforcement actions in this section shall not limit or proscribe any legal remedy available to the Commission or the Office in a court proceeding at law or in equity, including, but not limited to, entering into consent decrees and settlements, and enforcing the terms thereof.
- 703.6 The Office may, through the Office of the Attorney General, petition the District of Columbia Superior Court for injunctive relief, or take any other action authorized by law to enforce compliance with a provision of this title or other applicable law including, but not limited to, consent decrees and settlements.

New Subsections 703.9-703.11 are added to read as follows:

- 703.9 An appeal from any enforcement action under this chapter may be referred to the Commission, to a hearing examiner of the Office, or to OAH, as designated by the Office in its sole discretion. Decisions by DCTC hearing examiners shall be according to any rules which may be enacted by the Commission but shall in no instances be appealable to OAH.
- 703.10 In computing any applicable time period measured in days under this chapter:
- (a) The day of the act, event, or default from which the period begins to run shall not be included;
 - (b) The last day of the period shall be included; and
 - (c) Unless otherwise specified, any reference to "days" means calendar days including holidays and weekends.
- 703.11 An appeal to OAH from any of the following appellate decisions of the Commission shall be limited to the administrative record, and shall not be reversed unless they are clearly erroneous and/or constitute an abuse of discretion:
- (a) A decision on appeal from a cease and desist order pursuant to § 705.4; and
 - (b) A decision on appeal from a denial of a license pursuant to § 709.3.

Section 705, CEASE AND DESIST ORDERS, is amended as follows:

Subsection 705.2 (d) is amended to read as follows:

- (d) A statement that the respondent has a right to request a hearing, in writing, within fifteen (15) calendar days of service of the order.

Subsection 705.2 is amended to add a new subparagraph (g) to read as follows:

- (g) A statement of the requirements, terms, and conditions of the cease and desist order, if any.

Subsection 705.4 is amended to read as follows:

705.4 Upon receipt of a timely request for a hearing, the Commission, hearing examiner of the Office, or OAH, as designated by the Office, shall conduct a hearing within fifteen (15) calendar days after the date of receipt of the request for a hearing and shall issue a decision within thirty (30) calendar days after the close of the record of the hearing.

Subsection 705.5 is amended to read as follows:

705.5 If the respondent does not request a hearing, in writing, within fifteen (15) calendar days after service of the cease and desist order, the Order shall become final and shall incorporate the requirements, terms, and conditions of the cease and desist order.

Existing Subsection 705.7 is renumbered as Subsection 705.8.**A new Subsection 705.7 is added to read as follows:**

705.7 The following civil fines for failure to comply with a cease and desist order shall apply where no other provision of this title or other applicable law establishes a civil fine for the same conduct, or where another provision of this title or other applicable law establishes a lower civil fine, in lieu of such lower civil fine:

- (a) Where an individual fails to timely and fully comply with a cease and desist order: a civil fine not to exceed one thousand dollars (\$1,000) per day based on the circumstances; and
- (b) Where an entity fails to timely and fully comply with a cease and desist order: a civil fine not to exceed five thousand dollars (\$5,000) per day based on the circumstances.

Section 706, IMMEDIATE SUSPENSION OF A VEHICLE OPERATOR'S LICENSE, is amended as follows:**Subsections 706.8 through 706.9 are amended to read as follows:**

706.8 Any review by OAH of an order of immediate suspension, at a preliminary hearing held pursuant to § 706.7, or at any subsequent hearing, shall be limited

to a determination of whether the Office has sufficient evidence to conclude that reasonable grounds exist to believe that the respondent poses an imminent danger to the health, safety, or welfare of an operator, a passenger, or the public, as provided in § 706.2.

706.9 If OAH determines, after a review pursuant to § 706.8, that the Office has sufficient evidence to conclude that reasonable grounds exist to believe that the respondent poses an imminent danger to the health, safety, or welfare of an operator, a passenger, or the public, as provided in § 706.2, the order of immediate suspension shall remain in effect without modification by OAH through the end of the immediate suspension as stated in the order, or until a final ruling on the merits of any related notice of proposed suspension or revocation issued by the Office pursuant to § 708, whichever is later.

A new Subsection 706.10 is added to read as follows:

706.10 Each order of immediate suspension issued pursuant to this section shall be issued concurrently with a notice of proposed suspension or revocation issued pursuant to § 708.

Section 707, IMMEDIATE SUSPENSION OF A LICENSE OTHER THAN A VEHICLE OPERATOR’S LICENSE, is amended as follows:

Subsection 707.2 is amended to read as follows:

- 707.2 A determination under § 707.1 shall be based on evidence that the respondent:
- (a) Has committed a willful or repeated violation of any provision of this title or other applicable law which carries a civil penalty of at least five hundred dollars (\$500) for the current or most recent violation or for which license suspension is stated as an available civil penalty;
 - (b) Has allowed or suborned activity by another person which would provide a ground for such person’s suspension or revocation under this chapter;
 - (c) Poses an imminent or significant threat to the health or safety of passengers, operators, or the public, consumer protection, or passenger privacy; or
 - (d) Is using the license to engage in an activity prohibited by a provision of this title or other applicable law.

Section 708, NOTICE OF PROPOSED SUSPENSION OR REVOCATION OF A LICENSE, is amended as follows:

Subsection 708.1 is amended to read as follows:

708.1 Proposed suspension. The Office may issue a notice of proposed suspension of a license issued under this title based on any of the following grounds:

- (a) A material misrepresentation, fraud, or concealment of material information in a communication with the Commission or the Office in a document provided to the Commission or the Office, or in connection with an activity for which the respondent is licensed;
- (b) A determination that the respondent no longer meets the requirements for the license it was issued by the Office;
- (c) A determination that a basis for suspension exists pursuant to a provision of another chapter of this title;
- (d) The existence of one or more grounds for suspension of a license pursuant to § 706.2 or § 707.2, without regard to whether the Office has issued an order of immediate suspension;
- (e) A criminal conviction involving fraudulent conduct, or in the case of an entity, a determination that an employee, agent, or independent contractor associated with the entity has been convicted of such conduct in connection with any activity regulated by this title;
- (f) The use or subornation of a fraudulent or misleading device, method, or practice relating to any activity regulated by this title;
- (g) A willful or repeated failure to obey one or more compliance orders issued by the Office;
- (h) A willful or repeated failure to comply with one or more orders issued by OAH;
- (i) A willful or repeated failure to pay one or more civil fines imposed by the Office;
- (j) A willful or repeated failure to comply with one or more provisions of this title or applicable law; or
- (k) Where identified as a civil penalty in a provision of this title.

Subsections 708.3 and 708.5 are amended to read as follows:

708.3 A notice of proposed suspension or proposed revocation may be issued concurrently with an order of immediate suspension or at any time at least fourteen (14) days prior to a hearing on the merits, provided however, that such notice shall not be issued fewer than fourteen (14) days prior to a hearing on the merits without good cause shown by the Office, including access to new evidence, and a change in the law or regulations applicable to the action.

708.5 A proposed suspension shall not exceed the current licensing period.

Subsection 708.6 is amended to read as follows:

708.6 A proposed revocation shall exceed the current licensing period and shall contain a requirement that the respondent is not permitted to re-apply for a new license until after a specific date following the date on which the revocation becomes final.

New Subsections 708.7 and 708.8 are added to read as follows:

708.7 The revocation of a license and the circumstances giving rise thereto may be considered by the Office at the time of a renewal of a license issued under this title.

708.8 Each notice of proposed suspension or proposed revocation shall be served and filed in the manner prescribed by § 712.

Section 713, MEDIATION, is amended as follows:

Subsection 713.4 is amended to read as follows:

713.4 Mediation shall be scheduled by the Office to occur within a reasonable period, provided, however, that where the Office is considering an immediate suspension, the mediation shall be scheduled for not later than three (3) business days following service of the invitation.

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF FINAL RULEMAKING
AND
ZONING COMMISSION ORDER NO. 12-08A
Z.C. Case No. 12-08A
(Text Amendment — 11 DCMR)
Technical Correction to StE District § 3307.1
January 11, 2016

The Zoning Commission for the District of Columbia (Commission), pursuant to its authority under § 1 of the Zoning Act of 1938, approved June 20, 1938 (52 Stat. 797, as amended; D.C. Official Code § 6-641.01 (2012 Repl.)), hereby gives notice of the adoption of amendments to the Zoning Regulations (Title 11 of the District of Columbia Municipal Regulations (DCMR)) to make a technical correction to Chapter 33 (Saint Elizabeths East Campus (STE) District), § 3307.1. Because the action was technical in nature, no public hearing was required, pursuant to the Consent Calendar provisions set forth in 11 DCMR § 3030, and for that same reason no referral to the National Capital Planning Commission was made.

The correction applies to the Saint Elizabeths East Campus (StE) Zone District and concerns the combined lot development process set forth in § 3307, which permits two (2) or more lots to combine for the purposes of achieving the minimum required FAR equivalent of residential uses. The amendment clarifies that:

- (a) The combined lot process is not available to properties located in the StE-2, StE-10, StE-14a, StE-14b, StE-18, or StE-19 subdistricts;
- (b) The participating lots need not be located in the same subdistrict; and
- (c) The lot(s) receiving the residential gross floor area need not be subject to a minimum residential requirement.

A Notice of Proposed Rulemaking was published in the *D.C. Register* on November 27, 2015, at 62 DCR 15380. No comments were received in response.

The Commission took final action to adopt the amendments at a public meeting on January 11, 2016, making no changes to the proposed text. The final rulemaking is effective upon publication of this notice in the *D.C. Register*.

Chapter 33, SAINT ELIZABETHS EAST CAMPUS (STE) DISTRICT, of Title 11 DCMR, ZONING, is amended as follows:

§ 3307, COMBINED LOTS, § 3307.1, is amended to read as follows:

3307 COMBINED LOTS

3307.1 Except for lots located in the StE-2, StE-10, StE-14a, StE-14b, StE-18, or StE-19 subdistrict, two (2) or more lots in one (1) or more StE subdistrict(s) may be

combined for the purpose of achieving the minimum required FAR equivalent of residential uses, subject to the following:

- (a) The lots may be located in the same StE subdistrict or in different StE subdistricts;
- (b) The lot(s) receiving residential gross floor area need not be located in a StE subdistrict with a residential requirement; and
- (c) The total height and density limits of the subdistricts shall not be exceeded.

On January 11, 2016, upon the motion of Vice Chairperson Cohen, as seconded by Commissioner Turnbull, the Zoning Commission **APPROVED** the application and **ADOPTED** this Order at its public meeting by a vote of **5-0-0** (Anthony J. Hood, Marcie I. Cohen, Robert E. Miller, Peter G. May, and Michael G. Turnbull to approved and adopt).

In accordance with the provisions of 11 DCMR § 3028.9, this Order shall become effective upon publication in the *D.C. Register*; that is on March 18, 2016.

DEPARTMENT OF HEALTH CARE FINANCE**NOTICE OF SECOND 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 (2014 Repl. & 2015 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 intent to amend Section 989, entitled “Long Term Care Services and Supports Assessment Process” of Chapter 9 (Medicaid Program) of Title 29 (Public Welfare) of the District of Columbia Municipal Regulations (DCMR).

These proposed rules establish standards governing the assessment process for the level of need for beneficiaries who receive Long Term Care Services and Supports (LTCSS), with the exception of Intermediate Care Facilities for Individuals with Intellectual and Developmental Disabilities (ICF/IDD) services, and Home and Community-Based Waiver Services for Individuals with Intellectual and Developmental Disabilities (ID/DD Waiver). This includes nursing home services, supports under the Elderly and Persons with Physical Disabilities Home and Community-Based Services Waiver (EPD Waiver), Personal Care Aide (PCA) services available under the District’s Long Term Care Program (Medicaid State Plan and EPD Waiver), Adult Day Health Program (ADHP) services under the 1915(i) Home and Community-based State Plan Option, and other LTCSS not intended to service individuals with intellectual and developmental disabilities such as the Program of All Inclusive Care for the Elderly (PACE). Under the assessment process, a nurse employed by DHCF or its designated agent conducts face-to-face assessments, and reassessments using a standardized needs-based assessment tool to determine a person’s support needs for LTCSS.

LTCSS are designed to assist beneficiaries with a range of services and supports over an extended period of time. These rules amend the previously published standards by: (1) specifying that the face-to-face initial assessments and re-assessments shall be conducted by a Registered Nurse, employed by DHCF or its agent; (2) establishing that requests for an assessment or re-assessment for LTCSS must be made by the person seeking services, the person’s representative, family member, or health-care professional; (3) establishing timelines for conducting face-to-face assessments and issuing assessment determinations; (4) amending the re-assessment period to be once every twelve (12) months instead of once every one hundred and eighty (180) days; (5) adding a link to access the standardized needs-based assessment tool online; (6) establishing that a person shall also qualify for a level of need for PCA services if his/her functional score without medication management is four (4) or higher, or if his/her functional score without medication management is three (3) or higher and a medication management score is at least a one (1); (7) clarifying the request for reconsideration process; (8) clarifying the contents of a reconsideration decision issued if DHCF decides to uphold the assessment determination; (9) clarifying the beneficiary’s timeline for filing an appeal in the event that a reconsideration decision is issued; (10) clarifying terms and phrases used in the Section; and (11) defining terms used in the section.

An initial Notice of Proposed rulemaking was published in the *D.C. Register* on June 6, 2014 at 61 DCR 005781. Numerous comments were received and this second proposed rulemaking is in response to the comments.

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

Chapter 9 MEDICAID PROGRAM, of Title 29 DCMR, PUBLIC WELFARE, is amended as follows:

Section 989, LONG TERM CARE SERVICES AND SUPPORTS ASSESSMENT PROCESS, is amended to read as follows:

989 LONG TERM CARE SERVICES AND SUPPORTS ASSESSMENT PROCESS

989.1 The purpose of this section is to establish the Department of Health Care Finance (DHCF) standards governing the Medicaid assessment process for Long Term Care Services and Supports (LTCSS) and to establish numerical scores pertaining to the level of need necessary to establish eligibility for a range of LTCSS.

989.2 LTCSS are designed to assist persons with a range of services and supports including assistance with basic tasks of everyday life over an extended period of time. These include, but are not limited to, the Elderly and Persons with Physical Disabilities home and community-based waiver (EPD Waiver), Personal Care Aide (PCA) services under the District's Long Term Care Program (Medicaid State Plan and EPD Waiver), nursing home services, Adult Day Health Program (ADHP) services under the 1915(i) Home and Community-based State Plan Option, and other services not intended to serve individuals with intellectual and developmental disabilities.

989.3 A Registered Nurse (R.N.) employed by DHCF or its designated agent shall conduct an initial face-to-face assessment following the receipt of a request for an assessment for LTCSS. The request shall include any supporting documentation established by program rules. An initial request for an assessment or a subsequent request based upon a change in the person's condition or acuity level, or at the time of re-assessment, may be made by the person seeking services, the person's representative, family member, or health care professional.

989.4 The R.N. employed by DHCF or its designated agent shall be responsible for conducting the face-to-face assessment of each person using a standardized needs-based assessment tool within five (5) calendar days of the receipt of a request for an assessment, unless the person's condition requires that an assessment be conducted sooner to expedite the provision of LTCSS to that person, or the person has requested a later date. The assessment shall:

- (a) Confirm and document the person's functional limitations, cognitive/behavioral and skilled care support needs;
- (b) Be conducted in consultation with the person and his/her representative and/or support team;
- (c) Determine and document the person's unmet need for services taking into account the current utilization of informal supports and other non-Medicaid resources required to meet the applicant's need for assistance; and
- (d) Determine the person's level of need for LTCSS.

989.5 The standardized needs-based assessment tool shall be available on DHCF's website at www.dhcf.dc.gov/publication/long-term-care-assessment-tool .

989.6 The face-to-face assessment using the standardized needs-based assessment tool to determine each person's level of need for LTCSS shall result in a total numerical score which includes three (3) separate scores pertaining to his/her assessed functional, cognitive/behavioral, and skilled care needs. The functional assessment score includes an assessment and corresponding score correlated to the person's ability to manage medications.

989.7 The total numerical score consists of a value between zero to thirty-one (0-31); which may include a score of up to twenty-three (23) on the functional assessment, a score of up to three (3) on the cognitive/behavioral assessment, and a score of up to five (5) on the skilled care needs assessment.

989.8 The total numerical scores indicating a person's need for LTCSS are as follows:

- (a) Four (4) or higher for personal care aide services;
- (b) Four (4) or five (5) for adult day health acuity level 1 services;
- (c) Six (6) or higher for adult day health acuity level 2 services; and
- (d) Nine (9) or higher for nursing home, Elderly and Persons with Physical Disabilities Home and Community-based Services Waiver (EPD Waiver), or other programs/services that require a nursing home level of care.

989.9 A person shall only be deemed to have a level of need for Personal Care Aid (PCA) services under Subsection 989.8, if his/her functional score without medication management is four (4) or higher, or if his/her functional score without medication management is three (3) or higher and a medication management score is at least a one (1).

- 989.10 Based upon the results of the face-to-face assessment, DHCF or its authorized agent shall issue to the person an assessment determination that specifies his/her level of need for a range of LTCSS for which the person is eligible.
- 989.11 The assessment determination shall be issued to the person no later than forty-eight (48) hours after the assessment is completed, unless the person's condition necessitates that services be authorized and provided earlier.
- 989.12 An R.N. employed by DHCF or its designated agent shall conduct a face-to-face re-assessment of each person's need for the receipt of LTCSS at least every twelve (12) months, or when there is a significant change in the person's condition or acuity level.
- 989.13 DHCF may extend the level of need reauthorization period pursuant to the face-to-face reassessment for a timeframe not to exceed eighteen (18) months to align the level of need assessment date with the person's Medicaid renewal date.
- 989.14 Requests to conduct re-assessments shall be made in accordance with the requirements under Subsection 989.3.
- 989.15 If the person meets the level of need as determined by a numerical score affiliated with each long-term care service in accordance with Subsection 989.8, and chooses to participate in a long-term care program, DHCF or its authorized agent shall refer the person to the long-term care service provider of his/her choice.
- 989.16 The person shall choose a provider based upon the level of need and the ability of the provider to safely care for him/her in the least restrictive setting.
- 989.17 DHCF or its authorized agent shall maintain the completed standardized assessment tool and documentation reflecting that the person was given a free choice of providers from a list of qualified providers.
- 989.18 If the person has not made a choice, or needs further assistance, DHCF or its authorized agent shall refer the person to the Aging and Disability Resource Center for additional assistance, options counseling, and person-centered planning as appropriate.
- 989.19 DHCF, or its agent, shall issue a Beneficiary Denial or Change of Services Letter if, based upon the assessment or re-assessment conducted pursuant to this section, a person is found to be ineligible for, or does not meet the level of need for, LTCSS. The Beneficiary Denial or Change of Services Letter shall inform the person of the following:
- (a) The right to request DHCF to reconsider its decision and the timeframes for making a request for reconsideration; and

- (b) The right to appeal the denial, reduction, or termination of services in accordance with federal and District law and regulations.

989.20 A request for reconsideration, pursuant to § 989.19(a), must be submitted in writing, by mail, fax, or in person, to DHCF's Office of the Senior Deputy Director/Medicaid Director, within twenty-one (21) calendar days of the date of the notice of denial, termination, or reduction of LTCSS services. The request for reconsideration shall include information and documentation as follows:

- (a) A written statement by the person, or the person's designated legal representative, describing the reason(s) why the decision to deny, terminate, or reduce LTCSS services should not be upheld;
- (b) A written statement by a physician familiar with the person's health care needs; and
- (c) Additional, relevant documentation.

989.21 For beneficiaries currently receiving services, a timely filed request for reconsideration will suspend the reduction or termination of services until a reconsideration decision is issued.

989.22 DHCF shall issue a reconsideration decision no more than forty-five (45) calendar days from the date of receipt of the documentation required in § 989.20.

989.23 If DHCF decides to uphold the assessment determination, the reconsideration decision shall contain the following:

- (a) A description of all documents that were reviewed;
- (b) The justification(s) for the intended action(s);
- (c) An explanation of the beneficiary's right to request a fair hearing; and
- (e) The circumstances under which Medicaid LTCSS is provided during the pendency of a fair hearing.

989.24 A right to appeal the reconsideration decision, pursuant to § 989.23, must be submitted within ninety (90) calendar days of the date of issuance of the reconsideration decision by filing a written request, by mail, fax, or in person, for a fair hearing with the District of Columbia Office of Administrative Hearings.

989.25 A right to appeal the denial, reduction, or termination of services, pursuant to § 989.19(b), must be submitted within ninety (90) calendar days of the date of the Beneficiary Denial or Change of Services Letter by filing a written request, by mail, fax, or in person, for a fair hearing with the District of Columbia Office of Administrative Hearings.

989.26 DHCF shall not reduce or terminate LTCSS services while a fair hearing is pending if a beneficiary who was receiving services files the hearing request within thirty (30) calendar days from the date of issuance of the reconsideration decision, or the Beneficiary Denial or Change of Services letter, whichever is later.

989.99 DEFINITIONS

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

Acuity level - The intensity of services required for a Medicaid beneficiary wherein those with a high acuity level require more care and those with lower acuity level require less care.

Beneficiary - A person deemed eligible to receive Medicaid services.

Face-to-face assessment - An assessment that is conducted in-person by a registered nurse to determine an applicant's need for long-term care services.

Informal supports - Assistance provided by the person's family member or another individual who is unrelated to the person.

Level of Need - A determination used to assess a person's need for supports for the purposes of allocating Medicaid resources or services.

Non-Medicaid Resources - The person's utilization of resources including but not limited to legal services, housing assistance, vocational rehabilitation or job help, and transportation.

Person - An applicant who submits a service assessment request to DHCF and/or its designated agent to determine his/her level of need for long-term care services and supports.

Person-centered plan - A person-driven plan of care focusing on the person's strengths, weaknesses, needs, and goals.

Provider - The individual, organization, or corporation, public or private, that provides long-term care services and seeks reimbursement for providing those services under the Medicaid program.

Representative- Any person other than a provider:

- (a) Who is knowledgeable about the applicant's circumstances and has been designated by that applicant to represent him or her; or
- (b) Who is legally authorized either to administer an applicant's financial or personal affairs or to protect and advocate for his/her rights.

Support Team- A team including, but not limited to, the person's family, friends, community social worker, and/or medical providers.

Comments on these rules should be submitted in writing to Claudia Schlosberg, J.D., Senior Deputy Director and State Medicaid Director, Department of Health Care Finance, Government of the District of Columbia, 441 4th Street, NW, Suite 900 South, Washington DC 20001, via telephone on (202) 442-8742, 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.

**THE DISTRICT OF COLUMBIA
LOTTERY AND CHARITABLE GAMES CONTROL BOARD**

NOTICE OF PROPOSED RULEMAKING

The Interim Executive Director of the District of Columbia Lottery and Charitable Games Control Board, pursuant to the authority set forth in Section 424a of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 790, Pub. L. 93-198; D.C. Official Code § 1-204.24(a) (2014 Repl.)), as amended by the 2005 District of Columbia Omnibus Authorization Act, approved October 16, 2006 (Pub. L. No. 109-356, § 201, 120 Stat. 2019; D.C. Official Code §§ 1-204.24a(c)(6) (2014 Repl.)); Section 4 of the Law to Legalize Lotteries, Daily Numbers Games, and Bingo and Raffles for Charitable Purposes in the District of Columbia, effective March 10, 1981 (D.C. Law 3-172; D.C. Official Code §§ 3-1306(a), 3-1322.01, 3-1323, 3-1327, and 3-1332 (2012 Repl.)); District of Columbia Financial Responsibility and Management Assistance Authority Order, issued September 21, 1996; the Office of the Chief Financial Officer Financial Management Control Order No. 96-22, issued November 18, 1996; the Office of the Chief Financial Officer Financial Management Control Orders No. 97-15, issued May 15, 1997, and No. 96-16, issued September 24, 1996; and Office of the Chief Financial Officer Financial Management Control Order No. 15-11, issued April 14, 2015 (appointing Tracey Cohen Interim Executive Director of the District of Columbia Lottery and Charitable Games Control Board), hereby gives notice of the intent to amend Chapters 12 (Bingo, Raffle, Monte Carlo Night Party and Suppliers' Licenses) and 16 (Monte Carlo Night Parties) of Title 30 (Lottery and Charitable Games) of the District of Columbia Municipal Regulations (DCMR).

The purpose of the proposed amendments is to clarify Monte Carlo night party license requirements, and to repeal and replace Section 1603 in order to ensure proper regulation and operation of Monte Carlo night parties that include Texas Hold'em.

The Interim Executive Director gives thirty (30) days' notice for the finalization of this rule to become effective upon publication of this notice in the *D.C. Register*.

Chapter 12, BINGO, RAFFLE, MONTE CARLO NIGHT PARTY AND SUPPLIERS' LICENSES, of Title 30 DCMR, LOTTERY AND CHARITABLE GAMES, is amended as follows:

Subsection 1204.16 of Section 1204, BINGO, RAFFLE AND MONTE CARLO NIGHT PARTY LICENSES AND FEES, is amended to read as follows:

1204.16 The Agency shall issue the following two (2) classes of Monte Carlo Night Party licenses:

- (a) A Class 1 Monte Carlo Night Party license shall allow for the operation of a Monte Carlo Night Party in accordance with the provisions of Chapter 16. A Class 1 Monte Carlo Night Party license shall not include more than

(1) Texas Hold'em card game. The application fee for a Class 1 Monte Carlo Night Party license shall be one hundred dollars (\$100); and

(b) A Class 2 Monte Carlo Night Party or Charitable Texas Hold'em Tournament license shall allow for the operation of a Texas Hold'em Tournament with multiple Texas Hold'em games at a Monte Carlo Night Party in accordance with the provisions of Chapter 16. The application fee for a Class 2 Monte Carlo Night Party license shall be one hundred dollars (\$100). A Class 2 Monte Carlo Night Party license shall be required for a Charitable Texas Hold'em Tournament.

Chapter 16, MONTE CARLO NIGHT PARTIES, is amended as follows:

Section 1603, OPERATION OF MONTE CARLO NIGHT PARTY, is repealed and replaced as follows:

1603 OPERATION OF MONTE CARLO NIGHT PARTY

1603.1 Licensed organizations holding a Monte Carlo night party shall conduct only the types of games and use only the equipment authorized by this chapter.

1603.2 At the entrance to the premises, a licensed organization shall post rules governing the method of playing Monte Carlo night party games and a list of the prizes to be awarded.

1603.3 The licensed organization shall provide the Agency with a certified accounting of the number of attendees of the Monte Carlo night event and the total amount of gross receipts generated for the organization's charitable purpose per attendee.

(a) This section does not prohibit non-charitable entities from providing a charitable donation to a licensed organization in return for the licensed organization pairing with the non-charitable entity to host or co-sponsor a Monte Carlo night party.

(b) Nothing in this section is intended nor does it allow Monte Carlo night parties where the licensed organization receives no monetary charitable benefit or merely token charitable benefit from hosting or co-sponsoring of the Monte Carlo night party.

1603.4 Each participant purchasing admission to a Monte Carlo night party shall pay by United States currency or coin.

1603.5 In accordance with D.C. Official Code § 3-1322(b), participants of a Monte Carlo night party shall use imitation money or chips monogrammed with the logo of the licensed organization or licensed supplier.

- 1603.6 Upon admission each participant shall be given the same amount in value of imitation money or chips that other participants are given.
- 1603.7 In accordance with D.C. Official Code § 3-1322(c), there shall be no direct correlation between the amount of imitation money or chips presented to participants and the participant's donation to the event.
- 1603.8 During the event, imitation money or chips may be sold only by cashiers at authorized sales areas and shall not be sold at individual gaming tables.
- 1603.9 During the event there shall be no exchange of real money for any purpose at the gaming table or on the floor.
- 1603.10 Imitation money or chips shall be used for gambling or redemption purposes only and shall have no other monetary purpose.
- 1603.11 Imitation money or chips shall not be used for the purchase of food, beverages, or non-gambling items.
- 1603.12 At the place of play, bet limitations shall be posted.
- 1603.13 When a Monte Carlo night party is conducted on premises licensed by the Alcohol Beverage Control Board the dispensing of alcohol beverages and the use of property related to dispensing of alcoholic beverages are under the jurisdiction of the ABC Board.
- 1603.14 Persons under eighteen (18) years of age shall not be permitted to wager, or assist in any manner in the gambling activity.
- 1603.15 A wager shall not be placed upon an event or upon a game involving personal skill except that Texas Hold'em may be played as authorized by this chapter.
- 1603.16 A wager shall not be placed on a contest other than a game of chance taking place at the location during the time approved for the event.
- 1603.17 A player shall not be permitted to sell or exchange imitation money or chips for legal currency with another player.
- 1603.18 For purposes of Monte Carlo night parties or Charitable Texas Hold'em Tournaments where Texas Hold'em is played, the following rules shall also apply to the Texas Hold'em games:
- (a) Texas Hold'em shall not be conducted outside the hours listed on the license.

- (b) Texas Hold'em shall be conducted as a tournament where all players pay the established entry fee for the same amount of chips.
- (c) Texas Hold'em shall not be conducted in any manner that assigns a cash redemption value to the chips.
- (d) Texas Hold'em shall be played with a standard fifty-two (52)-card deck without jokers.
- (e) Texas Hold'em shall be played at tables large enough to accommodate a dealer and up to seven (7) players in such a manner as to ensure that the players may examine their cards without disclosing their value to other players.
- (f) All cards shall be dealt by a Monte Carlo night party worker.
- (g) The order of finish for the tournament shall be determined by one of the following methods:
 - (1) If play continues until all but one player is eliminated, the order of finish shall be the order of elimination from last to first. The last remaining player shall be declared the winner.
 - (2) If play stops at a set time as defined in the house rules, the order of finish shall be determined by ranking the value of chips held by each player at the end of play from highest to lowest. The player having the highest value of chips shall be declared the winner.
- (h) Prizes not exceeding five hundred dollars (\$500) per player per day may be awarded based on the method used for determining the order of finish.
- (i) A player shall not bet on more than one hand in any round of play.
- (j) Wild cards are prohibited.
- (k) Hi/Lo games are prohibited. Winners shall be determined by the highest ranking Texas Hold'em combination.
- (l) Re-buys are prohibited.
- (m) Texas Hold'em shall not be played through the use of any electronic device, electromechanical device, or video terminal.

All persons desiring to comment on the subject matter of this proposed rulemaking should file comments in writing not later than thirty (30) days after the date of publication of this notice in

the *D.C. Register*. Comments should be filed with the Antar Johnson, Senior Counsel, Lottery and Charitable Games Control Board, 2235 Shannon Place SE, Washington, D.C. 20020, or e-mailed to antar.johnson@dc.gov, or filed online at www.dcregs.gov. Additional copies of these proposed rules may be obtained at the address stated above.

**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 the District of Columbia Official Code § 25-211(b) (2012 Repl. & 2015 Supp.) and Mayor's Order 2001-96, dated June 28, 2001, as revised by Mayor's Order 2001-102, dated July 23, 2001, hereby gives notice of the adoption on an emergency basis of amendments to Section 712 (Pub Crawls) of Chapter 7 (General Operating Requirements) of Title 23 (Alcoholic Beverages) of the District of Columbia Municipal Regulations (DCMR).

The amendments: (1) revise the pub crawl license requirements; (2) establish a pub crawl licensing fee; (3) give the Board more authority to manage pub crawls; and (4) strengthen the requirements for pub crawl applicants regarding their responsibilities before, during, and after pub crawl events, to include having a litter plan in place.

The Board has received numerous complaints in recent months from District residents, Advisory Neighborhood Commissions, Business Improvement Districts, and the Metropolitan Police Department (MPD) concerning pub crawls, specifically as it relates to noise, litter, crowd control, and public intoxication. Emergency rulemaking action, pursuant to Section 6(c) of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1206; D.C. Official Code § 2-505(c)), is necessary for the immediate preservation of health, safety, and welfare of District of Columbia (District) residents. Particularly, emergency action is needed (1) to ensure that pub crawls are conducted in a responsible, safe, and orderly manner; and (2) to protect the rights and privileges of affected District residents and businesses.

Further, the Board gives notice of intent to take final rulemaking action in not less than thirty (30) days after publication of this Notice in the *D.C. Register*. In accordance with D.C. Official Code § 25-211(b), these emergency and proposed rules will be transmitted to the Council for the District of Columbia (Council) for a ninety (90)-day period of review. The Board will not adopt the rules as final absent Council approval.

These emergency rules were adopted by the Board on January 13, 2016, by a five (5) 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 on May 13, 2016, unless superseded by Notice of Final Rulemaking.

Chapter 7, GENERAL OPERATING REQUIREMENTS, of Title 23 DCMR, ALCOHOLIC BEVERAGES, is amended as follows:

712 PUB CRAWLS

712.1 A promoter/organizer ("Promoter/Organizer" or "Applicant") of a "pub crawl" shall be required to obtain a pub crawl license. The Promoter/Organizer shall submit an application for a pub crawl license that contains a Pub Crawl Event

Form for each pub crawl event at least forty-five (45) days prior to the applicant's first scheduled pub crawl event.

- 712.2 A Promoter/Organizer shall obtain the Board's approval prior to hosting any pub crawl events not included in the Promoter/Organizer's pub crawl license application. The Promoter/Organizer shall submit a Pub Crawl Event Form to the Board for approval of any subsequent pub crawl event not listed on the Promoter/Organizer pub crawl license application at least forty-five (45) days in advance of the event. The Board may conduct a hearing for purposes of considering the Promoter/Organizer's subsequent Pub Crawl Event Form submission.
- 712.3 For purposes of this section a "pub crawl event" shall be defined as an organized group of establishments within walking distance which participate in the promotion of the event featuring the sale or service of alcoholic beverages during a specified time period.
- 712.4 The application fee for a pub crawl license shall be five hundred dollars (\$500). The pub crawl license fee shall cover all pub crawl events held by the licensee in a calendar year. A pub crawl license shall expire at the end of the calendar year in which it is issued. The requirement for a pub crawl license and application fee shall apply to applications filed after April 1, 2016.
- 712.5 No later than forty-five (45) days prior to the scheduled date of the pub crawl event, the applicant must provide the Metropolitan Police Department and the Board with a Pub Crawl Event Form which shall include, at a minimum, the following information:
- (a) The names and addresses of all licensed establishments which are expected to participate;
 - (b) The geographic area where the event will take place;
 - (c) The anticipated number and maximum number of participants;
 - (d) The actual hours of the event;
 - (e) The operational plan and security plan; and
 - (f) The plan for litter prevention, control and removal;
 - (g) The location of the designated registration area(s).
- 712.6 The operational and security plan required by § 712.4(e) shall be posted at any designated registration area(s) and shall include, at a minimum:

- (a) The name and number of security personnel contracted for the event;
- (b) A plan for controlling underage drinking; and
- (c) The method to be used for checking participants' identification.

712.7 The litter plan required by § 712.5(f) shall:

- (a) Include proof of signed contracts between the Promoter/Organizer and litter removal vendors; and
- (b) Set a timeframe, by no later than twelve (12) hours from the conclusion of the event, within which litter will be removed.

712.8 The Applicant shall submit proof of payment for litter removal services within seventy two (72) hours from the conclusion of the pub crawl event.

712.9 The litter plan shall be approved, in writing, by the District Department of Public Works (DPW) within forty-eight (48) hours of the Promoter/Organizer filing the litter plan with DPW.

712.10 The Applicant must remain at the pub crawl event to superintend for the duration of the event, and shall neither purchase nor consume alcoholic beverages during the event.

712.11 The Board shall approve the Applicant's list of participating licensed establishments for each pub crawl event. In doing so, the Board shall determine each listed licensed establishment's eligibility to participate in the pub crawl event in accordance with §§ 712.11 and 712.12.

712.12 No establishment with more than two (2) primary tier violations within two (2) years of the scheduled date of the event may participate in a pub crawl event.

712.13 No licensed establishment may participate in a pub crawl event if it is prohibited from participating by the terms of its Settlement Agreement or Board Order.

712.14 Pub crawl events may not promote excessive drinking and may not include unlimited amounts of drinks for one (1) price (*i.e.*, "all you can drink" specials).

712.15 Literature describing "responsible drinking practices" shall be available at all pub crawl event designated registration area(s).

712.16 All advertising and promotional materials for pub crawl events shall:

- (a) Include a statement that “You must be twenty-one (21) or older to participate”;
 - (b) Promote the use of public transportation; and
 - (c) Include the plan for a designated driver program for the event.
- 712.17 Establishments that are required by law to serve food shall have food available for purchase during the hours of the pub crawl event.
- 712.18 The issuance of a pub crawl license shall be solely in the Board’s discretion. The Board shall approve or deny a pub crawl application no less than fourteen (14) days prior to the date of the pub crawl event.
- 712.19 The Board may place restrictions upon the hours, participating licensed establishments, and the number, nature or size of pub crawl events held under a pub crawl license in order to protect public safety.
- 712.20 The Board may also fine, suspend, or revoke the pub crawl license if the Promoter/Organizer fails to control the environment of a pub crawl, or has sustained community complaints or police action, or has otherwise violated the provisions of this title. Any enforcement action taken in accordance with this section shall proceed in accordance with D.C. Official Code §§ 25-441 – 25-447 and Chapter 16 of this title.
- 712.21 When reviewing an application for a pub crawl license, the Board may consider the Applicant’s conduct and management of previous pub crawl events.
- 712.22 Licensed establishments shall not participate in an unlicensed pub crawl event. It shall be the licensed establishment’s responsibility to verify whether the pub crawl event is licensed by the Board.
- 712.23 The Board may prohibit a licensed establishment that participated in an unlicensed pub crawl event or has sustained community complaints or police action from participating in future pub crawl events for up to a year from the date of the incident.
- 712.24 Licensed establishments shall post in a conspicuous place for the duration of the pub crawl event a copy of the pub crawl organizer’s license for each pub crawl event in which they participate. The pub crawl license shall list the name and date of the pub crawl event and the name of the Promoter/Organizer.
- 712.25 A licensed establishment shall not be permitted to participate in more than one (1) pub crawl event at one time.

- 712.26 A pub crawl license is not required for a pub crawl containing fewer than two hundred (200) participants.
- 712.27 The Board shall not approve a pub crawl application for March 17, May 5, July 4, October 31, or December 31.

Copies of the proposed emergency and proposed rulemaking can be obtained by contacting Martha Jenkins, General Counsel, Alcoholic Beverage Regulation Administration, 2000 14th Street, N.W., 4th Floor, Washington, D.C. 20009. All persons desiring to comment on the emergency and proposed rulemaking must submit their written comments, not later than thirty (30) days after the date of the publication of this notice in the *D.C. Register*, to the above address or via email to martha.jenkins@dc.gov.

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 (2014 Repl. & 2015 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 amendments to Section 1918, entitled “Creative Arts Therapies,” of Chapter 19 (Home and Community-Based Services Waiver for Individuals with Intellectual and Developmental Disabilities) of Title 29 (Public Welfare) of the District of Columbia Municipal Regulations (DCMR).

These emergency and proposed rules change the reimbursement rate for creative arts therapies provided to participants in the Home and Community-Based Services Waiver for Individuals with Intellectual and Developmental Disabilities (ID/DD Waiver).

The ID/DD Waiver was approved by the Council of the District of Columbia (Council) and renewed by the U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services (CMS) for a five-year period beginning November 20, 2012. The corresponding amendment to the ID/DD Waiver was approved by the Council through the Medicaid Assistance Program Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-155; D.C. Official Code § 1-307.02(a)(8)(E) (2014 Repl. & 2015 Supp.)). CMS approved the amendment to the ID/DD Waiver effective September 24, 2015.

Creative arts therapies are designed to provide therapeutic supports to help a person with a disability express and understand emotions through artistic expression and the creative process. The most recent Notice of Final Rulemaking for 29 DCMR § 1918 (Art Therapies) was published in the *D.C. Register* on December 4, 2015, at 62 DCR 015679. This emergency and proposed rulemaking amends the previously published final rulemaking by changing the reimbursement rates in Subsection 1918.16 for art, dance, drama, and music therapy. Emergency action is necessary for the immediate preservation of the health, safety, and welfare of Waiver participants who are in need of these services as the rates must be increased to correspond with Waiver Year 4.

The emergency rulemaking was adopted on March 9, 2016, and these rules became effective immediately. The emergency rules shall remain in effect for not longer than one hundred and twenty (120) days from the adoption date or until July 7, 2016, 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*.

Chapter 19, HOME AND COMMUNITY-BASED SERVICES WAIVER FOR INDIVIDUALS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES, of Title 29 DCMR, PUBLIC WELFARE, is amended as follows:

Subsection 1918.16 of Section 1918, CREATIVE ARTS THERAPIES, is amended to read as follows:

- 1918.16 The reimbursement rate for Creative Arts Therapies services shall be:
- (a) Twenty-five dollars and six cents (\$25.06) per person for a total of no more than one hundred dollars and twenty-four cents (\$100.24) per forty-five (45) minutes for art, dance, drama or music therapy in a group not to exceed four (4); and
 - (b) Seventy-five dollars and twenty-three cents (\$75.23) per forty-five (45) minutes for art, dance, drama or music therapy as an individual service.

Comments on these emergency and proposed rules shall be submitted, in writing, to Claudia Schlosberg, J.D., Senior Deputy Director/State Medicaid Director, District of Columbia Department of Health Care Finance, 441 Fourth Street, N.W., Suite 900 South, Washington, D.C. 20001, by telephone on (202) 442-8742, by email 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 these emergency and proposed rules 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. 774; D.C. Official Code § 1-307.02 (2014 Repl. & 2015 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 amendments to Section 1925, entitled “Individualized Day Supports,” of Chapter 19 (Home and Community-Based Services Waiver for Individuals with Intellectual and Developmental Disabilities) of Title 29 (Public Welfare) of the District of Columbia Municipal Regulations (DCMR).

These emergency and proposed rules change the reimbursement rate for individualized day supports services provided to participants in the Home and Community-Based Services Waiver for Individuals with Intellectual and Developmental Disabilities (ID/DD Waiver).

The ID/DD Waiver was approved by the Council of the District of Columbia (Council) and renewed by the U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services (CMS) for a five-year period beginning November 20, 2012. The corresponding amendment to the ID/DD Waiver was approved by the Council through the Medicaid Assistance Program Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-155; D.C. Official Code § 1-307.02(a)(8)(E) (2014 Repl. & 2015 Supp.)). CMS approved the amendment to the ID/DD Waiver effective September 24, 2015.

Individualized day supports services provide crucial habilitation supports in the community to ensure that a person’s community integration is increased and the particular skills necessary for independence and community involvement outside the home are developed and maintained in ways that enhance community integration outcomes. The most recent Notice of Final Rulemaking for 29 DCMR § 1925 (Individualized Day Supports) was published in the *D.C. Register* on January 1, 2016, at 63 DCR 000050. This emergency and proposed rulemaking amends the previously published final rulemaking by changing the reimbursement rates in Subsection 1925.23. Emergency action is necessary for the immediate preservation of the health, safety, and welfare of Waiver participants who are in need of these services as the rates must be increased to correspond with Waiver Year 4.

The emergency rulemaking was adopted on March 9, 2016, and these rules became effective immediately. The emergency rules shall remain in effect for not longer than one hundred and twenty (120) days from the adoption date or until July 7, 2016, 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*.

Chapter 19, HOME AND COMMUNITY-BASED SERVICES WAIVER FOR INDIVIDUALS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES, of Title 29 DCMR, PUBLIC WELFARE, is amended as follows:

Subsection 1925.23 of Section 1925, INDIVIDUALIZED DAY SUPPORTS, is amended to read as follows:

1925.23 Individualized day supports shall be billed at the unit rate established for the staffing ratio noted in the service authorization. The reimbursement rate for 1:1 staffing ratio shall be nine dollars and forty-three cents (\$9.43) per billable unit or thirty-seven dollars and seventy-two cents per hour (\$37.72). The reimbursement rate for 1:2 staffing ratio shall be five dollars and thirty-three cents (\$5.33) per billable unit or twenty-one dollars and thirty-two cents (\$21.32) per hour. For persons who live independently or with family and select to receive a meal, the rate is increased by seven dollars and thirty-two cents (\$7.32) per day that the person receives a meal. This service shall not exceed one thousand, five hundred and sixty (1,560) hours per year or six thousand two hundred and forty (6,240) units annually. A standard unit of service is fifteen (15) minutes and the provider shall provide at least eight (8) continuous minutes of services to bill for one (1) unit of service.

Comments on these emergency and proposed rules shall be submitted, in writing, to Claudia Schlosberg, J.D., Senior Deputy Director/State Medicaid Director, District of Columbia Department of Health Care Finance, 441 Fourth Street, N.W., Suite 900 South, Washington, D.C. 20001, by telephone on (202) 442-8742, by email 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 these emergency and proposed rules 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. 774; D.C. Official Code § 1-307.02 (2014 Repl. & 2015 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 amendments to Section 1926, entitled “Occupational Therapy Services,” of Chapter 19 (Home and Community-Based Services Waiver for Individuals with Intellectual and Developmental Disabilities) of Title 29 (Public Welfare) of the District of Columbia Municipal Regulations (DCMR).

These emergency and proposed rules change the reimbursement rate for occupational therapy services provided to participants in the Home and Community-Based Services Waiver for Individuals with Intellectual and Developmental Disabilities (ID/DD Waiver).

The ID/DD Waiver was approved by the Council of the District of Columbia (Council) and renewed by the U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services (CMS) for a five-year period beginning November 20, 2012. The corresponding amendment to the ID/DD Waiver was approved by the Council through the Medicaid Assistance Program Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-155; D.C. Official Code § 1-307.02(a)(8)(E) (2014 Repl. & 2015 Supp.)). CMS approved the amendment to the ID/DD Waiver effective September 24, 2015.

Occupational therapy services are designed to maximize independence, assist in gaining skills, prevent further disability, and maintain health. The most recent Notice of Final Rulemaking for 29 DCMR § 1926 (Occupational Therapy Services) was published in the *D.C. Register* on November 27, 2015, at 61 DCR 015327. This emergency and proposed rulemaking amends the previously published final rulemaking by changing the hourly rate in Subsection 1926.15 to one hundred dollars and thirty-two cents (\$100.32). Emergency action is necessary for the immediate preservation of the health, safety, and welfare of Waiver participants who are in need of these services as the rates must be increased to correspond with Waiver Year 4.

The emergency rulemaking was adopted on March 9, 2016, and these rules became effective immediately. The emergency rules shall remain in effect for not longer than one hundred and twenty (120) days from the adoption date or until July 7, 2016, 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 1926, OCCUPATIONAL THERAPY SERVICES, of Chapter 19, HOME AND COMMUNITY-BASED SERVICES WAIVER FOR INDIVIDUALS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES, of Title 29 DCMR, PUBLIC WELFARE, is amended as follows:

Subsections 1926.15, of Section 1926, OCCUPATIONAL THERAPY SERVICES, is amended to read as follows

1926.15 The Medicaid reimbursement rate for occupational therapy services shall be one hundred dollars and thirty-two cents (\$100.32) per hour. The billable unit of service shall be fifteen (15) minutes.

Comments on these emergency and proposed rules shall be submitted, in writing, to Claudia Schlosberg, J.D., Senior Deputy Director/State Medicaid Director, District of Columbia Department of Health Care Finance, 441 Fourth Street, N.W., Suite 900 South, Washington, D.C. 20001, by telephone on (202) 442-8742, by email 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 these emergency and proposed rules 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. 774; D.C. Official Code § 1-307.02 (2014 Repl. & 2015 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 amendments to Section 1927, entitled “Personal Emergency Response System Services,” of Chapter 19 (Home and Community-Based Services Waiver for Individuals with Intellectual and Developmental Disabilities) of Title 29 (Public Welfare) of the District of Columbia Municipal Regulations (DCMR).

These emergency and proposed rules change the reimbursement rate for personal emergency response system services provided to participants in the Home and Community-Based Services Waiver for Individuals with Intellectual and Developmental Disabilities (ID/DD Waiver).

The ID/DD Waiver was approved by the Council of the District of Columbia (Council) and renewed by the U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services (CMS) for a five-year period beginning November 20, 2012. The corresponding amendment to the ID/DD Waiver was approved by the Council through the Medicaid Assistance Program Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-155; D.C. Official Code § 1-307.02(a)(8)(E) (2014 Repl. & 2015 Supp.)). CMS approved the amendment to the ID/DD Waiver effective September 24, 2015.

Personal Emergency Response System (PERS) is an electronic device that enables persons who are at high risk of institutionalization to secure help in an emergency. The two most recent Notices of Final Rulemaking for 29 DCMR § 1927 (Personal Emergency Response System Services) were published in the *D.C. Register* on March 21, 2014, at 61 DCR 002470 (for all but four subsections), and on November 27, 2015, at 62 DCR 015332 (for Subsections 1927.11, 1927.14, 1927.18 and 1927.20 only). This emergency and proposed rulemaking amends the previously published final rulemakings by changing the reimbursement rate in Subsection 1927.20(b) to thirty dollars and forty-eight cents (\$30.48). Emergency action is necessary for the immediate preservation of the health, safety, and welfare of Waiver participants who are in need of these services as the rates must be increased to correspond with Waiver Year 4.

The emergency rulemaking was adopted on March 9, 2016, and these rules became effective immediately. The emergency rules shall remain in effect for not longer than one hundred and twenty (120) days from the adoption date or until July 7, 2016, 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*.

Chapter 19, HOME AND COMMUNITY-BASED SERVICES WAIVER FOR INDIVIDUALS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES, of Title 29 DCMR, PUBLIC WELFARE, is amended as follows:

Subsection 1927.20 of Section 1927, PERSONAL EMERGENCY RESPONSE SYSTEM SERVICES, is amended to read as follows:

1927.20 Medicaid reimbursement for PERS services shall be as follows:

- (a) Fifty dollars (\$50.00) for the initial installation, training, and testing; and
- (b) Thirty dollars and forty-eight cents (\$30.48) for the monthly rental, maintenance, and service fee.

Comments on these emergency and proposed rules shall be submitted, in writing, to Claudia Schlosberg, J.D., Senior Deputy Director/State Medicaid Director, District of Columbia Department of Health Care Finance, 441 Fourth Street, N.W., Suite 900 South, Washington, D.C. 20001, by telephone on (202) 442-8742, by email 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 these emergency and proposed rules 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. 774; D.C. Official Code § 1-307.02 (2014 Repl. & 2015 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 amendments to Section 1930, entitled “Respite Services,” of Chapter 19 (Home and Community-Based Services Waiver for Individuals with Intellectual and Development Disabilities) of Title 29 (Public Welfare) of the District of Columbia Municipal Regulations (DCMR).

These emergency and proposed rules change the reimbursement rate for respite services provided to participants in the Home and Community-Based Services Waiver for Individuals with Intellectual and Developmental Disabilities (ID/DD Waiver).

The ID/DD Waiver was approved by the Council of the District of Columbia (Council) and renewed by the U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services (CMS) for a five-year period beginning November 20, 2012. The corresponding amendment to the ID/DD Waiver was approved by the Council through the Medicaid Assistance Program Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-155; D.C. Official Code § 1-307.02(a)(8)(E) (2014 Repl. & 2015 Supp.)). CMS approved the amendment to the ID/DD Waiver effective September 24, 2015.

Respite care provides relief to the family or primary caregiver to meet planned or emergency situations. The two most recent Notices of Final Rulemaking for 29 DCMR § 1930 (Respite Services) were published in the *D.C. Register* on February 7, 2014, at 61 DCR 000993 (for Subsections 1930.1 to 1930.7, 1930.10, 1930.12 to 1930.13, 1930.15 to 1930.17, and 1930.19 to 1930.20), and on November 27, 2015, at 62 DCR 015334 (for Subsections 1930.8, 1930.9, 1930.11, 1930.14, 1930.18, and 1930.21). This emergency and proposed rulemaking amends the previously published final rulemakings by changing the hourly rate in Subsection 1930.14 to twenty dollars and sixty cents (\$20.60) and the daily rate in Subsection 1930.18 to four hundred one dollars and twenty cents (\$401.20). Emergency action is necessary for the immediate preservation of the health, safety, and welfare of Waiver participants who are in need of these services as the rates must be increased to correspond with Waiver Year 4.

The emergency rulemaking was adopted on March 9, 2016, and these rules became effective immediately. The emergency rules shall remain in effect for not longer than one hundred and twenty (120) days from the adoption date or until July 7, 2016, 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*.

Chapter 19, HOME AND COMMUNITY-BASED SERVICES WAIVER FOR INDIVIDUALS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES, of Title 29 DCMR, PUBLIC WELFARE, is amended as follows:

Subsections 1930.14 and 1930.18, of Section 1930, RESPITE SERVICES, are amended to read as follows:

1930.14 Medicaid reimbursement for hourly respite services shall be twenty dollars and sixty cents (\$20.60) per hour and shall be limited to seven hundred twenty (720) hours per calendar year.

...

1930.18 Medicaid reimbursement for daily respite services shall be four hundred one dollars and twenty cents (\$401.20) per day and shall be limited to thirty (30) days per calendar year.

Comments on these emergency and proposed rules shall be submitted, in writing, to Claudia Schlosberg, J.D., Senior Deputy Director/State Medicaid Director, District of Columbia Department of Health Care Finance, 441 Fourth Street, N.W., Suite 900 South, Washington, D.C. 20001, by telephone on (202) 442-8742, by email 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 these emergency and proposed rules may be obtained 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; D.C. Official Code § 1-307.02 (2014 Repl. & 2015 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 amendments to Section 1932, entitled “Speech, Hearing, and Language Services,” of Chapter 19 (Home and Community-Based Services Waiver for Individuals with Intellectual and Developmental Disabilities), of Title 29 (Public Welfare) of the District of Columbia Municipal Regulations (DCMR).

These emergency and proposed rules establish standards governing reimbursement of speech, hearing, and language services provided to participants in the Home and Community-Based Services Waiver 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 (Council) and renewed by the U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services (CMS) for a five-year period beginning November 20, 2012. The corresponding amendment to the ID/DD Waiver was approved by the Council through the Medicaid Assistance Program Emergency Amendment Act of 2014, effective February 29, 2015 (D.C. Law 20-155; D.C. Official Code § 1-307.02(a)(8)(E) (2014 Repl. & 2015 Supp.)). CMS approved the amendment to the ID/DD Waiver effective September 24, 2015.

Speech, hearing, and language services are aimed at helping persons with intellectual and developmental disabilities enhance their communication and hearing skills. The current Notice of Final Rulemaking for 29 DCMR § 1932 (Speech, Hearing and Language Services) was published in the *D.C. Register* on January 10, 2014, at 61 DCR 000230. A Notice of Emergency and Proposed Rulemaking, which was published in the *D.C. Register* on November 27, 2015, at 62 DCR 015425, was adopted and became effective on November 16, 2015, and remains in effect until March 15, 2016, or adoption of this second emergency and proposed rulemaking, whichever occurs first. The first emergency and proposed rules amended the previously published rules at Subsections 1932.3, 1932.5, 1932.17 and 1932.18 by: (1) clarifying that speech, hearing and language services may only be provided to waiver recipients between the ages of eighteen (18) and twenty-one (21) if Early Periodic Screening and Diagnostic Treatment (EPSDT) has been fully utilized and the person has a need for further services; (2) describing the requirements for measureable and functional outcomes; (3) clarifying the role of the provider at the person’s Individual Support Plan (ISP) and other support team meetings; (4) clarifying that documentation for adaptive equipment must be completed within the timeframes required by the person’s insurance for this to be a reimbursable activity; (5) adding a timeframe for the initial assessment development of a therapy plan; and (6) modifying rates to reflect increased costs of providing service. DHCF received no public comments on the first emergency and proposed

rulemaking, but is promulgating this Notice of Second Emergency and Proposed Rulemaking to continue the substantive changes reflected in the first emergency and proposed rules as described above, and to further amend the rules by including rates that align with Waiver Year 4 in Subsections 1932.17 and 1932.18.

Emergency action is necessary for the immediate preservation of the health, safety, and welfare of Waiver participants who are in need of speech, hearing and language services. The rates must be increased to attract new providers, correspond with Waiver Year 4, and meet the demand for services. By taking emergency action, this rule will provide the District with the tools needed to increase oversight and to closely monitor the quality and appropriateness of services being delivered to beneficiaries.

The emergency rulemaking was adopted on March 9, 2016, and became effective on that date. The emergency rules shall remain in effect for not longer than one hundred and twenty (120) days or until July 7, 2016, 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*.

Chapter 19, HOME AND COMMUNITY-BASED SERVICES WAIVER FOR INDIVIDUALS WITH INTELLECTUAL AND DEVELOPMENT DISABILITIES, of Title 29 DCMR, PUBLIC WELFARE, is amended as follows:

Subsections 1932.3, 1932.5, 1932.17 and 1932.18 of Section 1932, SPEECH, HEARING, AND LANGUAGE SERVICES, are amended to read as follows:

- 1932.3 To qualify for Medicaid reimbursement, speech, hearing, and language services shall be:
- (a) Ordered by a physician, if the person has a medically-related condition such as a history of aspiration, swallowing problems, tube feeding, or a tracheotomy;
 - (b) Recommended by the Support Team, if the person has a non-medical condition such as a receptive or expressive speech delay or disorder;
 - (c) Delivered to a person that is over the age of twenty-one (21), except that services may also be provided to a person enrolled in the Waiver who is between the ages of eighteen (18) and twenty-one (21) years old, in accordance with § 1932.15;
 - (d) Reasonable and necessary to treat the person's medical or non-medical communicative disorder; and
 - (e) Included in the person's Individual Support Plan (ISP) and Plan of Care.

1932.5 In order to be eligible for Medicaid reimbursement, each individual providing speech, hearing and language services shall comply with the following service delivery requirements:

- (a) Conduct a comprehensive assessment, within the first four (4) hours of service delivery, which shall include the following:
 - (1) A background review and current functional review of communication capabilities in different environments;
 - (2) An environmental review of communication in places of employment, residence, and other sites as necessary;
 - (3) The potential for use of augmentative and alternative speech devices, methods, or strategies;
 - (4) The potential for sign language or other expressive communication methods; and
 - (5) A needs assessment for the use of adaptive eating equipment.
- (b) Develop and implement a speech, hearing, and language treatment plan, within the first four (4) hours of service delivery, that describes treatment strategies, including direct therapy, training of caregivers, monitoring requirements and instructions, and the anticipated and measurable, functional outcomes, based upon what is important to and for the person as reflected in his or her Person-Centered Thinking tools and the goals in his or her ISP;
- (c) Assist persons with voice disorders to develop proper control of vocal and respiratory systems for correct voice production, if applicable;
- (d) Conduct aural rehabilitation by teaching sign language and lip reading to people who have hearing loss, if applicable;
- (e) Participate in ISP and Support Team meetings to provide consultative services and recommendations specific to the expert content with a focus on how the person is doing in achieving the functional goals that are important to him or her;
- (f) Record progress notes on each visit and submit quarterly reports;
- (g) Verify that the speech, hearing, and language assessment and treatment plan, and daily notes and quarterly reports, are delivered to the person, family or other caregiver, physician, and the Department on Disability

Services (DDS) Service Coordinator prior to the person's Support Team meeting;

- (h) Assess the need for the use of adaptive equipment;
- (i) Routinely assess (at least annually and more frequently as needed) the appropriateness and quality of adaptive equipment to ensure it addresses the person's needs;
- (j) Conduct periodic examinations to modify treatments, as appropriate, for the person receiving services and ensure that the speech pathologist's or audiologist's recommendations are incorporated into the ISP; when necessary; and
- (k) Complete documentation required to obtain or repair adaptive equipment in accordance with insurance requirements and Medicare and Medicaid guidelines, including required timelines for submission.

1932.17 The reimbursement rate for a speech, hearing and language assessment shall be one hundred dollars and thirty-two cents (\$100.32) an hour. The billable unit of service shall be fifteen (15) minutes and the reimbursement rate for each billable unit shall be twenty-five dollars and eight cents (\$25.08). A provider shall provide at least eight (8) minutes of service in a span of fifteen (15) continuous minutes to bill a unit of service.

1932.18 The reimbursement rate for speech, hearing and language services shall be one hundred dollars and thirty-two cents (\$100.32) per hour. The billable unit of service for speech, hearing and language therapy services shall be fifteen (15) minutes and the reimbursement rate for each billable unit shall be twenty-five dollars and eight cents (\$25.08). A provider shall provide at least eight (8) minutes of service in a span of fifteen (15) continuous minutes to bill a unit of service.

Comments on these second emergency and proposed rules shall be submitted, in writing, to Claudia Schlosberg, J.D., Senior Deputy Director/State Medicaid Director, Department of Health Care Finance, 441 Fourth Street, N.W., Suite 900 South, Washington, D.C. 20001, by telephone on (202) 442-8742, by email 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 these second emergency and proposed rules 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. 774; D.C. Official Code § 1-307.02 (2014 Repl. & 2015 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 amendments to Section 1936, entitled “Wellness Services,” of Chapter 19 (Home and Community-Based Services Waiver for Individuals with Intellectual and Developmental Disabilities) of Title 29 (Public Welfare) of the District of Columbia Municipal Regulations (DCMR).

These emergency and proposed rules change the reimbursement rate for wellness services provided to participants in the Home and Community-Based Services Waiver for Individuals with Intellectual and Developmental Disabilities (ID/DD Waiver).

The ID/DD Waiver was approved by the Council of the District of Columbia (Council) and renewed by the U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services (CMS) for a five-year period beginning November 20, 2012. The corresponding amendment to the ID/DD Waiver was approved by the Council through the Medicaid Assistance Program Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-155; D.C. Official Code § 1-307.02(a)(8)(E) (2014 Repl. & 2015 Supp.)). CMS approved the amendment to the ID/DD Waiver effective September 24, 2015.

Wellness services are designed to promote and maintain good health and assist in increasing the person’s independence, participation, emotional well-being, and productivity in their home, work, and community. Wellness services consist of the following five (5) types of services: bereavement counseling, fitness training, massage therapy, nutrition evaluation/consultation, and sexuality education. The most recent Notice of Final Rulemaking for 29 DCMR § 1936 (Wellness Services) was published in the *D.C. Register* on January 8, 2016, at 63 DCR 000289. This emergency and proposed rulemaking amends Subsection 1936.23 of the previously published final rulemaking by providing the reimbursement rate for these services in terms of both billable unit and hourly, and by increasing the rates to correspond with Waiver Year 4. Emergency action is necessary for the immediate preservation of the health, safety, and welfare of Waiver participants who are in need of these services, as the rates must be increased to correspond with Waiver Year 4.

The emergency rulemaking was adopted on March 9, 2016, and these rules became effective immediately. The emergency rules shall remain in effect for not longer than one hundred and twenty (120) days from the adoption date or until July 7, 2016, 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*.

Chapter 19, HOME AND COMMUNITY-BASED SERVICES WAIVER FOR INDIVIDUALS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES, of Title 29 DCMR, PUBLIC WELFARE, is amended as follows:

Subsection 1936.23 of Section 1936, WELLNESS SERVICES, is amended to read as follows:

- 1936.23 The Medicaid reimbursement rate for wellness services shall be:
- (a) Fifteen dollars and twenty-five cents (\$15.25) per billable unit or sixty-one dollars (\$61.00) per hour for Massage Therapy;
 - (b) Nineteen dollars and five cents (\$19.05) per billable unit or seventy-six dollars and twenty cents (\$76.20) per hour for Sexuality Education;
 - (c) Eighteen dollars and eighty-one cents (\$18.81) per billable unit or seventy-five dollars and twenty-four cents (\$75.24) per hour for Fitness Training;
 - (d) Eleven dollars and twenty-eight cents (\$11.28) per billable unit or forty-five dollars and twelve cents (\$45.12) per hour for Small Group Fitness Training;
 - (e) Sixteen dollars and thirty cents (\$16.30) per billable unit or sixty-five dollars and twenty cents (\$65.20) per hour for Nutrition Counseling; and
 - (f) Sixteen dollars and thirty cents (\$16.30) per billable unit or sixty-five dollars and twenty cents (\$65.20) per hour for Bereavement Counseling.

Comments on these emergency and proposed rules shall be submitted, in writing, to Claudia Schlosberg, J.D., Senior Deputy Director/State Medicaid Director, District of Columbia Department of Health Care Finance, 441 Fourth Street, N.W., Suite 900 South, Washington, D.C. 20001, by telephone on (202) 442-8742, by email 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 these emergency and proposed rules may be obtained from the above address.

DEPARTMENT OF HUMAN SERVICES

NOTICE OF EMERGENCY AND PROPOSED RULEMAKING

The Director of the Department of Human Services (DHS), pursuant to the authority set forth in Section 31(b) of the Homeless Services Reform Act of 2005 (HSRA), effective October 22, 2005 (D.C. Law 16-35; D.C. Official Code § 4-756.02 (2012 Repl.)), Mayor's Order 2014-177, dated July 23, 2014, and Mayor's Order 2006-20, dated February 13, 2006, hereby gives notice of adoption, on an emergency basis, of amendments to Chapter 25 (Shelter and Supportive Housing for Individuals and Families) of Title 29 (Public Welfare) of the District of Columbia Municipal Regulations (DCMR).

The purpose of the amendments is to establish rules to implement the provisions of the LGBTQ Homeless Youth Reform Amendment Act ("Act") of 2014, effective May 3, 2014, (D.C. Law 20-100; D.C. Official Code § 4-756.02(b) (2012 Repl. & 2015 Supp.)), including but not limited to data collection requirements, training requirements, and grant making requirements. Specifically, the proposed amendments establish: (1) data collection requirements; (2) training requirements for service providers; and (3) grant-making requirements for issuing grants for ten (10) emergency shelter beds for lesbian, gay, bisexual, transgender, and questioning (LGBTQ) homeless youth. The proposed amendments also include: (1) requirements for homeless service providers' implementation of best practices and staff training for the culturally competent care of this population; (2) data collection during the annual Point-in-Time count to include data collection regarding sexual orientation and gender identity; (3) guidelines for services, shelter, and housing designed to better serve the needs of LGBTQ clients to establish a minimum number of crisis shelter beds for this population; and (4) authorization of grant-making authority and establishment of a grant program within the District's Office of Lesbian, Gay, Bisexual, Transgender and Questioning Affairs to train providers to effectively assist this population.

Emergency rulemaking action, pursuant to Section 6(c) of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1206; D.C. Official Code § 2-505(c) (2012 Repl.)), is necessary for the immediate preservation of the health, safety and welfare of District residents who are homeless. It is essential that DHS provide guidance and establish rules on the Act to prevent any disruption in services that might result from confusion over the Act and ensure that Lesbian, Gay, Bisexual, Transgender, and Questioning clients' rights to be free from discrimination are secure specifically in the District's Shelter and Supportive Housing Programs for individuals and families.

DHS adopted the emergency rules on January 27, 2016. The emergency rules shall remain in effect until May 26, 2016; one hundred twenty (120) days after the rules were adopted, unless superseded by publication of a Notice of Final Rulemaking in the *D.C. Register*. Pursuant to Section 31 of the HSRA (D.C. Official Code § 4-756.02), the proposed rules will be transmitted to the Council for the District of Columbia for a forty-five (45) day review period.

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

Chapter 25, SHELTER AND SUPPORTIVE HOUSING FOR INDIVIDUALS AND FAMILIES, of Title 29 DCMR, PUBLIC WELFARE, is amended as follows:

Section 2501, GENERAL ELIGIBILITY CRITERIA FOR SHELTER AND SUPPORTIVE HOUSING, is amended by adding new Subsections 2501.3 through 2501.5 to read as follows:

- 2501.3 The Department or its designee shall provide the following for each individual seeking services:
- (a) An overview of the shelter's policies in regards to the protection of residents based upon actual or perceived sexual orientation and gender identity;
 - (b) The opportunity for the individual to disclose whether he or she requests special placement or care based on safety concerns due to actual or perceived sexual orientation status or gender identity; and
 - (c) The opportunity to disclose, voluntarily and only following a discussion of the shelter's policies and accommodations for LGBTQ populations and ability to safeguard confidential information, the individual's sexual orientation and gender identification and expression; provided that the intake worker and all staff shall conduct this discussion in a culturally competent manner.
- 2501.4 In determining what would be an appropriate referral, the Department or its designee shall consider relevant factors, including:
- (a) Prior receipt of services;
 - (b) Disability;
 - (c) Family size;
 - (d) Affordability of housing;
 - (e) Age; and
 - (f) Whether an individual is an LGBTQ homeless youth.
- 2501.5 The Department or its designees shall enter information detailed in § 2501.4 into HMIS.

Section 2512, CLIENT RIGHTS, is amended by adding new Subsections 2512.20 through 2512.24 to read as follows:

- 2512.20 Clients shall have the right to choose LGBTQ-specific accommodations and services if available or non-LGBTQ-specific accommodations and services.

- 2512.21 Clients shall have the right to receive information from the Department or Providers regarding LGBTQ-specific accommodations and services.
- 2512.22 Clients shall have the right to express their gender identity through their chosen attire, hairstyle, and mannerisms while using Department services.
- 2512.23 Clients served within the Continuum of Care shall have the right to be treated in all ways in accordance with the individual's gender identity and expression, including:
- (a) Use of gender-specific facilities including restrooms, showers, and locker rooms;
 - (b) Being addressed in accordance with the individual's gender identity and expression;
 - (c) Having documentation reflect the individual's gender identity and expression;
 - (d) Being free from dress codes that are in conflict with the individual's gender identity and expression;
 - (e) Confidentiality of information regarding the individual's gender identity and expression; and
 - (f) Being free from discrimination in the provision of health care and mental health services related to the individual's gender identity and expression.
- 2512.24 Families shall not be separated based on sexual orientation, gender expression, or gender nonconformity of any members of the family.

Section 2515, PROVIDER STANDARDS FOR SHELTER AND SUPPORTIVE HOUSING, is amended by adding new Subsections 2515.24 through 2515.27 to read as follows:

- 2515.24 Providers shall publicly display information regarding the ability to seek redress under the Human Rights Act of 1977, effective December 13, 1977 (D.C. Law 2-38; D.C. Official Code §§ 2-1401.01, *et seq.*), as amended.
- 2515.25 Providers shall develop a system for reporting bullying and harassment in accordance with Youth Bullying Prevention Act of 2012, effective September 14, 2012 (D.C. Law 19-167; D.C. Official Code §§ 2-1535.01, *et seq.*), as amended.
- 2515.26 Providers shall ensure that all homeless service workers, including intake workers, direct service staff, contractors, and volunteers, direct service staff managers, and direct service staff supervisors, shall be trained by the District's Office of Lesbian, Gay, Bisexual, Transgender and Questioning Affairs or its

designee in cultural competence with regard to the LGBTQ population, including but not limited to, the following:

- (a) Vocabulary and definitions relevant to LGBTQ clients;
- (b) Information about how to communicate with clients about sexuality, sexual orientation, and gender identity;
- (c) Information about the Department's nondiscrimination policy and discrimination complaint process;
- (d) Best practices for data collection, privacy, storage, and use;
- (e) Confidentiality policies and practices;
- (f) Current social science research and common risk factors for LGBTQ youth;
- (g) Information about the coming out process, its impact on LGBTQ youth, and how to address a youth who self-discloses his or her sexual or gender identity (*e.g.*, offering support, engaging in conversation as appropriate, locating appropriate services);
- (h) Best practices for supporting LGBTQ clients in shelter, housing, and supportive services, including but not limited to information on community resources available to serve LGBTQ clients;
- (i) Suicide awareness and prevention; and
- (j) Legal requirements for providers and homeless service workers for homeless youth.

2515.27 Providers of shelter or supportive housing for LGBTQ homeless youth shall implement research-based family acceptance interventions that are designed to educate families on the impact of rejection towards their LGBTQ children and negative outcomes for LGBTQ youth associated with rejection, including depression, suicidal behavior, drug use, and unprotected sex. Family acceptance interventions may include individual and family sessions, assessment tools, and resources for families that promote acceptance by parents and positive well-being and development of LGBTQ youth.

Section 2521, TRANSFER OF INDIVIDUALS AND FAMILIES IN SHELTER AND SUPPORTIVE HOUSING, is amended by amending Subsection 2521.2 to read as follows:

2521.2 A Provider may transfer a client to another Provider to ensure the client receives the most appropriate services available within the Continuum of Care whenever:

- (a) The client consents to the transfer, including a transfer requested by the client;
- (b) The Provider identifies and secures for the client a placement with another Provider that more appropriately meets the client's medical, mental health, behavioral, or rehabilitative service needs in accordance with the client's Service Plan. If the client is being transferred because of domestic violence or other urgent need, the Provider shall expedite the transfer; or
- (c) The client is a non-LGBTQ-identified youth occupying a bed established pursuant to Section 28(c)(1) of the HSRA (D.C. Official Code § 4-755.01(c)(1)) and an LGBTQ-identified homeless youth has presented a need for shelter; and
- (d) For purposes of this subsection, a more appropriate placement may include transfer to a different level of service or type of program based on the circumstances upon which the transfer is based, including a transfer when the facility or program in which the client is currently receiving services is ending operations.

New Sections 2562 and 2563 are added to read as follows:

2562 LGBTQ HOMELESS YOUTH SHELTER BED GRANT PROGRAM

- 2562.1 In accordance with Section 28(c) of the Homeless Services Reform Act of 2005, effective October 22, 2005 (D.C. Law 16-35; D.C. Official Code § 4-755.01(c)) (HSRA), as amended, a minimum of ten (10) beds shall be maintained for LGBTQ homeless youth through a two (2)-year grant program to establish and maintain facilities for these beds.
- 2562.2 All grants awarded under this section shall be issued in accordance with the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code §§ 1-328.11, *et seq.*), as amended.
- 2562.3 LGBTQ-identified homeless youth shall have priority preference for the beds established through the two (2)-year grant program.
- 2562.4 If beds are not in use by an LGBTQ-identified homeless youth, they may be filled by a non-LGBTQ-identified homeless youth until an LGBTQ-identified homeless youth presents the need for a bed and the non-LGBTQ-identified homeless youth has been transferred pursuant to § 2521.2.
- 2562.5 Eligibility criteria for the grant program shall include but not be limited to the following:
- (a) Be community organizations based in the District;
 - (b) Have expertise in systems of care for LGBTQ homeless youth; and

- (c) Establish or maintain facilities through these grants that protect the safety of LGBTQ homeless youth through facilities that are specifically for LGBTQ youth and separate from any existing homeless services for the general population.
- 2562.6 Prior to award of grant funding and in accordance with § 2562.2, the Department or its designee shall issue a Request for Application (RFA) and Notice of Funding Availability (NOFA) through the District's Office of Partnerships and Grant Services for the two (2)-year grant program.
- 2562.7 The RFA for the two (2)-year grant program shall include but not be limited to information regarding the following:
- (a) The Funding Opportunity Title;
 - (b) The Funding Opportunity Number;
 - (c) The target population of the grant program;
 - (d) Eligible organizations/entities for grant awards;
 - (e) The award period;
 - (f) The grant award amount or amounts;
 - (g) The use of grant funds;
 - (h) The point of contact for additional information and updates regarding the application process; and,
 - (i) The deadline date for applications.
- 2562.8 Subsequent to announcement and issuance of the RFA and in accordance with § 2562.2, the Department or its designee shall host a pre-application conference to inform applicants about the application process for the two (2)-year grant program.
- 2562.9 At least thirty percent (30%) of the grant funding shall be allocated to support proposals received for social innovation and other demonstration projects that may address the needs of this population with new, promising prevention and service-delivery models; provided that the number of beds established for LGBTQ youth is no lower than ten (10).
- 2562.10 This section shall be repealed if the Interagency Council on Homelessness determines that the needs of LGBTQ homeless youth are being met at a rate equal to or higher than the needs of homeless youth in the general population of the

District of Columbia pursuant to Section 5(b-1) of the HSRA (D.C. Official Code § 4-752.02 (b-1)).

2563 LGBTQ YOUTH SERVICES AND DATA COLLECTION

- 2563.1 Homeless services provided by the Department or its designee shall include services specifically designed to alleviate the high risk of homelessness faced by LGBTQ youth.
- 2563.2 Year-round data collection on homeless youth and the annual Point-in-Time survey required by the U.S. Department of Housing and Urban Development shall include data regarding the sexual orientation and gender identity of each individual counted, subject to the individual's discretion to decline to provide that information.
- 2563.3 Services provided by the Department or its designee as well as data collection regarding sexual orientation and gender identity conducted pursuant to the annual Point-in-Time survey shall apply best practices for serving LGBTQ youth.

Section 2599, DEFINITIONS, is amended by adding the following terms and definitions in alphabetical order:

LGBTQ – a person who self-identifies as lesbian, gay, bisexual, transgender, gender nonconforming, queer, or questioning their sexual orientation or gender identity and expression.

Youth – a person who is under twenty-four (24) years of age.

All persons who desire to comment on these proposed rules should submit their comments in writing to Laura Green Zeilinger, Director, Department of Human Services, 64 New York Avenue, N.E., 6th Fl., Washington, DC 20002, **Attn:** Ms. Kristy Greenwalt, Family Services Administration, Interim Administrator, or by email to Kristy.Greenwalt@dc.gov. All comments must be received by the Department of Human Services not later than thirty (30) days after publication of this notice in the *D.C. Register*. Copies of these rules and related information may be obtained by writing to the above address, or by calling the Department of Human Services at (202) 671-4200.

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2016-035
March 10, 2016

SUBJECT: Establishment — Health Information Exchange Policy Board

ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(11) of the District of Columbia Home Rule Act, approved December 24, 1973, Pub. L.93-198, 87 Stat.790, D.C. Official Code § 1-204.22(11) (2014 Repl.), it is hereby **ORDERED** that:

I. ESTABLISHMENT

There is hereby established in the Executive Branch of the Government, a District of Columbia Health Information Exchange Policy Board (hereinafter referred to as the “**Board**”).

II. PURPOSE

The Board shall advise the Mayor and the Directors of the Department of Health Care Finance, Department of Health, Department of Behavioral Health, Department of Human Services, and the Office of the Chief Technology Officer regarding the enhancement and sustainability of secure, protected exchange of health information among health providers and other authorized entities.

III. FUNCTIONS

The Board shall:

1. Make recommendations on the development of policies essential to broad implementation of secure, protected exchange of health information among health providers and other authorized entities;
2. Make recommendations on the Health Information Exchange (“**HIE**”) efforts available and/or underway within the District (or surrounding regions), under the direction and supervision of the Department of Health Care Finance;

3. Make recommendations to the Mayor and the Department of Health Care Finance regarding improving HIE, including its operations, vision, mission, geographic scope, and functional scope; and
4. Make recommendations regarding applicable accountability mechanism(s) and/or governance structure(s) for HIE in the District and strategies to coordinate HIE activities among key stakeholders across state, regional, and local levels.

IV. COMPOSITION

The Board shall be composed of the following twenty-two (22) members, who shall be appointed by the Mayor:

1. The following fifteen (15) public voting members:
 - a. One (1) representative from the District of Columbia Primary Care Association;
 - b. One (1) representative from the District of Columbia Medical Society;
 - c. One (1) representative from the District of Columbia Nurses Association;
 - d. One (1) representative from the District of Columbia Hospital Association;
 - e. One (1) representative from a health plan;
 - f. Four (4) representatives from the public who are either representatives of, or advocates for, beneficiaries or who are not currently employed by an organization that directly provides health care services;
 - g. Five (5) medical providers who provide primary care or specialty care services or individuals who work for a provider organization that provides primary care and/or specialty care services; and
 - h. One (1) individual with health care or information technology experience.
2. The following six (6) District government employees, all of whom shall be *ex officio* voting members:
 - a. Two (2) employees of the Department of Health Care Finance;
 - b. One (1) employee of the Department of Health;
 - c. One (1) employee of the Department of Human Services;

- d. One (1) employee of the Office of the Chief Technology Officer;
 - e. One (1) employee of the Department of Behavioral Health; and
3. The following one (1) District government employee, who shall serve as an *ex officio*, non-voting member:
- a. One (1) employee of the Office of the Deputy Mayor for Health and Human Services.

V. TERMS

- A. Public members of the Board shall serve for a term of three (3) years (except as provided in subsection B of this section). The date on which the first Board members are sworn in shall become the anniversary date for all subsequent appointments.
- B. Members may be appointed to fill unexpired terms as vacancies occur. A member appointed to fill a vacancy in an unexpired term shall be appointed for the remainder of the unexpired term.
- C. District government officials shall serve only while employed in their official positions, and shall serve at the pleasure of the Mayor.
- D. A member may serve beyond the end of his or her term until reappointed or replaced by the Mayor.

VI. COMPENSATION

Members of the Board shall serve without compensation. However, reasonable expenses of the Board may be paid or reimbursed, when approved in advance by the Director of the Department of Health Care Finance, or his or her designee, subject to the availability of appropriations for that purpose, and shall become obligations against funds designated for that purpose, when sufficient budget authority exists to allow payment or reimbursement.

VII. ORGANIZATION

- A. The Board shall be chaired by one of the employees of the Department of Health Care Finance, who shall be appointed by, and shall serve at the pleasure of, the Mayor.
- B. The Board may elect other officers as it may deem appropriate, and may establish its own bylaws and rules of procedure, both subject to the approval of the Mayor, or his or her designee.

- C. The Board may establish subcommittees which may include persons who are not members of the Board, provided that each subcommittee shall be chaired by a member of the Board.
- D. The Board shall establish its own meeting schedule, but shall convene no fewer than once each calendar quarter.
- E. The Board may utilize telephone conferencing or video-conferencing technologies to satisfy the meeting requirements.
- F. The Board shall establish an Advisory Group, with representatives from the public, for-profit, and non-profit sectors, to advise the Board with regard to recommendations for policy governing the HIE.

VIII. CONFLICT OF INTEREST

- A. The Board shall develop and publish procedures to guard against conflicts of interest for its members. These procedures shall provide that no member of the Board shall participate in any way in the consideration of, or making a decision on, a grant to his or her own organization, to any organization offering the same or similar services to his or her own organization, or to any organization of which a family member of the Board member is an officer or employee. The conflict of interest procedures of the Board shall also ensure compliance with section 2602(b)(5)(A) and (B) of the Public Health Service Act (42 USCS § 300ff-12(b)(5)(A) and (B)).
- B. Each member of the Board shall sign a conflict of interest statement describing his or her economic or other relationships (for example, contracts, employment, or grants) with entities that may benefit from, or be otherwise affected by, a decision of the Board.
- C. If a conflict of interest arises for any Board member, the member shall immediately disclose the conflict and either recuse himself or herself from deliberation and debate, from making recommendations, and from participating in the decision-making process related to any matter related to the conflict of interest or resign if the conflict is deemed detrimental to his or her position on the Board as determined by the procedures developed as part of subsection A of this section.

IX. ADMINISTRATION

The Department of Health Care Finance shall provide administrative, clerical, and technical support to the Board to the extent that funds are available.


XI. RESCISSION

Mayor's Order 2012-24, dated February 15, 2012, is hereby rescinded.

XII. EFFECTIVE DATE

This order shall become effective immediately.


MURIEL BOWSER
MAYOR

ATTEST: 
LAUREN C. VAUGHAN
SECRETARY OF THE DISTRICT OF COLUMBIA

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF PUBLIC HEARINGS
CALENDAR

WEDNESDAY, MARCH 23, 2016
2000 14TH STREET, N.W., SUITE 400S
WASHINGTON, D.C. 20009

Donovan W. Anderson, Chairperson
Members: Nick Alberti, Mike Silverstein,
Ruthanne Miller, James Short

Show Cause Hearing (Status) Case # 14-CMP-00399; Fetlework Wolde, t/a Ethiopia Restaurant & Market 4630 14th Street NW, License #91373, Retailer CR, ANC 4C Failed to File Quarterly Statements (1st Quarter 2014)	9:30 AM
Show Cause Hearing (Status) Case # 15-CMP-00827; Joel Mireless Castillo, t/a Dulcinea Bar and Grill, 2618 Georgia Ave NW, License #88870, Retailer CR, ANC 1B Operating After Board Approved Hours	9:30 AM
Show Cause Hearing (Status) Case # 15-CMP-00801; Queen Bee, LLC, t/a Quality Convenience Store 2922 Martin Luther King, JR Ave SE, License #83074, Retailer B, ANC 8C Sold Go-Cups	9:30 AM
Show Cause Hearing (Status) Case # 15-CMP-00782; Roadside Deli, LLC, t/a DGS Delicatessen, 1317 Connecticut Ave NW, License #88831, Retailer CR , ANC 2B No ABC Manager on Duty	9:30 AM
Fact Finding Hearing* Daniel J. Rogers Manager's License Application	9:30 AM
Fact Finding Hearing* CS Bond ST AB-Holding, LLC, t/a The Carlyle Hotel, 1731 New Hampshire Ave NW, License #90805, Retailer CH, ANC 2B Board of Zoning Issue	9:30 AM

Board's Calendar

March 23, 2016

Show Cause Hearing*

10:00 AM

Case # 15-CC-00510; 2608 Connecticut Avenue, LLC, t/a Italian Pizza Kitchen
2608 Connecticut Ave NW, License #85456, Retailer CR, ANC 3C

**Substantial Change without Boards Approval (Increase in Occupancy), No
ABC Manager on Duty, Transfer of Ownership Without Board's Approval**

Fact Finding Hearing*

11:00 AM

Case # 15-251-00225; TAG Ventures, Inc., t/a Bar 7, 1015 7th Street NW
License #82350, Retailer CT, ANC 6E

**Assault Inside of the Establishment, Failed to Follow Security Plan,
Interfered with an Investigation**

BOARD RECESS AT 12:00 PM

ADMINISTRATIVE AGENDA

1:00 PM

Show Cause Hearing*

1:30 PM

Case # 15-CMP-00332, F&A, Inc., t/a Anacostia Market, 1303 Good Hope
Road SE, License #86470, Retailer B, ANC 8A

**No ABC Manager on Duty, Failed to Post License Conspicuously in the
Establishment**

Fact Finding Hearing*

2:30 PM

Temporary License Application

Date of Event: April 16, 2016

Event: 56th Annual Sakura Matsuri - Japanese Street Festival

Applicant: Marc Hitzig, on behalf of Japan-America Society of Washington

Neighborhood: 1200 First Street, SE

Fact Finding Hearing*

3:00 PM

Tipple Supply Co, 1369 New York Ave NE, License #101939, Manufacturer A
ANC 5D

**Intended Business Operations of proposed new Manufacturer A
Establishment**

Fact Finding Hearing*

4:00 PM

Hopeful, Inc., t/a To Be Determined (formerly Bobby Lew's Saloon), 1815
Connecticut Ave NW, License #91955, Retailer CR, ANC 1C

Request to Extend Safekeeping

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

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

**NOTICE OF MEETING
INVESTIGATIVE AGENDA**

**WEDNESDAY, MARCH 23, 2016
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

On March 23, 2016 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#16-251-00035 Ultrabar/Chroma, 911 F ST NW Retailer C Nightclub, License#: ABRA-074767

2. Case#16-CMP-00181 Cobalt/ 30 Degrees/Level One, 1639 - 1641 R ST NW Retailer C Tavern, License#: ABRA-071833

3. Case#16-CMP-00183 Safeway, 1747 COLUMBIA RD NW Retailer B Retail - Grocery, License#: ABRA-072708

4. Case#16-AUD-00008 Thunder Grill, 50 MASSACHUSETTS AVE NE P Retailer C Restaurant, License#: ABRA-026658

5. Case#16-CMP-00182 The Washington Palm, 1225 19TH ST NW Retailer C Restaurant, License#: ABRA-001151

6. Case#16-CC-00008 Nam's Market, 1327 W ST SE Retailer B Retail - Grocery, License#: ABRA-087641

7. Case#16-CC-00022 Sugar, 2121 K ST NW Retailer C Tavern, License#: ABRA-098866

8. Case#16-251-00031 Grace Period, 350 G ST SW, UNIT# N520 Caterer Caterer , License#: ABRA-099262

9. 500 Incorporated, 2419 Evarts ST NE, Unlicensed

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF MEETING
LICENSING AGENDA

WEDNESDAY, MARCH 23, 2016 AT 1:00 PM
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

1. Review Application for Safekeeping of License – Original Request. ANC 2B. SMD 2B08. Pending Enforcement Matters/Fines/Citations. No conflict with Settlement Agreement. *Mimosa Restaurant*, 1915 18th Street NW, Retailer CR, License No. 096758.
-

2. Review Request to add Cover Charge to existing Entertainment Endorsement. ANC 4C. SMD 4C07. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. *The Pitch*, 4015 Georgia Avenue NW, Retailer CT, License No. 095107.
-

***In accordance with D.C. Official Code §2-574(b) of the Open Meetings Amendment Act, this portion of the meeting will be closed for deliberation and to consult with an attorney to obtain legal advice. The Board's vote will be held in an open session, and the public is permitted to attend.**

**DC BILINGUAL PUBLIC CHARTER SCHOOL
NOTICE OF INTENT TO ENTER A SOLE SOURCE CONTRACT**

Urban Teacher Center

DC Bilingual Public Charter School intends to enter into sole source contracts with Urban Teacher Center for staff members to be placed within the school. These teachers are serving as effective classrooms teachers specifically equipped to improve student educational outcomes.

- DC Bilingual Public Charter School constitutes the sole source for Urban Teacher Center is intended for teaching services will lead to student achievement.
 - For further information regarding this notice contact bids@dcbilingual.org no later than **4:00 pm Friday, March 25, 2016**

DC BILINGUAL PUBLIC CHARTER SCHOOL**REQUEST FOR PROPOSALS****Heat and Air Conditioning Services**

The DC Bilingual Public Charter School in compliance with Section 2204 (c) of the District of Columbia School Reform Act of 1995 (“Act”), hereby solicits expressions of interest from Vendors or Consultants for Heat and Air conditioning services.

Proposal Submission

A Portable Document Format (pdf) election version of your proposal must be received by the school no later than **2:00 p.m. EST on March 25, 2016** unless otherwise stated in associated RFP’s. Proposals should be emailed to bids@dcbilingual.org.

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

DC BILINGUAL PUBLIC CHARTER SCHOOL**REQUEST FOR PROPOSALS****Wired/Wireless Network and Operations Consultant**

DC Bilingual Public Charter School is soliciting for procurement of wired and wireless network infrastructure including cabling and equipment and for general operation consulting services. More details about this announcement can be found by contacting bids@dcbilingual.org. Proposals for the network must be submitted no later than 8:00 am on Monday, April 18, 2016. Proposals for the consultant position must be submitted no later than 5pm March 25, 2016.

**EARLY CHILDHOOD ACADEMY PUBLIC CHARTER SCHOOL
NOTICE OF INTENT TO ENTER A SOLE SOURCE CONTRACT**

TenSquare, LLC

Early Childhood Academy Public Charter School (ECA) intends to enter into a sole source contract with TenSquare, LLC to provide Tenant Representative Services to assist the Early Childhood Academy in its efforts to negotiate with the Menkiti Group and represent Early Childhood Academy's interests in the development of a facility at 885 Barnaby Street, SE. The contract value will be approximately \$125,000. ECA's decision to sole source is because TenSquare has unique skills and experience across all aspects of public charter school facility development from financing, design, lease negotiations, permitting, construction management and overall project management. TenSquare's principals also have critical experience using the proposed New Markets Tax Credit Financing planned for the project to develop charter school facilities in the District. Finally, TenSquare has been successfully involved in representing a number of DC Public Charter Schools in lease negotiations. TenSquare provides a unique perspective critical to bringing parties together obtained from previously representing tenants, landlords, and sub-tenants in public charter school facilities lease negotiations.

For further information regarding this notice, contact Wendy Edwards at wedwards@ecapcs.org no later than 12:00 pm Friday, March 25, 2016.

EDUCARE DC
REQUEST FOR PROPOSALS

IT Services

Educare DC is soliciting proposals for comprehensive managed infrastructure and network services. **Proposals are due no later than 5:00 PM on April 14, 2016.** The complete RFP with supporting documentation can be obtained from the school's website – www.educaredc.org or by contacting by email:

Dianna Washington
Administrative Manager
dWASHINGTON@educaredc.org

Requested Services

Educare DC is seeking competitive bids from organizations to provide comprehensive managed infrastructure and network services for our organization. Educare DC is a 501(c)3 organization based in a new state-of-the-art facility in the Parkside-Kenilworth neighborhood of Ward 7. The school serves 157 low-income children (ages 6 weeks to 5 years) and their families with a high quality, research-based early childhood program.

Assumptions and Agreements

Proposals will not be returned. Educare DC reserves the right to dismiss a proposal without providing a reason. Educare DC reserves the right to terminate a contract at any time.

Submission Information

Proposals must include all requested information indicated in the official RFP. Please send final proposals to dWASHINGTON@educaredc.org.

Basis for Award of Contract

Educare DC reserves the right to award a contract as it determines to be in the best interest of the school.

Locally-Owned, Minority-Owned, Female-Owned and Small Businesses are encouraged to apply.

Proposals must be received by April 14, 2016, 5:00PM EST. Late proposals will not be accepted.

**DISTRICT OF COLUMBIA
BOARD OF ELECTIONS****Certification of Filling a Vacancy
In Advisory Neighborhood Commission**

Pursuant to D.C. Official Code §1-309.06(d)(6)(D), If there is only one person qualified to fill the vacancy within the affected single-member district, the vacancy shall be deemed filled by the qualified person, the Board hereby certifies that the vacancy has been filled in the following single-member district by the individual listed below:

Jonah Goodman
Single-Member District 4C10

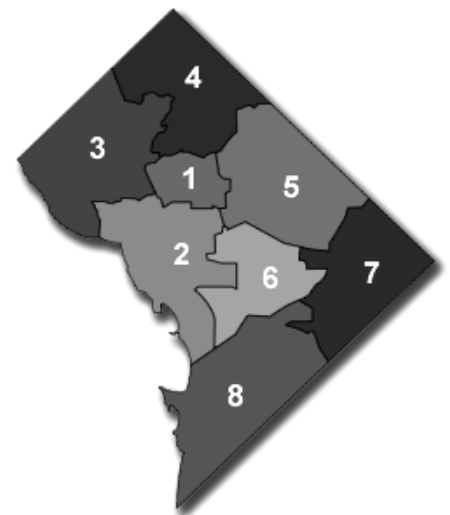
**D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
CITYWIDE REGISTRATION SUMMARY
As Of FEBRUARY 29, 2016**

WARD	DEM	REP	STG	LIB	OTH	N-P	TOTALS
1	40,584	2,661	660	153	112	10,570	54,740
2	26,669	5,258	205	172	98	9,439	41,841
3	34,188	6,337	337	133	89	10,117	51,201
4	45,241	2,155	507	79	118	8,434	56,534
5	47,865	2,102	534	90	149	8,389	59,129
6	49,338	6,323	468	200	151	12,173	68,653
7	45,064	1,207	394	39	109	6,435	53,248
8	41,622	1,185	376	28	131	6,849	50,191
Totals	330,571	27,228	3,481	894	957	72,406	435,537
Percentage By Party	75.90%	6.25%	.80%	.21%	.22%	16.62%	100.00%

DISTRICT OF COLUMBIA BOARD OF ELECTIONS MONTHLY REPORT OF
VOTER REGISTRATION STATISTICS AND REGISTRATION TRANSACTIONS
AS OF THE END OF FEBRUARY 29, 2016

COVERING CITY WIDE TOTALS BY:
WARD, PRECINCT AND PARTY

ONE JUDICIARY SQUARE
441 4TH STREET, NW SUITE 250N
WASHINGTON, DC 20001
(202) 727-2525
<http://www.dcboee.org>



D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
WARD 1 REGISTRATION SUMMARY
As Of FEBRUARY 29, 2016

PRECINCT	DEM	REP	STG	LIB	OTH	N-P	TOTALS
20	1,310	30	9	3	5	220	1,577
22	3,482	332	25	18	10	926	4,793
23	2,503	190	39	15	6	682	3,435
24	2,281	244	32	15	4	714	3,290
25	3,317	383	49	10	5	975	4,739
35	3,043	188	50	16	1	762	4,060
36	3,921	249	66	9	9	1,011	5,265
37	3,066	138	49	9	10	724	3,996
38	2,653	120	55	15	10	679	3,532
39	3,879	208	72	7	11	917	5,094
40	3,692	191	97	13	13	1,005	5,011
41	3,212	181	60	14	15	970	4,452
42	1,649	73	32	2	7	434	2,197
43	1,633	54	19	4	4	348	2,062
137	943	80	6	3	2	203	1,237
TOTALS	40,584	2,661	660	153	112	10,570	54,740

**D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
WARD 2 REGISTRATION SUMMARY
As Of FEBRUARY 29, 2016**

PRECINCT	DEM	REP	STG	LIB	OTH	N-P	TOTALS
2	736	163	10	11	9	468	1,397
3	1,448	362	17	9	9	626	2,471
4	1,572	465	4	12	4	685	2,742
5	1,896	577	10	13	7	678	3,181
6	2,064	825	19	9	15	1,137	4,069
13	1,148	223	5	3	1	364	1,744
14	2,517	428	21	14	8	816	3,804
15	2,642	342	23	20	7	778	3,812
16	3,231	395	26	15	11	830	4,508
17	4,015	563	34	23	10	1,212	5,857
129	2,085	335	14	15	4	780	3,233
141	2,029	260	12	14	9	575	2,899
143	1,286	320	10	14	4	490	2,124
TOTALS	26,669	5,258	205	172	98	9,439	41,841

**D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
WARD 3 REGISTRATION SUMMARY
As Of FEBRUARY 29, 2016**

PRECINCT	DEM	REP	STG	LIB	OTH	N-P	TOTALS
7	1,185	373	16	3	2	537	2,116
8	2,290	612	27	4	7	719	3,659
9	1,067	498	6	11	6	450	2,038
10	1,650	390	15	6	6	619	2,686
11	3,071	886	39	19	9	1,188	5,212
12	424	178	2	1	3	181	789
26	2,537	320	24	9	5	764	3,659
27	2,332	255	21	12	1	564	3,185
28	2,142	483	32	9	5	694	3,365
29	1,232	243	10	6	8	364	1,863
30	1,238	206	12	4	4	274	1,738
31	2,226	307	19	4	8	532	3,096
32	2,516	295	20	3	5	568	3,407
33	2,622	296	27	6	4	617	3,572
34	3,073	387	29	19	4	906	4,418
50	1,934	250	14	4	5	437	2,644
136	714	98	6	2	1	245	1,066
138	1,935	260	18	11	6	458	2,688
TOTALS	34,188	6,337	337	133	89	10,117	51,201

**D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
WARD 4 REGISTRATION SUMMARY
As Of FEBRUARY 29, 2016**

PRECINCT	DEM	REP	STG	LIB	OTH	N-P	TOTALS
45	2,028	69	29	7	4	362	2,499
46	2,648	84	36	5	10	505	3,288
47	2,882	150	37	6	11	699	3,785
48	2,615	134	29	6	5	527	3,316
49	800	43	18	0	5	179	1,045
51	3,155	507	26	8	5	607	4,308
52	1,205	167	5	0	2	214	1,593
53	1,153	68	20	1	4	236	1,482
54	2,253	78	25	1	5	448	2,810
55	2,326	75	17	2	9	408	2,837
56	2,849	92	34	7	7	610	3,599
57	2,309	69	36	6	13	431	2,864
58	2,113	53	16	4	3	349	2,538
59	2,459	83	28	7	6	404	2,987
60	1,964	65	20	3	4	573	2,629
61	1,482	50	11	1	2	252	1,798
62	3,052	119	26	2	3	361	3,563
63	3,339	119	54	3	11	628	4,154
64	2,174	62	17	8	4	315	2,580
65	2,435	68	23	2	5	326	2,859
Totals	45,241	2,155	507	79	118	8,434	56,534

**D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
WARD 5 REGISTRATION SUMMARY
As Of FEBRUARY 29, 2016**

PRECINCT	DEM	REP	STG	LIB	OTH	N-P	TOTALS
19	4,001	187	67	11	5	920	5,191
44	2,592	216	28	9	14	637	3,496
66	4,275	100	39	4	8	521	4,947
67	2,807	97	21	2	7	391	3,325
68	1,762	154	22	6	8	347	2,299
69	1,973	66	14	1	11	253	2,318
70	1,386	78	20	1	3	200	1,688
71	2,285	65	25	1	8	314	2,698
72	4,006	112	31	6	13	674	4,842
73	1,821	85	28	6	5	321	2,266
74	4,111	209	57	7	11	826	5,221
75	3,301	179	50	14	8	727	4,279
76	1,313	58	13	1	4	263	1,652
77	2,572	100	19	5	10	432	3,138
78	2,771	87	32	5	10	463	3,368
79	1,915	74	17	3	11	340	2,360
135	2,852	186	40	6	9	520	3,613
139	2,122	49	11	2	4	240	2,428
TOTALS	47,865	2,102	534	90	149	8,389	59,129

D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
WARD 6 REGISTRATION SUMMARY
As Of FEBRUARY 29, 2016

PRECINCT	DEM	REP	STG	LIB	OTH	N-P	TOTALS
1	3,981	489	43	19	8	1,067	5,607
18	4,392	335	39	17	12	961	5,756
21	1,120	56	12	3	1	258	1,450
81	4,352	358	36	10	16	893	5,665
82	2,399	241	27	11	10	550	3,238
83	4,234	563	31	20	11	1,101	5,960
84	1,882	391	20	6	7	508	2,814
85	2,573	496	21	14	9	683	3,796
86	2,054	245	26	7	6	440	2,778
87	2,619	253	20	3	11	541	3,447
88	2,040	268	14	5	7	485	2,819
89	2,408	623	21	12	5	727	3,796
90	1,507	245	13	7	10	471	2,253
91	3,814	371	37	16	12	913	5,163
127	3,753	272	46	17	8	771	4,867
128	2,268	207	31	9	6	601	3,122
130	725	282	6	2	2	251	1,268
131	1,856	463	12	17	7	579	2,934
142	1,361	165	13	5	3	373	1,920
TOTALS	49,338	6,323	468	200	151	12,173	68,653

**D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
WARD 7 REGISTRATION SUMMARY
As Of FEBRUARY 29, 2016**

PRECINCT	DEM	REP	STG	LIB	OTH	N-P	TOTALS
80	1,411	85	13	2	2	249	1,762
92	1,542	37	11	1	6	235	1,832
93	1,449	43	19	2	4	211	1,728
94	1,930	53	18	0	3	296	2,300
95	1,484	43	15	0	2	257	1,801
96	2,237	65	21	1	7	353	2,684
97	1,402	39	16	1	5	196	1,659
98	1,761	45	22	1	4	246	2,079
99	1,316	41	14	3	4	212	1,590
100	2,099	40	14	2	5	247	2,407
101	1,529	24	15	1	5	166	1,740
102	2,281	54	19	0	6	306	2,666
103	3,344	76	35	4	12	523	3,994
104	2,728	73	23	5	11	391	3,231
105	2,297	61	21	3	4	364	2,750
106	2,709	52	17	1	8	383	3,170
107	1,561	49	13	1	4	229	1,857
108	1,068	29	7	1	0	120	1,225
109	899	34	4	1	1	91	1,030
110	3,593	90	22	5	6	403	4,119
111	2,493	66	21	1	6	403	2,990
113	1,974	56	20	2	3	244	2,299
132	1,957	52	14	1	1	310	2,335
TOTALS	45,064	1,207	394	39	109	6,435	53,248

**D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
WARD 8 REGISTRATION SUMMARY
As Of FEBRUARY 29, 2016**

PRECINCT	DEM	REP	STG	LIB	OTH	N-P	TOTALS
112	1,959	59	10	0	6	279	2,313
114	3,080	104	27	1	19	533	3,764
115	2,682	69	19	6	6	621	3,403
116	3,765	92	35	5	11	602	4,510
117	1,888	41	18	1	7	308	2,263
118	2,487	64	25	1	5	405	2,987
119	2,701	102	36	0	11	517	3,367
120	1,794	33	18	2	3	290	2,140
121	3,012	70	26	1	9	440	3,558
122	1,555	38	15	0	8	217	1,833
123	2,005	111	25	5	10	308	2,464
124	2,391	54	16	1	3	327	2,792
125	4,169	101	33	1	9	680	4,993
126	3,321	111	33	2	11	624	4,102
133	1,187	38	11	0	2	163	1,401
134	1,934	40	23	1	4	275	2,277
140	1,692	58	6	1	7	260	2,024
TOTALS	41,622	1,185	376	28	131	6,849	50,191

**D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
CITYWIDE REGISTRATION ACTIVITY**

For voter registration activity between 1/31/2016 and 2/29/2016

NEW REGISTRATIONS	DEM	REP	STG	LIB	OTH	N-P	TOTAL
Beginning Totals	332,561	27,472	3,540	897	954	72,949	438,373
Board of Elections Over the Counter	140	20	2	0	0	30	192
Board of Elections by Mail	129	20	0	1	2	20	172
Board of Elections Online Registration	343	55	0	1	1	49	449
Department of Motor Vehicle	1,298	194	16	6	13	578	2,105
Department of Disability Services	3	0	0	0	0	2	5
Office of Aging	0	0	0	0	0	0	0
Federal Postcard Application	0	0	0	0	0	0	0
Department of Parks and Recreation	0	0	0	0	0	0	0
Nursing Home Program	0	0	0	0	0	0	0
Dept. of Youth Rehabilitative Services	8	0	0	0	0	2	10
Department of Corrections	1	0	0	0	0	3	4
Department of Human Services	5	0	0	0	0	0	5
Special / Provisional	0	0	0	0	0	0	0
All Other Sources	26	2	0	0	0	2	30
+Total New Registrations	1,944	286	17	8	16	685	2,954

ACTIVATIONS	DEM	REP	STG	LIB	OTH	N-P	TOTAL
Reinstated from Inactive Status	367	26	2	0	1	81	477
Administrative Corrections	9	0	0	0	6	3	18
+TOTAL ACTIVATIONS	376	26	2	0	7	84	495

DEACTIVATIONS	DEM	REP	STG	LIB	OTH	N-P	TOTAL
Changed to Inactive Status	86	13	1	0	0	37	137
Moved Out of District (Deleted)	3	0	0	0	0	5	8
Felon (Deleted)	0	0	0	0	0	0	0
Deceased (Deleted)	705	36	7	1	0	75	824
Administrative Corrections	3,790	555	56	14	0	894	5,309
-TOTAL DEACTIVATIONS	4,584	604	64	15	0	1,011	6,278

AFFILIATION CHANGES	DEM	REP	STG	LIB	OTH	N-P	
+ Changed To Party	453	111	15	17	9	162	
- Changed From Party	-179	-63	-29	-13	-29	-463	
ENDING TOTALS	330,571	27,228	3,481	894	957	72,406	435,537

DEPARTMENT OF ENERGY AND ENVIRONMENT**PUBLIC NOTICE**

Notice is hereby given that, pursuant to 40 C.F.R. Part 51.161, D.C. Official Code §2-505, and 20 DCMR § 200, the Air Quality Division (AQD) of the Department of Energy and Environment (DOEE), located at 1200 First Street NE, 5th Floor, Washington, DC, intends to issue an air quality permit (#5585-R3) to Super Concrete Corporation to operate an existing ready mix concrete batch plant at 5001 Fort Totten Drive NE. The contact person for the facility is Josep Maset, Vice President/General Manager, at (301) 982-1400. The applicant's mailing address is 6401 Golden Triangle Drive, Suite 400, Greenbelt, MD 20770.

This proposed permit renewal would grant approval to operate both the previously existing plant (previously permitted under permit #5585-R2-A1) and an alternate control device (previously permitted under permit #5585-C2). This permitting action will not result in any change in the potential emissions of the facility.

The proposed emission limits are as follows:

- a. Emissions of dust shall be minimized in accordance with the requirements of 20 DCMR 605 and the "Operational Limitations" of this 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. The discharge of particulate matter into the atmosphere from any process shall not exceed three hundredths (0.03) grains per dry standard cubic foot of the exhaust. [20 DCMR 603.1]
- d. Visible emissions shall not be emitted from these unit except that discharges not exceeding 40% opacity (unaveraged) shall be permitted for two (2) minutes in any sixty (60) minutes period and for an aggregate of twelve (12) minutes in any twenty-four (24) hours period during start-up, cleaning, 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]

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
Department of Energy and Environment
1200 First Street NE, 5th Floor
Washington, DC 20002
Stephen.Ours@dc.gov

No written comments or hearing requests postmarked after April 18, 2016 will be accepted.

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

DEPARTMENT OF ENERGY AND ENVIRONMENT**PUBLIC NOTICE**

Notice is hereby given that, pursuant to 40 C.F.R. Part 51.161, D.C. Official Code §2-505, and 20 DCMR §210, the Air Quality Division (AQD) of the Department of Energy and Environment (DOEE), located at 1200 First Street NE, Washington, DC, intends to issue a permit (#6594-R1) to George Washington University (GWU) to operate one existing (1) 200 kWe Cummins emergency generator set with a Cummins diesel engine rated at 324 bhp (242 kWm) gross engine output. The generator is to be located Law Learning Center, 2028 G Street NW, Washington DC. The contact person for the facility is Doug Spengel, Energy and Environmental Manager, Facilities Services, phone number: 202-994-6067.

The application to construct and operate the emergency generator and the draft permit are available for public inspection at AQD and copies may be made 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, a written request for a public hearing, or both, on the draft permit action within thirty (30) days of publication of this notice. The written comments or a written request for a public hearing 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 or outcome from a public hearing will be considered in issuing the final permit. Comments or a request for a public hearing should be addressed to:

Stephen S. Ours
Chief, Permitting Branch
Air Quality Division
Department of Energy and Environment
1200 First Street NE, 5th Floor
Washington, DC 20002

No written comments postmarked after April 18, 2016 will be accepted.

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

DEPARTMENT OF ENERGY AND ENVIRONMENT**PUBLIC NOTICE**

Notice is hereby given that, pursuant to 40 C.F.R. Part 51.161, D.C. Official Code §2-505, and 20 DCMR §210, the Air Quality Division (AQD) of the Department of Energy and Environment (DOEE), located at 1200 First Street NE, 5th Floor, Washington, DC, intends to issue air quality permit Nos. 7051, 7052 and 7053 to CC OWNER LLC to operate two (2) 32.7 million BTU per hour and one (1) 14.3 million BTU per hour dual fuel (natural gas and No. 2 fuel oil) fired Cleaver Brooks boilers at the Constitution Center, located at 400 7th Street SW, Washington, DC 20024. These units were previously permitted for operation by a different owner. The contact person for the facility is William E. Scanlin Jr., Engineering Manager, at (202) 484-4000. The facility's mailing address is 400 7th Street SW, Washington, DC 20024.

The permit applications and supporting documentation, along with the draft permits 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, P.E.
Chief, Permitting Branch
Air Quality Division
Department of Energy and Environment
1200 First Street NE, 5th Floor
Washington, DC 20002
Stephen.Ours@dc.gov

No written comments or hearing requests postmarked after April 18, 2016 will be accepted.

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

DEPARTMENT OF ENERGY AND ENVIRONMENT**PUBLIC NOTICE**

Notice is hereby given that, pursuant to 40 C.F.R. Part 51.161, D.C. Official Code §2-505, and 20 DCMR §210, the Air Quality Division (AQD) of the Department of Energy and Environment (DOEE), located at 1200 First Street NE, 5th Floor, Washington, DC, intends to issue air quality permit Nos. 7054 and 7055 to CC OWNER LLC to operate two (2) existing Cummins model DQFAD, 1,000 kWe emergency generator sets with 1,490 hp diesel-fired engines at the Constitution Center, located at 400 7th Street SW, Washington, DC 20024. These units were previously permitted for operation by a different owner. The contact person for the facility is William E. Scanlin Jr., Engineering Manager, at (202) 484-4000. The facility's mailing address is 400 7th Street SW, Washington, DC 20024.

The permit applications and supporting documentation, along with the draft permits 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, P.E.
Chief, Permitting Branch
Air Quality Division
Department of Energy and Environment
1200 First Street NE, 5th Floor
Washington, DC 20002
Stephen.Ours@dc.gov

No written comments or hearing requests postmarked after April 18, 2016 will be accepted.

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

DEPARTMENT OF ENERGY AND ENVIRONMENT**PUBLIC NOTICE**

Notice is hereby given that, pursuant to 40 C.F.R. Part 51.161, D.C. Official Code §2-505, and 20 DCMR §210, the Air Quality Division (AQD) of the Department of Energy and Environment (DOEE), located at 1200 First Street NE, Washington, DC, intends to issue a permit (#7070) to CenturyLink Communications, LLC to operate the existing emergency generator set listed below. The emission unit is located at 1220 L Street NW, Suite 1B, Washington DC 20005. The contact person for the facility is Harlan Pincus, Senior Regional EHS Engineer, at (914) 686-7952.

Emission Unit Name	Engine Serial No.	Generator (Engine) Size	Description
Emergency Generator	47R04826	350 kWe (519 hp)	One 519 hp Cat diesel engine associated with a 350 kWe generator.

The proposed emission limits are as follows:

- a. 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].
- b. An emission into the atmosphere of odorous or other air pollutants from any source in any quantity and of any characteristic, and duration which is, or is likely to be injurious to the public health or welfare, or which interferes with the reasonable enjoyment of life or property is prohibited. [20 DCMR 903.1]

The estimated maximum emissions from the emergency generator set are as follows:

Pollutant	Maximum Annual Emissions (tons/yr)
Carbon Monoxide (CO)	0.87
Oxides of Nitrogen (NO _x)	4.02
Volatile Organic Compounds (VOC)	0.32
Total Particulate Matter (PM Total)	0.29
Oxides of Sulfur (SO _x)	0.27

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

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

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

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

No written comments or hearing requests postmarked after April 18, 2016 will be accepted.

DEPARTMENT OF ENERGY AND ENVIRONMENT**PUBLIC NOTICE**

Notice is hereby given that, pursuant to 40 C.F.R. Part 51.161, D.C. Official Code §2-505, and 20 DCMR §210, the Air Quality Division (AQD) of the Department of Energy and Environment (DOEE), located at 1200 First Street NE, Washington, DC, intends to issue a permit (#7071) to CenturyLink Communications, LLC to operate the existing emergency generator set listed below. The emission unit is located at 1500 Eckington Place NE, Washington DC 20002. The contact person for the facility is Harlan Pincus, Senior Regional EHS Engineer, at (914) 686-7952.

Emission Unit Name	Engine Serial No.	Generator (Engine) Size	Description
Emergency Generator	6HN00622	2000 kWe (2848 hp)	One 2848 hp Cat diesel engine associated with a 2000 kWe generator.

The proposed emission limits are as follows:

- a. 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].
- b. An emission into the atmosphere of odorous or other air pollutants from any source in any quantity and of any characteristic, and duration which is, or is likely to be injurious to the public health or welfare, or which interferes with the reasonable enjoyment of life or property is prohibited. [20 DCMR 903.1]

The estimated maximum emissions from the emergency generator set are as follows:

Pollutant	Maximum Annual Emissions (tons/yr)
Carbon Monoxide (CO)	1.0
Oxides of Nitrogen (NO _x)	10.3
Volatile Organic Compounds (VOC)	0.28
Total Particulate Matter (PM Total)	0.23
Oxides of Sulfur (SO _x)	2.6

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

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

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

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

No written comments or hearing requests postmarked after April 18, 2016 will be accepted.

DEPARTMENT OF ENERGY AND ENVIRONMENT**PUBLIC NOTICE**

Notice is hereby given that, pursuant to 40 C.F.R. Part 51.161, D.C. Official Code §2-505, and 20 DCMR §210, the Air Quality Division (AQD) of the Department of Energy and Environment (DOEE), located at 1200 First Street NE, Washington, DC, intends to issue a permit (#7072) to CenturyLink Communications, LLC to operate the existing emergency generator set listed below. The emission unit is located at 60 Massachusetts Ave. NE, Washington DC 20002. The contact person for the facility is Harlan Pincus, Senior Regional EHS Engineer, at (914) 686-7952.

Emission Unit Name	Engine Serial No.	Generator (Engine) Size	Description
Emergency Generator	4561072	125 kWe (207 hp)	One 207 hp Cummins diesel engine associated with a 125 kWe generator.

The proposed emission limits are as follows:

- a. 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].
- b. An emission into the atmosphere of odorous or other air pollutants from any source in any quantity and of any characteristic, and duration which is, or is likely to be injurious to the public health or welfare, or which interferes with the reasonable enjoyment of life or property is prohibited. [20 DCMR 903.1]

The estimated maximum emissions from the emergency generator set are as follows:

Pollutant	Maximum Annual Emissions (tons/yr)
Carbon Monoxide (CO)	0.373
Oxides of Nitrogen (NO _x)	1.215
Volatile Organic Compounds (VOC)	0.036
Total Particulate Matter (PM Total)	0.029
Oxides of Sulfur (SO _x)	0.068

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

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

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

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

No written comments or hearing requests postmarked after April 18, 2016 will be accepted.

DEPARTMENT OF ENERGY AND ENVIRONMENT

NOTICE OF AN AMENDED REQUEST FOR PROPOSALS**District of Columbia Sustainable Energy Utility**

Notice is hereby given that the Mayor, by and through the Department of Energy and Environment (the Department) is amending the Request for Proposals (RFP) for the District of Columbia Sustainable Energy Utility (DCSEU), originally issued on February 19, 2016 (63 D.C. Reg. 2030 (2016)), in accordance with section 201 of the Clean and Affordable Energy Act of 2008, (D.C. Law 17-250; D.C. Official Code, § 8-1773.01 *et seq.*) (CAEA). The amendments extend the deadline for response to the RFP until 5:00 pm EST on Monday April 18, 2016 and add additional requirements and evaluation criteria for responses to the RFP. Additionally, the Department has received several questions regarding the RFP, and has posted its responses on the Department's website.

A person may obtain a copy of the amendments to the RFP, and the Department's answers to submitted questions, by any of the following methods:

Download from the Department's website, at www.doe.dc.gov. Look for the title/section, "EnergySmartDC", click on it, choose "Sustainable Energy Utility" and click on it. Page down to the section titled "DCSEU Links" to find the document's listing. Click on it. Follow the link to the page, and to the documents in PDF format, which can be downloaded;

Email a request to DCSEURFP.DOEE@dc.gov, with "Request copy of amendments to DCSEU 2016 RFP and related questions and answers" in the subject line;

Pick up a copy in person from the Department reception desk, located at located at 1200 First Street NE, 5th Floor, Washington, DC 20002. Call the Department's reception at 202-535-2600 and mention the RFP by name;

Write the Department at 1200 First Street NE, 5th Floor, Washington, DC 20002, "Attn: Request copy of amendments to DCSEU 2016 RFP" on the outside of the letter.

DEPARTMENT OF ENERGY AND ENVIRONMENT
NOTICE OF SOLICITATION OF PUBLIC COMMENT

Anacostia River Sediments: Draft Phase I Remedial Investigation Report

Notice is hereby given that the Department of Energy and Environment (the Department) is soliciting comments from the public on an Anacostia River Sediment Draft Phase I Remedial Investigation Report. The Remedial Investigation seeks to identify the nature and extent of contamination found within the river's sediments. The Remedial Investigation includes sampling throughout the river conducted in accordance with a previously disseminated work plan. *See* 61 D.C. Reg. 898 (Jan. 31, 2014). The sampling results were analyzed by a technical consultant under contract with the Department to make findings and determinations about the state of contamination in the river. Those findings and determinations are detailed in the draft Phase I Remedial Investigation Report now available for public review and comment. While the first phase of the Remedial Investigation took a comprehensive look at the tidal Anacostia River, some data gaps remain, which will require additional investigation during the second phase, prior to the release of a Feasibility Study.

For purposes of this investigation, the Department is partnering with the National Park Service (NPS), which is the lead federal agency responsible for the investigation of contaminated sediments in the Anacostia River. In the interests of transparency and to provide an opportunity for public participation in this process at the earliest possible time, the agencies are releasing the Draft Phase I Remedial Investigation Report for public comment in advance of any review by either the Department or NPS. For that reason, the Draft Report may be revised based on future agency review of the Draft Report, as well as any comments received from the public.

A person may obtain a copy of the Draft Phase I Remedial Investigation Report by any of the following means:

Download from the Department's website, at <http://doee.dc.gov/anacostiasediment>;

Visit the Francis A. Gregory Neighborhood Library at 3660 Alabama Avenue SE, Washington, DC 20020 or the Rosedale Neighborhood Library at 1701 Gales Street NE, Washington, DC 20002 during normal business hours.

The Department is committed to considering fully and carefully all public comments received on the Draft Report prior to finalizing and issuing the Phase I Remedial Investigation Report. Interested persons may submit written comments on the Draft Report, 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 no later than forty-five (45) days from the date of this notice's publication in the *D.C. Register*.** To help with responding to comments, the Department suggests submitting comments using the electronic comment form, which can be accessed at the above webpage.

Comments should be clearly marked “Anacostia Draft Phase I Remedial Investigation Report Comments” and either:

- 1) E-mailed to DOEE.sedimentproject@dc.gov,
- 2) Mailed or hand-delivered to the Department of Energy and Environment, Dev Murali, 1200 First Street NE, 5th Floor, Washington, DC 20002, or
- 3) If reviewing at a library location, a comment form may be submitted to a representative at the library.

The Department will consider all timely received comments before finalizing the Phase I Remedial Investigation Report. 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 e-mail 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 e-mail 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.

EXCEL ACADEMY PUBLIC CHARTER SCHOOL
NOTICE OF INTENT TO ENTER A SOLE SOURCE CONTRACT

Teach for America

Excel Academy Public Charter Schools intends to enter into sole source contracts with Teach for America for Corps members to be placed within the school. These teachers are committed to closing the achievement gap by serving as effective classrooms teachers specifically equipped to enhance student achievement.

- Excel Public Charter School constitutes the sole source for Teach for America is intended for teaching services will lead to student achievement.
 - For further information regarding this notice contact bids@excelpcs.org no later than **4:00 pm Monday, March 28, 2016**

DEPARTMENT OF HEALTH**PUBLIC NOTICE**

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

The Board’s next regular meeting will be held on Thursday, March 24, 2016 from 4:00 PM to 6:00 PM. The meeting will be open to the public from 4:00 PM until 5:00 PM to discuss various agenda items and any comments and/or concerns from the public. In accordance with Section 405(b) of the Open Meetings Act of 2010, D.C. Official Code § 2-574(b), the meeting will be closed from 5:00 PM to 6:00 PM to plan, discuss, or hear reports concerning licensing issues, ongoing or planned investigations of practice complaints, and or violations of law or regulations.

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

DEPARTMENT OF HUMAN RESOURCES
NOTICE OF EXCEPTED SERVICE EMPLOYEES
AS OF MARCH 1, 2016

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				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service - Reg Appt	Akins	Lamont	Chief Of Staff	07
Excepted Service - Reg Appt	Afoakwah	Kimberly	Associate Director	5
Excepted Service - Reg Appt	Alexander- Reid	Sheila	Director	E3
Executive Service - Reg Appt	Anthony	Lavita	Executive Assistant	7
Excepted Service - Reg Appt	Barge	Lolita	Director of Legislative Support	8
Excepted Service - Reg Appt	Barnes	Lafayette	Director, Office of Partnerships & Grants Dev	10
Excepted Service - Reg Appt	Bashford	Janice	Associate Director	6
Excepted Service - Reg Appt	Bassett	Kimberly	Executive Director Commission On Women	7
Excepted Service - Reg Appt	Batchelor	Markus	Outreach & Service Specialist	5

OFFICE OF THE MAYOR				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service - Reg Appt	Benab	Yasmin	Outreach & Service Specialist	5
Excepted Service - Reg Appt	Bennett	Jordan	Public Affairs Specialist	5
Excepted Service - Reg Appt	Boucree	Catherine	Program Support Specialist	11
Excepted Service - Reg Appt	Bowser	Muriel	Mayor	0
Executive Service - Reg Appt	Case	Benjamin	Outreach & Service Specialist	5
Excepted Service - Reg Appt	Cavendish	Elizabeth	General Counsel	11
Excepted Service - Reg Appt	Christian	Hassan	Policy Analyst	5
Excepted Service - Reg Appt	Clark	Joshua	Associate Director Of Scheduling	3
Excepted Service - Reg Appt	Colbert	Derrick	Outreach & Service Specialist	5
Excepted Service - Reg Appt	Coombs	John	Deputy Director	8
Excepted Service - Reg Appt	Czin	Michael	Director Of Communications	10
Excepted Service - Reg Appt	Dawson	Earnestine	Digital Director	6
Excepted Service - Reg Appt	Douglas	Danielle	Special Assistant	5

OFFICE OF THE MAYOR				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service - Reg Appt	Downing	Roberta	Deputy Director	8
Excepted Service - Reg Appt	Doxen	Edward	Outreach & Service Specialist	5
Career Service - Term Appt	Estes	Maia	Dir, Pol & Legislative Affairs	11
Excepted Service - Reg Appt	Falcicchio	John	CHIEF OF STAFF	11
Excepted Service - Reg Appt	Felder	Wendell	Outreach & Service Specialist	5
Excepted Service - Reg Appt	Fink	Jason	Director Of Scheduling	7
Excepted Service - Reg Appt	Foster	Latoya	Senior Communications Officer	8
Excepted Service - Reg Appt	George	Deborah	Policy Analyst	6
Excepted Service - Reg Appt	Hawkins	James	Deputy General Counsel	10
Excepted Service - Reg Appt	Herrell	Arlen	Associate Director	11
Excepted Service - Reg Appt	Hines	Charon	Director, Community Affairs	10
Excepted Service - Reg Appt	Hunter	Delano	Chief Service Officer	9
Excepted Service - Reg Appt	Isaac	Donald	Director	6

OFFICE OF THE MAYOR				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service - Reg Appt	Jackson	Gregory	Director of Community Relation	9
Excepted Service - Reg Appt	Karnofsky	Alan	Associate Director	5
Excepted Service - Reg Appt	Laney	Terrance	DEPUTY DIR	6
Excepted Service - Reg Appt	Langford	Craig	Digital Director	6
Excepted Service - Reg Appt	Locher	Jeanne	Staff Assistant	2
Excepted Service - Reg Appt	Maggard	Ian	Outreach & Service Specialist	5
Executive Service - Reg Appt	Matthews	Michael	Outreach & Service Specialist	5
Excepted Service - Reg Appt	Mcauley	Phillip	Outreach & Service Specialist	5
Excepted Service - Reg Appt	Mcdowney	Carole	Clerical Assistant (OA)	2
Excepted Service - Reg Appt	Oruh	Chioma	Deputy Director	6
Excepted Service - Reg Appt	Parker	Lindsey	Deputy Chief Of Staff	11
Excepted Service - Reg Appt	Rojo	Luis	Outreach & Service Specialist	5
Excepted Service - Reg Appt	Samba	Mamadou	Director of African Affairs	E1

OFFICE OF THE MAYOR				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Executive Service - - Reg Appt	Sereke-Brhan	Heran	Program Analyst (Bilingual)	6
Excepted Service - Reg Appt	Slattery	James	Correspondence Officer	8
Excepted Service - Reg Appt	Spriggs	Sareeta	Special Assistant	7
Excepted Service - Reg Appt	Stefani	Michael	Associate Director	5
Excepted Service - Reg Appt	Talamante	Tomas	Associate Director	6
Excepted Service - Reg Appt	Tondoneh Munu	Sward	Travelling Chief Of Staff	6
Excepted Service - Reg Appt	Walker	Steven	Director, Office Of Talent and Appointments	9
Excepted Service - Reg Appt	Williams	Malik	Outreach & Service Specialist	5
Excepted Service - Reg Appt	Wright	Angela	Associate Director	5
Excepted Service - Reg Appt	Branch	Rahman	Exec. Director, Office of African American Affairs	07
Excepted Service - Reg Appt	Brown	Ajan	Program Analyst	03
Excepted Service - Reg Appt	Dugger	Tony	Executive Director, Commission	07

DEPUTY MAYOR FOR GREATER ECONOMIC OPPORTUNITY				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service - Reg Appt	Beasley	Amber	Director of Operations	03
Excepted Service - Reg Appt	Fletcher	Tina	Community Engagement Director	07
Excepted Service - Reg Appt	Leach	Faith	Chief of Staff	08
Excepted Service - Reg Appt	Nunez	Molly	Public Information Officer	05
Excepted Service - Reg Appt	Snowden	Courtney	Deputy Mayor, Greater Economic Opportunity	11

OFFICE OF ADMINISTRATIVE HEARINGS				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service - Term Appt	Adams	Eugene	Chief Administrative Law Judge	11
Excepted Service - Reg Appt	Barber	Claudia	Administrative Law Judge	09
Excepted Service - Reg Appt	Beatty-Arthur	Sherri	Administrative Law Judge	09
Excepted Service - Reg Appt	Bruch	Eli	Administrative Law Judge	09
Excepted Service - Reg Appt	Cobbs	Nicholas	Administrative Law Judge	09

Excepted Service - Reg Appt	Crichlow	Claudia	Administrative Law Judge	09
Excepted Service - Reg Appt	Davenport	Joan	Administrative Law Judge	09
Excepted Service - Reg Appt	Dean	John	Administrative Law Judge	09
Excepted Service - Reg Appt	Ellis	Maia	Attorney-Advisor (General)	07
Excepted Service - Reg Appt	England	William	Administrative Law Judge	09
Excepted Service - Reg Appt	Figueroa	Elizabeth	Administrative Law Judge	09
Excepted Service - Reg Appt	Goode	Jesse	Administrative Law Judge	09
Excepted Service - Reg Appt	Goodie	Sharon	Administrative Law Judge	09
Excepted Service - Reg Appt	Gurkin	Danielle	Attorney-Advisor	07
Excepted Service - Reg Appt	Handy	Paul	Administrative Law Judge	09
Excepted Service - Reg Appt	Harmon	James	Administrative Law Judge	09
Excepted Service - Reg Appt	Harvey	Scott	Administrative Law Judge	09
Excepted Service - Reg Appt	Hines	Caryn	Administrative Law Judge	09
Excepted Service - Reg Appt	Jenkins	Audrey	Administrative Law Judge	09
Excepted Service - Reg Appt	Little	Elsie	Administrative Law Judge	09

Excepted Service - Reg Appt	Mangan	Margaret	Administrative Law Judge	09
Excepted Service - Reg Appt	Masulla	Mary	Administrative Law Judge	09
Excepted Service - Reg Appt	McClendon	Samuel	Administrative Law Judge	09
Excepted Service - Reg Appt	Mcdonald	Calonette	Administrative Law Judge	09
Excepted Service - Reg Appt	Meek	Leslie	Administrative Law Judge	09
Excepted Service - Reg Appt	Natale	Vanessa	General Counsel	09
Excepted Service - Reg Appt	Neal	Louis	Attorney-Advisor (General)	07
Excepted Service - Reg Appt	Nolen	Shawn	Attorney-Advisor (General)	07
Excepted Service - Reg Appt	Pierson	Erika	Administrative Law Judge	09
Excepted Service - Temp Appt	Rice	Eric	Interim Executive Director	08
Excepted Service - Reg Appt	Rooney	John	Administrative Law Judge	09
Excepted Service - Reg Appt	Sharkey	Robert	Administrative Law Judge	09
Excepted Service - Reg Appt	Soni	Daljit	Attorney-Advisor (General)	07
Excepted Service - Reg Appt	Teal	Arabella	Administrative Law Judge	09
Excepted Service - Reg Appt	Torrez	Marya	Attorney-Advisor (General)	07

Excepted Service - Reg Appt	Tucker	Wanda	Administrative Law Judge	09
Excepted Service - Reg Appt	Vergeer	Vytas	Administrative Law Judge	09
Excepted Service - Reg Appt	Weberman	Bernard	Administrative Law Judge	09
Excepted Service - Reg Appt	Wilson Taylor	N	Administrative Law Judge	09
Excepted Service - Reg Appt	Yahner	Ann	Administrative Law Judge	09

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service - Term Appt	Moosally	Frederick	Director, ABRA	10

COMMISSION ON ARTS AND HUMANITIES				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Executive Service - Reg Appt	Espinoza	Arthur	Executive Director	E1
Excepted Service - Reg Appt	Younger	Derek	Special Assistant	07

OFFICE OF THE ATTORNEY GENERAL				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service - Reg Appt	Marus	Robert	Director of Communications	09
Excepted Service - Reg Appt	Pittman	James	Director of Legislative Affair	09
Executive Service - Term Appt	Racine	Karl	ATTORNEY GENERAL FOR DC	E5

OFFICE OF THE DC AUDITOR				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service - Reg Appt	BELLANCA	AMY	Senior Legal Advisor	09
Excepted Service - Term Appt	Patterson	Kathleen	DC AUDITOR	11
Excepted Service - Reg Appt	Perry	Lawrence	Deputy Auditor	10

DEPARTMENT OF BEHAVIORAL HEALTH				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service - Reg Appt	Gouse	Beth	Health System Administrator	11
Executive Service - Reg Appt	Royster	Tanya	Director	11

BOARD OF ETHICS AND GOVERNMENT				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service - Reg Appt	Flowers	Brian	General Counsel	09
Excepted Service - Reg Appt	Hughes	Traci	Director of Open Government	10
Excepted Service - Reg Appt	Sobin	Darrin	Director of Government Ethics	10

OFFICE OF THE CHIEF TECHNOLOGY OFFICER				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service - Reg Appt	Bailey	Matthew	Supervisory IT Specialist	15
Executive Service - Reg Appt	Vemulapalli	Archana	Acting Director	11

CHILD AND FAMILY SERVICES AGENCY				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Executive Service - Reg Appt	Davidson	Raymond	Director	E5

OFFICE OF THE CITY ADMINISTRATOR				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service - Reg Appt	Brown	Matthew	Budget Director	11
Excepted Service - Reg Appt	Constantino	Justin	Deputy Budget Director	10
Excepted Service - Reg Appt	Gamblin	Anthony	Budget Analyst	05
Excepted Service - Reg Appt	Garrick	Sean	Executive Assistant	07
Excepted Service - Reg Appt	Hatton	Timothy	Budget Analyst	05
Excepted Service - Reg Appt	Hoffman	Desiree	Senior Advisor	11
Excepted Service - Reg Appt	Holt	Kasmin	Performance Analyst	07
Excepted Service - Reg Appt	Kelly	Deborah	Budget Analyst	07
Excepted Service - Reg Appt	Kreiswirth	Barry	Senior Legal Advisor	10
Excepted Service - Reg Appt	McGaw	John	Deputy Director	10
Excepted Service - Reg Appt	Miller Gabriel	Seth	DIRECTOR	10
Excepted Service - Reg Appt	Murray	Christopher	Senior Budget Analyst	09
Excepted Service -	Reed	Jennifer	Chief Performance Officer	10

Reg Appt				
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OFFICE OF THE CITY ADMINISTRATOR				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service - Reg Appt	Rockett	Ayana	Program Analyst	07
Executive Service - Reg Appt	Sims	Lionel	Director, LRCB	10
Excepted Service - Reg Appt	Young	Rashad	City Administrator	11

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Executive Service - Reg Appt	Bolling	Melinda	DIRECTOR	E5
Excepted Service - Reg Appt	Parris	Lori	Deputy Director	10
Excepted Service - Reg Appt	Washington	Jason	Special Assistant	07

CONTRACTS APPEALS BOARD				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE

DEPARTMENT OF CORRECTIONS				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Executive Service - Reg Appt	Schutter	George	Dir Contracting & Procurement	E4

CRIMINAL JUSTICE COORDINATING COUNCIL				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service - Reg Appt	Butler	Mannone	Executive Director	11
Excepted Service - Reg Appt	Chaudhry	Imran	INFO TECH SPEC	09
Excepted Service - Reg Appt	Colbert	Machah	IT Spec. (Systems Admin.)	07
Excepted Service - Reg Appt	Howell	Charisma	Deputy Executive Director	09
Excepted Service - Reg Appt	Hussain	Safdar	IT Spec. (Applic. Software)	07
Excepted Service - Reg Appt	Jackson	Robin	SPECIAL ASST	07
Excepted Service - Reg Appt	Jones	Christine	Strategic Analysis Specialist	06
Excepted Service - Reg Appt	Khan	Mohammad	IT Spec. (Enterprise Arch.)	07
Excepted Service - Reg Appt	Moses	Colleen	IT Specialist (Network Svcs.)	07

D.C. STATE BOARD OF EDUCATION				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service - Reg Appt	Hayworth	JohnPaul	Executive Director	08
Excepted Service - Reg Appt	Hubbard	Faith	Chief Student Advocate	08
Excepted Service - Reg Appt	Smith	Joyanna	Ombudsman	08

DEPARTMENT OF GENERAL SERVICES				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service - Reg Appt	Davis	Wilbert	Dep. Dir. for Facilities Mgmt.	11
Excepted Service - Reg Appt	Sherrod	Wanda	Special Assistant	09
Executive Service - Reg Appt	Weaver	Christopher	Director, Dept of General Svcs	E5

DEPARTMENT OF HEALTH				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Executive Service - Reg Appt	Nesbitt	LaQuandra	Director Department of Health	E5
Excepted Service - Reg Appt	Watson	Jacqueline	Chief of Staff	09

DEPARTMENT OF HUMAN SERVICES				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service - Reg Appt	Greenwalt	Kristy	Executive Director Interagency	11
Excepted Service - Reg Appt	Kershbaum	Sharon	Chief Operating Officer	10
Excepted Service - Reg Appt	Melder	Joseph	Chief of Staff	09
Excepted Service - Reg Appt	Olakanmi	Ololade	Senior Advisor	09
Executive Service - Reg Appt	Zeilinger	Laura	Director	E5

DEPARTMENT OF THE ENVIRONMENT				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service - Reg Appt	Stutz	Benjamin	Special Assistant	08
Excepted Service - Reg Appt	Wells	Thomas	Director	E5

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service - Term Appt	Anderson	Keith	Rent Administrator	09
Excepted Service - Reg Appt	Cofield	Gwendolyn	Supvy. Public Affairs Special.	09

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Executive Service - Reg Appt	Donaldson	Mary	Director Housing & Community Development	E5
Excepted Service - Reg Appt	Hubbard	Drew	Chief Administrative Officer	10
Excepted Service - Reg Appt	Roary	Booker	Staff Assistant	03

DEPARTMENT OF HEALTH CARE FINANCE				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service - Reg Appt	Rapp	Melisa	Chief of Staff	09
Excepted Service - Reg Appt	Schlosberg	Claudia	Senior Deputy Director	11
Executive Service - Reg Appt	Turnage	Wayne	Director, Department of Healthcare Fin.	E5

DEPARTMENT OF HUMAN RESOURCES				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service - Term Appt	Ames	Christine	CAPITAL CITY FELLOW	04
Excepted Service - Term Appt	Belmont	Erik	CAPITAL CITY FELLOW	04

DEPARTMENT OF HUMAN RESOURCES				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service - Term Appt	Corbin- Armstrong	Jacqueline	CAPITAL CITY FELLOW	04
Excepted Service - Term Appt	Emilcar	Patrice	CAPITAL CITY FELLOW	04
Excepted Service - Term Appt	Ferris Haines	Katherine	CAPITAL CITY FELLOW	04
Excepted Service - Term Appt	Garrett	Tynekia	CAPITAL CITY FELLOW	04
Executive Service - Reg Appt	Gibson	Ventris	Director, Department of Human Res.	E5
Excepted Service - Term Appt	Hadjiloucas	Aphrodite	CAPITAL CITY FELLOW	04
Excepted Service - Reg Appt	Harris	Joshua	Management and Program Analyst	08
Excepted Service - Term Appt	Hawthorne	Sydney	CAPITAL CITY FELLOW	04
Excepted Service - Term Appt	Headd	Jessica	CAPITAL CITY FELLOW	04
Excepted Service - Term Appt	Horton	John	CAPITAL CITY FELLOW	04
Excepted Service - Term Appt	Hughes	Bijan	Legal Fellow	02

DEPARTMENT OF HUMAN RESOURCES				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service - Term Appt	Koch	David	CAPITAL CITY FELLOW	04
Excepted Service - Term Appt	Marsh	John	Legal Fellow	02
Excepted Service - Term Appt	Mccarroll	Matthew	CAPITAL CITY FELLOW	04
Excepted Service - Term Appt	Nartowicz	Nikolas	CAPITAL CITY FELLOW	04
Excepted Service - Term Appt	Prats	Jennifer	CAPITAL CITY FELLOW	04
Excepted Service - Term Appt	Rouse	Evann	CAPITAL CITY FELLOW	04
Excepted Service - Reg Appt	Rucker	Clarissa	Public Affairs Specialist	08
Excepted Service - Reg Appt	Selman	David	Special Assistant	06
Excepted Service - Term Appt	Shy	Khalid	CAPITAL CITY FELLOW	04
Excepted Service - Term Appt	Taylor Smith	Tyessen	CAPITAL CITY FELLOW	04
Excepted Service - Term Appt	Vatnick	Tamara	CAPITAL CITY FELLOW	04

Excepted Service - Reg Appt	Williams	Ronald	Special Assistant	09
DEPARTMENT OF SMALL AND LOCAL BUSINESS DEVELOPMENT				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service - Reg Appt	Edwards	Ronnie	Dep. Dir. for Business Opportunity	09
Excepted Service - Reg Appt	Fanning	John	Outreach & Service Specialist	05
Executive Service - Reg Appt	Harvey	Ana	Dir. Small and Local Business	E2

OFFICE OF THE DEPUTY MAYOR FOR EDUCATION				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service - Reg Appt	Comey	Jennifer	Special Assistant	08
Excepted Service - Reg Appt	Inspektor	Yair	Program Analyst	07
Excepted Service - Reg Appt	Miller	Taneka	Policy Advisor	08
Executive Service - Reg Appt	Niles	Jennifer	Deputy Mayor for Education	E5
Excepted Service - Reg Appt	Steinle	Aurora	Senior Policy Analyst	07

Excepted Service - Reg Appt	Wells	Shayne	Special Assistant	05
Excepted Service - Reg Appt	YEAGER	MARGERY	Chief of Staff	09

BOARD OF ELECTIONS AND ETHICS				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service - Reg Appt	Flowers	Brian	General Counsel	09
Excepted Service - Reg Appt	Hughes	Traci	Director of Open Government	10
Excepted Service - Reg Appt	Sobin	Darrin	Director of Government Ethics	10

DEPARTMENT OF DISABILITY SERVICES				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Executive Service - Reg Appt	Nuss	Laura	Director	E5

DEPARTMENT OF EMPLOYMENT SERVICES				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Executive Service - Reg	Carroll	Deborah	Director, Dept of Employment Svcs	E5

Appt				
Excepted Service - Reg Appt	Davis	Crystal	SPECIAL SSISTANT	08
Excepted Service - Reg Appt	Morris	Unique	Special Assistant	09

FIRE AND EMERGENCY MEDICAL SERVICES DEPARTMENT				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Executive Service - Reg Appt	Dean	Gregory	Fire Chief	PS2
Excepted Service - Term Appt	Holman	Robert	Medical Director	PS2
Excepted Service - Reg Appt	Lewis	Turna	Senior Advisor	09
Excepted Service - Reg Appt	Mauro	Amy	Chief of Staff	10

OFFICE OF THE DEPUTY MAYOR FOR HEALTH AND HUMAN SERVICES				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service - Reg Appt	Cevasco	Jenna	Special Assistant	07
Excepted Service - Reg Appt	Donald	Brenda	Dep. Mayor for Hlth & Hum Svcs	11

Excepted Service - Reg Appt	Joseph	Rachel	Chief of Staff	10
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HEALTH BENEFIT EXCHANGE AUTHORITY				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service - Reg Appt	Curtis	Debra	SENIOR DEPUTY DIR	11
Excepted Service - Reg Appt	Kofman	Mila	Executive Director (HBX)	11

HOMELAND SECURITY AND EMERGENCY MANAGEMENT AGENCY				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service - Reg Appt	Brannum	Robert	Community Outreach Specialist	06
Executive Service - Reg Appt	Geldart	Chris	Director, Homeland Sec. & EMA	E5
Excepted Service - Reg Appt	Gilmore	Edward	Community Outreach Specialist	06

OFFICE OF THE INSPECTOR GENERAL				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE

Excepted Service - Reg Appt	Branson	Karen	Gen Counsel	10
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Excepted Service - Reg Appt	Farley	Edward	Asst IG Inspector/Evaluation	10
Excepted Service - Reg Appt	Hart	Lee	Deputy Inspector General	10
Excepted Service - Reg Appt	Karrasch	Benjamin	Attorney-Advisor	08
Excepted Service - Reg Appt	Kenney	Martin	Assistant Inspector General Of	10
Excepted Service - Reg Appt	Lashley Jr.	Doyle	Attorney Advisor	08
Executive Service - Term Appt	Lucas	Daniel	Inspector Gen	E5
Excepted Service - Reg Appt	Lucchesi	Victoria	Deputy Gen Counsel	09
Excepted Service - Reg Appt	Silverman	Stuart	Attorney	09
Excepted Service - Reg Appt	Van Croft	Keith	Attorney-Advisor	08
Excepted Service - Reg Appt	Weeks	Marcus	Supv Attorney Advisor	09
Excepted Service - Reg Appt	Williams	Burnette	Attorney-Advisor	08
Excepted Service - Reg Appt	Wolfigbarger	Brentton	Supvy Attorney Advisor	10

OFFICE OF LATINO AFFAIRS				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service - Reg Appt	Guity Guevara	Julio	Deputy Director	07
Executive Service - Reg Appt	Reyes Yanes	Jakeline	Director of Latino Affairs	E1

MAYORS OFFICE OF LEGAL COUNSEL				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service - Reg Appt	Evans	Gregory	Attorney Advisor	08
Excepted Service - Reg Appt	Evans	Ronnie	Special Assistant	05
Excepted Service - Reg Appt	Forman	Sarah	Attorney Advisor	08
Excepted Service - Reg Appt	Ross	Ronald	Deputy Director of Legal Counsel	10
Excepted Service - Reg Appt	Torres	Tatiana	Chief of Staff	08
Excepted Service - Reg Appt	Tucker	Melissa	Attorney Advisor	08
Excepted Service - Reg Appt	Tuohey	Mark	Director	11

DEPARTMENT OF INSURANCE, SECURITIES AND BANKING				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service - Reg Appt	Taylor	Stephen	Commissioner Ins Sec. & Banking	E5

OFFICE OF THE CHIEF MEDICAL EXAMINER				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Executive Service - Term Appt	Mitchell	Roger	Chief Medical Examiner	E5

METROPOLITAN POLICE DEPARTMENT OF THE DISTRICT OF COLUMBIA				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service - Reg Appt	Major	Jacob	Lieutenant	09

OFFICE OF MOTION PICTURE AND TELEVISION				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service - Reg Appt	Akins	Lamont	Chief of Staff	07
Executive Service - Reg Appt	Gates	Angie	Director	E2

Excepted Service - Reg Appt	Washington	Lindsay	Producer	03
DEPARTMENT OF MOTOR VEHICLES				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Executive Service - Reg Appt	Babers	Lucinda	Director	E4
Excepted Service - Reg Appt	Stewart	Gregori	Ticket Ombudsman	08

OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service - Reg Appt	Anthony	Donna	Assistant Superintendent of Wellness	09
Excepted Service - Reg Appt	Kang	Hanseul	State Superintendent of Education	11
Excepted Service - Reg Appt	Kelly	Bridget	Special Assistant	08
Excepted Service - Reg Appt	Peabody	Patience	Director of Communications	15
Excepted Service - Reg Appt	Siu	Peter	Strategic Planning Manager	08
Excepted Service - Reg Appt	Young	Shana	Chief of Staff	10

OFFICE OF DISABILITY RIGHTS				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Executive Service - Reg Appt	Taylor	Alexis	Director	E3

OFFICE OF THE SENIOR ADVISOR				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service - Reg Appt	Durant	Chan Tei	Associate Director	05
Excepted Service - Reg Appt	Floyd	Sean	Special Assistant	05
Excepted Service - Reg Appt	Kinlow	Eugene	Director, Federal And Regional	10
Excepted Service - Reg Appt	Perry	Beverly	Senior Advisor	11
Excepted Service - Reg Appt	Powell	Randi	Associate Director	06

OFFICE OF THE TENANT ADVOCATE				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service - Reg Appt	Shreve	Johanna	Chief Tenant Advocate	09

DEPARTMENT OF PARKS AND RECREATION				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Executive Service - Reg Appt	Anderson	Keith	Acting Director	E4
Excepted Service - Reg Appt	Jones Jr.	Tommie	Outreach & Service Specialist	05

OFFICE OF THE DEPUTY MAYOR FOR PLANNING AND ECONOMIC DEVELOPMENT				
Excepted Service - Reg Appt	Bekele	Tsegazeab	Special Assistant	07
Excepted Service - Reg Appt	Clarke	Randall	Special Assistant	08
Executive Service - Reg Appt	Kenner	Brian	Deputy Mayor, Planning & Economic Development	E5
Excepted Service - Reg Appt	McPeck	Joaquin	Communications Director	08
Excepted Service - Reg Appt	Olpadwala	Sarosh	Director, Real Estate	10
Excepted Service - Reg Appt	Townley	Dion	OUTREACH COORDINATOR	07
Excepted Service - Reg Appt	Trueblood	Andrew	CHIEF OF STAFF	11
Excepted Service - Reg Appt	Tyus	Darnetta	Special Assistant	08

Excepted Service - Reg Appt	White	Timothy	Special Assistant	07
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OFFICE OF PLANNING				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service - Reg Appt	Cidlowski	Laine	Food Policy Director	08
Executive Service - Reg Appt	Shaw	Eric	DIR OF PLANNING	E4

OFFICE OF POLICE COMPLAINTS				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service - Reg Appt	Howard	Rochelle	Deputy Director	10
Excepted Service - Term Appt	Tobin	Michael	Executive Director	11

OFFICE OF THE DEPUTY MAYOR FOR PUBLIC SAFETY AND JUSTICE				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service - Reg Appt	Donahue	Kevin	Deputy City Administrator	11
Excepted Service - Reg Appt	Mein	John	Community Outreach Specialist	13

DC PUBLIC LIBRARY				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service - Term Appt	Butler	Jonathan	Director of Business Operation	10
Excepted Service - Reg Appt	Reyes-Gavilan	Richard	Executive Director	11

DEPARTMENT OF PUBLIC WORKS				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service - Reg Appt	Reynolds	Wilson	Clean City Coordinator	09
Excepted Service - Reg Appt	Shorter	Christopher	Acting Director	11

OFFICE OF RISK MANAGEMENT				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Executive Service - Reg Appt	Ross	Jed	Chief Risk Officer	E4

OFFICE OF THE SECRETARY				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service - Reg Appt	Bulger	James	Staff Assistant	03

Excepted Service - Reg Appt	Elwood	Patricia	Protocol Officer	08
Excepted Service - Reg Appt	Gold	Judi	Notary & Authent. Officer	07
Excepted Service - Reg Appt	Holland	Joy	Deputy Secretary	09
Excepted Service - Reg Appt	Katz	Rebecca	Public Records Administrator	07
Excepted Service - Reg Appt	Reid	Victor	Administrator, Ofc of Documents and Administrative Issuances	08
Excepted Service - Reg Appt	Savonis	Luke	Staff Assistant	03
Executive Service - Reg Appt	Vaughan	Lauren	Secretary of the District	E3

DC SENTENCING COMMISSION				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service - Reg Appt	Fry	Linden	Gen Counsel	08
Excepted Service - Reg Appt	Graham	Matthew	Research Analyst	06
Excepted Service - Reg Appt	Hebb	Mia	Staff Assistant	03
Excepted Service	Maru	Robel	Data Management	03

- Reg Appt			Specialist	
Excepted Service - Reg Appt	Nitta	Bryson	Law Clerk	06
Excepted Service - Reg Appt	Park	Jinwoo	Law Clerk	06
Excepted Service - Reg Appt	Redfern	Rachel	Attorney Advisor	08
Excepted Service - Reg Appt	Schmechel	Richard	Project Director	09
Excepted Service - Reg Appt	Serota	Michael	Attorney Advisor	08
Excepted Service - Reg Appt	Souvey	Barbara	Executive Director	09
Excepted Service - Reg Appt	Wesley	LaToya	Statistician	07

STATEHOOD INITIATIVES AGENCY				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service - Temp Appt	Barnard	Rachel	Staff Assistant	02
Executive Service - Reg Appt	Szulgit	Karen	Staff Assistant	03
Excepted Service - Temp Appt	Tabiei	Omeed	Legislative Assistant	04

DC TAXICAB COMMISSION				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Executive Service - Reg Appt	Chrappah	Ernest	Chairman DC Taxicab Commission	10
Excepted Service - Reg Appt	Collins	Theford	Special Assistant	07

DISTRICT DEPARTMENT OF TRANSPORTATION				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Executive Service - Reg Appt	Dormsjo	Leif	Director, District Dept. of Transp.	E5
Excepted Service - Reg Appt	Foxworth	Rodney	Deputy Dir. Neighborhood Engagement	07
Excepted Service - Reg Appt	Gillis	Greer	Deputy Director	10
Excepted Service - Reg Appt	Mangum	Larry	Special Assistant	07
Excepted Service - Reg Appt	Turner	Adrea	Chief of Staff	10

OFFICE OF UNIFIED COMMUNICATIONS				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Executive Service - Reg Appt	Holmes	Karima	Acting Director, OUC	E5

OFFICE OF VETERAN AFFAIRS				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Executive Service - Reg Appt	Lambert	Tammi	Director, Veterans Affairs	09

DEPARTMENT OF YOUTH REHABILITATION SERVICES				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service - Reg Appt	Harlee-Harper	Linda	Deputy Director for DYRS	10
Executive Service - Reg Appt	Lacey	Clinton	Acting Director	E5

OFFICE OF ZONING				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service - Reg Appt	Bardin	Sara	DIRECTOR	10

THE NOT-FOR-PROFIT HOSPITAL CORPORATION**BOARD OF DIRECTORS****NOTICE OF PUBLIC MEETING**

The monthly Governing Board meeting of the Board of Directors of the Not-For-Profit Hospital Corporation, an independent instrumentality of the District of Columbia Government, will be held at 9:00am on Wednesday, March 23, 2016. The meeting will be held at 1310 Southern Avenue, SE, Washington, DC 20032, in Conference Room 2/3. Notice of a location, time change, or intent to have a closed meeting will be published in the D.C. Register, posted in the Hospital, and/or posted on the Not-For-Profit Hospital Corporation's website (www.united-medicalcenter.com).

DRAFT AGENDA

- I. CALL TO ORDER**
- II. DETERMINATION OF A QUORUM**
- III. APPROVAL OF AGENDA**
- IV. BOARD EDUCATION**
 - Confidentiality and FOIA – Kai Blissett, General Counsel*
- V. CONSENT AGENDA**
 - A. READING AND APPROVAL OF MINUTES**
 - 1. February 24, 2016 – General Board Meeting
 - B. EXECUTIVE REPORTS**
 - 1. Dr. Julian Craig, Chief Medical Officer
 - 2. Thomas E. Hallisey, Chief Information Officer
 - 3. Jackie Johnson, EVP of Human Resources
 - 4. Pamela R. Lee, EVP Hospital Operations & CQO
 - 5. David Thompson, Director of Public Relations and Communications
 - 6. Maribel Torres, Chief Nursing Officer
 - 7. Charletta Washington, VP of Ambulatory & Ancillary Services
- VI. NONCONSENT AGENDA**
 - A. CHIEF EXECUTIVE REPORTS**
 - 1. Andrew L. Davis, Interim CEO

2. Finance Report – Steve Lyons, Finance Committee Chair

B. MEDICAL STAFF REPORT

1. Dr. Raymond Tu, Medical Chief of Staff

C. COMMITTEE REPORTS

1. Governance Committee Report
2. GB Patient Safety & Quality Committee

D. OTHER BUSINESS

1. Old Business
2. New Business

E. ANNOUNCEMENT

Next Meeting – Saturday, April 23, 2016 at 9:00am in Conference Rooms 2/3 on the ground level.

F. ADJOURNMENT

NOTICE OF INTENT TO CLOSE. The NFPHC Board hereby gives notice that it may close the meeting and move to executive session to discuss collective bargaining agreements, personnel, and discipline matters. D.C. Official Code §§2 -575(b)(2)(4A)(5),(9),(10),(11),(14).

OFFICE OF THE DEPUTY MAYOR FOR
PLANNING AND ECONOMIC DEVELOPMENT

NOTICE OF FUNDING AVAILABILITY (NOFA)

FY 2016 H STREET NE SMALL BUSINESS CAPITAL IMPROVEMENT GRANTS

Grant Identification No.: DMPED - GHS – 016- 082972

Background Information: The Office of the Deputy Mayor for Planning and Economic Development (DMPED) invites the submission of applications for the H Street NE Small Business Capital Improvement Grants. Funding for this program is authorized under the "H Street NE Retail Priority Area Incentive Act of 2010," effective April 8, 2011 (D.C. Law 18-354; D.C. Official Code § 1-325.171 et seq.), and as amended by the "H Street NE Retail Priority Area Incentive Amendment Act of 2012," effective September 20, 2012 (D.C. Law 19-168).

Purpose of Grant Program: The purpose of the H Street NE Small Business Reimbursement Grants is to support existing small businesses, attract new businesses, increase the District's tax base, create new job opportunities for District residents, and transform the H Street NE commercial corridor into a thriving and inviting neighborhood center. Grant funds will be utilized to reimburse grantees for capital expenditures to improve their place of business or for the purchase and installation of heavy equipment that will be used onsite at the business location.

The purpose of the Great Streets Retail Small Business Reimbursement Grants is to support existing small businesses, attract new businesses, increase the District's tax base, create new job opportunities for District residents, and transform emerging commercial corridors into thriving and inviting neighborhood centers.

Length of Award: Date of grant execution through August 31, 2016

Award Amount: DMPED will award individual grants of up to a maximum of \$50,000.00 each.

Eligibility Criteria: Eligible applicants for the grant are owners of small retail and service-oriented businesses. The following types of businesses are *ineligible* to receive this grant funding: *adult entertainment, auto body repair, bank, bar, construction/general contracting/architecture/design-build, financial services, home-based business, hotel, liquor store, nightclub, phone store, , professional services, and real estate development/property management/realtor.*

Eligible applicants must meet the following minimum requirements to be considered for the grant:

1. Be located within the H Street- Bladensburg NE corridor. Prospective applicants can verify their location eligibility by using the interactive mapping tool at greatstreets.dc.gov.
2. Be a registered business in Good Standing with the DC Department of Consumer and Regulatory Affairs (DCRA), the DC Office of Tax and Revenue (OTR), the DC Department of Employment Services (DOES), and the federal Internal Revenue Service (IRS).
3. Retain site control of the business property either through fee simple ownership or an executed contract or lease with the property owner with a minimum unexpired term of at least two (2) years.
4. Provide proof that the business' average annual revenue (based on the last three completed fiscal years), or the projected average annual revenue for the first three years "in business" does not exceed \$1 million. Provide proof of property and liability insurance (an insurance quote is permitted for new businesses) compliant with the requirements set forth in the grant application.

Prior to the execution of a grant agreement with the District, the grantee must enter into a First Source Agreement with the DC Department of Employment Services (DOES). More information about the First Source Employment Program can be found at <http://does.dc.gov/page/first-source-employment-program>.

Availability of the Request for Applications (RFA): The grant application will be released on April 1, 2016. The RFA will be posted on DMPED website (dmped.dc.gov) and the Great Streets website (greatstreets.dc.gov).

Grant Information Sessions: DMPED will host an informational sessions for H Street-Bladensburg NE Corridor to provide an overview of the grant process and to answer questions from potential applicants. Once confirmed, details about the informational sessions will be posted on the Great Streets website at greatstreets.dc.gov.

Contact Name: LaToyia Hampton, Grants Manager
dmpedgrants@dc.gov
202.724.7648

Deadline for Electronic Submission: Applicants must submit a completed online application to DMPED via the ZoomGrants system by **April 16, 2016 by 12pm**

DMPED reserves the right to issue addenda and/or amendments subsequent to the issuance of the NOFA or RFA, or to rescind the NOFA or RFA at any time.

OFFICE OF THE DEPUTY MAYOR FOR
PLANNING AND ECONOMIC DEVELOPMENT

NOTICE OF FUNDING AVAILABILITY (NOFA)

FY2016 H Street NE - Starburst Burst Revitalization Grant

Grant Identification No.: DMPED - GHS – 016- 722908

Background Information: The Office of the Deputy Mayor for Planning and Economic Development (DMPED) invites the submission of applications for the H Street Starburst Park Grants. Funding for this program is authorized **\$500,000**

Purpose of Grant Program: The purpose of the H Street NE Starburst Park Grant is to increase the positive impact on commercial revitalization in the H Street NE Retail Priority Area (Starburst), including activation and programming of the Starburst Park. Operational activities may include cleaning and maintenance of the space, program development, and management. Programming activities may include: a farmers market, flea market, retail pop-ups including holiday shops, public art, and family-oriented events with outdoor movies and live entertainment.

Length of Award: Date of grant execution through **September 30, 2016**

Award Amount: DMPED will award individual grants up to a maximum of \$500,000

Eligibility Criteria:

Applicants must meet the following minimum requirements to be considered for the grant:

1. Be a 501 (c)(3), 501(c)(6) non-profit corporation with no less than ten years direct experience with economic development and promotions within the H Street NE Retail Priority Area, and no less than eight years of experience in public space event planning.
2. Be a registered business in Good Standing with the DC Department of Consumer and Regulatory Affairs (DCRA), the DC Office of Tax and Revenue (OTR), the DC Department of Employment Services (DOES), and the Federal Internal Revenue Service (IRS).
3. Provide proof of property and liability insurance compliant with the requirements set forth in the grant application.

4. Demonstrate an active occupancy permit for use of the Starburst Plaza

Prior to the execution of a grant agreement with the District, the grantee must enter into a First Source Agreement with the DC Department of Employment Services (DOES). More information about the First Source Employment Program can be found at <http://does.dc.gov/page/first-source-employment-program->.

Availability of the Request for Applications (RFA):

The grant application will be released on Friday, April 1, 2016. The RFA will be posted on DMPED's website (dmped.dc.gov) and the Great Streets website (greatstreets.dc.gov).

Contact Name:

LaToyia Hampton, Grants Manager
dmpedgrants@dc.gov
202.724.7648

Deadline for Electronic Submission:

Applicants must submit a completed online application to DMPED via the ZoomGrants system by **Friday, April 22nd, 2016 at 6:00 PM.**

DMPED reserves the right to issue addenda and/or amendments subsequent to the issuance of the NOFA or RFA, or to rescind the NOFA or RFA at any time.

OFFICE OF THE SECRETARY OF THE DISTRICT OF COLUMBIA
RECOMMENDATIONS FOR APPOINTMENTS AS NOTARIES PUBLIC

Notice is hereby given that the following named persons have been recommended for appointment as Notaries Public in and for the District of Columbia, effective on or after April 15, 2016.

Comments on these potential appointments should be submitted, in writing, to the Office of Notary Commissions and Authentications, 441 4th Street, NW, Suite 810 South, Washington, D.C. 20001 within seven (7) days of the publication of this notice in the *D.C. Register* on March 18, 2016. Additional copies of this list are available at the above address or the website of the Office of the Secretary at www.os.dc.gov.

**D.C. Office of the Secretary
Recommendations for appointment as DC Notaries Public**

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Araoz	Jennifer N.	GW Medical Faculty Associates, Department of Emergency Medicine 2120 L Street, NW, Suite 450	20037
Arce	Sandy	Neighborhood Legal Services 4609 Polk Street, NE	20019
Becker	Jack	Capital Reporting/Free State Reporting, Inc. 1250 Eye Street, NW, Suite 1201	20005
Berkland	Daniel	Arch Mortgage Risk Ransker PCC Inc 1776 I Street, NW	20006
Biener	Kunnigunda M.	Capitol Title Insurance Agency, Inc. 1501 27th Street, SE, Suite 305	20020
Biggs	Tamica Cherice	Paul, Weiss, Rifkind, Wharton & Garrison LLP 2001 K Street, NW	20006
Bond	Yalondia A.	Equal Employment Opportunity Commission 131 M Street, NE	20507
Bonilla	Ana	Citibank 1717 K Street, NW	20006
Brown Jr.	Cordell	NASA Federal Credit Union 500 5th Street, NW, Suite 310	20001
Buruca	Alfredo E.	Wells Fargo 5201 MacArthur Boulevard, NW	20016
Charles	Fadley Chardanie	Knobbe, Martens, Olsen & Bear LLP 1717 Pennsylvania Avenue, NW, Suite 900	20006
Clark	Alice	Bank of America Merrill Lynch 1152 15th Street, NW, Suite 6000	20005
Clark	Kristy L.	For The Record 1100 H Street, NW, Suite 1050	20005
Clausen	Bella K.	Department of Justice, Tax Division 555 4th Street, NW	20001
Connors	Diana L.	Washington Neurosurgical Associates 5215 Loughboro Road, NW, Suite 510	20016

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Courville	Deborah	Capital Reporting/Free State Reporting, Inc. 1250 Eye Street, NW, Suite 1201	20005
Coyle	Alexandra Day	Paul, Weiss, Rifkind, Wharton & Garrison LLP 2001 K Street, NW	20006
Crehan	Carolyn Marie	Self (Dual) 201 Q Street, NE, Apartment 3245	20002
Crelling	Linda A.	Sullivan & Worcester, LLP 1666 K Street, NW, Suite 700	20006
Curl	Lynn S.	The Carlyle Group 1001 Pennsylvania Avenue, NW	20004
Daywalt	Stacey L.	Alderson Court Reporting 1155 Connecticut Avenue, Suite 200	20036
Dickerson	Marcus A.	Industrial Bank 125 45th Street, NE	20019
Dillard	Edwina D.	American Public Health Association 800 I Street, NW	20001
Eidell	Michelle	The Public Defender Service for the District of Columbia 633 Indiana Avenue, NW	20004
Fallan	Brytnee	Capital Reporting/Free State Reporting, Inc. 1250 Eye Street, NW, Suite 1201	20005
Foley	Christina	International of Sheet Metal, Air, Rail and Transportation Workers 1750 New York Avenue, NW, 6th Floor	20006
Foster-El	Valencia	Self 902 Girard Street, NE	20017
Fowler	Vivian C.	FINRA 1735 K Street, NW	20006
Gerlach	Joseph Edwin	Plan International USA 1255 23rd Street, NW	20037
Gibson	Shavon S.	Transport Workers Union of America 501 3rd Street, NW	20001

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Grandillert	Hernan	Branch Banking & Trust 1804 14th Street, NW	20009
Grier	TeAirra Lashawn	Transit Employees Federal Credit Union 2000 Bladensburg Road, NE	20018
Griffin	Luke	Griffin, Murphy, Moldenhauer & Wiggerns, LLP 1912 Sunderland Place, NW	20036
Gwet Simeze	Emeline Natcha	Wells Fargo Bank 1800 K Street, NW, Floor 1	20006
Hamilton	Lashawn M.	Department of Homeland Security 650 Massachusetts Avenue, NW	20001
Hamlett	Crystal G.	United States Letter Carriers Mutual Benefit Association 100 Indiana Avenue, NW, Suite 510	20001
Harris	Tabatha	Duncan, Weinberg, Genzer & Pembroke, P.C. 1615 M Street, NW, Suite 800	20036
Haynes	Tracey	Kaye Scholer LLP 901 15th Street, NW	20005
Henderson	Rhonda LaShall	PNC Corporation 800 17th Street, NW	20006
Herring	Donna Renee	American Association of Colleges of Osteopathic Medicine 500 New Jersey Avenue, NW, Suite 380	20001
Hill	Stacie R.	Self 5220 North Capitol Street, NW, #110	20011
Hunt	Kiauna L.	AACOM 500 New Jersey Avenue, NW, #380	20005
Hunt	Lorraine D.	Executive Office of the President, Office of Management and Budget 725 17th Street, NW	20503
Jackson	C. April	Title Forward 2001 S Street, NW #250	20009

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Jarrett	Haynes	Self 542 Lebaum Street, SE	20032
Judis	Melissa	Edelman 1875 Eye Street, NW, Suite 900	20006
Justice	Jeremy	The Public Defender Service for the District of Columbia 633 Indiana Avenue, NW	20004
Kearney	Paula Linnette	Self 542 Lebaum Street, SE	20032
Kiprakis	Corey	Townhomes on Capitol Hill 1605 5th Street, NW	20001
Lee	Jessica Renee	Engenium Group LLC 1017 O Street, NW	20001
Lloyd-Lee	Lakeshia S.	Self 5312 D Street, SE	20019
Makle	Vita	The SEED Public Charter School 4300 C Street, SE	20019
Martin	Candace	NASA Federal Credit Union 300 E Street, SW, Suite GC-21	20546
Martin	Sean Lamonte	Summit Consulting, LLC 601 New Jersey Avenue, NW	20001
McCosker	Brynna	DT Client Services 1101 14th Street, NW, Suite 650	20005
McGraw	Georgia A.	The University Club Of Washington, DC 1135 16th Street, NW	20036
Mehrtens	Carolyn	The Public Defender Service for the District of Columbia 633 Indiana Avenue, NW	20004
Melchior	Monty	Youth for Understanding USA, Inc. 641 S Street, NW, Suite 200	20001

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Minyard	Kiesha M.	Department of Justice, Office of Foreign Litigation 1100 L Street, NW 20530
Molkara	Maziar	Wells Fargo Bank N.A. 1200 First Street, NE, 1st Floor 20002
Moore	Rhonda	The UPS Store 455 Massachusetts Avenue, NW 20001
Moore	Sean Joseph	Hooper, Lundy & Bookman, PC 401 9th Street, NW, Suite 550 20004
Morel	Lynn	Children's Hospital Association 600 13th Street, NW, Suite 500 20005
Moses	Jamie	Chadbourne & Parke, LLP 1200 New Hampshire Avenue, NW, Suite 300 20036
Nguyen	Hanh Ngoc	The Colonnade Condominium 2801 New Mexico Avenue, NW 20007
Nolley-Smith	Kia M.	LGC Security, LLC 100 M Street, SE, Suite 600 20003
Nowicka-Sulla	Olimpia M.	McDermott Will & Emery LLP 500 North Capital Street, NW 20001
Ossenova	Katerina	Department of Justice, Office of Foreign Litigation 1100 L Street, NW 20530
Queen	Kathy	Department of the Treasury 1341 G Street, NW, Suite 900 20005
Raggio	Mark Holding	United Sates Department of Transportation 1200 New Jersey Avenue, SE 20024
Reynolds	Cora J.	Self 909 44th Street, NE 20019
Roberts III	Luther L.	U.S. Conference of Mayors 1620 Eye Street, NW, 4th Floor 20006
Rodgers	Adrienne R.	O'Melveny & Myers LLP 1623 Eye Street, NW 20006

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Roubin	Sandra S.	The Keystone Plus Construction Corporation 1925 Minnesota Avenue, SE, Suite A	20020
Sedgwick Duvall	Desiree H.P.	Ogletree, Deakins, Nash, Smoak & Stewart, PC 1909 K Street, NW, Suite 1000	20006
Serio	Debra	Capital Reporting 1250 Eye Street, NW, Suite 1201	20005
Serio	Patrick	Capital Reporting 1250 Eye Street, NW, Suite 1201	20005
Smith	Kathy W.	The Carlyle Group 1001 Pennsylvania Avenue, NW, Suite 220 South	20004
Soos	Agnes L.	Blank Rome, LLP 600 New Hampshire Avenue, NW	20037
Sorensen	Christian Blake	Self 318 60th Street, NE	20019
Stowes	Duane J.	Cathedral Commons 3401 Idaho Avenue, NW	20016
Tangvachrin	Amparo Elizabeth	Goulston & Storrs PC 1999 K Street, NW, Suite 500	20006
Thomas	LaQuicia	Olender Reporting, Inc. 1100 Connecticut Avenue, NW, Suite 810	20036
Tran	Cathy	Bessemer Trust Company 900 17th Street, NW, Suite 1000	20006
Voyatzis	John K.	Properties International 700 12th Street, NW, Suite 700	20005
Walton	Jessica L.	McKinsey and Company 1200 19th Street, NW, Suite 1000	20036
Washington	Kaneisha J.	Bank of America 700 13th Street, NW	20005

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West	Frank J.	Manelli Selter PLLC 2000 M Street, NW, 7th Floor	20036
White	Chandra L.	Morrison & Foerster LLP 2000 Pennsylvania Avenue, NW, Suite 6000	20006
White	Jacqueline D.	Self 2412 18th Street, NE	20018
Yin	Wawa	M&T Bank 555 12th Street, NW	20004

D.C. SENTENCING AND CRIMINAL CODE REVISION COMMISSION**NOTICE OF RESCHEDULING OF PUBLIC MEETING**

The D.C. Sentencing and Criminal Code Revision Commission hereby gives notice that the Commission meeting scheduled for March 15, 2016 was rescheduled to **Tuesday, April 5, 2016**.

Inquiries concerning the meeting may be addressed to Mia Hebb, Staff Assistant, at (202) 727-8822 or Mia.Hebb@dc.gov.

**WASHINGTON CONVENTION AND SPORTS AUTHORITY
(T/A EVENTS DC)**

NOTICE OF SPECIAL MEETING

The Board of Directors of the Washington Convention and Sports Authority (t/a Events DC), in accordance with the District of Columbia Self-Government and Governmental Reorganization Act of 1973, D.C. Official Code §1-207.42 (2006 Repl., 2011 Supp.), and the District of Columbia Administrative Procedure Act of 1968, as amended by the Open Meetings Amendment Act of 2010, D.C. Official Code §2-576(5) (2011 Repl., 2011 Supp.), hereby gives notice that it has scheduled a Special Meeting for Thursday, March 17, 2016, for the purpose of receiving a report from its Finance Committee.

The meeting will take place in the Dr. Charlene Drew Jarvis Board Room of the Walter E. Washington Convention Center, 801 Mount Vernon Place, N.W., Washington, D.C. 20001, beginning at 3:30 p.m.

For additional information, please contact:

Sean Sands
Chief of Staff
Washington Convention and Sports Authority
t/a Events DC

(202) 249-3012
sean.sands@eventsdc.com

WASHINGTON LATIN PUBLIC CHARTER SCHOOL

INVITATION FOR BID

Food Service Management Services

Issued: March 18, 2016

Washington Latin Public Charter School is advertising the opportunity to bid on the delivery of breakfast, lunch, snack and/or CACFP supper meals to children enrolled at the school for the 2016-2017 school year with a possible extension of (4) one year renewals. All meals must meet at a minimum, but are not restricted to, the USDA National School Breakfast, Lunch, Afterschool Snack and At Risk Supper meal pattern requirements. Additional specifications outlined in the Invitation for Bid (IFB) such as; student data, days of service, meal quality, etc. may be obtained beginning on March 18, 2016 from Martita Fleming, Director of Operations at 202-223-1111 x 114 or mfleming@latinpcs.org

Proposals will be accepted at 5200 2nd Street, NW, Washington, DC 20011 on April 21, 2016 no later than 3:00 pm.

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

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

Application No. 18701-B of 1247 ESE LLC, pursuant to 11 DCMR § 3130, for a two-year extension of BZA Order No. 18701-A.

The original application was pursuant to 11 DCMR § 3103.2, for a variance from the use provisions to operate a restaurant in the first floor space within an existing apartment house under § 330.5 in the R-4 District at premises 1247 E Street, S.E. (Square 1019, Lot 43).

HEARING DATE (Original Application):	February 4, 2014
DECISION DATE (Original Application):	February 25, 2014
FINAL ORDER ISSUANCE DATE (Order No. 18701-A):	February 27, 2014
DECISION DATE ON EXTENSION OF ORDER:	March 8, 2016 ¹

**SUMMARY ORDER ON MOTION TO EXTEND
THE VALIDITY OF BZA ORDER NO. 18701-A**

The Underlying BZA Order

On February 25, 2014, the Board of Zoning Adjustment (the "Board") approved the Applicant's request for variance from the use provisions to operate a restaurant in the first floor space within an existing apartment house under § 330.5 in the R-4 District at premises 1247 E Street, S.E. (Square 1019, Lot 43) (the "Subject Property").² The Application, which was unopposed, was granted on February 25, 2014, and the Board issued its written order ("Order") on February 27, 2014. Pursuant to 11 DCMR §§ 3125.6 and 3125.9, the Order became final on February 27, 2014 and took effect 10 days later.

Under the Order and pursuant to § 3130.1 of the Zoning Regulations³, the Order was valid for two years from the time it was issued -- until February 27, 2016. Order No. 18701-A is subject to seven conditions.⁴

¹ The Motion for a Time Extension was initially scheduled for decision on February 23, 2016, but was postponed at the Applicant's request. (Exhibit 11.)

² This property is also the subject of a separate application and approval in Case No. 19196.

³ Subsection 3130.1 states: "No order authorizing the erection or alteration of a structure shall be valid for a period longer than two (2) years, or one (1) year for an Electronic Equipment Facility (EEF), unless, within such period, the plans for the erection or alteration are filed for the purposes of securing a building permit, except as permitted in § 3130.6." (11 DCMR § 3130.1.)

⁴ The conditions in Order No. 18701-A continue in force through the extension of time granted in this order.

Motion to Extend Validity of the Order Pursuant to 11 DCMR § 3130.6

On December 10, 2015, the Applicant submitted an application for a motion together with supporting documents, pursuant to 11 DCMR § 3130.6, for a two-year extension of Order No. 18701-A, which was due to expire on February 27, 2016. This request for extension is pursuant to § 3130.6 of the Zoning Regulations, which permits the Board to extend the time periods in § 3130.1 for good cause shown upon the filing of a written request by the applicant before the expiration of the approval. Moreover, the Applicant served on all parties to the application by the applicant, and all parties were allowed 30 days to respond, pursuant to § 3130.6(a). (Exhibit 3.)

To establish good cause for the request, the Applicant submitted a letter and supporting documentation dated December 10, 2015, that stated the reasons the Applicant was requesting a time extension. (Exhibits 3-3A.) The Applicant cited factors beyond its control that prevented it from moving forward and completing the project. The Applicant indicated that following issuance of the Order in this case, the Applicant renovated the first floor space as well as the residential portion of the building on the Subject Property. However, the Applicant, in its request for a time extension, indicated that the permit process and renovation of the space took longer than expected, as has the process of finding an appropriate tenant. The Applicant also noted that proposals to construct three nearby new residential developments, which were not anticipated at the time of the original approval, are expected to increase foot traffic within the neighborhood and thereby should increase the marketability of the site. (Exhibit 3.) The Applicant stated that it requested a two-year extension of the Order because of circumstances beyond its control from completing the project and which prevented it from vesting the Order for the reasons described.

Criteria for Evaluating Motion to Extend

Subsection 3130.6 of the Zoning Regulations authorizes the Board to extend the time periods for good cause provided: (i) the extension request is served on all parties to the application by the applicant, and all parties are allowed 30 days in which to respond; (ii) there is no substantial change in any of the material facts upon which the Board based its original approval; and (iii) the applicant demonstrates there is good cause for such extension. Pursuant to 11 DCMR § 3130.6(c)(1), good cause is established through the showing of substantial evidence of one or more of the following criteria:

1. An inability to obtain sufficient project financing due to economic and market conditions beyond the applicant's reasonable control;
2. An inability to secure all required governmental agency approvals by the expiration date of the Board's order because of delays that are beyond the applicant's reasonable control; or
3. The existence of pending litigation or such other condition, circumstance, or factor beyond the applicant's reasonable control.

The Merits of the Request to Extend the Validity of the Order Pursuant to 11 DCMR § 3130.6

The Board found that the Applicant has met the criteria set forth in 11 DCMR § 3130.6. As required by § 3130.6(a), the motion for the time extension was served on all the parties to the application and those parties were given 30 days in which to respond. (Exhibit 3.) No party to the application objected to an extension of the Order.

As required by § 3130.6(b), the Applicant demonstrated that there is no substantial change in any of the material facts upon which the Board based its original approval in Order No. 18701-A. There have been no changes to the Zone District classification applicable to the Subject Property or to the Comprehensive Plan affecting the Property since the issuance of the Board's order. (Exhibits 3 and 8.)

The Board found that the motion has met the criteria of § 3130.6 to extend the validity of the underlying order. The reasons given by the Applicant were beyond the Applicant's reasonable control within the meaning of § 3130.6(c)(3) and constitute "good cause" required under § 3130.6(c)(1). To meet the burden of proof, the Applicant submitted a letter and supporting information describing the factors beyond its control that prevented it from moving forward with the project: unexpected delays in the permit and renovation process as well as the delay in the process of seeking a restaurant tenant. (Exhibits 3 and 3A.) Since the Board issued Order No. 18701-A in February of 2014, the Applicant has been working diligently to secure the necessary commitments and other approvals to move forward with the project approved by the Board. In addition to the letter signed by the Applicant, the Applicant submitted a project timeline outlining the Applicant's efforts to complete the project following the approval of Order 18701-A. (Exhibit 3A.)

Given the totality of the conditions and circumstances described above in the Applicant's letter and other supplemental information provided, the Board found that the Applicant satisfied the "good cause" required under the third prong of § 3130.6. Moreover, despite the challenges the Applicant described in his submissions for the extension, the Applicant demonstrated that it has acted diligently, prudently, and in good faith to proceed towards the implementation of the Order.

The Office of Planning ("OP"), in its report dated February 16, 2016, reviewed the application for the extension of the Order for "good cause" pursuant to 11 DCMR § 3130.6 and recommended approval of the requested two-year extension. (Exhibit 8.)

The Subject Property is within the boundaries of Advisory Neighborhood Commission ("ANC") 6B. The ANC submitted a report recommending approval, dated February 10, 2016, with regard to the request for a time extension. The ANC's report stated that at its regularly scheduled and properly noticed public meeting of February 9, 2016, the ANC, with a quorum present, voted 7-0-0 to support the Applicant's request to extend the expiration date of the Order. (Exhibit 9.)

The District Department of Transportation ("DDOT") submitted a timely report indicating that it had no objection to the approval of the Applicant's request. (Exhibit 10.)

The Board concluded that extension of the relief is appropriate under the current circumstances.

Pursuant to 11 DCMR § 3101.6, the Board has determined to waive the requirements of 11 DCMR § 3125.3, which required that the order of the Board be accompanied by findings of fact and conclusions of law. Pursuant to 11 DCMR § 3130, the Board of Zoning Adjustment hereby **ORDERS APPROVAL** of Case No. 18701-B for a two-year time extension of Order No. 18701-A, which Order shall be valid until **February 27, 2018**, within which time the Applicant must file plans for the proposed project with the Department of Consumer and Regulatory Affairs for the purpose of securing all required permits.

VOTE: **4-0-1** (Marnique Y. Heath, Frederick L. Hill, Jeffrey L. Hinkle, and Peter G. May, to APPROVE; 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 order.

FINAL DATE OF ORDER: March 10, 2016

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.

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

Order No. 19026-A of 1300 H Street, NE LLC, Motion for Minor Modification, pursuant to § 3129 of the Zoning Regulations.

The original application (No. 19026), as amended, was pursuant to 11 DCMR §§ 3103.2 and 3104.1 for a variance from the off-street parking requirements under § 2101.1 and special exceptions from the H Street Neighborhood Commercial Overlay requirements under 11 DCMR §§ 1320.4(f), 1324.1 and 1325.1, to construct a new four-story mixed-use building with ground floor retail containing 36 residential dwelling units in the HS-A/C-2-A District at premises 1300 H Street, N.E. (Square 1026, Lots 97 - 103).

HEARING DATE (Application No. 19026):	July 7, 2015
DECISION DATE (Application No. 19026):	July 7, 2015
FINAL ORDER ISSUANCE DATE (Application No. 19026):	July 15, 2015
MINOR MODIFICATION DECISION DATE:	March 1, 2016

SUMMARY ORDER ON REQUEST FOR MINOR MODIFICATION

SELF-CERTIFIED

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2. (Exhibit 14 in the record of Application No. 19026.)

BACKGROUND

On July 7, 2015, the Board approved Application No. 19026 of 1300 H Street, NE LLC (“the Applicant”), pursuant to §§ 3103.2 and 3104.1, for a variance from the off-street parking requirements under § 2101.1 and special exceptions from the H Street Neighborhood Commercial Overlay requirements under 11 DCMR §§ 1320.4(f), 1324.1 and 1325.1, to construct a new four-story mixed-use building with ground floor retail containing 36 residential dwelling units in the HS-A/C-2-A District. The original application also had asked for special exception relief from roof structures requirements under §§ 411.5 and 770.6, but the Applicant withdrew that request and amended the application in advance of the public hearing on the case.

MOTION FOR MINOR MODIFICATION OF APPROVED PLANS

On February 19, 2016, the Applicant submitted a request for minor modification of the plans approved by the Board of Zoning Adjustment (“Board”) in order to modify the building’s penthouse by adding a second stair tower and incorporating multiple penthouse heights. (Exhibit 1.) The Applicant enclosed proposed plans with its request. (Exhibit 7.)

The Applicant indicated that the proposed modifications comply with the Zoning Regulations

regarding penthouse structures, as amended by Zoning Commission Order No. 14-13. In addition, the Applicant provided testimony to confirm that the habitable penthouse space would comply with the Inclusionary Zoning requirements. No amendment to the relief sought in Application No. 19026 is requested.

Determination That the Modification Was Minor

Subsection 3129.6 of the Zoning Regulations authorizes the Board to grant, without a hearing, requests for minor modifications of approved plans that do not change the material facts upon which the Board based its original approval of the application. (11 DCMR § 3129.6.) The Board found that no material facts upon which the Board had based its original approval of the application were changed by the modified penthouse design.

The Merits of the Minor Modification of Approved Plans

The Applicant's request for a minor modification of Order No. 19026 complies with 11 DCMR § 3129. Subsection 3129.2 states that "[t]he Board shall consider requests to approve minor modifications to plans approved by the Board, as set forth in §§ 3125.7 and 3125.8. The request shall be in writing, shall state specifically the modifications requested and the reasons therefore and include a copy of the plans for which approval is now requested." The Applicant's request for minor modification met all of these requirements.

Pursuant to § 3129.4, all requests for minor modifications of plans shall be served on all other parties to the original application and those parties are allowed to file comments within 10 days of the filed request for minor modification. The site of this application is located within the jurisdiction of Advisory Neighborhood Commission ("ANC") 6A, which is automatically a party to this application. The ANC submitted a report dated February 16, 2016, which stated that at a regularly scheduled and properly noticed meeting on February 11, 2016, at which a quorum was present, the ANC voted 8-0 in support of the modification request. (Exhibit 8.) The Office of Planning ("OP") submitted a timely report recommending approval of the request. (Exhibit 10.)

As directed by 11 DCMR § 3119.2, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case for modification of approval. Based upon the record before the Board and having given great weight to the ANC and OP reports filed in this case, the Board concludes that in seeking a modification to the original approval in Case No. 19026, the Applicant has met its burden of proof under 11 DCMR § 3129, that the modification has not changed any material facts upon which the Board based its decision on the underlying application that would undermine its approval. The only parties to the case were the ANC and the Applicant. 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.

Pursuant to 11 DCMR § 3100.5, the Board has determined to waive the requirement of 11 DCMR § 3125.5, that the order of the Board be accompanied by findings of fact and conclusions of law. The waiver will not prejudice the rights of any party and is appropriate in this case.

It is therefore **ORDERED** that this application for modification of the Board's approval in Application No. 19026 is hereby **GRANTED, SUBJECT TO THE APPROVED MODIFIED PLANS IN EXHIBIT 7.**

In all other respects, Order No. 19026 remains unchanged.

VOTE: 3-0-2 (Marnique Y. Heath, Frederick L. Hill, and Michael G. Turnbull to Approve; Jeffrey L. Hinkle not participating 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 order.

FINAL DATE OF ORDER: March 4, 2016

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.

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

Application No. 19091 of the Embassy of the Kyrgyz Republic, pursuant to 11 DCMR § 1002, to allow a rear deck at an existing chancery in the D/R-3 District at premises 2360 Massachusetts Avenue, N.W. (Square 2507, Lot 50).

HEARING DATE: September 22, 2015
DECISION DATES: September 22, 2015 and February 23, 2016

NOTICE OF FINAL RULEMAKING

AND

DETERMINATION AND ORDER

The Board of Zoning Adjustment (“Board” or “BZA”), pursuant to the authority set forth in § 206 of the Foreign Missions Act (“FMA”), approved August 24, 1982 (96 Stat. 283; D.C. Official Code § 6-1306, and Chapter 10 of the Zoning Regulations of the District of Columbia (11 DCMR), hereby gives notice of the adoption of its determination not to disapprove the application of the Embassy of the Kyrgyz Republic (the “Applicant”) to allow a rear deck addition to an existing chancery at property located in the D/R-3 zone district at 2360 Massachusetts Avenue, N.W. (Square 2507, Lot 50) (the “subject property”).¹

PRELIMINARY MATTERS

The Application

On July 17, 2015, the Applicant filed a chancery application with the Board. (Exhibit 1.) Pursuant to 11 DCMR § 3134.7, the application was accompanied by a letter from the United States Department of State certifying the Applicant had complied with § 205 of the Foreign Mission Act (22 USC § 4305) and that the application could be submitted to the Board. (Exhibit 26.)

¹ A referral memorandum from the Office of the Zoning Administrator in this proceeding stated the need for a special exception pursuant to § 1002.1 to allow the conversion of an existing one-family dwelling into a chancery in D/R-3 and a variance from § 403.2 to allow a deck and patio extension in excess of the maximum permitted lot occupancy. (*see* Exhibit 2.) However, since the chancery use was previously established at the subject property (*see* Application No. 17543 (order issued January 24, 2007)), the Board considered the requested relief as a chancery application. *See Embassy of the People's Republic of Benin v. D.C. Bd. of Zoning Adjustment*, 534 A.2d 310, 318 (D.C. 1987) (Foreign Missions Act “exclusive procedure available to [chanceries] to obtain a special exception.”)

Notice Procedures

In accordance with the Zoning Regulations, the Board provided written notice to the public more than 40 days in advance of the public hearing. (11 DCMR §§ 3113.13 and 3134.9(c).) On July 29, 2015, the Office of Zoning provided notice of the filing of the application to the United States Department of State (Exhibit 17) and to the District of Columbia Office of Planning (Exhibit 13), Advisory Neighborhood Commission (“ANC”) 2D, whose boundaries encompass the subject property (Exhibit 14), the Single Member District member for ANC 2D02 (Exhibit 15), the District Department of Transportation (Exhibit 16), and the Councilmember for Ward 2 (Exhibit 18). The Office of Zoning scheduled a public hearing on the application for September 22, 2015 and mailed a copy of the notice of hearing to the Applicant (Exhibit 22), ANC 2D (Exhibit 23), and the owners of all property within 200 feet of the subject property (Exhibits 24-25) as well as to the Department of State (Exhibit 19), the National Capital Planning Commission (Exhibit 20), and the Commission of Fine Arts (Exhibit 21). Notice of the hearing was published in the *D.C. Register* on August 7, 2015 (62 DCR 10669) and September 4, 2015. (62 DCR 12047.) In addition, the Applicant posted notice on the property in plain view of the public in accordance with 11 DCMR § 3113. (Exhibit 30.)

Notice of Proposed Rulemaking

After the September 22, 2015 hearing and decision, the Board learned that a Notice of Proposed Rulemaking had not been published in the *D.C. Register* for this application, as is required by D.C. Official Code § 2-505. A Notice of Proposed Rulemaking was subsequently published on January 15, 2016 in order to meet this requirement. (63 DCR 659.) Accordingly, the record was reopened to allow for a 15-day comment period. During this time, no public comments were submitted to the record. On February 23, 2016, the Board reopened the record for further deliberations on this application to address any comments filed in response to the Notice of Proposed Rulemaking. As no public comments were received, the Board made a motion to rescind its prior vote and again voted to not disapprove the application.

The Subject Property

The property that is the subject of this application is located at 2360 Massachusetts Avenue, N.W. (Square 2507, Lot 50), within the R-3 zone district and the Mixed Use Diplomatic (D) overlay district. The Applicant has owned the property since 2005 and was permitted to establish a chancery at the subject property in 2007. *See* Application No. 17543 (order issued January 24, 2007). The Embassy of the Kyrgyz Republic is a diplomatic mission with six diplomats, including the ambassador, and two administrative staff members.

The Applicant’s Proposal

In this application, the Applicant proposes to construct a rear deck addition to the chancery building. According to the Applicant, a retaining wall was needed to address a potential risk of

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erosion at the rear of the subject property, which abuts a wooded area off of Rock Creek and Potomac Parkway. The Applicant proposes to construct a deck, 14 feet by 25 feet, over the retaining wall to increase the useful space at the embassy for official and diplomatic events. The proposed deck will increase the lot occupancy at the subject property from 59.6% to 73.4%, above the maximum 60% permitted as a matter of right.

DETERMINATION

Pursuant to § 406(d) of the Foreign Missions Act, D.C. Official Code § 6-1306(d), a determination by the Board concerning the location of a chancery must be based exclusively on the following six criteria:

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;
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 federal regulations governing historic preservation shall be required with respect to new construction and to demolition of or alteration to historic landmarks;
3. The adequacy of off-street or other parking to 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;
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;
5. The municipal interest, as determined by the Mayor of the District of Columbia; and
6. The federal interest, as determined by the Secretary of State.

The Board concludes that the application should not be disapproved because it satisfies all of these criteria.

Criterion 1 -- International Obligation of the United States

By letter dated August 17, 2015 from its Office of Foreign Missions, the U.S. Department of State indicated that favorable action on the application will "...fulfill the international obligation of the United States to facilitate the acquisition of adequate and secure premises for the Government of the Kyrgyz Republic in Washington." Moreover, "a proper deck" would ensure that the rear of the property is "adequate and secure." (Exhibit 29.)

Criterion 2 -- Historic Preservation (as determined by the BZA)

The subject property is located in the Sheridan-Kalorama Historic District and within the jurisdiction area of the Commission of Fine Arts. At the public hearing, the Applicant described communication with the staff of the Historic Preservation Office at the Office of Planning, who referred the Applicant to the Commission of Fine Arts (“CFA”), and the Applicant’s submission of documents to CFA on September 3, 2015. (Hearing Transcript of September 22, 2015, p. 8-9.) The Board concludes that the Applicant has substantially complied with applicable historic preservation regulations. The Board notes that the consent calendar report for the meeting of the Commission of Fine Arts on September 17, 2015 indicates that CFA had no objection to the issuance of a permit for the Applicant’s proposed retaining wall at the rear of its chancery building as shown on materials submitted by the Applicant and dated September 4, 2015. The Board concurs that no historic preservation basis exists for it to disapprove this application.

Criterion 3 -- Adequacy of Parking (subject to such special security requirements as may be determined by the Secretary)

The Board finds that the Applicant’s proposal to construct a rear deck addition to an existing chancery does not alter the zoning requirement for parking at the subject property and notes that, by memorandum dated September 8, 2015, the District Department of Transportation indicated no objection to approval of the application. (Exhibit 31.) The State Department determined that “there exist no special security requirements related to parking in this case.” (Exhibit 29.)

Criterion 4 -- The Extent to which the area is capable of being adequately protected (as determined by the Secretary)

After consultation with federal agencies authorized to perform protective services, the State Department “...determined that the subject site and area are capable of being adequately protected.” (Exhibit 29.)

Criterion 5 -- The Municipal Interest (as determined by the Mayor)

The Board concludes that favorable action on this application is in the municipal interest and is consistent with the Comprehensive Plan, noting that, by memorandum dated September 15, 2015, the Office of Planning recommended that the Board not disapprove the application. (Exhibit 32.) The planned rear deck will be a relatively small addition to the Applicant’s building that will improve its use as a chancery by enlarging the space available for diplomatic functions. Although lot occupancy will increase slightly above the percentage allowed as a matter of right, the rear yard at the subject property will remain compliant with zoning requirements, at 39 feet where a minimum of 20 feet is required. The Board does not find that the deck addition would adversely affect the use of neighboring property.

Criterion 6 -- The Federal Interest (as determined by the Secretary)

The Board concludes that the State Department has determined that a favorable decision on this application would serve the federal interest. The Department of State determined that “there is a federal interest in this project,” noting that the “Government of the Kyrgyz Republic has generously assisted with the United States’ zoning and permit needs required for the construction of a new U.S. chancery facility in Bishkek, Kyrgyzstan (which is scheduled to be completed in October)” and that “[s]uch cooperation was essential for successfully achieving the Federal Government’s mission of providing safe, secure, and functional facilities for the conduct of U.S. diplomacy and the promotion of U.S. interests worldwide.” (Exhibit 29.)

III. Great Weight

The Board is required under § 13(d) of the Advisory Neighborhood Commissions Act of 1975, effective March 26, 1976 (D.C. Law 1-21; D.C. Official Code § 1-309.10(d), to give great weight to the issues and concerns raised in the written report of the affected Advisory Neighborhood Commission. In this proceeding, ANC 2D voted 2-0, at a public meeting on September 8, 2015, with a quorum present, “to support the Applicant’s application to allow construction of a deck and patio extension in excess of the maximum allowable lot occupancy.” ANC 2D supported the relief requested because “the work will result in protecting the structure and land from the risk of erosion due to its location on a hill, and because the deck [will be] on the back of the property, facing the park, and thus will not detract from the historic character of the street or neighborhood.” (Exhibit 35.) The Board finds that the ANC has not raised any issues or concerns inconsistent with the Board’s decision in this proceeding.

For the reasons discussed above, the Board finds that the application of the Embassy of the Kyrgyz Republic to allow a rear deck addition to an existing chancery in the D/R-3 zone district at 2360 Massachusetts Avenue, N.W. (Square 2507, Lot 50) satisfies the applicable requirements of the Foreign Missions Act. Accordingly, it is hereby **ORDERED** that this application is **NOT DISAPPROVED, SUBJECT TO APPROVED PLANS AT EXHIBIT 5.**

Vote of the Board of Zoning Adjustment constituted in accordance with the Foreign Missions Act taken on February 23, 2016 to rescind its prior vote on September 22, 2015, and not to disapprove the application:

VOTE: 4-0-1 (Marnique Y. Heath, Frederick L. Hill, Peter G. May - by absentee vote, and Marcel C. Acosta - by absentee vote, voting Not to Disapprove; one Board seat vacant).

BY THE BOARD OF ZONING ADJUSTMENT

A majority of the Board members approved the issuance of this order.

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FINAL DATE OF ORDER: March 3, 2016

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 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 BE SUBJECT TO DISCIPLINARY ACTION.

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

Application No. 19186 of Ann Marie and Peter Mehlert, as amended,¹ pursuant to 11 DCMR § 3104.1, for a special exception under § 223, not meeting the lot occupancy requirements under § 403.2, and the nonconforming structure requirements under § 2001.3, to extend the porch of an existing one-family dwelling in the R-1-B District at premises 4925 41st Street N.W. (Square 1757, Lot 17).

HEARING DATE: March 1, 2016

DECISION DATE: March 1, 2016

SUMMARY ORDER

SELF-CERTIFIED

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2. (Exhibit 3.) Based on Office of Planning's recommendation that relief was also required for nonconforming structure, the Applicant amended the application orally at the public hearing of March 1, 2016 to add a request for special exception relief from § 2001.3.

The Board of Zoning Adjustment ("Board") provided proper and timely notice of the public hearing on this application by publication in the *D.C. Register* and by mail to Advisory Neighborhood Commission ("ANC") 3E, and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 3E, which is automatically a party to this application. The ANC submitted a report indicating that at its regularly scheduled and properly noticed public meeting of February 11, 2016, at which a quorum was in attendance, ANC 3E voted 4-1-0 to support the application. (Exhibit 26.)

The Office of Planning ("OP") submitted a report on February 23, 2016, recommending approval of the application, as amended. (Exhibit 25.) OP also testified in support of the application at the public hearing. The District Department of Transportation ("DDOT") submitted a report on February 23, 2016 indicating that it had no objection to the application. (Exhibit 24.)

As directed by 11 DCMR § 3119.2, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to § 3104.1, for special exceptions from §§ 223, 403.2, and 2001.3, to extend the porch of an existing one-family dwelling in the R-1-B District. No parties appeared at the public hearing in opposition to this

¹ The original application included a self-certified request for a special exception under § 223, not meeting the lot occupancy requirements under § 403.2. (Exhibit 3.) Based on Office of Planning's recommendation that relief was also required for nonconforming structure, the Applicant amended the application orally at the public hearing to add a request for special exception relief from § 2001.3.

application. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board and having given great weight to the OP and ANC reports filed in this case, the Board concludes that the Applicant has met the burden of proof, pursuant to 11 DCMR §§ 223, 403.2, and 2001.3, that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board further concludes that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map.

Pursuant to 11 DCMR § 3100.5, the Board has determined to waive the requirement of 11 DCMR § 3125.5, that the order of the Board be accompanied by findings of fact and conclusions of law. The waiver will not prejudice the rights of any party and is appropriate in this case.

It is therefore **ORDERED** that this application is hereby **GRANTED, SUBJECT TO THE APPROVED PLANS AT EXHIBIT 7.**

VOTE: 3-0-2 (Michael G. Turnbull, Frederick L. Hill, and Marnique Y. Heath to APPROVE; Jeffrey L. Hinkle not participating 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 order.

FINAL DATE OF ORDER: March 3, 2016

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

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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. 19194 of Utku Alsanturk, as amended,¹ pursuant to 11 DCMR § 3104.1, for a special exception under § 223, not meeting the lot occupancy requirements under § 403.2, the rear yard requirements under § 404.1, the open court requirements under § 406.1, and the nonconforming structure requirements under § 2001.3, to construct a two-story addition with covered walkway and garage in the R-4 District at premises 229 10th Street S.E. (Square 944, Lot 39).

HEARING DATE: March 8, 2016
DECISION DATE: March 8, 2016

SUMMARY ORDER

SELF-CERTIFIED

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2. (Original - Exhibit 5; Revised – Exhibit 27.)

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 of this application is located within the jurisdiction of ANC 6B, which is automatically a party to this application. The ANC submitted a report indicating that at its regularly scheduled and properly noticed public meeting of February 9, 2016, at which a quorum was in attendance, ANC 6B voted 7-0-0 to support the revised plans and amended application. (Exhibit 30.)

The Office of Planning (“OP”) submitted a report on February 29, 2016, recommending approval of the amended application. (Exhibit 32.) OP also testified in support of the application at the public hearing. The District Department of Transportation (“DDOT”) submitted a report on March 1, 2016 indicating that it had no objection to the application. (Exhibit 33.)

Adjacent neighbors submitted letters in support to the record. (Exhibits 25 and 29). The Board also received three additional letters in support from nearby residents. (Exhibit 26.) In addition, a letter in support was filed by the Capitol Hill Restoration Society. (Exhibit 35.)

¹ The original application included a self-certified request for a special exception under § 223, not meeting the lot occupancy requirements under § 403.2, the open court requirements under § 406.1, and the nonconforming structure requirements under § 2001.3. (Exhibit 5.) The Applicant submitted a revised Self-Certification Form to add relief from the rear yard requirements under § 404.1. (Exhibit 27.) During the public hearing, the Applicant also clarified that plans for the addition, formerly proposed as a three-story addition, have been revised. The Applicant now proposes a two-story addition with covered walkway and garage. The caption has been revised accordingly.

As directed by 11 DCMR § 3119.2, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to § 3104.1, for special exceptions from §§ 223, 403.2, 404.1, 406.1, and 2001.3, to construct a two-story addition with covered walkway and garage in the R-4 District. No parties appeared at the public hearing in opposition to this application. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board and having given great weight to the OP and ANC reports filed in this case, the Board concludes that the Applicant has met the burden of proof, pursuant to 11 DCMR §§ 223, 403.2, 404.1, 406.1, and 2001.3, that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board further concludes that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map.

Pursuant to 11 DCMR § 3100.5, the Board has determined to waive the requirement of 11 DCMR § 3125.5, that the order of the Board be accompanied by findings of fact and conclusions of law. The waiver will not prejudice the rights of any party and is appropriate in this case.

It is therefore **ORDERED** that this application is hereby **GRANTED, SUBJECT TO THE APPROVED REVISED PLANS AT EXHIBIT 23.**

VOTE: 4-0-1 (Marnique Y. Heath, Frederick L. Hill, Jeffrey L. Hinkle, and Peter G. May to APPROVE; 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 order.

FINAL DATE OF ORDER: March 9, 2016

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

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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 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. 19196 of 1247 ESE, LLC, pursuant to 11 DCMR § 3103.2, for a variance from the minimum lot dimension requirements under § 401.11, to convert lower-level storage space into a residential unit in the R-4 District at premises 1247 E Street S.E. (Square 1019, Lot 43).¹

HEARING DATES: February 23, 2016² and March 8, 2016

DECISION DATE: March 8, 2016

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") 6B and to owners of property located within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 6B, which is automatically a party to this application. The ANC submitted a report recommending approval of the application. The ANC's report indicated that at a regularly scheduled, properly noticed public meeting on February 9, 2016, at which a quorum was present, the ANC had voted unanimously (7-0-0) in support of the application. (Exhibit 28.)

The Office of Planning ("OP") submitted a timely report recommending approval of the application and testified in support at the hearing. (Exhibit 27.) The District Department of Transportation ("DDOT") submitted a timely report indicating that it had no objection to the grant of the application. (Exhibit 29.)

Two letters of support from neighbors were submitted to the record. (Exhibits 23 and 24.)

A letter of opposition from the Capitol Hill Restoration Society was submitted to the record. (Exhibit 32.)

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 an area variance from the minimum lot dimension requirements under § 401.11, to convert lower-level storage space into a residential unit in the R-4 District. The only parties to the case were the ANC and the Applicant. No parties appeared at the public hearing in opposition to the

¹ This property also is the subject of a separate application and approval. (see Case No. 18701.)

² The hearing was postponed from February 23, 2016 at the request of the Applicant. (Exhibit 30.)

application. Accordingly, a decision by the Board to grant this application would not be averse to any party.

Based upon the record before the Board, and having given great weight to the ANC and OP reports filed in this case, the Board concludes that in seeking a variance from 11 DCMR § 401.11, the Applicant has met the burden of proof under 11 DCMR § 3103.2, that there exists an exceptional or extraordinary situation or condition related to the property that creates a practical difficulty for the owner in complying with the Zoning Regulations, and that the relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map.

Pursuant to 11 DCMR § 3100.5, the Board has determined to waive the requirement of 11 DCMR § 3125.5, that the order of the Board be accompanied by findings of fact and conclusions of law. The waiver will not prejudice the rights of any party and is appropriate in this case.

It is therefore **ORDERED** that the application is hereby **GRANTED SUBJECT TO THE APPROVED PLANS AT EXHIBIT 8**.

VOTE: **4-0-1** (Frederick L. Hill, Marnique Y. Heath, Jeffrey L. Hinkle, and Peter G. May to APPROVE; 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 order.

FINAL DATE OF ORDER: March 10, 2016

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.

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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. 19197 of Nicholas Rubenstein and Jenn Hsu, pursuant to 11 DCMR § 3103.2, for variances from the lot occupancy requirements under § 403.2, and the nonconforming structure requirements under § 2001.3, to renovate an existing one-story garage into a two-story, one-family dwelling in the R-4 District at premises 1317 Naylor Court N.W. (Square 367, Lot 863).

HEARING DATE: March 8, 2016

DECISION DATE: March 8, 2016

SUMMARY ORDER

REVIEW BY THE ZONING ADMINISTRATOR

On November 16, 2015, the Applicant filed a request for relief, accompanied by a memorandum, dated October 23, 2015, from the Zoning Administrator (“ZA”), which stated that Board of Zoning Adjustment (“Board” or “BZA”) approval is required for variances from the lot occupancy requirements under § 403.2 and the nonconforming structure requirements under § 2001.3. (Exhibit 8.)

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”) 2F, and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 2F, which is automatically a party to this application. The ANC submitted a report indicating that, at its regularly scheduled and properly noticed public meeting of December 2, 2015, at which a quorum was in attendance, ANC 2F voted 7-0-0 to support the application. (Exhibit 29.)

The Office of Planning (“OP”) submitted a timely report on February 29, 2016, recommending approval of the application. (Exhibit 31.) OP also testified in support of the application at the public hearing. The District Department of Transportation (“DDOT”) submitted a timely report on March 1, 2016, indicating that it had no objection to the Applicant's request for variance relief. (Exhibit 32.)

Two neighbors submitted letters in support of the application to the record. (Exhibits 15 and 16.)

At the public hearing on March 8, 2016, adjacent property owner Dr. David Salter testified to raise concerns about the impact of the proposed construction on the shared party wall and on the I-beams in the Applicant's garage. Dr. Salter also filed comments in opposition to the record. (Exhibit 33.) The Board requested that the Applicant respond to these concerns, and the

Applicant's architect noted that a structural engineer will prepare full structural drawings during the permitting process.

As directed by 11 DCMR § 3119.2, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case, pursuant to § 3103.2, for variances from the lot occupancy requirements under § 403.2, and the nonconforming structure requirements under § 2001.3, to renovate an existing one-story garage into a two-story, one-family dwelling in the R-4 District. 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 ANC and OP reports filed in this case, the Board concludes that in seeking variances from 11 DCMR §§ 403.2 and 2001.3, the Applicant has met the burden of proving under § 3103.2, that there exists an exceptional or extraordinary situation or condition related to the property that creates a practical difficulty for the owner in complying with the Zoning Regulations, and that the relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map.

Pursuant to 11 DCMR § 3100.5, the Board has determined to waive the requirement of 11 DCMR § 3125.5, that the order of the Board be accompanied by findings of fact and conclusions of law. It is therefore **ORDERED** that this application is hereby **GRANTED, SUBJECT TO THE APPROVED PLANS AT EXHIBIT 6.**

VOTE: 4-0-1 (Marnique Y. Heath, Frederick L. Hill, Jeffrey L. Hinkle, and Peter G. May to APPROVE; 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 order.

FINAL DATE OF ORDER: March 10, 2016

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

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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 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 19198 of Peter Lord and Rebecca Larsen, pursuant to 11 DCMR § 3104.1 for a special exception under § 223, not meeting the lot occupancy requirements under § 403.2, the open court requirements under § 406, and the non-conforming structure requirements under § 2001.3, to construct a two-story rear addition to an existing one-family dwelling in the R-4 District at premises 230 12th Place, N.E. (Square 1010, Lot 74).

HEARING DATE: March 8, 2016

DECISION DATE: March 8, 2016

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”) 6A, and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 6A, which is automatically a party to this application. The ANC submitted a report indicating that at a regularly scheduled and properly noticed meeting on February 11, 2016, at which a quorum was in attendance, ANC 6A voted 8-0-0 to support the application. (Exhibit 26.) The adjacent neighbors filed letters in support of the application. (Exhibits 11 and 12.)

The Office of Planning (“OP”) submitted a timely report and testified at the hearing in support of the application. (Exhibit 27.) The District Department of Transportation (“DDOT”) filed a report expressing no objection to the approval of the application. (Exhibit 28.)

As directed by 11 DCMR § 3119.2, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to § 3104.1, for a special exception under §§ 223, 403.2, 406, and 2001.3. No parties

appeared at the public hearing in opposition to this application. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

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, 223, 403.2, 406, and 2001.3, that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map.

The Board further concludes that granting the requested relief will not tend to affect adversely the use of neighboring property in the accordance with the Zoning Regulations and Map.

Pursuant to 11 DCMR § 3100.5, the Board has determined to waive the requirement of 11 DCMR § 3125.5, that the order of the Board be accompanied by findings of fact and conclusions of law. The waiver will not prejudice the rights of any party and is appropriate in this case.

It is therefore **ORDERED** that this application is hereby **GRANTED, SUBJECT TO THE APPROVED PLANS AT EXHIBIT 7.**

VOTE: **4-0-1** (Marnique Y. Heath, Frederick L. Hill, Jeffry L. Hinkle, and Peter G. May to APPROVE; 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 order.

FINAL DATE OF ORDER: March 10, 2016

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 COLUMBIADOES NOT DISCRIMENATE ON THE BASIS OF ACTUAL OR PERCEIVED RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUSPERSONAL 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 SEXUAL DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION, SEXUAL HARASMENT BASE ON 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. 19200 of Jemal's Pappas Tomato's L.L.C., as amended¹, pursuant to 11 DCMR § 3103.2, for a variance from the off-street parking requirements under § 2101.1, to allow the adaptive reuse of an existing warehouse building for retail uses in the C-M-1 District at premises 1401 Okie Street N.E. (Square 4093, Lot 832).

HEARING DATE: March 1, 2016

DECISION DATE: March 1, 2016

SUMMARY ORDER

SELF-CERTIFIED

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2. (Exhibits 13 (original), 25 (1st revised), and 34 (2nd revised).)

The Board of Zoning Adjustment ("Board" or "BZA") provided proper and timely notice of the public hearing on this application by publication in the *D.C. Register* and by mail to Advisory Neighborhood Commission ("ANC") 5D and to owners of property located within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 5D, which is automatically a party to this application. The ANC submitted a report in this case, indicating that at a duly called and properly noticed public meeting on January 12, 2016, at which a quorum was present, the ANC voted 7-0-0 to support the application. (Exhibit 26.)

The Office of Planning ("OP") submitted a timely report recommending approval of the application and testified in support at the hearing. (Exhibit 30.)

The District Department of Transportation ("DDOT") submitted a timely report indicating no objection to the application with one condition.² (Exhibit 31.). The Applicant testified that it accepted the condition DDOT recommended.

The Applicant testified that the proposed project will include a Light Manufacturing use, which will comply with the requirements of § 804. In addition, the Applicant noted that an above-ground garage with over 1,000 spaces has been constructed across the street and that patrons and

¹ At the public hearing, the Applicant amended its application to withdraw the requests for special exception relief from the roof structure requirements under §§ 411.3, 770.6, and 845.1, leaving only a request for variance relief from the off-street parking requirements under § 2101.1. The Applicant submitted a revised self-certification indicating that change. (Exhibit 34.) The caption has been amended accordingly.

² DDOT testified in support as well and raised a concern about loading that was outside the scope of the application.

employees of the proposed project will be permitted to park at that garage. The Board indicated that the record should be left open for the Applicant to submit a filing confirming its compliance with § 804 and the availability of parking in the adjacent garage. The Applicant submitted the requested filing. (Exhibit 33.)

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 an area variance from the off-street parking requirements under § 2101.1, to allow the adaptive reuse of an existing warehouse building for retail uses in the C-M-1 District. The only parties to the case were the ANC and the Applicant. 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 averse to any party.

Based upon the record before the Board, and having given great weight to the ANC and OP reports filed in this case, the Board concludes that in seeking a variance from 11 DCMR § 2101.1, the Applicant has met the burden of proof under 11 DCMR § 3103.2, that there exists an exceptional or extraordinary situation or condition related to the property that creates a practical difficulty for the owner in complying with the Zoning Regulations, and that the relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map.

Pursuant to 11 DCMR § 3100.5, the Board has determined to waive the requirement of 11 DCMR § 3125.5, that the order of the Board be accompanied by findings of fact and conclusions of law. The waiver will not prejudice the rights of any party and is appropriate in this case.

It is therefore **ORDERED** that the application is hereby **GRANTED SUBJECT TO THE APPROVED REVISED PLANS AT EXHIBIT 29C AND THE FOLLOWING CONDITION:**

1. Pending the approval of the Public Space Committee, the Applicant shall install curb ramps on the east-side of Fenwick Street at the intersection of Gallaudet Street as part of streetscape improvements, which will be coordinated through public space permits.

VOTE: **3-0-2** (Marnique Y. Heath, Frederick L. Hill, Michael G. Turnbull, to APPROVE; Jeffrey L. Hinkle, not participating or voting; 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 order.

FINAL DATE OF ORDER: March 3, 2016

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.

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PURSUANT TO 11 DCMR § 3130, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSE OF SECURING A BUILDING PERMIT, OR THE APPLICANT FILES A REQUEST FOR A TIME EXTENSION PURSUANT TO § 3130.6 PRIOR TO THE EXPIRATION OF THE TWO-YEAR PERIOD AND THE REQUEST IS GRANTED. PURSUANT TO § 3129.9, NO OTHER ACTION, INCLUDING THE FILING OR GRANTING OF AN APPLICATION FOR A MODIFICATION PURSUANT TO §§ 3129.2 OR 3129.7, SHALL TOLL OR EXTEND THE TIME PERIOD.

PURSUANT TO 11 DCMR § 3125, APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE. AN APPLICANT SHALL CARRY OUT THE 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.

BZA APPLICATION NO. 19200

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**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

Application No. 19220 of The Department of General Services of DC, pursuant to 11 DCMR § 3104.1, for a special exception from the rooftop mechanical equipment requirements under § 411.11, to allow the installation of new rooftop mechanical equipment to an existing school building in the C-2-A/R-4 District at premises 1445 C Street, S.E. (Square 1061, Lot 820).

HEARING DATE: March 8, 2016

DECISION DATE: March 8, 2016

SUMMARY ORDER

REVIEW BY THE ZONING ADMINISTRATOR

This application was accompanied by a memorandum, dated August 12, 2015, from the Zoning Administrator certifying the required relief. (Exhibit 8.)

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 located within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 6B, which is automatically a party to this application. The ANC submitted a report indicating that at a regularly scheduled and properly noticed meeting on February 9, 2016, at which a quorum was in attendance, ANC 6B voted 6-0-1 in support of the application. (Exhibit 19.)

The Office of Planning ("OP") submitted a timely report recommending approval of the application (Exhibit 21), and testified in support of the application at the hearing. The District Department of Transportation submitted a timely report, indicating that it had no objection to the approval of the application. (Exhibit 22.)

As directed by 11 DCMR § 3119.2, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to § 3104.1 for a special exception under § 411.11. 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 under 11 DCMR §§ 3104.1 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 § 3125.5, that the order of the Board be accompanied by findings of fact and conclusions of law. The waiver will not prejudice the rights of any party and is appropriate in this case.

It is therefore **ORDERED** that this application is hereby **GRANTED SUBJECT TO THE APPROVED PLANS AT EXHIBIT 6.**

VOTE: 4-0-1 (Marnique Y. Heath, Jeffrey L. Hinkle, Frederick L. Hill, and Peter G. May to APPROVE; 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 order.

FINAL DATE OF ORDER: March 10, 2016.

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 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
ZONING COMMISSION ORDER NO. 08-33C(1)
Z.C. Case No. 08-33C
Conference Center Associates I, LLC
(Modification of Consolidated Planned Unit Development)
January 11, 2016

ORDER GRANTING RECONSIDERATION

By Z.C. Order No. 08-33C issued November 9, 2015 and effective December 11, 2015, (“Order”) the Zoning Commission (“Commission”) granted the application of Conference Center Associates I, LLC (“Applicant”) for a modification to an approved planned unit development (“PUD”).

The PUD was initially granted by Z.C. Order No. 08-33, which authorized the construction of a hotel, conference center, restaurant, and parking structure. The modification initially requested by the Applicant consisted of only design revisions and a change to hotel brand from SpringHill Suites by Marriott to a combined Residence Inn/Courtyard by Marriott.

At the time of the original application, the project was located within the boundary of Advisory Neighborhood Commission (“ANC”) 5E. That ANC was therefore automatically a party to that case pursuant to 11 DCMR § 3099. After the original application was granted, but before the modification was requested, the Council of the District of Columbia enacted legislation redrawing ANC boundary lines, such that as of the date the modification request was filed the project was located within ANC 5A, which then became an automatic party in place of ANC 5E.

Although no longer an automatic party, ANC 5E was entitled to receive mailed notice of the hearing pursuant to 11 DCMR § 3015.3(c) because it was located within 200 feet of the property. Unfortunately, mailed notice was not given, although notice was posted at the project site and published in the *D.C. Register* as was also required. ANC 5E did not request party status and did not participate in the hearing. During the modification proceedings, the Commission agreed to modify Conditions 14, 15, and 17 of Z.C. Order No. 08-33, which required that hotel and other PUD space be made available to ANC 5E, by replacing the references to ANC 5E with references to ANC 5A.

On December 15, 2015, Advisory Neighborhood Commission 5E filed a motion for reconsideration (“Motion”). (Exhibit [“Ex.”] 28.) The Motion noted the absence of mailed notice and asserted that the lack of notice led to ANC 5E’s “disenfranchisement” because it was unable to participate in any discussion concerning the impact of the modification on the public benefits resulting from the PUD. In addition to the Motion, ANC 5E submitted a request to waive the requirements of § 3029.5 that only a party may file a motion for reconsideration (“Request”). (Ex. 28.) The Request also cites the lack of mailed notice as the basis for granting the waiver.

On December 23, 2015, the Applicant filed a response to the Motion (“Response”). (Ex. 29.) The Response did not address the issue of notice, but stated that subsequent to receiving the

Motion a representative of the Applicant met with the ANC/Single Member District (“SMD”) Commissioner for ANC 5E01 in order to discuss ANC 5E’s request to review the project’s amenities. The Response then expressed the Applicant’s willingness to extend to ANC/SMD 5E01 all of the amenities to be provided to ANC 5A and offered revisions to Conditions 14, 15, and 17 to accomplish this. Through an email dated December 23, 2015, the ANC/SMD 5E01 Commissioner advised the Applicant’s counsel that the Response “appropriately and effectively” addressed the concerns of ANC 5E. This email was submitted by the Applicant into the record. (Ex. 30.)

At a public meeting held January 11, 2016, the Commission considered the Motion as a Correspondence Item and voted to waive the party status requirement, grant the Motion for reconsideration, and revise Conditions 14, 15, and 17 in the manner proposed by the Applicant. As part of its discussion, the Commission expressed concern that ANC 5A may not have been served with the motion as required by § 3029.5 and therefore the Commission did not know whether that ANC objected to the change. The Commission then asked the Applicant’s counsel to advise the Secretary whether ANC 5A was aware of the Motion. The Commission’s Secretary indicated that the Applicant’s Counsel had indicated that ANC 5A was aware of the Motion and had no objection provided that nothing was being taken away from it. After concluding that the revisions to the three conditions would not alter ANC 5A’s right to receive the public benefits described therein, the Commission voted to waive the service requirements of § 3029.5.

CONCLUSIONS OF LAW

Under 11 DCMR § 3029.5, a party may file a motion for reconsideration of a Commission decision within 10 days after a final written order is issued. Here, although ANC 5E timely filed its motion, it was not a party to the modification proceeding and therefore sought a waiver of the party status requirement. Pursuant to 11 DCMR § 3000.8, the Commission may waive any of the provisions in Chapter 30 “for good cause shown” if it “will not prejudice the rights of any party” and “is not otherwise prohibited by law.”

The Commission finds good cause to grant the waiver. ANC 5E did not receive mailed notice of the hearing as required by § 3015.3(c) and apparently was unaware of the other forms of notice given. Had ANC 5E received mailed notice, it would have been able to submit a request for party status under § 3022.3.

The Commission recognizes that the other forms of notice required by § 3015.3(c) were given and that the Commission and Board of Zoning Adjustment, in denying prior requests for party status waiver, have held that those forms of notice suffice. However, those instances can be distinguished from the circumstances that exist here in that this proceeding involves: (1) a modification; and (2) an ANC that: (a) was an automatic party to the original proceeding; (b) was identified as the recipient of public benefit in the original case; (c) lost automatic party status because of a redistricting; and (d) was nevertheless entitled to mailed notice of the hearing because of its status as an ANC located within 200 feet of the property. Had the Commission been aware that no mailed notice had been given ANC 5E, it almost certainly would not have proceeded with the modification until that defect was remedied. Now that this defect has been

brought to its attention, the Commission has no qualms about waiving the party status requirement in order to allow the ANC to be heard.

The Commission further finds that no rights of either the Applicant or ANC 5A will be prejudiced by it granting the waiver, and that the waiver is not prohibited by law. The Applicant has not objected to the waiver and, as noted, ANC 5A will not be adversely impacted by the Commission's consideration of the motion.

Turning to the merits of the Motion, § 3029.6 provides that a motion for reconsideration "shall state specifically the respects in which the final order is claimed to be erroneous, the grounds of the motion, and the relief sought." A fair reading of the Motion suggests that that failure to provide ANC 5E with mailed notice deprived it of an opportunity to object to the loss of the public benefits originally granted it by Conditions No. 14, 15, and 17. Because the ANC was unable to make such an objection, the Commission's decision to eliminate the references to ANC 5E from those conditions was erroneous. The Commission agrees. As to the relief needed, the Commission concurs with ANC 5E and the Applicant that the appropriate remedy would be the insertion of references to SMD 5E01 into Conditions 14, 15, and 17 so that ANC/SMD 5E01 will receive the same public benefits as will be afforded ANC 5A.

For all of these reasons, the Commission hereby **ORDERS** that the motion for **RECONSIDERATION** is **GRANTED** and **FURTHER ORDERS** that Conditions Nos. 14, 15, and 17 of Z.C. Order No. 08-33, as modified by Z.C. Order No. 08-33C, be revised to read as follows, with new language shown in bold and underlined and deleted language in strikethrough:

14. The Applicant shall provide ANC 5A, ~~or SMD 5A05~~, or **SMD 5E01** with meeting room space for monthly public meetings on a scheduled basis, free of charge.
15. The Applicant shall establish a program to offer reduced rates for reasonable use of the hotel and conference center, including use of the conference facilities and rooms for the ballroom, by residents of ANC 5A **or SMD 5E01**, on a space available basis.
17. The Applicant shall provide meeting space for ANC 5A residents' **(or SMD 5E01 residents?)** annual holiday party for a period of 20 years from the date the hotel opens. The meeting space will be free of charge and will be on a space available basis.

On January 11, 2016, upon the motion of Commissioner Miller, as seconded by Commissioner Turnbull, the Zoning Commission **GRANTED RECONSIDERATION** and **ADOPTED** this Order at its public meeting by a vote of **5-0-0** (Anthony J. Hood, Marcie I. Cohen, Robert E. Miller, Peter G. May, and Michael G. Turnbull to grant reconsideration and adopt).

In accordance with 11 DCMR § 3028.8, this Order is final and effective upon its publication in the *D.C. Register* on March 18, 2016.

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF FINAL RULEMAKING
AND
ZONING COMMISSION ORDER NO. 12-08A
Z.C. Case No. 12-08A
(Text Amendment — 11 DCMR)
Technical Correction to StE District § 3307.1
January 11, 2016**

The full text of this Zoning Commission Order is published in the “Final Rulemaking” section of this edition of the *D.C. Register*.

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
ZONING COMMISSION ORDER NO. 15-05**

Z.C. Case No. 15-05

**Riverside Baptist Church and P.N. Hoffman and Associates, Inc.
(Consolidated PUD and Related Map Amendment @ Square 472, Lot 127)**

February 29, 2016

Pursuant to proper notice, the Zoning Commission for the District of Columbia (“Commission”) held a public hearing on November 30, 2015 to consider an application by Riverside Baptist Church and P.N. Hoffman and Associates, Inc. (together, the “Applicant”) for consolidated review and approval of a planned unit development (“PUD”) and related amendment of the Zoning Map of the District of Columbia from R-5-B to C-3-A for Square 472, Lot 127 (“Application”). The Commission considered the application pursuant to Chapter 24 and Chapter 30 of the District of Columbia Zoning Regulations, Title 11 of the District of Columbia Municipal Regulations (“DCMR”). The public hearing was conducted in accordance with the provisions of 11 DCMR § 3022. The Commission approves the application, subject to the conditions below.

FINDINGS OF FACT

Application, Parties, and Hearing

1. The project site consists of Square 472, Lot 127 (“Property”) and is located 680 I Street, S.W.
2. On March 16, 2015, the Applicant filed an application for consolidated review and approval of a PUD and related Zoning Map amendment from R-5-B to C-3-A. (Exhibit [“Ex.”] 2-2I.)
3. During its public meeting on July 27, 2015, the Commission unanimously voted to set down the Application for a public hearing. Notice of the public hearing was published in the *D.C. Register* on October 16, 2015 (62 DCR 13449) and was mailed to Advisory Neighborhood Commission (“ANC”) 6D and to owners of property within 200 feet of the Property. (Ex. 19, 20.)
4. The Application was further updated by pre-hearing submissions filed on September 21, 2015¹, October 8, 2015, and November 10, 2015. (Ex. 16, 21, 26.)
5. A public hearing was conducted on November 30, 2015. The Commission accepted Brian Pilot and John Wittman as experts in the field of architecture and Dan Van Pelt as an expert in the field of traffic engineering. The Applicant provided testimony from

¹ The September 21, 2015 pre-hearing submission amended and restated previous statements filed on August 7, 2015 and August 14, 2015.

these experts as well as from Reverend Dr. Michael Bledsoe, pastor of Riverside Baptist Church and Shawn Seaman and Bao Vuong of P.N. Hoffman.

6. In addition to the Applicant, ANC 6D was automatically a party in this proceeding and submitted a report in support of the application. (Ex. 28.) Townhome Management One, Inc. (“THM1”) also submitted a request for party status in opposition. (Ex. 27.) At the public hearing, the Commission approved a waiver from THM1 to file a late amended request for party status and subsequently approved THM1 as a party in opposition. (Ex. 37.) THM1 provided testimony in opposition to the project at the public hearing.
7. At the hearing, the Commission heard testimony and received evidence from the Office of Planning (“OP”) and the District Department of Transportation (“DDOT”) in support of the application. (Ex. 29, 30.) The Commission also heard testimony from persons in support of and in opposition to the Application. (Ex. 31, 32, 34.)
8. At the close of the hearing, the Commission asked the Applicant to address certain design issues and operational concerns. The Applicant addressed these issues and concerns in a post-hearing submission dated December 14, 2015. (Ex. 40-40B.)
9. THM1 submitted a letter responding to the Applicant’s post-hearing submission dated December 21, 2015. The letter also expressed additional issues and concerns about the project. (Ex. 43.)
10. At its public meeting on January 11, 2016, the Commission took proposed action to approve the Application and plans that were submitted into the record.
11. The Applicant submitted its proposed list of final proffers and draft conditions on January 17, 2016, and its final list on February 1, 2017. (Ex. 45, 46.) One of the proffers was a \$25,000 subsidy to help attract a daycare tenant. The proposed condition stated that, if the Applicant could not attract a daycare center as a tenant, ANC 6D could choose an alternative beneficiary of the \$25,000 subsidy.
12. The proposed action of the Commission was referred to the National Capital Planning Commission (“NCPC”) pursuant to § 492 of the Home Rule Act. NCPC’s Executive Director, by delegated action dated February 11, 2016, found that the proposed PUD would not be inconsistent with the Comprehensive Plan for the National Capital, nor would it adversely affect any other identified federal interests. (Ex. 47.)
13. At its public meeting on February 29, 2016 the Commission considered whether to adopt the Applicant’s proposed condition allowing ANC 6D to choose an alternative beneficiary of the \$25,000 if the Applicant could not secure a daycare tenant, and decided not to include this alternative in this Order. The Commission took final action to approve the Application.

THE MERITS OF THE APPLICATION

Overview of the Property

14. The Property consists of approximately 36,015 square feet of land area and is bounded by I Street, S.W., 7th Street, S.W., and Maine Avenue, S.W.² The Property is currently improved with the existing Riverside Baptist Church and a surface parking lot. (Ex. 2.)
15. The entrance to the Waterfront Metrorail Station is located approximately four blocks from the Property, and entrances to the L'Enfant Plaza Metrorail station is located approximately six blocks from the Property. (Ex. 2.)
16. To the east and south of the Property is the Waterside Towers complex, which consists of a mix of 10-story apartment buildings and three-story townhouse-style units. Further to the southeast is Arena Stage. To the northwest of the Property is the DAV (Disabled American Veterans) building; further northwest is Jefferson Middle School. To the north of the Property is Town Square Towers, a nine-story tall condominium building. Further to the northeast are a collection of townhouses along I Street, S.W., 6th Street, S.W., and H Street, S.W. that are collectively known as Townhouse Management One. (Ex. 2, 37.)
17. The proposed redevelopment of the Southwest Waterfront, known as The Wharf, is across Maine Avenue to the southwest of the Property. Immediately across from the Property will be a 130-foot-tall building and the 7th Street Park approved by the Commission in Z.C. Case No. 11-03. (Ex. 2.)
18. The Property is located in the R-5-B Zone District. Property to the southeast is also located in the R-5-B Zone District. Property immediately to the north and east of the Property is located in the R-5-D Zone District. Property to the northwest is located in the W-1 Zone District. Property in The Wharf to the southwest was rezoned to the C-3-C Zone District in Z.C. Order No. 11-03. (Ex. 2.)
19. The Future Land Use Map of the Comprehensive Plan designates the Property in the Moderate-Density Residential Land Use Category. However, the D.C. Council approved the Southwest Small Area Plan pursuant to Resolution R21-0170 on July 14, 2015, pursuant to which the PUD site was designated as appropriate for Mixed-Use Medium-Density Residential/Low-Density Commercial land use. Subsection 1-306.03(c)(4) of the D.C. Official Code states that “[o]nce approved, the small area action plan shall provide supplemental guidance to the Zoning Commission and other District agencies in carrying out the policies of the Comprehensive Plan.” (Ex. 2-2I, 26-26C.)

The Project

20. The Applicant requested approval to redevelop the property with a new building containing a new home for Riverside Baptist Church and an apartment building with

² Technically, the Property fronts along a 20-foot wide strip of land owned by the District of Columbia that is adjacent to and parallel to Maine Avenue, and is administered by DDOT as if it is public space.

approximately 167 units and approximately 6,900 to 9,100 square feet of a ground-floor community-serving retail use (“Project”). (Ex. 2-2I, 26-26C.)

21. The Project has been arranged to place the new church on Maine Avenue, in the most visible location and closest to the waterfront. The residential component of the Project extends back into and within the Southwest neighborhood. This is consistent with the overall pattern of development in Southwest, which generally places civic and institutional buildings along the primary streets and focuses residential development within the heart of the neighborhood. (Ex. 2.) The Project’s site plan is also driven by the presence of underground Metro facilities.
22. The height of the Project modulates, from the two-story church to the seven-story tall residential portion along I Street, closest to the residential neighborhood, and with the nine-story tall portion of the project along 7th Street and set back from I Street. The setback along I Street also reduces the apparent height and mass of the Project. The variation in height also mimics the overall development pattern of Southwest, which contains a combination of moderate and taller height structures. (Ex. 2).
23. The Project includes approximately 169 parking spaces, accessed from a curb cut off I Street. (Ex. 2, 26.) Loading is also accessed from the same curb cut, and consists of two internal loading berths. The curb cut is able to accommodate truck turnaround movements so that trucks are able to enter and exit the property front-first. (Ex. 2, 26.) The proposed curb cut received concept approval from the District of Columbia Public Space Committee on October 22, 2015. Finally, the Project includes a minimum of 64 bicycle parking spaces within the Project and an additional 20 bicycle parking spaces in public space in front of the Project. (Ex. 26.)
24. The residential component of the Project will be constructed to a minimum of LEED-Gold certification. (Ex. 26.)
25. The Project includes a series of streetscape improvements that include reconfiguration of the existing intersection at 7th and I Streets; relocation of the curb and widening of the sidewalk along 7th Street, and landscaping of the 20-foot strip of public land along the Maine Avenue right-of-way. These improvements also received concept approval from the Public Space Committee. (Ex. 26.)
26. The Project will contain an occupiable penthouse with approximately 3,070 square feet devoted to residential units and the remainder devoted to mechanical equipment and communal recreation space. Pursuant to §§ 411.16, 2603.2 and 2603.10, the residential units generate an affordable housing requirement for approximately 246 square feet of affordable housing set aside at 50% of the area median income (“AMI”). (Ex. 26.)
27. The total gross floor area for the Project is approximately 164,485 square feet for a total density of approximately 4.57 floor area ratio (“FAR”) and a lot occupancy of approximately 73%. The building will reach a maximum height of approximately 90 feet. (Ex. 26.)

Zoning Map Amendment

28. The Property is located in the R-5-B Zone District. The maximum height allowed in the R-5-B Zone District is 50 feet, and the maximum density is 1.8 FAR (2.16 FAR for residential developments that trigger inclusionary zoning).
29. The Applicant requested a PUD-related Zoning Map amendment to the C-3-A Zone District to permit the Project to achieve the requested mix of uses, height, and density. The maximum height permitted in the C-3-A Zone District under the PUD guidelines is 90 feet, and the maximum density permitted is 4.5 FAR (with an additional increase in FAR of up to five percent permitted pursuant to § 2405.3 of the Regulations).

PUD Flexibility Requested

30. The Applicant requested approval to construct a building to a maximum height of 90 feet and density of 4.57 FAR, which are within the PUD standards set forth in 11 DCMR § 2405, as well as a PUD-related Zoning Map amendment for the Property to the C-3-A Zone District. The Applicant requested an increase in the maximum permitted FAR of the Project pursuant to § 2405.3 as well as flexibility from the rear yard, courts, parking, and loading requirements in order to accommodate the proposed design of the Project, as detailed in the Applicant's written submission and the OP Final Report. (Ex. 2, 26, 29.)

Project Amenities and Public Benefits

31. As detailed in the Applicant's testimony and written submissions, the proposed Project will implement the following project amenities and public benefits:
 - a. Exemplary urban design, architecture, and landscaping, including high-quality materials, pedestrian-oriented streetscape improvements, including water walls that will function as public art, clear separation of pedestrian and vehicular entrances and circulation patterns, and sustainable features; (Ex. 2, 26.)
 - b. Site planning and efficient land utilization, through the redevelopment of a strategic underutilized site located along a key gateway into the Southwest neighborhood; (Ex. 2, 26.)
 - c. Effective and safe vehicular and pedestrian access and transportation management measures. Specific features include:
 - i. Agreement to restrict residents and tenants of the Project from participating in the residential parking permit ("RPP") program; (Ex. 26, 40.)
 - ii. Approximately 64 bicycle parking spaces and a bicycle repair facility within the garage and an additional 20 parking spaces at ground level as shown on the approved plans (a total of 26 spaces more than required); and

iii. Transportation and streetscape infrastructure improvements, including:

1. Reconfiguration of the 7th and I Street intersection to significantly enhance the multi-modal accessibility and increase pedestrian safety of the intersection;
2. Creation of a landscaped public space at the new intersection;
3. Relocation of the curb lane on 7th Street to widen the sidewalk and planting zone; and
4. Landscaping of the 20-foot-wide publicly-owned strip of land parallel to Maine Avenue;

(Ex. 26.)

d. Housing and affordable housing, through the creation of approximately 167 residential units, including approximately 6,004 square feet of gross floor area (or approximately eight units) set aside for households earning up to 50% of the area median income and approximately 8,635 square feet of gross floor area (or approximately 12 units) set aside for households earning up to 80% of the area median income. (Ex. 2, 26, 40.) This represents a significant increase in the amount and depth of affordable housing over both a matter-of-right project in the underlying R-5-B Zone District (6,483 square feet of affordable housing, with 3,232 square feet at 50% AMI and 3,241 square feet at 80% AMI) and over the base requirements of the C-3-A Zone District sought through the PUD (11,516 square feet at 80% AMI):

TABLE 1: Affordable Housing Chart

Residential Unit Type	GFA / Percentage of Total	Units*	Income Type**	Affordable Control Period	Affordable Unit Type***	Notes
Total	143,930 SF / 100%	167				
Market Rate	129,537 SF / 90%	147				
IZ (50% AMI)	6,004 SF / 4% **	8	50% AMI	Life of the Project	Rental	
IZ (80% AMI)	8,635 SF / 6%	12	80% AMI	Life of the Project	Rental	

* The Applicant requested flexibility to modify the final number of units, which may impact the final number and location of affordable units.

** Includes an additional 246 square feet, which represents eight percent of the floor area of the habitable residential units within the penthouse of the Project.

- e. Environmental benefits, including a commitment to achieve LEED-Gold certification under the LEED 2009 rating system for the residential component of the Project; and (Ex. 26.)
- f. Uses of special value, including:
 - i. Approximately 6,900 to 9,100 square feet of ground-floor space devoted to neighborhood-serving retail and service, daycare, or clinic use;
 - ii. A \$25,000 subsidy to help attract a daycare to the Project; and
 - iii. Retention of Riverside Baptist Church in the neighborhood through the construction of a new home and an endowment for the Church. The Church's contributions to the neighborhood were detailed by the Applicant in its written submissions and in testimony at the public hearing.

(Ex. 2, 26.)

32. THM1 stated that it believed the water feature and newly designed intersection should not count as public benefits of the project because they were only for the benefit of the Applicant. (Ex. 43.) The Commission believes the water feature should count as a public benefit because it will be visible from public space, and the newly designed intersection should also count as a public benefit because it will be public space.

Transportation Issues

33. The Project is located near several modes of transportation, including the nearby Waterfront and L'Enfant Plaza Metrorail stations, Metrobus and D.C. Circulator lines, bicycle facilities, a connected and developed urban network of pedestrian sidewalks and paths, and a connected network of arterial, collector, and local streets. (Ex. 21-21A.)
34. The Applicant's traffic expert submitted a detailed transportation impact analysis that concluded that the proposed Project, including the proposed reconfiguration of the 7th and I Street intersection, would not generate an adverse traffic impact on the surrounding roadway network or cause objectionable impacts in the surrounding neighborhood due to traffic or parking impacts. The Applicant's traffic consultant also concluded that the number of parking and loading spaces as well as the location of the parking and loading entrances would accommodate the parking and loading needs for the Project and not generate adverse or objectionable impacts on neighboring property. (Ex. 21-21A.)
35. DDOT submitted a report recommending approval of the Project. DDOT concurred with the scope, methodology, and findings of the Applicant's transportation study, and agreed that the Project would have minimal impact on the surrounding roadway network. DDOT supported the Project's proposed vehicle parking, bicycle parking, and loading. In its report, DDOT supported the Project's transportation demand management ("TDM") plan, as amended by the Applicant to include additional measures requested by DDOT. (Ex. 30.)

36. RPP. At the request of ANC 6D, the Applicant agreed to restrict residents of the Project from participating in the RPP program. (Ex. 26.) At the hearing and in its post-hearing submission, the Applicant agreed to enforce this prohibition through a lease provision or similar mechanism. (Ex. 40.)
37. Loading Dock Door. At the request of ANC 6D, the Applicant agreed to select a loading dock door that is consistent with the architectural integrity of the building and a depiction of that door was shown during the public hearing on November 30, 2015.
38. Curb Cut Location. At the hearing, THM1 raised concerns regarding the location of the curb cut on I Street, and requested that the Applicant relocate the curb cut to 7th Street or Maine Avenue. In response, the Applicant's traffic consultant testified that the curb cut had been located on I Street because: (1) consistent with District policy, curb cuts are located on the lowest volume street; (2) Maine Avenue and 7th Street each have medians that would preclude left turns in and out of the Project; and (3) 7th Street is likely to be selected as the street for a future streetcar line. DDOT's representative concurred with the Applicant's traffic consultant.
39. Curbside Management. THM1 expressed concerns about impacts related to pick-up and drop-off activity related to the Project. In response, the Applicant agreed to request a "no parking building entrance" zone in front of the residential entrance to provide a place for drop-off and pick-up activity. Furthermore, the Applicant agreed to request the use of the curb lane on 7th Street for pickup and drop-off activity for the daycare, in the event that the daycare is secured as a tenant in the Project. (Ex. 40.) In a post-hearing submission, THM1 stated concerns about the project's transportation impact because it lacked an on-site pick-up and drop-off area, and what THM1 believed was insufficient daily and short-term parking, and requested a parking set aside in case DDOT does not approve the Applicant's request for short term parking spaces on 7th Street, S.W. (Ex. 43.)
40. The Project will not cause unacceptable impacts on vehicular or pedestrian traffic, as demonstrated by the testimony and reports provided by the Applicant's traffic expert and DDOT. The Commission finds that:
 - a. The Project will not impose adverse impacts on the surrounding transportation network. The Commission credits the findings of the Applicant's traffic expert that the Project will not create any adverse impacts when compared with future background conditions;
 - b. The number of vehicular parking spaces will not result in adverse conditions and is appropriate given the transit-oriented location. The Commission concludes that the number of vehicular and bicycle parking spaces provided within the Project, combined with the site's proximity to multiple transportation options, and the Applicant's agreement to restrict residents and tenants from participating in the RPP program, will ensure that the Project does not adversely impact on-street parking in the surrounding neighborhood;
 - c. The location of the parking and loading entrance will not generate adverse conditions, for the reasons set forth above; and

- d. The Project will not impose adverse impacts on the surrounding pedestrian and bicycle network, and will in fact create significant public benefits as described above. The Commission also credits DDOT's acceptance of the pedestrian and related streetscape measures proffered by the Applicant subject to final approval by DDOT. The Commission recognizes that DDOT will determine the final measures to be installed through the public space approval process. The Commission believes the transportation mitigation measures included in the conditions of this Order are adequate to mitigate any potential transportation related impacts of the project, such that an additional set aside in the event DDOT does not approve the Applicant's request for short-term parking on 7th Street, S.W. is necessary.

Construction Impacts

41. At the request of the ANC, the Applicant agreed to enter into a construction management plan and a rodent abatement program to mitigate impacts from the construction of the Project. (Ex. 26.)

THM1 Site Issues

42. THM1 expressed concerns regarding existing impacts from the public on its property. Specifically, THM1 expressed concern about members of the public who walk their pets through the common areas at the rear of the townhouses. THM1 also expressed concern about members of the public using THM1's surface parking lot. THM1 expressed concern that the Project would exacerbate these existing issues.
43. In response to THM1's concerns, the Applicant agreed to construct both a perimeter fence around the common area at the rear of THM1's property, and a pedestrian gate at the private sidewalk that provides access to the common area from the public sidewalk. The Applicant also agreed to construct a parking gate arm to control access to THM1's surface parking lot. (Ex. 40.)
44. In its post-hearing submission, THM1 requested that it receive final input and sign-off on the sign and gate feature to ensure that the measures are safe, secure, and within the design aesthetic of the community.
45. The Commission finds that these measures adequately address THM1's concerns; not only will they mitigate the potential impacts of the Project, they will also help to reduce existing impacts unrelated to the Project. The Commission does not believe that it is necessary to give THM1 final input and sign-off on the sign and gate because the Commission believes the Applicant's proposal is adequate to address the concerns expressed by THM1.

Project Height and Density

46. THM1 and other opponents of the Project raised concerns about the proposed height and density of the Project. Concerns included the location of the taller residential component

of the Project at the 7th and I intersection rather than along Maine Avenue and the potential impact of the Project on views.

47. The Commission finds that the PUD's height and density are appropriate given the Project's location and surrounding context, which includes existing apartment buildings of the same height or higher. The Commission has also found that the site organization, which focuses the church along Maine Avenue with other institutional and public institutions (such as Arena Stage) and places the residential component deeper into the residential neighborhood itself, is appropriate given the surrounding development patterns. The Commission notes that the Applicant has incorporated a two-story stepdown in height along I Street to reduce the apparent height and scale of the Project closest to THM1 and other residential neighbors. The Commission also notes that the Applicant included a solar study that demonstrates the Project will not cast shadows for the vast majority of the year, except during certain times surrounding the winter solstice when other buildings would already cast shadows.
48. THM1 expressed concern that the Project lacked sufficient open space. The Commission finds that the Project complies with the lot occupancy requirements for the C-3-A Zone District and therefore provides adequate open space.
49. THM1 also expressed concern that the PUD would set a precedent for other development sites in the immediate area to be approved to a similar height and density. The Commission reviews each PUD and related map amendment on its own merits, and each application must separately meet the standards for approval set forth in the Zoning Regulations.
50. Finally, THM1 expressed concern regarding whether the proposed Project conformed with the medium density land use designation set forth in the Small Area Plan. For the reasons explained elsewhere in this Order, the Commission concludes that the Project is not inconsistent with the guidance of the Small Area Plan and Comprehensive Plan, including the Small Area Plan's "Mixed-Use Medium-Density Residential/Low-Density Commercial" land use designation.
51. THM1 stated that the penthouse feature of the Project could only be built if changes to the zoning regulations authorizing the structure were enacted. (Ex. 43.) The Zoning Regulations regarding penthouses were modified, effective January 8, 2016, such that penthouse in this project complies with the current regulations.

Compliance with PUD Standards

52. In evaluating a PUD application, the Commission must "judge, balance, and reconcile the relative value of project amenities and public benefits offered, the degree of development incentives requested, and any potential adverse effects." The Commission finds that the development incentives for the height, density, flexibility, and related rezoning to C-3-A are appropriate and fully justified by the additional public benefits and project amenities proffered by the Applicant. The Commission finds that the Applicant has satisfied its burden of proof under the Zoning Regulations regarding the requested flexibility from the

Zoning Regulations and satisfaction of the PUD standards and guidelines as set forth in the Applicant's statement and the OP report. (Ex. 2, 26, 29.)

53. The Commission credits the testimony of the Applicant and its architectural experts as well as OP, DDOT, and ANC 6D, and finds that the superior design, site planning, streetscape, sustainable design features, transportation infrastructure improvements, housing and affordable housing, ground-floor neighborhood-serving uses, and uses of special value (including the retention of the Riverside Baptist Church in the neighborhood) of the Project all constitute acceptable project amenities and public benefits.
54. The Commission finds that the Project is acceptable in all proffered categories of public benefits and project amenities, and is superior in public benefits and project amenities relating to urban design, landscaping and open space, housing and affordable housing, site planning, transportation measures, environmental benefits, and uses of special value to the neighborhood and District as a whole.
55. The Commission disagrees with the testimony of persons in opposition that the proposed amenities and benefits are insufficient for the Project. The Commission credits the testimony of the Applicant regarding the community-based planning effort that guided the development of the Project, and finds that the process resulted in amenities that reflect community preferences and priorities. The Commission credits the testimony of persons in support as well as OP and ANC 6D that the PUD provides significant and sufficient public benefits and project amenities.
56. The Commission finds that the character, scale, mix of uses and design of the Project are appropriate, and finds that the site plan is consistent with the intent and purposes of the PUD process to encourage high quality developments that provide public benefits.
57. The Commission credits the testimony of OP and the Applicant regarding the Property's designation as Mixed-Use Medium-Density Residential/Low-Density Commercial on the Southwest Small Area Plan, and the relationship of the Small Area Plan designation of the site as Moderate-Density Residential on the Future Land Use Map of the Comprehensive Plan. The Commission finds that:
 - a. Small Area Plans provide specific land use analysis for selected geographic areas and, by law, may include "specific zoning recommendations" required to realize the goals and policies of the Small Area Plan as well as the Comprehensive Plan. (D.C. Official Code § 1-306.03(c)(1).) Guidance from an approved Small Area Plan is intended to provide "supplemental guidance to the Zoning Commission" as well as other District agencies; (D.C. Official Code § 1-306.03(c)(4).)
 - b. The Framework Element of the Comprehensive Plan notes that Small Area Plans constitute the "third tier" of planning next to the citywide and area elements of the Comprehensive Plan itself. The Framework Element lays out "interpretation guidelines" for the Comprehensive Plan's Future Land Use Map. Regarding Small Area Plans, the Framework Element states that "Zoning of any given site should be guided by [the Future Land Use] map, interpreted in conjunction with

the text of the Comprehensive Plan including the citywide and area elements as well as approved Small Area Plans”;

- c. The Interpretation Guidelines for the Future Land Use Map also state that the Future Land Use Map is not a zoning map and does not specify allowable uses or dimensional standards. The Guidelines also indicate that the typical building heights and densities included in the land use category simply describe the “general character” of the area, and state that the “granting of density bonuses [through PUDs] may result in heights that exceed the typical ranges cited here.” Finally, the Guidelines indicate that the Future Land Use Map designations are not parcel-specific and should be interpreted in conjunction with the text of the Plan;
- d. Here, the D.C. Council has adopted the Southwest Small Area Plan, and the Small Area Plan has specifically identified the Property as appropriate for Mixed- Use Medium-Density Residential/Low-Density Commercial land use. The D.C. Council has expressly stated that small area plans should provide guidance on zoning decisions, both in the statute establishing the small area plan process and in the Comprehensive Plan itself. Therefore, the Commission concludes that, pursuant to the guidance of the Small Area Plan, the Mixed-Use Medium-Density Residential/Low-Density Commercial Land Use Category is the appropriate land use category for evaluation of the proposed PUD and related rezoning;
- e. The Small Area Plan identifies the Property as appropriate for mixed-use development supporting Medium-Density Residential and Low-Density Commercial uses. The Medium-Density Residential category defines similarly-sized buildings in neighborhoods where mid-rise (four to seven stories) apartment buildings are the predominant use. The Framework Element lists the R-5-B and R-5-C Zone Districts as corresponding zone districts for the Medium-Density Residential land use category. However, the mixed-use designation of the Property for Low-Density Commercial land use as well necessitates the selection of a commercial zone district designation for the Property. The corresponding medium density commercial zones identified in the Framework Element are the C-2-B, C-2-C, C-3-A, and C-3-B Zone Districts; and
- f. The proposed rezoning to the C-3-A Zone District is consistent with the Small Area Plan. The Zoning Regulations define the C-3-A Zone District as a medium-density zone, with a density incentive for residential development. (11 DCMR § 740.4.) The C-3-A Zone District is also identified in the Comprehensive Plan as a zone appropriate for both “moderate” and “medium” density development. The proposed Project’s height, ranging from two to seven to nine stories, is generally consistent with the upper limits listed in the definitions in the Medium-Density Residential and Medium-Density Commercial areas particularly when, as the Future Land Use map notes, that “heights may exceed the typical ranges” when bonuses are granted through a PUD. The proposed Project’s density, at 4.57 FAR, is within the framework of medium-density

development, as testified to by OP at the public hearing and set forth by the Applicant in its post-hearing submission. (Ex. 40.)

58. The Commission finds that the proposed Map Amendment to the C-3-A Zone District is not inconsistent with the Comprehensive Plan, as it was given greater detail by the Small Area Plan, or the character of the surrounding area. The Commission notes that the proposed zoning is consistent with the Property's location near multiple Metrorail stations and along a major urban corridor. The rezoning is necessary to permit the mix and density of uses appropriate for this strategic, transit-oriented site. Further, the rezoning is part of a PUD application, which allows the Commission to review the design, site planning, and provision of public benefits and amenities against the requested zoning flexibility.
59. The Commission credits the testimony of OP and ANC 6D that the Project will provide benefits and amenities of substantial value to the community and the District commensurate with the additional density and height sought through the PUD. Further, the Commission credits OP's testimony that the impact of the PUD on the level of services will not be unacceptable.
60. For the reasons detailed in this Order, the Commission credits the testimony of the Applicant's traffic consultant and DDOT and finds that the traffic, parking, and other transportation impacts of the Project on the surrounding area are capable of being mitigated through the measures proposed by the Applicant and are acceptable given the quality of the public benefits of the PUD.
61. For the reasons detailed in this Order, the Commission credits the Applicant's proposed improvements to THM1's property as reasonable efforts to mitigate the impacts of the construction of the Project.
62. The Commission credits the testimony of the Applicant and OP regarding the compliance of the Project with the District of Columbia Comprehensive Plan, as it was given greater detail by the Southwest Small Area Plan. The development is fully consistent with and furthers the goals and policies in the map, citywide and area elements of the plans, including:
 - a. Designation of the Property as Mixed-Use Medium-Density Residential/Low-Density Commercial use on the Southwest Small Area Plan as well as provisions of the Framework Element of the Comprehensive Plan that explicitly state that (1) Small Area Plans guide the interpretation of the Future Land Use Map and (2) density and height gained through the PUD process are bonuses that may exceed the typical ranges listed in the Comprehensive Plan;
 - b. Land Use Element policies promoting redevelopment around Metrorail stations, strengthening of residential neighborhoods, support for churches as neighborhood anchors, and mitigation of commercial development;
 - c. Housing Element policies promoting the even distribution of mixed-income housing across the city;

- d. Other policies in the Transportation and Urban Design Elements related to the Land Use policies and goals stated above;
- e. Policies in the Lower Anacostia Waterfront/Near Southwest Area Element regarding new waterfront development along Maine Avenue and strengthening pedestrian connections to the waterfront; and
- f. Goals in the Southwest Small Area Plan related to redevelopment of the Property as a gateway into the community as well as for improved pedestrian and bicycle infrastructure, and design guidelines in the Southwest Small Area Plan calling for a combination of low-scale (church) and high-rise (residential) heights, high-quality materials, articulated design, and extensive public landscaping.

Agency Reports

63. By report dated November 20, 2015 and by testimony at the public hearing, OP recommended approval of the application and concluded that the Applicant had addressed all previous concerns raised by OP and the Commission, including the modifications to building design, reconfigured penthouse, increases in sustainability, and improved public benefits package. OP concluded that the PUD and related rezoning was not inconsistent with the Comprehensive Plan, as considered within the context of additional guidance provided by the Small Area Plan. OP evaluated the PUD and related rezoning under the evaluation standards set forth in Chapter 24 of the Zoning Regulations and concluded that the Project's benefits and amenities package was appropriate given the size and nature of the PUD and related requests for rezoning and flexibility. (Ex. 29.)
64. By report dated November 20, 2015 and by testimony at the public hearing, DDOT expressed no objection to the PUD provided that the Applicant provide additional TDM measures, which the Applicant agreed to at the hearing. DDOT found that the Project would have minimal impact on the existing roadway network and agreed that the proposed amount of vehicle and bicycle parking was sufficient given the Project's location and other features. DDOT also noted that it would continue to work with the Applicant on public space matters, including curbside management, streetscape design, and the final design of the proposed intersection reconfiguration. (Ex. 30.)

ANC 6D Report

65. At a regularly scheduled and duly noted public meeting on November 9, 2015, with a quorum present, ANC 6D voted to support the proposed PUD and related rezoning, based on a community benefits agreement and draft construction management plan offered by the Applicant. (Ex. 28.)

Testimony in Support

66. At the hearing, the Commission heard testimony and received testimony from nearby residents and church members in support of the Application.

Testimony in Opposition

67. At the hearing, the Commission heard testimony from THM1. THM1 raised concerns regarding the height and density of the Project (including its consistency with the Property's medium density designation under the Small Area Plan), the location of the curb cut, the precedent created by the approval of the PUD for other development sites in the neighborhood, and the potential use of THM1's parking lot and private commons area by residents of the Project. For the reasons set forth in this Order, the Commission finds that the Applicant has satisfactorily addressed THM1's concerns.

CONCLUSIONS OF LAW

1. Pursuant to the Zoning Regulations, the PUD process provides a means for creating a "well-planned development." The objectives of the PUD process are to promote "sound project planning, efficient and economical land utilization, attractive urban design and the provision of desired public spaces and other amenities." (11 DCMR § 2400.1.) The overall goal of the PUD process is to permit flexibility of development and other incentives, provided that the PUD project "offers a commendable number or quality of public benefits, and that it protects and advances the public health, safety, welfare, and convenience." (11 DCMR § 2400.2.)
2. Under the PUD process, the Commission has the authority to consider this application as a consolidated PUD. (11 DCMR § 2402.5.) The Commission may impose development conditions, guidelines, and standards that may exceed or be less than the matter-of-right standards identified for height, FAR, lot occupancy, parking, loading, yards, and courts. The Commission may also approve uses that are permitted as special exceptions and would otherwise require approval by the Board of Zoning Adjustment. (11 DCMR § 2405.)
3. The proposed PUD meets the minimum area requirements of 11 DCMR § 2401.1.
4. Proper notice of the proposed PUD and related rezoning was provided in accordance with the requirements of the Zoning Regulations.
5. The development of the Project will implement the purposes of Chapter 24 of the Zoning Regulations to encourage well-planned developments that will offer a variety of building types with more attractive and efficient overall planning and design not achievable under matter-of-right standards. Here, the height, character, scale, mix of uses, and design of the proposed PUD are appropriate, and the proposed construction of an attractive mixed-use building that capitalizes on the Property's transit-oriented location is compatible with the citywide and area plans of the District of Columbia as well as the Southwest Small Area Plan.
6. The Applicant seeks a PUD-related zoning map amendment to the C-3-A Zone District, an increase in the maximum permitted FAR pursuant to 11 DCMR § 2405.3, and as flexibility from the rear yard, courts, parking, and loading requirements. The Commission has judged, balanced, and reconciled the relative value of the project amenities and public benefits offered, the degree of development incentives requested,

and any potential adverse effects, and concludes approval is warranted for the reasons detailed below.

7. The PUD is within the applicable height and bulk standards of the Zoning Regulations. The proposed height and density will not cause an adverse effect on nearby properties, are consistent with the height and density of surrounding and nearby properties, and will create a more appropriate and efficient utilization of land at a significant gateway location near multiple Metrorail stations. The mix of residential, church, and retail uses are also appropriate for the site's location.
8. The project provides superior features that benefit the surrounding neighborhood to a significantly greater extent than a matter-of-right development on the Property would provide. The Commission finds that the urban design, site planning, efficient and safe traffic circulation, sustainable features, housing and affordable housing, ground-floor retail, and uses of special value are all significant public benefits. The impact of the project is acceptable given the quality of the public benefits of the Project.
9. The impact of the Project on the surrounding area and the operation of city services is not unacceptable. The Commission agrees with the conclusions of the Applicant's traffic expert and DDOT that the proposed project will not create adverse traffic, parking, or pedestrian impacts on the surrounding community. The application will be approved with conditions to ensure that any potential adverse effects on the surrounding area for the Project will be mitigated.
10. Approval of the PUD and rezoning is not inconsistent with the Comprehensive Plan. The Commission agrees with the determination of OP and finds that the proposed project is consistent with the Property's Mixed-Use Medium-Density Residential/Low Density Commercial Designation on the Southwest Small Area Plan and furthers numerous goals and policies of the Comprehensive Plan in the Land Use Element, Housing Element, and other citywide elements and policies as well as policies in the Lower Anacostia Waterfront/ Near Southwest Area Element as delineated in the OP Report.
11. The Commission concludes that the proposed PUD-related Zoning Map amendment for the Property from the R-5-B to the C-3-A Zone District is not inconsistent with the Comprehensive Plan, including the Property's designation as Mixed-Use Medium-Density Residential/Low-Density Commercial on the Southwest Small Area Plan, and is appropriate given the superior features of the PUD, the benefits and amenities provided through the PUD, the goals and policies of the Comprehensive Plan, and other District of Columbia policies and objectives.
12. The PUD and rezoning for the Property will promote orderly development of the Property in conformance with the District of Columbia zone plan as embodied in the Zoning Regulations and Map of the District of Columbia.
13. The Commission is required under § 5 of the Office of Zoning Independence Act of 1990, effective September 20, 1990 (D.C. Law 8-163; D.C. Official Code § 6-623.04 (2001)) to give great weight to OP recommendations. OP recommended approval and,

accordingly, the Commission concludes that approval of the consolidated PUD and related rezoning should be granted.

14. In accordance with § 13(d) of the Advisory Neighborhood Commissions Act of 1975, effective March 26, 1976 (D.C. Law 1-21; D.C. Official Code § 1-309.10(d)), the Commission must give great weight to the written issues and concerns of the affected ANC. The Commission accorded the issues and concerns raised by ANC 6D the “great weight” to which they are entitled, and in so doing fully credited the unique vantage point that ANC 6D holds with respect to the impact of the proposed application on the ANC’s constituents. ANC 6D recommended approval, provided that the Applicant agree to certain conditions. The Commission concludes that the Applicant has addressed these conditions and, accordingly, the PUD and related rezoning should be approved.
15. The Applicant is subject to compliance with D.C. Law 2-38, the Human Rights Act of 1977.

DECISION

In consideration of the Findings of Fact and Conclusions of Law contained in this Order, the Zoning Commission for the District of Columbia **ORDERS APPROVAL** of the application for consolidated approval of a PUD and related rezoning from the R-5-B Zone District to the C-3-A Zone District for property consisting of Square 472, Lot 127 (“Property”). This approval is subject to the following guidelines, conditions, and standards of this Order.

A. PROJECT DEVELOPMENT

1. This project shall be developed in accordance with the plans marked as Exhibit 26, Tab A and Exhibit 40, Tab A of the Record, as modified by guidelines, conditions, and standards herein (collectively, the “Plans”).
2. The Property shall be rezoned from R-5-B to C-3-A. Pursuant to 11 DCMR § 3028.9, the change of zoning shall be effective upon the recordation of the covenant discussed in Condition No. D.1.
3. The Project shall include a mixed-use building containing approximately 167 residential units; a place of worship and related accessory uses; approximately 6,900 to 9,100 square feet for a ground-floor neighborhood-serving retail or service use, daycare or clinic; and a parking garage containing approximately 169 parking spaces, as shown on the Plans.
4. The Applicant shall be permitted to construct the Project to a maximum density of 4.57 FAR, and shall have flexibility from the rear yard, courts, parking, and loading requirements of the Zoning Regulations as shown on the approved Plans.
5. The Applicant shall have flexibility with the design of the PUD in the following areas:

- a. To vary the location and design of all interior components, including partitions, structural slabs, doors, hallways, columns, stairways, mechanical rooms, elevators, and toilet rooms, provided that the variations do not change the exterior configuration or appearance of the structure;
- b. To vary final selection of the exterior materials within the color ranges of the materials types as proposed based on availability at the time of construction;
- c. To vary the final selection of landscaping materials utilized, based on availability and suitability at the time of construction;
- d. To vary the final streetscape design and materials, including the final design and materials on Lot 820, in response to direction received from District public space permitting authorities;
- e. To make minor refinements to exterior details and dimensions, including balcony enclosures, belt courses, sills, bases, cornices, railings, and trim, or any other changes to comply with Construction Codes;
- f. To vary the final design of the ground-floor retail space frontage, including the number, size, design and locations of windows, doors, awnings, canopies, signage, and similar features, to accommodate the needs of the ground-floor tenants over the life of the Project;
- g. To modify the design of the outdoor space at the rear of the Project to accommodate the ground-floor tenant (for example, if a day care use is secured, the rear area may be revised to create a playground and outdoor space for the children);
- h. To vary the number of residential units plus or minus 10%, and accordingly adjust the number and location of affordable units to reflect the final unit mix of the Project, provided that the Applicant complies with Condition B.2 of this Order; and
- i. To vary the number of parking spaces plus or minus five percent.

B. PUBLIC BENEFITS

1. LEED-Gold. Prior to the issuance of a certificate of occupancy for the Project, the Applicant shall provide the Zoning Administrator with evidence that the residential portion of the Project is on track to secure LEED-Gold certification or higher from the U.S. Green Building Council under the LEED-2009 rating system. Within 12 months after the issuance of the certificate of occupancy for the Project, the Applicant shall submit evidence that it has secured such LEED-Gold certification.

2. Affordable Housing. **For so long as the project exists,** the Applicant shall set aside the following amount of gross floor area for Inclusionary Units governed by the Inclusionary Zoning Regulations:
 - a. A minimum of 6,004 square feet of gross floor area for households earning up to 50% AMI. This amount represents the sum of four percent of the residential gross floor area of the Project and eight percent of the floor area of habitable residential units within the penthouse of the Project; and
 - b. A minimum of 8,635 square feet of gross floor area for households earning up to 80% AMI. This amount represents six percent of the residential gross floor area of the project.
3. Ground-Floor Community-Serving Retail Use.
 - a. **For the life of the Project,** the Applicant shall set aside approximately 6,900 to 9,100 square feet of the ground floor of the Project for neighborhood-serving retail and service, daycare, or clinic use;
 - b. **Prior to the issuance of a certificate of occupancy for the Project,** the Applicant shall demonstrate that it has provided a \$25,000 subsidy to help attract a daycare to the ground-floor space; and
 - c. **For the life of the Project,** the Applicant shall develop and implement a plan to mitigate light and noise impacts from the ground-floor tenant's use of the outdoor area of the rear of the Project; specifically, the Applicant shall ensure that light is directed away from surrounding properties and that noise from the ground-floor tenant use is managed to comply with District of Columbia noise regulations.
4. Public Space Improvements.
 - a. **Prior to the issuance of a certificate of occupancy for the Project,** the Applicant shall demonstrate that it has constructed the intersection reconfiguration and landscape public space improvements at 7th and I Streets, S.W. as shown on the Plans, including any signal modification required to the intersection's traffic signal. The final design of such improvements shall be subject to the approval of DDOT; and
 - b. **Prior to the issuance of a certificate of occupancy for the Project,** the Applicant shall demonstrate that it has constructed the streetscape improvements along the perimeter of the Project as shown on the Plans. The final design of such improvements shall be subject to the approval of DDOT.
5. **For the life of the Project,** the Project shall include the water walls that function as public art depicted on page 67 of Exhibit 26, Tab A; provided, the Applicant

shall have flexibility to cease operation of the water component seasonally, and as needed for regular maintenance.

C. **MITIGATION MEASURES**

1. **Church Parking.** **For the life of the Project,** the Applicant shall ensure that at least 35 vehicular parking spaces are made available to the Church on Sundays.
2. **Residential Permit Parking.** **For the life of the Project,** the Applicant shall prohibit tenants and residents of the Project from participating in the District's Residential Parking Permit ("RPP") program through a lease provision or similar mechanism.
3. **Bicycle Parking.** **For the life of the Project,** the Applicant shall provide a minimum of 64 bicycle parking spaces and an on-site bicycle repair facility within the building and a minimum of 20 bicycle parking spaces on racks outside the building. The final number and location of improvements in public space shall be subject to the discretion of DDOT.
4. **Transportation Demand Management Plan.** **For the life of the Project,** the Applicant shall provide the following transportation demand management ("TDM") measures:
 - a. Unbundle the cost of residential parking from the cost of lease or purchase, and set parking rates at no less than the rate of the lowest fee garage within 1/4 mile of the Project;
 - b. Identify one or more TDM leaders at the residential building to work with building residents to distribute and market various transportation alternatives;
 - c. Dedicate two parking spaces for car sharing services within the Project, if requested for use by a carsharing service, with such spaces available to members of the carsharing service 24 hours a day, seven days a week;
 - d. Dedicate one parking space within the Project for an electric vehicle charging station;
 - e. Provide each new household with an option to select either a one-year membership in Capital Bikeshare or a one-time membership fee subsidy to a carsharing program, up to a maximum of \$20,000 expended on such memberships for the life of the Project; and
 - f. Provide one or more electronic message boards in the residential building lobby that provide real-time transit information.

5. Curbside Management.
 - a. Prior to the issuance of a Certificate of Occupancy for the Project, Applicant will request that DDOT approve a “no parking building entrance” zone in the curb lane of 7th Street in front of the residential lobby of the Project; and
 - b. In the event that a daycare is secured as a tenant in the Project, prior to the issuance of a Certificate of Occupancy for the daycare, Applicant will request that DDOT approve the use of the 7th Street curb lane for pick-up and drop-off activity.

6. Townhome Management One (“THM1”) – Fence and Gate Improvements.
 - a. Common Area Fence. Prior to the issuance of a Certificate of Occupancy for the Project, Applicant will construct up to a 42-inch-tall black aluminum fence around the perimeter of the common area located within the THM1 Property (“Common Area Fence”), generally in the location and similar to the style shown on Exhibit 40, Tab B of the Record. The fence will cover approximately 350 linear feet of distance and include three gates to enable THM1 access into the common area, with the final location of the gates to be determined by THM1;
 - b. Parking Gate Arm. Prior to the issuance of a Certificate of Occupancy for the Project, Applicant will construct and install a working electronic parking gate arm with an access control feature that enables THM1 to manage access to the parking lot generally in the location and similar to the style shown on Exhibit 40, Tab B of the Record. THM1 shall be solely responsible for the use, operation, and maintenance of the parking arm, as well as providing all users of the parking lot, including those not part of THM1, with up-to-date access capabilities;
 - c. Perimeter Gate. Prior to the issuance of a Certificate of Occupancy for the Project, Applicant will install up to a six-foot-tall by six-foot-wide pedestrian gate across the private sidewalk near the parking lot in the location shown on Exhibit 40, Tab B of the Record. The purpose of the perimeter gate is to further control access from the public into THM1’s common area; and
 - d. Timing and Installation. Upon written notification from Applicant that it intends to proceed with the fence and gate improvements (i.e., the Common Area Fence, Parking Gate Arm, and Perimeter Gate), THM1 shall provide Applicant with any written authorization required to proceed with the construction of the improvements (e.g. signature on required building permits and license to access THM1’s property to construct the improvements) within 90 days of such notification. Applicant shall then pay for and secure all required permits required to construct and install the fences and gates (including electrical work, if required). All work will

comply with all applicable codes and regulations. If THM1 does not provide authorization to proceed with the improvements as set forth above, Applicant shall not be required to construct the fence and gate improvements.

7. Rooftop Use. **For the life of the Project**, the Applicant shall ensure that lighting on the outdoor roof space is directed away from surrounding properties and noise from the outdoor roof space is managed to comply with District of Columbia noise regulations.
8. Rodent Abatement Program. **Prior to the issuance of a building permit**, the Applicant shall demonstrate that it has established a rodent abatement program during the construction of the Project.
9. Construction Management Plan. **Prior to the issuance of a building permit**, the Applicant shall demonstrate that it has finalized a construction management plan similar in form to the draft plan attached to Exhibit 28 of the Record.

D. MISCELLANEOUS

1. No building permit shall be issued for this project until the owner of the Property has recorded a covenant among the land records of the District of Columbia between the owners and the District of Columbia that is satisfactory to the Office of the Attorney General and the Zoning Division of the Department of Consumer and Regulatory Affairs. Such covenant shall bind the owner of the Property and all successors in title to construct on or use the Property in accordance with this Order and any amendment thereof by the Commission.
2. The application approved by this Commission shall be valid for a period of two years from the effective date of this Order. Within such time, an application must be filed for the building permit as specified in 11 DCMR § 2409.1. Construction must begin within three years after the effective date of this Order for the PUD to remain valid.
3. The Applicant shall file with the Zoning Administrator a letter identifying how it is in compliance with the conditions of this Order at such time as the Zoning Administrator requests and shall simultaneously file that letter with the Office of Zoning
4. The Applicant is required to comply fully with the provisions of the Human Rights Act of 1977, as amended, D.C. Official Code § 2-1401.01, et seq. (“Act”) and this Order is conditioned upon full compliance with those provisions. In accordance with the Act, the District of Columbia does not discriminate on the basis of actual or perceived: race, color, religion, national origin, sex, age, marital status, 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 also prohibited by the Act. In addition,

harassment based on any of the above protected categories is also prohibited by the Act. Discrimination in violation of the Act will not be tolerated. Violators will be subject to disciplinary action.

On January 11, 2016, upon the motion of Vice Chairperson Cohen, as seconded by Commissioner Miller, the Zoning Commission **APPROVED** the application at its public meeting by a vote of **5-0-0** (Anthony J. Hood, Marcie I. Cohen, Robert E. Miller, Peter G. May, and Michael G. Turnbull to approve).

On February 29, 2016, upon the motion of Commissioner Miller, as seconded by Vice Chairperson Cohen, the Zoning Commission **ADOPTED** this Order at its public meeting by a vote of **5-0-0** (Anthony J. Hood, Marcie I. Cohen, Robert E. Miller, Peter G. May, and Michael G. Turnbull to adopt).

In accordance with the provisions of 11 DCMR § 2038, this Order shall become final and effective upon publication in the *D.C. Register*; that is, on March 18, 2016.

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