



District of Columbia

REGISTER

HIGHLIGHTS

- D.C. Council passes Resolution 21-535, Washington Metropolitan Area Transit Authority Compact Emergency Declaration Resolution of 2016
- D.C. Council passes Resolution 21-538, Fiscal Year 2017 Budget Support Emergency Declaration Resolution of 2016
- Office of Contracting and Procurement establishes a Purchase Card Program
- Department of Housing and Community Development announces funding availability for the Community Development Block Grant Program and HOME Investment Partnership Program
- Office of the State Superintendent of Education announces funding availability for the Child Care Resource and Referral System
- Zoning Commission updates regulations for building permits

DISTRICT OF COLUMBIA REGISTER

Publication Authority and Policy

The District of Columbia Office of Documents and Administrative Issuances publishes the *District of Columbia Register* (ISSN 0419-439X) every Friday under the authority of the *District of Columbia Documents Act*, D.C. Law 2-153, effective March 6, 1979, D.C. Official Code § 611 *et seq.* (2012 Repl.). The policies which govern the publication of the *Register* are set forth in the Rules of the Office of Documents and Administrative Issuances (1 DCMR §§300, *et seq.*). The Rules of the Office of Documents and Administrative Issuances are available online at dcregs.dc.gov. Rulemaking documents are also subject to the requirements of the *D.C. Administrative Procedure Act*, D.C. Official Code §§2-501 *et seq.* (2012 Repl.).

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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

VICTOR L. REID, ESQ.
ADMINISTRATOR

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ENROLLED ORIGINAL

A RESOLUTION

21-521

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 28, 2016

To confirm the reappointment of Ms. Phylisa Carter to the Corrections Information Council Governing Board.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Corrections Information Council Governing Board Phylisa Carter Confirmation Resolution of 2016”.

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

Ms. Phylisa Carter
314 V Street, N.E.
Apt. 102
Washington, D.C. 20002
(Ward 5)

as a member of the Corrections Information Council Governing Board, established by section 11201a of the National Capital Revitalization and Self-Government Improvement Act of 1997, effective October 2, 2010 (D.C. Law 18-233; D.C. Official Code § 24-101.01), for a term to end June 7, 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

21-524

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 28, 2016

To confirm the reappointment of Dr. Alberto Figueroa-Garcia to the Commission on Human Rights.

RESOLVED, BY COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Commission on Human Rights Alberto Figueroa-Garcia Confirmation Resolution of 2016".

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

Dr. Alberto Figueroa-Garcia
1028 Park Road, N.W.
Washington, D.C. 20010
(Ward 1)

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

21-525

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 28, 2016

To confirm the appointment of Ms. Genora Reed to the Commission on Human Rights.

RESOLVED, BY COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Commission on Human Rights Genora Reed Confirmation Resolution of 2016".

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

Ms. Genora Reed
729 Congress Street, S.E.
Washington, D.C. 20032
(Ward 8)

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

21-528

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 28, 2016

To confirm the reappointment of Dr. John D. Robinson to the Commission on Human Rights.

RESOLVED, BY COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Commission on Human Rights John D. Robinson Confirmation Resolution of 2016".

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

Dr. John D. Robinson
6735 13th Place, N.W.
Washington, D.C. 20012
(Ward 4)

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

21-533

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 28, 2016

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

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Board of Library Trustees Karma Cottman Confirmation Resolution of 2016".

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

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

as a member of the Board of Library Trustees, established by section 4 of An Act To establish and provide for the maintenance of a free public library and reading room in the District of Columbia, approved June 3, 1896 (29 Stat. 244; D.C. Official Code § 39-104), for a term to end January 5, 2021.

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

21-534

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 28, 2016

To confirm the appointment of Ms. Kamili Anderson to the Board of Library Trustees.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Board of Library Trustees Kamili Anderson Confirmation Resolution of 2016".

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

Ms. Kamili Anderson
1361 Tewksbury Place, N.W.
Washington, D.C. 20012
(Ward 4)

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

21-535

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 28, 2016

To declare the existence of an emergency with respect to the need to amend Title III of the Washington Metropolitan Area Transit Regulation Compact, known as the Washington Metropolitan Area Transit Authority Compact, to provide that the Secretary of the United States Department of Transportation appoints the federal government representatives to the Board of Directors of the Washington Metropolitan Area Transit Authority.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Washington Metropolitan Area Transit Authority Compact Emergency Declaration Resolution of 2016”.

Sec. 2. (a) The federal government has changed the appointing authority for federal appointees to the Washington Metropolitan Area Transit Authority Compact (“WMATA Compact”) from the Administrator of General Services to the Secretary of the United States Department of Transportation.

(b) Each jurisdiction member of the WMATA Compact agreed to have this legislation passed effective July 1, which is the start of WMATA’s new fiscal year.

(c) To ensure that our law is current and that the District is in concert with Virginia and Maryland, which have already revised their legislation, with an effective date of July 1, it is important that the Council enact its own legislation as soon as possible.

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 Washington Metropolitan Area Transit Authority Compact Emergency Amendment Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

21-537

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 28, 2016

To declare the existence of an emergency with respect to the need to amend the Retail Services Station Act of 1976 to provide that certain prohibitions on discontinuing or converting to another use a full service retail service station shall not apply to a retail service station for which an application was on file with the Zoning Commission between May 2, 2015, and August 1, 2015.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Gas Station Advisory Board Emergency Declaration Resolution of 2016”.

Sec. 2. (a) In October 2014, the Council enacted the New Columbia Statehood Initiative and Omnibus Boards and Commissions Reform Amendment Act of 2014, effective May 2, 2015 (D.C. Law 20-271; 62 DCR 1884) (“Act”).

(b) Part 2 of Title II of the Act increased the prohibitions against conversion of a full-service retail service station by adding the prohibition that such a station cannot be discontinued or converted into any other use without a waiver.

(c) It is important to protect the integrity of doing business in and with the District by protecting those businesses that were in the process of converting their property or business into a non-service station enterprise before the Act became law.

(d) The Council enacted emergency and temporary legislation at the end of 2015 to address this issue to provide that a retail service station that submitted an application with the Zoning Commission between May 2, 2015, and August 1, 2015, and was awaiting a decision by the Zoning Commission expected before the end of 2016, would not be impacted by the added prohibitions of the Act (“2015 law”).

(e) The temporary legislation, the Gas Station Advisory Board Temporary Amendment Act of 2015, effective January 30, 2016 (D.C. Law 21-60; 62 DCR 15610), will expire on September 11, 2016.

(f) It is important that the provisions of the temporary legislation remain in effect so that any applications that were submitted to the Zoning Commission pursuant to the 2015 law will not be adversely impacted by the expiration of the temporary legislation.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Gas Station Advisory Board Emergency Amendment Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

21-538

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 28, 2016

To declare the existence of an emergency with respect to the need to approve measures that are necessary to support action taken on the District's Fiscal Year 2017 Budget and Financial Plan.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as "Fiscal Year 2017 Budget Support Emergency Declaration Resolution of 2016".

Sec. 2.(a) The Fiscal Year 2017 Budget Support Act of 2016 contains various measures necessary to support the Fiscal Year 2017 Budget and Financial Plan.

(b) There are several time-sensitive provisions contained in the Fiscal Year 2017 Budget Support Act of 2016 that need to be in place in advance of October 1, 2016.

(c) Other provisions in the emergency bill will retain the October 1, 2016 applicability date as provided in the permanent legislation, but should be enacted before October 1, 2016, to allow agencies and stakeholders to prepare for implementation.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Fiscal Year 2017 Budget Support Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

21-539

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 28, 2016

To declare the existence of an emergency with respect to the need to approve Contract No. CW42132 with Measured Progress, Inc. to implement, maintain, and assist ongoing development of the criterion-referenced alternate assessment with the Office of the State Superintendent of Education, 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. CW42132 Approval and Payment Authorization Emergency Declaration Resolution of 2016".

Sec. 2. (a) The Office of Contracting and Procurement, on behalf of the Office of the State Superintendent of Education, proposes to enter into a multiyear contract with Measured Progress, Inc. to provide services for the criterion-referenced alternate assessment for the Office of the State Superintendent of Education.

(b) The total price under this multiyear contract with Measured Progress, Inc. is \$482,830.

(c) Approval is necessary to allow the District to continue to receive the benefit of these vital services without interruption.

(d) These critical services can only be obtained through an award of the multiyear contract to Measured Progress, Inc.

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. CW42132 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

21-540

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 28, 2016

To declare the existence of an emergency with respect to the need to approve multiyear Contract No. CW43447 with Health Services for Children with Special Needs, Inc. to provide Child and Adolescent Supplemental Security Income Program services to eligible program enrollees.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. CW43447 Approval Emergency Declaration Resolution of 2016".

Sec. 2. (a) The Office of Contracting and Procurement, on behalf of the Department of Health Care Finance, proposes to enter into a multiyear agreement with Health Services for Children with Special Needs, Inc. ("HSCSN") to provide Child and Adolescent Supplemental Security Income Program services.

(b) The contract price under this multiyear contract with HSCSN is in the not-to-exceed amount of \$566,481,218.04.

(c) Approval is necessary to allow the District to receive the benefit of these vital health care services in a timely manner from HSCSN.

(d) These critical health care services can only be obtained through an award of the multiyear contract to HSCSN.

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. CW43447 Emergency Approval Resolution of 2016 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

21-541

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 28, 2016

To approve, on an emergency basis, multiyear Contract No. CW43447 with Health Services for Children with Special Needs, Inc. to provide Child and Adolescent Supplemental Security Income Program services to eligible program enrollees.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Contract No. CW43447 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 Contract No. CW43447 with Health Services for Children with Special Needs, Inc. to provide Child and Adolescent Supplemental Security Income Program services to eligible program enrollees in the not-to-exceed amount of \$566,481,218.04.

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.

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**

- | | |
|---------|---|
| B21-825 | Sursum Corda Parcels Surplus Declaration and Disposition Approval Act of 2016

Intro. 7-11-16 by Chairman Mendelson at the request of the Mayor and referred to the Committee of the Whole with comments from the Committee on Transportation and the Environment |
| <hr/> | |
| B21-826 | Constitution for the State of New Columbia Approval Amendment Act of 2016

Intro. 7-11-16 by Chairman Mendelson at the request of the Mayor and referred to the Committee of the Whole |
| <hr/> | |
| B21-827 | Senior Law Enforcement Officer Amendment Act of 2016

Intro. 7-11-16 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Judiciary |
| <hr/> | |
| B21-828 | Metro Safety Commission Interstate Compact Establishment Act of 2016

Intro. 7-11-16 by Chairman Mendelson at the request of the Mayor and referred sequentially to the Committee on Finance and Revenue and Committee of the Whole |
-

- B21-829 Sale to Minors Penalty Clarification Amendment Act of 2016
Intro. 7-11-16 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Business, Consumer, and Regulatory Affairs
-
- B21-830 Interstate Insurance Product Regulation Compact Act of 2016
Intro. 7-12-16 by Councilmember Orange and referred to the Committee on Business, Consumer, and Regulatory Affairs
-
- B21-831 Childhood Lead Exposure Prevention Amendatory Act of 2016
Intro. 7-12-16 by Councilmembers Cheh, McDuffie, Bonds, Nadeau, Alexander, Orange, Allen, Evans, Silverman, Todd, and Chairman Mendelson and referred sequentially to the Committee on Transportation and the Environment and the Committee on Education
-
- B21-832 Voter Registration Agency Amendment Act of 2016
Intro. 7-12-16 by Councilmembers Cheh, Nadeau, Bonds, Evans, and Chairman Mendelson and referred to the Committee on Judiciary with comments from the Committee on Education
-
- B21-833 Nonwoven Disposable Products Act of 2016
Intro. 7-12-16 by Councilmember Cheh and referred to the Committee on Transportation and the Environment with comments from the Committee on Business, Consumer, and Regulatory Affairs
-
- B21-834 Community Use of School Facilities Task Force Establishment Act of 2016
Intro. 7-12-16 by Councilmember Allen and referred to the Committee on Education with comments from the Committee on Transportation and the Environment
-
- B21-835 Jazz Preservation, Education, Promulgation and Performance Artist Act of 2016
Intro. 7-12-16 by Councilmembers Nadeau and May and referred to the Committee on Finance and Revenue
-

B21-836 Food, Environmental, and Economic Development in the District of Columbia Amendment Act of 2016

Intro. 7-12-16 by Councilmembers McDuffie, Todd, and Cheh and referred to the Committee on Finance and Revenue

B21-837 Historic Preservation of Derelict District Properties Act of 2016

Intro. 7-12-16 by Chairman Mendelson and Councilmember Bonds and referred to the Committee on Housing and Community Development

B21-846 Firearms Re-registration Requirement Amendment Act of 2016

Intro. 7-12-16 by Chairman Mendelson and Councilmember McDuffie and referred to the Committee on Judiciary

PROPOSED RESOLUTIONS

PR21-853 Proposed Contract with Wade Road Investor LLC Disapproval Resolution of 2016

Intro. 7-8-16 by Councilmembers May, Todd, Alexander, and Orange and Retained by the Council

PR21-856 Sense of the Council To Implement Police Reform Resolution of 2016

Intro. 7-12-16 by Councilmembers Grosso, Allen, Todd, McDuffie, Orange, Bonds, Silverman, May, Nadeau, and Alexander and Retained by the Council

COUNCIL OF THE DISTRICT OF COLUMBIA
CONSIDERATION OF TEMPORARY LEGISLATION

B21-839, Rent Control Hardship Petition Limitation Temporary Amendment Act of 2016, **B21-841**, Interior Design Charitable Event Regulation Temporary Amendment Act of 2016, and **B21-845**, Wage Theft Prevention Correction and Clarification Temporary Amendment Act of 2016 were adopted on first reading on July 12, 2016. These temporary measures were considered in accordance with Council Rule 413. A final reading on these measures will occur on September 20, 2016.

COUNCIL OF THE DISTRICT OF COLUMBIA
The Wilson Building

NOTICE OF CONTRACT DISAPPROVAL RESOLUTION

The Council of the District of Columbia gives notice that the resolution listed below to disapprove CA 21-483, proposed loan agreement between the Department of Housing and Community Development (DHCD) and Wade Road Investor LLC, (the Borrower), in the amount of \$6,413,410 to finance the costs associated with the acquisition and development of 93 Affordable rental housing units located at 2704 Wade Road, S.E. in Ward 8 was filed in the Office of the Secretary on June 30, 2016.

A copy of the approval resolution or the proposed contract is available in the Council's Legislative Services, Room 10, John A. Wilson Building. Telephone: 724-8050. Comments on the proposed contract can be addressed to the Secretary to the Council, Room 5.

PR 21-853: Proposed contract with Wade Road Investor LLC Disapproval Resolution of 2016

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: July 15, 2016
Petition Date: August 29, 2016
Hearing Date: September 12, 2016

License No.: ABRA-101092
Licensee: Fasol LLC
Trade Name: Brown Street Market
License Class: Retailer B
Address: 3320 Brown Street, N.W.
Contact Information: Michael Fasanmi: 202-754-0029

WARD 1

ANC 1D

SMD 1D01

Notice is hereby given that this licensee has applied for a Substantial Change to their license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the hearing date at 10:00 am, 2000 14th Street, N.W., 400 South, Washington, DC 20009. A petition or request to appear before the Board must be filed on or before the petition date.

LICENSEE REQUESTS THE FOLLOWING SUBSTANTIAL CHANGE TO ITS NATURE OF OPERATION:

Class Change from a Retailer B to a Retailer A.

CURRENT HOURS OF OPERATION AND ALCOHOLIC BEVERAGE SALES

Sunday through Saturday, 8 am - 12 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: July 15, 2016
Petition Date: August 29, 2016
Hearing Date: September 12, 2016

License No.: ABRA-015698
Licensee: Eritrean Cultural Center
Trade Name: Eritrean Cultural & Civic Center
License Class: Retailer's Class "C" Multipurpose Facility
Address: 2154 24th Place, N.E.
Contact: Emanuel N. Mpras: 703-642-9042

WARD 5 ANC 5C SMD 5C02

Notice is hereby given that this licensee has applied for a Substantial Change to their license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the hearing date at 10:00 am, 2000 14th Street, N.W., 400 South, Washington, DC 20009. A petition or request to appear before the Board must be filed on or before the petition date.

NATURE OF SUBSTANTIAL CHANGE

Transferring from 1214 18th Street, N.W. Members and their guest only.
Total Occupancy Load is 1000.

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

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

HOURS OF LIVE ENTERTAINMENT

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

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

****RESCIND**

Posting Date: July 1, 2016
Petition Date: August 15, 2016
Hearing Date: August 29, 2016

License No.: ABRA-100279
Licensee: NazcaMochica Restaurant, LLC
Trade Name: Nazca Restaurant/Mochica Restaurant
License Class: Retail Class "C" Restaurant
Address: 1633 P Street, N.W.
Contact: Bryan Short: 202-888-2107

WARD 2

ANC 2B

SMD 2B05

Notice is hereby given that this licensee who has applied for a Substantial Change to his license under the D.C. Alcoholic Beverage Control Act and for objectors are entitled to be heard before the granting of such on the hearing date at 10:00 am, 4th Floor, Suite 400S, 2000 14th Street, N.W., Washington, DC 20009. A petition or request to appear before the Board must be filed on or before the petition date.

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

Change of Hours of operation and alcoholic beverage sales and consumption.

APPROVED HOURS OF OPERATON/ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION

Sunday through Saturday 10 am – 11pm

APPROVED HOURS OF LIVE ENTERTAINMENT

Sunday through Saturday 6 pm – 11 pm

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

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

PROPOSED HOURS OF LIVE ENTERTAINMENT

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

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

****CORRECTION**

Posting Date: July 1, 2016
Petition Date: August 15, 2016
Hearing Date: August 29, 2016

License No.: ABRA-100279
Licensee: NazcaMochica Restaurant, LLC
Trade Name: Nazca Restaurant/Mochica Restaurant
License Class: Retail Class "C" Restaurant
Address: 1633 P Street, N.W.
Contact: Bryan Short: 202-888-2107

WARD 2

ANC 2B

SMD 2B05

Notice is hereby given that this licensee who has applied for ****Substantial Changes** to his license under the D.C. Alcoholic Beverage Control Act and for objectors are entitled to be heard before the granting of such on the hearing date at 10:00 am, 4th Floor, Suite 400S, 2000 14th Street, N.W., Washington, DC 20009. A petition or request to appear before the Board must be filed on or before the petition date.

LICENSEE REQUESTS THE FOLLOWING SUBSTANTIAL **CHANGES TO ITS NATURE OF OPERATIONS:****

Change of Hours of operation and alcoholic beverage sales and consumption and ****expansion** from 74 seats to 108 seats.

APPROVED HOURS OF OPERATON/ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION

Sunday through Saturday 10 am – 11pm

APPROVED HOURS OF LIVE ENTERTAINMENT

Sunday through Saturday 6 pm – 11 pm

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

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

PROPOSED HOURS OF LIVE ENTERTAINMENT

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

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
7/15/2016

Notice is hereby given that:

License Number: ABRA-103377

License Class/Type: C Restaurant

Applicant: EKYY,LLC

Trade Name: Zannchi

ANC: 2E03

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

1529 WISCONSIN AVE NW

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

8/29/2016

A HEARING WILL BE HELD ON:

9/12/2016

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 - 11 pm	10 am - 11 pm
Saturday:	10 am - 11 pm	10 am - 11 pm

ENDORSEMENT(S): Summer Garden

FOR FURTHER INFORMATION CALL: (202) 442-4423

**OFFICE OF THE DEPUTY MAYOR FOR
PLANNING AND ECONOMIC DEVELOPMENT**

**NOTICE OF PUBLIC HEARING REGARDING
SURPLUS RESOLUTION PURSUANT TO D.C. OFFICIAL CODE §10-801**

The District will conduct a public hearing to receive public comments on the proposed surplus of District property. Please note that written comments will be accepted until Friday, August 19, 2016. The date, time, and location shall be as follows:

Property: “Capitol Vista”
2nd and H Street NW
Lots 0002-0006 and 0800 – 0805 in Square 0563N

Date: Thursday, July 28, 2016

Time: 6:30 p.m. - 8:30 p.m.

Location: R.H. Terrell Recreation Center
155 L Street, NW
Washington, D.C. 20001

Contact: Marc Bleyer, Marc.Bleyer@dc.gov
(202) 727-8929

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

The District of Columbia Public Charter School Board (DC PCSB) hereby gives notice of Carlos Rosario International Public Charter School's (Carlos Rosario PCS) request to amend its enrollment ceiling. Carlos Rosario PCS's enrollment ceiling increase request is driven by two factors: Facility expansion and anticipated increase in demand. Carlos Rosario PCS petitions to increase its enrollment ceiling from 1,950 students to 2,200 by school year 2020-21. A public hearing will be held on July 18, 2016 at 6:30 p.m.; a vote will be held on September 19, 2016 at 6:30 p.m. To submit public comments, you may do so by one of the actions below. All comments must be submitted on or before September 15, 2016 at 4:00pm. For questions, please contact Laterica (Teri) Quinn, Equity and Fidelity Specialist, at 202-328-2660 or lquinn@dcpcsb.org.

Submitting Public Comment:

1. Submit a comment by one of the following actions:
 - a. E-mail: public.comment@dcpcsb.org
 - b. Postal mail: Attn: Public Comment, DC Public Charter School Board, 3333 14th ST. NW., Suite 210, Washington, DC 20010
 - c. Hand Delivery/Courier*: Same as postal address above
 - d. Phone: 202-328-2660

2. Sign up to testify in-person at the public hearing on July 18, 2016, by emailing a request to public.comment@dcpcsb.org by no later than 4 p.m. on Thursday, July 14, 2016.

OFFICE OF CONTRACTING AND PROCUREMENT

NOTICE OF FINAL RULEMAKING

The Chief Procurement Officer of the District of Columbia, pursuant to the authority set forth in Sections 204 and 1106 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code §§ 2-352.04 and 2-361.06 (2012 Repl.)) (the “Act”), hereby gives notice of the adoption of this final rulemaking to add a new Section 1617 and to amend Section 1699 of Chapter 16 (Procurement by Competitive Sealed Proposals) of Title 27 (Contracts and Procurement) of the District of Columbia Municipal Regulations (DCMR).

This rulemaking updates the regulations and outlines the procedures applicable to procurement by competitive proposals. It establishes standards for the use of visual quality concepts (VQCs) and provides a definition of VQCs. The District Department of Transportation intends to use this method in the request for proposals process for the South Capitol Street Corridor project.

The Chief Procurement Officer gave notice of the intent to adopt these rules on March 3, 2016, and the proposed rules were published in the *D.C. Register* on April 22, 2016, at 63 DCR 6264. No comments were received and no changes have been made to the text of the rules as published. The CPO took final action to adopt these rules on June 2, 2016 and they will become effective upon publication of this notice in the *D.C. Register*.

Chapter 16, PROCUREMENT BY COMPETITIVE SEALED PROPOSALS, of Title 27 DCMR, CONTRACTS AND PROCUREMENT, is amended as follows:

A new Section 1617 is added to read as follows:

1617 VISUAL QUALITY CONCEPTS

- 1617.1 An RFP for the construction of a road, bridge, or other transportation system, or a facility or structure appurtenant to a road, bridge, or other transportation system, may require offerors to submit visual quality concepts (VQCs) prior to the submission of their final technical proposals, for review and comment by the date specified in the RFP.
- 1617.2 A VQC shall represent the offeror’s approach to meeting the project design appearance goals set forth in the RFP.
- 1617.3 An RFP requiring offerors to submit VQCs must specifically state the requirements for the content of a VQC; procedures for submission and resubmission of VQCs, including the date by which the VQCs must be submitted; procedures for review of and comment on VQCs; procedures for confidential meetings related to the VQCs; and methods for evaluating VQCs.
- 1617.4 Before an offeror’s submission of its technical proposal, the contracting officer shall meet with the offeror and discuss, on a confidential basis, whether the

offeror's VQC meets the project design appearance goals set forth in the RFP. The contracting officer may invite to confidential meetings other attendees that the contracting officer deems useful for the purpose of assisting in the review of the VQC submitted by an offeror.

- 1617.5 The contracting officer may also seek confidential review of a VQC by anyone deemed useful by the contracting officer, including independent technical advisors, for the purpose of assisting in the evaluation of the VQC. Any such confidential review shall be subject to the requirements contained in § 1629.4 of this chapter.
- 1617.6 Following the confidential meeting and any confidential review, the contracting officer shall provide written comments to the offeror regarding whether the offeror's VQC meets the project design appearance goals set forth in the RFP. The contracting officer shall provide an offeror a reasonable opportunity to submit revisions to its VQC in response to the results of the confidential meeting or written comments issued to the offeror after the meeting. The written comments of the contracting officer shall set the date by which revisions to the VQC must be submitted by the offeror in order to be considered by the contracting officer.
- 1617.7 If the offeror submits, by the date set by the contracting officer in his or her written comments, a revised VQC in response to the results of the initial confidential meeting or written comments issued after the meeting, the contracting officer shall hold a second confidential meeting with the offeror and may seek confidential review of the revised VQC. Following the second confidential meeting and any confidential review, the contracting officer shall provide written comments to the offeror regarding whether the offeror's revised VQC meets the project design appearance goals set forth in the RFP.
- 1617.8 The contracting officer may allow the submission of an additional revised VQC in response to the results of the second confidential meeting or written comments issued after the second confidential meeting, if the contracting officer determines that allowing the submission of an additional revised VQC is in the best interests of the District. If the offeror is allowed to submit an additional revised VQC, the contracting officer may hold a third confidential meeting with the offeror and may seek confidential review of the revised VQC. Following any third confidential meeting and any confidential review, the contracting officer shall provide written comments to the offeror regarding whether the offeror's additional revised VQC meets the project design appearance goals set forth in the RFP.
- 1617.9 The contracting officer shall not discuss any offeror's VQC at a confidential meeting other than the VQC of the offeror with whom the contracting officer is meeting.

- 1617.10 Nothing stated in a confidential meeting or included in a written record or summary of a meeting will modify the RFP unless it is incorporated into an amendment to the RFP.
- 1617.11 The offeror shall be solely responsible for ensuring that the final technical proposal complies with the requirements of the RFP.
- 1617.12 If an amendment to the RFP causes previously approved VQCs to become non-compliant with the project design appearance goals set forth in the RFP, then the offeror shall revise and resubmit its VQC for review and comment, in compliance with the terms of the amendment.

Section 1699, DEFINITIONS, Subsection 1699.1, is amended by adding the following definition:

Visual quality concept - an offeror's description of its approach to meeting the project design appearance goals set forth in the RFP.

OFFICE OF CONTRACTING AND PROCUREMENT

NOTICE OF FINAL RULEMAKING

The Chief Procurement Officer of the District of Columbia, pursuant to the authority set forth in Sections 204 and 1106 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code §§ 2-352.04 and 2-361.06 (2012 Repl.)) (the “Act”), hereby gives notice of the adoption of final rulemaking to add a new Section 2003 of Chapter 20 (Special Contracting Methods), Title 27 (Contracts and Procurement), of the District of Columbia Municipal Regulations (DCMR).

This rulemaking updates Chapter 20 and addresses the provisions in the Act that apply to the District’s Purchase Card Program. *See* D.C. Official Code §§ 2-351.04(51); 2-354.11(d); and 2-361.03(a), (c). The current Chapter 20 lacks a regulation that addresses the provisions of the Act that establishes a Purchase Card Program.

The Chief Procurement Officer gave notice of the intent to adopt these rules on December 9, 2015, and the proposed rules were published in the *D.C. Register* on February 19, 2016, at 63 DCR 1918. No comments were received and no changes have been made to the text of the rules as published. The CPO adopted these rules as final on June 2, 2016 and they will become effective upon publication of this notice in the *D.C. Register*.

Chapter 20, SPECIAL CONTRACTING METHODS, of Title 27 DCMR, CONTRACTS AND PROCUREMENT, is amended as follows:

A new Section 2003 is added to read as follows:

2003 PURCHASE CARD PROCUREMENTS

2003.1 The Director may establish and administer a purchase card program to be used by District employees to perform their agency’s programmatic functions.

OFFICE OF DOCUMENTS AND ADMINISTRATIVE ISSUANCES**ERRATA NOTICE**

The Administrator of the Office of Documents and Administrative Issuances (ODAI), pursuant to the authority set forth in Section 309 of the District of Columbia Administrative Procedure Act, approved October 21, 1968, as amended (82 Stat. 1203; D.C. Official Code § 2-559 (2012 Repl.)), hereby gives notice of corrections to the Notice of Final Rulemaking and Z.C. Order No. 14-11 issued by the Zoning Commission for the District of Columbia and published in the *D.C. Register* on September 25, 2015 at 62 DCR 12737.

The final rulemaking amended Chapter 3 (R-2, R-3, R-4, and R-5 Residence District Use Regulations) of Title 11 (Zoning) of the District of Columbia Municipal Regulations (DCMR). An amendment to Subsection 336.13 of Section 336 (Conversion of a Residential Building Existing Prior to May 12, 1958, to Apartment Houses (R-4)) mistakenly referenced the “subsection” instead of the entire “section”. The emergency and proposed rulemaking, published in the *D.C. Register* on July 31, 2015, at 62 DCR 10432, correctly used the term “section”.

The correction to the final rulemaking is made below, with a ~~strikethrough~~ indicating the language to be removed:

Chapter 3, R-2, R-3, R-4, AND R-5 RESIDENCE DISTRICT USE REGULATIONS, of Title 11 DCMR, ZONING, is amended as follows:

Section 336, CONVERSION OF A RESIDENTIAL BUILDING EXISTING PRIOR TO MAY 12, 1958, TO APARTMENT HOUSES (R-4), § 336.13, is corrected as follows:

336.13 An apartment house in an R-4 Zone District, converted from a residential building prior to June 26, 2015, or converted pursuant to §§ 3202.8, 3202.9, or 3202.10, shall be considered a conforming use and structure, but shall not be permitted to expand either structurally or through increasing the number of units, unless approved by the Board of Zoning Adjustment pursuant to §§ 3104.1 and 3104.3 and this subsection.

This Errata Notice's correction to the Notice of Final Rulemaking is non-substantive in nature and does not alter the intent, application, or purpose of the proposed rules. The rules are effective upon the original publication date of September 25, 2015.

Any questions or comments regarding this notice shall be addressed by mail to Victor L. Reid, Esq., Administrator, Office of Documents and Administrative Issuances, 441 4th Street, N.W., Suite 520 South, Washington, D.C. 20001, email at victor.reid@dc.gov, or via telephone at (202) 727-5090.

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA**NOTICE OF FINAL RULEMAKING****AND****ZONING COMMISSION ORDER NO. 14-13B****Z.C. Case No. 14-13B****(Text Amendment – 11 DCMR)****Minor Modification to Z.C. Order No. 14-13B (Penthouse Regulations)****May 23, 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, as amended (52 Stat. 797; D.C. Official Code § 6-641.01 (2012 Repl.)), hereby gives notice of the adoption of amendments to the current and newly adopted versions of the Zoning Regulations (Title 11 of the District of Columbia Municipal Regulations (DCMR)) to make minor modifications to Z.C. Order No. 14-13 (Order). The Order, which took the form of a Notice of Final Rulemaking, adopted amendments to the currently effective version of the Zoning Regulations (Current Regulations) governing rooftop penthouses as well as conforming amendments to other provisions, including the provisions of Chapter 32, ADMINISTRATION AND ENFORCEMENT. The substance of the amendments was later included by the Commission in the version of Title 11 DCMR that will become effective on September 6, 2016 (2016 Regulations), which was adopted by the Commission through a Notice of Final Rulemaking published in Part II of the March 4, 2016 edition of the *District of Columbia Register*.

The modification concerns the permitting process set forth in § 3202 of the Current Regulations and Subtitle A, Chapter 3 of the 2016 Regulations, which provides that construction rights do not vest until a building permit is issued. (11 DCMR § 3202.4.) The amendment adds a new § 3202.12 to the Current Regulations and a new § 301.13 to Subtitle A of the 2016 Regulations to provide a limited exception to that rule if: (1) a building permit application for penthouse construction not involving a detached dwelling, semi-detached dwelling, rowhouse, or flat was filed with, and accepted as complete by, the Department of Consumer and Regulatory Affairs on or before November 19, 2015; and (2) the applicant had received a Letter of Zoning Compliance from the Zoning Administrator prior to that date. When those circumstances exist, the building permit may be processed, and any work authorized by the building permit may be carried to completion, pursuant to the provisions of the roof structure regulations in place as of November 19, 2015. The modification also makes conforming amendments to § 3202.4 of the Current Regulations and Subtitle A § 301.4 of the 2016 Regulations.

The amendments address a circumstance brought to the attention of the Commission by the Office of Planning involving a building permit applicant that is unlikely to involve any other pending building permit application. As such, the Commission considered the amendments as being modifications of little or no importance or consequence and therefore properly proposed pursuant to 11 DCMR § 3030, which permits such modifications to be adopted without a hearing or referral to the National Capital Planning Commission.

A Notice of Proposed Rulemaking was published in the *D.C. Register* on April 22, 2016, at 63 DCR 6261. No comments were received in response.

The Commission took final action to adopt the amendments at a public meeting on May 23, 2016, making no changes to the proposed text. As to the Current Regulations, the final rulemaking is effective upon publication of this notice in the *D.C. Register*. As to the 2016 Regulations, the Final Rulemaking shall become effective on September 6, 2016.

Current Regulations:

Chapter 32, ADMINISTRATION AND ENFORCEMENT, of Title 11 DCMR, ZONING, is amended as follows:

Section 3202, BUILDING PERMITS, § 3202.4, is amended by striking the phrase “§§ 3202.8, 3202.9, and 3202.10” in the introductory text and replacing it with the phrase “§§ 3202.8 through 3202.12”, so that the entire provision reads as follows:

- 3202.4 Except as provided in §§ 3202.8 through 3202.12, any construction authorized by a permit may be carried to completion pursuant to the provisions of this title in effect on the date that the permit is issued, subject to the following conditions:
- (a) The permit holder shall begin construction work within two (2) years of the date on which the permit is issued; and
 - (b) Any amendment of the permit shall comply with the provisions of this title in effect on the date the permit is amended.

A new § 3202.12 is added to read as follows:

- 3202.12 Notwithstanding § 3202.4, a building permit application (including a foundation-to-grade permit application) (the Application) for construction involving any penthouse other than as restricted in § 411.5 may be processed, and any work authorized by the building permit may be carried to completion, pursuant to the provisions of the roof structure regulations in place as of November 19, 2015, if the Application was legally filed with, and accepted as complete by, the Department of Consumer and Regulatory Affairs, and had received a Letter of Zoning Compliance from the Zoning Administrator prior to that date.

2016 Regulations:

Chapter 3, ADMINISTRATION AND ENFORCEMENT, of Subtitle A, AUTHORITY AND APPLICABILITY, of Title 11 DCMR, ZONING REGULATIONS OF 2016, is amended as follows:

Section 301, BUILDING PERMITS, § 301.4, is amended by striking the reference to § 301.11 in the introductory text and replacing it with a reference to new § 301.13, so that the entire provision reads as follows:

- 301.4 Except as provided in Subtitle A §§ 301.9 through 301.13, any construction authorized by a permit may be carried to completion pursuant to the provisions of this title in effect on the date that the permit is issued, subject to the following conditions:
- (a) The permit holder shall begin construction work within two (2) years of the date on which the permit is issued; and
 - (b) Any amendment of the permit shall comply with the provisions of this title in effect on the date the permit is amended.

A new § 301.13 is added to read as follows:

- 301.13 Notwithstanding Subtitle A § 301.4, a building permit application (including a foundation-to-grade permit application) (the Application) for construction involving any penthouse other than as restricted in Subtitle C § 1500.4 may be processed, and any work authorized by the building permit may be carried to completion, pursuant to the provisions of the roof structure regulations in place as of November 19, 2015, if the Application was legally filed with, and accepted as complete by, the Department of Consumer and Regulatory Affairs, and had received a Letter of Zoning Compliance from the Zoning Administrator prior to that date.

On May 23, 2016 upon a motion by Chairman Hood, as seconded by Vice Chairman Cohen, the Zoning Commission **APPROVED** the rulemaking and **ADOPTED** this Order at its public meeting by a vote of **5-0-0** (Anthony J. Hood, Marcie I. Cohen, Robert E. Miller, and Peter G. May; and Michael G. Turnbull by absentee ballot to approve and adopt).

In accordance with the provisions of 11 DCMR § 3028.8, this Order shall become final and effective upon publication in the *D.C. Register*; that is, on July 15, 2016.

DEPARTMENT OF HEALTH CARE FINANCE

NOTICE OF 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 (District) 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. & 2016 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 adopt a new Section 928 (Electronic Payments Initiative) to Chapter 9 (Medicaid Program) of Title 29 (Public Welfare) of the District of Columbia Municipal Regulations (DCMR).

This rule establishes guidelines for the enrollment of providers and suppliers serving District Medicaid beneficiaries in the Electronic Funds Transfer/Automated Clearing House (EFT/ACH) program.

Under 42 C.F.R. § 455.452, states can establish provider screening methods that are more stringent than the minimum requirements set forth in the federal regulations governing provider screening and enrollment. In accordance with this provision, DHCF is requiring its providers to participate in the EFT/ACH program, a federally regulated network for the processing of electronic payments, in order to become enrolled or continue to be enrolled as a D.C. Medicaid provider or supplier. Participation in the EFT/ACH program will facilitate faster access to Medicaid payments, ensure accurate delivery of payments to D.C. Medicaid providers and suppliers, eliminate reliance on the Postal Service, and decrease the possibility of lost paper checks. Furthermore, participation in the EFT/ACH program by Medicaid providers and suppliers will facilitate the use of electronic payment systems for financial transactions, as detailed in 27 DCMR § 1400. However, this rule does not require the electronic submission of claims.

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

A new Section 928 of Chapter 9, MEDICAID PROGRAM of Title 29 DCMR, PUBLIC WELFARE, is added to read as follows:

928 ELECTRONIC PAYMENTS INITIATIVE

928.1 This rule shall govern the requirements for enrollment of D.C. Medicaid providers and suppliers into the Electronic Funds Transfer /Automated Clearing House (EFT/ACH) program, a federally regulated network for the processing of electronic payments.

- 928.2 All prospective D.C. Medicaid providers and suppliers, except those identified in §§ 928.8 and 928.9, shall enroll in the EFT/ACH program by September 1, 2016 as a condition of execution of the D.C. Medicaid Provider Agreement.
- 928.3 Prospective providers and suppliers subject to the requirement of § 928.2 shall either:
- (a) Provide documentation of enrollment in the EFT/ACH program with the D.C. Medicaid Provider/Supplier Application; or
 - (b) Submit the EFT/ACH enrollment form and all required attachments with the Application.
- 928.4 Prospective providers and suppliers subject to the requirement of § 928.2 who fail to meet the requirements set forth in § 928.3 shall be denied enrollment by the Department of Health Care Finance (DHCF) as D.C. Medicaid providers or suppliers.
- 928.5 All currently enrolled D.C. Medicaid providers and suppliers, except those identified in §§ 928.8 and 928.9, shall enroll in the EFT/ACH program by the date designated by DHCF for the individual provider or supplier in order to remain eligible for reimbursement from the D.C. Medicaid program.
- 928.6 DHCF shall provide written notice of the designated date for EFT/ACH program enrollment to all currently enrolled providers and suppliers subject to the requirement of § 928.5 ninety (90), sixty (60), and thirty (30) days prior to the designated date.
- 928.7 If a currently enrolled provider or supplier subject to the requirement of § 928.5 fails to enroll in the EFT/ACH program by the designated date, DHCF will take action to terminate the provider or supplier's D.C. Medicaid Provider Agreement pursuant to Chapter 13 of Title 29 DCMR.
- 928.8 District government agencies currently enrolled as D.C. Medicaid providers or suppliers or intending to enroll as D.C. Medicaid providers or suppliers shall not be required to enroll in the EFT/ACH program.
- 928.9 Individuals or entities submitting the D.C. Medicaid Provider/Supplier Application for the sole purpose of obtaining reimbursement for goods or services provided on an emergency or one-time basis shall not be required to enroll in the EFT/ACH program.
- 928.10 DHCF shall accept electronic signatures on the EFT/ACH enrollment form and all other required attachments.
- 928.99 DEFINITIONS

When used in this section, the following terms shall have the meanings ascribed:

Automated Clearing House - A funds transfer system governed by 31 C.F.R. Part 210 which provides for the interbank clearing of electronic entries for participating financial institutions.

Electronic Funds Transfer - The electronic transfer of money from one bank account to another, either within a single financial institution or across multiple institutions, through computer-based systems and without the direct intervention of bank staff.

Medicaid Provider/Supplier Application - The general or provider/supplier-specific application document developed by DHCF, and required in order to initiate participation as a D.C. Medicaid provider or supplier.

Provider Agreement – An official enrollment document establishing roles, responsibilities, and rights of a District Medicaid provider/supplier.

Comments on this rule should be submitted in writing to Claudia Schlosberg, J.D., Senior Deputy/State Medicaid Director, Department of Health Care Finance, Government of the District of Columbia, 441 4th Street, NW, Suite 900, Washington DC 20001, via telephone on (202) 442-8742, 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 this rule are available from the above address.

DEPARTMENT OF HEALTH CARE FINANCE

NOTICE OF 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. & 2016 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 adopt a new Section 947, entitled “Private Duty Nursing Services,” of Chapter 9 (Medicaid Program) of Title 29 (Public Welfare) of the District of Columbia Municipal Regulations (DCMR).

Private Duty Nursing services are nursing services for technology-dependent beneficiaries who require more individualized and continuous care than is available from a visiting nurse under the Skilled Nursing Home Health Services benefit or is routinely provided by nursing staff from a hospital or skilled nursing facility.

The current District of Columbia State Plan for Medical Assistance (State Plan) does not specify the details for provider requirements, or service delivery for Private Duty Nursing Services. To date, there have been no rules governing Private Duty Nursing Services under the State Plan.

These proposed rules establish general standards governing reimbursement for Private Duty Nursing services provided to beneficiaries under the State Plan and establish specific conditions of participation for providers of these services. These rules also clarify prior authorization requirements and establish higher reimbursement rates for delivering Private Duty Nursing Services. DHCF determined that the existing provider reimbursement rates were not sufficient to ensure an adequate supply of providers willing and able to provide Private Duty Nursing Services to District Medicaid beneficiaries.

Private Duty Nursing services provide care to some of the most vulnerable Medicaid beneficiaries who are technology-dependent. A technology-dependent beneficiary is a beneficiary who is reliant on assisted respiration and may require frequent oral suctioning and gastrostomy tube feedings; or the existence of another severe medical condition that requires monitoring or care on a continuous basis. These services are also provided to those technology-dependent beneficiaries who need a nurse to evaluate, manage, and provide ongoing nursing services in the beneficiary’s home. Further, these services are provided to those technology-dependent beneficiaries who need more individualized and continuous care due to an illness or injury than what may be provided under the Skilled Nursing State Plan benefit. The limited information in the State Plan, in combination with the absence of a related rulemaking has contributed to inconsistent quality of care and has hampered DHCF’s ability to hold provider’s accountable for care delivery and provide effective oversight. Additionally, the rate increases proposed in this rulemaking are needed to enable Home Health service providers to hire and retain staff to ensure continued access to Private Duty Nursing services under the State Plan.

The corresponding amendment to the State Plan must be approved by the U.S. Department of Health and Human Services (HHS), Centers for Medicare and Medicaid Services (CMS). The State Plan Amendment was approved by the Council of the District of Columbia (Council) through the Fiscal Year 2016 Budget Support Act of 2015, effective October 22, 2015 (D.C. Law 21-0036; 62 DCR 10905 (August 14, 2015)). Implementation of these proposed rules is contingent upon approval of the corresponding State Plan Amendment (SPA) by CMS, with an effective date of October 1, 2016 or the effective date established by CMS in its approval of the corresponding SPA, whichever is later. The District is proposing new reimbursement rates in FY 2016 for Private Duty Nursing services. The increase in aggregate expenditures related to the update in the reimbursement rates is approximately \$681,094 for FY 2016 pro-rated from June.

The Director of DHCF 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 9, MEDICAID PROGRAM, of Title 29 DCMR, PUBLIC WELFARE, is amended as follows:

A new Section 947, PRIVATE DUTY NURSING SERVICES, is added to read as follows:

947 PRIVATE DUTY NURSING SERVICES

- 947.1 This section shall establish general standards for conditions of participation for Medicaid providers of Private Duty Nursing services, and delineate specific standards governing reimbursement for these services.
- 947.2 Private Duty Nursing services are services for technology-dependent beneficiaries as defined in Subsection 947.5. These beneficiaries require more individualized and continuous care than is available from a visiting nurse under the Skilled Nursing Home Health Services benefit available under the State Plan for Medical Assistance, or routinely provided by nursing staff in a hospital or skilled nursing facility.
- 947.3 In order to be eligible for Medicaid reimbursement, Private Duty Nursing services must be ordered by a physician and provided at the beneficiary's residence in accordance with a plan of care developed by a Registered Nurse (R.N.).
- 947.4 A beneficiary shall be eligible for Medicaid reimbursement of Private Duty Nursing services if he or she is in receipt of the following:
- (a) An order for receiving Private Duty Nursing services by the beneficiary's physician in accordance with the requirements set forth in this section; and
 - (b) A prior authorization from the Department of Health Care Finance (DHCF) or its designee in accordance with the requirements set forth in this section.

- 947.5 The term technology-dependent beneficiary shall include those beneficiaries who are reliant on assisted respiration and may require frequent oral suctioning and gastrostomy tube feedings, or the existence of another severe medical condition that requires monitoring or care at least every other hour.
- 947.6 In order to be reimbursed by Medicaid, an order for Private Duty Nursing services shall be signed by a physician knowledgeable about the beneficiary's needs and conditions, and shall state the amount, frequency, scope and duration of Private Duty Nursing services ordered. The physician's signature on the order constitutes a certification by the physician that the services ordered reflect the health status and needs of the beneficiary, and that the beneficiary is technology-dependent and eligible for the service.
- 947.7 For all Medicaid reimbursable Private Duty Nursing services, effective October 1, 2016, the ordering physician shall:
- (a) Document that a face-to-face encounter, related to the primary reason the beneficiary requires Private Duty Nursing services, occurred between the beneficiary and the health practitioner, as defined in Subsection 947.8, within the ninety (90) days before or within the thirty (30) days after the start of services; and
 - (b) Indicate on the order the name of the practitioner who conducted the face-to-face encounter, and the date of the encounter.
- 947.8 The face-to-face encounter required to provide Medicaid reimbursement of Private Duty Nursing services must be related to the primary reason the beneficiary requires Private Duty Nursing services and may be conducted by one of the following health practitioners:
- (a) The ordering physician;
 - (b) A nurse practitioner working in collaboration with the physician;
 - (c) A certified nurse mid-wife as authorized under District law;
 - (d) A physician assistant acting under the supervision of the ordering physician; or
 - (e) The attending acute or post-acute physician.
- 947.9 The attending acute or post-acute physician shall only conduct face-to-face encounters for those beneficiaries receiving Private Duty Nursing services immediately after an acute or post-acute stay.
- 947.10 The plan of care referenced in Subsection 947.3 shall be developed and signed by an R.N. who is employed or under contract to the Private Duty Nursing services provider. The signature of the R.N. on the plan of care constitutes a certification

that the plan of care accurately reflects the health status and needs of the beneficiary and that the services identified in the plan of care are in accordance with the physician's order defined in Subsection 947.6.

- 947.11 The beneficiary's physician shall approve the initial plan of care by signing it within thirty (30) days of the development of the plan of care, and noting his or her license number and National Provider Identification number on the plan of care.
- 947.12 The plan of care shall be reviewed and signed by the physician every sixty (60) calendar days.
- 947.13 The signature of the physician on an initial or subsequent plan of care constitutes a certification that the plan of care accurately reflects the health status and needs of the beneficiary.
- 947.14 Medicaid reimbursable Private Duty Nursing services shall be provided by a Home Care Agency that meets the requirements of Subsection 947.15.
- 947.15 In order to be eligible for Medicaid reimbursement, a Home Care Agency providing Private Duty Nursing services shall meet the following requirements:
- (a) Be enrolled as a Medicare Home Care Agency qualified to offer skilled nursing services as set forth in Sections 1861(o) and 1891(e) of the Social Security Act and 42 C.F.R. § 484;
 - (b) Have sufficient funds or "initial reserve operating funds" available for business expenses determined in accordance with federal special capitalization requirements for home care agencies participating in Medicare as set forth under 42 C.F.R. § 489.28;
 - (c) Meet the District of Columbia Department of Health licensure requirements in accordance with Chapter 39 of Title 22-B DCMR;
 - (d) Be enrolled as a Medicaid provider of Private Duty Nursing services and meet all requirements as set forth under Chapter 94 (Medicaid Provider and Supplier, Screening, Enrollment, and Termination) of Title 29 DCMR; and
 - (e) Have a surety bond, in accordance with federal requirements for home care agencies participating in Medicaid as set forth under 42 C.F.R. § 441.16 and Subsection 947.15.
- 947.16 Except for government-operated Home Care Agencies, each Home Care Agency that is a Medicaid participating Home Care Agency or that seeks to become a Medicaid participating Home Care Agency shall:

- (a) Obtain a fifty thousand dollar (\$50,000) surety bond that meets the requirements as set forth under 42 C.F.R. § 441.16; and
- (b) Furnish a copy of the surety bond to DHCF.

947.17 In accordance with the Health Care and Community Residence Facility, Hospice and Home Care Licensure Act of 1983 (D.C. Law 5-48, D.C. Official Code §§ 44-501 *et seq.*), and 22-B DCMR § 3924, a Home Care Agency shall accept a ventilator-dependent beneficiary only if:

- (a) The beneficiary is ventilator stabilized;
- (b) A successful home equipment trial has been conducted by the Home care Agency provider; and
- (c) The Home Care Agency has developed a plan for emergency services notification.

947.18 Medicaid reimbursable Private Duty Nursing services shall be provided by an R.N. or licensed practical nurse (L.P.N.) licensed in accordance with the District of Columbia Health Occupations Revision Act of 1985, as amended, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code §§ 3-1201.01 *et seq.*) and implementing rules.

947.19 Medicaid reimbursable Private Duty Nursing services shall be responsible for the following duties:

- (a) Conducting initial assessments and periodic reassessments every sixty (60) calendar days to develop and update a plan of care;
- (b) Coordinating the beneficiary's care and referrals among all Home Care Agency providers;
- (c) Implementing preventive and rehabilitative nursing procedures;
- (d) Administering medications and treatment as prescribed by a licensed physician, pursuant to the District of Columbia Health Occupations Revision Act of 1985, as amended, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code §§ 3-1201 *et seq.*), as outlined under the plan of care;
- (e) Recording daily progress notes and summary notes at least once every sixty (60) calendar days;
- (f) Making necessary updates to the plan of care, and reporting any changes in the beneficiary's condition to his or her physician;

- (g) Instructing the beneficiary on treatment regimens identified under the plan of care;
- (h) Updating the physician on changes in the beneficiary's condition and obtaining orders to implement those changes; and
- (i) For R.N.s who supervise nursing services delivered by skilled nurses and services delivered by Home Health Aides and Personal Care Aides, duties shall include, at minimum, the following:
 - (i) Supervising the beneficiary's skilled nurse and aide on site, at least once every sixty (60) calendar days;
 - (ii) Ensuring that new or revised physician orders have been obtained from the treating physician initially, as needed, and every sixty (60) calendar days thereafter, to promote continuity of care;
 - (iii) Reviewing the beneficiary's plan of care;
 - (iv) Monitoring the beneficiary's general health outcomes, including taking vital signs, conducting a physical examination, and determining mental status;
 - (v) Determining if the beneficiary has any unmet needs;
 - (vi) Ensuring that all home health services are provided safely and in accordance with the plan of care;
 - (vii) Ensuring that the beneficiary has received education on any needed services;
 - (viii) Ensuring the safe discharge or transfer of the beneficiary;
 - (ix) Ensuring that the physician receives progress notes when the beneficiary's health condition changes, or when there are deviations from the plan of care;
 - (x) Ensuring that a summary report of the visit has been sent to the physician every sixty (60) calendar days; and
 - (xi) Reporting any instances of abuse, neglect, exploitation or fraud to DHCF to promote a safe and therapeutic environment in accordance with 17 DCMR § 5414.
- (j) Maintaining the beneficiary's equipment and supplies;

- (k) Providing ventilator and/or tracheostomy tube maintenance;
- (l) Applying independent emergency measures to counteract adverse developments; and
- (m) Updating the physician on changes in the beneficiary's condition and obtaining orders to implement those changes.

- 947.20 Initial assessment and evaluations shall only be conducted by an R.N.. Periodic reassessments may be conducted by an R.N. or L.P.N. The Private Duty Nurse conducting an initial assessment or periodic reassessment in accordance with this section shall certify in writing that the assessment is true and accurate.
- 947.21 Consistent with the Department of Health regulations at 22-B DCMR § 3917, Private Duty Nursing provided by an L.P.N. shall be supervised by an R.N.
- 947.22 When an L.P.N. provides Private Duty Nursing services, the duties shall not include supervisory duties.
- 947.23 In order to be eligible for Medicaid reimbursement, the R.N. shall monitor and supervise the provision of services provided by the L.P.N. or R.N., including conducting a site visit at least once every sixty (60) calendar days, or more frequently, if specified in the beneficiary's plan of care.
- 947.24 Progress notes during each visit shall meet the standards of nursing care established under 17 DCMR §§ 5414 and 5514, and include notations regarding the following:
- (a) Any unusual health or behavioral events or changes in status;
 - (b) Any matter requiring follow-up on the part of the service provider or DHCF; and
 - (c) A clearly written statement of the beneficiary's progress or lack of progress, medical conditions, functional losses, and treatment goals as outlined in the plan of care that demonstrates that the beneficiary's services continue to be reasonable and necessary.
- 947.25 The nurse shall prepare summary notes every sixty (60) calendar days which summarizes the daily progress notes and bring attention to any matter requiring follow-up on the part of the service provider or DHCF.
- 947.26 Private Duty Nursing services shall be reimbursed by Medicaid for up to twelve (12) hours a day with a prior authorization issued by DHCF, in accordance with the requirements set forth under Subsection 947.27. Beneficiaries may also qualify for additional hours if they meet the requirements referenced under Subsection 947.28.

- 947.27 In order to be eligible for Medicaid reimbursement, all requests for Private Duty Nursing services shall be prior authorized by DHCF or its designee. Prior authorization shall be determined by ensuring that the beneficiary:
- (a) Is ventilator dependent (*i.e.* not being able to breathe without mechanical ventilation) and may require frequent oral suctioning and gastrostomy tube feedings; or the existence of another severe medical condition that requires monitoring or care at least every other hour; and
 - (b) Requires services by an R.N. or L.P.N. on a more individualized and continuous basis which cannot be provided at a lower level of care, pursuant to the Skilled Nursing Home Health Services benefit available under the State Plan for Medical Assistance.
- 947.28 Beneficiaries in need of additional hours of Private Duty Nursing services may request a health and safety review by DHCF or its designated agent to determine the need for additional hours beyond the twelve (12) hour per day cap on Private Duty Nursing services. Providers may submit documentation supporting the beneficiary's additional need for Private Duty Nursing services which aligns with the physician's order and the health status and needs as outlined in the plan of care to the DHCF's Long Term Care Administration.
- 947.29 DHCF shall perform audits to ensure that Medicaid payments are consistent with efficiency, economy and quality of care and made in accordance with federal and District rules governing Medicaid.
- 947.30 The audit process shall be routinely conducted by DHCF to determine, by statistically valid scientific sampling, the appropriateness of services rendered and billed to Medicaid. These audits shall be conducted on-site or through an off-site, desk review.
- 947.31 Each provider shall allow access to relevant records and program documentation upon request and during an on-site audit or review by DHCF, other District of Columbia government officials and representatives of the United States Department of Health and Human Services.
- 947.32 Each provider shall maintain complete and accurate records reflecting the specific Private Duty Nursing services provided to each beneficiary for each unit of service billed. Such records shall be maintained for a period of ten (10) years or when all audits have been completed, whichever is longer.
- 947.33 The Medicaid reimbursement rate for Private Duty Nursing services shall be fifteen dollars (\$15.00) for each fifteen (15) minute unit of service for services provided by an R.N., and twelve dollars and fifty cents (\$12.50) for each fifteen (15) minute unit of service provided by a L.P.N.
- 947.34 The Medicaid reimbursement rate for an initial assessment by an R.N. is a flat rate of one hundred and twenty dollars (\$120). The reimbursement rate for reassessments and supervisory visits shall be the R.N. rate for each fifteen (15)

minute unit of service not to exceed a total of eight units of service per reassessment or supervisory visit. The reimbursement rate for reassessments conducted by an L.P.N. shall be the L.P.N. rate for each fifteen (15) minute unit of service not to exceed a total of eight units of service per reassessment.

947.35 A provider seeking Medicaid reimbursement shall provide and document at least eight (8) minutes of service in a span of fifteen (15) continuous minutes to be able to bill a unit of service.

947.36 Medicaid reimbursable Private Duty Nursing services shall have the following service limitations:

- (a) Assessments, reassessments or supervisory visits of a skilled nurse or aide shall not be included in the calculation of the daily Private Duty Nursing cap;
- (b) When a private duty nurse performs the duties described under Subsection 947.19 (b) – (h), and (j)- (m) during an initial assessment or reassessment, these services shall not be billed separately as Private Duty Nursing services under the twelve hour (12) daily cap, but shall be included as part of the rate paid for an initial assessment or reassessment; and
- (c) When a private duty nurse provides assistance with activities of daily living during an assessment, or supervisory, or Private Duty Nursing visit, a provider shall not bill more than once for the same personal care aide services.

947.46 In order to receive Medicaid reimbursement for Private Duty Nursing services, a beneficiary shall not concurrently receive Skilled Nursing services under the State Plan.

Section 999, DEFINITIONS, § 999.1, is amended to include the following terms:

Order – A formal, written instruction signed by a physician regarding a beneficiary’s medical care, treatment or management which specifically requests the provision of a specific service.

Plan of Care - A written document developed by the R.N. hired by the home health provider that delineates the various treatments of the beneficiary.

Surety bond - One or more bonds issued by one or more surety companies under 31 U.S.C. 9304 to 9308 and 31 C.F.R. parts 223, 224, and 225.

Comments on these rules should be submitted in writing to Claudia Schlosberg, J.D., Senior Deputy Director/Medicaid Director, Department of Health Care Finance, Government of the District of Columbia, 441 4th Street, N.W., Suite 900 South, Washington D.C. 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.

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF PUBLIC HEARINGS
CALENDAR

WEDNESDAY, JULY 20, 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

Protest Hearing (Status) **9:30 AM**
Case # 16-PRO-00039; A&A Restaurant Group, Inc., t/a Russia House, 1800
Connecticut Ave NW, License #80952, Retailer CR, ANC 2D
Application to Renew the License

Protest Hearing (Status) **9:30 AM**
Case # 16-PRO-00040; Serengeti Entertainment Group, Inc., t/a Serengeti
6210 Georgia Ave NW, License #22889, Retailer CR, ANC 4A
Application to Renew the License

Protest Hearing (Status) **9:30 AM**
Case # 16-PRO-00041; DC Four Lessee, LLC, t/a Mason & Rook/Radiator
1430 Rhode Island Ave NW, License #79243, Retailer CH, ANC 2F
Application to Renew the License

Protest Hearing (Status) **9:30 AM**
Case # 16-PRO-00042; Roof Top DC, LLC, t/a Bar Deco, 717 6th Street NW
License #97418, Retailer CR, ANC 2C
Application to Renew the License

Protest Hearing (Status) **9:30 AM**
Case # 16-PRO-00044; Atlantic Bar, LLC, t/a Crisp, 1837 1st Street NW
License #100753, Retailer CR, ANC 5E
Application to Renew the License

Board's Calendar

July 20, 2016

Show Cause Hearing (Status) 9:30 AM

Case # 16-AUD-00036; Top Chef, Inc., t/a Wok and Roll, 604 H Street NW

License #60447, Retailer CR, ANC 2C

Failed to File Quarterly Statements

Show Cause Hearing (Status) 9:30 AM

Case # 16-CMP-00211; Restaurant Enterprises, Inc., t/a Smith Point, 1338

Wisconsin Ave NW, License #60131, Retailer CT, ANC 2E

Substantial Change in Operation Without Board Approval, Provided Entertainment Without an Entertainment Endorsement, Failed to Obtain a Cover Charge Endorsement

Fact Finding Hearing* 9:30 AM

Chaos, Inc., t/a Club Chaos, 1633 Q Street NW, License #25541, Retailer CR
ANC 2B

Request to Extend Safekeeping

Show Cause Hearing* 10:00 AM

Case # 16-CMP-00236; Lucky 7, LLC, t/a Lucky 7 Liquors, 2314 Rhode Island
Ave NE, License #90270, Retailer A, ANC 5C

Advertisements Relating to Alcoholic Beverages Exceeded 25% of the Window Space

Fact Finding Hearing* 11:00 AM

Case # 16-CMP-00470; Yetenbi, Inc., t/a Noble Lounge, 1915 9th Street NW
License #85258, Retailer CT, ANC 1B

Substantial Change without Boards Approval (Increase in Occupancy), No ABC Manager on Duty, Transfer of Ownership Without Board's Approval

BOARD RECESS AT 12:00 PM

ADMINISTRATIVE AGENDA AT 1:00 PM

Show Cause Hearing* 1:30 PM

Case # 15-251-00157; 2461 Corporation, t/a Madam's Organ, 2461 18th Street
NW, License #25273, Retailer CT, ANC 1C

Interfered with an Investigation

***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, JULY 20, 2016
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

On July 20, 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#16-251-00080 El Centro, 1819 14th St. N.W., Retailer CR, License # ABRA-084847

2. Case#16-CMP-00335 Cities DC, 1909 K St. N.W. Retailer CR, and License #ABRA-0077812

3. Case#16-CMP-00383, Medium Rare, 515 8th St. S.E., Retailer CR, License # ABRA-093525

4. Case#16-CMP-00528, Ted’s Bulletin, 505 8th St. S.E., Retailer CR, License # ABRA-082569

5. Case # 16-251-00131, Golden Paradise Restaurant, 3903-3905 14th St. N.W., Retailer CR,
License # ABRA-098205

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF MEETING
LICENSING AGENDA

WEDNESDAY, JULY 20, 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 2B02. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No conflict with Settlement Agreement. *Marriott Residence Inn/Crios*, 2120 P Street NW, Retailer CH, License No. 089510.
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2. Review Request for Change of Hours. *Approved Hours of Operation*: Sunday 11am to 11pm, Monday-Thursday 6am to 11pm, Friday-Saturday 6am to 12am. *Approved Hours of Alcoholic Beverage Sales and Consumption*: Sunday 11am to 11pm, Monday-Thursday 8am to 11pm, Friday-Saturday 8am to 12am. *Proposed Hours of Operation*: Sunday-Saturday 8am to 2am. *Proposed Hours of Alcoholic Beverage Sales and Consumption*: Sunday-Saturday 10am to 1am. ANC 6B. SMD 6B04. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No conflict with Settlement Agreement. *Café B*, 424 8th Street SE, Retailer CR, License No. 077797.
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***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.**

CEDAR TREE ACADEMY PUBLIC CHARTER SCHOOL**REQUEST FOR PROPOSALS****Multiple Services**

Cedar Tree Academy Public Charter School invites proposals for the following:

- **Special Education Related Services**
- **After School Enrichment Services**
- **Communications & Security Services**
- **General Painting and Repair Services**
- **IT Services**
- **Legal Services**
- **Marketing Services**
- **Interactive Boards Services**
- **Heating & Air Conditioning Services**

Bid specifications may be obtained from our website at www.Cedartree-dc.org. Any questions regarding these bids must be submitted in writing to Lhenderson@Cedartree-dc.org before the RFP deadline. Bids must be submitted to Dr. LaTonya Henderson, Executive Director, Cedar Tree Academy PCS 701 Howard Road SE Washington DC 20020.

Cedar Tree Academy will receive bids until Friday, July 29, 2016, no later than 2:00PM.

EAGLE ACADEMY PUBLIC CHARTER SCHOOL**NOTICE OF INTENT TO AWARD SOLE SOURCE CONTRACT**

Eagle Academy Public Charter School is an Apple school implementing a 1:1 iPad program for its 920 young students in grades PreK-3 through Grade 3. Eagle Academy PCS is awarding a sole source contract to Apple Education to provide teachers with professional development on increasing their effectiveness in integrating Apple solutions into their teaching practices and curricula to transform their teaching and learning. The training will assist Eagle Academy's teachers to utilize the 1:1 iPad program to (1) improve students' academic performance, (2) increase students' engagement and motivation, (3) add instructional flexibility and resource efficiency, and (4) integrate focus on content quality and design. This will be a two-year contract, commencing on August 2016.

This is NOT a request for quotes or proposals.

Questions or comments to this Notice of Intent should be directed to Mayra Martinez-Fernandez at mmartinez@eagleacademypcs.org, via email only. Please indicate in the subject of your email: Notice of Intent Question.

EAGLE ACADEMY PUBLIC CHARTER SCHOOL**NOTICE OF INTENT TO AWARD SOLE SOURCE CONTRACT**

Eagle Academy Public Charter School is awarding a sole source contract to Erikson Institute to facilitate the integration of technology in early childhood classrooms and to implement their exclusive Tech Mentor Certificate Program from 2016-2019. Erikson Institute was selected because of Erikson Institute's academic programs in early childhood and technology, applied research in using technology to facilitate early childhood learning and development, and community work focused on children from birth through age eight, particularly those at risk for academic failure. In addition to its exclusive focus on early childhood, Erikson implements a multidisciplinary and relationship-based approach to education, an approach that requires early childhood teachers to master child development knowledge from many fields and to develop professional self-awareness and a capacity for reflective practice in an intensive, technology-driven educational environment. The Tech Mentor Program is only offered by Erikson in the Early Childhood Education field.

This is NOT a request for quotes or proposals.

Questions or comments to this Notice of Intent should be directed to Mayra Martinez-Fernandez at mmartinez@eagleacademypcs.org, via email only. Please indicate in the subject of your email: Notice of Intent Question.

OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION**NOTICE OF FUNDING AVAILABILITY (NOFA)****CHILD CARE RESOURCE AND REFERRAL (CCR&R) SYSTEM****Request for Application (RFA) Release Date: August 10, 2016**

The Office of the State Superintendent of Education (OSSE) shall issue a Request for Applications for a Child Care Resource and Referral (CCR&R) system in the District of Columbia (DC). The purpose of the Child Care Resource and Referral (CCR&R) system is to create an integrated and effective system of supports and services for families and child care providers in DC. The CCR&R system will provide responsive services and evidence-based supports that promote high-quality early care and education in DC. Unless specified, all funds will be awarded through competitive grant competitions.

Eligible applicants include public agencies, not-for-profit, for-profit, and faith-based organizations. Applicants will be required to have experience in collecting data, developing functional program management systems, building a network of resources through community outreach, supporting access to technical assistance programs developed to help providers achieve quality child care programs, and conducting resource and referral activities that support adult learners (parents, child development professionals and teachers) in their respective roles. Up to \$950,000 is expected to be available.

The funds are being made available solely through the U.S. Department of Health and Human Services (HHS), Administration for Children and Families (ACF), and Child Care and Development Fund (CCDF) through the Child Care and Development Block Grant Act of 2014, effective November 19, 2014 ((P.L. 113-186; 42 U.S.C. 9858 *et seq.*) (2012 Repl. and 2015 Supp.)). Grantees will be subject to requirements set forth in federal statutes and any accompanying regulations.

OSSE maintains the right to adjust the grant award and amount based on funding availability. Determinations regarding the number of competitive grant to be awarded will be based on the quality and number of applications received and available funding. Successful applicants may be awarded amounts less than requested.

A review panel or panels will be convened to review, score, and rank each application for a competitive grant. The review panel(s) will be composed of external neutral, qualified, professional individuals selected for their expertise, knowledge or related experiences. Each application will be scored against a rubric and applications will have multiple reviewers to ensure accurate scoring. Upon completion of its review, the panel(s) shall make recommendations for awards based on the scoring rubric(s). The State Superintendent or her designee will make all final award decisions.

To receive more information on these grants, please contact:

Tara Dewan-Czarnecki
Program Manager
Office of the State Superintendent of Education
Division of Early Learning
Phone: (202) 741-7637
Tara.Dewan-czarnecki@dc.gov

The Requests for Applications (RFAs) for the competitive grant programs as well as the instructions for completing the Child Care Resource and Referral (CCR&R) system grant application will be available on OSSE's website at www.osse.dc.gov. All applications will be submitted through the Enterprise Grants Management System (EGMS) at grants.osse.dc.gov.

OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION**NOTICE OF FUNDING AVAILABILITY (NOFA)****QUALITY FACILITATORS FOR THE ENHANCED QUALITY RATING AND IMPROVEMENT SYSTEM (QRIS)****Request for Application (RFA) Release Date: August 10, 2016**

The Office of the State Superintendent of Education (OSSE) shall issue a Request for Applications to support the Quality Facilitators for the enhanced Quality Rating and Improvement System (QRIS) in the District of Columbia (the District). OSSE's enhanced QRIS is a systematic approach to assess, improve, and communicate the level of quality in early care and education programs. Similar to rating systems for other service-related industries, QRIS provides quality improvement supports and publishes quality indicators of early care and education programs that meet a set of defined program standards: effective learning environment, attendance, curriculum, and child progress monitoring. Licensed child development facilities and DC Public Schools will participate in OSSE's QRIS and embark on a path of continuous quality improvement (CQI), moving from four levels of quality ratings: Licensed/Elementary School, Progressing, Quality, and High-Quality.

The purpose of funds provided is to support the enhanced QRIS by providing Quality Facilitators to the QRIS sites. The Quality Facilitators will provide support and implement a research-based coaching model to promote high-quality early care and education in the District. The Quality Facilitator assigned to the program or school will work alongside the program director, principal, curriculum specialist, or designated on-site administrator (OSA) to offer ongoing guidance and support through regular visits, communication, and assistance. While the OSA ultimately manages the program's improvement and progress in the QRIS, the Quality Facilitator will bring additional expertise to the program practice and support the work of meeting quality goals. Unless specified, all funds will be awarded through competitive grant competitions.

Eligible applicants include public agencies, not-for-profit, for-profit, and faith-based organizations that have experienced and accomplished early childhood coaches (Quality Facilitators) who utilize a research-based coaching model. Applicants must use funds to carry out the following: work alongside child development center and school leadership to develop and implement an annual CQI Plan that includes measurable goals, strategies, and timelines to benchmark progress, and will be involved in in-depth and on-going analyses of programs; assist the OSA with improving the overall learning environment of the program; and provide technical assistance, professional development, consultation, and coaching to program leadership on how to use program data and implement high-quality evidence-based early childhood practices. Up to \$900,000 is expected to be available.

The funds are being made available solely through the U.S. Department of Health and Human Services (HHS), Administration for Children and Families (ACF), and Child Care and Development Fund (CCDF) through the Child Care and Development Block Grant Act of 2014, effective November 19, 2014 ((P.L. 113-186; 42 U.S.C. 9858 *et seq.*) (2012 Repl. and 2015

Supp.)). Grantees will be subject to requirements set forth in federal statutes and any accompanying regulations.

OSSE maintains the right to adjust the grant award and amount based on funding availability. Determinations regarding the number of competitive grant to be awarded will be based on the quality and number of applications received and available funding. Successful applicants may be awarded amounts less than requested.

A review panel or panels will be convened to review, score, and rank each application for a competitive grant. The review panel(s) will be composed of external neutral, qualified, and professional individuals selected for their expertise, knowledge or related experiences. Each application will be scored against a rubric and applications will have multiple reviewers to ensure accurate scoring. Upon completion of its review, the panel(s) shall make recommendations for awards based on the scoring rubric(s). The State Superintendent or her designee will make all final award decisions.

To receive more information on these grants, please contact:

Tara Dewan-Czarnecki
Program Manager
Office of the State Superintendent of Education
Division of Early Learning
Phone: (202) 741-7637
Tara.Dewan-czarnecki@dc.gov

The Requests for Applications (RFAs) for the competitive grant programs as well as the instructions for completing the Quality Facilitators for the Enhanced QRIS grant application will be available on OSSE's website at www.osse.dc.gov. All applications will be submitted through the Enterprise Grants Management System (EGMS) at grants.osse.dc.gov.

DEPARTMENT OF ENERGY AND ENVIRONMENT

PUBLIC NOTICE

Notice is hereby given that, pursuant to 40 C.F.R. Part 51.161, and 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 a permit (#7111) to Bloomberg LP to operate one Cummins 500 kWe natural gas-fired emergency generator set with a 769 bhp engine located at 11th & I Streets NW (mailing address at 1101 New York Avenue NW), Washington, 20005. The contact person for the facility is Adam Hansen, Project Coordinator, phone number: (212) 617-8082.

Emergency Generator to be Permitted

Equipment Location	Address	Generator (Engine) Size	Engine Serial No.	Permit No.
Rooftop Mezzanine	11 th & I Streets NW, (1101 New York Avenue) Washington, DC 20005	500 kWe (769 hp)	25413541	7111

The proposed emission limits are as follows:

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

Pollutant Emission Limits¹					
(g/HP-hr)			ppmvd at 15% O₂		
NO_x	CO	VOC²	NO_x	CO	VOC²
2.0	4.0	1.0	160	540	86

¹The Permittee may choose to comply with the emission standards in this table in units of either g/HP-hr or ppmvd at 15 percent O₂.

²For purposes of this requirement, when calculating emissions of VOCs, emissions of formaldehyde should not be included.

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

The estimated emissions from the generator engine are as follows:

Pollutant	Maximum Annual Emissions (tons/yr)
Carbon Monoxide (CO)	6.66
Oxides of Nitrogen (NO _x)	3.95
Total Particulate Matter (PM Total)	0.02
Volatile Organic Compounds (VOCs)	0.05
Sulfur Dioxide (SO _x)	0.001

The application to operate the generator engine 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 comments or hearing requests submitted after August 15, 2016 will be accepted.

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

DEPARTMENT OF HEALTH**PUBLIC NOTICE**

The District of Columbia Board of Chiropractic (“Board”) hereby gives notice of its regular meeting schedule pursuant to § 405 of the District of Columbia Health Occupation Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1204.05 (b)) (2012 Repl.) (“Act”).

The Board’s regular meetings shall now be conducted on the second Tuesday of every other month starting on July 12, 2016. The meetings will held from 1:30 PM to 3:30 PM and will be open to the public from 1:30 PM until 2:30PM to discuss various agenda items and any comments and/or concerns from the public. In accordance with Section 405(b) of the Open Meetings Amendment Act of 2010, D.C. Official Code § 2-574(b), the meetings will be closed from 2:30 PM until 3:30 PM to plan, discuss, or hear reports concerning licensing issues, ongoing or planned investigations of practice complaints, and or violations of law or regulations. The schedule of the Board’s meetings during the next twelve-month period will be as follows:

July 12, 2016
September 13, 2016
November 8, 2016
January 10, 2017
March 14, 2017
May 9, 2017
July 11, 2017

The meeting will be held at 899 North Capitol Street, NE, Second Floor, Washington, DC 20002. Visit the Department of Health Events link at <http://doh.dc.gov/events> for additional information.

DEPARTMENT OF HEALTH
HEALTH REGULATION LICENSING ADMINISTRATION
NOTICE OF MEETING

Board of Chiropractic
July 12, 2016

On July 12, 2016 at 1:30 pm, the Board of Chiropractic will hold a meeting to consider and discuss a range of matters impacting competency and safety in the practice of medicine.

In accordance with Section 405(b) of the Open Meetings Amendment Act of 2010, the meeting will be closed at 2:30 pm to consult with the attorney to obtain legal advice and to preserve the attorney-client privilege between an attorney and a public body, or to approve settlement agreements pursuant to 2-575(b)(4)(a); Preparation, administration, or grading of scholastic, licensing, or qualifying examinations pursuant to section 2-575(b)(6); To discuss disciplinary matters pursuant section 2-575(b)(9); To plan, discuss, or hear reports concerning ongoing or planned investigations of alleged criminal or civil misconduct or violations of the law or regulations, if disclosure to the public would harm the investigation pursuant to section 2-575(b)(14).

The meeting will be open to the public at 1:30 pm to discuss various agenda items and any comments and/or concerns from the public. After which the Board will reconvene in closed session to continue its deliberations at 2:30 pm.

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

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

Executive Director for the Board of Chiropractic – Frank Meyers, JD - (202) 724-8755.

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT**NOTICE OF FUNDING AVAILABILITY**

Polly Donaldson, Director, Department of Housing and Community Development (DHCD), announces a Notice of Funding Availability (NOFA) for funding under the Community Development Block Grant (CDBG) program, HOME Investment Partnership Program (HOME), and appropriated local funds. The funds for this NOFA are being made available from anticipated FY 2017 DHCD budget funds. This NOFA is being conducted pursuant to the FY 2016 (October 1, 2015 to September 30, 2016) Consolidated Action Plan prepared for submission to the U.S. Department of Housing and Urban Development (HUD).

Under this NOFA, Grant funding will be provided to one or more organizations to serve as Homebuyer Programs Administrator (HPA) for the Home Purchase Assistance Program (HPAP), the Employer Assisted Housing Program (EAHP), the Negotiated Employee Assistance Home Purchase Program (NEAHP) and the Home Purchase Assistance Rehabilitation Program (HPAP “e” or 203k). The HPA will: (1) conduct, and advise DHCD on program marketing, (2) manage compliance, financial accountability, reporting, and documentation per the requirements of each funding source in these programs, (3) manage the entire second mortgage operation for these programs, including, but not limited to, determining applicant eligibility, underwriting loan applications, providing loan processing, providing loan closing preparation, and funding, and (4) provide strategic subject matter expertise for the overall improvement of homeownership programs. This will include making recommendations to DHCD concerning all aspects of the structure and process of these homeownership programs. The Grant Agreement resulting from this NOFA will contain funds for mortgage down payment loans and closing costs, as well as funds for project delivery (administrative) costs.

The competitive Request for Applications (RFA) under this NOFA will be released on July 15, 2016. The RFA package, including all application materials, will be available in CD format and can be obtained at DHCD, 1800 Martin Luther King Jr. Avenue, S.E., Washington, D.C. 20020, 1st floor reception desk daily from 8:15 am until 4:45 pm. This material will also be available from the DHCD website, www.dhcd.dc.gov, on or about July 15, 2016.

Completed applications for Homebuyer Programs Administrator must be delivered on or before 4:00 p.m., Eastern Time, August 12, 2016, to DHCD, 1800 Martin Luther King Jr. Avenue, S.E., 1st floor reception desk, Washington, D.C., 20020.

No applications will be accepted after the submission deadline

**Muriel Bowser, Mayor
Government of the District of Columbia**

Brian T. Kenner, Deputy Mayor for Planning and Economic Development

**Polly Donaldson, Director
Department of Housing and Community Development**

KIPP DC PUBLIC CHARTER SCHOOLS**REQUEST FOR PROPOSALS****Investment Management Services**

KIPP DC is soliciting proposals from qualified vendors for investment management services with respect to its Secondary Liquidity Fund. The RFP can be found at <https://kipfdc.org/procurement>. Proposals should be uploaded to the website no later than 5:00PM EST, on August 5, 2016. Questions can be addressed to justin.ellis@kipfdc.org.

Room Division Construction

KIPP DC is soliciting proposals from qualified vendors for Room Division Construction. The RFP can be found at <https://kipfdc.org/procurement>. Proposals should be uploaded to the website no later than 5:00PM EST, on July 22, 2016. Questions can be addressed to lorraine.ramos@kipfdc.org.

Event Catering Services

KIPP DC is seeking a vendor to provide Catering Services for approximately 2,000 people for a casual event on Saturday, September 10, 2016. Proposals will be accepted until 5:00pm EST on July 22, 2016. Visit www.kipfdc.org/procurement to view the RFP and submit proposals, and contact megan.hawkins@kipfdc.org with any questions.

MUNDO VERDE PUBLIC CHARTER SCHOOL**REQUEST FOR PROPOSALS****Student Support Services: Occupational Therapy,
Educational Psychologist, and Behavior Support Services**

Mundo Verde PCS seeks bids for Occupational Therapy, Educational Psychologist, and Behavior Support Services. The RFP with bidding requirements and supporting documentation can be obtained by contacting Elle Carne at ecarne@mundoverdepcs.org or calling 202-750-7060. **All bids not addressing all areas as outlined in the RFP may not be considered.**

The deadline for application submission is 12:00pm July 29, 2016.

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 Saturday, July 23, 2016. The meeting will be held at 1310 Southern Avenue, SE, Washington, DC 20032, in Conference Rooms 1/2/3. 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. CONSENT AGENDA**
- V. READING AND APPROVAL OF MINUTES**
 - 1. June 22, 2016 – General Board Meeting
- VI. EXECUTIVE MANAGEMENT REPORTS**
 - A. Luis A. Hernandez, Chief Executive Officer
 - B. Dr. Julian R. Craig, Chief Medical Officer
 - C. Dr. Raymond Tu, Medical Chief of Staff
- VII. COMMITTEE REPORTS**
 - A. Governance Committee Report
 - B. Patient Safety & Quality Committee
 - C. Strategic Steering Committee
 - D. Finance Committee
- VIII. OTHER BUSINESS**
 - A. Old Business
 - B. New Business
- IX. AUDIENCE Q & A**
- X. ANNOUNCEMENT**

Next Meeting – **Wednesday, September 28, 2016 at 9:00am** in Conference Rooms 2/3 on the ground level.

XI. 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 PUBLIC MEETING FOR
THE WALTER REED LOCAL REDEVELOPMENT AUTHORITY
COMMUNITY ADVISORY COMMITTEE
PURSUANT TO D.C. OFFICIAL CODE § 10-1906**

The District will hold a public meeting for the Citizen's Advisory Committee at the following time and location:

Date: Monday, July 11, 2016
Time: 6:30 p.m. - 8:00 p.m.
Location: Fort Stevens Recreation Center
Multipurpose Room #150
1327 Van Buren Street, N.W., D.C. 20012

MEETING AGENDA

- I. Opening Remarks
- II. LRA Project Overview and Update
- III. Master Development Team overview and update
 - a. Cultural DC Presentation on DC Office of Planning's "Crossing the Street" Creative Placemaking Grant
 - b. Historic Preservation Review Board Update
- IV. Questions

For questions, please contact Randall Clarke, Walter Reed Local Redevelopment Authority Director at 202-727-6365 or randall.clarke@dc.gov or Malaika Abernathy Scriven at 202-545-3123 or Malaika.abernathy2@dc.gov.

DISTRICT OF COLUMBIA RETIREMENT BOARD

INVESTMENT COMMITTEE

NOTICE OF CLOSED MEETING

July 21, 2016
10:00 a.m.

DCRB Board Room
900 7th Street, N.W.
Washington, D.C 20001

On Thursday, July 21, 2016, at 10:00 a.m., the District of Columbia Retirement Board (DCRB) will hold a closed investment committee meeting regarding investment matters. In accordance with D.C. Code §2-575(b)(1), (2), and (11) and §1-909.05(e), the investment committee meeting will be closed to deliberate and make decisions on investments matters, the disclosure of which would jeopardize the ability of the DCRB to implement investment decisions or to achieve investment objectives.

The meeting will be held in the Board Room at 900 7th Street, N.W., Washington, D.C 20001.

For additional information, please contact Deborah Reaves, Executive Assistant/Office Manager at (202) 343-3200 or Deborah.Reaves@dc.gov.

DISTRICT OF COLUMBIA RETIREMENT BOARD**NOTICE OF OPEN PUBLIC MEETING**

July 21, 2016
1:00 p.m.

900 7th Street, N.W.
2nd Floor, DCRB Boardroom
Washington, D.C. 20001

The District of Columbia Retirement Board (DCRB) will hold an Open meeting on Thursday, July 21, 2016, at 1:00 p.m. The meeting will be held at 900 7th Street, N.W., 2nd floor, DCRB Boardroom, Washington, D.C. 20001. A general agenda for the Open Board meeting is outlined below.

Please call one (1) business day prior to the meeting to ensure the meeting has not been cancelled or rescheduled. For additional information, please contact Deborah Reaves, Executive Assistant/Office Manager at (202) 343-3200 or Deborah.reaves@dc.gov.

AGENDA

- | | | |
|-------|-----------------------------------|-----------------|
| I. | Call to Order and Roll Call | Chair Bress |
| II. | Approval of Board Meeting Minutes | Chair Bress |
| III. | Chair's Comments | Chair Bress |
| IV. | Executive Director's Report | Mr. Stanchfield |
| V. | Investment Committee Report | Ms. Blum |
| VI. | Operations Committee Report | Mr. Ross |
| VII. | Benefits Committee Report | Mr. Smith |
| VIII. | Legislative Committee Report | Mr. Blanchard |
| IX. | Audit Committee Report | Mr. Hankins |
| X. | Other Business | Chair Bress |
| XI. | Adjournment | |

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 August 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 July 15, 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**

Effective: August 15, 2016

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Angelaras	Laurene M.	The Little Sisters of the Poor 4200 Harewood Road, NE	20017
Apt	Benjamin L.	Self 2824 14th Street, NE	20017
Beasley	Gwendolyn	Office of Legal Counsel for the Inspector General, US Housing and Urban Development 451 7th Street, SW, Room 8260	20410
Bell	Catherine A.	Farmer Mac 1999 K Street, NW	20006
Bell	Jesse L.	State Department Federal Credit Union 2201 C Street, NW	20520
Bond	Evelyn M.	McDermott, Will, Emery, LLP 500 North Capitol Street, NW	20001
Borda	Michelle G.	Buchanan Ingersoll & Rooney PC 1700 K Street, NW, Suite 300	20006
Borja	Alejandra	Compass Lexecon 1101 K Street, NW	20005
Boyd	Lucy	CBS News 2020 M Street, NW	20036
Bradley	Margaret Lynn	US Department of the Interior 1849 C Street, NW	20240
Bradshaw-Herbert	Gloria	District of Columbia Court of Appeals 430 E Street, NW	20001
Brennan	Claire M.	Van Ness Feldman LLP 1050 Thomas Jefferson Street, NW	20007
Briggs	Philip	Relief International 1101 14th Street, NW	20010
Brooks	Linda	Neal and Haney Law Offices 209 Kennedy Street, NW	20011
Brooks, Sr.	Melvin S.	HUD-OIG 451 7th Street, SW	20410

**D.C. Office of the Secretary
Recommendations for appointment as DC Notaries Public**

Effective: August 15, 2016

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Brown	Theodora H.	Self 3127 Cherry Road, NE	20018
Carroll	Tania	One Source Process 1801 18th Street, NW	20009
Clark	Chaudava L.	Klein Hornig LLP 1325 G Street, NW, Suite 770	20005
Cockrell	Corine	KeyBank Real Estate Capital 1140 19th Street, NW, Suite 600	20036
Cotchan	Robin E.	Securities Investor Protection Corporation 1667 K Street, NW, Suite 1000	20006
Crump	Linda M.	US Department of Justice 1100 L Street, NW	20530
Curtis	Michelle A.	The National Capital Bank of Washington 316 Pennsylvania Avenue, SE, Lower Level	20003
Didden	David A.	The National Capital Bank of Washington 316 Pennsylvania Avenue, SE, Lower Level	20003
Dobak	Elizabeth Anne	The Becket Fund for Religious Liberty 1200 New Hampshire Avenue, NW, Suite 700	20036
Ecarma	Alvin Delgado	Gore Brothers 1025 Connecticut Avenue, NW, #1000	20036
Enriquez	Karla	Library Of Congress FCU 101 Independence Avenue, SE	20540
Espejo	Peggy	HCI Equity Partners 1730 Pennsylvania Avenue, NW, Suite 525	20006
Frierson-Salter	Tuwana	Regus Management, LLC 601 Pennsylvania Avenue, NW, Suite 900	20004

D.C. Office of the Secretary
Recommendations for appointment as DC Notaries PublicEffective: August 15, 2016
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Garcia	Joshua Edward	U.S. Department of Justice, Environment & Natural Resources Division, Natural Resources Section 601 D Street, NW	20004
Gonzalez	Carmen L.	Avenir Corporation 1775 Pennsylvania Avenue, NW, Suite 650	20006
Graham	Lydia	TechnoServe 1120 19th Street, NW, 8th Floor	20036
Grant	Rennie	SmithGroupJJR, Inc 1700 New York Avenue, NW, Suite 100	20006
Grof	Ashley	Ashcraft & Gerel, LLP 1825 K Street, NW, Suite 700	20006
Hargrove	Andrea	Federal Reserve System 20th & C Streets, NW	20551
Harrison	John Michael	Self 100 Eye Street, SE, Unit 516	20003
Heischmidt	Christina Maria	Dunlap Bennett & Ludwig PLLC 1717 Pennsylvania Avenue, NW, Suite 1025	20006
Hinchman	Alison D.	National Trust for Historic Preservation 2600 Virginia Avenue, NW, Suite 1100	20037
Howell	Ashley R.	Metropolitan Engineering Inc. 1225 19th Street, NW, Suite 800	20036
Ishmon	Phoenix C.	Corrections Corporations of America/Correctional Treatment Facility 1901 E Street, SE	20003
Jaiteh	Amie	Wells Fargo Bank NA 490 L Street, NW	20001

**D.C. Office of the Secretary
Recommendations for appointment as DC Notaries Public**

Effective: August 15, 2016

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Jean	Roddy Vanel	FRB Federal Credit Union Federal Reserve Board Building, Stop 117, 20th and C Streets, NW	20551
Jenkins	Raven S.	Wells Fargo Bank 5200 Wisconsin Avenue, NW	20016
Johnson	Kineta	Georgetown University-Planning and Facilities Management Business Office Harbin Hall 103, 3700 O Street, NW	20057
Johnson	Sandra C.	Precision Systems Inc. 80 M Street, SE, Suite 180	20003
Kaufman	Robert	Bayer & Kaufman LLP 2011 Pennsylvania Avenue, NW, 5th Floor	20006
Klepp	Patricia	Alderson Court Reporting 1155 Connecticut Avenue, NW	20036
Leonard	Debbie	Veritext Legal Solutions 1250 Eye Street, NW, Suite 350	20005
Maniago	Myrna	PVS International 1201 34th Street, NW	20007
Mayes	Thompson M.	National Trust for Historic Preservation 2600 Virginia Avenue, NW, Suite 1100	20037
McDowell	Deidra	AARP 601 E Street, NW	20049
McGuire	Juanita E.	Dentons US, LLP 1900 K Street, NW	20006
Merrill	Lisa A.	Chicago Title Insurance/ Capitol Settlements Agent 2000 M Street, NW, #610	20036
Miller	Mathew A.	Neal R. Gross & Co. 1323 Rhode Island Avenue, NW	20005

D.C. Office of the Secretary
 Recommendations for appointment as DC Notaries Public

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Moussazadeh	Gilda	Clements & Company, dba Clements Worldwide 1301 K Street, NW, Suite 1200	20005
Neal	Monique T.	Plymouth Congregational United Church of Christ 5301 North Capitol Street, NE	20011
Neal, Jr.	Louis L.	District of Columbia Office of Administrative Hearings 441 4th Street, NW, Suite 450 North	20001
Nicholes	Brittany	TD Bank 605 14th Street, NW	20005
Norman	Benjamin	Wells Fargo 801 Pennsylvania Avenue, NW	20004
Odutola	Oluwarotimi	BB&T 317 Pennsylvania Avenue, SE	20003
Opore	Aba N.	Humphries & Partners 1029 Vermont Avenue, NW	20005
Porreco	Anthony	Neal R. Gross & Co. 1323 Rhode Island Avenue, NW	20005
Raikes	Stacey E.	DC Superior Court (Court Reporting and Recording Division) 500 Indiana Avenue, NW, Room 5400	20001
Riker	Lisa	Wiley Rein LLP 1776 K Street, NW	20005
Robinson	Billie J.	Alston & Bird, LLP 950 F Street, NW	20004
Robinson	Dena R.	The George Washington University 2300 Eye Street, NW	20706
Rocca	Sandra L.	Planet Depos 1100 Connecticut Avenue, NW, Suite 950	20036

**D.C. Office of the Secretary
Recommendations for appointment as DC Notaries Public****Effective: August 15, 2016****Page 7**

Rodriguez	Alma Rebeca	Wells Fargo Bank 1300 Connecticut Avenue, NW	20006
Rudd	Dorothy M.	Groom Law Group 1701 Pennsylvania Avenue, NW, Suite 1200	20006
Sandoval	Alisson	Magna Legal Services 1101 Pennsylvania Avenue, NW	20004
Seals-Craven	Debra	Self 4604 Foote Street, NE	20019
Seto	Hansen	Rosenthal Gormy, Chtd 5101 Wisconsin Avenue, NW, Suite 302	20016
Simmons	Rita V.	Drinker Biddle & Reath LLP 1500 K Street, NW, Suite 1100	20005
Simmons	Wanda K.	Walmart Federal Government Affairs 701 8th Street, NW, Suite 200	20001
Snesko	Brandon	Same Day Process Service 1413 K Street, NW, 7th Floor	20005
Spencer	Towanda	Wiley Rein LLP 1776 K Street, NW	20005
Stanley	Doris	Gibson Dunn & Crutcher LLP 1050 Connecticut Avenue, NW	20036
Stewart	Casey L.	Well & Lighthouse LLC 1244 19th Street, NW	20036
Streat	E. Dexter	Self (Dual) 4349 Benning Road, NE	20019
Swanson	David A.	Human Rights Campaign 1640 Rhode Island Avenue, NW	20036
Tassone	Kellie A.	Protestant Episcopal Cathedral Foundation Mount Saint Alban Washington DC	20016

**D.C. Office of the Secretary
Recommendations for appointment as DC Notaries Public****Effective: August 15, 2016****Page 8**

Thompkins	Sheryl L.	Self (Dual) 327 34th Street, NE	20019
Turner	Lucy	Hartman-Cox Architects 1074 Thomas Jefferson Street, NW	20007
Watkins	Kimberly L.	ICMA-RC 777 North Capital Street, NE	20002
Watkins	Rita E.	Industrial Bank 4812 Georgia Avenue, NW	20011
Whiten	Shanika Edith	Express Scripts, Inc 300 New Jersey Avenue, NW, Suite 600	20001
Wright	Gailya	Self 1433 Parkwood Place, NW	20010

SOMERSET PREP PUBLIC CHARTER SCHOOL
REQUEST FOR PROPOSALS

Somerset Prep Public Charter School in accordance with section 2204(c) of the District of Columbia School Reform Act of 1995 solicits proposals for vendors to provide the following services:

- Furniture
- Technology and Computer Equipment
- Special Education Services

Please send an email to sspdc_bids@somersetprepdc.org to receive a full RFP offering more detail on scope of work and bidder requirements.

Proposals shall be received no later than 5:00 pm, Friday, July 22, 2016.

Prospective Firms shall submit one electronic submission via e-mail to the following address:

Bid Administrator
sspdc_bids@somersetprepdc.org

Please include the bid category for which you are submitting as the subject line in your e-mail (e.g. Special Education Services). Respondents should specify in their proposal whether the services they are proposing are only for a single year or will include a renewal option.

**WASHINGTON GLOBAL PUBLIC CHARTER SCHOOL
REQUEST FOR PROPOSALS**

H/R Services

The Washington Global Public Charter School in accordance with section 2204(c) of the District of Columbia School Reform Act of 1995 solicits proposals for the following services:

- H/R Services

Please email bids@washingtonglobal.org to have a full RFP offering emailed to you, with more detail on scope of work and bidder requirements.

Proposals shall be received no later than 5:00 P.M., Friday, July 22, 2016.

Prospective Firms shall submit one electronic submission via e-mail to the following address:

Bid Administrator
bids@washingtonglobal.org

**WASHINGTON MATHEMATICS SCIENCE TECHNOLOGY
PUBLIC CHARTER HIGH SCHOOL**

REQUEST FOR PROPOSALS/QUOTATIONS

In Compliance with Section 2204 (c) of the District of Columbia School Reform Act of 1995, Washington Mathematics Science Technology Public Charter High School hereby posts notices that it will be accepting bids for the following four services:

1. Special Education Legal Counsel Services;
2. Occupational Therapy Services;
3. Speech and Language Pathologists Services; and
4. School Psychologists Services

Interested parties should contact Ms. Consentine Morgan at (202) 636.80.11, or via email at cmorgan@wmstpchs.net to receive a copy of the bid package. **Bids are due no later than 5:00 pm on Friday, July 26, 2016.**

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

Application No. 19255 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).

HEARING DATES: May 10 and June 14, 2016

DECISION DATE: June 28, 2016

SUMMARY ORDER

SELF-CERTIFIED

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2.¹ (Exhibit 6.) In granting the certified relief, the Board of Zoning Adjustment ("Board" or "BZA") made no finding that the relief is either necessary or sufficient. Instead, the Board expects the Zoning Administrator to undertake a thorough and independent review of the building permit and certificate of occupancy applications filed for this project and to deny any application for which additional or different zoning relief is needed.

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") 2B and to owners of property located within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 2B, which is automatically a party to this application. ANC 2B submitted a report in support of the application, indicating that at a regularly scheduled, properly noticed public meeting on April 13, 2016, at which a quorum was present, the ANC voted 7:0:0 to support the application. (Exhibit 27.)

The Office of Planning ("OP") submitted two reports. The initial OP report recommended denial of the application for variance relief and recommended adding relief from the FAR requirements under § 402.2. (Exhibit 31.) The Board continued the hearing from May 10, 2016 and encouraged the Applicant to work with OP to refine its application and plans. In response, the Applicant submitted a Supplemental Statement with revised plans and other supporting evidence. (Exhibit 43 – 43F.) OP submitted a supplemental report at Exhibit 44 in the record. In that report OP recommended approval in part and denial in part, specifically with regard to the elevator FAR. The Applicant submitted a Second Supplemental Statement (Exhibit 48 – 48F) and as

¹ As a preliminary matter, during its deliberations on June 28, the Board granted the Applicant's request (Exhibit 49) and accepted the Applicant's late-filed Third Supplemental Statement into the record. (Exhibit 50-50A.) When the Board called the Applicant forward to clarify the relief requested, the Applicant indicated, based on communications from the Zoning Administrator, that floor area ratio ("FAR") relief was not needed and that it would continue with its originally requested relief for nonconforming structure variance relief only.

described in footnote 1 herein, a Third Supplemental Statement. (Exhibit 50 – 50A.) At the public meeting on June 28, 2016, OP testified that it now supports the application based on the Applicant’s supplemental filings.

The District Department of Transportation (“DDOT”) submitted a timely report indicating that it had no objection to the grant of the application. (Exhibit 32.)

Eight emails in support of the application from nearby residents were submitted to the record. (Exhibit 30D.)

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 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. 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 § 2001.3, 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, AND PURSUANT TO § 3125.8, SUBJECT TO THE APPROVED REVISED PLANS AT EXHIBIT 43A.**

VOTE: **4-0-1** (Marnique Y. Heath, Jeffrey L. Hinkle, Frederick L. Hill, and Robert E. Miller to APPROVE; Anita Butani D’Souza, not participating.)

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

A majority of the Board members approved the issuance of this order.

FINAL DATE OF ORDER: July 5, 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.

BZA APPLICATION NO. 19255

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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.

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. 19266 of Elonda Edwards, pursuant to 11 DCMR § 3104.1, for a special exception from the home occupation requirements under § 203.10, to expand¹ a child development home² with 12 children and three adults in the R-4 District at premises 816 6th Street N.E. (Square 832, Lot 45).

HEARING DATE: July 6, 2016³
DECISION DATE: July 6, 2016

SUMMARY ORDER

REVIEW BY THE ZONING ADMINISTRATOR

The application was accompanied by a memorandum, dated March 2, 2016, from the Zoning Administrator, certifying the required relief. (Exhibit 7.)

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”) 6C and to owners of property located within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 6C, which is automatically a party to this application. ANC 6C submitted a report in support of the application, which indicated that at a duly noticed and regularly scheduled meeting of the ANC on June 11, 2016, at which a quorum was present, ANC 6C voted 6:0:0 to approve the application with two conditions. (Exhibit 39.)

The Office of Planning (“OP”) submitted a timely report and testified in support of the application with a condition. (Exhibit 40.) The District Department of Transportation (“DDOT”) submitted a timely report indicating that it had no objection to the grant of the application. (Exhibit 41.)

Letters of support for the application from two adjacent neighbors were submitted to the record. (Exhibit 36.)

¹ The Applicant currently operates a child development home for six children, so the caption has been amended to reflect that the request is to expand that use, instead of to establish it.

² The application called the use “childcare center” but as the term of art in the Zoning Regulations is “child development home” or “expanded child development home”, that caption was amended accordingly.

³ The Applicant requested a postponement from a May 24, 2016 hearing date to allow her time to go to the ANC for its review of the application. (Exhibit 27.)

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 from the home occupation requirements under § 203.10, to expand a child development home with 12 children and three adults 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 averse to any party.

Based upon the record before the Board, and having given great weight to the ANC and OP reports, the Board concludes that the Applicant has met the burden of proof, pursuant to 11 DCMR §§ 3104.1 and 203.10, 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 the application is hereby **GRANTED, SUBJECT TO THE FOLLOWING CONDITIONS:**

1. Access to the center shall be through the front door only.
2. There shall be no parking within the alley.
3. There shall be a maximum of three employees, including the owner.

VOTE: **4-0-1** (Anita Butani D'Souza, Frederick L. Hill, Jeffrey L. Hinkle, and Robert E. Miller, to APPROVE; Marnique Y. Heath, not present or participating.)

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

A majority of the Board members approved the issuance of this order.

FINAL DATE OF ORDER: July 7, 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 SIX MONTHS AFTER IT BECOMES EFFECTIVE UNLESS THE USE APPROVED IN THIS ORDER IS ESTABLISHED WITHIN SUCH SIX-MONTH PERIOD.

BZA APPLICATION NO. 19266
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PURSUANT TO 11 DCMR § 3205, THE PERSON WHO OWNS, CONTROLS, OCCUPIES, MAINTAINS, OR USES THE SUBJECT PROPERTY, OR ANY PART THEREOF, SHALL COMPLY WITH THE CONDITIONS IN THIS ORDER, AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT. FAILURE TO ABIDE BY THE CONDITIONS IN THIS ORDER, IN WHOLE OR IN PART SHALL BE GROUNDS FOR THE REVOCATION OF ANY BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY ISSUED PURSUANT TO THIS ORDER.

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

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

Application No. 19279 of Bridget Brink and Nicholas Higgins., as amended¹, pursuant to 11 DCMR § 3104.1, for a special exception under § 223, not meeting the side yard requirements under § 405.9 and the nonconforming structure requirements under § 2001.3, to construct a two-story addition to an existing one-family dwelling in the R-2 District at premises 3512 Rodman Street N.W. (Square 1958, Lot 802).

HEARING DATE: June 21, 2016

DECISION DATE: June 21, 2016

SUMMARY ORDER

SELF-CERTIFIED

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2. (Exhibits 4 & 12 (original) and 27 (revised).) In granting the certified relief, the Board of Zoning Adjustment ("Board" or "BZA") made no finding that the relief is either necessary or sufficient. Instead, the Board expects the Zoning Administrator to undertake a thorough and independent review of the building permit and certificate of occupancy applications filed for this project and to deny any application for which additional or different zoning relief is needed.

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") 3C and to owners of property located within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 3C, which is automatically a party to this application. The ANC submitted a report of support to the record that indicated that at a regularly scheduled and properly noticed public meeting on May 16, 2016, at which a quorum was present, the ANC voted to approve the application, by a voice vote. (Exhibit 23.) The Applicant also testified that the ANC voted to support the revised plans. The ANC submitted an updated report² indicating that it had no objection to the original or the revised plans and that the resolution was approved by a voice vote at a scheduled and noticed public meeting of the ANC at which a quorum was present. (Exhibit 34.)

The Office of Planning ("OP") submitted a report and testified in support of the amended application. (Exhibit 31.) The District Department of Transportation ("DDOT") submitted a report that indicated that it had no objection to the grant of the application. (Exhibit 30.)

¹ The Applicant originally filed an application with a self-certification for a special exception under § 223, not meeting the side yard requirements from § 405.9 (Exhibits 4 and 12), but revised the application to add special exception relief from the nonconforming structure requirements under § 2001.3. (Exhibit 27.) The caption has been changed accordingly.

² At the hearing on June 21, 2016, the Board gave leave for the ANC to submit an updated resolution.

Letters in support from adjacent neighbors were submitted to the record. (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, not meeting the side yard requirements under § 405.9 and the nonconforming structure requirements under § 2001.3, to construct a two-story addition to an existing one-family dwelling in the R-2 District. The only parties to the case were the Applicant and the ANC. 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 averse to any party.

Based upon the record before the Board, and having given great weight to the ANC and OP reports, the Board concludes that the Applicant has met the burden of proof, pursuant to 11 DCMR §§ 3104.1, 223, 405.9, and 2001.3, that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board further concludes that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map.

Pursuant to 11 DCMR § 3100.5, the Board has determined to waive the requirement of 11 DCMR § 3125.5, 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, AND PURSUANT TO § 3125.8, SUBJECT TO THE APPROVED REVISED PLANS AT EXHIBIT 25.**

VOTE: **5-0-0** (Marnique Y. Heath, Frederick L. Hill, Anita Butani D'Souza, Jeffrey L. Hinkle, and Peter G. May to APPROVE.)

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

A majority of the Board members approved the issuance of this order.

FINAL DATE OF ORDER: July 1, 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

BZA APPLICATION NO. 19279

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GRANTING OF AN APPLICATION FOR A MODIFICATION PURSUANT TO §§ 3129.2 OR 3129.7, SHALL TOLL OR EXTEND THE TIME PERIOD.

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

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

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

Application No. 19287 of DGS of DC, pursuant to 11 DCMR §§ 3103.2 and 3104.1, for variances from the limitation of number of stories requirements under § 400.1, the FAR requirements under § 402.4, the lot occupancy requirements under § 403.2, the rear yard requirements under § 404.1, the side yard requirements under § 405.9, and the parking requirements under § 2101.1, and a special exception from the emergency shelter requirements under § 360.1¹, to establish a short-term family housing facility in the R-5-A District at premises 5004 D Street S.E. (Square 5322, Lot 32).

HEARING DATE: June 28, 2016²
DECISION DATE: June 28, 2016

SUMMARY ORDER

SELF-CERTIFIED

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2. (Exhibit 31³.) In granting the certified relief, the Board of Zoning Adjustment ("Board" or "BZA") made no finding that the relief is either necessary or sufficient. Instead, the Board expects the Zoning Administrator to undertake a thorough and independent review of the building permit and certificate of occupancy applications filed for this project and to deny any application for which additional or different zoning relief is needed.

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") 7E and to owners of property located within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 7E, which is automatically a party to this application. ANC 7E submitted a report in support of the application, which indicated that at a duly noticed and regularly scheduled meeting of the ANC on June 14, 2016, at which a quorum was present, ANC 7E voted 7:0 to approve the application. (Exhibit 28.)

¹ At the public hearing, the Applicant verbally requested that the Board waive the requirement that there be only one community-based residential facility ("CBRF") within a square or within 500 feet of the property.

² The Board acknowledged the request to postpone the hearing from a resident of the Pellegrino Condominium (Exhibit 36), but determined that adequate notice was given for the hearing and thus decided to proceed with the hearing.

³ The Applicant also submitted two prior incomplete self-certification forms at Exhibits 4 and 24.

The Office of Planning (“OP”) submitted a timely report and testified in support of the application. (Exhibit 32.) The District Department of Transportation (“DDOT”) submitted a timely report indicating that it had no objection to the grant of the application.⁴ (Exhibit 33.)

Testimony in support of the application was provided by Ericka Taylor, Executive Director, DC Fair Budget Coalition. (Exhibit 37.) A statement in support of the application was also submitted by Ashley Emerson, 5009 D Street, S.E.

Testimony in opposition to the application was provided by Nickole Elliott.

Variance Relief

As directed by 11 DCMR § 3119.2, the Board required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to § 3103.2 for area variances from the limitation of number of stories requirements under § 400.1, the FAR requirements under § 402.4, the lot occupancy requirements under § 403.2, the rear yard requirements under § 404.1, the side yard requirements under § 405.9, and the parking requirements under § 2101.1, to establish a short-term family housing facility in the R-5-A 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 §§ 400.1, 402.4, 403.2, 404.1, 405.9, and 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.

Special Exception Relief

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 from the emergency shelter requirements under § 360.1. 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 averse to any party.

Based upon the record before the Board, and having given great weight to the ANC and OP reports, the Board concludes that the Applicant has met the burden of proof, pursuant to 11

⁴ In its report, DDOT requested that the Applicant continue to coordinate with DDOT on public space issues.

DCMR §§ 3104.1 and 360.1, 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 the application is hereby **GRANTED, AND PURSUANT TO § 3125.8, SUBJECT TO THE APPROVED REVISED PLANS AT EXHIBIT 23.**

VOTE: **4-0-1** (Anthony J. Hood, Marnique Y. Heath, Frederick L. Hill, and Jeffrey L. Hinkle, to APPROVE; Anita Butani D'Souza, not present or participating.)

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

A majority of the Board members approved the issuance of this order.

FINAL DATE OF ORDER: July 5, 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.

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.

BZA APPLICATION NO. 19287

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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. 19288 of DGS of DC, pursuant to 11 DCMR § 3103.2, for variances from the limitation of number of stories requirements under § 400.1, the off-street parking requirements under §§ 2101.1 and 2116.4, and the loading berth requirements under § 2201.1, and pursuant to § 3104.1, for a special exception from the emergency shelter requirements under § 360.1, to establish a short-term family housing facility in the R-5-A District at 4200 (assumed) 6th Street, S.E. (Square 6207, Lots 53-56).

HEARING DATE: June 28, 2016

DECISION DATE: June 28, 2016

SUMMARY ORDER

SELF-CERTIFIED

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2. (Exhibits 31, 3, and 24¹.) In granting the certified relief, the Board of Zoning Adjustment ("Board") made no finding that the relief is either necessary or sufficient. Instead, the Board expects the Zoning Administrator to undertake a thorough and independent review of the building permit and certificate of occupancy applications filed for this project and to deny any application for which additional or different zoning relief is needed.

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") 8D and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 8D, which is automatically a party to this application. ANC 8D submitted a resolution dated June 24, 2016, noting that at a regularly scheduled and duly noticed public meeting on June 23, 2016, where a quorum was present, the ANC voted 3 to 2 to recommend approval of the application. (Exhibit 35.) The two dissenting Commissioners, for ANC-Single Member Districts 8D-05 and 8D-07, filed a "Dissenting Opinion" into the record. (Exhibit 36.)

The Chairman for ANC 8D, Commissioner Olivia Henderson, appeared at the hearing and testified that while the vote appears to be close – 3 to 2 – the Secretary had also submitted a proxy vote in support which is not reflected in the final vote, and she herself was in support, but did not feel the need to vote because the majority supported the application. The Applicant's

¹ The first two self-certification forms filed in the record - Exhibits 3 and 24 - were incomplete. A completed self-certification form was subsequently filed. (Exhibit 31.)

representative also emphasized the point that the ANC's support for the project was greater than the vote would indicate.

The Office of Planning ("OP") submitted a timely report dated June 21, 2016, recommending approval of the application. (Exhibit 32.)

The D.C. Department of Transportation submitted a report expressing no objection to the application. (Exhibit 33.)

Testimony was presented in support of the application by Ericka Taylor, Executive Director of DC Fair Budget Coalition (Exhibit 37), Absalom Jordan of ANC 8D (Exhibit 38), and Rashad Young, the City Administrator (Exhibit 39).

Testimony in opposition was presented by Therese Howe Jones and Thomas Ruffin, Jr., both of ANC 8D. (Exhibits 40 and 41.)

Variance Relief:

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 §§ 400.1, 2101.1, 2116.4, and 2201.1. The only parties to this case were the Applicant and ANC 8D which supported the application. 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 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 variances from §§ 400.1, 2101.1, 2116.4, and 2201.1, the Applicant has met the burden of proving under 11 DCMR § 3103.2, that there exists an exceptional or extraordinary situation or condition related to the property that creates a practical difficulty for the owner in complying with the Zoning Regulations, and that the relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map.

Special Exception Relief:

As directed by 11 DCMR § 3119.2, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to § 3104.1, for special exception relief under § 360.1. 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 averse to any party.

Based upon the record before the Board and having given great weight to the ANC and the OP

reports filed in this case, the Board concludes that the Applicant has met the burden of proof, pursuant to 11 DCMR §§ 3104.1 and 360.1, 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 the application is hereby **GRANTED, AND PURSUANT TO § 3125.8, SUBJECT TO THE APPROVED PLANS AT EXHIBIT 29A – UPDATED ARCHITECTURAL PLANS.**

VOTE: 4-0-1 (Marnique Y. Heath; Frederick L. Hill, Jeffrey L. Hinkle, and Anthony J. Hood to APPROVE; Anita Butani D’Souza not participating.)

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

A majority of the Board members approved the issuance of this summary order.

FINAL DATE OF ORDER: July 1, 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.

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AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT.

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

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

Application No. 19289 of 5th Street Partners LLC, on behalf of the District of Columbia, pursuant to 11 DCMR §§ 3103.2 and 3104.1, for variances from the height requirements under § 770.1, the FAR requirements under § 771.2, and the nonconforming structure requirements under § 2001.3, and a special exception from the community-based residential facilities requirements under § 732.1, to establish a short-term family housing facility in the C-2-A District at premises 5505 5th Street N.W. (Square 3260, Lot 54).

HEARING DATE: June 28, 2016

DECISION DATE: June 28, 2016

SUMMARY ORDER

SELF-CERTIFIED

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2. (Exhibit 13.) In granting the certified relief, the Board of Zoning Adjustment ("Board" or "BZA") made no finding that the relief is either necessary or sufficient. Instead, the Board expects the Zoning Administrator to undertake a thorough and independent review of the building permit and certificate of occupancy applications filed for this project and to deny any application for which additional or different zoning relief is needed.

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") 4D and to owners of property located within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 4D, which is automatically a party to this application.

ANC SMD 4D02 Commissioner Renée Bowser submitted a letter on June 10, 2016 requesting that the Board postpone the hearing and indicating that ANC 4D would be voting on her request for postponement at their June 21, 2016 public meeting. (Exhibit 33.) On June 28, 2016, ANC 4D filed a letter indicating that, at a duly noticed public meeting with a quorum present, the ANC voted to request a 45-day postponement of the hearing so that "District government agencies responsible for buying the property and implementing the Ward 4 transitional housing project can purchase a property in the best interest of the District and its taxpayers and then determine what requirements are needed to construct housing to fully accommodate the needs of transitional families whom the property will house in accordance with the recently passed Council legislation modifying the Mayor's plan." (Exhibit 42.) The Board addressed the ANC's request for postponement at the public hearing on June 28, 2016, and determined to go forward with the hearing on this application, as the concerns raised by the ANC deal with policy issues underlying the Ward 4 transitional housing project that are outside the scope of the application and outside the Board's jurisdiction.

At the Board's public hearing on June 28, 2016, Commissioner Bowser testified to raise questions about the operations of the proposed housing facility. In addition, Myles Smith testified regarding his concerns about the Applicant seeking zoning relief in advance of the District's purchase of the property. Mr. Smith also noted that he does not object to the project and would have no objection to the requested relief, if the decision were to be delayed until after the District has completed the purchase of the property.

The Office of Planning ("OP") submitted a timely report recommending approval of the application. (Exhibit 38.) OP also testified in support of the application at the public hearing.

The District Department of Transportation ("DDOT") submitted a timely report indicating that it had no objection to the granting of the application. (Exhibit 39.)

Variances

As directed by 11 DCMR § 3119.2, the Board required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to § 3103.2 for area variances from the height requirements under § 770.1, the FAR requirements under § 771.2, and the nonconforming structure requirements under § 2001.3, to establish a short-term family housing facility in the C-2-A District. No parties appeared at the public hearing in opposition to the application. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board, and having given great weight to the OP report filed in this case, the Board concludes that in seeking variances from 11 DCMR §§ 770.1, 771.2, and 2001.3, 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.

Special Exception

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 from the community-based residential facilities requirements under § 732.1, to establish a short-term family housing facility in the C-2-A 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 averse to any party.

Based upon the record before the Board, and having given great weight to the OP report, the Board concludes that the Applicant has met the burden of proof, pursuant to 11 DCMR §§ 3104.1 and 732.1, 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

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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 the application is hereby **GRANTED, AND PURSUANT TO § 3125.8, SUBJECT TO THE APPROVED PLANS AT EXHIBIT 36B.**

VOTE: 4-0-1 (Marnique Y. Heath, Frederick L. Hill, Jeffrey L. Hinkle, and Anthony J. Hood, to APPROVE; Anita Butani D'Souza not present, not participating.)

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

A majority of the Board members approved the issuance of this order.

FINAL DATE OF ORDER: July 5, 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.

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,

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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
NOTICE OF FILING
Z.C. Case No. 04-14D
(Florida Rock Properties, LLC and Riverfront Holdings I, LLC –
Second-Stage PUD @ Square 708, Lot 14 –
Riverfront on the Anacostia, Phase II)
July 7, 2016**

THIS CASE IS OF INTEREST TO ANC 6D

On July 5, 2016, the Office of Zoning received an application from Florida Rock Properties, LLC and Riverfront Holdings I, LLC (together, the “Applicant”) for approval of a second-stage planned unit development (“PUD”) for the above-referenced property.

The property that is the subject of this application consists of Lot 14 in Square 708 in southeast Washington, D.C. (Ward 6), on a site that is bounded by Potomac Avenue, S.E. (north), the Anacostia River (south), Phase I (east), and Phase III (west). This project is the second phase of a four-phase project originally approved in 1998 and most recently modified in 2013. The property is currently zoned, for the purposes of this PUD, CG-3 (formerly known as CG/C-3-C) through a PUD-related map amendment, with an underlying Zone District of CG-5 (formerly CG/W-2).

For phase two, the Applicant proposes to construct a residential building and ground-floor retail that is 130 feet in height and has a density of 5.4 floor area ratio (“FAR”). The building will contain 250,000 square feet of residential uses, 274 below-grade parking spaces, and 12,500 square feet of retail space. The project will provide eight percent of the housing units as affordable at 80% of area median income (“AMI”).

This case was filed electronically through the Interactive Zoning Information System (“IZIS”), which can be accessed through <http://dcoz.dc.gov>. For additional information, please contact Sharon S. Schellin, Secretary to the Zoning Commission at (202) 727-6311.

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
ZONING COMMISSION ORDER NO. 12-21A**

Z.C. Case No. 12-21A

**Covenant Baptist United Church of Christ and Covenant Full Potential Development
(Time Extension - Consolidated PUD and Related Zoning Map Amendment @
Square 6129, Lot 825)**

Pursuant to proper notice a public meeting of the Zoning Commission for the District of Columbia ("Commission") was held on May 23, 2016. At the meeting, the Commission approved a request from Covenant Baptist United Church of Christ and Covenant Full Potential Development (together, the "Applicants") for a time extension for an approved consolidated planned unit development ("PUD") and related amendment of the Zoning Map of the District of Columbia from R-2 to R-5-A for Square 6129, Lot 825 pursuant to Chapters 1 and 24 of the District of Columbia Zoning Regulations, Title 11 of the District of Columbia Municipal Regulations ("DCMR").

FINDINGS OF FACT

Application, Parties, and Hearing

1. By Z.C. Order No. 12-21 dated March 31, 2014, and effective on April 18, 2014, the Commission approved a PUD for Lot 825, Square 6129, ("Property"). The Order approved the redevelopment of the Property with a new three-story addition to the existing church building. The new apartment building containing approximately 47,252 square feet is to be devoted to subsidized senior housing and support space. Pursuant to Condition D (2) of the Order, the PUD approval would expire unless an application for a building permit as specified in 11 DCMR § 2409.1 was filed by April 18, 2014.
2. By application dated and received by the Commission on April 15, 2016, the Applicant requested to extend the validity of the PUD approval for a period of two years. The request, if approved, would require that an application for a building permit must be filed no later than April 18, 2018, and construction must be started no later than April 18, 2019.
3. The Applicant submitted evidence that the project has experienced delay beyond the Applicant's control due to financing difficulties based upon adverse economic and market conditions as well as difficulties associated with the timing and application process for needed subsidies from the District of Columbia Department of Housing and Community Development.
4. The Applicant served a copy of the request on Advisory Neighborhood Commissions ("ANC") 8C and 8D, the only parties to the case. The ANCs did not submit a response.
5. The Office of Planning ("OP") submitted a report dated May 13, 2016 (Exhibit 5), indicating that the Applicant meets the standards of §§ 2408.10 and 2408.11(a) of the Zoning Regulations. OP therefore recommended that the Commission approve the requested two-year PUD extension.

6. The Commission finds that that there has not been a substantial change in the material facts since the original approval of the PUD and finds that the essential elements of the PUD have not changed. Because the Applicant demonstrated good cause with substantial evidence pursuant to § 2408.11 (a) of the Zoning Regulations, the Commission finds that the request for the two-year time extension should be granted.

CONCLUSIONS OF LAW

The Commission may extend the validity of a PUD for good cause shown upon a request made before the expiration of the approval, provided: (a) the request is served on all parties to the application by the applicant, and all parties are allowed 30 days to respond; (b) there is no substantial change in any material fact upon which the Commission based its original approval of the PUD that would undermine the Commission's justification for approving the original PUD; and (c) the applicant demonstrates with substantial evidence that there is good cause for such extension as provided in § 2408.11. (11 DCMR § 2408.10.)

Subsection 2408.11 provides the following criteria for good cause shown: (a) an inability to obtain sufficient project financing for the PUD, following an applicant's diligent good faith efforts to obtain such financing, because of changes in economic and market conditions beyond the applicant's reasonable control; (b) an inability to secure all required governmental agency approvals for a PUD by the expiration date of the PUD order because of delays in the governmental agency approval process that are beyond the applicant's reasonable control; or (c) the existence of pending litigation or such other condition or factor beyond the applicant's reasonable control which renders the applicant unable to comply with the time.

The Commission concludes there has been no substantial change in any material fact that would undermine the Commission's justification for approving the original PUD.

The Commission concludes that the application complied with the notice requirements of 11 DCMR § 2408.10(a) by the Applicant serving ANCs 8C and 8D with a copy of the application and allowing them 30 days to respond.

The Commission concludes that the Applicant presented substantial evidence of good cause for the extension based on the criteria established by 11 DCMR § 2408.11(a). Specifically, the Applicant has been unable to obtain sufficient financing for the PUD including government subsidies, following the Applicant's diligent good faith efforts, because of changes in economic and market conditions beyond the Applicant's reasonable control.

Subsection 2408.12 of the Zoning Regulations provides that the Commission must hold a public hearing on a request for an extension of the validity of a PUD only if, in the determination of the Commission, there is a material factual conflict that has been generated by the parties to the PUD concerning any of the criteria set forth in § 2408.11. The Commission concludes a hearing is not necessary for this request since there are not any material factual conflicts generated by the parties concerning any of the criteria set forth in § 2408.11.

The Commission concludes that its decision is in the best interest of the District of Columbia and is consistent with the intent and purpose of the Zoning Regulations.

DECISION

In consideration of the Findings of Fact and Conclusions of Law herein, the Zoning Commission for the District of Columbia hereby **ORDERS APPROVAL** of the request for a two-year extension of the validity of Z.C. Order No. 12-21 such that a building permit application for the project approved pursuant to Z.C. Order No. 12-21 must be filed no later than April 18, 2018, and construction of the project must begin no later than April 18, 2019.

In accordance with the D.C. Human Rights Act of 1977, as amended, D.C. Official Code § 21401.01 *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.

On May 23, 2016, upon the motion made by Chairman Hood, as seconded by Commissioner Cohen, the Zoning Commission **APPROVED** the application and **ADOPTED** this Order by a vote of **5-0-0** (Anthony J. Hood, Marcie I. Cohen, Robert E. Miller, Michael G. Turnbull, and Peter G. May to approve and adopt).

In accordance with the provisions of 11 DCMR § 3028.8, this Order shall become final and effective upon publication in the *D.C. Register*; that is, on July 15, 2016.

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF FINAL RULEMAKING
AND
ZONING COMMISSION ORDER NO. 14-13B
Z.C. Case No. 14-13B
(Text Amendment – 11 DCMR)
Minor Modification to Z.C. Order No. 14-13B (Penthouse Regulations)
May 23, 2016**

The full text of this Zoning Commission Order is published in the “Final Rulemaking” section of this edition of the *D.C. Register*.

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