

District of Columbia

REGISTER

HIGHLIGHTS

- D.C. Council enacts Act 21-314, Protecting Pregnant Workers Fairness Emergency Amendment Act of 2016
- D.C. Council enacts Act 21-322, Wage Theft Prevention Clarification Temporary Amendment Act of 2016
- D.C. Council passes Resolution 21-406, Interim Eligibility and Minimum Shelter Standards Congressional Review Emergency Declaration Resolution of 2016
- Department of Energy and Environment solicits comments on the Weatherization Assistance Program (WAP) Draft State Plan for Fiscal Year 2017
- Executive Office of the Mayor extends comment period for the Draft Workforce Innovation and Opportunity Unified State Plan
- Department of Parks and Recreation solicits comments on the application for a dog exercise area within the Takoma Recreation Center Park
- D.C. Taxicab Commission establishes guidelines for increasing the number of wheelchair accessible vehicles in the Transport DC Program

DISTRICT OF COLUMBIA REGISTER

Publication Authority and Policy

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DISTRICT OF COLUMBIA OFFICE OF DOCUMENTS AND ADMINISTRATIVE ISSUANCES

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MURIEL E. BOWSER
MAYOR

VICTOR L. REID, ESQ.
ADMINISTRATOR

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ENROLLED ORIGINAL

AN ACT

D.C. ACT 21-294

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

FEBRUARY 18, 2016

To approve, on an emergency basis, Modification No. 00002 and proposed Modification No. 00003 to Human Care Agreement No. DCJM-2013-H-0007-02 with St. John's Community Services to continue to provide residential habilitation, supported living, and host home services for persons with intellectual and developmental disabilities, and to authorize payment for the services received and to be received under the contract modifications.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Modifications 00002 and 00003 to Human Care Agreement No. DCJM-2013-H-0007-02 Approval and Payment Authorization Emergency Act of 2016".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Modification Nos. 00002 and 00003 to Contract No. DCJM-2013-H-0007-02 with St. John's Community Services, and authorizes payment in the total amount of \$2,260,670.61 for services received and to be received under the contract modifications.

Sec. 3. Fiscal impact statement.

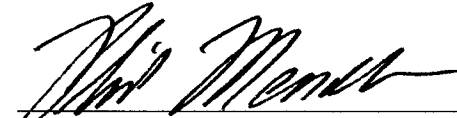
The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

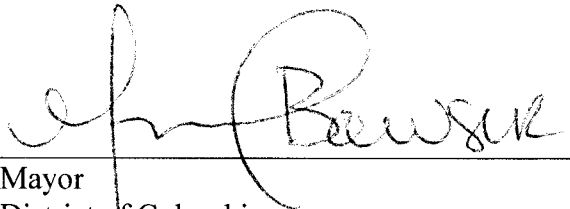
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in

ENROLLED ORIGINAL

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
February 18, 2018

ENROLLED ORIGINAL

AN ACT

D.C. ACT 21-295

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

FEBRUARY 18, 2016

To approve, on an emergency basis, Modification Nos. 05, 06, and 07 to Contract No. DCAM-14-NC-0179A with Chiaramonte Construction Services for snow and ice removal and pre-treatment services, and to authorize payment in the aggregate amount of \$1,200,000.00 for the goods and services received and to be received under the modifications.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Modification Nos. 05, 06, and 07 to Contract No. DCAM-14-NC-0179A Approval and Payment Authorization Emergency Act of 2016".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202(a) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02(a)), the Council approves Modification Nos. 05, 06, and 07 to Contract No. DCAM-14-NC-0179A with Chiaramonte Construction Company for snow and ice removal and pre-treatment services, and authorizes payment in the aggregate amount of \$1,200,000.00 for the goods and services received and to be received under the modifications.

Sec. 3. Fiscal impact statement.

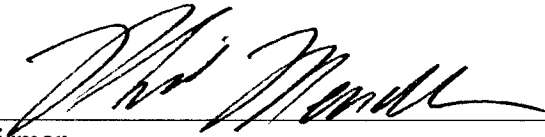
The Council adopts the fiscal statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

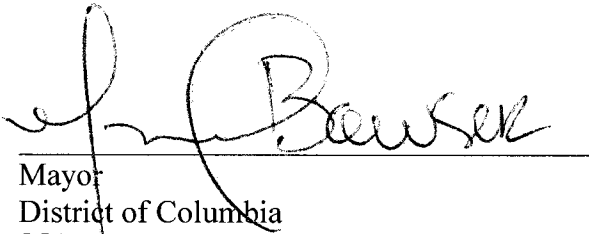
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ENROLLED ORIGINAL

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
February 18, 2016

ENROLLED ORIGINAL

AN ACT

D.C. ACT 21-296

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

FEBRUARY 18, 2016

To approve, on an emergency basis, Modification Nos. 05, 07, and 08 to Contract No. DCAM-14-NC-0179B with Community Bridge, Inc. for snow and ice removal and pre-treatment services, and to authorize payment in the aggregate amount of \$1,200,000.00 for the goods and services received and to be received under the modifications.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Modification Nos. 05, 07, and 08 to Contract No. DCAM-14-NC-0179B Approval and Payment Authorization Emergency Act of 2016".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202(a) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02(a)), the Council approves Modification Nos. 05, 07, and 08 to Contract No. DCAM-14-NC-0179B with Community Bridge, Inc. for snow and ice removal and pre-treatment services, and authorizes payment in the aggregate amount of \$1,200,000.00 for the goods and services received and to be received under the modifications.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal 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. 4. Effective date.

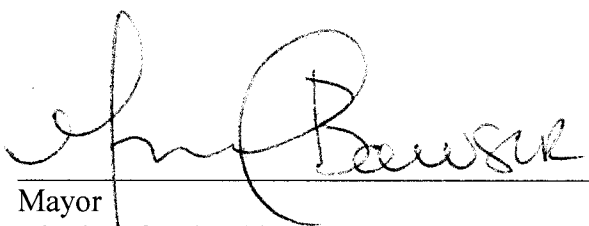
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

ENROLLED ORIGINAL

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
February 18, 2016

ENROLLED ORIGINAL

AN ACT

D.C. ACT 21-297

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

FEBRUARY 18, 2016

To approve, on an emergency basis, the exercise of option year 2 of Contract No. DCAM-14-CS-0001A with Blue Skye Construction, LLC for DCPS and DPR small construction projects, and to authorize payment in the not-to-exceed amount of \$10,000,000.00 for the goods and services received and to be received under option year 2 of the contract.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Exercise of Option Year 2 of Contract No. DCAM-14-CS-0001A Approval and Payment Authorization Emergency Act of 2016”.

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-351.01 *et seq.*), the Council approves the exercise of option year 2 of Contract No. DCAM-14-CS-0001A with Blue Skye Construction LLC for DCPS and DPR small construction projects, and authorizes payment in the not-to-exceed amount of \$10,000,000.00 for the goods and services received and to be received under option year 2 of the contract.

Sec. 3. Fiscal impact statement.

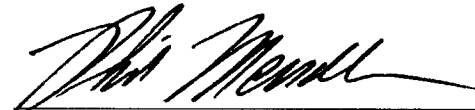
The Council adopts the fiscal statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

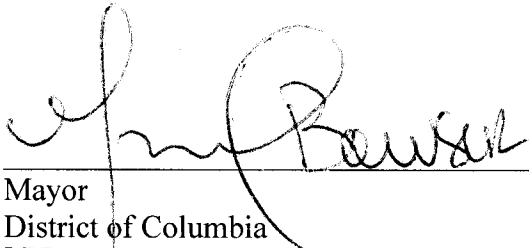
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

ENROLLED ORIGINAL

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
February 18, 2016

ENROLLED ORIGINAL

AN ACT

D.C. ACT 21-298

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

FEBRUARY 18, 2016

To approve, on an emergency basis, the exercise of option year 2 of Contract No. DCAM-14-CS-0001E with HRGM Corporation for DCPS and DPR small construction projects, and to authorize payment in the not-to-exceed amount of \$10,000,000.00 for the goods and services received and to be received under option year 2 of the contract.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Exercise of Option Year 2 of Contract No. DCAM-14-CS-0001E Approval and Payment Authorization Emergency Act of 2016".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-351.01 *et seq.*), the Council approves the exercise of option year 2 of Contract No. DCAM-14-CS-0001E with HRGM Corporation for DCPS and DPR small construction projects, and authorizes payment in the not-to-exceed amount of \$10,000,000.00 for the goods and services received and to be received under option year 2 of the contract.

Sec. 3. Fiscal impact statement.


The Council adopts the fiscal 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. 4. Effective date.

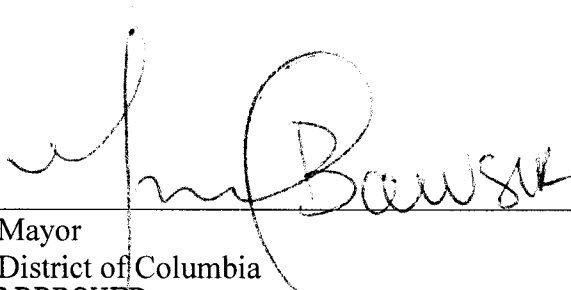
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

ENROLLED ORIGINAL

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
February 18, 2016

ENROLLED ORIGINAL

AN ACT

D.C. ACT 21-299

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

FEBRUARY 18, 2016

To approve, on an emergency basis, the exercise of option year 2 of Contract No. DCAM-14-CS-0001G with Paige Industrial Services, Inc. for DCPS and DPR small construction projects, and to authorize payment in the not-to-exceed amount of \$10,000,000.00 for goods and services received and to be received under option year 2 of the contract.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Exercise of Option Year 2 of Contract No. DCAM-14-CS-0001G Approval and Payment Authorization Emergency Act of 2016".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-351.01 *et seq.*), the Council approves the exercise of option year 2 of Contract No. DCAM-14-CS-0001G with Paige Industrial Services, Inc., and authorizes payment in the not-to-exceed amount of \$10,000,000.00 for the goods and services received and to be received under option year 2 of the contract.

Sec. 3. Fiscal impact statement.

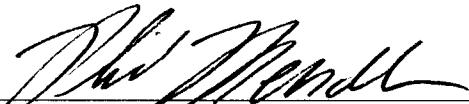
The Council adopts the fiscal statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

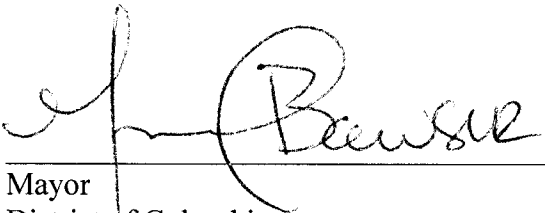
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

ENROLLED ORIGINAL

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
February 18, 2016

ENROLLED ORIGINAL

AN ACT

D.C. ACT 21-300

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

FEBRUARY 18, 2016

To approve, on an emergency basis, the extension of Contract No. CFOPD-11-C-023 with Citibank, N.A. for it to continue to provide a wide variety of general banking services to the District of Columbia, and to authorize payment for the services received and to be received under the contract.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,
That this act may be cited as the “Contract No. CFOPD-11-C-023 Extension Approval and Payment Authorization Emergency Act of 2016”.

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-0371; D.C. Official Code § 2-352.02), the Council approves the extension of Contract No. CFOPD-11-C-023 with Citibank, N.A. for it to continue to provide a wide variety of general banking services to the District of Columbia and authorizes payment in the not-to-exceed amount of \$6.7 million for services received and to be received from January 20, 2016, through January 19, 2021.

Sec. 3. Fiscal impact statement.

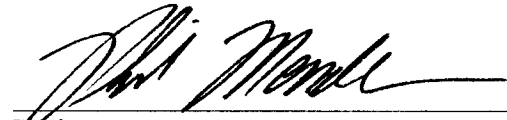
The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

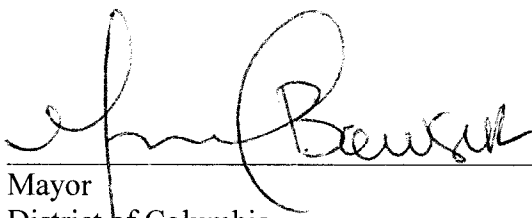
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

ENROLLED ORIGINAL

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
February 18, 2016

ENROLLED ORIGINAL

AN ACT

D.C. ACT 21-301

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

FEBRUARY 18, 2016

To enact, on an emergency basis, due to congressional review, the Uniform Interstate Family Support Act, as revised with amendments officially adopted by the National Conference of Commissioners on Uniform State Laws, to implement the Hague Convention on the International Recovery of Child Support and Other Forms of Family Maintenance.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Uniform Interstate Family Support Congressional Review Emergency Act of 2016".

TITLE 1. GENERAL PROVISIONS.

Sec. 101. Short title.

This act may be cited as the "Uniform Interstate Family Support Congressional Review Emergency Act".

Sec. 102. Definitions.

In this act:

(1) "Child" means an individual, whether over or under the age of majority, who is or is alleged to be owed a duty of support by the individual's parent or who is or is alleged to be the beneficiary of a support order directed to the parent.

(2) "Child-support order" means a support order for a child, including a child who has attained the age of majority under the law of the issuing state or foreign country.

(3) "Convention" means the Convention on the International Recovery of Child Support and Other Forms of Family Maintenance, concluded at The Hague on November 23, 2007.

(4) "District" means the District of Columbia.

(5) "Duty of support" means an obligation imposed or imposed by law to provide support for a child, spouse, or former spouse, including an unsatisfied obligation to provide support.

(6) "Foreign country" means a country, including a political subdivision thereof, other than the United States, that authorizes the issuance of support orders and:

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(A) Which has been declared under the law of the United States to be a foreign reciprocating country;

(B) Which has established a reciprocal arrangement for child support with the District as provided in section 308;

(C) Which has enacted a law or established procedures for the issuance and enforcement of support orders which are substantially similar to the procedures under this act; or

(D) In which the Convention is in force with respect to the United States.

(7) "Foreign support order" means a support order of a foreign tribunal.

(8) "Foreign tribunal" means a court, administrative agency, or quasi-judicial entity of a foreign country which is authorized to establish, enforce, or modify support orders or to determine parentage of a child. The term includes a competent authority under the Convention.

(9) "Home state" means the state or foreign country in which a child lived with a parent or a person acting as parent for at least 6 consecutive months immediately preceding the time of filing of a petition or comparable pleading for support and, if a child is less than six months old, the state or foreign country in which the child lived from birth with any of them. A period of temporary absence of any of them is counted as part of the six-month or other period.

(10) "Income" includes earnings or other periodic entitlements to money from any source and any other property subject to withholding for support under the law of the District.

(11) "Income-withholding order" means an order or other legal process directed to an obligor's holder, as defined by section 2(11) of the D.C. Child Support Enforcement Amendment Act of 1985, effective February 24, 1987 (D.C. Law 6-166; D.C. Official Code § 46-201(11)), to withhold support from the income of the obligor.

(12) "Initiating tribunal" means the tribunal of a state or foreign country from which a petition or comparable pleading is forwarded or in which a petition or comparable pleading is filed for forwarding to another state or foreign country.

(13) "Issuing foreign country" means the foreign country in which a tribunal issues a support order or a judgment determining parentage of a child.

(14) "Issuing state" means the state in which a tribunal issues a support order or a judgment determining parentage of a child.

(15) "Issuing tribunal" means the tribunal of a state or foreign country that issues a support order or a judgment determining parentage of a child.

(16) "Law" includes decisional and statutory law and rules and regulations having the force of law.

(17) "Mayor" means the Mayor of the District of Columbia.

(18) "Obligee" means:

(A) An individual to whom a duty of support is or is alleged to be owed or in whose favor a support order or a judgment determining parentage of a child has been issued;

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(B) A foreign country, state, or political subdivision of a state to which the rights under a duty of support or support order have been assigned or which has independent claims based on financial assistance provided to an individual obligee in place of child support;

(C) An individual seeking a judgment determining parentage of the individual's child; or

(D) A person that is a creditor in a proceeding under Title 7.

(19) "Obligor" means an individual, or the estate of a decedent that:

(A) Owes or is alleged to owe a duty of support;

(B) Is alleged but has not been adjudicated to be a parent of a child;

(C) Is liable under a support order; or

(D) Is a debtor in a proceeding under Title 7.

(20) "Office of the Attorney General" means the Office of the Attorney General for the District of Columbia.

(21) "Outside the District" means a location in another state or a country other than the United States, whether or not the country is a foreign country.

(22) "Person" means an individual, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, public corporation, government or governmental subdivision, agency, or instrumentality, or any other legal or commercial entity.

(23) "Record" means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.

(24) "Register" means to file in a tribunal of the District a support order or judgment determining parentage of a child issued in another state or a foreign country.

(25) "Registering tribunal" means a tribunal in which a support order or judgment determining parentage of a child is registered.

(26) "Responding state" means a state in which a petition or comparable pleading for support or to determine parentage of a child is filed or to which a petition or comparable pleading is forwarded for filing from another state or a foreign country.

(27) "Responding tribunal" means the authorized tribunal in a responding state or foreign country.

(28) "Spousal-support order" means a support order for a spouse or former spouse of the obligor.

(29) "State" means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession under the jurisdiction of the United States. The term includes an Indian nation or tribe.

(30) "Support enforcement agency" means a public official, governmental entity, or private agency authorized to:

(A) Seek enforcement of support orders or laws relating to the duty of support;

(B) Seek establishment or modification of child support;

(C) Request determination of parentage of a child;

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(D) Attempt to locate obligors or their assets; or

(E) Request determination of the controlling child-support order.

(31) "Support order" means a judgment, decree, order, decision, or directive, whether temporary, final, or subject to modification, issued in a state or foreign country for the benefit of a child, a spouse, or a former spouse, which provides for monetary support, health care, arrearages, retroactive support, or reimbursement for financial assistance provided to an individual obligee in place of child support. The term may include related costs and fees, interest, income withholding, automatic adjustment, reasonable attorney's fees, and other relief.

(32) "Tribunal" means a court, administrative agency, or quasi-judicial entity authorized to establish, enforce, or modify support orders or to determine parentage of a child.

Sec. 103. Tribunal and support enforcement agency of the District.

(a) The Family Division of the Superior Court of the District of Columbia is the tribunal of the District.

(b) The Office of the Attorney General is the support enforcement agency of the District.

Sec. 104. Remedies cumulative.

(a) Remedies provided by this act are cumulative and do not affect the availability of remedies under other law or the recognition of a foreign support order on the basis of comity.

(b) This act does not:

(1) Provide the exclusive method of establishing or enforcing a support order under the law of the District; or

(2) Grant a tribunal of the District jurisdiction to render judgment or issue an order relating to child custody or visitation in a proceeding under this act.

Sec. 105. Application of act to resident of foreign country and foreign support proceeding.

(a) A tribunal of the District shall apply Titles 1 through 6 and, as applicable, Title 7, to a support proceeding involving:

(1) A foreign support order;

(2) A foreign tribunal; or

(3) An obligee, obligor, or child residing in a foreign country.

(b) A tribunal of the District that is requested to recognize and enforce a support order on the basis of comity may apply the procedural and substantive provisions of Titles 1 through 6.

(c) Title 7 applies only to a support proceeding under the Convention. In such a proceeding, if a provision of Title 7 is inconsistent with Titles 1 through 6, Title 7 controls.

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TITLE 2. JURISDICTION.

Sec. 201. Bases for jurisdiction over nonresident.

(a) In a proceeding to establish or enforce a support order or to determine parentage of a child, a tribunal of the District may exercise personal jurisdiction over a nonresident individual or the individual's guardian or conservator if:

- (1) The individual is personally served with notice within the District;
- (2) The individual submits to the jurisdiction of the District by consent in a record, by entering a general appearance, or by filing a responsive document having the effect of waiving any contest to personal jurisdiction;
- (3) The individual resided with the child in the District;
- (4) The individual resided in the District and provided prenatal expenses or support for the child;
- (5) The child resides in the District as a result of the acts or directives of the individual;
- (6) The individual engaged in sexual intercourse in the District and the child may have been conceived by that act of intercourse; or
- (7) There is any other basis consistent with the laws of the District and the Constitution of the United States for the exercise of personal jurisdiction.

(b) The bases of personal jurisdiction set forth in subsection (a) of this section or in any other law of the District may not be used to acquire personal jurisdiction for a tribunal of the District to modify a child-support order of another state unless the requirements of section 611 are met, or, in the case of a foreign support order, unless the requirements of section 615 are met.

Sec. 202. Duration of personal jurisdiction.

Personal jurisdiction acquired by a tribunal of the District in a proceeding under this act or other law of the District relating to a support order continues as long as a tribunal of the District has continuing, exclusive jurisdiction to modify its order or continuing jurisdiction to enforce its order as provided by sections 205, 206, and 211.

Sec. 203. Initiating and responding tribunal of state.

Under this act, a tribunal of the District may serve as an initiating tribunal to forward proceedings to a tribunal of another state, and as a responding tribunal for proceedings initiated in another state or a foreign country.

Sec. 204. Simultaneous proceedings.

(a) A tribunal of the District may exercise jurisdiction to establish a support order if the petition or comparable pleading is filed after a pleading is filed in another state or a foreign country only if:

ENROLLED ORIGINAL

(1) The petition or comparable pleading in the District is filed before the expiration of the time allowed in the other state or the foreign country for filing a responsive pleading challenging the exercise of jurisdiction by the other state or the foreign country;

(2) The contesting party timely challenges the exercise of jurisdiction in the other state or the foreign country; and

(3) If relevant, the District is the home state of the child.

(b) A tribunal of the District may not exercise jurisdiction to establish a support order if the petition or comparable pleading is filed before a petition or comparable pleading is filed in another state or a foreign country if:

(1) The petition or comparable pleading in the other state or foreign country is filed before the expiration of the time allowed in the District for filing a responsive pleading challenging the exercise of jurisdiction by the District;

(2) The contesting party timely challenges the exercise of jurisdiction in the District; and

(3) If relevant, the other state or foreign country is the home state of the child.

Sec. 205. Continuing, exclusive jurisdiction to modify child-support order.

(a) A tribunal of the District that has issued a child-support order consistent with the law of the District, has and shall exercise continuing, exclusive jurisdiction to modify its child-support order if the order is the controlling order and:

(1) At the time of the filing of a request for modification the District is the residence of the obligor, the individual obligee, or the child for whose benefit the support order is issued; or

(2) Even if the District is not the residence of the obligor, the individual obligee, or the child for whose benefit the support order is issued, the parties consent in a record or in open court that the tribunal of the District may continue to exercise jurisdiction to modify its order.

(b) A tribunal of the District that has issued a child-support order consistent with the law of the District, may not exercise continuing, exclusive jurisdiction to modify the order if:

(1) All of the parties who are individuals file consent in a record with the tribunal of the District that a tribunal of another state that has jurisdiction over at least one of the parties who is an individual or that is located in the state of residence of the child may modify the order and assume continuing, exclusive jurisdiction; or

(2) Its order is not the controlling order.

(c) If a tribunal of another state has issued a child-support order pursuant to the Uniform Interstate Family Support Act or a law substantially similar to that Act which modifies a child-support order of a tribunal of the District, a tribunal of the District shall recognize the continuing, exclusive jurisdiction of the tribunal of the other state.

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(d) A tribunal of the District that lacks continuing, exclusive jurisdiction to modify a child-support order, may serve as an initiating tribunal to request a tribunal of another state to modify a support order issued in that state.

(e) A temporary support order issued ex parte or pending resolution of a jurisdictional conflict does not create continuing, exclusive jurisdiction in the issuing tribunal.

Sec. 206. Continuing jurisdiction to enforce child-support order.

(a) A tribunal of the District that has issued a child-support order consistent with the law of the District, may serve as an initiating tribunal to request a tribunal of another state to enforce:

(1) The order if the order is the controlling order and has not been modified by a tribunal of another state that assumed jurisdiction pursuant to the Uniform Interstate Family Support Act; or

(2) A money judgment for arrears of support and interest on the order accrued before a determination that an order of a tribunal of another state is the controlling order.

(b) A tribunal of the District having continuing jurisdiction over a support order may act as a responding tribunal to enforce the order.

Sec. 207. Determination of controlling child-support order.

(a) If a proceeding is brought under this act and only one tribunal has issued a child-support order, the order of that tribunal controls and must be recognized.

(b) If a proceeding is brought under this act and 2 or more child-support orders have been issued by tribunals of the District, of another state, or a foreign country with regard to the same obligor and same child, a tribunal of the District having personal jurisdiction over both the obligor and individual obligee shall apply the following rules and by order shall determine which order controls and must be recognized:

(1) If only one of the tribunals would have continuing, exclusive jurisdiction under this act, the order of that tribunal controls.

(2) If more than one of the tribunals would have continuing, exclusive jurisdiction under this act:

(A) An order issued by a tribunal in the current home state of the child controls; or

(B) If an order has not been issued in the current home state of the child, the order most recently issued controls.

(3) If none of the tribunals would have continuing, exclusive jurisdiction under this act, the tribunal of the District shall issue a child-support order, which controls.

(c) If 2 or more child-support orders have been issued for the same obligor and same child, upon request of a party who is an individual or that is a support enforcement agency, a tribunal of the District having personal jurisdiction over both the obligor and the obligee who is an individual, shall determine which order controls under subsection (b) of this section. The

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request may be filed with a registration for enforcement or registration for modification pursuant to Title 6, or may be filed as a separate proceeding.

(d) A request to determine which is the controlling order must be accompanied by a copy of every child-support order in effect and the applicable record of payments. The requesting party shall give notice of the request to each party whose rights may be affected by the determination.

(e) The tribunal that issued the controlling order under subsection (a), (b), or (c) of this section has continuing jurisdiction to the extent provided in section 205 or 206.

(f) A tribunal of the District that determines by order which is the controlling order under subsection (b)(1) or (2) or (c) of this section, or that issues a new controlling order under subsection (b)(3) of this section, shall state in that order:

(1) The basis upon which the tribunal made its determination;

(2) The amount of prospective support, if any; and

(3) The total amount of consolidated arrears and accrued interest, if any, under all of the orders after all payments made are credited as provided by section 209.

(g) Within 30 days after issuance of an order determining which is the controlling order, the party obtaining the order shall file a certified copy of it in each tribunal that issued or registered an earlier order of child support. A party or support enforcement agency obtaining the order that fails to file a certified copy is subject to appropriate sanctions by a tribunal in which the issue of failure to file arises. The failure to file does not affect the validity or enforceability of the controlling order.

(h) An order that has been determined to be the controlling order, or a judgment for consolidated arrears of support and interest, if any, made pursuant to this section must be recognized in proceedings under this act.

Sec. 208. Child-support orders for 2 or more obligees.

In responding to registrations or petitions for enforcement of 2 or more child-support orders in effect at the same time with regard to the same obligor and different individual obligees, at least one of which was issued by a tribunal of another state or a foreign country, a tribunal of the District shall enforce those orders in the same manner as if the orders had been issued by a tribunal of the District.

Sec. 209. Credit for payments.

A tribunal of the District shall credit amounts collected for a particular period pursuant to any child-support order against the amounts owed for the same period under any other child-support order for support of the same child issued by a tribunal of the District, another state, or a foreign country.

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Sec. 210. Application of act to nonresident subject to personal jurisdiction.

A tribunal of the District exercising personal jurisdiction over a nonresident in a proceeding under this act, under other law of the District relating to a support order, or recognizing a foreign support order, may receive evidence from outside the District pursuant to section 316, communicate with a tribunal outside the District pursuant to section 317, and obtain discovery through a tribunal outside the District pursuant to section 318. In all other respects, Titles 3 through 6 do not apply, and the tribunal shall apply the procedural and substantive law of the District.

Sec. 211. Continuing, exclusive jurisdiction to modify spousal-support order.

(a) A tribunal of the District issuing a spousal-support order consistent with the law of the District has continuing, exclusive jurisdiction to modify the spousal-support order throughout the existence of the support obligation.

(b) A tribunal of the District may not modify a spousal-support order issued by a tribunal of another state or a foreign country having continuing, exclusive jurisdiction over that order under the law of that state or foreign country.

(c) A tribunal of the District that has continuing, exclusive jurisdiction over a spousal-support order, may serve as:

(1) An initiating tribunal to request a tribunal of another state to enforce the spousal-support order issued in the District; or

(2) A responding tribunal to enforce or modify its own spousal-support order.

TITLE 3. CIVIL PROVISIONS OF GENERAL APPLICATION.

Sec. 301. Proceedings under act.

(a) Except as otherwise provided in this act, this title applies to all proceedings under this act.

(b) An individual petitioner or a support enforcement agency may initiate a proceeding authorized under this act by filing a petition in an initiating tribunal for forwarding to a responding tribunal or by filing a petition or a comparable pleading directly in a tribunal of another state or a foreign country which has or can obtain personal jurisdiction over the respondent.

Sec. 302. Proceeding by minor parent.

A minor parent, or a guardian or other legal representative of a minor parent, may maintain a proceeding on behalf of or for the benefit of the minor's child.

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Sec. 303. Application of law of the District.

Except as otherwise provided in this act, a responding tribunal of the District, shall:

- (1) Apply the procedural and substantive law generally applicable to similar proceedings originating in the District and may exercise all powers and provide all remedies available in those proceedings; and
- (2) Determine the duty of support and the amount payable in accordance with the law and support guidelines of the District.

Sec. 304. Duties of initiating tribunal.

(a) Upon the filing of a petition authorized by this act, an initiating tribunal of the District, shall forward the petition and its accompanying documents:

- (1) To the responding tribunal or appropriate support enforcement agency in the responding state; or
- (2) If the identity of the responding tribunal is unknown, to the state information agency of the responding state with a request that they be forwarded to the appropriate tribunal and that receipt be acknowledged.

(b) If requested by the responding tribunal, a tribunal of the District shall issue a certificate or other document and make findings required by the law of the responding state. If the responding tribunal is in a foreign country, upon request the tribunal of the District shall specify the amount of support sought, convert that amount into the equivalent amount in the foreign currency under the applicable official or market exchange rate as publicly reported, and provide any other documents necessary to satisfy the requirements of the responding foreign tribunal.

Sec. 305. Duties and powers of responding tribunal.

(a) When a responding tribunal of the District receives a petition or comparable pleading from an initiating tribunal or directly pursuant to section 301(b), it shall cause the petition or pleading to be filed and notify the petitioner where and when it was filed.

(b) A responding tribunal of the District, to the extent not prohibited by other law, may do one or more of the following:

- (1) Establish or enforce a support order, modify a child-support order, determine the controlling child-support order, or determine parentage of a child;
- (2) Order an obligor to comply with a support order, specifying the amount and the manner of compliance;
- (3) Order income withholding;
- (4) Determine the amount of any arrearages, and specify a method of payment;
- (5) Enforce orders by civil or criminal contempt, or both;
- (6) Set aside property for satisfaction of the support order;
- (7) Place liens and order execution on the obligor's property;

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(8) Order an obligor to keep the tribunal informed of the obligor's current residential address, electronic-mail address, telephone number, employer, address of employment, and telephone number at the place of employment;

(9) Issue a bench warrant for an obligor who has failed after proper notice to appear at a hearing ordered by the tribunal and enter the bench warrant in any local and state computer systems for criminal warrants;

(10) Order the obligor to seek appropriate employment by specified methods;

(11) Award reasonable attorney's fees and other fees and costs; and

(12) Grant any other available remedy.

(c) A responding tribunal of the District shall include in a support order issued under this act, or in the documents accompanying the order, the calculations on which the support order is based.

(d) A responding tribunal of the District, may not condition the payment of a support order issued under this act upon compliance by a party with provisions for visitation.

(e) If a responding tribunal of the District issues an order under this act, the tribunal shall send a copy of the order to the petitioner and the respondent and to the initiating tribunal, if any.

(f) If requested to enforce a support order, arrears, or judgment or modify a support order stated in a foreign currency, a responding tribunal of the District, shall convert the amount stated in the foreign currency to the equivalent amount in dollars under the applicable official or market exchange rate as publicly reported.

Sec. 306. Inappropriate tribunal.

If a petition or comparable pleading is received by an inappropriate tribunal of the District, the tribunal shall forward the pleading and accompanying documents to an appropriate tribunal of the District or of another state and notify the petitioner where and when the pleading was sent.

Sec. 307. Duties of support enforcement agency.

(a) In a proceeding under this act a support enforcement agency of the District, upon request:

(1) Shall provide services to a petitioner residing in a state;

(2) Shall provide services to a petitioner requesting services through a central authority of a foreign country as described in section 102(6)(A) or (D); and

(3) May provide services to a petitioner who is an individual not residing in a state.

(b) A support enforcement agency of the District that is providing services to the petitioner shall:

(1) Take all steps necessary to enable an appropriate tribunal of the District, another state, or a foreign country to obtain jurisdiction over the respondent;

(2) Request an appropriate tribunal to set a date, time, and place for a hearing;

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(3) Make a reasonable effort to obtain all relevant information, including information as to income and property of the parties;

(4) Within 2 days, exclusive of Saturdays, Sundays, and legal holidays, after receipt of notice in a record from an initiating, responding, or registering tribunal, send a copy of the notice to the petitioner;

(5) Within 2 days, exclusive of Saturdays, Sundays, and legal holidays, after receipt of communication in a record from the respondent or the respondent's attorney, send a copy of the communication to the petitioner; and

(6) Notify the petitioner if jurisdiction over the respondent cannot be obtained.

(c) A support enforcement agency of the District that requests registration of a child-support order in the District for enforcement or for modification shall make reasonable efforts:

(1) To ensure that the order to be registered is the controlling order; or

(2) If 2 or more child-support orders exist and the identity of the controlling order has not been determined, to ensure that a request for such a determination is made in a tribunal having jurisdiction to do so.

(d) A support enforcement agency of the District that requests registration and enforcement of a support order, arrears, or judgment stated in a foreign currency shall convert the amounts stated in the foreign currency into the equivalent amounts in dollars under the applicable official or market exchange rate as publicly reported.

(e) A support enforcement agency of the District shall issue or request a tribunal of the District to issue a child-support order and an income-withholding order that redirect payment of current support, arrears, and interest if requested to do so by a support enforcement agency of another state pursuant to section 319.

(f) This act does not create or negate a relationship of attorney and client or other fiduciary relationship between a support enforcement agency or the attorney for the agency and the individual being assisted by the agency.

Sec. 308. Duty of Office of the Attorney General.

The Office of the Attorney General may determine that a foreign country has established a reciprocal arrangement for child support with the District and take appropriate action for notification of the determination.

Sec. 309. Private counsel.

An individual may employ private counsel to represent the individual in proceedings authorized by this act.

Sec. 310. Duties of Office of the Attorney General as state information agency.

(a) The Office of the Attorney General is the state information agency under this act.

(b) The state information agency shall:

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(1) Compile and maintain a current list, including addresses, of the tribunals in the District which have jurisdiction under this act and any support enforcement agencies in the District and transmit a copy to the state information agency of every other state;

(2) Maintain a register of names and addresses of tribunals and support enforcement agencies received from other states;

(3) Forward to the appropriate tribunal in the District all documents concerning a proceeding under this act received from another state or a foreign country; and

(4) Obtain information concerning the location of the obligor and the obligor's property within the District not exempt from execution, by such means as postal verification and federal or state locator services, examination of telephone directories, requests for the obligor's address from employers, and examination of governmental records, including, to the extent not prohibited by other law, those relating to real property, vital statistics, law enforcement, taxation, motor vehicles, driver's licenses, and social security.

Sec. 311. Pleadings and accompanying documents.

(a) In a proceeding under this act, a petitioner seeking to establish a support order, to determine parentage of a child, or to register and modify a support order of a tribunal of another state or a foreign country must file a petition. Unless otherwise ordered under section 312, the petition or accompanying documents must provide, so far as known, the name, residential address, and social security numbers of the obligor and the obligee or the parent and alleged parent, and the name, sex, residential address, social security number, and date of birth of each child for whose benefit support is sought or whose parentage is to be determined. Unless filed at the time of registration, the petition must be accompanied by a copy of any support order known to have been issued by another tribunal. The petition may include any other information that may assist in locating or identifying the respondent.

(b) The petition must specify the relief sought. The petition and accompanying documents must conform substantially with the requirements imposed by the forms mandated by federal law for use in cases filed by a support enforcement agency.

Sec. 312. Nondisclosure of information in exceptional circumstances.

If a party alleges in an affidavit or a pleading under oath that the health, safety, or liberty of a party or child would be jeopardized by disclosure of specific identifying information, that information must be sealed and may not be disclosed to the other party or the public. After a hearing in which a tribunal takes into consideration the health, safety, or liberty of the party or child, the tribunal may order disclosure of information that the tribunal determines to be in the interest of justice.

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Sec. 313. Costs and fees.

(a) The petitioner may not be required to pay a filing fee or other costs.

(b) If an obligee prevails, a responding tribunal of the District may assess against an obligor filing fees, reasonable attorney's fees, other costs, and necessary travel and other reasonable expenses incurred by the obligee and the obligee's witnesses. The tribunal may not assess fees, costs, or expenses against the obligee or the support enforcement agency of either the initiating or responding state or foreign country, except as provided by other law. Attorney's fees may be taxed as costs, and may be ordered paid directly to the attorney, who may enforce the order in the attorney's own name. Payment of support owed to the obligee has priority over fees, costs, and expenses.

(c) The tribunal shall order the payment of costs and reasonable attorney's fees if it determines that a hearing was requested primarily for delay. In a proceeding under Title 6, a hearing is presumed to have been requested primarily for delay if a registered support order is confirmed or enforced without change.

Sec. 314. Limited immunity of petitioner.

(a) Participation by a petitioner in a proceeding under this act before a responding tribunal, whether in person, by private attorney, or through services provided by the support enforcement agency, does not confer personal jurisdiction over the petitioner in another proceeding.

(b) A petitioner is not amenable to service of civil process while physically present in the District to participate in a proceeding under this act.

(c) The immunity granted by this section does not extend to civil litigation based on acts unrelated to a proceeding under this act committed by a party while physically present in the District to participate in the proceeding.

Sec. 315. Nonparentage as defense.

A party whose parentage of a child has been previously determined by or pursuant to law may not plead nonparentage as a defense to a proceeding under this act.

Sec. 316. Special rules of evidence and procedure.

(a) The physical presence of a nonresident party who is an individual in a tribunal of the District is not required for the establishment, enforcement, or modification of a support order or the rendition of a judgment determining parentage of a child.

(b) An affidavit, a document substantially complying with federally mandated forms, or a document incorporated by reference in any of them, which would not be excluded under the hearsay rule if given in person, is admissible in evidence if given under penalty of perjury by a party or witness residing outside the District.

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(c) A copy of the record of child-support payments certified as a true copy of the original by the custodian of the record may be forwarded to a responding tribunal. The copy is evidence of facts asserted in it, and is admissible to show whether payments were made.

(d) Copies of bills for testing for parentage of a child, and for prenatal and postnatal health care of the mother and child, furnished to the adverse party at least 10 days before trial, are admissible in evidence to prove the amount of the charges billed and that the charges were reasonable, necessary, and customary.

(e) Documentary evidence transmitted from outside the District to a tribunal of the District by telephone, telecopier, or other electronic means that do not provide an original record may not be excluded from evidence on an objection based on the means of transmission.

(f) In a proceeding under this act, a tribunal of the District shall permit a party or witness residing outside the District to be deposed or to testify under penalty of perjury by telephone, audiovisual means, or other electronic means at a designated tribunal or other location. A tribunal of the District shall cooperate with other tribunals in designating an appropriate location for the deposition or testimony.

(g) If a party called to testify at a civil hearing refuses to answer on the ground that the testimony may be self-incriminating, the trier of fact may draw an adverse inference from the refusal.

(h) A privilege against disclosure of communications between spouses does not apply in a proceeding under this act.

(i) The defense of immunity based on the relationship of husband and wife or parent and child does not apply in a proceeding under this act.

(j) A voluntary acknowledgment of paternity, certified as a true copy, is admissible to establish parentage of the child.

Sec. 317. Communications between tribunals.

A tribunal of the District may communicate with a tribunal outside the District in a record or by telephone, electronic mail, or other means, to obtain information concerning the laws, the legal effect of a judgment, decree, or order of that tribunal, and the status of a proceeding. A tribunal of the District may furnish similar information by similar means to a tribunal outside the District.

Sec. 318. Assistance with discovery.

A tribunal of the District may:

- (1) Request a tribunal outside the District to assist in obtaining discovery; and
- (2) Upon request, compel a person over which it has jurisdiction to respond to a discovery order issued by a tribunal outside the District.

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Sec. 319. Receipt and disbursement of payments.

(a) A support enforcement agency or tribunal of the District shall disburse promptly any amounts received pursuant to a support order, as directed by the order. The agency or tribunal shall furnish to a requesting party or tribunal of another state or a foreign country a certified statement by the custodian of the record of the amounts and dates of all payments received.

(b) If neither the obligor, nor the obligee who is an individual, nor the child resides in the District, upon request from the support enforcement agency of the District or another state, the support enforcement agency of the District or a tribunal of the District shall:

(1) Direct that the support payment be made to the support enforcement agency in the state in which the obligee is receiving services; and

(2) Issue and send to the obligor's employer a conforming income-withholding order or an administrative notice of change of payee, reflecting the redirected payments.

(c) The support enforcement agency of the District receiving redirected payments from another state pursuant to a law similar to subsection (b) of this section shall furnish to a requesting party or tribunal of the other state a certified statement by the custodian of the record of the amount and dates of all payments received.

TITLE 4. ESTABLISHMENT OF SUPPORT ORDER OR DETERMINATION OF PARENTAGE.

Sec. 401. Establishment of support order.

(a) If a support order entitled to recognition under this act has not been issued, a responding tribunal of the District with personal jurisdiction over the parties may issue a support order if:

(1) The individual seeking the order resides outside the District; or

(2) The support enforcement agency seeking the order is located outside the District.

(b) The tribunal may issue a temporary child-support order if the tribunal determines that such an order is appropriate and the individual ordered to pay is:

(1) A presumed father of the child;

(2) Petitioning to have his paternity adjudicated;

(3) Identified as the father of the child through genetic testing;

(4) An alleged father who has declined to submit to genetic testing;

(5) Shown by clear and convincing evidence to be the father of the child;

(6) An acknowledged father as provided by D.C. Official Code §§ 16-909.01 to 16-909.05;

(7) The mother of the child; or

(8) An individual who has been ordered to pay child support in a previous proceeding and the order has not been reversed or vacated.

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(c) Upon finding, after notice and opportunity to be heard, that an obligor owes a duty of support, the tribunal shall issue a support order directed to the obligor and may issue other orders pursuant to section 305.

Sec. 402. Proceeding to determine parentage.

A tribunal of the District authorized to determine parentage of a child may serve as a responding tribunal in a proceeding to determine parentage of a child brought under this act or a law or procedure substantially similar to this act.

TITLE 5. ENFORCEMENT OF SUPPORT ORDER WITHOUT REGISTRATION

Sec. 501. Employer's receipt of income-withholding order of another state.

An income-withholding order issued in another state may be sent by or on behalf of the obligee, or by the support enforcement agency, to the person defined as the obligor's employer under the D.C. Child Support Enforcement Amendment Act of 1985, effective February 24, 1987 (D.C. Law 6-166; D.C. Official Code § 46-201 *et seq.*) without first filing a petition or comparable pleading or registering the order with a tribunal of the District.

Sec. 502. Employer's compliance with income-withholding order of another state.

(a) Upon receipt of an income-withholding order, the obligor's employer shall immediately provide a copy of the order to the obligor.

(b) The employer shall treat an income-withholding order issued in another state which appears regular on its face as if it had been issued by a tribunal of the District.

(c) Except as otherwise provided in subsection (d) of this section and section 503, the employer shall withhold and distribute the funds as directed in the withholding order by complying with terms of the order which specify:

(1) The duration and amount of periodic payments of current child support, stated as a sum certain;

(2) The person designated to receive payments and the address to which the payments are to be forwarded;

(3) Medical support, whether in the form of periodic cash payment, stated as a sum certain, or ordering the obligor to provide health insurance coverage for the child under a policy available through the obligor's employment;

(4) The amount of periodic payments of fees and costs for a support enforcement agency, the issuing tribunal, and the obligee's attorney, stated as sums certain; and

(5) The amount of periodic payments of arrearages and interest on arrearages, stated as sums certain.

(d) An employer shall comply with the law of the state of the obligor's principal place of employment for withholding from income with respect to:

(1) The employer's fee for processing an income-withholding order;

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- (2) The maximum amount permitted to be withheld from the obligor's income;
- and
- (3) The times within which the employer must implement the withholding order and forward the child-support payment.

Sec. 503. Employer's compliance with 2 or more income-withholding orders.

If an obligor's employer receives 2 or more income-withholding orders with respect to the earnings of the same obligor, the employer satisfies the terms of the orders if the employer complies with the law of the state of the obligor's principal place of employment to establish the priorities for withholding and allocating income withheld for 2 or more child-support obligees.

Sec. 504. Immunity from civil liability.

An employer that complies with an income-withholding order issued in another state in accordance with this title is not subject to civil liability to an individual or agency with regard to the employer's withholding of child support from the obligor's income.

Sec. 505. Penalties for noncompliance.

An employer that willfully fails to comply with an income-withholding order issued in another state and received for enforcement is subject to the same penalties that may be imposed for noncompliance with an order issued by a tribunal of the District.

Sec. 506. Contest by obligor.

(a) An obligor may contest the validity or enforcement of an income-withholding order issued in another state and received directly by an employer in the District by registering the order in a tribunal of the District and filing a contest to that order as provided in Title 6, or otherwise contesting the order in the same manner as if the order had been issued by a tribunal of the District.

(b) The obligor shall give notice of the contest to:

- (1) A support enforcement agency providing services to the obligee;
- (2) Each employer that has directly received an income-withholding order relating to the obligor; and
- (3) The person designated to receive payments in the income-withholding order or, if no person is designated, to the obligee.

Sec. 507. Administrative enforcement of orders.

(a) A party or support enforcement agency seeking to enforce a support order or an income-withholding order, or both, issued in another state or a foreign support order may send the documents required for registering the order to a support enforcement agency of the District.

(b) Upon receipt of the documents, the support enforcement agency, without initially seeking to register the order, shall consider and, if appropriate, use any administrative procedure

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authorized by the law of the District to enforce a support order or an income-withholding order, or both. If the obligor does not contest administrative enforcement, the order need not be registered. If the obligor contests the validity or administrative enforcement of the order, the support enforcement agency shall register the order pursuant to this act.

TITLE 6. REGISTRATION, ENFORCEMENT, AND MODIFICATION
OF SUPPORT ORDER.

SUBTITLE A. REGISTRATION FOR ENFORCEMENT OF SUPPORT ORDER.

Sec. 601. Registration of order for enforcement.

A support order or income-withholding order issued in another state or a foreign support order may be registered in the District for enforcement.

Sec. 602. Procedure to register order for enforcement.

(a) Except as otherwise provided in section 706, a support order or income-withholding order of another state or a foreign support order may be registered in the District by sending the following records to the Superior Court of the District of Columbia:

- (1) A letter of transmittal to the tribunal requesting registration and enforcement;
- (2) Two copies, including one certified copy, of the order to be registered, including any modification of the order;
- (3) A sworn statement by the person requesting registration or a certified statement by the custodian of the records showing the amount of any arrearage;
- (4) The name of the obligor and, if known:
 - (A) The obligor's address and social security number;
 - (B) The name and address of the obligor's employer and any other source of income of the obligor; and
 - (C) A description and the location of property of the obligor in the District not exempt from execution; and

(5) Except as otherwise provided in section 312, the name and address of the obligee and, if applicable, the person to whom support payments are to be remitted.

(b) On receipt of a request for registration, the registering tribunal shall cause the order to be filed as an order of a tribunal of another state or a foreign support order, together with one copy of the documents and information, regardless of their form.

(c) A petition or comparable pleading seeking a remedy that must be affirmatively sought under other law of the District may be filed at the same time as the request for registration or later. The pleading must specify the grounds for the remedy sought.

(d) If 2 or more orders are in effect, the person requesting registration shall:

- (1) Furnish to the tribunal a copy of every support order asserted to be in effect in addition to the documents specified in this section;
- (2) Specify the order alleged to be the controlling order, if any; and
- (3) Specify the amount of consolidated arrears, if any.

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(e) A request for a determination of which is the controlling order may be filed separately or with a request for registration and enforcement or for registration and modification. The person requesting registration shall give notice of the request to each party whose rights may be affected by the determination.

Sec. 603. Effect of registration for enforcement.

(a) A support order or income-withholding order issued in another state or a foreign support order is registered when the order is filed in the registering tribunal of the District.

(b) A registered support order issued in another state or a foreign country is enforceable in the same manner and is subject to the same procedures as an order issued by a tribunal of the District.

(c) Except as otherwise provided in this act, a tribunal of the District shall recognize and enforce, but may not modify, a registered support order if the issuing tribunal had jurisdiction.

Sec. 604. Choice of law.

(a) Except as otherwise provided in subsection (d) of this section, the law of the issuing state or foreign country governs:

(1) The nature, extent, amount, and duration of current payments under a registered support order;

(2) The computation and payment of arrearages and accrual of interest on the arrearages under the support order; and

(3) The existence and satisfaction of other obligations under the support order.

(b) In a proceeding for arrears under a registered support order, the statute of limitation of the District, or of the issuing state or foreign country, whichever is longer, applies.

(c) A responding tribunal of the District shall apply the procedures and remedies of the District to enforce current support and collect arrears and interest due on a support order of another state or a foreign country registered in the District.

(d) After a tribunal of the District or another state determines which is the controlling order and issues an order consolidating arrears, if any, a tribunal of the District shall prospectively apply the law of the state or foreign country issuing the controlling order, including its law on interest on arrears, on current and future support, and on consolidated arrears.

SUBTITLE B. CONTEST OF VALIDITY OR ENFORCEMENT.

Sec. 605. Notice of registration of order.

(a) When a support order or income-withholding order issued in another state or a foreign support order is registered, the registering tribunal of the District shall notify the nonregistering party. The notice must be accompanied by a copy of the registered order and the documents and relevant information accompanying the order.

(b) A notice must inform the nonregistering party:

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(1) That a registered support order is enforceable as of the date of registration in the same manner as an order issued by a tribunal of the District;

(2) That a hearing to contest the validity or enforcement of the registered order must be requested within 20 days after notice unless the registered order is under section 707;

(3) That failure to contest the validity or enforcement of the registered order in a timely manner will result in confirmation of the order and enforcement of the order and the alleged arrearages; and

(4) Of the amount of any alleged arrearages.

(c) If the registering party asserts that 2 or more orders are in effect, a notice must also:

(1) Identify the 2 or more orders and the order alleged by the registering party to be the controlling order and the consolidated arrears, if any;

(2) Notify the nonregistering party of the right to a determination of which is the controlling order;

(3) State that the procedures provided in subsection (b) of this section apply to the determination of which is the controlling order; and

(4) State that failure to contest the validity or enforcement of the order alleged to be the controlling order in a timely manner may result in confirmation that the order is the controlling order.

(d) Upon registration of an income-withholding order for enforcement, the support enforcement agency or the registering tribunal shall notify the obligor's employer pursuant to the D.C. Child Support Enforcement Amendment Act of 1985, effective February 24, 1987 (D.C. Law 6-166; D.C. Official Code § 46-201 *et seq.*).

Sec. 606. Procedure to contest validity or enforcement of registered support order.

(a) A nonregistering party seeking to contest the validity or enforcement of a registered support order in the District shall request a hearing within the time required by section 605. The nonregistering party may seek to vacate the registration, to assert any defense to an allegation of noncompliance with the registered order, or to contest the remedies being sought or the amount of any alleged arrearages pursuant to section 607.

(b) If the nonregistering party fails to contest the validity or enforcement of the registered support order in a timely manner, the order is confirmed by operation of law.

(c) If a nonregistering party requests a hearing to contest the validity or enforcement of the registered support order, the registering tribunal shall schedule the matter for hearing and give notice to the parties of the date, time, and place of the hearing.

Sec. 607. Contest of registration or enforcement.

(a) A party contesting the validity or enforcement of a registered support order or seeking to vacate the registration has the burden of proving one or more of the following defenses:

(1) The issuing tribunal lacked personal jurisdiction over the contesting party;

(2) The order was obtained by fraud;

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- (3) The order has been vacated, suspended, or modified by a later order;
- (4) The issuing tribunal has stayed the order pending appeal;
- (5) There is a defense under the law of the District to the remedy sought;
- (6) Full or partial payment has been made;
- (7) The statute of limitation under section 604 precludes enforcement of some or all of the alleged arrearages; or
- (8) The alleged controlling order is not the controlling order.

(b) If a party presents evidence establishing a full or partial defense under subsection (a) of this section, a tribunal may stay enforcement of a registered support order, continue the proceeding to permit production of additional relevant evidence, and issue other appropriate orders. An uncontested portion of the registered support order may be enforced by all remedies available under the law of the District.

(c) If the contesting party does not establish a defense under subsection (a) of this section to the validity or enforcement of a registered support order, the registering tribunal shall issue an order confirming the order.

Sec. 608. Confirmed order.

Confirmation of a registered support order, whether by operation of law or after notice and hearing, precludes further contest of the order with respect to any matter that could have been asserted at the time of registration.

SUBTITLE C. REGISTRATION AND MODIFICATION OF CHILD-SUPPORT ORDER OF ANOTHER STATE.

Sec. 609. Procedure to register child-support order of another state for modification.

A party or support enforcement agency seeking to modify, or to modify and enforce, a child-support order issued in another state shall register that order in the District in the same manner provided in sections 601 through 608 if the order has not been registered. A petition for modification may be filed at the same time as a request for registration, or later. The pleading must specify the grounds for modification.

Sec. 610. Effect of registration for modification.

A tribunal of the District may enforce a child-support order of another state registered for purposes of modification, in the same manner as if the order had been issued by a tribunal of the District, but the registered support order may be modified only if the requirements of section 611 or 613 have been met.

Sec. 611. Modification of child-support order of another state.

(a) If section 613 does not apply, upon petition a tribunal of the District may modify a child-support order issued in another state which is registered in the District if, after notice and hearing, the tribunal finds that:

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(1) The following requirements are met:

(A) Neither the child, nor the obligee who is an individual, nor the obligor resides in the issuing state;

(B) A petitioner who is a nonresident of the District seeks modification; and

(C) The respondent is subject to the personal jurisdiction of the tribunal of the District; or

(2) The District is the residence of the child, or a party who is an individual is subject to the personal jurisdiction of the tribunal of the District, and all of the parties who are individuals have filed consents in a record in the issuing tribunal for a tribunal of the District to modify the support order and assume continuing, exclusive jurisdiction.

(b) Modification of a registered child-support order is subject to the same requirements, procedures, and defenses that apply to the modification of an order issued by a tribunal of the District and the order may be enforced and satisfied in the same manner.

(c) A tribunal of the District may not modify any aspect of a child-support order that may not be modified under the law of the issuing state, including the duration of the obligation of support. If 2 or more tribunals have issued child-support orders for the same obligor and same child, the order that controls and must be so recognized under section 207 establishes the aspects of the support order which are nonmodifiable.

(d) In a proceeding to modify a child-support order, the law of the state that is determined to have issued the initial controlling order governs the duration of the obligation of support. The obligor's fulfillment of the duty of support established by that order precludes imposition of a further obligation of support by a tribunal of the District.

(e) On the issuance of an order by a tribunal of the District modifying a child-support order issued in another state, the tribunal of the District becomes the tribunal having continuing, exclusive jurisdiction.

(f) Notwithstanding subsections (a) through (e) of this section and section 201(b), a tribunal of the District retains jurisdiction to modify an order issued by a tribunal of the District if:

(1) One party resides in another state; and

(2) The other party resides outside the United States.

Sec. 612. Recognition of order modified in another state.

If a child-support order issued by a tribunal of the District is modified by a tribunal of another state which assumed jurisdiction pursuant to the Uniform Interstate Family Support Act, a tribunal of the District:

(1) May enforce its order that was modified only as to arrears and interest accruing before the modification;

(2) May provide appropriate relief for violations of its order which occurred before the effective date of the modification; and

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(3) Shall recognize the modifying order of the other state, upon registration, for the purpose of enforcement.

Sec. 613. Jurisdiction to modify child-support order of another state when individual parties reside in the District.

(a) If all of the parties who are individuals reside in the District and the child does not reside in the issuing state, a tribunal of the District has jurisdiction to enforce and to modify the issuing state's child-support order in a proceeding to register that order.

(b) A tribunal of the District exercising jurisdiction under this section shall apply the provisions of Titles 1 and 2, this title, and the procedural and substantive law of the District to the proceeding for enforcement or modification. Titles 3, 4, 5, 7, and 8 do not apply.

Sec. 614. Notice to issuing tribunal of modification.

Within 30 days after issuance of a modified child-support order, the party obtaining the modification shall file a certified copy of the order with the issuing tribunal that had continuing, exclusive jurisdiction over the earlier order, and in each tribunal in which the party knows the earlier order has been registered. A party who obtains the order and fails to file a certified copy is subject to appropriate sanctions by a tribunal in which the issue of failure to file arises. The failure to file does not affect the validity or enforceability of the modified order of the new tribunal having continuing, exclusive jurisdiction.

SUBTITLE D. REGISTRATION AND MODIFICATION OF FOREIGN CHILD-SUPPORT ORDER.

Sec. 615. Jurisdiction to modify child-support order of foreign country.

(a) Except as otherwise provided in section 711, if a foreign country lacks or refuses to exercise jurisdiction to modify its child-support order pursuant to its laws, a tribunal of the District may assume jurisdiction to modify the child-support order and bind all individuals subject to the personal jurisdiction of the tribunal whether the consent to modification of a child-support order otherwise required of the individual pursuant to section 611 has been given or whether the individual seeking modification is a resident of the District or of the foreign country.

(b) An order issued by a tribunal of the District modifying a foreign child-support order pursuant to this section is the controlling order.

Sec. 616. Procedure to register child-support order of foreign country for modification.

A party or support enforcement agency seeking to modify, or to modify and enforce, a foreign child-support order not under the Convention may register that order in the District under sections 601 through 608 if the order has not been registered. A petition for modification may be filed at the same time as a request for registration, or at another time. The petition must specify the grounds for modification.

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TITLE 7. SUPPORT PROCEEDING UNDER CONVENTION.

Sec. 701. Definitions.

In this title:

(1) "Application" means a request under the Convention by an obligee or obligor, or on behalf of a child, made through a central authority for assistance from another central authority.

(2) "Central authority" means the entity designated by the United States or a foreign country described in section 102(6)(D) to perform the functions specified in the Convention.

(3) "Convention support order" means a support order of a tribunal of a foreign country described in section 102(6)(D).

(4) "Direct request" means a petition filed by an individual in a tribunal of the District in a proceeding involving an obligee, obligor, or child residing outside the United States.

(5) "Foreign central authority" means the entity designated by a foreign country described in section 102(6)(D) to perform the functions specified in the Convention.

(6) "Foreign support agreement":

(A) Means an agreement for support in a record that:

(i) Is enforceable as a support order in the country of origin;

(ii) Has been:

(I) Formally drawn up or registered as an authentic

instrument by a foreign tribunal; or

(II) Authenticated by, or concluded, registered, or filed

with a foreign tribunal; and

(iii) May be reviewed and modified by a foreign tribunal; and

(B) Includes a maintenance arrangement or authentic instrument under the

Convention.

(7) "United States central authority" means the Secretary of the United States Department of Health and Human Services.

Sec. 702. Applicability.

This title applies only to a support proceeding under the Convention. In such a proceeding, if a provision of this title is inconsistent with Titles 1 through 6, this title controls.

Sec. 703. Relationship of Office of the Attorney General to United States central authority.

The Office of the Attorney General is recognized as the agency designated by the United States central authority to perform specific functions under the Convention.

Sec. 704. Initiation by Office of the Attorney General of support proceeding under Convention.

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- (a) In a support proceeding under this title, the Office of the Attorney General shall:
- (1) Transmit and receive applications; and
 - (2) Initiate or facilitate the institution of a proceeding regarding an application in a tribunal of the District.
- (b) The following support proceedings are available to an obligee under the Convention:
- (1) Recognition or recognition and enforcement of a foreign support order;
 - (2) Enforcement of a support order issued or recognized in the District;
 - (3) Establishment of a support order if there is no existing order, including, if necessary, determination of parentage of a child;
 - (4) Establishment of a support order if recognition of a foreign support order is refused under section 708(b)(2), (4), or (9);
 - (5) Modification of a support order of a tribunal of the District; and
 - (6) Modification of a support order of a tribunal of another state or a foreign country.
- (c) The following support proceedings are available under the Convention to an obligor against which there is an existing support order:
- (1) Recognition of an order suspending or limiting enforcement of an existing support order of a tribunal of the District;
 - (2) Modification of a support order of a tribunal of the District; and
 - (3) Modification of a support order of a tribunal of another state or a foreign country.
- (d) A tribunal of the District may not require security, bond, or deposit, however described, to guarantee the payment of costs and expenses in proceedings under the Convention.

Sec. 705. Direct request.

- (a) A petitioner may file a direct request seeking establishment or modification of a support order or determination of parentage of a child. In the proceeding, the law of the District applies.
- (b) A petitioner may file a direct request seeking recognition and enforcement of a support order or support agreement. In the proceeding, sections 706 through 713 apply.
- (c) In a direct request for recognition and enforcement of a Convention support order or foreign support agreement:
- (1) A security, bond, or deposit is not required to guarantee the payment of costs and expenses; and
 - (2) An obligee or obligor that in the issuing country has benefited from free legal assistance is entitled to benefit, at least to the same extent, from any free legal assistance provided for by the law of the District under the same circumstances.
- (d) A petitioner filing a direct request is not entitled to assistance from the Office of the Attorney General.

ENROLLED ORIGINAL

(e) This title does not prevent the application of laws of the District that provide simplified, more expeditious rules regarding a direct request for recognition and enforcement of a foreign support order or foreign support agreement.

Sec. 706. Registration of Convention support order.

(a) Except as otherwise provided in this title, a party who is an individual or a support enforcement agency seeking recognition of a Convention support order shall register the order in the District as provided in Title 6.

(b) Notwithstanding sections 311 and 602(a), a request for registration of a Convention support order must be accompanied by:

(1) A complete text of the support order or an abstract or extract of the support order drawn up by the issuing foreign tribunal, which may be in the form recommended by the Hague Conference on Private International Law;

(2) A record stating that the support order is enforceable in the issuing country;

(3) If the respondent did not appear and was not represented in the proceedings in the issuing country, a record attesting, as appropriate, either that the respondent had proper notice of the proceedings and an opportunity to be heard or that the respondent had proper notice of the support order and an opportunity to be heard in a challenge or appeal on fact or law before a tribunal;

(4) A record showing the amount of arrears, if any, and the date the amount was calculated;

(5) A record showing a requirement for automatic adjustment of the amount of support, if any, and the information necessary to make the appropriate calculations; and

(6) If necessary, a record showing the extent to which the applicant received free legal assistance in the issuing country.

(c) A request for registration of a Convention support order may seek recognition and partial enforcement of the order.

(d) A tribunal of the District may vacate the registration of a Convention support order without the filing of a contest under section 707 only if, acting on its own motion, the tribunal finds that recognition and enforcement of the order would be manifestly incompatible with public policy.

(e) The tribunal shall promptly notify the parties of the registration or the order vacating the registration of a Convention support order.

Sec. 707. Contest of registered convention support order.

(a) Except as otherwise provided in this title, sections 605 through 608 apply to a contest of a registered Convention support order.

(b) A party contesting a registered Convention support order shall file a contest not later than 30 days after notice of the registration, but if the contesting party does not reside in the United States, the contest must be filed not later than 60 days after notice of the registration.

ENROLLED ORIGINAL

(c) If the nonregistering party fails to contest the registered Convention support order by the time specified in subsection (b) of this section, the order is enforceable.

(d) A contest of a registered Convention support order may be based only on grounds set forth in section 708. The contesting party bears the burden of proof.

(e) In a contest of a registered Convention support order, a tribunal of the District:

(1) Is bound by the findings of fact on which the foreign tribunal based its jurisdiction; and

(2) May not review the merits of the order.

(f) A tribunal of the District deciding a contest of a registered Convention support order shall promptly notify the parties of its decision.

(g) A challenge or appeal, if any, does not stay the enforcement of a Convention support order unless there are exceptional circumstances.

Sec. 708. Recognition and enforcement of registered convention support order.

(a) Except as otherwise provided in subsection (b) of this section, a tribunal of the District shall recognize and enforce a registered Convention support order.

(b) The following grounds are the only grounds on which a tribunal of the District may refuse recognition and enforcement of a registered Convention support order:

(1) Recognition and enforcement of the order is manifestly incompatible with public policy, including the failure of the issuing tribunal to observe minimum standards of due process, which include notice and an opportunity to be heard;

(2) The issuing tribunal lacked personal jurisdiction consistent with section 201;

(3) The order is not enforceable in the issuing country;

(4) The order was obtained by fraud in connection with a matter of procedure;

(5) A record transmitted in accordance with section 706 lacks authenticity or integrity;

(6) A proceeding between the same parties and having the same purpose is pending before a tribunal of the District and that proceeding was the first to be filed;

(7) The order is incompatible with a more recent support order involving the same parties and having the same purpose if the more recent support order is entitled to recognition and enforcement under this act in the District;

(8) Payment, to the extent alleged arrears have been paid in whole or in part;

(9) In a case in which the respondent neither appeared nor was represented in the proceeding in the issuing foreign country:

(A) If the law of that country provides for prior notice of proceedings, the respondent did not have proper notice of the proceedings and an opportunity to be heard; or

(B) If the law of that country does not provide for prior notice of the proceedings, the respondent did not have proper notice of the order and an opportunity to be heard in a challenge or appeal on fact or law before a tribunal; or

(10) The order was made in violation of section 711.

ENROLLED ORIGINAL

(c) If a tribunal of the District does not recognize a Convention support order under subsection (b)(2), (4), or (9) of this section:

(1) The tribunal may not dismiss the proceeding without allowing a reasonable time for a party to request the establishment of a new Convention support order; and

(2) The Office of the Attorney General shall take all appropriate measures to request a child-support order for the obligee if the application for recognition and enforcement was received under section 704.

Sec. 709. Partial enforcement.

If a tribunal of the District does not recognize and enforce a Convention support order in its entirety, it shall enforce any severable part of the order. An application or direct request may seek recognition and partial enforcement of a Convention support order.

Sec. 710. Foreign support agreement.

(a) Except as otherwise provided in subsections (c) and (d) of this section, a tribunal of the District shall recognize and enforce a foreign support agreement registered in the District.

(b) An application or direct request for recognition and enforcement of a foreign support agreement must be accompanied by:

(1) A complete text of the foreign support agreement; and

(2) A record stating that the foreign support agreement is enforceable as an order of support in the issuing country.

(c) A tribunal of the District may vacate the registration of a foreign support agreement only if, acting on its own motion, the tribunal finds that recognition and enforcement would be manifestly incompatible with public policy.

(d) In a contest of a foreign support agreement, a tribunal of the District may refuse recognition and enforcement of the agreement if it finds:

(1) Recognition and enforcement of the agreement is manifestly incompatible with public policy;

(2) The agreement was obtained by fraud or falsification;

(3) The agreement is incompatible with a support order involving the same parties and having the same purpose in the District, another state, or a foreign country if the support order is entitled to recognition and enforcement under this act in the District; or

(4) The record submitted under subsection (b) of this section lacks authenticity or integrity.

(e) A proceeding for recognition and enforcement of a foreign support agreement must be suspended during the pendency of a challenge to or appeal of the agreement before a tribunal of another state or a foreign country.

ENROLLED ORIGINAL

Sec. 711. Modification of convention child-support order.

(a) A tribunal of the District may not modify a Convention child-support order if the obligee remains a resident of the foreign country where the support order was issued unless:

(1) The obligee submits to the jurisdiction of a tribunal of the District, either expressly or by defending on the merits of the case without objecting to the jurisdiction at the first available opportunity; or

(2) The foreign tribunal lacks or refuses to exercise jurisdiction to modify its support order or issue a new support order.

(b) If a tribunal of the District does not modify a Convention child-support order because the order is not recognized in the District, section 708(c) applies.

Sec. 712. Personal information; limit on use.

Personal information gathered or transmitted under this title may be used only for the purposes for which it was gathered or transmitted.

Sec. 713. Record in original language; English translation.

A record filed with a tribunal of the District under this title must be in the original language and, if not in English, must be accompanied by an English translation.

TITLE 8. INTERSTATE RENDITION

Sec. 801. Grounds for rendition.

(a) For purposes of this title, “governor” includes an individual performing the functions of governor or the executive authority of a state covered by this act.

(b) The Mayor may:

(1) Demand that the governor of another state surrender an individual found in the other state who is charged criminally in the District with having failed to provide for the support of an obligee; or

(2) On the demand of the governor of another state, surrender an individual found in the District who is charged criminally in the other state with having failed to provide for the support of an obligee.

(c) A provision for extradition of individuals not inconsistent with this act applies to the demand even if the individual whose surrender is demanded was not in the demanding state when the crime was allegedly committed and has not fled therefrom.

Sec. 802. Conditions of rendition.

(a) Before making a demand that the governor of another state surrender an individual charged criminally in the District with having failed to provide for the support of an obligee, the Mayor may require a prosecutor of the District to demonstrate that at least 60 days previously the obligee had initiated proceedings for support pursuant to this act or that the proceeding would be of no avail.

ENROLLED ORIGINAL

(b) If, under this act or a law substantially similar to this act, the governor of another state makes a demand that the Mayor surrender an individual charged criminally in that state with having failed to provide for the support of a child or other individual to whom a duty of support is owed, the Mayor may require a prosecutor to investigate the demand and report whether a proceeding for support has been initiated or would be effective. If it appears that a proceeding would be effective but has not been initiated, the Mayor may delay honoring the demand for a reasonable time to permit the initiation of a proceeding.

(c) If a proceeding for support has been initiated and the individual whose rendition is demanded prevails, the Mayor may decline to honor the demand. If the petitioner prevails and the individual whose rendition is demanded is subject to a support order, the governor may decline to honor the demand if the individual is complying with the support order.

TITLE 9. MISCELLANEOUS PROVISIONS

Sec. 901. Uniformity of application and construction.

In applying and construing this uniform act, consideration must be given to the need to promote uniformity of the law with respect to its subject matter among states that enact it.

Sec. 902. Repealer.

The Uniform Interstate Family Support Act of 1995, effective February 9, 1996 (D.C. Law 11-81; D.C. Official Code § 46-301.01 *et seq.*), is repealed.

Sec. 903. Transitional provision.

This act applies to proceedings begun on or after the effective date of this act to establish a support order or determine parentage of a child or to register, recognize, enforce, or modify a prior support order, determination, or agreement, whenever issued or entered.

Sec. 904. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for the Uniform Interstate Family Support Act of 2015, enacted December 29, 2015 (D.C. Act 21-249; 63 DCR 222), 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. 905. Effective date.

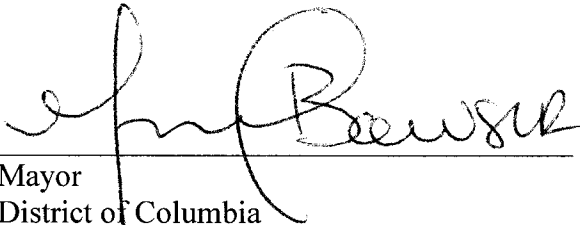
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

ENROLLED ORIGINAL

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
February 18, 2016

ENROLLED ORIGINAL

AN ACT

D.C. ACT 21-302

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

FEBRUARY 18, 2016

To amend, on an emergency basis, due to congressional review, the Street and Alley Closing and Acquisition Procedures Act of 1982 to allow for the temporary naming of an adopted or sponsored Department of Parks and Recreation athletic field in honor of a current or former professional sports player; and to amend the Recreation Act of 1994 to clarify that certain entities, including a nonprofit organization, may adopt or sponsor a Department of Parks and Recreation program, site, facility, field, or operation.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Athletic Field Naming and Sponsorship Congressional Review Emergency Amendment Act of 2016”.

Sec. 2. The Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-201.01 *et seq.*), is amended as follows:

(a) Section 405 (D.C. Official Code § 9-204.05) is amended by striking the phrase “No public space” and inserting the phrase “Except as provided in section 410, no public space” in its place.

(b) A new section 410 is added to read as follows:

“Sec. 410. Naming of sponsored recreation facilities.

“(a) Notwithstanding section 401, the Mayor may name in honor of a person a Department of Parks and Recreation athletic field that is adopted or sponsored, pursuant to section 5 of the Recreation Act of 1994, effective March 23, 1995 (D.C. Law 10-246; D.C. Code § 10-304); provided, that:

“(1) The naming is detailed in an agreement between the Mayor and the entity adopting or sponsoring the field;

“(2) The agreement requires the financial adoption or sponsorship of the field;

“(3) The name is that of a current or former professional sports player who may be living or deceased less than 2 years; and

“(4) The naming is not permanent.

“(b) The District may display the logo of an entity sponsoring or adopting a field on signage at the field; provided, that the display of the logo be less prominent than the name of the

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person for whom the field is named, and that the display be consistent with the terms of the agreement required by subsection (a)(1) of this section.”.

Sec. 3. Section 5(a) of the Recreation Act of 1994, effective March 23, 1995 (D.C. Law 10-246; D.C. Official Code § 10-304(a)), is amended by striking the phrase “neighborhood and civic groups or other governmental entities may adopt or sponsor Departmental programs, sites, or operations” and inserting the phrase “neighborhood and civic groups, nonprofit organizations, or other governmental entities may adopt or sponsor Departmental programs, sites, facilities, fields, or operations” in its place.

Sec. 4. Applicability.

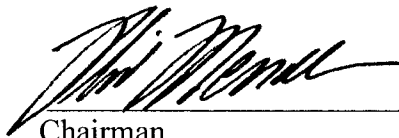
This act shall apply as of February 21, 2016.

Sec. 5. Fiscal impact statement.

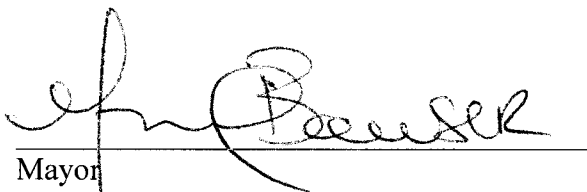
The Council adopts the fiscal impact statement in the committee report for the Athletic Field Naming and Sponsorship Amendment Act of 2015, enacted on December 17, 2015 (D.C. Act 21-233; 62 DCR 16266), as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 6. Effective date.

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED

February 18, 2016

002172

ENROLLED ORIGINAL

AN ACT

D.C. ACT 21-303

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

FEBRUARY 18, 2016

To amend, on an emergency basis, due to congressional review, the Day Care Policy Act of 1979 to extend eligibility for subsidized child care to foster parents who may no longer be working but have some form of verifiable income, teen parents under 21 years of age who themselves are in foster care or wards of the District, and foster parents who are not working but who are enrolled in a verified job training or education program.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Foster Care Extended Eligibility Congressional Review Emergency Amendment Act of 2016".

Sec. 2. Section 5a(a) of the Day Care Policy Act of 1979, effective April 13, 1999 (D.C. Law 12-216; D.C. Official Code § 4-404.01(a)), is amended as follows:

(a) Paragraph (4) is amended by striking the phrase "services; and" and inserting the phrase "services;" in its place.

(b) Paragraph (5) is amended by striking the phrase "child." and inserting the phrase "child;" in its place.

(c) New paragraphs (6), (7), and (8) are added to read as follows:

"(6) Children of a teen parent under 21 years of age who is either in foster care or a ward of the District and is either working or enrolled in a verified job training or education program;

"(7) Children in foster care placement when the foster care provider is not working but receives some form of verifiable income, such as social security or disability, and the child care services are in the best interest of the child; and

"(8) Children in foster care placement when the foster care provider is not working but enrolled in a verified job training or education program, and the child care services are in the best interest of the child."

Sec. 3. Applicability.

This act shall apply as of February 21, 2016.

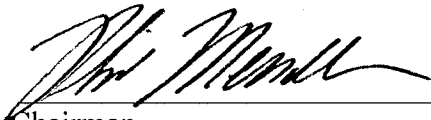
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Sec. 4. Fiscal impact statement.

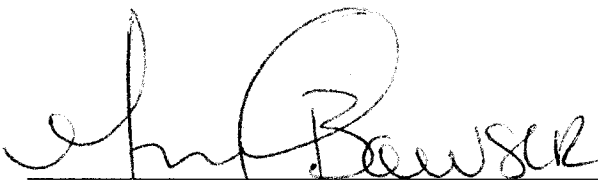
The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
February 18, 2016

ENROLLED ORIGINAL

AN ACT

D.C. ACT 21-304

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

FEBRUARY 18, 2016

To order, on an emergency basis, due to congressional review, the closing of Franklin Street, N.W., Evarts Street, N.W., and Douglas Street, N.W. in Ward 5.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Closing of Franklin Street, N.W., Evarts Street, N.W., and Douglas Street, N.W. in Square 3128, S.O. 13-09432, Congressional Review Emergency Act of 2016”.

Sec. 2. Pursuant to section 404 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813, D.C. Official Code § 1-204.04), and consistent with the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-201.01 *et seq.*), the Council of the District of Columbia finds that public streets in Square 3128, as shown by the hatch-marks on the Surveyor’s plat in S.O. 13-09432, are unnecessary for street purposes and orders them closed with title to the land to vest as shown on the Surveyor’s plat.

Sec. 3. Transmittal.

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

Sec. 4. Applicability.

This act shall apply as of February 28, 2016.

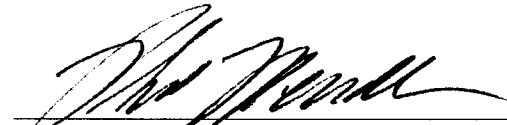
Sec. 5. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for the Closing of Franklin Street, N.W., Evarts Street, N.W., and Douglas Street, N.W. in Square 3128, S.O. 13-09432, Act of 2015, enacted on December 17, 2015 (D.C. Act 21-232; 62 DCR 16264), 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).

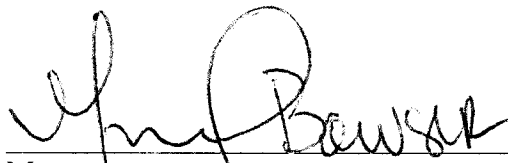
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Sec. 6. Effective date.

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
February 18, 2015

ENROLLED ORIGINAL

AN ACT

D.C. ACT 21-305

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

FEBRUARY 18, 2016

To approve, on an emergency basis, due to congressional review, the amended proposal for the property designated as Lot 25 in Square 526, which was previously conveyed to Golden Rule Plaza, Inc.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Plaza West Disposition Restatement Congressional Review Emergency Act of 2016".

Sec. 2. (a) Notwithstanding An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801 *et seq.*), and subject to the conditions set forth in subsection (c) of this section, the Council approves the amended development proposal ("Amended Proposal") offered by Golden Rule Plaza, Inc. and its successors or assigns, as approved by the Mayor ("Developer") for the following property conveyed via special warranty deed to Golden Rule Plaza, Inc. from the District in 2005 pursuant to section 2 of the Approval of the Negotiated Disposition of the "Golden Rule Property" to Golden Rule Plaza, Inc., and Reorganization Plan No. 8 of 1996 for the Business of Public Management Disapproval Resolution of 1996, effective November 7, 1996 (Res. 11-569; 43 DCR 6219): Lot 25 in Square 526, which is bounded by 4th Street, N.W., the Center Leg Freeway, and K Street, N.W., as shown on a plat of subdivision recorded by Golden Rule Plaza, Inc. in the Office of the Surveyor for the District of Columbia in Subdivision Book 208 at Page 168.

(b) The Amended Proposal includes approximately 223 units of affordable housing, with supportive services, outdoor space, parking, and any ancillary uses allowed under applicable law.

(c) The Amended Proposal is subject to the following conditions:

(1) Developer shall construct residential units that shall be affordable for a minimum of 40 years at the following affordability levels:

(A) Approximately 35 units shall be reserved for households earning at or below 30% of Area Median Income;

(B) Approximately 26 units shall be reserved for households earning at or below 40% of Area Median Income;

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(C) Approximately 82 units shall be reserved for households earning at or below 50% of Area Median Income; and

(D) Approximately 80 units shall be reserved for households earning at or below 60% of Area Median Income;

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

(3) Developer shall enter into an agreement with the District governing its obligations pursuant to section 4 of the First Source Employment Agreement Act of 1984, effective June 29, 1984 (D.C. Law 5-93; D.C. Official Code § 2-219.03), and Mayor’s Order 83-265 (November 9, 1983) regarding job creation and employment generated as a result of the Amended Proposal.

Sec. 3. Applicability.

This act shall apply as of February 28, 2016.

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

ENROLLED ORIGINAL

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
February 18, 2016

ENROLLED ORIGINAL

AN ACT

D.C. ACT 21-306

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

FEBRUARY 18, 2016

To amend, on an emergency basis, the Youth Employment Act of 1979 to authorize the Mayor to provide employment or work-readiness training for participants 14 through 24 years of age.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Marion S. Barry Summer Youth Employment Expansion Emergency Amendment Act of 2016".

Sec. 2. Section 2(a)(1)(A) of the Youth Employment Act of 1979, effective January 5, 1980 (D.C. Law 3-46; D.C. Official Code § 32-241(a)(1)(A)), is amended to read as follows:

"(A)(i) A summer youth jobs program to provide for the employment or training each summer of not fewer than 10,000 or more than 21,000 youth. Youth shall be 14 through 21 years of age on the date of enrollment in the program; provided, that for Fiscal Year 2016 and Fiscal Year 2017, the program may provide for the employment or training each summer of no more than 1,000 youth 22 through 24 years of age on the date of enrollment in the program.

"(ii) Youth 14 or 15 years of age at the date of enrollment shall receive an hourly work readiness training rate of not less than \$5.25.

"(iii) Youth 16 through 21 years of age at the date of enrollment shall be compensated at an hourly rate of \$8.25 and youth 22 through 24 years of age at the date of enrollment shall be compensated at no less than the minimum wage specified in section 4 of the Minimum Wage Act Revision Act of 1992, effective March 25, 1993 (D.C. Law 9-248; D.C. Official Code § 32-1003)."

Sec. 3. Applicability.

(a) This act shall apply upon the date of inclusion of its fiscal effect in an approved budget and financial plan.

(b) The Chief Financial Officer shall certify the date of the inclusion of the fiscal effect in an approved budget and financial plan, and provide notice to the Budget Director of the Council of the certification.

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(c)(1) The Budget Director shall cause the notice of the certification to be published in the District of Columbia Register.

(2) The date of publication of the notice of the certification shall not affect the applicability of this act.

Sec. 4. Fiscal impact statement.

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
February 18, 2016

ENROLLED ORIGINAL

AN ACT

D.C. ACT 21-307

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

FEBRUARY 18, 2016

To amend, on an emergency basis, due to congressional review, the Fiscal Year 2016 Budget Support Act of 2015, various other acts, and Title 47 of the District of Columbia Official Code to clarify provisions supporting the Fiscal Year 2016 budget; and to amend the Firearms Control Regulations Act of 1975 to clarify the descriptions of the boundaries around the White House and the U.S. Naval Observatory within which a concealed pistol licensee is prohibited from carrying a pistol.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Fiscal Year 2016 Budget Support Clarification Congressional Review Emergency Amendment Act of 2016".

Sec. 2. Section 6004 of the Fiscal Year 2016 Budget Support Act of 2015, effective October 22, 2015 (D.C. Law 21-36; 62 DCR 10905), is repealed.

Sec. 3. Section 4a(a)(1) of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a(a)(1)), is amended by striking the word "permanent".

Sec. 4. Section 907 of the Firearms Control Regulations Act of 1975, effective June 16, 2015 (D.C. Law 20-279; D.C. Official Code § 7-2509.07), is amended as follows:

(a) Subsection (a)(11) and (12) are amended to read as follows:

"(11) The White House Complex and its grounds up to and including to the curb of the adjacent sidewalks touching the roadways of the area bounded by Constitution Avenue, N.W., 15th Street, N.W., H Street N.W., and 17th Street, N.W.;

"(12) The U.S. Naval Observatory and its fence line, including the area from the perimeter of its fence up to and including to the curb of the adjacent sidewalks touching the roadway of Observatory Circle, from Calvert Street, N.W., to Massachusetts Avenue, N.W., and around Observatory Circle to the far corner of Observatory Lane;"

(b) Subsection (d)(1) is amended by striking the phrase "While he or she is traveling along a public street, road, or highway, including an adjacent public sidewalk that touches the perimeter of any of the premises where the carrying of a concealed pistol is prohibited under subsection (a) and subsection (b) of this section" and inserting the phrase "While he or she is traveling along a public sidewalk that touches the perimeter of any of the premises where the

ENROLLED ORIGINAL

carrying of a concealed pistol is prohibited under subsection (a) and subsection (b) of this section, except for the areas designated in subsection (a)(11) and (a)(12), or along a public street, roadway, or highway” in its place.

Sec. 5. Section 47-355.07 of the District of Columbia Official Code is amended as follows:

(a) Subsection (c)(1) is amended as follows:

(1) Subparagraph (A) is amended by striking the phrase “serve at the pleasure of” and inserting the phrase “shall be appointed by” in its place.

(2) Subparagraph (B) is amended by striking the phrase “serves at the pleasure of” and inserting the phrase “shall be appointed by” in its place.

(3) Subparagraph (D) is amended by striking the phrase “serves at the pleasure of” and inserting the phrase “shall be appointed by” in its place.

(b) Subsection (d)(3)(D) is amended by striking the phrase “taken or proposed to be taken” and inserting the word “recommended” in its place.

(c) New subsections (d-1), (d-2), and (d-3) are added to read as follows:

“(d-1)(1) The Review Board shall conduct an investigation upon receipt of a report of an alleged violation.

“(2) In investigating a report of an alleged violation, the Review Board may:

“(A) Request assistance from the Office of the Chief Financial Officer, the Office of the Inspector General, and the Office of the Attorney General; and

“(B) Consult with the Office of the Attorney General for the purposes of obtaining legal advice.

“(d-2) The Review Board:

“(1) Shall have access, subject to any privileges or confidentiality requirements as provided by law, to all facilities, files, and databases of the District government, including all files, electronic paper records, reports, documents, and other materials that may relate to the investigation;

“(2) May request information or assistance from any District, federal, state, or local government agency as may be necessary for carrying out the investigation; and

“(3) May seek information from parties outside the District government, including government contractors, that may be relevant to the investigation.

“(d-3)(1) Subject to any applicable privileges, all officers, employees, and members of boards, commissions, and councils of the District government shall cooperate in an investigation by the Review Board and shall provide documents, materials, and information to the Review Board upon request.

“(2) Subject to any applicable privileges, officers, employees, and members of boards, commissions, and councils of the District government shall respond truthfully to all questions posed by the Review Board, and shall not prevent or prohibit the Review Board from initiating, carrying out, or completing an investigation within its jurisdiction.

“(3) The Review Board:

“(A) May require any officer, employee, or member of a board, commission, or council of the District government, including the subject of an allegation, to appear before the Review Board; and

ENROLLED ORIGINAL

“(B) Shall provide any officer, employee, or member of a board, commission, or council of the District who is potentially subject to disciplinary action an opportunity to appear before the Review Board.

“(4) The Review Board may recommend an appropriate disciplinary action with respect to any officer, employee, or member of a board, commission, or council of the District government who fails to cooperate fully with a Review Board investigation.”.

Sec. 6. Chapter 18 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by striking the phrase “Tax haven updates.” and inserting the phrase “Tax haven updates. (Repealed).” in its place.

(b) Section 47-1801.04(49) is amended as follows:

(1) Subparagraph (A) is amended by striking the phrase “means the jurisdictions listed in subparagraph (B-i) of this paragraph and any jurisdiction that” and inserting the phrase “means a jurisdiction that” in its place.

(2) Subparagraph (B-i) is repealed.

(c) Section 47-1810.09 is repealed.

Sec. 7. Section 47-1801.04(11) of the District of Columbia Official Code is amended as follows:

(a) Subparagraph (A) is amended by striking the phrase “calendar year beginning January 1, 2011” wherever it appears and inserting the phrase “base year” in its place.

(b) A new subparagraph (C) is added to read as follows:

“(C) For the purposes of this paragraph, the term “base year” shall mean the calendar year beginning January 1, 2011, or the calendar year beginning one calendar year before the calendar year in which the new dollar amount of a deduction or exemption shall become effective, whichever is later.”.

Sec. 8. Section 47-1806.02(h-1)(1) of the District of Columbia Official Code is amended to read as follows:

“(h-1)(1) For taxable years beginning after December 31, 2014, the amount of the personal exemption otherwise allowable for the taxable year in the case of an individual whose adjusted gross income exceeds \$150,000 shall be reduced by 2% for every \$2,500 (or fraction thereof) by which the taxpayer’s adjusted gross income for the taxable year exceeds \$150,000.”.

Sec. 9. Section 6012 of the Unlawfully Parked Vehicles Act of 2015, effective October 22, 2015 (D.C. Law 21-36; 62 DCR 10905), is amended by striking the phrase “shall be a violation of” and inserting the phrase “shall be a violation, to be adjudicated pursuant to” in its place.

Sec. 10. Section 2404 of Title 18 of the District of Columbia Municipal Regulations (18 DCMR § 2404) is amended as follows:

(a) Subsection 2404.15 is amended to read as follows:

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ENROLLED ORIGINAL

“2404.15 Except as provided in § 2424, the rates for parking meters in the “Premium Demand Parking Meter Rate Zones” shall be as follows:

“(a) Fifty cents (50¢) for thirteen minutes (13 min.) for automobile size spaces; and

“(b) Twenty-five cents per hour (25¢/hr.) for motorcycle size spaces.”.

(b) Subsection 2404.17 is amended to read as follows:

“2404.17 Except as provided in § 2424, the rates for parking meters in the “Normal Demand Parking Meter Rate Zones” shall be as follows:

“(a) Fifty cents (50¢) for thirteen minutes (13 min.) for automobile size spaces; and

“(b) Twenty-five cents per hour (25¢/hr.) for motorcycle size spaces.”.

Sec. 11. Section 8052 of the Fiscal Year 2016 Capital Rescission Act of 2015, effective October 22, 2015 (D.C. Law 21-36; 62 DCR 10905), is amended as follows:

(a) Strike the phrase “YY105C” in the tabular array and insert the phrase “YY159C” in its place.

(b) Strike the phrase “PROSPECT ES MODERNIZATION/RENOVATION” in the tabular array and insert the phrase “ELLINGTON MODERNIZATION/RENOVATION” in its place.

Sec. 12. Applicability.

Section 10 shall apply as of June 1, 2016.

Sec. 13. Fiscal impact statement.

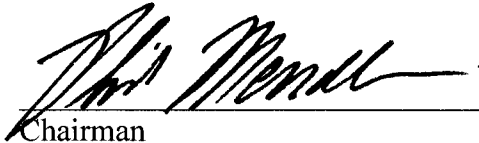
The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 14. Effective date.

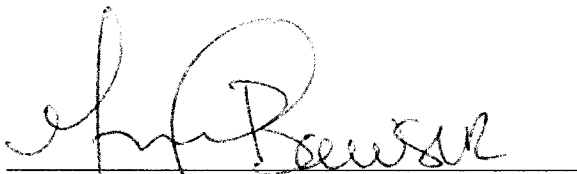
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than

ENROLLED ORIGINAL

90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code §1-204.12(a)).



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
February 18, 2016

ENROLLED ORIGINAL

AN ACT

D.C. ACT 21-308

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

FEBRUARY 18, 2016

To approve, on an emergency basis, the exercise of option year 2 of Contract No. DCAM-14-CS-0001F with Keystone Plus Construction Corporation for DCPS and DPR small construction projects, and to authorize payment for the goods and services received and to be received under option year 2 of the contract.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Exercise of Option Year 2 of Contract No. DCAM-14-CS-0001F Approval and Payment Authorization Emergency Act of 2016”.

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-351.01 *et seq.*), the Council approves the exercise of option year 2 of Contract No. DCAM-14-CS-0001F with Keystone Plus Construction Corporation for DCPS and DPR small construction projects, and authorizes payment in the not-to-exceed amount of \$10,000,000.00 for the goods and services received and to be received under option year 2 of the contract.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal 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. 4. Effective date.


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

ENROLLED ORIGINAL

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
February 18, 2016

ENROLLED ORIGINAL

AN ACT

D.C. ACT 21-309

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

FEBRUARY 18, 2016

To approve, on an emergency basis, the exercise of option year 2 of Contract No. DCAM-14-CS-0001C with Environmental Design and Construction, LLC for DCPS and DPR small construction projects, and to authorize payment for the goods and services received and to be received under option year 2 of the contract.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Exercise of Option Year 2 of Contract No. DCAM-14-CS-0001C Approval and Payment Authorization Emergency Act of 2016”.

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-351.01 *et seq.*), the Council approves the exercise of option year 2 of Contract No. DCAM-14-CS-0001C with Environmental Design and Construction, LLC for DCPS and DPR small construction projects.

Sec. 3. Fiscal impact statement.

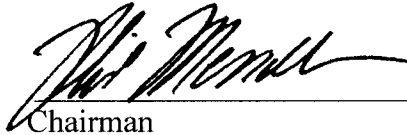
The Council adopts the fiscal statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (87 Stat. 813; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

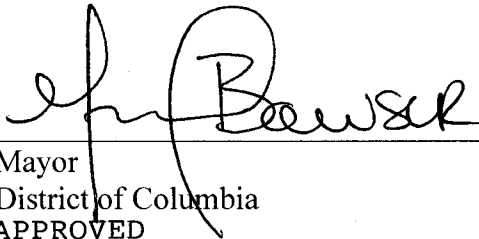
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of

ENROLLED ORIGINAL

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
February 18, 2016

ENROLLED ORIGINAL

AN ACT

D.C. ACT 21-310

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

FEBRUARY 18, 2016

To approve, on an emergency basis, the exercise of option year 2, via Change Order No. 004, of Contract No. DCAM-14-CS-0096E with HRGM Corporation for on-call construction, maintenance, and repair services, and to authorize payment for the goods and services received and to be received under option year 2 of the contract.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Exercise of Option Year 2 of Contract No. DCAM-14-CS-0096E Approval and Payment Authorization Emergency Act of 2016”.

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202(a) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02(a)), the Council approves the exercise of option year 2, via Change Order No. 004, of Contract No. DCAM-14-CS-0096E with HRGM Corporation for on-call construction, maintenance, and repair services, and authorizes payment in the not-to-exceed amount of \$2,495,463.02 for the goods and services received and to be received under option year 2 of the contract.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal 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. 4. Effective date.

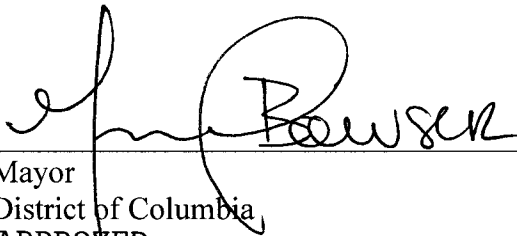
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

ENROLLED ORIGINAL

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
February 18, 2016

ENROLLED ORIGINAL

AN ACT

D.C. ACT 21-311

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

FEBRUARY 18, 2016

To approve, on an emergency basis, Modification Nos. 10 and 11 to Human Care Agreement No. DCJZ-2011-H-0032 with Alternative Solutions for Youth to provide family reunification home services to District youth, and to authorize payment for the goods and services received and to be received under the contract modifications.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Modification Nos. 10 and 11 to Human Care Agreement No. DCJZ-2011-H-0032 Approval and Payment Authorization Emergency Act of 2016".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Modification Nos. 10 and 11 to Human Care Agreement No. DCJZ-2011-H-0032 with Alternative Solutions for Youth to provide family reunification home services to District youth, and authorizes payment in the total amount of \$1,609,650.00 for goods and services received and to be received under the contract modifications.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

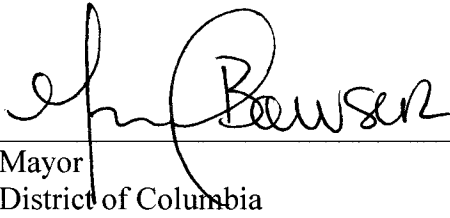
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

ENROLLED ORIGINAL

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
February 18, 2016

ENROLLED ORIGINAL

AN ACT

D.C. ACT 21-312

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

FEBRUARY 18, 2016

To approve, on an emergency basis, the exercise of option year 2, via Change Order No. 004, of Contract No. DCAM-14-CS-0096D with Paige Industrial Services, Inc. for on-call construction, maintenance, and repair services, and to authorize payment for the goods and services received and to be received under option year 2 of the contract.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Exercise of Option Year 2 of Contract No. DCAM-14-CS-0096D Approval and Payment Authorization Emergency Act of 2016".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202(a) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02(a)), the Council approves the exercise of option year 2, via Change Order No. 004, of Contract No. DCAM-14-CS-0096D with Paige Industrial Services, Inc. for on-call construction, maintenance, and repair services, and authorizes payment in the not-to-exceed amount of \$2,380,000.00 for the goods and services received and to be received under option year 2 of the contract.

Sec. 3. Fiscal impact statement.

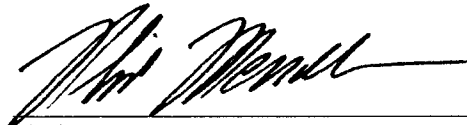
The Council adopts the fiscal statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

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

ENROLLED ORIGINAL

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
February 18, 2016

ENROLLED ORIGINAL

AN ACT

D.C. ACT 21-313

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

FEBRUARY 18, 2016

To amend, on an emergency basis, the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to revise the salary limitation for the Chancellor of the District of Columbia Public Schools and to authorize the provision of certain employment benefits to the Chancellor.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Chancellor of the District of Columbia Public Schools Salary and Benefits Approval Emergency Amendment Act of 2016".

Sec. 2. Section 1052(b) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective June 10, 1998 (D.C. Law 12-124; D.C. Official Code § 1-610.52(b)), is amended as follows:

(a) Paragraph (2) is amended by striking the phrase "the Chancellor of the District of Columbia Public Schools Kaya Henderson (\$284,000)," and inserting the phrase "the Chancellor of the District of Columbia Public Schools Kaya Henderson (\$292,520)," in its place.

(b) Paragraph (3) is amended as follows:

(1) Designate the existing text as subparagraph (A).

(2) The newly designated subparagraph (A) is amended by striking the phrase " provided, that the Chancellor may be paid an additional income allowance of \$12,500, for School Year 2010, in order for the parties to meet the terms and conditions of the November 1, 2010 agreement." and inserting a period in its place.

(3) A new subparagraph (B) is added to read as follows:

"(B) Notwithstanding subparagraph (A) of this paragraph, the Chancellor may be paid an additional income allowance of \$12,500 for School Year 2010, in order for the parties to meet the terms and conditions of the November 1, 2010 agreement. The Chancellor may be paid a recognition and renewal bonus of 5% of her annual base salary in 2016 and a performance bonus of up to 10% of her annual base salary for goals achieved by the end of the 2015-2016 school year. In addition to such other benefits as the Chancellor may be entitled to receive under existing law or regulation, the Mayor may make a severance payment to the Chancellor of up to 24 weeks of the Chancellor's base salary if the Chancellor's contract is terminated for a reason other than criminal conduct, gross dereliction of duty, or gross misconduct, and the Mayor may make a payment to the Chancellor's executors, legal

ENROLLED ORIGINAL

representatives, or administrators in the amount of 1/12 of the Chancellor's annual salary if the Chancellor dies during her term of employment.".

Sec. 3. Applicability.

This act shall apply as of January 2, 2016.

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
February 18, 2016

ENROLLED ORIGINAL

AN ACT

D.C. ACT 21-314

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

FEBRUARY 18, 2016

To amend, on an emergency basis, the Protecting Pregnant Workers Fairness Act of 2014 to require an employer to make a reasonable accommodation for an employee whose ability to perform the functions of the employee's job are affected by a pre-birth complication.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Protecting Pregnant Workers Fairness Emergency Amendment Act of 2016".

Sec. 2. The Protecting Pregnant Workers Fairness Act of 2014, effective March 3, 2015 (D.C. Law 20-168; D.C. Official Code § 32-1231.01 *et seq.*), is amended as follows:

(a) Section 2(2) (D.C. Official Code § 32-1231.01(2)) is amended as follows:

(1) Subparagraph (F) is amended by striking the word "or".

(2) Subparagraph (G) is amended by striking the period and inserting the phrase "; or" in its place

(3) A new subparagraph (H) is added to read as follows:

"(H) Time off due to pre-birth complications."

(b) Section 4 (D.C. Official Code § 32-1231.03) is amended as follows:

(1) Paragraph (4) is amended by striking the word "or" at the end.

(2) Paragraph (5) is amended by striking the period and inserting the phrase "; or" in its place.

(3) A new paragraph (6) is added to read as follows:

"(6) Take an adverse action against an employee who has been absent from work as a result of a pregnancy-related condition, including a pre-birth complication."

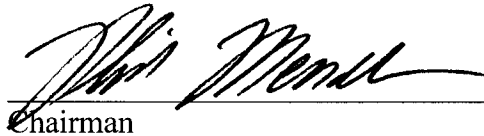
Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director 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).

ENROLLED ORIGINAL

Sec. 4. Effective date.

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
February 18, 2016

ENROLLED ORIGINAL

AN ACT

D.C. ACT 21-315

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

FEBRUARY 18, 2016

To symbolically designate the alleyway behind 7th Street, N.E., 8th Street, N.E., A Street, N.E., and East Capitol Street, N.E., in Ward 6, as Tip's Way.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Tip's Way Designation Act of 2016".

Sec. 2. Pursuant to sections 401 and 403a of the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code §§ 9-204.01 and 9-204.03a) ("Act"), and notwithstanding the requirements of sections 407 and 408 of the Act (D.C. Official Code §§ 9-204.07 and 9-204.08), the Council symbolically designates the alleyway behind 7th Street, N.E., 8th Street, N.E., A Street, N.E., and East Capitol Street, N.E., in Ward 6, as "Tip's Way".

Sec. 3. Transmittal.

The Council shall transmit a copy of this act, upon its effective date, to the Director of the District Department of Transportation.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

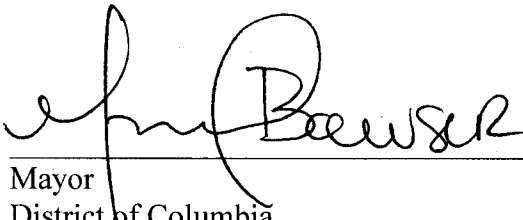
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as

ENROLLED ORIGINAL

provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
February 18, 2016

ENROLLED ORIGINAL

AN ACT

D.C. ACT 21-316

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

FEBRUARY 18, 2016

To amend the District of Columbia Health Occupations Revision Act of 1985 to require continuing education for health occupations on the subject of cultural competence and appropriate clinical treatment for individuals who are lesbian, gay, bisexual, transgender, gender nonconforming, queer, or questioning their sexual orientation or gender identity and expression.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “LGBTQ Cultural Competency Continuing Education Amendment Act of 2016”.

Sec. 2. Section 510 of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1205.10), is amended as follows:

(a) Subsection (b) is amended as follows:

(1) Paragraph (4)(B)(v) is amended by striking the phrase “prophylaxis treatment.” and inserting the phrase “prophylaxis treatment; and” in its place.

(2) A new paragraph (5) is added to read as follows:

“(5)(A) Except as provided in subsection (b-1)(4) of this section, require that any continuing education requirements for the practice of any health occupation licensed, registered, or certified under this section include 2 credits of instruction on cultural competency or specialized clinical training focusing on patients who identify as lesbian, gay, bisexual, transgender, gender nonconforming, queer, or question their sexual orientation or gender identity and expression (“LGBTQ”).

“(B) The instruction required by subparagraph (A) of this paragraph shall, at a minimum, provide information and skills to enable a health professional to care effectively and respectfully for patients who identify as LGBTQ, which may include:

“(i) Specialized clinical training relevant to patients who identify as LGBTQ, including training on how to use cultural information and terminology to establish clinical relationships;

“(ii) Training that improves the understanding and application, in a clinical setting, of relevant data concerning health disparities and risk factors for patients who identify as LGBTQ;

ENROLLED ORIGINAL

“(iii) Training that outlines the legal obligations associated with treating patients who identify as LGBTQ;

“(iv) Best practices for collecting, storing, using, and keeping confidential, information regarding sexual orientation and gender identity;

“(v) Best practices for training support staff regarding the treatment of patients who identify as LGBTQ and their families;

“(vi) Training that improves the understanding of the intersections between systems of oppression and discrimination and improves the recognition that those who identify as LGBTQ may experience these systems in varying degrees of intensity; and

“(vii) Training that addresses underlying cultural biases aimed at improving the provision of nondiscriminatory care for patients who identify as LGBTQ.”.

(b) Subsection (b-1) is amended as follows:

(1) Paragraph (2) is amended by striking the word “and” at the end.

(2) Paragraph (3) is amended by striking the phrase “considers appropriate.” and inserting the phrase “considers appropriate; and” in its place.

(3) A new paragraph (4) is added to read as follows:

“(4) Waive by rule the requirement in subsection (b)(5) of this section for:

“(A) Any health occupation licensed, registered, or certified under this section if members of that health occupation do not see patients in a clinical setting; or

“(B) Any licensed health professional who can prove to the satisfaction of the relevant board that he or she did not see patients in a clinical setting in the District during the previous licensing cycle.”.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

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

ENROLLED ORIGINAL

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
February 18, 2016

ENROLLED ORIGINAL

AN ACT

D.C. ACT 21-317

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

FEBRUARY 18, 2016

To designate the Emery Recreation Center, located at 5801 Georgia Avenue, N.W., in Ward 4, as the Emery Heights Community Center.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Emery Heights Community Center Designation Act of 2016”.

Sec. 2. Pursuant to section 401 of the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-204.01), the Council designates the Emery Recreation Center, located at 5801 Georgia Avenue, N.W., in Ward 4, as the “Emery Heights Community Center”.

Sec. 3. Transmittal.

The Council shall transmit a copy of this act, upon its effective date, to the Director of the Department of Parks and Recreation.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

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

ENROLLED ORIGINAL

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
February 18, 2016

ENROLLED ORIGINAL

AN ACT

D.C. ACT 21-318

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

FEBRUARY 18, 2016

To create, on a temporary basis, a rebate program for the installation and registration of a security camera system on the exterior of property owned or leased by an individual, business, nonprofit, religious institution, or other entity and to establish a special fund to implement the rebate program.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Private Security Camera Incentive Program Temporary Act of 2016".

Sec. 2. Private security camera system incentive program.

(a) Pursuant to section 7 of the Fiscal Year 2015 and Fiscal Year 2016 Revised Budget Request Adjustment Temporary Act of 2015, effective January 9, 2016 (D.C. Law 21-48; 62 DCR 13979), there is established a Private Security Camera System Incentive Program ("Program"), to be administered by the Mayor, to encourage the purchase and installation of a security camera system ("system") on the exterior of a building owned or leased by an individual, business, nonprofit, religious institution, or other entity, as that term is defined in D.C. Official Code § 29-101.02(10), and to require registration of the system with the Metropolitan Police Department.

(b) To be eligible for the rebate provided for in this section, a property owner or lessee shall:

- (1) After September 22, 2015, purchase and install a system on the exterior of the building;
- (2) Register the system with the Metropolitan Police Department;
- (3) Submit a rebate claim in accordance with Program rules promulgated pursuant to subsection (d) of this section ; and
- (4) Meet all additional requirements and criteria provided for in Program rules promulgated pursuant to subsection (d) of this section.

(c)(1) Upon approval of a rebate claim, the Program shall provide a rebate as follows; provided, that the amount of the rebate shall not be more than the purchase price of the system:

(A) Up to \$200 per camera installed on the exterior of a building owned or leased by an individual, with a maximum rebate of up to \$500 per system per residential address; or

(B) Up to \$200 per camera installed on the exterior of a building owned or leased by a business, nonprofit, religious institution, or other entity, as that term is defined in

ENROLLED ORIGINAL

D.C. Official Code § 29-101.02(10), with a maximum rebate of up to \$750 per system per address.

(2) Rebates shall be contingent upon availability of funds.

(3) No rebates shall be issued until the Mayor promulgates rules pursuant to subsection (d) of this section.

(d) The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), and in accordance with this section, shall issue rules to implement the Program, including:

(1) Requirements for proof of purchase and system verification;

(2) Procedures for registering a system with the Metropolitan Police Department, including a certification by the recipient that the recipient shall not use the system to intentionally record specific individuals conducting lawful activity; and

(3) Identification of priority areas for Program eligibility; provided, that the priority areas include at least one area in each ward identified by crime levels and other public safety indicators in the corresponding police service area.

(e) A rebate issued under this section shall not be considered income for purposes of District of Columbia income tax.

(f) For the purposes of this section, the term “security camera system” means one or more outdoor surveillance cameras with functioning digital video recording capability.

(g) From the effective date of the Private Security Camera Incentive Program Emergency Act of 2015, effective January 15, 2016 (D.C. Act 21-274; 63 DCR 803), to the issuance of the final rebate under the Program, the Mayor shall provide a monthly report to the Council that includes the following information:

(1) The total number of rebates issued;

(2) The total number of private security cameras funded;

(3) The number of rebates issued in each police service area;

(4) The number of rebates issued in each priority area identified pursuant to subsection (d)(3) of this section;

(5) The number of rebates issued pursuant to subsection (c)(1)(A) or (B) of this section, respectively;

(6) The number of times the Metropolitan Police Department requested footage from a rebate recipient, and whether the request was granted or denied by the rebate recipient;

(7) The number of times that footage from a private security camera contributed to a successful arrest by the Metropolitan Police Department, including a breakdown by offense; and

(8) An analysis of the Program’s implementation and plans for future expansion, if any.

Sec. 3. Private Security Camera Incentive Fund.

(a) There is established as a special fund the Private Security Camera Incentive Fund (“Fund”), which shall be administered by the Mayor in accordance with subsections (c) and (d) of this section.

ENROLLED ORIGINAL

(b) Revenue from the following sources shall be deposited in the Fund:

- (1) Funds appropriated by the District;
- (2) Grants;
- (3) Donations from the public; and
- (4) Donations from private entities.

(c) Money in the Fund shall be used to implement the Private Security Camera Incentive Program ("Program"), including:

- (1) Providing rebates to eligible participants; and
- (2) Appropriate overhead or administrative expenses related to the Program and

the Fund.

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

(2) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director 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.

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

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

Chairman
Council of the District of Columbia

Mayor
District of Columbia

APPROVED

February 18, 2016

002210

ENROLLED ORIGINAL

AN ACT

D.C. ACT 21-319

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

FEBRUARY 18, 2016

To amend, on a temporary basis, the Marijuana Possession Decriminalization Amendment Act of 2014 to clarify that, for the purposes of the act, a private club is a place to which the public is invited, but does not include a private residence, and that the prohibition on consumption of marijuana in public is not limited by the Legalization of Possession of Minimal Amounts of Marijuana for Personal Use Initiative of 2014, and to establish a private club task force to provide a report making recommendations regarding the licensing and operation of venues at which marijuana may be consumed within the parameters of 401(a)(1) of the District of Columbia Uniform Controlled Substances Act of 1981; and to amend Chapter 28 of Title 47 of the District of Columbia Official Code to require the Mayor to revoke any license, certificate of occupancy, or permit held by an entity that knowingly permits a violation of section 301(a) of the Marijuana Possession Decriminalization Amendment Act of 2014 to occur at the specific address or unit identified in the license, certificate of occupancy, or permit.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Marijuana Possession Decriminalization Clarification Temporary Amendment Act of 2016”.

Sec. 2. The Marijuana Possession Decriminalization Amendment Act of 2014, effective July 17, 2014 (D.C. Law 20-126; 61 DCR 3482), is amended as follows:

(a) Section 301 (D.C. Official Code § 48-911.01) is amended as follows:

(1) Subsection (a)(3) is amended to read as follows:

“(3) Any place to which the public is invited. For the purposes of this subsection, and notwithstanding any other provision of law, a private club, which includes any building, facility, or premises used or operated by an organization or association for a common avocational purpose, such as a fraternal, social, educational, or recreational purpose, is a place to which the public is invited; provided, that a private club does not include a private residence.”.

(2) A new subsection (f) is added to read as follows:

“(f) No provision of the Legalization of Possession of Minimal Amounts of Marijuana for Personal Use Initiative of 2014, effective February 26, 2015 (D.C. Law 20-153; 62 DCR 880), shall limit or be construed to limit the application of any provision of this section.”.

(b) A new Title III-A is added to read as follows:

002211

ENROLLED ORIGINAL

"TITLE III-A STUDY OF MARIJUANA IN A PRIVATE CLUB.

"Sec. 310. Task force.

"(a) There is established a private club task force ("Task Force"). There shall be 7 members of the Task Force, who shall be appointed within 10 days after the effective date of this title.

"(b) The Task Force shall consist of the following persons, or their designees:

"(1) The Director of the Alcoholic Beverage Regulation Administration;

"(2) The Director of the Department of Consumer and Regulatory Affairs;

"(3) The Director of the Department of Health;

"(4) The Chief of the Metropolitan Police Department;

"(5) The Attorney General for the District of Columbia; and

"(6) Two members of the Council of the District of Columbia, as appointed by the Council.

"(c)(1) The Task Force shall provide a report making recommendations regarding the licensing and operation of venues at which marijuana may be consumed that are within the lawful parameters for the possession, use, and transfer of marijuana set forth in section 401(a)(1) of the District of Columbia Uniform Controlled Substances Act of 1981, effective August 5, 1981 (D.C. Law 4-29; D.C. Official Code § 48-904.01(a)(1)).

"(2) The report shall include the following:

"(A) Effective ways to regulate venues to ensure the health and safety of staff, members, and invitees and the health and safety of the nearby public and the general public;

"(B) Hours of operation;

"(C) Occupancy limits;

"(D) Whether food or beverages (alcoholic and non-alcoholic) may be sold on the premise;

"(E) The District agencies that should be involved in regulating the venues;

"(F) Security plans;

"(G) The amount of marijuana an individual shall be permitted to possess at the venue;

"(H) Whether a venue can store marijuana for a member, or invitee, of a venue;

"(I) Penalties for violating the regulations;

"(J) Licensing, including the requirements for licensure, such as proof of compliance with all applicable District laws, the application procedure, and fee structure;

"(K) Cost of membership or admission;

"(L) The limitations as to the location and the number of venues allowed to operate in the District;

ENROLLED ORIGINAL

“(M) How all District residents can utilize the benefits of the Legalization of Possession of Minimal Amounts of Marijuana for Personal Use Initiative of 2014, effective February 26, 2015 (D.C. Law 20-153; 62 DCR 880);

“(N) Whether venues can operate in the District; and

“(O) Any other recommendations.

“(3) The Task Force shall complete its analysis and submit a report, along with any proposed recommendations, to the Council and the Mayor for review within 120 days after the creation of the Task Force.”.

Sec. 3. Section 47-2844(a-1)(1) of the District of Columbia Official Code is amended as follows:

(a) Subparagraph (B) is amended by striking the phrase “Title 48; or” and inserting the phrase “Title 48;” in its place.

(b) Subparagraph (C) is amended by striking the period at the end and inserting the phrase “; or” in its place.

(c) A new subparagraph (D) is added to read as follows:

“(D) Conduct that violates section 301(a) of the Marijuana Possession Decriminalization Amendment Act of 2014, effective July 17, 2014 (D.C. Law 20-126; D.C. Official Code § 48-911.01(a)). In addition, the Mayor shall revoke any certificate of occupancy or permit associated with the specific address or unit, whichever is more specific, of the holder of a certificate of occupancy or permit who knowingly permits a violation of section 301(a) of the Marijuana Possession Decriminalization Amendment Act of 2014, effective July 17, 2014 (D.C. Law 20-126; D.C. Official Code § 48-911.01(a)), to occur at the specific address or unit identified in the certificate of occupancy or permit.”.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director 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.

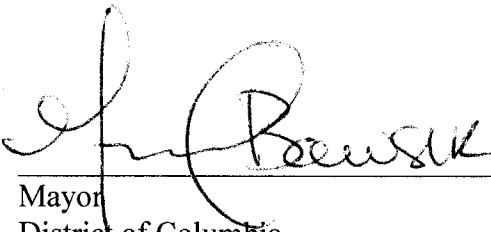
(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(l) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813;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

ENROLLED ORIGINAL

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
February 18, 2016

ENROLLED ORIGINAL

AN ACT

D.C. ACT 21-320

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

FEBRUARY 18, 2016

To amend, on a temporary basis, the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to clarify that a District government attorney, hearing officer, or administrative law judge who is required to be a member of the District of Columbia Bar as a prerequisite of employment shall file a Certificate of Good Standing from the Committee on Admissions of the District of Columbia Court of Appeals with the Department of Human Resources by December 15 of each year, to allow an attorney employed by the Council of the District of Columbia to file a Certificate of Good Standing with the Office of the Secretary to the Council of the District of Columbia, to allow the Director of the Department of Human Resources or the Secretary to the Council of the District of Columbia to verify good standing through electronic means, to clarify that the Director of the Department of Human Resources and the Secretary to the Council of the District of Columbia shall publish in the District of Columbia Register, on an annual basis, a list of all attorneys, hearing officers, and administrative law judges who have not met the Certificate of Good Standing filing requirement, and to authorize the Secretary to the Council of the District of Columbia to issue policy directives regarding timing, waiver, and notice of the Certificate of Good Standing filing requirement.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Certificate of Good Standing Filing Requirement Temporary Amendment Act of 2016”.

Sec. 2. Section 881 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective July 25, 2002 (D.C. Law 14-182; D.C. Official Code § 1-608.81), is amended as follows:

(a) Subsection (a) is amended to read as follows:

“(a) Except as provided by the rules for temporary waiver of this requirement, each attorney, hearing officer, or administrative law judge who is required to be a member of the District of Columbia Bar as a prerequisite of employment, employed by the Mayor, the Office of the Attorney General, the Office of the Chief Financial Officer, or by any independent agency, shall file with the Department of Human Resources a Certificate of Good Standing from the Committee on Admissions of the District of Columbia Court of Appeals by December 15 of each year; provided, that an attorney employed by the Council of the District of Columbia who is

ENROLLED ORIGINAL

required to be a member of the District of Columbia Bar as a prerequisite of employment shall file a Certificate of Good Standing with the Office of the Secretary to the Council of the District of Columbia by December 15 of each year.”.

(b) A new subsection (a-1) is added to read as follows:

“(a-1) The Director of the Department of Human Resources or the Secretary to the Council of the District of Columbia may verify the good standing of an attorney, hearing officer, or administrative law judge subject to the requirement in subsection (a) of this section through electronic means with the Committee on Admissions of the District of Columbia Court of Appeals.”.

(c) Subsection (b) is amended to read as follows:

“(b) The Director of the Department of Human Resources and the Secretary to the Council of the District of Columbia shall publish in the District of Columbia Register, on an annual basis, a list of all attorneys, hearing officers, and administrative law judges who have not met the filing requirements of subsection (a) of this section.”.

(d) Subsection (c) is amended as follows:

(1) The lead-in language is amended by striking the phrase “Director of Personnel” and inserting the phrase “Director of the Department of Human Resources” in its place.

(2) Paragraph (3) is amended by striking the word “attorneys” and inserting the phrase “attorneys, hearing officers, or administrative law judges” in its place.

(e) A new subsection (c-1) is added to read as follows:

“(c-1) The Secretary to the Council of the District of Columbia may issue policy directives concerning:

“(1) The timing for filing the Certificate of Good Standing and associated procedures;

“(2) The standards governing when a temporary waiver of the filing requirement may be granted by the personnel authority for the Council of the District of Columbia attorney; and

“(3) The procedures by which attorneys shall be notified of the filing requirement and whether they are in compliance with the requirement.”.

(f) Subsection (e) is amended by striking the phrase “an attorney” and inserting the phrase “an attorney, a hearing officer, or an administrative law judge” in its place.

Sec. 3. Fiscal impact statement.

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

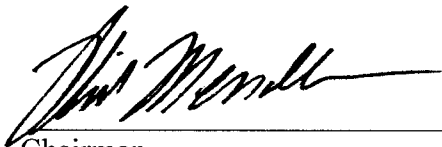
Sec. 4. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review

ENROLLED ORIGINAL

as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
March 18, 2016

ENROLLED ORIGINAL

AN ACT

D.C. ACT 21-321

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

FEBRUARY 18, 2016

To amend, on a temporary basis, the District of Columbia Election Code of 1955 to change the procedures for the presidential primary ballot access.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Presidential Primary Ballot Access Temporary Amendment Act of 2016".

Sec. 2. Section 5(b)(2) of the District of Columbia Election Code of 1955, approved August 12, 1955 (69 Stat. 700; D.C. Official Code § 1-1001.05(b)(2)), is amended to read as follows:

“(2) No person shall be listed on the ballot as a candidate for nomination for President in such primary unless:

“(A) No later than March 16 of each presidential election year, there shall have been filed with the Board a petition on behalf of the person signed by at least 1,000, or 1%, whichever is less, of the qualified electors of the District of Columbia who are registered under section 7, and are of the same political party as the nominee; or

“(B) The person has complied with the rules of the political party to be listed on the ballot, and if the party rules provide for candidate qualification by means other than gathering petition signatures as described in subparagraph (A) of this paragraph, the political party shall certify to the Board no later than March 16 of each presidential election year the names of candidates for nomination who have qualified by such means.”.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director 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).

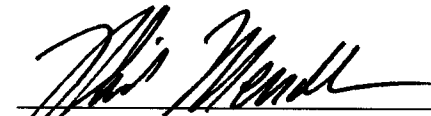
Sec. 4. Effective date.

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

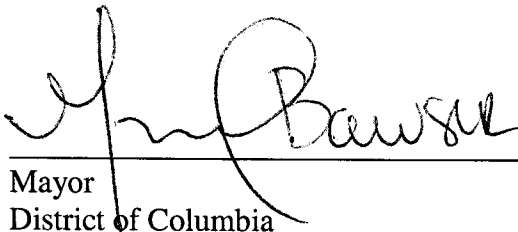
ENROLLED ORIGINAL

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

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
February 18, 2016

ENROLLED ORIGINAL

AN ACT

D.C. ACT 21-322

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

FEBRUARY 18, 2016

To amend, on a temporary basis, the Accrued Sick and Safe Leave Act of 2008 to clarify that employees in the building and construction industry covered by a bona fide collective bargaining agreement shall be exempted from the paid leave requirements of the act only if the agreement expressly waives those requirements; to amend the Minimum Wage Act Revision Act of 1992 to exempt an employer from keeping precise time records for bona fide executive, administrative, and professional, as well as certain other, employees, to require an employer or a temporary staffing firm to provide notice regarding payment to an employee in a second language if the Mayor has made available a translation of the sample notice template in that second language and the employer or temporary staffing firm knows that second language to be the employee's primary language or the employee requests notice in that second language, and to require the Mayor to make available, in any language required for a vital document under the Language Access Act of 2004, a translation of the sample template to be used by an employer or a temporary staffing firm when providing notice to an employee regarding payment; and to amend An Act To provide for the payment and collection of wages in the District of Columbia to continue to exempt an employer from paying wages to bona fide executive, administrative, and professional employees at least twice during each calendar month; provided, that the employer pays wages to such employees at least once per month.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Wage Theft Prevention Clarification Temporary Amendment Act of 2016".

Sec. 2. Section 7(b) of the Accrued Sick and Safe Leave Act of 2008, effective May 13, 2008 (D.C. Law 17-152; D.C. Official Code § 32-131.06(b)), is amended by striking the phrase "agreement." and inserting the phrase "agreement that expressly waives the requirements in clear and unambiguous terms." in its place.

Sec. 3. The Minimum Wage Act Revision Act of 1992, effective March 25, 1993 (D.C. Law 9-248; D.C. Official Code § 32-1001 *et seq.*), is amended as follows:

(a) Section 9 (D.C. Official Code § 32-1008) is amended as follows:

(1) Subsection (a)(1)(D) is amended to read as follows:

ENROLLED ORIGINAL

“(D) The precise time worked each day and each workweek by each employee, except for employees who are exempt from the minimum wage and overtime requirements under section 5(a); and”.

(2) Subsection (c) is amended by striking the phrase “shall furnish to each employee at the time of hiring a written notice, both in English and in the employee’s primary language, containing the following information:” and inserting the phrase “shall furnish to each employee at the time of hiring a written notice in English in the form made available by the Mayor pursuant to subsection (e) of this section. If, pursuant to subsection (e) of this section, the Mayor has made available a translation of the sample template in a second language that is known by the employer to be the employee’s primary language or that the employee requests, the employer also shall furnish written notice to the employee in that second language. The notice shall contain the following information:” in its place.

(3) Subsection (e) is amended to read as follows:

“(e) The Mayor shall make available for employers a sample template of the notice required by subsection (c) of this section within 60 days of the effective date of the Wage Theft Prevention Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-157; 62 DCR 3603). The Mayor also shall make available for employers a translation of the sample template in any language required for vital documents pursuant to the Language Access Act of 2004, effective June 19, 2004 (D.C. Law 15-167; D.C. Official Code § 2-1933).”.

(b) Section 9a is amended as follows:

(1) Subsection (a)(1) is amended by striking the phrase “containing the information required by section 9(c)” and inserting the phrase “containing the information required by section 9(c) and in the form of the sample template made available by the Mayor pursuant to section 9(e). The notice shall be provided in English and if, pursuant to section 9(e), the Mayor has made available a translation of the sample template in a second language that is known by the temporary staffing firm to be the employee’s primary language or that the employee requests, the temporary staffing firm also shall furnish written notice to that employee in that second language.” in its place.

(2) Subsection (b) is amended to read as follows:

“(b)(1) When a temporary staffing firm assigns an employee to perform work at, or provide services for, another organization, the temporary staffing firm shall furnish the employee a written notice in English, in the form of the sample template made available by the Mayor pursuant to subsection (c) of this section, of:

“(A) The specific designated payday for the particular assignment;

“(B) The actual rate of pay for the assignment and the benefits, if any to be provided;

“(C) The overtime rate of pay the employee will receive or, if applicable, inform the employee that the position is exempt from additional overtime compensation and the basis for the overtime exemption;

“(D) The location and name of the client employer and the temporary staffing firm;

“(E) The anticipated length of the assignment;

002221

ENROLLED ORIGINAL

“(F) Whether training or safety equipment is required and who is obligated to provide and pay for the equipment;

“(G) The legal entity responsible for workers’ compensation should the employee be injured on the job; and

“(H) Information about how to contact the designated enforcement agency for concerns about safety, wage and hour, or discrimination.

“(2) If, pursuant to subsection (c) of this section, the Mayor has made available a translation of the sample template in a second language that is known by the temporary staffing firm to be the employee’s primary language or that the employee requests, the temporary staffing firm also shall furnish written notice to that employee in the second language.”.

(3) Subsection (c) is amended to read as follows:

“(c) The Mayor shall make available for temporary staffing firms a sample template of the notice required by subsection (b) of this section within 60 days of the effective date of the Wage Theft Prevention Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-157; 62 DCR 3603). The Mayor also shall make available for temporary staffing firms a translation of the sample template in any language required for vital documents pursuant to section 4 of the Language Access Act of 2004, effective June 19, 2004 (D.C. Law 15-167; D.C. Official Code § 2-1933).”.

Sec. 4. Section 2 of An Act To provide for the payment and collection of wages in the District of Columbia, approved August 3, 1956 (70 Stat 976; D.C. Official Code § 32-1302), is amended by striking the phrase “Every employer shall pay all wages earned to his employees at least twice during each calendar month, on regular paydays designated in advance by the employer;” and inserting the phrase “Every employer shall pay all wages earned to his employees on regular paydays designated in advance by the employer and at least twice during each calendar month, except that all bona fide administrative, executive, and professional employees (those employees employed in a bona fide administrative, executive, or professional capacity, as defined in 7 DCMR § 999.1) shall be paid at least once per month;” in its place.

Sec. 5. Fiscal impact statement.

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

Sec. 6. Effective date.

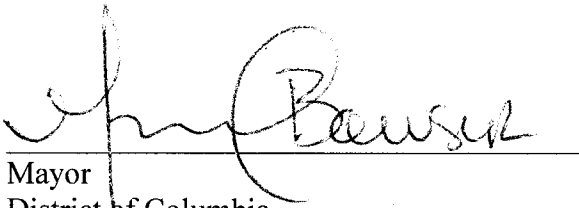
(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-602.02(c)(1)), and publication in the District of Columbia Register.

ENROLLED ORIGINAL

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
March 18, 2016

ENROLLED ORIGINAL

A RESOLUTION

21-406

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 16, 2016

To declare the existence of an emergency, due to congressional review, with respect to the need to amend the Homeless Services Reform Act of 2005 to authorize the Mayor to place a family that does not have a safe-housing alternative in a temporary interim eligibility placement pending a determination of eligibility for shelter and an assessment of the supportive services necessary to assist the family in obtaining sustainable permanent housing, to authorize the Mayor to provide shelter to a family in a private room meeting certain minimum standards and constructed for the purpose of closing the District of Columbia General Family Shelter, to add an expedited appeals process for a family that is denied eligibility for shelter following an interim eligibility placement, and to provide that a family may continue in an interim eligibility placement pending the outcome of an appeal of a denial of eligibility for shelter.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Interim Eligibility and Minimum Shelter Standards Congressional Review Emergency Declaration Resolution of 2016”.

Sec. 2. (a) On November 3, 2015, the Council passed the Interim Eligibility and Minimum Shelter Standards Emergency Amendment Act of 2015, effective November 30, 2015 (D.C. Act 21-217; 62 DCR 15648) (the “emergency legislation”) to codify the current practice of the Department of Human Services (“DHS”) of temporarily placing a family seeking shelter into shelter before making a final eligibility determination, to establish an appeals process for a family ultimately determined to be ineligible for shelter during an interim eligibility placement, and to authorize the Mayor to utilize private rooms rather than apartment-style units as shelter for families.

(b) On December 1, 2015, the Council passed a permanent version of the emergency legislation, the Interim Eligibility and Minimum Shelter Standards Amendment Act of 2015, enacted on December 29, 2015 (D.C. Act 21-251; 63 DCR 257) (the “permanent legislation”).

(c) The emergency legislation is set to expire on February 28, 2016; however, the permanent legislation is not projected to become law until March 15, 2016. A congressional review emergency is necessary to ensure that the provisions of the emergency legislation continue in effect, without interruption, until the permanent legislation becomes law.

ENROLLED ORIGINAL

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Interim Eligibility and Minimum Shelter Standards Congressional Review Emergency Amendment Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

21-407

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 16, 2016

To declare the existence of an emergency with respect to the need to amend the Retired Police Officer Redeployment Amendment Act of 1992 to allow for the rehiring of retired Metropolitan Police Department officers by the Department of Forensic Sciences without jeopardy to their retirement benefits.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Crime Scene Investigator Hiring Clarification Emergency Declaration Resolution of 2016”.

Sec. 2. (a) By removing the financial disincentive to retired Metropolitan Police Department (“MPD”) officers from being hired as crime scene specialists by the Department of Forensic Sciences, the District benefits from those officers’ many years of highly specialized expertise remaining here in the District, rather than being used in another jurisdiction.

(b) This legislation will also allow MPD to “civilianize” those crime scene investigator positions with civilian professionals, rather than using officers who can be better utilized by patrolling the streets. It is commonsensical that more officers on our streets will help protect our residents, businesses, and visitors.

(c) The underlying emergency legislation was introduced by the Mayor as a provision in the Public Safety and Criminal Code Revisions Amendment Act of 2015, as introduced on September 21, 2015 (Bill 21-357), and was included in the committee print of the Neighborhood Engagement Achieves Results Amendment Act of 2016, passed on 1st reading on February 2, 2016 (Engrossed version of Bill 21-360).

(d) Enactment of this emergency legislation will immediately allow the Department of Forensic Sciences to hire qualified, retired MPD officers as crime scene specialists. Their services are important to ensuring the safety of the District of Columbia.

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 Crime Scene Investigator Hiring Clarification Emergency Amendment Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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

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

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

COUNCIL OF THE DISTRICT OF COLUMBIA	PROPOSED LEGISLATION
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BILLS

B21-621	<p>Health-Care and Community Residence Facility, Hospice, and Home Care Licensure Amendment Act of 2016</p> <p>Intro. 2-17-16 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Health and Human Services</p>
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B21-622	<p>Campaign Finance Transparency and Accountability Amendment Act of 2016</p> <p>Intro. 2-17-16 by Chairman Mendelson at the request of the Attorney General and referred sequentially to the Committee on Judiciary and Committee of the Whole</p>
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PROPOSED RESOLUTIONS

PR21-570	<p>District of Columbia Board of Elections Michael Gill Confirmation Resolution of 2016</p> <p>Intro. 2-17-16 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Judiciary</p>
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PR21-571	<p>Office on Aging Laura Newland Confirmation Resolution of 2016</p> <p>Intro. 2-17-16 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Housing and Community Development</p>
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COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE OF THE WHOLE
NOTICE OF PUBLIC HEARING

1350 Pennsylvania Avenue, NW, Washington, DC 20004

CHAIRMAN PHIL MENDELSON
COMMITTEE OF THE WHOLE
ANNOUNCES A PUBLIC HEARING

on

Bill 21-446, the “Closing of a Public Alley in Square 342, S.O. 14-21629, Act of 2015”

Bill 21-447, the “Closing of a Public Alley in Square 453, S.O. 14-17847, Act of 2015”

Bill 21-571, the “Closing of a Public Alley in Square 697, S.O. 15-26230, Act of 2016 ”

And

Bill 21-586, the “Closing of a Public Alley in Square 126, S.O. 14-17521, Act of 2016”

on

Monday, March 21, 2016

12:00 p.m. (or immediately following the previous hearing)

Room 412, John A. Wilson Building

1350 Pennsylvania Avenue, NW

Washington, DC 20004

Council Chairman Phil Mendelson announces a public hearing before the Committee of the Whole on Bill 21-446, the “Closing of a Public Alley in Square 342, S.O. 14-21629, Act of 2015”; Bill 21-447, the “Closing of a Public Alley in Square 453, S.O. 14-17847, Act of 2015”; Bill 21-571, the “Closing of a Public Alley in Square 697, S.O. 15-26230, Act of 2015”; and Bill 21-586, the “Closing of a Public Alley in Square 126, S.O. 14-17521. The hearing will be held at 12:00 p.m., or immediately following the previous hearing) on Monday, March 21, 2016 in room 412 of the John A. Wilson Building.

The stated purpose of **Bill 21-446** is to order the closing of a public alley in Square 342, bounded by Massachusetts Avenue, 10th Street, K Street, and 11 Street, in Northwest in Ward 2. The stated purpose of **Bill 21-447** is to order the closing of a portion of a public alley system in Square 453, bounded by I Street, 7th Street, H Street, and 6th Street in Northwest in Ward 2. The stated purpose of **Bill 21-571** is to order the closing of a portion of a public alley system in Square 697, bounded by K Street, L Street, Half Street, and South Capitol Street, in Southwest in Ward 6. The stated purpose of **Bill 21-586** is to order the closing of a portion of a public alley system in Square 126, bounded by K Street, 17th Street, I Street, and 18th Street, in Northwest in Ward 2.

Those who wish to testify are asked to telephone the Committee of the Whole at (202) 724-8196, or email Cynthia LeFevre, Legislative Counsel, at cow@dccouncil.us, and to provide your name, address, telephone number, organizational affiliation and title (if any) by close of business Thursday, March 17, 2016. Persons wishing to testify are encouraged, but not required, to submit 15 copies of written testimony. If submitted by the close of business on March 17, 2016 the testimony will be distributed to Councilmembers before the hearing. Witnesses should limit their testimony to four minutes; less time will be allowed if there are a large number of witnesses. A copy of the legislation can be obtained through the Legislative Services Division of the Secretary of the Council’s office or on <http://lims.dccouncil.us>.

If you are unable to testify at the hearing, written statements are encouraged and will be made a part of the official record. Written statements should be submitted to the Committee of the Whole, Council of the District of Columbia, Suite 410 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004. The record will close at 5:00 p.m. on April 4, 2016.

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

1350 Pennsylvania Avenue, NW, Washington, DC 20004

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

on

**PR 21-528, Historic Preservation Review Board Brian D. Crane
Confirmation Resolution of 2016**

on

**Monday, March 21, 2016
11:30 a.m., Hearing Room 412, John A. Wilson Building
1350 Pennsylvania Avenue, NW
Washington, DC 20004**

Council Chairman Phil Mendelson announces a public hearing before the Committee of Whole on PR 21-528, the “Historic Preservation Review Board Brian D. Crane Confirmation Resolution of 2016.” The hearing will be held Monday, March 21, 2016 at 11:30 a.m. in Hearing Room 412 of the John A. Wilson Building, 1350 Pennsylvania Avenue, NW.

The stated purpose of PR 21-528 is to confirm the appointment of Mr. Brian Crane to the Historic Preservation Review Board. The Historic Preservation Review Board (“Board”) is the official body of advisors appointed by the Mayor to guide the government and public on preservation matters in the District of Columbia. The Board also assists with the implementation of federal preservation programs and the review of federal projects in the District. The purpose of this hearing is to receive testimony from government and public witnesses as to the fitness of this nominee for the Board.

Those who wish to testify are asked to telephone the Committee of the Whole at (202) 724-8196, or email Cynthia LeFevre, Legislative Counsel, at cow@dccouncil.us, and to provide your name, address, telephone number, organizational affiliation and title (if any) by close of business Thursday, March 17, 2016. Persons wishing to testify are encouraged, but not required, to submit 15 copies of written testimony. If submitted by the close of business on March 17, 2016 the testimony will be distributed to Councilmembers before the hearing. Witnesses should limit their testimony to four minutes; less time will be allowed if there are a large number of witnesses. A copy of the legislation can be obtained through the Legislative Services Division of the Secretary of the Council’s office or on <http://lims.dccouncil.us>.

If you are unable to testify at the hearing, written statements are encouraged and will be made a part of the official record. Written statements should be submitted to the Committee of the Whole, Council of the District of Columbia, Suite 410 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004. The record will close at 5:00 p.m. on April 1, 2016.

**COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE ON HOUSING AND COMMUNITY DEVELOPMENT
NOTICE OF PUBLIC ROUNDTABLE
1350 Pennsylvania Avenue, NW, Washington, DC 20004**

**COUNCILMEMBER ANITA BONDS, CHAIRPERSON
COMMITTEE ON HOUSING AND COMMUNITY DEVELOPMENT**

ANNOUNCES A PUBLIC ROUNDTABLE OF THE COMMITTEES ON

PR21-0571, the “Director of the Office on Aging Laura Newland Confirmation Resolution of 2016”

PR21-0532, the “Housing Production Trust Fund Board Susanne Slater Confirmation Resolution of 2016”

and in the matter of

**the nomination of Nakeisha Neal Jones to the
District of Columbia Housing Authority Board of Commissioners**

on

Thursday, March 10, 2016, at 11:00 AM
John A. Wilson Building, Room 120
1350 Pennsylvania Avenue, NW
Washington, DC 20004

Councilmember Anita Bonds, Chairperson of the Committee on Housing and Community Development, will hold a public roundtable on PR21-0571, the “Director of the Office on Aging Laura Newland Confirmation Resolution of 2016”, PR21-0532, the “Housing Production Trust Fund Board Susanne Slater Confirmation Resolution” and in the matter of the nomination of Nakeisha Neal Jones to the District of Columbia Housing Authority Board of Commissioners. The public roundtable will be held on Thursday, March 10, 2016, at 11:00 AM in Room 120 of the John A. Wilson Building.

The stated purpose of PR21-0571 is to confirm the appointment of Laura Newland as Director of the Office on Aging of the District of Columbia. The stated purpose of PR21-0532 is to confirm the appointment of Susanne Slater to the Housing Production Trust Fund Board. This roundtable will also explore the matter of Nakeisha Neal Jones’ nomination to the District of Columbia Housing Authority Board of Commissioners. The purpose of this roundtable is to receive testimony from government and public witnesses as to the fitness of this nominee for this position.

Those who wish to testify are requested to telephone the Committee on Housing and Community Development, at (202) 724-8900, or email omontiel@dccouncil.us, and provide their name, address, telephone number, organizational affiliation and title (if any), by close of business on March 9, 2016. Persons wishing to testify are encouraged to submit 15 copies of written

testimony. Oral testimony should be limited to three minutes for individuals and five minutes for organizations.

If you are unable to testify at the public hearing, written statements are encouraged and will be made a part of the official record. Written statements should be submitted to the Committee on Housing and Community Development, John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Suite 112, Washington, D.C. 20004. The record will close at 5:00 p.m. on Thursday, March 24, 2016.

COUNCIL OF THE DISTRICT OF COLUMBIA
Notice of Reprogramming Requests

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

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

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

Reprog. 21-168: Request to reprogram \$25,000 of Pay-As-You-Go (Paygo) Capital Funds budget authority and allotment from the Department of General Services (DGS) to the Local funds budget of DGS was filed in the Office of the Secretary on February 23, 2016. This reprogramming will support the cost of furniture and design services for the Janney Elementary School capital construction project.

RECEIVED: 14 day review begins February 24, 2016

Reprog. 21-169: Request to reprogram \$6,359 of Pay-As-You-Go (Paygo) Capital Funds budget authority and allotment from the Department of General Services (DGS) to the Local funds budget of DGS was filed in the Office of the Secretary on February 23, 2016. This reprogramming will support the cost of furniture, fixtures, and equipment for the modernization of the River Terrace Education Campus.

RECEIVED: 14 day review begins February 24, 2016

Reprog. 21-170: Request to reprogram \$503,309 of Fiscal Year 2016 Exchange and Other funds budget authority within the D.C. Health Benefit Exchange (HBX) was filed in the Office of the Secretary on February 23, 2016. This reprogramming will ensure that HBX will be able to cover a projected shortfall in personal services costs.

RECEIVED: 14 day review begins February 24, 2016

Reprog. 21-171: Request to reprogram \$3,769,152 of Fiscal Year 2016 Local funds budget authority within the District of Columbia Public Schools (DCPS) was filed in the Office of the Secretary on February 23, 2016. This reprogramming is needed to ensure that DCPS will be able to support enrollment changes within multiple District schools.

RECEIVED: 14 day review begins February 24, 2016

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

****READVERTISEMENT**

Posting Date:	February 26, 2016
Petition Date:	April 11, 2016
Roll Call Hearing Date:	April 25, 2016
Protest Hearing Date:	June 22, 2016

License No.:	ABRA-101066
Licensee:	ZL, Inc.
Trade Name:	14 th Street Café Asian Bistro
License Class:	Retailer’s Class “D” Restaurant
Address:	1416 14 th Street, N.W., 1 st floor
Contact:	Neng Hsiang Wang: 202-479-0744

WARD 2

ANC 2F

SMD 2F02

Notice is hereby given that this applicant has applied for a new license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the Roll Call Hearing Date at 10:00 am, 4th Floor, 2000 14th Street, N.W., Washington, DC 20009. Petitions and/or requests to appear before the Board must be filed on or before the Petition Date. The Protest Hearing Date is scheduled for June 22, 2016 at 1:30pm.

NATURE OF OPERATION

New restaurant serving Asian cuisine. Total Occupancy Load of 29. Seating for 22 patrons.

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

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

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

****RESCIND**

Posting Date:	January 22, 2016
Petition Date:	March 7 2016
Roll Call Hearing Date:	March 21, 2016
Protest Hearing Date:	May 18, 2016

License No.:	ABRA-101066
Licensee:	ZL, Inc.
Trade Name:	14 th Street Café Asian Bistro
License Class:	Retailer’s Class “D” Restaurant
Address:	1416 14 th Street, N.W., 1 st floor
Contact:	Neng Hsiang Wang: 202-479-0744

WARD 2

ANC 2F

SMD 2F02

Notice is hereby given that this applicant has applied for a new license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the Roll Call Hearing Date at 10:00 am, 4th Floor, 2000 14th Street, N.W., Washington, DC 20009. Petitions and/or requests to appear before the Board must be filed on or before the Petition Date. The Protest Hearing Date is scheduled for May 18, 2016 at 1:30pm.

NATURE OF OPERATION

New restaurant serving Asian cuisine. Total Occupancy Load of 29. Seating for 22 patrons.

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

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

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

Posting Date: February 26, 2016
Petition Date: April 11, 2016
Hearing Date: April 25, 2016
Protest Hearing: June 22, 2016

License No.: ABRA-101456
Licensee: Hecht MRG L.L.C.
Trade Name: Ari's Diner
License Class: Retailer's Class "C" Tavern
Address: 2003 Fenwick Street, N.E.
Contact: Wendy Mineff: 202 997-7806

WARD 5

ANC 5D

SMD 5D01

Notice is hereby given that this applicant has applied for a new license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such license on the hearing date at 10:00 am, 2000 14th Street, N.W., 400 South, Washington, DC 20009. Petition and/or request to appear before the Board must be filed on or before the petition date. The Protest Hearing Date is scheduled for 1:30pm on June 22, 2016.

NATURE OF OPERATION

New Restaurant serving American food while training individuals to work within the restaurant industry. Total Occupancy Load is 115. Sidewalk Café for 15 patrons. Live Entertainment, Dancing and Cover Charge.

HOURS OF OPERATON FOR PREMISES

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

HOURS OF ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION FOR PREMISES

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

HOURS OF OPERATON FOR SIDEWALK CAFE

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

HOURS OF ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION FOR SIDEWALK CAFE

Sunday through Saturday 10 am – 1 am

HOURS OF LIVE ENTERTAINMENT, DANCING AND COVER CHARGE

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

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: February 26, 2016
Petition Date: April 11, 2016
Hearing Date: April 25, 2016

License No.: ABRA-075977
Licensee: First Vine, LLC
Trade Name: First Vine
License Class: Retailer's Class "A" Online
Address: 1701 Florida Avenue, N.W.
Contact: Michael Fonseca: (202) 625-7700

WARD 3 ANC 3F SMD 3F02

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

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

Request a transfer to new location at 4221 Connecticut Avenue, N.W.

CURRENT HOURS OF OPERATION

Online only. No public access. Storage and delivery only.

CURRENT HOURS OF ALCOHOLIC BEVERAGE SALES

Sunday through Saturday 9 am – 9 pm

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: February 26, 2016
 Petition Date: April 11, 2016
 Hearing Date: April 25, 2016
 Protest Hearing: June 22, 2016

License No.: ABRA-101455
 Licensee: Fenwick MRG L.L.C.
 Trade Name: La Puerta Verde
 License Class: Retailer's Class "C" Tavern
 Address: 2001 Fenwick Street, N.E.
 Contact: Wendy Mineff: 202 997-7806

WARD 5

ANC 5D

SMD 5D01

Notice is hereby given that this applicant has applied for a new license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such license on the hearing date at 10:00 am, 2000 14th Street, N.W., 400 South, Washington, DC 20009. Petition and/or request to appear before the Board must be filed on or before the petition date. The Protest Hearing Date is scheduled for 4:30pm on June 22, 2016.

NATURE OF OPERATION

New Restaurant serving Mexican food. Total Occupancy Load is 120. Sidewalk Café for 15 patrons. Live Entertainment, Dancing and Cover Charge.

HOURS OF OPERATON FOR PREMISES

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

HOURS OF ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION FOR PREMISES

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

HOURS OF OPERATON FOR SIDEWALK CAFE

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

HOURS OF ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION FOR SIDEWALK CAFE

Sunday through Saturday 10 am – 1 am

HOURS OF LIVE ENTERTAINMENT DANCING AND COVER CHARGE

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

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: February 26, 2016
 Petition Date: April 11, 2016
 Roll Call Hearing Date: April 25, 2016
 Protest Hearing Date: June 22, 2016

License No.: ABRA-101774
 Licensee: R Squared Selections LLC
 Trade Name: R Squared Selections
 License Class: Retailer’s Class “A” Liquor Store
 Address: 4221 Connecticut Avenue N.W., #D4
 Contact: Paul L. Pascal: 202-544-2200

WARD 3

ANC 3F

SMD 3F02

Notice is hereby given that this applicant has applied for a new license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the Roll Call Hearing Date at 10:00 am, 4th Floor, 2000 14th Street, N.W., Washington, DC 20009. Petitions and/or requests to appear before the Board must be filed on or before the Petition Date. The Protest Hearing Date is scheduled for June 22, 2016 at 4:30pm.

NATURE OF OPERATION

New Class A Retailer (Internet Sales Only)

HOURS OF OPERATION AND ALCOHOLIC BEVERAGE SALES

Sunday through Saturday, 8am-8pm

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: February 26, 2016
 Petition Date: April 11, 2016
 Hearing Date: April 25, 2016
 License No.: ABRA-100018
 Licensee: Madras Bar, LLC
 Trade Name: The Airedale
 License Class: Retailer's Class "C" Tavern
 Address: 3605 14th Street, N.W.
 Contact: Benjamin Jordan: 202-722-1212

WARD 1

ANC 1A

SMD 1A04

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

NATURE OF SUBSTANTIAL CHANGE

Applicant requests a Change of Hours for both the outdoor Summer Garden and Sidewalk Cafe. Applicants also request a change to its indoor hours of operation, alcoholic beverage sales, service and consumption, and live entertainment.

PROPOSED HOURS OF OPERATION

Sunday 7:00am to 12:00am, Monday 10:00am to 2:00am, Tuesday through Friday 12:00pm to 2:00am, Saturday 7:00am to 2:00am

PROPOSED HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE AND CONSUMPTION

Sunday 8:00am to 12:00am, Monday - Friday 12:00pm to 2:00am, Saturday 8:00am to 2:00am

PROPOSED HOURS OF LIVE ENTERTAINMENT

Sunday 6:00pm to 12:00am, Monday-Friday 6:00pm to 1:00am, Saturday 6:00pm to 2:00am

PROPOSED HOURS OF OPERATION FOR SUMMER GARDEN

Sunday 7:00am to 12:00am, Monday through Thursday 12:00pm to 1:00am, Friday 12:00pm to 2:00am, Saturday 7:00am to 2:00am

PROPOSED HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE AND CONSUMPTION FOR SUMMER GARDEN

Sunday 8:00am to 12:00am, Monday through Thursday 12:00pm to 11:00pm, Friday 12:00pm to 12:00am, Saturday 8:00am to 12:00am

PROPOSED HOURS OF OPERATION FOR SIDEWALK CAFÉ

Sunday 7:00am to 12:00am, Monday 10:00am to 1:00am, Tuesday through Friday 2:00pm to 1:00am, Saturday 7:00am to 1:00am

PROPOSED HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE AND CONSUMPTION FOR SIDEWALK CAFÉ

Sunday 8:00am to 11:00pm, Monday through Thursday 2:00pm to 11:00pm, Friday 2:00pm to 12:00am, Saturday 8:00am to 12:00am

DEPARTMENT OF ENERGY AND ENVIRONMENT
NOTICE OF PUBLIC HEARING
AND
NOTICE OF SOLICITATION FOR PUBLIC COMMENT

Weatherization Assistance Program Draft State Plan for Fiscal Year 2017

Notice is hereby given that the Department of Energy and Environment (the Department) is soliciting comments from the public on the Department's Weatherization Assistance Program (WAP) Draft State Plan for Fiscal Year 2017. The Department invites the public to present feedback, input, and comments on the WAP Draft State Plan. The Department intends to review the components of the Draft State Plan at the public hearing. Feedback may be expressed in person at the public hearing or in writing.

Public Hearing: Monday, March 28, 2016, 6:00 pm

Department of Energy and Environment
1200 First Street, NE, 5th Floor
Washington, D.C. 20002
Nearest Metro Stop: NoMa-Gallaudet University

Written Comments due by: March 28, 2016, 5:00 pm

Authority for the program is provided by:

- The Department of the Environment Establishment Act of 2005, §§ 101 *et seq.*, effective February 15, 2006, as amended (D.C. Law 16-51; D.C. Official Code §§ 8-151.01 *et seq.* (2008 Repl. & 2013 Supp.));
- District of Columbia Office of Energy Act of 1980, §§ 2 *et seq.*, effective March 4, 1981, as amended (D.C. Law 3-132; D.C. Official Code §§ 8-171.01 *et seq.* (2008 Repl. & 2013 Supp.));
- Clean and Affordable Energy Act of 2008, §§ 101 *et seq.*, effective Oct. 22, 2008, as amended (D.C. Law 17-250; D.C. Official Code §§ 8-1773.01, 8-1774.01 *et seq.* (2008 Repl. & 2013 Supp.)); and
- Mayor's Order 2006-61, dated June 14, 2006, and its delegations of authority.

The Draft State Plan is available for public review. A person may obtain a copy of the Draft State Plan by any of the following means:

Download by visiting the Department's website <http://doee.dc.gov/>. Look for the title/section, "EnergySmart DC", click on it, choose "Energy Assistance and Weatherization" and click on it. Scroll down to the section titled "Publications" to find the document's listing. Click on it. Follow the link to the document in PDF format at the bottom of the page, which can be downloaded;

Email a request to WAPStatePlan@dc.gov with “Request copy of WAP Draft State Plan 2017 in the subject line;

Pick up a copy in person from the Department reception desk, located at 1200 First Street NE, 5th Floor, Washington DC 20002. Call the Department’s reception at (202) 535-2600 and mention the WAP State Plan by name; or

Write, the Department at 1200 First Street, N.E., 5th Floor, Washington, DC 20002, “Attn: Request copy of WAP Draft State Plan 2017” on the outside of the letter.

Comments may be provided in person or in writing. A person need not attend the public hearing to submit comments on a State Plan.

The public hearing will take place at the above-stated time and place. The public hearing will continue until the presiding officer determines that everyone has had a meaningful opportunity to be heard. The presiding officer may limit the time in which to comment. A person who is unavailable to arrive at the opening time may reserve a time to speak by contacting the Department, as described below, in this notice. A person attending the public hearing should check in with the guard in the building lobby, and then go to the Department’s reception desk on the 5th floor.

Written comments should be clearly marked “WAP Draft State Plan” and either

- 1) E-mailed to WAPStatePlan@dc.gov; or
- 2) Mailed or hand-delivered to the Department of Energy and Environment, Energy Administration, 1200 First Street, NE, 5th Floor, Washington, DC 20002, Attention: WAP Draft State Plan.

The State Plan contact: For additional information regarding the public hearing or written comments please send an email to WAPStatePlan@dc.gov.

The Department is committed to considering the public’s comments while finalizing the WAP Draft State Plan. Interested persons may submit written comments on the draft plan, which must include the person’s name; telephone number; affiliation, if any; mailing address; a statement outlining their concerns; and any facts underscoring those concerns. **All comments must be submitted no later March 28, 2016 at 5:00 pm.**

**BOARD OF ZONING ADJUSTMENT
PUBLIC HEARING NOTICE
TUESDAY, APRIL 12, 2016
441 4TH STREET, N.W.
JERRILY R. KRESS MEMORIAL HEARING ROOM, SUITE 220-SOUTH
WASHINGTON, D.C. 20001**

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

TIME: 9:30 A.M.

WARD FOUR

14493A **Application of Star of Bethlehem Church of God**, pursuant to 11 DCMR
ANC-4C § 3104.1, for a special exception from the child development center requirements
under § 205, to continue a child development center for 150 children and 17 staff
in the SSH-2/R-1-B District at premises 5331 Colorado Avenue N.W. (Square
2718, Lot 804).

WARD ONE

19224 **Appeal of ANC 1C**, pursuant to 11 DCMR §§ 3100 and 3101, from an October
ANC-1C 22, 2015 decision by the Zoning Administrator, Department of Consumer and
Regulatory Affairs, to issue Building Permit No. B1502005, to convert a one-
family dwelling into a four-unit residential building in the R-5-B District at
premises 1835 Ontario Place N.W. (Square 2584, Lot 818).

WARD FIVE

19243 **Application of S2 Florida Ave LLC**, pursuant to 11 DCMR § 3103.2, for a
ANC-5E variance from the off-street parking requirements under § 2101.1, to allow the
construction of a new four-story residential building containing nine units in the
C-2-A District at premises 30 Florida Avenue N.W. (Square 614, Lot 115).

WARD FOUR

19245 **Application of George Simpson**, pursuant to 11 DCMR § 3103.2, for
ANC-4A variances from the side yard requirements under § 405.8, and the nonconforming
structure requirements under § 2001.3, to allow the construction of a third story
addition to an existing one-family dwelling in the SSH-1/R-1-B District at
premises 1605 Madison Street N.W. (Square 2722W, Lot 1).

BZA PUBLIC HEARING NOTICE

APRIL 12, 2016

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THIS CASE WAS POSTPONED FROM THE HEARINGS OF NOVEMBER 10, 2015, DECEMBER 15, 2015, AND FEBRUARY 2, 2016 BY MUTUAL CONSENT OF THE PARTIES:

WARD SIX

19092 **Appeal of Patricia Schaub**, pursuant to 11 DCMR §§ 3100 and 3101,
ANC-6A from an October 8, 2013 decision by the Zoning Administrator, Department of
Consumer and Regulatory Affairs, to issue Building Permit No. G1500009, to
allow the construction of a new garage with roof deck in the R-4 District at
premises 1120 Park Street N.E. (Square 987, Lot 8).

**THIS CASE WAS SCHEDULED FOR PUBLIC HEARING BY THE BOARD AT THE
PUBLIC MEETING OF FEBRUARY 2, 2016:**

WARD SIX

18514A **Minor Modification No. 18514A of Andrew Daly and Patty Jordan**,
ANC-6A pursuant to 11 DCMR §§ 3104.1 and 3103.2, for a special exception under § 223,
not meeting the lot occupancy requirements (§ 403), a variance from the parking
space dimensions requirement under § 2115.1, and a variance from the garage
setback requirement under § 2300.2(b), to allow a detached garage addition
serving a one-family dwelling in the R-4 District at premises 1120 Park Street,
N.E. (Square 987, Lot 8).

PLEASE NOTE:

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

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

Except for the affected ANC, any person who desires to participate as a party in this case must clearly demonstrate that the person's interests would likely be more significantly, distinctly, or uniquely affected by the proposed zoning action than other persons in the general public. **Persons seeking party status shall file with the Board, not less than 14 days prior to the date set for the hearing, a Form 140 – Party Status Application Form.*** This form may be obtained from the Office of Zoning at the address stated below or downloaded from the Office of Zoning's website at: www.dcoz.dc.gov. All requests

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and comments should be submitted to the Board through the Director, Office of Zoning, 441 4th Street, NW, Suite 210, Washington, D.C. 20001. Please include the case number on all correspondence.

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

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

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

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS**NOTICE OF FINAL RULEMAKING**

The Director of the Department of Consumer and Regulatory Affairs, pursuant to the authority set forth in the Second Omnibus Regulatory Reform Amendment Act of 1999, effective April 20, 1999 (D.C. Law 12-261; D.C. Official Code § 47-2853.10(a)(12) (2015 Repl.)), Mayor's Order 2000-70, dated May 2, 2000, and Mayor's Order 2009-11, dated February 2, 2009, hereby gives notice of the adoption of amendments to Chapter 26 (Real Estate Licenses) and Chapter 27 (Real Estate Practice and Hearings) of Title 17 (Business, Occupations, and Professionals) of the District of Columbia Municipal Regulations (DCMR).

This rulemaking expands a licensee's ethical obligation to disclose a financial interest in real property to the parties involved in a transaction. Also, this rulemaking increases the amount of the maximum balance of funds that can be held in the Real Estate Guaranty and Education Fund, which is maintained by the Real Estate Commission for the purpose of providing educational services to real estate licensees and redress to consumers who have been harmed by real estate professionals in the District.

No comments were received and no changes were made to the rules as published in a Notice of Proposed Rulemaking on December 18, 2015 at 62 DCR 016122. The DCRA Director adopted these rules as final on January 21, 2016, and they shall become effective on the date of the publication of this notice in the *D.C. Register*.

Chapter 26, REAL ESTATE LICENSES, of Title 17 DCMR, BUSINESS, OCCUPATIONS, AND PROFESSIONALS, is amended as follows:

Section 2609, CODE OF ETHICS FOR REAL ESTATE BROKERS, REAL ESTATE SALESPERSONS, AND PROPERTY MANAGERS, is amended as follows:

Subsection 2609.13 is amended to read as follows:

2609.13 A licensee shall disclose in writing to all parties to a real estate transaction any ownership or financial interest in the property that is the subject of the real estate transaction held directly or indirectly by the licensee, an immediate member of the licensee's family, the licensee's firm, or a member of the licensee's firm.

Chapter 27, REAL ESTATE PRACTICE AND HEARINGS, is amended as follows:

Section 2704, REAL ESTATE GUARANTY AND EDUCATION FUND ASSESSMENT, is amended as follows:

Subsection 2704.3 is amended to read as follows:

2704.3 The Fund shall, at all times, be maintained with a balance of no less than one million forty thousand dollars (\$1,040,000) and not more than five million dollars (\$5,000,000).

DISTRICT OF COLUMBIA TAXICAB COMMISSION

NOTICE OF FINAL RULEMAKING

The District of Columbia Taxicab Commission (“Commission”), pursuant to the authority set forth in Sections 8(c)(1), (2), (3), (7), (10), (12), (16), and (19), 14, 20f, and 20j of the District of Columbia Taxicab Commission Establishment Act of 1985 (“Establishment Act”), effective March 25, 1986 (D.C. Law 6-97), as amended by the Vehicle-for-Hire Innovation Amendment Act of 2014 (“Vehicle-for-Hire Act”), effective March 10, 2015 (D.C. Law 20-197; D.C. Official Code §§ 50-307(c)(1), (2), (3), (7), (10), (12), (16), and (19), 50-313, 50-325, and 50-329 (2014 Repl. & 2015 Supp.)), hereby gives notice of its adoption of amendments to Chapter 10 (Public Vehicles for Hire), Chapter 18 (Wheelchair Accessible Paratransit Taxicab Service) and Chapter 99 (Definitions) of Title 31 (Taxicabs and Public Vehicles for Hire) of the District of Columbia Municipal Regulations (DCMR).

This final rulemaking allows taxicab companies, required by the Establishment Act to have six percent (6%) of their fleets wheelchair accessible on and after December 31, 2014, to satisfy this requirement by obtaining new DCTC taxicab vehicle licenses from the Office of Taxicabs on the condition that each license be used only for a new wheelchair accessible vehicle actively used in the Transport DC program (formerly CAPS-DC) for a period of not less than three (3) years.

An emergency and proposed rulemaking was adopted by the Commission on April 8, 2015. The emergency rulemaking took effect immediately and remained in effect for one hundred and twenty (120) days (expiring August 6, 2015). The emergency and proposed rulemaking adopted by the Commission was published in the *D.C. Register* on June 5, 2015 at 62 DCR 008127. The Commission did not receive any comments during the comment period, which expired on July 5, 2015; however, a substantive change was made by the Commission which necessitated a second proposed rulemaking. A second emergency and proposed rulemaking was adopted by the Commission on August 12, 2015 and published in the *D.C. Register* on October 30, 2015 at 62 DCR 014127. The second emergency rulemaking took effect immediately and remained in effect for one hundred and twenty (120) days (expiring December 10, 2015). The Commission did not receive any comments during the comment period, which expired on November 29, 2015. No changes were required and none have been made.

These rules were adopted as final on December 9, 2015 and will become effective upon publication of this notice in the *D.C. Register*.

Chapter 10, PUBLIC VEHICLES FOR HIRE, of Title 31 DCMR, TAXICABS AND PUBLIC VEHICLES FOR HIRE, is amended as follows:

Section 1010, ISSUANCE OF DCTC VEHICLE LICENSES, is amended as follows:

New Subsections 1010.17 and 1010.18 are added to read as follows:

1010.17 A new DCTC taxicab vehicle license (non-transferable) may be issued to a taxicab company seeking to comply with the wheelchair accessible vehicle phase-

in requirements of § 501.10 (other than a taxicab company approved to participate in CAPS-DC), provided that:

- (a) The license is used exclusively for a new wheelchair accessible, best fuel vehicle purchased and immediately placed into active service upon the Office's approval or within sixty (60) days of the Office's approval of a company's modification of its compliance plan submitted under § 501.13 if applicable;
- (b) The company executes a written agreement to enter into a dispatch agreement with a taxicab company participating in CAPS-DC, for a minimum period of three (3) years, during which the vehicle shall be in active service and available for dispatch in accordance with all of the applicable operating requirements of § 1806, a copy of which shall be filed with the Office prior to placing the vehicle into service; and
- (c) The DCTC taxicab vehicle license shall be subject to suspension or revocation if, at any time and for any reason, the vehicle or the company fails to comply with the provisions of subparagraphs (a) or (b) of this subsection.

1010.18 Each company and each operator of a vehicle participating in CAPS-DC pursuant to a dispatch agreement under § 1010.17 shall be subject to the prohibitions and penalties of §§ 1807 and 1808.

Chapter 18, WHEELCHAIR ACCESSIBLE PARATRANSIT TAXICAB SERVICE, is amended as follows:

Section 1800, APPLICATION AND SCOPE, is amended as follows:

Subsection 1800.1, is amended to read as follows:

1800.1 This chapter establishes licensing and other requirements applicable to taxicab companies ("companies"), operators, and vehicles, that are approved under this chapter to provide paratransit taxicab service, including wheelchair accessible service, as a participant in the Coordinated Alternative to Paratransit Services – DC Pilot Program (CAPS-DC), to ensure the safety of passengers and operators, to protect consumers, and for other lawful purposes within the authority of the Commission.

Section 1806, TAXICAB COMPANIES AND OPERATORS – OPERATING REQUIREMENTS, is amended as follows:

Subsections 1806.8 – 1806.10 are amended to read as follows:

1806.8 Each company shall maintain with the Office a current and accurate inventory of all active operators and vehicles approved for and providing CAPS-DC service, including all vehicles associated with the company pursuant to a dispatch agreement under § 1010.17, updated in such manner and at such times as determined by the Office, with the following information:

- (a) For each operator: name, cellular telephone number, DCTC operator's license number, and an indication of whether the operator has completed the wheelchair service training pursuant to § 1806.6, and, if so, the date of completion; and
- (b) For each vehicle: year, make, model, color, PVIN, tag number, and an indication of whether the vehicle is wheelchair accessible.

1806.9 Each company, including a company participating in CAPS-DC pursuant to a dispatch agreement under § 1010.17, shall ensure that:

- (a) Each operator:
 - (1) Possesses a current and valid DCTC operator's license; and
 - (2) If the operator is operating a wheelchair accessible vehicle, has a wheelchair service certification, as required by § 1806.6, and has been issued an AVID operator's license.
- (b) Each vehicle:
 - (1) Is in compliance with all applicable provisions of this title, including: vehicle licensing requirements; uniform color scheme requirements in Chapter 5; and equipment requirements in Chapter 6 (including the requirements for a modern taximeter system (MTS) unit and a uniform dome light);
 - (2) If it is a wheelchair accessible vehicle, is operated only by an operator trained to provide wheelchair service, as required by this chapter;
 - (3) If it is a wheelchair accessible vehicle, other than a WMATA van or a wheelchair accessible vehicle that was associated with the company prior to its approval to participate in CAPS-DC, meets all applicable provisions of this chapter for use in CAPS-DC; and
 - (4) Has an MTS unit which complies with § 603, which has been configured to report CAPS-DC trip data in the format directed by the Office, allowing the Office to identify CAPS-DC trips.

1806.10 The rates and charges, and acceptable forms of payment, for each CAPS-DC trip shall be in accordance with the following requirements:

- (a) The fare for a CAPS-DC trip shall be the flat rate of thirty three dollars (\$33.00), plus any gratuity which a passenger chooses to add to the total fare, payable as follows:
 - (1) Not more than five dollars (\$5.00) of the CAPS-DC fare shall be paid by the passenger by any means allowed by Chapter 8, including a payment card or cash; and
 - (2) The remaining fare shall be paid by District.
- (b) No passenger surcharge shall be collected from a passenger for a CAPS-DC trip.

Subsection 1806.15 is amended to read as follows:

1806.15 Each CAPS-DC trip shall be between a MetroAccess approved location or facility in the District and another location in the District, or vice-versa.

A new Subsection 1806.20 is added to read as follows:

1806.20 In addition to vehicles acquired pursuant to §§ 1806.3(a) and (b), a company shall dispatch any vehicle associated with the company pursuant to a dispatch agreement under § 1010.17.

Chapter 99, DEFINITIONS, is amended as follows:

Section 9901, DEFINITIONS, amends the following definition in Subsection 9901.1 as follows:

“Coordinated Alternative to Paratransit Services” – a pilot program to provide paratransit service, including wheelchair accessible service, to eligible patients.

DEPARTMENT OF ENERGY AND ENVIRONMENT

NOTICE OF PROPOSED RULEMAKING**Radon Contractor Proficiency Requirements**

The Director of the Department of Energy and Environment (DOEE or Department), pursuant to the authority set forth in Section 2(b) of the Radon Contractor Proficiency Act of 1992, effective March 13, 1993 (D.C. Law 9-183; D.C. Official Code § 28-4202 (2013 Repl. & 2015 Supp.)); the District Department of the Environment Establishment Act of 2005, effective February 15, 2006 (D.C. Law 16-51; D.C. Official Code §§ 8-151.01 *et seq.* (2013 Repl. & 2015 Supp.)); and Mayor's Order 2006-61, dated June 14, 2006, hereby gives notice of the intent to adopt amendments to Chapter 32 (Mold Licensure and Certification) of Title 20 (Environment) of the District of Columbia Municipal Regulations (DCMR), in not less than thirty (30) days from the date of publication of this notice in the *D.C. Register*.

This rulemaking implements the provisions of the Act by setting radon proficiency requirements for all professionals who perform radon screening, testing or remediation in the District of Columbia. The purpose of the Act and these regulations is to ensure a fundamental level of competence in the performance of radon-related activities.

The rulemaking describes the criteria by which the Department may recognize the certification of an independent body as the basis to perform radon services granted by the District. The Department will recognize certification from the American Association of Radon Scientists and Technologists – National Radon Proficiency Program (AARST-NRPP) or the National Radon Safety Board, or their successor organizations based on these criteria.

Pursuant to Section 2(b) of The Radon Contractor Proficiency Act of 1992 (Act), these rules shall not become effective until approved by the Council of the District of Columbia, or forty-five (45) days after submission to the Council, not including Saturdays, Sundays, legal holidays, and days of Council recess, if the Council has not disapproved these rules.

Chapter 32, MOLD LICENSURE AND CERTIFICATION, of Title 20 DCMR, ENVIRONMENT, is amended as follows:

By amending the chapter heading to:

Chapter 32 MOLD AND RADON LICENSURE AND CERTIFICATION

By adding a new Section 3250 as follows:

3250 PROFICIENCY REQUIREMENTS FOR RADON PROFESSIONALS

3250.1 No person or company shall conduct or offer to conduct radon screening, testing or mitigation in the District for a fee unless that person is currently certified as proficient by the American Association of Radon Scientists and Technologists,

Inc. - National Radon Proficiency Program (AARST-NRPP) or the National Radon Safety Board (NRSB), or their successor organizations, or in the case of a company, employs at least one person who is certified by the AARTS-NRPP, NRSB, or their successor organizations.

- 3250.2 No person or company shall use the name or title of “professional,” “certified,” or any other term that communicates a level of expertise in radon screening, testing or remediation, unless that person is certified as proficient under § 3250.1, or in the case of a company, employs at least one person who is certified as proficient under § 3250.1.
- 3250.3 All persons using such names or titles as referenced in § 3250.2 or conducting such activities as listed in § 3350.1 shall provide to the Department their name and AARST-NRPP or NRSB issued certification or identification number upon request.
- 3250.4 All companies using such names or titles as referenced in § 3250.2 or conducting such activities as listed in § 3250.1 shall provide to the Department the name and AARST-NRPP or NRSB issued certification or identification number of each of its employees that perform the activities listed under § 3250.2 upon request.

Please direct all comments on these proposed rules, in writing, no later than thirty (30) days after the date of publication of this notice in the *D.C. Register* care of “Radon Proficiency Regulations,” Department of Energy and Environment, 1200 First Street NE, 5th Floor, Washington D.C. 20002, by U.S. mail, or via email at keith.keemer@dc.gov. Copies of the proposed rule may be obtained between the hours of 9:00 a.m. and 5:00 p.m. at the address listed above and at <http://doee.dc.gov/service/public-notices-hearings>.

DEPARTMENT OF HEALTH

NOTICE OF PROPOSED RULEMAKING

The Director of the Department of Health (“Department”), pursuant to District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1203.02(14) (2012 Repl.)), and Mayor’s Order 98-140, dated August 20, 1998, hereby gives notice of the intent to adopt the following new Section 4618 of Chapter 46 (Medicine) of Title 17 (Business, Occupations, and Professionals) of the District of Columbia Municipal Regulations (DCMR), entitled “Telemedicine,” in not less than thirty (30) days from the date of publication of this notice in the *D.C. Register*.

The adoption of Section 4618 is necessary to establish rules specific to the practice of telemedicine. The amendments to Section 4699 are necessary to explain the terms used in Section 4618.

Chapter 46, MEDICINE, of Title 17 DCMR, BUSINESS, OCCUPATIONS, AND PROFESSIONALS, is amended as follows:

A new Section 4618, TELEMEDICINE, is added to read as follows:

4618 TELEMEDICINE

- 4618.1 In order to practice telemedicine, a license to practice medicine in the District of Columbia is required, except as specified in §§ 3-1205.01 and 3-1205.02 of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code §§ 3-1201.01 *et seq.*). For any services rendered outside the District of Columbia, the provider of the services shall meet any licensure requirement of the jurisdiction in which the provider is physically located and where the patient is physically located.
- 4618.2 In making medical decisions regarding a patient through the use of telemedicine, a physician shall adhere to the same standards of care as when making medical decisions in a face to face encounter with a patient.
- 4618.3 A physician shall perform a patient evaluation that meets the requirements set forth in 17 DCMR § 4618.6 before providing recommendations or making treatment decisions for a patient, except when performing interpretive services.
- 4618.4 When providing interpretive services, the physician shall ensure that there is no clinically significant loss of data from image acquisition through transmission to final image display.
- 4618.5 A physician practicing telemedicine shall:
- (a) Obtain and document patient consent, except when providing interpretive services;

- (b) Create and maintain adequate medical records;
 - (c) Follow requirements of the District of Columbia and federal laws and regulations with respect to the confidentiality of medical records and disclosure of medical records; and
 - (d) Adhere to requirements and prohibitions found in the Health Occupations Revision Act (D.C. Official Code §§ 3-1201.01 *et seq.*).
- 4618.6 A physician shall perform a patient evaluation to establish diagnoses and identify underlying conditions or contraindications to recommended treatment options before providing treatment or prescribing medication.
- 4618.7 A District of Columbia-licensed physician may rely on a patient evaluation performed by another District of Columbia-licensed physician if the former is providing coverage for the latter.
- 4618.8 If a physician-patient relationship does not include a prior in-person, face-to-face interaction with a patient, the physician shall use real-time auditory communications or real-time visual and auditory communications to allow a free exchange of protected health information between the patient and the physician performing the patient evaluation.
- 4618.9 In order to deliver services or treatment through telemedicine, a licensed practitioner shall have the current minimal technological capabilities to meet all standard of care requirements.
- 4618.10 Adequate security measures shall be implemented to ensure that all patient communications, recordings and records remain confidential.
- 4618.11 Written policies and procedures shall be maintained when using electronic mail for physician-patient communications. Policies shall be evaluated periodically to make sure they are up to date. Such policies and procedures shall address:
- (a) Privacy, to assure confidentiality and integrity of patient-identifiable information;
 - (b) Responsibilities of all health care personnel, including the physician, who will process messages;
 - (c) Hours of operation and availability;
 - (d) Types of transactions that will be permitted electronically;

- (e) Required patient information to be included in the communication, such as patient name, identification number and type of transaction;
 - (f) Archival and retrieval of patient records; and
 - (g) Quality oversight mechanisms.
- 4618.12 All relevant patient-physician e-mail, as well as other patient-related electronic communications, shall be stored and filed in the patient's medical record.
- 4618.13 Patients shall be informed of alternate forms of communication between the patient and a physician for urgent matters.
- 4618.14 All licensees shall continue to be subject to the requirements of the Health Occupations Revision Act (D.C. Official Code, §§ 3-1201 *et seq.*), and the District of Columbia Municipal Regulations 17 DCMR §§ 4600 *et seq.*

Section 4699, DEFINITIONS, is amended as follows:

Consultative Service - A service provided by a physician for the sole purpose of offering an opinion beyond the expertise of the treating physician, or advising the treating physician as to the care of an individual patient. Consultative service does not include decisions that direct patient care or the interpretation of images, tracings, or specimens on a regular basis.

Face-to-face - Within the physical sight and presence of another person or persons.

Group practice - A group of two or more health care practitioners legally organized as a partnership, professional corporation, foundation, not-for-profit corporation, faculty practice plan, or similar association in which: (A) each health care practitioner who is a member of the group provides substantially the full range of services that the practitioner routinely provides through the joint use of shared office space, facilities, equipment, and personnel; (B) substantially all of the services of the health care practitioners who are members of the group are provided through the group and are billed in the name of the group, and amounts so received are treated as receipts of the group; and (C) the overhead expenses of, and the income from, the practice are distributed in accordance with methods previously determined on an annual basis by members of the group.

Interpretive Services - Official readings of images, tracings, or specimens through telemedicine. Interpretive services include remote, real-time monitoring of a patient being cared for within a health care facility or home-based setting.

Notice of privacy practices - A written statement that complies with all District and Federal laws.

Physician - A licensed physician.

Physician-patient relationship - A relationship between a physician and a patient in which there is an exchange of an individual's protected health information for the purpose of providing patient care treatment or services.

Real-time - Simultaneously or quickly enough to allow two or more individuals to communicate.

Telemedicine - The practice of medicine by a licensed practitioner to provide patient care, treatment or services, between a licensee in one location and a patient in another location with or without an intervening healthcare provider, through the use of health information and technology communications, subject to the existing standards of care and conduct. Generally, telemedicine does not include an audio-only telephone conversations, electronic mail, instant messaging conversations, or facsimile communications. Telemedicine typically involves the application of secure videoconferencing or store and forward technology to provide or support the delivery of healthcare by replicating the interaction of a traditional encounter in person between a licensee and patient.

All persons desiring to comment on the subject matter of this proposed rulemaking action shall submit written comments, not later than thirty (30) days after the date of publication of this notice in the *D.C. Register*, to Phillip Husband, General Counsel, Department of Health, Office of the General Counsel, 899 North Capitol Street, N.E., 5th Floor, Washington, D.C. 20002. Copies of the proposed rules may be obtained between the hours of 8:00 a.m. and 4:00 p.m. at the address listed above, or by contacting Angli Black, Administrative Assistant, at Angli.Black@dc.gov, (202) 442-5977.

DISTRICT OF COLUMBIA TAXICAB COMMISSION

NOTICE OF PROPOSED RULEMAKING

The District of Columbia Taxicab Commission (“Commission”), pursuant to the authority set forth in Sections 8(c)(2), (3), (7), and (19), 14, and 20 of the District of Columbia Taxicab Commission Establishment Act of 1985 (“Establishment Act”), effective March 25, 1986 (D.C. Law 6-97; D.C. Official Code §§ 50-307(c)(2) (3), (7), and (19), 50-313, and 50-319 (2014 Repl. & 2015 Supp.)), and D.C. Official Code § 47-2829 (b), (d), (e), (e-1), and (i) (2015 Repl.), hereby gives notice of its intent to adopt amendments to Chapter 12 (Luxury Class Services – Owners, Operators, and Vehicles) of Title 31 (Taxicabs and Public Vehicles For Hire) of the District of Columbia Municipal Regulations (DCMR).

This proposed rulemaking would amend Chapter 12 to establish data reporting requirements for luxury class vehicles used to provide limousine service. The proposed rules would allow the Office of Taxicabs to: determine the availability of wheelchair accessible vehicles; measure vehicle response time; ensure the reasonableness of rates and charges; and develop policy based on data which includes a broader spectrum of public vehicles-for-hire. The rules would also establish greater parity in operating requirements among public vehicle-for-hire services.

The Commission also hereby gives notice of its intent to take final rulemaking action to adopt these proposed rules in not less than thirty (30) days after the publication of this notice in the *D.C. Register*. Directions for submitting comments may be found at the end of this notice.

Chapter 12, LUXURY CLASS SERVICES – OWNERS, OPERATORS, AND VEHICLES, of Title 31 DCMR, TAXICABS AND PUBLIC VEHICLES FOR HIRE, is amended to read as follows:

Section 1201, GENERAL REQUIREMENTS, is amended as follows:

A new Subsection 1201.9 is added to read as follows:

1201.9 Beginning March 1, 2016, or at such later date as set by the Office in an administrative issuance (“implementation date”), each owner of a luxury class vehicle used to provide limousine service shall provide the Office with the following trip data for all limousine trips:

- (1) The operator’s DCTC operator’s license (face card) number;
- (2) The vehicle’s tag (license plate) number;
- (3) The vehicle’s vehicle identification number (VIN);
- (4) The name of the vehicle owner;
- (5) The date and time of the beginning of the operator’s tour of duty;

- (6) The duration and mileage of each trip;
- (7) The date and time of the pickup and drop-off of each trip;
- (8) The address and/or geospatially-recorded place of pickup and drop-off of each trip;
- (9) The number of passengers;
- (10) The unique trip identification number assigned by the owner or operator, if any;
- (11) The total fare, with an itemization of all rates and charges;
- (12) The form of payment;
- (13) The date and time of the end of the operator's tour of duty;
- (14) The date and time that the data was transmitted to the Office;
- (15) The date on which the vehicle's insurance policy expires;
- (16) The vehicle's odometer reading;
- (17) The vehicle's type of propulsion;
- (18) An indication of whether the vehicle is wheelchair accessible; and
- (17) Such other information as the Office may require through an administrative issuance.

1201.10 The trip data required under § 1201.9 shall be reported to the Office at such frequency as set by an administrative issuance provided that the frequency of reporting shall not be more than daily.

Copies of this proposed rulemaking can be obtained at www.dcregs.dc.gov or by contacting Secretary to the Commission, District of Columbia Taxicab Commission, 2235 Shannon Place, S.E., Suite 3001, Washington, D.C. 20020. All persons desiring to file comments on the proposed rulemaking action should submit written comments via e-mail to dctc@dc.gov or by mail to the D.C. Taxicab Commission, 2235 Shannon Place, S.E., Suite 3001, Washington, DC 20020, Attn: Secretary to the Commission, no later than thirty (30) days after the publication of this notice in the *D.C. Register*.

DISTRICT OF COLUMBIA DEPARTMENT OF HEALTH

NOTICE OF EMERGENCY RULEMAKING

The Director of the Department of Health (“DOH”), pursuant to the authority set forth in Section 5(a) of the Health-Care and Community Residence Facility, Hospice and Home Care Licensure Act of 1983 (“Act”), effective February 24, 1984 (D.C. Law 5-48; D.C. Official Code § 44-504(a) (2012 Repl. & 2015 Supp.)), and in accordance with Mayor's Order 98-137, dated August 20, 1998, hereby gives notice of the adoption, on an emergency basis, of an amendment that adds a new Section 2039 to Chapter 20 (Hospitals) of Title 22 (Health), Subtitle B (Public Health and Medicine), of the District of Columbia Municipal Regulations (“DCMR”).

This rulemaking is identical to the Notice of Second Emergency and Proposed Rulemaking published in the *D.C. Register* on December 4, 2015 at 62 DCR 15715. This rulemaking is also identical to the Notice of Emergency and Proposed Rulemaking published in the *D.C. Register* on August 7, 2015 at 62 DCR 10747, with the exception of an added expiration date of March 31, 2016 shown in Subsection 2039.11. No comments were received after the Notice of Emergency and Proposed Rulemaking was published in the *D.C. Register* on August 7, 2015 or after the Notice of Second Emergency and Proposed Rulemaking was published in the *D.C. Register* on December 4, 2015.

The emergency rulemaking (1) requires hospitals to collect urine samples from patients who present and have symptoms consistent with having taken a synthetic cannabinoid; (2) recommends that hospitals collect blood samples from patients who present and have symptoms consistent with having taken a synthetic cannabinoid; (3) requires that the urine and blood samples be stored in accordance with protocols provided by the Department of Health; and, (4) requires that the hospitals turn over the urine and blood samples for testing by the Office of the Chief Medical Examiner.

This emergency rulemaking action is necessary as the proposed regulations are pending approval by the Council of the District of Columbia under the Testing of Synthetic Cannabinoids Surveillance Approval Resolution of 2015, PR 21-0448. The regulations were deemed approved by the Council of the District of Columbia on February 17, 2016, as the Council did not previously act to approve or disapprove the regulations. The emergency regulations adopted on October 14, 2015 and published in the *D.C. Register* on December 4, 2015 will expire on February 11, 2016.

This emergency rulemaking action is necessary for the Department to continue tracking the upward spike in the use of the illegal synthetic cannabinoid products commonly known as K-2, Spice, ScoobySnax, Bizarro, Synthetic Marijuana, and other names, which are readily available in District stores and on the District's streets. K-2 is a mixture of herbs, spices or shredded plant material that is typically sprayed with a synthetic compound chemically similar to tetrahydrocannabinol, the psychoactive ingredient in marijuana, but with the potential for a much more powerful and unpredictable effect. The Partnership for Drug-Free Kids lists the effects of using K-2 as increased agitation, pale skin, seizures, vomiting, profuse sweating, uncontrolled/spastic body movements, elevated blood pressure, heart rate and palpitations. The

National Institute on Drug Abuse reports that Spice abusers who have been taken to Poison Control Centers report symptoms that include rapid heart rate, vomiting, agitation, confusion, and hallucinations. Spice can also raise blood pressure and cause reduced blood supply to the heart (myocardial ischemia), and in a few cases it has been associated with heart attacks.

Regular users of synthetic cannabinoids may experience withdrawal and addiction symptoms, and often graduate to other, more powerful substances, such as MDMA (3, 4-methylenedioxy-methamphetamine), popularly known as Ecstasy or, more recently, as Molly, with potentially deadly consequences. Multiple incidents linked to use of a synthetic cannabinoids have been reported in the District. The District needs to determine the level of synthetic marijuana use in the District and how to best educate the community of the inherent dangers of synthetic marijuana and implement appropriate measures to treat those who have become habitual users. Enactment of these regulations will immediately allow the Department to better determine the level of use of synthetic marijuana in the District and to determine the locations where use is especially prevalent, in order to better protect the health, welfare and safety of residents of and visitors to the District.

DOH intends for the testing of the urine samples and the blood samples to be conducted by the Office of the Chief Medical Examiner (“OCME”) or its contractor. Because this is only a surveillance program, DOH does not want to receive any individually identifying information. For this reason, it is intended that the OCME will, upon receipt of the samples from the hospitals, assign a unique identifier to each sample to remove individually identifying information from test results that are shared with DOH. Therefore, under this surveillance program, DOH will not have access to any individually identifying information for the tested samples and will only receive de-identified information, which DOH will use solely for surveillance purposes.

This emergency rulemaking action is necessary as the final rulemaking must be approved by the Council and submission to the Council has been delayed while the District’s costs associated with the testing were being determined. The ability to continue to gather synthetic cannabinoid surveillance data is necessary to protect the health and safety of residents and visitors.

This emergency rulemaking was adopted on February 11, 2016 and became effective on that date. The emergency rulemaking will remain in effect for up to one hundred twenty (120) days after the date of adoption, expiring on June 20, 2016, or upon earlier amendment or repeal by the Director or publication of a final rulemaking in the *D.C. Register*, whichever occurs first.

The Director also hereby gives notice of the intent to take final rulemaking action to adopt these proposed rules in not less than thirty (30) days after the publication of this notice in the *D.C. Register* and after approval by the Council of the District of Columbia, as specified in Section 5(j) of the Act (D.C. Official Code § 44-504(j)).

Chapter 20, HOSPITALS, of Title 22-B DCMR, PUBLIC HEALTH AND MEDICINE, is amended by adding the following new Section 2039 as follows:

2039 TESTING FOR SYNTHETIC CANNABINOID SURVEILLANCE

- 2039.1 When a patient presents to a hospital with a reported or witnessed use of a synthetic cannabinoid and with signs and symptoms of overdose for which the treating clinician would otherwise order a standard urine drug screen, the hospital shall require the treating clinician to order a urine sample to be taken from the patient at or near the time of arrival at the emergency room.
- 2039.2 When a patient presents to a hospital with a reported or witnessed use of a synthetic cannabinoid and with signs and symptoms of overdose for which the treating clinician would otherwise order a standard urine drug screen, the hospital may require the treating clinician to order a blood sample taken from the patient at or near the time of arrival at the emergency room.
- 2039.3 The hospital shall label each urine sample or blood sample collected pursuant to Subsection 2039.1 or 2039.2 with the following patient identifying information:
- (a) Name;
 - (b) Date of birth;
 - (c) Observed race and gender;
 - (d) Hospital name or hospital number; and
 - (e) Medical record number.
- 2039.4 The hospital shall complete a Public Health Sample Submission Form created by the Office of the Chief Medical Officer for each urine sample or blood sample collected pursuant to Subsection 2039.1 or 2039.2.
- 2039.5 The hospital shall keep the Public Health Sample Submission Form with the urine sample or blood sample collected pursuant to Subsection 2039.1 or 2039.2.
- 2039.6 The hospital shall store each urine sample or blood sample arising from Subsection 2039.1 or 2039.2 according to protocols provided to the hospitals by the Department.
- 2039.7 The hospital shall be make each urine sample or blood sample collected pursuant to Subsection 2039.1 or 2039.2 available for pickup by an employee or authorized agent of the District who presents proper credentials or authorization from an appropriate District of Columbia official.
- 2039.8 The hospital providing the patient's urine sample or blood sample arising from Subsection 2039.1 or 2039.2 shall have no responsibility for testing the sample or for advising the patient of the results of the test of the sample that was provided to the District.

- 2039.9 The hospital providing the patient's urine sample or blood sample may request from the District the test results for a patient treated by the hospital.
- 2039.10 Nothing in this rule restrict the ability of the hospital to conduct other testing on the patient.
- 2039.11 These rules will expire on March 31, 2016.

Copies of the proposed rulemaking can be obtained at www.dcregs.dc.gov or by contacting Phillip Husband, General Counsel of the District of Columbia Department of Health, 899 North Capitol Street, NE, 5th Floor, Washington, D.C. 20002. All persons desiring to file comments on the proposed rulemaking action should submit written comments via e-mail to Angli.Black@dc.gov or by mail to the District of Columbia Department of Health, Attn: Phillip Husband, General Counsel, no later than thirty (30) days after the publication of this notice in the *D.C Register*.

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2016-027
February 16, 2016

SUBJECT: Appointment — District of Columbia Board of Accountancy

ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(2) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2) (2014 Repl.), and pursuant to section 1002(b)(1) of the Second Omnibus Regulatory Reform Amendment Act of 1998, effective April 20, 1999 (D.C. Law 12-261; D.C. Official Code § 47-2853.06(b)(1) (2012 Repl. & 2014 Supp.)), which established the Board of Accountancy, and in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1- 523.01 (2012 Repl. and 2014 Supp.)), it is hereby **ORDERED** that:

1. **BRIDGETT GAGNÉ** pursuant to the District of Columbia Board of Accountancy Bridgett Gagné Confirmation Resolution of 2015, effective October 16, 2015, Proposed Resolution 21-0217, is appointed as a Certified Public Account member of the Board of Accountancy, replacing Abdool Ahkran, for a term to end January 14, 2018.
2. **EFFECTIVE DATE:** This Order shall be effective *nunc pro tunc* to October 16, 2015.



MURIEL BOWSER
MAYOR

ATTEST: 

LAUREN C. VAUGHAN
SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2016-028
February 16, 2016

SUBJECT: Appointment — Corrections Information Council

ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia pursuant to section 422(2) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(11) (2014 Repl.), and pursuant to the 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), and in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1- 523.01 (2012 Repl. and 2014 Supp.)), it is hereby **ORDERED** that:

1. **PHYLISA CARTER**, pursuant to the District of Columbia Corrections Information Council Phylisa Carter Confirmation Resolution of 2015, effective November 3, 2015, Resolution 21-259, is appointed to the Corrections Information Council Governing Board, replacing Michelle Bonner, and shall serve for a term to end June 7, 2016.
2. **EFFECTIVE DATE:** This Order shall be effective *nunc pro tunc* to November 3, 2015.



MURIEL BOWSER
MAYOR

ATTEST: 

LAUREN C. VAUGHAN
SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2016-029
February 16, 2016

SUBJECT: Amendment and Appointments — Adult Career Pathways Task Force

ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(2) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2) (2014 Repl.), pursuant to section 2121 of the Adult Literacy Task Force Act of 2014, effective February 26, 2015, D.C. Act 20-155, D.C. Official Code § 32-1661, and in accordance with Mayor's Order 2014-232, dated October 9, 2014, it is hereby **ORDERED** that:

1. The following persons are appointed to the Adult Career Pathways Task Force (hereafter referred to as "**Task Force**"), to serve at the pleasure of the Mayor:
 - a. **ODIE DONALD**, replacing Kermit Kaleba, as the designee of the Chair of the Workforce Investment Council.
 - b. **COURTNEY SNOWDEN**, as the Deputy Mayor for Greater Economic Opportunity.
 - c. **TANEKA MILLER**, replacing Celine Ferjeran, as the designee of the Deputy Mayor for Education.
 - d. **ANTOINETTE MITCHELL**, replacing Jesus Aguirre, as the designee of the State Superintendent of Education.
 - e. **EMILY DURSO**, as the designee of the Chancellor of the District of Columbia Public Schools.
 - f. **DEBORAH CARROLL**, the Director of the Department of Employment Services, replacing Thomas Luparello.
 - g. **TAMITHA CHRISTIAN**, as the designee of the Director of the Department of Human Services.
2. The following community representatives are appointed to the Task Force for a term to end December 2, 2017:

- a. **ALEXIS ROBERSON**, replacing Emily Price, as a representative of a District job training provider.
 - b. **TERRY ALGIRE**, replacing Allison Kokkoros, as a representative of a District school engaged in the direct provision of a basic skills program.
3. Section IV of Mayor's Order 2014-232, dated October 9, 2014, is amended as follows:
- a. The lead-in text is amended to read as follows:

"The Task Force shall be convened by the Workforce Investment Council, and shall consist of the following 14 members:"
 - b. A new subsection B-1 is added to read as follows:

"B-1. The Deputy Mayor for Greater Economic Opportunity, or his or her designee."
4. **EFFECTIVE DATE:** This Order shall become effective immediately.



 MURIEL BOWSER
 MAYOR

ATTEST: 

 LAUREN C. VAUGHAN
 SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2016-030
February 17, 2016

SUBJECT: Appointment — Interim Medical Director, District of Columbia Fire and
Emergency Medical Services Department

ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(2) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2) (2014 Repl.), and section 3a of An Act To classify the officers and members of the Fire Department of the District of Columbia, and for other purposes, effective April 15, 2008, D.C. Law 17-147, D.C. Official Code § 5-404.01 (2012 Repl.), it is hereby **ORDERED** that:

1. **ROBERT HOLMAN** is appointed Interim Medical Director, District of Columbia Fire and Emergency Medical Services Department, and shall serve in that capacity at the pleasure of the Mayor.
2. This Order supersedes Mayor's Order 2016-026, dated February 12, 2016.
3. **EFFECTIVE DATE:** This Order shall be effective *nunc pro tunc* to February 16, 2016.



MURIEL BOWSER
MAYOR

ATTEST: 

LAUREN C. VAUGHAN
SECRETARY OF THE DISTRICT OF COLUMBIA

**DISTRICT OF COLUMBIA COMMISSION ON
SELECTION AND TENURE OF
ADMINISTRATIVE LAW JUDGES OF
THE OFFICE OF ADMINISTRATIVE HEARINGS**

**NOTICE SEEKING COMMENTS REGARDING REAPPOINTMENT OF
ADMINISTRATIVE LAW JUDGE**

The Commission on Selection and Tenure of Administrative Law Judges (“Commission”) seeks comments regarding the potential reappointment of Administrative Law Judge Ann C. Yahner.

This is to notify members of the District of Columbia Bar and the general public, pursuant to section 3705.7 of Title 6 of the District of Columbia Municipal Regulations (“DCMR”), that the Commission has begun reviewing Administrative Law Judge Yahner’s qualifications for reappointment to the District of Columbia Office of Administrative Hearings. Administrative Law Judge Yahner has filed a statement with the Commission requesting reappointment to a six-year term upon the expiration of her current six-year term on July 26, 2016.

Section 3705.21 of Title 6 of the DCMR provides:

In deciding whether to reappoint an Administrative Law Judge, the Commission shall consider all information it has received concerning the reappointment, and the voting members shall give significant weight to the recommendation of the Chief Administrative Law Judge, unless they determine that the recommendation is not founded on substantial evidence. The Commission shall reappoint the Administrative Law Judge if it finds that the Administrative Law Judge has satisfactorily performed the responsibilities of his or her office and is likely to continue to do so.

In addition to the specific qualifications contained in Section 3703 of Title 6 of the DCMR (*Appointment, Reappointment, Discipline and Removal of Administrative Law Judges by the Commission on Selection and Tenure of Administrative Law Judges*), applicable to all Administrative Law Judges, Section 3703.5 of Title 6 of the DCMR states: “An Administrative Law Judge shall possess judicial temperament, judgment, expertise and analytical and other skills necessary and desirable for an Administrative Law Judge.”

The Commission hereby requests that members of the Bar and other attorneys, litigants, interested organizations, and members of the public submit any information bearing on Administrative Law Judge Yahner’s qualifications, which they believe will aid the Commission in deciding whether to reappoint this Administrative Law Judge. The cooperation of the community at an early stage will greatly aid the Commission in fulfilling its responsibilities. The identity of any person submitting information shall be kept confidential unless expressly authorized by the person submitting the information.

All communications must be received by the Commission on or before March 28, 2016. All communications must be mailed or delivered in a sealed envelope marked “Confidential – ALJ Reappointments,” addressed to:

Commission on Selection and Tenure of Administrative Law Judges
Office of Administrative Hearings
District of Columbia Government
441 4th Street, N.W.
Suite 450N
Washington, D.C. 20001

The members of the Commission are:

The Honorable Yvonne Williams
Chief Administrative Law Judge Eugene A. Adams
James W. Cooper, Esq.
Nadine C. Wilburn, Esq.
Joseph N. Onek, Esq.

**DISTRICT OF COLUMBIA COMMISSION ON
SELECTION AND TENURE OF
ADMINISTRATIVE LAW JUDGES OF
THE OFFICE OF ADMINISTRATIVE HEARINGS**

**NOTICE SEEKING COMMENTS REGARDING REAPPOINTMENT OF
ADMINISTRATIVE LAW JUDGE**

The Commission on Selection and Tenure of Administrative Law Judges (“Commission”) seeks comments regarding the potential reappointment of Administrative Law Judge Sherri Beatty-Arthur.

This is to notify members of the District of Columbia Bar and the general public, pursuant to section 3705.7 of Title 6 of the District of Columbia Municipal Regulations (“DCMR”), that the Commission has begun reviewing Administrative Law Judge Beatty-Arthur’s qualifications for reappointment to the District of Columbia Office of Administrative Hearings. Administrative Law Judge Beatty-Arthur has filed a statement with the Commission requesting reappointment to a six-year term upon the expiration of her two-year term on July 14, 2016.

Section 3705.21 of Title 6 of the DCMR provides:

In deciding whether to reappoint an Administrative Law Judge, the Commission shall consider all information it has received concerning the reappointment, and the voting members shall give significant weight to the recommendation of the Chief Administrative Law Judge, unless they determine that the recommendation is not founded on substantial evidence. The Commission shall reappoint the Administrative Law Judge if it finds that the Administrative Law Judge has satisfactorily performed the responsibilities of his or her office and is likely to continue to do so.

In addition to the specific qualifications contained in Section 3703 of Title 6 of the DCMR (*Appointment, Reappointment, Discipline and Removal of Administrative Law Judges by the Commission on Selection and Tenure of Administrative Law Judges*), applicable to all Administrative Law Judges, Section 3703.5 of Title 6 of the DCMR states: “An Administrative Law Judge shall possess judicial temperament, judgment, expertise and analytical and other skills necessary and desirable for an Administrative Law Judge.”

The Commission hereby requests that members of the Bar and other attorneys, litigants, interested organizations, and members of the public submit any information bearing on Administrative Law Judge Beatty-Arthur’s qualifications, which they believe will aid the Commission in deciding whether to reappoint this Administrative Law Judge. The cooperation of the community at an early stage will greatly aid the Commission in fulfilling its responsibilities. The identity of any person submitting information shall be kept confidential unless expressly authorized by the person submitting the information.

All communications must be received by the Commission on or before March 28, 2016. All communications must be mailed or delivered in a sealed envelope marked "Confidential – ALJ Reappointments," addressed to:

Commission on Selection and Tenure of Administrative Law Judges
Office of Administrative Hearings
District of Columbia Government
441 4th Street, N.W.
Suite 450N
Washington, D.C. 20001

The members of the Commission are:

The Honorable Yvonne Williams
Chief Administrative Law Judge Eugene A. Adams
James W. Cooper, Esq.
Nadine C. Wilburn, Esq.
Joseph N. Onek, Esq.

**DISTRICT OF COLUMBIA COMMISSION ON
SELECTION AND TENURE OF
ADMINISTRATIVE LAW JUDGES OF
THE OFFICE OF ADMINISTRATIVE HEARINGS**

**NOTICE SEEKING COMMENTS REGARDING REAPPOINTMENT OF
ADMINISTRATIVE LAW JUDGE**

The Commission on Selection and Tenure of Administrative Law Judges (“Commission”) seeks comments regarding the potential reappointment of Administrative Law Judge Vytas V. Vergeer.

This is to notify members of the District of Columbia Bar and the general public, pursuant to section 3705.7 of Title 6 of the District of Columbia Municipal Regulations (“DCMR”), that the Commission has begun reviewing Administrative Law Judge Vergeer’s qualifications for reappointment to the District of Columbia Office of Administrative Hearings. Administrative Law Judge Vergeer has filed a statement with the Commission requesting reappointment to a six-year term upon the expiration of his two-year term on August 18, 2016.

Section 3705.21 of Title 6 of the DCMR provides:

In deciding whether to reappoint an Administrative Law Judge, the Commission shall consider all information it has received concerning the reappointment, and the voting members shall give significant weight to the recommendation of the Chief Administrative Law Judge, unless they determine that the recommendation is not founded on substantial evidence. The Commission shall reappoint the Administrative Law Judge if it finds that the Administrative Law Judge has satisfactorily performed the responsibilities of his or her office and is likely to continue to do so.

In addition to the specific qualifications contained in Section 3703 of Title 6 of the DCMR (*Appointment, Reappointment, Discipline and Removal of Administrative Law Judges by the Commission on Selection and Tenure of Administrative Law Judges*), applicable to all Administrative Law Judges, Section 3703.5 of Title 6 of the DCMR states: “An Administrative Law Judge shall possess judicial temperament, judgment, expertise and analytical and other skills necessary and desirable for an Administrative Law Judge.”

The Commission hereby requests that members of the Bar and other attorneys, litigants, interested organizations, and members of the public submit any information bearing on Administrative Law Judge Vergeer’s qualifications, which they believe will aid the Commission in deciding whether to reappoint this Administrative Law Judge. The cooperation of the community at an early stage will greatly aid the Commission in fulfilling its responsibilities. The identity of any person submitting information shall be kept confidential unless expressly authorized by the person submitting the information.

All communications must be received by the Commission on or before March 28, 2016. All communications must be mailed or delivered in a sealed envelope marked “Confidential – ALJ Reappointments,” addressed to:

Commission on Selection and Tenure of Administrative Law Judges
Office of Administrative Hearings
District of Columbia Government
441 4th Street, N.W.
Suite 450N
Washington, D.C. 20001

The members of the Commission are:

The Honorable Yvonne Williams
Chief Administrative Law Judge Eugene A. Adams
James W. Cooper, Esq.
Nadine C. Wilburn, Esq.
Joseph N. Onek, Esq.

**DISTRICT OF COLUMBIA COMMISSION ON
SELECTION AND TENURE OF
ADMINISTRATIVE LAW JUDGES OF
THE OFFICE OF ADMINISTRATIVE HEARINGS**

**NOTICE SEEKING COMMENTS REGARDING REAPPOINTMENT OF
ADMINISTRATIVE LAW JUDGE**

The Commission on Selection and Tenure of Administrative Law Judges (“Commission”) seeks comments regarding the potential reappointment of Administrative Law Judge William L. England, Jr..

This is to notify members of the District of Columbia Bar and the general public, pursuant to section 3705.7 of Title 6 of the District of Columbia Municipal Regulations (“DCMR”), that the Commission has begun reviewing Administrative Law Judge England’s qualifications for reappointment to the District of Columbia Office of Administrative Hearings. Administrative Law Judge England has filed a statement with the Commission requesting reappointment to a six-year term upon the expiration of his six-year term on August 9, 2016.

Section 3705.21 of Title 6 of the DCMR provides:

In deciding whether to reappoint an Administrative Law Judge, the Commission shall consider all information it has received concerning the reappointment, and the voting members shall give significant weight to the recommendation of the Chief Administrative Law Judge, unless they determine that the recommendation is not founded on substantial evidence. The Commission shall reappoint the Administrative Law Judge if it finds that the Administrative Law Judge has satisfactorily performed the responsibilities of his or her office and is likely to continue to do so.

In addition to the specific qualifications contained in Section 3703 of Title 6 of the DCMR (*Appointment, Reappointment, Discipline and Removal of Administrative Law Judges by the Commission on Selection and Tenure of Administrative Law Judges*), applicable to all Administrative Law Judges, Section 3703.5 of Title 6 of the DCMR states: “An Administrative Law Judge shall possess judicial temperament, judgment, expertise and analytical and other skills necessary and desirable for an Administrative Law Judge.”

The Commission hereby requests that members of the Bar and other attorneys, litigants, interested organizations, and members of the public submit any information bearing on Administrative Law Judge England’s qualifications, which they believe will aid the Commission in deciding whether to reappoint this Administrative Law Judge. The cooperation of the community at an early stage will greatly aid the Commission in fulfilling its responsibilities. The identity of any person submitting information shall be kept confidential unless expressly authorized by the person submitting the information.

All communications must be received by the Commission on or before March 28, 2016. All communications must be mailed or delivered in a sealed envelope marked “Confidential – ALJ Reappointments,” addressed to:

Commission on Selection and Tenure of Administrative Law Judges
Office of Administrative Hearings
District of Columbia Government
441 4th Street, N.W.
Suite 450N
Washington, D.C. 20001

The members of the Commission are:

The Honorable Yvonne Williams
Chief Administrative Law Judge Eugene A. Adams
James W. Cooper, Esq.
Nadine C. Wilburn, Esq.
Joseph N. Onek, Esq.

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF PUBLIC HEARINGS
CALENDAR

WEDNESDAY, MARCH 2, 2016
2000 14TH STREET, N.W., SUITE 400S
WASHINGTON, D.C. 20009

Donovan W. Anderson, Chairperson
Members: Nick Alberti, Mike Silverstein,
Ruthanne Miller, James Short

Show Cause Hearing (Status) 9:30 AM

Case # 15-CMP-00908; Vap H Street, LLC, t/a Vapiano, 623 H Street NW
License #76727, Retailer CR, ANC 2C

Failed to Post In a Conspicuous Place the Name of the Licensee, Failed to Post Pregnancy Sign, Failed to Take Steps Necessary to Ascertain Legal Drinking Age

Show Cause Hearing (Status) 9:30 AM

Case # 15-CMP-00779; The New Brookland Café, LLC, t/a B Café et Brookland Café, 3740 12th Street NE, License #86793, Retailer Caterer, ANC 5B

Failed to use Caterer's License in the Authorized Manner (Two Counts), Hosted Events in Excess of 100 Persons and Purchased Alcohol From a Wholesaler.

Show Cause Hearing (Status) 9:30 AM

Case # 15-CMP-00589; Café Dallul, LLC, t/a Rendezvous Lounge, 2226 18th Street NW, License #14272, Retailer CT, ANC 1C

No ABC Manager on Duty

Show Cause Hearing (Status) 9:30 AM

Case # 15-CMP-00802; Maddy's, LLC, t/a Maddy's Bar and Grill, 1726 Connecticut Ave NW, License #82036, Retailer CR, ANC 2B

No ABC Manager on Duty

Board's Calendar

March 2, 2016

Fact Finding Hearing*

9:30 AM

Case # 15-CMP-00867; 6220 Georgia, LLC, t/a Victor Liquors, 6220 Georgia Ave NW, License #88173, Retailer A, ANC 4A

Ownership Interest Issues

Show Cause Hearing*

10:00 AM

Case # 15-CMP-0017; Mama Chuy DC, Inc., t/a Mama Chuy DC, 2650 Georgia Ave NW, License #86892, Retailer CR, ANC 1B

No ABC Manager on Duty

Show Cause Hearing*

11:00 AM

Case # 15-CMP-00554; Spo-dee-o-dee, LLC, t/a The Showtime, 113 Rhode Island Ave NE, License #89186, Retailer CT, ANC 5E

Substantial Change without Boards Approval, Violation of Settlement Agreement

BOARD RECESS AT 12:00 PM

ADMINISTRATIVE AGENDA

1:00 PM

Public Hearing*

1:30 PM

Pub Crawl Rulemaking

Show Cause Hearing*

2:30 PM

Case # 15-CMP-00636; Debebe Addis, t/a Mesobe Restaurant and Deli Market 1853 7th Street NW, License #81030, Retailer CR, ANC 1B

No ABC Manager on Duty, Failed to Post In a Conspicuous Place the Name of the Licensee

Show Cause Hearing*

3:30 PM

Case # 15-251-00125; Chao Charles Zhou, t/a Eye Bar/Garden of Eden, 1716 I Street NW, License #83133, Retailer CN, ANC 2B

Failed to Follow Security Plan

Protest Hearing*

4:30 PM

Case # 15-PRO-00119; Chaplin Restaurant DC, LLC, t/a Chaplin, 1501 9th Street NW, License #95700, Retailer CR, ANC 6E

Substantial Change (Request to add Entertainment Endorsement)

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

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

**NOTICE OF MEETING
INVESTIGATIVE AGENDA**

**WEDNESDAY, MARCH 2, 2016
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

On March 2, 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-CC-00003 Safeway, 2845 ALABAMA AVE SE Retailer B Retail - Grocery, License#: ABRA-060504

2. Case#16-CC-00006 King Avenue Liquors, 2757 M.L. KING JR., AVE SE Retailer A Retail - Liquor Store, License#: ABRA-060177

3. Case#16-CC-00005 Night 'N' Day 24 Hour Convenience Store, 5026 BENNING RD SE Retailer B Retail - Grocery, License#: ABRA-081343

4. Case#16-251-00006 The Brixton, 901 U ST NW Retailer C Tavern, License#: ABRA-082871

5. Case#16-CMP-00089 Dirty Martini Inn Bar/Dirty Bar, 1223 CONNECTICUT AVE NW Retailer C Nightclub, License#: ABRA-083919

6. Case#16-CMP-00090 Anacostia Market, 1303 GOOD HOPE RD SE Retailer B Retail - Class B, License#: ABRA-086470

7. Case#16-CMP-00093 Anacostia Market, 1303 GOOD HOPE RD SE Retailer B Retail - Class B, License#: ABRA-086470

8. Case#16-CMP-00087 Sip, 1812 Hamlin ST NE Retailer C Tavern, License#: ABRA-095164

9. Case#16-CMP-00013 Cheerz, 7303 GEORGIA AVE NW Retailer C Restaurant, License#: ABRA-095178

10. Case#16-CC-00007 Lee's Liquor, 2339 PENNSYLVANIA AVE SE Retailer A Retail - Liquor Store, License#: ABRA-095751

11. Case#16-CMP-00136 Orange Anchor, 3050 K ST NW Retailer C Restaurant, License#: ABRA-095194

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF MEETING
LICENSING AGENDA

WEDNESDAY, MARCH 2, 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 3B. SMD 3B02. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. **Bourbon**, 2348 Wisconsin Avenue NW, Retailer CR, License No. 060605.
-

2. Review Request to Extend Safekeeping Status of License – First Request. Original Safekeeping Date: 12/2/2015. ANC 3C. SMD 3C04. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. **Firehook Bakery**, 3411 Connecticut Avenue NW, Retailer CR, License No. 041370.
-

3. Review Request for Change of Hours. **Approved Hours of Operation and Alcoholic Beverage Sales and Consumption:** Sunday-Saturday 11am to 11:30pm. **Proposed Hours of Operation:** Sunday 11am to 10:30pm, Monday-Thursday 10am to 10:30pm, Friday 10am to 12:30am, Saturday 11am to 12:30am. **Proposed Hours of Alcoholic Beverage Sales and Consumption:** Sunday 11am to 3:30pm, Monday-Friday 11am to 8:30pm, Saturday 11am-3:30pm. ANC 2C. SMD 2C01. Outstanding Fine/Citation: 3/7/2013, Case #13-CMP-00254, Quarterly Statement for 2/1/2013/ Citation #7893, #250 fine. No pending enforcement matters. No Settlement Agreement. **California Tortilla**, 728 7th Street NW, Retailer DR, License No. 091405.
-

4. Review Request for Change of Hours to operate, serve alcohol, and provide entertainment until 3am on Fridays. **Approved Hours of Operation and Alcoholic Beverage Sales and Consumption:** Sunday-Friday 8am to 2am, Saturday 8am to 3am. **Approved Hours of Live Entertainment:** Sunday-Friday 6pm to 2am, Saturday 6pm to 3am. **Proposed Hours of Operation and Alcoholic Beverage Sales and Consumption:** Sunday-Thursday 8am to 2am, Friday-Saturday 8am to 3am. **Proposed Hours of Live Entertainment:** Sunday-Thursday 6pm to 2am, Friday-Saturday 6pm to 3am. ANC 2C. SMD 2C01. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. **Hard Rock Cafe**, 999 E Street NW, Retailer CR, License No. 014130.
-

5. Review Request for Change of Hours. *Approved Hours of Operation and Alcoholic Beverage Sales and Consumption:* Sunday-Saturday 10am to 11pm. *Proposed Hours of Operation and Alcoholic Beverage Sales and Consumption:* Sunday-Thursday 10am to 1am, Friday-Saturday 10am to 2am. ANC 6D. SMD 6D02. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No conflict with Settlement Agreement. *The Big Stick*, 20 M Street SE, Retailer CR, License No. 094844.
-

6. Review Application for Sidewalk Café with 33 seats and Summer Garden with 24 seats. ANC 5B. SMD 5B05. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. *San Antonio Bar & Grill III*, 3908 12th Street NE, Retailer CT, License No. 079523.
-

7. Review Application for Manager's License. *Daniel J. Rogers*-ABRA 101863.
-

***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.**

APPLETREE EARLY LEARNING PUBLIC CHARTER SCHOOL**REQUEST FOR PROPOSALS****Annual Financial Audit (including A-133) Services and
Broker for Health and Wellness Benefits**

AppleTree Early Learning PCS is seeking an organization to provide qualified, licensed insurance brokerage services for health and wellness benefits. AppleTree Early Learning PCS is also seeking an organization to provide the school's annual financial audit including the A-133. Please contact Rita Hackel Chapin, Chief Operating Officer, for details on the RFP. The deadline for responding to the RFP is March 11, 2016 at 5pm. Contact - Rita Hackel Chapin, Chief Operating Officer, 415 Michigan Avenue NE, Washington, DC 20017, or e-mail her at rita.chapin@appletreeinstitute.org

CREATIVE MINDS INTERNATIONAL PUBLIC CHARTER SCHOOL**REQUEST FOR PROPOSALS****General Contractor**

Creative Minds International Public Charter School (CMIPCS), in compliance with Section 2204 (c) of the District of Columbia School Reform Act of 1995 (“Act”), hereby solicits expressions of interest for General Contractor Services. The scope of work includes modifications to around 10,000 square feet of space in an historic DC government property in which the School currently operates its early childhood and elementary programs, to renovate additional classroom spaces for the new middle school opening in August 2016. A walk-through for potential bidders will be held March 1, 2016 at 3:00pm. For directions and additional information, including architectural drawings, and statements of work, please email James Lafferty-Furphy at procurement@creativemindspcs.org. CMIPCS reserves the right to terminate this RFP and any subsequent contract at any time. Deadline for submissions, proposals, and supporting documents is 5:00 p.m., March 7, 2016. Please email proposals to procurement@creativemindspcs.org.

DEPARTMENT OF ENERGY AND ENVIRONMENT**PUBLIC NOTICE**

Notice is hereby given that, pursuant to 40 C.F.R. Part 51.161, D.C. Official Code §2-505, and 20 DCMR §210, the Air Quality Division (AQD) of the Department of Energy and Environment (DOEE), located at 1200 First Street NE, 5th Floor, Washington, DC, intends to issue an air quality permit renewal (#5957-R2) to the Architect of the Capitol to operate an existing paint spray booth at the United States Botanic Garden Production Facility located at 4700 Shepherd Parkway SW, Washington, DC, 20032. The contact person for the facility is James Styers, Environmental Engineer at (202) 226-6636.

Estimated Emissions

Estimated maximum emissions from the equipment are 3.99 tons per year of volatile organic compounds (VOCs) and 0.52 tons per year of hazardous air pollutants (HAPs).

Emission Limitations

The following are the proposed emission limits for the equipment:

- a. No person shall discharge into the atmosphere more than fifteen (15) pounds of volatile organic compound (VOC) emissions in any one (1) day, nor more than three pounds (3 lb.) in any one (1) hour, from any combination of articles, machines, units, equipment, or other contrivances at a facility, unless the uncontrolled VOC emissions are reduced by at least ninety percent (90%) overall capture and control efficiency. [20 DCMR 700.2]
- b. An emission into the atmosphere of odorous or other air pollutants from any source in any quantity and of any characteristic, and duration which is, or is likely to be injurious to the public health or welfare, or which interferes with the reasonable enjoyment of life or property is prohibited [20 DCMR 903.1]
- c. Visible emissions shall not be emitted into the outdoor atmosphere from the paint spray booth. [20 DCMR 107 and 606]

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

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

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

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

No written comments or hearing requests submitted after March 28, 2016 will be accepted.

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

DEPARTMENT OF ENERGY AND ENVIRONMENT**PUBLIC NOTICE**

Notice is hereby given that, pursuant to 40 C.F.R. Part 51.161, D.C. Official Code §2-505, and 20 DCMR §210, the Air Quality Division (AQD) of the Department of Energy and Environment (DOEE), located at 1200 First Street NE, 5th Floor, Washington, DC, intends to issue an air quality permit renewal (#5958-R2) to Architect of the Capitol to operate an existing paint spray booth at the Rayburn House Office Building located at Independence Avenue and South Capitol St. SW Washington, DC 20515. The contact person for the facility is James Styers, Environmental Engineer at (202) 226-6636.

Estimated Emissions

Estimated maximum emissions from the equipment are 7.33 tons per year of volatile organic compounds (VOCs) and 3.16 tons per year of hazardous air pollutants (HAPs).

Emission Limitations

The following are the proposed emission limits for the equipment:

- a. No person shall discharge into the atmosphere more than fifteen (15) pounds of volatile organic compound (VOC) emissions in any one (1) day, nor more than three pounds (3 lb.) in any one (1) hour, from any combination of articles, machines, units, equipment, or other contrivances at a facility, unless the uncontrolled VOC emissions are reduced by at least ninety percent (90%) overall capture and control efficiency. [20 DCMR 700.2]
- b. An emission into the atmosphere of odorous or other air pollutants from any source in any quantity and of any characteristic, and duration which is, or is likely to be injurious to the public health or welfare, or which interferes with the reasonable enjoyment of life or property is prohibited [20 DCMR 903.1]
- c. Visible emissions shall not be emitted into the outdoor atmosphere from the paint spray booth. [20 DCMR 107 and 606]

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

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

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

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

No written comments or hearing requests submitted after March 28, 2016 will be accepted.

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

MAYA ANGELOU PUBLIC CHARTER SCHOOL**REQUEST FOR PROPOSALS****FY16 – School Network Infrastructure****1. Overview**

Maya Angelou Public Charter School (the “School”) is a Public Charter School operating in Northeast Washington DC, and is the only school in its school district. The school’s primary source of funding is through formula grants issued by The Office of the State Superintendent of Education.

The overall technology project covered in this RFP addressed the replacement of existing server equipment, procurement of network appliances and computers; provisioning resources to provide remote and occasional onsite technical support, and maintenance of partner-based appliance and software support services.

In addition to routine annual technology procurement, the School plans a comprehensive upgrade to its core network infrastructure. Deploying a server cluster/data center to replace some aging infrastructure is the highest priority covered in this RFP. The key objectives and expectations include:

- Deploying a high performing cost-effective server cluster leveraging current infrastructure and present recurring support solutions;
- Integrating high availability cloud-based remote access to desktop and network resources with enterprise class performance;
- Identifying redundant data and server backups;
- Mitigating network downtime;
- Providing consistent and responsive support
- Being sensitive to low priority/high impact concerns

An abbreviated illustration of the School’s topology is attached to this RFP.

2. RFP Process and Instructions

Interested vendors will respond to the advertised Notice of RFP via upload to SmartSheet link provided below.

<https://app.smartsheet.com/b/form?EQBCT=3f4894394c244a359166278973be9618>

2.1 Submission of Proposals

Proposals must be submitted using the **Response Format** provided, and must be received by 8:00 am on **April 4, 2016**. Proposals received later than the date and time specified will not be considered. Proposals will be accepted through SmartSheet upload only. The contract(s) must be executed by 1:00 pm on date April 15, 2016

2.2 Evaluation of Proposals

Qualified vendors will be evaluated using the following criteria:

- Qualifications Statement regarding Personnel and Relevant Professional Experience;
- Responsiveness to the Proposed Scope of Work;
- References;
- Price for Services (Highest Weighted Factor).

2.3 Questions

Vendors must submit any and all questions on the scope of work to mayaangelou@erateassist.com. Answers to all questions will be distributed to each interested party's primary contact via email, prior to the submission deadline.

3. Scope of Work – Internal Connections (for E-Rate only)

3.1 Planned Scope of Work for Internal Connections Service Provider

- All services and necessary equipment related to the software installation and setup requirements in 3.2 including all costs and fees (shipping, installation, etc.).

3.2 Solution Requirements

- a. Cisco Catalyst 2960-X w/ 1YR SmartNET (qty 2)
- b. Meraki MR632 WAPs w/5YR support (qty 6)
- c. Sonicwall NSA 3600 Firewall with 1yr 24/7 support (qty 1)

3.3 Scope of Service and Performance Requirements

1. Contractor must be an E-Rate Service Provider or provide proof of registration prior to the deadline of this RFP. *Note, School's E-Rate consultant will provide necessary phone support to assist contractor in becoming an E-Rate Service Provider at no expense to contractor.*

<http://www.usac.org/sl/service-providers/step01/default.aspx>

2. The contractor will be required to provide comprehensive services to assess current infrastructure and complete the entire process of the infrastructure upgrades at the site(s) specified. These services will include planning, equipment acquisition, staging, scheduling, reporting, documentation updates, communication and coordination with other parties involved in the overall project. The selected contractors must be willing to work in a cooperative manner with the School.

3. The School will provide contractor with appropriate topology information to aide in development of an enhanced server cluster/data center strategy. The contractor will be expected to provide experienced staff with adequate expertise in project management and LAN technologies to comply with the implementation standards required by the School.

For more details about this announcement please visit: www.seeforever.org/get-involved/careers.

MAYA ANGELOU YOUNG ADULT LEARNING CENTER**REQUEST FOR PROPOSALS****Construction Trades Program**

The Maya Angelou Young Adult Learning Center would like to engage a partner to implement a construction trades program beginning July 2016. The contract may be renewable for a total of three years, from 2016-17 to 2018-19.

Our organization is a network of charter schools in Washington, DC, serving approximately 450 students from 9th grade to young adult, many of whom have not been successful in more traditional academic environments. The Young Adult Learning Center works with young adults ages 17-24 through GED preparation, career and technical education, and post-secondary readiness support.

Services will include:

- The implementation of a construction trades program that leads to an industry-recognized certification for participants. The program will be required to serve at least 40 young adults during the school year with a certification completion rate of 75% or higher.
- The implementation of an apprenticeship program that provides integrated employment and training to participants. The program will be required to serve at least 25 young adults during the school year with a 75% in- field employment rate for completers.
- The implementation of a landscaping program that prepares students for direct entry into the field as determined by employer partners. The program will be required to serve at least 25 young adults during the school year with a 75% in- field employment rate for completers.
- The creation and oversight of a small business that will allow students to develop and sell products and/ or services related to the construction trades. The business will be required to employ at least 15 students throughout the course of the year.

Entities may choose to bid on *any or all* of the above programmatic elements and should provide a separate plan and budget for each element.

Proposals **must be submitted to this form**, by no later than **March 26, 2016**.

Evaluation

Proposals will be evaluated based on the following criteria:

- Organizational track record providing training, skills and credentials to individuals who have been disconnected from school or experienced barriers to the workforce;
- Connections to employers in the construction trades field that hold potential for job shadowing, internships, and placement;
- Outcomes-based approach and data showing successful completion and placement rates;

- Backgrounds and expertise of individuals who may be staffed to work with the organization;
- Proposed fees and costs, although the organization is not bound to accept the lowest bid, and the organization reserves the right to negotiate fees with the selected applicant;
- Information obtained through the firm's references and other clients; and
- Best interests of the organization.

Proposal Requirements

The following requirements must be satisfied by a successful proposal:

- The proposal should not exceed 20 pages.
- The proposal should substantially address all the items named above, including references from clients with contact information.
- A letter signed by an officer of the firm authorized to negotiate on the firm's behalf should be included as the first page of the proposal and should spell out the basic terms of the proposal.
- Any legal claims pending or outstanding against the firm should be spelled out in an addendum to the proposal.

**EXECUTIVE OFFICE OF THE MAYOR
DEPUTY MAYOR FOR GREATER ECONOMIC OPPORTUNITY
WORKFORCE INVESTMENT COUNCIL**

UPDATED NOTICE OF SOLICITATION FOR COMMENTS

Draft Workforce Innovation and Opportunity Unified State Plan

NOTE: This notice updates the notice published in the D.C. Register on January 22, 2016 (63 DCR 956) by: (1) extending the date by which comments may be submitted by the public; (2) adding libraries in each ward as locations where the plan may be reviewed; (3) updating the address to which comments may be physically mailed; (4) adding an additional website where the plan may be reviewed; and (5) updating the date by which the final Unified State Plan will be submitted to the federal government.

The Executive Office of the Mayor, Office of the Deputy Mayor for Greater Economic Opportunity, and Workforce Investment Council encourage members of the public to participate in the development of the District's federally required Workforce Innovation and Opportunity Act (WIOA) Unified State Plan by submitting comments and ideas to help improve the District's workforce development system.

The draft Unified State Plan outlines a four-year workforce development strategic roadmap for how the District will realize our vision of a coordinated, accessible, and effective workforce system, including through the provision of employment, education, training, and related services and supports.

The draft Unified State Plan also includes the vision, goals, and strategies for the District's workforce development system as well as operational elements that detail the necessary infrastructure, policies, and activities to meet our strategic goals and support ongoing program development and coordination.

The final Unified State Plan will be submitted to the U.S. Secretary of Labor as well as the U.S. Secretary of Education by April 1, 2016.

The draft WIOA state plan is available online at dcworks.dc.gov, dmgeo.dc.gov, and drafts.dc.gov. The latter website (drafts.dc.gov) allows the public to provide comments online about the plan overall and also to provide comments on specific sections, provisions, and individual words in the document.

In addition, copies of the plan will be available for residents to review, starting on Tuesday, March 1, 2016, at the following library locations:

Ward 1: Mount Pleasant
Ward 2: Martin Luther King Jr. Memorial Library
Ward 3: Chevy Chase
Ward 4: Petworth

Ward 5: Lamond-Riggs

Ward 6: Watha T. Daniel/Shaw

Ward 7: Francis A. Gregory

Ward 8: William O. Lockridge/Bellevue

Comments must be received by March 14, 2016.

Please submit comments by one of the following methods:

Online: drafts.dc.gov

Email: wic.dmped@dc.gov

Mail: WIOA State Plan Comments, DC Workforce Investment Council, 2235 Shannon Place, SE, Suite 3040, Washington, DC 20020

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF PARKS AND RECREATION**

NOTICE OF APPLICATION

Notice is hereby given that, pursuant to the authority set forth in § 9a D.C. Law 3-30; D.C. Official Code § 8-1808.01 (2006 Supp.), and Chapter 7 of Title 19 (Amusements, Parks and Recreation) of the District of Columbia Municipal Regulations, Section 730-735, dated December 7, 2007, that the District Department of Parks and Recreation is reviewing an application for a dog exercise area within Takoma Recreation Center Park, located specifically southeast of the recreation center adjacent to the intersection of 3rd Street, NW and Underwood Street, NW (Reservation 445).

The proposed application seeks to install and operate an 11,650 square-foot off-leash dog park at the above referenced location. The proposed site is located between an existing parking lot and a multi-purpose athletic field. Interested parties wishing to review the application can review the application in-person at the District Department of Parks and Recreation headquarters at 1250 U Street, NW on the 2nd floor. The application is also available at: <http://dpr.dc.gov/page/dog-parks>

Interested persons may submit written comments within thirty (30) days of publication of this notice. The written comments must include the person's name, telephone number, affiliation, if any, mailing address, and statement outlining the issues in dispute or support surrounding the implementation of a dog park. All relevant comments will be considered in reviewing the dog park application. **Written comments postmarked after March 26, 2016 will not be accepted.**

Address written comments to:

Office of Planning & Capital Projects
District Department of Parks and Recreation
Attn: Dog Park Comments – Takoma Park
1250 U Street, NW
Washington, DC 20009

To submit comments via email, please email dpr.dogparks@dc.gov

For more information, please call (202) 673-7647.

SOMERSET PREPARATORY DC PUBLIC CHARTER SCHOOL

REQUEST FOR PROPOSALS

Staffing Services

Somerset Preparatory DC Public Charter School is advertising the opportunity to bid on staffing services. Please submit a proposal by Monday, March 7, 2016 by emailing **sspdc_bids@somersetprepdc.org**.

THE GOODWILL EXCEL CENTER PUBLIC CHARTER SCHOOL**REQUEST FOR PROPOSALS****Access Control and Video Surveillance**

The Goodwill Excel Center, Public Charter School (GEC) is seeking bids for the furnishing and installation of access control and video surveillance equipment and systems for its adult public charter high school located at 1776 G Street NW. Essential functions and requirements are outlined in the Scope of Work section of the Request for Proposal. The deadline for responding to the RFP is March 4, 2016 at 5pm. Contact – Josh Wallish, General Counsel, 2200 South Dakota Ave NE, Washington, DC 20018, (202) 719-1235, josh.wallish@dgoodwill.org

Audio Visual

The Goodwill Excel Center, Public Charter School (GEC) is seeking bids for the furnishing and installation of audio visual equipment and systems for its adult public charter high school located at 1776 G Street NW. Essential functions and requirements are outlined in the Scope of Work section of the Request for Proposal. The deadline for responding to the RFP is March 4, 2016 at 5pm. Contact – Josh Wallish, General Counsel, 2200 South Dakota Ave NE, Washington, DC 20018, (202) 719-1235, josh.wallish@dgoodwill.org

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

BOARD OF DIRECTORS

NOTICE OF 2016 MEETING SCHEDULE

Audit Committee

The regular quarterly meetings of the Board of Directors of the District of Columbia Water and Sewer Authority's (DC Water) Audit Committee Meetings are held in open session on the fourth Thursday. The following are dates and times for the regular quarterly meetings to be held in 2016. All meetings are held in the Board Room (4th floor) at 5000 Overlook Avenue, SW, Washington, D.C. 20032 unless otherwise indicated. Notice of a location of a meeting other than 5000 Overlook Avenue, SW will be published in the *D.C. Register* and posted on the DC Water's website (www.dcwater.com). A notice will be published in the *D.C. Register* for each meeting with a draft agenda. In addition, a copy of the final agenda will be posted on DC Water's website, and notice of the meeting will be posted at all of DC Water facilities.

Thursday, April 26, 2016 9:30 a.m.

Thursday, July 28, 2016 9:30 a.m.

(Board recess in August)

Thursday, October 27, 2016 9:30 a.m.

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

BOARD OF DIRECTORS

NOTICE OF 2016 MEETING SCHEDULE

The regular monthly meetings of the Board of Directors of the District of Columbia Water and Sewer Authority's (DC Water) are held in open session on the first Thursday of each month. The following are dates and times for the regular monthly meetings to be held in 2016. All meetings are held in the Board Room (4th floor) at 5000 Overlook Avenue, SW, Washington, D.C. 20032 unless otherwise indicated. Notice of a location of a meeting other than 5000 Overlook Avenue, SW will be published in the *D.C. Register* and posted on the DC Water's website (www.dcwater.com). A notice will be published in the *D.C. Register* for each meeting with a draft agenda. In addition, a copy of the final agenda will be posted on DC Water's website, and notice of the meeting will be posted at all of DC Water facilities.

Thursday, March 3, 2016	9:30 a.m.
Thursday, April 7, 2016	9:30 a.m.
Thursday, May 5, 2016	9:30 a.m.
Thursday, June 2, 2016	9:30 a.m.
Wednesday, July 7, 2016	9:30 a.m.
(Board recess in August)	
Thursday, September 1, 2016	9:30 a.m.
Thursday, October 6, 2016	9:30 a.m.
Thursday, November 3, 2016	9:30 a.m.
Thursday, December 1, 2016	9:30 a.m.

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY**BOARD OF DIRECTORS****NOTICE OF PUBLIC MEETING**

The Board of Directors of the District of Columbia Water and Sewer Authority (DC Water) will be holding a meeting on Thursday, March 3, 2016 at 9:30 a.m. The meeting will be held in the Board Room (4th floor) at 5000 Overlook Avenue, S.W., Washington, D.C. 20032. Below is the draft agenda for this meeting. A final agenda will be posted to DC Water's website at www.dewater.com.

For additional information, please contact Linda R. Manley, Board Secretary at (202) 787-2332 or linda.manley@dewater.com.

DRAFT AGENDA

- | | |
|--|-----------------------|
| 1. Call to Order | Board Chairman |
| 2. Roll Call | Board Secretary |
| 3. Approval of February 4, 2016 Meeting Minutes | Board Chairman |
| 4. Committee Reports | Committee Chairperson |
| 5. General Manager's Report | General Manager |
| 6. Action Items
Joint-Use
Non Joint-Use | Board Chairman |
| 7. Other Business | Board Chairman |
| 8. Adjournment | Board Chairman |

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

BOARD OF DIRECTORS

NOTICE OF 2016 MEETING SCHEDULE

DC Retail Water and Sewer Rates Committee

The regular monthly meetings of the Board of Directors of the District of Columbia Water and Sewer Authority's (DC Water) Retail Water and Sewer Rates Committee Meetings are held in open session on the fourth Tuesday of each month, or as indicated below. The following are dates and times for the regular monthly meetings to be held in 2016. All meetings are held in the Board Room (4th floor) at 5000 Overlook Avenue, SW, Washington, D.C. 20032 unless otherwise indicated. A notice will be published in the *D.C. Register* for each meeting with a draft agenda. In addition, a copy of the final agenda will be posted on DC Water's website, and notice of the meeting will be posted at all of DC Water facilities.

Tuesday, March 22, 2016	9:30 a.m.
Tuesday, April 26, 2016	9:30 a.m.
Tuesday, June 28, 2016	9:30 a.m.
Tuesday, July 26, 2016	9:30 a.m.
(Board recess in August)	
Tuesday, September 27, 2016	9:30 a.m.
Thursday, October 25, 2016	9:30 a.m.
Tuesday, November 15, 2016	9:30 a.m.
Friday, December 16, 2016	9:30 a.m.

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

BOARD OF DIRECTORS

NOTICE OF 2016 MEETING SCHEDULE

Environmental Quality and Sewerage Services Committee

The regular monthly meetings of the Board of Directors of the District of Columbia Water and Sewer Authority's (DC Water) Environmental Quality and Sewerage Services Committee Meetings are held in open session on the third Thursday of each month. The following are dates and times for the regular monthly meetings to be held in 2016. All meetings are held in the Board Room (4th floor) at 5000 Overlook Avenue, SW, Washington, D.C. 20032 unless otherwise indicated. Notice of a location of a meeting other than 5000 Overlook Avenue, SW will be published in the *D.C. Register* and posted on the DC Water's website (www.dewater.com). A notice will be published in the *D.C. Register* for each meeting with a draft agenda. In addition, a copy of the final agenda will be posted on DC Water's website, and notice of the meeting will be posted at all of DC Water facilities.

Thursday, March 17, 2016	9:30 a.m.
Thursday, April 21, 2016	9:30 a.m.
Thursday, May 19, 2016	9:30 a.m.
Thursday, June 16, 2016	9:30 a.m.
Thursday, July 21, 2016	9:30 a.m.
(Board recess in August)	
Thursday, September 15, 2016	9:30 a.m.
Thursday, October 20, 2016	9:30 a.m.
Thursday, November 17, 2016	9:30 a.m.
Thursday, December 15, 2016	9:30 a.m.

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

BOARD OF DIRECTORS

NOTICE OF 2016 MEETING SCHEDULE

Finance and Budget Committee

The regular monthly meetings of the Board of Directors of the District of Columbia Water and Sewer Authority's (DC Water) Finance and Budget Committee Meetings are held in open session on the fourth Thursday of each month, or as indicated below. The following are dates and times for the regular monthly meetings to be held in 2016. All meetings are held in the Board Room (4th floor) at 5000 Overlook Avenue, SW, Washington, D.C. 20032 unless otherwise indicated. Notice of a location of a meeting other than 5000 Overlook Avenue, SW will be published in the *D.C. Register* and posted on the DC Water's website (www.dewater.com). A notice will be published in the *D.C. Register* for each meeting with a draft agenda. In addition, a copy of the final agenda will be posted on DC Water's website, and notice of the meeting will be posted at all of DC Water facilities.

Thursday, March 22, 2016	11:00 a.m.
Thursday, April 26, 2016	11:00 a.m.
Thursday, May 26, 2016	11:00 a.m.
Thursday, June 23, 2016	11:00 a.m.
Thursday, July 28, 2016	11:00 a.m.
(Board recess in August)	
Thursday, September 22, 2016	11:00 a.m.
Thursday, October 27, 2016	11:00 a.m.
Friday, November 18, 2016	11:00 a.m.
Friday, December 16, 2016	11:00 a.m.

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

BOARD OF DIRECTORS

NOTICE OF 2016 MEETING SCHEDULE

Governance Committee

The regular bi-monthly meetings of the Board of Directors of the District of Columbia Water and Sewer Authority's (DC Water) Governance Committee Meetings are held in open session on the second Wednesday. The following are dates and times for the regular monthly meetings to be held in 2016. All meetings are held in the Board Room (4th floor) at 5000 Overlook Avenue, SW, Washington, D.C. 20032 unless otherwise indicated. Notice of a location of a meeting other than 5000 Overlook Avenue, SW will be published in the *D.C. Register* and posted on the DC Water's website (www.dcwater.com). A notice will be published in the *D.C. Register* for each meeting with a draft agenda. In addition, a copy of the final agenda will be posted on DC Water's website, and notice of the meeting will be posted at all of DC Water facilities.

Wednesday, March 9, 2016	9:00 a.m.
Wednesday, May 11, 2016	9:00 a.m.
Wednesday, July 13, 2016	9:00 a.m.
(Board recess in August)	
Wednesday, September 7, 2016	9:00 a.m.
Wednesday, November 9, 2016	9:00 a.m.

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

BOARD OF DIRECTORS

NOTICE OF 2016 MEETING SCHEDULE

Human Resources and Labor Relations Committee

The regular bi-monthly meetings of the Board of Directors of the District of Columbia Water and Sewer Authority's (DC Water) Human Resources and Labor Relations Committee Meetings are held in open session on the second Wednesday of each month. The following are dates and times for the regular monthly meetings to be held in 2016. All meetings are held in the Board Room (4th floor) at 5000 Overlook Avenue, SW, Washington, D.C. 20032 unless otherwise indicated. Notice of a location of a meeting other than 5000 Overlook Avenue, SW will be published in the *D.C. Register* and posted on the DC Water's website (www.dcwater.com). A notice will be published in the *D.C. Register* for each meeting with a draft agenda. In addition, a copy of the final agenda will be posted on DC Water's website, and notice of the meeting will be posted at all of DC Water facilities.

Wednesday, March 9, 2016	11:00 a.m.
Wednesday, May 11, 2016	11:00 a.m.
Wednesday, July 13, 2016	11:00 a.m.
(Board recess in August)	
Wednesday, September 7, 2016	11:00 a.m.
Wednesday, November 9, 2016	11:00 a.m.

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

BOARD OF DIRECTORS

NOTICE OF 2016 MEETING SCHEDULE

Water Quality and Water Services Committee

The regular monthly meetings of the Board of Directors of the District of Columbia Water and Sewer Authority's (DC Water) Water Quality and Water Services Committee Meetings are held in open session on the third Thursday of each month. The following are dates and times for the regular monthly meetings to be held in 2016. All meetings are held in the Board Room (4th floor) at 5000 Overlook Avenue, SW, Washington, D.C. 20032 unless otherwise indicated. Notice of a location of a meeting other than 5000 Overlook Avenue, SW will be published in the *D.C. Register* and posted on the DC Water's website (www.dcwater.com). A notice will be published in the *D.C. Register* for each meeting with a draft agenda. In addition, a copy of the final agenda will be posted on DC Water's website, and notice of the meeting will be posted at all of DC Water facilities.

Thursday, March 17, 2016	11:00 a.m.
Thursday, April 21, 2016	11:00 a.m.
Thursday, May 19, 2016	11:00 a.m.
Thursday, June 16, 2016	11:00 a.m.
Thursday, July 21, 2016	11:00 a.m.
(Board recess in August)	
Thursday, September 15, 2016	11:00 a.m.
Thursday, October 20, 2016	11:00 a.m.
Thursday, November 17, 2016	11:00 a.m.
Thursday, December 15, 2016	11:00 a.m.

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

REQUEST FOR PROPOSALS

Staffing Services

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

Proposal Submission

A Portable Document Format (pdf) election version of your proposal must be received by the school no later than **2:00 p.m. EST on Monday, March 7, 2016**. Proposals should be emailed to bids@wedjschool.us

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

Order No. 18866-A on the Motion for Reconsideration and Rehearing of the Application of Planned Parenthood Association of DC, pursuant to 11 DCMR § 3103.2 for variances from court (§ 536) and parking (§ 2101.1) requirements, and pursuant to 11 DCMR § 3104.1 for a special exception for office use (§ 508), to allow a new mixed-use residential and commercial office building in the SP-2 District at premises 1108 16th Street, N.W. (Square 183, Lot 111).

HEARING DATE: December 2, 2014 and January 27, 2015

DECISION DATE: January 27, 2015

RECONSIDERATION

DECISION DATE: November 10, 2015

ORDER DENYING RECONSIDERATION AND REHEARING

By summary order issued February 4, 2015, (“Order”) the Board of Zoning Adjustment (“Board”) granted the application of Planned Parenthood Association of DC (“Planned Parenthood”) for the above-captioned relief. On October 15, 2015, Lesser Atlantic, LLC (“Lesser Atlantic”), the owner of property adjacent to the subject property at 1112 16th Street, N.W., filed a motion for reconsideration and rehearing (“Motion”). (Exhibit 45.)

The Motion claims that Lesser Atlantic did not receive notice of the public hearings on the application. The Motion states that the notice mailed pursuant to § 3113.13(b) never reached Lesser Atlantic and instead was returned and marked, “vacant, unable to forward.” According to Lesser Atlantic, the address to which the notice was sent was incomplete because it lacked a suite number. The Motion asserts that the Board should have conducted further investigation when the notice was returned. Lesser Atlantic further argues that the notice posted on the subject property pursuant to § 3113.15 was insufficient because that section requires posting at the property’s street frontage and on the front of each building, whereas, in this case, only the street frontage was posted. Lesser Atlantic contends that these deficiencies provide good cause under § 3100.5 for the Board to waive the requirements of § 3126.2. Under that provision, only a party may file a motion for reconsideration or rehearing, and such a motion must be filed within 10 days of the issuance of the Board’s written order. Neither requirement is met in this case. Lesser Atlantic asserts that the alleged notice deficiencies deprived it of its right to participate in the Board’s hearing or request party status, and prevented it from filing a timely motion. Accordingly, Lesser Atlantic requests a waiver and asks the Board to reopen the record and schedule another hearing to allow Lesser Atlantic to present its objections to the project.

BZA APPLICATION NO. 18866-A**PAGE NO. 2**

On October 22, 2015, Red A&W 1, LLC (“Red A&W”) ¹ filed an opposition to the Motion (“Opposition”). (Exhibit 47.) Red A&W argues that waiver of the party status requirement and 10-day filing deadline is not merited because there was sufficient notice of the application and because Red A&W would be prejudiced by a waiver as it had spent several months preparing to implement the approved project. The Opposition contends that the notice mailed to Lesser Atlantic was sufficient because, pursuant to the instructions on Office of Zoning Form 120, notice was mailed to the address for Lesser Atlantic on file with the D.C. Office of Tax and Revenue (“OTR”), which did not include a suite number. Red A&W argues that the most likely explanation for the notice being returned is not the lack of a suite number but that representatives for Lesser Atlantic were absent when the notice was mailed. Red A&W further argues that requiring additional investigation whenever a hearing notice is returned would impose an undue burden on the Board.

With respect to posted notice, Red A&W argues that, per longstanding Office of Zoning practice, only one notice was posted because the property has only one street frontage and is improved with only one building. Red A&W also contends that Lesser Atlantic should have been aware of the application because of media coverage of the project and notice posted for a hearing before the Historic Preservation Review Board (“HPRB”). Further, Red A&W asserts that an agreement that the prior owners of the two properties entered in 1940 grants Red A&W the right to increase the height of its building, as proposed by the project. Lastly, Red A&W argues that Lesser Atlantic’s Motion presents no objections to the Board’s Order on the merits and, thus, does not satisfy the standard for motions for reconsideration under § 3126.4.

On October 30, 2015, Lesser Atlantic filed a supplemental memorandum in support of its Motion, reiterating its argument for waiver and raising new arguments regarding the merits of the Board’s Order. (Exhibit 46.) On November 2, 2015, Red A&W submitted a response to Lesser Atlantic’s supplemental memorandum. (Exhibit 48.) On November 9, 2015, Lesser Atlantic filed a second supplemental memorandum in support of its Motion. (Exhibit 49.)

At a public meeting on November 10, 2015, the Board voted to deny Lesser Atlantic’s Motion.

CONCLUSIONS OF LAW

Under 11 DCMR § 3126.2, a party may file a motion for reconsideration or rehearing of a Board decision within 10 days after a final written order is issued. Here, Lesser Atlantic is not a party to the application, and it filed its Motion well beyond the 10-day deadline. Accordingly, Lesser Atlantic requests a waiver of the party status requirement and filing deadline under § 3100.5, which permits waiver “for good cause shown” if it “will not prejudice the rights of any party and is not otherwise prohibited by law.” The Board finds that the notice deficiencies Lesser Atlantic claims do not constitute good cause to support a waiver in this case.

First, mailed notice was sufficient. Subsection 3113.13(b) states, in relevant part, “[n]otice of the public hearing shall be given by . . . [m]ailing the notice to . . . the owners of all property

¹ Red A&W purchased the subject property after the Board issued its Order. At its public meeting on November 10, 2015, the Board formally recognized Red A&W as a party to the case as the owner of the subject property.

**BZA APPLICATION NO. 18866-A
PAGE NO. 3**

within two hundred feet (200 ft.) of the [subject] property” Lesser Atlantic argues that mailed notice was inadequate in this case because it was sent to an incomplete address that lacked a suite number and was, thus, returned to the Office of Zoning and marked, “vacant, unable to forward.” Evidence in the record supports that the notice was mailed to an address with no suite number and was returned, as Lesser Atlantic alleges. (Exhibit 26, Returned Public Hearing Notice.) Lesser Atlantic contends that, upon discovering that the notice had been returned, the Board should have conducted further investigation into the matter. Red A&W argues that, pursuant to the instructions on Office of Zoning Form 120, notice was mailed to the address for Lesser Atlantic on file with OTR, which did not include a suite number. Red A&W further argues that requiring additional investigation whenever a hearing notice is returned would impose an undue burden on the Board.

The Board finds that § 3113.13(b) was satisfied in this case by mailing notice to the address for Lesser Atlantic on record with OTR, which did not include a suite number. (Exhibit 47, Attachment 5 to Addendum 3, OTR Online Record.) It is appropriate for the Board to rely on OTR records when providing mailed notice, and it is Lesser Atlantic’s responsibility to maintain an accurate address with OTR. Further, even if notice had not been properly mailed, Lesser Atlantic was given adequate notice through the other means provided under §§ 3113.13 through 3113.15, including posting notice on the subject property “in plain view of the public,” publishing notice in the *D.C. Register*, and mailing notice to Advisory Neighborhood Commission 2B. *See Application No. 18477 of Abdo 14th St. LLC* (2013); *accord Application No. 18732-A of WSD Capital LLC* (2014).

Second, there is not good cause to waive the requirements of § 3126.2 based on the notice posted on the subject property. Subsection 3113.15 requires posting “at each street frontage on the property involved and on the front of each building.” Lesser Atlantic argues that posted notice was inadequate because only the subject property’s street frontage was posted, not the building, as indicated in the record. (Exhibit 29, Aff. of Posting, Nov. 13, 2014; Exhibit 32, Aff. of Maintenance, Nov. 26, 2014; Exhibit 38, Aff. of Posting, Jan. 8, 2015.) Red A&W contends that the posting conformed to longstanding Office of Zoning practice when a property has only one street frontage and one building. In any event, Red A&W argues, Lesser Atlantic should have been aware of the application because of media coverage of the project and notice posted for an HPRB hearing. However, media coverage of the project and notice of an HPRB hearing are irrelevant to whether proper notice was given of the Board’s hearing. Regardless, the Board concludes that any posting deficiency was harmless in this case because it is unlikely that posting on the building would have alerted an interested passerby who missed the more prominent posting on the property’s street frontage. Further, as stated above, adequate notice was provided through other means as well. Accordingly, failure to post on the building does not constitute good cause to waive the party status requirement and 10-day filing deadline in this case.²

² Lesser Atlantic also argues that the alleged notice deficiencies violated its constitutional due process rights. However, the Board has no jurisdiction to decide constitutional questions. *Application No. 17504 of JMM Corporation* (2007).

BZA APPLICATION NO. 18866-A
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Having denied the request for waiver, the Board need not reach the merits of the Motion.³

For all of these reasons, the Board hereby **ORDERS** that the motion for **RECONSIDERATION** and **REHEARING** is **DENIED**.

VOTE: 3-0-2 (Marnique Y. Heath, Frederick L. Hill⁴; and Peter G. May, voting to DENY; Jeffrey L. Hinkle absent; one Board seat vacant.)

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

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

FINAL DATE OF ORDER: February 12, 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.

³ The Board did not consider the supplemental submissions filed by Lesser Atlantic and Red A&W. These submissions constitute reply and sur-reply briefs, which are not permitted in the Board's Rules of Practice and Procedure without the Board's leave, not requested here. *Application No. 17789-A of Walgreen Eastern Co.* (2010).

⁴ Board member Hill read the full record in order to participate in the case and vote.

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

Application No. 19074 of Alexander Hastings, pursuant to 11 DCMR § 3104.1, for a special exception under § 223, not meeting the rear yard requirements under § 404.1, to allow the construction of a two-story rear garage addition and a covered walkway to an existing one-family dwelling in the R-4 District at premises 1329 Holbrook Street, N.E. (Square 4073, Lot 82).

HEARING DATES: September 29, 2015, December 1, 2015, and February 9, 2016¹
DECISION DATE: February 9, 2016

SUMMARY ORDER

REVIEW BY THE ZONING ADMINISTRATOR

On July 2, 2015, the Applicant filed a request for relief, accompanied by a memorandum, dated June 10, 2015, from the Zoning Administrator (“ZA”), which stated that Board of Zoning Adjustment (“Board” or “BZA”) approval is required for a “[s]pecial exception from § 223.1 to allow rear two-story and three-story additions to a proposed two-family flat structure that does not comply with 404.1, minimum rear yard setback requirement.” (Exhibit 8.)

The Board provided proper and timely notice of the public hearing on this application by publication in the *D.C. Register* and by mail to Advisory Neighborhood Commission (“ANC”) 5D, and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 5D, which is automatically a party to this application. At the public hearing, the Applicant testified that he presented before the ANC twice, and that the ANC voted to support his application contingent upon the receipt of letters of support from all residents on the block. The Applicant also filed ANC 5D agendas and correspondence to support this testimony. (Exhibits 39, 43, and 46.) Although the Applicant indicated that no neighbor expressed an objection to his proposed project, he was unable to provide the former ANC 5D chair with letters in support from all neighbors. Therefore, ANC 5D did not file a written report to the record.

The Office of Planning (“OP”) submitted a report on February 5, 2016, indicating that it was “not opposed in concept” but required more information and clarification. (Exhibit 47.) The OP report also noted that OP’s support should not be considered as an endorsement of approval for any encroachments into the building restriction area, as the plans show that the portion of the addition that requires the requested rear yard relief is expected to be fully outside the building restriction area. At the public hearing on February 9, 2016, OP testified to confirm that it

¹ The hearing for this application was postponed at the Applicant’s request from September 29, 2015 (Exhibit 36), and again from December 1, 2015. (Exhibit 41.)

BZA APPLICATION NO. 19074
PAGE NO. 2

supports the Applicant's request for relief and to acknowledge that the building restriction area issue is outside the Board's jurisdiction on this special exception request, but that it wanted to raise the issue nonetheless.

The District Department of Transportation ("DDOT") submitted a timely report on February 2, 2016 indicating that it had no objection to the Applicant's request for special exception relief. (Exhibit 42.)

In advance of the public hearing on February 9, 2016, thirteen residents submitted letters in support to the record. (Exhibits 20-25, 28, 29, 31, 32, 35, 38, and 40.)

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 rear yard requirements under § 404.1, to allow the construction of a two-story rear garage addition and a covered walkway to an existing one-family dwelling in the R-4 District. No parties appeared at the public hearing in opposition to this application. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board and having given great weight to the OP report filed in this case, the Board concludes that the Applicant has met the burden of proof, pursuant to 11 DCMR §§ 3104.1, 223, and 404.1, 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. It is therefore **ORDERED** that this application is hereby **GRANTED, SUBJECT TO THE APPROVED REVISED PLANS AT EXHIBIT 33.**

VOTE: 3-0-2 (Frederick L. Hill, Robert E. Miller and Jeffrey L. Hinkle, to APPROVE; Marnique Y. Heath, not participating and one Board seat vacant.)

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

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

FINAL DATE OF ORDER: February 11, 2016

PURSUANT TO 11 DCMR § 3125.9, NO ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN (10) DAYS AFTER IT BECOMES FINAL PURSUANT TO § 3125.6.

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PURSUANT TO 11 DCMR § 3130, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSE OF SECURING A BUILDING PERMIT, OR THE APPLICANT FILES A REQUEST FOR A TIME EXTENSION PURSUANT TO § 3130.6 AT LEAST 30 DAYS PRIOR TO THE EXPIRATION OF THE TWO-YEAR PERIOD AND THAT SUCH REQUEST IS GRANTED. NO OTHER ACTION, INCLUDING THE FILING OR GRANTING OF AN APPLICATION FOR A MODIFICATION PURSUANT TO §§ 3129.2 OR 3129.7, SHALL EXTEND THE TIME PERIOD.

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

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

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

Application No. 19175 of Crescent Communities LLC and RCP Development Company, as amended¹, pursuant to 11 DCMR §§ 3103.2 and 3104.1, for variances from the side yard requirements under § 775.1, and the loading requirements under § 2201.1, and a special exception from the rear yard requirements under § 774.1, to construct a new mixed-use building in the C-3-C District (South Capitol TDR receiving zone) at premises 2 I Street S.E. (Square 695W, Lot 21).

HEARING DATE: February 9, 2016

DECISION DATE: February 9, 2016

SUMMARY ORDER

SELF-CERTIFIED

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2. (Exhibit 3.) The application was subsequently amended by the Applicant to withdraw the request for Special Exception relief from the roof structure requirements. (Exhibit 26.)

The Board of Zoning Adjustment ("Board" or "BZA") provided proper and timely notice of the public hearing on this application by publication in the *D.C. Register* and by mail to Advisory Neighborhood Commission ("ANC") 6D and to owners of property located within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 6D, which is automatically a party to this application. The ANC submitted a report in support of the application with conditions. The ANC report is dated January 18, 2016 and states that at a duly noticed and scheduled public meeting on January 11, 2016, at which a quorum was in attendance, the ANC voted 4-0-1 to support the application, with conditions that would make the building's tenants ineligible for Residential Parking Permits ("RPP") and would address concerns about pet waste management. (Exhibit 33.) According to the ANC, the Applicant agreed not to petition DDOT to make any block adjacent to the building eligible for RPP and to place information in all leases stating that tenants are not eligible for RPP. The Applicant also made commitments regarding the construction management plan and a contribution to an organization that develops or preserves affordable housing in the District. The Applicant testified that it would abide by its commitments to the ANC, but noted that the conditions do not specifically relate to the potential impact of the relief requested. Therefore, the Board did not adopt the ANC's conditions in the order.

¹ The application was amended by the Applicant to withdraw a request for Special Exception relief from the roof structure requirements under §§ 411.3 and 411.5. (Exhibit 26.) The caption has been revised accordingly.

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The Office of Planning (“OP”) submitted a timely report dated February 2, 2016, recommending approval of the application (Exhibit 28) and testified in support of the application at the hearing. The District Department of Transportation (“DDOT”) submitted a timely report indicating that it had no objection to the application.² (Exhibit 27.)

As directed by 11 DCMR § 3119.2, the Board required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to § 3103.2 for an area variance from the side yard requirements under § 775.1, and the loading requirements under § 2201.1, to construct a new mixed-use building in the C-3-C District (South Capitol TDR receiving zone). The only parties to the case were the ANC and the Applicant. No parties appeared at the public hearing in opposition to the application. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

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 §§ 775.1 and 2201.1, 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.

As directed by 11 DCMR § 3119.2, the Board required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case for a special exception from the rear yard requirements under § 774.1, to construct a new mixed-use building in the C-3-C District (South Capitol TDR receiving zone). The only parties to the case were the ANC and the Applicant. No parties appeared at the public hearing in opposition to the application. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

The Board concludes that the Applicant has met the burden of proof for special exception relief, pursuant to 11 DCMR §§ 3104.1 and 774.1 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

² In its report, DDOT requested continued coordination with DDOT through its public space permitting process on the final design and operations of the curb cut and the design of the public space. (Exhibit 27.)

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conclusions of law. The waiver will not prejudice the rights of any party and is appropriate in this case.

It is therefore **ORDERED** that the application is hereby **GRANTED SUBJECT TO THE APPROVED REVISED PLANS AT EXHIBIT 24A.**

VOTE: **3-0-2** (Frederick L. Hill, Robert E. Miller, and Jeffrey L. Hinkle to APPROVE; Marnique Y. Heath, not present or participating; one Board seat vacant.)

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

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

FINAL DATE OF ORDER: February 11, 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

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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. 19216 of KIPP DC, pursuant to 11 DCMR § 3104.1, for a special exception from the rooftop structure requirements pursuant to §§ 411.11 and 411.3, to permit the renovation of an existing public school in the R-4 District at premises 1375 Mt. Olivet Road, N.E. (Square 69, Lot 800).

HEARING DATE: February 9, 2016

DECISION DATE: February 9, 2016

SUMMARY ORDER

REVIEW BY THE ZONING ADMINISTRATOR

This application was accompanied by a memorandum, dated June 9, 2015, from the Zoning Administrator certifying the required relief. (Exhibit 7.)

The Board of Zoning Adjustment (the "Board") provided proper and timely notice of the public hearing on this application by publication in the *D.C. Register* and by mail to Advisory Neighborhood Commission ("ANC") 5D, and to owners of property located within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 5D, which is automatically a party to this application. The ANC submitted a report indicating that at a regularly scheduled and properly noticed meeting on January 12, 2016, at which a quorum was in attendance, ANC 5D voted 6-0-1 in support of the application, with a condition that the Applicant investigate the 24-hour long building lighting issue posed to the residents of Holbrook Street, N.E. and minimize the number of hours when lights are shining directly onto residents' homes. (Exhibit 27.) While acknowledging the ANC's support for the application and its request, the Board did not adopt the ANC's proposed condition as the provision dealing with lighting issues was unrelated to the roof structure relief the Applicant sought.

The Office of Planning ("OP") submitted a timely report recommending approval of the application (Exhibit 25), and testified in support of the application at the hearing. The District Department of Transportation submitted a timely report, indicating that it had no objection to the approval of the application. (Exhibit 26.)

As directed by 11 DCMR § 3119.2, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to §§ 3104.1 for a special exception from the rooftop structure requirements pursuant to §§ 411.11 and 411.3, to permit the renovation of an existing public school 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 under 11 DCMR §§

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3104.1, 411.11, and 411.3, that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board further concludes that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map.

Pursuant to 11 DCMR § 3100.5, the Board has determined to waive the requirement of 11 DCMR § 3125.5, that the order of the Board be accompanied by findings of fact and conclusions of law. The waiver will not prejudice the rights of any party and is appropriate in this case.

It is therefore **ORDERED** that this application is hereby **GRANTED SUBJECT TO THE APPROVED PLANS AT EXHIBIT 6**.

VOTE: **3-0-2** (Frederick L. Hill, Robert E. Miller, and Jeffrey L. Hinkle, to APPROVE; Marnique Y. Heath not present, not voting; one Board seat vacant.)

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

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

FINAL DATE OF ORDER: February 11, 2016

PURSUANT TO 11 DCMR § 3125.9, NO ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN (10) DAYS AFTER IT BECOMES FINAL PURSUANT TO § 3125.6.

PURSUANT TO 11 DCMR § 3130, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSE OF SECURING A BUILDING PERMIT, OR THE APPLICANT FILES A REQUEST FOR A TIME EXTENSION PURSUANT TO § 3130.6 AT LEAST 30 DAYS PRIOR TO THE EXPIRATION OF THE TWO-YEAR PERIOD AND THAT SUCH REQUEST IS GRANTED. NO OTHER ACTION, INCLUDING THE FILING OR GRANTING OF AN APPLICATION FOR A MODIFICATION PURSUANT TO §§ 3129.2 OR 3129.7, SHALL EXTEND THE TIME PERIOD.

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

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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.

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