

District of Columbia

REGISTER

HIGHLIGHTS

- D.C. Council schedules a public hearing on Bill 22-154, Citizens with Intellectual Disabilities Civil Rights Restoration Act of 2017
- D.C. Council schedules a public hearing on Bill 22-169, Electronic Signature Authorization Act of 2017
- D.C. Council schedules a public hearing on Bill 22-192, Fair Elections Act of 2017
- Department of Health announces availability of the DC Immunization Coalition Funding
- Department of Human Resources updates regulations governing corrective and adverse actions, enforced leave, and grievances
- Department of Human Services solicits grant applications for the SNAP Employment and Training Program
- Office of the State Superintendent of Education announces funding availability for the District’s School Garden Grant
- Office of the Secretary extends the submission deadline for the Grant to Promote District of Columbia Voting Rights and Statehood

DISTRICT OF COLUMBIA REGISTER

Publication Authority and Policy

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

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DISTRICT OF COLUMBIA OFFICE OF DOCUMENTS AND ADMINISTRATIVE ISSUANCES

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MURIEL E. BOWSER
MAYOR

VICTOR L. REID, ESQ.
ADMINISTRATOR

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COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 21-270

**"Four-unit Rental Housing Tenant
Grandfathering Amendment Act of 2016"**

As required by Section 412(a) of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 21-885 on first and second readings December 6, 2016, and December 20, 2016, respectively. Following the signature of the Mayor on January 25, 2017, as required by Section 404(e) of the Charter, the bill became Act 21-645 and was published in the February 3, 2017 edition of the D.C. Register (Vol. 64, page 942). Act 21-645 was transmitted to Congress on March 3, 2017 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 21-645 is now D.C. Law 21-270, effective April 15, 2017.



Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

March	6, 7, 8, 9, 10, 13, 14, 15, 16, 17, 20, 21, 22, 23, 24, 27, 28, 29, 30, 31
April	3, 4, 5, 6, 7, 10, 11, 12, 13, 14

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 21-271

**"At-Risk Tenant Protection Clarifying
Temporary Amendment Act of 2016"**

As required by Section 412(a) of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 21-967 on first and second readings December 6, 2016, and December 20, 2016, respectively. Following the signature of the Mayor on January 25, 2017, as required by Section 404(e) of the Charter, the bill became Act 21-646 and was published in the February 3, 2017 edition of the D.C. Register (Vol. 64, page 944). Act 21-646 was transmitted to Congress on March 3, 2017 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 21-646 is now D.C. Law 21-271, effective April 15, 2017.



Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

March	6, 7, 8, 9, 10, 13, 14, 15, 16, 17, 20, 21, 22, 23, 24, 27, 28, 29, 30, 31
April	3, 4, 5, 6, 7, 10, 11, 12, 13, 14

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 21-272

**"Professional Engineers Licensure and Regulation
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As required by Section 412(a) of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 21-279 on first and second readings November 15, 2016, and December 6, 2016, respectively. Following the signature of the Mayor on January 26, 2017, as required by Section 404(e) of the Charter, the bill became Act 21-647 and was published in the February 3, 2017 edition of the D.C. Register (Vol. 64, page 946). Act 21-647 was transmitted to Congress on March 3, 2017 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 21-647 is now D.C. Law 21-272, effective April 15, 2017.



Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

March 6, 7, 8, 9, 10, 13, 14, 15, 16, 17, 20, 21, 22, 23, 24, 27, 28, 29, 30, 31
April 3, 4, 5, 6, 7, 10, 11, 12, 13, 14

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 21-273

**"Active Duty Pay Differential Amendment
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As required by Section 412(a) of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 21-298 on first and second readings December 6, 2016, and December 20, 2016, respectively. Following the signature of the Mayor on January 24, 2017, as required by Section 404(e) of the Charter, the bill became Act 21-648 and was published in the February 3, 2017 edition of the D.C. Register (Vol. 64, page 949). Act 21-648 was transmitted to Congress on March 3, 2017 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 21-648 is now D.C. Law 21-273, effective April 15, 2017.



Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

March 6, 7, 8, 9, 10, 13, 14, 15, 16, 17, 20, 21, 22, 23, 24, 27, 28, 29, 30, 31

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COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 21-274

**"Continuing Care Retirement Community
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As required by Section 412(a) of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 21-402 on first and second readings December 6, 2016, and December 20, 2016, respectively. Following the signature of the Mayor on January 26, 2017, as required by Section 404(e) of the Charter, the bill became Act 21-649 and was published in the February 3, 2017 edition of the D.C. Register (Vol. 64, page 951). Act 21-649 was transmitted to Congress on March 3, 2017 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 21-649 is now D.C. Law 21-274, effective April 15, 2017.



Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

March	6, 7, 8, 9, 10, 13, 14, 15, 16, 17, 20, 21, 22, 23, 24, 27, 28, 29, 30, 31
April	3, 4, 5, 6, 7, 10, 11, 12, 13, 14

COUNCIL OF THE DISTRICT OF COLUMBIA


NOTICE

D.C. LAW 21-275

"UDC DREAM Amendment Act of 2016"

As required by Section 412(a) of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 21-422 on first and second readings December 6, 2016, and December 20, 2016, respectively. Following the signature of the Mayor on January 26, 2017, as required by Section 404(e) of the Charter, the bill became Act 21-650 and was published in the February 3, 2017 edition of the D.C. Register (Vol. 64, page 953). Act 21-650 was transmitted to Congress on March 3, 2017 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 21-650 is now D.C. Law 21-275, effective April 15, 2017.



Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

March 6, 7, 8, 9, 10, 13, 14, 15, 16, 17, 20, 21, 22, 23, 24, 27, 28, 29, 30, 31

April 3, 4, 5, 6, 7, 10, 11, 12, 13, 14

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 21-276

"Accountancy Practice Amendment Act of 2016"

As required by Section 412(a) of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 21-541 on first and second readings November 15, 2016, and December 6, 2016, respectively. Following the signature of the Mayor on January 24, 2017, as required by Section 404(e) of the Charter, the bill became Act 21-651 and was published in the February 3, 2017 edition of the D.C. Register (Vol. 64, page 955). Act 21-651 was transmitted to Congress on March 3, 2017 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 21-651 is now D.C. Law 21-276, effective April 15, 2017.



Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

March	6, 7, 8, 9, 10, 13, 14, 15, 16, 17, 20, 21, 22, 23, 24, 27, 28, 29, 30, 31
April	3, 4, 5, 6, 7, 10, 11, 12, 13, 14

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 21-277

**"Pesticide Education and Control
Amendment Act of 2016"**

As required by Section 412(a) of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 21-580 on first and second readings December 6, 2016, and December 20, 2016, respectively. Following the signature of the Mayor on January 24, 2017, as required by Section 404(e) of the Charter, the bill became Act 21-652 and was published in the February 3, 2017 edition of the D.C. Register (Vol. 64, page 960). Act 21-652 was transmitted to Congress on March 3, 2017 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 21-652 is now D.C. Law 21-277, effective April 15, 2017.



Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

March	6, 7, 8, 9, 10, 13, 14, 15, 16, 17, 20, 21, 22, 23, 24, 27, 28, 29, 30, 31
April	3, 4, 5, 6, 7, 10, 11, 12, 13, 14

COUNCIL OF THE DISTRICT OF COLUMBIA

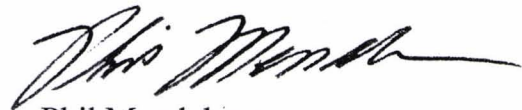
NOTICE

D.C. LAW 21-278

"Risk-Based Capital Amendment Act of 2016"

As required by Section 412(a) of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 21-610 on first and second readings December 6, 2016, and December 20, 2016, respectively. Following the signature of the Mayor on January 26, 2017, as required by Section 404(e) of the Charter, the bill became Act 21-653 and was published in the February 3, 2017 edition of the D.C. Register (Vol. 64, page 963). Act 21-653 was transmitted to Congress on March 3, 2017 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 21-653 is now D.C. Law 21-278, effective April 15, 2017.



Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

March 6, 7, 8, 9, 10, 13, 14, 15, 16, 17, 20, 21, 22, 23, 24, 27, 28, 29, 30, 31

April 3, 4, 5, 6, 7, 10, 11, 12, 13, 14

COUNCIL OF THE DISTRICT OF COLUMBIA


NOTICE

D.C. LAW 21-279

**"End Taxation Without Representation
Amendment Act of 2016"**

As required by Section 412(a) of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 21-708 on first and second readings December 6, 2016, and December 20, 2016, respectively. Following the signature of the Mayor on January 24, 2017, as required by Section 404(e) of the Charter, the bill became Act 21-654 and was published in the February 3, 2017 edition of the D.C. Register (Vol. 64, page 966). Act 21-654 was transmitted to Congress on March 3, 2017 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 21-654 is now D.C. Law 21-279, effective April 15, 2017.



Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

March	6, 7, 8, 9, 10, 13, 14, 15, 16, 17, 20, 21, 22, 23, 24, 27, 28, 29, 30, 31
April	3, 4, 5, 6, 7, 10, 11, 12, 13, 14

COUNCIL OF THE DISTRICT OF COLUMBIA

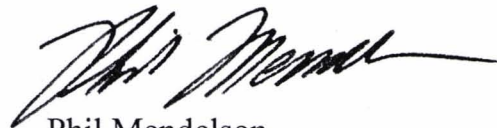
NOTICE

D.C. LAW 21-280

**"Omnibus Public Safety and Justice
Amendment Act of 2016"**

As required by Section 412(a) of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 21-724 on first and second readings November 15, 2016, and December 6, 2016, respectively. Following the signature of the Mayor on January 6, 2017, as required by Section 404(e) of the Charter, the bill became Act 21-603 and was published in the January 13, 2017 edition of the D.C. Register (Vol. 64, page 168). Act 21-603 was transmitted to Congress on January 25, 2017 for a 60-day review, in accordance with Section 602(c)(2) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 60-day Congressional review period has ended, and Act 21-603 is now D.C. Law 21-280, effective April 22, 2017.



Phil Mendelson
Chairman of the Council

Days Counted During the 60-day Congressional Review Period:

January	27, 30, 31
February	1, 2, 3, 6, 7, 8, 9, 10, 13, 14, 15, 16, 17, 21, 22, 23, 24, 27, 28
March	1, 2, 3, 6, 7, 8, 9, 10, 13, 14, 15, 16, 17, 20, 21, 22, 23, 24, 27, 28, 29, 30, 31
April	3, 4, 5, 6, 7, 10, 11, 12, 13, 14, 17, 18, 19, 20, 21

ENROLLED ORIGINAL

A RESOLUTION

21-668

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

December 6, 2016

To confirm the appointment of Ms. Marnique Heath to the Historic Preservation Review Board.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Historic Preservation Review Board Marnique Heath Confirmation Resolution of 2016”.

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

Ms. Marnique Heath
811 4th Street, N.W., Unit 607
Washington, D.C. 20001
(Ward 6)

as a public member of the Historic Preservation Review Board, established by Mayor’s Order 83-119, issued May 6, 1983 (30 DCR 3031), in accordance with section 4 of the Historic Landmark and Historic District Protection Act of 1978, effective March 3, 1979 (D.C. Law 2-144; D.C. Official Code § 6-1103), for a term to end July 21, 2018.

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

21-705

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

December 20, 2016

To confirm the appointment of Dr. Charlene Drew Jarvis as a member of the Board of Trustees of the University of the District of Columbia.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Board of Trustees of the University of the District of Columbia Charlene Drew Jarvis Confirmation Resolution of 2016”.

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

Dr. Charlene Drew Jarvis
789 Sycamore Street, N.W.
Washington, D.C. 20012
(Ward 4)

as a member of the Board of Trustees of the University of the District of Columbia, established by section 201 of the District of Columbia Public Postsecondary Education Reorganization Act, approved October 26, 1974 (88 Stat. 1424; D.C. Official Code § 38-1202.01), replacing George Vradenburg, for a term to end May 15, 2018.

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-48

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 4, 2017

To reappoint Mr. Lyle M. Blanchard to the District of Columbia Retirement Board.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “District of Columbia Retirement Board Lyle M. Blanchard Reappointment Resolution of 2017”.

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

Mr. Lyle M. Blanchard
5609 32nd Street, N.W.
Washington, D.C. 20015
(Ward 4)

as a member of the District of Columbia Retirement Board, established by section 121 of the District of Columbia Retirement Reform Act, approved November 17, 1979 (93 Stat. 869; D.C. Official Code § 1-711), for a 4-year term to end January 27, 2021.

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

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

ENROLLED ORIGINAL

A RESOLUTION

22-49

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 4, 2017

To reappoint Mr. Michael J. Warren to the District of Columbia Retirement Board.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “District of Columbia Retirement Board Michael J. Warren Reappointment Resolution of 2017”.

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

Mr. Michael J. Warren
3215 35th Street, N.W.
Washington, D.C. 20016
(Ward 3)

as a member of the District of Columbia Retirement Board, established by section 121 of the District of Columbia Retirement Reform Act, approved November 17, 1979 (93 Stat. 869; D.C. Official Code § 1-711), for a 4-year term to end January 27, 2019.

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

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

ENROLLED ORIGINAL

A RESOLUTION

22-79

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 2, 2017

To confirm the reappointment of Ms. Bobbi Strang to the Police Complaints Board.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Police Complaints Board Bobbi Strang Confirmation Resolution of 2017".

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

Ms. Bobbi Strang
5569 Central Avenue, S.E.
Washington, D.C. 20019
(Ward 7)

as a member of the Police Complaints Board, established by section 5 of the Office of Citizen Complaint Review Establishment Act of 1998, effective March 26, 1999 (D.C. Law 12-208; D.C. Official Code § 5-1104), for a term to end January 12, 2020.

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-80

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 2, 2017

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

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Commission on Human Rights Motoko Aizawa Confirmation Resolution of 2017".

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

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

as a member of the Commission on Human Rights, established by section 401 of the Human Rights Act of 1977, effective December 7, 2004 (D.C. Law 15-216; D.C. Official Code § 2-1404.01), in accordance with section 2(e)(8) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(e)(8)), for a term to end December 31, 2019.

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-81

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 2, 2017

To confirm the appointment of Mr. David Heyman to the District of Columbia Homeland Security Commission.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Homeland Security Commission David Heyman Confirmation Resolution of 2017".

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

Mr. David Heyman
5523 30th Place, N.W.
Washington, D.C. 20015
(Ward 4)

as a member of the District of Columbia Homeland Security Commission, established by section 202 of the Homeland Security, Risk Reduction, and Preparedness Amendment Act of 2006, effective March 14, 2007 (D.C. Law 16-262; D.C. Official Code § 7-2271.02), in accordance with section 2(e) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(e)), for a term to end February 22, 2019.

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-82

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 2, 2017

To confirm the reappointment of Mr. Ali Muhammad to the Commission on Human Rights.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Commission on Human Rights Ali Muhammad Confirmation Resolution of 2017".

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

Mr. Ali Muhammad
3514 10th Street, N.W.
Washington, D.C. 20010
(Ward 1)

as a member of the Commission on Human Rights, established by section 401 of the Human Rights Act of 1977, effective December 7, 2004 (D.C. Law 15-216; D.C. Official Code § 2-1404.01), in accordance with section 2(e)(8) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(e)(8)), for a term to end December 31, 2019.

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-83

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 2, 2017

To confirm the reappointment of Ms. Karen Mulhauser to the Commission on Human Rights.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Commission on Human Rights Karen Mulhauser Confirmation Resolution of 2017".

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

Ms. Karen Mulhauser
319 7th Street, N.E.
Washington, D.C. 20002
(Ward 6)

as a member of the Commission on Human Rights, established by section 401 of the Human Rights Act of 1977, effective December 7, 2004 (D.C. Law 15-216; D.C. Official Code § 2-1404.01), in accordance with section 2(e)(8) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(e)(8)), for a term to end December 31, 2019.

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-84

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 2, 2017

To confirm the reappointment of Mr. Charles Thornton to the Corrections Information Council Governing Board.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Corrections Information Council Governing Board Charles Thornton Confirmation Resolution of 2017”.

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

Mr. Charles Thornton
1400 Carrollsburg Place, S.W.
Washington, D.C. 20004
(Ward 6)

as a member of the Corrections Information Council Governing Board, established by section 11201a of the National Capital Revitalization and Self-Government Improvement Act of 1997, effective October 2, 2010 (D.C. Law 18-233; D.C. Official Code § 24-101.01), for a term to end June 7, 2019.

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-85

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 2, 2017

To confirm the appointment of Commander Morgan C. Kane to the Police Complaints Board.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Police Complaints Board Commander Morgan C. Kane Confirmation Resolution of 2017".

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

Commander Morgan C. Kane
301 Tingey Street, S.E.
Washington, D.C. 20003
(Ward 6)

as the Metropolitan Police Department member of the Police Complaints Board, established by section 5 of the Office of Citizen Complaint Review Establishment Act of 1998, effective March 26, 1999 (D.C. Law 12-208; D.C. Official Code § 5-1104), replacing Assistant Chief Patrick Burke, for a term to end January 12, 2018.

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-86

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 2, 2017

To confirm the appointment of Mr. Odie Donald as the Director of the Department of Employment Services.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Director of the Department of Employment Services Odie Donald Confirmation Resolution of 2017”.

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

Mr. Odie Donald
1600 Maryland Avenue, N.E., Unit #154
Washington, D.C. 20002
(Ward 5)

as the Director of the Department of Employment Services, established by Reorganization Plan No. 1 of 1980, effective April 17, 1980, in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), to serve at the pleasure of the Mayor.

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-87

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 2, 2017

To confirm the appointment of Mr. Ivan Frishberg to the District of Columbia Water and Sewer Authority Board of Directors.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “District of Columbia Water and Sewer Authority Board of Directors Ivan Frishberg Confirmation Resolution of 2017”.

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

Mr. Ivan Frishberg
620 D Street, S.E.
Washington, D.C. 20003
(Ward 6)

as an alternate member of the Board of Directors of the District of Columbia Water and Sewer Authority, in accordance with section 204 of the Water and Sewer Authority Establishment and Department of Public Works Reorganization Act of 1996, effective April 18, 1996 (D.C. Law 11-111; D.C. Official Code § 34-2202.04), replacing Keith Anderson, for a term to end September 12, 2020.

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-88

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 2, 2017

To confirm the reappointment of Mr. Eric Kessler as a voting member of the Food Policy Council.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Food Policy Council Eric Kessler Confirmation Resolution of 2017”.

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

Mr. Eric Kessler
3775 Oliver Street, N.W.
Washington, D.C. 20015
(Ward 3)

as a voting member of the Food Policy Council, established by section 3 of the Food Policy Council and Director Establishment Act of 2014, effective March 10, 2015 (D.C. Law 20-191; D.C. Official Code § 48-312), for a term to end March 1, 2020.

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-89

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 2, 2017

To confirm the reappointment of Mr. Christopher Bradshaw as a voting member of the Food Policy Council.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Food Policy Council Christopher Bradshaw Confirmation Resolution of 2017”.

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

Mr. Christopher Bradshaw
1436 W Street, N.W., Unit #103
Washington, D.C. 20009
(Ward 1)

as a voting member of the Food Policy Council, established by section 3 of the Food Policy Council and Director Establishment Act of 2014, effective March 10, 2015 (D.C. Law 20-191; D.C. Official Code § 48-312), for a term to end March 1, 2020.

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-90

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 2, 2017

To confirm the reappointment of Mr. Caesar Layton as a voting member of the Food Policy Council.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Food Policy Council Caesar Layton Confirmation Resolution of 2017”.

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

Mr. Caesar Layton
1425 Euclid Street, N.W., Unit #12
Washington, D.C. 20009
(Ward 1)

as a voting member of the Food Policy Council, established by section 3 of the Food Policy Council and Director Establishment Act of 2014, effective March 10, 2015 (D.C. Law 20-191; D.C. Official Code § 48-312), for a term to end March 1, 2020.

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-91

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 2, 2017

To confirm the reappointment of Ms. Alexandra Ashbrook as a voting member of the Food Policy Council.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Food Policy Council Alexandra Ashbrook Confirmation Resolution of 2017”.

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

Ms. Alexandra Ashbrook
2925 39th Street, N.W.
Washington, D.C. 20016
(Ward 3)

as a voting member of the Food Policy Council, established by section 3 of the Food Policy Council and Director Establishment Act of 2014, effective March 10, 2015 (D.C. Law 20-191; D.C. Official Code § 48-312), for a term to end March 1, 2020.

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-92

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 2, 2017

To confirm the appointment of Mr. Philip Sambol as a voting member of the Food Policy Council.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Food Policy Council Philip Sambol Confirmation Resolution of 2017”.

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

Mr. Philip Sambol
2006 Rhode Island Avenue, N.E.
Washington, D.C. 20018
(Ward 5)

as a voting member of the Food Policy Council, established by section 3 of the Food Policy Council and Director Establishment Act of 2014, effective March 10, 2015 (D.C. Law 20-191; D.C. Official Code § 48-312), replacing Claire Benjamin, for a term to end March 1, 2019.

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-93

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 2, 2017

To confirm the appointment of Mr. David Franco to the District of Columbia Water and Sewer Authority Board of Directors.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “District of Columbia Water and Sewer Authority Board of Directors David Franco Confirmation Resolution of 2017”.

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

Mr. David Franco
2303 14th Street, N.W.
Washington, D.C. 20009
(Ward 1)

as a member of the Board of Directors of the District of Columbia Water and Sewer Authority, in accordance with section 204 of the Water and Sewer Authority Establishment and Department of Public Works Reorganization Act of 1996, effective April 18, 1996 (D.C. Law 11-111; D.C. Official Code § 34-2202.04), replacing Alan Roth, for a term to end September 12, 2019.

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-94

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 2, 2017

To confirm the reappointment of Mr. James Knight as a member of the Housing Production Trust Fund Board.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Housing Production Trust Fund Board James Knight Confirmation Resolution of 2017”.

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

Mr. James Knight
5713 Sherier Place, N.W.
Washington, D.C. 20016
(Ward 3)

as a member, representing a low-income tenant association, of the Housing Production Trust Fund Board, established by section 3a of the Housing Production Trust Fund Act of 1988, effective June 8, 1990 (D.C. Law 8-133; D.C. Official Code § 42-2802.01), for a term to end January 14, 2021.

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-95

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 2, 2017

To confirm the reappointment of Mr. Stanley Jackson as a member of the Housing Production Trust Fund Board.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Housing Production Trust Fund Board Stanley Jackson Confirmation Resolution of 2017”.

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

Mr. Stanley Jackson
52 Brandywine Street, S.W.
Washington, D.C. 20032
(Ward 8)

as a member, with significant knowledge of an area related to the production, preservation, and rehabilitation of affordable housing for lower-income households, of the Housing Production Trust Fund Board, established by section 3a of the Housing Production Trust Fund Act of 1988, effective June 8, 1990 (D.C. Law 8-133; D.C. Official Code § 42-2802.01), for a term to end January 14, 2021.

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-96

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 2, 2017

To confirm the reappointment of Ms. Susanne Slater as a member of the Housing Production Trust Fund Board.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Housing Production Trust Fund Board Susanne Slater Confirmation Resolution of 2017".

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

Ms. Susanne Slater
5700 Nebraska Avenue, N.W.
Washington, D.C. 20015
(Ward 4)

as a member, representing the financial services industry, of the Housing Production Trust Fund Board, established by section 3a of the Housing Production Trust Fund Act of 1988, effective June 8, 1990 (D.C. Law 8-133; D.C. Official Code § 42-2802.01), for a term to end January 14, 2021.

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-97

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 2, 2017

To confirm the reappointment of Mr. Robert Pohlman as a member of the Housing Production Trust Fund Board.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Housing Production Trust Fund Board Robert Pohlman Confirmation Resolution of 2017".

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

Mr. Robert Pohlman
1815 Monroe Street, N.W.
Washington, D.C. 20010
(Ward 1)

as a member, representing an organization that advocates for people with disabilities, of the Housing Production Trust Fund Board, established by section 3a of the Housing Production Trust Fund Act of 1988, effective June 8, 1990 (D.C. Law 8-133; D.C. Official Code § 42-2802.01), for a term to end January 14, 2021.

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-98

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 2, 2017

To confirm the appointment of Mr. Quincy Booth as the Director of the Department of Corrections.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Director of the Department of Corrections Quincy Booth Confirmation Resolution of 2017".

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

Mr. Quincy Booth
1623 Butler Street, S.E.
Washington, D.C. 20020
(Ward 8)

as the Director of the Department of Corrections, in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), to serve at the pleasure of the Mayor.

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-99

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 2, 2017

To confirm the appointment of Ms. Brenda Donald as the Director of the Child and Family Services Agency.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Director of the Child and Family Services Agency Brenda Donald Confirmation Resolution of 2017”.

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

Ms. Brenda Donald
5511 Colorado Avenue, N.W.
Washington D.C. 20011
(Ward 4)

as the Director of the Child and Family Services Agency, established by section 301a of the Prevention of Child Abuse and Neglect Act of 1977, effective April 4, 2001 (D.C. Law 13-277; D.C. Official Code § 4-1303.01a), in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), to serve at the pleasure of the Mayor.

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-100

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 2, 2017

To approve an agreement to enter into a long-term subsidy contract for a term of 15 years in support of the District's Local Rent Supplement Program to fund housing costs associated with affordable housing units for Contract No. 2013-LRSP-10A with Jubilee-Maycroft Apartments, LP, for units located at 1474 Columbia Road, N.W., Washington, DC 20009.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Local Rent Supplement Program Contract No. 2013-LRSP-10A Approval Resolution of 2017".

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

(b) In April 2013, the District of Columbia's Department of Housing and Community Development ("DHCD") issued a Request for Proposals regarding the availability of funds from multiple district agencies, including DCHA, DHCD, the Department of Behavioral Health, the Department of Human Services, and the District of Columbia Housing Finance Agency. Of the total proposals received, 18 developers were chosen to work with DCHA and others to develop affordable housing and permanent supportive housing units for extremely low-income families making zero to 30% of the area median income, as well as the chronically homeless and individuals with mental or physical disabilities throughout Washington, D.C. Upon approval of the agreement to enter into a long-term contract ("ALTSC") by the Council, DCHA will execute the agreement with the selected housing providers under the LRSP.

ENROLLED ORIGINAL

(c) There exists an immediate need to approve the ALTSC with Jubilee-Maycroft Apartments, LP, in order to provide long term affordable housing units for extremely low-income households in the District for units located 1474 Columbia Road, N.W.

(d) The Council's approval authorizes the ALTSC between DCHA and Jubilee-Maycroft Apartments, LP, with respect to the payment of rental subsidies, and allows the owner to lease the rehabilitated units at 1741 Columbia Road, N.W., and house District extremely low-income households with incomes at 30% or less of the area median income.

Sec. 3. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves the ALTSC with Jubilee-Maycroft Apartments, LP, to provide operating subsidy in support of 41 affordable housing units in an initial amount not to exceed \$636,252 annually.

Sec. 4. Transmittal.

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

Sec. 5. Fiscal impact statement.

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

Sec. 6. Effective date.

This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-101

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 2, 2017

To declare the existence of an emergency with respect to the need to approve Modification Nos. M021, M022, M023 and M024 and proposed Modification No. M026 to Human Care Agreement No. DCRL-2013-H-0039B with Boys Town Washington DC, Inc. to provide case management and traditional family-based foster care services for children and youth during Option Year 3, and to authorize payment for the services received and to be received under the modifications.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Modifications to Human Care Agreement No. DCRL-2013-H-0039B Approval and Payment Authorization Emergency Declaration Resolution of 2017”.

Sec. 2. (a) There exists a need to approve Modification Nos. M021, M022, M023, and M024 and proposed Modification No. M026 to Human Care Agreement No. DCRL-2013-H-0039B with Boys Town Washington DC, Inc. to provide case management and traditional family-based foster care services for children and youth, and to authorize payment for the services received and to be received under the modifications.

(b) By Modification No. M022, dated December 30, 2016, and Modification No. M021, dated January 18, 2017, the Child and Family Services Agency (“CFSA”) partially exercised Option Year 3 of Human Care Agreement No. DCRL-2013-H-0039B in the not-to-exceed amount of \$139,879.67 for the period from January 1, 2017, through January 31, 2017.

(c) By Modification No. M023, dated February 1, 2017, CFSA corrected an administrative error in Modification No. M022 when the not-to-exceed amount for the first partial option was recorded as \$139,879.67 when it should have been \$136,792.16.

(d) By Modification No. M024, dated February 1, 2017, CFSA exercised a second partial option in the not-to-exceed amount of \$741,812.53 for the period from February 1, 2017, through July 1, 2017.

(e) Modification Nos. M025 and M025A were administrative modifications.

(f) By Modification No. M026, CFSA proposes to exercise the remainder of Option Year 3 for the period from July 2, 2017, through December 31, 2017, in the not-to-exceed amount of \$899,017.85, making the total not-to-exceed amount for Option Year 3 \$1,777,622.54 for the period from January 1, 2017, through December 31, 2017.

(g) Council approval is necessary because the modifications increase the total contract amount to more than \$1 million during a 12-month period.

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(h) Approval is necessary to allow the continuation of these vital services. Without this approval Boys Town Washington DC, Inc. cannot be paid for services provided in excess of \$1 million.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modifications to Human Care Agreement No. DCRL-2013-H-0039B Approval and Payment Authorization Emergency Act of 2017 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-102

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 2, 2017

To declare the existence of an emergency with respect to the need to approve Modification Nos. M017 and M020 and proposed Modification No. M021 to Human Care Agreement No. DCRL-2013-H-0039J with Latin American Youth Center to provide case management and traditional family-based foster care services for children and youth during Option Year 3, and to authorize payment for the services received and to be received under the modifications.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Modifications to Human Care Agreement No. DCRL-2013-H-0039J Approval and Payment Authorization Emergency Declaration Resolution of 2017”.

Sec. 2. (a) There exists a need to approve Modification Nos. M017 and M020 and proposed Modification No. M021 to Human Care Agreement No. DCRL-2013-H-0039J with Latin American Youth Center to provide case management and traditional family-based foster care services for children and youth, and to authorize payment for the services received and to be received under the modifications.

(b) By Modification No. M017, issued on September 29, 2016, the Child and Family Services Agency (“CFSA”) partially exercised Option Year 3 of Human Care Agreement No. DCRL-2013-H-0039J in the not-to-exceed amount of \$569,102.96 for the period from October 1, 2016, March 29, 2017.

(c) Modification No. M018 added administrative language to Option Year 3 of the human care agreement.

(d) By Modification No. M019, CFSA made administrative changes to Modification No. M0017 and revised the contract amount under the modification from \$569,102.96 to \$573,541.95.

(e) By Modification No. M020, issued on March 2, 2017, CFSA exercised another partial option of Option Year 3 of Human Care Agreement No. DCRL-2013-H-0039J in the not-to-exceed amount of \$200,246.12 for the period of March 30, 2017, through May 30, 2017.

(f) By Modification No. M020A, CFSA made administrative changes to Modification No. M0020.

(g) By Modification No. M021, CFSA proposes to exercise the remainder of Option Year 3 for the period from May 31, 2017, through September 30, 2017, in the not-to-exceed amount of

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\$397,262.47, making the total not-to-exceed amount for Option Year 3 \$1,171,050.54 for the period from October 1, 2016, through September 30, 2017.

(h) Council approval is necessary because these modifications increase the total contract amount to more than \$1 million during a 12-month period.

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

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modifications to Human Care Agreement No. DCRL-2013-H-0039J Approval and Payment Authorization Emergency Act of 2017 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

22-103

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 2, 2017

To declare the existence of an emergency with respect to the need to approve Modification Nos. M019 and M021 and proposed Modification No. M022 to Human Care Agreement No. DCRL-2013-H-0039M with Lutheran Social Services of the National Capital Area to provide case management and therapeutic family-based foster care services for children and youth, and to authorize payment for the services received and to be received under the human care agreement.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Modifications to Human Care Agreement No. DCRL-2013-H-0039M Approval and Payment Authorization Emergency Declaration Resolution of 2017”.

Sec. 2. (a) There exists a need to approve Modification Nos. M019 and M021 and proposed Modification No. M022 to Human Care Agreement No. DCRL-2013-H-0039M with Lutheran Social Services of the National Capital Area to provide case management and therapeutic family-based foster care services for children and youth, and to authorize payment for the services received and to be received under the modifications.

(b) By Modification No. M019, issued on September 28, 2016, the Child and Family Services Agency (“CFSA”) partially exercised Option Year 3 of Human Care Agreement No. DCRL-2013-H-0039M for the period from October 1, 2016, through March 29, 2017, in the not-to-exceed amount of \$478,761.56.

(c) By Modification No. M021, issued on March 13, 2017, CFSA partially exercised Option Year 3 to extend the period of performance from March 30, 2017, through June 30, 2017, in the not-to-exceed amount of \$337,927.19.

(d) By proposed Modification No. M022, CFSA intends to exercise the remainder of Option Year 3 for the period from July 1, 2017, through September 30, 2017, in the not-to-exceed amount of \$334,293.56, increasing the total not-to-exceed amount for Option Year 3 to \$1,150,982.31.

(e) Council approval is required by section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), because the modifications increase the contract to more than \$1 million during a 12-month period.

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(f) Approval is necessary to allow the continuation of these vital services. Without this approval, Lutheran Social Services of the National Capital cannot be paid for services provided in excess of \$1 million for the period October 1, 2016, through September 30, 2017.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modifications to Human Care Agreement No. DCRL-2013-H-0039M Approval and Payment Authorization Emergency Act of 2017 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

22-104

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 2, 2017

To declare the existence of an emergency with respect to the need to approve proposed Modification No. 003 to Contract No. DCRL-2016-C-0113 with Total Healthcare Solutions, LLC to provide licensed registered nurse practitioners, certified medical assistants, and medical records technicians to provide medical services to the District's children and youth removed from their homes due to abuse or neglect, and to authorize payment for the services received and to be received under the contract.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Modification to Contract No. DCRL-2016-C-0113 Approval and Payment Authorization Emergency Declaration Resolution of 2017".

Sec. 2. (a) There exists a need to approve proposed Modification No. 003 to Contract No. DCRL-2016-C-0113 with Total Healthcare Solution, LLC, to provide licensed registered nurse practitioners, certified medical assistants, and medical records technicians to provide medical services to the District's children and youth removed from their homes due to neglect or abuse, and to authorize payment for the services received and to be received under the contract.

(b) By proposed Modification No. 003, the Child and Family Services Agency proposes to increase the contract amount from \$998,602.56 to \$1,317,521.04, an increase of \$318,918.48.

(c) Council approval is necessary because proposed Modification No. 003 increases the total contract amount to more than \$1 million during a 12-month period.

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

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modification to Contract No. DCRL-2016-C-0113 Approval and Payment Authorization Emergency Act of 2017 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-105

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 2, 2017

To declare the existence of an emergency with respect to the need to approve Modification Nos. 001 and 002 to Contract No. DCAM-15-CS-0097F with Jacobs Project Management Co. for construction management services, and authorize payment in the not-to-exceed amount of \$2.5 million for the goods and services received and to be received under the modifications.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Modifications to Contract No. DCAM-15-CS-0097E Approval and Payment Authorization Emergency Declaration Resolution of 2017”.

Sec. 2. (a) There exists an immediate need to approve Modification Nos. 001 and 002 to Contract No. DCAM-15-CS-0097F with Jacobs Project Management Co. for construction management services, and authorize payment in the not-to-exceed amount of \$2.5 million for the goods and services received and to be received under the modifications.

(b) On November 29, 2016, the Department of General Services issued Modification No. 001, which fully exercised Option Year 1 with a minimum order amount of \$250 and a not-to-exceed amount of \$950,000. The value of Modification No. 001 was less than \$1 million; thus, Modification No. 001 did not require Council approval.

(c) Council approval is now required to increase the not-to-exceed amount of Option Year 1 from \$950,000 to the not-to-exceed amount of \$2.5 million via Modification No. 002, in order to ensure that the contract amount for Option Year 1 will be adequate to meet the increased needs for construction management services at District government facilities, 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).

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modifications to Contract No. DCAM-15-CS-0097F Approval and Payment Authorization Emergency Act of 2017 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22- 106

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 2, 2017

To declare the existence of an emergency with respect to the need to approve Modification Nos. 001 and 002 to Contract No. DCAM-15-CS-0097L with JDC Construction Company, LLC for construction management services, and to authorize payment in the not-to-exceed amount of \$2.5 million for the goods and services received and to be received under the modifications.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Modifications to Contract No. DCAM-15-CS-0097L Approval and Payment Authorization Emergency Declaration Resolution of 2017”.

Sec. 2. (a) There exists an immediate need to approve Modification Nos. 001 and 002 to Contract No. DCAM-15-CS-0097L with JDC Construction Company, LLC for construction management services, and to authorize payment in the not-to-exceed amount of \$2.5 million for the goods and services received and to be received under the modifications.

(b) On November 16, 2016, the Department of General Services issued Modification No. 001, which fully exercised Option Year 1 with a minimum order amount of \$250 and a not-to-exceed amount of \$950,000. The value of Modification No. 001 was less than \$1 million; thus, Modification No. 001 did not require Council approval.

(c) Council approval is now required to increase the not-to-exceed amount of Option Year 1 from \$950,000 to the not-to-exceed amount of \$2.5 million via Modification No. 002, in order to ensure that the contract amount for Option Year 1 will be adequate to meet the increased needs for construction management services at District government facilities, 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).

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modifications to Contract No. DCAM-15-CS-0097L Approval and Payment Authorization Emergency Act of 2017 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-107

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 2, 2017

To declare the existence of an emergency with respect to the need to approve Modification Nos. 001 and 002 to Contract No. DCAM-15-CS-0097B with The Temple Group, Inc. for construction management services, and to authorize payment in the not-to-exceed amount of \$2.5 million for the goods and services received and to be received under the modifications.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Modifications to Contract No. DCAM-15-CS-0097B Approval and Payment Authorization Emergency Declaration Resolution of 2017”.

Sec. 2. (a) There exists an immediate need to approve Modification Nos. 001 and 002 to Contract No. DCAM-15-CS-0097B with The Temple Group, Inc. for construction management services, and to authorize payment in the not-to-exceed amount of \$2.5 million for the goods and services received and to be received under the modifications.

(b) On November 16, 2016, the Department of General Services issued Modification No. 001, which fully exercised Option Year 1 with a minimum order amount of \$250 and a not-to-exceed amount of \$950,000. The value of Modification No. 001 was less than \$1 million; thus, Modification No. 001 did not require Council approval.

(c) Council approval is now required to increase the not-to-exceed amount of Option Year 1 from \$950,000 to the not-to-exceed amount of \$2.5 million via Modification No. 002, in order to ensure that the contract amount for Option Year 1 will be adequate to meet the increased needs for construction management services at District government facilities, 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).

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modifications to Contract No. DCAM-15-CS-0097B Approval and Payment Authorization Emergency Act of 2017 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-108

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 2, 2017

To declare the existence of an emergency with respect to the need to approve Change Order Nos. 001 through 005 to Contract No. DCAM-16-CS-0032 with MCN Build, Inc. for design-build services to modernize and expand Watkins Elementary School, and to authorize payment in the not-to-exceed amount of \$38,356,819.20 for the goods and services received and to be received under the change orders.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Change Order Nos. 001 through 005 to Contract DCAM-16-CS-0032 Approval and Payment Authorization Emergency Declaration Resolution of 2017”.

Sec. 2. (a) There exists an immediate need to approve Change Orders Nos. 001 through 005 to Contract DCAM-16-CS-0032 with MCN Build, Inc. to provide design-build services to modernize and expand Watkins Elementary School, and to authorize payment in the not-to-exceed amount of \$38,356,819.20 for the goods and services received and to be received under the change orders.

(b) The underlying contract was previously approved by the Council as CA21-0423. Thereafter, the Department of General Services (“Department”) executed Change Order No. 001 on September 7, 2016, to increase the not-to-exceed amount of the contract by \$27,447.20 for IT upgrades. The Department executed Change Order No. 002 on September 16, 2016, to increase the not-to-exceed amount of the contract by \$66,462 for additional asbestos abatement. The Department executed Change Order No. 003 on September 28, 2016, to increase the not-to-exceed amount of the contract by \$236,500 for installation of public address and other communications equipment for swing space. Change Order No. 004, executed on February 17, 2017, corrected typographical errors on earlier change orders and had no effect on the not-to-exceed amount of the contract. The aggregate increase to the not-to-exceed amount of the contract from Change Order Nos. 001 through 004 was \$330,409.20, and thus Council approval was not required. Proposed Change Order No. 005, if approved, will increase the not-to-exceed amount of the contract to \$38,356,819.20, and require the contractor to substantially complete the remainder of the project by July 15, 2017.

(c) Change Order No. 005 will cause the aggregate value of all the change orders issued after Council approval of the underlying contract to exceed the \$1 million threshold pursuant to

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section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51). As such, Council approval is now required.

(d) Approval of Change Order Nos. 001 through 005 in the aggregate amount of \$38,356,819.20 is necessary to ensure substantial completion of the project in time for the 2017-2018 School Year, and to compensate MCN Build, Inc. for work completed and to be completed pursuant to the contract.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Change Order Nos. 001 through 005 to Contract DCAM-16-CS-0032 Approval and Payment Authorization Emergency Act of 2017 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-109

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 2, 2017

To declare the existence of an emergency with respect to the need to approve Change Order Nos. 3, 4, and 5 to Contract No. DCAM-15-CS-0075 with Lightbox-Bluefin Partners for roof management services, and to authorize payment in the aggregate not-to exceed amount of \$1,849,173.34 for the good and services received and to be received under the change orders.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Change Order Nos. 3, 4, and 5 to Contract No. DCAM-15-CS-0075 Approval and Payment Authorization Emergency Declaration Resolution of 2017”.

Sec. 2. (a) There exists an immediate need to approve Change Order Nos. 3, 4, and 5 to Contract No. DCAM-15-CS-0075 with Lightbox-Bluefin Partners for roof management services, and authorize payment in the aggregate not-to-exceed amount of \$1,849,173.34 for the goods and services received and to be received under the change orders.

(b) On December 27, 2016, via Change Order No. 3, Option Year 1 was partially exercised, from December 28, 2016, through March 27, 2017. Change Order No. 3 had a minimum value of \$50 and a maximum value of \$950,000. On March 27, 2017, via Change Order No. 4, Option Year 1 was partially extended, from March 28, 2017, through May 15, 2017. Change Order 4 was a no-cost extension with a zero-dollar value. The aggregate value of Change Order Nos. 3 and 4 was less than \$1 million; thus, Council approval was not required for Change Order Nos. 3 and 4.

(c) Council approval is now required to fully exercise Option Year 1 and increase the not-to-exceed value of Option Year 1 from \$950,000 to the aggregate not-to-exceed value of \$1,849,173.34, in order to ensure that the contract amount for Option Year 1 will be adequate to meet the needs for roof management services at various District government facilities, 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). All other terms and conditions of Contract No. DCAM-15-CS-0075 have not changed.

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

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Order Nos. 3, 4, and 5 to Contract No. DCAM-15-CS-0075 Approval and Payment Authorization Emergency Act of 2017 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-110

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 2, 2017

To confirm the appointment of Mr. Peter Newsham as Chief of the Metropolitan Police Department.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Chief of the Metropolitan Police Department Peter Newsham Confirmation Resolution of 2017".

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

Mr. Peter Newsham
880 New Jersey Avenue, S.E.
Washington, D.C. 20003
(Ward 6)

as Chief of the Metropolitan Police Department, in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), to serve at the pleasure of the Mayor.

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-111

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 2, 2017

To declare the existence of an emergency with respect to the need to establish that it shall be unlawful for the owner or operator of a grocery store to impose a restrictive land covenant or use restriction on the sale, or other transfer, or lease of real property used as a grocery store that prohibits the subsequent use of the property as a grocery store.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Grocery Store Restrictive Covenant Prohibition Emergency Declaration Resolution of 2017”.

Sec. 2. (a) In late 2014, it was reported that the Safeway at 4865 MacArthur Boulevard was offered for sale. In previous store and property sales, Safeway required that a purchaser of its property agree to a covenant prohibiting reuse of the property for a similar or analogous use; that is, that the property may not be used as a grocery store or retail food establishment of any kind. This type of restriction is harmful to residents. And, in the Macarthur Boulevard instance, it is harmful to the residents of the neighborhood as the next closest grocer is approximately 2.5 miles away.

(b) Restrictive covenants and other use restriction policies related to grocery stores are harmful and limit a community’s access to fresh food.

(c) Maintaining a grocery store within an urban neighborhood is vital, particularly since many residents rely heavily on walking as a means of access to fresh food.

(d) Seniors and low-income residents especially rely on food retailers in close proximity to their homes as they often face mobility challenges or have limited access to vehicles.

(e) A lack of stores offering healthy food options leads to unhealthy food choices and related health problems.

(f) These restrictive covenants are contrary to the American standard of a free market and open competition.

(g) As development in the District continues and the city sees continued population increases, it is vital that every neighborhood has access to essential grocery-store services. Restrictive covenants undermine food-services competition and the advent of revitalized communities with large and small retailers, including independent butchers and bakeries.

(h) The circumstances described in this section underscore the need for the Council to act to prohibit such restrictive covenants and prevent the creation of food deserts in the District.

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(i) This emergency legislation is necessary as the temporary legislation currently in effect, the Grocery Store Restrictive Covenant Prohibition Temporary Act of 2016, effective October 13, 2016 (D.C. Law 21-164; 63 DCR 10164), will expire on May 26, 2017, and the permanent legislation, the Grocery Store Restrictive Covenant Prohibition Act of 2017, as introduced on January 10, 2017 (Bill 22-60), has not yet been enacted by the Council.

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 Grocery Store Restrictive Covenant Prohibition Emergency Act of 2017 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-112

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 2, 2017

To declare the existence of an emergency with respect to the need to amend the Electric Company Infrastructure Improvement Financing Act of 2014 to authorize the collection and use by the District of Columbia and the electric company of certain charges to finance the undergrounding of certain electric power lines and ancillary facilities, and to repeal Title II of that act, which provided authorization for the issuance of bonds; and to amend the District of Columbia Recordation Tax Act and sections 47-902, 47-2005, and 47-2206 of the District of Columbia Official Code to make conforming amendments.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Electric Company Infrastructure Improvement Financing Emergency Declaration Resolution of 2017”.

Sec. 2. (a) On March 3, 2014, the Council of the District of Columbia enacted the Electric Company Infrastructure Improvement Financing Act of 2014, effective May 3, 2014 (D.C. Law 20-102; D.C. Official Code § 34-1311.01 *et seq.*).

(b) On April 4, 2017, the Council of the District of Columbia unanimously approved on first reading the Electric Company Infrastructure Improvement Financing Amendment Act of 2017 (Bill 22-184).

(c) Bill 22-184 revises the financing mechanism for the power line undergrounding project to meet certain concerns regarding the previous bond-based mechanism.

(d) It is important that this updated financing mechanism become law as soon as possible so residents and other stakeholders know that the concerns have been addressed, and so that work can begin without further delay.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Electric Company Infrastructure Improvement Financing Emergency Amendment Act of 2017 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-113

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 2, 2017

To declare the existence of an emergency with respect to the need to amend the Prevention of Child Abuse and Neglect Act of 1977 to broaden the definitions of neglected child and abused to include a victim of sex trafficking or severe forms of trafficking in persons.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Child Neglect and Sex Trafficking Emergency Declaration Resolution of 2017”.

Sec. 2. (a) The Child Abuse and Prevention Treatment Act, approved January 31, 1974 (88 Stat. 5; 42 U.S.C. § 5101 *et seq.*) (“CAPTA”), provides federal funds to states and the District for child protective service programs.

(b) Section 802 of the Justice for Victims of Trafficking Act of 2015, approved May 29, 2015 (129 Stat. 263, codified in scattered cites in the U.S. Code), amended CAPTA by requiring that child welfare agencies consider a child who is a victim of sex trafficking or a victim of a severe form of trafficking in persons as a victim of “child neglect” and “sexual abuse” as a condition of receiving CAPTA funds.

(c) For the District to be eligible for CAPTA funds, it must enact legislation by May 29, 2017, that amends the definitions of “neglected child” and “abused” in section 102 of the Prevention of Child Abuse and Neglect Act of 1977, effective September 23, 1977 (D.C. Law 2–22; D.C. Official Code § 4–1301.02), to include sex trafficking and severe forms of trafficking as those terms are defined in section 103(10) and (9)(A) of the Trafficking Victims Protection Act of 2000, approved October 28, 2000 (114 Stat. 164; 22 U.S.C. § 7102(10) and (9)(A)).

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

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Child Neglect and Sex Trafficking Emergency Amendment Act of 2017 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****BILL**

B22-280 Closing of a Public Alley in Square 772, S.O. 16-25615, Act of 2017

Intro. 5-8-17 by Chairman Mendelson at the request of the Mayor and referred to the Committee of the Whole

PROPOSED RESOLUTIONS

PR22-297 Board of Psychology Anthony Alfred Jimenez Confirmation Resolution of 2017

Intro. 5-5-17 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Health

PR22-298 Board of Optometry David Reed Confirmation Resolution of 2017

Intro. 5-5-17 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Health

- PR22-299 Commission on Asian and Pacific Islander Community Development Niranjana Adhikari Confirmation Resolution of 2017
Intro. 5-5-17 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Government Operations
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- PR22-300 Commission on Asian and Pacific Islander Community Development Julie Won Confirmation Resolution of 2017
Intro. 5-5-17 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Government Operations
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- PR22-301 Commission on Asian and Pacific Islander Community Development Janet Namkung Confirmation Resolution of 2017
Intro. 5-5-17 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Government Operations
-
- PR22-302 Commission on Asian and Pacific Islander Community Development Elena V. Son Confirmation Resolution of 2017
Intro. 5-5-17 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Government Operations
-
- PR22-303 District of Columbia Housing Finance Agency Board of Directors Stanley Jackson Confirmation Resolution of 2017
Intro. 5-5-17 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Housing and Neighborhood Revitalization
-
- PR22-304 Board of Funeral Directors Ernest Boykin Confirmation Resolution of 2017
Intro. 5-5-17 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Business and Economic Development
-

**Council of the District of Columbia
COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY
NOTICE OF PUBLIC HEARING
1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004**

**COUNCILMEMBER CHARLES ALLEN, CHAIRPERSON
COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY**

ANNOUNCES A PUBLIC HEARING ON

**BILL 22-0008, THE “CAMPAIGN FINANCE TRANSPARENCY AND ACCOUNTABILITY
AMENDMENT ACT OF 2017”**

BILL 22-0032, THE “CLEAN ELECTIONS AMENDMENT ACT OF 2017”

**BILL 22-0051, THE “COMPREHENSIVE CAMPAIGN FINANCE REFORM
AMENDMENT ACT OF 2017”**

BILL 22-0107, THE “CAMPAIGN FINANCE REFORM AMENDMENT ACT OF 2017”

**Monday, July 10, 2017, 9:30 a.m.
Room 500, John A. Wilson Building
1350 Pennsylvania Avenue, N.W.
Washington, D.C. 20004**

On Monday, July 10, 2017, Councilmember Charles Allen, Chairperson of the Committee on the Judiciary and Public Safety, will hold a public hearing on Bill 22-0008, the “Campaign Finance Transparency and Accountability Amendment Act of 2017”; Bill 22-0032, the “Clean Elections Amendment Act of 2017”; Bill 22-0051, the “Comprehensive Campaign Finance Reform Amendment Act of 2017”; and Bill 22-0107, the “Campaign Finance Reform Amendment Act of 2017”. The hearing will take place in Room 500 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., at 9:30 a.m.

The stated purpose of Bill 22-0008, the “Campaign Finance Transparency and Accountability Amendment Act of 2017”, is to require political action committees to direct their contributions through regulated accounts that are designated for that purpose; clarify that expenditures coordinated with a candidate or campaign are considered contributions to that candidate or campaign; require political action committees and independent expenditure committees to certify that the donations they have received have not been coordinated with any candidate or campaign; enhance disclosure of independent expenditures; prohibit candidates, public officials, and their affiliated political committees from soliciting donations to any independent expenditure committee or political action committee; close the loophole allowing unlimited contributions to a political action committee in a year when the committee is not supporting candidates; disqualify individuals and corporations from large contracts or other significant business with the District if

they have recently contributed to certain covered recipients; regulate Hatch Act employee designations by requiring them to be for a principal campaign or exploratory committee, requiring employees to use either annual or unpaid leave, requiring designated employees to disclose their designation to the Board of Ethics and Government Accountability, and requiring the Board to post designated-employee information on its website; and require members of boards and commissions to obtain ethics training from the Board at the beginning of their service.

The stated purpose of Bill 22-0032, the “Clean Elections Amendment Act of 2017”, is to amend the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011 to clarify when expenditure committees are genuinely independent of a candidate or officeholder and to allow only individuals to contribute to political committees and constituent service programs.

The stated purpose of Bill 22-0051, the “Comprehensive Campaign Finance Reform Amendment Act of 2017”, is to amend the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011 to add definitions for the terms “covered contractor”, “prohibited recipient”, and “related party”, to amend definitions for the terms “contribution”, “expenditure”, and “political committee”, to prohibit registered lobbyists from bundling contributions, to establish campaign restrictions for covered contractors during prohibited periods prior to an election, to prohibit contributions in excess of \$25 in the form of a money order, to require disclosures from those who make substantial independent expenditures, to give covered contractors an opportunity to cure violations prior to the commencement of an enforcement action, and to provide a separate penalty provision for covered contractor violations.

The stated purpose of Bill 22-0107, the “Campaign Finance Reform Amendment Act of 2017”, is to amend the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011 to require principal campaign committees to retire all debts within six months after an election, and to require committees and candidates to obtain consent before using an individual’s likeness in campaign literature, advertisements, websites, or social media.

The Committee invites the public to testify or to submit written testimony. Anyone wishing to testify at the hearing should contact the Committee via email at judiciary@dccouncil.us or at (202) 727-8275, and provide their name, telephone number, organizational affiliation, and title (if any), by **close of business Wednesday, July 5**. Representatives of organizations will be allowed a maximum of five minutes for oral testimony, and individuals will be allowed a maximum of three minutes. Witnesses are encouraged to bring **twenty single-sided copies** of their written testimony and, if possible, also submit a copy of their testimony electronically in advance to judiciary@dccouncil.us.

For witnesses who are unable to testify at the hearing, written statements will be made part of the official record. Copies of written statements should be submitted to the Committee at judiciary@dccouncil.us or to Nyasha Smith, Secretary to the Council, 1350 Pennsylvania Avenue, N.W., Suite 5, Washington, D.C. 20004. **The record will close at the end of the business day on July 24.**

Council of the District of Columbia
COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY
NOTICE OF PUBLIC HEARING
 1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004

COUNCILMEMBER CHARLES ALLEN, CHAIRPERSON
COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY

ANNOUNCES A PUBLIC HEARING ON

BILL 22-0012, THE “REVISION OF GUARDIANSHIP OF MINORS AND CREATION OF SUPPLEMENTAL NEEDS TRUSTS ACT OF 2017”

BILL 22-0020, THE “CONSUMER DISCLOSURE ACT OF 2017”

BILL 22-0049, THE “UNIFORM POWER OF ATTORNEY AMENDMENT ACT OF 2017”

BILL 22-0169, THE “ELECTRONIC SIGNATURE AUTHORIZATION ACT OF 2017”

BILL 22-0198, THE “UNIFORM PARTITION OF HEIRS' PROPERTY ACT OF 2017”

BILL 22-0199, THE “UNIFORM FIDUCIARY ACCESS TO DIGITAL ASSETS ACT OF 2017”

Thursday, June 1, 2017, 9:30 a.m.
Room 412, John A. Wilson Building
1350 Pennsylvania Avenue, N.W.
Washington, D.C. 20004

On Thursday, June 1, 2017, Councilmember Charles Allen, Chairperson of the Committee on the Judiciary and Public Safety, will hold a public hearing on Bill 22-0012, the “Revision of Guardianship of Minors and Creation of Supplemental Needs Trusts Act of 2017”; Bill 22-0020, the “Consumer Disclosure Act of 2017”; Bill 22-0049, the “Uniform Power of Attorney Amendment Act of 2017”; Bill 22-0169, the “Electronic Signature Authorization Act of 2017”; Bill 22-0198, the “Uniform Partition of Heirs' Property Act of 2017”; and Bill 22-0199, the “Uniform Fiduciary Access to Digital Assets Act of 2017”. The hearing will take place in Room 412 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., at 9:30 a.m.

The stated purpose of B22-0012, the “Revision of Guardianship of Minors and Creation of Supplemental Needs Trusts Act of 2017”, is to amend Titles 21 and 16 of the District of

Columbia Code to revise and update the laws relating to guardianships of minor children and protection of property of minor children.

The stated purpose of Bill 22-0020, the “Consumer Disclosure Act of 2017”, is to require that the transfer of structured settlement payment rights be approved by a court or responsible administrative authority; and to require disclosure of a contract clause that causes the contract to automatically renew.

The stated purpose of Bill 22-0049, the “Uniform Power of Attorney Amendment Act of 2017”, is to enact the Uniform Power of Attorney Act, to provide clear statutory guidance to individuals creating powers of attorney and to agents acting under powers of attorney, to clarify the fiduciary duties of agents to their principals, to protect individuals creating powers of attorney against fraud or other abuse by agents, to protect third parties who deal with agents exercising powers of attorney, and to provide a statutory form power of attorney that is easy to use, comprehensive, and legally effective.

The stated purpose of Bill 22-0169, the “Electronic Signature Authorization Act of 2017”, is to amend Chapters 1 and 7 of Title 18 of the District of Columbia Official Code to authorize the use of electronic signatures for testamentary documents and provide a method of authentication for electronic signatures; and to amend Chapters 11 and 13 of Title 19 to authorize the use of electronic signatures and provide a method of authentication for an electronic signature.

The stated purpose of Bill 22-0198, the “Uniform Partition of Heirs' Property Act of 2017”, is to enact the Uniform Partition of Heirs' Property Act, to require in the event that a co-tenant requests a partition, that the co-tenant give notice to other cotenants, that the property's fair market value be determined by a court-ordered appraisal, that the other co-tenants be given a right of first refusal, that, if no other co-tenant elects to purchase, the court order a partition-in-kind, unless the court determines that partition-in-kind will result in great prejudice to the cotenants as a group, and, if the court determines that a partition-in-kind is inappropriate and orders a partition-by-sale, that the property must be offered for sale on the open market at a price no lower than the court-determined value for a reasonable period of time and in a commercially reasonable manner.

The stated purpose of Bill 22-0199, the “Uniform Fiduciary Access to Digital Assets Act of 2017”, is to amend Title 21 of the District of Columbia Official Code to enact the Revised Uniform Fiduciary Access to Digital Assets Act to allow holders of accounts with digital assets to give access to these accounts to fiduciaries, including executors, agents, conservators, and trustees; to provide default rules governing access by fiduciaries to these accounts; and to provide immunity from liability for custodians of accounts that comply with a fiduciary's apparent authorized request for access.

The Committee invites the public to testify or to submit written testimony. Anyone wishing to testify at the hearing should contact the Committee via email at judiciary@dccouncil.us or at (202) 727-8275, and provide their name, telephone number, organizational affiliation, and title (if any), by **close of business Friday, May 26**. Representatives of organizations will be allowed a maximum of five minutes for oral testimony, and individuals will be allowed a maximum of

three minutes. Witnesses are encouraged to bring **twenty single-sided copies** of their written testimony and, if possible, also submit a copy of their testimony electronically in advance to judiciary@dccouncil.us.

For witnesses who are unable to testify at the hearing, written statements will be made part of the official record. Copies of written statements should be submitted to the Committee at judiciary@dccouncil.us or to Nyasha Smith, Secretary to the Council, 1350 Pennsylvania Avenue, N.W., Suite 5, Washington, D.C. 20004. **The record will close at the end of the business day on June 15.**

**Council of the District of Columbia
COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY
NOTICE OF PUBLIC HEARING
1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004**

**COUNCILMEMBER CHARLES ALLEN, CHAIRPERSON
COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY**

ANNOUNCES A PUBLIC HEARING ON

**BILL 22-0021, THE “SEXUAL ABUSE STATUTE OF LIMITATIONS ELIMINATION
AMENDMENT ACT OF 2017”**

**BILL 22-0028, THE “CHILDHOOD PROTECTION AGAINST SEXUAL ABUSE
AMENDMENT ACT OF 2017”**

**Thursday, June 15, 2017, 11:00 a.m.
Room 120, John A. Wilson Building
1350 Pennsylvania Avenue, N.W.
Washington, D.C. 20004**

On Thursday, June 15, 2017, Councilmember Charles Allen, Chairperson of the Committee on the Judiciary and Public Safety, will hold a public hearing on Bill 22-0021, the “Sexual Abuse Statute of Limitations Elimination Amendment Act of 2017”, and Bill 22-0028, the “Childhood Protection Against Sexual Abuse Amendment Act of 2017”. The hearing will take place in Room 120 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., at 11:00 a.m.

The stated purpose of Bill 22-0021, the “Sexual Abuse Statute of Limitations Elimination Amendment Act of 2017”, is to amend Title 23 of the District of Columbia Official Code to eliminate the criminal statutes of limitations for first, second, third, and fourth degree sexual abuse, first and second degree child sexual abuse, first and second degree sexual abuse of a minor, first and second degree sexual abuse of a secondary education student, enticing a child, arranging for a sexual contact with a real or fictitious child, first and second degree sexual abuse of a ward, first and second degree sexual abuse of a patient or client, sexual performances using minors, trafficking in commercial sex acts, sex trafficking of children, incest, abducting or enticing a child from his or her home for purposes of prostitution, inducing or compelling an individual to engage in prostitution, compelling an individual to live a life of prostitution against his or her will, and causing a spouse or domestic partner to live in prostitution.

The stated purpose of Bill 22-0028, the “Childhood Protection Against Sexual Abuse Amendment Act of 2017”, is to amend Title 12 of the District of Columbia Official Code to eliminate the civil statute of limitations for the recovery of damages arising out of child sex

abuse claims and to provide a two-year period for individuals whose claims were barred by a previous statute of limitations to bring those claims.

The Committee invites the public to testify or to submit written testimony. Anyone wishing to testify at the hearing should contact the Committee via email at judiciary@dccouncil.us or at (202) 727-8275, and provide their name, telephone number, organizational affiliation, and title (if any), by **close of business Monday, June 12**. Representatives of organizations will be allowed a maximum of five minutes for oral testimony, and individuals will be allowed a maximum of three minutes. Witnesses are encouraged to bring **twenty single-sided copies** of their written testimony and, if possible, also submit a copy of their testimony electronically in advance to judiciary@dccouncil.us.

For witnesses who are unable to testify at the hearing, written statements will be made part of the official record. Copies of written statements should be submitted to the Committee at judiciary@dccouncil.us or to Nyasha Smith, Secretary to the Council, 1350 Pennsylvania Avenue, N.W., Suite 5, Washington, D.C. 20004. **The record will close at the end of the business day on June 29.**

**Council of the District of Columbia
COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY
NOTICE OF PUBLIC HEARING
1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004**

**COUNCILMEMBER CHARLES ALLEN, CHAIRPERSON
COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY**

ANNOUNCES A PUBLIC HEARING ON

**BILL 22-0080, THE “ACCESS TO JUSTICE FOR IMMIGRANTS AMENDMENT ACT
OF 2017”**

BILL 22-0129, THE “STREET HARASSMENT PREVENTION ACT OF 2017”

**Wednesday, July 12, 2017, 9:30 a.m.
Room 412, John A. Wilson Building
1350 Pennsylvania Avenue, N.W.
Washington, D.C. 20004**

On Wednesday, July 12, 2017, Councilmember Charles Allen, Chairperson of the Committee on the Judiciary and Public Safety, will hold a public hearing on Bill 22-0080, the “Access to Justice for Immigrants Amendment Act of 2017”, and Bill 22-0129, the “Street Harassment Prevention Act of 2017”. The hearing will take place in Room 412 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., at 9:30 a.m.

The stated purpose of Bill 22-0080, the “Access to Justice for Immigrants Amendment Act of 2017”, is to amend the Access to Justice Initiative Establishment Act of 2010 to create a separate civil immigration legal services program that serves the District’s documented and undocumented immigrant residents, and to require that funding for civil immigration legal services to the District’s documented and undocumented immigrant residents be used for that purpose.

The stated purpose of Bill 22-0129, the “Street Harassment Prevention Act of 2017”, is to establish an advisory committee for the prevention of street harassment, to create policies and guidelines to identify and educate District employees about street harassment, to fund programs to support the prevention of street harassment, and to collect data and survey the pervasiveness of street harassment in the District.

The Committee invites the public to testify or to submit written testimony. Anyone wishing to testify at the hearing should contact the Committee via email at judiciary@dccouncil.us or at (202) 727-8275, and provide their name, telephone number, organizational affiliation, and title (if any), by **close of business Friday, July 7**. Representatives of organizations will be allowed a

maximum of five minutes for oral testimony, and individuals will be allowed a maximum of three minutes. Witnesses are encouraged to bring **twenty single-sided copies** of their written testimony and, if possible, also submit a copy of their testimony electronically in advance to judiciary@dccouncil.us.

For witnesses who are unable to testify at the hearing, written statements will be made part of the official record. Copies of written statements should be submitted to the Committee at judiciary@dccouncil.us or to Nyasha Smith, Secretary to the Council, 1350 Pennsylvania Avenue, N.W., Suite 5, Washington, D.C. 20004. **The record will close at the end of the business day on July 24.**

**Council of the District of Columbia
COMMITTEE ON HUMAN SERVICES
NOTICE OF PUBLIC HEARING**

1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004

**COUNCILMEMBER BRIANNE K. NADEAU, CHAIRPERSON
COMMITTEE ON HUMAN SERVICES**

ANNOUNCES A PUBLIC HEARING ON

**B22-154, THE “CITIZENS WITH INTELLECTUAL DISABILITIES CIVIL RIGHTS
RESTORATION ACT OF 2017”**

**Thursday, June 15, 2017, 10:00 a.m.
Room 412, John A. Wilson Building
1350 Pennsylvania Avenue, N.W.
Washington, D.C. 20004**

On Thursday, June 15, 2017, Councilmember Brianne K. Nadeau, Chairperson of the Committee on Human Services, will hold a public hearing on B22-154, the “Citizens with Intellectual Disabilities Civil Rights Restoration Act of 2017”. The hearing will take place in Room 412 of the John A. Wilson Building, 1350 Pennsylvania Avenue, NW, at 10:00 a.m.

The stated purpose of B22-154, the “Citizens with Intellectual Disabilities Civil Rights Restoration Act of 2017”, is to remove the requirement that persons with intellectual disabilities must be civilly committed to receive residential services from the Department of Disability Services and to create a new framework for assisted decision making by persons with a disability.

The Committee invites the public to testify or to submit written testimony. Anyone wishing to testify at the hearing should contact the Committee via email at humanservices@dccouncil.us or at (202) 724-8170, and provide their name, telephone number, organizational affiliation, and title (if any), by **close of business Tuesday, June 13, 2017**. Representatives of organizations will be allowed a maximum of five minutes for oral testimony, and individuals will be allowed a maximum of three minutes. Witnesses are encouraged to bring **twenty single-sided copies** of their written testimony.

For witnesses who are unable to testify at the hearing, written statements will be made part of the official record. Copies of written statements should be submitted either to the Committee at humanservices@dccouncil.us or to Nyasha Smith, Secretary to the Council, 1350 Pennsylvania Avenue, N.W., Suite 5, Washington, D.C. 20004. **The record will close at the end of the business day on June 29, 2017.**

**Council of the District of Columbia
COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY
NOTICE OF PUBLIC HEARING
1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004**

**COUNCILMEMBER CHARLES ALLEN, CHAIRPERSON
COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY**

ANNOUNCES A PUBLIC HEARING ON

B22-0192, THE “FAIR ELECTIONS ACT OF 2017”

**Thursday, June 29, 2017, 9:30 a.m.
Room 500, John A. Wilson Building
1350 Pennsylvania Avenue, N.W.
Washington, D.C. 20004**

On Thursday, June 29, 2017, Councilmember Charles Allen, Chairperson of the Committee on the Judiciary and Public Safety, will hold a public hearing on Bill 22-0192, the “Fair Elections Act of 2017”. The hearing will take place in Room 500 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., at 9:30 a.m.

The stated purpose of Bill 22-0192, the “Fair Elections Act of 2017”, is to reform campaign financing and provide for publicly-funded political campaigns.

The Committee invites the public to testify or to submit written testimony. Anyone wishing to testify at the hearing should contact the Committee via email at judiciary@dccouncil.us or at (202) 727-8275, and provide their name, telephone number, organizational affiliation, and title (if any), by **close of business Monday, June 26**. Representatives of organizations will be allowed a maximum of five minutes for oral testimony, and individuals will be allowed a maximum of three minutes. Witnesses are encouraged to bring **twenty single-sided copies** of their written testimony and, if possible, also submit a copy of their testimony electronically in advance to judiciary@dccouncil.us.

For witnesses who are unable to testify at the hearing, written statements will be made part of the official record. Copies of written statements should be submitted to the Committee at judiciary@dccouncil.us or to Nyasha Smith, Secretary to the Council, 1350 Pennsylvania Avenue, N.W., Suite 5, Washington, D.C. 20004. **The record will close at the end of the business day on July 14.**

**Council of the District of Columbia
COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY
NOTICE OF PUBLIC HEARING
1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004**

**COUNCILMEMBER CHARLES ALLEN, CHAIRPERSON
COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY**

ANNOUNCES A PUBLIC HEARING ON

**BILL 22-0222, THE “SEXUAL ASSAULT VICTIMS' RIGHTS
AMENDMENT ACT OF 2017”**

**BILL 22-0255, THE “CHILD NEGLECT AND SEX TRAFFICKING
AMENDMENT ACT OF 2017”**

**BILL 22-0266, THE “VICTIM SERVICES OMNIBUS
AMENDMENT ACT OF 2017”**

**Thursday, June 22, 2017, 10:30 a.m.
Room 412, John A. Wilson Building
1350 Pennsylvania Avenue, N.W.
Washington, D.C. 20004**

On Thursday, June 22, 2017, Councilmember Charles Allen, Chairperson of the Committee on the Judiciary and Public Safety, will hold a public hearing on Bill 22-0222, the “Sexual Assault Victims' Rights Amendment Act of 2017”; Bill 22-0255, the “Child Neglect and Sex Trafficking Amendment Act of 2017”; and Bill 22-0266, the “Victim Services Omnibus Amendment Act of 2017”. The hearing will take place in Room 412 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., at 10:30 a.m.

The stated purpose of Bill 22-0222, the “Sexual Assault Victims’ Rights Amendment Act of 2017”, is to amend the Sexual Assault Victims’ Rights Act of 2014 to expand the right to a sexual assault victim advocate to persons aged 12 years and older; to allow the Office of Victim Services and Justice Grants to certify sexual assault victim advocates; to expand the right of a victim to have a sexual assault victim advocate present during interviews with prosecutors; to clarify the right of a victim to have a sexual assault victim advocate present during interactions with law enforcement and prosecutors; to provide a victim with the right to receive information about their case from prosecutors; to clarify the process for handling and disposing of sexual assault forensic examination kits and physical evidence recovery kits; to clarify the information victims have the right to receive from the Metropolitan Police Department; to provide a right to confidentiality for communications between a victim and sexual assault victim advocate; to

clarify the mandatory reporting requirements for sexual assault victim advocates; to clarify the timelines for processing of sexual assault forensic examination kits by the Department of Forensic Sciences; to establish a review committee to receive and investigate complaints from sexual assault victims; to create an annual report by the Sexual Assault Response Team; to improve data sharing among Sexual Assault Response Team members; to clarify the rights of victims when being provided emergency care; to expand the definition of sexual contact to include the removal of a person's clothing without their consent; and to clarify the right of a victim to compensation under existing insurance policies.

The stated purpose of Bill 22-0255, the "Child Neglect and Sex Trafficking Amendment Act of 2017", is to amend the Prevention of Child Abuse and Neglect Act of 1977 to broaden the definition of a neglected child to include a victim of sex trafficking or severe forms of sex trafficking; and to amend section 16-2301 of the District of Columbia Official Code to include sex trafficking or severe forms of sex trafficking as a form of sexual abuse.

The stated purpose of Bill 22-0266, the "Victim Services Omnibus Amendment Act of 2017", is to amend Title 16 of the District of Columbia Official Code to establish an Address Confidentiality Program administered by the Office of Victim Services and Justice Grants, to establish a Justice Grants and a Violence Fatality Review Board, to establish a maximum amount for reimbursement for funeral and burial expenses for victims of violent crime, and to add a member to the Criminal Justice Coordinating Council.

The Committee invites the public to testify or to submit written testimony. Anyone wishing to testify at the hearing should contact the Committee via email at judiciary@dccouncil.us or at (202) 727-8275, and provide their name, telephone number, organizational affiliation, and title (if any), by **close of business Friday, June 16**. Representatives of organizations will be allowed a maximum of five minutes for oral testimony, and individuals will be allowed a maximum of three minutes. Witnesses are encouraged to bring **twenty single-sided copies** of their written testimony and, if possible, also submit a copy of their testimony electronically in advance to judiciary@dccouncil.us.

For witnesses who are unable to testify at the hearing, written statements will be made part of the official record. Copies of written statements should be submitted to the Committee at judiciary@dccouncil.us or to Nyasha Smith, Secretary to the Council, 1350 Pennsylvania Avenue, N.W., Suite 5, Washington, D.C. 20004. **The record will close at the end of the business day on July 14.**

COUNCIL OF THE DISTRICT OF COLUMBIA EXCEPTED SERVICE APPOINTMENTS AS OF APRIL 30, 2017

NOTICE OF EXCEPTED SERVICE EMPLOYEES

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

COUNCIL OF THE DISTRICT OF COLUMBIA			
NAME	POSITION TITLE	GRADE	TYPE OF APPOINTMENT
Joseph, Aubrey	Legislative Aide	1	Excepted Service - Reg Appt
Wallace, Brandon	Legislative Assistant	5	Excepted Service - Reg Appt

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

****CORRECTION**

Placard Posting Date: May 5, 2017
 Protest Petition Deadline: June 19, 2017
 Roll Call Hearing Date: July 3, 2017
 Protest Hearing Date: August 16, 2017

License No.: ABRA-106181
 Licensee: B & B DC DuPont, LLC
 Trade Name: B & B
 License Class: Retailer's Class "C" Restaurant
 Address: 1351 Connecticut Avenue N.W.
 Contact: Stephen J. O'Brien: (202) 625-7700

WARD 2

ANC 2B

SMD 2B07

Notice is hereby given that this licensee has applied for a new license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the **Roll Call Hearing date on July 3, 2017 at 10 a.m., 4th Floor, 2000 14th Street N.W., Washington, DC 20009.** Petition and/or request to appear before the Board must be filed on or before the Petition Date. **The Protest Hearing date is scheduled on August 16, 2017 at 4:30 p.m.**

NATURE OF OPERATION

New Class "C" Restaurant with 155 seats and a Total Occupancy Load of 250. A Sidewalk Café, with 25 seats. A full-service sports-themed restaurant serving breakfast, lunch, and dinner with a full bar. Requesting an Entertainment Endorsement.

HOURS OF OPERATION INSIDE PREMISES

Sunday- Saturday 8:00 am- 2:00 am

HOURS OF ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION INSIDE PREMISES

Sunday 8:00 am- 12:00 am, Monday- Thursday 10:00 am- 12:00 am, Friday 10:00 am-2:00 am, Saturday 8:00 am-2:00 am

HOURS OF OPERATION FOR SIDEWALK CAFÉ

Sunday- Saturday 8:00 am- 12:00 am

****HOURS OF ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION FOR SIDEWALK CAFÉ**

Saturday & Sunday 8:00 am-12:00 am, Monday- Friday 10:00 am-12:00 am

HOURS OF LIVE ENTERTAINMENT **INSIDE PREMISES ONLY

Sunday-Thursday 11:00 am-1:00 am, Friday-Saturday 11:00 am-2:00 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

****RESCIND**

Placard Posting Date: May 5, 2017
 Protest Petition Deadline: June 19, 2017
 Roll Call Hearing Date: July 3, 2017
 Protest Hearing Date: August 16, 2017

License No.: ABRA-106181
 Licensee: B & B DC DuPont, LLC
 Trade Name: B & B
 License Class: Retailer's Class "C" Restaurant
 Address: 1351 Connecticut Avenue N.W.
 Contact: Stephen J. O'Brien: (202) 625-7700

WARD 2

ANC 2B

SMD 2B07

Notice is hereby given that this licensee has applied for a new license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the **Roll Call Hearing date on July 3, 2017 at 10 a.m., 4th Floor, 2000 14th Street N.W., Washington, DC 20009.** Petition and/or request to appear before the Board must be filed on or before the Petition Date. **The Protest Hearing date is scheduled on August 16, 2017 at 4:30 p.m.**

NATURE OF OPERATION

New Class "C" Restaurant with 155 seats and a Total Occupancy Load of 250. A Sidewalk Café, with 25 seats. A full-service sports-themed restaurant serving breakfast, lunch, and dinner with a full bar. Requesting an Entertainment Endorsement.

HOURS OF OPERATION INSIDE PREMISES

Sunday- Saturday 8:00 am- 2:00 am

HOURS OF ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION INSIDE PREMISES

Sunday 8:00 am- 12:00 am, Monday- Thursday 10:00 am- 12:00 am, Friday 10:00 am-2:00 am, Saturday 8:00 am-2:00 am

HOURS OF OPERATION FOR SIDEWALK CAFÉ

Sunday- Saturday 8:00 am- 12:00 am

****HOURS OF ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION FOR SIDEWALK CAFÉ**

Sunday 8:00 am-12:00 am, Monday- Saturday 10:00 am-12:00 am

****HOURS OF LIVE ENTERTAINMENT**

Sunday-Thursday 11:00 am-1:00 am, Friday-Saturday 11:00 am-2:00 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

****READVERTISEMENT**

Placard Posting Date: **May 12, 2017
Protest Petition Deadline: **June 26, 2017
Roll Call Hearing Date: **July 10, 2017

License No.: ABRA-090311
Licensee: ABAL, LLC
Trade Name: CherCher Ethiopian Restaurant
License Class: Retailer’s Class “C” Restaurant
Address: 1334 9th Street, N.W.
Contact: Alemayehu Abebe: (202) 299-9703

WARD 2 ANC 2F SMD 2F06

Notice is hereby given that this licensee has requested a Substantial Change to their license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the **Roll Call Hearing date on **July 10, 2017 at 10 a.m., 4th Floor, 2000 14th Street, N.W., Washington, DC 20009**. Petition and/or request to appear before the Board must be filed on or before the Petition Date.

NATURE OF SUBSTANTIAL CHANGE

Applicant requests a Summer Garden Endorsement with 16 seats.

CURRENT HOURS OF OPERATION FOR PREMISES

Sunday through Thursday 9:30 am – 1 am, Friday and Saturday 9:30 am – 2 am

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

Sunday through Thursday 11 am – 1 am, Friday and Saturday 11 am – 2 am

PROPOSED HOURS OF OPERATION FOR SUMMER GARDEN

Sunday through Thursday 9:30 am – 1 am, Friday and Saturday 9:30 am – 2 am

PROPOSED HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION FOR SUMMER GARDEN

Sunday through Thursday 11 am – 1 am, Friday and Saturday 11 am – 2 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

****RESCIND**

Placard Posting Date: **April 28, 2017
Protest Petition Deadline: **June 12, 2017
Roll Call Hearing Date: **June 26, 2017

License No.: ABRA-090311
Licensee: ABAL, LLC
Trade Name: CherCher Ethiopian Restaurant
License Class: Retailer’s Class “C” Restaurant
Address: 1334 9th Street, N.W.
Contact: Alemayehu Abebe: (202) 299-9703

WARD 2 ANC 2F SMD 2F06

Notice is hereby given that this licensee has requested a Substantial Change to their license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the **Roll Call Hearing date on **June 26, 2017 at 10 a.m., 4th Floor, 2000 14th Street, N.W., Washington, DC 20009.** Petition and/or request to appear before the Board must be filed on or before the Petition Date.

NATURE OF SUBSTANTIAL CHANGE

Applicant requests a Summer Garden Endorsement with 16 seats.

CURRENT HOURS OF OPERATION FOR PREMISES

Sunday through Thursday 9:30 am – 1 am, Friday and Saturday 9:30 am – 2 am

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

Sunday through Thursday 11 am – 1 am, Friday and Saturday 11 am – 2 am

PROPOSED HOURS OF OPERATION FOR SUMMER GARDEN

Sunday through Thursday 9:30 am – 1 am, Friday and Saturday 9:30 am – 2 am

PROPOSED HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION FOR SUMMER GARDEN

Sunday through Thursday 11 am – 1 am, Friday and Saturday 11 am – 2 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date: May 12, 2017
Protest Petition Deadline: June 26, 2017
Roll Call Hearing Date: July 10, 2017
Protest Hearing Date: August 16, 2017

License No.: ABRA-106194
Licensee: Dynamix Lounge, LLC
Trade Name: Dynamix Lounge
License Class: Retailer's Class "C" Tavern
Address: 1220 H Street, N.E.
Contact: John Brown: (202) 704-6055

WARD 6

ANC 6A

SMD 6A01

Notice is hereby given that this licensee has applied for a new license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the **Roll Call Hearing date on July 10, 2017 at 10 a.m., 4th Floor, 2000 14th Street, N.W., Washington, DC 20009**. Petition and/or request to appear before the Board must be filed on or before the Petition Date. The **Protest Hearing date** is scheduled on **August 16, 2017 at 1:30 p.m.**

NATURE OF OPERATION

New Class "C" Tavern featuring poetry and spoken word and offering alcoholic beverages. Total Occupancy Load of 75. Offering Live Entertainment, which includes Dancing and Cover Charge.

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

Sunday 12:00 pm – 1:00 am, Monday through Friday 11:00 am – 2:00 am, and Friday 11:00 am - 3:00 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date: May 12, 2017
Protest Petition Deadline: June 26, 2017
Roll Call Hearing Date: July 10, 2017
Protest Hearing Date: August 16, 2017

License No.: ABRA-105812
Licensee: 2040, LLC
Trade Name: Escape Restaurant and Lounge
License Class: Retailer's Class "C" Tavern
Address: 2040 West Virginia Avenue, N.E.
Contact: Andrew J. Kline: (202) 686-7600

WARD 5

ANC 5D

SMD 5D01

Notice is hereby given that this licensee has applied for a new license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the Roll Call Hearing date on July 10, 2017 at 10 a.m., 4th Floor, 2000 14th Street, N.W., Washington, DC 20009. Petition and/or request to appear before the Board must be filed on or before the Petition Date. The Protest Hearing date is scheduled on August 16, 2017 at 4:30 p.m.

NATURE OF OPERATION

New Class C Tavern serving seafood with 100 seats and a Total Occupancy Load of 175. Applicant has also requested an Entertainment Endorsement.

HOURS OF OPERATION AND ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION

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

HOURS OF LIVE ENTERTAINMENT (INDOORS)

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

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date: May 12, 2017
Protest Petition Deadline: June 26, 2017
Roll Call Hearing Date: July 10, 2017
Protest Hearing Date: August 16, 2017

License No.: ABRA-106021
Licensee: Florentijin Restaurant, LLC
Trade Name: Florentijin Restaurant
License Class: Retailer's Class "C" Restaurant
Address: 11 Pearl Street, S.W.
Contact: Jan Van Haute: (202) 469-1301

WARD 6

ANC 6D

SMD 6D04

Notice is hereby given that this licensee has applied for a new license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the Roll Call Hearing date on July 10, 2017 at 10 a.m., 4th Floor, 2000 14th Street, N.W., Washington, DC 20009. Petition and/or request to appear before the Board must be filed on or before the Petition Date. The Protest Hearing date is scheduled on August 16, 2017 at 1:30 p.m.

NATURE OF OPERATION

New Class C Restaurant with 66 seats and a Total Occupancy Load of 145. Applicant has requested a Sidewalk Café with 50 seats and Entertainment Endorsement for indoors only.

HOURS OF OPERATION INSIDE PREMISES

Sunday through Thursday 8:00 am – 10:00 pm, Friday 8:00 am – 12:00 am, Saturday 8:00 am – 2:00 am

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

Sunday through Thursday 10:00 am - 10:00 pm, Friday and Saturday 10:00 am – 12:00 am

HOURS OF OPERATION FOR SIDEWALK CAFÉ

Sunday through Thursday 8:00 am – 10:00 pm, Friday and Saturday 8:00 am – 12:00 am

HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION FOR SIDEWALK CAFE

Sunday through Thursday 10:00 am – 10:00 pm, Friday and Saturday 10:00 am – 12:00 am

HOURS OF LIVE ENTERTAINMENT (INDOORS ONLY)

Sunday through Thursday 5:00 pm - 10:00 pm, Friday and Saturday 5:00 pm – 11:00 pm

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
5/12/2017

Notice is hereby given that:

License Number: ABRA-088059

License Class/Type: C Tavern

Applicant: Hawk N' Dove Entertainment, LLC

Trade Name: Hawk N' Dove

ANC: 6B01

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

329 PENNSYLVANIA AVE SE, WASHINGTON, DC 20003

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

6/26/2017

A HEARING WILL BE HELD ON:

7/10/2017

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

ENDORSEMENT(S): Cover Charge Dancing Entertainment Sidewalk Cafe

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

Hours Of Sidewalk Cafe Operation

Hours Of Sales Sidewalk Cafe

Sunday:	11 am - 2 am	11 am - 2 am
Monday:	11 am - 2 am	11 am - 2 am
Tuesday:	11 am - 2 am	11 am - 2 am
Wednesday:	11 am - 2 am	11 am - 2 am
Thursday:	11 am - 2 am	11 am - 2 am
Friday:	11 am - 3 am	11 am - 3 am
Saturday:	11 am - 3 am	11 am - 3 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date: May 12, 2017
Protest Petition Deadline: June 26, 2017
Roll Call Hearing Date: July 10, 2017
Protest Hearing Date: August 16, 2017

License No.: ABRA-106265
Licensee: Prequel, LLC
Trade Name: Prequel
License Class: Retailer's Class "C" Tavern
Address: 919 19th Street, N.W.
Contact: Johann Moonesinghe: (202) 510-9917

WARD 2

ANC 2B

SMD 2B06

Notice is hereby given that this licensee has applied for a new license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the Roll Call Hearing date on July 10, 2017 at 10 a.m., 4th Floor, 2000 14th Street, N.W., Washington, DC 20009. Petition and/or request to appear before the Board must be filed on or before the Petition Date. The Protest Hearing date is scheduled on August 16, 2017 at 4:30 p.m.

NATURE OF OPERATION

New Class C Tavern with 231 seats and a Total Occupancy Load of 351. Applicant has also requested a Sidewalk Café with 85 seats.

HOURS OF OPERATION FOR PREMISES

Sunday through Thursday 8:00 am – 2:00 am, Friday and Saturday 8:00 am – 3:00 am

HOURS OF ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION FOR PREMISES

Sunday through Tuesday 8:00 am – 11:00 pm, Wednesday and Thursday 8:00 am – 12:00 am, Friday and Saturday 8:00 am – 1:00 am

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

Sunday through Thursday 8:00 am – 11:00 pm, Friday and Saturday 8:00 am – 12:00 am

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

Placard Posting Date: May 12, 2017
Protest Petition Deadline: June 26, 2017
Roll Call Hearing Date: July 10 2017
Protest Hearing Date: August 16, 2017

License No.: ABRA-106205
Licensee: Capital Burger Holdings, LLC
Trade Name: The Capital Burger
License Class: Retailer's Class "C" Restaurant
Address: 1005 7th Street N.W.
Contact: Stephen O'Brien: 202 625-7700

WARD 6

ANC 6E

SMD 6E04

Notice is hereby given that this licensee has applied for a new license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the **Roll Call Hearing date on July 10 2017 at 10 a.m., 4th Floor, 2000 14th Street, N.W., Washington, DC 20009**. Petition and/or request to appear before the Board must be filed on or before the Petition Date. The **Protest Hearing date** is scheduled on **August 16, 2017 at 4:30 p.m.**

NATURE OF OPERATION

New Restaurant specializing in burgers. Entertainment Endorsement with Dancing. Total Occupancy Load is 326. Sidewalk Café with 48 Seats.

HOURS OF OPERATION AND ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION

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

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

Sunday through Thursday 8 am – 11 pm, Friday and Saturday 8 am – 12 am

HOURS OF LIVE ENTERTAINMENT

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

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

Placard Posting Date: May 12, 2017
Protest Petition Deadline: June 26, 2017
Roll Call Hearing Date: July 10, 2017

License No.: ABRA-096771
Licensee: The Elroy Bar, LLC
Trade Name: The Elroy
License Class: Retailer's Class "C" Tavern
Address: 1423 H Street, N.E.
Contact: Malcolm Biles: (202) 750-1606

WARD 6

ANC 6A

SMD 6A06

Notice is hereby given that this licensee has requested a Substantial Change to their license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the **Roll Call Hearing date on July 10, 2017 at 10 a.m., 4th Floor, 2000 14th Street, N.W., Washington, DC 20009**. Petition and/or request to appear before the Board must be filed on or before the Petition Date.

NATURE OF SUBSTANTIAL CHANGE

The licensee has requested to add Cover Charge and Dancing to existing Entertainment Endorsement.

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

Sunday 11:00 am- 2:00 am
Monday-Friday 3:00 pm- 2:00 am
Saturday 12:00 pm-3:00 am

CURRENT HOURS OF LIVE ENTERTAINMENT

Sunday 11:00 am- 2:00 am
Monday-Friday 3:00 pm- 2:00 am
Saturday 12:00 pm- 3:00 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

****RESCIND**

Placard Posting Date: April 28, 2017
Protest Petition Deadline: June 12, 2017
Roll Call Hearing Date: June 26, 2017
Protest Hearing Date: August 9, 2017

License No.: ABRA-105823
Licensee: The V.I.P. Room, LLC
Trade Name: The V.I.P. Room
License Class: Retailer’s Class “C” Tavern
Address: 6201 3rd Street, N.W.
Contact: Abner Sampson: (202) 368-4661

WARD 4

ANC 4B

SMD 4B06

Notice is hereby given that this licensee has applied for a new license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the **Roll Call Hearing date on June 26, 2017 at 10 a.m., 4th Floor, 2000 14th Street, N.W., Washington, DC 20009.** Petition and/or request to appear before the Board must be filed on or before the Petition Date. The **Protest Hearing date** is scheduled on **August 9, 2017 at 1:30 p.m.**

NATURE OF OPERATION

New Class “C” Tavern offering alcoholic beverages for special events with a Total Occupancy Load of 150. A Summer Garden with an occupancy of 100 seats. Offering Live Entertainment, which includes Dancing and Cover Charge.

HOURS OF OPERATION, ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION, AND LIVE ENTERTAINMENT INDOORS

Sunday through Saturday 8:00 am – 2:00 am

HOURS OF OPERATION AND ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION FOR SUMMER GARDEN

Sunday through Saturday 8:00 am – 2:00 am

HOURS OF LIVE ENTERTAINMENT FOR SUMMER GARDEN

Sunday through Saturday 8:00 am – 12:00 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date: May 12, 2017
Protest Petition Deadline: June 26, 2017
Roll Call Hearing Date: July 10, 2017
Protest Hearing Date: August 16, 2017

License No.: ABRA-106026
Licensee: BBDC, LLC
Trade Name: Union Stage
License Class: Retailer's Class "C" Tavern
Address: 740 Water Street, S.W.
Contact: Stephen J. O'Brien: (202) 625-7700

WARD 6

ANC 6D

SMD 6D04

Notice is hereby given that this licensee has applied for a new license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the **Roll Call Hearing date on July 10, 2017 at 10 a.m., 4th Floor, 2000 14th Street, N.W., Washington, DC 20009.** Petition and/or request to appear before the Board must be filed on or before the Petition Date. The **Protest Hearing date** is scheduled on **August 16, 2017 at 1:30 p.m.**

NATURE OF OPERATION

New Class C Tavern with 250 seats and a Total Occupancy Load of 500. Applicant has also requested an Entertainment Endorsement to include Dancing and Cover Charge.

HOURS OF OPERATION AND ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION

Sunday 10:00 am – 2:00 am, Monday through Thursday 12:00 pm - 2:00 am, Friday 12:00 pm – 3:00 am and Saturday 10:00 am – 3:00 am

HOURS OF LIVE ENTERTAINMENT (INDOORS)

Saturday and Sunday 10:00 am – 1:00 am, Monday through Friday 12:00 pm – 1:00 am

DEPARTMENT OF HEALTH**STATE HEALTH PLANNING AND DEVELOPMENT AGENCY****NOTICE OF PUBLIC HEARING**

Pursuant to D.C. Official Code 44-404 (c) (1), the D.C. State Health Planning and Development Agency (SHPDA) will hold a public hearing on the proposed Health Systems Plan (HSP) for the District of Columbia. The purpose of the hearing is to receive comments and suggestions from all interested/affected parties and members of the general public.

The hearing will be held on Thursday, May 25, 2017, at 10:00 a.m., at 899 North Capitol Street, N.E., 6th Floor, Room 6002, Washington, D.C. 20002.

Testimony from all interested/affected persons will be received at the hearing. Comments may be submitted in writing before the hearing, or they may be presented at the hearing orally and/or in writing. A copy of the draft HSP is available at the SHPDA or online at doh.dc.gov/service/certificate-need.

Persons who wish to testify should contact the SHPDA by Wednesday, May 24, 2017 by 4:45 p.m. at (202) 442-5875. Each person testifying will be allowed up to 5 minutes.

**BOARD OF ZONING ADJUSTMENT
PUBLIC HEARING NOTICE
WEDNESDAY, JUNE 28, 2017
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 SIX

19514 **Application of Hector Burgos**, pursuant to 11 DCMR Subtitle X, Chapter 9, for special exceptions under Subtitle E § 5201.1 from the maximum lot occupancy requirements of Subtitle E § 304.1, and under Subtitle C § 1504.1 from the general penthouse requirements of Subtitle C § 1500.4 and the penthouse setback requirements of Subtitle C § 1502 to permit the addition of a third-story and roof deck to an existing two-story one-family dwelling in the RF-1 Zone at premises 1805 Wiltberger Street N.W. (Square 441, Lot 84).
ANC 6E

WARD ONE

19516 **Application of Daniel Hines**, pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception under Subtitle E § 5201, from the lot occupancy requirements of Subtitle E § 304.1 and a special exception from the roof top architectural element requirements of Subtitle E § 206.1(a), to construct an addition to an existing porch on a one-family dwelling in the RF-1 Zone at premises 765 Gresham Place N.W. (Square 2887, Lot 322).
ANC 1B

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 Subtitles X and Y of the District of Columbia Municipal Regulations, Title 11. Pursuant to Subtitle Y, Chapter 2 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.

BZA PUBLIC HEARING NOTICE

JUNE 28, 2017

PAGE NO. 2

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

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

Do you need assistance to participate?

Amharic

ለመሳተፍ ዕርዳታ ያስፈልግዎታል?

የተለየ እርዳታ ካስፈለገዎት ወይም የቋንቋ እርዳታ አገልግሎቶች (ትርጉም ወይም ማስተርጎም)

ካስፈለገዎት እባክዎን ከስብሰባው አምስት ቀናት በፊት ዚ ሂልን በስልክ ቁጥር (202) 727-

0312 ወይም በኢሜል Zelalem.Hill@dc.gov ይገናኙ። እነኚህ አገልግሎቶች የማይጠጉ በነጻ ነው።

Chinese

您需要有人帮助参加活动吗?

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Zelalem.Hill@dc.gov。这些是免费提供的服务。

French

Avez-vous besoin d’assistance pour pouvoir participer ? Si vous avez besoin d’aménagements spéciaux ou d’une aide linguistique (traduction ou interprétation), veuillez contacter Zee Hill au (202) 727-0312 ou à Zelalem.Hill@dc.gov cinq jours avant la réunion. Ces services vous seront fournis gratuitement.

Korean

참여하시는데 도움이 필요하세요?

특별한 편의를 제공해 드려야 하거나, 언어 지원 서비스(번역 또는 통역)가 필요하시면,

회의 5일 전에 Zee Hill 씨께 (202) 727-0312로 전화 하시거나 Zelalem.Hill@dc.gov 로

이메일을 주시기 바랍니다. 이와 같은 서비스는 무료로 제공됩니다.

Spanish

¿Necesita ayuda para participar?

Si tiene necesidades especiales o si necesita servicios de ayuda en su idioma (de traducción o interpretación), por favor comuníquese con Zee Hill llamando al (202) 727-0312 o escribiendo a

BZA PUBLIC HEARING NOTICE

JUNE 28, 2017

PAGE NO. 3

Zelalem.Hill@dc.gov cinco días antes de la sesión. Estos servicios serán proporcionados sin costo alguno.

Vietnamese

Quý vị có cần trợ giúp gì để tham gia không?

Nếu quý vị cần thu xếp đặc biệt hoặc trợ giúp về ngôn ngữ (biên dịch hoặc thông dịch) xin vui lòng liên hệ với Zee Hill tại (202) 727-0312 hoặc Zelalem.Hill@dc.gov trước năm ngày. Các dịch vụ này hoàn toàn miễn phí.

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

**FREDERICK L. HILL, CHAIRPERSON
LESYLLEÉ M. WHITE, MEMBER
CARLTON HART, VICE-CHAIRPERSON,
NATIONAL CAPITAL PLANNING COMMISSION
A PARTICIPATING MEMBER OF THE ZONING COMMISSION
ONE BOARD SEAT VACANT
CLIFFORD W. MOY, SECRETARY TO THE BZA
SARA A. BARDIN, DIRECTOR, OFFICE OF ZONING**

statements, in lieu of personal appearances or oral presentation, may be submitted for inclusion in the record.

How to participate as a party.

Any person who desires to participate as a party in this case must so request and must comply with the provisions of Subtitle Z § 404.1.

A party has the right to cross-examine witnesses, to submit proposed findings of fact and conclusions of law, to receive a copy of the written decision of the Zoning Commission, and to exercise the other rights of parties as specified in the Zoning Regulations. If you are still unsure of what it means to participate as a party and would like more information on this, please contact the Office of Zoning at dcoz@dc.gov or at (202) 727-6311.

Except for an 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 Commission, not less than 14 days prior to the date set for the hearing, or 14 days prior to a scheduled public meeting if seeking advanced party status consideration, a Form 140 – Party Status Application, a copy of which may be downloaded from the Office of Zoning’s website at: <https://app.dcoz.dc.gov/Help/Forms.html>.** This form may also be obtained from the Office of Zoning at the address stated below.

Subtitle Z § 406.2 provides that the written report of an affected ANC shall be given great weight if received at any time prior to the date of a Commission meeting to consider final action, including any continuation thereof on the application, and sets forth the information that the report must contain. Pursuant to Subtitle Z § 406.3, if an ANC wishes to participate in the hearing, it must file a written report at least seven days in advance of the public hearing and provide the name of the person who is authorized by the ANC to represent it at the hearing.

All individuals, organizations, or associations wishing to testify in this case are encouraged to inform the Office of Zoning their intent to testify prior to the hearing date. This can be done by mail sent to the address stated below, e-mail (donna.hanousek@dc.gov), or by calling (202) 727-0789.

The following maximum time limits for oral testimony shall be adhered to and no time may be ceded:

- | | | |
|----|----------------------------------|-------------------------|
| 1. | Applicant and parties in support | 60 minutes collectively |
| 2. | Parties in opposition | 60 minutes collectively |
| 3. | Organizations | 5 minutes each |
| 4. | Individuals | 3 minutes each |

Pursuant to Subtitle Z § 408.4, the Commission may increase or decrease the time allowed above, in which case, the presiding officer shall ensure reasonable balance in the allocation of time between proponents and opponents.

Written statements, in lieu of oral testimony, may be submitted for inclusion in the record. The public is encouraged to submit written testimony through the Interactive Zoning Information System (IZIS) at <https://app.dcoz.dc.gov/Login.aspx>; however, written statements may also be submitted by mail to 441 4th Street, N.W., Suite 200-S, Washington, DC 20001; by e-mail to zcsubmissions@dc.gov; or by fax to (202) 727-6072. Please include the case number on your submission. **FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.**

ANTHONY J. HOOD, ROBERT E. MILLER, PETER A. SHAPRIO, PETER G. MAY, AND MICHAEL G. TURNBULL ----- ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY SARA A. BARDIN, DIRECTOR, AND BY SHARON S. SCHELLIN, SECRETARY TO THE ZONING COMMISSION.

Do you need assistance to participate? If you need special accommodations or need language assistance services (translation or interpretation), please contact Zee Hill at (202) 727-0312 or Zelalem.Hill@dc.gov five days in advance of the meeting. These services will be provided free of charge.

¿Necesita ayuda para participar? Si tiene necesidades especiales o si necesita servicios de ayuda en su idioma (de traducción o interpretación), por favor comuníquese con Zee Hill llamando al (202) 727-0312 o escribiendo a Zelalem.Hill@dc.gov cinco días antes de la sesión. Estos servicios serán proporcionados sin costo alguno.

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ለጠቅላይ ዕርዳታ ያስፈልግዎታል? የተለየ እርዳታ ካስፈለገዎት ወይም የቋንቋ እርዳታ አገልግሎቶች (ትርጉም ወይም ማስተርጓሚ) ካስፈለገዎት እባክዎን ከስብሰባው አጭነት ቀናት በፊት ዚ ሂልን በስልክ ቁጥር (202) 727-0312 ወይም በኢሜል Zelalem.Hill@dc.gov ይገናኙ። እነኚህ አገልግሎቶች የሚጠሩት በነጻ ነው።

**DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
CONSTRUCTION CODES COORDINATING BOARD**

NOTICE OF FINAL RULEMAKING

The Chairperson of the Construction Codes Coordinating Board (Chairperson), pursuant to the authority set forth in Section 10 of the Construction Codes Approval and Amendments Act of 1986 (Act), effective March 21, 1987 (D.C. Law 6-216; D.C. Official Code § 6-1409 (2012 Repl. & 2016 Supp.)) and Mayor's Order 2009-22, dated February 25, 2009, as amended, hereby gives notice of the adoption of the following amendments to Chapters 1 (Administration and Enforcement) and 2 (Definitions) of Title 12 (Construction Codes Supplement of 2013), Subtitle A (Building Code Supplement of 2013), of the District of Columbia Municipal Regulations (DCMR).

This rulemaking revises provisions in the 2013 District of Columbia Building Code to exempt certain family mausoleums from building permit requirements. To clearly show the changes being made to the Construction Codes Supplement, additions are shown in underlined text and deletions are shown in ~~striketrough~~ text.

A Notice of Proposed Rulemaking was published on July 8, 2016 at 63 DCR 9408. No comments were received. The Council of the District of Columbia approved the rules through PR21-997 on January 17, 2017.

This rulemaking was adopted as final on January 31, 2017 and will be effective upon publication in the *D.C Register*.

Title 12-A DCMR, BUILDING CODE SUPPLEMENT OF 2013, is amended as follows:

Chapter 1, ADMINISTRATION AND ENFORCEMENT, Section 105, PERMITS, is amended as follows:

Insert the following exemption in Subsection 105.2 of the 2013 District of Columbia Building Code to read as follows:

14. A one-story mausoleum not exceeding 250 square feet (23 m²) in footprint area provided the mausoleum (a) is of Type I or II construction; (b) does not contain any habitable space; and (c) does not require any utility connections. Notwithstanding the applicability of this permit exemption, the person undertaking the proposed work shall comply with applicable requirements of the U.S. Commission of Fine Arts (Shipstead-Luce Act of 1930, Public Law 71-231 and Public Law 76-248; Old Georgetown Act of 1950, Public Law 81-808), and the Department of Energy and the Environment (Stormwater Management, Soil Erosion and Sediment Control, 21 DCMR Chapter 5).

Chapter 2, DEFINITIONS, Section 202, DEFINITIONS, is amended as follows:

Insert a new definition in Section 202 of the 2013 District of Columbia Building Code to read as follows:

MAUSOLEUM. A permanent structure or building, located on burial grounds authorized pursuant to D.C. Official Code § 43-121, which is substantially exposed above the ground and used solely for the interment, entombment, or inurnment of human remains.

DISTRICT OF COLUMBIA DEPARTMENT OF HUMAN RESOURCES

NOTICE OF FINAL RULEMAKING

The Director of the District of Columbia Department of Human Resources, pursuant to the Child and Youth, Safety and Health Omnibus Amendment Act of 2004 (CYSHA), effective April 13, 2005 (D.C. Law 15-353; D.C. Official Code §§ 4-1501.01 *et seq.* (2012 Repl.)); Sections 422 (2), (3), and (11) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 790; D.C. Official Code §§ 1-204.22(2), (3), and (11) (2016 Repl.)); Mayor's Order 2008-92, dated June 26, 2008; and Mayor's Order 2012-84, dated June 18, 2012, and with the concurrence of the City Administrator, hereby gives notice of the adoption of the following rulemaking that amends Chapter 16 (Corrective and Adverse Actions; Enforced Leave; and Grievances) of Subtitle B (Government Personnel) of Title 6 (Personnel) of the District of Columbia Municipal Regulations (DCMR).

The purpose of the rulemaking notice is to: (1) add language in Section 1600 (Applicability) to exclude Excepted Service employees and sworn members of the Metropolitan Police Department, and add language that will allow employees in the Management Supervisory Service to file grievances; (2) amend Subsection 1602.3 of Section 1602 (Employee Rights) to make a minor change; (3) amend the language in Subsection 1605.4 of Section 1605 (Misconduct; Performance Deficits) to clarify that the unlawful possession of controlled substances or paraphernalia violations is cause for corrective or adverse action; (4) amend Subsections 1606.2 and 1606.4 of Section 1606 (Establishing Appropriate Action) to change the term "personality" to "personal" and add the term "corrective" to the provisions; (5) amend Subsection 1607.2 of Section 1607 (Table of Illustrative Actions) to provide a description of the circumstances that would fall under neglect of duty, reduce the first occurrence penalty for circumstances involving intoxicants- alcohol and spirits and controlled substances/paraphernalia, and make a minor typographical change in performance deficits circumstances; (6) amend Subsections 1610.3 in Section 1610 (Progressive Discipline) to add language that will require that a written justification be provided when a deciding official deviates from the table of illustrative action; (7) amend Subsection 1611.1 of Section 1611 (Verbal Counseling) to clarify that managerial staff have an obligation to create a work environment that will reduce the need for disciplinary action; (8) repeal Subsection 1612.8 of Section 1612 (Reprimands); (9) amend Subsection 1613.3 of Section 1613 (Corrective Actions) to clarify that participation in a resolution conference does not constitute an election of remedies between the employee and the personnel authority; (10) amend Subsections 1621.2, 1621.3, and 1621.6 of Section 1621 (Employee Responses) to allow employees to receive administrative leave for an employee to prepare a written response to any notice of proposed corrective action of up to four (4) hours, and up to ten (10) hours for any notice of proposed adverse action, and clarify that the failure of an employee to respond to a notice of proposed action shall be waived in any subsequent proceeding; (11) amend Subsection 1622.2 of Section 1622 (Administrative Reviews) to clarify that an attorney at any grade level can be selected as a hearing officer; (12) amend Subsection 1623.4 of Section 1623 (Final Agency Decision) to make a minor change; (13) amend Subsection 1625.1 of Section 1625 (Appeal Rights) to include language that the employee may file a grievance with the personnel authority, if the agency head is the deciding official, and remove exempt employees language; (14) amend Subsections 1626.2 and 1626.4 of Section 1626 (Grievance Policy and Applicability) to exclude Excepted and Executive Services employees and

uniformed members of the Metropolitan Police from the grievance process, remove the District of Columbia Board of Education, and add a new Subsection 1626.4 to exclude from the grievance process attorneys in the Legal Service that are covered under disciplinary provisions contained in Chapter 36 of the regulations; (15) amend Subsection 1629.2 of Section 1629 (Initial Grievance Review) to specify five (5) workdays days; (16) amend Subsection 1630.2 of Section 1630 (First Level Grievance Reviews) to make a minor change; (17) amend Subsection 1631.1 of Section 1631 (Second Level Grievance Reviews) to clarify grievance process when grievant reports directly to the agency head; (18) amend Subsection 1632.8 of Section 1632 (Third Level Grievance Reviews) to make a minor change; and (19) amend Section 1699 (Definitions) to add a definition for the term “Personal history”.

No comments were received during the notice period for the Notice of Proposed Rulemaking published in the *D.C. Register* on February 3, 2017 at 64 DCR 001204. A non-substantive change was made to reverse the language contained in the Nature of Circumstances column in Subsection 1607.2(g) and (h). No other changes were made. The final rules were adopted on March 10, 2017 and will be effective upon publication of this notice in the *D.C. Register*.

Chapter 16, CORRECTIVE AND ADVERSE ACTIONS; ENFORCED LEAVE; AND GRIEVANCES, of Title 6-B DCMR, GOVERNMENT PERSONNEL, is amended as follows:

Section 1600, APPLICABILITY, is amended to read as follows:

Paragraphs (f), (g), and (h) of Subsection 1600.2 are amended to read as follows:

- (f) Employees in the Excepted and Executive Services;
- (g) Sworn members of the Metropolitan Police Department; and
- (h) Except as provided in § 1600.3, employees in the Management Supervisory Service.

Paragraph (a) of Subsection 1600.3 is amended to read as follows:

- (a) For purposes of this chapter, employees in MSS are considered “exempt” employees and §§ 1625(a) and (c) do not apply to these employees.

Section 1602, EMPLOYEE RIGHTS, Subsection 1602.3, is amended as follows:

Paragraph (a) is amended to read as follows:

- (a) A corrective or adverse action shall be commenced no more than ninety (90) business days after the agency or personnel authority knew or should have known of the performance or conduct supporting the action;

Section, 1605, MISCONDUCT; PERFORMANCE DEFICITS, Subsection 1605.4, is amended as follows:

Paragraphs (g) and (h) are amended to read as follows:

- (g) Using, being under the influence of, or testing positive for an intoxicant while on duty;
- (h) Unlawful possession of a controlled substance or paraphernalia or testing positive for an unlawful controlled substance while on duty;

Section 1606, ESTABLISHING APPROPRIATE ACTION, Subsections 1606.2 and 1606.4, are amended as follows:

The lead-in language in Subsection 1606.2 is amended to read as follows:

1606.2 For all corrective and adverse actions, managers shall be prepared to demonstrate that the following factors were considered:

Paragraph (k) of Subsection 1606.2 is amended to read as follows:

- (k) Mitigating circumstances surrounding the offense such as unusual job tensions, personal problems, mental impairment, harassment, or bad faith, malice or provocation on the part of others involved in the matter; and

Subsection 1606.4 is amended to read as follows:

1606.4 Except in the case of a reprimand, the analysis of the factors above shall be included in any proposed corrective or adverse action and shall be included in and taken into consideration regarding any final agency decision on corrective or adverse action.

Section 1607, TABLE OF ILLUSTRATIVE ACTIONS, Subsection 1607.2, is amended as follows:

The lead-in text is amended to read as follows:

1607.2 The illustrative actions in the following table are not exhaustive and shall only be used as a guide to assist managers in determining the appropriate agency action. Balancing the totality of the relevant factors established in § 1606.2 can justify an action that deviates from the penalties outlined in the table.

Paragraphs (e), (g)(2), (h)(3), and (m) are amended to read as follows:

NATURE OF CIRCUMSTANCES	FIRST OCCURRENCE	SUBSEQUENT OCCURRENCES
(e) Neglect of Duty --		
Failing to carry out official duties or responsibilities as would be expected of a reasonable individual in the same position; failure to perform assigned tasks or duties; failure to assist the public; undue delay in completing assigned tasks or duties; careless work habits; conducting personal business while on duty; abandoning an assigned post; sleeping or dozing on-duty, or loafing while on duty.	Counseling to Removal	5-Day Suspension to Removal
(g) Intoxicants – Alcohol and Spirits		
(2) Being under the influence of or testing positive for intoxicants when reporting for duty or anytime while on duty.	Suspension to Removal	30-Day Suspension to Removal
(h) Controlled Substances/Paraphernalia		
(3) Reporting to or being on duty while under the influence of or testing positive for an illegal drug or unauthorized controlled substance.	Suspension to Removal	Removal
(m) Performance Deficits --		
Failure to meet established performance standards.	Reassignment Reduced Grade Removal	

Section 1610, PROGRESSIVE DISCIPLINE, Subsection 1610.3, is amended to read as follows:

1610.3 When a deciding official deviates from the actions outlined in § 1607, he or she shall provide a written justification specifying the reasons for the deviation in the final agency decision, as provided in § 1623.

Section 1611, VERBAL COUNSELING, Subsection 1611.1, is amended to read as follows:

1611.1 As an employer, the District and its managerial staff have an obligation to create a fair, supportive, and transparent work environment that lessens the need for disciplinary action.

Section 1612, REPRIMANDS, Subsection 1612.8, is repealed.**Section 1613, CORRECTIVE ACTIONS, Subsections 1613.2 and 1613.3, are amended to read as follows:**

1613.2 Except in the case of a reprimand, when a corrective action is warranted, the agency shall:

- (a) Provide a notice of proposed action, in accordance with § 1618;
- (b) Afford the employee an opportunity to respond, in accordance with § 1621;
- (c) Provide a final decision on the proposed action, in accordance with § 1623; and
- (d) If a corrective action is taken, notify the employee of his or her right to grieve the final decision pursuant to §§ 1626 through 1637, or pursuant to an applicable labor agreement.

1613.3 Immediately following the issuance of a notice of proposed corrective action for a suspension pursuant to § 1613.2(a), the proposing official may conduct a resolution conference with the employee and his or her union representative (if any):

- (a) Through a resolution conference, the proposing official and affected employee may agree to a suspension which is shorter in time than the suspension in the notice of proposed action, or a reprimand in lieu of suspension.
- (b) Participation in a resolution conference does not constitute an election of remedies between the employee and the personnel authority; unless it results in a binding agreement between both parties.
- (c) To be valid and binding, any agreement reached between the proposing official and the employee shall be reduced to a written agreement, in which the employee voluntarily waives his or her right to file a grievance or appeal concerning any circumstances that give rise to the notice of proposed action under this chapter or pursuant to the provisions of a negotiated labor agreement.

- (d) The proposing official may defer the effective date of a proposed suspension by no more than five (5) days to accommodate the resolution conference process.
- (e) Statements concerning an agreement during the resolution conference process may not be used by any party as evidence or precedent in any other disciplinary action. Nevertheless, the outcome of a resolution conference may be considered in the future for purposes of progressive discipline.

Section 1621, EMPLOYEE RESPONSES, Subsections 1621.2 and 1621.6, are amended to read as follows:

- 1621.2 An agency head shall authorize an employee to use official time to prepare a written response to any notice of proposed action in the following amounts of administrative leave: up to four (4) hours for proposed corrective actions, and up to ten (10) hours for proposed adverse actions.
- 1621.6 As a written part of his or her response, an employee shall raise every defense, fact, or matter in extenuation, exculpation, or mitigation of which the employee has knowledge or reasonably should have knowledge or which is relevant to a reason for which the employee took an action (or failed to take an action) which is a subject of the proposed or summary action. The failure of the employee to raise a known defense, fact, or matter shall constitute a waiver of such defense, fact, or matter in all subsequent proceedings.

Section 1622, ADMINISTRATIVE REVIEWS, Subsection 1622.2, is amended as follows:

Paragraph (b) is amended to read as follows:

- (b) Be at grade levels DS-13 and above, or equivalent, or be in the Legal Service at any grade;

Section 1623, FINAL AGENCY DECISION, Subsection 1623.4, is amended as follows:

Paragraph (c) is amended to read as follows:

- (c) Provide for an independent corrective or adverse action for each enumerated cause, consistent with § 1623.4(b);

Section 1625, APPEAL RIGHTS, Subsection 1625.1, is amended as follows:

The lead-in language in 1625.1 is amended to read as follows:

- 1625.1 An employee who disputes a final agency reprimand, corrective, adverse, or enforced leave action under this chapter may seek one (1) of the following remedies:

Section 1626, GRIEVANCE POLICY AND APPLICABILITY, Subsection 1626.2, is amended to read as follows:

- 1626.2 Notwithstanding § 1600 and except for the Mayor, members of the Council, sworn members of the Metropolitan Police Department, and employees in the Executive and Excepted Services, the grievance policies and procedures established at §§ 1626 through 1635 apply to all applicants and employees of all District agencies except:
- (a) The District of Columbia Superior Court and Court of Appeals;
 - (b) The University of the District of Columbia;
 - (c) The District of Columbia Public Schools;
 - (d) Members of District boards and commissions; and
 - (e) Advisory Neighborhood Commissions.

Subsection 1626.4 is added to read as follows:

- 1626.4 Disciplinary actions taken against attorneys pursuant to Chapter 36 of Title 6-B DCMR shall not be subject to grievance procedures established in §§ 1627 through 1637.

Section 1629, INITIAL GRIEVANCE REVIEW, Subsection 1629.2, is amended to read as follows:

- 1629.2 Within five (5) days of receipt, the grievance official shall do one of the following:
- (a) Acknowledge receipt and begin processing the grievance pursuant to § 1630;
 - (b) Deny the grievance as being a matter not subject to review pursuant to § 1627;
 - (c) Deny the grievance as being untimely pursuant to § 1628.4; or
 - (d) Request the grievant to supply additional information required by § 1628.2.

Section 1630, FIRST LEVEL GRIEVANCE REVIEWS, Subsection 1630.2, is amended to read as follows:

1630.2 Unless mediation has already been attempted pursuant to § 1635, at the interview, the grievance official shall inform the grievant that he or she has the option of pursuing mediation. The grievant shall execute either a declination of mediation or a mediation agreement. If mediation is declined, the grievance official shall proceed with the initial grievance interview, in accordance with § 1630.3. If mediation is elected by executing a mediation agreement, mediation shall proceed in accordance with § 1635.

Section 1631, SECOND LEVEL GRIEVANCE REVIEWS, Subsection 1631.1, is amended to read as follows:

1631.1 At the second level grievance review, the grievance shall be reviewed by a second level official in the grievant's chain of command who reports directly to the agency head.

- (a) If the first level grievance official reports directly to the agency head, the grievance request for further review shall be treated as a notification under § 1631.6 and processed pursuant to § 1632.
- (b) If the first level grievance official is the agency head, the grievance request for further review shall be treated as a notification under § 1632.8 and processed pursuant to § 1633.
- (c) Except when the personnel authority is the D.C. Department of Human Resources, in the event the first grievance official and the personnel authority are the same person, the grievance official's decision shall be deemed the decision of the personnel authority pursuant to § 1633.4.

Section 1632, THIRD LEVEL GRIEVANCE REVIEWS, Subsection 1632.8, is amended as follows:

1632.8 Within five (5) days of the issuance of the third level grievance decision, a grievant may notify the original grievance official in writing that he or she is not satisfied with the decision and request a final review. Upon receipt of this notification, the grievance official shall proceed to the final grievance review.

Section 1699, DEFINITIONS, is amended to insert the term "Personal History" to the definitions, as follows:

Personal history –information about a specific individual, including information about his or her educational, financial, criminal, or employment status or history.

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

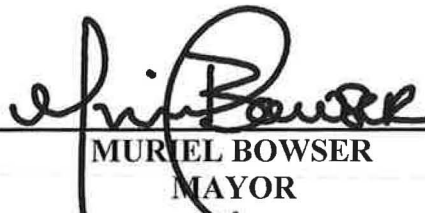
Mayor's Order 2017-116
May 3, 2017

SUBJECT: Delegation of Authority Pursuant to Title I, Subtitle A of D.C. Law 20-154, the "Sustainable Solid Waste Management Amendment Act of 2014"

ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by sections 422(6) and (11) 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(6) and (11) (2016 Repl.), and section 114 of the Sustainable Solid Waste Amendment Act of 2014, effective February 26, 2015, D.C. Law 20-154, D.C. Official Code § 8-1031.14 (2016 Supp.), it is hereby **ORDERED** that:

1. The Director of the Department of Public Works is delegated the authority vested in the Mayor under section 114 of the Sustainable Solid Waste Amendment Act of 2014 ("**Act**") (D.C. Official Code § 8-1031.14) to promulgate rules to implement the provisions of Title I, Subtitle A of the Act (D.C. Official Code § 8-1031.01 *et seq.*); to establish civil penalties and fines to enforce Title I, Subtitle A of the Act and regulations promulgated to implement the provisions of Title I, Subtitle A of the Act; and to require the submission of a source separation plan.
2. **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 2017-117
May 4, 2017

SUBJECT: Appointment – Board of Ethics and Government Accountability


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, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2) (2016 Repl.), and pursuant to section 203 of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1162.03 (2016 Repl.)), 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 (2016 Repl.)), it is hereby **ORDERED** that:

1. **TAMEKA COLLIER** is appointed as Chairperson of the Board of Ethics and Government Accountability, replacing Robert Spagnoletti, and shall serve in this capacity at the pleasure of the Mayor.
2. **EFFECTIVE DATE:** This Order shall become effective *nunc pro tunc* to May 1, 2017



MURIEL BOWSER
MAYOR

ATTEST: 

LAUREN C. VAUGHAN
SECRETARY OF THE DISTRICT OF COLUMBIA

**ACHIEVEMENT PREPARATORY PUBLIC CHARTER SCHOOL
REQUEST FOR PROPOSALS**

Facilities Support Services

Achievement Prep PCS is seeking competitive bids for the following services:

- 1) Provision of HVAC Maintenance Services
- 2) Middle School Interior Painting Service

Please find RFP specifications at www.achievementprep.org under “News”. Proposals must be received by 5:00PM on Friday, May 26, 2017. Please send proposals to bids@achievementprep.org and include “RFP for Maintenance” or “RFP for Painting” in the heading as appropriate.

**D.C. CRIMINAL CODE REFORM COMMISSION
NOTICE OF PUBLIC MEETING**

**WEDNESDAY, MAY 17, 2017 AT 2:00 PM
441 4TH STREET N.W., ROOM 1112, WASHINGTON, D.C., 20001**

The D.C. Criminal Code Reform Commission (CCRC) will hold a meeting of its Criminal Code Revision Advisory Group (Advisory Group) on Wednesday, May 17, 2017 at 2pm. The meeting will be held in Room 1112 of the Citywide Conference Center on the 11th Floor of 441 Fourth St., N.W., Washington, DC. The planned meeting agenda is below. Any changes to the meeting agenda will be posted on the agency's website, <http://ccrc.dc.gov/page/ccrc-meetings>. For further information, contact Richard Schmechel, Executive Director, at (202) 442-8715 or richard.schmechel@dc.gov.

MEETING AGENDA

- I. Welcome and Announcements
- II. Discussion Items:
 - a. Advisory Group Written Comments on:
 - i. First Draft of Report No. 3, Recommendations for Chapter 2 of the Revised Criminal Code—Mistake, Deliberate Ignorance, and Intoxication
 - ii. First Draft of Report No. 4 Recommendations for Chapter 1 of the Revised Criminal Code—Preliminary Provisions
 - b. First Draft of Report No. 5, Recommendations for Chapter 8 of the Revised Criminal Code—Offense Classes & Penalties
 - c. Advisory Group Memo No. 8, Offense Classes & Penalties
 - d. Second Draft of Report No. 2, Recommendations for Chapter 2 of the Revised Criminal Code - Basic Requirements of Offense Liability
- III. Adjournment.

D.C. PREPARATORY ACADEMY PUBLIC CHARTER SCHOOL**REQUEST FOR PROPOSALS**

D.C. Preparatory Academy, in accordance with section 2204(c)(XV)(A) of the District of Columbia School Reform Act of 1995, hereby solicits proposals to provide:

- Accounting services
- Advertising and marketing services
- Advisory and consulting services
- Architectural and engineering services
- Assessment and instructional data support and services
- Business insurance
- Classroom furniture, fixtures, and equipment
- Computer hardware and software
- Construction/general contractor services
- Copy machine services
- Curriculum materials
- Employee medical benefits
- Facility management services
- Financial audit services
- Food services
- Instructional support services
- IT management services
- Janitorial services and supplies
- Legal services
- Mechanical services (boiler, HVAC, etc.)
- Office furniture, fixtures, and equipment
- Office supplies
- Payroll and HR information systems
- Playground furniture, fixtures, and equipment, and installation services
- Professional development and consulting services
- Project management and consulting services
- Security services
- Special education services
- Student data management systems
- Student transportation services
- Talent recruitment and development services
- Temporary staffing services
- Waste management services

Please email bids@dcprep.org for more details about requirements.

Bids are DUE BY JUNE 9, 2017.

DC INTERNATIONAL PUBLIC CHARTER SCHOOL**Invitation for Bids**

RFP for Janitorial and/or Landscaping Services: DC International School (DCI) is seeking competitive bids for Janitorial Services. Bids must include day porters for school hours (8 am - 4 pm), as well as night cleaning for facility. DCI next year will be located at 14th and Aspen on the Walter Reed Campus at Delano Hall. The building is 100,000 square feet on 4 floors and on 2 acres until the Gym addition opens in the spring. Please provide estimates for building (100k square feet) and/or ground maintenance. Bids must include evidence of experience in field, qualifications and estimated fees. Proposals must include supplies. Preference will be given to environmentally friendly supplies and practices. We will be having a site visit on May 5, 2017 at 9 am. Please email rfp@dcinternationalschool.org should you wish to get information for the tour. Proposals must be received no later than the close of business Wednesday, May 31, 2017.

OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION (OSSE)**NOTICE OF FUNDING AVAILABILITY (NOFA)****DC SCHOOL GARDEN GRANT (SGG)****Announcement Date:** May 12, 2017**RFA Release Date:** June 1, 2017

Background: The Office of the State Superintendent of Education (OSSE) Division of Health and Wellness is soliciting applications for the District of Columbia School Garden Grant, as authorized by the Healthy Schools Act of 2010 (HSA) (D.C. Law 18-209; D.C. Official Code § 38-821.01 *et seq.*). The purpose of this grant is to:

- 1) Increase the number of students that engage in school gardens programs.
- 2) Increase the number of classroom teachers that are including garden-based teaching into their teaching practice.
- 3) Increase the number of schools with garden programs.
- 4) Institutionalize school garden programs to ensure staying power.

To achieve this, the focus of the grant is to fund staff that oversees all aspects of the school garden program including instruction, program management, and garden care.

Eligibility: OSSE will accept applications from public schools (i.e., schools within the District of Columbia Public Schools), public charter schools and school CBOs that support school garden programs. Public schools and public charter schools must have completed the 2016-17 school year school health profile, required by Section 602 of the HSA (D.C. Law 18-209; D.C. Official Code § 38-826.02). For more information about the school health profile, please contact [Aimee McLaughlin](#).

Applying Public schools and public charter schools

Public schools and public charter schools may submit one application for each school campus. DCPS schools must apply through its Office of Federal Programs and Grants. For more information, please contact the Grant Administration Team directly at ofpg.grants@dc.gov with your intent to apply by June 16, 2017. Public schools and public charter schools must partner with a CBO that supports school garden programs focuses on school garden projects. A [Service Provider List](#) is available, this list includes organizations that have partnered with schools to support garden programs. Applying schools may choose to collaborate with any organization however, evidence supporting that the organization has the experience and capacity to support the project must be provided. A letter of commitment regarding the partnership is required from each organization.

Applying CBOs

A CBO may submit up to three applications, each application must encompass a minimum of one and a maximum of four school campuses. Applying CBOs must have experience supporting school garden programs. A letter of commitment regarding the partnership is required from each school.

Award Period: The grant period is two years beginning on Oct. 1, 2017 and ending on Sept. 30, 2019.

Available Funding for Award: The total amount of funding available for this award period is \$400,000. Eligible schools and organizations may apply for an award amount of up to \$35,000 per school.

The RFA and all supporting documents will be available on June 1, 2017 at <http://grants.osse.dc.gov> . To receive more information or for a copy of this RFA, please contact:

Sam Ullery
School Garden Specialist
Division of Health and Wellness
Office of the State Superintendent of Education
810 First Street, NE
Washington, DC 20002
Desk: (202) 741-6485
Email: Sam.Ullery@dc.gov

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 (DDOE), located at 1200 First Street NE, 5th Floor, Washington, DC, intends to issue an air quality permit (#7156) to Capital Certified Collision Center to operate one automotive paint spray booth at the facility located at 934 Michigan Avenue NE, Washington, DC 20017. The contact person for the facility is Chris Choi at (202) 269-3073.

Emissions Estimate:

AQD estimates that the potential to emit volatile organic compounds (VOC) from the automotive paint spray booth will not exceed 3.12 tons per year.

The proposed emission limits are as follows:

- a. No chemical strippers containing methylene chloride (MeCl) shall be used for paint stripping at the facility. [20 DCMR 201.1]
- b. The Permittee shall not use or apply to a motor vehicle, mobile equipment, or associated parts and components, an automotive coating with a VOC regulatory content calculated in accordance with the methods specified in this permit that exceeds the VOC content requirements of Table I below. [20 DCMR 718.3]

Table I. Allowable VOC Content in Automotive Coatings for Motor Vehicle and Mobile Equipment Non-Assembly Line Refinishing and Recoating

Coating Category	VOC Regulatory Limit As Applied*	
	(Pounds per gallon)	(Grams per liter)
Adhesion promoter	4.5	540
Automotive pretreatment coating	5.5	660
Automotive primer	2.1	250
Clear coating	2.1	250
Color coating, including metallic/iridescent color coating	3.5	420
Multicolor coating	5.7	680
Other automotive coating type	2.1	250
Single-stage coating, including single-stage metallic/iridescent coating	2.8	340
Temporary protective coating	0.50	60
Truck bed liner coating	1.7	200
Underbody coating	3.6	430
Uniform finish coating	4.5	540

*VOC regulatory limit as applied = weight of VOC per volume of coating (prepared to manufacturer's recommended maximum VOC content, minus water and non-VOC solvents)

- c. Each cleaning solvent present at the facility shall not exceed a VOC content of twenty-five (25) grams per liter (twenty-one one-hundredths (0.21) pound per gallon), calculated in accordance with the methods specified in this permit, except for [20 DCMR 718.4]:
 1. Cleaning solvent used as bug and tar remover if the VOC content of the cleaning solvent does not exceed three hundred fifty (350) grams per liter (two and nine-tenths (2.9) pounds per gallon), where usage of cleaning solvent used as bug and tar remover is limited as follows:
 - A. Twenty (20) gallons in any consecutive twelve-month (12) period for an automotive refinishing facility and operations with four hundred (400) gallons or more of coating usage during the preceding twelve (12) calendar months;
 - B. Fifteen (15) gallons in any consecutive twelve-month (12) period for an automotive refinishing facility and operations with one hundred fifty (150) gallons or more of coating usage during the preceding twelve (12) calendar months; or
 - C. Ten (10) gallons in any consecutive twelve-month (12) period for an automotive refinishing facility and operations with less than one hundred fifty (150) gallons of coating usage during the preceding twelve (12) calendar months;
 2. Cleaning solvents used to clean plastic parts just prior to coating or VOC-containing materials for the removal of wax and grease provided that non-aerosol, hand-held spray bottles are used with a maximum cleaning solvent VOC content of seven hundred eighty (780) grams per liter and the total volume of the cleaning solvent does not exceed twenty (20) gallons per consecutive twelve-month (12) period per automotive refinishing facility;
 3. Aerosol cleaning solvents if one hundred sixty (160) ounces or less are used per day per automotive refinishing facility; or
 4. Cleaning solvent with a VOC content no greater than three hundred fifty (350) grams per liter may be used at a volume equal to two-and-one-half percent (2.5%) of the preceding calendar year's annual coating usage up to a maximum of fifteen (15) gallons per calendar year of cleaning solvent.
- d. The Permittee may not possess either of the following [20 DCMR 718.9]:
 1. An automotive coating that is not in compliance with Condition (b) (relating to coating VOC content limits); and
 2. A cleaning solvent that does not meet the requirements of Condition (c) (relating to cleaning solvent VOC content limits).

- e. An emission into the atmosphere of odorous or other air pollutants from any source in any quantity and of any characteristic, and duration which is, or is likely to be injurious to the public health or welfare, or which interferes with the reasonable enjoyment of life or property is prohibited [20 DCMR 903.1]
- f. Visible emissions shall not be emitted into the outdoor atmosphere from the paint booth. [20 DCMR 201.1, 20 DCMR 606, and 20 DCMR 903.1]

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

Interested persons may submit written comments or may request a hearing on this subject within 30 days of publication of this notice. The written comments must also include the person's name, telephone number, affiliation, if any, mailing address and a statement outlining the air quality issues in dispute and any facts underscoring those air quality issues. All relevant comments will be considered in issuing the final permit.

Comments on the proposed permits and any request for a public hearing should be addressed to:

Stephen S. Ours, P.E.
Chief, Permitting Branch
Air Quality Division
Department of Energy and Environment
1200 First Street NE, 5th Floor
Washington, DC 20002
Stephen.Ours@dc.gov

No written comments or hearing requests postmarked after June 12, 2017 will be accepted.

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

Outside Employment

A District government employee is not permitted to engage in any outside employment or other activity incompatible with the full and proper discharge of his or her duties and responsibilities.¹

As general guidance, this means that the operation of an outside business must not interfere with your ability to perform your District government job or impair the efficient operation of the District government. An example of where this might be an issue is if you were to prioritize xxxxxx orders or deadlines over your District work assignments or deadlines. Certainly, you must not devote any District government time or resources to the operation of your outside business, and you may never direct or request of your co-workers that they assist you with such matters. You may also not divulge any official government information that is not available to the general public or appear before the District in any representative capacity (this includes appearing before any District agencies or signing any matter on behalf of the business that is submitted to the District).²

Another prohibition encompasses the duty to protect and conserve government property and to not use such property, or to allow its use, for other than authorized purposes.³ Your agency's physical location, all other District owned or operated real property, as well as the physical items and supplies contained therein, constitute government property.⁴ An example of a violation of this rule includes printing flyers for your xxxxxx business on your District government printer.

It is also important to note that you are prohibited from acting in a manner that creates the appearance of a violation of the District's ethical standards. In other words, you could possibly violate the DPM without explicitly violating a particular rule, if, after consideration of the circumstances in the aggregate, there is the appearance of a violation.⁵

Finally, you must operate your xxxxxx business within the bounds of the law and be sure to evaluate any changes in your business to make sure that those changes do not violate the outside employment rule or pose any conflicts of interest.

Conflicts of Interest

Section 223(a) of the Ethics Act (D.C. Official Code § 1-1162.23) more closely addresses the essence of your inquiry with our office.

Pursuant to section 223(a) of the Ethics Act:

¹ See DPM § 1807.1.

² See DPM § 1807.1(a)-(i)

³ See DPM § 1808.1.

⁴ See DPM § 1808.2.

⁵ Pursuant to DPM § 1800.3(n), "[e]mployees shall not take actions creating the appearance that they are violating the law or the ethical standards set forth in...[chapter 18 of the DPM]. Whether particular circumstances create an appearance that the law or these standards have been violated shall be determined from the perspective of a reasonable person with knowledge of the relevant facts."

No employee shall use his or her official position or title, or personally and substantially participate, through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise, in a judicial or other proceeding, application, request for a ruling or other determination, contract, claim, controversy, charge, accusation, arrest, or other particular matter, or attempt to influence the outcome of a particular matter, in a manner that the employee knows is likely to have a direct and predictable effect on the employee's financial interests or the financial interests of a person closely affiliated with the employee.

Pursuant to this statutory provision, you may not use your title as a District government employee for personal gain, i.e., the betterment of your xxxxxxxx business or your financial gain, in general. Though there is no issue with your colleagues simply patronizing your xxxxxxxx business (outside of your tour of duty), you may not solicit business, sell xxxxxxxx, or perform any operation of your xxxxxxxx company on District government property or during your tour of duty. An example of a violation of section 223(a) includes taking orders *or* delivering orders placed by your colleagues or other D.C. government employees while at work. Generally, you may sell xxxxxxxx to your colleagues under the same circumstances under which you sell xxxxxxxx to the public.

As a practical matter, when you are approached in the office by colleagues who want to discuss your xxxxxxxx business, you are permitted to provide them with your company's contact information, i.e. address, web address, or phone number. You are not permitted to endorse your business during these encounters.

Posting of Notices and Information Bulletins

DCMR § 1-1419 permits District employees to post personal notices, such as the sale of an employee's home, requests for car pool participants, and other notices of this type on bulletin boards in non-public areas of the building.⁶

This provision clearly notes that only personal notices can be posted by employees. An example of a personal notice is a posting about a Girl Scout cookie sale. Such a sale is considered personal because it is usually undertaken by a child and her parent as part of the child's participation in the Girl Scout program, is of a charitable nature and is not so frequently continuous as to be classified as an outside business. Conversely, your xxxxxxxx business is considered a commercial enterprise because it serves only your financial interests and because your sale of the xxxxxxxx occurs continuously. Therefore, any posting by you in reference to your xxxxxxxx business is not permissible under DCMR § 1-1419.

Conclusion

Assuming your representations to be complete as to pertinent facts and are entirely accurate, and further assuming that you would abide by the restrictions outlined above, I conclude that your operation of a xxxxxxxx-based xxxxxxxx business does not violate the

⁶ DCMR § 1-1401 provides that, "Only the following types of notices or information bulletins may be posted on bulletin boards in non-public areas of the building(s): (a) official business notices of the occupant agency; (b) request for donations which comply under § 1401.3; (c) notices to District employees by concessionaires and other District employees or groups; (d) personal notices of agency employees, such as the sale of an employee's home, request for car pool participants, and other notices of this type; or (e) notices by recognized labor organizations."

DPM and that you may sell xxxxxxxx to your colleagues under the conditions set out above. I encourage you to contact BEGA should you have any uncertainty about a specific action you would like to take with regard to your outside activity. Additionally, this opinion, shall in no way impede your agency’s prerogative to impose additional restrictions on your outside business activity should it determine that the activity impairs the efficient operation of the District government.

Please be advised that this advice is provided to you pursuant to section 219 of the Ethics Act (D.C. Official Code § 1-1162.19), which empowers me to provide such guidance. As a result, no enforcement action for violation of the District’s Code of Conduct may be taken against you in this context, provided that you have made full and accurate disclosure of all relevant circumstances and information in seeking this advisory opinion.

Finally, you are advised that the Ethics Act requires this opinion to be published in the District of Columbia Register within 30 days of its issuance, but that identifying information will not be disclosed unless and until you consent to such disclosure in writing, should you wish to do so.

Please let me know if you have any questions or wish to discuss this matter further. I may be reached at 202-481-3411, or by email at darrin.sobin@dc.gov.

Sincerely,

_____/s/_____
DARRIN P. SOBIN
Director of Government Ethics
Board of Ethics and Government Accountability

#1249-002

DS/BF/ASM

DEPARTMENT OF HEALTH CARE FINANCE

PUBLIC NOTICE

Enrollment of Case Management Provider Agencies for the Elderly and Individuals With Physical Disabilities Waiver is at Capacity

The Director of the Department of Health Care Finance (DHCF), pursuant to the authority set forth in an Act to enable the District of Columbia to receive federal financial assistance under Title XIX of the Social Security Act for a medical assistance program, and for other purposes, approved December 27, 1967 (81 Stat. 744; D.C. Official Code § 1-307.02)(2012 Repl. & 2013 Supp.), and the Department of Health Care Finance Establishment Act of 2007, effective February 27, 2008 (D.C. Law 17-109; D.C. Official Code § 7-771.01 *et seq.* (2012 Repl.)), hereby gives notice that DHCF has reached capacity for EPD Waiver conflict-free case management provider agencies. Therefore, effective June 1, 2017, DHCF will deny all new applications for enrollment as an EPD Waiver case management agency.

Section 9401.6 of Title 29 of the District of Columbia Municipal Regulations (DCMR) allows DHCF to deny an application based on the current availability of services or supplies for beneficiaries taking into account geographic location and reasonable travel time and the number of providers of the same type of service or supplies enrolled in the same geographic area. Effective June 1, 2017, if an application is submitted by a new case management agency to enroll as an EPD Waiver Medicaid provider, DHCF will deny the application pursuant to Section 9401.6 of Title 29 of the DCMR.

DHCF Long Term Care Administration (LTCA) will re-evaluate the need for EPD Waiver case management agencies every 180 days and will notify the public via public notice in the *D.C. Register* when the LTCA is no longer denying EPD Waiver case management agency applications pursuant to Section 9401.6 of Title 29 of the DCMR.

If you have any questions about this public notice, please contact the DHCF LTCA Provider Enrollment at (202) 442-9533, or via email at dhcf.epdproviderenrollment@dc.gov.

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF HEALTH CARE FINANCE**

NOTICE OF PUBLIC MEETING

Department of Health Care Finance Pharmacy and Therapeutics Committee

The Department of Health Care Finance (DHCF) Pharmacy and Therapeutics Committee (Committee), pursuant to the requirements of Mayor's Order 2007-46, dated January 23, 2007, hereby announces a public meeting of the Committee to obtain input on the review and maintenance of a Preferred Drug List (PDL) for the District of Columbia. The meeting will be held **Thursday, June 8, 2017, at 2:30pm on the 10th Floor in the 1028 Main Street (10th Floor Conference Room) 441 Fourth Street NW, Washington, DC 20001**. Please note that government issued ID is needed to access the building. Use the South Lobby elevators to access the 10th floor.

The Committee will receive public comments from interested individuals on issues relating to the topics or class reviews to be discussed at this meeting. The clinical drug class review for this meeting will include:

Acne Agents, Topical	Ophthalmic Antibiotics Ophthalmic
Analgesics, Narcotics Long Acting &	Antibiotic-Steroid Combinations
Tramadol Like agents	Ophthalmics For Allergic Conjunctivitis
Antibiotics, Inhaled	Ophthalmics, Anti-Inflammatories
Antihistamines, Minimally Sedating	Ophthalmics, Glaucoma Agents
Antimigraine Agents	Opiate Dependence Treatments
Bronchodilators, Beta Agonists	Otic Antibiotics
COPD Agents	PAH Agents, Oral And Inhaled
Epinephrine, Self-Injected	Skeletal Muscle Relaxants
Glucocorticoids, Inhaled	Smoking Cessation
Intranasal Rhinitis Agents	Steroids, Topical High
Leukotriene Modifiers	Steroids, Topical Low
NSAIDs	Steroids, Topical Medium
	Steroids, Topical Very High

Any person or organizations who wish to make a presentation to the DHCF P&T Committee should furnish his or her name, address, telephone number, and name of organization represented by calling (202) 442-9076 or via e-mail to Charlene Fairfax (charlene.fairfax@dc.gov) **no later than 4:45pm on Thursday, June 1st, 2017**. Oral presentations will be limited to three (3) minutes. Any person or organization wishing to provide written information should supply twenty (20) copies of the written information to the Committee **no later than 4:45pm on June 1st, 2017**.

Handouts are limited to no more than two standard 8-1/2 by 11 inch pages of “bulleted” points (or one page front and back). The ready-to-disseminate, written information can also be mailed to the following address **to arrive no later than June 1st, 2017:**

Department of Health Care Finance
Attention: Charlene Fairfax, RPh, CDE
441 4th Street NW, Suite 900 South
Washington, DC 20001

DEPARTMENT OF HEALTH (DOH)
Notice of Funding Availability (NOFA)
Community Health Administration (CHA)
Request for Applications (RFA)
CHA_DCIC_05.26.17

DC Immunization Coalition Funding

The District of Columbia, Department of Health (DOH) is soliciting applications from qualified applicants to build and sustain a coalition of immunization stakeholders to promote vaccination of the District's residents and visitors as described in this Notice of Funding Availability (NOFA). This announcement is to provide public notice of the DOH's intent to make funds available for the purpose described herein. The applicable Request for Applications (RFA) will be released under a separate announcement with guidelines for submitting the application, review criteria and DOH terms and conditions for applying for and receiving funding.

General Information:

Funding Opportunity Title:	DC Immunization Coalition Funding
Funding Opportunity Number:	FO-CHA-PG-00011-026
Program RFA ID#:	CHA_DCIC_05.26.17
Opportunity Category:	Competitive
DOH Administrative Unit:	Community Health Administration
DOH Program Bureau	Health Care Access
Program Contact:	Jacquelyn Campbell 202/576-9324 Jacquelyn.campbell@dc.gov
Program Description:	The Department of Health (DOH), Community Health Administration (CHA) is soliciting applications from qualified applicants to build and sustain a coalition of immunization stakeholders to promote vaccination of the District's residents and visitors. This funding is available through a cooperative agreement between the DOH and the Centers for Disease Control and Prevention (CDC). A continuing award of up to three (3) additional years of funding will be available to the selected recipient, contingent upon the future availability of funds and recipient performance. Approximately \$110,000 will be available for one (1) award. The award is projected to begin July 1, 2017 and continue through June 30, 2018.
Eligible Applicants	Established not-for-profit organizations based, located and licensed to conduct business within the District of Columbia and experienced in providing programming and services in the program areas and/or targeted populations and a demonstrated track record of promoting childhood and adult immunization in the District, convening the

	District’s immunization stakeholders, and partnering with the DOH on immunization initiatives.
Anticipated # of Awards:	1
Anticipated Amount Available:	\$110,000
Floor Award Amount:	\$110,000
Ceiling Award Amount:	\$110,000

Funding Authorization

Legislative Authorization	PHS 317, 42 USC, SEC. 247B
Associated CFDA#	93.268
Associated Federal Award ID#	5 NH23IP000745-05-00
Cost Sharing / Match Required?	No
RFA Release Date:	May 26, 2017
Pre-Application Meeting (Date)	May 31, 2017
Pre-Application Meeting (Time)	10:00AM
Pre-Application Meeting (Location/Conference Call Access)	899 N. Capitol St. NE Third Floor, #306
Letter of Intent Due date:	N/A
Application Deadline Date:	June 23, 2017
Application Deadline Time:	6:00PM
Links to Additional Information about this Funding Opportunity	DC Grants Clearinghouse http://opgs.dc.gov/page/opgs-district-grants-clearinghouse. DOH EGMS https://dcdoh.force.com/GO ApplicantLogin2

Notes:

1. DOH reserves the right to issue addenda and/or amendments subsequent to the issuance of the NOFA or RFA, or to rescind the NOFA or RFA.
2. Awards are contingent upon the availability of funds.
3. Individuals are not eligible for DOH grant funding.
4. Applicants must have a DUNS #, Tax ID#, be registered in the federal Systems for Award Management (SAM) and the DOH Enterprise Grants Management System (EGMS)
5. Contact the program manager assigned to this funding opportunity for additional information.
6. DOH is located in a secured building. Government issued identification must be presented for entrance.

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF HUMAN SERVICES (DHS)
ECONOMIC SECURITY ADMINISTRATION (ESA)**

NOTICE OF FUNDING AVAILABILITY (NOFA): SNAP E&T-002

**FY2017 GRANTS TO COMMUNITY-BASED ORGANIZATIONS FOR SNAP
EMPLOYMENT AND TRAINING PROGRAM (SNAP E&T)**

Program Description

The Department of Human Services (DHS), Economic Security Administration (ESA), is the lead agency in the District of Columbia for SNAP Employment and Training (SNAP E&T), as authorized by the Food and Nutrition Act of 2008 (Pub. L. No 110-246, §6(d)(4); 7 U.S.C. §2015(d)(4), (herein referred to as the Act). The purpose of SNAP E&T is to provide SNAP participants opportunities to gain skills, training or experience that will improve their employment prospects and reduce their reliance on public benefits.

Purpose/Description of Project

This Notice for Application (NOFA) seeks to identify potential applicants with ESA that can provide allowable SNAP E&T services to customers experiencing homelessness or housing instability. The applicant will provide job training employment programs and supportive social services to homeless individuals (“homeless” as defined in the Homeless Services Reform Act or HSRA of 2005), living in the Federal City Shelter (CCNV) and other shelters located in District of Columbia. Job Search/Job Readiness services include job training, case management, housing assistance, life skills training, mentoring, and substance abuse counseling. These services shall also include assistance with transportation, clothing, licenses, identification, etc. all of which may assist homeless persons in overcoming barriers to employment. The scope of allowable services under this NOFA is outlined in Section II of the RFA and includes outreach, planning, administration, and operation of an allowable SNAP E&T component. It also includes participant expenses, such as transportation, dependent care, licenses, uniforms and tools for a job, test fees, books, and tuition expenses. The entire cost of allowable expenditures are 100% federally funded through the Act. DHS will reimburse awardees for 100% of allowable SNAP E&T programs and activities.

Eligibility

Applications are requested from community-based organizations, SNAP E&T grantees, located in the District of Columbia that have demonstrated experience working with individuals receiving public benefits and people experiencing homelessness. Faith-based organizations, such as churches, synagogues, mosques, or religiously based social service affiliates of such organizations are encouraged to apply. Applications are also encouraged from collaborating community-based and faith-based organizations. Applicants must demonstrate an outstanding track-record of providing employment and training services and job placements to persons experiencing homelessness, SNAP recipients and other low-income populations. Applicants must provide services that complement ESA’s current in-house SNAP E&T program, which currently includes job search, transportation, and dependent care subsidies.

Review Factors

All applications will be objectively reviewed by an independent panel of reviewers and scored against the criteria specified in the Request for Applications (RFA).

Length of Grant Award

The award period for the grant will be through September 30, 2017 at which time all funds must be invoiced.

Available Funding

Grantees will be awarded funding based on the capacity to meet the requirement of the program.

Anticipated Number of Grant Awards

ESA intends to award up to \$ 440, 000 to 2 organizations that will provide allowable SNAP E&T services to customers experiencing homelessness or housing instability.

Request for Application (RFA) Release

The RFA will be released on **May 15, 2017**. The RFA will be posted on the Office of Partnerships and Grant Services website (<http://opgs.dc.gov/page/opgs-district-grants-clearinghouse>) under the District Grants Clearinghouse.

Deadline for Applications

The deadline for submission is May 26, 2017 at 4:00 p.m. Late or incomplete applications will not be forwarded for review.

DISTRICT OF COLUMBIA RETIREMENT BOARD

INVESTMENT COMMITTEE

NOTICE OF CLOSED MEETING

May 18, 2017
10:00 a.m.

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

On Thursday, May 18, 2017, at 10:00 a.m., the District of Columbia Retirement Board (DCRB) will hold a closed investment committee meeting regarding investment matters. In accordance with D.C. Code §2-575(b)(1), (2), and (11) and §1-909.05(e), the investment committee meeting will be closed to deliberate and make decisions on investments matters, the disclosure of which would jeopardize the ability of the DCRB to implement investment decisions or to achieve investment objectives.

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

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

DISTRICT OF COLUMBIA RETIREMENT BOARD**NOTICE OF SPECIAL MEETING**

May 12, 2017
10:00 a.m.

The District of Columbia Retirement Board (DCRB) will hold a special meeting on Friday, May 12, 2017, at 10:00 a.m.

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

AGENDA

I. Call to Order and Roll Call

Chair Clark

***MEETING TO CONVENE IN CLOSED SESSION TO DISCUSS A PERSONNEL MATTER
PURSUANT TO D.C. CODE § 257(b)(10)***

II. Adjournment

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

May 18, 2017

1:00 p.m.

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

The District of Columbia Retirement Board (DCRB) will hold an Open meeting on Thursday, May 18, 2017, at 1:00 p.m. The meeting will be held at 900 7th Street, N.W., 2nd floor, DCRB Boardroom, Washington, D.C. 20001. A general agenda for the Open Board meeting is outlined below.

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

AGENDA

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

ROCKETSHIP DC PUBLIC CHARTER SCHOOLS

Rocketship DC Public Charter Schools will be entering into a sole source pricing agreement with Virco for all campuses' classroom furniture, staff room and office space furniture needs for the 2017-18 school year.

We believe Virco is a sole source contract for the following reasons:

Compatibility: In the Spring of 2016 Rocketship DC bid out all the furniture for Rocketship Rise Academy. The items that aligned with our branding and classroom needs came from Virco and although Virco products can be sourced by other vendors the price will not compare due to Virco being the manufacturer.

Branding: For our Rocketship Rise Academy campus the furniture we purchase this year must be compatible with the existing equipment; no other vendor will be able to provide the Virco manufactured items for the same or better price.

Price: Rocketship Education has 18 schools across the country and by joining the schools together we have better buying power. By bidding out on the two DC schools separately we would not get the same cost savings per item.

Experience & Expectations: Rocketship DC used multiple vendors in the summer of 2016 for furniture delivery and installation, the service we received from other vendors did not compare to the delivery, installation and clean-up of Virco.

If you have any questions or need more information please reach out to Larisa Yarmolovich (lyarmolovich@rsed.org).

OFFICE OF THE SECRETARY OF THE DISTRICT OF COLUMBIA**NOTICE OF CHANGE IN SUBMISSION DEADLINE
FOR THE
REQUEST FOR APPLICATIONS****Grant to Promote District of Columbia
Voting Rights and Statehood****Release Date: Monday, May 1, 2017
Application Due Date: Tuesday, May 30, 2017**

The District of Columbia government will be closed on Monday, May 29, 2017, in observance of Memorial Day. The submission due date for the 2017 Grant to Promote District of Columbia Voting Rights and Statehood originally scheduled for Noon on May 29, 2017 has been changed to Noon on Tuesday, May 30, 2017.

The new deadline reflects the change made to the Request for Applications for the Grant to Promote District of Columbia Voting Rights and Statehood that was published in the DC Register on Friday, April 28, 2017 and released on Monday, May 1, 2017.

OFFICE OF THE SECRETARY OF THE DISTRICT OF COLUMBIA
RECOMMENDATIONS FOR APPOINTMENTS AS NOTARIES PUBLIC

Notice is hereby given that the following named persons have been recommended for appointment as Notaries Public in and for the District of Columbia, effective on or after June 15, 2017.

Comments on these potential appointments should be submitted, in writing, to the Office of Notary Commissions and Authentications, 441 4th Street, NW, Suite 810 South, Washington, D.C. 20001 within seven (7) days of the publication of this notice in the *D.C. Register* on May 12, 2016. Additional copies of this list are available at the above address or the website of the Office of the Secretary at www.os.dc.gov.

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

Effective: June 15, 2017

Page 2

Abdelaziz	Basma	TD Bank 605 14th Street, NW	20005
Adams	Renee P.	Staas & Halsey, LLP 1201 New York Avenue, NW, Suite 700	20005
Ajroud	Mansour	Agriculture Federal Credit Union 1400 Independence Avenue, SW, 1210	20250
Al-Amin-El	Aena	Congressional Federal Credit Union 50 Independence Avenue, SW	20515
Altmeyer	Sydney	Cushman & Wakefield 1401 H Street, NW, Suite 250	20005
Alvarez	Nixon L.	Kozusko Harris Vetter Wareh Duncan, LLP 1666 K Street NW, Suite 400	20006
Arnold	Kathleen E.	Self 6600 Georgia Avenue, NW	20012
Azak	Melisa	Cuneo Gilbert & LaDuca, LLP 4725 Wisconsin Avenue, NW, Suite 200	20016
Bailey-Alston	Caprice	Department of Energy and Environment 1207 Taylor Street, NW, 1st Floor	20011
Basdekis	Tasiana Thea	Planet Depos 1100 Connecticut Avenue, NW, Suite 590	20036
Bavari	Ahdia Preen	Cassidy Levy Kent (USA), LLP 2000 Pennsylvania Avenue, NW, Suite 3000	20006
Bernard	Joel	United Nations Federal Credit Union 1775 Pennsylvania Avenue, NW (Between 18th & H Street)	20006
Boothby	Dorothy A.	Georgetown University 600 New Jersey Avenue, NW	20001
Bossard	Adrienne	Congressional Federal Credit Union 50 Independence Avenue, SE	20515

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

Effective: June 15, 2017

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Brown	John C.	Cooper & Kirk, PLLC 1523 New Hampshire Avenue, NW	20895
Brown	Morgan Diana	Self 312 Seaton Place, NE	20002
Brownlee	Deborah K.	Oceana, Inc 1350 Connecticut Avenue,NW, 5th Floor	20036
Bunn	Mary L.	Mary McLeod Bethune Day Academy Public Charter School 1404 Jackson Street, NE	20017
Burke	Kathy D.	Self 1001 First Street, NW, Apartment 506	20001
Cao	Bingling	Rise Companies Corp 1601 Connecticut Avenue, NW, Suite 300	20009
Carr	Robin	Self 2500a Hurston Lane, NE	20018
Childs	Senquisha	Wells Fargo 1750 H Street, NW, Suite 400	20006
Chryssos	James George	Metropolitan Engineering, Inc 1225 19th Street, NW, Suite 800	20036
Crane	Margaret	District Department of Transportation 55 M Street, SE, Suite 700	20003
Cruz	Christopher	TD Bank 1753 Connecticut Avenue, NW	20009
Dallosta	Kay D.	Wilmer Cutler Pickering Hale and Dorr, LLP 1875 Pennsylvania Avenue, NW	20006
Dash	Monica D.	PSI Family Services 770 M Street, SE	20003
Dawson	Christine J.	CleanChoice Energy, Inc. 1055 Thomas Jefferson Street, NW, Suite 650	20007

**D.C. Office of the Secretary
Recommendations for appointment as DC Notaries Public****Effective: June 15, 2017****Page 4**

D'Monte	Marion C.	Shearman and Sterling, LLP 401 9th Street, NW	20004
Douglas	Rachelle	Fannie Mae 3900 Wisconsin Avenue, NW	20016
Elam	Althea Delores	U.S Office of Personnel Management 1900 E Street, NW, Room 7347	20415
Ford	Patricia I.	SCF Management, LLC 1433 T Street, NW, Suite T10	20009
Fournier	Harold	CCM Group, LLC 1730 Massachusetts Avenue, NW	20036
Freeman	Diana L.	Arnold & Porter Kaye Scholer, LLP 601 Massachusetts Avenue, NW	20001
French	Stacy	Club for Growth 2001 L Street, NW, Suite 600	20036
Friedman	Diane M.	Casey Trees 3030 12th Street, NE	20017
Gallagher	James F.	Tsymmetry 1700 K Street, NW, Suite 875	20006
Goodland	Savanah	VIKA Capital, LLC 4910 Massachusetts Avenue, NW, Suite 214	20016
Gordon	Felicia D.	Morgan, Lewis & Bockius, LLP 1111 Pennsylvania Avenue, NW	20004
Graves	Tershia Lane	Amtrak (NRPC) 60 Massachusetts Avenue, NE	20002
Green	Senora	Stanton View Development, LLC 1054 31st Street, NW, Suite 290	20007
Green-Warren	Denise C.	Dentons US, LLP 1900 K Street, NW	20006

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

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Gulley	Timothy L.	Medicare Payment Advisory Commission (MedPAC) 425 I Street, NW, Suite 701	20001
Guzman	Nancy M.	Jacob Burns Community Legal Clinic-George Washington University 2000 G Street, NW	20052
Hansen	Paula	Arcana Foundation, Inc. 1156 15th Street, NW, Suite 600	20005
Harpring	Robert Shannon	Self (Dual) 440 K Street, NW, #1014	20001
Hemnani	Pooja	State Farm Insurance Company 2141 P Street, NW, Unit 105	20037
Henderson	Frenchelle	DCPS/Kelly Miller Middle School 301 49th Street, NE	20019
Hensley	Angel	Total Healthcare Solutions, 922 M Street, SE	20003
Himelfarb	Daniel S.	Office Doctor, Inc. 1629 K Street, NW	20006
Holmes	Michael S.	Rehab Plus Staffing Group d/b/a Alignstaffing 111 K Street, NE, Floor 4	20002
Jackson	Denise M.	Self(Dual) 4252 East Capitol Street, NE, Apartment 101	20019
Johnson	Ebony N.	Stewart Funeral Home 4001 Benning Road, NE	20019
Jones	Aja Nicole	Alignstaffing 111 K Street, NE, Floor 4	20002
King	Alecksander	T D Bank 605 14th Street, NW	20005
Kirby	Ronessa T.	Self 605 Kennedy Street, NW	20011

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

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Ledder	Brett R.	Fannie Mae 3900 Wisconsin Avenue, NW	20008
Leonard	Jean-Marie	Washington Intern Student Housing (WISH) 237 Massachusetts Avenue, NE	20002
Lewis	Patricia D.	Williams & Connolly LLP 725 12th Street, NW	20005
LinZy I	Sean Caddy Amun	Alemayehu Tewodros Media Services 1015 15th Street, NW, Suite 600	20005
Loube	Sheri A.	Fairmont Builders 5101 Wisconsin Avenue, NW, 5th Floor	20016
Mackin	Veronica M.	Administrative Offices of the US Courts 1 Columbus Circle, NE, Rm 3-403	20002
Mader	Eliddia J.	Self (Dual) 1239 Vermont Avenue, NW, Apartment 901	20005
Mantel	Keith	Self 1151 4th Street, SW, PH22	20024
Mason	Rico Jamal	InFirst Federal Credit Union 445 12th Street, SW, Room MA-B515	20554
McCoy	Melbern	Office of the Chief Financial Officer/OCFO 1200 First Street, NE, 11th Floor	20002
McGaffick	Donna	Jones Day 51 Louisiana Avenue, NW	20001
McKnight	Natalie M.	The Wagner Law Group 800 Connecticut Avenue, NW	20006
McQueen	Tabitha D.	Self 2301 Champlain Street, NW, Apartment 411	20009
Montgomery	Cheryl S.	Treliant Risk Advisors, LLC 1255 23rd Street, NW, Suite 500	20037

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

Effective: June 15, 2017

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Morrison	Deja'	National Association of State Workforce Agencies 444 North Capitol Street, NW, Suite 142	20001
Myers	Isabel	US Department of Labor, Employment & Training Administration, Office of Foreign Labor Certification 200 Constitution Avenue, NW	20024
Newmark	Jordan Lily	Levi & Korinsky, LLP 1101 30th Street, NW, Suite 115	20007
Older	Chad	Self 1328 Lawrence Street, NE	20017
Ollie	Charles	M&T Bank 1899 L Street, NW	20036
Owens	Conor J.	CleanChoice Energy, Inc. 1055 Thomas Jefferson Street, NW, Suite 650	20007
Parker	Jacqueline C.	Self (Dual) 305 South Carolina Avenue, SE	20003
Parr	Jasmine M.	Congressional Federal Credit Union 50 Independence Avenue, SW	20515
Pascual	Luzviminda D.	Self 3415 36th Street, NW	20016
Pate	Latasha	Commodity Futures Trading Commission 1155 21st Street, NW	20581
Peckiconis	Mary A.	Self (Dual) 4530 Connecticut Avenue, NW, # 500	20008
Pentorn	K-Tari L.	US Customs and Border Protection 1300 Pennsylvania Avenue, NW, Suite 4.4B	20229
Perez	April N.	Simpson Gumpertz & Heger, Inc 1828 L Street, NW, Suite 950	20036
Perkins	Jacqueline C.	WCS Construction 3303 Stanton Road, SE	20020

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Recommendations for appointment as DC Notaries PublicEffective: June 15, 2017
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Perry	Adrienne	Alignstaffing 111 K Street, NE, Floor 4	20002
Princeton	Michelle L.	White House Military Office, General Counsel 725 17th Street, NW	20503
Reba	Lee Brian	University of the District of Columbia 4200 Connecticut Avenue, NW	20008
Reeber	Nicole Y.	Buckley Sandler, LLP 1250 24th Street, NW, Suite 700	20037
Reed	Taneice	Washington Hospital Center 110 Irving Street, NW	20010
Reynolds	Daphne V.	Smithsonian Institution, Office of Investments 425 3rd Street, SW, Suite 850	20024
Ross	Katherine	Law Office of Bernard Grimm 1200 19th Street, NW, Suite 300	20036
Royal	Connie E.	Reed Smith, LLP 1301 K Street, NW, Suite 1000, East Tower	20005
Russell-Roach	Thomeisha A.	TD Bank N.A. 2000 K Street, NW	20006
Sattler	Eric D.	Realty Pros 4624 B Wisconsin Avenue, NW	20016
Singer	Connie A.	Concentric Energy Advisors 1300 19th Street, NW, Suite 620	20036
Somerville	Bernadette C.	Cohen Seglias Pallas Greenhall & Furman, PC 1828 L Street, NW, Suite 705	20036
Soto	Daniel	Chatel Real Estate 3210 N Street, NW	20007
Speaks	Christina Michelle	Self 116 T Street, NE, Apartment 216	20002

**D.C. Office of the Secretary
Recommendations for appointment as DC Notaries Public****Effective: June 15, 2017
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Springer	Kirstin	Edlavitch DCJCC 1529 16th Street, NW	20036
Strong	Brandon D.	Alignstaffing 111 K Street, NE, Floor 4	20002
Sullivan	Patrick O'Shea	Washington Intern Student Housing (WISH) 237 Massachusetts Avenue, NE	20002
Tall	Amadou	OPX, PLLC 21 Dupont Circle, NW	20036
Thomas	Meaghan	Self (Dual) 1011 1st Street, SE, Suite 1023	20003
Thompson	LaShay	Congressional Federal Credit Union 50 Independence Avenue, SW	20515
Turner	Wendy S.	SunTrust Bank 1250 U Street, NW	20009
Valenzuela	Maria Teresa	International Association of Fire Fighters 1750 New York Avenue, NW	20006
Vivansia	Sanam	Strategic National Tile Group, LLC 1521 D Street, SE	20003
Walker	Michael A.	Self 5021 Blaine Street, NE	20019
Williams	Virginia B.	Self (Dual) 3451 25th Street, SE	20020
Yoe	Cindy L.	Peer, Gan & Gisler, LLP 1730 Rhode Island Avenue, NW, Suite 715	20036
Zaleski	Michael	Callahan & Associates 1001 Connecticut Avenue, NW, Suite 101	20036
Zomorodi	Saman	Standard Title Group 1734 20th Street, NW	20009

THE SEED PUBLIC CHARTER SCHOOL OF WASHINGTON, D.C.**Request for Proposals****Design/Build Contractor for Bathroom Renovation**

The SEED Public Charter School of Washington DC is inviting firms to submit proposals to engage a Design-Builder to develop a design, and renovate the eight (8) existing Marshall Hall dormitory communal restrooms, located at 4300 C Street, SE Washington, DC (the "Project"). Marshall Hall was constructed in 2001, and the restrooms consist of approximately 300 SF of space each. Additional specifications outlined in the Request for Proposal (RFP) may be obtained between the hours of 8 am – 4pm from:

Brendan Dowd
Campus Operations Manager
THE SEED PUBLIC CHARTER SCHOOL of Washington, D.C.
4300 C Street, SE
Washington, D.C. 20019
202-248-7773 x 5045

The deadline for submitting bids is May 17, 2017.

All bids not addressing all areas as outlined in the RFP will not be considered.

THE SEED PUBLIC CHARTER SCHOOL OF WASHINGTON, D.C.**Request for Proposals****Food Service Management Services**

The SEED Public Charter School of Washington, D.C. is advertising the opportunity to bid on the delivery of breakfast, lunch, snack and/or CACFP supper meals to children enrolled at the school for the 2017-2018 school year with a possible extension of (4) one year renewals. All meals must meet at a minimum, but are not restricted to, the USDA National School Breakfast, Lunch, Afterschool Snack and At Risk Supper meal pattern requirements. Additional specifications outlined in the Request for Proposal (RFP) such as; student data, days of service, meal quality, etc. may be obtained beginning on **May 12, 2017** from **Colleen Turner at 202-248-3041 or cturner@seedschooldc.org**:

Proposals will be accepted at 4300 C Street, SE Washington, D.C. 20019 on June 7th, 2017 no later than 3:00 PM.

All bids not addressing all areas as outlined in the RFP will not be considered.

**WASHINGTON CONVENTION AND SPORTS AUTHORITY
(T/A EVENTS DC)**

NOTICE OF LOCATION CHANGE FOR PUBLIC MEETING

The Board of Directors of the Washington Convention and Sports Authority (t/a Events DC), in accordance with the District of Columbia Self-Government and Governmental Reorganization Act of 1973, D.C. Official Code §1-207.42 (2006 Repl., 2011 Supp.), and the District of Columbia Administrative Procedure Act of 1968, as amended by the Open Meetings Amendment Act of 2010, D.C. Official Code §2-576(5) (2011 Repl., 2011 Supp.), hereby gives notice that the location of a previously announced meeting scheduled for May 11, 2017, has changed.

The meeting will take place at the Washington Nationals Youth Baseball Academy, 3675 Ely Place S.E., Washington, D.C., 20019, starting at 10 a.m. The Board's agenda includes reports from its Standing Committees.

For additional information, please contact:

Sean Sands
Chief of Staff
Washington Convention and Sports Authority
t/a Events DC

(202) 249-3012
sean.sands@eventsdc.com

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

BOARD OF DIRECTORS

NOTICE OF PUBLIC MEETING

Environmental Quality and Operations Committee

The Board of Directors of the District of Columbia Water and Sewer Authority (DC Water) Environmental Quality and Operations Committee will be holding a meeting on Thursday, May 18, 2017 at 9:30 a.m. The meeting will be held in the Board Room (4th floor) at 5000 Overlook Avenue, S.W., Washington, D.C. 20032. Below is the draft agenda for this meeting. A final agenda will be posted to DC Water's website at www.dewater.com.

For additional information, please contact Linda R. Manley, Board Secretary at (202) 787-2332 or linda.manley@dewater.com.

DRAFT AGENDA

- | | | |
|-----|-------------------------------|---|
| 1. | Call to Order | Committee Chairperson |
| 2. | AWTP Status Updates | Assistant General Manager,
Plant Operations |
| | 1. BPAWTP Performance | |
| 3. | Status Updates | Chief Engineer |
| 4. | Project Status Updates | Director, Engineering &
Technical Services |
| 5. | Action Items | Chief Engineer |
| | - Joint Use | |
| | - Non-Joint Use | |
| 6. | Water Quality Monitoring | Assistant General Manager,
Consumer Services |
| 7. | Action Items | Assistant General Manager,
Consumer Services |
| 8. | Emerging Items/Other Business | |
| 9. | Executive Session | |
| 10. | Adjournment | Committee Chairperson |

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

Application No. 19442-A of Matthew Manders, Motion for Reconsideration of Condition Number Three to Order No. 19442, pursuant to Subtitle Y § 700 of the Zoning Regulations.

The original application was pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception under Subtitle D § 5201, from the side yard requirements of Subtitle D § 307.1, to add a deck to the rear of an existing one-family dwelling in the R-1-B Zone at premises 5120 Fulton Street N.W. (Square 1419, Lot 824).

HEARING DATE:	Applicant waived right to a public hearing
DECISION DATE:	March 15, 2017
FINAL ORDER ISSUANCE DATE:	March 22, 2017
RECONSIDERATION DECISION:	April 19, 2017

SUMMARY ORDER ON MOTION FOR RECONSIDERATION

Background

On March 15, 2017, the Board of Zoning Adjustment (the “Board” or “BZA”) approved the application of Matthew Manders (the “Applicant”). The Applicant’s original request was pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception under Subtitle D § 5201, from the side yard requirements of Subtitle D § 307.1, to add a deck to the rear of an existing one-family dwelling in the R-1-B Zone at premises 5120 Fulton Street N.W. (Square 1419, Lot 824).

BZA Order No. 19442 was issued March 22, 2017, approving the original request subject to five conditions. (Exhibit 40.) The five conditions, originally proposed by the Office of Planning (“OP”) and accepted by the Applicant, require that the Applicant maintain existing vegetative screening of bamboo and install additional vegetative screening. Specifically, Condition No. 3 states:

3. The Applicant shall plant a new row of bamboo, contained at the ground level by metal, at the property line, to screen the views between 5120 Fulton Street and the adjacent property at 5116 Fulton Street (Exhibit 34A);

Request for Reconsideration

On March 29, 2017, the Single Member District (“SMD”) ANC Commissioner for 3D05 filed a request for reconsideration of Condition No. 3 to the record. (Exhibit 42.) The Commissioner indicated that there is no ANC 3D meeting scheduled within the ten-day timeframe for

reconsideration requests established by Subtitle Y § 700.2; therefore, she intends to submit the request in her capacity as Single Member District Commissioner within the required ten-day timeframe and supplement the record with a request from the full ANC, after it meets on April 5, 2017.

The request for reconsideration of Condition No. 3 centers on concerns about requiring the Applicant to plant additional bamboo as vegetative screening. As the letter notes, “[t]he planting of an invasive species should be avoided and bamboo has a well-earned reputation for being extremely difficult to remove once it is established.” (Exhibit 42.) The SMD Commissioner requested that the Board reconsider the condition and either require that the adjacent neighbor provide written consent for the proposal to plant an invasive species or that the Board revise the condition to instead require non-invasive vegetative screening.¹

On April 10, 2017, ANC 3D submitted a report to the record indicating that it voted 9-0 to submit the request for reconsideration of Condition No. 3 of Order No. 19442 and adopting the arguments and recommendations made in the SMD Commissioner’s letter submitted on March 29, 2017. (Exhibit 43.) Based on the explanation in the SMD Commissioner’s letter, the Board found there was good cause to waive the ten-day deadline in Subtitle Y § 700.2 to accept the request for reconsideration from ANC 3D.

Pursuant to Subtitle Y § 700.2, any motion for reconsideration must be served upon all other parties to the case. The record indicates that the request for reconsideration was served on the parties to Application No. 19442, as well as OP, the Department of Consumer and Regulatory Affairs, the Ward Three Councilmember, and the At-Large Councilmembers. (Exhibits 42 and 43.)

Pursuant to Subtitle Y § 700.9, within ten days after the motion for reconsideration has been filed and served, any other party may file an answer in opposition or in support of the motion. On April 11, 2017, the Applicant filed a response concurring with the ANC’s recommendation to remove the condition requiring installing new bamboo screening and agreeing that the non-invasive vegetative screening options proposed by the ANC are acceptable alternatives. (Exhibit 44.)

The Board considered the request at its public meeting on April 19, 2017. At the time, the Board allowed OP to testify regarding the request to reconsider the condition. OP testified that, though he originally proposed the condition to install additional bamboo screening, the proposal to use non-invasive vegetative screening would also be acceptable. OP noted that, after consulting with the staff landscape architect, he had no concerns about the plants proposed by the ANC, but recommended that an additional option – “Green Giant” Arborvitae – be added to the list of alternatives, because it would allow the vegetative screen to reach a greater height.

¹ The letter specifically recommended several ornamental grasses, including big bluestem (*Andropogon gerardii*), bottle brush grass (*Elymus hystrix*), little blue stem (*Schizachyrium scoparium*) and Indiangrass (*sorghastrum nutans*).

Great Weight

The Board is required to give “great weight” to the recommendation of the Office of Planning. (D.C. Official Code § 6-623.04 (2012 Repl.)) In this case, for the reasons discussed, the Board concurs with OP’s recommendation to grant the request for reconsideration of Condition No. 3 and to add Green Giant to the list of non-invasive vegetative screening alternatives.

The Board is also required to give “great weight” to the issues and concerns raised by the affected ANC in its written report. (Section 13(d) of the Advisory Neighborhood Commissions Act of 1975, effective March 26, 1976 (D.C. Law 1-21; D.C. Official Code § 1-309.10(d) (2012 Repl.)) The Board concurs with the ANC’s request to reconsider Condition No. 3 in order to replace the requirement to install bamboo screening with a requirement to install non-invasive vegetative screening, based on the concerns raised in the ANC’s letter dated April 10, 2017. (Exhibit 43.)

It is therefore **ORDERED** that this request for reconsideration of Condition No. 3 in Order No. 19442 is hereby **GRANTED, AND CONDITION NO. 3 IS REVISED TO READ AS FOLLOWS:**

1. The Applicant shall plant a new row of non-invasive vegetative screening, such as, ornamental grasses, bottle brush grass, little blue stem, Indiangrass or Green Giant, contained at the ground level by metal, at the property line, to screen the views between 5120 Fulton Street and the adjacent property at 5116 Fulton Street. (Exhibit 34A.)

In all other respects Order No. 19442 remains unchanged.

VOTE: **4-0-1** (Frederick L. Hill, Lesylleé M. White, Carlton E. Hart, and Michael G. Turnbull (by absentee), to APPROVE; one Board seat vacant.)

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

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

FINAL DATE OF ORDER: May 2, 2017

PURSUANT TO 11 DCMR SUBTITLE Y § 604.11, NO ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN (10) DAYS AFTER IT BECOMES FINAL PURSUANT TO SUBTITLE Y § 604.7.

**BZA APPLICATION NO. 19442-A
PAGE NO. 3**

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
ZONING COMMISSION ORDER NO. 11-15E
Z.C. Case No. 11-15E
Howard University
(Special Exception for Lot 874 in Square 394)
February 17, 2017

Application of Howard University, pursuant to Subtitle X, §§ 101.1, 101.2, 101.10 and 901.2, of Title 11 DCMR (the 2016 Zoning Regulations) for interim university use of 1851 9th Street, N.W. (Square 394, Lot 874).

HEARING DATE: February 16, 2017

DECISION DATE: February 16, 2017 (Bench Decision)

SUMMARY ORDER

The application was filed pursuant to 11-A DCMR § 302 for a special exception pursuant to 11 DCMR § 901 to permit interim university use of 1851 9th Street, N.W. (Square 394, Lot 874), as allowed by 11-X DCMR § 101.10.

The Zoning Commission for the District of Columbia (“Commission”) provided proper and timely notice of the public hearing on this application by publication to the *D.C. Register*, and by mail to Advisory Neighborhood Commission (“ANC”) 1B, and to owners of property within 200 feet of the site. The application was also referred to the Office of Planning (“OP”) for review and report.

The subject property is located within the jurisdiction of ANC 1B. ANC 1B, which is automatically a party to the application, submitted a written statement stating that at its regularly scheduled, duly noticed meeting on February 2, 2017, with all commissioners present, ANC 1B voted unanimously (10-0) to indicate that it had no issues with the application. (Exhibit 16.)

OP submitted a written report and testified in support of the application. The District Department of Transportation also submitted a written report finding no objection to the application. The Applicant received letters of support from Westminster Neighborhood Association and Patrick Nelson, Chair of the ANC 1B Zoning, Preservation & Development Committee. No person requested to participate as a party in this proceeding and the ANC party supported the Application. Accordingly, a decision by the Commission to grant this application would not be adverse to any party. Therefore, pursuant to 11-Z DCMR § 101.9, the Commission waived the requirement of 11-Z DCMR § 601.1 that a final order must include findings of fact and conclusions of law. The waiver will not prejudice the rights of any party and is appropriate in this case.

As directed by Subtitle X, § 101.14, the Commission required the Applicant to satisfy the burden of proving that the applications satisfied the general special exception standard of 11-X DCMR,

§ 901.2 and the specific conditions of 11-X DCMR, §§ 101.2 and 101.10 pertaining to the establishment of university uses, including the interim use requested here.

Based upon the record before the Commission, the Commission concludes that the Applicant has met the burden of proof pursuant to Subtitle X, §§ 101.2, 101.10, and 901.2, and that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Zoning Map. The Commission further concludes that granting the requested relief will not tend to adversely affect the use of neighboring property. The record reflects no objections to the application, and the Commission gives great weight to the recommendations of approval from OP and that the affected ANC had no issues and concerns.

It is, therefore, **ORDERED** that the application be **GRANTED** for a period of 10 years beginning on the date that this Order becomes final.

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.

On February 16, 2017, upon the motion of Vice Chairman Miller as seconded by Commissioner Turnbull, the Zoning Commission took **FINAL ACTION** to **APPROVE** this application by a vote of **5-0-0** (Anthony J. Hood, Robert E. Miller, Peter A. Shapiro, Michael G. Turnbull, and Peter G. May to approve.

In accordance with the provisions of 11-Z DCMR § 604.9, this Order shall become final and effective upon publication in the *D.C. Register*; that is on May 12, 2017.

BY THE ORDER OF THE D.C. ZONING COMMISSION

A majority of the Commission members approved the issuance of this Order.

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF FILING
Z.C. Case No. 17-09
(FP Eckington Holdings, LLC – Consolidated PUD and
Related Map Amendment @ Square 3581)
May 1, 2017**

THIS CASE IS OF INTEREST TO ANC 5E

On April 21, 2017, the Office of Zoning received an application from FP Eckington Holdings, LLC (the “Applicant”) for approval of a consolidated planned unit development (“PUD”) and related map amendment for the above-referenced property.

The property that is the subject of this application consists of Lot 15 in Square 3581 in northeast Washington, D.C. (Ward 5), on property that is bounded by WMATA tracks (east), R Street, N.E. (north), Harry Thomas Way, N.E. (west), and New York Avenue, N.E (south). The property is currently split-zoned PDR-2/PDR-4. The Applicant is proposing a PUD-related map amendment to rezone the property, for the purposes of this project, to the MU-5-A zone.

The Applicant proposes to construct a 328-unit multifamily residential building with 8,380 square feet of ground-floor retail and four two-story artist live-work spaces. The maximum building height will be 83 feet to the top of the parapet and the density will be 4.0 floor area ratio (“FAR”).

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

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
ZONING COMMISSION ORDER NO. 80-07A
Z.C. Case No. 80-07A
Jemal's Darth Vader, LLC
(Modification to Approved PUD & Related Zoning Map Amendment @
Square 563, Lot 16)
February 27, 2017

Pursuant to notice, the Zoning Commission for the District of Columbia ("Commission") held a public hearing on December 19, 2016, to consider an application filed by Jemal's Darth Vader LLC. ("Applicant"), owner of Lot 16 in Square 563 ("Property") for approval of a modification to a planned unit development ("PUD") approved pursuant to Z.C. Order No. 324. The Applicant filed a related application to rezone the Property from C-3-C to C-4.¹ The Commission considered the applications pursuant to Chapters 24 of the District of Columbia Zoning Regulations, Title 11 of the District of Columbia Municipal Regulations (1958).² For the reasons stated below, the Commission hereby approves the applications.

FINDINGS OF FACT

The Applications

1. On April 27, 2016, the Applicant filed an application to modify a consolidated PUD approved in 1980 and since constructed and occupied as an office building, and for a related Zoning Map amendment from C-3-C to the C-4 Zone District for the Property (PUD modification and Zoning Map amendment applications herein collectively, the "Applications"). Through the Applications, the Applicant seeks to undertake extensive renovations to the aging building in order to update its systems and to dramatically revise the building's exterior design and street presence, including construction of a three-story addition to the structure of the existing building that will increase the building height to 130 feet and the building's density to approximately 9.2 floor area ratio ("FAR") "Project". Details of the Project, including building design, materials, landscape design and site planning, are provided in the final plans dated November 22, 2016, and also including revised building signage diagrams submitted to the record on January 10, 2017. (Exhibit ["Ex."] 23A, 39.)

Background of Approved PUD

2. By Z.C. Order No. 324, effective November 28, 1980, the Commission granted consolidated PUD approval to permit construction of an eight-story, 101-foot-tall office

¹ Subsequent to the approval of the approved PUD in November 1980, the Property was included among properties mapped with the Housing Residential (HR) Overlay in March 1981, pursuant to Z.C. Order No. 334.

² Chapter 24 and all other provisions of Title 11 DCMR were repealed on September 6, 2016, and replaced with a Chapter 3 of Subtitle 11-X. However, because this application was set down for hearing prior to that date, the Commission's approval was based upon the standards set forth in Chapter 24, although the hearing held on December 19, 2016 was conducted in accordance with Chapter 4 of Title 11-Z.

building with ground-floor retail uses on the Property, with a building density of 6.5 FAR (the "Approved PUD"). The Approved PUD did not involve a rezoning from the underlying C-3-C zoning, which permitted 6.5 FAR and 90 feet in building height as a matter of right. The PUD development standards allowed for construction of the Approved PUD to 101 feet in height.

Procedural Background

3. By report dated June 30, 2016, the District of Columbia Office of Planning ("OP") recommended that the Commission schedule a public hearing for the Applications. (Ex. 12.)
4. At its July 11, 2016, public meeting, the Commission determined to schedule the Applications for public hearing.
5. The Applicant filed its supplemental statement and request for hearing date with the Office of Zoning on September 12, 2016. (Ex. 14-14J.)
6. On November 29, 2016, the Applicant submitted its supplemental prehearing statement, including refined architectural drawings and additional details regarding the proposed project amenities and community benefits. (Ex. 23-23D).
7. On December 9, 2016, OP submitted its public hearing report to the Commission recommending approval of the Applications and requested certain additional documentation from the Applicant. (Ex. 24).
8. On December 9, 2016, the District of Columbia Department of Transportation ("DDOT") submitted a memorandum to the Commission indicating no objections to the Applications subject to certain conditions. (Ex. 25).
9. The Applicant responded to the OP final hearing report on December 14, 2016. (Ex. 26.)

Public Hearing on Modification Request

10. The Commission held a public hearing for the Applications on December 19, 2016. At the hearing, the Applicant presented several witnesses in support of its Applications: Andrea Gourdine on behalf of the Applicant; Ashton Allan of Studios Architecture, project architects; Erwin Andres of Gorove/Slade Associates, Inc., transportation engineering; Lanshing Hwang, Landscape Architecture Bureau, landscape architects; and Shane Dettman, Director of Planning Services, Holland & Knight LLP, planning and zoning expert. Based upon their professional experience and qualifications, Mr. Allan was recognized as an expert in architecture, Mr. Andres as an expert in transportation engineering, Ms. Hwang as an expert in landscape architecture, and Mr. Dettman as an expert in urban planning. The Commission received testimony from Ms. Gourdine, Mr.

Allan and Ms. Hwang in support of the Applications and in response to questions raised by the Commission.

11. Jennifer Steingasser and Bryan Golden of OP, and Evelyn Israel of DDOT testified in support of the Applications with certain comments and requests of the Applicant.
12. No testimony or letter was received from any person in support or opposition to the Applications.
13. At the conclusion of the public hearing, the Commission took proposed action to approve the Applications.

Post Hearing Submissions

14. The record was left open for the Applicant to provide limited post-hearing materials, and any response thereto from Advisory Neighborhood Commission (“ANC”) 6E and ANC 6C. The Commission also requested proposed findings of fact and conclusions of law from the Applicant.
15. By letter dated January 10, 2017, the Applicant provided the materials requested by the Commission regarding building signage, housing linkage, bicycle parking access, and public art. (Ex. 31-31F.)
16. On January 17, 2017, the Applicant submitted draft findings of fact and conclusions of law. (Ex. 32.)
17. On January 23, 2017, OP submitted a supplemental report concerning the adequacy of the proposal for satisfying the housing linkage requirement of 11 DCMR § 2404. (Ex. 33.)
18. On January 26, the Applicant submitted a response to the OP report. (Ex. 35.)
19. The proposed action of the Commission was referred to the National Capital Planning Commission (“NCPC”) pursuant to § 492 of the District of Columbia Home Rule Act. Through a delegated action taken on January 26, 2017, the Executive Director of the NCPC found that the Applications would not be inconsistent with the Comprehensive Plan for the National Capital nor other federal interests. (Ex. 36.)
20. The Commission considered whether to take final action at its public meeting on January 30, 2017. The Commission discussed whether OP’s concerns had been addressed and requested that the Applicant discuss these issues further with OP and the Office of the Attorney General (“OAG”), and to report the results of the discussion back to the Commission, and deferred action on the case to allow the discussion to take place.
21. On February 9, 2017 the Applicant submitted a letter stating that in fact the PUD would not trigger a housing linkage requirement under 11 DCMR § 2404 and further indicated on behalf of OP and OAG that both agencies concurred with that conclusion.

22. On February 13, 2017, the Applicant submitted updated signage diagrams. (Ex. 38.)
23. The Zoning Commission took final action to approve the Applications without the unnecessary housing linkage requirement and related public benefit at its public meeting on February 27, 2017, finding that the remaining public benefits warranted the PUD flexibility requested.

The Property and Surrounding Area

24. The Property contains a lot area of approximately 35,336 square feet and represents the entirety of land in Square 563.
25. Square 563 is located in the Mount Vernon Triangle neighborhood in Northwest Washington and is bounded by 2nd Street to the West, Massachusetts Avenue to the South, New Jersey Avenue to the East, and H Street to the North. Since the construction of the Approved PUD three decades ago, this neighborhood has become one of downtown Washington's most active and convenient areas, with a wide variety of places to live, work, shop, and dine. The Property is positioned at a prominent and highly visible location in the east end of downtown, and is within walking distance of the Convention Center, Gallery Place/Verizon Center, and the U.S. Capitol.
26. Public transit to and from the Property is conveniently available at four nearby Metrorail stations (Mount Vernon Square-Convention Center, Gallery Place-Chinatown, Judiciary Square, and Union Station), with extensive bus service, including the DC Circulator, and multiple Capital Bikeshare stations.

Existing and Proposed Zoning

27. The Property is located in the C-3-C Zone District. Subsequent to the PUD Approval, the Property was included in land that was made subject to the Hotel-Residential (HR) overlay.
28. The C-3 Zone Districts are designed to accommodate major business and employment centers supplementary to the Central Business (C-4) District. The C-3-C Zone District in particular permits medium-high-density development, including office, retail, housing, and mixed-use development. The C-3-C Zone District permits a maximum building height of 90 feet with no limit on the number of stories, a maximum density of 6.5 FAR, and a maximum lot occupancy of 100%. Pursuant to the PUD development standards, a maximum height of 130 feet is permitted in the C-3-C Zone Districts and a maximum density of 8.0 FAR.
29. The HR Overlay is applied to selected geographic areas within and on the immediate periphery of the Central Employment Area ("CEA"). The purpose of the HR Overlay is to encourage construction of hotels and apartment houses in these areas to further elements of the District's development plans, including goals in employment, population, transportation, housing, public facilities, and environmental quality. Since the proposed

development will maintain the existing office use at the Property, the provisions set forth in the HR Overlay are inapplicable to the Project.

30. The Applicant requests PUD-related rezoning of the Property to the C-4 Zone District in connection with this modification application. The C-4 Zone District is designed for the downtown core that comprises the retail and office centers for the District and the metropolitan area. The C-4 Zone District permits office use as a matter of right. As a matter of right, a building or structure in the C-4 Zone District may be erected to a height not exceeding 130 feet, provided that the building or structure faces or abuts a street not less than 110 feet wide between building lines. Massachusetts and New Jersey Avenues are both 160 feet wide adjacent to the Property. Buildings in the C-4 Zone District erected to a height in excess of 110 feet are permitted density not exceeding 10.0 FAR. PUDs in the C-4 Zone District can be developed with a maximum building height of 130 feet and a maximum density of 11.0 FAR.
31. Rear yards in the C-4 Zone District must have a minimum depth of two and one-half inches per foot of vertical distance from the mean finished grade at the middle of the rear of the structure to the highest point of the main roof or parapet wall, but not less than 12 feet. In the case of a through lot or a corner lot abutting three or more streets, the depth of rear yard may be measured from the center line of the street abutting the lot at the rear of the building or other structure. A side yard is generally not required in the C-4 Zone District; however, when a side yard is provided, it must have a minimum width of two inches per foot of height of building, but not less than six feet. Where a court is provided for a building or portion of a building devoted to nonresidential uses, at any elevation in the court, the width of court shall be a minimum of three inches per foot of height, measured from the lowest level of the court to that elevation, but not less than 12 feet.
32. The parking and loading requirements for buildings are based upon the proposed use of a property. An office use in the C-4 Zone District requires one parking space for each additional 1,800 square feet of gross floor area in excess of 2,000 square feet. An office building in the C-4 Zone District with more than 200,000 square feet of gross floor area is required to provide three loading berths at 30 feet deep, three loading platforms at 100 square feet, and one service/delivery space at 20 feet deep.
33. The Comprehensive Plan's Future Land Use Map designates the Property for high-density commercial use, and the Generalized Policy Map includes the Property within the boundaries of the Land Use Change Area. The Commission finds that rezoning of the Property to C-4 is not inconsistent with the Comprehensive Plan. The Commission has previously approved a C-4 zoning as part of a PUD located diagonally across the street from the Property (Z.C. Order No. 08-34) on a site that has the same high-density commercial Future Land Use Map classification as the Property.

Nature of Project and PUD Modification

34. The Project before the Commission proposes extensive modification to the Approved PUD to allow construction of a three-story addition to the existing office building and for significant renovations to the building in order to update and improve its building systems as well as its design aesthetic and street presence. The renovated building will continue to be devoted to office use, with ground level spaces designed to provide up to 14 feet ceiling heights to accommodate potential retail users.
35. As part of the renovation, the Applicant will reorient the building's existing internal configuration, such that the ground-floor office lobby will be accessed at the corner of Massachusetts Avenue and 2nd Street, with tenant space along the Massachusetts Avenue, 2nd Street, and New Jersey Avenue façades. Floors 2-10 will be devoted to office use, as will the first cellar level, which will also provide back-of-house uses and mechanical equipment. The ground floor will be devoted to either retail or office uses, depending upon market demand given the building's isolated location to pedestrian traffic. The overall density for the Project following renovation will be approximately 9.2 FAR (approximately 325,091 square feet of gross floor area), representing an increase of approximately 2.7 FAR (approximately 95,407 square feet of gross floor area). The renovated building will have a maximum height of 130 feet. Maximum lot occupancy will be approximately 98%, whereas lot occupancy for the existing building measures 100%.
36. Vehicle parking operations for the renovated building will be unchanged from the existing configuration. Access is provided from H Street, N.W., with a ramp leading down to two levels of below-grade parking in the G1 and G2 levels, which accommodate 230 vehicles shared between the cellar levels and adjacent vault space. In addition, as part of the proposed renovation, 88 bicycle parking spaces and related shower/changing facilities and a bicycle repair area will be provided on the below-grade mezzanine level with dedicated ramp access for cyclists. An additional 14 short-term bicycle parking spaces will be provided in public space surrounding the Property. Loading facilities are also accessed from H Street and will continue to be provided within the building on the ground level. Loading facilities include three loading berths at 30 feet deep; two loading platforms at 100 square feet and one loading platform at 200 square feet; and one service/delivery space at 20 feet deep.
37. The Property occupies a very high visibility location, with vantages from heavily trafficked corridors in all directions. The Applicant's architecture team has arrived at a design that thoroughly modernizes the building, including all building systems, provides additional density, while at the same time replaces the dark heavy massing of the existing building with a light, glassy, visually stimulating design that responds to the Property's numerous view corridors. Along the building's Massachusetts Avenue, New Jersey Avenue and 2nd Street elevations, the redesign includes non-rectilinear indentations that increase in setback as the building rises from the ground. The Commission finds that these generously proportioned recesses, which are open to the sky and whose

walls/planes do not directly confront one another, serve as decorative architectural elements and not as required setbacks for purposes of light and ventilation, thereby qualifying these indentations as “court niches” as defined in the Zoning Regulations.

38. The redesign also incorporates extensive landscaping, including green roofing, vegetated walls on two facades along extended balconies, and significant public space plantings at street level. Efforts to maximize sustainability are demonstrated through the provision of at least 0.2 Green Area Ratio (“GAR”) calculation, where there is none provided currently or required for the Project under the Zoning Regulations, and a commitment from the Applicant to satisfy Gold certification level under the LEED (2009) criteria.

Development Incentives and Flexibility Requested

39. The Applicant requests the flexibility from the C-4 requirements to provide fewer parking spaces within the Property than required pursuant to § 2101 of the Zoning Regulations. The Applicant is proposing no additions to the current parking operations for the building, which include a significant number of parking spaces provided in vault space, as was approved by the Commission for the Approved PUD. The overall number of vehicle spaces provided, 230 spaces, exceeds the 180 spaces that would currently be required for the renovated Project; however, only 115 of the 230 spaces provided are located within the Property. For this reason, the Applicant requests flexibility from the technical requirements of § 2101.
40. The Applicant seeks the following design flexibility with respect to the approved plans:
- a. To vary the location and design of all interior components, including partitions, structural slabs, doors, hallways, columns, stairways, and mechanical rooms, provided that the variations do not change the exterior configuration of the buildings;
 - b. To vary the final selection of the exterior materials within the color ranges of the material types proposed, based on availability at the time of construction without reducing the quality of materials, including flexibility regarding final selection of material and glass assembly, frit pattern, location and color to meet manufacturer requirements and to achieve the design intent of renderings and elevations provided in the Final Plans;
 - c. To make minor refinements to exterior details and dimensions, including belt courses, sills, bases, cornices, railings and trim, or any other changes to comply with the District of Columbia Building Code or that are otherwise necessary to obtain a final building permit;
 - d. To make minor refinements and modifications to building elevations to accommodate tenant layout, entry and signage requirements;

- e. To vary the sustainable design features of the building, provided the total number of LEED points achievable for the project is not below 60 points under the LEED-Gold rating standards (2009);
- f. To vary the final selection of landscaping and vegetation types, including vines for the vegetated walls, as proposed in the Final Plans, based upon availability at the time of construction and selection criteria provided in the Final Plans; and
- g. To vary the final design and selection of landscaping, hardscaping, street furniture and art installations in public space pursuant to final approval of the D.C. Public Space Committee and DDOT.

Public Benefits and Project Amenities

41. The Commission finds that this application to modify the PUD Approval will achieve the goals of the PUD process by providing exceptional public benefits and project amenities:
- a. *Urban Design and Architecture.* The Project architects have dramatically redesigned the existing building to transform the current moribund condition into a vibrant, engaging new design. The building will have a highly articulated façade, with multi-story vegetated screens on two façades, low-iron glass, and high-performance coated metal and veneer stone panels. The Applicant has committed to pursuing LEED-Gold certification for the renovation. The renovation project also includes a significant amount of landscaping and new streetscape enhancements, such as new street trees planted as allees along Massachusetts (in replacement of a current lay-by lane) and New Jersey Avenues, as well as low impact development (“LID”) planters; special paving; pedestrian-oriented street furniture, public art, bicycle racks, and street lights; green balconies and an extensive green roof; and outdoor terraces on multiple building levels;
 - b. *Site Planning and Efficient Land Utilization.* The Applicant's proposal to renovate and redesign the Approved PUD likewise constitutes a significant urban design benefit. The Applicant proposes to wrap the existing building with a new façade that will connect the interior and exterior of the building, provide appropriate terraces and roof deck space for office use, and significantly improve the building's massing and appearance from the street. The Applicant will rearrange the existing ground floor layout so that the office lobby is the focal point at the corner of Massachusetts Avenue and 2nd Street, which will significantly activate the street and enhance the pedestrian experience. As a result of the distinctive and iconic sculptural form established as part of the redesign, the upper floors of the building will provide a flexible and engaging office layout designed to maximize views in all directions. The ground level of the Project will also be designed to include clear ceiling heights up to 14 feet in height in an effort to attract retail uses to the historically pedestrian-challenged Property;

- c. *Effective and Safe Vehicular and Pedestrian Access and Transportation Management.* The Applicant has demonstrated that the Project will operate in an efficient and safe manner as a result of a number of initiatives that will be executed, all designed to promote effective and safe vehicular, pedestrian, and bicycle movements, through appropriate transportation demand management (“TDM”) measures and convenient connections to public transportation services. The Applicant will maintain the existing location for vehicular entry on H Street, and will continue to provide adequate facilities for on-site loading, also accessed from H Street. Further, the Applicant will establish a loading management plan in coordination with DDOT;
- d. *Employment and Training Opportunities.* The Applicant has agreed to enter into a First Source Employment Agreement with the District's Department of Employment Services ("DOES") in order to achieve the goal of utilizing District of Columbia residents for a significant percentage of the jobs created by the Project;
- e. *Environmental Benefits.* The Applicant will ensure environmental, economic, and social sustainability through a variety of sustainable design features and strategies that will enhance the already sustainable nature of the Property's location. The PUD modification will incorporate street tree planting and maintenance, water efficient landscaping, green terraces and a green roof, methods to reduce water use, renewable energy and energy efficient sources, low-emitting materials, and will reuse the existing building materials by maintaining existing walls and floors, such that material use will be limited. The Applicant has committed to pursue LEED-Gold certification for the Project.

The Project will also provide at least 0.2 GAR, where none is required under Chapter 34 of the Zoning Regulations, and will include use of natural design techniques that store, filtrate, evaporate, treat, and detain runoff in close proximity to where the runoff is generated. All storm water management will be on-site where all site runoff will be generated. The preliminary storm water management techniques used in private space on this Project include green roof and rainwater harvesting. Bio-retention areas will be used in public space to the maximum extent practicable; and

- f. *Uses of Special Value to the Neighborhood or the District as a Whole.* The Commission finds that the Project provides many valuable benefits to the immediate community as well as to the District of Columbia, including: a dramatic architectural redesign to enhance this exceptionally high visibility location; provision of a significant public art installation with a financial commitment of \$75,000 from the Applicant and community input into the design; extensive landscape and streetscape improvements, including removal of the lay-by lane along Massachusetts Avenue, planting of new street trees, and creative street furniture; and contribution of \$50,000 to be utilized for much needed

enhancements, materials, and new programs at the Northwest One Public Library and R.H. Terrell Recreation Center, which are co-located at 155 L Street, N.W., within the boundaries of ANC 6E and within a few blocks of the Property.

42. The Commission finds that the PUD is acceptable in all proffered categories of public benefits and project amenities, and is superior in public benefits and project amenities relating to urban design and architecture, employment and training opportunities, environmental benefits and uses of special value to the neighborhood. These proffered benefits and amenities are appropriately balanced against the requested development incentives for the Project, namely an increase of approximately 95,400 square feet of non-residential density afforded by the PUD-related rezoning to the C-4 Zone District, and technical flexibility regarding required parking spaces, where no changes to the parking arrangement is proposed by the Applicant to the Approved PUD.

Compliance with Comprehensive Plan

43. The Commission finds that the proposed modification is consistent with the Future Land Use Map and the Generalized Policy Map and advances the purposes of the Comprehensive Plan and furthers and complies with the major themes and policies in the Citywide and Area Elements in the Comprehensive Plan. With regard to the Future Land Use Map, the Property is identified for high-density commercial uses. The Property also is included in the Land Use Change Area pursuant to the Generalized Policy Map.
44. The proposed C-4 zoning classification is specifically listed as a zone that is consistent with the high-density commercial designation, and is specifically designed to provide retail and office centers in the downtown core for the District and the metropolitan area. The C-4 Zone District permits high-density development and office use as a matter of right, such that the C-4 designation for the Property will permit an appropriate height and density and will allow for redevelopment of the building to move forward. The C-4 designation also is consistent with the C-4 designation granted across Massachusetts Avenue to the Capitol Crossing PUD in Z.C. Order No. 08-34.
45. The proposed rezoning and redevelopment of the Property also is consistent with the policies intended for Land Use Change Areas. The Project will transform the Property through the redevelopment of the existing building with a new and much improved architectural design for a high visibility site that will integrate well with the office, retail, and residential uses in the surrounding area, and draw additional employees and visitors to the existing and future commercial, retail, and service establishments in the area.
46. The Commission further finds that the Project advances the purposes of the Comprehensive Plan, complies with the guiding principles in the Comprehensive Plan, and furthers a number of the major elements of the Comprehensive Plan, as follows:
 - a. *Land Use Element.* The Project supports a number of policies established in the Land Use Element, including:

1. *Policy LU-1.1.1: Sustaining a Strong City Center*
The PUD modification is consistent with this policy as it will help provide for the continued vitality of Central Washington as a thriving business, government, retail, financial, hospitality, cultural, and residential center. Moreover, the PUD promotes the continued reinvestment and restoration of a central city building, and will revitalize the streetscape to create a create safe, attractive, and pedestrian-friendly environment;
2. *Policy LU-1.1.3: Central Employment Area (“CEA”)*
The PUD modification advances the goal of providing the greatest concentration of the city’s private office development and higher density land uses in the CEA;
3. *Policy LU-1.1.5: Urban Mixed Use Neighborhoods*
The Project furthers the goal of providing new central city mixed-use neighborhoods that combine high-density residential, office, retail, cultural, and open space uses, particularly in the Mount Vernon Triangle neighborhood. The building and surrounding streetscape will help develop the area as an attractive, pedestrian-oriented neighborhood with high-quality architecture and public spaces;
4. *Policy LU-1.3 Transit-Oriented and Corridor Development*
The PUD modification exemplifies the principles of transit-oriented development. The Property is located within convenient walking distance of multiple Metrorail Stations and Metrobus routes. The location of the project will minimize the necessity of automobile use and will maximize transit ridership while respecting the character and needs of the surrounding area. More specifically, the project is consistent with *Policy LU-1.3.5*, which encourages development adjacent to Metrorail stations to be planned and designed to respect the character, scale, and integrity of adjacent neighborhoods;
5. *Policy LU-2.1.4: Rehabilitation Before Demolition*
The Project fulfills the goal of rehabilitating and adaptively reusing existing buildings rather than demolishing them;
6. *Policy LU-2.2.4: Neighborhood Beautification.*
This policy encourages projects to improve the visual quality of the District’s neighborhoods. The project architects have designed the building to dramatically enhance the overall visual aesthetic of the neighborhood by incorporating streetscape, landscaping and tree planting, substantial façade improvements, and installation of public art. These enhancements will be a major improvement to the current site condition and will greatly enhance the views of the Propert;

7. *Policy LU-2.3.2: Mitigation of Commercial Development Impacts*
The Project will be managed so that it will not result in unreasonable or unexpected traffic, parking, litter, shadow, view obstruction, odor, noise, or vibration impacts on surrounding residential areas. The building already provides parking and loading operations on-site, with access from the least-trafficked surrounding street (H Street), such that adverse parking and loading impacts will not be created. The project architect has designed the renovated building so that it will not create any significant shadows or obstructions to views; and
 8. *Policy LU-2.4.1: Promotion of Commercial Centers*
The PUD modification will help promote the vitality of the District's commercial centers and provide for the continued growth of commercial land uses to meet the needs of District residents, expand employment opportunities for District residents, and sustain the city's role as the center of the Metropolitan area. The newly renovated building will provide an inviting and attractive streetscape and interior office layout, and will support social interaction and ease of access for nearby residents by providing attractive landscaping, street trees, lighting, and pedestrian-oriented street furniture;
- b. *Urban Design Element.*
Consistent with *Policies UD-2.2.1: Neighborhood Character and Identity* and *UD-2.2.7: Infill Development*, the Project will strengthen the architectural quality of the immediate neighborhood by relating the Project's scale to the existing context. In addition, the Project includes elegant, visually interesting, and well-designed building façades that eschew monolithic or box-like forms and long blank walls that detract from the quality of the streetscape; *Policy UD-2.2.5*.
- c. *Transportation Element.*
The Applicant's proposal to develop a major new workforce center on the Property will help further several policies and actions of the Transportation Element of the Comprehensive Plan, including:
1. *Policy T-1.1.4: Transit-Oriented Development*
The Project is an excellent example of transit-oriented development due to its close proximity to multiple Metrobus routes and Metrorail stations and its location in a mixed-use, highly walkable neighborhood;
 2. *Policy T-1.3.1: Transit-Accessible Employment*
The Project will support transit-oriented and transit-accessible employment and will maximize the use of major transportation investments, such as the Metrorail, to enhance the overall efficiency of the

regional transportation system. The Project will include transportation incentives for employees to reduce vehicle dependence; and

3. *Policy T-2.3.1: Better Integration of Bicycle and Pedestrian Planning and Action T-2.3-A: Bicycle Facilities*

Bicycle and pedestrian safety considerations have been carefully integrated into the design of the Project. The project will include convenient and secure bicycle parking on the Property, with dedicated access, and including changing and repair facilities to encourage employees to bike to work;

d. *Environmental Protection Element.* The Environmental Protection Element addresses the protection, restoration, and management of the District's land, air, water, energy, and biologic resources. This element provides policies and actions on important issues such as energy conservation and air quality. The Project includes extensive landscaping, energy efficiency, and green engineering practices, including a commitment to providing sustainability measures and features within the Project satisfying LEED-Gold (2009). This element promotes specific environmental policies, including the following:

1. Encouraging the planting and maintenance of street trees in all parts of the city. *Policy E-1.1.1;*
2. Encouraging the use of landscaping to beautify the city, enhance streets and public spaces, reduce storm water runoff, and create a stronger sense of character and identity. *Policy E-1.1.3;*
3. Promoting the efficient use of energy, additional use of renewable energy, and a reduction of unnecessary energy expenses. *Policy E-2.2.1;* and
4. Promoting tree planting and landscaping to reduce storm water runoff, including the use of green roofs in new construction. *Policy E-3.1.2;* and

e. *Central Washington Area Element.*

The Property is located within the boundaries of the Central Washington Area Element. Consistent with the policies in this area element, the Project will:

1. Help to strengthen Central Washington as a dynamic employment center and a vibrant urban neighborhood, with new office space that helps the city remain attractive, exciting, and economically productive. *Policy CW-1.1.1: Promoting Mixed Use Development;*
2. Help to retain Central Washington as the premier office location in the Greater Washington region, and help to provide a range of office space to meet the needs of high-end, mid-range, and low-end office space users. *Policy CW-1.1.2: Central Washington Office Growth;*

3. Promote active street life, particularly through its high-quality and distinctive architectural design, creating multiple ground-floor entrances to increase activity, providing streetscape improvements to make the street more comfortable and attractive, and the potential through 14-foot ceiling heights of providing active ground-floor uses. *Policy CW-1.1.13: Creating Active Street Life and Public Spaces;*
4. Improve the street segments surrounding the Property for pedestrian use. *Policy CW-1.1.17: Making Central Washington's Streets More Pedestrian-Friendly;* and
5. Create a dynamic and well-lit gateway along Massachusetts Avenue. *Policy CW-2.4.2: Emphasizing the Avenues and Visual Axes.*

Office of Planning

47. Through its Setdown Report dated June 30, 2016, and its Public Hearing Report dated December 9, 2016, and through testimony presented at the public hearing, OP expressed its support for the proposed modification of the approved PUD and related Zoning Map amendment to C-4 for the Property. (Ex. 12, 24.)
48. In its Setdown Report, OP noted that a PUD with a related map amendment is the most appropriate vehicle for furthering Comprehensive Plan policies favoring increased downtown employment, efficient land utilization near transit, providing a mix of uses, and improving existing sustainability benchmarks. The amended PUD will allow for the construction of three new floors, the rationalization of several of the existing floors by filling in terraces, new building skin and an improved ground floor treatment. The repositioning of the building would give greater articulation to what are now monotonous facades, provide extensive landscaping and artwork in both public and private space, increase ground-floor heights for retail spaces, and significantly improve the visual appeal of a building that is widely regarded as one of the least attractive structures in the District. The combination of façade indentations within private space and projections into public space add interest to the design.
49. In its Setdown Report, OP noted that the proposed PUD modification is also not inconsistent with the Comprehensive Plan's written elements. The guiding principles in the Framework Element stress the importance of redevelopment that encourages additional employment near transit stations and strengthening downtown as a regional employment center. The renovated building's projected LEED-Gold eligibility would be consistent with the Plan's goal of making the District a role model for environmental sustainability. The renovation of the existing office building would be supportive of numerous policies in the Elements covering Land Use, Economic Development, Transportation, Environmental Protection, Urban Design, and the Central Washington Area Element.

50. In its Setdown Report, OP noted that the Generalized Policy Map shows the location as a land use change area. Adding height and density and potentially additional uses to the existing PUD would not be inconsistent with this designation.
51. In its Setdown Report, OP noted that neither the existing zone nor the requested PUD related zone has either a residential requirement or an affordable housing requirement. The Project would contain only non-residential uses.
52. In its Setdown Report, OP noted that the Project's clearest public benefit would be the thorough redesign of the existing building. Other benefits and amenities would include: LEED-Gold; 12,000 square feet of green roof; landscaping in and adjacent to public space on all sides of the site, with the design being coordinated with nearby developments to provide continuity of public space landscape treatments among the Capitol Crossing PUD, the re-designed Cobb Park, a proposed addition to the AIPAC building on H Street, and the recently awarded project on District-owned land on the north side of H Street between 2nd Street and New Jersey Avenue; increased ground-floor ceiling heights to improve retail space flexibility; First Source Employment Agreement; public art installations; and additional items to be submitted after consultation with ANC 6E. OP informed the Applicant that additional information and specifics were needed prior to the public hearing, which the Applicant subsequently provided to the record. (Ex. 26.)
53. In its Public Hearing Report, OP recommended approval of the Applications upon provision by the Applicant of certain additional information regarding a signage plan for retail and building signage and confirmation that courts created by the Project conform to Zoning Regulations, which information was provided by the Applicant. (Ex. 24, 26, 31.)
54. In its Public Hearing Report, OP reaffirmed its position that the proposed PUD-related rezoning to C-4 would be not inconsistent with the Comprehensive Plan, would not be inconsistent with zoning in the general area, and would not result in a building of a scale or density that is inconsistent with existing or potential area development.
55. In its Public Hearing Report, OP noted that the PUD standards state that the "impact of the project on the surrounding area and upon the operations of city services and facilities shall not be unacceptable, but shall instead be found to be either favorable, capable of being mitigated, or acceptable given the quality of public benefits in the project" (§ 2403.3), and further noted that the Property is already developed with a high density office building and that the proposed addition would both improve the form and function of the building, and expand its size, concluding that the Project is in keeping with development intensity and density anticipated by the Comprehensive Plan.
56. On January 23, 2016, OP submitted a supplemental report expressed concerns over how the Applicant proposed to satisfy the housing linkage requirement of 11 DCMR § 2404,

but later agreed with the Applicant that no such requirement was triggered by this PUD. (Ex. 33.)

Department of Transportation

57. By memorandum dated December 9, 2016, and through testimony presented at the public hearing, DDOT indicated no objection to the Applications, with certain conditions. (Ex. 25.)
58. DDOT indicated that the Applicant coordinated with DDOT in the development of the TIS and study scope as well as the Applicant's loading management plan, and DDOT confirmed that the Applicant's methodology for evaluating existing and future traffic conditions is consistent with DDOT protocols. DDOT noted that the project site is well served by mass transit facilities and located 0.4 miles west of Union Station Metrorail Station, 0.5 miles east of the Gallery Place/Chinatown Metrorail Station, and is also served by six Metrobus routes and the DC Circulator bus running from Georgetown to Union Station.
59. DDOT indicated that it had worked with the Applicant to establish a TDM program for the Project, including the following commitments: designation of a transportation coordinator; commitment that all parking on site will be priced at market rates at minimum, defined as the average cost for parking in a 0.25 mile radius from the site; installation of Transportation Information Center Displays (electronic screens) within the office lobby, containing information related to local transportation alternatives; exceed zoning requirements to provide bicycle parking/storage facilities at the Project, including secure parking located within the building and a minimum of 14 short-term bicycle parking around the perimeter of the site (in the form of seven bicycle racks); provision of a bicycle repair station to be located within the bicycle storage room; provision of showers and changing facilities adjacent to the bicycle storage room; and agreement to fund the installation and first year's operation and maintenance of a new Capital Bikeshare station to be located either adjacent to or in the vicinity of the site or provide another DDOT-approved TDM measure of an equivalent value.
60. DDOT indicated that the Applicant should work with DDOT to establish a loading management plan, to include a flagger for all trucks accessing the Property due to back-in maneuvers, to which the Applicant agreed.

ANC 6E

61. The Property is located within the boundaries of ANC 6E. By letter dated June 8, 2016, ANC 6E indicated its unanimous vote of support (7-0-0) for the Applications taken at the regularly scheduled monthly meeting of ANC 6E on June 7, 2016, at which a quorum was present. (Ex. 14I.)

62. In its letter of support, ANC 6E noted that the Applicant proposes to make a contribution in the amount of \$25,000 to the organization established to administer the funds for the benefit of the Northwest One Library and a contribution in the amount of \$25,000 to the organization established to administer funds for the benefit of the R.H. Terrell Recreation Center, which are co-located at 155 L Street, N.W., with the contributions being allocated to equipment and programs that are not currently funded by the DC Public Library or DC Department of Parks and Recreation, said funding to be administered consistent with the requirements of the Zoning Regulations for PUDs. The Applicant confirmed this commitment and provided additional detail regarding the projects and programs to be funded in its prehearing submission dated November 29, 2016. (Ex. 23D.)
63. ANC 6E also noted its support for the Applicant's commitment to include a significant public art installation to be located on the Property along one of its public frontages. The Applicant provided additional detail regarding this commitment in its prehearing submission dated November 29, 2016. (Ex. 23C.)

ANC 6C

64. The Property is located immediately across Massachusetts Avenue, N.W., from the boundary of ANC 6C. By letter dated November 14, 2016, ANC 6C indicated its unanimous support for the Applications. (Ex. 21.) At its regularly scheduled meeting held on November 9, 2016, ANC 6C voted unanimously (6-0-0), to support the Project with requests to the Applicant for further study and improvements, to include: adding electric-car charging stations to the parking garage; placement of signage at the exit of the parking garage prohibiting left turns onto H Street, N.W., between 7:00 a.m. and 7:00 p.m.; revision to the below-grade plans to add easily accessible ground-floor bike storage; and preparation of a rendering showing the building as it will appear at night, to allow the Commission to better understand the impacts of the fritting on the façade glass.
65. With respect to the recommendations and conditions raised by ANC 6C, the Applicant has agreed to add car-charging stations in the garage, does not oppose the installation of signage prohibiting left turns from the garage between the hours of 7:00 a.m. and 7:00 p.m. per direction from DDOT, has relocated the bicycle parking from the G1 level to the below-grade mezzanine level and has included an additional rendering in its final drawings that shows the Project at night.

CONCLUSIONS OF LAW

1. Pursuant to § 2400.1 of the Zoning Regulations, the PUD process is designed to encourage high-quality development that provides public benefits. The overall goal of the PUD process is to permit flexibility of development and other incentives, provided that a PUD project "offers a commendable number or quality of public benefits, and that it protects and advances the public health, safety, welfare, and convenience." (11 DCMR § 2400.2.)

2. The objective of the PUD process is to encourage high quality development that provides public benefits and project amenities by allowing applicants greater flexibility in planning and design than may be possible under conventional zoning procedures. Subsection 2403.9 of the Zoning Regulations provides categories of public benefits and project amenities for review by the Commission. In approving a PUD, the Commission must determine that the impact of a PUD on the surrounding area and on the operation of city services and facilities is either not unacceptable, but is either favorable, capable of being mitigated, or acceptable given the quality of public benefits provided by said project. (11 DCMR §2403.3.)
3. The overall PUD, including as modified by the Applications, meets the minimum area requirements of § 2401.1 of the Zoning Regulations.
4. The development of the PUD, as modified by the Applications, carries out the purposes of Chapter 24 of the Zoning Regulations to encourage well planned developments which will offer a variety of building types with more attractive and efficient overall planning and design, not achievable under matter-of-right development.
5. The PUD's benefits and amenities are reasonable for the development proposed on the Property. The impact of the PUD on the surrounding area is not unacceptable, but is capable of being mitigated. Accordingly, the Applications should be approved. Appropriate conditions ensuring that Applicant will comply with and provide adequate mitigations are included in this Order.
6. Evaluating the PUD modification according to the standards set forth in § 2403 of the Zoning Regulations, the Commission concludes that the Applications qualify for approval. Judging, balancing, and reconciling the relative value of amenities and benefits in the Applications against the nature of the Applicant's request and any potential adverse effects, the Commission is persuaded that the proposed public benefits herein, in conjunction with the amenities discussed above, are appropriate in this case.
7. Approval of this PUD modification and change of zoning is not inconsistent with the Comprehensive Plan.
8. Approval of this PUD modification and change of zoning is not inconsistent with the purposes and objectives of zoning as set forth in the Zoning Enabling Act, D.C. Official Code § 6-641.02, including as follows:
 - a. The proposed rezoning is not inconsistent with the Comprehensive Plan;
 - b. The proposed rezoning will not produce objectionable traffic conditions; and
 - c. The proposed rezoning will not lead to the undue concentration of population and the overcrowding of land.

9. Approval of this PUD modification will promote the general welfare and tend to create conditions favorable to health, safety, transportation, prosperity, protection of property, and civic activity.
10. The Applications can be approved with conditions to ensure that any potential adverse effects on the surrounding area from the development will be mitigated.
11. The Commission may impose development conditions, guidelines, and standards which may exceed or be less than the matter-of-right standards identified for height, building density, lot occupancy, parking and loading, or for yards and courts. The Commission may also approve uses that would otherwise require approval by the Board of Zoning Adjustment.
12. The Commission is required under § 13(d) of the Advisory Neighborhood Commissions Act of 1975, effective March 26, 1976 (D.C. Law 1-21; D.C. Official Code § 1-309.10(d)) to give great weight to the affected ANC's recommendations. Both ANC 6E and ANC 6C unanimously recommended approval of the Applications and offered recommendations and refinements to the Applications which the Applicant has addressed. The Commission finds the views of ANC 6E and ANC 6C to be persuasive.
13. The Commission is required under § 5 of the Office of Zoning Independence Act of 1990, effective September 20, 1990 (D.C. Law 8-163; D.C. Official Code § 6-623.04 (2001)), to give great weight to OP recommendations. OP recommended approval of the Project, provided that the Applicant provided additional information regarding a signage plan for retail and building signage and confirmation that courts created by the Project conform to Zoning Regulations, which information was provided by the Applicant. OP subsequently submitted a report expressing concerns over how the Applicant proposed to satisfy the housing linkage requirement of 11 DCMR § 2404 but later agreed with the Applicant that no such requirement existed for this PUD under that provision. The Commission considered the OP reports and testimony at the public hearing and finds its recommendation to grant the applications persuasive. Accordingly, the Commission has accorded the OP recommendation great weight.
14. The Applications for a PUD modification and Zoning Map amendment will promote the orderly development of the Property in conformity with the entirety of the District of Columbia zone plan as embodied in the Zoning Regulations and Map of the District of Columbia.
15. The Applications for a PUD modification and Zoning Map amendment are subject to compliance with D.C. Law 2-38, the Human Rights Act of 1977.

DECISION

In consideration of the Findings of Fact and Conclusions of Law contained in this order, the Zoning Commission for the District of Columbia **ORDERS APPROVAL** of the Applications

for modification to an approved Planned Unit Development and for a PUD-related Zoning Map amendment from C-3-C to C-4 for Lot 16 in Square 563. This approval is subject to the following guidelines, conditions and standards:

A. **Project Development**

1. The Project shall be developed in accordance with the final plans dated November 22, 2016, and submitted to the Commission on November 29, 2016, as amended by the building signage diagrams (Sheets 16-19, 68-70) submitted on February 13, 2017, (collectively, "Final Plans"), and the guidelines, conditions and standards herein. (Ex. 23A, 39.) These Final Plans incorporate comments received from the Commission and supersede all earlier Project drawings included in the record.
2. The Project shall be an office building measuring approximately 130 feet in height, with a building density of not more than 9.2 FAR. The building indentations, recesses and decorative architectural treatments provided along Massachusetts Avenue, 2nd Street, and New Jersey Avenue shall be classified as court niches.
3. The Applicant is granted flexibility with the design of the Project to provide fewer parking spaces within the Property than required pursuant to § 2101 of the Zoning Regulations such that the 230 spaces currently provided in the Approved PUD and adjacent vault space remain. The Applicant is proposing no additions to the current parking operations for the building, which include a significant number of parking spaces provided in vault space, as was approved by the Commission for the Approved PUD.
4. The Applicant is granted flexibility with the design of the Project to vary the location and design of all interior components, including partitions, structural slabs, doors, hallways, columns, stairways, and mechanical rooms, provided that the variations do not change the exterior configuration of the buildings.
5. The Applicant is granted flexibility with the design of the Project to vary the final selection of the exterior materials within the color ranges of the material types as proposed, based on availability at the time of construction without reducing the quality of materials, including flexibility regarding final selection of material and glass assembly, frit pattern, location and color to meet manufacturer requirements and to achieve the design intent of renderings and elevations provided in Final Plans.
6. The Applicant is granted flexibility with the design of the Project to make minor refinements to exterior details and dimensions, including belt courses, sills, bases, cornices, railings and trim provided that the changes do not result in changes to the exterior configuration of the building.

7. The Applicant is granted flexibility with the design of the Project to make minor refinements and modifications to building elevations to accommodate tenant layout, entry and signage requirements, provided that the changes do not result in changes to the exterior configuration of the building.
8. The Applicant is granted flexibility with the design of the Project to vary the sustainable design features of the Project, provided the total number of LEED points achievable for the Project is not below 60 points under the LEED-Gold rating standards (2009).
9. The Applicant is granted flexibility with the design of the Project to vary the final selection of landscaping and vegetation types, including vines for the vegetated walls, as proposed in the Final Plans, based upon availability at the time of construction and selection criteria provided in the Final Plans.
10. The Applicant is granted flexibility with the design of the Project to vary the final design and selection of landscaping, hardscaping, street furniture and art installations in public space pursuant to final approval of the D.C. Public Space Committee and DDOT.

B. Public Benefits and Project Amenities

1. **Prior to issuance of a full building Certificate of Occupancy**, the Applicant shall demonstrate to the Zoning Administrator that it has:
 - a. Provided street tree planting and maintenance, water efficient landscaping, green terraces and a green roof, methods to reduce water use, renewable energy and energy efficient sources, and low-emitting materials, consistent with Sheets 43-66 of the Plans; (Ex. 23A.)
 - b. Registered the Project with the USGBC to commence the LEED certification process under the USGBC's LEED-2009 rating system. **Prior to the issuance of a Certificate of Occupancy**, the Applicant shall also furnish a copy of its LEED certification application submitted to the USGBC to the Zoning Administrator. The application shall indicate that the building has been designed to include at least the minimum number of points necessary to achieve LEED-Gold certification under the USGBC's LEED 2009 standards; and
 - c. Provided evidence that the Project will achieve at least 0.2 GAR.
2. **Prior to the issuance of a full building Certificate of Occupancy for the Project**, the Applicant shall demonstrate that it has entered into a First Source Employment Agreement with DOES whereby the Applicant commits to work

through DOES to ensure that at least 51% of any new hires created by the project shall be District of Columbia residents.

3. **Prior to the issuance of a full building Certificate of Occupancy for the Project**, the Applicant shall demonstrate that it has provided financial support in the amount of \$25,000 to the Northwest One Public Library and \$25,000 to the R.H. Terrell Recreation Center consistent with the scope of programs and activities (although not necessarily all of the listed items). (Ex. 23D.) To that end, the Applicant will provide funding in the amount of \$25,000 to the Friends of Northwest One Public Library (or other-named not-for-profit entity organized to administer said funds) to be utilized as provided in the record. (Ex. 23D.) The Applicant also will provide funding in the amount of \$25,000 to the Friends of R.H. Terrell Recreation Center (or other-named not-for-profit entity organized to administer said funds) to be utilized as provided in the record. (Ex. 23D.) A final certificate of occupancy for the Project shall not be issued before the Applicant provides proof to the Zoning Administrator that the items or services funded through these organizations have been provided or are in process of being provided, pursuant to 11-X DCMR § 305.3(d) (2016).
4. **Prior to the issuance of a full building Certificate of Occupancy for the Project**, the Applicant shall demonstrate that to the Zoning Administrator that it has funded \$75,000 of the cost to design, fabricate, and install public art at the PUD site, as that funding is more particularly described in the record. (Ex. 23C.) and that the public art so funded has been installed, or is in the process of being installed. The public art shall be selected in accordance with the process described in the record and shall be of scale consistent with the examples of public art depicted in the record. (Ex. 31B.)

C. **Traffic Mitigation**

1. **Prior to the issuance of the full building certificate of occupancy for the Project**, the Applicant shall establish, and **for the duration of the Project**, the Applicant shall implement a transportation demand management plan that includes the following components:
 - a. Designate a transportation coordinator;
 - b. All parking on site will be priced at market rates at minimum, defined as the average cost for parking in a 0.25-mile radius from the site;
 - c. Install a Transportation Information Center Displays (electronic screens) within the office lobby, containing information related to local transportation alternatives;

- d. Exceed the zoning requirements to provide bicycle parking/storage facilities at the Project, including secure parking located within the building and a minimum of 14 short-term bicycle parking around the perimeter of the site (in the form of seven bicycle racks);
 - e. A bicycle repair station to be located within the bicycle storage room; and
 - f. Showers and changing facilities adjacent to the bicycle storage room.
2. **Prior to the issuance of the full building certificate of occupancy for the Project**, the Applicant shall provide evidence to the Zoning Administrator that it has:
 - a. Entered into an agreement to fund the installation and first year's operation and maintenance of a new Capital Bikeshare station to be located either adjacent to or in the vicinity of the site; or
 - b. Provided an alternative TDM measure that DDOT certifies is of equivalent value.
 3. **Prior to the issuance of the full building certificate of occupancy for the Project**, the Applicant shall establish and **for the duration of the Project**, the Applicant shall implement a loading management plan that is approved by DDOT and includes a flagger for all trucks accessing the property due to back in maneuvers.
 4. **Prior to the issuance of a full building Certificate of Occupancy for the Project**, the Applicant shall demonstrate to the Zoning Administrator that it has provided four electric car charging stations within the parking garage.

D. Miscellaneous

1. No building permit shall be issued for the Project until the Applicant has recorded a Notice of PUD Modification in the Land Records of the District of Columbia between the Applicant and the District of Columbia that is satisfactory to the Office of the Attorney General and the Zoning Division of the Department of Consumer and Regulatory Affairs ("DCRA"). Such Notice shall bind the Applicant and all successors in title to construct on and use the Property in accordance with this Order or amendment thereof by the Zoning Commission.
2. The Zoning Map Amendment referenced herein shall become effective only upon the recordation of said Notice.
3. The modification approved by the Commission shall be valid for a period of two years from the effective date of this Order. Within such time, an application must be filed for a building permit as specified in § 2409.1 of the Zoning Regulations.

Construction of the Project shall begin within three years of the effective date of this Order.

4. Pursuant to the Human Rights Act of 1977, D.C. Official Code Ann. § 2-1402.67, the Applicant is required to comply fully with the provisions of the Act, and this Order is conditioned up full compliance with those provisions. Nothing in this Order shall be understood to require the Zoning Division of DCRA to approve permits if the Applicant fails to comply with any provision of the Human Rights Act.

On December 19, 2016, upon the motion of Chairman Hood, as seconded by Vice Chairman Miller, the Zoning Commission took **PROPOSED ACTION** to **APPROVE** the Applications at the conclusion of its public hearing by a vote of **5-0-0** (Anthony J. Hood, Robert E. Miller, Peter A. Shapiro, Peter G. May, and Michael G. Turnbull to approve).

On February 27, 2017, upon the motion of Chairman Hood, as seconded by Vice Chairman Miller, the Zoning Commission took **FINAL ACTION** to **APPROVE** the Applications at their public meeting by a vote of **5-0-0** (Anthony J. Hood, Robert E. Miller, Peter G. May, and Michael G. Turnbull to approve; Peter A. Shapiro to approve by absentee ballot).

In accordance with the provisions of 11-Z DCMR § 604.9, this Order shall become final and effective upon publication in the *D.C. Register*; that is on May 12, 2017.

BY THE ORDER OF THE D.C. ZONING COMMISSION

A majority of the Commission members approved the issuance of this Order.

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