

District of Columbia

REGISTER

HIGHLIGHTS

- D.C. Council enacts Act 22-72, Child Care Study Act of 2017
- D.C. Council passes Resolution 21-700, Sense of the Council Regarding Federal Immigration Raids Resolution of 2016
- D.C. Council schedules a public hearing on Bill 22-0063, Wi-Fi Task Force Act of 2017 and Bill 22-0160, Digital Literacy Council Establishment Act of 2017
- D.C. Council schedules a public hearing on Bill 22-318, Office on African American Affairs Establishment Act of 2017
- Department of Human Services announces funding availability for the Family Violence Prevention Services Program and the Fiscal Year 2018 Youth Street Outreach Program
- Office of Public-Private Partnerships solicits qualified participants for the Delivery of Smart Street Lighting Project
- Office of the State Superintendent of Education announces funding availability for the Fiscal Year 2017 and 2018 SAT Preparation Expansion Grant and the Fiscal Year 2018 Special Education Enhancement Fund

DISTRICT OF COLUMBIA REGISTER

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MURIEL E. BOWSER
MAYOR

VICTOR L. REID, ESQ.
ADMINISTRATOR

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ENROLLED ORIGINAL

AN ACT

D.C. ACT 22-70

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JUNE 9, 2017

To amend the Pre-K Enhancement and Expansion Amendment Act of 2008 to include pre-K age students identified as at-risk in the allocation of funding that each provider receives.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Early Learning Equity in Funding Amendment Act of 2017”.

Sec. 2. Section 106(b)(1) of the Pre-K Enhancement and Expansion Amendment Act of 2008, effective July 18, 2008 (D.C. Law 17-202; D.C. Official Code § 38-271.06(b)(1)), is amended to read as follows:

“(1)(A) For each provider that meets the high-quality standards established pursuant to this act, local funding shall be allocated in such a manner so that each provider receives:

“(i) An amount equal to the per student funding formula, established pursuant to section 2401 of the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321-107; D.C. Official Code § 38-1804.01); and

“(ii) A supplemental allocation equal to the supplemental allocation provided in section 106a of the Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Act of 1998, effective February 22, 2014 (D.C. Law 20-87; D.C. Official Code § 38-2905.01), for each at-risk child enrolled in the provider’s program.

“(B) For the purposes of this paragraph, the term “at-risk” means a pre-K age child who is identified as one or more of the following:

“(i) Homeless;

“(ii) In the District’s foster care system; or

“(iii) Qualifies for the Temporary Assistance for Needy Families program or the Supplemental Nutrition Assistance Program.”.

Sec. 3. Fiscal impact statement.

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

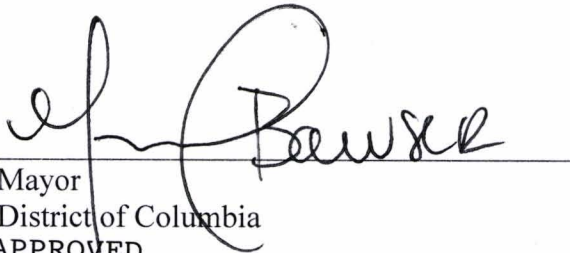
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Sec. 4. Effective date.

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
June 9, 2017

ENROLLED ORIGINAL

AN ACT

D.C. ACT 22-71

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JUNE 5, 2017

To amend the Child Development Facilities Regulation Act of 1998 to allow the Council to review child development facilities regulations.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Child Development Facilities Regulations Amendment Act of 2017”.

Sec. 2. Section 7(a) of the Child Development Facilities Regulation Act of 1998, effective April 13, 1999 (D.C. Law 12-215; D.C. Official Code § 7-2036(a)), is amended as follows:

- (a) The lead-in language is designated as subsection (a)(1).
- (b) Paragraph (1) is redesignated as subparagraph (A).
- (c) Paragraph (2) is redesignated as subparagraph (B).
- (d) Paragraph (3) is redesignated as subparagraph (C).
- (e) Paragraph (4) is redesignated as subparagraph (D).
- (f) A new paragraph (2) is added to read as follows:

“(2) The rules required to be promulgated pursuant to this section shall be submitted to the Council for a 30-day period of review, excluding Saturdays, Sundays, legal holidays, and days of Council recess. If the Council does not approve or disapprove the proposed rules, by resolution, within this 30-day review period, the proposed rules shall be deemed approved.”.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

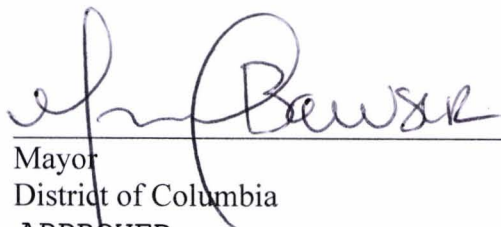
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
June 5, 2017

ENROLLED ORIGINAL

AN ACT

D.C. ACT 22-72

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JUNE 5, 2017

To require the Office of the State Superintendent of Education to contract with an entity to determine the number of child development facilities with non-traditional hours in the District that is sufficient to meet the needs of District families and to provide recommendations; to require the Office of the State Superintendent of Education to contract with an entity to assess the impact of the Office of the State Superintendent of Education’s increased education qualifications for staff members of child development facilities and to provide recommendations; to require the Office of the State Superintendent of Education to submit each study to the Council no later than one year from the effective date of this act; and to require the Department of Employment Services to coordinate with the Office of the State Superintendent of Education to share data and information regarding the District’s workforce and workforce development.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Child Care Study Act of 2017”.

Sec. 2. Definitions.

For the purposes of this act, the term:

(1) “Child development facility” shall have the same meaning as provided in section 2(3) of the Child Development Facilities Regulation Act of 1998, effective April 13, 1999 (D.C. Law 12-215; D.C. Official Code § 7-2031(3)).

(2) “Non-traditional hours” means hours outside of 7:00 a.m. to 6:00 p.m. Monday through Friday, or on a 24-hour basis.

(3) “OSSE” means the Office of the State Superintendent of Education.

(4) “Staff members” means child development facility center directors, child development center teachers, child development center assistant teachers, child development home caregivers, expanded child development home caregivers, and expanded child development home associate caregivers.

Sec. 3. Study of child development facilities with non-traditional hours.

(a) OSSE shall contract with an entity to conduct a study to determine the number of child development facilities with non-traditional hours in the District that is sufficient to meet the needs of District families.

ENROLLED ORIGINAL

- (b) The entity completing the study shall:
- (1) Be nationally recognized;
 - (2) Have expertise and knowledge of the child care industry, including costs, quality, and access;
 - (3) Have a demonstrated understanding of best practices in connecting families and consumers with the type of child care they need; and
 - (4) Have conducted a breadth of research in advancing affordable and accessible child care that supports the development and learning of children.
- (c) At a minimum, the study shall:
- (1) Determine the need for child development facilities with non-traditional hours, including need by ward and by type of industry of parent employment;
 - (2) Evaluate the current level of service being provided in the District, including:
 - (A) The total number of child development facilities with non-traditional hours currently operating in the District;
 - (B) The hours of operations of each facility;
 - (C) The location of each facility; and
 - (D) Whether the facility participates in the child care subsidy program;
 - (3) Identify areas of unmet need, including wards, hours, and services; and
 - (4) With a particular focus on expanding the number of child development facilities that participate in the child care subsidy program, provide recommendations:
 - (A) For expanding the number of child development facilities with non-traditional hours; and
 - (B) On ways the District can incentivize more child development facilities to offer non-traditional hours.

Sec. 4. Study on the impact of OSSE's regulations that require increased education qualifications for staff members.

(a) OSSE shall contract with an entity to conduct a study to assess the impact of 5A DCMR § 164 through 5A DCMR § 171 on staff members and the cost of child care in the District.

- (b) The entity completing the study shall:
- (1) Be nationally recognized;
 - (2) Have expertise and knowledge of the child care industry, including costs, quality, and access;
 - (3) Have a demonstrated understanding of best practices in workforce development; and
 - (4) Have conducted a breadth of research in advancing affordable and accessible child care that supports the development and learning of children.
- (c) At a minimum the study shall, by ward:
- (1) Provide demographic data on staff members in the District, including:
 - (A) Gender identification;

ENROLLED ORIGINAL

- (B) Race;
 - (C) Ethnicity;
 - (D) Language spoken;
 - (E) Income level; and
 - (F) Highest level of educational attainment;
- (2) Assess the impact of increased educational requirements on the cost of child care;
- (3) Determine the impact of increased educational requirements on staff members working in the District; and
- (4) Provide recommendations:
- (A) On ways to increase educational requirements without financially burdening staff members; and
 - (B) That identify professional development support for staff members.

Sec. 5. OSSE shall submit the studies required in section 3 and section 4 to the Council no later than one year from the effective date of this act.

Sec. 6. The Department of Employment Services shall coordinate with OSSE to share data and information regarding the District's workforce and workforce development.

Sec. 7. Applicability.

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

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

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

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

Sec. 8. Fiscal impact statement.

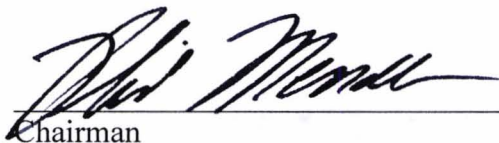
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 9. Effective date.

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

ENROLLED ORIGINAL

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
June 5, 2017

ENROLLED ORIGINAL

AN ACT

D.C. ACT 22-73

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JUNE 5, 2017

To symbolically designate, on an emergency basis, a portion of the public alley system in Square 42 that partially adjoins St. Mary's Church, which is located at 728 23rd Street, N.W., in Ward 2, as St. Mary's Way, in honor of the Church's 150th anniversary.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "St. Mary's Way Designation Emergency Act of 2017".

Sec. 2. Pursuant to sections 401, 403a, and 423 of the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code §§ 9-204.01, 9-204.03a, and 9-204.23), the Council symbolically designates a portion of the public alley system in Square 42, as shown on the Surveyor's plat in the committee report for the St. Mary's Way Designation Act of 2017, passed on 1st reading on May 16, 2017 (Engrossed version of Bill 22-150), as "St. Mary's Way".

Sec. 3. Transmittal.

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

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for the St. Mary's Way Designation Act of 2017, passed on 1st reading on May 16, 2017 (Engrossed version of Bill 22-150), as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

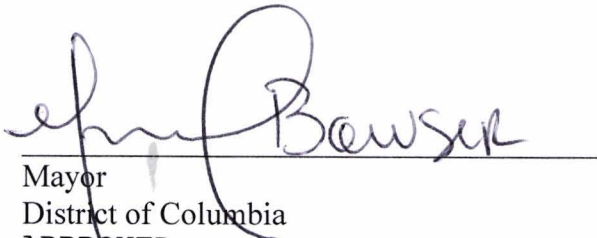
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

ENROLLED ORIGINAL

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
June 5, 2017

ENROLLED ORIGINAL

AN ACT

D.C. ACT 22-74

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JUNE 5, 2017

To amend, on an emergency basis, the Legalization of Marijuana for Medical Treatment Initiative of 1999 to provide certain medical marijuana cultivation center applicants with the ability to relocate to another election ward.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Medical Marijuana Cultivation Center Relocation Emergency Amendment Act of 2017”.

Sec. 2. Section 7(d)(3) of the Legalization of Marijuana for Medical Treatment Initiative of 1999, effective July 27, 2010 (D.C. Law 18-210; D.C. Official Code § 7-1671.06(d)(3)), is amended by adding a new subparagraph (C) to read as follows:

“(C) Any applicant that submitted an application on July 19, 2015, for a registration to operate a cultivation center shall be allowed to modify the location of the cultivation center on its application without negatively affecting the current status of the application.”.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

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

ENROLLED ORIGINAL

Sec. 3. Section 309(b) 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 § 1-1163.09(b)), is amended by striking the phrase “8 days before an election” and inserting the phrase “8 days before a special or general election” in its place.

Sec. 4. Section 2(3)(A)(iii) of the Prohibition on Government Employee Engagement in Political Activity Act of 2010, effective March 31, 2011 (D.C. Law 18-335; D.C. Official Code § 1-1171.01(3)(A)(iii)), is amended by striking the phrase “, after January 1, 2018”.

Sec. 5. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for the Primary Date Alteration Amendment Act of 2017, passed on 1st reading on May 16, 2017 (Engrossed version of Bill 22-197), as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 6. Effective date.

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED
June 5, 2017

ENROLLED ORIGINAL

AN ACT

D.C. ACT 22-75

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JUNE 5, 2017

To amend, on an emergency basis, the District of Columbia Election Code of 1955 to allow members of the Board of Elections to hold employment in the federal government and to change the date of primary elections to ensure compliance with federal law; to amend the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011 to remove the redundant 8-day, pre-primary election filing date; and to amend the Prohibition on Government Employee Engagement in Political Activity Act of 2010 to clarify the definition of "employee".

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Primary Date Alteration Emergency Amendment Act of 2017".

Sec. 2. The District of Columbia Election Code of 1955, approved August 12, 1955 (69 Stat. 699; D.C. Official Code § 1-1001.01 *et seq.*), is amended as follows:

(a) Section 4(a)(3) (D.C. Official Code § 1-1001.04(a)(3)) is amended by striking the phrase "and no active office, position, or employment in the federal government".

(b) Section 5(b)(1) (D.C. Official Code § 1-1001.05(b)(1)) is amended by striking the phrase "2nd Tuesday in June" and inserting the phrase "3rd Tuesday in June" in its place.

(c) Section 10(a) (D.C. Official Code § 1-1001.10(a)) is amended as follows:

(1) Paragraph (1) is amended by striking the phrase "2nd Tuesday in June" and inserting the phrase "3rd Tuesday in June" in its place.

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

(A) Subparagraph (A) is amended by striking the phrase "2nd Tuesday in June of 2016 and the 1st Tuesday in September of each even-numbered year thereafter;" and inserting the phrase "3rd Tuesday in June of each even-numbered year" in its place.

(B) Subparagraph (B) is amended by striking the phrase "2nd Tuesday in June of 2016 and the 1st Tuesday in September of each even-numbered year thereafter," and inserting the phrase "3rd Tuesday in June of each even-numbered year" in its place.

(C) Subparagraph (C) is amended by striking the phrase "2nd Tuesday of June of 2016 and the 1st Tuesday of September of every 4th year thereafter" and inserting the phrase "3rd Tuesday in June of 2018 and every 4th year thereafter" in its place.

ENROLLED ORIGINAL

regulations” and inserting the phrase “Chapter 10 of Title 11-C of the District of Columbia Municipal Regulations, this act, and the regulations and administrative issuances” in its place.

(6) Paragraph (5) is amended to read as follows:

“(5) “Median Family Income” or “MFI” means the median family income for a household in the Washington Metropolitan Statistical Area as set forth in the periodic calculation provided by the United States Department of Housing and Urban Development, adjusted for family size without regard to any adjustments made by the United States Department of Housing and Urban Development for the purposes of the programs it administers.”.

(7) Paragraph (6) is repealed.

(b) Section 102(b) (D.C. Official Code § 6-1041.02(b)) is amended by striking the phrase “Chapter 26 of Title 11” and inserting the phrase “Chapter 10 of Title 11-C” in its place.

(c) Section 103 (D.C. Official Code § 6-1041.03) is amended as follows:

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

(A) Paragraph (3) is amended by striking the phrase “low-income households shall be set so that a household earning 50% of the Metropolitan Statistical Area median” and inserting the phrase “eligible households shall be set so that an eligible household earning 50% of the MFI, 60% of the MFI, 80% of the MFI, or other percentage of the MFI established by an order approving a Planned Unit Development pursuant to Chapter 3 of Title 11-X of the District of Columbia Municipal Regulations” in its place.

(B) Paragraph (4) is repealed.

(2) Subsection (b) is amended by striking the phrase “, but shall not become effective until” and inserting the phrase “and shall become effective upon” in its place.

(d) Section 107 (D.C. Official Code § 6-1041.07) is amended as follows:

(1) Paragraph (2) is amended by striking the phrase “low- or moderate-income households” and inserting the phrase “eligible households” in its place.

(2) Paragraph (6) is amended by striking the phrase “Chapter 26 of Title 11 of the District of Columbia Municipal Regulations (11 DCMR 2600 *et seq.*)” and inserting the phrase “Chapter 10 of Title 11-C of the District of Columbia Municipal Regulations” in its place.

(3) Paragraph (9) is amended by striking the phrase “low- or moderate-income households” and inserting the phrase “eligible households” in its place.

(e) Section 109(a) (D.C. Official Code § 6-1041.09(a)) is amended as follows:

(1) Paragraph (5) is amended by striking the phrase “low- or moderate-income households” and inserting the phrase “eligible households” in its place.

(2) Paragraph (6) is amended by striking the phrase “low- or moderate-income households” and inserting the phrase “eligible households” in its place.

Sec. 3. Section 102(8)(E) of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-502(8)(E)), is amended by striking the phrase “Chapter 26 of Title 11 of the District of Columbia Municipal Regulations (11 DCMR 2600 *et seq.*)” and inserting the phrase “Chapter 10 of Title 11-C of the District of Columbia Municipal Regulations” in its place.

ENROLLED ORIGINAL

Sec. 4. Section 3(c)(17) of the Housing Production Trust Fund Act of 1988, effective March 16, 1989 (D.C. Law 7-202; D.C. Official Code § 42-2802(c)(17)), is amended by striking the phrase “low- and moderate-income households” and inserting the phrase “eligible households” in its place.

Sec. 5. Section 47-902(23) of the District of Columbia Official Code is amended by striking the phrase “low- and moderate-income household” and inserting the phrase “eligible household” in its place.

Sec. 6. Applicability.


This act shall apply as of June 5, 2017, which is the effective date of the amendments to the inclusionary zoning regulations, set forth at Chapter 10 of Title 11-C of the District of Columbia Municipal Regulations, that were promulgated by the Zoning Commission for the District of Columbia on October 17, 2016 in its Notice of Final Rulemaking and Zoning Commission Order No. 04-33G (63 DCR 15404).


Sec. 7. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for the Inclusionary Zoning Consistency Amendment Act of 2017, passed on 1st reading on May 16, 2017 (Engrossed version of Bill 22-104), 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. 8. Effective date.

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


Chairman
Council of the District of Columbia


Mayor
District of Columbia
APPROVED
June 5, 2017

ENROLLED ORIGINAL

AN ACT

D.C. ACT 22-76

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JUNE 13, 2017

To amend, on an emergency basis, the Inclusionary Zoning Implementation Amendment Act of 2006 to reflect the changes to the inclusionary zoning regulations adopted by the Zoning Commission for the District of Columbia on October 17, 2016; and to amend the District of Columbia Administrative Procedure Act, the Housing Production Trust Fund Act of 1988, and section 47-902 of the District of Columbia Official Code to make conforming amendments.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Inclusionary Zoning Consistency Emergency Amendment Act of 2017".

Sec. 2. The Inclusionary Zoning Implementation Amendment Act of 2006, effective March 14, 2007 (D.C. Law 16-275; D.C. Official Code § 6-1041.01 *et seq.*), is amended as follows:

(a) Section 101 (D.C. Official Code § 6-1041.01) is amended as follows:

(1) The existing paragraph (1) is redesignated as paragraph (1A).

(2) A new paragraph (1) is added to read as follows:

"(1) "Eligible household" means a household of one or more individuals with a total annual income adjusted for household size equal to or less than 50% of the MFI, 60% of the MFI, 80% of the MFI, or other percentage of the MFI established by an order approving a Planned Unit Development pursuant to Chapter 3 of Title 11-X of the District of Columbia Municipal Regulations."

(3) Paragraph (2) is amended by striking the phrase "11 DCMR § 2602.1" and inserting the phrase "Chapter 10 of Title 11-C of the District of Columbia Municipal Regulations" in its place.

(4) Paragraph (3) is amended by striking the phrase "low- and moderate-income households as required by the Inclusionary Zoning Program" and inserting the phrase "eligible households as required by the Inclusionary Zoning Program or by an order approving a Planned Unit Development pursuant to Chapter 3 of Title 11-X of the District of Columbia Municipal Regulations" in its place.

(5) Paragraph (4) is amended by striking the phrase "Chapter 26 of Title 11 of the District of Columbia Municipal Regulations (11 DCMR 2600 *et seq.*), this act, and the

ENROLLED ORIGINAL

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



Chairman
Council of the District of Columbia

UNSIGNED

Mayor
District of Columbia
June 9, 2017

ENROLLED ORIGINAL

A RESOLUTION

21-641

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

November 1, 2016

To approve the compensation system changes submitted on behalf of the Board of Trustees of the University of the District of Columbia for the Career, Educational and Legal Service Non-Collective Bargaining Unit Employees.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “University of the District of Columbia Career, Educational and Legal Service Non-Collective Bargaining Unit Employees Compensation System Changes Approval Resolution of 2016”.

Sec. 2. Pursuant to sections 858, 1106, and 1111 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code §§ 1-608.58; 1-611.06; 1-611.11), the Council approves the compensation system changes recommended by the Board of Trustees of the University of the District of Columbia (“Board”) for the Career, Educational and Legal Service Non-Collective Bargaining Unit Employees. The compensation system changes were transmitted to the Council by the Mayor at the request of the Board on October 13, 2016 and are reflected in the attached pay schedules and the resolution adopted by the Board at a meeting on July 26, 2016.

Sec. 3. Applicability.

The compensation system changes approved in section 2 shall become effective as of the first day of the first pay period beginning on or after October 1, 2016.

Sec. 4. Transmittal.

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

Sec. 5. Fiscal impact statement.

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

Sec. 6. Effective date.

This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

21-700

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

December 20, 2016

To declare the sense of the Council that all residents of the District of Columbia deserve safety and security, regardless of immigration status, and that the Council opposes federal raids that jeopardize residents’ privacy, safety, and security on suspicion of immigration status issues.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Sense of the Council Regarding Federal Immigration Raids Resolution of 2016”.

Sec. 2. The Council finds that:

- (1) The current influx of immigrants from Central America and other countries around the world is a humanitarian crisis.
- (2) Many of the immigrants coming to the District of Columbia and other municipalities are children, and many are fleeing gang threats, murder, extortion, rape, and other abuses in addition to poverty and social exclusion.
- (3) Between January 2014 and December 2015, as many as 83 migrants deported to the Northern Triangle (El Salvador, Guatemala, and Honduras) from the United States were murdered upon their return.
- (4) When families are detained because of immigration status issues, they are often held in conditions that cause them further trauma. This is inconsistent with the values of the District.
- (5) Starting in early 2016, federal immigration authorities conducted widespread raids through the United States to apprehend more than 400 mothers, children, and youth who crossed the southern border since 2014. The federal government has repeatedly targeted recent migrants from El Salvador, Guatemala, and Honduras, the overwhelming majority of whom demonstrate credible fear of prosecution in their countries of origin, but are unable to find legal representation to stay lawfully in the United States.
- (6) The widespread use of immigration raids has continued. In May and June, another series of raids were conducted in Illinois, Indiana, Wisconsin, Kentucky, Kansas, and Missouri, resulting in the arrest of 331 more immigrants.

ENROLLED ORIGINAL

(7) President-elect Donald Trump has indicated his intent to begin a mass deportation of undocumented immigrants of as many as 2 to 3 million people. Such a policy could never be accomplished without even larger and more extreme immigration raids.

(8) Raids conducted to locate and arrest immigrants who may be subject to deportation fosters distrust between residents and law enforcement, which harms public safety and causes entire populations to avoid seeking out the police protection they deserve.

(9) The District has made strong commitments to protecting children and families. Migrant children and their families are deserving of and in need of those commitments as well.

(10) The District is committed to treating migrants as full members of the community in many ways, such as providing licenses and photo identification to undocumented residents so they can work, access services, and otherwise participate in society.

Sec. 3. It is the sense of the Council that deportation raids targeting Central American refugee youth and families unjustly threaten the safety, well-being, and human rights of migrants in the District of Columbia and elsewhere and should be halted immediately.

Sec. 4. The Council shall transmit a copy of this resolution, upon its adoption, to the President of the United States, the Department of Homeland Security, and the Bureau of Immigration and Customs Enforcement.

Sec. 5. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

A RESOLUTION

21-702

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

December 20, 2016

To reappoint Dr. Konrad L. Dawson to the Not-For-Profit Hospital Corporation Board of Directors.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Not-For-Profit Hospital Corporation Board of Directors Konrad L. Dawson Reappointment Resolution of 2016”.

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

Dr. Konrad L. Dawson, M.D., F.A.C.S., P.C.
1601 Kalmia Road, N.W.
Washington, D.C. 20012
(Ward 4)

as a member of the Not-For-Profit Hospital Corporation Board of Directors pursuant to section 5115 of the Not-For-Profit Hospital Corporation Establishment Amendment Act of 2011, effective September 14, 2011 (D.C. Law 19-21; D.C. Official Code § 44-951.04), for a term to end March 15, 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 Not-for-Profit Hospital Corporation Board of Directors, 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

21-704

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

December 20, 2016

To confirm the appointment of Mr. Outerbridge Horsey 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 Outerbridge Horsey Confirmation Resolution of 2016”.

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

Mr. Outerbridge Horsey
1632 32nd Street, N.W.
Washington, D.C. 20007
(Ward 2)

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, 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

22-16

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 7, 2017

To confirm the appointment of Ms. Lesylleé White to the Board of Zoning Adjustment.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Board of Zoning Adjustment Lesylleé White Confirmation Resolution of 2017”.

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

Ms. Lesylleé White
1361 Tewkesbury Place, N.W.
Washington, D.C. 20012
(Ward 4)

as a member of the Board of Zoning Adjustment, established by section 8 of An Act Providing for the zoning of the District of Columbia and the regulation of the location, height, bulk, and uses of buildings and other structures and of the uses of land in the District of Columbia, and for other purposes, approved June 20, 1938 (52 Stat. 799; D.C. Official Code § 6-641.07), for a term to end September 30, 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

22-124

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 6, 2017

To authorize and provide for the issuance, sale, and delivery in an aggregate principal amount not to exceed \$225 million of District of Columbia revenue bonds in one or more series and to authorize and provide for the loan of the proceeds of such bonds to assist The Ingleside Presbyterian Retirement Community, Inc. in the financing, refinancing, or reimbursing of costs associated with an authorized project pursuant to section 490 of the District of Columbia Home Rule Act.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Ingleside Presbyterian Retirement Community, Inc. Revenue Bonds Project Approval Resolution of 2017".

Sec. 2. Definitions.

For the purpose of this resolution, the term:

(1) "Authorized Delegate" means the Mayor or the Deputy Mayor for Planning and Economic Development, or any officer or employee of the Executive Office of the Mayor to whom the Mayor has delegated or to whom the foregoing individuals have subdelegated any of the Mayor's functions under this resolution pursuant to section 422(6) of the Home Rule Act.

(2) "Bond Counsel" means a firm or firms of attorneys designated as bond counsel from time to time by the Mayor.

(3) "Bonds" means the District of Columbia revenue bonds, notes, or other obligations (including refunding bonds, notes, and other obligations), in one or more series, authorized to be issued pursuant to this resolution.

(4) "Borrower" means the operator, manager, and user of the assets financed, refinanced, or reimbursed with proceeds from the Bonds, which shall be The Ingleside Presbyterian Retirement Community, Inc., a nonprofit corporation organized under the laws of the District of Columbia, and exempt from federal income taxes under 26 U.S.C § 501(a) as an organization described in 26 U.S.C. § 501(c)(3).

(5) "Chairman" means the Chairman of the Council of the District of Columbia.

(6) "Closing Documents" means all documents and agreements other than Financing Documents that may be necessary and appropriate to issue, sell, and deliver the Bonds

ENROLLED ORIGINAL

and to make the Loan, and includes agreements, certificates, letters, opinions, forms, receipts, and other similar instruments.

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

(8) "Financing Documents" means the documents, other than Closing Documents, that relate to the financing or refinancing of transactions to be effected through the issuance, sale, and delivery of the Bonds and the making of the Loan, including any offering document, and any required supplements to any such documents.

(9) "Home Rule Act" means the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*).

(10) "Issuance Costs" means all fees, costs, charges, and expenses paid or incurred in connection with the authorization, preparation, printing, issuance, sale, and delivery of the Bonds and the making of the Loan, including, but not limited to, underwriting, legal, accounting, rating agency, and all other fees, costs, charges, and expenses incurred in connection with the development and implementation of the Financing Documents, the Closing Documents, and those other documents necessary or appropriate in connection with the authorization, preparation, printing, issuance, sale, marketing, and delivery of the Bonds and the making of the Loan, together with financing fees, costs, and expenses, including program fees and administrative fees charged by the District, fees paid to financial institutions and insurance companies, initial letter of credit fees (if any), compensation to financial advisors and other persons (other than full-time employees of the District) and entities performing services on behalf of or as agents for the District.

(11) "Loan" means the District's lending of proceeds from the sale, in one or more series, of the Bonds to the Borrower.

(12) "Project" means the financing, refinancing, or reimbursing of all or a portion of the Borrower's costs of:

(A) Financing, in whole or in part, the costs of (i) demolishing the existing assisted living and skilled nursing structures and developing, constructing, and equipping new structures with independent living apartments, assisted living, memory support units, and new skilled nursing units and (ii) renovating the Borrower's existing facilities, together with associated parking facilities, physical, speech, and occupational therapy areas, resident activities space, dining room, multipurpose room, nurse stations, public and administrative areas, ancillary support space, and other property, real and personal, located at 3050 Military Road, N.W., Washington, D.C. 20015;

(B) Purchasing certain furnishings and fixtures, together with other personal property related thereto, and certain working capital expenditures associated therewith, to the extent financeable, including paying allowable Issuance Costs;

(C) Funding a debt service reserve fund with respect to the Bonds; and

(D) Funding capitalized interest with respect to the Bonds.

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Sec. 3. Findings.

The Council finds that:

(1) Section 490 of the Home Rule Act provides that the Council may by resolution authorize the issuance of District revenue bonds, notes, or other obligations (including refunding bonds, notes, or other obligations) to borrow money to finance, refinance, or reimburse costs, and to assist in the financing, refinancing, or reimbursing of, the costs of undertakings in certain areas designated in section 490 and may effect the financing, refinancing, or reimbursement by loans made directly or indirectly to any individual or legal entity, by the purchase of any mortgage, note, or other security, or by the purchase, lease, or sale of any property.

(2) The Borrower has requested the District to issue, sell, and deliver revenue bonds, in one or more series, in an aggregate principal amount not to exceed \$225 million, and to make the Loan for the purpose of financing, refinancing, or reimbursing costs of the Project.

(3) The Project is located in the District and will contribute to the health, education, safety, or welfare of, or the creation or preservation of jobs for, residents of the District, or to economic development of the District.

(4) The Project is an undertaking that will contribute to the health, education, safety, or welfare of, or the creation or preservation of jobs for, residents of the District, or to economic development of the District within the meaning of section 490 of the Home Rule Act.

(5) The authorization, issuance, sale, and delivery of the Bonds and the Loan to the Borrower are desirable, are in the public interest, will promote the purpose and intent of section 490 of the Home Rule Act, and will assist the Project.

Sec. 4. Bond authorization.

(a) The Mayor is authorized pursuant to the Home Rule Act and this resolution to assist in financing, refinancing, or reimbursing the costs of the Project by:

(1) The issuance, sale, and delivery of the Bonds, in one or more series, in an aggregate principal amount not to exceed \$225 million; and

(2) The making of the Loan.

(b) The Mayor is authorized to make the Loan to the Borrower for the purpose of financing, refinancing, or reimbursing the costs of the Project and establishing any fund with respect to the Bonds as required by the Financing Documents.

(c) The Mayor may charge a program fee to the Borrower, including, but not limited to, an amount sufficient to cover costs and expenses incurred by the District in connection with the issuance, sale, and delivery of each series of the Bonds, the District's participation in the monitoring of the use of the Bond proceeds and compliance with any public benefit agreements with the District, and maintaining official records of each bond transaction and assisting in the redemption, repurchase, and remarketing of the Bonds.

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Sec. 5. Bond details.

(a) The Mayor is authorized to take any action reasonably necessary or appropriate in accordance with this resolution in connection with the preparation, execution, issuance, sale, delivery, security for, and payment of the Bonds of each series, including, but not limited to, determinations of:

- (1) The final form, content, designation, and terms of the Bonds, including a determination that the Bonds may be issued in certificated or book-entry form;
- (2) The principal amount of the Bonds to be issued and denominations of the Bonds;
- (3) The rate or rates of interest or the method for determining the rate or rates of interest on the Bonds;
- (4) The date or dates of issuance, sale, and delivery of, and the payment of interest on the Bonds, and the maturity date or dates of the Bonds;
- (5) The terms under which the Bonds may be paid, optionally or mandatorily redeemed, accelerated, tendered, called, or put for redemption, repurchase, or remarketing before their respective stated maturities;
- (6) Provisions for the registration, transfer, and exchange of the Bonds and the replacement of mutilated, lost, stolen, or destroyed Bonds;
- (7) The creation of any reserve fund, sinking fund, or other fund with respect to the Bonds;
- (8) The time and place of payment of the Bonds;
- (9) Procedures for monitoring the use of the proceeds received from the sale of the Bonds to ensure that the proceeds are properly applied to the Project and used to accomplish the purposes of the Home Rule Act and this resolution;
- (10) Actions necessary to qualify the Bonds under blue sky laws of any jurisdiction where the Bonds are marketed; and
- (11) The terms and types of credit enhancement under which the Bonds may be secured.

(b) The Bonds shall contain a legend, which shall provide that the Bonds are special obligations of the District, are without recourse to the District, are not a pledge of, and do not involve the faith and credit or the taxing power of the District, do not constitute a debt of the District, and do not constitute lending of the public credit for private undertakings as prohibited in section 602(a)(2) of the Home Rule Act.

(c) The Bonds shall be executed in the name of the District and on its behalf by the manual or facsimile signature of the Mayor, and attested by the Secretary of the District of Columbia by the Secretary of the District of Columbia's manual or facsimile signature. The Mayor's execution and delivery of the Bonds shall constitute conclusive evidence of the Mayor's approval, on behalf of the District, of the final form and content of the Bonds.

(d) The official seal of the District, or a facsimile of it, shall be impressed, printed, or otherwise reproduced on the Bonds.

(e) The Bonds of any series may be issued in accordance with the terms of a trust instrument to be entered into by the District and a trustee to be selected by the Borrower subject

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to the approval of the Mayor, and may be subject to the terms of one or more agreements entered into by the Mayor pursuant to section 490(a)(4) of the Home Rule Act.

(f) The Bonds may be issued at any time or from time to time in one or more issues and in one or more series.

Sec. 6. Sale of the Bonds.

(a) The Bonds of any series may be sold at negotiated or competitive sale at, above, or below par, to one or more persons or entities, and upon terms that the Mayor considers to be in the best interest of the District.

(b) The Mayor or an Authorized Delegate may execute, in connection with each sale of the Bonds, offering documents on behalf of the District, may deem final any such offering document on behalf of the District for purposes of compliance with federal laws and regulations governing such matters and may authorize the distribution of the documents in connection with the sale of the Bonds.

(c) The Mayor is authorized to deliver the executed and sealed Bonds, on behalf of the District, for authentication, and, after the Bonds have been authenticated, to deliver the Bonds to the original purchasers of the Bonds upon payment of the purchase price.

(d) The Bonds shall not be issued until the Mayor receives an approving opinion from Bond Counsel as to the validity of the Bonds of such series and, if the interest on the Bonds is expected to be exempt from federal income taxation, the treatment of the interest on the Bonds for purposes of federal income taxation.

Sec. 7. Payment and security.

(a) The principal of, premium, if any, and interest on, the Bonds shall be payable solely from proceeds received from the sale of the Bonds, income realized from the temporary investment of those proceeds, receipts and revenues realized by the District from the Loan, income realized from the temporary investment of those receipts and revenues prior to payment to the Bond owners, other moneys that, as provided in the Financing Documents, may be made available to the District for the payment of the Bonds, and other sources of payment (other than from the District), all as provided for in the Financing Documents.

(b) Payment of the Bonds shall be secured as provided in the Financing Documents and by an assignment by the District for the benefit of the Bond owners of certain of its rights under the Financing Documents and Closing Documents, including a security interest in certain collateral, if any, to the trustee for the Bonds pursuant to the Financing Documents.

(c) The trustee is authorized to deposit, invest, and disburse the proceeds received from the sale of the Bonds pursuant to the Financing Documents.

Sec. 8. Financing and Closing Documents.

(a) The Mayor is authorized to prescribe the final form and content of all Financing Documents and all Closing Documents that may be necessary or appropriate to issue, sell, and deliver the Bonds and to make the Loan to the Borrower.

ENROLLED ORIGINAL

(b) The Mayor is authorized to execute, in the name of the District and on its behalf, the Financing Documents and any Closing Documents to which the District is a party by the Mayor's manual or facsimile signature.

(c) If required, the official seal of the District, or a facsimile of it, shall be impressed, printed, or otherwise reproduced on the Financing Documents and the Closing Documents to which the District is a party.

(d) The Mayor's execution and delivery of the Financing Documents and the Closing Documents to which the District is a party shall constitute conclusive evidence of the Mayor's approval, on behalf of the District, of the final form and content of the executed Financing Documents and the executed Closing Documents.

(e) The Mayor is authorized to deliver the executed and sealed Financing Documents and Closing Documents, on behalf of the District, prior to or simultaneously with the issuance, sale, and delivery of the Bonds, and to ensure the due performance of the obligations of the District contained in the executed, sealed, and delivered Financing Documents and Closing Documents.

Sec. 9. Authorized delegation of authority.

To the extent permitted by District and federal laws, the Mayor may delegate to any Authorized Delegate the performance of any function authorized to be performed by the Mayor under this resolution.

Sec. 10. Limited liability.

(a) The Bonds shall be special obligations of the District. The Bonds shall be without recourse to the District. The Bonds shall not be general obligations of the District, shall not be a pledge of or involve the faith and credit or the taxing power of the District, shall not constitute a debt of the District, and shall not constitute lending of the public credit for private undertakings as prohibited in section 602(a)(2) of the Home Rule Act.

(b) The Bonds shall not give rise to any pecuniary liability of the District and the District shall have no obligation with respect to the purchase of the Bonds.

(c) Nothing contained in the Bonds, in the Financing Documents, or in the Closing Documents shall create an obligation on the part of the District to make payments with respect to the Bonds from sources other than those listed for that purpose in section 7.

(d) The District shall have no liability for the payment of any Issuance Costs or for any transaction or event to be effected by the Financing Documents.

(e) All covenants, obligations, and agreements of the District contained in this resolution, the Bonds, and the executed, sealed, and delivered Financing Documents and Closing Documents to which the District is a party, shall be considered to be the covenants, obligations, and agreements of the District to the fullest extent authorized by law, and each of those covenants, obligations, and agreements shall be binding upon the District, subject to the limitations set forth in this resolution.

(f) No person, including, but not limited to, the Borrower and any Bond owner, shall have any claims against the District or any of its elected or appointed officials, officers, employees, or agents for monetary damages suffered as a result of the failure of the District or any of its elected

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or appointed officials, officers, employees or agents to perform any covenant, undertaking, or obligation under this resolution, the Bonds, the Financing Documents, or the Closing Documents, or as a result of the incorrectness of any representation in or omission from the Financing Documents or the Closing Documents, unless the District or its elected or appointed officials, officers, employees, or agents have acted in a willful and fraudulent manner.

Sec. 11. District officials.

(a) Except as otherwise provided in section 10(f), the elected or appointed officials, officers, employees, or agents of the District shall not be liable personally for the payment of the Bonds or be subject to any personal liability by reason of the issuance, sale or delivery of the Bonds, or for any representations, warranties, covenants, obligations, or agreements of the District contained in this resolution, the Bonds, the Financing Documents, or the Closing Documents.

(b) The signature, countersignature, facsimile signature, or facsimile countersignature of any official appearing on the Bonds, the Financing Documents, or the Closing Documents shall be valid and sufficient for all purposes notwithstanding the fact that the individual signatory ceases to hold that office before delivery of the Bonds, the Financing Documents, or the Closing Documents.

Sec. 12. Maintenance of documents.

Copies of the specimen Bonds and of the final Financing Documents and Closing Documents shall be filed in the Office of the Secretary of the District of Columbia.

Sec. 13. Information reporting.

Within 3 days after the Mayor's receipt of the transcript of proceedings relating to the issuance of the Bonds, the Mayor shall transmit a copy of the transcript to the Secretary to the Council.

Sec. 14. Disclaimer.

(a) The issuance of Bonds is in the discretion of the District. Nothing contained in this resolution, the Bonds, the Financing Documents, or the Closing Documents shall be construed as obligating the District to issue any Bonds for the benefit of the Borrower or to participate in or assist the Borrower in any way with financing, refinancing, or reimbursing the costs of the Project. The Borrower shall have no claims for damages or for any other legal or equitable relief against the District, its elected or appointed officials, officers, employees, or agents as a consequence of any failure to issue any Bonds for the benefit of the Borrower.

(b) The District reserves the right to issue the Bonds in the order or priority it determines in its sole and absolute discretion. The District gives no assurance and makes no representations that any portion of any limited amount of bonds or other obligations, the interest on which is excludable from gross income for federal income tax purposes, will be reserved or will be available at the time of the proposed issuance of the Bonds.

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(c) The District, by adopting this resolution or by taking any other action in connection with financing, refinancing, or reimbursing costs of the Project, does not provide any assurance that the Project is viable or sound, that the Borrower is financially sound, or that amounts owing on the Bonds or pursuant to the Loan will be paid. Neither the Borrower, any purchaser of the Bonds, nor any other person shall rely upon the District with respect to these matters.

Sec. 15. Expiration.

If any Bonds are not issued, sold, and delivered to the original purchaser within 3 years of the date of this resolution, the authorization provided in this resolution with respect to the issuance, sale, and delivery of the Bonds shall expire.

Sec. 16. Severability.

If any particular provision of this resolution, or the application thereof to any person or circumstance is held invalid, the remainder of this resolution and the application of such provision to other persons or circumstances shall not be affected thereby. If any action or inaction contemplated under this resolution is determined to be contrary to the requirements of applicable law, such action or inaction shall not be necessary for the purpose of issuing the Bonds, and the validity of the Bonds shall not be adversely affected.

Sec. 17. Compliance with public approval requirement.

This approval shall constitute the approval of the Council as required in section 147(f) of the Internal Revenue Code of 1986, approved October 22, 1986 (100 Stat. 2635; 26 U.S.C. § 147(f)), and section 490(k) of the Home Rule Act, for the Project to be financed, refinanced, or reimbursed with the proceeds of the Bonds. This resolution approving the issuance of the Bonds for the Project has been adopted by the Council after a public hearing held at least 14 days after publication of notice in a newspaper of general circulation in the District.

Sec. 18. Transmittal.

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

Sec. 19. Fiscal impact statement.

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

Sec. 20. Effective date.

This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-125

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 6, 2017

To confirm the reappointment of Mr. Alvin Lee Jackson to the Real Property Tax Appeals Commission.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Real Property Tax Appeals Commission Alvin Lee Jackson Confirmation Resolution of 2017”.

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

Mr. Alvin Lee Jackson
4314 13th Place, N.E.
Washington, D.C. 20017
(Ward 5)

as a part-time member of the Real Property Tax Appeals Commission, established by D.C. Official Code § 47-825.01a, for a term to end April 30, 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

22-126

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 6, 2017

To confirm the reappointment of Mr. Frank A. Sanders to the Real Property Tax Appeals Commission.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Real Property Tax Appeals Commission Frank A. Sanders Confirmation Resolution of 2017”.

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

Mr. Frank A. Sanders
1436 Primrose Road, N.W.
Washington, D.C. 20012
(Ward 4)

as a full-time member of the Real Property Tax Appeals Commission, established by D.C. Official Code § 47-825.01a, for a term to end April 30, 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

22-127

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 6, 2017

To confirm the appointment of Ms. Wendy Gadson to the Real Property Tax Appeals Commission.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Real Property Tax Appeals Commission Wendy Gadson Confirmation Resolution of 2017”.

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

Ms. Wendy Gadson
4020 19th Street, N.E.
Washington, D.C. 20018
(Ward 5)

as a part-time member of the Real Property Tax Appeals Commission, established by D.C. Official Code § 47-825.01a, for a term to end April 30, 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

22-129

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 6, 2017

To confirm the appointment of Mr. Wayne Turnage to the Not-For-Profit Hospital Corporation Board of Directors.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Not-For-Profit Hospital Corporation Board of Directors Wayne Turnage Confirmation Resolution of 2017”.

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

Mr. Wayne Turnage
1345 S. Capitol Street, S.W.
Washington, D.C. 20003
(Ward 6)

as a member of the Not-For-Profit Hospital Corporation Board of Directors, pursuant to section 5115 of the Not-For-Profit Hospital Corporation Establishment Amendment Act of 2011, effective September 14, 2011 (D.C. Law 19-21; D.C. Official Code § 44-951.04), replacing Chris Gardiner, for a term to end July 9, 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 Mayor.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-130

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 6, 2017

To declare the existence of an emergency with respect to the need to approve Modification Nos. 2, 3, and 4 to Contract No. CW41352 with Verizon Federal, Inc., to provide telecommunications products and services, and to authorize payment for the goods and 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 “Modifications to Contract No. CW41352 Approval and Payment Authorization Emergency Declaration Resolution of 2017”.

Sec. 2. (a) There exists a need to approve Modification Nos. 2, 3, and 4 to Contract No. CW41352 with Verizon Federal, Inc., to provide telecommunications products and services, and to authorize payment for the goods and services received and to be received under the contract.

(b) By Modification No. 2, dated March 27, 2017, the Office of Contracting and Procurement (“OCP”), on behalf of the Office of the Chief Technology Officer, exercised option year one of Contract No. CW41352 for the period from April 1, 2017, through May 31, 2017, in the amount of \$594,584.28.

(c) By Modification No. 4, dated April 24, 2017, OCP extended the term of the partial option through June 8, 2017 without increasing the amount.

(d) Modification No. 3 is now necessary to exercise the remainder of option period one, making the maximum amount \$5 million for the period from April 1, 2017 through March 31, 2018.

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

(f) Approval is necessary to allow the continuation of these vital services. Without this approval, Verizon Federal, Inc., cannot be paid for goods and services provided in excess of \$1 million for the contract period from April 1, 2017, through March 31, 2018.

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. CW41352 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

22-131

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 6, 2017

To declare the existence of an emergency with respect to the need to approve Modification Nos. 16 and 17 to Contract No. CW15116 with America Works of Washington DC to provide work readiness and placement services for TANF customers, and to authorize payment 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. CW15116 Approval and Payment Authorization Emergency Declaration Resolution of 2017”.

Sec. 2. (a) There exists a need to approve Modification Nos. 16 and 17 to Contract No. CW15116 with America Works of Washington DC to provide work readiness and placement services for TANF customers, and to authorize payment for the goods and services received and to be received for the period from March 1, 2017, through September 30, 2017.

(b) On February 24, 2017, by Modification No. 16, the Office of Contracting and Procurement, on behalf of the Department of Human Services, extended Contract No. CW15116 for the period from March 1, 2017, through June 30, 2017, in the not-to-exceed amount of \$972,144.63.

(c) Modification No. 17 is now necessary to extend the contract for the period from March 1, 2017, through September 30, 2017, and to increase the total not-to-exceed amount to \$1,705,270.23.

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

(e) Approval is necessary to allow the continuation of these vital services. Without this approval, America Works of Washington DC cannot be paid for goods and services provided in excess of \$1 million for the contract period of March 1, 2017, 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 Contract No. CW15116 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

22-132

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 6, 2017

To declare the existence of an emergency with respect to the need to approve Modification Nos. 17 and 18 to Contract No. CW15109 with America Works of Washington DC to provide job placement services for TANF customers, and to authorize payment 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. CW15109 Approval and Payment Authorization Emergency Declaration Resolution of 2017”.

Sec. 2. (a) There exists a need to approve Modification Nos. 17 and 18 to Contract No. CW15109 with America Works of Washington DC to provide job placement services for TANF customers, and to authorize payment for the goods and services received and to be received for the period from January 27, 2017, through September 30, 2017.

(b) On January 26, 2017, by Modification No. 17, the Office of Contracting and Procurement, on behalf of the Department of Human Services, extended Contract No. CW15109 for the period from January 27, 2017, through June 30, 2017, in the not-to-exceed amount of \$655,795.96.

(c) Modification No. 18 is now necessary to extend the contract for the period from January 27, 2017, through September 30, 2017, and to increase the total not-to-exceed amount to \$1,044,376.36.

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

(e) Approval is necessary to allow the continuation of these vital services. Without this approval, America Works of Washington DC cannot be paid for goods and services provided in excess of \$1 million for the contract period January 27, 2017, 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 Contract No. CW15109 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

22-133

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 6, 2017

To declare the existence of an emergency with respect to the need to approve Modification Nos. 17 and 18 to Contract No. CW15111 with Career Team, LLC to provide job placement services for TANF customers, and to authorize payment 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. CW15111 Approval and Payment Authorization Emergency Declaration Resolution of 2017”.

Sec. 2. (a) There exists a need to approve Modification Nos. 17 and 18 to Contract No. CW15111 with Career Team, LLC to provide job placement services for TANF customers, and to authorize payment for the goods and services received and to be received for the period from January 27, 2017, through September 30, 2017.

(b) On January 27, 2017, by Modification No. 17, the Office of Contracting and Procurement, on behalf of the Department of Human Services, extended Contract No. CW15111 for the period from January 27, 2017, through June 30, 2017, in the not-to-exceed amount of \$914,957.46.

(c) Modification No. 18 is now necessary to extend the contract for the period from January 27, 2017, through September 30, 2017, and to increase the total not-to-exceed amount to \$1,457,099.46.

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

(e) Approval is necessary to allow the continuation of these vital services. Without this approval, Career Team, LLC cannot be paid for goods and services provided in excess of \$1 million for the contract period January 27, 2017, 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 Contract No. CW15111 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

22-134

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 6, 2017

To declare the existence of an emergency with respect to the need to approve Modification Nos. 17 and 18 to Contract No. CW15095 with Maximus Human Care Services, Inc. to provide job placement services for TANF customers, and to authorize payment 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. CW15095 Approval and Payment Authorization Emergency Declaration Resolution of 2017”.

Sec. 2. (a) There exists a need to approve Modification Nos. 17 and 18 to Contract No. CW15095 with Maximus Human Care Services, Inc. to provide job placement services for TANF customers, and to authorize payment for the goods and services received and to be received for the period from February 12, 2017, through September 30, 2017.

(b) On February 8, 2017, by Modification No. 17, the Office of Contracting and Procurement, on behalf of the Department of Human Services, extended Contract No. CW15095 for the period from February 12, 2017, through June 30, 2017, in the not-to-exceed amount of \$965,523.31.

(c) Modification No. 18 is now necessary to increase the total not-to-exceed amount for the period from February 12, 2017, through September 30, 2017, to \$1,603,958.11.

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

(e) Approval is necessary to allow the continuation of these vital services. Without this approval, Maximus Human Care Services, Inc. cannot be paid for goods and services provided in excess of \$1 million for the contract period of February 12, 2017, 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 Contract No. CW15095 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

22-135

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 6, 2017

To approve an agreement to enter into a long-term subsidy contract for 15 years in support of the District’s Local Rent Supplement Program to fund housing costs associated with affordable housing units for Contract No. 2015-LRSP-04A with Milestone Senior Owner LLC for program units at Meadow Green Courts Apartments, located at 3605-3615 Minnesota Avenue, S.E.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Local Rent Supplement Program Contract No. 2015-LRSP-04A 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 2015, DCHA participated in a Request for Proposals issued by the District of Columbia Department of Housing and Community Development. Of the total proposals received, 8 developers were chosen to work with DCHA and other District agencies to develop affordable housing and permanent supportive housing units for extremely low-income families making zero to 30% of the area’s median income, as well as the chronically homeless and individuals with mental or physical disabilities. Upon approval of the contract by the Council, DCHA will enter into an agreement to enter into a long-term subsidy contract (“ALTSC”) with the selected housing providers under the LRSP for housing services.

(c) There exists an immediate need to approve the ALTSC with Milestone Senior Owner LLC under the LRSP in order to provide long-term affordable housing units for extremely low-income households in the District for units located at 3605-3615 Minnesota Avenue, S.E.

(d) The legislation to approve the contract will authorize an ALTSC between DCHA and Milestone Senior Owner LLC with respect to the payment of a rental subsidy and allow the

ENROLLED ORIGINAL

owner to lease the rehabilitated units at Meadow Green Courts and house 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 Milestone Senior Owner LLC to provide an operating subsidy in support of 15 affordable housing units in an initial amount not to exceed \$195,144 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

22-136

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 6, 2017

To approve an agreement to enter into a long-term subsidy contract for 15 years in support of the District's Local Rent Supplement Program to fund housing costs associated with affordable housing units for Contract No. 2015-LRSP-05A with 3534 East Cap Venture, LLC for program units at The Solstice, located at 3534 East Capitol Street, N.E.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Local Rent Supplement Program Contract No. 2015-LRSP-05A 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 of behalf of the District.

(b) In April 2015, DCHA participated in a Request for Proposals issued by the District of Columbia Department of Housing and Community Development. Of the total proposals received, 8 developers were chosen to work with DCHA and other District agencies to develop affordable housing and permanent supportive housing units for extremely low-income families making zero to 30% of the area's median income, as well as the chronically homeless and individuals with mental or physical disabilities. Upon approval of the contract by the Council, DCHA will enter into an agreement to enter into a long-term contract ("ALTSC") with the selected housing providers under the LRSP for housing services.

(c) There exists an immediate need to approve the ALTSC with 3534 East Cap Venture, LLC under the LRSP in order to provide long-term affordable housing units for extremely low-income households in the District for units at The Solstice, located at 3534 East Capitol Street, N.E.

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(d) The legislation to approve the contract will authorize an ALTSC between DCHA and 534 East Cap Venture, LLC with respect to the payment of a rental subsidy, and allow the owner to lease the rehabilitated units at The Solstice and house 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 3534 East Cap Venture, LLC for the creation of 15 affordable housing units, in an amount not to exceed \$289,800 annually.

Sec. 4. Transmittal.

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

Sec. 5. Fiscal impact statement.

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

Sec. 6. Effective date.

This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-137

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 6, 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-15-CS-0096 with MCN Build, Inc. for construction management at risk services for Benning Stoddert Recreation Center, and to authorize payment in the aggregate amount of \$1,191,427 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 No. DCAM-15-CS-0096 Approval and Payment Authorization Emergency Declaration Resolution of 2017”.

Sec. 2. (a) There exists an immediate need to approve Change Order Nos. 001 through 005 to Contract No. DCAM-15-CS-0096 with MCN Build, Inc. for construction management at risk services for Benning Stoddert Recreation Center, and to authorize payment in the aggregate amount of \$1,191,427 for the goods and services received and to be received under the change orders.

(b) On August 23, 2016, the Department of General Services (“Department”) executed Change Order No. 001, which increased the contract amount by \$444,855.92, from \$5,529,959 to \$5,974,814.92, based on a revised scope of work. On November 21, 2016, the Department executed Change Order No. 002, which extended the administrative term of the contract for the processing of payments. Change Order No. 002 did not alter the contract amount. On February 9, 2017, the Department executed Change Order No. 003, which increased the contract amount by \$539,530.51, from \$5,974,814.92 to \$6,524,345.43, based on a revised scope of work. On April 20, 2017, the Department executed Change Order No. 004, which established a revised substantial completion date of September 30, 2017, and further extended the administrative term of the contract for the processing of payments. Change Order No. 004 did not alter the contract amount. The aggregate value of Change Order Nos. 001 through 004 did not exceed \$1 million; thus, Council approval was not required.

(c) Proposed Change Order No. 005 would provide further revisions to the contract’s scope of work and would increase the contract amount by an additional \$197,040.57, from \$6,524,345.43 to \$6,721,386, based on a revised scope of work.

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(d) The aggregate value of Change Order Nos. 001 through 005 would be \$1,191,427. Thus, Council approval is now required pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51).

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 No. DCAM-15-CS-0096 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

22-138

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 6, 2017

To declare the existence of an emergency with respect to the need to approve Change Order Nos. 008 and 009 to Contract No. DCAM-14-CS-0074 with MCN Build, Inc. for design-build services for Hyde-Addison Elementary School Complex, and to authorize payment in the aggregate amount of \$18,947,821 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. 008 and 009 to Contract No. DCAM-14-CS-0074 Approval and Payment Authorization Emergency Declaration Resolution of 2017”.

Sec. 2. (a) There exists an immediate need to approve Change Order Nos. 008 and 009 to Contract No. DCAM-14-CS-0074 with MCN Build, Inc. for design-build services for the Hyde-Addison Elementary School Complex, and to authorize payment in the aggregate amount of \$18,947,821 for the goods and services received and to be received under the change orders.

(b) On May 9, 2017, the Department of General Services (“Department”) executed Change Order No. 008, which authorized Phase B Early Release and Preconstruction Work in the amount of \$947,821, increasing the total contract value from \$9,763,921 to \$10,711,742. The value of Change Order No. 008 was less than \$1 million; thus, Change Order No. 008 did not require Council approval.

(c) Council approval is now required because proposed Change Order No. 009 provides for further revisions to the contract’s scope of work necessary to complete Phase B of the modernization of the Hyde-Addison Elementary School Complex and would establish an initial not-to-exceed amount for Phase B of \$18 million, increasing the total contract value from \$10,711,742 to \$28,711,742, based on a revised scope of work. If approved, the aggregate increase to the total contract value, via Change Order Nos. 008 and 009, would be \$18,947,821. Thus, Council approval is now required pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51).

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. 008 and 009 to Contract No. DCAM-14-CS-0074 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

22-139

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 6, 2017

To declare the existence of an emergency with respect to the need to approve Change Order Nos. 17 through 20 to Contract No. DCAM-12-M-1031H-FM with MCN Build, Inc. for design-build services for Powell Elementary School, and to authorize payment in the aggregate amount of \$ 2,852,279.71 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. 17 through 20 to Contract No. DCAM-12-M-1031H-FM Approval and Payment Authorization Emergency Declaration Resolution 2017”.

Sec. 2. (a) There exists an immediate need to approve Change Order Nos. 17 through 20 to Contract No. DCAM-12-M-1031H-FM with MCN Build, Inc. for design-build services for Powell Elementary School, and to authorize payment in the aggregate amount of \$ 2,852,279.71 for the goods and services received and to be received under the change orders.

(b) The underlying contract was approved by the Council as CA20-106.

(c) Change Order Nos. 1 and 2 were approved by the Change Order Nos. 001 and 002 to Contract No. DCAM-12-M-1031H-FM Approval and Payment Authorization Emergency Act of 2014, effective June 18, 2014 (D.C. Act 20-359; 61 DCR 6346).

(d) Change Order Nos. 3 and 4 were approved by the Change Order Nos. 003 and 004 to Contract No. DCAM-12-M-1031H-FM Approval and Payment Authorization Emergency Act of 2015, effective June 17, 2015 (D.C. Act 21-77; 62 DCR 8819).

(e) Change Order Nos. 5 through 16 were approved by the Change Orders to Contract No. DCAM-12-M-1031H-FM Approval and Payment Authorization Emergency Act of 2016, effective June 23, 2016 (D.C. Act 21-41; 63 DCR 9001).

(f) Thereafter, Change Order Nos. 17 through 19 were issued with an aggregate value of \$937,487.52. Because Change Order Nos. 17 through 19 were in amounts less than \$1 million during a 12-month period, Council approval was not required. Proposed Change Order No. 20, in the amount of \$1,914,792.19, would increase the aggregate value of Change Order Nos. 17 through 20 to \$ 2,852,279.71. Council approval is now required, pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), because Change Order Nos. 17 through 20 will increase the total expenditures

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under Contract No. DCAM-12-M-1031H-FM by more than \$1 million during a 12-month period. Council approval is also necessary to compensate MCN Build, Inc. for work completed and to be completed under Change Order Nos. 17 through 20.

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. 17 through 20 to Contract No. DCAM-12-M-1031H-FM 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

22-140

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 6, 2017

To declare the existence of an emergency with respect to the need to approve Modification Nos. 14, 15, and 16 to Contract No. CW18948 with Aramark Correctional Services, LLC to provide a food service program for inmates and to authorize payment for the goods and services received and to be received under the contract modifications.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Modifications to Contract No. CW18948 with Aramark Correctional Services, LLC Approval and Payment Authorization Emergency Declaration Resolution of 2017”.

Sec. 2. (a) There exists a need to approve Modification Nos. 14, 15, and 16 to Contract No. CW18948 with Aramark Correctional Services, LLC to provide a food service program for inmates and to authorize payment for the goods and services received and to be received under Modification Nos. 14, 15, and 16.

(b) By Modification No. 14, the Office of Contracting and Procurement (“OCP”), on behalf of the Department of Corrections, exercised a partial option of option year 2 of Contract No. CW18948 to provide a food service program for inmates for the period from March 1, 2017, through April 30, 2017, in the amount of \$550,000.

(c) By Modification No. 15, OCP, on behalf of the Department of Corrections, exercised a 2nd partial option of option year 2 of Contract No. CW18948 for the period from May 1, 2017, through June 30, 2017, in the amount of \$400,000.

(d) Modification No. 16 is now necessary to exercise the remainder of option year 2 and increase the total not-to-exceed amount for option year 2 to \$4,126,110.

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

(f) Approval is necessary to allow the continuation of these vital services. Without this approval, Aramark Correctional Services, LLC cannot be paid for goods and services provided in excess of \$1 million for the contract period from March 1, 2017, through February 28, 2018.

ENROLLED ORIGINAL

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modifications to Contract No. CW18948 with Aramark Correctional Services, LLC 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

22-141

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 6, 2017

To declare the existence of an emergency with respect to the need to approve Modification Nos. 7 and 8 to Contract No. CW19745 with First Vehicle Services, Inc. to provide fleet maintenance and repair services for the Metropolitan Police Department, and to authorize payment for the goods and services received and to be received under the contract modifications.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Modifications to Contract No. CW19745 with First Vehicle Services, Inc., Approval and Payment Authorization Emergency Declaration Resolution of 2017”.

Sec. 2. (a) There exists a need to approve Modification Nos. 7 and 8 to Contract No. CW19745 with First Vehicle Services, Inc. to provide fleet maintenance and repair services for the Metropolitan Police Department and to authorize payment for the goods and services received and to be received under the contract modifications.

(b) On May 1, 2013, the Office of Contracting and Procurement (“OCP”), on behalf of the Metropolitan Police Department (“MPD”), entered into Contract No. CW19745 from May 1, 2013, through April 30, 2015, in the not-to-exceed amount of \$18,452,629.28.

(c) By Modification No 7, dated April 28, 2017, OCP, on behalf of MPD, partially exercised Option Year 2 for Contract No. CW19745 for the period from May 1, 2017, through June 24, 2017, in the total not-to-exceed amount of \$992,601.58.

(d) Modification No. 8 is now necessary to increase the funding of Contract No. CW19745 by \$5,594,663.42 for the remainder of Option Year 2, raising the total contract amount to \$6,587,265 for the period from May 1, 2017, through April 30, 2018.

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

(f) Approval is necessary to allow the continuation of these vital services. Without this approval, First Vehicle Services, Inc. cannot be paid for goods and services provided in excess of \$1 million for the contract period from May 1, 2017, through April 30, 2018.

ENROLLED ORIGINAL

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modifications to Contract No. CW19745 with First Vehicle Services, Inc., 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

22-142

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 6, 2017

To declare the existence of an emergency with respect to the need to amend the Legalization of Marijuana for Medical Treatment Initiative of 1999 to establish a preference for certified business enterprises that apply for the registration of a dispensary, cultivation center, or testing laboratory.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Medical Marijuana Certified Business Enterprise Preference Emergency Declaration Resolution of 2017”.

Sec. 2. (a) The Legalization of Marijuana for Medical Treatment Initiative of 1999, effective July 27, 2010 (D.C. Law 18-210; D.C. Official Code § 7-1671.01, *et seq.*), established a medical marijuana program in the District. Pursuant to this act, the Mayor could register a maximum of 8 dispensaries to ensure that qualifying patients have adequate access to medical marijuana.

(b) The Medical Marijuana Dispensary Emergency Amendment Act of 2016, effective December 1, 2016 (D.C. Act 21-573; 63 DCR 15689), and the Medical Marijuana Dispensary Temporary Amendment Act of 2016, effective April 1, 2017 (D.C. Law 21-234; 64 DCR 3407), required the Mayor to open a new registration period for the registration of a dispensary in Ward 7 or Ward 8.

(c) The Certified Business Enterprise program ensures that certified businesses have more than 50% of their assets located in the District, that more than 50% of their total sales or other revenues are derived from transactions in the District, that more than 50% of their employees are District residents, or that more than 50% of their owners are District residents.

(d) The Certified Business Enterprise program is one of the most progressive local inclusion programs in the United States and serves as a best practice model for other local and state jurisdictions.

(e) The continued development of the medical marijuana industry should be as inclusive of bona fide local businesses as possible, in order to ensure that the industry supports the growth of District-based entrepreneurs and businesses that invest in the community.

(f) The emergency legislation will ensure that certified business enterprises have an opportunity to compete for any new dispensary, cultivation center, or testing laboratory registrations, including the new dispensary planned for Ward 7 or Ward 8.

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(g) A permanent version of this legislation was introduced on February 21, 2017, and has been referred to the Committee on Business and Economic Development for further action.

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 Medical Marijuana Certified Business Enterprise Preference Emergency Amendment Act of 2017 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-144

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 6, 2017

To declare the existence of an emergency with respect to the need to approve leave and retirement benefits for Peter Newsham, the Chief of Police of the Metropolitan Police Department.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Leave and Retirement Modifications for the Chief of Police Peter Newsham Emergency Declaration Resolution of 2017”.

Sec. 2. (a) There exists an immediate need to approve the leave and retirement benefits for Peter Newsham, the Chief of Police of the Metropolitan Police Department, established by section 1061 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective June 10, 1998 (D.C. Law 12-124; D.C. Official Code § 1-610.61), and section 12(h) of the Policemen and Firemen’s Retirement and Disability Act, approved August 21, 1957 (71 Stat. 395; D.C. Official Code § 5-712).

(b) Peter Newsham was nominated by Mayor Muriel Bowser as the Chief of Police on February 28, 2017, and confirmed by the Council on May 2, 2017, pursuant to the Chief of the Metropolitan Police Department Peter Newsham Confirmation Resolution of 2017, effective May 12, 2017 (Res. 22-110; 64 DCR 4580).

(c) The accompanying legislation would authorize Peter Newsham to continue accruing annual and sick leave consistent with the leave he earned before his confirmation as the Chief of Police. Additionally, it provides for an annuity calculated at 80% of his average highest base pay for 24 consecutive months at the time he voluntary retires or is otherwise separated from the Metropolitan Police Department.

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 Leave and Retirement Modifications for Chief of Police Peter Newsham 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****BILLS**

B22-324 Notary Public Electronic Establishment and Enhancement Amendment Act of 2017

Intro. 6-5-17 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Government Operations

B22-325 Universal Paid Leave Amendment Act of 2017

Intro. 6-7-17 by Councilmember Cheh and referred to the Committee of the Whole

PROPOSED RESOLUTIONS

PR22-359 Franklin School Surplus Declaration and Approval Resolution of 2017

Intro. 6-5-17 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Transportation and the Environment

PR22-360 Franklin School Disposition Approval Resolution of 2017

Intro. 6-5-17 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 Government Operations
Notice of a Public Hearing**

John A. Wilson Building 1350 Pennsylvania Avenue, NW, Suite 117 Washington, DC 20004

**Councilmember Brandon Todd, Chair
Committee on Government Operations
Announces a Public Hearing**

on

- **B22-0063 - Wi-Fi Task Force Act of 2017**
- **B22-0160 - Digital Literacy Council Establishment Act of 2017**

**Monday, July 10, 2017, 1:00 P.M.
John A. Wilson Building, Room 412
1350 Pennsylvania Avenue, N.W.
Washington, DC 20004**

Councilmember Brandon Todd announces the scheduling of a public hearing by the Committee on Government Operations on B22-063, the “Wi-Fi Task Force Act of 2017”, and B22-160, the “Digital Literacy Council Establishment Act of 2017”. The public hearing is scheduled for Monday, July 10, 2017 at 1:00 p.m. in Room 412 of the John A. Wilson Building, 1350 Pennsylvania Ave., NW, Washington, DC 20004.

B22-063 establishes a wireless network task force to provide policy recommendations on how the District can efficiently provide free wireless internet access throughout the District and construct and operate a municipal wireless network.

B22-160 establishes a Digital Literacy Council to advise the Mayor and Council on how to improve the digital literacy of the residents of the District. The Mayor and the Office of the State Superintendent are required to submit to the Council a digital literacy education development strategic plan for public schools and workforce development programs developed by the Digital Literacy Council (DLC). It establishes the number of positions and the makeup of the DLC. Among other things it establishes a non-lapsing Digital Literacy Council Fund to be administered by the Office of the Chief Technology Officer.

Individuals and representatives of organizations who wish to testify at the public hearing are asked to contact Faye Caldwell of the Committee on Government Operations at (202) 724-6663 or by email at fcaldwell@dccouncil.us and provide their name(s), address, telephone number, email address, and organizational affiliation, if any, by close of business Friday, July 7, 2017. Each witness is requested to bring 20 copies of his/her written testimony. Representatives of organizations and government agencies will be limited to 5 minutes in order to permit each witness an opportunity to be heard. Individual witnesses will be limited to 3 minutes.

If you are unable to testify at the public hearing, written statements are encouraged and will be made a part of the official record. The official record will remain open until close of business Wednesday, July 12, 2017. Copies of written statements should be submitted to the Committee on Government Operations, Council of the District of Columbia, Suite 117 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004.

**Council of the District of Columbia
Committee on Government Operations
Notice of a Public Hearing**

John A. Wilson Building 1350 Pennsylvania Avenue, NW, Suite 117 Washington, DC 20004

**Councilmember Brandon Todd, Chair
Committee on Government Operations**

Announces a Public Hearing

on

- **B22-318 - Office on African American Affairs Establishment Act of 2017**
- **B22-109 - Commission on African American History and Culture Establishment Act of 2017**
- **B22-165 - The Grant Administration Amendment Act of 2017**

**Thursday, July 6, 2017, 1:00 P.M.
John A. Wilson Building, Room 500
1350 Pennsylvania Avenue, N.W.
Washington, DC 20004**

Councilmember Brandon Todd announces the scheduling of a public hearing by the Committee on Government Operations on B22-318, the “Office on African American Affairs Establishment Act of 2017”, B22-109, the “Commission on African American History and Culture Establishment Act of 2017”, and B22-165, the “Grant Administration Amendment Act of 2017”. The public hearing is scheduled for Thursday, July 6, 2017 at 1:00 p.m. in Room 500 of the John A. Wilson Building, 1350 Pennsylvania Ave., NW, Washington, DC 20004.

B22-318 establishes an Office on African American Affairs within District government to ensure that a full range of housing, health, education, employment, social services, public safety, and business opportunities are available to the African American community in the District of Columbia.

B22-109 establishes a Commission on African American History and Culture in the Mayor's Office on African American Affairs (Commission). Among other things, the Commission's duties are as follows: educate District residents and visitors on the significance of the African American experience in the District, cooperate with the Office of the State Superintendent of Education to develop materials that support the teaching of African American history in District public and charter schools, and provide grants that provide for African American historic preservation and public programming projects in the District.

B22-165 makes it unlawful for a grantor to require a person applying for a grant to disclose whether the applicant or the applicant's agents have been charged, indicted, or convicted of an offense, or is the subject of legal proceedings related to the applicant's organization.

Individuals and representatives of organizations who wish to testify at the public hearing are asked to contact Faye Caldwell of the Committee on Government Operations at (202) 724-6663 or by email at fcaldwell@dccouncil.us and provide their name(s), address, telephone number, email address, and organizational affiliation, if any, by close of business Wednesday, July 5, 2017. Each witness is requested to bring 20 copies of his/her written testimony. Representatives of organizations and government agencies will be limited to 5 minutes in order to permit each witness an opportunity to be heard. Individual witnesses will be limited to 3 minutes.

If you are unable to testify at the public hearing, written statements are encouraged and will be made a part of the official record. The official record will remain open until close of business Monday, July 10, 2017. Copies of written statements should be submitted to the Committee on Government Operations, Council of the District of Columbia, Suite 117 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004.

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

**CHAIRPERSON ELISSA SILVERMAN
COMMITTEE ON LABOR AND WORKFORCE DEVELOPMENT**

ANNOUNCES A PUBLIC ROUNDTABLE

Office of Employee Appeals Jelani Freeman Confirmation Resolution of 2017 (PR 22-0313)

**Thursday, June 22, 2017
10:00 a.m., Hearing Room 120, John A. Wilson Building
1350 Pennsylvania Avenue, NW
Washington, DC 20004**

Councilmember Elissa Silverman, Chairperson of the Committee on Labor and Workforce Development, announces a public roundtable before the Committee on the “Office of Employee Appeals Jelani Freeman Confirmation Resolution of 2017” (PR 22-0237). The roundtable will be held at 10:00 a.m. on Thursday, June 22, 2017, in Room 120 of the John A. Wilson Building.

Those who wish to testify before the Committee are asked to contact Ms. Charnisa Royster at croyster@dccouncil.us or (202) 724-7772 by close of business Tuesday, June 20, 2017, to provide your name, address, telephone number, organizational affiliation and title (if any), as well as the language of oral interpretation, if any, they require. Those wishing to testify are encouraged, but not required, to submit 15 copies of written testimony. Those representing organizations will have five minutes to present their testimony, and other individuals will have three minutes to present their testimony; less time will be allowed if there are a large number of witnesses.

If you are unable to testify at the roundtable, written statements are encouraged and will be made a part of the official record. Written statements should be submitted by email to Ms. Royster at croyster@dccouncil.us or mailed to the Committee on Labor and Workforce Development, Council of the District of Columbia, Suite 115 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004. The record will close at 12:00 p.m. on June 26, 2017.

**COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE ON EDUCATION
NOTICE OF PUBLIC ROUNDTABLE**
1350 Pennsylvania Avenue, NW, Washington, DC 20004

**COUNCILMEMBER DAVID GROSSO
COMMITTEE ON EDUCATION
ANNOUNCES A PUBLIC ROUNDTABLE**

on

PR22-0323, Board of Library Trustees C. Brian Williams Confirmation Resolution of 2017

on

**Friday, June 30, 2017
10:00 a.m., Hearing Room 412, John A. Wilson Building
1350 Pennsylvania Avenue, NW
Washington, DC 20004**

Councilmember David Grosso announces the scheduling of a public roundtable of the Committee on Education on PR22-0323, Board of Library Trustees C. Brian Williams Confirmation Resolution of 2017. The roundtable will be held at 10:00 a.m. on Friday, June 30, 2017 in Hearing Room 412 of the John A. Wilson Building.

The stated purpose of PR22-0323 is to confirm the appointment of Mr. C. Brian Williams as a member of the Board of Library Trustees 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), and pursuant to section 4 of an Act To establish and provide for the maintenance of a free public library and reading room in the District of Columbia, approved June 3, 1896 (29 Stat. 244; D.C. Official Code § 39-104).

Those who wish to testify may sign-up online at <http://bit.do/educationhearings> or call the Committee on Education at (202) 724-8061 by 5:00p.m. Wednesday, June 28. Persons wishing to testify are encouraged, but not required, to submit 15 copies of written testimony. Witnesses appearing on their own behalf should limit their testimony to three minutes; witnesses representing organizations should limit their testimony to five minutes.

If you are unable to testify at the hearing, written statements are encouraged and will be made a part of the official record. Written statements should be submitted to Ashley Strange, Committee Assistant, via email at astrange@dccouncil.us, or via post to the Committee on Education, Council of the District of Columbia, Suite 116 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004. The record will close at 5:00 p.m. on Friday July 6, 2017.

COUNCIL OF THE DISTRICT OF COLUMBIA
Office of the Budget Director



Jennifer Budoff
Budget Director

CERTIFICATION

Certification by Chief Financial Officer for the
"Death with Dignity Act of 2016"

Pursuant to Section 18(c) of the Death with Dignity Act of 2016, effective February 18, 2017 (D.C. Law 21-182; 64 DCR 2691), the Chief Financial Officer transmitted to the Budget Director of the Council a certification, dated June 6, 2017, that the fiscal effect of the Death with Dignity Act of 2016 has been included in an approved budget and financial plan.


Jennifer Budoff, Budget Director

**COUNCIL OF THE DISTRICT OF COLUMBIA
CONSIDERATION OF TEMPORARY LEGISLATION**

B22-240, Fiscal Year 2017 Revised Budget Request Temporary Amendment Act of 2017 was adopted on first reading on June 13, 2017. This temporary measure was considered in accordance with Council Rule 413. A final reading on this measure will occur on June 27, 2017.

COUNCIL OF THE DISTRICT OF COLUMBIA EXCEPTED SERVICE APPOINTMENTS AS OF MAY 31, 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
Kohn, Jacob	Legislative Counsel	7	Excepted Service - Reg Appt
Cameron, Malcolm	Legislative Assistant	4	Excepted Service - Reg Appt
Hillegass, John	Constituent Services Coordinator	3	Excepted Service - Reg Appt
Savery, Daniel	Legislative Assistant	7	Excepted Service - Reg Appt
Brown, Kesia	Legislative Counsel	7	Excepted Service - Reg Appt
Johnson, Dare	Administrative Assistant	4	Excepted Service - Reg Appt
DuCote, Sonte	Legislative Assistant	4	Excepted Service - Reg Appt
Mattison, Jeanne	Constituent Services Specialist	4	Excepted Service - Reg Appt

COUNCIL OF THE DISTRICT OF COLUMBIA
Notice of Reprogramming Requests

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

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

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

Reprog. 22-50

Request to reprogram \$694,300 of Fiscal Year 2017 Local funds budget authority within the District of Columbia Public Library (DCPL) was filed within the Office of the Secretary on June 7, 2017. This reprogramming ensures that DCPL will be able to support essential facility improvements at multiple libraries, which include ADA door modifications, installation of a security monitoring system, and signage installation, as well as the Fab Lab and studio relocation costs.

RECEIVED: 14 day review begins June 8, 2017

Reprog. 22-51

Request to reprogram \$1,000,000 of Fiscal Year 2017 Local funds budget authority from the Department of Health (DOH) to the Department of Energy and Environment (DOEE) was filed in the Office of the Secretary on June 9, 2017. This reprogramming ensures that DOEE is able to make additional funding available for the Low-Income Home Energy Assistance Program (LIHEAP).

RECEIVED: 14 day review begins June 12, 2017

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date: June 16, 2017
Protest Petition Deadline: July 31, 2017
Roll Call Hearing Date: August 14 2017
Protest Hearing Date: October 11, 2017

License No.: ABRA-106537
Licensee: City Tap 1250 DC, LLC
Trade Name: City Tap House
License Class: Retail Class "C" Restaurant
Address: 1250 Connecticut Avenue, N.W.
Contact: Stephen O'Brien: 202 686-7600

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 August 14, 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 **October 11, 2017 at 1:30 p.m.**

NATURE OF OPERATION

New Restaurant serving contemporary food. Total Occupancy Load of 315. Sidewalk Café with 30 seats.

HOURS OF OPERATION ON PREMISE

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

HOURS OF ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION ON PREMISE

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

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

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

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: June 16, 2017
Petition Date: July 31, 2017
Hearing Date: August 14, 2017
Protest Hearing: October 11, 2017

License No.: ABRA-106688
Licensee: Carr Waterfront Hotel LLC
Trade Name: InterContinental Washington, D.C. - The Wharf
License Class: Retailer's Class "C" Hotel
Address: 801 Water Street, S.W.
Contact: Andrew Kline, 202 686-7600

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 August 14, 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 **October 11, 2017 at 4:30 p.m.**

NATURE OF OPERATION

New Hotel with 278 rooms. Entertainment and Dancing. Total Occupancy Load of 227. Summer Garden with 72 seats and Sidewalk Café with 40 seats.

HOURS OF OPERATION ON PREMISE

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

HOURS OF OPERATION FOR SIDEWALK CAFÉ AND SUMMER GARDEN

Sunday through Saturday 7 am -12 am

HOURS OF ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION ON PREMISE AND FOR SIDEWALK CAFÉ AND SUMMER GARDEN

Sunday through Saturday 11 am - 12 am

HOURS OF ENTERTAINMENT

Sunday through Saturday 6 pm -12 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date: June 16, 2017
Protest Petition Deadline: July 31, 2017
Roll Call Hearing Date: August 14, 2017
Protest Hearing Date: October 11, 2017

License No.: ABRA-106450
Licensee: Maydan, LLC
Trade Name: Maydan
License Class: Retailer's Class "C" Tavern
Address: 1346 Florida Avenue, N.W.
Contact: Andrew Kline: (202) 686-7600

WARD 1

ANC 1B

SMD 1B04

Notice is hereby given that this licensee has applied for a new license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the Roll Call Hearing date on August 14, 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 October 11, 2017 at 1:30 p.m.

NATURE OF OPERATION

New Class "C" Tavern serving Middle Eastern food and offering alcoholic beverages. Total Occupancy Load of 135. Offering Live Entertainment.

HOURS OF OPERATION

Sunday through Thursday 7:00 am – 2:00 am, Friday and Saturday 7:00 am – 3:00 am

HOURS OF ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION

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

HOURS OF LIVE ENTERTAINMENT

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

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
6/16/2017

Notice is hereby given that:

License Number: ABRA-105261

License Class/Type: C Restaurant

Applicant: N & D Entertainment, LLC

Trade Name: Phoenix Restaurant Lounge

ANC: 1C03

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

2434 18TH ST NW, WASHINGTON, DC 20009

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

7/31/2017

A HEARING WILL BE HELD ON:

8/14/2017

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

ENDORSEMENT(S): Cover Charge Dancing Entertainment

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	9 am - 2 am	9 am - 2 am	6 pm - 2 am
Monday:	12 pm - 2 am	12 pm - 2 am	6 pm - 2 am
Tuesday:	12 pm - 2 am	12 pm - 2 am	6 pm - 2 am
Wednesday:	12 pm - 2 am	12 pm - 2 am	6 pm - 2 am
Thursday:	12 pm - 2 am	12 pm - 2 am	6 pm - 2 am
Friday:	12 pm - 3 am	12 pm - 3 am	6 pm - 3 am
Saturday:	9 am - 3 am	12 pm - 3 am	6 pm - 3 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

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

Placard Posting Date: June 16, 2017
Protest Petition Deadline: July 31, 2017
Roll Call Hearing Date: August 14, 2017
Protest Hearing Date: October 11, 2017

License No.: ABRA-106552
Licensee: Shake Shack Washington D.C. LLC
Trade Name: Shake Shack
License Class: Retailer's Class "D" Restaurant
Address: 975 Wharf Street, S.W.
Contact: Andrew Kline: (202) 686-7600

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 August 14, 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 **October 11, 2017 at 4:30 p.m.**

NATURE OF OPERATION

A restaurant that will serve American cuisine specializing in burgers and shakes. The restaurant is requesting a Sidewalk Café with seating for 22 patrons. Total Occupancy Load is 134.

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

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

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date: June 16, 2017
Protest Petition Deadline: July 31, 2017
Roll Call Hearing Date: August 14, 2017
Protest Hearing Date: October 11, 2017

License No.: ABRA-106709
Licensee: Shemp, LLC
Trade Name: TBD
License Class: Retailer's Class "C" Restaurant
Address: 1250 - 1274 5th Street, N.E.
Contact: Matt Minora, Esq.: 202 625-7700

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 August 14, 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 **October 11, 2017 at 4:30 p.m.**

NATURE OF OPERATION

New Restaurant offering steakhouse cuisine from the grill with 150 seats, a Summer Garden with 20 seats and a Total Occupancy Load of 199.

HOURS OF OPERATION AND ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION INSIDE PREMISES AND FOR SUMMER GARDEN

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

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date: June 16, 2017
Protest Petition Deadline: July 31, 2017
Roll Call Hearing Date: August 14, 2017
Protest Hearing Date: October 11, 2017

License No.: ABRA-106670
Licensee: Zenebech Restaurant, LLC
Trade Name: Zenebech Restaurant
License Class: Retailer’s Class “C” Restaurant
Address: 2420-2422 18th Street, N.W.
Contact: Michael Fonseca, Esq.: 202-625-7700

WARD 1

ANC 1C

SMD 1C03

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 August 14, 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 **October 11, 2017 at 1:30 p.m.**

NATURE OF OPERATION

A new full-service restaurant serving Ethiopian cuisine. Seating capacity of 75 inside. Total Occupancy Load of 83. Sidewalk Café with 20 seats. No entertainment, performances or dancing.

HOURS OF OPERATION AND ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION ON PREMISE

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

HOURS OF OPERATION AND ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION ON THE SIDEWALK CAFE

Sunday through Thursday 9 am – 11 pm, Friday and Saturday 9 am – 12 am

HISTORIC PRESERVATION REVIEW BOARD**NOTICE OF PUBLIC HEARING**

The D.C. Historic Preservation Review Board will hold a public hearing to consider applications to designate the following properties as historic landmarks in the D.C. Inventory of Historic Sites. The Board will also consider the nomination of the properties to the National Register of Historic Places:

Case No. 17-11: U.S. Department of State
2201 C Street NW
Square 84, Lot 807
Affected Advisory Neighborhood Commission: 2A

Case No. 16-06: Twin Oaks Playground
4025 14th Street NW
Square 2823, Lot 803
Affected Advisory Neighborhood Commission: 4C

The hearing will take place at **9:00 a.m. on Thursday, July 27, 2017**, at 441 Fourth Street, NW (One Judiciary Square), in Room 220 South. It will be conducted in accordance with the Review Board's Rules of Procedure (10C DCMR 2). A copy of the rules can be obtained from the Historic Preservation Office at 1100 4th Street, SW, Suite E650, Washington, DC 20024, or by phone at (202) 442-8800, and they are included in the preservation regulations which can be found on the Historic Preservation Office website.

The Board's hearing is open to all interested parties or persons. Public and governmental agencies, Advisory Neighborhood Commissions, property owners, and interested organizations or individuals are invited to testify before the Board. Written testimony may also be submitted prior to the hearing. All submissions should be sent to the address above.

For each property, a copy of the historic landmark application is currently on file and available for inspection by the public at the Historic Preservation Office. A copy of the staff report and recommendation will be available at the office five days prior to the hearing. The office also provides information on the D.C. Inventory of Historic Sites, the National Register of Historic Places, and Federal tax provisions affecting historic property.

If the Historic Preservation Review Board designates the property, it will be included in the D.C. Inventory of Historic Sites, and will be protected by the D.C. Historic Landmark and Historic District Protection Act of 1978. The Review Board will simultaneously consider the nomination of the property to the National Register of Historic Places. The National Register is the Federal government's official list of prehistoric and historic properties worthy of preservation. Listing in the National Register provides recognition and assists in preserving our nation's heritage. Listing provides recognition of the historic importance of properties and assures review of Federal undertakings that might affect the character of such properties. If a property is listed in the Register, certain Federal rehabilitation tax credits for rehabilitation and other provisions may

apply. Public visitation rights are not required of owners. The results of listing in the National Register are as follows:

Consideration in Planning for Federal, Federally Licensed, and Federally Assisted Projects: Section 106 of the National Historic Preservation Act of 1966 requires that Federal agencies allow the Advisory Council on Historic Preservation an opportunity to comment on all projects affecting historic properties listed in the National Register. For further information, please refer to 36 CFR 800.

Eligibility for Federal Tax Provisions: If a property is listed in the National Register, certain Federal tax provisions may apply. The Tax Reform Act of 1986 (which revised the historic preservation tax incentives authorized by Congress in the Tax Reform Act of 1976, the Revenue Act of 1978, the Tax Treatment Extension Act of 1980, the Economic Recovery Tax Act of 1981, and the Tax Reform Act of 1984) provides, as of January 1, 1987, for a 20% investment tax credit with a full adjustment to basis for rehabilitating historic commercial, industrial, and rental residential buildings. The former 15% and 20% Investment Tax Credits (ITCs) for rehabilitation of older commercial buildings are combined into a single 10% ITC for commercial and industrial buildings built before 1936. The Tax Treatment Extension Act of 1980 provides Federal tax deductions for charitable contributions for conservation purposes of partial interests in historically important land areas or structures. Whether these provisions are advantageous to a property owner is dependent upon the particular circumstances of the property and the owner. Because the tax aspects outlined above are complex, individuals should consult legal counsel or the appropriate local Internal Revenue Service office for assistance in determining the tax consequences of the above provisions. For further information on certification requirements, please refer to 36 CFR 67.

Qualification for Federal Grants for Historic Preservation When Funds Are Available: The National Historic Preservation Act of 1966, as amended, authorizes the Secretary of the Interior to grant matching funds to the States (and the District or Columbia) for, among other things, the preservation and protection of properties listed in the National Register.

Owners of private properties nominated to the National Register have an opportunity to concur with or object to listing in accord with the National Historic Preservation Act and 36 CFR 60. Any owner or partial owner of private property who chooses to object to listing must submit to the State Historic Preservation Officer a notarized statement certifying that the party is the sole or partial owner of the private property, and objects to the listing. Each owner or partial owner of private property has one vote regardless of the portion of the property that the party owns. If a majority of private property owners object, a property will not be listed. However, the State Historic Preservation Officer shall submit the nomination to the Keeper of the National Register of Historic Places for a determination of eligibility for listing in the National Register. If the property is then determined eligible for listing, although not formally listed, Federal agencies will be required to allow the Advisory Council on Historic Preservation an opportunity to comment before the agency may fund, license, or assist a project which will affect the property. If an owner chooses to object to the listing of the property, the notarized objection must be submitted to the above address by the date of the Review Board meeting.

For further information, contact Tim Dennee, Landmarks Coordinator, at 202-442-8847.

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF PUBLIC HEARING**

TIME AND PLACE: **Monday, July 31, 2017, @ 6:30 p.m.**
Jerrily R. Kress Memorial Hearing Room
441 4th Street, N.W., Suite 220
Washington, D.C. 20001

FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:

CASE NOS. 05-28R and 05-28S (Parkside Residential, LLC – First-Stage PUD Modifications of Significance and Second-Stage PUDs @ Square 5041, Lot 807 [Parkside Block F, Parcel 8] and Square 5056, Lot 810 [Parkside Block F, Parcel 10])

THIS CASE IS OF INTEREST TO ANC 7D

On February 7, 2017, the Office of Zoning received applications from Parkside Residential, LLC (“Applicant”) for second-stage PUD review of two separate parcels within Block F, known as Parcel 8 and Parcel 10. The two parcels are not contiguous and as such, were filed as separate applications (Z.C. Case Nos. 05-28R and 05-28S, respectively). The Applicant simultaneously filed a request that the applications be set down and subsequently heard together at a single hearing. The Zoning Commission set both applications down for a public hearing at its public meeting on May 22, 2017, and granted the Applicant’s request that the applications be heard in a single hearing.

The Applicant is requesting review and approval of second-stage PUDs and modifications of significance of the first-stage order in Z.C. Case Nos. 05-28R and 05-28S pursuant to Subtitle X, Chapter 3 and Subtitle Z, Chapter 3 of the Administrative Regulations¹ contained in Title 11 DCMR for the construction of a multifamily residential building with potential ground floor retail on both Parcels 8 and 10. Parcels 8 and 10 will also include a total of 25 townhomes, as described in more detail below.

The property that is the subject of these applications consists of two separate parcels comprising a total of approximately 79,687 square feet. The property is currently vacant and is generally bounded by Kenilworth Terrace, N.E. to the southeast, Parkside Place, N.E. to the northwest, Cassell Place, N.E. to the northeast, and Roosevelt Place, N.E. to the southwest.² The subject property is in the underlying R-5-B zone district, and a Zoning Map amendment to the C-3-A zone district was approved for the property as part of the first-stage order in Z.C. Case No. 05-28.

The applications propose to develop a multi-family building with below grade parking on each parcel. The multifamily buildings will each have a maximum height of approximately 85 feet and consist of approximately 106,500 square feet and 112,000 square feet of residential gross

¹ The Administrative Regulations consist of Titles A, X, Y, and Z. *See* 11-A DCMR § 200.3.

² The applications do not include the property known as “Parcel 9”, which is the subject of Z.C. Case No. 05-28Q.

floor area on Parcels 8 and 10, respectively. The Applicant seeks flexibility to convert approximately 7,409 square feet of gross floor area of the multifamily building to retail use on Parcel 8 and 7,155 square feet on Parcel 10 in the event a retail market is established in this location. A total of 25 townhome units will be located on the parcels (12 townhomes will be located on Parcel 8 and 13 townhomes will be located on Parcel 10).

Parcel 8 will have a floor area ratio (“FAR”) of 3.82, a lot occupancy of 61.5%, and include 70 parking spaces for the multifamily building, plus individual garage parking spaces for each townhouse. Parcel 10 will have an FAR of 3.75, a lot occupancy of 57.8%, and include 71 parking spaces for the multifamily building, plus individual garage parking spaces for each townhouse. The applications simultaneously seek modifications of significance of the first-stage order with respect to the building footprint, gross floor area, lot occupancy, use, and parking.

On May 12, 2017, the District Office of Planning filed a report requesting certain modifications to the project and recommending that the Zoning Commission set the applications down for public hearing. On May 22, 2017, at a regular public meeting, the Zoning Commission set the applications down for public hearing. As noted above, it granted the Applicant’s request to have both applications heard at the same time and stated that all filings for these cases shall be made in Z.C. Case No. 05-28R. The Applicant filed a pre-hearing statement on May 26, 2017.

This public hearing will be conducted in accordance with the contested case provisions of the Subtitle Z, Chapter 4 of the Administrative Regulations.

How to participate as a witness.

Interested persons or representatives of organizations may be heard at the public hearing. The Commission also requests that all witnesses prepare their testimony in writing, submit the written testimony prior to giving statements, and limit oral presentations to summaries of the most important points. The applicable time limits for oral testimony are described below. Written 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 Administrative 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: <http://dcoz.dc.gov/services/app.shtm>. 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 <http://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 G. MAY, PETER A. SHAPIRO 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.

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

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF PUBLIC HEARING**

TIME AND PLACE: **Thursday, September 7, 2017, @ 6:30 p.m.**
Jerrily R. Kress Memorial Hearing Room
441 4th Street, N.W. Suite 220-S
Washington, D.C. 20001

FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:

CASE NO. 14-11D (Text Amendment to Subtitle A § 301 – 11 DCMR (Vesting Provision for Z.C. Case No. 14-11B))

THIS CASE IS OF INTEREST TO ALL ANCs

The Office of Planning (OP), in a report dated May 12, 2017, petitioned the Zoning Commission for the District of Columbia (Commission) to amend § 301 of Subtitle A of Title 11 DCMR to add a limited exception to 11-A DCMR § 301 4, which provides that development rights do not vest until a building permit is issued.

This limited exception concerns building permit applications that were filed and accepted as complete by the Department of Consumer and Regulatory Affairs (DCRA) on or before March 27, 2017 that proposed the construction of a rear wall of an attached or semi-detached building in an R-2, R-3, R-13, R-17, R-20, or RF zone that would extend farther than ten feet (10 ft.) beyond the farthest rear wall of an adjoining principal residential building on an adjoining property. March 27th is the date that the Commission took final action to adopt a rule prohibiting such construction without a special exception.

That prohibition became effective upon the publication Z.C. Order No. 14-11B on April 28, 2017. Thus, in accordance with Subtitle A § 301.4, any pending building permit application proposing such construction in the above-reference zones could no longer go forward without a redesign or special exception. The Department of Consumer and Regulatory Affairs reported that at least twenty (20) such applications were filed and accepted as complete on or before March 27, 2017, and several had already received zoning clearance. The proposed rule would permit such applications to be processed if not substantially changed after filing.

At its regular public meeting held May 22, 2017, the Commission adopted the limited exception on an emergency basis, authorized the publication of a combined Notice of Emergency and Proposed rulemaking, and set down this case for a public hearing.

The Notice of Emergency and Proposed Rulemaking also appears in this edition of the *D.C. Register*. Because the proposed amendment is to Subtitle A, which is part of the Commission's Administrative Regulations (*See* 11 DCMR § 200.3), no referral to the National Capital Planning Commission will be made. Therefore, once this hearing is concluded, all of the prerequisites for the Commission to take final action on this rule will have been met.

The following amendment to the Administrative Regulations is proposed:

Title 11 DCMR, ZONING REGULATIONS OF 2016, is amended as follows:

A new § 301.14 is added to § 301, BUILDING PERMITS, of Chapter 3, ADMINISTRATION AND ENFORCEMENT, of Title 11-A, AUTHORITY AND APPLICABILITY, to read as follows

301.14 Notwithstanding Subtitle A § 301.4, Subtitle D §§ 306.3, 306.4, 706.3, 706.4, 1006.2, 1006.3 1206.3, and 1206.4, and, Subtitle E §§ 205.4 and 205.5, a rear wall of an attached or semi-detached building may be constructed to extend farther than ten feet (10 ft.) beyond the farthest rear wall of any adjoining principal residential building on an adjoining property provided that the building permit application for such construction was filed and accepted as complete by the Department of Consumer and Regulatory Affairs on or before March 27, 2017 and not substantially changed after filing.

Proposed amendments to the Administrative Regulations of the Commission are authorized pursuant to the Zoning Act of June 20, 1938, (52 Stat. 797), as amended, D.C. Official Code § 6-641.01, *et seq.*

The public hearing on this case will be conducted as a rulemaking in accordance with the provisions of Subtitle Z, Chapter 5.

How to participate as a witness.

Interested persons or representatives of organizations may be heard at the public hearing. The Commission also requests that all witnesses prepare their testimony in writing, submit the written testimony prior to giving statements, and limit oral presentations to summaries of the most important points. The applicable time limits for oral testimony are described below. Written statements, in lieu of personal appearances or oral presentation, may be submitted for inclusion in the record.

Time limits.

All individuals, organizations, or associations wishing to testify in this case are encouraged to inform the Office of Zoning of 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. | Organizations | 5 minutes each |
| 2. | Individuals | 3 minutes each |

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 <http://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.**

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DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS**NOTICE OF PROPOSED RULEMAKING**

The Director of the Department of Consumer and Regulatory Affairs and the Construction Codes Coordinating Board, pursuant to the authority set forth in Mayor's Order 2009-22, dated February 25, 2009, hereby give notice of the intent to adopt, in not less than thirty (30) days from the date of publication of this notice in the *D.C. Register*, amendments to Chapter 6 (Construction Codes Coordinating Board) of Title 1 (Mayor and Executive Agencies) of the District of Columbia Municipal Regulations (DCMR).

This proposed rulemaking is necessary to conform public notice requirements for meetings of the Construction Codes Coordinating Board (CCCB) and its technical advisory groups to the Open Meetings Act, D.C. Official Code §§ 2-571 *et seq* (2016 Repl.). The Open Meetings Act was enacted after adoption of the CCCB's governing regulations on January 1, 2010, published at 57 DCR 124, and applies to the CCCB.

Chapter 6, CONSTRUCTION CODES COORDINATING BOARD, of Title 1 DCMR, MAYOR AND EXECUTIVE AGENCIES, is amended as follows:

Section 601, NOTICE OF MEETINGS, is repealed in its entirety.

All persons desiring to comment on these proposed regulations should submit comments in writing to Matt Orlins, Department of Consumer and Regulatory Affairs, 1100 4th Street SW, Washington, D.C. 20024, or via e-mail at matt.orlins@dc.gov, not later than thirty (30) days after publication of this notice in the *D.C. Register*. Copies of the proposed rules can be obtained from the address listed above. A copy fee of one dollar (\$1.00) will be charged for each copy of the proposed rulemaking requested.

UNIVERSITY OF THE DISTRICT OF COLUMBIA

NOTICE OF PROPOSED RULEMAKING

The Board of Trustees of the University of the District of Columbia pursuant to the authority set forth under the District of Columbia Public Postsecondary Education Reorganization Act Amendments (Act) effective January 2, 1976 (D.C. Law 1-36; D.C. Official Code §§ 38-1202.01(a); 38-1202.06)(3),(13) (2012 Repl.)) hereby gives notice of its intent to amend Chapter 7 (Admissions and Academic Standards) of Subtitle B (University of the District of Columbia) of Title 8 (Higher Education) of the District of Columbia Municipal Regulations (DCMR) in not less than thirty (30) days from the date of publication of this notice in the *D.C. Register*.

The purpose of the proposed rule is to establish a Metropolitan Area Resident rate for the University of the District of Columbia David A. Clarke School of Law beginning in the fall semester of 2018.

The Board of Trustees will take final action to adopt these amendments to the University Rules in not less than thirty (30) days from the date of publication of this notice in the *D.C. Register*.

Chapter 7, ADMISSIONS AND ACADEMIC STANDARDS, of Title 8-B DCMR, UNIVERSITY OF THE DISTRICT OF COLUMBIA, is amended as follows:

Section 728, TUITION AND FEES: DEGREE-GRANTING PROGRAMS, Subsection 728.1, is amended as follows:

728.1 The following tuition and fees have been approved by the Board of Trustees consistent with D.C. Official Code § 38-1202.06(8):

Subsection 728.5 is amended as follows:

728.5	DAVID A. CLARKE SCHOOL OF LAW DEGREE-GRANTING PROGRAMS FULL TIME PROGRAM STUDENTS (FALL & SPRING SEMESTERS ONLY)	
		<u>Per Semester</u>
	Washington, D.C. Residents	\$5,919.00
	Metropolitan Area Residents *	\$8,878.00
	All Other Residents	\$11,837.00

*Applies only to students who enroll for the first time at the UDC David A. Clarke School of Law for the fall semester of 2018 or thereafter.

Subsection 728.6 is amended as follows:

728.6	DAVID A. CLARKE SCHOOL OF LAW DEGREE-GRANTING PROGRAMS ALL OTHER STUDENTS	<u>Per Credit Hour</u>
	Washington, D.C. Residents	\$402.00
	Metropolitan Area Residents*	\$601.00
	All Other Residents	\$802.00

*Applies only to students who enroll for the first time at the David A. Clarke School of Law for the fall semester of 2018 or thereafter.

All persons desiring to comment on the subject matter of the proposed rulemaking should file comments in writing not later than thirty (30) days after the date of publication of this notice in the *D.C. Register*. Comments should be filed with the Office of General Counsel, Building 39- Room 301-Q, University of the District of Columbia, 4200 Connecticut Avenue, N.W., Washington, D.C. 20008. Comments may also be submitted by email to karen.hardwick@udc.edu. Individuals wishing to comment by email must include the phrase "Comment to Proposed Rulemaking: Tuition " in the subject line.

UNIVERSITY OF THE DISTRICT OF COLUMBIA

NOTICE OF PROPOSED RULEMAKING

The Board of Trustees of the University of the District of Columbia, pursuant to the authority set forth under the District of Columbia Public Postsecondary Education Reorganization Act Amendments (Act) effective January 2, 1976 (D.C. Law 1-36; D.C. Official Code §§ 38-1202.01(a); 38-1202.06)(3),(13) (2012 Repl.) hereby gives notice of the intent to amend Chapter 7 (Admissions and Academic Standards) of Subtitle B (University of the District of Columbia) of Title 8 (Higher Education) of the District of Columbia Municipal Regulations (DCMR), in not less than thirty (30) days from the date of publication of this notice in the *D.C. Register*.

The purpose of the proposed rule is to adjust tuition rates for degree granting programs beginning in the fall semester of 2018.

The Board of Trustees will take final action to adopt these amendments to the University Rules in not less than thirty (30) days from the date of publication of this notice in the *D.C. Register*.

Chapter 7, ADMISSIONS AND ACADEMIC STANDARDS, of Title 8-B DCMR, UNIVERSITY OF THE DISTRICT OF COLUMBIA, is amended as follows:

Subsections 728.1 – 728.8 of Section 728, TUITION AND FEES: DEGREE-GRANTING PROGRAMS, are amended as follows:

728.1 The following tuition and fees have been approved by the Board of Trustees consistent with D.C. Official Code § 38-1202.06(8):

728.2 COMMUNITY COLLEGE ASSOCIATE DEGREE-GRANTING PROGRAMS

	<u>Per Credit Hour</u>
Washington, D.C. Residents	\$111.00
Metropolitan Area Residents	\$187.00
All Other Residents	\$316.00

728.3 FLAGSHIP BACCALAUREATE DEGREE-GRANTING PROGRAMS

	<u>Per Credit Hour</u>
Washington, D.C. Residents	\$308.00
Metropolitan Area Residents	\$356.00
All Other Residents	\$647.00

728.4 FLAGSHIP GRADUATE DEGREE-GRANTING PROGRAMS

	<u>Per Credit Hour</u>
Washington, D.C. Residents	\$488.00
Metropolitan Area Residents	\$552.00
All Other Residents	\$939.00

728.5 DAVID A. CLARKE SCHOOL OF LAW DEGREE-GRANTING PROGRAMS
FULL TIME PROGRAM STUDENTS (FALL & SPRING SEMESTERS ONLY)

	<u>Per Semester</u>
Washington, D.C. Residents	\$5,919.00
All Other Residents	\$11,837.00

728.6 DAVID A. CLARKE SCHOOL OF LAW DEGREE-GRANTING PROGRAMS
ALL OTHER STUDENTS

	<u>Per Credit Hour</u>
Washington, D.C. Residents	\$402.00
All Other Residents	\$802.00

728.7 SCHOOL OF ENGINEERING BACCALAUREATE DEGREE-GRANTING
PROGRAMS

	<u>Per Credit Hour</u>
Washington, D.C. Residents	\$320.00
Metropolitan Area Residents	\$370.00
All Other Residents	\$671.00

728.8 Definitions

- (a) **Full-Time Students.** Any undergraduate or community college student enrolled in at least twelve (12) credits hours per semester, or any graduate student enrolled in at least nine (9) credit hours per semester, shall be considered a full-time student for the purposes of calculation of tuition in accordance with this chapter. Full-time undergraduate and community college students shall be charged tuition for each semester in which they are enrolled in the amount of twelve (12) credit hours, regardless of the number of credit hours actually taken. Full-time graduate students shall be charged tuition for each semester in which they are enrolled in the amount of nine (9) credit hours, regardless of the number of credit hours actually taken.

- (b) **Metropolitan Area Residents.** Any individual who can establish residency in one of the following counties shall be considered a Metropolitan Area Resident: Montgomery County, Maryland; Prince George's County, Maryland; Arlington County, Virginia; City of Alexandria, Virginia; Fairfax County, Virginia. The standards used to establish residency shall be the same standards used to establish residency for District residents.

All persons desiring to comment on the subject matter of the proposed rulemaking should file comments in writing not later than thirty (30) days after the date of publication of this notice in the *D.C. Register*. Comments should be filed with the Office of General Counsel, Building 39- Room 301-Q, University of the District of Columbia, 4200 Connecticut Avenue, N.W., Washington, D.C. 20008. Comments may also be submitted by email to karen.hardwick@udc.edu. Individuals wishing to comment by email must include the phrase "Comment to Proposed Rulemaking: Tuition " in the subject line.

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

NOTICE OF PROPOSED RULEMAKING

The Board of Directors (Board) of the District of Columbia Water and Sewer Authority (DC Water), pursuant to the authority set forth in Sections 203(3) and (11) and 216 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, §§ 203(3), (11) and 216); D.C. Official Code §§ 34-2202.03(3) and (11), and § 34-2202.16 (2012 Repl.); and Section 6(a) of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1206; D.C. Official Code § 2-505(a) (2016 Repl.)), hereby gives notice that at its regularly scheduled meeting on June 1, 2017, the Board adopted Board Resolution #17-41 to propose the amendments of Section 112 (Fees) of Chapter 1 (Water Supply) and Sections 4104 (Customer Classifications for Water and Sewer Rates) and 4199 (Definitions) of Chapter 41 (Retail Water and Sewer Rates) of Title 21 (Water and Sanitation) of the District of Columbia Municipal Regulations (DCMR).

The purpose of these amendments is to amend the Water System Replacement Fee (WSRF) to establish rules and procedures for a Multi-Family WSRF adjustment, and to amend the Customer Classifications and associated Definitions.

The Board requests comments on these proposed regulations.

Final rulemaking action shall be taken in not less than thirty (30) days from the date of publication of this notice in the *D.C. Register*.

Chapter 1, WATER SUPPLY, of Title 21 DCMR, WATER AND SANITATION, is amended as follows:

Section 112, FEES, Subsection 112.10 is amended by adding a new Paragraph 112.10(c) to read as follows:

- (c) A Multi-Family WSRF adjustment will be provided in accordance with the following rules and procedures:
 - (1) A Multi-Family customer that is a cooperative housing association, and whose premises is comprised exclusively of single family attached or detached dwelling structures and served by a master meter, may request a Multi-Family WSRF adjustment to modify the combined domestic meter size based on the peak domestic water demand, excluding fire demand, for that premises.
 - (2) The eligible Multi-Family customer must submit the following information and fees to DC Water for review and processing:

- (A) Record(s) demonstrating that each unit in the cooperative housing association is a single-family attached or detached dwelling unit;
 - (B) A site plan, prepared by a District of Columbia licensed professional engineer, architect, or master plumber or other licensed professional, drawn to scale showing the water distribution and service lines, location of the meter, fire hydrant(s), structures, and ancillary systems, including, but not limited to irrigation system(s), swimming pool(s) and fountain(s);
 - (C) The proposed modified combined domestic meter size calculated using the meter sizing computations for the peak domestic water demand for the premises, excluding fire demand, prepared by a District of Columbia licensed professional engineer, architect, or master plumber or other licensed professional in accordance with the District of Columbia Plumbing Code; and
 - (D) Payment of the Approved Plan Revision Engineering Review Fee.
- (3) Upon approval of a request for a Multi-Family WSRF adjustment, the Multi-Family customer will be charged the WSRF based on the approved modified combined domestic meter size as set forth in Subsection 112.10(a). No retroactive credits or refunds will be provided for WSRF billed prior to the approval of the Multi-Family WSRF adjustment.
 - (4) The size of the master meter used to deliver water to the premises will be calculated using the peak water demand including fire demand in accordance with the District of Columbia Plumbing Code.

Chapter 41, RETAIL WATER AND SEWER RATES, is amended as follows:

Section 4104, CUSTOMER CLASSIFICATIONS FOR WATER AND SEWER RATES, is amended to read as follows:

4104 CUSTOMER CLASSIFICATIONS FOR WATER AND SEWER RATES, FEES AND CHARGES

4104.1 The customer classifications for water and sewer rates, fees and charges shall consist of a residential class, multi-family class, and a non-residential class:

- (a) Residential – a customer whose premises is a single-family dwelling unit used for domestic purposes, whether as a row, detached or semi-detached structure, or as a single dwelling unit within an apartment building, or as a single dwelling unit within a condominium, or as a single dwelling unit within a cooperative housing association, where each unit is served by a separate service line and is individually metered and used for domestic purposes; or a multi-family structure or development of less than four (4) single-family, apartment, condominium, or cooperative housing association dwelling units where all the units are used for domestic purposes and served by a single service line that is master metered; excluding a premises operated as a nursing home, dormitory or transient housing business, including, but not limited to a bed and breakfast, hotel, motel, inn, boarding house or rooming house.
- (b) Multi-Family – a customer whose premises is a multi-family structure or development (such as an apartment, condominium, or cooperative housing association) used for domestic purposes, with four or more single-family, apartment, condominium, or cooperative housing association residential dwelling units served by the same service line that is master metered; excluding a premises operated as a nursing home, dormitory or transient housing business, including, but not limited to a bed and breakfast, hotel, motel, inn, boarding house or rooming house.
- (c) Non-residential – all customers not within either the residential or multi-family class including customers whose premises is comprised of one or more units that is not used for domestic purposes and all units are served by the same service line that is master metered.

Section 4199, DEFINITIONS is amended by adding the following terms and definitions to read as follows:

Condominium – means real estate, portions of which are designated for separate ownership and the remainder of which is designated for common ownership solely by the owners of the portions designated for separate ownership, provided the undivided interests in the common elements are vested in the unit owners.

Cooperative Housing Association – means an association, whether incorporated or unincorporated, organized for the purpose of owning and operating residential real property, the shareholders or members of which, by reason of their ownership of a stock or membership certificate, a proprietary lease or other evidence of membership, are entitled to occupy a dwelling unit pursuant to the terms of a proprietary lease or occupancy agreement.

Dwelling Unit – any habitable room or group of rooms with kitchen and bathroom facilities forming a single unit located within a building or

structure, which is wholly or partially used or intended to be used for living, sleeping and the preparation and consumption of meals by human occupants, and is under the control of and for the use of the occupant.

Comments on these proposed rules should be submitted in writing no later than thirty (30) days after the date of publication of this notice in the *D.C. Register* to Linda R. Manley, Secretary to the Board, District of Columbia Water and Sewer Authority, 5000 Overlook Ave., S.W., Washington, D.C. 20032, by email to Lmanley@dcwater.com, or by FAX at (202) 787-2795. Copies of these proposed rules may be obtained from the DC Water at the same address or by contacting Ms. Manley at (202) 787-2332.

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA

NOTICE OF PROPOSED RULEMAKING**Z.C. Case No. 08-06L****(Text Amendment – 11 DCMR)****Technical Corrections to Z.C. Order 08-06A**

The Zoning Commission for the District of Columbia (Commission), pursuant to its authority under § 1 of the Zoning Act of 1938 approved June 20, 1938, as amended (52 Stat. 797; D.C. Official Code § 6-641.01 (2012 Repl.)), hereby gives notice of its intent to amend Subtitles B (Definitions, Rules of Measurement, and Use Categories); C (General Rules); D (Residential House (R) Zones); E (Residential Flat (RF) Zones); I (Downtown (D) Zones); Y (Board of Zoning Adjustment Rules of Practice and Procedure); and Z (Zoning Commission Rules of Practice and Procedure) of Title 11 (Zoning Regulations of 2016) of the District of Columbia Municipal Regulations (DCMR), to make minor modifications and technical corrections to the amendments made by Z.C. Order No. 08-06(A) (Order). The Order, which took the form of a Notice of Final Rulemaking, adopted comprehensive amendments to the Zoning Regulations that became effective on September 6, 2016.

A full explanation for the corrections and modifications proposed may be found in the Office of Planning report, which appears as Exhibit 1 in this case, and which may be accessed on the Office of Zoning website at <http://dcoz.dc.gov>, although the Commission did not agree to the amendments proposed for 11-Z DCMR §§ 304.1 and 304.5. Also, the Office of Zoning, after consultation with the Office of the Attorney General, decided not to include amendments to Subtitle Z §§ 500.7 and 500.8, which would have limited the ability of Advisory Neighborhood Commissions to comment on the setdown of rulemaking cases. Instead, a narrower version of those amendments will be presented to the Commission in a future case.

Final rulemaking action shall be taken not less than thirty (30) days from the date of publication of this notice in the *D.C. Register*.

The following amendments to Title 11 DCMR are proposed (additions are shown in **bold underlined** text and deletions are shown in ~~strikethrough~~ text):

Title 11-B DCMR, DEFINITIONS, RULES OF MEASUREMENT, AND USE CATEGORIES, is amended as follows:

Chapter 3, GENERAL RULES OF MEASUREMENT, is amended as follows:

The section heading of § 315, RULES OF MEASUREMENT FOR FRONT SETBACKS FOR RESIDENTIAL HOUSE (R) ZONES, is amended to read as follows:

315 RULES OF MEASUREMENT FOR FRONT SETBACKS FOR RESIDENTIAL HOUSE (R) **AND RESIDENTIAL FLAT (RF) ZONES**

Title 11-C DCMR, GENERAL RULES, is amended as follows:

Chapter 2, NONCONFORMITIES, is amended as follows:

Subsection 204.6 of § 204, NONCONFORMING USE, is amended by read as follows:

204.6 A nonconforming use that is discontinued for any reason for a period of three (3) years or less shall be allowed to resume operation provided there was no intervening ~~confirming~~ **conforming** use, there are no changes to the nonconforming use and it conforms with Subtitle C § 204.1.

Title 11-D DCMR, RESIDENTIAL HOUSE (R) ZONES, is amended as follows:

Chapter 52, RELIEF FROM REQUIRED DEVELOPMENT STANDARDS, is amended as follows:

Table D § 5201.3 of paragraph (e) of § 5201.3 of § 5201, ADDITION TO A BUILDING OR ACCESSORY STRUCTURE, is amended as follows:

5201.3 An applicant for special exception under this section shall demonstrate that the proposed addition or accessory structure shall not have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property, in particular:

(a) ... ¹

(e) The Board of Zoning Adjustment may approve lot occupancy of all new and existing structures on the lot as specified in the following table:

TABLE D § 5201.3: MAXIMUM PERMITTED LOT OCCUPANCY

Zone	Maximum Lot Occupancy
R-3 R-13 R-17 R-16	70%
R-20 – attached dwellings only	70%
R-20 – detached and semi-detached dwellings All Other R zones	50%

¹ The use of this and other ellipses indicate that other provisions exist in the subsection begin amended and that the omission of the provisions does not signify an intent to repeal.

Title 11-E DCMR, RESIDENTIAL FLAT (RF) ZONES, is amended as follows:

Chapter 2, GENERAL DEVELOPMENT STANDARDS (RF), is amended as follows:

Subsection 206.2 of § 206, ROOF TOP OR UPPER FLOOR ADDITIONS, is amended to read as follows:

206.2 In an RF zone district, relief from the design requirements of Subtitle E § 206.1 may be approved by the Board of Zoning Adjustment as a special exception under Subtitle ~~Y~~ X Chapter 9, subject to the conditions of Subtitle E § 5203.3.

Title 11-I DCMR, DOWNTOWN (D) ZONES, is amended as follows:

Chapter 5, REGULATIONS SPECIFIC TO PARTICULAR DOWNTOWN (D) ZONES, is amended as follows:

Subsection 510.2 of § 510, HEIGHT (D-2), is amended to read as follows:

510.2 The maximum permitted building height, not including the penthouse, in the ~~D-3~~ D-2 zone shall be limited to ninety feet (90 ft.) on the portion of the site occupied by a historic landmark or a contributing building within a historic district.

Chapter 6, LOCATION-BASED REGULATIONS FOR DOWNTOWN SUB-AREAS AND DESIGNATED STREET SEGMENTS, is amended as follows:

Subsection 607.2 of § 607, DOWNTOWN ARTS SUB-AREA, is amended to read as follows:

607.2 The general location of the Downtown Arts sub-area is between 6th and 14th Streets, N.W. between Pennsylvania Avenue, N.W. and G Place, N.W., including all or parts of Squares 254, 290, 291, 321, 322, 347, 348, 375, 376, 377, 405, 406, 407, 408, 429, 431, 455, 456, 457, 458, and ~~459E~~ 459 as outlined in Figure I § 607: Illustration of the Downtown Arts Sub-Area and Designated Street Segments.

Title 11-Y DCMR, BOARD OF ZONING ADJUSTMENT RULES OF PRACTICE AND PROCEDURE, is amended as follows:

Chapter 5, PRE-HEARING AND HEARING PROCEDURES: ZONING APPEALS, is amended as follows:

§ 506, HEARING PROCEDURES: GENERAL PROVISIONS, is amended as follows:

Subsection 506.3 is deleted:

506.3 ~~Individuals shall have a maximum of three (3) minutes and organization representatives shall have a maximum of five (5) minutes to present testimony.~~
DELETED

Subsections 506.4 through 506.8 are amended to read as follows:

506.4 The Board may grant additional or lesser time than that allowed under Subtitle Y §§ 506.2 and ~~506.3 to an appellant, individual, or an organization representative or party,~~ to present a case, provided that the presiding officer shall ensure reasonable balance in the allocation of time between ~~proponents and opponents~~ **the appellant and those parties in support of the appeal and the appellee and those parties in opposition to the appeal.**

Chapter 7, APPROVALS AND ORDERS, is amended as follows:

Subsection 701.3 of § 701, STAY OF FINAL DECISION AND ORDER, is amended to read as follows:

701.3 ~~Except as provided in Subtitle Y § 701.4~~ **for stays granted upon its own motion,** the Board shall grant a stay only upon finding that all four of the following criteria are present:

(a) ...

Title 11-Z DCMR, ZONING COMMISSION RULES OF PRACTICE AND PROCEDURE, is amended as follows:

Chapter 3, APPLICATION REQUIREMENTS, is amended as follows:

Subsections 300.1 and 300.7 of § 300, PLANNED UNIT DEVELOPMENT (PUD) APPLICATION REQUIREMENTS, are amended as follows:

300.1 Each application seeking approval of a PUD, **including a modification of significance,** pursuant to Subtitle X, Chapter 3, shall meet the requirements of this section before it will be accepted by the Commission before processing.

...

300.7 At least forty-five (45) calendar days prior to filing an application under this chapter, **including a modification of significance,** the applicant shall mail written notice of its intent (NOI) to file the application to the affected ANC and to the owners of all property within two hundred feet (200 ft.) of the perimeter of the property in question.

§ 301, DESIGN REVIEW APPLICATION REQUIREMENTS, is amended as follows:

Subsections 301.1 and 301.6 are amended to read as follows:

301.1 Each application for design review approval, including a modification of significance, pursuant to Subtitle X, Chapter 6, shall meet the requirements of this section before it will be accepted by the Office of Zoning for processing.

301.6 At least forty-five (45) days prior to filing an application under this chapter, including a modification of significance, the applicant shall serve a written notice of intent (NOI) on the affected ANC and on the owners of all property within two hundred feet (200 ft.) of the perimeter of the property in question.

A new § 301.13 is added, as follows:²

301.13 For design review applications, approval shall be treated as a whole. Specific flexibility or special exception uses approved as part of the design review development shall not be bifurcated without approval of the Zoning Commission.

Subsections 302.1 and 302.6 of § 302, PLAN/FURTHER PROCESSING AND MEDICAL CAMPUS PLAN APPLICATION REQUIREMENTS, are amended to read as follows:

302.1 Each application for campus plan/further processing and medical campus plan approval, including a modification of significance, pursuant to Subtitle X, Chapter 1, shall meet the requirements of this section before it will be accepted by the Office of Zoning for processing.

...

302.6 At least forty-five (45) days prior to filing an application under this chapter, including a modification of significance, the applicant shall serve a written notice of intent (NOI) to file the application on the affected NC and on the owners of all property within two hundred feet (200 ft.) of the perimeter of the property in question.

Subsections 303.1 and 303.4 of § 303, AIR SPACE DEVELOPMENT APPLICATION REQUIREMENTS, are amended to read as follows:

303.1 Each application for approval of an air space development, including a modification of significance, pursuant to Subtitle X, Chapter 7, shall meet the requirements of this section before it will be accepted by the Office of Zoning for processing.

...

303.4 At least forty-five (45) days prior to filing an application under this chapter, including a modification of significance, the applicant shall serve a written notice of intent (NOI) to file the application on the affected ANC and on the

² Presently 11-Z DCMR § 702.9. See fn. 3.

owners of all property within two hundred feet (200 ft.) of the perimeter of the property in question.

Chapter 4, PRE-HEARING AND HEARING PROCEDURES: CONTESTED CASES, is amended as follows:

Subsection 400.7 of § 400, SETDOWN PROCEDURES: SCHEDULING CONTESTED CASE APPLICATIONS FOR HEARING, is amended to read as follows:

400.7 For contested cases enumerated under Subtitle Z § 400.5, except for map amendments, the Director shall also refer ~~a copy~~ of the application to the affected ANC, along with an ANC Setdown Form, which the affected ANC may submit to provide feedback on whether the matter should be set down for hearing.

Subsection 406.2 of § 406, ADVISORY NEIGHBORHOOD COMMISSION (ANC) REPORT, is amended to read as follows:

406.2 The Commission shall give “great weight” to the issues and concerns included in the written report of the ANC, pursuant to § 3 of the Comprehensive Advisory Neighborhood Commissions Reform Amendment Act of 2000, as amended, that is received at any time prior to the date of a Commission meeting to consider final action including any continuation thereof on the application. All written reports shall contain the following:

- (a) ...

Chapter 5, PRE-HEARING AND HEARING PROCEDURES: RULEMAKING CASES, is amended as follows:

Section 500, SETDOWN PROCEDURES: SCHEDULE RULEMAKING CASE PETITIONS FOR HEARING, is amended as follows:

Subsection 505.1 of § 505, ADVISORY NEIGHBORHOOD COMMISSION (ANC) REPORT, is amended to read as follows:

505.1 The Commission shall give “great weight” to the issues and concerns included in the written report of the ANC, pursuant to § 3 of the Comprehensive Advisory Neighborhood Commissions Reform Amendment Act of 2000, as amended, that is received at any time prior to the date of a Commission meeting to consider final action including any continuation thereof on the application. All written reports shall contain the following:

- (a) ...

Chapter 7, APPROVALS AND ORDERS, is amended as follows:

§ 702, VALIDITY OF APPROVALS AND IMPLEMENTATION, is amended as follows:

Subsection 702.3 is amended to read as follows:

702.3 Construction shall start within three (3) years after the effective date of order granting the ~~design review or second stage PUD~~ application, unless a longer period is established by the Commission at the time of approval.

Subsection 702.9 is deleted:³

702.9 ~~For design review applications, approval shall be treated as a whole. Specific flexibility or special exception uses approved as part of the design review development shall not be bifurcated without approval of the commission.~~
DELETED

Subsection 703.17 of § 703, CONSENT CALENDAR – MINOR MODIFICATION, MODIFICATION OF CONSEQUENCE, AND TECHNICAL CORRECTIONS TO ORDERS AND PLANS, is amended to read as follows:

703.17 The Commission may take one (1) of the following actions at a public meeting:

- (a) At the request of a Commissioner, remove an item from the Consent Calendar **and direct the application to file an application for a modification of significance;**
- (b) ...
- (c) For a modification of consequence:
 - (1) Determine that the request is actually for a modification of significance **and,** in which case, **direct the applicant to file** an application for ~~such~~ a modification **of significance** ~~must be filed~~ **and a for which a** hearing **must be** held pursuant to Subtitle Z § 704; or
 - (2) ...

All persons desiring to comment on the subject matter of this proposed rulemaking action should file comments in writing no later than thirty (30) days after the date of publication of this notice in the *D.C. Register*. Comments should be filed with Sharon Schellin, Secretary to the Zoning

³ The text of 11-Z DCMR § 702.9 is proposed to be added as a new § 303.13 to 11-Z DCMR § 303, which applies to Design Review application.

Commission, Office of Zoning, 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, D.C. 20001; by e-mail to zcsubmissions@dc.gov; or by fax to (202) 727-6072. Ms. Schellin may be contacted by telephone at (202) 727-6311 or by email at Sharon.Schellin@dc.gov. Copies of this proposed rulemaking action may be obtained at cost by writing to the above address.

DEPARTMENT OF HEALTH CARE FINANCE

NOTICE OF THIRD EMERGENCY AND PROPOSED RULEMAKING

The Director of the Department of Health Care Finance (DHCF), pursuant to the authority set forth in An Act to enable the District of Columbia (District) to receive federal financial assistance under Title XIX of the Social Security Act for a medical assistance program, and for other purposes, approved December 27, 1967 (81 Stat.744; D.C. Official Code § 1-307.02 (2016 Repl.)), and Section 6(6) of the Department of Health Care Finance Establishment Act of 2007, effective February 27, 2008 (D.C. Law 17-109; D.C. Official Code § 7-771.05(6) (2012 Repl.)), hereby gives notice of the adoption, on an emergency basis, of a new Chapter 101 (*Services My Way* Program) of Title 29 (Public Welfare) of the District of Columbia Municipal Regulations (DCMR).

These rules codify the program policies and procedures for the District of Columbia Medicaid participant-directed *Services My Way* program, offered under the Home and Community-Based Services Waiver for the Elderly and Persons with Physical Disabilities (EPD Waiver).

Emergency action is necessary for the immediate preservation of the health, safety, and welfare of EPD Waiver beneficiaries who are in need of EPD Waiver services through the participant-directed services (PDS) program. The EPD Waiver serves some of the District's most vulnerable residents. Furthermore, the Centers for Medicare and Medicaid Services (CMS) have directed that the District implement its participant-directed services program immediately in order to provide these services to vulnerable beneficiaries. These rules will provide guidance to providers, beneficiaries, and other stakeholders as the District implements this new program, and clarify program requirements that will assist in preserving the health, safety and welfare of these EPD Waiver beneficiaries.

A Notice of Emergency and Proposed Rulemaking was published in the *D.C. Register* on May 20, 2016 at 63 DCR 007732. The comment period officially closed on June 20, 2016. Comments were received from Disability Rights DC at University Legal Services and IONA. DHCF carefully considered all comments received and incorporated changes in response to the comments in the Notice of Second Emergency and Proposed Rulemaking published in the *D.C. Register* on December 9, 2016 at 63 DCR 015171.

No comments were received in response to the Notice of Second Emergency and Proposed Rulemaking. However, DHCF must issue these third emergency and proposed rules in order to incorporate changes made as a result of the renewal of the EPD Waiver. The following changes have been incorporated to align with the EPD Waiver renewal, and shall be effective on April 4, 2017: (1) Subsection 10100.2 has been amended to expand eligibility criteria for the *Services My Way* program to EPD Waiver beneficiaries who reside in the home of a friend, in addition to the home of a family member; (2) Subsection 10102.5 has been amended to add safety monitoring to the scope of participant-directed community support (PDCS) services; (3) Subsection 10105.5 has been amended to require all providers of individual-directed goods and services to execute a Medicaid provider agreement; (4) new subsections have been added to Section 10112 to clarify the remediation, training and termination protocol that is followed when a participant is not compliant with the terms of *Services My Way* program participation; and (5) new subsections

have been added to Section 10112 to address termination of program participants in the case of substantiated allegations of fraud, theft or other criminal behavior.

The emergency rulemaking was adopted on June 5, 2017, and became effective on that date. The emergency rules shall remain in effect for one hundred and twenty (120) days until October 3, 2017, unless superseded by publication of a Notice of Final Rulemaking in the *D.C. Register*.

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

A new Chapter 101, SERVICES MY WAY PROGRAM, is added to Title 29 DCMR, PUBLIC WELFARE, to read as follows:

CHAPTER 101 SERVICES MY WAY PROGRAM

- 10100 GENERAL PROVISIONS**
- 10101 OUTREACH AND ENROLLMENT**
- 10102 PARTICIPANT-DIRECTED COMMUNITY SUPPORT SERVICES: SERVICE DESCRIPTION**
- 10103 PARTICIPANT-DIRECTED COMMUNITY SUPPORT SERVICES: PROVIDER REQUIREMENTS**
- 10104 INDIVIDUAL-DIRECTED GOODS AND SERVICES: SERVICE DESCRIPTION**
- 10105 INDIVIDUAL-DIRECTED GOODS AND SERVICES: PROVIDER REQUIREMENTS**
- 10106 VENDOR FISCAL/EMPLOYER AGENT FINANCIAL MANAGEMENT SERVICES-SUPPORT BROKER ENTITY FUNCTIONS**
- 10107 PARTICIPANT-DIRECTED SERVICES BUDGET FORMULATION**
- 10108 RECONSIDERATION PROCESS**
- 10109 AUTHORIZED REPRESENTATIVES**
- 10110 MANDATORY REPORTING**
- 10111 VOLUNTARY TERMINATION OF PROGRAM PARTICIPATION**
- 10112 INVOLUNTARY TERMINATION OF PROGRAM PARTICIPATION**
- 10113 EXPENDITURE SAFEGUARDS**
- 10199 DEFINITIONS**

10100 GENERAL PROVISIONS

10100.1 The *Services My Way* program shall be established as the Medicaid participant-directed services (PDS) program in the District of Columbia to afford persons enrolled in the Home and Community-Based Services Waiver for the Elderly and Persons with Physical Disabilities (EPD Waiver) the opportunity to self-direct certain EPD Waiver services.

- 10100.2 Participation in the *Services My Way* program shall be limited to beneficiaries enrolled in the EPD Waiver who live in their own private residence or in the home of a family member or friend.
- 10100.3 If an EPD Waiver beneficiary is deemed ineligible to participate in the *Services My Way* program because of his or her failure to meet the criteria outlined in § 10100.2, Department of Health Care Finance (DHCF) shall issue timely written notice to the beneficiary which includes the following :
- (a) A clear statement that the beneficiary is not eligible to participate in the *Services My Way* program;
 - (b) The reason(s) for the decision;
 - (c) Citation to regulations supporting the decision; and
 - (d) Information on the beneficiary's right to appeal the decision by filing a notice of appeal with the Office of Administrative Hearings.
- 10100.4 The *Services My Way* program shall include the following services:
- (a) Participant-directed community support (PDCS) services as described in § 10102; and
 - (b) Individual-directed goods and services as described in § 10104.
- 10100.5 PDCS services and individual-directed goods and services shall only be available to EPD Waiver beneficiaries enrolled as participants in the *Services My Way* program.
- 10100.6 *Services My Way* participants shall be afforded the following self-direction opportunities:
- (a) The opportunity to exercise "employer authority" to recruit, hire, supervise and discharge qualified participant-directed workers (PDWs) who provide PDCS services to them; and
 - (b) The opportunity to exercise "budget authority" to purchase allowable and approved individual-directed goods and services using a participant-directed services (PDS) budget.
- 10100.7 The *Services My Way* participant or the participant's authorized representative, if designated by the participant, shall serve as a "common law employer" of all PDWs hired by the participant.

- 10100.8 Financial management services and information and assistance services, as set forth in § 10106.4 and § 10106.6, respectively, shall be provided to *Services My Way* participants through the Vendor Fiscal/Employer Agent (VF/EA) Financial Management Services (FMS)-Support Broker entity selected by the Department of Health Care Finance (DHCF) through a competitive procurement process.
- 10100.9 *Services My Way* participants shall not receive agency-based personal care aide services offered under Chapter 42 or Chapter 50 of Title 29 DCMR.
- 10100.10 *Services My Way* participants shall be eligible to receive all services offered under the EPD Waiver except for agency-based personal care aide services.
- 10100.11 *Services My Way* participants shall not serve as PDWs.

10101 OUTREACH AND ENROLLMENT

- 10101.1 Both current EPD Waiver beneficiaries and new EPD Waiver enrollees who meet the requirements of § 10100.2 may elect to enroll in the *Services My Way* program.
- 10101.2 DHCF or its agent shall provide information regarding self-direction and the *Services My Way* program to all current EPD Waiver beneficiaries and to new EPD Waiver enrollees at the time of EPD Waiver enrollment.
- 10101.3 EPD Waiver case managers shall provide information regarding self-direction and the *Services My Way* program to all EPD Waiver beneficiaries who are not enrolled as *Services My Way* participants each time a beneficiary is reassessed for EPD Waiver services, each time a beneficiary's person-centered plan (PCP) is updated, and upon a beneficiary's request.
- 10101.4 All EPD Waiver case managers shall be required to complete a standardized training course on self-direction and the *Services My Way* program conducted by DHCF prior to the date enrollment begins for the *Services My Way* program, as well as all ongoing training required by DHCF.
- 10101.5 If an EPD Waiver beneficiary expresses interest in the *Services My Way* program, the beneficiary's EPD Waiver case manager shall assist the beneficiary in revising an existing PCP or developing an initial PCP to include the *Services My Way* program.
- 10101.6 Upon revising the existing PCP or developing an initial PCP which includes the *Services My Way* program, the EPD Waiver case manager shall submit the PCP which includes the *Services My Way* program to the *Services My Way* Program Coordinator for approval.

10101.7 Enrollment in the *Services My Way* program shall only occur following the *Services My Way* Program Coordinator's approval of the beneficiary's PDS budget as described in § 10107 and issuance of a prior authorization for all PDCS services and individual-directed goods and services included in the approved budget.

10101.8 Beneficiaries shall be notified at the time of enrollment in the *Services My Way* program that participation in the program is conditioned upon compliance with all program rules and the terms of the Participant/Representative-Employer Agreement.

**10102 PARTICIPANT-DIRECTED COMMUNITY SUPPORT SERVICES:
SERVICE DESCRIPTION**

10102.1 PDCS services shall be available only to EPD Waiver beneficiaries enrolled as participants in the *Services My Way* program.

10102.2 PDCS services shall be detailed in the participant's PCP and PDS budget and shall be designed to promote independence and ensure the health, welfare, and safety of the participant.

10102.3 The participant or his/her authorized representative, as applicable, shall serve as a "common law employer" of the PDW providing services. In the role of "common law employer," the participant or authorized representative shall be responsible for recruiting, hiring, supervising and discharging PDWs providing PDCS services.

10102.4 Supports shall be available to assist the participant/representative-employer with his or her own employer-related responsibilities as described in § 10102.3 through the VF/EA FMS-Support Broker entity.

10102.5 PDCS services shall include cueing, safety monitoring and hands-on assistance with activities of daily living and instrumental activities of daily living.

10102.6 All PDCS services provided by a PDW shall be prior authorized by DHCF or its agent in order to be reimbursed under the *Services My Way* program.

10102.7 To be eligible for PDCS services, a participant shall be in receipt of a service authorization for personal care aide services from DHCF or its designated agent that specifies the amount, duration, and scope of services authorized to be provided to the beneficiary, in accordance with 29 DCMR § 5003.

10102.8 Payment for PDCS services shall be provided in accordance with the participant's PDS budget, at an hourly wage set by the participant/representative-employer which falls within the wage range established by DHCF as set forth in § 10102.9.

- 10102.9 The hourly wage paid to a PDW shall be no lower than the living wage in the District, set in accordance with the Living Wage Act of 2006, effective June 8, 2006 (D.C. Law 16-118; D.C. Official Code §§ 2-220.01 *et seq.*), and no higher than the wage paid by DHCF for services provided by a personal care aide in accordance with Chapter 42 of Title 29 DCMR.
- 10102.10 PDCS services shall not include the following:
- (a) Services that require the skills of a licensed professional, as defined in the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code §§ 3-1201.01 *et seq.*); or
 - (b) Tasks usually performed by chore workers or homemakers, such as cleaning of areas not occupied by the participant, laundry for family members, shopping for items not used by the participant, or money management.
- 10102.11 An agency-based provider of personal care aide services shall not be designated as an emergency back-up provider of PDCS services.
- 10102.12 In order to ensure PDCS services are provided in a manner that ensures the participant's health and safety, if a participant submits a PDS budget in accordance with § 10207 that includes one hundred twelve (112) or more hours of personal care aide services per week as described in 29 DCMR § 5003, PDCS services must be provided by at least two (2) PDWs each week.

**10103 PARTICIPANT-DIRECTED COMMUNITY SUPPORT SERVICES:
PROVIDER REQUIREMENTS**

- 10103.1 PDCS services shall be provided only to EPD Waiver beneficiaries enrolled as participants in the *Services My Way* program.
- 10103.2 Qualified PDWs shall provide PDCS services as employees of *Services My Way* participants.
- 10103.3 PDCS services may be provided by family members and individuals other than a participant's spouse, other legally responsible relative, or court-appointed guardian. A legally responsible relative does not include parents of adult children, so parents of adult children are not precluded from providing PDCS services. Each family member providing PDCS services shall comply with the requirements set forth in these rules.
- 10103.4 All PDWs shall meet the following qualifications:
- (a) Be at least eighteen (18) years of age;

- (b) Complete and pass a criminal background check in accordance with the Health-Care Facility Unlicensed Personnel Criminal Background Check Act of 1998, effective April 20, 1999, as amended by Health-Care Facility Unlicensed Personnel Criminal Background Check Amendment Act of 2002, effective April 13, 2002 (D.C. Law 14-98; D.C. Official Code §§ 44-551 *et seq.* (2012 Repl. & 2016 Supp.));
- (c) Receive customized training provided by the participant and/or the participant's authorized representative that is related to the participant's functional needs and goals as outlined in the PCP;
- (d) Be able and willing to perform the service-related responsibilities outlined in the participant's PCP; and
- (e) Be certified in cardiopulmonary resuscitation (CPR) and First Aid through an in-person training course approved by the American Red Cross or an alternative course approved by the *Services My Way* Program Coordinator and maintain current certifications.

10103.5 *Services My Way* participants shall not serve as PDWs.

10103.6 The VF/EA FMS-Support Broker entity shall be responsible for verifying that criminal background checks are conducted for all prospective PDWs in accordance with § 10103.4(b), and providing participants, authorized representatives, prospective PDWs, and the *Services My Way* Program Coordinator with the results of all criminal background checks performed on prospective PDWs.

10103.7 The participant, or the participant's authorized representative if designated as the "common law employer" of the PDW, shall verify that a prospective PDW meets all qualifications set forth in § 10103.4 prior to hiring the PDW to provide PDCS services.

10103.8 The VF/EA FMS-Support Broker entity shall verify that a PDW meets all qualifications set forth in § 10103.4 prior to enrolling the PDW into its payroll system.

10103.9 The VF/EA FMS-Support Broker entity shall execute a Medicaid provider agreement with each PDW on behalf of DHCF at the time a PDW is enrolled into its payroll system.

10104 INDIVIDUAL-DIRECTED GOODS AND SERVICES: SERVICE DESCRIPTION

10104.1 Individual-directed goods and services are only available to EPD Waiver beneficiaries who are enrolled as participants in the *Services My Way* program, and are purchased from the participant's PDS budget.

10104.2 Individual-directed goods and services are services, equipment or supplies not otherwise provided through the EPD Waiver or the Medicaid State Plan that address an identified need in the participant's PCP, including improving and maintaining the participant's opportunities for full membership in the community. Individual-directed goods and services shall meet the following requirements:

- (a) The requested item or service would decrease the participant's need for other Medicaid services;
- (b) The requested item or service would promote the participant's inclusion in the community; or
- (c) The requested item or service would increase the participant's safety in the home environment.

10104.3 Allowable goods and services shall include, but not be limited to, the following:

- (a) Cleaning services from firms or individuals to clean the participant's personal areas including bedroom, bathroom, kitchen, etc., only if necessary in addition to those services otherwise available through the EPD Waiver;
- (b) Food preparation and delivery services, including grocery delivery and delivery of prepared foods (but not payment for the food itself);
- (c) Transportation services not currently available under Medicaid or the District's accessible transportation programs or through natural supports that are related to activities of daily living, and meet an objective outlined in the participant's PCP;
- (d) Small electric appliances which allow the participant to safely prepare meals;
- (e) Laundry services;
- (f) The cost of changing locks at the participant's home, as necessary, when a PDW stops working for the participant; and

- (g) Maintenance of items that meet the criteria of allowable individual-directed goods described in § 10104.2.

10104.4 Payment for allowable transportation services shall be made in the form of reimbursement for mileage documented on a Mileage Reporting Form provided by DHCF or its agent or reimbursement for public transit costs documented as specified by DHCF or its agent and submitted to the VF/EA FMS-Support Broker entity.

10104.5 Non-allowable goods and services shall include, but not be limited to, the following:

- (a) Gifts for PDWs, family or friends, including bonus payments to PDWs;
- (b) Loans to PDWs, family or friends;
- (c) Food, beverages and nutritional supplements;
- (d) Entertainment equipment or supplies such as videos, VCRs, televisions, stereos, CDs, DVDs, audio/video tapes, etc.;
- (e) Air conditioners, heaters, fans and similar items;
- (f) Electronic devices that do not meet the requirements of § 10104.2 and do not meet an objective outlined in the participant's PCP;
- (g) Illegal drugs;
- (h) Alcoholic beverages or tobacco products;
- (i) Costs associated with advertising for prospective PDWs;
- (j) Costs associated with travel (airfare, lodging, meals, etc.) for vacations or entertainment;
- (k) Utility, rent or mortgage payments;
- (l) Clothing or shoes;
- (m) Comforters, towels, linens or drapes;
- (n) Paint or related supplies;
- (o) Furniture or other household furnishings;

- (p) Cleaning or laundry for other household members or areas of a home that are not used as part of the participant's personal care;
- (q) Large household or kitchen appliances such as washers, dryers, dishwashers, refrigerators, or freezers;
- (r) Exercise equipment;
- (s) Medications, vitamins or herbal supplements;
- (t) Experimental or prohibited treatments;
- (u) Laundry detergent and household cleaning supplies;
- (v) Vehicle expenses, including routine maintenance, repairs, or insurance costs;
- (w) Transportation services that are otherwise available under Medicaid or the District's accessible transportation programs or through natural supports or that are not related to activities of daily living;
- (x) Landscaping and yard work;
- (y) Pet care and supplies, except when provided for service animals; and
- (z) Massages, manicures or pedicures.

- 10104.6 Participants in the *Services My Way* program may purchase individual-directed goods and services that are included in their PCP, meet the requirements of §§ 10104.2 and 10104.3, and are within their PDS budget to purchase.
- 10104.7 Individual-directed goods and services shall be documented in the participant's PDS budget and PCP. The participant's support broker shall assist participants to revise their PDS budgets, as necessary, to account for new, appropriate individual-directed goods and services they would like to purchase. All revisions to a participant's PDS budget to account for new, appropriate individual-directed goods and services shall be accompanied by justification supporting the revision.
- 10104.8 Upon revising a PDS budget to reflect a new individual-directed good or service, the support broker shall submit the revised PDS budget and justification to the *Services My Way* Program Coordinator for approval.
- 10104.9 The *Services My Way* Program Coordinator shall review all requested individual-directed goods and services.

10104.10 The VF/EA FMS-Support Broker entity shall only authorize payment of invoices submitted for individual-directed goods and services that are included in the participant's PCP and PDS budget and that have been approved by the *Services My Way* Program Coordinator.

10105 INDIVIDUAL-DIRECTED GOODS AND SERVICES: PROVIDER REQUIREMENTS

10105.1 Individual-directed goods and services shall be provided only to EPD Waiver beneficiaries enrolled as participants in the *Services My Way* program.

10105.2 All individuals and vendors providing individual-directed goods and services shall meet the following minimum qualifications:

- (a) All individuals providing individual-directed goods and services shall be at least eighteen (18) years of age;
- (b) All individuals and vendors providing individual-directed goods and services shall be able to demonstrate to the participant that:
 - (1) The individual/vendor has the capacity to perform the requested work;
 - (2) The individual/vendor has the ability to successfully communicate with the participant; and
 - (3) The individual/vendor has all the necessary professional and/or commercial licenses required by federal and District law.

10105.3 Individuals and vendors providing non-medical transportation as an individual-directed service shall meet the following additional qualifications:

- (a) The individual/vendor shall have a valid driver's license; and
- (b) The individual/vendor shall have the minimum amounts of property damage liability, third party personal liability, uninsured motorist bodily injury, and uninsured motorist property damage insurance coverage required by the District of Columbia for the type of vehicle used to provide the transportation, in accordance with the Compulsory/No-Fault Motor Vehicle Insurance Act, effective September 18, 1982 (D.C. Law 4-155; D.C. Official Code §§ 31-2401 *et seq.*).

10105.4 No individual or vendor shall provide any individual-directed good or service that is not:

- (a) Documented in the participant's PCP and PDS budget; and

(b) Approved by the *Services My Way* Program Coordinator.

10105.5 All individuals and vendors selected by a participant to provide individual-directed goods or services shall be required to enter into a Medicaid provider agreement with DHCF prior to providing the goods or services. The Medicaid provider agreement shall be executed by the VF/EA FMS-Support Broker entity supporting the *Services My Way* program on behalf of DHCF.

10105.6 The VF/EA FMS-Support Broker entity shall verify that an individual or vendor selected by the participant to provide individual-directed goods and services meets all applicable requirements set forth in §§ 10105.2 and 10105.3 at the time of enrollment into the VF/EA FMS-Support Broker entity's provider payment system and thereafter, as necessary.

10106 VENDOR FISCAL/EMPLOYER AGENT FINANCIAL MANAGEMENT SERVICES-SUPPORT BROKER ENTITY FUNCTIONS

10106.1 *Services My Way* participants shall receive financial management services and information and assistance services through the VF/EA FMS-Support Broker entity selected by DHCF through a competitive procurement process.

10106.2 The VF/EA FMS-Support Broker entity shall operate in accordance with 26 U.S.C. § 3504 and Rev. Proc. 70-6, as modified by REG-137036 and Rev. Proc. 2013-39, as well as all applicable federal and District labor, citizenship and immigration, and workers compensation requirements.

10106.3 The VF/EA FMS-Support Broker entity shall consist of the following two (2) divisions:

- (a) The Financial Management Services Division; and
- (b) The Support Broker Division.

10106.4 The VF/EA FMS-Support Broker entity's Financial Management Services Division shall provide the following services to *Services My Way* participants:

- (a) Assist participants in verifying citizenship status of prospective PDWs;
- (b) Report PDWs in the District New Hire Reporting System;
- (c) Collect and process timesheets for PDWs;
- (d) Process payroll, withholding, filing and payment of applicable federal and District employment-related taxes and insurance for PDWs;

- (e) Manage the receipt and renewal of workers' compensation insurance policies for participants' PDWs;
- (f) Track and report participant funds, disbursements, and the balance of participant funds;
- (g) Process and pay invoices for individual-directed goods and services outlined in the participant's PCP and approved PDS budget;
- (h) Provide participants with periodic reports of expenditures and the status of their PDS budgets, as described in § 10113.2;
- (i) Provide customer service, including toll-free phone numbers, written translation and oral language services in accordance with the Language Access Act of 2004, effective June 19, 2004 (D.C. Law 15-167; D.C. Official Code §§ 2-1931 *et seq.*); and
- (j) Any other services specified in the VF/EA FMS-Support Broker entity contract and accompanying documents.

10106.5 The VF/EA FMS-Support Broker entity's Financial Management Services Division shall execute the following tasks on behalf of DHCF:

- (a) Execute Medicaid provider agreements for PDWs and individual-directed goods and services vendors providing goods or services and maintaining such agreements as authorized under a written agreement with DHCF;
- (b) Process returned PDW payroll checks and returned payments to individual-directed goods and services vendors in accordance with the District Unclaimed Property Law, effective March 5, 1981 (D.C. Law 3-160; D.C. Official Code §§ 41-101 *et seq.*); and
- (c) Any other tasks specified in the VF/EA FMS-Support Broker entity contract and accompanying documents.

10106.6 The VF/EA FMS-Support Broker entity's Support Broker Division shall provide each *Services My Way* participant with a support broker to furnish information and assistance services. Support brokers shall provide the following services to *Services My Way* participants:

- (a) Assist participants in designating an authorized representative, if participants choose to do so;
- (b) Provide initial orientation to participants and authorized representatives, as appropriate, on participating in the *Services My Way* program, including the role and responsibilities of acting as a "common law employer" and

the VF/EA FMS-Support Broker entity, the exercise of employer and budget authority, and management of the PDS budget;

- (c) Provide initial and ongoing skills training to participants and authorized representatives, as appropriate, on performing as a common law employer, utilizing financial management and information and assistance services provided by the VF/EA FMS-Support Broker entity, and managing the PDS budget;
- (d) Assist participant/representative-employers in developing, implementing, and revising, as needed, emergency back-up and natural support plans;
- (e) Receive participants' monthly PDS allocation amount from DHCF and assist participants and authorized representatives, as appropriate, in developing initial and revised PDS budgets using allocation amounts;
- (f) Conduct monthly phone calls and quarterly in-home visits with all participants and authorized representatives, as appropriate;
- (g) Communicate with EPD Waiver case managers to address any health and safety concerns identified for participants and ensure that participants are included in such communication; and
- (h) Any other services specified in the VF/EA FMS-Support Broker entity contract and accompanying documents.

10107 PARTICIPANT-DIRECTED SERVICES BUDGET FORMULATION

10107.1 To be eligible for PDCS services, a *Services My Way* participant shall be in receipt of a service authorization for personal care aide services that specifies the amount, duration, and scope of services authorized to be provided, in accordance with 29 DCMR § 5003.

10107.2 A PDS budget shall be developed based on the following methodology:

- (a) The participant's total assessed hours per week for personal care aide services is determined through the assessment process as set forth in 29 DCMR § 5003.3 and converted to hours per month;
- (b) The total number of personal care aide services hours per month is multiplied by the hourly rate paid by DHCF for personal care aide services; and
- (c) The total amount computed in (b) above is reduced by a pre-determined percentage to reflect the administrative overhead amount included in the hourly rate paid by DHCF for personal care aide services.

- 10107.3 The amount resulting from the calculation described in § 10107.2 shall represent the *Services My Way* participant's monthly PDS allocation amount, which shall be used to compute the participant's PDS budget.
- 10107.4 A PDS budget shall be developed by the participant and authorized representative, as appropriate, with assistance from the participant's support broker.
- 10107.5 A PDS budget shall contain the following two (2) cost components:
- (a) PDCS services; and
 - (b) Individual-directed goods and services.
- 10107.6 Participant/representative-employers shall set the hourly wage rate paid to their PDWs within the wage range established by DHCF as set forth in § 10102.9.
- 10107.7 Funds available for purchase of individual-directed goods and services shall be those funds, if any, remaining in the PDS budget after the amount for PDCS services has been determined.
- 10107.8 Support brokers shall be responsible for explaining the method used to develop the monthly PDS allocation amount to *Services My Way* participants.
- 10107.9 DHCF shall calculate the monthly PDS allocation amount for all *Services My Way* participants.
- 10107.10 DHCF or its agent shall notify all *Services My Way* participants each time PDS allocation amounts are adjusted as a result of a change to the hourly rate paid by DHCF for personal care aide services.
- 10107.11 The participant and the authorized representative, if applicable, shall work with the support broker to develop the participant's PDS budget based on the allocation amount.
- 10107.12 The participant's support broker shall submit the participant's completed PDS budget to the *Services My Way* Program Coordinator for approval within the timeframe established by DHCF.
- 10107.13 The *Services My Way* Program Coordinator shall review all PDCS services and individual-directed goods and services requested in a participant's PDS budget. All PDCS services requested in a PDS budget shall be reviewed in accordance with all relevant provisions of the Fair Labor Standards Act, 29 U.S.C. §§ 201 *et seq.*, and attendant regulations.

- 10107.14 If the *Services My Way* Program Coordinator denies any PDCS services or individual-directed good or service requested in a participant's PDS budget, the Program Coordinator shall send written notice of the denial to the participant, authorized representative as appropriate, and the participant's support broker. The notice shall contain information on the reconsideration process, as described in § 10108, and the participant's appeal rights.
- 10107.15 Once a participant's PDS budget is approved by the *Services My Way* Program Coordinator, the Program Coordinator shall provide the approved PDS budget to the VF/EA FMS-Support Broker entity.
- 10107.16 The VF/EA FMS-Support Broker entity shall only release payment for PDCS services and individual-directed goods and services included in the participant's approved PDS budget and for which prior authorizations have been issued.

10108 RECONSIDERATION PROCESS

- 10108.1 If the *Services My Way* Program Coordinator denies any PDCS services or individual-directed good or service requested in a participant's PDS budget, the participant may request reconsideration of the denial in accordance with § 10108.2.
- 10108.2 If the participant wishes to request reconsideration of the denial, the following steps shall occur:
- (a) The participant shall submit a written request for reconsideration to DHCF within twenty-one (21) days of the postmark date on the notice of denial, containing the following elements:
 - (1) The reason the participant believes the denial decision should not be upheld; and
 - (2) Any additional information and/or documentation the participant believes is relevant to the reconsideration decision;
 - (b) The Director of DHCF or a designee shall issue a reconsideration decision within forty-five (45) days of the date the reconsideration request was received, containing the following elements:
 - (1) A clear statement that the PDS budget denial explained in the initial notice has been upheld or overturned on reconsideration;
 - (2) An explanation of the reason(s) the PDS budget denial was upheld or overturned;
 - (3) Citation to regulations supporting the decision;

- (4) Information regarding the participant's right to appeal the reconsideration decision by filing a notice of appeal with the Office of Administrative Hearings; and
- (5) An explanation of the circumstances under which the participant's current level of PDCS and individual-directed goods and services will be continued if the participant files a timely notice of appeal with the Office of Administrative Hearings.

10108.3 A *Services My Way* participant shall not be required to request reconsideration of the denial and may appeal the PDS budget denial decision directly by filing a notice of appeal with the Office of Administrative Hearings.

10109 AUTHORIZED REPRESENTATIVES

10109.1 A *Services My Way* participant may designate an authorized representative to exercise employer-related responsibilities in the *Services My Way* program.

10109.2 An authorized representative is an individual who willingly accepts responsibility for performing employer and PDS budget management tasks that a participant is unable to perform without the assistance of a representative.

10109.3 An individual shall execute a Designation of Authorized Representative form in order to be recognized as a *Services My Way* participant's authorized representative.

10109.4 A *Services My Way* participant may designate one (1) of the following three (3) types of authorized representative:

- (a) Pre-Determined Representative: A legal guardian or other court-appointed representative in place at the time of the participant's enrollment in the *Services My Way* program;
- (b) Voluntary Representative: An individual twenty-one (21) years of age or older who is actively engaged in the participant's life and lives in the participant's community; or
- (c) Mandated Representative: An individual who meets the criteria of (b) above who is designated by the participant if DHCF or its agent determines that the participant requires an authorized representative in order to continue participation in the *Services My Way* program.

10109.5 A *Services My Way* participant shall only have one (1) authorized representative at any time.

- 10109.6 No individual shall receive any monetary compensation for acting as an authorized representative for a *Services My Way* participant.
- 10109.7 No individual acting as an authorized representative for a *Services My Way* participant shall serve as a PDW for that participant.
- 10109.8 All authorized representatives shall be responsible for working collaboratively with *Services My Way* participants to ensure that:
- (a) The participant receives all needed PDCS services from qualified PDWs; and
 - (b) PDCS services and individual-directed goods and services are provided in accordance with the participant's PCP and PDS budget.
- 10109.9 *Services My Way* participants may revoke an authorized representative designation at any time by notifying the support broker, who shall assist the participant to complete any required forms.
- 10109.10 DHCF may determine that a participant requires an authorized representative to continue participation in the *Services My Way* program if the participant has demonstrated an inability to self-direct their services after additional counseling, information, training or assistance.
- 10109.11 If DHCF determines that a participant requires an authorized representative to continue participation in the *Services My Way* program in accordance with § 10109.10, DHCF shall issue written notice to the participant, support broker and EPD Waiver case manager which shall:
- (a) Inform the participant that designation of an authorized representative is required in order to continue participation in the *Services My Way* program;
 - (b) Detail the reasons that designation of an authorized representative is required;
 - (c) Provide instructions on designating an authorized representative; and
 - (d) Provide information regarding the participant's right to appeal the determination by filing a notice of appeal with the Office of Administrative Hearings.

10110 MANDATORY REPORTING

- 10110.1 All EPD Waiver case managers, authorized representatives, and employees of the VF/EA FMS-Support Broker entity shall be required to report any suspected

instance of abuse, neglect, or exploitation of a *Services My Way* participant to DHCF and Adult Protective Services.

10111 VOLUNTARY TERMINATION OF PROGRAM PARTICIPATION

10111.1 *Services My Way* participants may decide at any time to voluntarily terminate their participation in the *Services My Way* program.

10111.2 A *Services My Way* participant shall indicate the decision to voluntarily terminate participation in the program by completing and submitting any required voluntary termination forms to the *Services My Way* Program Coordinator. The participant's authorized representative and/or support broker shall assist the participant to complete the forms as necessary.

10111.3 Upon receipt of the participant's voluntary termination forms, the *Services My Way* Program Coordinator shall inform the participant's EPD Waiver case manager and support broker of the participant's decision to terminate program participation.

10111.4 EPD Waiver case managers shall be responsible for assisting participants to transition to agency-based personal care aide services. EPD Waiver case managers shall ensure that there is no break in service provision during the transition period and shall coordinate the approval by DHCF or its designee of the request to initiate agency-based personal care aide services.

10112 INVOLUNTARY TERMINATION OF PROGRAM PARTICIPATION

10112.1 Participant/representative-employers shall be required to comply with all program rules and terms of the Participant/Representative-Employer Agreement and the Participant/Representative-Employer Consent Form executed at the time of enrollment in the *Services My Way* program.

10112.2 Non-compliance with program rules or the terms of the Participant/Representative-Employer Agreement or Participant/Representative-Employer Consent Form shall result in referral of the participant to the Remediation, Training and Termination Protocol established by DHCF.

10112.3 Non-compliance with the terms of the Participant/Representative-Employer Agreement may be identified by the VF/EA FMS-Support Broker entity, the participant's support broker, the participant's EPD Waiver case manager, or DHCF staff.

10112.4 Except in the case of a credible allegation of fraud, theft, or any other criminal behavior, as described in § 10112.11, participant/representative-employers shall be afforded two (2) episodes of non-compliance in each area of employer-related responsibility delineated in the Participant/Representative Employer Agreement

during the first twelve (12) months of enrollment in the *Services My Way* program, in order to allow new program participants to become familiar with all employer-related responsibilities. The third episode of non-compliance in a single area of employer-related responsibility during the first twelve (12) months of program enrollment shall result in the participant's termination from the *Services My Way* program and a transition to agency-based personal care aide services.

10112.5 After the first twelve (12) months of program enrollment, participant/representative-employers shall be afforded a total of two (2) further episodes of non-compliance, in any area of employer-related responsibility delineated in the Participant/Representative Employer Agreement, for the duration of their enrollment in the *Services My Way* program. The third episode of non-compliance in any area of employer-related responsibility after the first twelve (12) months of program enrollment shall result in the participant's termination from the *Services My Way* program and a transition to agency-based personal care aide services.

10112.6 When a participant/representative-employer is found to be out of compliance with the Participant/Representative-Employer Agreement for the first time, the following steps shall occur:

- (a) The *Services My Way* Program Coordinator shall issue a notice of non-compliance to the participant/representative-employer, the support broker, and the EPD Waiver case manager, which shall:
 - (1) Identify the issue of non-compliance and request that the issue be corrected, if possible, and not repeated;
 - (2) Detail requirements of the Corrective Action Plan (CAP) the participant shall create to address the issue;
 - (3) Offer training and/or technical assistance;
 - (4) Encourage the participant/representative-employer to direct questions to the support broker regarding the issue of non-compliance, including requesting training, obtaining assistance in preparing the CAP, and designating an authorized representative;
 - (5) Identify consequences of further non-compliance with the Participant/Representative-Employer Agreement; and
 - (6) Provide information on the participant's appeal rights for termination from the program should three (3) episodes of non-compliance occur.

- (b) Within five (5) business days of issuing the notice of non-compliance, the support broker shall contact the participant/representative-employer to discuss the episode of non-compliance;
 - (c) Within five (5) business days of the contact described in (b) above, the participant shall, with the assistance of the authorized representative and/or the support broker, if needed, draft and sign a written CAP regarding the issue of non-compliance; and
 - (d) The support broker shall provide copies of the participant's signed CAP to the participant's EPD Waiver case manager and the VF/EA FMS-Support Broker entity.
- 10112.7 The participant's support broker shall be responsible for monitoring the participant's adherence to the CAP.
- 10112.8 If the participant or authorized representative, as applicable, fails to implement all or a portion of the CAP, this failure shall be considered an episode of non-compliance with the terms of the Participant/Representative-Employer Agreement and shall be reported to the *Services My Way* Program Coordinator.
- 10112.9 If a participant/representative-employer is found to be out of compliance with the Participant/Representative-Employer Agreement a second time, the following steps shall occur:
- (a) The *Services My Way* Program Coordinator shall issue a second notice of non-compliance to the participant/representative-employer, the support broker, and the EPD Waiver case manager, which shall meet all requirements described in § 10112.6(a);
 - (b) Within five (5) business days of issuing the notice of non-compliance, the support broker shall contact the participant/representative-employer to discuss the episode of non-compliance;
 - (c) Within five (5) business days of the contact described in (b) above, the participant shall, with the assistance of the authorized representative and/or the support broker, if needed, draft and sign a written CAP regarding the issue of non-compliance; and
 - (d) The support broker shall provide copies of the participant's signed CAP to the participant's EPD Waiver case manager and the VF/EA FMS-Support Broker entity.
- 10112.10 If a participant/representative-employer is found to be out of compliance with the Participant/Representative-Employer Agreement a third time, the following steps shall occur:

- (a) The *Services My Way* Program Coordinator shall issue a third notice of non-compliance to the participant, the support broker, and the EPD Waiver case manager, which shall:
 - (1) Identify the three (3) episodes of non-compliance;
 - (2) Clearly state that DHCF is terminating the participant's enrollment in the *Services My Way* program, per notice provided in the first and second notifications of non-compliance;
 - (3) Inform the participant that he/she will be transitioned to agency-based personal care aide services, per notice provided in the first and second notifications of non-compliance; and
 - (4) Provide information regarding the participant's right to appeal the *Services My Way* program termination decision by filing a notice of appeal with the Office of Administrative Hearings;
- (b) The support broker shall provide copies of the termination notice to the participant's EPD Waiver case manager and the VF/EA FMS-Support Broker entity;
- (c) Within five (5) business days of issuing the termination notice, the support broker shall contact the participant/ representative-employer and address the following topics:
 - (1) Reference to the first and second notices of non-compliance and the termination notice;
 - (2) Review of the consequences of three (3) episodes of non-compliance within a twelve (12) month period;
 - (3) Explanation of the process to transition the participant to agency-based personal care aide services; and
 - (4) Explanation of the participant's right to appeal the *Services My Way* program termination decision and the appeal process; and
- (d) Within five (5) business days of the contact described in (c) above, the support broker shall complete all required participant termination forms and submit them to the *Services My Way* Program Coordinator.

10112.11 In the case of a credible allegation of fraud, theft, or any other criminal behavior committed by a *Services My Way* participant, the participant shall not be referred to the remediation, training and termination protocol, and shall not be afforded

three (3) episodes of non-compliance. The participant may be terminated from the program immediately upon completion of an investigation by the DHCF Division of Program Integrity substantiating the credible allegation of criminal behavior.

- 10112.12 If the DHCF Division of Program Integrity receives a credible allegation of fraud, theft, or any other criminal behavior by a *Services My Way* participant, the Division shall complete an investigation of the allegation and issue a report detailing its findings.
- 10112.13 A credible allegation of fraud, theft or other criminal behavior is an allegation that has been reviewed and verified by DHCF from a source including, but not limited to, the following:
- (a) The VF/EA FMS-Support Broker entity;
 - (b) The participant's support broker;
 - (c) The participant's EPD Waiver case manager;
 - (d) The participant's other EPD Waiver service providers;
 - (e) The participant's PDW; or
 - (f) DHCF staff.
- 10112.14 If the report issued in accordance with § 10112.12 finds the allegation to be substantiated, DHCF shall convene an interdisciplinary termination committee to review the report and determine whether to terminate the participant based on the findings documented in the report.
- 10112.15 If a *Services My Way* participant is terminated from the program based on the determination of the committee described in § 10112.14, the *Services My Way* Program Coordinator shall issue a termination notice to the participant/representative-employer, the support broker, and the waiver case manager, which shall:
- (a) Clearly state that DHCF is terminating the participant's enrollment in the *Services My Way* program due to a substantiated allegation of fraud, theft or other criminal behavior;
 - (b) Explain the allegation, the investigation process, and the findings of the investigation, and include a copy of the investigation report;
 - (c) Explain the process to transition the participant to agency-based personal care aide services, if appropriate;
 - (d) Provide information regarding the participant's right to appeal the *Services My Way* program termination decision by filing a notice of appeal with the Office of Administrative Hearings; and

- (e) Provide information regarding the circumstances under which the participant's current *Services My Way* program services will be continued if a hearing is requested, as described in § 10211.16.

10112.16 If a participant files a notice of appeal with the Office of Administrative Hearings within thirty (30) days of the date on the *Services My Way* program termination notice, the participant shall remain enrolled in the *Services My Way* program and continue to receive PDCS services and individual-directed goods and services included in the participant's approved PDS budget while the participant's appeal is pending.

10112.17 EPD Waiver case managers shall be responsible for transitioning participants to agency-based personal care aide services. EPD Waiver case managers shall ensure that there is no break in service provision during the transition period and shall coordinate the approval by DHCF or its designee of the request to initiate agency-based personal care aide services.

10112.18 Nothing in this section shall be construed to limit the District's authority to investigate and prosecute a *Services My Way* program participant for criminal acts including but not limited to theft and fraud.

10113 EXPENDITURE SAFEGUARDS

10113.1 DHCF shall implement all safeguards described in this section to prevent premature depletion of *Services My Way* participants' PDS budgets and address potential service delivery issues associated with budget underutilization.

10113.2 The Financial Management Services Division of the VF/EA FMS-Support Broker entity shall prepare and issue a monthly PDS budget report to all participant/representative-employers, their support brokers, EPD Waiver case managers, and the *Services My Way* Program Coordinator. The monthly PDS budget report shall include the following elements:

- (a) The participant's monthly PDS budget amount, services used, and expenses incurred for both the current month and the year to date; and
- (b) The remaining balance of the participant's PDS budget amount.

10113.3 Support brokers shall review the monthly PDS budget report with participant/representative-employers during their monthly phone contact.

10113.4 The Financial Management Services Division of the VF/EA FMS-Support Broker entity shall monitor PDCS services utilization and provide written notice to the participant/representative-employer, the support broker, the EPD Waiver case manager, and the *Services My Way* Program Coordinator of any significant over- or under-utilization of PDCS services.

10113.5 If the Financial Management Services Division of the VF/EA FMS-Support Broker entity discovers significant over-utilization of PDCS services, the participant/representative-employer shall be referred to the Remediation, Training and Termination Protocol described in § 10112.

10113.6 If the Financial Management Services Division of the VF/EA FMS-Support Broker entity discovers significant under-utilization of PDCS services, the support broker shall address the issue with the participant/representative-employer and develop a corrective action plan as necessary to remedy the issue.

10199 DEFINITIONS

10199.1

Activities of Daily Living (ADLs) - The ability to bathe, transfer, dress, eat and feed oneself, engage in toileting, and maintain bowel and bladder control (continence).

Authorized Representative - An individual who willingly accepts responsibility for performing employer and PDS budget management tasks that a participant is unable to perform without the assistance of a representative, and who has been designated by the participant in writing by executing a Designation of Authorized Representative form.

Budget Authority - The authority granted to *Services My Way* program participants and their authorized representatives, as applicable, to develop and manage their own PDS budget with the assistance of the support broker and the approval of the *Services My Way* Program Coordinator. This authority allows participants to set the wage rate for their own participant-directed workers within the range prescribed by DHCF, and to allocate funds in their own PDS budget to individual-directed goods and services.

Common Law Employer - A person for whom the services are being performed who has the right to direct and control the actions of the individual who performs the services, not only as to the result to be accomplished by the work, but also as to the details and the means by which the result is accomplished, and who is responsible for payment of wages and employment taxes to its employees and all federal, state and local government agencies.

District New Hire Reporting System - The electronic system in which all District employers are required to enter new employees within twenty (20) days of hire, per 42 U.S.C. § 653A.

Employer Authority - The authority granted to *Services My Way* program participants and their authorized representatives, as applicable, to recruit, hire, supervise, and discharge their own qualified participant-directed workers who provide participant-directed community support services to program participants, with the assistance of the VF/EA FMS-Support Broker entity.

Fraud - An intentional deception or misrepresentation made by a person with the knowledge that the deception could result in some unauthorized benefit to himself or herself or some other person, including any act that constitutes fraud under federal or District law.

Instrumental Activities of Daily Living (IADLs) - The ability to perform activities not necessary for day-to-day functioning, but which allow an individual to live independently in the community, such as telephone use and medication administration.

Participant-Directed Worker - An individual meeting the qualifications set forth in § 10103 who is hired by the participant/representative employer to provide PDCS services.

Participant/Representative-Employer - The *Services My Way* participant or the participant's authorized representative, as applicable, who performs employer-related duties including recruiting, hiring, supervising and discharging participant-directed workers.

Person-Centered Plan - An individualized service plan developed by the EPD Waiver case manager that identifies the supports and services to be provided to the person enrolled in the EPD Waiver and the evaluation of the person's progress on an ongoing basis to assure that the person's needs and desired outcomes are being met.

Self-Direction - The ability of program participants, or their representatives if applicable, to exercise decision-making authority over certain services and take direct responsibility to manage their services with the assistance of a system of available supports.

Support Broker - An employee of the VF/EA FMS-Support Broker entity who provides information and assistance services to *Services My Way* participants to enable participants and authorized representatives, as appropriate, to independently direct and manage their participant-directed services.

Theft - To wrongfully obtain or use the property of another with intent to deprive the other of a right to the property or a benefit of the property or to

appropriate the property to an individual's own use or to the use of a third person.

Vendor - A corporate entity providing individual-directed goods or services.

Vendor Fiscal/Employer Agent (VF/EA) Financial Management Services (FMS)-Support Broker Entity - An entity operating in accordance with 26 USC § 3504 and Rev. Proc. 70-6, as modified by REG-137036 and Rev. Proc. 2013-39, which provides financial management services and information and assistance services to *Services My Way* participants and their authorized representatives, as appropriate.

Wrongfully Obtain or Use - Taking or exercising control over property; making an unauthorized use, disposition, or transfer of an interest in or possession of property; or obtaining property by trick, false pretense, false token, tampering, or deception. The term "wrongfully obtain or use" includes conduct previously known in the District as larceny, larceny by trick, larceny by trust, embezzlement, and false pretenses.

Comments on the proposed rule shall be submitted, in writing, to Claudia Schlosberg, Senior Deputy Director/State Medicaid Director, Department of Health Care Finance, 441 4th Street, N.W., Suite 900S, Washington, D.C. 20001, via telephone on (202) 442-8742, via email at DHCFPubliccomments@dc.gov, or online at www.dcregs.dc.gov, within thirty (30) days after the date of publication of this notice in the *D.C. Register*. Copies of the proposed rule may be obtained from the above address.

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA**NOTICE OF EMERGENCY and PROPOSED RULEMAKING****Z.C. Case No. 14-11D****Text Amendment to Subtitle A § 301 – 11 DCMR****(Vesting Provision for Z.C. Case No. 14-11B)**

The Zoning Commission for the District of Columbia (Commission), pursuant to the authority set forth in § 1 of the Zoning Act of 1938, approved June 20, 1938 (52 Stat. 797; D.C. Official Code § 6-641.01 (2012 Repl.)), and the authority set forth in § 6(c) of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1206; D.C. Official Code § 2-505(c) (2012 Repl.)), hereby gives notice of the adoption, on an emergency basis, of an amendment to § 301 of Subtitle A (Authority and Applicability) of Title 11 (Zoning Regulations of 2016) of the District of Columbia Municipal Regulations (DCMR). Subtitle A contains administrative regulations (*See* 11 DCMR § 200.3) and, therefore, this proposal is not considered to be an amendment to the text of the Zoning Regulations.

Z.C. Order No. 14-11B was published in the April 28, 2017 edition of the *D.C. Register* at 64 DCR 4055. As a result, amendments to the Zoning Regulations became effective that prohibit the construction of a rear wall of an attached or semi-detached building in the R-2, R-3, R-13, R-17, R-20, and RF Zones from extending farther than ten feet (10 ft.) beyond the farthest rear wall of any adjoining principal residential building on an adjoining property. Special exception relief from this restriction was made available. Pursuant to 11-A DCMR § 301.4, development rights do not vest until a building permit is issued. Therefore, pending building permit applications filed prior to April 28, 2017 that proposed construction inconsistent with the new rule could no longer be issued on or after that date without a significant change to the plans or a special exception. The Department of Consumer and Regulatory Affairs reported that at least twenty (20) such applications were filed prior to the Commission taking final action on Z.C. Case No. 14-11B on March 27, 2017, and several had already received zoning clearance.

The Office of Planning (OP), through a report dated May 12, 2017, and through its presentation at the Commission's public meeting of May 22, 2017, shared this information with the Commission. Due to the large number of applications involved and the resulting disruption and uncertainty to the building permit process, OP recommended that the Commission vest those affected applications filed on or prior to March 27, 2017 against the effect of the rear wall limitation. The Commission agreed and also accepted OP's recommendation that this vesting provision be adopted on an emergency basis, since that would be the only way to meaningfully provide the needed relief.

For the foregoing reasons, the Commission found that emergency adoption of this amendment is necessary "for the immediate preservation of the public . . . welfare." (D.C. Official Code § 2-505(c) (2012 Repl.).)

This emergency rule was adopted on May 22, 2017 and became effective on that date.

The Commission also gives notice of its intent to take final rulemaking action to adopt the following amendment to the Zoning Regulations in not less than thirty (30) days from the date of publication of this notice in the *D.C. Register* or following the completion of the public hearing also advertised in this edition of the *D.C. Register*, whichever occurs first.

The emergency rule will expire Thursday, September 21, 2017, which is the one hundred-twentieth (120th) day after adoption of this rule, or upon publication of a Notice of Final Rulemaking in the *D.C. Register*, whichever occurs first.

Title 11 DCMR, ZONING REGULATIONS OF 2016, is amended as follows:

A new § 301.14 is added to § 301, BUILDING PERMITS, of Chapter 3, ADMINISTRATION AND ENFORCEMENT, of Title 11-A, AUTHORITY AND APPLICABILITY, to read as follows

301.14 Notwithstanding Subtitle A § 301.4, Subtitle D §§ 306.3, 306.4, 706.3, 706.4, 1006.2, 1006.3 1206.3, and 1206.4, and, Subtitle E §§ 205.4 and 205.5, a rear wall of an attached or semi-detached building may be constructed to extend farther than ten feet (10 ft.) beyond the farthest rear wall of any adjoining principal residential building on an adjoining property provided that the building permit application for such construction was filed and accepted as complete by the Department of Consumer and Regulatory Affairs on or before March 27, 2017 and not substantially changed after filing.

All persons desiring to comment on the subject matter of this proposed rulemaking action should file comments in writing no later than thirty (30) days after the date of publication of this notice in the *D.C. Register*. Comments should be filed with Sharon Schellin, Secretary to the Zoning Commission, Office of Zoning, 441 4th Street, N.W., Suite 200-S, Washington, D.C. 20001, or signed electronic submissions may be submitted in PDF format to zcsubmissions@dc.gov. Ms. Schellin may also be contacted by telephone at (202) 727-6311 or by email: at Sharon.Schellin@dc.gov. Copies of this proposed rulemaking action may be obtained at cost by writing to the above address.

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2017-143
June 9, 2017

SUBJECT: Appointments — Commission on Asian and Pacific Islander Community Development

ORIGINATING AGENCY: Office of the Mayor


By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(2) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2) (2016 Repl.), and pursuant to section 305 of the Fiscal Year 2002 Budget Support Act of 2001, effective October 3, 2001, D.C. Law 14-28; D.C. Official Code § 2-1374 (2016 Repl.), which established the Commission on Asian and Pacific Islander Community Development, it is hereby **ORDERED** that:

1. The following persons are appointed as *ex-officio* non-voting members of the Commission on Asian and Pacific Islander Community Development, serving at the pleasure of the Mayor:
 - a. **THARMALINGAM ANNAMALAI** as a representative of the Department of Employee Services, replacing Elizabeth P. DeBarros.
 - b. **CHRISTOPHER ASHTON** as a representative of the Department of Parks and Recreation, replacing John Stokes.
 - c. **CHERYLE COLEMAN-HALL** as a representative of the Department of Human Services, replacing Sakina B. Thompson.
 - d. **EDWARD DAVIS** as a representative of the Department of Housing and Community Development, replacing Sonia P. Gutierrez.
 - e. **HELEN LEE** as a representative of the Department of Public Works, replacing William O. Howland Jr.
 - f. **VINCENT PARKER** as a representative of the Department of Consumer and Regulatory Affairs, replacing Matthew Green Jr.

2. **EFFECTIVE DATE:** This Order shall be effective *nunc pro tunc* to May 8, 2017.



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 2017-144
June 9, 2017

SUBJECT: Appointments —Comprehensive Homicide Elimination Strategy Task Force

ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(2) of the District of Columbia Home Rule Act, approved December 24, 1973 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2) (2016 Repl.), and in accordance with section 501 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 § 22-4251 (2012 Repl.), it is hereby **ORDERED** that:

1. The following persons are appointed as members of the Comprehensive Homicide Elimination Strategy Task Force, for terms to end January 31, 2018:
 - a. **AKOSUA ALI**, as a criminal justice reform organization member
 - b. **BRADLEY HOLMES**, as a social services organization member
 - c. **MICHELLE PALMER**, as a victim services organization member
 - d. **TYRONE PARKER**, as a non-profit organization member
 - e. **BARNEY SHAPIRO**, as a business industry member

2. **EFFECTIVE DATE:** This Order shall be effective *nunc pro tunc* to March 3, 2017.



MURIEL BOWSER
MAYOR

ATTEST:



LAUREN C. VAUGHAN
SECRETARY OF THE DISTRICT OF COLUMBIA

ACADEMY OF HOPE ADULT PUBLIC CHARTER SCHOOL**REQUEST FOR PROPOSALS****Multiple Services**

Academy of Hope solicits expressions of interest in the form of proposals from qualified vendors for the services listed below.

1. Accounting Services
2. LED Lighting Conversion
3. General Contractor
4. Technology purchasing
5. Legal services

Please visit www.aohdc.org for full details. Questions and proposals may be e-mailed to aoh@aohdc.org. Deadline for submissions is July 7th

Washington, DC 20017

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF PUBLIC HEARINGS
CALENDAR

WEDNESDAY, JUNE 21, 2017
2000 14TH STREET, N.W., SUITE 400S
WASHINGTON, D.C. 20009

Donovan W. Anderson, Chairperson
Members: Nick Alberti, Mike Silverstein,
James Short, Jake Perry, Donald Isaac, Sr.

- Show Cause Hearing (Status)** **9:30 AM**
Case # 17-CMP-00050; Imm on H, LLC, t/a Imm on H, 1360 H Street NE
License #99569, Retailer CR, ANC 6A
No ABC Manager on Duty
- Show Cause Hearing (Status)** **9:30 AM**
Case # 17-CMP-00012; Good Stuff Eatery Georgetown, LLC, t/a Good Stuff
Eatery, 3291 M Street NW, License #89350, Retailer CR, ANC 2E
No ABC Manager on Duty
- Show Cause Hearing (Status)** **9:30 AM**
Case # 17-CMP-00116; Lemma Holdings, LLC, t/a Bliss, 2122 24th Place NE
License #95711, Retailer CT, ANC 5C
**Failed to Follow Security Plan (Two Counts), Substantial Change without
Board Approval**
- Show Cause Hearing (Status)** **9:30 AM**
Case # 17-CMP-00026; The Noodles Shop, Co-Colorado, Inc., t/a Noodles &
Company, 1667 K Street NW, License #91046, Retailer CR, ANC 2B
No ABC Manager on Duty (Two Counts)
- Show Cause Hearing (Status)** **9:30 AM**
Case # 17-CMP-00008; TMI International, Inc., t/a Sip, 1812 Hamlin Street NE
License #95164, Retailer CT, ANC 5C
Noise Violation
- Show Cause Hearing*** **10:00 AM**
Case # 17-CMP-00037; P&P Corp., t/a La Chaumiere, 2813 M Street NW
License #850, Retailer CR, ANC 2E

Board's Calendar

June 21, 2017

No ABC Manager on Duty

Fact Finding Hearing*

11:00 AM

KCC Entertainment, Inc., t/a Club 2020 Bar & Lounge; 2434 18th Street NW
License #101093, Retailer CR, ANC 1C

Request to Extend Safekeeping

Fact Finding Hearing*

11:30 AM

On the Rocks, LLC, t/a On the Rocks; 1242 H Street NE, License #106695
Retailer CT, ANC 6A

Transfer Application

BOARD RECESS AT 12:00 PM

ADMINISTRATIVE AGENDA

1:00 PM

Protest Hearing*

1:30 PM

Case # 16-PRO-00126; Restaurant Enterprises, Inc., t/a Smith Point, 1338
Wisconsin Ave NW, License #60131, Retailer CT, ANC 2A

Application to Renew the License

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

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

**NOTICE OF MEETING
INVESTIGATIVE AGENDA**

**WEDNESDAY, JUNE 21, 2017
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

On Wednesday, June 21, 2017 at 4:00 pm., the Alcoholic Beverage Control Board will hold a closed meeting regarding the matters identified below. In accordance with Section 405(b) of the Open Meetings Amendment Act of 2010, the meeting will be closed “to plan, discuss, or hear reports concerning ongoing or planned investigations of alleged criminal or civil misconduct or violations of law or regulations.”

1. Case# 17-CC-00065, Alero Restaurant and Lounge, 1301 U Street N.W., Retailer CR, License # ABRA-071881

2. Case# 17-CC-00066, Chinese Disco, 3251 Prospect Street N.W., Retailer CR, License # ABRA-078058

3. Case# 17-CC-00054, Northeast Supermarket, 1201 Mount Olivet Road N.E., Retailer B, License # ABRA-101289

4. Case# 17-CC-00056, Morris Miller Liquors, 7804 Alaska Avenue N.W., Retailer A, License # ABRA-090132

5. Case# 17-CMP-00267(M), Karamshibhai Vaddoriya, ABC Manager, License # ABRA-104361

6. Case# 17-CMP-00289, The Looking Glass at Temperance Hall, 3634 Georgia Avenue N.W., Retailer CT, License # ABRA-074765

7. Case# 17-CC-00060, Glen’s Garden Market, 2001 S Street N.W., Retailer B, License # ABRA-090082

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF MEETING
LICENSING AGENDA

WEDNESDAY, JUNE 21, 2017 AT 1:00 PM
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

1. Review Application for Safekeeping of License – Original Request. ANC 5E. SMD 5E06. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. **Capitol Food Mart**, 1634 North Capitol Street NW, Retailer B, License No. 088815.

2. Review Request for Change of Hours. **Approved Hours of Operation and Alcoholic Beverage Sales and Consumption:** Sunday-Thursday 11am to 10pm, Friday-Saturday 11am to 12am. **Proposed Hours of Operation and Alcoholic Beverage Sales and Consumption:** Sunday-Saturday 11am to 12am. ANC 2C. SMD 2C01. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. **Nando's Peri Peri**, 819 7th Street NW, Retailer CR, License No. 078979.

3. Review Request for Change of Hours. **Approved Hours of Operation and Alcoholic Beverage Sales:** Monday-Friday 9am to 8pm, Saturday 9am to 5pm, Closed Sundays. **Proposed Hours of Operation and Alcoholic Beverage Sales:** Sunday 11am to 10pm, Monday-Thursday 9am to 11pm, Friday-Saturday 9am to 12am. ANC 2A. SMD 2A08. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. **McReynold's Liquors**, 1776 G Street NW, Retailer A Liquor Store, License No. 091013.

4. Review Request to approve a Sidewalk Café with seating for 44 patrons in the outdoor space previously approved as a Summer Garden with seating for 69 patrons, contingent upon acquisition of an updated permit. The Sidewalk Café is to replace the Summer Garden in space that was not previously known to be DC Government property. **Approved Hours of Operation and Alcoholic Beverage Sales and Consumption for Summer Garden:** Monday-Thursday 11am to 2am, Friday-Saturday 11am to 3am. ANC 5E. SMD 5E06. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. **Truxton Inn**, 251 Florida Avenue NW, Retailer CT, License No. 101217.

***In accordance with D.C. Official Code §2-574(b) of the Open Meetings Amendment Act this portion of the meeting will be closed for deliberation and to consult with an attorney to obtain legal advice. The Board's vote will be held in an open session, and the public is permitted to attend.**

CAPITAL CITY PUBLIC CHARTER SCHOOL**REQUEST FOR PROPOSALS****Multiple Services**

Professional Development and School Design
Translation and Interpretation Services
Special Education Testing Services
Special Education and Therapeutic Services
Special Education Assessment and Textbooks
Math Consultant
Planning Guides, Curriculum Resources, Quiz Tools, etc. Services
Payroll Services
Budgeting, accounting, financial and grant reporting, audit report, and analyses
Financial and Retirement Audit
School Supplies
Office Supplies
Recruitment of Teachers and Resident Fellows
Temporary Staffing
Transportation Services
General Contracting Services
Janitorial Services
HVAC Services
Landscaping Services
Pest Control
Trash and Recycling Collection Services
Information Technology Equipment and Services
Computers
IT Supplies
Printer and Copier Services

Capital City Public Charter School invites all interested and qualified vendors to submit proposals for the above services. Proposals are due no later than 5 PM, July 7, 2017. An RFP with bidding requirements and supporting documentation can be obtained by contacting Jonathan Weinstein at jweinstein@ccpcs.org.

CITY ARTS & PREP PUBLIC CHARTER SCHOOL**REQUEST FOR PROPOSALS****Marketing and Communications Services**

The City Arts & Prep Public Charter School, in compliance with Section 2204 (c) of the District of Columbia School Reform Act of 1995 (“Act”), hereby solicits expressions of interest from Vendors or Consultants for the following tasks and services:

- Marketing and Communications Services

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

Proposals shall be received no later than 5:00 pm, Monday, June 26, 2017.

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

Bid Administrator
bids@cityartspcs.org

DC INTERNATIONAL PUBLIC CHARTER SCHOOL**INVITATION FOR BID**

RFP for Moving Services: DC International School (DCI) is seeking competitive bids for moving and possible temporary storage services. DCI next year will be located at 14th and Aspen on the Walter Reed Campus at Delano Hall. We have approximately 30 classrooms that seat 22 students each with classroom furniture, as well as staff furniture, classroom resources, and other supplies. We will have a tour of our current site on Monday, June 12 at 5 pm to determine our moving and possible storage needs. DCI will need to move out of our current facility in July and store until our new facility is open mid-August. The move is scheduled mid-July, with our new facility opening August 15th. 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 Tuesday, June 20, 2017.

E.L. HAYNES PUBLIC CHARTER SCHOOL

REQUEST FOR PROPOSALS

Special Education Services

E.L. Haynes Public Charter School (“ELH”) is seeking proposals from qualified vendors to provide occupational therapy services and evaluations, behavioral support services provided by ABA trained staff, and psychological evaluations.

Vendors may apply for just one area of expertise.

Proposals are due via email to Kristin Yochum no later than 5:00 PM on Tuesday, June 27, 2017. We will notify the final vendor of selection and schedule work to be completed. The RFP with bidding requirements can be obtained by contacting:

Kristin Yochum
E.L. Haynes Public Charter School
Phone: 202.667-4446 ext 3504
Email: kyochum@elhaynes.org

OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION

NOTICE OF FUNDING AVAILABILITY (NOFA)

FISCAL YEAR 2017 and FISCAL YEAR 2018

SAT Preparation Expansion Grant 2017-18

Request for Application (RFA) Release Date: July 6, 2017

The Office of the State Superintendent of Education (OSSE) - Division of Postsecondary and Career Education, is soliciting grant applications for the District of Columbia SAT Preparation Expansion Grant 2017-18. The goal of the SAT Preparation Expansion Grant is to increase the number of District high school students receiving high quality test preparation services in school year 2017-18. Additionally, OSSE seeks to understand which type or types of SAT preparation programs have the greatest positive impact on student scores for the greatest number of District students as well as which type or types of SAT preparation programs may be most effective for specific student populations. The grant is supported through local funds as part of a strategic citywide effort to ensure all District students are college and career ready.

Eligibility: OSSE will make these grants available through a competitive process. Eligible applicants include SAT preparation companies, in partnership with District of Columbia local education agencies (LEAs), who shall provide professional development and planning services between August 1, 2017 and September 30, 2017 (FY17):

- *Teacher/leadership professional development:* OSSE will fund professional development and training programs for teachers, administrators, and counselors at partner LEAs and schools. Professional development and planning should be directly connected to planned school year programs (program option 1 or program option 2, as detailed below).
- *School Year Planning:* OSSE will fund planning and preparation time by test preparation companies, for SAT related programs that will take place during school year 2017-18. Planning and preparation time should include collaboration with partner LEAs. Planning can include purchase of supplies and materials for 2017-18 planned programs.

Additionally, between October 1, 2017 and June 30, 2018 (FY 18), partnerships shall provide one or more of three specific SAT preparation program options:

- *Option 1: Curriculum Integration:* OSSE will fund programs that train academic subject area teachers to integrate SAT strategies and content into pre-existing classroom curriculum.
- *Option 2: LEA-provided SAT Test Preparation Course:* OSSE will fund programs that support school-employed staff to teach a standalone SAT course or courses as part of the school day.

- *Option 3: Company-provided SAT Preparation Course:* OSSE will fund programs that provide an external instructor or instructors directly from the test preparation company to teach a standalone SAT preparation and strategy course for students. Applicants interested in option three must provide a funding match of 2:1, with the applicant providing the 1/3 portion.

SAT preparation companies may choose to apply for as many options as they see fit in partnership with one or more LEAs. Eligible applicants shall offer the SAT preparation course during the school day and for credit (at least ½ credit).

Local Educational Agencies (LEA) are not eligible for this funding, however eligible applicants must secure partnerships with the LEAs with which they intend to work and will be required to verify these partnerships through a signed Partnership Agreement that details the parameters of the partnership and demonstrates each partner's role in the planning and implementation of programs and services. Any qualified test preparation company may serve as the lead applicant for funding and will be fully responsible for fiscal management of funds awarded by OSSE.

OSSE will be holding information session to answer questions about the RFA and grant competition. Please see the full RFA for a detailed timeline of events.

Length of Award: The FY17 grant award period is from August 1, 2017 – September 30, 2017. The FY18 grant award period is October 1, 2017 – June 30, 2018.

Available Funding for Award: The total funding available for the FY17 award period is \$35,000. The total funding available for the FY18 award period is \$225,000. Eligible applicants may apply for any amount up to the full amount but may be awarded amounts less than requested.

An external review panel or panels will be convened to review, score, and rank each application. The review panel(s) will be composed of neutral, qualified, professional individuals selected for their expertise, knowledge or related experiences. The application will be scored against a rubric and each application will have multiple reviewers to ensure accurate scoring. Upon completion of its review, the panel(s) shall make recommendations for awards based on the scoring rubric(s). OSSE's Division of Postsecondary and Career Education will make all final award decisions.

For additional information regarding this grant competition, please contact:

Annie Chen
Program Manager
Division of Postsecondary and Career Education
810 First Street NE, Third Floor, Washington, DC 20002
Phone: (202) 257-3382
Email: Annie.Chen@dc.gov

The RFA will be available on www.osse.dc.gov/sat-preparation-grant. Applications will be submitted through the [Enterprise Grants Management System](#) (EGMS).

OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION

NOTICE OF FUNDING AVAILABILITY (NOFA)

FISCAL YEAR 2018

Special Education Enhancement Fund Grant

Request for Applications Release Date: July 3, 2017

The Office of the State Superintendent of Education (OSSE) is soliciting grant applications for the Special Education Enhancement Fund Grant, pursuant to OSSE's authority to issue grants for programs that increase the capacity of a local education agency to provide special education services (D.C. Code § 38-2602(b)(18)) and the Special Education Quality Improvement Amendment Act of 2014, effective March 10, 2015 (D.C. Law 20-196; D.C. Code § 38-2613). The purpose of this funding is to improve academic outcomes, graduation rates, and post-secondary success of students with disabilities in District of Columbia public schools and public charter schools through projects that:

- Address needs identified within the needs assessment conducted;
- Are linked to evidence-based research and have been shown to increase academic achievement; and
- Apply promising practices to increase academic achievement.

Eligibility: OSSE will make these grants available through a competitive process. Eligible applicants include District of Columbia local educational agencies (LEAs) and third-party non-profit organizations that partner with one or more LEAs. Third-party non-profit organizations must secure partnerships with the LEAs with which they intend to work and will be required to verify these partnerships through a signed Partnership Agreement that details the parameters of the partnership and demonstrates each partner's role in the planning and implementation of programs and services.

Grant applications that demonstrate the following will be prioritized:

- Ability to support the creation of a continuum of public placements and build capacity to serve students in the least restrictive environment, in accordance with the Federal Individuals with Disabilities Education Act (IDEA), 34 CFR Section 300.114.
- Ability to improve graduation, secondary transition, and post-secondary outcomes for students with disabilities.

Length of Award: The FY18 grant award period is from October 1, 2017 and end on September 30, 2018.

Available Funding for Award: The total funding available for the FY17 award period is \$1,500,000.00. Awards are limited to one per applicant. Each applicant may apply for up to \$500,000.00. Determinations regarding the number of competitive grant awards will be based on the quality and number of applications received and available funding. Successful applicants may be awarded amounts less than requested. Successful applicants shall be eligible to receive

up to an additional \$500,000 for each of two additional years, subject to availability of continued funding.

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

To receive more information on these grants, please contact:

Jonathan Elkin
Office of the State Superintendent of Education
810 First Street, NE, Eighth Floor, Washington, D.C. 20002
Email: jonathan.elkin@dc.gov

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

OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION

UPDATED NOTICE OF FUNDING AVAILABILITY (NOFA)

FISCAL YEAR 2017

Improving School Climate/Safe School Certification Grant

Update: The NOFA was originally published on March 3, 2017. The Request for Applications was released on OSSE's website on March 30, 2017. The application was released on the Enterprise Grants Management System on June 9, 2017. The updated closing date for the application is extended to July 31, 2017.

The Office of the State Superintendent of Education (OSSE) – Division of Health and Wellness, is soliciting applications for the Improving School Climate in DC (ISC-DC) Grant pursuant to the National Institute for Justice Improving School Safety in the District of Columbia: Evaluating the Safe School Certification Program. The purpose of this grant is to support schools' efforts to complete the remaining components of the Safe School Certification Process and implement evidence based programs that meet the requirements of "evidence of promise" as defined by the U.S. Department of Education.

Eligibility: As part of the Improving School Climate in DC (ISC-DC) pilot program, this grant funding opportunity is exclusively for schools participating in the project. OSSE will make this grant available through a competitive process. Only those participating schools are eligible to apply once they have successfully passed checkpoint 1 of the Safe School Certification framework, as determined by the external review panel. In order to complete checkpoint 1, schools must submit a workbook detailing if and how they have accomplished the set benchmarks of the Safe School Certification rubric.

Award Period: The grant period begins upon date of award notification and ends on June 1 of the following year.

Available Funding for Award: The total funding available for this award period is \$255,000. Eligible schools may apply for an award amount of up to \$15,000 each.

An external review panel will be convened to review, score, and rank each application. The review panel will be composed of neutral, qualified, professional individuals selected for their expertise, knowledge or related experiences. The application will be scored against a rubric and application will have multiple reviewers to ensure accurate scoring. Upon completion of its review, the panel shall make recommendations for awards based on the scoring rubric.

For additional information regarding this grant competition, please contact:

DeMarcus Jenkins
Education Research Analyst
Division of Health and Wellness
Office of the State Superintendent of Education
demarcus.jenkins@dc.gov
[\(202\) 322-1399 \(c\)](tel:(202)322-1399)

The RFA and all supporting documents are available on <https://osse.dc.gov/page/improving-school-climate-dc-isc-dc-project> or by contacting DeMarcus Jenkins at demarcus.jenkins@dc.gov.

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

The District of Columbia Board of Elections hereby gives notice that there is a vacancy in one (1) Advisory Neighborhood Commission office, certified pursuant to D.C. Official Code § 1-309.06(d)(2); 2001 Ed; 2006 Repl. Vol.

VACANT: 3E01

Petition Circulation Period: **Monday, June 19, 2017 thru Monday, July 10, 2017**

Petition Challenge Period: **Thursday, July 13, 2017 thru Wednesday, July 19, 2017**

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

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

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

BOARD OF ELECTIONS**CERTIFICATION OF ANC/SMD VACANCY
CORRECTED NOTICE**

This notice corrects an error in the notice of Certification of ANC/SMD Vacancy published in the *D.C. Register* on June 9, 2017 at 64 DCR 5504.

The notice incorrectly listed a vacancy in **ANC/SMD 3C02**.

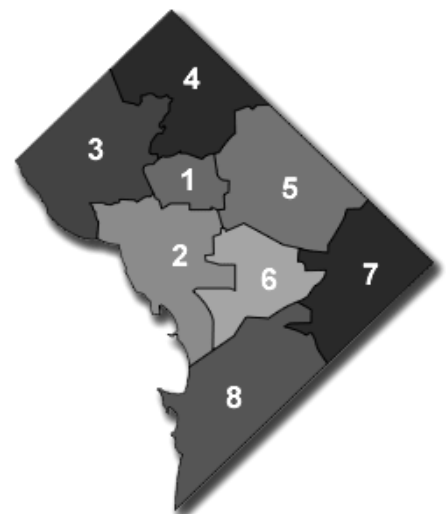
**D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
CITYWIDE REGISTRATION SUMMARY
As Of MAY 31, 2017**

WARD	DEM	REP	STG	LIB	OTH	N-P	TOTALS
1	45,663	2,966	645	148	164	11,466	61,052
2	31,261	5,885	215	163	148	11,069	48,741
3	38,520	6,673	350	143	156	11,202	57,044
4	49,299	2,287	521	86	161	8,822	61,176
5	52,309	2,355	575	104	219	9,249	64,811
6	54,990	7,155	485	229	226	13,614	76,699
7	47,822	1,267	421	54	156	6,368	56,088
8	46,330	1,373	435	39	177	7,148	55,502
Totals	366,194	29,961	3,647	966	1,407	78,938	481,113
Percentage By Party	76.11%	6.23%	.76%	.20%	.29%	16.41%	100.00%

DISTRICT OF COLUMBIA BOARD OF ELECTIONS MONTHLY REPORT OF
VOTER REGISTRATION STATISTICS AND REGISTRATION TRANSACTIONS
AS OF THE END OF MAY 31, 2017

COVERING CITY WIDE TOTALS BY:
WARD, PRECINCT AND PARTY

ONE JUDICIARY SQUARE
441 4TH STREET, NW SUITE 250N
WASHINGTON, DC 20001
(202) 727-2525
<http://www.dcboee.org>



D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
WARD 1 REGISTRATION SUMMARY
As Of MAY 31, 2017

PRECINCT	DEM	REP	STG	LIB	OTH	N-P	TOTALS
20	1,533	29	10	3	4	263	1,842
22	3,768	389	30	15	10	987	5,199
23	2,920	215	46	15	10	792	3,998
24	2,687	254	25	15	13	811	3,805
25	3,823	450	46	12	13	1,111	5,455
35	3,607	230	54	16	8	852	4,767
36	4,287	256	58	6	15	1,038	5,660
37	3,531	164	51	12	10	835	4,603
38	2,898	136	48	17	10	739	3,848
39	4,176	205	68	8	15	923	5,395
40	3,987	192	89	12	19	1,025	5,324
41	3,638	209	61	7	18	1,027	4,960
42	1,856	79	32	2	11	449	2,429
43	1,814	70	19	3	7	361	2,274
137	1,138	88	8	5	1	253	1,493
TOTALS	45,663	2,966	645	148	164	11,466	61,052

D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
WARD 2 REGISTRATION SUMMARY
As Of MAY 31, 2017

PRECINCT	DEM	REP	STG	LIB	OTH	N-P	TOTALS
2	971	186	7	9	12	567	1,752
3	1,685	397	19	8	12	676	2,797
4	1,972	496	6	10	8	784	3,276
5	2,128	610	13	15	9	798	3,573
6	2,384	881	17	15	15	1,288	4,600
13	1,305	242	4	2	5	417	1,975
14	2,963	493	23	14	10	980	4,483
15	3,076	418	30	17	15	899	4,455
16	3,522	442	24	19	14	985	5,006
17	4,880	634	35	21	17	1,503	7,090
129	2,390	396	12	12	12	899	3,721
141	2,403	319	13	12	11	662	3,420
143	1,582	371	12	9	8	611	2,593
TOTALS	31,261	5,885	215	163	148	11,069	48,741

D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
WARD 3 REGISTRATION SUMMARY
As Of MAY 31, 2017

PRECINCT	DEM	REP	STG	LIB	OTH	N-P	TOTALS
7	1,280	405	15	3	7	560	2,270
8	2,440	636	30	6	9	773	3,894
9	1,294	520	7	9	8	516	2,354
10	1,891	432	20	7	13	705	3,068
11	3,463	934	41	28	25	1,270	5,761
12	487	195	0	4	5	209	900
26	2,916	349	19	8	6	869	4,167
27	2,449	250	24	10	3	599	3,335
28	2,525	517	39	7	9	776	3,873
29	1,355	241	12	7	9	411	2,035
30	1,305	209	12	3	6	302	1,837
31	2,452	312	17	7	11	576	3,375
32	2,745	301	23	6	11	571	3,657
33	2,920	304	23	4	5	685	3,941
34	3,735	436	34	14	8	1,118	5,345
50	2,180	270	16	8	6	484	2,964
136	867	100	6	2	2	270	1,247
138	2,216	262	12	10	13	508	3,021
TOTALS	38,520	6,673	350	143	156	11,202	57,044

D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
WARD 4 REGISTRATION SUMMARY
As Of MAY 31, 2017

PRECINCT	DEM	REP	STG	LIB	OTH	N-P	TOTALS
45	2,278	67	32	5	10	387	2,779
46	2,846	95	33	8	12	497	3,491
47	3,413	148	42	11	15	749	4,378
48	2,817	132	25	5	6	544	3,529
49	932	47	15	1	6	205	1,206
51	3,345	526	22	7	8	626	4,534
52	1,252	156	8	0	2	235	1,653
53	1,253	69	21	2	5	235	1,585
54	2,381	101	27	2	5	443	2,959
55	2,454	77	18	1	9	435	2,994
56	3,135	96	34	8	12	621	3,906
57	2,473	74	33	6	12	463	3,061
58	2,279	65	19	4	8	342	2,717
59	2,655	88	29	6	6	426	3,210
60	2,168	76	24	4	8	596	2,876
61	1,611	56	13	0	6	271	1,957
62	3,180	127	23	2	3	382	3,717
63	3,738	129	56	2	17	649	4,591
64	2,370	72	20	7	6	350	2,825
65	2,719	86	27	5	5	366	3,208
Totals	49,299	2,287	521	86	161	8,822	61,176

D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
WARD 5 REGISTRATION SUMMARY
As Of MAY 31, 2017

PRECINCT	DEM	REP	STG	LIB	OTH	N-P	TOTALS
19	4,371	195	60	8	14	980	5,628
44	2,809	237	25	8	18	657	3,754
66	4,518	96	44	4	14	569	5,245
67	2,895	102	22	4	10	411	3,444
68	1,922	170	22	8	5	400	2,527
69	2,075	71	20	1	10	283	2,460
70	1,464	79	23	0	4	214	1,784
71	2,376	68	25	4	10	311	2,794
72	4,355	141	38	7	25	720	5,286
73	1,949	96	21	6	10	364	2,446
74	4,615	258	59	9	21	954	5,916
75	3,925	220	50	16	18	833	5,062
76	1,630	87	22	5	8	342	2,094
77	2,884	121	27	4	12	484	3,532
78	2,970	96	43	7	12	463	3,591
79	2,055	76	20	3	12	365	2,531
135	3,088	188	39	8	10	604	3,937
139	2,408	54	15	2	6	295	2,780
TOTALS	52,309	2,355	575	104	219	9,249	64,811

D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
WARD 6 REGISTRATION SUMMARY
As Of MAY 31, 2017

PRECINCT	DEM	REP	STG	LIB	OTH	N-P	TOTALS
1	4,589	567	44	24	18	1,253	6,495
18	4,934	371	45	14	20	1,097	6,481
21	1,190	53	8	7	0	262	1,520
81	4,670	387	45	9	20	938	6,069
82	2,599	268	35	9	7	596	3,514
83	5,262	721	37	28	23	1,368	7,439
84	1,990	419	20	6	9	548	2,992
85	2,697	520	16	11	12	740	3,996
86	2,206	263	23	11	9	463	2,975
87	2,745	275	19	3	14	583	3,639
88	2,176	293	17	7	3	523	3,019
89	2,606	660	21	9	10	777	4,083
90	1,602	251	10	6	9	483	2,361
91	4,090	388	39	18	20	962	5,517
127	4,164	327	40	22	12	864	5,429
128	2,487	217	28	8	11	625	3,376
130	796	317	6	3	3	289	1,414
131	2,620	675	17	23	18	817	4,170
142	1,567	183	15	11	8	426	2,210
TOTALS	54,990	7,155	485	229	226	13,614	76,699

D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
WARD 7 REGISTRATION SUMMARY
As Of MAY 31, 2017

PRECINCT	DEM	REP	STG	LIB	OTH	N-P	TOTALS
80	1,485	84	18	4	3	254	1,848
92	1,602	34	12	2	5	224	1,879
93	1,584	39	18	2	5	223	1,871
94	1,926	53	18	0	7	258	2,262
95	1,669	47	13	1	3	262	1,995
96	2,346	64	17	2	11	344	2,784
97	1,429	45	15	1	7	201	1,698
98	1,911	44	23	2	6	252	2,238
99	1,490	53	16	5	6	230	1,800
100	2,368	45	17	3	7	275	2,715
101	1,588	28	13	2	5	175	1,811
102	2,363	50	17	1	9	272	2,712
103	3,482	77	40	3	9	476	4,087
104	3,076	85	31	0	18	429	3,639
105	2,448	66	20	4	8	364	2,910
106	2,789	55	18	4	11	363	3,240
107	1,779	67	15	1	8	215	2,085
108	1,100	29	6	1	2	123	1,261
109	954	37	5	0	1	93	1,090
110	3,735	95	20	7	9	412	4,278
111	2,492	65	32	3	5	368	2,965
113	2,173	53	21	3	8	267	2,525
132	2,033	52	16	3	3	288	2,395
TOTALS	47,822	1,267	421	54	156	6,368	56,088

D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
WARD 8 REGISTRATION SUMMARY
As Of MAY 31, 2017

PRECINCT	DEM	REP	STG	LIB	OTH	N-P	TOTALS
112	2,215	63	17	0	11	305	2,611
114	3,537	131	33	4	22	571	4,298
115	2,892	68	19	5	10	599	3,593
116	4,159	106	42	5	15	625	4,952
117	2,094	49	18	2	12	339	2,514
118	2,781	78	34	2	11	413	3,319
119	2,770	113	30	1	13	481	3,408
120	1,869	31	17	1	2	227	2,147
121	3,397	79	28	3	6	459	3,972
122	1,799	43	19	0	9	239	2,109
123	2,358	159	24	9	17	373	2,940
124	2,644	68	21	0	8	354	3,095
125	4,552	104	37	2	13	699	5,407
126	3,850	131	47	3	16	719	4,766
133	1,317	45	12	0	0	180	1,554
134	2,236	48	27	1	6	292	2,610
140	1,860	57	10	1	6	273	2,207
TOTALS	46,330	1,373	435	39	177	7,148	55,502

D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
CITYWIDE REGISTRATION ACTIVITY

For voter registration activity between 4/30/2017 and 5/31/2017

NEW REGISTRATIONS	DEM	REP	STG	LIB	OTH	N-P	TOTAL
Beginning Totals	364,454	29,718	3,626	923	1,405	78,357	478,483
Board of Elections Over the Counter	59	7	0	0	0	31	97
Board of Elections by Mail	76	6	1	2	1	20	106
Board of Elections Online Registration	143	10	0	0	2	42	197
Department of Motor Vehicle	369	46	6	7	3	199	630
Department of Disability Services	0	0	0	0	0	0	0
Office of Aging	0	0	0	0	0	0	0
Federal Postcard Application	0	0	0	0	0	0	0
Department of Parks and Recreation	0	0	0	0	0	0	0
Nursing Home Program	0	0	0	0	0	0	0
Dept. of Youth Rehabilitative Services	1	0	0	0	0	0	1
Department of Corrections	4	1	0	0	0	5	10
Department of Human Services	2	1	0	0	0	1	4
Special / Provisional	0	0	0	0	0	0	0
All Other Sources	441	34	4	2	2	157	640
+Total New Registrations	1093	105	11	11	8	453	1,681

ACTIVATIONS	DEM	REP	STG	LIB	OTH	N-P	TOTAL
Reinstated from Inactive Status	514	42	3	2	2	106	669
Administrative Corrections	1,156	181	20	1	25	1,382	2,765
+TOTAL ACTIVATIONS	1,670	223	23	3	27	1,488	3,434

DEACTIVATIONS	DEM	REP	STG	LIB	OTH	N-P	TOTAL
Changed to Inactive Status	630	67	11	1	5	184	898
Moved Out of District (Deleted)	1	0	0	0	0	0	1
Felon (Deleted)	0	0	0	0	0	0	0
Deceased (Deleted)	14	1	0	0	0	4	19
Administrative Corrections	1,146	83	12	13	9	344	1,607
-TOTAL DEACTIVATIONS	1,791	151	23	14	14	532	2,525

AFFILIATION CHANGES	DEM	REP	STG	LIB	OTH	N-P
+ Changed To Party	1,107	170	31	53	24	325
- Changed From Party	-339	-104	-21	-10	-43	-1153
ENDING TOTALS	366,194	29,961	3,647	966	1,407	78,938

BOARD OF ETHICS AND GOVERNMENT ACCOUNTABILITY**2016 Required Financial Disclosure Statement Filers Who Failed To File**

<i>FDS ID</i>	<i>Incumbent</i>	<i>Title</i>	<i>Agency Name</i>
FDS000173731	Alao, Olubukunola	Nurse Specialist I	Department of Health
FDS000174138	Alder, Robert	Commander	Metropolitan Police Department
FDS000171882	Alexander, Amanda	Deputy Chief of Elementary Schools	District of Columbia Public Schools
FDS000179805	Alexander, Yvette	COUNCILMEMBER	Council of the District of Columbia
FDS000174993	Alfonso, Kim	Commissioner	Commission on the Arts & Humanities
FDS000172502	Amare, Gidey	PHARMACIST	Department of Health Care Finance
FDS000175079	Antoine, Denis	UDC AMBASS. AT LG & DIP&EXCH	University of the District of Columbia
FDS000173958	Anyaeunam, Oke	Housing Production Trust Fund Officer	Dept. of Housing and Community Dev.
FDS000172343	Arnold, Ben	Foreclosure Mediation Manager	Dept. of Insurance, Securities and Banking
FDS000174726	ASHTON, DARRELL	Asst. Superintendent, Data Acc	Office of State Superintendent of Education
FDS000175288	AUSTIN, FRANKLIN	Unknown	DC Health Benefit Exchange Authority
FDS000174531	Austria, Florence	Performance Improvement Coordinator	The Not for Profit Hospital Corporation
FDS000175268	BAILEY, CHRISTOPHER	Deputy Division Chief	Dept. of Consumer & Reg. Affairs
FDS000174833	BAKER, CRAIG	Assistant Fire Chief Operations	D.C. Fire and Emergency Medical Servs. Dept.
FDS000173922	Bako, Alex	Chief of Staf	Office of Risk Management
FDS000171145	Bakos, Kirt	Operations Manager	Department of General Services
FDS000175705	Ballard Richardson, Tracy	Supervisory Attorney Advisor	Department of Behavioral Health
FDS000172348	Bates, Betty	Fraud Compliance Manager	Dept. of Insurance, Securities and Banking
FDS000175312	Baxter, Donald	ROADWAY MAINTENANCE SUPV	District Department of Transportation
FDS000173157	Behi, Abdulrashid	Contract Specialist	Office of Contracting and Procurement
FDS000174509	Bell, Debra	Principal	District of Columbia Public Schools
FDS000174508	Bell, Elena	Principal	District of Columbia Public Schools
FDS000175236	Bellow, Shana	Program Manager	Department of Behavioral Health
FDS000173366	Berry- Young, Zara	Principal	District of Columbia Public Schools
FDS000173367	Bethel, Eric	Principal	District of Columbia Public Schools
FDS000171324	Birdsong, Brady	Chief Information Officer	Child and Family Services Agency
FDS000171441	Blivess, Steven	Acting General Counsel	Office of Risk Management
FDS000173326	Bornstein, Lisa	Commissioner	D.C. Commission on Human Rights
FDS000171053	Bradley, Gloria	Human Resources Officer III	Office of Contracting and Procurement

<i>FDS ID</i>	<i>Incumbent</i>	<i>Title</i>	<i>Agency Name</i>
FDS000173743	Brannum, Alma	Nurse Specialist I	Department of Health
FDS000173659	Brogden, Troy	Program Analyst	District Department of Transportation
FDS000171105	Brown, James	Attorney Advisor	Public Service Commission
FDS000173750	Brown, Jason	Bureau Chief	Department of Health
FDS000175348	BROWN, LAUREN	Attorney-Advisor	Office of the Attorney General
FDS000172180	Brown, Qwendolyn	Associate General Counsel	D.C. Housing Authority
FDS000173373	Brown, Sah	Principal	District of Columbia Public Schools
FDS000174876	BROWN, TYRA	Nurse Consultant	Department on Disability Services
FDS000174856	BRYANT, ANGEL	Vocational Rehabilitation Supervisor	Department on Disability Services
FDS000173375	Bryant, Lloyd	Principal	District of Columbia Public Schools
FDS000174710	Burley, Jamira	Board Member	Office of Police Complaints
FDS000173610	Cade, Sanya	Chief Admin Officer	Department of For-Hire Vehicles
FDS000171151	Campbell, Ronald	SUPV GENERAL ENG (CONTRACTS)	Department of General Services
FDS000172365	Carmen, Evelyn	Policy Analyst	Dept. of Insurance, Securities and Banking
FDS000173050	Cates, John	Unknown	Department of Employment Services
FDS000175101	Chakravarthi, Madhavan	IT Program Manager	Office of Unified Communications
FDS000172309	Chandler, Kenneth	Unknown	District Department of Transportation
FDS000171355	Chan-Mann, Andree	Associate Administrator for Business Operations	Department of Public Works
FDS000171056	Cheeks, James	Supvy General Engineer	District Department of Transportation
FDS000173686	Childs, Jacquelyn	Project Manager	Department of Health Care Finance
FDS000171002	Clabaugh, Mark	Supv Civil Engineer	District Department of Transportation
FDS000173807	Cohen, Marcie	BD	Office of Zoning
FDS000173663	Cole, Herman	Civil Engineer	District Department of Transportation
FDS000171330	Combal, Martine	Development Manager	Ofc. of Dep. Mayor for Plng. & Econ. Dev.
FDS000171806	Conway, Michael	BATTALION FIRE CHIEF	D.C. Fire and Emergency Medical Servs. Dept.
FDS000175155	Cox, Deborah	Principal	District of Columbia Public Schools
FDS000171758	Cox, Katherine Elizabeth	Supvy Educ Prog. Spec. (Grants)	Office of State Superintendent of Education
FDS000175266	DANIELS, ANOVIA	PGM MGR	Dept. of Consumer & Reg. Affairs
FDS000174150	Das, Tapan	IT Program Manager	Metropolitan Police Department
FDS000170358	Davenport, Joan	Administrative Law Judge	Office of Administrative Hearings
FDS000171313	Davidson, Raymond	Deputy Director Administration	Child and Family Services Agency
FDS000172512	Davis, Cecelia	Program Manager	Department of Health Care Finance
FDS000173772	Davis, Edwina	Program Coordinator	Department of Health
FDS000174018	Day, Adrienne	Acting General Counsel	Office of Unified Communications
FDS000173773	Dejoseph, Linden	Program Manager	Department of Health

<i>FDS ID</i>	<i>Incumbent</i>	<i>Title</i>	<i>Agency Name</i>
FDS000173668	Dickens, Charlene	Transportation Engineer	District Department of Transportation
FDS000171157	Diggs, Kenneth	Public Information Officer	Department of General Services
FDS000174844	DIPIETRO, LAWRENCE	Battalion Fire Chief	D.C. Fire and Emergency Medical Servs. Dept.
FDS000174165	Downing, Roberta	Deputy Director, Federal and Regional	Office of the Mayor
FDS000173672	Edokwe, Edwin	Civil Engineer	District Department of Transportation
FDS000173786	Ejuma, Nancy	Program Manager	Department of Health
FDS000174127	Ellerbe, Kelton	Captain	D.C. Fire and Emergency Medical Servs. Dept.
FDS000174544	Elliott, Mary	CLINICAL NURSE EDUCATOR/COORDINATOR	The Not for Profit Hospital Corporation
FDS000174474	Ellison-Blue, Sheryl	Hearing Officer	Department of Human Services
FDS000171174	Ellison-Ponds, Sheryl	Realty Program Specialist	Department of General Services
FDS000174605	Epps, Valerie	Vice President of Student Affairs	University of the District of Columbia
FDS000172012	Erville, Pierre	Supervisory Environmental Protection Specialist	Department of Energy and Environment
FDS000174169	Estes, Maia	Dir, Pol & Legislative Affairs	Office of the Mayor
FDS000173405	Evans, Anne	Principal	District of Columbia Public Schools
FDS000174323	Evans, Kenneth	Supervisory Contract Specialist	Office of Contracting and Procurement
FDS000174081	Feinberg, Samuel	Director of Contracts and Procurement	Office of Contracting and Procurement
FDS000175674	Fenton-Leshore, Karen	Training Administrator	Child and Family Services Agency
FDS000172510	Fields, Mary	Supervisory Policy Analyst	Department of Health Care Finance
FDS000173053	Finley, Sheree	Associate Director, American Job Centers & WFS	Department of Employment Services
FDS000173547	Firestine, Timothy	Board Member	DC Water and Sewer Authority
FDS000173409	Foster, Tracy	Principal	District of Columbia Public Schools
FDS000173155	Fuller, O"Linda	Supvy Contract Specialist	Office of Contracting and Procurement
FDS000174065	Galaydick, Stephen	Unknown	Office of the Chief Financial Officer
FDS000174314	Garay, Vikkie	Human Capital Administrator	Department of General Services
FDS000175318	Garrettson, Gordon	Deputy Associate Director	District Department of Transportation
FDS000175675	Gerald, Karen	Human Resources Manager	Child and Family Services Agency
FDS000174808	GILLIS, GREER	Director, Dept of General Svcs	Department of General Services
FDS000171692	Glover, Gregory	Senior Appraiser	Office of the Chief Financial Officer

<i>FDS ID</i>	<i>Incumbent</i>	<i>Title</i>	<i>Agency Name</i>
FDS000171178	Goodman, Anthony	Project Manager	Department of General Services
FDS000171124	Gordy, Sean	Licensing Manager	Alcohol Beverage Regulation Administration
FDS000173566	Gouse, Beth	Health System Administrator	Department of Behavioral Health
FDS000171248	Gumer, Naunihal	Director, Regulatory Finance	Office of the People's Counsel
FDS000174175	Haines, Diana	Director Human Resource MGR	Metropolitan Police Department
FDS000175649	Hall, Louis	Supervisory Recreation Specialist	Department of Parks and Recreation
FDS000174557	Hallisey, Thomas	Chief Information Officer	The Not for Profit Hospital Corporation
FDS000173803	Hanson, Piia	Bureau Chief (Perinatal & Infant)	Department of Health
FDS000173270	Harmon, Eldon	Supervisor Info Tech Specialist	Child and Family Services Agency
FDS000175034	Harmon, Phillip	Policy Analyst	Office of the People's Counsel
FDS000173555	Harris, Jon	Nurse Consultant	Department on Disability Services
FDS000171082	Hassan, Reza	IT Program Manager (PASS)	Office of Contracting and Procurement
FDS000174439	Hawkins, Jeremiah	Administrative Officer II	Child and Family Services Agency
FDS000174320	Hayes, James	Portfolio Division	Department of General Services
FDS000173809	Haynesworth-Murrell, Carolyn	Program Manager	Department of Health
FDS000173424	Henderson, Kayatanya	Chancellor	District of Columbia Public Schools
FDS000171593	Henry, John	ASSOC TREASURER	Office of the Chief Financial Officer
FDS000172374	Hicks, Tiwana	Banking Licensing Manager	Dept. of Insurance, Securities and Banking
FDS000174177	Hickson, Daniel	Commander	Metropolitan Police Department
FDS000175135	Holloway, Cynthia	Deputy Director	Department of Behavioral Health
FDS000171787	Howell, Charisma	Deputy Director	Criminal Justice Coordinating Council
FDS000174451	Howell, Timothy	Human Resources Officer III	Department of Youth Rehabilitation Services
FDS000173312	Irving, Bryan	Board Member	Housing Finance Agency
FDS000174967	Jackson, Gregory	Director	Office of the Mayor
FDS000173442	James, Atasha	Principal	District of Columbia Public Schools
FDS000171768	James, Cheryl Y	Supvy. Monitoring Spec. (LEA)	Office of State Superintendent of Education
FDS000175204	Jenkins, Lillie	Director, Office of Fiscal Ser.	Department of Behavioral Health
FDS000173276	Jiggetts, Tenisha	Planning, Data and Quality Assistant	Child and Family Services Agency
FDS000171738	Johnson, Julia M	Dir, Adult Ed & Family Literac	Office of State Superintendent of Education

<i>FDS ID</i>	<i>Incumbent</i>	<i>Title</i>	<i>Agency Name</i>
FDS000174877	JOHNSON, LAVANASHELL	Support Services Supervisor	Department on Disability Services
FDS000174478	Johnson, Matthew	Emergency Management Officer	Department of Human Services
FDS000171390	Johnson, Miguel	Supervisory, Social Insurance Specialist	Department on Disability Services
FDS000173444	Johnson, Rena	Principal	District of Columbia Public Schools
FDS000174752	JOHNSON, TONY	Career & Tech. Educ. Director	Office of State Superintendent of Education
FDS000173694	Jones, Derek	Associate Director IV	District Department of Transportation
FDS000175706	Jones, Gloria	Nurse Specialist I	Department of Health
FDS000179745	Jones, Mark	Board Member, Ward 5	State Board of Education
FDS000171161	Jones, Michael	Supervisory IT Specialist	Department of General Services
FDS000171167	Kayne, Jonathan	Interim Director DGS	Department of General Services
FDS000173447	Kearney, Billy	Deputy Chief, Innovation	District of Columbia Public Schools
FDS000174489	Keenan, Susan	Dep. Amin., Homeless Svcs	Department of Human Services
FDS000170346	Keene, Solomon	Member	Washington Convention & Sports Authority Bd. of Directors
FDS000173825	Keller, Cecilia	Program Manager	Department of Health
FDS000174659	Kenny, Martin	Assistant IG for Investagations	Office of the Inspector General
FDS000175593	Khan, Taimur	IT Specialist (Applic. Softwar	Office of the Chief Technology Officer
FDS000172053	Khokhar, Jatinder	Deputy Chief Building Official	Dept. of Consumer & Reg. Affairs
FDS000171216	King, Bryan	Supervisory Environmental Protection Specialist	Department of Energy and Environment
FDS000174187	Knight, Kristal	Chief Service Officer	Office of the Mayor
FDS000171829	Knight, Michael	BATTALION FIRE CHIEF	D.C. Fire and Emergency Medical Servs. Dept.
FDS000170827	Kowlowski, Jason	Laboratory Director	Department of Forensic Sciences
FDS000174871	KOWOBARI, OLAITAN	Supervisory Social Insurance S	Department on Disability Services
FDS000171943	Kulkarni, Anjali	Deputy Chief, School Planning and Implementation	District of Columbia Public Schools
FDS000174635	Kumar, Deepak	Professor	University of the District of Columbia
FDS000175163	Kyle, James	Health System Administrator	Department of Behavioral Health
FDS000173538	Lake, David	Board Member	DC Water and Sewer Authority
FDS000175645	Lakeou, Samuel	PROFESSOR/CHAIR	University of the District of Columbia
FDS000171269	Lawson, Stephen	Hearing Examiner	Department of Motor Vehicles

<i>FDS ID</i>	<i>Incumbent</i>	<i>Title</i>	<i>Agency Name</i>
FDS000174130	Leonard, Stephen	Battalion Fire Chief	D.C. Fire and Emergency Medical Servs. Dept.
FDS000172493	Lewis, Anita	Project Manager	Department of Health Care Finance
FDS000174588	Lewis, Gwendolyn	Board Member	University of DC, Board of Trustees
FDS000171181	Lewis, Louise	Administrative Services Supervisor	Department of General Services
FDS000171838	Lewis, Turna	Senior Advisor	D.C. Fire and Emergency Medical Servs. Dept.
FDS000171149	Locker, Wanvisaka	Deputy Director for Capital Co	Department of General Services
FDS000174327	Lofton, Jerome	Supervisory Contract Specialist	Office of Contracting and Procurement
FDS000179742	Lord, Mary	Board Member At Large	State Board of Education
FDS000173144	Love, Phyllis	Strategic Development and Analysis	Office of Contracting and Procurement
FDS000175244	Mackey, Sylvia	Info Technology Manager (APPSW)	Department of Behavioral Health
FDS000175171	Maher, Janet	Chief, Quality, Data, Training	Department of Behavioral Health
FDS000173705	Marsili, Robert	Deputy Associate Director	District Department of Transportation
FDS000171951	Masimini, Mziwandile	Director, Student Discipline & School Climate	District of Columbia Public Schools
FDS000173707	Matharu, Jaswant	Civil Engineer	District Department of Transportation
FDS000172331	McHenry, Claire	Securities Financial Examiner	Dept. of Insurance, Securities and Banking
FDS000173111	McLeod, Michelle	Commissioner	D.C. Commission on Human Rights
FDS000174246	Mead, Tonya	Assessment Specialist	Office of State Superintendent of Education
FDS000175225	Mensah Kane, Paul	Management Analyst	Department of Behavioral Health
FDS000174823	Moore, Lennie	Human Resources Officer I	Department of Youth Rehabilitation Services
FDS000174328	Moorer, Tyrone	Supervisory Contract Specialist	Office of Contracting and Procurement
FDS000174132	Morris, Fred	Deputy Fire Chief	D.C. Fire and Emergency Medical Servs. Dept.
FDS000174133	Mount Varner, Geoffrey	Interim Medical Director	D.C. Fire and Emergency Medical Servs. Dept.
FDS000173472	Munford, Kathleen	Assistant Principal	District of Columbia Public Schools
FDS000173473	Murray, Rinaldo	Principal	District of Columbia Public Schools
FDS000173474	Namba, Elizabeth	Principal	District of Columbia Public Schools
FDS000172465	Navaratne, Suraj	Reimbursement Analyst	Department of Health Care Finance
FDS000175216	Neff, Michael	Chief Operating Officer	Department of Behavioral Health
FDS000174454	Newman, Anthony	Quality Ass. & Safety & Occ Health	Department of Youth Rehabilitation Services
FDS000171439	Nimmo, Kim	Unknown	Office of Risk Management
FDS000175369	NIXON, MICHAEL	Supvy Banking Examiner	Dept. of Insurance, Securities and Banking

<i>FDS ID</i>	<i>Incumbent</i>	<i>Title</i>	<i>Agency Name</i>
FDS000174211	Oconnor, William	Lieutenant	Metropolitan Police Department
FDS000172030	Offor, Obiora	Environmental Protection Specialist	Department of Energy and Environment
FDS000175702	Okoro, Chibuzor	Pharmacist	Department of Health
FDS000173478	Owa, Felicia	Principal	District of Columbia Public Schools
FDS000173549	Patterson, James	Board Member	DC Water and Sewer Authority
FDS000174879	PEARSON, CARA	Program Administrator (PSWCP)	Office of Risk Management
FDS000173994	Peavely, Kerthalia	Unknown	Office of the Inspector General
FDS000172987	Peck, Suzanne	Director of Information Systems	DC Health Benefit Exchange Authority
FDS000175344	Peckham, Wendy	Supervisory Civil Engineer	District Department of Transportation
FDS000173026	Perkins, Derek	RADIOLOGY ADMIN MANAGER	The Not for Profit Hospital Corporation
FDS000173180	Perry, Toni	Special Assistant	Department of Corrections
FDS000174597	Phillips, Dianna	CEO, Community College	University of the District of Columbia
FDS000171317	Porchia-Usher, Debra	Principle Deputy Director	Child and Family Services Agency
FDS000175414	Poteau, Lavanya	Director (SSO)	District of Columbia Public Schools
FDS000172339	Purdie, Katrice	Chief of Policy and Administration	Dept. of Insurance, Securities and Banking
FDS000173881	Quick, Charlissa	School Health Division Chief	Department of Health
FDS000173749	Rawlings, Mark	Transportation Planner	District Department of Transportation
FDS000179832	Reed, Denise	Commissioner	D.C. Commission on Human Rights
FDS000173883	Reid, Adran	Supervisory Public Health Advisor	Department of Health
FDS000173884	Reneau, Charles	Supv Pub Health Advisor	Department of Health
FDS000173282	Reynolds, Theodore	Supervisory Social Worker	Child and Family Services Agency
FDS000171622	Rickford, Donald	Chief Financial Officer	Office of the Chief Financial Officer
FDS000174330	Rifkin, Jonathan	Measurement & Planning Analyst	Office of Contracting and Procurement
FDS000174511	Riggins, Sundai	Principal	District of Columbia Public Schools
FDS000173744	Rizvi, Mohammed	Civil Engineer	District Department of Transportation
FDS000170460	Robinson, Josephine	Chief, Family&Public Engagemen	District of Columbia Public Schools
FDS000170378	Rooney, John	Administrative Law Judge	Office of Administrative Hearings
FDS000171691	Ross, John	Senior Advisor & Director Econ	Office of the Chief Financial Officer
FDS000175574	Rouse, Ruben	Telecommunications Specialist	Office of the Chief Technology Officer
FDS000172482	Rowe, Laurie	Supervisory Management Analyst	Department of Health Care Finance
FDS000171152	Ruffin, Cheryl	Supvy. Management Analyst	Department of General Services

<i>FDS ID</i>	<i>Incumbent</i>	<i>Title</i>	<i>Agency Name</i>
FDS000174317	Sandoval, Carlos	Supervisory Attorney Advisor	Department of General Services
FDS000174135	Saussy, Juliette	Medical Director	D.C. Fire and Emergency Medical Servs. Dept.
FDS000175653	Scales, Ayris	Partnership & Development Officer	Department of Parks and Recreation
FDS000171183	Scott, Heath	Protect Svcs Ofr-Security Mgmt	Department of General Services
FDS000174119	Setlow, Christina	Unknown	Council of the District of Columbia
FDS000179785	Shelton, Jerome	Board Member	University of DC, Board of Trustees
FDS000174312	Sherrod, Wanda	Special Assistant	Department of General Services
FDS000174334	Silverman, Silvia	Supervisory Contract Specialist	Office of Contracting and Procurement
FDS000179718	Silverman, Stuart	ATTORNEY	Office of the Inspector General
FDS000173502	Simpson, Andrea	Director, Contract Management	District of Columbia Public Schools
FDS000170781	Smalls, Betty	Commissioner	Department of For-Hire Vehicles
FDS000173726	Smith, Emile	Transportation Safety/Systemss Integration Manager	District Department of Transportation
FDS000175065	Smith, Jonathan	Associate Dean, Experimental	University of the District of Columbia
FDS000171361	Smith, Joyanna	Unknown	State Board of Education
FDS000175033	Smith, Travis	Assistant People's Counsel	Office of the People's Counsel
FDS000173177	Smith, William	CORRECTIONAL INSTITUTION ADMN	Department of Corrections
FDS000175728	Spann-Downing, Tracy	Nurse Specialist I	Department of Health
FDS000174809	STANLEY, JACQUELINE	Public Information Officer	Department of General Services
FDS000174850	STERNE, RICHARD	Battalion Fire Chief	D.C. Fire and Emergency Medical Servs. Dept.
FDS000174832	STEWART, CHARLES	Captain	D.C. Fire and Emergency Medical Servs. Dept.
FDS000174477	Stewart, William	Facilities Program Manager	Department of Human Services
FDS000173915	Strang, Bobbi	Unknown	Office of Police Complaints
FDS000171059	Strange, James	Supervisory Engineering Tech	District Department of Transportation
FDS000175519	Sukrutam, Jessen	INFO TECH SPEC NS	Office of the Chief Technology Officer
FDS000171567	Syphax, Victoria	AGENCY FISCAL OFFICER	Office of the Chief Financial Officer
FDS000174228	Taylor, Celia	Program Manager	Metropolitan Police Department
FDS000173512	Taylor, Rikki	Deputy Chief	District of Columbia Public Schools
FDS000174075	Taylor, Yesim	Director of Fiscal and Legislative Analysis	Office of the Chief Financial Officer

<i>FDS ID</i>	<i>Incumbent</i>	<i>Title</i>	<i>Agency Name</i>
FDS000175292	TEFERI, WINTA	Language Access Program Director	Office of Human Rights
FDS000172475	Ten Napel, Shelly	Healthcare Program Manager	Department of Health Care Finance
FDS000174800	Thomas, Jorhena	Chief of Staff	Deputy Mayor for Public Safety and Justice
FDS000175322	TIETJEN, MICHAEL	Project Manager	Department of Health Care Finance
FDS000174865	TRAWICK, KM	Program Analyst	Department on Disability Services
FDS000173719	Turner, Adrea	Deputy Chief of Staff	District Department of Transportation
FDS000171140	Turner, Alyssa	Assistant Facility Services Mgr	Department of General Services
FDS000175091	Tyer, Byron	Info Tech Spec	University of the District of Columbia
FDS000173126	Udeh, Madgabuchi	SUPV GEN ENGINEER	District Department of Transportation
FDS000173631	Updike, William	Supervisory Program Analyst	Department of Energy and Environment
FDS000173717	Uzes, Yorick	Special Projects Officer	Department of Health Care Finance
FDS000174005	Valentin, Lesly	Agency CIO	Office of the Inspector General
FDS000175722	Vanderhorst, Ronnie	Public Health Advisor	Department of Health
FDS000175735	Viehmeyer, Mark	Supervisory Attorney Advisor	Metropolitan Police Department
FDS000172060	Waddell, Anthony	Director, Public Finance	Housing Finance Agency
FDS000173615	Wade, Dorthy	Commissioner	Department of For-Hire Vehicles
FDS000174650	Waldren, Stanley	Program Analyst	Department of Corrections
FDS000173294	Walker, D'Andrea	Chief Administrator Officer	Child and Family Services Agency
FDS000170961	Walters, Gwendolyn	Contract Specialist	District of Columbia Public Schools
FDS000173296	Ward, Kevin	Cheif Information Officer	Child and Family Services Agency
FDS000174960	Wash, Anthony	Commissioner	Department of For-Hire Vehicles
FDS000173039	Washington, Charletta	VP, AMBULATORY & CLINICAL ANCILLARY	The Not for Profit Hospital Corporation
FDS000172357	Weaver, Christopher	Associate Commissioner for Banking	Dept. of Insurance, Securities and Banking
FDS000174618	Whitaker, Eddie	Manager Capital Procurement	University of the District of Columbia
FDS000173040	Wilder, Deborah	CLIN SVC OFCR MD	The Not for Profit Hospital Corporation
FDS000174009	Wilkins, LaDonia	Unknown	Office of the Inspector General
FDS000174986	Williams, Brian	Commissioner	Commission on the Arts & Humanities
FDS000171241	Williams, Charles	Environmental Specialist	Department of Energy and Environment
FDS000173931	Williams, Marcus	Director of Communications	Department of Health
FDS000173996	Wilson, Nancy	Residential Rehab. Programs Manager	Dept. of Housing and Community Dev.
FDS000179720	Wolfigbarger, Brentton	SUPERVISORY ATTORNEY ADVISOR	Office of the Inspector General

<i>FDS ID</i>	<i>Incumbent</i>	<i>Title</i>	<i>Agency Name</i>
FDS000175665	Woods, Constance	Supv Social Worker	Child and Family Services Agency
FDS000171712	Wormsley, Nichole	Supervisory Auditor (Complianc	Office of the Chief Financial Officer

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF FOR-HIRE VEHICLES**

NOTICE OF FOR HIRE VEHICLES ADVISORY COUNCIL MEETING

The Department of For-Hire Vehicles will hold a For-Hire Vehicles Advisory Council Meeting on Thursday, June 22, 2017 at 1:00 pm. The meeting will be held at 2235 Shannon Place, SE, Washington, DC 20020, inside the Hearing Room, Suite 2032. Visitors to the building must show identification and pass through the metal detector. Allow ample time to find street parking or to use the pay-to-park lot adjacent to the building.

The final agenda will be posted no later than seven (7) days before the For-Hire Vehicles Advisory Council Meeting on the DFHV website at www.dfhv.dc.gov.

Members of the public are invited to participate in the Public Comment Period. You may present a statement to the Council on any issue of concern; the Council generally does not answer questions. Statements are limited to five (5) minutes for registered speakers. Time and agenda permitting, nonregistered speakers may be allowed 2 minutes to address the Council. To register, please call 202-645-6002 no later than 3:30 p.m. on June 21, 2017. Registered speakers will be called first, in the order of registration. **Registered speakers must provide ten (10) printed copies of their typewritten statements to the Advisory Council Recorder no later than the time they are called to the podium.**

DRAFT AGENDA

- I. Call to Order
- II. Advisory Council Communication
- III. Advisory Council Action Items
- IV. Government Communications and Presentations
- V. General Counsel's Report
- VI. Staff Reports
- VII. Public Comment Period
- VIII. Adjournment

FRIENDSHIP PUBLIC CHARTER SCHOOLS**REQUEST FOR PROPOSALS**

Friendship Public Charter School is soliciting proposals from qualified vendors for:

- Physical Inventory tracking services for all FPCS-owned fixed assets tracking
- Security system, equipment and maintenance for all FPCS locations

The competitive Request for Proposal can be found on FPCS website at

<http://www.friendshipschools.org/procurement>. Proposals are due no later than 4:00 P.M., EST, Wednesday, July 12, 2017. No proposal will be accepted after the deadline. Questions can be addressed to: ProcurementInquiry@friendshipschools.org. -- **Bids not addressing all areas as outlined in the RFP will not be considered.**

**THE DISTRICT OF COLUMBIA
DEPARTMENT OF HUMAN SERVICES
FAMILY SERVICES ADMINISTRATION**

NOTICE OF FISCAL YEAR (FY) 2018 GRANT AWARDS

FOR

THE FAMILY VIOLENCE PREVENTION SERVICES PROGRAM

The Department of Human Services (DHS), Family Services Administration (FSA), is the lead agency in the District of Columbia (District) responsible for providing protection, intervention, and social services to meet the needs of vulnerable adults and families to help reduce risk and promote self-sufficiency. One of the barriers that may impede progress toward self-sufficiency is domestic violence.

The Family Violence and Prevention Services Initiative (FVPS), authorized under the Family Violence and Prevention Services Act (FVPSA), as amended (Pub. L. No. 98-457; 42 U.S.C. §§10401 *et seq.* (2010)), is intended to assist States in establishing, maintaining, and expanding programs and projects to prevent family violence and provide immediate shelter as well as related assistance for victims of family violence and their dependents that meet the needs of all victims, including those in underserved communities.

The District has been awarded grant funds, made available through the United States Department of Health and Human Services, Administration for Children and Families, to establish, maintain, and expand programs and projects to prevent family violence, and to provide immediate shelter and related assistance for victims of family violence and their dependents.

DHS/FSA solicited detailed proposals, in accordance with applicable laws and regulations, to provide counseling and case management services, as well as information, education and outreach strategies required for the prevention of family violence.

DHS/FSA intends to award up to and not to exceed a total of six (6) community-based and/or a faith-based organizations with sub-grants for the FVPS in accordance with the FVPSA, that will provide domestic violence support services as outlined in the Program Scope in Section II of the Request for Application (RFA). The total amount available for FY 2018 for the FVPS is five hundred thousand dollars and zero cents (\$500,000.00) for shelter services grants awards; and one hundred twenty thousand dollars and zero cents (\$120,000.00) for counseling and case management, and information, education and outreach grant awards.

The successful applicants will be providing services in a neighborhood-based facility located in the District to residents who are victims or potential victims of domestic violence and their dependents. The population includes victims and potential victims of domestic violence including married or cohabitating adults, families with children, adolescents, and the elderly. The project location must be easily accessible to the targeted customers.

Applications are requested from private non-profit entities including community-based and faith-based organizations.

The RFA will be released on Friday June 16, 2017. The RFA may be obtained from DHS/FSA located at 64 New York Avenue, NE, 4th Floor, Washington, DC 20002. In addition, the RFA will also be available on the D.C. Office of Partnerships and Grants website, located at (<http://opgs.dc.gov>) under the link Funding Alert, and the Office of the City Administrator, (<https://oca.dc.gov>). For additional information, please contact Dr. Sheila Jones, DHS/FSA Grant Administrator, at (202) 299-2155 or sheilay.jones@dc.gov.

The deadline for application submission is July 17, 2017 at 4:45 p.m.

Applicants are encouraged to attend the Pre-Application Conferences scheduled on **July 7, 2017** from:

- **1:00 p.m.-2:00 p.m. for the Shelter Services grant;**
- **2:00 p.m. -3:00 p.m. for the Counseling and Case Management grant;**
- **3:00 p.m.-4:00 p.m. for the Information, Education and Outreach grant.**

The Pre-Application Conferences will be held at DHS/FSA, 64 New York Avenue, NE, Conference Room 415, Washington, DC 20002.

Applicants interested in attending the Pre-Application Conference(s) must RSVP to Ms. Carmen Inge, DHS/FSA, at (202) 698-4309 or carmen.inge@dc.gov by **July 5, 2017**.

DEPARTMENT OF HUMAN SERVICES**NOTICE OF FUNDING AVAILABILITY****FY 2018 Youth Street Outreach Program****Background**

The District of Columbia (District), Department of Human Services (DHS) is soliciting detailed proposals to establish a youth street outreach program in the District per the End Youth Homelessness Amendment Act of 2014, D.C. Law 20-155 which amended the Homeless Services Reform Act of 2005, effective October 22, 2005 (D.C. Law 16-35, D.C. Official Code § 4-751.01 *et seq.*).

In accordance with The End Youth Homelessness Amendment Act, DHS is authorized to provide funding to establish a program of street outreach for youth in the District. The youth street outreach program will include, but is not limited to, service provision in the assigned geography within the District, coordination with other street outreach teams to exchange information, and participation in cross-training opportunities. The grantee(s) must demonstrate a strong a youth development approach, cultural competency, and language accessibility in its proposal. DHS anticipates executing up to three awards for the services discussed herein.

Target Population

The District of Columbia Youth Street Outreach Program target population is:

- youth under 18 years of age who are living apart from a parent or guardian, excluding those who are in the physical custody of the District and;
- youth between the ages of 18 and 24 who are economically or emotionally detached from their families and lack an adequate or fixed residence, including youth who are unstably housed, living in doubled up circumstances, in transitional housing, in shelter, or on the street.

The target population includes runaway youth, youth who are experiencing homelessness, and at-risk youth 24 years of age and younger.

Eligibility

Organizations who meet the following eligibility requirements at the time of application may apply:

- be a community-based organization with a Federal 501(c)(3) tax-exempt status or evidence of a fiscal agent relationship with a 501 (c) (3) organization;
- the organization's principal place of business is located in the District;
- the organization is currently registered in good standing with the District of Columbia Department of Consumer & Regulatory Affairs, the District of Columbia Office of Tax and

Revenue, and the United States Department of Treasury’s Internal Revenue Service (IRS); and

- current grantees must be up-to-date on all reporting obligations for the FY18 grant cycle.

Program Scope:

In FY 2018, DHS will fund a youth street outreach program that includes, but is not limited to, the following activities:

- Engage the target population in the streets and elsewhere within the assigned geography in the District (assigned geography will be determined subsequent to award);
- Coordinate with other street outreach teams to exchange information and participate in cross-training opportunities;
- Participate in the Coordinated Assessment Housing Placement (CAHP) system;
- Utilize a culturally-competent youth development approach to facilitate rapport development with clients of various races, ethnicities, sexual orientations, and gender identities, as well as language accessibility.

Specific details on the program scope are listed in the RFA.

Release Date of RFA:	Thursday, June 15, 2017
Availability of RFA:	The RFA will be posted on the District’s Grant Clearinghouse Website
Total Estimated Available Funding:	Up to five hundred thousand dollars and zero cents (\$500,000.00)
Total Estimated Number of Awards:	One (1) to three (3)
Total Estimated Amount per Award:	Eligible organizations can be awarded up to two hundred fifty thousand dollars and zero cents (\$250,000.00).
Period of Performance:	October 1, 2017 – September 30, 2018
Length of Award:	Twelve (12) months with up to five (5) additional option years

Pre-Bidder's Conference:

Thursday, June 22, 2017
12:30PM - 2:00PM
The Department of Human Services Headquarters
64 New York Ave, NE
Fifth Floor, Conference Room 550 – Ivy City
Washington, DC 20002

Deadline for Submission:

4:00PM on Monday, July 24, 2017
The District of Columbia Department of Human
Services
64 New York Avenue, NE, 5th Floor
Washington, DC 20002
tamara.mooney@dc.gov

Contact Person:

Tamara Mooney, Program Analyst
Phone: 202-299-2158

KIPP DC PUBLIC CHARTER SCHOOLS**REQUEST FOR PROPOSALS****Salesforce Software Implementation**

KIPP DC is soliciting proposals from qualified vendors for Salesforce software implementation/development. The RFP can be found at <https://www.kippdc.org/procurement>. Proposals should be uploaded to the website no later than 5:00 PM EST, on June 30, 2017. Questions can be addressed to adam.roberts@kippdc.org.

**MARY MCLEOD BETHUNE DAY ACADEMY
PUBLIC CHARTER SCHOOL**

REQUEST FOR PROPOSALS

Mary McLeod Bethune Day Academy Public Charter School is seeking bids from prospective vendors to provide;

SPECIAL EDUCATION SERVICES: Mary McLeod Bethune Day Academy Public Charter School seeks qualified vendor(s) to provide support services for our special education programs. Special Educational support services include but are not limited to speech therapy, psychological therapy, physical therapy, occupational therapy, and psychological evaluations. All vendors must be fully qualified to deliver special education services in the District of Columbia, as specified by the OSSE. Additional requirements and information may be obtained by emailing purchasing@mmbethune.org

TRASH COLLECTION/RECYCLING: Mary McLeod Bethune Day Academy Public Charter School seeks a qualified vendor to supply and service an 8 yard or similarly sized dumpster and a 2 yard recycling container. Vendor should be able to provide collection services for trash on a regular schedule 4-5 days a week for trash and 2 days a week for recycling. CBE firms are encouraged to submit proposals. Please email rates and proposals to purchasing@mmbethune.org

ROOFING: Mary McLeod Bethune Day Academy Public Charter School seeks a qualified contractor(s) to install a new roof on the east wing of the school building. Roof to be replaced is a flat roof sized approximately 50'x120'. CBE firms are encouraged to submit proposals. To schedule a site visit please contact purchasing@mmbethune.org

STUDENT TRAVEL: Mary McLeod Bethune Day Academy seeks a qualified vendor to provide educational trip packages to Puerto Rico for approximately 24 students and 6 adult chaperones for 6 days and 5 nights in the third week of June, 2018. Pricing should be inclusive of all air travel, ground transportation, hotel accommodations, educational experiences, and at least two meals per day. Please email rates, itineraries, and proposals to purchasing@mmbethune.org

Proposals are due no later than 4:00 P.M., EST, July 5, 2017. Questions can be addressed to: purchasing@mmbethune.org

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

**NOTICE OF PUBLIC SURPLUS MEETING
PURSUANT TO D.C. OFFICIAL CODE §10-801
FOR THE CRUMMELL SCHOOL SITE**

The District will conduct a public meeting to receive public comments on the proposed surplus of District property. The date, time and location shall be as follows:

The date, time and location shall be as follows:

Property: “THE CRUMMELL SCHOOL SITE”
1900 Gallaudet Street, N.E., Washington, DC
Lot 0022 in Par Suffix 0142

Date: Monday, July, 17th 2017

Time: 6:30pm – 8:30pm Surplus Meeting

Location: Trinity Baptist Church
1814 Central PI NE
Washington, DC 20002

Contact: Dion Townley, Project Manager
dion.townley@dc.gov
(202) 531-2272

DISTRICT OF COLUMBIA PUBLIC CHARTER SCHOOL BOARD**NOTIFICATION OF NEW SCHOOL APPLICATION DECISIONS**

The District of Columbia Public Charter School Board voted to approve the charter applications of Digital Pioneers Academy, The Family Place, and North Star College Preparatory Academy for Boys; it voted to deny the charter applications of Citizens of the World DC, The Adult Career Technical Education School, and Washington School of Arts and Academics. A letter regarding each decision is available at <http://www.dcpcsb.org/report/charter-applications-archive>

PUBLIC SERVICE COMMISSION OF THE DISTRICT OF COLUMBIA

NOTICE OF PROPOSED TARIFF

GAS TARIFF 00-2, IN THE MATTER OF WASHINGTON GAS LIGHT COMPANY'S RIGHTS-OF-WAY SURCHARGE GENERAL REGULATIONS TARIFF, P.S.C.-D.C.

No. 3

1. The Public Service Commission of the District of Columbia (Commission) hereby gives notice, pursuant to Section 34-802 of the District of Columbia Code and in accordance with Section 2-505 of the District of Columbia Code,¹ of its intent to act upon the proposed Surcharge Update of Washington Gas Light Company (WGL or Company)² in not less than thirty (30) days after the date of publication of this Notice of Proposed Tariff (NOPT) in the *D.C. Register*.

2. The Rights-of-Way (ROW) Fee Surcharge contains two components, the ROW Current Factor and the ROW Reconciliation Factor. On May 22, 2017, pursuant to D.C. Code § 10-1141.06,³ WGL filed a Surcharge Update to revise the ROW Current Factor.⁴ In the Surcharge Update, WGL sets forth the process to be used to recover from its customers the D.C. ROW fees paid by WGL to the District of Columbia government in accordance with the following tariff page:

GENERAL SERVICES TARIFF, P.S.C.-D.C. No. 3
Section 22
3rd Revised Page 56

3. WGL's Surcharge Update indicates the ROW Current Factor is 0.0325 with the ROW Reconciliation Factor of 0.0042 for the period of June 2017 through May 2018, which yields a Net Factor of 0.0367.⁵ In addition, WGL expresses its intent to collect the surcharge beginning with the June 2017 billing cycle.⁶ The Company has a statutory right to implement its

¹ D.C. Code § 2-505 (2001 Ed.) and D.C. Code § 34-802 (2001 Ed.).

² *GT00-2, In the Matter of Washington Gas Light Company's Rights-of-Way Surcharge General Regulations Tariff, P.S.C.-D.C. No. 3, (GT00-2) Rights-of-Way Fee Surcharge Filing of Washington Gas Light Company (Surcharge Update), filed May 22, 2017.*

³ D.C. Code, § 10-1141.06 (2001 Ed.) states that, "Each public utility company regulated by the Public Service Commission shall recover from its utility customers all lease payments which it pays to the District of Columbia pursuant to this title through a surcharge mechanism applied to each unit of sale and the surcharge amount shall be separately stated on each customer's monthly billing statement."

⁴ *GT00-2, Surcharge Update at 1.*

⁵ *Id.* at 2.

⁶ *Id.* at 1.

filed surcharges. However, if the Commission discovers any inaccuracies in the calculation of the proposed surcharge, WGL could be subject to reconciliation of the surcharges.

4. This Surcharge Update may be reviewed at the Office of the Commission Secretary, Public Service Commission of the District of Columbia, 1325 G Street, N.W., Suite 800, Washington, D.C. 20005, between the hours of 9:00 a.m. and 5:30 p.m., Monday through Friday as well as on the Commission's web site at www.dcpsc.org. Once at the website, open the "eDocket System" tab, click on "Search Current Dockets" and input "Gas Tariffs-GT" and "00-2" in the "Select Case Number" field. Copies of the tariff pages and attachments are available, upon request, at a per page reproduction fee.

5. Comments on the Surcharge Update must be made in writing to Brinda Westbrook-Sedgwick, at the above address, at psc-commissionsecretary@dc.gov or by clicking on the following link: <http://edocket.dcpsc.org/comments/submitpubliccomments.asp>. Comments and reply comments must be received within thirty (30) and forty-five (45) days, respectively, of the date of publication of this NOPT in the *D.C. Register*. Once the comment period has expired, the Commission will take final action on WGL's Surcharge Update.

DISTRICT OF COLUMBIA OFFICE OF PUBLIC-PRIVATE PARTNERSHIPS

REQUEST FOR QUALIFICATIONS

NO. DOC318643

Delivery of Smart Street Lighting Project

The District of Columbia Office of Public-Private Partnerships (“DC OP3”), in coordination with the District Department of Transportation (“DDOT”) and the Office of the Chief Technology Officer (“OCTO”), hereby gives notice of its release of a Request for Qualifications (“RFQ”) for the Smart Street Lighting Project (“Project”) pursuant to Section 107 of the Public-Private Partnerships Act of 2014, effective March 11, 2015 (D.C. Law 20-228; D.C. Official Code § 2-271.01 et seq.) as implemented through regulations contained in Chapter 48 (Public-Private Partnerships), of Title 27 (Contracts and Procurement) of the D.C. Municipal Regulations (27 DCMR 4802). The Project will modernize the District’s more than 75,000 streetlights by converting them to LED technology with remote monitoring and control capabilities and deploy Smart City technology (“SCT”), including Wireless Access Points that will expand the District broadband Wi-Fi network and serve as a platform for future uses and applications. The RFQ also anticipates that the selected developer will obtain private financing for the Project and operate and maintain the existing and improved lighting systems under a performance-based contract for a period currently envisioned to be no less than ten (10) years and no more than twenty (20) years, while the District retains responsibility for operating and maintaining the SCT.

Statements of Qualification are due by **5:00 p.m. (Eastern) on Monday, July, 24, 2017** and will be rejected for failure to meet this deadline or the other requirements outlined in the RFQ.

Interested parties should visit <http://op3.dc.gov/streetlights> for more information and may download the RFQ from <https://ocp.dc.gov/service/ocp-solicitations>.

For additional information, please contact Todd Allen, Contracting Officer, at todd.allen@dc.gov or 202-724-3969.

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 July 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 June 23, 2017. 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: July 15, 2017

Page 2

Abney	Megan	Washington Reit 1775 I Street, NW, Suite 1000	20006
Abraham	Abeba	Lafayette Federal Credit Union 1300 Pennsylvania Avenue, NW	20523
Adams	Juanita M.	Greenstein Delorme & Luchs, PC 1620 L Street, NW, Suite 900	20036
Aikens	Regina L.	Seward & Kissel, LLP 901 K Street, NW, Suite 800	20001
Ali	Taisha	Activate Research 1001 Connecticut Avenue, NW, Suite 515	20036
Anderson	Alisa	Childrens National Medical Center 111 Michigan Avenue, NW	20010
Bailey-Thomas	Nana	District Department of Transportation 55 M Street, SE	20003
Ball	Jeffrey D.	Taoti Creative 530 8th Street, SE	20003
Batte	Barbara G.	Greenstein Delorme & Luchs, PC 1620 L Street, NW, Suite 900	20036
Bigby	Shauna-Gaye	George Washington University 2025 F Street, NW	20052
Binion	Marvin L.	Universal Services 717 Kennedy Street, NW	20011
Bishop	Dione P.	Long And Foster Real Estate, Inc. 4400 Jenifer Street, NW	20015
Bokwala	Sifa K.	Capital One Bank, NA 2831 Alabama Avenue, SE	20020
Bonnell	Peter J.	The UIP Companies, Inc 140 Q Street, NE, Suite 140B	20002
Boyer	Donna K.	Self (Dual) 285 G Street, SW, Unit A	20024

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

Effective: July 15, 2017

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Bridgeford	Kirsten V.	Self (Dual) 203 M Street, SW, Apartment 21	20024
Brown	Brittney	Law Office of Christina Forbes 1629 K Street, NW, Suite 323	20006
Brown	Constance	Office of Tax and Revenue, Assessment Services Division, Special Programs Unit 1101 4th Street, SW	20024
Burch	Catherine L.	United Food and Commercial Workers International Union 1775 K Street, NW	20006
Campbell	Kareem	Wells Fargo Bank N.A 3200 Pennsylvania Avenue, SE	20020
Carrington	Jacqueline	Greater Washington Urban League 2901 14th Street, NW	20009
Cashion	Janet P.	Navigant 1200 19th Street, NW, Suite 700	20036
Cavazos	Debby	Planet Depos 1100 Connecticut Avenue, NW, Suite 950	20036
Clark	Erin Michelle	Holtzman Vogel Josefiak Torchinsky, PLLC 1010 Wisconsin Avenue, NW, Suite 530	20007
Coca	Janeth	R & D Development, LLC dba District Quarters 2202 18th Street, NW, Apartment 185	20009
Coleman	Aleatha	Department of Justice 450 5th Street, NW	20001
Cooper	Chequella Venise	Self 620 Oglethorpe Street, NW	20011
Davis	Altovise R.	Motley Rice, LLC 401 9th Street, NW, Apartment 1001	20004

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

Effective: July 15, 2017
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Dennis	Tony C.	Renewable Fuels Association 425 Third Street, SW	20024
DePew	Aimee	Thompson Hine, LLP 1919 M Street, NW	20036
Eddy	Michele E.	DTI Global 1875 I Street, NW	20005
Edwards	Frieda B.	Department Of Housing And Urban Development 451 7th Street, SW, Room 10248	20410
Espinosa	Adrianna	Thorn Tax Law 1602 L Street, NW, Suite 401	20036
Felder-Barrington	Maxine	Self 3600 Ely Place, SE, Apartment 115	20019
Flores	Glinis Elizabeth	DGC Cleaning Services, LLC 640 Kenyon Street, NW	20010
Forman	Vicki L.	DTI Global 1875 I Street, NW, Suite 802	20006
Garner	April M.	D.C. Office of Administrative Hearings 441 4th Street, NW, Suite 450N	20001
Gatling	Carla	Peter N.G. Schwartz Management Company 1350 Connecticut Avenue, NW, Suite1200	20036
Girma	Zegeye	Self (Dual) 3503 Cassell Place, NE	20019
Graves	Taneesha Nicole	Self 3802 Suitland Road, SE	20020
Gray	Tracey A.	Capitol Counsel, LLC 700 13th Street, NW, Suite 200	20005
Green	Jaennette	Forest City Management 1212 4th Street, SE	20003

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

Effective: July 15, 2017

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Gurley	Deborah A.	Al Betz and Associates 1775 Eye Street, NW, Suite 1150	20006
Gutierrez	Leticia D.	Pressler Senftle & Wilhite, P.C. 1432 K Street, NW, 12th Floor	20011
Gutierrez	Stephanie G.	Latin Concepts, LLC 1624 U Street, NW, Apartment 202	20009
Hairston	Lairia Lynice	Self 3640 11th Street, NW	20010
Haskin	Matthew S.	Hughes & Bentzen, PLLC 1100 Connecticut Avenue, NW, Suite 340	20036
Hogan	Emmillee	Liberty Engineering, LLP 1609 Connecticut Avenue, NW, Suite 200	20009
Hughes	Herbert D.	Self 416 Quackenbos Street, NW	20011
Jackson	Arnicia Renee	Self 2515 Perry Street, NE	20018
James	Suzanne Marie	Dupont Government Affairs 601 New Jersey Avenue, NW, Suite 630	20001
Johnson-Rawls	Elecia A. F.	Weil, Gotshal & Manges, LLP 1300 Eye Street, NW, Suite 900	20005
Jones	Lareasha M.	Key Title 5225 Wisconsin Avenue, NW	20015
Kuteyi	Felix	Great Value Tax & Financial Services, LLC 930 Kennedy Street, NW, #100	20011
Leskin	Jessica	Sitar Arts Center 1700 Kalorama Road, NW, Suite 101	20009
Levy	Jonathan Craig	Capitol Title Insurance Agency, Inc. 5151 Wisconsin Avenue, NW, Suite 350	20016

D.C. Office of the Secretary
Recommendations for appointment as DC Notaries PublicEffective: July 15, 2017
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Mahumed	Janet R.	Westerman, Hattori, Daniels & Adrian, LLP 1250 Connecticut Avenue, NW, Suite 700	20036
Marcopulos	Stephen J.	Charles Schwab & Company, Inc 1845 K Street, NW	20006
Martin	Sherry Santee	Stein Mitchell Cipollone Beato Missner, LLP 1100 Connecticut Avenue, NW, Suite 1100	20036
McCoy	Maureen	Stoddard Baptist Global Care 2601 18th Street, NE	20018
McDowell	Sheila	PNC Bank 1406 P Street, NW	20005
Miller	Sebrina Artis	Drake, Incorporated 4315 Sheriff Road, NE	20019
Mills	Ashley J.	Save the Children 899 North Capitol Street, NW, Suite 900	20002
Mitchell	Rieko	German Marshall Fund of the United States 1744 R Street, NW	20009
Molash	Michael	Same Day Process Service 1413 K Street, NW, 7th Floor	20005
Moore	Shashanta	Forest City Management 1212 4th Street, SE	20003
Morris	Lindsey	Shakespeare Theatre Company 516 8th Street, SE	20003
Murphy	Donniece T.	RHG Group, Inc. 915 15th Street, NW	20001
Muschette	Jasmine A.	Self 6319 9th Street, NW	20011

**D.C. Office of the Secretary
Recommendations for appointment as DC Notaries Public****Effective: July 15, 2017
Page 7**

Newton	Nakia E.	Office of the Deputy Mayor for Planning and Economic Development 1350 Pennsylvania Avenue, NW, Suite 20004 317	
O'Brien	Kevin Scott	League of Conservation Voters 1920 L Street, NW, Suite 800	20036
Offerdahl	Kristine Marie	Cleary, Gottlieb, Steen, Hamilton LLP 2000 Pennsylvania Avenue, NW	20006
Ogbenna	Josephine I.	Self 3728 9th Street, NW	20010
Olubunmi	Dr. Oni	The Gospel Faith Mission International, North America 1615B Rhode Island Avenue, NE	20018
Parker	Jeane M.	Jones Day 51 Louisiana Avenue, NW	20001
Pierre	Joanne M.	Cosmos Club 2121 Massachusetts Avenue, NW	20008
Pineda	Evaristo	Self (Dual) 4600 Connecticut Avenue, NW, Unit 717	20008
Pollock	Janice A.	U.S. DHS/ICE/OCIO/RMD 801 Eye Street, NW	20536
Pouyes	Nydia M.	Self 3102 Cityscape Drive, NE	20018
Ramirez	Lyzeth R.	Wells Fargo Bank 600 Maryland Avenue, SW	20024
Rhoads	Belinda L.	The Lenkin Company 5101 Wisconsin Avenue, NW, 5th Floor	20016
Robertson	Nancy C.	Dickinson Wright, PLLC 1825 Eye Street, NW	20006

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

Effective: July 15, 2017
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Rogers, Sr.	Louis E.	Self 33 Crittenden Street, NE	20011
Romero	Betsy	Latin American Montessori Bilingual Public Charter School 1375 Missouri Avenue, NW	20011
Roper	Jessica	America's Essential Hospitals 401 Ninth Street, NW, Suite 900	20004
Ruffin	Cathy A.	Department of Youth Rehabilitation Services 450 H Street, NW	20001
Sanders	Chere J.	Stoddard Baptist Global Care 2601 18th Street, NE	20018
Schlegel	John A.	Federal Emergency Management Agency (FEMA) 400 C Street, SW	20472
Schwender	Anya	LTC Language Solutions 1400 K Street, NW, Suite 905	20005
Semrad	Joseph George	U.S. Department of State 2201 C Street, NW	20520
Sepehri	Farshid	The UPS Store 4401 A Connecticut Avenue, NW, Suite 0535	20008
Shaw Jr.	Sumner	Self 2204 R Street, NE	20002
Smith	LaVerne	US Department of Commerce 10th & Constitution Avenue, NW	20560
Smith	Michelle Taber	DHS/Federal Emergency Management Agency (FEMA) Office of the Chief Counsel (OCC) 500 C Street, SW, Suite 8NE	20472
Smith	Patricia	Self 1004 Southern Avenue, SE	20032
Stephens	Roydell	Self 213 R Street, NW	20001

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

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Strain-Scott	Annette M.	Studio 3877 3333 K Street, NW	20007
Sweetney	Sakina R.	Federal Deposit Insurance Corporation 550 17th Street, NW	20429
Taylor	Michelle	Planet Depos 1100 Connecticut Avenue, NW, Suite 900	20036
Thorn	D. Wes	Self 837 51st Street, NE	20019
Tindall	Dwight	SunTrust Bank 2929 M Street, NW	20007
Vitale	Claudia	KVS Title, LLC 1407 T Street, NW, Suite 201	20009
Vitale	Robert L.	EIG Management Company, LLC 1700 Pennsylvania Avenue, NW, Suite 800	20006
Wald	Grace	Self 712 Kearny Street, NE, Apartment 3	20017
Washington	LaQuaina	DC Government Office of the State Superintendent of Education 810 1st Street, NE, 4th Floor	20002
Weinstein	Frances Paige	The Cypress Group 1028 33rd Street, NW, Suite 200	20007
Welker	Rylee	National Republican Congressional Committee 320 First Street, SE	20003
Wester	Delbert F.	Department of Veterans Affairs Medical Center 50 Irving Street, NW	20422
Williams	Bertha M.	University Legal Services 3939 Benning Road, NE	20019

**D.C. Office of the Secretary
Recommendations for appointment as DC Notaries Public****Effective: July 15, 2017
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Wilson	Rolanda	Self 1820 Mississippi Avenue, SE, Apartment 301	20020
Wright	Chastity D.	District Council 20, AFSCME 100 M Street, SE, Suite 250	20003
Wright Hammond	Christy	Troutman Sanders, LLP 401 9th Street, NW, Suite 1000	20004
Wyatt	Lameka K.	Pressler Senftle & Wilhite, PC 1432 K Street, NW, 12th Floor	20005
Yu	Sharmaine Yap	The World Bank 1818 H Street, NW	20433

DEPARTMENT OF SMALL AND LOCAL BUSINESS DEVELOPMENT

REVISED THIRD NOTICE OF FUNDING AVAILABILITY (NOFA)

CLEAN TEAM GRANTS

The Department of Small and Local Business Development (DSLBD) is soliciting applications from eligible applicants to manage a **DC Clean Team Program** (“the Program”) in eighteen service areas (listed below). This revised NOFA includes four newly added clean team programs for Alabama Avenue, SE (Ward 8), Mid-City (Ward 2), Upper 14th Street, NW, and Benning Road (Ward 6) fund amounts for each program; new submission deadline; and newly added pre-application meeting. **The submission deadline is Wednesday, July 5, 2017, 10:00 AM.**

Through this grant, DSLBD will fund clean teams, which will achieve the following objectives.

- Improve commercial district appearance to help increase foot traffic, and consequently, opportunity for customer sales.
- Provide jobs for DC residents.
- Reduce litter, graffiti, and posters, which contribute to the perception of an unsafe commercial area.
- Maintain a healthy tree canopy, including landscaping, along the corridor.
- Support Sustainable DC goals by recycling, mulching street trees, using eco-friendly supplies, and reducing stormwater pollution generated by DC’s commercial districts.

Eligible applicants are DC-based nonprofit organizations which are incorporated in the District of Columbia and which are current on all taxes. Applicants should have a demonstrated capacity with the following areas of expertise.

- Providing clean team services or related services to commercial districts or public spaces.
- Providing job-training services to its employees.
- Providing social support services to its Clean Team employees.

DSLBD will **award** one grant for **each** of the following **service areas** (i.e., a total of fourteen grants). The size of grant is noted for each district.

- 12th Street, NE - \$100,618
- Alabama Avenue, SE (Ward 8) - \$100,000
- Bellevue - \$100,000
- Benning Road - \$107,000
- Benning Road (Ward 6) - \$100,000
- Connecticut Avenue, NW - \$101,982
- Georgia Avenue - \$101,982
- Glover Park - \$125,000
- Kennedy Street, NW - \$100,618
- Lower Georgia Avenue - \$100,000
- Mid-City (Ward 2) - \$100,000
- Minnesota Avenue, NE - \$101,982
- New York Avenue, NE - \$113,521

- Pennsylvania Avenue, SE - \$107,000
- Upper Georgia Avenue - \$100,000
- Upper 14th Street, NW - \$100,000
- Ward 1 - \$100,618
- Wisconsin Avenue - \$113,521

The **grant performance period** to deliver clean team services is October 1, 2017 through September 30, 2018. Grants may be renewed for a second performance period of October 1, 2018 through September 30, 2019.

The **Request for Application** (RFA) includes a detailed description of clean team services, service area boundaries, and selection criteria. DSLBD will post the RFA on or before **Monday, June 12, 2017, 2017** at www.dslbd.dc.gov. Click on the *Our Programs* tab, then *Neighborhood Revitalization*, and then *Solicitations and Opportunities* on the left navigation column.

DSLBD will hold a **pre-application meeting on Friday, June 16 at 2:00 PM** at 441 4th Street, NW, Washington, DC 20001, Room 805 South.

Application Process: Interested applicants must complete an online application on or before **Wednesday, July 5, 2017 at 10:00 AM**. DSLBD will not accept applications submitted via hand delivery, mail or courier service. **Late submissions and incomplete applications will not be forwarded to the review panel.**

The online application is live. To open an application, applicants must complete and submit an **Expression of Interest** via the website address included in the Request for Applications. DSLBD will activate their online access within two business days and notify them via email. **Selection Criteria** for applications will include the following criteria.

- Applicant Organization's demonstrated capacity to provide clean team or related services, and managing grant funds.
- Proposed service delivery plan for basic clean team services.
- Proposed service delivery plan for additional clean team services.

Selection Process: DSLBD will select grant recipients through a competitive application process that will assess the Applicant's eligibility, experience, capacity, service delivery plan, and, budget. Applicants may apply for one or more service areas by noting the number of service areas for which the applicant would like to be considered. DSLBD will determine grant award selection and notify all applicants of their status via email on or before Monday, July 31, 2017.

Funding for this award is contingent on continued funding from the DC Council. The RFA does not commit the Agency to make an award.

DSLBD 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.

All applicants must attest to executing a DSLBD grant agreement as issued (sample document will be provided in online application) and to starting services on October 1, 2017.

For more information, contact Saba Fassil at the Department of Small and Local Business Development at (202) 578-1057 or saba.fassil2@dc.gov.

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

BOARD OF DIRECTORS

NOTICE OF PUBLIC MEETING

D.C. Retail Water and Sewer Rates Committee

The Board of Directors of the District of Columbia Water and Sewer Authority (DC Water) D.C. Retail Water and Sewer Rates Committee will be holding a meeting on Thursday, June 27, 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.dcwater.com.

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

DRAFT AGENDA

- | | | |
|-----------|---------------------|-------------------------|
| 1. | Call to Order | Committee Chairperson |
| 2. | Monthly Updates | Chief Financial Officer |
| 3. | Committee Work plan | Chief Financial Officer |
| 4. | Other Business | Chief Financial Officer |
| 5. | Adjournment | Committee Chairperson |

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

BOARD OF DIRECTORS

NOTICE OF PUBLIC MEETING

Finance and Budget Committee

The Board of Directors of the District of Columbia Water and Sewer Authority (DC Water) Finance and Budget Committee will be holding a meeting on Thursday, June 22, 2017 at 11:00 a.m. The meeting will be held in the Board Room (4th floor) at 5000 Overlook Avenue, S.W., Washington, D.C. 20032. Below is the draft agenda for this meeting. A final agenda will be posted to DC Water’s website at www.dcwater.com.

For additional information please contact: Linda R. Manley, Board Secretary at (202) 787-2332 or lmanley@dcwater.com.

DRAFT AGENDA

- | | | |
|----|-----------------------------------|------------------------------|
| 1. | Call to Order | Chairman |
| 2. | May 2017 Financial Report | Director of Finance & Budget |
| 3. | Agenda for June Committee Meeting | Chairman |
| 4. | Adjournment | Chairman |

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

Order No. 18852 / 18853-A of SB Urban, LLC, pursuant to 11 DCMR Subtitle Y § 703.4¹, for a modification of consequence of BZA Order Nos. 18852 & 18853, requesting a modification of approved plans and conditions to comply with the parking requirements and to remove conditions related to parking impacts, to allow a new apartment community in the C-2-A District at premises 90 and 91 Blagden Alley, N.W. (Square 368, Lots 164 & 165).

The original application (No. 18852 & 18853) was pursuant to 11 DCMR § 3103.2 for variances from the side yard requirements in § 775.1, the court width requirements in § 776.3, the parking requirements in § 2101.1, and the lot occupancy requirements in § 2604.2 of the Zoning Regulations, and pursuant to 11 DCMR § 3104.1, for special exceptions for parking for a historic resource under § 2120.6 and for roof structure standards under § 411.11 of the Zoning Regulations to allow the construction of two apartment buildings that will function as one building in the C-2-A District at premises 90 and 91 Blagden Alley, N.W. (Square 368, Lots 164 & 165).

HEARING DATES (Case Nos. 18852 & 18853): November 5, 2014, December 2 2014, and January 27, 2015

DECISION DATE (Case Nos. 18852 & 18853): February 24, 2015

ORDER ISSUANCE DATE

(Case Nos. 18852 & 18853): September 8, 2015

MODIFICATON DECISION DATE: April 12 and May 31, 2017

SUMMARY ORDER ON REQUEST FOR MODIFICATION OF CONSEQUENCE

BACKGROUND

On February 24, 2015, in Application No. 18852 & 18853, the Board of Zoning Adjustment (“Board” or “BZA”), based on a self-certification, approved the request by SB Urban, LLC (the “Applicant”) for variances from the side yard requirements in § 775.1, the court width requirements in § 776.3, the parking requirements in § 2101.1, and the lot occupancy requirements in § 2604.2 of the Zoning Regulations, and pursuant to 11 DCMR § 3104.1, for special exceptions for parking for a historic resource under § 2120.6 and for roof structure standards under § 411.11 of the Zoning Regulations to allow the construction of two apartment buildings that will function as one building in the C-2-A District at premises 90 and 91 Blagden Alley, N.W. (Square 368, Lots 164 & 165).

¹ The original application was filed under the Zoning Regulations (Title 11, DCMR) which were then in effect (the “1958 Zoning Regulations”) but which were repealed on September 6, 2016 and replaced with new text of Title 11, DCMR (the “2016 Regulations”). The modification of consequence was reviewed and decided based on the 2016 Zoning Regulations that were in effect when the modification request was heard. The repeal of the 1958 Zoning Regulations does not impact on the effectiveness of the decision or Order No. 18852 & 18853.

The Board issued Order No. 18852 & 18853 on September 8, 2015. (Exhibit 3B of the record for Case No. 18852 & 18853-A.) The approval in Case No. 18852 & 18853 was subject to the approved plans at Exhibit 37 in the record of that case and to seven conditions, namely:

1. **Prior to the issuance of a Certificate of Occupancy for the buildings**, the Applicant shall:
 - a. Record an easement with the Recorder of Deeds for 91 Blagden Alley, N.W. that will preserve the six-foot side yard along the alley for pedestrians and prevent future development in that area;
 - b. Pay the cost of installing a new Capital Bikeshare station (27 docks and 14 bikes), and one year of its operating expenses, within ¼ mile of the Project site at an exact location to be determined by DDOT; and
 - c. Record a covenant with the Recorder of Deeds for both properties that prohibits the Project and its residents from eligibility for Residential Permit Parking and for any other temporary parking passes or permits.
2. All marketing materials for the Project must provide a disclosure, in the same size print as for any other marketing documents, that residents cannot park on-site and cannot park on the street.
3. The Applicant shall implement a transportation demand management (TDM) plan that includes the following:
 - a. Designate a member of the property management team as the Transportation Management Coordinator (TMC), who will be responsible for disseminating information to tenants. This position may be part of other duties assigned to that person;
 - b. Notify residents that they are not eligible for a Residential Parking Permit (RPP). Include a provision in all leases that residents are not eligible for RPP and they are prohibited from applying for or obtaining any short term, temporary, or visitor parking passes. The Applicant will work with DDOT to ensure that these restrictions are enforced. If a resident applies for and obtains an RPP pass, then it will be a violation of the lease;
 - c. Provide information and/or links to the most current transportation services websites, which shall include or be similar to the following:
 - i. Capital Bikeshare,
 - ii. Car-sharing services (ZipCar, Enterprise Carshare, Car2Go, etc.),
 - iii. Uber,
 - iv. Ridescout,
 - v. DDOT's DC Bicycle Map,

- vi. goDCgo.com,
 - vii. WMATA,
 - viii. Commuter Connections Rideshare Program,
 - ix. Commuter Connections Guaranteed Ride Home, and
 - x. Commuter Connections Pools Program;
- d. Provide two electronic displays – one in each building – in a common, shared space to provide real time availability information for nearby trains, buses, and other transportation alternatives;
 - e. Offer covered, convenient, and secure bike parking facilities inside the Project for at least 42 bicycles;
 - f. Provide a bicycle repair facility near the bike parking facilities;
 - g. For the life of the Project, provide all new residents Capital Bikeshare memberships for the terms of their initial leases;
 - h. Provide at least 10 shared bicycle helmets for use by the residents;
 - i. For the life of the Project, provide all new residents car-share memberships for the terms of their initial leases; and
 - j. Host an annual bicycle training event conducted by the Washington Area Bicycle Association or similar organization for residents.
4. **Two years after the Project is open**, the Applicant shall submit to DDOT, the Zoning Administrator, and the ANC, an independent transportation study on the effects of the Applicant's TDM measures on the community. If the study concludes that the TDM measures are not effective consistent with the goals presented to the Board, then the Applicant must take measures to come into compliance with the goals and conduct another study within two years. If the first study concludes that the TDM measures are effective, then no further action is necessary.
5. The Applicant shall implement a loading and delivery management plan that includes the following:
- a. A member of the property management team will be designated as the loading coordinator, who shall be responsible for coordinating the limited loading activities in the building and informing residential tenants of the guidelines and procedures for loading and delivery operations;
 - b. Include a provision in all leases that, for tenants who need temporary loading, tenants will be required to notify, at least three weeks in advance, the loading coordinator before moving in or out so that the loading coordinator can assist in

the establishment of curb-side loading consistent with DDOT policies and procedures; and

- c. The project shall include a clearly marked package delivery room accessible to delivery vendors directly from 9th Street. The property management team shall direct all private courier services (UPS, FedEx, DHL, Peapod, etc.) to park in the provided loading spaces on 9th Street, and to observe signs which applicant shall post and maintain on and near the building entrance in the alley stating, "NO DELIVERY PARKING. DELIVERY PARKING ONLY IN LOADING SPACES PROVIDED ON 9TH STREET. DELIVERIES MAY BE LEFT AT PACKAGE DELIVERY ROOM ON 9TH STREET." The final locations of and language on the signs shall be subject to DDOT approval.
6. All trash pickup will occur from M Street. No trash containers shall be kept outside of the building. Trash haulers shall bring the trash containers outside when they arrive for pickup, and the trash haulers shall return the trash containers to inside the building once they have collected the trash.
7. The Applicant shall have flexibility to modify the design of the buildings to address any comments from the D.C. Historic Preservation Review Board or Historic Preservation Office staff during final review of the Project, so long as such modifications do not require any additional areas of relief or have a substantial impact on the final plans approved by the BZA.

MOTION FOR MODIFICATION OF CONSEQUENCE

On February 13, 2017, the Applicant submitted a request for a modification of consequence to the modify the plans and conditions approved by the Board in Order No. 18852 / 18853 (the "Order"). (Exhibit 3B.) Pursuant to 11 DCMR Subtitle Y § 703, the Applicant requested to change the approved plans so as to comply with the parking requirements and also requested the removal of the conditions related to parking impacts in the Order, as these would no longer be relevant to the zoning relief granted.

In the Order, the Board approved relief for a planned 123-unit residential project at 90 and 91 Blagden Alley, N.W., which remain two separate buildings for zoning purposes but will operate as one building connected by a bridge over the alley that separates the two parcels ("Project"). The Board granted variance relief pursuant the 1958 Zoning Regulations from the parking requirement at 91 Blagden Alley and special exception relief from the parking requirement at 90 Blagden Alley, resulting in the Project not providing any parking. In the Order, the Board also granted relief related to courts, side yards, and penthouse setback. The application was granted subject to the seven conditions noted above. The conditions that pertained to the parking relief are 1(b), 1(c), 2, 3, and 4.

The Order was subsequently appealed on the issue of the parking relief. In its November 10, 2016 decision, the Court of Appeals in *Ait-Ghezala v. District of Columbia Bd. Of Zoning Adjustment*, 148 A.3d 1211 (D.C. 2016), remanded the case back to the Board to further address the parking relief. (Exhibit 3A.)

The Board's rules for addressing proceedings on remand are in Subtitle Y, Chapter 8. However, as the Applicant is seeking to withdraw the parking relief that was the only subject of the remand and to comply with the Zoning Regulations governing parking, the Board finds it does not need to consider further the issues raised in the Court's remand. Instead, the Board is considering this request as a Modification of Consequence to modify the plans and the Order pursuant to Subtitle Y § 703.6 to address those issues.

The modification proposed in this application is directly related to a change in the Order and a change to the final plans approved by the Board. With this modification, the Applicant will provide the required amount of parking and will redesign an architectural element of one of the proposed buildings. As a result of the changes, the Project no longer requires relief from the parking requirements.

The Merits of the Request for Modification of Consequence

The Applicant's request complies with 11 DCMR Subtitle Y § 703.4, which defines a modification of consequence as a "proposed change to a condition cited by the Board in the final order, or a redesign or relocation of architectural elements and open spaces from the final design approved by the Board."

In the application herein, the Applicant is requesting a modification of consequence to the Order because with this modification, the Applicant will provide the required amount of parking and will redesign an architectural element of one of the proposed buildings. The change will add a garage door on the western elevation of 90 Blagden Alley and will provide one level of below-grade parking. (Exhibit 3D.) As a result of these changes, the Project will no longer require relief from the parking requirements of Subtitle C, Chapter 7 of the Zoning Regulations. With the modification, all of the required parking for both buildings will be provided in a below-grade garage at 90 Blagden Alley. The parking spaces will be accessed by a mechanical car elevator at the west side of the building. Other than the parking level, some interior reconfigurations to accommodate the parking, the loss of one unit, and the garage/elevator entrance shown on the western elevation, the Project's plans will remain as approved by the Board. (Exhibit 3.)

The Applicant is seeking a modification to the Board's approved plans in terms of parking, and the parking requirement is now governed by the 2016 Zoning Regulations. Pursuant to Subtitle A §§ 102.4 and 102.6, a modification to the Board's approved plans must conform to the 2016 Zoning Regulations, but the unchanged and unchallenged aspects of the plans stay preserved under the 1958 Zoning Regulations. Consequently, the modification to provide parking must conform to the 2016 Zoning Regulations, but the unmodified aspects of the plans – which

include the side yard, court, and penthouse relief – remain as approved by the Board in the Order.

The proposed number of parking spaces and access to those spaces conforms to the requirements in Subtitle C, Chapter 7. Pursuant to Subtitle C §§ 701.5 and 702.1, the parking requirement for 122 residential units in the Project is 20 spaces. The 21 spaces being proposed thus would satisfy the requirement. The car elevator to access the below-grade parking spaces is allowed under Subtitle C § 711.4, which provides that automatic parking systems may satisfy the parking space accessibility requirements. Also, pursuant to Subtitle C § 701.8(b), all of the required parking spaces for 91 Blagden Alley may be provided at 90 Blagden Alley, as the two properties are located less than 600 feet apart.

As parking relief is no longer required or requested, the Applicant requested that the Board remove conditions that were included to mitigate parking relief, namely conditions 1(b), 1(c), 2, 3, and 4, from the Order.

Pursuant to Subtitle Y §§ 703.8-703.9, the request for a modification of consequence shall be served on all other parties to the original application and those parties are allowed to submit comments within ten days after the request has been filed with the Office of Zoning and served on all parties. The Applicant provided proper and timely notice of the request for modification of consequence to Advisory Neighborhood Commission (“ANC”) 2F, the only other party to Application No. 18852 & 18853. (Exhibit 3C.) ANC 2F submitted a report, dated April 13, 2017, that indicated that the ANC “determined no additional review of the modification request or the related BZA cases was necessary.” (Exhibit 6.)

The Applicant also served its request on the Office of Planning (“OP”). OP submitted a report on March 31, 2017 recommending “the Board evaluate the proposal as requested, as a modification of consequence” and further stated that it had “no objection to the proposed conforming parking, which would eliminate an area of relief that the applicant previously sought and was granted, but that would otherwise have no significant impact on the project.” OP noted that while the proposal was originally reviewed under the 1958 Zoning Regulations, because the parking is being modified, it is subject to the 2016 Zoning Regulations. OP stated that this is significant as the new system of parking, accessed by a car elevator, which was not permitted by right under the 1958 Zoning Regulations, is permitted by right under the 2016 Zoning Regulations. (Exhibit 5.)

At its public meeting on April 12, 2017, the Board first considered the motion for modification and requested responses from:

- a. ANC 2F; and
- b. The individuals who had testified in opposition in Case No. 18852 & 18853, Mr. Ait-Ghezala and Ms. Schauer.

The Board also gave the Applicant leave to respond to these responses.

The ANC, as noted above, submitted a report determining no additional review was needed. (Exhibit 6.)

Mr. Ait-Ghezala and Ms. Schauer submitted a response dated May 17, 2017, that provided general support for the modification. Specifically, they stated that they accepted the change to provide 21 parking spaces to comply with the Zoning Regulations. (Exhibit 7.)

As directed by 11 DCMR Subtitle Y § 703.4, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case for a modification of consequence. Based upon the record before the Board and having given great weight to the OP and ANC reports filed in this case, the Board concludes that in seeking a modification of consequence to the plans and conditions approved in Case No. 18852 & 18853, the Applicant has met its burden of proof under 11 DCMR Subtitle Y § 703, that the proposed modification has not changed any material facts upon which the Board based its decision on the underlying application that would undermine its approval.

As noted, the only parties to the case were the ANC and the Applicant.² Accordingly, a decision by the Board to grant request would not be adverse to any party and therefore an order containing full finding of facts and conclusions of law need not be issued pursuant to D.C. Official Code § 2-509(c) (2012 Repl.). Therefore, pursuant to 11 DCMR Subtitle Y § 101.9, the Board has determined to waive the requirement of 11 DCMR Subtitle Y § 604.3, that the order of the Board be accompanied by findings of fact and conclusions of law. The waiver will not prejudice the rights of any party and is appropriate in this case.

It is therefore **ORDERED** that this application for modification of consequence of the Board's approval in Application No. 18852 & 18853 is hereby **GRANTED, SUBJECT TO THE MODIFIED PLANS AT EXHIBIT 3D AND REMOVAL OF CONDITIONS 1(b), 1(c), 2, 3, and 4.**

In all other respects, Order No. 18852 & 18853 remains unchanged.

VOTE ON ORIGINAL APPLICATION ON FEBRUARY 24, 2015: 3-0-2

(Peter G. May, Marnique Y. Heath, and Lloyd J. Jordan, to Approve; Jeffrey L. Hinkle, not participating; one Board seat vacant.)

VOTE ON MODIFICATION OF CONSEQUENCE ON MAY 31, 2017: 4-0-1

(Frederick L. Hill, Lesylleé M. White, Carlton E. Hart, and Anthony J. Hood, 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.

² Also, the Board provided an opportunity for the individuals who testified in opposition and who challenged the Order at the DC Court of Appeals to review and submit a response to the modification request.

FINAL DATE OF ORDER: June 5, 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.

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

Application No. 19476 of DC International School, as amended¹, pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception under Subtitle C § 1504.1, from the single enclosure requirement of Subtitle C § 1500.6, and the uniform screening height requirement of Subtitle C § 1500.9, to screen rooftop mechanical equipment in multiple enclosures on an addition to an existing building in the WR-7 Zone at premises 6900 Georgia Avenue, N.W. (Parcel 0319, Lot 801).

HEARING DATE: May 3, 2017

DECISION DATE: May 3, 2017

SUMMARY ORDER

SELF-CERTIFIED

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2. (Exhibits 5 and 10 (original) and 44 (revised).) In granting the certified relief, the Board of Zoning Adjustment ("Board" or "BZA") made no finding that the relief is either necessary or sufficient. Instead, the Board expects the Zoning Administrator to undertake a thorough and independent review of the building permit and certificate of occupancy applications filed for this project and to deny any application for which additional or different zoning relief is needed.

The Board provided proper and timely notice of the public hearing on this application by publication in the *D.C. Register* and by mail to Advisory Neighborhood Commission ("ANC") 4A and to owners of property located within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 4A, which is automatically a party to this application. The ANC submitted a timely report recommending approval of the application. The ANC's report indicated that at a regularly scheduled, properly noticed public meeting on April 4, 2017, at which a quorum was present, the ANC voted 7-0 to support the application. (Exhibit 34.) In addition, the adjacent ANC, ANC 4B, also submitted a report that indicated that at a regularly scheduled, properly noticed public meeting on April 24, 2017, at which a quorum was present, ANC 4B voted 9-0 in support of the application. (Exhibits 40 and 41.)

The Office of Planning ("OP") submitted a timely report dated April 20, 2017, in support of the application. In its report OP recommended that the Applicant add relief from Subtitle C § 1500.9 for screening walls of multiple heights. (Exhibit 37.) At the public hearing, the Applicant accepted OP's recommendation and amended the application to add relief from Subtitle C § 1500.9. The Board accepted the amendment.

¹ The Applicant amended the application to add a special exception for the uniform screening height requirement of Subtitle C § 1500.9 to the original request. The Board accepted the amendment at the hearing and the Applicant submitted a revised self-certification form to reflect the amended relief. (Exhibit 44.)

The District Department of Transportation (“DDOT”) submitted a timely report indicating that it had no objection to the grant of the application. (Exhibit 36.)

A letter in support of the application from the Shepherd’s Park Citizens Association was submitted to the record. (Exhibit 39.)

As directed by 11 DCMR Subtitle X § 901.3, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to Subtitle X § 901.2, for a special exception under Subtitle C § 1504.1, from the single enclosure requirement of Subtitle C § 1500.6, and the uniform screening height requirement of Subtitle C § 1500.9, to screen rooftop mechanical equipment in multiple enclosures on an addition to an existing building in the WR-7 Zone. The only parties to the case were the Applicant and the ANC. No parties appeared at the public hearing in opposition to this application. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board and having given great weight to the OP and ANC reports, the Board concludes that the Applicant has met the burden of proof, pursuant to 11 DCMR Subtitle X § 901.2, and Subtitle C §§ 1504.1, 1500.6, and 1500.9, that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board further concludes that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map.

Pursuant to 11 DCMR Subtitle Y § 101.9, the Board has determined to waive the requirement of 11 DCMR Subtitle Y § 604.3, that the order of the Board be accompanied by findings of fact and conclusions of law. The waiver will not prejudice the rights of any party and is appropriate in this case.

It is therefore **ORDERED** that this application is hereby **GRANTED AND, PURSUANT TO SUBTITLE Y § 604.10, SUBJECT TO THE APPROVED PLANS AT EXHIBIT 7 AS REVISED BY EXHIBIT 42.**

VOTE: **3-0-2** (Carlton E. Hart, Lesylleé M. White, and Michael G. Turnbull, to APPROVE; Frederick L. Hill, not present or participating; one Board seat vacant.)

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

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

FINAL DATE OF ORDER: June 5, 2017

**BZA APPLICATION NO. 19476
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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.

PURSUANT TO 11 DCMR SUBTITLE Y § 702.1, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSE OF SECURING A BUILDING PERMIT, OR THE APPLICANT FILES A REQUEST FOR A TIME EXTENSION PURSUANT TO SUBTITLE Y § 705 PRIOR TO THE EXPIRATION OF THE TWO-YEAR PERIOD AND THE REQUEST IS GRANTED. PURSUANT TO SUBTITLE Y § 703.14, NO OTHER ACTION, INCLUDING THE FILING OR GRANTING OF AN APPLICATION FOR A MODIFICATION PURSUANT TO SUBTITLE Y §§ 703 OR 704, SHALL TOLL OR EXTEND THE TIME PERIOD.

PURSUANT TO 11 DCMR SUBTITLE Y § 604, APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT.

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

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

Application No. 19497 of Elizabeth Riordan and Katherine Kimpel, pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception under Subtitle E § 5201, from the nonconforming structure requirements of Subtitle C § 202, the lot occupancy requirements of Subtitle E § 304.1, and the rear yard requirements of Subtitle E § 306.1, to construct a third-story addition to an existing one-family dwelling in the RF-1 Zone at premises 1506 E Street, S.E. (Square 1075, Lot 47)

HEARING DATE: May 31, 2017

DECISION DATE: May 31, 2017

SUMMARY ORDER

SELF-CERTIFICATION

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR Subtitle Y § 300.6. (Exhibit 5.) In granting the certified relief, the Board of Zoning Adjustment ("Board" or "BZA") made no finding that the relief is either necessary or sufficient. Instead, the Board expects the Zoning Administrator to undertake a thorough and independent review of the building permit and certificate of occupancy applications filed for this project and to deny any application for which additional or different zoning relief is needed.

The Board provided proper and timely notice of the public hearing on this application by publication in the *D.C. Register* and by mail to Advisory Neighborhood Commission ("ANC") 6B and to owners of property located within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 6B, which is automatically a party to this application. The ANC submitted a report recommending approval of the application. The ANC's report indicated that at a regularly scheduled, properly noticed public meeting on May 9, 2017, at which a quorum was present, the ANC voted 10-0-0 to support the application. (Exhibit 38.)

The Office of Planning ("OP") submitted a timely report, dated May 19, 2017, in support of the application. (Exhibit 40.) The District Department of Transportation ("DDOT") submitted a timely report, dated May 18, 2017, expressing no objection to the approval of the application. (Exhibit 39.)

Four letters in support of the application were submitted by neighbors to the property, three of which are adjacent property owners and a fourth neighbor who lives around the corner from the property. (Exhibits 12, 13, 36, and 37.)

Two letters in opposition to the application were filed by neighbors. (Exhibits 33 and 34.)

As directed by 11 DCMR Subtitle X § 901.3, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to Subtitle X § 901.2, for a special exception under Subtitle E § 5201, from the nonconforming structure requirements of Subtitle C § 202, the lot occupancy requirements of Subtitle E § 304.1, and the rear yard requirements of Subtitle E § 306.1, to construct a third-story addition to an existing one-family dwelling in the RF-1 Zone. No parties appeared at the public hearing in opposition to this application. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board and having given great weight to the OP and ANC reports, the Board concludes that the Applicant has met the burden of proof, pursuant to 11 DCMR Subtitle X § 901.2, Subtitle E §§ 5201, 304.1, and 306.1, and Subtitle C § 202, that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board further concludes that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map.

Pursuant to 11 DCMR Subtitle Y § 101.9, the Board has determined to waive the requirement of 11 DCMR Subtitle Y § 604.3, that the order of the Board be accompanied by findings of fact and conclusions of law. The waiver will not prejudice the rights of any party and is appropriate in this case.

It is therefore **ORDERED** that this application is hereby **GRANTED AND, PURSUANT TO SUBTITLE Y § 604.10, SUBJECT TO THE APPROVED PLANS AT EXHIBIT 7 – ARCHITECTURAL PLANS AND ELEVATIONS.**

VOTE: **4-0-1** (Frederick L. Hill, Peter G. May, Lesylleé M. White, and Carlton E. Hart 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: June 1, 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.

PURSUANT TO 11 DCMR SUBTITLE Y § 702.1, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSE OF SECURING A BUILDING PERMIT, OR THE

BZA APPLICATION NO. 19497

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APPLICANT FILES A REQUEST FOR A TIME EXTENSION PURSUANT TO SUBTITLE Y § 705 PRIOR TO THE EXPIRATION OF THE TWO-YEAR PERIOD AND THE REQUEST IS GRANTED. PURSUANT TO SUBTITLE Y § 703.14, NO OTHER ACTION, INCLUDING THE FILING OR GRANTING OF AN APPLICATION FOR A MODIFICATION PURSUANT TO SUBTITLE Y §§ 703 OR 704, SHALL TOLL OR EXTEND THE TIME PERIOD.

PURSUANT TO 11 DCMR SUBTITLE Y § 604, APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT.

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

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

Application No. 19500 of Middle East Institute, pursuant to 11 DCMR Subtitle X, Chapter 9, for special exceptions from the off-street parking requirement of Subtitle C § 701.5, and the long-term bicycle parking space requirement of Subtitle C § 802.3, to construct a rear addition to an existing three-story building in the MU-15 Zone at premise 1761-1763 N Street, N.W. (Square 158, Lot 70).

HEARING DATE: May 31, 2017
DECISION DATE: May 31, 2017

SUMMARY ORDER

SELF-CERTIFICATION

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR Subtitle Y § 300.6. (Exhibit 3.) In granting the certified relief, the Board of Zoning Adjustment ("Board" or "BZA") made no finding that the relief is either necessary or sufficient. Instead, the Board expects the Zoning Administrator to undertake a thorough and independent review of the building permit and certificate of occupancy applications filed for this project and to deny any application for which additional or different zoning relief is needed.

The Board provided proper and timely notice of the public hearing on this application by publication in the *D.C. Register* and by mail to Advisory Neighborhood Commission ("ANC") 2B and to owners of property located within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 2B, which is automatically a party to this application. The ANC submitted a report dated May 19, 2017 recommending approval of the application. The ANC's report indicated that at a regularly scheduled, properly noticed public meeting on May 10, 2017, at which a quorum was present, the ANC voted 6-0-0 to support the application. The ANC encouraged the Applicant "to consider provisioning short-term bicycle parking spaces on their property rather than in the public right of way." (Exhibit 37.)

In response to the ANC, the Applicant testified that the short-term bicycle parking spaces were placed in the proposed location to satisfy the Department of Transportation ("DDOT") who wanted the general public to have access to them.

The Office of Planning ("OP") submitted a timely report dated May 19, 2017, recommending approval of the application, with the condition that the Applicant provide four long-term bicycle parking spaces under the arcade at the rear of the building as shown in the plans at Exhibit 34A. (Exhibit 38.)

As part of the application, the Applicant submitted a Comprehensive Transportation Review, containing its Transportation Demand Management plan (“TDM”) for the site. (Exhibit 32.) In addressing the vehicle parking relief, the TDM noted that nine off-street parking spaces are required, with one space being provided, thereby necessitating relief from the parking requirement.

DDOT submitted a timely report dated May 16, 2017. Addressing the Applicant’s transportation submission, DDOT indicated that it had no objection to the bicycle parking relief, but raised objections to the vehicle parking relief, absent additional TDM measures. (Exhibit 36.) DDOT requested that the Applicant “include a TDM Plan element that annual Capital Bikeshare memberships, either individual or corporate, will be provided to existing employees and future employees for a period of three (3) years”. (Exhibit 36.)

On May 25, 2017, six days before the hearing, the Applicant filed a motion to waive the 21-day filing deadline to allow it to submit a response to the reports filed by both OP and DDOT. (Exhibit 39.) At the hearing, the Board granted the motion by consensus and accepted the filings into the record.

The Applicant filed a statement and a supplemental revision to the TDM indicating that it would meet OP’s condition to provide the covered, secured bicycle parking spaces in the arcade at the rear of the building. (Exhibits 40 and 41.) In response to the concerns of DDOT, the Applicant stated that it agreed to the condition in the DDOT report – to provide annual Capital Bikeshare memberships to all its existing and new employees for a period of three years. (See Exhibits 40 and 41.)

The record contains two letters in support of the application from neighbors at 1757 N Street, N.W. and 1765 N Street, N.W. (Exhibit 34B.)

As directed by 11 DCMR Subtitle X § 901.3, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to Subtitle X § 901.2, for special exceptions from the off-street parking requirements of Subtitle C § 701.5 and the long-term bicycle parking space requirement of Subtitle C § 802.3. No parties appeared at the public hearing in opposition to this application. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board and having given great weight to the OP and ANC reports, the Board concludes that the Applicant has met the burden of proof, pursuant to 11 DCMR Subtitle X § 901.2, and Subtitle C §§ 701.5 and 802.3, that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board further concludes that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map.

Pursuant to 11 DCMR Subtitle Y § 101.9, the Board has determined to waive the requirement of 11 DCMR Subtitle Y § 604.3, that the order of the Board be accompanied by findings of fact and conclusions of law. The waiver will not prejudice the rights of any party and is appropriate in this case.

It is therefore **ORDERED** that this application is hereby **GRANTED AND, PURSUANT TO SUBTITLE Y § 604.10, SUBJECT TO THE APPROVED PLANS AT EXHIBIT 34A, AND WITH THE FOLLOWING CONDITIONS:**

1. The Applicant shall provide four long-term bicycle parking spaces under the arcade at the rear of the building as shown in the plans provided in Exhibit 34A.
2. The Applicant shall provide annual Capital Bikeshare memberships, either individual or corporate, to existing employees and future employees for a period of three (3) years.

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

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

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

FINAL DATE OF ORDER: June 8, 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.

PURSUANT TO 11 DCMR SUBTITLE Y § 702.1, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSE OF SECURING A BUILDING PERMIT, OR THE APPLICANT FILES A REQUEST FOR A TIME EXTENSION PURSUANT TO SUBTITLE Y § 705 PRIOR TO THE EXPIRATION OF THE TWO-YEAR PERIOD AND THE REQUEST IS GRANTED. PURSUANT TO SUBTITLE Y § 703.14, NO OTHER ACTION, INCLUDING THE FILING OR GRANTING OF AN APPLICATION FOR A MODIFICATION PURSUANT TO SUBTITLE Y §§ 703 OR 704, SHALL TOLL OR EXTEND THE TIME PERIOD.

PURSUANT TO 11 DCMR SUBTITLE Y § 604, APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION

BZA APPLICATION NO. 19500

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

PURSUANT TO 11 DCMR SUBTITLE A § 303, THE PERSON WHO OWNS, CONTROLS, OCCUPIES, MAINTAINS, OR USES THE SUBJECT PROPERTY, OR ANY PART THERETO, SHALL COMPLY WITH THE CONDITIONS IN THIS ORDER, AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT. FAILURE TO ABIDE BY THE CONDITIONS IN THIS ORDER, IN WHOLE OR IN PART SHALL BE GROUNDS FOR THE REVOCATION OF ANY BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY ISSUED PURSUANT TO THIS ORDER.

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

GOVERNMENT OF THE DISTRICT OF COLUMBIA

BOARD OF ZONING ADJUSTMENT

441 4TH STREET, N.W.
SUITE 200-SOUTH
WASHINGTON, D.C. 20001

PUBLIC NOTICE OF CLOSED MEETINGS FOR JUNE 2017

In accordance with § 405(c) of the Open Meetings Act, D.C. Official Code § 2-575 (c), on April 19, 2017, the Board of Zoning Adjustment voted 4-0-1, to hold *closed meetings telephonically on Mondays, June 5th, June 12th, June 19th, and June 26th*, beginning at 3:00 p.m. for the purpose of obtaining legal advice from counsel and/or to deliberate upon, but not voting on the cases scheduled to be publicly heard or decided by the Board on the day after each such closed meeting, as those cases are identified on the Board's meeting and hearing agendas for June 7th, June 14th, June 21st, and June 28th.

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

**Frederick L. Hill, Chairperson, Carlton E. Hart, Vice-Chairperson,
Lesylleé M. White, Board Member, one seat vacant, and a Member of the Zoning
Commission.**

**Clifford W. Moy, Secretary of the Board of Zoning Adjustment
Sara A. Bardin, Director, Office of Zoning.**

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF FILING
Z.C. Case No. 17-11
(3200 Penn Ave PJV, LLC – Map Amendment @ Square 5539)
June 1, 2017

THIS CASE IS OF INTEREST TO ANC 7B

On May 26, 2017, the Office of Zoning received a petition from 3200 Penn Ave PJV, LLC (the “Petitioner”) for approval of a map amendment for the above-referenced property.

The property that is the subject of this petition consists of Lots 835, 838, 839, and 840 in Square 5539 in southeast Washington, D.C. (Ward 7), on property located at 3200 Pennsylvania Avenue, S.E. The property is currently zoned R-1-B and MU-3. The Petitioner is proposing a map amendment to rezone the property to the MU-4 zone.

The R-1-B zone is intended to provide for areas predominantly developed with detached houses on moderately sized lots. The R-1-B zone allows a maximum height of 40 feet (or three stories) and a maximum lot occupancy of 40%, and requires a rear yard of 25 feet and a side yard of eight feet.

The MU-3 zone is intended to: permit low-density mixed-use development; and provide convenient retail and personal service establishments for the day-to-day needs of a local neighborhood, as well as residential and limited community facilities with a minimum impact upon surrounding residential development. The MU-3 zone allows a maximum height of 40 feet (or three stories), a maximum lot occupancy of 60%, and a maximum density of 1.0 FAR (1.2 FAR for IZ).

The MU-4 zone is intended to: permit moderate-density mixed-use development; provide facilities for shopping and business needs, housing, and mixed uses for large segments of the District of Columbia outside of the central core; and be located in low- and moderate-density residential areas with access to main roadways or rapid transit stops, and include office employment centers, shopping centers, and moderate bulk mixed-use centers. The MU-4 zone allows a maximum height of 50 feet; maximum lot occupancy of 60% (70% for Inclusionary Zoning [IZ]); 2.5 FAR (3.0 for IZ and 1.5 for non-residential¹).

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.

¹ In the MU-4 and MU-5 zones, an existing building on a lot with an area 10,000 sq. ft. or less, may have a maximum density of 2.0 FAR for non-residential uses, provided the uses are located in the ground story and the story directly above the ground story. For new construction, any additional use is limited to 0.5 FAR.

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