

District of Columbia

REGISTER

HIGHLIGHTS

- D.C. Council passes Resolution 22-207, Council Period 22 2017 Recess Rules Resolution of 2017
- DC Commission on the Arts and Humanities announces funding availability for FY 2018 Sister Cities Grant Program
- Department of Energy and Environment solicits applicants to create a tool for assessing the vulnerability of the District’s affordable housing stock to climate change
- Department of Energy and Environment schedules a public hearing on the Fiscal Year 2018 Draft State Plan for the Low Income Home Energy Assistance Program
- Department of For-Hire Vehicles schedules a public hearing on the proposed amendments to the District’s regulations on the loitering of vehicles-for-hire
- Department of Health proposes procedures for dispensing medication safely to terminally ill residents
- Office of the State Superintendent of Education announces funding availability for the FY18 21st Century Community Learning Centers Grant and the Scholarships for Opportunity and Results (SOAR) Act Grants
- Office of Victim Services and Justice Grants establishes a voucher program for installing Metropolitan Police registered security camera systems on residential properties

DISTRICT OF COLUMBIA REGISTER

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AN ACT
D.C. ACT 22-104

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JULY 20, 2017

To enact and amend, on an emergency basis, provisions of law necessary to support the Fiscal Year 2018 budget.

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BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Fiscal Year 2018 Budget Support Emergency Act of 2017”.

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TITLE I. GOVERNMENT DIRECTION AND SUPPORT**SUBTITLE A. EXECUTIVE SERVICE PAY SCHEDULE CONFORMITY**

Sec. 1001. Short title.

This subtitle may be cited as the "Executive Service Pay Schedule Conformity Emergency Amendment Act of 2017".

Sec. 1002. Section 1052(b) 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 § 1-610.52(b)), is amended as follows:

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

(1) The lead-in language is amended by striking the phrase "a compensation level of" and inserting the phrase "the following compensation levels and terms of employment:" in its place.

(2) Subparagraph (A) is amended to read as follows:

"(A)(i) Antwan Wilson shall be compensated \$280,000 annually, effective February 1, 2017, while serving in the capacity of the Chancellor of the District of Columbia Public Schools.

"(ii) Notwithstanding any other provision of law, the Chancellor may be paid a performance bonus of up to 10% of his annual base salary for goal achievements in the 2017-2018 school year.

"(iii) In addition to such other benefits as the Chancellor may be entitled to receive under existing law or regulation, and notwithstanding section 1058, the Mayor may make a separation payment to the Chancellor of up to 26 weeks of the Chancellor's base salary if the Chancellor's contract is terminated, unless the termination is for cause.

"(iv) The restrictions and reporting requirements specified in section 3602(b) of the Restrictions on the Use of Official Vehicles Act of 2000, effective October 19, 2000 (D.C. Law 13-172; D.C. Official Code § 50-204(b)), shall not apply to the Chancellor."

(3) Subparagraph (D) is repealed.

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

"(2B) For the purposes of paragraph (2)(A) of this subsection, the term "cause" means:

"(A) Being indicted for or convicted of any criminal offense;

"(B) Committing on-duty conduct that is reasonably known to be a violation of law or regulation;

"(C) Using public office for private gain; or

"(D) Committing an act that would warrant removal pursuant to Chapter 16 of Title 6B of the District of Columbia Municipal Regulations (6B DCMR § 1600 *et seq.*)".

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

(1) Subparagraph (A) is repealed.

(2) Subparagraph (B) is repealed.

(d) Paragraph (4) is amended to read as follows:

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“(4) The existing levels of compensation for officeholders provided in this subsection shall not be the basis of determining the salary of future officeholders in the same position, who shall be subject to compensation within the limits of the DX schedule, except as provided in this act.”.

Sec. 1003. The Chancellor of the District of Columbia Public Schools Salary and Benefits Authorization Temporary Amendment Act of 2017, effective April 7, 2017 (D.C. Law 21-246; 64 DCR 1620), is repealed.

SUBTITLE B. COMPENSATION FOR UNJUST IMPRISONMENT

Sec. 1011. Short title.

This subtitle may be cited as the “Unjust Conviction and Imprisonment Compensation Emergency Amendment Act of 2017”.

Sec. 1012. The District of Columbia Unjust Imprisonment Act of 1980, effective March 5, 1981 (D.C. Law 3-143; D.C. Official Code § 2-421 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 2-421) is amended to read as follows:

“Sec. 2. Administrative petitions and civil claims.

“Any person unjustly convicted of and subsequently imprisoned for a felony offense contained in the District of Columbia Official Code may:

“(1) Present a claim for damages against the District of Columbia; or

“(2) Petition the District of Columbia for compensation as provided under this act.”.

(b) Section 3 (D.C. Official Code § 2-422) is amended to read as follows:

“Sec. 3. Proof required.

“(a) Any person bringing suit under section 2(1) must allege and prove the following:

“(1) The person was incarcerated following a conviction for a felony offense contained in the District of Columbia Official Code;

“(2) The conviction for the offense has been reversed or set aside by the Superior Court of the District of Columbia (“Superior Court”) on the stated ground of innocence and unjust conviction;

“(3) The person has obtained a certificate of innocence from the Superior Court;

and

“(4) That, based upon clear and convincing evidence, the person did not commit any of the acts charged or the person’s acts or omissions in connection with such charge constituted no offense against the United States or the District of Columbia the maximum penalty for which would equal or exceed the imprisonment served and the person did not, by his or her misconduct, cause or bring about his or her own prosecution.

“(b) Any person filing a petition under section 2(2) must allege and prove the following:

“(1) The person was incarcerated following a conviction for a felony offense contained in the District of Columbia Official Code;

“(2) The conviction for the offense has been reversed or set aside by the Superior Court on the stated ground of innocence and unjust conviction; and

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“(3) The person has obtained a certificate of innocence from the Superior Court.

“(c) Notwithstanding subsections (a) and (b) of this section, a person is not entitled to damages or compensation under this act for any part of a sentence served, whether incarcerated, on parole, on probation, on supervised release, or as a registered sex offender, if that person was also serving a concurrent sentence for another crime to which subsections (a) and (b) of this section do not apply.”.

(c) Section 4 (D.C. Official Code § 2-423) is amended by striking the phrase “by section 3, the” and inserting the phrase “by section 3(a), the” in its place.

(d) New sections 4a, 4b, 4c, and 4d are added to read as follows:

“Sec. 4a. Petition for compensation.

“(a) A person seeking compensation for unjust conviction and imprisonment under section 2(2) shall file a petition for compensation with the Office of Victim Services and Justice Grants (“OVSJG”) that includes the following information:

“(1) An application for compensation on a form prescribed by the Director;

“(2) A copy of the certificate of innocence issued by the Superior Court for the conviction at issue;

“(3) A statement from the United States Bureau of Prisons or the Department of Corrections verifying the length of incarceration;

“(4) A statement from the Court Supervision and Offender Services Agency verifying the length of time spent on parole, probation, supervised release, or as a registered sex offender, if applicable; and

“(5) Any additional documents deemed necessary by the Director and listed as a requirement for a petition on the application for compensation.

“(b)(1)(A) The Director shall approve a petition for compensation filed within 45 days after the date the petition was submitted if all the necessary documents required by subsection (a) of this section have been submitted.

“(B) For the purposes of this paragraph, a petition for compensation shall not be deemed to have been submitted until all required documents under subsection (a) of this section have been filed with OVSJG.

“(2)(A) The Director shall provide written notice of his or her determination to the person who filed the petition.

“(B) The written notice shall include the amount owed to the petitioner pursuant to section 4b.

“(c)(1) If a petitioner is aggrieved by the Director’s determination under subsection (b) of this section, the petitioner may bring an action in the Superior Court for mandamus relief within 45 days after the petitioner receives written notice of the determination under subsection (b)(2) of this section.

“(2) The Superior Court shall review de novo any request for mandamus relief.

“Sec. 4b. Compensation and other benefits.

“(a) After a petition for compensation is approved under section 4a, the petitioner shall be entitled to the following:

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“(1) Within 60 days after a petition for compensation is approved, the Director shall compensate the petitioner as follows:

“(A) For the physical injury of wrongful conviction and incarceration of the petitioner:

“(i) \$200,000 for each year of incarceration, to include a pro-rated amount for partial years served; and

“(ii) \$40,000 for each year served on parole, probation, supervised release, or as a registered sex offender, to include a pro-rated amount for partial years served; and

“(B) Reimbursement for child support payments that became due during the time the person was incarcerated, but were not paid, including any interest on child support arrearages associated with those child support payments, as well as reasonable attorney’s fees for legal proceedings required to remedy outstanding obligations associated with those child support payments.

“(2) In addition to compensation provided under paragraph (1) of this subsection, within 21 days after a petition for compensation is approved, the Director shall provide the petitioner with \$10,000 to assist in immediately securing services such as:

“(A) Housing;

“(B) Transportation;

“(C) Subsistence;

“(D) Re-integrative services; and

“(E) Mental and physical health care.

“(3) In addition to the compensation provided under paragraphs (1) and (2) of this subsection, the petitioner shall be entitled to the following:

“(A) Physical and mental health care for the duration of the petitioner’s life through automatic participation in the D.C. HealthCare Alliance or any successor comprehensive community-centered health care and medical services system established pursuant to section 7 of the Health Care Privatization Amendment Act of 2001, effective July 12, 2001 (D.C. Law 14-18; D.C. Official Code § 7-1405);

“(B) Reimbursement for any tuition and fees paid to the University of the District of Columbia or the University of the District of Columbia Community College for the petitioner’s education, including any necessary assistance to meet the criteria required for admittance, or a vocational or employment skills development program; and

“(C)(i) If mandamus relief is granted under section 4a(c), reasonable attorney’s fees to be paid by the District of Columbia, as ordered by the Superior Court.

“(ii) The Superior Court shall award attorney’s fees for each of the petitioner’s attorneys pursuant to the matrix approved in *Laffey v. Northwest Airlines*, 572 F. Supp. 354 (D.D.C. 1983), as published and adjusted by the United States Attorney’s Office for the District of Columbia.

“(iii) In computing the hourly rates for attorney’s fees under subparagraph (ii) of this subparagraph, the Superior Court shall use the rates in effect at the time the mandamus relief is granted.

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“(b) Notwithstanding any other law, compensation awarded pursuant to this act shall not be subject to any taxes or treatment as gross income under District law.

“Sec. 4c. Required notification for compensation.

“Within 5 business days after the release of a person from incarceration because a conviction for a felony offense contained in the District of Columbia Official Code has been reversed or set aside on the ground of innocence and unjust conviction, the Superior Court shall provide information to the person, in writing, that includes guidance on how to obtain compensation under this act, and a list of nonprofit advocacy groups that assist individuals who have been wrongfully convicted and imprisoned.

“Sec. 4d. Statute of limitations.

“Any person filing a claim or petition under section 2 shall file the claim or petition no later than 2 years after the date the person received a certificate of innocence as required by section 3(a)(3) and (b)(3).”.

**SUBTITLE C. OFFICE OF ADMINISTRATIVE HEARINGS PAYROLL
ADJUSTMENT AND CLARIFICATION**

Sec. 1021. Short title.

This subtitle may be cited as the “Office of Administrative Hearings Payroll Adjustment and Clarification Emergency Amendment Act of 2017”.

Sec. 1022. The Office of Administrative Hearings Establishment Act of 2001, effective March 6, 2002 (D.C. Law 14-76; D.C. Official Code § 2-1831.01 *et seq.*), is amended as follows:

(a) Section 8(b)(10) (D.C. Official Code § 2-1831.05(b)(10)) is amended by striking the phrase “Corporation Counsel” and inserting the phrase “Attorney General” in its place.

(b) Section 10(a) (D.C. Official Code § 2-1831.07(a)) is amended by striking the phrase “Corporation Counsel,” and inserting the phrase “Attorney General,” in its place.

(c) Section 11(g) (D.C. Official Code § 2-1831.08(g)) is amended by striking the phrase “Corporation Counsel.” and inserting the phrase “Attorney General.” in its place.

(d) Section 12(a)(10) (D.C. Official Code § 2-1831.09(a)(10)) is amended by striking the phrase “Executive Director” and inserting the phrase “Chief Operating Officer” in its place.

(e) Section 15 (D.C. Official Code § 2-1831.12) is amended to read as follows:

“Sec. 15. Chief Operating Officer and other personnel.

“(a) There shall be a Chief Operating Officer of the Office. The Chief Operating Officer shall be responsible for the administration of the Office subject to the supervision of the Chief Administrative Law Judge.

“(b) The Chief Operating Officer shall be appointed by the Chief Administrative Law Judge to the Management Supervisory Service, and shall serve at the pleasure of the Chief Administrative Law Judge pursuant to section 954 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 § 1-609.54). In making the appointment, the Chief Administrative Law Judge shall consider experience in administrative hearing procedures and operations. The Chief Operating Officer need not be an attorney and may not concurrently hold an appointment as an Administrative Law Judge appointed under the authority of section 11(b).

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“(c) If at the time of application the Chief Operating Officer claimed a hiring preference as a bona fide resident of the District of the Columbia, the Chief Operating Officer shall agree to maintain bona fide District residency for 7 consecutive years from the effective date of hire, pursuant to section 957 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 § 1-609.57).

“(d) The Office shall have a Clerk and may have deputy clerks who shall perform such duties as may be assigned to them. The Clerk and deputy clerks may be authorized to administer oaths, issue subpoenas, and perform other appropriate duties.

“(e) With the approval of the Chief Administrative Law Judge, the Chief Operating Officer may appoint and fix the salary of any attorney and non-attorney personnel appointed pursuant to the authority of this act, other than Administrative Law Judges. Law clerks and attorneys employed by the office in a capacity other than as an Administrative Law Judge shall be appointed to the Legal Service or Senior Executive Attorney Service.

“(f) The Chief Operating Officer shall not have supervisory authority over any person appointed as an Administrative Law Judge.”.

(f) Section 16(a) (D.C. Official Code § 2-1831.13(a)) is amended by striking the phrase “Executive Director,” and inserting the phrase “Chief Operating Officer,” in its place.

(g) Section 17(d) (D.C. Official Code § 2-1831.14(d)) is amended by striking the phrase “Office by the Corporation Counsel,” and inserting the phrase “Office by the Attorney General,” in its place.

(h) Section 20(b)(3) (D.C. Official Code § 2-1831.17(b)(3)) is amended by striking the phrase “Corporation Counsel” and inserting the phrase “Attorney General” in its place.

Sec. 1023. Section 908(15) 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 § 1-609.08(15)), is amended to read as follows:

“(15) The Chief Administrative Law Judge and the Administrative Law Judges of the Office of Administrative Hearings;”.

SUBTITLE D. OFFICE OF EMPLOYEE APPEALS MEMBER COMPENSATION

Sec. 1031. Short title.

This subtitle may be cited as the “Office of Employee Appeals Member Compensation Emergency Amendment Act of 2017”.

Sec. 1032. Section 1108(c-1)(2) 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 § 1-611.08(c-1)(2)), is amended by striking the phrase “not to exceed \$3,000 for each member per year” and inserting the phrase “not to exceed \$6,000 for each member per year” in its place.

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SUBTITLE E. UNEMPLOYMENT COMPENSATION FOR DOMESTIC VIOLENCE SURVIVORS

Sec. 1041. Short title.

This subtitle may be cited as the “Unemployment Compensation for Domestic Violence Survivors Emergency Amendment Act of 2017”.

Sec. 1042. Section 33 of Title II of the District of Columbia Unemployment Compensation Act, effective June 19, 2004 (D.C. Law 15-171; D.C. Official Code § 51-133), is amended as follows:

(a) Designate the existing text as subsection (a).

(b) The newly designated subsection (a) is amended by striking the phrase “, except that this section shall not apply to employers who have elected to make payments in lieu of contributions under section 3(f) and (h)”.

(c) A new subsection (b) is added to read as follows:

“(b) Employers who have elected to make payments in lieu of contributions under section 3(f) or (h) shall not be liable for benefits paid pursuant to this title.”.

SUBTITLE F. PUBLIC EMPLOYEE RELATIONS BOARD COMPENSATION

Sec. 1051. Short title.

This subtitle may be cited as the “Public Employee Relations Board Compensation Emergency Amendment Act of 2017”.

Sec. 1052. Section 1108(c-1)(5) 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 § 1-611.08(c-1)(5)), is amended by striking the phrase “not to exceed \$3,000 for each board member per year” and inserting the phrase “not to exceed \$6,000 for each board member per year” in its place.

SUBTITLE G. WAGE THEFT CLARIFICATION

Sec. 1061. Short title.

This subtitle may be cited as the “Wage Theft Clarification Emergency Amendment Act of 2017”.

Sec. 1062. An Act To provide for the payment and collection of wages in the District of Columbia, approved August 3, 1956 (70 Stat. 976; D.C. Official Code § 32-1301 *et seq.*), is amended as follows:

(a) Section 8(a)(1)(A) (D.C. Official Code § 32-1308(a)(1)(A)) is amended by striking the word “restitution” and inserting the word “relief” in its place.

(b) Section 8a (D.C. Official Code § 32-1308.01) is amended as follows:

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

(A) Paragraph (4) is amended by striking the word “restitution” and inserting the word “relief” in its place.

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(B) Paragraph (6) is amended by striking the word “restitution” and inserting the word “relief” in its place.

(C) Paragraph (7) is amended by striking the phrase “and an order requiring the respondent to provide restitution” and inserting the phrase “and, where the Mayor finds in favor of the complainant, the initial determination shall require the respondent to provide relief” in its place.

(D) A new paragraph (10) is added to read as follows:

“(10)(A) Upon issuance of an initial determination or administrative order, not issued as a result of conciliation, the Mayor shall notify the parties, by certified mail, of their right to file for a formal hearing before an administrative law judge pursuant to subsection (e) of this section.

“(B) If a party does not timely file for a formal hearing before an administrative law judge pursuant to subsection (e) of this section, the initial determination shall be deemed a final administrative order and shall be enforceable pursuant to subsection (g) of this section.”.

(2) Subsection (e)(1) is amended by striking the phrase “Within 30 days of the issuance of the initial determination or administrative order, not issued as a result of conciliation, either party may file for a formal hearing before an administrative law judge” and inserting the phrase “Within 30 days of the issuance of the initial determination or an administrative order, not issued as a result of conciliation, or within 30 days of receiving notice of a right to file for a formal hearing before an administrative law judge under this subsection, whichever is later, a party may file for a formal hearing before an administrative law judge” in its place.

(3) Subsection (n) is amended by striking the phrase “or fine assessed”.

SUBTITLE H. LEGISLATIVE BRANCH BONUS PAY

Sec. 1071. Short title.

This subtitle may be cited as the “Legislative Branch Performance Bonus Pay Emergency Amendment Act of 2017”.

Sec. 1072. The Bonus Pay and Special Awards Pay Act of 2016, effective October 8, 2016 (D.C. Law 21-160; D.C. Official Code § 1-551.01 *et seq.*), is amended as follows:

(a) Section 1002 (D.C. Official Code § 1-551.02) is amended by adding a new subsection (c) to read as follows:

“(c) Notwithstanding subsection (a) of this section, each personnel authority of the Council, the Office of the District of Columbia Auditor, and the Office of Advisory Neighborhood Commissions may use funds to support bonus pay or special awards pay.”.

(b) Section 1003 (D.C. Official Code § 1-551.03) is amended by adding a new subsection (d) to read as follows:

“(d) This section shall not apply to the Council, the Office of the District of Columbia Auditor, and the Office of Advisory Neighborhood Commissions.”.

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SUBTITLE I. FISCAL IMPACT STATEMENT CLARIFICATION

Sec. 1081. Short title.

This subtitle may be cited as the “Fiscal Impact Statement for Council Actions Clarification Emergency Amendment Act of 2017”.

Sec. 1082. Section 4a(c) of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a(c)), is amended to read as follows:

“(c) Applicability. — Subsection (a) of this section shall not apply to:

“(1) Emergency declaration resolutions;

“(2) Ceremonial resolutions;

“(3) Confirmation or appointment resolutions;

“(4) Sense of the Council resolutions; and

“(5) Resolutions that express simple determinations, decisions, or directions of the Council of a special or temporary character as provided for 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)).”.

SUBTITLE J. AUDITOR LEGAL FUND ELIMINATION

Sec. 1091. Short title.

This subtitle may be cited as the “Auditor Legal Fund Elimination Emergency Amendment Act of 2017”.

Sec. 1092. Section 4a of the District of Columbia Auditor Subpoena and Oath Authority Act of 2004, effective March 11, 2010 (D.C. Law 18-119; D.C. Official Code § 1-301.174), is repealed.

SUBTITLE K. COMPLIANCE UNIT REPEAL

Sec. 1101. Short title.

This subtitle may be cited as the “Compliance Unit Repeal Emergency Amendment Act of 2017”.

Sec. 1102. The Compliance Unit Establishment Act of 2008, effective June 13, 2008 (D.C. Law 17-176; D.C. Official Code § 1-301.181 *et seq.*), is repealed.

Sec. 1103. The Small and Certified Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.01 *et seq.*), is amended as follows:

(a) Section 2346 (D.C. Official Code § 2-218.46) is amended as follows:

(1) Subsection (h) is amended by striking the phrase “project manager, District of Columbia Auditor, and” and inserting the phrase “project manager, and” in its place.

(2) Subsection (i)(1) is amended by striking the phrase “project manager, and District of Columbia Auditor” and inserting the phrase “and project manager” in its place.

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(3) Subsection (j)(1) is amended by striking the phrase “project manager, and District of Columbia Auditor” and inserting the phrase “and project manager” in its place.

(4) Subsection (k) is amended by striking the phrase “the Department and District of Columbia Auditor” and inserting the phrase “the Department” in its place.

(b) Section 2353 (D.C. Official Code § 2-218.53) is amended as follows:

(1) Subsection (a) is amended by striking the phrase “the Department and to the District of Columbia Auditor” and inserting the phrase “the Department” in its place.

(2) Subsection (a-1) is amended by striking the phrase “the Department and the Office of the District of Columbia Auditor” and inserting the phrase “the Department” in its place.

(3) Subsection (b) is amended by striking the phrase “the Department and the District of Columbia Auditor” and inserting the phrase “the Department” in its place.

(4) Subsection (d) is repealed.

(5) Subsection (e) is amended by striking the phrase “the agency, the Office of the District of Columbia Auditor,” and inserting the phrase “the agency” in its place.

SUBTITLE L. LEGISLATIVE RETIREMENT MATCH

Sec. 1111. Short title.

This subtitle may be cited as the “Legislative Branch Employee Retirement Benefits Match Emergency Amendment Act of 2017”.

Sec. 1112. Section 2609(b) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective October 1, 1987 (D.C. Law 7-27; D.C. Official Code § 1-626.09(b)), is amended as follows:

(a) The existing text is designated as paragraph (1).

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

“(2) On behalf of each employee of the Council, the Office of the District of Columbia Auditor, and the Office of Advisory Neighborhood Commissions participating in the deferred compensation plan established by section 2605(2), the District shall contribute each pay period an amount equal to that employee’s contribution pursuant to paragraph (1) of this subsection for that pay period; provided, that the District’s contribution pursuant to this paragraph on behalf of an employee in any pay period shall not exceed 3% of the employee’s base salary during that pay period.”

SUBTITLE M. SURPLUS PROPERTY SALES FUND CLARIFICATION

Sec. 1121. Short title.

This subtitle may be cited as the “Surplus Property Sales Fund Clarification Emergency Amendment Act of 2017”.

Sec. 1122. Section 805(d) of the Procurement Practices Reform Act of 2010, effective October 22, 2015 (D.C. Law 21-36; D.C. Official Code § 2-358.05(d)), is amended by striking the phrase “cost of online auction contracts for surplus personal property” and inserting the phrase “administrative costs of maintaining and disposing of surplus property” in its place.

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SUBTITLE N. CONTRACT APPEALS BOARD RULEMAKING

Sec. 1131. Short title.

This subtitle may be cited as the "Contract Appeals Board Rulemaking Emergency Amendment Act of 2017".

Sec. 1132. Section 1106(a) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-361.06(a)), is amended by adding a new paragraph (3) to read as follows:

"(3) Notwithstanding paragraph (1) of this subsection, the Contract Appeals Board, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), shall issue rules to implement the provisions of Title X."

SUBTITLE O. STREET AND ALLEY DESIGNATION CLARIFICATION

Sec. 1141. Short title.

This subtitle may be cited as the "Street and Alley Designation Clarification Emergency Amendment Act of 2017".

Sec. 1142. The Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-201.01 *et seq.*), is amended as follows:

(a) Section 101 (D.C. Official Code § 9-201.01) is amended by adding a new paragraph (4A) to read as follows:

"(4A) "Initiator" means the individual or entity that makes a request to the Mayor or a Councilmember to sponsor legislation proposing the designation of an official or symbolic name of an alley or street, or portion thereof, or an official name of a public space other than an alley or street, or portion thereof, and shall not include the Mayor, the Council, or any Councilmember."

(b) Section 421 (D.C. Official Code § 9-204.21) is amended as follows:

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

(A) Paragraph (1) is amended by striking the phrase "of the public hearing to each resident and owner of property" and inserting the phrase "of the Council hearing to each owner of property and household occupying property" in its place.

(B) Paragraph (2) is amended by striking the phrase "of the public hearing at each intersection of the portion of the alley or street proposed to be designated with any other alley or street" and inserting the phrase "of the Council hearing at each intersection with any other alley or street of the portion of the alley or street proposed to be designated" in its place.

(2) Subsection (f) is amended as follows:

(A) Strike the phrase "At least 15 days" and insert the phrase "At least 5 days" in its place.

(B) Strike the phrase "shall submit a petition to the Council in support of the proposal that has been signed by a majority of the residents and owners of property" and insert the phrase "shall submit to the Council letters or a petition in support of the proposal that

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have been signed by a majority of the owners of property and households occupying property” in its place.

(3) Subsection (g) is amended as follows:

(A) The lead-in language is amended by striking the phrase “a vote of a committee of the Council” and inserting the phrase “a vote by a committee of the Council” in its place.

(B) Paragraph (2) is amended to read as follows:

“(2) The square or squares in which the portion of the alley or street to be designated is located and any adjacent squares; and”.

(C) Paragraph (3) is amended to read as follows:

“(3) The recorded lots in the square or squares depicted.”.

(4) Subsection (h) is amended by striking the phrase “proposal by the Mayor.” and inserting the phrase “proposal by the Mayor; provided, that fees shall not be assessed pursuant to this subsection on an initiator that is a governmental entity, including an Advisory Neighborhood Commission.” in its place.

(5) Subsection (i) is amended to read as follows:

“(i) If there is no initiator within the meaning of section 101(4A), the Mayor shall discharge the responsibilities of the initiator set forth in this section; provided, that the requirements of subsection (f) of this section shall not apply and no fee shall be assessed pursuant to subsection (h) of this section.”.

(c) Section 422 (D.C. Official Code § 9-204.22) is amended as follows:

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

(A) Paragraph (1) is amended by striking the phrase “to be designated;” and inserting the phrase “to be designated; and” in its place.

(B) Paragraph (2) is amended to read as follows:

“(2) The square or squares in which the public space is located and any adjacent squares.”.

(C) Paragraph (3) is repealed.

(2) Subsection (d) is amended by striking the phrase “proposal by the Mayor.” and inserting the phrase “proposal by the Mayor; provided, that fees shall not be assessed pursuant to this subsection on an initiator that is a governmental entity, including an Advisory Neighborhood Commission.” in its place.

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

“(e) If there is no initiator within the meaning of section 101(4A), the Mayor shall discharge the responsibilities of the initiator set forth in this section; provided, that no fee shall be assessed pursuant to subsection (d) of this section.”.

(d) Section 423 (D.C. Official Code § 9-204.23) is amended by adding a new subsection (c) to read as follows:

“(c) If there is no initiator within the meaning of section 101(4A), the Mayor shall discharge the responsibilities of the initiator set forth in this section.”.

(e) Section 424(a)(1) (D.C. Official Code § 9-204.24(a)(1)) is amended by adding a new subparagraph (B-i) to read as follows:

“(B-i) District Department of Transportation and Office of the

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Chief Technology Officer records;”.

SUBTITLE P. PUBLIC USE OF PUBLIC BUILDINGS

Sec. 1151. Short title.

This subtitle may be cited as the “Public Use of Public Buildings Emergency Amendment Act of 2017”.

Sec. 1152. Section 603a of the Fiscal Year 1997 Budget Support Act of 1996, effective December 2, 2011 (D.C. Law 19-48; D.C. Official Code § 10-1141.03a), is amended as follows:

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

(1) The lead-in language is amended by striking the phrase “permit fee,” and inserting the phrase “liability insurance requirement or permit, custodial, and security fee,” in its place.

(2) Paragraph (1) is amended by striking the phrase “civic association” and inserting the phrase “civic association, Advisory Neighborhood Commission,” in its place.

(3) Paragraph (3) is amended by striking the phrase “government;” and inserting the phrase “government, except for the costs of custodial and security services;” in its place.

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

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

(2) The newly designated subparagraph (A) is amended by striking the period and inserting the phrase “; or” in its place.

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

“(B) A member of the D.C. Federation of Civic Associations or the Federation of Citizens Associations of the District of Columbia.”.

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

“(c) Beginning November 30, 2019, the Mayor shall report annually to the Council regarding the waiver of fees pursuant to the Public Use of Public Buildings Amendment Act of 2017, passed on 2nd reading on June 27, 2017 (Enrolled version of Bill 22-244), and shall include the following information in the report:

“(1) The total amount of fees waived;

“(2) The amount of fees waived broken out by liability insurance, permit fees, custodial fees, and security fees; and

“(3) The types and number of organizations for which the fees were waived.”.

Sec. 1153. Section 225.12 of Title 24 of the District of Columbia Municipal Regulations is amended as follows:

(a) Paragraph (a) is amended as follows:

(1) The lead-in language is amended by striking the phrase “permit fees” and inserting the phrase “any liability insurance requirement or permit, custodial, and security fee,” in its place.

(2) Subparagraph (1) is amended by striking the phrase “civic association” and inserting the phrase “civic association, Advisory Neighborhood Commission,” in its place.

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(3) Subparagraph (3) is amended by striking the phrase "government;" and inserting the phrase "government, except for the costs of custodial and security services;" in its place.

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

(1) Designate the existing text as sub-subparagraph (i).

(2) The newly designated sub-subparagraph (i) is amended by striking the period and inserting the phrase "; or" in its place.

(3) A new sub-subparagraph (ii) is added to read as follows:

"(ii) A member of the D.C. Federation of Civic Associations or the Federation of Citizens Associations of the District of Columbia."

TITLE II. ECONOMIC DEVELOPMENT AND REGULATION

SUBTITLE A. HISTORIC-ONLY PERMIT FEE REDUCTION

Sec. 2001. Short title.

This subtitle may be cited as the "Historic-Only Permit Fee Reduction Emergency Amendment Act of 2017".

Sec. 2002. The chart set forth at section 101.1(a) of Title 12-M of the District of Columbia Municipal Regulations (12-M DCMR § 101.1(a)) is amended by inserting a new row after the row labeled "Grandstand" to read as follows:

"Historic-only permits	Permits issued pursuant to 12-A DCMR § 105.2.5	\$33
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SUBTITLE B. PUBLIC SERVANTS AND FIRST-RESPONDERS HOUSING INCENTIVE

Sec. 2011. Short title.

This subtitle may be cited as the "Public Servants and First-Responders Housing Incentive Emergency Amendment Act of 2017".

Sec. 2012. The Government Employer-Assisted Housing Amendment Act of 1999, effective May 9, 2000 (D.C. Law 13-96; D.C. Official Code § 42-2501 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 42-2501) is amended by adding a new paragraph (4A) to read as follows:

"(4A) "First-responder" means a District of Columbia police officer, correctional officer, firefighter, paramedic, or emergency medical technician, or an individual who has accepted an offer of employment as a District of Columbia police officer, correctional officer, firefighter, paramedic, or emergency medical technician."

(b) Section 3 (D.C. Official Code § 42-2502) is amended as follows:

(1) Paragraph (1) is amended by striking the phrase "payment;" and inserting the phrase "payment pursuant to section 5;" in its place.

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(2) Paragraph (2) is amended by striking the phrase "\$10,000; and" and inserting the phrase "\$20,000 pursuant to section 6;" in its place.

(3) Paragraph (3) is amended by striking the phrase "applicants." and inserting the phrase "applicants pursuant to this act; and" in its place.

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

"(4) A grant of up to \$10,000, for first-responders pursuant to section 6a."

(c) Section 4 (D.C. Official Code § 42-2503) is amended as follows:

(1) Paragraph (1) is amended to read as follows:

"(1) A District of Columbia government employee, an employee of a District of Columbia public charter school, a first-responder, or a person who has accepted an offer to be a District of Columbia public school teacher or public charter school teacher; and"

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

"(d) Nothing in this act shall be construed to prohibit participation in the Home Purchase Assistance Program established by the Home Purchase Assistance Fund Act of 1978, effective September 12, 1978 (D.C. Law 2-103; D.C. Official Code § 42-2601 *et seq.*)"

(d) Section 5 (D.C. Official Code § 42-2504) is amended as follows:

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

"(b) Except as provided in subsection (b-1) of this section, for each Participant in the Program who sets aside \$2,500 under an Agreement, the District shall obligate \$1,000 in the financial management system. The District shall match succeeding Participant saving increments of \$2,500 with a \$1,000 obligation until the District obligation totals \$5,000. Matching contributions by the District shall not exceed \$5,000 for any individual Participant. The District shall disburse its cash contribution at the time of settlement."

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

"(b-1) For each first-responder Participant in the Program who sets aside \$2,500 under an Agreement, the District shall obligate \$1,500 in the financial management system. The District shall match succeeding first-responder Participant saving increments of \$2,500 with a \$1,500 obligation until the District obligation totals \$15,000. Matching contributions by the District shall not exceed \$15,000 for any individual first-responder Participant. The District shall disburse its cash contribution at the time of settlement."

(e) Section 6(a) (D.C. Official Code § 42-2505(a)) is amended as follows:

(1) Strike the phrase "section 5(b)" and insert the phrase "section 5(b) or (b-1) and section 6a" in its place.

(2) Strike the phrase "up to \$10,000" and insert the phrase "up to \$20,000" in its place.

(f) A new section 6a is added to read as follows:

"Sec. 6a. First-responder grant.

"(a) In addition to the assistance provided in section 5(b-1) and section 6, the Department shall make available a grant of up to \$10,000 to provide financial assistance for the purchase of a housing unit to each first-responder who is a Participant.

"(b) In order to receive financial assistance for the purchase of a housing unit under this section, a first-responder Participant must agree to a 5-year service obligation, which shall begin at the date of settlement on the purchase of the housing unit, or, if the first-responder Participant

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is not yet a District employee on the date of settlement, on the first-responder’s first day of employment with the District.

“(c) The grant shall convert into a loan to be repaid by the Participant if:

“(1) Within 5 years after the date of settlement on the purchase of the housing unit, the housing unit is sold, transferred, or ceases to be the principal residence of the first-responder Participant; or

“(2) The first-responder Participant does not complete the 5-year service obligation required by subsection (b) of this section.”.

SUBTITLE C. HOUSING PRODUCTION TRUST FUND

Sec. 2021. Short title.

This subtitle may be cited as the “Housing Production Trust Fund Emergency Amendment Act of 2017”.

Sec. 2022. Section 3 of the Housing Production Trust Fund Act of 1988, effective March 16, 1989 (D.C. Law 7-202; D.C. Official Code § 42-2802), is amended as follows:

(a) Subsection (b)(10) is amended to read as follows:

“(10) Funds for the administration of the Fund, not to exceed 15% per fiscal year of the funds deposited into the Fund pursuant to subsection (c) of this section; and”.

(b) A new subsection (e) is added to read as follows:

“(e) Money in the Fund shall not be used in connection with any property identified in section 2(a) of the Historic Preservation of Derelict District Properties Act of 2016, effective March 11, 2017 (D.C. Law 21-223; 64 DCR 182).”.

Sec. 2023. Applicability.

Section 2022(b) shall apply as of the effective date of this act.

SUBTITLE D. HOUSING PRESERVATION FUND ESTABLISHMENT

Sec. 2031. Short title.

This subtitle may be cited as the “Housing Preservation Fund Establishment Emergency Act of 2017”.

Sec. 2032. Housing Preservation Fund.

(a) There is established as a special fund the Housing Preservation Fund (“Fund”), which shall be administered by the Department of Housing and Community Development in accordance with subsections (c) and (d) of this section.

(b) In Fiscal Year 2018, \$10 million from local appropriations shall be deposited into the Fund.

(c) Money in the Fund shall be used to provide debt or equity to finance housing preservation activities, including acquisition bridge loans, predevelopment expenses, environmental remediation, critical repairs, and other activities necessary to preserve the affordability of housing units; provided, that for any property benefited by an expenditure of

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funds pursuant to this subsection, a covenant shall be recorded with respect to affordability, the terms and conditions of which shall be determined by the Mayor.

(d) Money in the Fund shall not be used to provide debt or equity to finance housing preservation activities involving any property identified in section 2(a) of the Historic Preservation of Derelict District Properties Act of 2016, effective March 11, 2017 (D.C. Law 21-223; 64 DCR 182).

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

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

SUBTITLE E. ST. ELIZABETHS EAST CAMPUS REDEVELOPMENT FUND

Sec. 2041. Short title.

This subtitle may be cited as the "St. Elizabeths East Campus Redevelopment Fund Establishment Emergency Act of 2017".

Sec. 2042. St. Elizabeths East Campus Redevelopment Fund.

(a) There is established as a special fund the St. Elizabeths East Campus Redevelopment Fund ("Fund"), which shall be administered by the Office of the Deputy Mayor for Planning and Economic Development in accordance with subsection (c) of this section.

(b)(1) Beginning with the tax year commencing October 1, 2018, through the tax year ending September 30, 2021, the Chief Financial Officer shall deposit into the Fund taxes, including penalties and interest, if any, collected pursuant to D.C. Official Code §§ 47-1005.01 and 47-2002 attributable to taxable payments or transactions generated from the St. Elizabeths East Campus Entertainment and Sports Arena Site in an amount not to exceed \$855,000 per fiscal year. Any taxes imposed with respect to possessory interest in the St. Elizabeths East Campus Entertainment and Sports Arena Site pursuant to D.C. Official Code § 47-1005.01 in excess of \$855,000 per fiscal year shall be abated.

(2) Beginning with the tax year commencing on October 1, 2021, the Chief Financial Officer shall deposit into the Fund all taxes, including penalties and interest, if any, collected pursuant to D.C. Official Code §§ 47-1005.01 and 47-2002 attributable to taxable payments or transactions generated from the St. Elizabeths East Campus Entertainment and Sports Arena Site for the period ending on the last day of the tax year that the Ground Lease is in effect, in accordance with the requirements of the Ground Lease.

(c)(1) The Fund shall be used solely to support the maintenance, operation, and construction activities on the St. Elizabeths East Campus Redevelopment Site.

(2) Notwithstanding section 1094 of the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.13), the Office of the Deputy Mayor for Planning and Economic Development may use funds from the Fund to award grants to recipients to further the purposes set forth in this subsection.

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

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

(e) For the purposes of this section, the term:

(1) "Ground Lease" means the lease entered into by and between the District of Columbia and the tenant for the St. Elizabeths East Campus Entertainment and Sports Arena Site.

(2) "St. Elizabeths East Campus Entertainment and Sports Arena Site" means that portion of the St. Elizabeths East Campus, located at 1100 Alabama Avenue, S.E., Washington, D.C., known for tax and assessment purposes as Lot 838, in Square 5868, Suffix S.

(3) "St. Elizabeth East Campus Redevelopment Site" means the real property known as Square 5868, Suffix S.

SUBTITLE F. LAND DISPOSITION TRANSPARENCY

Sec. 2051. Short title.

This subtitle may be cited as the "Land Disposition Transparency Emergency Amendment Act of 2017".

Sec. 2052. Section 1 of An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801), is amended as follows:

(a) Subsection (b)(9) is amended by striking the phrase "with this resolution, unless" and inserting the phrase "with this resolution in accordance with subsection (b-1)(2) of this section, unless" in its place.

(b) A new subsection (b-5) is added to read as follows:

"(b-5)(1) Notwithstanding subsections (a-1)(4) and (b-2) of this section, for each of the following projects, the Mayor shall hold at least one public hearing on the finding that the real property is no longer required for public purposes before submitting the proposed surplus resolution and proposed disposition resolution to the Council:

"(A) Franklin School (Ward 2);

"(B) Grimke School (Ward 1);

"(C) Parcel 42 (Ward 6);

"(D) Water Front Station II (Ward 6);

"(E) Crummell School (Ward 5);

"(F) Truxton Circle (Ward 5);

"(G) MLK Gateway (Ward 8);

"(H) 1125 Spring Road, N.W. (Ward 4);

"(I) 200 K Street, N.W. (Parking Deck) (Ward 6); and

"(J) Northwest One (New Communities) (Ward 6).

"(2) The hearing required by paragraph (1) of this subsection shall be held at an accessible evening or weekend time and in an accessible location in the vicinity of the real property. The Mayor shall provide at least 30 days written notice of the public hearing to the affected Advisory Neighborhood Commission and publish notice of the hearing in the District of Columbia Register at least 15 days before the hearing."

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SUBTITLE G. MARION S. BARRY SUMMER YOUTH EMPLOYMENT PROGRAM

Sec. 2061. Short title.

This subtitle may be cited as the “Marion S. Barry Summer Youth Employment Program Emergency Amendment Act of 2017”.

Sec. 2062. Section 2(a)(1) of the Youth Employment Act of 1979, effective January 5, 1980 (D.C. Law 3-46; D.C. Official Code § 32-241(a)(1)), is amended as follows:

(a) Subparagraph (A) is amended as follows:

(1) Sub-subparagraph (i) is amended to read as follows:

“(i) A summer youth jobs program to provide for the employment or training each summer of not fewer than 10,000 or more than 21,000 youth. Youth shall be 14 through 24 years of age on the date of enrollment in the program; provided, that the program shall provide employment or training each summer to no more than 900 youth ages 22 through 24 years of age on the date of enrollment.”.

(2) Sub-subparagraph (iv) is amended by striking the phrase “at no less than” and inserting the phrase “at an hourly rate equal to” in its place.

(b) Subparagraph (A-i) is amended to read as follows:

“(A-i) Registration for the summer youth jobs program shall occur annually.”.

SUBTITLE H. BUSINESS LICENSE TECHNOLOGY FEE REAUTHORIZATION

Sec. 2071. Short title.

This subtitle may be cited as the “Business License Technology Fee Reauthorization Emergency Amendment Act of 2017”.

Sec. 2072. Section 500.4 of Title 17 of the District of Columbia Municipal Regulations (17 DCMR § 500.4) is amended to read as follows:

“500.4 Starting on October 1, 2010, the Director shall charge an additional fee of ten percent (10%) on the total cost of each basic business license to cover the costs of enhanced technological capabilities of the basic business licensing system.”.

SUBTITLE I. WALTER REED OMNIBUS

Sec. 2081. Short title.

This subtitle may be cited as the “Walter Reed Omnibus Emergency Amendment Act of 2017”.

Sec. 2082. Section 5(4) of the Walter Reed Omnibus Act of 2016, effective May 18, 2016 (D.C. Law 21-119; D.C. Official Code § 2-1227.04(4)), is amended by striking the phrase “public utilities” and inserting the phrase “utility providers” in its place.

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**SUBTITLE J. PUBLICLY ACCESSIBLE RENT CONTROL HOUSING
CLEARINGHOUSE**

Sec. 2091. Short title.

This subtitle may be cited as the “Publicly Accessible Rent Control Housing Clearinghouse Emergency Amendment Act of 2017”.

Sec. 2092. Section 203a of the Rental Housing Act of 1985, effective October 22, 2015 (D.C. Law 21-36; D.C. Official Code § 42-3502.03c), is amended as follows:

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

“(a) The Office of the Tenant Advocate (“OTA”), with the assistance of and in close consultation with the Department of Consumer and Regulatory Affairs, the Office of Tax and Revenue, the Rental Accommodations Division (“RAD”) of the Department of Housing and Community Development, the Housing Provider Ombudsman of the Department of Housing and Community Development, and the Office of the Chief Technology Officer, shall develop a demonstration project (“demonstration project”) to establish the initial framework of a user-friendly, Internet-accessible, and searchable database for the submission, management, and review of all documents and relevant data housing providers are required to submit to the RAD pursuant to title II of this act.”.

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

“(a-1) The Chief Tenant Advocate may contract to implement the database established by this section. Any contract under this section shall be in accordance with the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-351.01 *et seq.*)”.

(c) Subsection (c)(20), is amended by striking the phrase “RAD” and inserting the phrase “OTA” in its place.

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

“(e) The demonstration project shall be completed within 2 years after the effective date of the Publicly Accessible Rent Control Housing Clearinghouse Amendment Act of 2017, passed on 2nd reading on June 27, 2017 (Enrolled version of Bill 22-244)”.

(e) Subsection (f) is repealed.

(f) Subsection (g) is amended to read as follows:

“(g) OTA shall report to the Council regarding the progress of the demonstration project on a quarterly basis. Following completion of the demonstration project, OTA shall prepare a final report that includes OTA’s recommendations for the development of a permanent rent control housing database.”.

**SUBTITLE K. ADMINISTRATION OF HOUSING AUTHORITY
REHABILITATION AND MAINTENANCE FUND**

Sec. 2101. Short title.

This subtitle may be cited as the “District of Columbia Housing Authority Rehabilitation and Maintenance Fund Administration Emergency Amendment Act of 2017”.

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Sec. 2102. Section 3(c-1) of the District of Columbia Housing Authority Act of 1999, effective May 9, 2000 (D.C. Law 13-105; D.C. Official Code § 6-202(c-1)), is amended as follows:

(a) Paragraph (1) is amended to read as follows:

“(1) There is established as a special fund the DCHA Rehabilitation and Maintenance Fund (“R&M Fund”), which shall be administered by the Office of the Chief Financial Officer (“OCFO”). Once the Authority has provided documentation of planned encumbrances and expenditures consistent with the authorized uses of the R&M Fund, the OCFO shall advance funds to the Authority for use in accordance with paragraphs (3) and (4) of this subsection.”

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

“(3) Money in the R&M Fund shall be used for maintenance, repair, and rehabilitation projects that will increase the availability of public housing units for existing District of Columbia residents listed on the Authority’s waitlist or prevent existing residents from being displaced.”

(c) Paragraph (6) is amended as follows:

(1) The lead-in language is amended by striking the phrase “By January 1 and by July 1 of each year,” and inserting the phrase “By March 1 of each year,” in its place.

(2) Subparagraph (A) is amended to read as follows:

“(A) The number of vacant public housing units within the District, and, for each unit, the address and unit number, the needed repairs for the unit, and a budget for renovating the unit;”

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

“(A-i) The number and location of units that were made available to new tenants during the prior year as a result of R&M Fund investments, including the number that were made available to existing District residents; and”

(4) Subparagraph (B)(iii) is amended by striking the phrase “The number of residents” and inserting the phrase “The number of residents, if any,” in its place.

SUBTITLE L. COALITION FOR NONPROFIT HOUSING AND ECONOMIC DEVELOPMENT GRANT

Sec. 2111. Short title.

This subtitle may be cited as the “Coalition for Nonprofit Housing and Economic Development Grants Emergency Act of 2017”.

Sec. 2112. For Fiscal Year 2018, the Office of the Deputy Mayor for Planning and Economic Development shall award the Coalition for Nonprofit Housing and Economic Development a grant in the amount of \$200,000 to:

(1) Research current spending levels of District educational and medical institutions that have agreed to participate in the DC Anchor Partnership;

(2) Collect, research, and provide data analysis of priority purchasing categories based on expenditure data and supply firm data of District educational and medical institutions that have agreed to participate in the DC Anchor Partnership; and

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- (3) Provide any additional support to launch the DC Anchor Partnership.

**SUBTITLE M. DEPARTMENT OF SMALL AND LOCAL BUSINESS
DEVELOPMENT COMPETITIVE GRANTS**

Sec. 2121. Short title.

This subtitle may be cited as the "Department of Small and Local Business Development Competitive Grants Emergency Act of 2017".

Sec. 2122. (a) In Fiscal Year 2018, the Department of Small and Local Business Development ("Department") shall award a grant, on a competitive basis, in an amount not to exceed \$100,000, for a study to evaluate the circumstances under which insufficient market capacity of certified business enterprises results in a waiver of subcontracting requirements under section 2351 of the Small and Certified Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.51) ("section 2351"). The study shall include:

(1) Data collection and analysis regarding the projects, and the goods or services that comprise the projects, for which a waiver was granted pursuant to section 2351;

(2) An explanation of how the Department understands and applies the term "market capacity"; and

(3) Recommendations on ways to improve the market capacity of certified business enterprises for the type of projects, and the goods or services that comprise those projects, for which waivers have been routinely granted.

(b) Within 270 days after the effective date of this subtitle, the Department shall submit the study to the Council.

(c) For the purposes of this subtitle, the term "certified business enterprise" shall have the same meaning as provided in section 2302(1D) of the Small and Certified Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.02(1D)).

**SUBTITLE N. WARD 7 AND WARD 8 ENTREPRENEUR GRANT FUND
ESTABLISHMENT**

Sec. 2131. Short title.

This subtitle may be cited as the "Ward 7 and Ward 8 Entrepreneur Grant Fund Establishment Emergency Act of 2017".

Sec. 2132. Ward 7 and Ward 8 Entrepreneur Grant Fund.

(a) There is established as a special fund the Ward 7 and Ward 8 Entrepreneur Grant Fund ("Fund"), which shall be administered by the Department of Small and Local Business Development ("Department") in accordance with subsections (c) and (d) of this section.

(b) In Fiscal Year 2018, \$300,000 from local appropriations shall be deposited into the Fund.

(c)(1) Money in the Fund shall be used to provide grants to support the establishment or expansion of small businesses in Ward 7 and Ward 8.

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(2) No single grant shall exceed \$10,000.

(d)(1) To qualify for a grant, the proposed or existing small business shall have:

(A) A location in Ward 7 or Ward 8;

(B) Fewer than 5 full-time employees;

(C) Ward 7 or Ward 8 residents representing more than 50% of the ownership of the proposed or existing small business; and

(D) A clear and deliverable business plan demonstrating the proposed use of the grant.

(2) A grant shall support startup or expansion efforts, including product or service development, market research, customer development, licensing, prototyping, providing engineering design, leasing equipment, providing professional services, such as accounting, tax, and legal services or capital-asset management, or such other activity that the Department determines is consistent with the purposes of this section.

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

(f) The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue rules to implement the provisions of this section.

SUBTITLE O. GEORGIA AVENUE RETAIL PRIORITY AREA

Sec. 2141. Short title.

This subtitle may be cited as the "Georgia Avenue Retail Priority Area Emergency Amendment Act of 2017".

Sec. 2142. Section 2(4) of the Great Streets Neighborhood Retail Priority Areas Approval Resolution of 2007, effective July 10, 2007 (Res. 17-257; 54 DCR 7194), is amended to read as follows:

"(4) Ward 4 Georgia Avenue Retail Priority Area, consisting of the parcels, squares, and lots within or abutting the area bounded by a line beginning at the intersection of Euclid Street, N.W., and Georgia Avenue, N.W.; continuing north along Georgia Avenue, N.W., to Kenyon Street, N.W.; then continuing west along Kenyon Street, N.W., to Sherman Avenue, N.W.; then continuing north along Sherman Avenue, N.W., to New Hampshire Avenue, N.W.; then continuing northeast along New Hampshire Avenue, N.W., to Spring Road, N.W.; then continuing northwest along Spring Road, N.W., to 14th Street, N.W.; then continuing north along 14th Street, N.W., to Longfellow Street, N.W.; then continuing east along Longfellow Street, N.W., to Georgia Avenue, N.W.; then continuing north along Georgia Avenue, N.W., to Eastern Avenue, N.W.; then continuing southeast along Eastern Avenue, N.W., to Kansas Avenue, N.E.; then continuing southwest along Kansas Avenue, N.E., to Blair Road, N.W.; then continuing south along Blair Road, N.W., to North Capitol Street, N.E.; then continuing south along North Capitol Street, N.E., to Kennedy Street, N.W.; then continuing west along Kennedy Street, N.W., to Kansas Avenue, N.W.; then continuing southwest along Kansas Avenue, N.W., to Varnum Street, N.W.; then continuing east along Varnum Street, N.W., to 7th Street, N.W.; then continuing south along the center line of 7th Street, N.W., until the point where 7th Street,

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N.W., becomes Warder Street, N.W.; then continuing further south along Warder Street, N.W., to Kenyon Avenue, N.W.; then continuing west along Kenyon Avenue, N.W., to Georgia Avenue, N.W.; and then south on Georgia Avenue, N.W., to the beginning point;”.

Sec. 2143. Applicability.

This subtitle shall apply as of the effective date of this act.

SUBTITLE P. H STREET, N.E., RETAIL PRIORITY AREA CLARIFICATION

Sec. 2151. Short title.

This subtitle may be cited as the “H Street, N.E., Retail Priority Area Clarification Emergency Amendment Act of 2017”.

Sec. 2152. Section 4(g) of the Retail Incentive Act of 2004, effective September 8, 2004 (D.C. Law 15-185; D.C. Official Code § 2-1217.73(g)), is amended to read as follows:

“(g) There is established the Bladensburg Road, N.E., Retail Priority Area, which shall consist of the parcels, squares, and lots within the following area: Beginning at the intersection of Holbrook Street, N.E., and Mount Olivet Road, N.E.; thence east on Mount Olivet Road, N.E., to Bladensburg Road, N.E.; thence south on Bladensburg Road, N.E., to 17th Street, N.E.; thence south on 17th Street, N.E., to H Street, N.E.; thence east on H Street, N.E., to 19th Street, N.E.; thence south on 19th Street, N.E., to Benning Road, N.E.; thence east on Benning Road, N.E., to Oklahoma Avenue, N.E.; continuing southwest along Oklahoma Avenue, N.E., to the center line of E Street, N.E.; continuing west on E Street, N.E., to the center line of 21st Street, N.E.; continuing north on 21st Street, N.E., to the center line of Gales Street, N.E.; thence northwest on Gales Street, N.E., to 15th Street, N.E.; thence west on G Street, N.E., to 14th Street, N.E.; thence north on 14th Street, N.E., to Florida Avenue, N.E.; thence west on Florida Avenue, N.E., to Holbrook Street, N.E.; thence north on Holbrook Street, N.E., to the point of beginning.”.

Sec. 2153. Section 4(c)(2) of the H Street, N.E., Retail Priority Area Incentive Act of 2010, effective April 8, 2011 (D.C. Law 18-354; D.C. Official Code § 1-325.173(c)(2)), is amended to read as follows:

“(2) Frontage on a commercial corridor within the H Street, N.E., Retail Priority Area;”.

Sec. 2154. Applicability.

This subtitle shall apply as of the effective date of this act.

SUBTITLE Q. SURPLUS AND DISPOSITION NOTIFICATION

Sec. 2161. Short title.

This subtitle may be cited as the “Surplus and Disposition Notification Emergency Amendment Act of 2017”.

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Sec. 2162. An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801 *et seq.*), is amended by adding a new section 1b to read as follows:

“Sec. 1b. Email notifications regarding the surplus and disposition of real property.

“(a) Within 180 days after the effective date of the Surplus and Disposition Notification Amendment Act of 2017, passed on 2nd reading on June 27, 2017 (Enrolled version of Bill 22-244), the Department of General Services (“DGS”), in coordination with the Deputy Mayor for Planning and Economic Development (“DMPED”), shall allow individuals to sign up, on the DGS website, to receive email notifications, pursuant to subsection (b) of this section, relating to the surplus and disposition of real property, within Advisory Neighborhood Commissions (“ANC”) selected by the individual.

“(b) DGS shall send an email notification to individuals who sign up under subsection (a) of this section within 2 days after the following events:

“(1) The Mayor publishes notice of a surplus hearing pursuant to section 1(a-1)(4), which shall describe:

“(A) The date, time, and location of the hearing; and

“(B) How a person who cannot attend the hearing can comment on the finding that the real property is no longer required for public purposes;

“(2) The introduction of a proposed resolution pursuant to section 1(a-1), which shall include a link to the website on the Council’s Legislative Information Management System about the proposed resolution;

“(3) The Council publishes notice of a hearing on a proposed resolution submitted by the Mayor pursuant to section 1(a-1), which shall describe:

“(A) The date, time, and location of the hearing; and

“(B) How a person who cannot attend the hearing can comment on the finding that the real property is no longer required for public purposes;

“(4) The Council’s approval, disapproval, or passive disapproval of a proposed resolution pursuant to section 1(a-1)(3);

“(5) The Mayor publishes notice of a public hearing pursuant to section 1(b-2) on a proposed disposition of District-owned property, which shall describe:

“(A) The date, time, and location of the hearing; and

“(B) How a person who cannot attend the hearing can comment on the finding that the real property is no longer required for public purposes;

“(6) The introduction of a proposed resolution pursuant to section 1(b), which shall include a link to the website on the Council’s Legislative Information Management System about the proposed resolution;

“(7) The Council publishes notice of a hearing on a proposed resolution submitted by the Mayor pursuant to section 1(b), which shall describe:

“(A) The date, time, and location of the hearing; and

“(B) How a person who cannot attend the hearing can comment on the finding that the real property is no longer required for public purposes;

“(8) The Council’s approval or disapproval, in whole or in part, or passive disapproval of a proposed resolution pursuant to section 1(c);

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“(9) The introduction of a resolution seeking additional time for the disposition of a property pursuant to section 1(d), which shall include a link to the website on the Council’s Legislative Information Management System about the resolution; and

“(10) The Council’s approval, disapproval, or passive disapproval of a resolution seeking additional time for the disposition of a property pursuant to section 1(d).

“(c) All e-mail notifications issued pursuant to this section shall include:

“(1) The address of the District-owned property that is the subject of the event listed in subsection (b) of this section; and

“(2) The contact information for the DMPED Project Manager managing the District-owned property that is the subject of the event listed in subsection (b) of this section.”.

SUBTITLE R. ARCHIVES LOCATION

Sec. 2171. Short title.

This subtitle may be cited as the “Archives Location Prohibition Emergency Act of 2017”.

Sec. 2172. No operating, capital, contingency, or other District funds shall be used to construct or alter any structure located in Square 3574 for the purpose of serving as the District of Columbia Archives or District of Columbia Records Center, or for any use by the Secretary of the District of Columbia.

SUBTITLE S. DISPOSAL OF ABANDONED AND DETERIORATED PROPERTY

Sec. 2181. Short title.

This subtitle may be cited as the “Disposal of Abandoned and Deteriorated Property Emergency Amendment Act of 2017”.

Sec. 2182. Section 433(a)(1) of the Abatement and Condemnation of Nuisance Properties Omnibus Amendment Act of 2000, effective April 19, 2002 (D.C. Law 14-114; D.C. Official Code § 42-3171.03(a)(1)), is amended by striking the phrase “notice; or” and inserting the phrase “notice; and” in its place.

SUBTITLE T. HISTORIC PRESERVATION OF DERELICT DISTRICT PROPERTIES

Sec. 2191. Short title.

This subtitle may be cited as the “Historic Preservation of Derelict District Properties Emergency Amendment Act of 2017”.

Sec. 2192. Section 2 of the Historic Preservation of Derelict District Properties Act of 2016, effective March 11, 2017 (D.C. Law 21-223; 64 DCR 182), is amended by adding new subsections (c-1) and (c-2) to read as follows:

“(c-1) Funds in the Housing Production Trust Fund, established pursuant to section 3 of the Housing Production Trust Fund Act of 1988, effective March 16, 1989 (D.C. Law 7-202;

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D.C. Official Code § 42-2802), and the Housing Preservation Fund, established by section 2032 of the Housing Preservation Fund Establishment Act of 2017, passed on 2nd reading on June 27, 2017 (Enrolled version of Bill 22-244), shall not be used in connection with any property identified in subsection (a) of this section.

“(c-2) No operating, capital, contingency, or other District funds shall be used for any purpose, including debt or equity financing, for any property identified in subsection (a) of this section; provided, that this prohibition shall not apply to the maintenance of the properties and stabilization of the improvements thereon; provided further, that this prohibition shall not apply to the execution of this act.”.

Sec. 2193. Applicability.

This subtitle shall apply as of the effective date of this act.

SUBTITLE U. LOCAL RENT SUPPLEMENT PROJECT-BASED AND SPONSOR-BASED FUNDING

Sec. 2201. Short title.

This subtitle may be cited as the "Local Rent Supplement Project-Based and Sponsor-Based Funding Emergency Amendment Act of 2017".

Sec. 2202. Section 26b(e) of the District of Columbia Housing Authority Act of 1999, effective March 2, 2007 (D.C. Law 16-192; D.C. Official Code § 6-227(e)), is amended to read as follows:

“(e)(1) Beginning in Fiscal Year 2019, and for each fiscal year thereafter, the Authority subsidy shall include an additional \$1 million for project-based and sponsor-based voucher assistance. This funding shall be in addition to any amount allocated for project-based and sponsor-based voucher assistance as of October 1, 2017.

“(2) In Fiscal Year 2018, the Authority shall issue a Notice of Funding Availability for the awarding of the additional funds for project-based and sponsor-based voucher assistance referenced in paragraph (1) of this subsection.”.

SUBTITLE V. RENTAL UNIT FEE INCREASE

Sec. 2211. Short title.

This subtitle may be cited as the “Rental Unit Fee Increase Emergency Amendment Act of 2017”.

Sec. 2212. The Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42-3501.01 *et seq.*), is amended as follows:

(a) Section 205(a-1) (D.C. Official Code § 42-3502.05(a-1)) is amended to read as follows:

“(a-1) If a housing provider comes into possession of a housing accommodation as a result of a transfer pursuant to section 402(c)(2) of the Rental Housing Conversion and Sale Act of 1980, effective September 10, 1980 (D.C. Law 3-86; D.C. Official Code § 42-3404.02(c)(2)), then the housing provider shall be eligible for the exemption provided by subsection (a)(3) of

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this section only if the housing provider was eligible for the exemption at the time of the transfer.”.

(b) Section 401(a) (D.C. Official Code § 42-3504.01(a)) is amended to read as follows:

“(a)(1) Each housing provider required to register under this act, including those otherwise exempt from rental control and registration pursuant to section 205(a)(3), shall pay an annual rental unit fee of \$25 for each rental unit in a housing accommodation registered by the housing provider. The rental unit fee shall be:

“(A) Paid to the District government at the time the housing provider applies for a basic business license or a renewal of the basic business license, or in the case of a housing accommodation for which no basic business license is required, at the time and in the manner that the licensing agency may determine; and

“(B) Deposited as set forth in paragraph (2) of this subsection.

“(2) The first \$21.50 of each rental unit fee shall be deposited in the fund established pursuant to section 1(b) of An Act To provide for the abatement of nuisances in the District of Columbia by the Commissioners of said District, and for other purposes, approved April 14, 1906 (34 Stat. 114; D.C. Official Code § 42-3131.01(b)). The remainder shall be deposited in the Rental Unit Fee Fund established by section 401a.”.

(c) A new section 401a is added to read as follows:

“Sec. 401a. Rental Unit Fee Fund.

“(a) There is established as a special fund the Rental Unit Fee Fund (“Fund”), which shall be administered by the Office of the Tenant Advocate in accordance with subsection (c) of this section.

“(b) The source of revenue for the Fund shall be the fee charged to a housing provider pursuant to section 401(a), excluding \$21.50 of that fee, which shall be deposited in the fund established pursuant to section 1(b) of An Act To provide for the abatement of nuisances in the District of Columbia by the Commissioners of said District, and for other purposes, approved April 14, 1906 (34 Stat. 114; D.C. Official Code § 42-3131.01(b)).

“(c) Money in the Fund shall be used solely to support the activities of the Office of the Tenant Advocate.

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

SUBTITLE W. DCRA INFRACTION FINE ADJUSTMENTS

Sec. 2221. Short title.

This subtitle may be cited as the “DCRA Infraction Fine Increase Emergency Amendment Act of 2017”.

Sec. 2222. The Construction Codes Approval and Amendments Act of 1986, effective March 21, 1987 (D.C. Law 6-216; D.C. Official Code § 6-1401 *et seq.*), is amended as follows:

(a) Sections 2 through 10c (D.C. Official Code §§ 6-1401 through 6-1412) are designated as Part A.

(b) A new Part B is added to read as follows:

“Part B.

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“Sec. 11. DCRA housing and building infractions fine; periodic adjustments.

“(a) Beginning on January 1, 2018, a fine amount listed in section 3201.1 of Title 16 of the District of Columbia Municipal Regulations (16 DCMR § 3201.1), when assessed for an infraction listed in sections 3301 through 3313 of Title 16 of the District of Columbia Municipal Regulations (16 DCMR § 3301 through 16 DCMR § 3313), shall be adjusted according to the most recent Consumer Price Index for All Urban Consumers in the Washington Metropolitan Statistical area, as published by the United States Bureau of Labor Statistics.

“(b) Beginning on or after January 1, 2018, and on or after January 1 of every year thereafter, there shall be published in the District of Columbia Register a schedule of the fine amounts for each infraction listed in sections 3301 through 3313 of Title 16 of the District of Columbia Municipal Regulations (16 DCMR § 3301 through 16 DCMR § 3313), as adjusted according to the most recent Consumer Price Index for All Urban Consumers in the Washington Metropolitan Statistical area, as published by the United States Bureau of Labor Statistics.”.

Sec. 2223. Section 3201 of Title 16 of the District of Columbia Municipal Regulations (16 DCMR § 3201) is amended by adding new subsections 3201.8 and 3201.9 to read as follows:

“3201.8 (a) Beginning on January 1, 2018, a fine amount listed in section 3201.1 of Title 16 of the District of Columbia Municipal Regulations (16 DCMR § 3201.1), when assessed for an infraction listed in sections 3301 through 3313 of Title 16 of the District of Columbia Municipal Regulations (16 DCMR § 3301 through 16 DCMR § 3313), shall be adjusted according to the most recent Consumer Price Index for All Urban Consumers in the Washington Metropolitan Statistical area, as published by the United States Bureau of Labor Statistics.

“(b) Beginning on or after January 1, 2018, and on or after January 1 of every year thereafter, there shall be published in the District of Columbia Register a schedule of the fine amounts for each infraction listed in sections 3301 through 3313 of Title 16 of the District of Columbia Municipal Regulations (16 DCMR § 3301 through 16 DCMR § 3313), as adjusted according to the most recent Consumer Price Index for All Urban Consumers in the Washington Metropolitan Statistical area, as published by the United States Bureau of Labor Statistics.

“3201.9 The fine amounts for the following infractions shall be double the amounts provided in subsection 3201.01, after adjusting for inflation pursuant to subsection 3201.08:

“(a) 16 DCMR § 3305.1(a). Any flagrant, fraudulent, or willful violation by a housing provider of any of the Housing Regulations, Subtitle A of Title 14 DCMR, that constitutes an imminent danger to the health or safety of any tenant or occupant of a housing unit or housing accommodation, or that imminently endangers the health, safety, or welfare of the surrounding community including, but not limited to, the interruption of electrical, heat, gas, water, or other essential services when the interruption results from other than natural causes, or any successor Class 1 infraction for any flagrant, fraudulent, or willful violation by a housing provider of any of the Housing Regulations, Subtitle A of Title 14 DCMR, that constitutes an imminent danger to the health or safety of any tenant or occupant of a housing unit or housing accommodation, or that imminently endangers the health, safety, or welfare of the surrounding community;

“(b) 16 DCMR § 3305.1(b). Section 1 of An Act To authorize the Commissioners of the District of Columbia to remove dangerous or unsafe buildings and parts thereof, and for other purposes, approved March 1, 1899 (30 Stat. 923; D.C. Official Code § 6-801) (failure to secure

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or repair an unsafe structure), or any successor Class 1 infraction for failure to secure or repair an unsafe structure;

“(c) 16 DCMR § 3305.1(c). Section 3 of An Act To authorize the Commissioners of the District of Columbia to remove dangerous or unsafe buildings and parts thereof, and for other purposes, approved March 1, 1899 (30 Stat. 923; D.C. Official Code § 6-803) (attempting to repair after expiration of allowed period, or interfering with authorized agents), or any successor Class 1 infraction for attempting to repair after expiration of allowed period, or interfering with authorized agents;

“(d) 16 DCMR § 3305.1(d). Section 4 of An Act To authorize the Commissioners of the District of Columbia to remove dangerous or unsafe buildings and parts thereof, and for other purposes, approved March 1, 1899 (30 Stat. 923; D.C. Official Code § 6-804) (allowing a nuisance to exist on any lot or parcel of land in the District of Columbia which affects the public health, comfort, safety, and welfare of citizens), or any successor Class 1 infraction for allowing a nuisance to exist on any lot or parcel of land in the District of Columbia which affects the public health, comfort, safety, and welfare of citizens;

“(e) 16 DCMR § 3305.1(q). 14 DCMR § 1201.1 (failure to maintain an office or agent in the District of Columbia), or any successor Class 1 infraction for failure to maintain an office or agent in the District of Columbia;

“(f) 16 DCMR § 3306.1.1(a). 12-A DCMR §§ 105.1, 105.1.1, and 105.1.3 (failure to obtain required permit; working without a required permit), or any successor Class 1 infraction for working without a required permit;

“(g) 16 DCMR § 3306.1.1(b). 12-A DCMR § 105.1 (work or conditions exceeding scope of permit), or any successor Class 1 infraction for exceeding scope of permit;

“(h) 16 DCMR § 3306.1.1(g). 12-A DCMR §§ 114.1, 114.1.1, 114.6, 114.7, and 114.9 (failure to comply with terms of a “Stop Work Order”), or any successor Class 1 infraction for failure to comply with terms of a “Stop Work Order”;

“(i) 16 DCMR § 3306.1.1(h). 12-A DCMR § 114.3 (unauthorized removal of a posted stop work order), or any successor Class 1 infraction for unauthorized removal of a posted stop work order;

“(j) 16 DCMR § 3306.1.1(i). 12-A DCMR § 115.5 (failure to comply with terms of posted “Unsafe Notice”), or any successor Class 1 infraction for failure to comply with terms of posted “Unsafe Notice”;

“(k) 16 DCMR § 3306.1.1(p). 12-A DCMR § 115.1 (allowing/creating unsafe structures, conditions or equipment), or any successor Class 1 infraction for allowing or creating an unsafe structure, condition, or equipment; and

“(l) 16 DCMR § 3306.1.1(q). 12-A DCMR § 115.3 (failure to comply with notice of unsafe structure or equipment), or any successor Class 1 infraction for failure to comply with notice of unsafe structure or equipment.”.

SUBTITLE X. PURCHASE CARD PROGRAM BUDGETING

Sec. 2231. Short title.

This subtitle may be cited as the “Purchase Card Program Budgeting Emergency Act of 2017”.

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Sec. 2232. Beginning in Fiscal Year 2018, the Chief Financial Officer shall assign an individual agency-level code for transactions made pursuant to the Purchase Card Program, as defined in section 104(51) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-351.04(51)), in the District's financial system. The agency-level code shall be used to track the operating budget for the District's Purchase Card Program and any funds that are appropriated for that purpose.

SUBTITLE Y. PORTRAITS TRANSFER OF CUSTODY

Sec. 2241. Short title.

This subtitle may be cited as the "Historic Portrait Archival Emergency Amendment Act of 2017".

Sec. 2242. Section 4 of the District of Columbia Public Records Management Act of 1985, effective September 5, 1985 (D.C. Law 6-19; D.C. Official Code § 2-1703), is amended by adding a new subsection (e) to read as follows:

"(e) Notwithstanding any other provision of this act, the Council shall maintain custody of the following District property located at 1300 Naylor Court, N.W., as of June 1, 2016:

"(1) Each painted portrait of:

"(A) A District of Columbia Recorder of Deeds;

"(B) A Commissioner of the District of Columbia;

"(C) A Mayor of the District of Columbia;

"(D) A United States Senator or United States Representative; or

"(E) Benjamin Banneker.

"(2) Each sculpture of:

"(A) A Commissioner of the District of Columbia; or

"(B) A United States Senator or United States Representative."

SUBTITLE Z. DCRB FAIR CREDIT IN EMPLOYMENT

Sec. 2251. Short title.

This subtitle may be cited as the "DCRB Fair Credit in Employment Emergency Amendment Act of 2017".

Sec. 2252. Section 211(d) of the Human Rights Act of 1977, effective December 13, 1977 (D.C. Law 2-38; D.C. Official Code § 2-1402.11(d)), is amended by adding a new paragraph (3A) to read as follows:

"(3A) To the District of Columbia Retirement Board;"

**SUBTITLE AA. WASHINGTON METROPOLITAN AREA TRANSIT
AUTHORITY SAFETY REGULATION**

Sec. 2261. Short title.

This subtitle may be cited as the "Washington Metropolitan Area Transit Authority Safety Regulation Emergency Amendment Act of 2017".

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Sec. 2262. The Washington Metropolitan Area Transit Authority Safety Regulation Act of 1997, effective September 23, 1997 (D.C. Law 12-20; D.C. Official Code § 9-1109.01 *et seq.*), is amended by adding a new section 8a to read as follows:

“Sec. 8a. Formation of a replacement independent interstate legal entity.

“(a) Notwithstanding any other provision of law and pursuant to the authority and subject to the requirements set forth in 49 U.S.C. § 5329, to enable the Metropolitan Washington Council of Governments (“COG”) to assist the District in the formation of an independent interstate legal entity to replace the Tristate Oversight Committee as the joint state oversight agency contemplated by this act, the Mayor is authorized to transfer funds by contract, grant, subgrant, or other available means to COG.

“(b) The authority under this section shall include the authority to transfer:

“(1) Federal funds received by the District for expenses related to the formation of the replacement independent interstate legal entity; and

“(2) Any matching funds required to be appropriated by the District in order to receive and spend such federal funds.

“(c) Any agreement or proposal to form an independent interstate legal entity to replace the joint state oversight agency authorized by this act shall be submitted to the Council for approval.”.

SUBTITLE BB. INTERIOR DESIGN REGULATION

Sec. 2271. Short title.

This subtitle may be cited as the “Interior Design Regulation Emergency Amendment Act of 2017”.

Sec. 2272. Section 105.3.10 of Title 12-A of the District of Columbia Municipal Regulations (12-A DCMR § 105.3.10) is amended to read as follows:

“105.3.10 Design Professional in Responsible Charge. All design for new construction work, alteration, repair, expansion, addition, or modification work involving the practice of professional architecture, which shall have the same meaning as the term “practice of architecture” in D.C. Official Code § 47-2853.61, shall be prepared only by an architect licensed by the District and work involving the practice of professional engineering, which shall have the same meaning as the term “practice of engineering” in D.C. Official Code § 47-2853.131, shall be prepared only by an engineer licensed by the District. All drawings, computations, and specifications required for a building permit application for such work shall be prepared by or under the direct supervision of a licensed architect or licensed engineer and shall bear the signature and seal of the architect or the engineer. Plans for non-structural alterations and repairs of a building, including the layout of interior spaces, which do not adversely affect any structural member or any part of the structure having a required fire resistance rating, or the public safety, health, or welfare, and which do not involve the practice of engineering as defined by applicable District of Columbia laws, shall be deemed to comply with this section when such plans are prepared, signed, and sealed by an interior designer licensed and registered in the District of Columbia in accordance with applicable District of Columbia laws.”.

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SUBTITLE CC. PROTECTING PREGNANT WORKERS

Sec. 2281. Short title.

This subtitle may be cited as the “Protecting Pregnant Workers Fairness Emergency Amendment Act of 2017”.

Sec. 2282. The Protecting Pregnant Workers Fairness Act of 2014, effective March 3, 2015 (D.C. Law 20-168; D.C. Official Code § 32-1231.01 *et seq.*), is amended as follows:

(a) Section 2(1) (D.C. Official Code § 32-1231.01(1)) is amended to read as follows:

“(1) “OHR” means the Office of Human Rights.”

(b) Section 6 (D.C. Official Code § 32-1231.05) is amended as follows:

(1) The section heading is amended by striking the phrase “Department of Employment Services;” and inserting the phrase “Office of Human Rights;” in its place.

(2) Strike the phrase “The DOES” and insert the acronym “OHR” in its place.

(c) Section 7 (D.C. Official Code § 32-1231.06) is amended by striking the phrase “maintain an administrative action or a civil action.” and inserting the phrase “maintain an administrative action with OHR or a civil action in a court of competent jurisdiction within one year after the violation or discovery of the violation.” in its place.

(d) Section 8 (D.C. Official Code § 32-1231.07) is amended as follows:

(1) The section heading is amended by striking the acronym “DOES” and inserting the acronym “OHR” in its place.

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

“(a) An employee who claims that an employer has violated the employee's rights under this act and seeks redress may file a complaint with OHR.”

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

(A) The lead-in language is amended by striking the phrase “The DOES,” and inserting the phrase “OHR,” in its place.

(B) Paragraph (3) is amended to read as follows:

“(3) If it is determined probable cause exists:

“(A) An attempt to resolve the complaint by conciliation as set forth under section 306 of the Human Rights Act of 1977, effective December 13, 1977 (D.C. Law 2-38; D.C. Official Code § 2-1403.06);

“(B) If conciliation fails, certifying the case for a hearing before the Commission on Human Rights as set forth under section 310 of the Human Rights Act of 1977, effective December 13, 1977 (D.C. Law 2-38; D.C. Official Code § 2-1403.10), or for matters involving the District government, forwarding the case to an independent hearing examiner at set forth under 4 DCMR § 116; and

“(C) A requirement that the hearing under this paragraph be conducted in accordance with Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*); and”.

(4) Subsection (c) is amended by striking the phrase “If DOES determines, after its hearing, that the employer has violated any provision of this act, DOES shall order the employer to provide affirmative remedies including:” and inserting the phrase “If the Commission on Human Rights or an independent hearing examiner determines, after the hearing,

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that the employer has violated any provision of this act, the Commission shall order or the independent hearing examiner shall recommend the employer to provide affirmative remedies, including:" in its place.

(5) Subsection (d)(1) is amended by striking the acronym "DOES" and inserting the acronym "OHR" in its place.

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

"(e) If an employer is determined to not be in compliance with this act, OHR may make a referral to licensing agencies as provided under section 317 of the Human Rights Act of 1977, effective December 13, 1977 (D.C. Law 2-38; D.C. Official Code § 2-1403.17)."

(e) Section 9 (D.C. Official Code § 32-1231.08) is amended to read as follows:

"Sec. 9. Judicial review.

"(a) A party contesting a determination of the Commission on Human Rights shall have the right to judicial review as provided by section 314 of the Human Rights Act of 1977, effective December 13, 1977 (D.C. Law 2-38; D.C. Official Code § 2-1403.14).

"(b) A party contesting a determination of an independent hearing examiner shall have the right to judicial review as provided by 4 DCMR § 121."

(f) Section 13(a) (D.C. Official Code § 32-1231.12(a)) is amended by striking the acronym "DOES" and inserting the phrase "an agency designated by the Mayor" in its place.

TITLE III. PUBLIC SAFETY AND JUSTICE

SUBTITLE A. DEPARTMENT OF FORENSIC SCIENCES ESTABLISHMENT

Sec. 3001. Short title.

This subtitle may be cited as the "Department of Forensic Sciences Establishment Emergency Amendment Act of 2017".

Sec. 3002. The Department of Forensic Sciences Establishment Act of 2011, effective August 17, 2011 (D.C. Law 19-18; D.C. Official Code § 5-1501.01 *et seq.*), is amended as follows:

(a) A new section 7a is added to read as follows:

"Sec. 7a. Department Laboratory Fund.

"(a) There is established as a special fund the Department of Forensic Sciences Laboratory Fund ("Fund"), which shall be administered by the Director in accordance with subsection (c) of this section.

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

"(1) Annual revenue transferred from the United States Department of Homeland Security for the BioWatch program; and

"(2) Fees collected for forensic science services provided by the Department.

"(c) Money in the Fund shall only be used to fund the expenses of the Department's laboratories, including the funding of forensic science services, materials, non-grant funded research, equipment, laboratory staff, and trainings.

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

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

(b) Section 16(a) (D.C. Official Code § 5-1501.15(a)) is amended to read as follows:

“(a)(1) The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue rules to implement the provisions of this act, including:

“(A) A fee schedule for environmental testing services provided by the Department, which may account for the provision of bulk services; and

“(B) A fee schedule for reasonable costs related to expert witness testimony provided by Department employees to entities not listed in section 7(b), including the cost of any preparation, travel, and related administrative functions; provided, that no fee shall be charged for costs related to expert witness testimony provided by Department employees:

“(i) Regarding services the Department provided pursuant to section 7(a) or (b); or

“(ii) When the employee would be testifying as an expert in a criminal case in a District of Columbia court.

“(2) The fee schedule established pursuant to paragraph (1)(A) of this subsection may be applied on a sliding scale based on a recipient’s ability to pay for the services.”.

SUBTITLE B. CHIEF MEDICAL EXAMINER

Sec. 3011. Short title.

This subtitle may be cited as the “Chief Medical Examiner Emergency Amendment Act of 2017”.

Sec. 3012. The Establishment of the Office of the Chief Medical Examiner Act of 2000, effective October 19, 2000 (D.C. Law 13-172; D.C. Official Code § 5-1401 *et seq.*), is amended by adding a new section 2907a to read as follows:

“Sec. 2907a. Mass fatality management and response.

“(a) The OCME shall serve as the lead agency for the District’s mass fatality management and mass fatality incident response.

“(b) The CME shall create a District mass fatality management response plan.

“(c)(1) The CME may enter into, request, or provide assistance under a mutual aid agreement with states or local jurisdictions within the National Capital region or with the federal government for the purpose of mass fatality management or mass fatality incident response; provided, that any financial obligation created by a mutual aid agreement is consistent with the limitations under D.C. Official Code § 47-355.02, as determined by the General Counsel of OCME after consultation with the Office of the Attorney General and the Office of the Chief Financial Officer.

“(2) The CME may enter into a mutual aid agreement that creates a financial obligation for the District if there is clear legal and budgetary authority to do so, as determined by the General Counsel of OCME after a legal sufficiency review by the Office of the Attorney General and a budgetary authority review by the Office of the Chief Financial Officer.

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“(3) Any requests by the CME for federal assistance shall be coordinated with the Mayor’s authorized representative, designated pursuant to 44 C.F.R. § 206.41(d).

“(d) For the purposes of this section, the term:

“(1) “Mass fatality incident” means a situation resulting in more human remains to be investigated, recovered, and examined than can be managed using District resources, or any other exceptional circumstance that results in the inability to process human remains under routine conditions.

“(2) “Mass fatality management” means the training of and cooperation among governmental and nongovernmental agencies, organizations, associations, and other entities to ensure the accomplishment of the following after a mass fatality incident:

“(A) The proper recovery, handling, identification, transportation, tracking, storage, and certification of cause and manner of death of victims; and

“(B) Facilitating access to mental and behavioral health services to family members, responders, and survivors.

“(3) “National Capital region” shall have the same meaning as provided in section 1(b)(1) of An Act Providing for a comprehensive development of the park and playground system of the National Capital, approved June 6, 1924 (43 Stat. 463; D.C. Official Code § 2-1001(b)(1)).”.

SUBTITLE C. AFFORDABLE EMERGENCY TRANSPORTATION AND PRE-HOSPITAL MEDICAL SERVICES

Sec. 3021. Short title.

This subtitle may be cited as the “Affordable Emergency Transportation and Pre-Hospital Medical Services Emergency Amendment Act of 2017”.

Sec. 3022. Section 3(a) of the Access to Emergency Medical Services Act of 1998, effective September 11, 1998 (D.C. Law 12-145; D.C. Official Code § 31-2802(a)), is amended as follows:

(a) Designate the existing text as paragraph (1).

(b) New paragraphs (2) and (3) are added to read as follows:

“(2) Reimbursement for pre-hospital medical care and transport delivered pursuant to paragraph (1) of this subsection by the Fire and Emergency Medical Services Department (“Department”) or a third party contracted by the District to provide such services pursuant to section 1(b) of An Act To classify the officers and members of the fire department of the District of Columbia, and for other purposes, approved June 20, 1906 (34 Stat. 314; D.C. Official Code § 5-401(b)), shall be at the fee rate authorized by the Council pursuant to section 502(a) of the Revenue Act of 1978, effective April 19, 1977 (D.C. Law 1-124; D.C. Official Code § 5-416(a)).

“(3) This subsection shall not apply to any group health plan or multiple employer welfare arrangement to the extent the plan or arrangement is not subject to state insurance regulation under section 514 of the Employee Retirement Income Security Act of 1974, approved September 2, 1974 (88 Stat. 897; 29 U.S.C. § 1144).”.

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Sec. 3023. Section 502 of the Revenue Act of 1978, effective April 19, 1977 (D.C. Law 1-124; D.C. Official Code § 5-416), is amended by adding a new subsection (c) to read as follows:

“(c)(1) There is established as a special fund the Fire and Emergency Medical Services Department EMS Reform Fund (“Fund”), which shall be administered by the Fire and Emergency Medical Services Department in accordance with paragraph (3) of this subsection.

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

“(A) Fees collected under section 3(a)(2) of the Access to Emergency Medical Services Act of 1998, effective September 11, 1998 (D.C. Law 12-145; D.C. Official Code § 31-2802(a)(2)); and

“(B) Monies in excess of the Fiscal Year 2016 revenue collected in accordance with this section.

“(3) The Fund shall be used for the purpose of reform and improvement of the delivery of emergency medical services in the District of Columbia.

“(4)(A) The money deposited into the Fund shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

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

Sec. 3024. Applicability.

This subtitle shall apply to all health benefit plans issued or renewed in the District 90 or more days after the effective date of the Affordable Emergency Transportation and Pre-Hospital Medical Services Amendment Act of 2017, passed on 2nd reading on June 27, 2017 (Enrolled version of Bill 22-244).

SUBTITLE D. NEIGHBORHOOD ENGAGEMENT ACHIEVES RESULTS

Sec. 3031. Short title.

This subtitle may be cited as the “Neighborhood Engagement Achieves Results Emergency Amendment Act of 2017”.

Sec. 3032. The Neighborhood Engagement Achieves Results Amendment Act of 2016, effective June 30, 2016 (D.C. Law 21-125; D.C. Official Code § 7-2411 *et seq.*), is amended as follows:

(a) Section 101 (D.C. Official Code § 7-2411) is amended to read as follows:

“Sec. 101. Office of Neighborhood Safety and Engagement establishment.

“(a) There is established an Office of Neighborhood Safety and Engagement (“ONSE”). The ONSE shall include the following programs:

“(1) The Community Stabilization Program, which shall be transferred to the ONSE from the Office of the Deputy Mayor for Public Safety and Justice, along with all functions assigned, authorities delegated, positions, personnel, property, records, and unexpended balances of

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appropriations, allocations, and other funds available or to be made available for the purposes of the program; and

“(2) The Safer, Stronger DC Community Partnerships Program, which shall be transferred to the ONSE from the Office of the Deputy Mayor for Health and Human Services, along with all functions assigned, authorities delegated, positions, personnel, property, records, and unexpended balances of appropriations, allocations, and other funds available or to be made available for the purposes of the program.

“(b) The ONSE shall be responsible for:

“(1) Coordinating the District’s overall violence prevention strategy and programs, with a focus on utilizing public health approaches to respond to and prevent violence;

“(2) Identifying, recruiting, and engaging individuals determined to be at high risk of participating in, or being a victim of, violent crime;

“(3) Collaborating with other District agencies and nonprofit organizations to provide immediate wrap-around services to victims and families affected by violent crime;

“(4) Identifying priority neighborhoods and Metropolitan Police Department Police Service Areas (“PSAs”) with high trends of violent crime and connecting residents in those neighborhoods and PSAs to services through a streamlined approach;

“(5) Developing positive relationships with youth and young adults using recreational and other positive behavior reinforcement activities; and

“(6) Coordinating with District agencies and community-based organizations to develop programs that focus on employment and job-training opportunities for individuals residing in priority neighborhoods or PSAs or who are most at risk of participating in, or being a victim of, violent crime, including through the use of financial incentives for participation.

“(c) The ONSE shall be headed by an Executive Director who shall report to the Deputy Mayor for Public Safety and Justice. The Executive Director shall have at least 3 years of relevant experience in criminal justice and public health-based approaches to violence, including matters affecting the deterrence of violent criminal behavior.

“(d) Beginning on January 31, 2018, and by January 31 of each year thereafter, the ONSE shall provide a report to the Mayor and Council that excludes personally identifiable information and includes the following information from the reporting period and in the aggregate:

“(1) The number of individuals successfully recruited and engaged;

“(2) The duration of individuals’ participation;

“(3) The status of participants’ progress; and

“(4) The participants’ age, race or ethnicity, gender, and ward of residence.

“(e) The ONSE may apply for and receive grants and accept private donations to fund its program activities.

“(f) The ONSE shall have grant-making authority for the purpose of providing funds that seek to reduce and prevent violent crime. Grants made pursuant to this subsection shall be administered pursuant to the requirements set forth in the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*)”.

(b) Section 102 (D.C. Official Code § 7-2412) is amended to read as follows:

“Sec. 102. Duties of the Executive Director.

“(a) The duties of the Executive Director shall include:

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“(1) Identifying individuals who pose a high risk of participating in, or being a victim of, violent crime;

“(2) Recruiting such individuals, as feasible, to participate in programs incorporating mental or behavioral health counseling and that are designed to discourage violent crime;

“(3) Coordinating with District agencies to develop workforce development programming; and

“(4) Producing reports as required under section 101(d).

“(b)(1) The Executive Director shall ensure that any personally identifiable information that the ONSE collects or maintains concerning existing or potential participants in its programs remains confidential.

“(2) The Executive Director shall regularly conduct assessments and evaluations, to be performed by a qualified research entity, of outcomes for participants in ONSE programs.”.

(c) Section 103 (D.C. Official Code § 7-2413) is amended as follows:

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

(A) Paragraph (2) is amended by striking the semicolon and inserting the phrase “; and” in its place.

(B) Paragraph (3) is amended by striking the phrase “the public; and” and inserting the phrase “public and private entities.” in its place.

(C) Paragraph (4) is repealed.

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

“(c) Money in the Fund shall be used to fund the activities of the ONSE, including:

“(1) Providing financial incentives to eligible participants, which may be issued by ONSE or an agency designated by the Mayor;

“(2) Providing grants to eligible community organizations; and

“(3) Appropriate overhead or administrative expenses related to the ONSE and the Fund.”.

(d) A new section 103a is added to read as follows:

“Sec. 103a. Rules.

“The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue rules to implement the provisions of this subtitle.”.

Sec. 3033. Applicability.

This subtitle shall apply as of the effective date of this act.

SUBTITLE E. ACCESS TO JUSTICE

Sec. 3041. Short title.

This subtitle may be cited as the “Access to Justice Initiative Emergency Amendment Act of 2017”.

Sec. 3042. The Access to Justice Initiative Amendment Act of 2010, effective September 24, 2010 (D.C. Law 18-223; D.C. Official Code § 4-1701.01 *et seq.*), is amended as follows:

(a) Section 101 (D.C. Official Code § 4-1701.01) is amended as follows:

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(1) Paragraph (8) is amended by striking the phrase “associated with obtaining a law degree”.

(2) Paragraph (16) is amended by striking the phrase “for law school”.

(b) Section 201 (D.C. Official Code § 4-1702.01) is amended by striking the phrase “The Office of the Deputy Mayor for Public Safety and Justice” and inserting the phrase “The Office of Victim Services and Justice Grants” in its place.

(c) Section 202 (D.C. Official Code § 4-1702.02) is amended as follows:

(1) Subsection (a) is amended by striking the phrase “Deputy Mayor” and inserting the phrase “Office of Victim Services and Justice Grants” in its place.

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

(A) Paragraph (1)(A) is amended by striking the phrase “Deputy Mayor” wherever it appears and inserting the phrase “Office of Victim Services and Justice Grants” in its place.

(B) Paragraph (3) is amended by striking the word “Deputy” and inserting the phrase “Office of Victim Services and Justice Grants” in its place.

(d) Section 301 (D.C. Official Code § 4-1703.01) is amended as follows:

(1) Subsection (a) is amended by striking the phrase “Deputy Mayor” and inserting the phrase “Office of Victim Services and Justice Grants” in its place.

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

(A) Strike the phrase “Deputy Mayor” and insert the phrase “Office of Victim Services and Justice Grants” in its place.

(B) Strike the phrase “5%” and insert the phrase “10%” in its place.

(e) Section 401 (D.C. Official Code § 4-1704.01) is amended as follows:

(1) Subsection (b)(1) is amended by striking the phrase “Deputy Mayor” and inserting the phrase “Office of Victim Services and Justice Grants” in its place.

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

(A) Strike the phrase “Deputy Mayor” wherever it appears and insert the phrase “Office of Victim Services and Justice Grants” in its place.

(B) Paragraph (2) is amended by striking the phrase “fiscal year 2012” and inserting the phrase “Fiscal Year 2018” in its place.

(f) Section 402(b) (D.C. Official Code § 4-1704.02(b)) is amended by striking the phrase “associated with obtaining a law degree”.

(g) Section 404(c) (D.C. Official Code § 4-1704.04(c)) is amended as follows:

(1) Strike the phrase “in excess of \$60,000, or”.

(2) Strike the phrase “Deputy Mayor” and insert the phrase “Office of Victim Services and Justice Grants” in its place.

(h) Section 405 (D.C. Official Code § 4-1704.05) is amended as follows:

(1) Subsection (b) is amended by striking the phrase “subsection (c)” and inserting the phrase “subsections (c) and (d)” in its place.

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

“(d) For the purposes of this act, a participant who provides adequate notice to the Administrator of voluntary withdrawal from eligible employment shall be forgiven for the loan through the date of the voluntary withdrawal from eligible employment if the participant has

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satisfied the obligations under section 403 and this section for 3 or more years. The participant shall be required to repay the loan from the date of voluntary withdrawal from eligible employment through the end of the calendar year.”.

Sec. 3043. Applicability.

This subtitle shall apply as of the effective date of this act.

SUBTITLE F. CIVIL LEGAL COUNSEL PROJECTS

Sec. 3051. Short title.

This subtitle may be cited as the “Expanding Access to Justice Emergency Amendment Act of 2017”.

Sec. 3052. Definitions.

For the purposes of this subtitle, the term:

(1) “Bar Foundation” shall have the same meaning as provided in section 101(6) of the Access to Justice Initiative Amendment Act of 2010, effective September 24, 2010 (D.C. Law 18-223; D.C. Official Code § 4-1701.01(6)).

(2) “Covered proceeding” means an actual or reasonably anticipated administrative or judicial proceeding in the District of Columbia to evict an eligible individual or group.

(3) “Designated legal services provider” means a nonprofit organization or clinical program headquartered in the District of Columbia that provides legal services under this subtitle.

(4) “Eligible individual or group” means a tenant or occupant, or group of tenants or occupants, residing in a rental unit in a housing accommodation in the District of Columbia, whose gross household income falls at or below 200% of the federal poverty guidelines issued by the United States Department of Health and Human Services, or an individual, family, or group of individuals seeking, receiving, or eligible for service from a program covered by section 3 of the Homeless Services Reform Act of 2005, effective October 22, 2005 (D.C. Law 16-35; D.C. Official Code § 4-754.01).

(5) “Housing accommodation” shall have the same meaning as provided in section 103(11) of the Rental Housing Conversion and Sale Act of 1980, effective September 10, 1980 (D.C. Law 3-86; D.C. Official Code § 42-3401.03(11)).

(6) “Legal services” means representation of an eligible individual or group through the provision of advice or brief services, or representation in a covered proceeding, including limited scope representation.

(7) “Licensed legal professional” means:

- (A) A member of the District of Columbia Bar authorized to practice law;
- (B) A law student participating in an authorized, attorney-supervised clinical program through an accredited law school in the District of Columbia; or
- (C) A member of the bar of another jurisdiction who is legally permitted to appear and represent a specific client in a particular proceeding in the court or other forum in which the matter is pending.

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(8) "Rental unit" shall have the same meaning as provided in section 103(16) of the Rental Housing Conversion and Sale Act of 1980, effective September 10, 1980 (D.C. Law 3-86; D.C. Official Code § 42-3401.03(16)).

Sec. 3053. Civil legal counsel projects for eligible individuals or groups in covered proceedings.

(a) There is established the Civil Legal Counsel Projects Program ("Program") for the purpose of providing legal services to eligible individuals or groups in eviction proceedings.

(b)(1) The Office of Victim Services and Justice Grants shall award a grant each fiscal year to the Bar Foundation for the purposes of the Bar Foundation administering the Program. Payment of the award shall be submitted by October 15th of each fiscal year in the amount specified in an act of the Council.

(2) Paragraph (1) of this subsection shall not be used to supplant funds made available pursuant to section 301(a) of the Access to Justice Initiative Establishment Act of 2010, effective September 14, 2011 (D.C. Law 19-21; D.C. Official Code § 4-1703.01(a)), or section 401 of the Access to Justice Initiative Amendment Act of 2011, effective September 14, 2011 (D.C. Law 19-21; D.C. Official Code § 4-1704.01).

(c) The Bar Foundation shall:

(1) Serve as the grant-managing entity for the Program; and

(2) Adopt policies, procedures, guidelines, and requirements for the Program, including policies designed to permit designated legal service providers to limit representation to eligible individuals or groups in covered proceedings.

Sec. 3054. Requirements for designated legal service providers.

(a) The Bar Foundation shall only award subgrants to legal services providers that:

(1) Are headquartered in the District of Columbia and maintain a practice of furnishing free legal services to individuals who cannot afford the services of a licensed legal professional;

(2) Possess expertise in housing law, landlord-tenant law, or related experience in representing eligible individuals or groups in covered proceedings;

(3) Demonstrate expertise in recognizing and responding to the multiple legal issues facing low-income residents of the District of Columbia; and

(4) Possess adequate infrastructure and expertise to provide consistent, high-quality oversight, training, evaluation, and strategic responses to emerging or changing needs in the client communities served.

(b) Nothing in this section requires designated legal services providers to serve eligible individuals or groups in covered proceedings beyond the provider's contractual agreement to the Bar Foundation under this subtitle.

Sec. 3055. Financial audit and reporting requirements.

(a) The Bar Foundation shall provide the Council with:

(1) An annual financial audit of its activities prepared by a certified public accountant licensed in the District of Columbia and carried out in accordance with generally

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accepted auditing standards; provided, that the audit may be conducted as part of the Bar Foundation's annual audit;

(2) Biannual reporting that includes the following information:

(A) The gender, race, ethnicity, and age of eligible individuals served;

(B) The election ward of residence of eligible individuals served;

(C) The incomes of eligible individuals served;

(D) Legal services provided to eligible individuals; and

(E) A list of designated legal services providers and the amount of grant funding provided to each, including how the grant funding is used by each designated legal services provider; and

(3) Annual programmatic reporting that includes:

(A) An evaluation of the performance of each designated legal services provider;

(B) The legal outcomes for each eligible individual or group served;

(C) An evaluation of implementation challenges and recommendations for future improvements; and

(D) An assessment of unmet legal needs in the provision of legal services for covered proceedings.

Sec. 3056. Other criminal and civil proceedings.

This subtitle shall not be construed to negate, alter, or limit any right to counsel in any civil or criminal action or proceeding otherwise provided by District or federal law or regulation.

SUBTITLE G. OFFICE OF OPEN GOVERNMENT ESTABLISHMENT

Sec. 3061. Short title.

This subtitle may be cited as the "Office of Open Government Budget Authority Emergency Amendment Act of 2017".

Sec. 3062. Section 207(a) of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1162.07(a)), is amended as follows:

(a) Strike the phrase "The Director of Government Ethics" and insert the phrase "The Director of Government Ethics and the Director of Open Government" in its place.

(b) Strike the phrase "necessary for the operation of the Ethics Board for the year" and insert the phrase "necessary for the operation of their respective offices for the year" in its place.

Sec. 3063. Applicability.

This subtitle shall apply as of the effective date of this act.

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**SUBTITLE H. OFFICE OF THE ATTORNEY GENERAL LITIGATION
SUPPORT FUND AND ATTORNEY GENERAL RESTITUTION FUND**

Sec. 3071. Short title.

This subtitle may be cited as the “Office of the Attorney General Litigation Support Fund and Attorney General Restitution Fund Emergency Amendment Act of 2017”.

Sec. 3072. The Attorney General for the District of Columbia Clarification and Elected Term Amendment Act of 2010, effective October 22, 2015 (D.C. Law 21-36; D.C. Official Code § 1-301.81 *et seq.*), is amended as follows:

(a) Section 106b(d)(3) (D.C. Official Code § 1-301.86b(d)(3)) is amended by striking the phrase “\$3 million” both times it appears and inserting the phrase “\$5 million” in its place.

(b) A new section 106c is added to read as follows:

“Sec. 106c. Attorney General Restitution Fund.

“(a) There is established as a special fund the Attorney General Restitution Fund (“Fund”), which shall be administered by the Office of the Attorney General (“OAG”) in accordance with subsections (c) and (d) of this section.

“(b) Revenue from the following awards shall be deposited into the Fund:

“(1) Awards of restitution for property lost or damages suffered by consumers made under a court order, judgment, or settlement in any action or investigation under D.C. Official Code § 28-3909(a); and

“(2) Awards on behalf of an aggrieved employee made under a court order, judgment, or settlement in any action or investigation under section 6(a)(2)(A)(iii) of An Act To provide for the payment and collection of wages in the District of Columbia, approved August 3, 1956 (70 Stat. 976; D.C. Official Code § 32-1306(a)(2)(A)(iii)).

“(c) Money in the Fund shall be used for the following purposes:

“(1) The payment of awards as required by a court order, judgment, or settlement in an action or investigation OAG conducts under D.C. Official Code § 28-3909(a) or section 6(a)(2)(A)(iii) of an Act To provide for the payment and collection of wages in the District of Columbia, approved August 3, 1956 (70 Stat. 976; D.C. Official Code § 32-1306(a)(2)(A)(iii)); and

“(2) The payment of costs and expenses related to maintaining the Fund, including costs associated with the claims process described in subsection (e) of this section.

“(d) Before the OAG authorizes any payments from the Fund to an individual under this section, the Office of the Chief Financial Officer shall determine whether the individual owes any amount to the District and deduct the amount owed from the award to the individual, if any.

“(e)(1) Upon receipt of revenue resulting from an award under this section, OAG shall conduct a claims procedure to:

“(A) Locate each person entitled to receive an award; and

“(B) Distribute the awarded amounts to these individuals, minus any amounts deducted under subsection (d) of this section.

“(2) At the conclusion of the claims procedure under paragraph (1) of this subsection or the time period for payment designated by a court order, judgment, or settlement, and if not otherwise directed by the court order, judgment, or settlement, OAG may apply any

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part of the award to the costs and expenses related to maintaining the Fund and conducting the claims process under subsection (c)(2) of this section.

“(3) After paragraphs (1) and (2) of this subsection have been completed, any excess funds remaining from the award shall be treated as unclaimed property pursuant to the Uniform Disposition of Unclaimed Property Act of 1980, effective March 5, 1981 (D.C. Law 3-287; D.C. Official Code § 41-101 *et seq.*).

“(f)(1) The money deposited into the Fund shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of any fiscal year or at any other time.

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

“(g) The Attorney General, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue rules to implement the provisions of this section.

“(h) On an annual basis, the Office of the Inspector General shall conduct an audit of the income and expenditures of the Fund and shall submit the audit to the Attorney General, the Mayor, and the Council.”.

Sec. 3073. Applicability.

This subtitle shall apply as of the effective date of this act.

SUBTITLE I. REPEAL OF TREATMENT INSTEAD OF JAIL FOR CERTAIN NON-VIOLENT DRUG OFFENDERS INITIATIVE

Sec. 3081. Short title.

This subtitle may be cited as the “Treatment Instead of Jail for Certain Non-Violent Drug Offenders Initiative Emergency Amendment Act of 2017”.

Sec. 3082. The Treatment Instead of Jail for Certain Non-Violent Drug Offenders Initiative of 2002, effective June 5, 2003 (D.C. Law 14-308; D.C. Official Code § 24-751.01 *et seq.*), is repealed.

SUBTITLE J. CHIEF OF POLICE LEAVE AND RETIREMENT MODIFICATIONS

Sec. 3091. Short title.

This subtitle may be cited as the “Leave and Retirement Modifications for Chief of Police Peter Newsham Emergency Amendment Act of 2017”.

Sec. 3092. Section 1061 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective June 10, 1988 (D.C. Law 12-124; D.C. Official Code § 1-610.61), is amended as follows:

(a) The existing text is designated as subsection (a).

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

“(b) Notwithstanding subsection (a) of this section, Peter Newsham, while serving as Chief of Police, shall earn leave under section 1203, consistent with the leave he earned as a

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member of the Metropolitan Police Department based upon his years of service immediately before his appointment as Chief of Police.”.

Sec. 3093. 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), is amended by adding a new paragraph (7A) to read as follows:

“(7A) Notwithstanding paragraph (1) of this subsection, at the time that Chief of Police Peter Newsham voluntarily retires or is otherwise separated from the Metropolitan Police Department, he shall be entitled to an annuity computed at 80% of his average highest base pay for 24 consecutive months.”.

SUBTITLE K. COMPREHENSIVE YOUTH JUSTICE TECHNICAL AMENDMENTS

Sec. 3101. Short title.

This subtitle may be cited as the “Comprehensive Youth Justice Emergency Amendment Act of 2017”.

Sec. 3102. Section 101(a)(3) of the Attorney General for the District of Columbia Certification and Elected Term Amendment Act of 2010, effective May 27, 2010 (D.C. Law 18-160; D.C. Official Code § 1-301.81(a)(3)), is amended by striking the phrase “By October 1, 2018,” and inserting the phrase “By October 1, 2017,” in its place.

Sec. 3103. Section 104(15) of the Department of Youth Rehabilitation Services Establishment Act of 2004, effective April 12, 2005 (D.C. Law 15-335; D.C. Official Code § 2-1515.04(15)), is amended by striking the phrase “Within 180 days after the effective date of the Comprehensive Youth Justice Amendment Act of 2016, passed on 2nd reading on November 1, 2016 (Enrolled version of Bill 21-683),” and inserting the phrase “Within 180 days after the effective date of the Comprehensive Youth Justice Amendment Act of 2017, passed on 2nd reading on June 27, 2017 (Enrolled version of Bill 22-244),” in its place.

SUBTITLE L. EMERGENCY MEDICAL SERVICES DIRECTOR

Sec. 3111. Short title.

This subtitle may be cited as the “Emergency Medical Services Director Emergency Amendment Act of 2017”.

Sec. 3112. Section 3a of An Act To classify the officers and members of the fire department of the District of Columbia, and for other purposes, effective April 15, 2008 (D.C. Law 17-147; D.C. Official Code § 5-404.01), is amended by adding a new subsection (c-1) to read as follows:

“(c-1) The requirements in subsections (b)(3) and (c) of this section shall not apply to Medical Director Robert Holman, confirmed by the Council pursuant to the Fire and Emergency Medical Services Department Medical Director Robert Holman Confirmation Emergency Resolution of 2017, passed on emergency basis on June 27, 2017 (Res. 22-169; 64 DCR ____).”.

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Sec. 3113. Applicability.

This subtitle shall apply as of the effective date of this act.

TITLE IV. PUBLIC EDUCATION

SUBTITLE A. UNIFORM PER STUDENT FUNDING FORMULA FOR PUBLIC SCHOOLS AND PUBLIC CHARTER SCHOOLS

Sec. 4001. Short title.

This subtitle may be cited as the “Funding for Public Schools and Public Charter Schools Emergency Amendment Act of 2017”.

Sec. 4002. The Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code § 38-2903 *et seq.*), is amended as follows:

(a) Section 104 (D.C. Official Code § 38-2903) is amended by striking the phrase “\$9,682 per student for fiscal year 2017” and inserting the phrase “\$9,972 per student for Fiscal Year 2018” in its place.

(b) Section 105 (D.C. Official Code § 38-2904) is amended by striking the tabular array and inserting the following tabular array in its place:

“Grade Level	Weighting	Per Pupil Allocation in FY 2018
“Pre-Kindergarten 3	1.34	\$13,363
“Pre-Kindergarten 4	1.30	\$12,964
“Kindergarten	1.30	\$12,964
“Grades 1-5	1.00	\$9,972
“Grades 6-8	1.08	\$10,770
“Grades 9-12	1.22	\$12,166
“Alternative program	1.44	\$14,360
“Special education school	1.17	\$11,668
“Adult	0.89	\$8,875”.

”.

(c) Section 106 (D.C. Official Code § 38-2905) is amended as follows:

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

“(a-1) Pursuant to section 106a, supplemental allocations shall be provided on the basis of the count of students identified as at-risk.”.

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

“(c) The supplemental allocations shall be calculated by applying weightings to the foundation level as follows:

“Special Education Add-ons:

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Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2018
Level 1: Special Education	Eight hours or less per week of specialized services	0.97	\$9,673
Level 2: Special Education	More than 8 hours and less than or equal to 16 hours per school week of specialized services	1.20	\$11,967
Level 3: Special Education	More than 16 hours and less than or equal to 24 hours per school week of specialized services	1.97	\$19,646
Level 4: Special Education	More than 24 hours per week of specialized services which may include instruction in a self-contained (dedicated) special education school other than residential placement	3.49	\$34,804
Special Education Compliance	Weighting provided in addition to special education level add-on weightings on a per-student basis for Special Education compliance.	0.069	\$688
Attorney's Fees Supplement	Weighting provided in addition to special education level add-on weightings on a per-student basis for attorney's fees.	0.089	\$888
Residential	D.C. Public School or public charter school that provides students with room and board in a residential setting, in addition to their instructional program	1.67	\$16,654

General Education Add-ons:

Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2018
ELL	Additional funding for English Language Learners.	0.49	\$4,887

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"At-risk	Additional funding for students in foster care, who are homeless, on TANF or SNAP, or behind grade level.	0.219	\$2,184
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"Residential Add-ons:

"Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2018
"Level 1: Special Education - Residential	Additional funding to support the after-hours level 1 special education needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	0.368	\$3,670
"Level 2: Special Education - Residential	Additional funding to support the after-hours level 2 special education needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	1.337	\$13,333
"Level 3: Special Education - Residential	Additional funding to support the after-hours level 3 special education needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	2.891	\$28,830
"Level 4: Special Education - Residential	Additional funding to support the after-hours level 4 special education needs of limited and non- English proficient students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	2.891	\$28,830

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"LEP/NEP - Residential	Additional funding to support the after-hours limited and non-English proficiency needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	0.668	\$6,662
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"Special Education Add-ons for Students with Extended School Year ("ESY") Indicated in Their Individualized Education Programs ("IEPs"):

"Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2018
"Special Education Level 1 ESY	Additional funding to support the summer school or program need for students who require extended school year (ESY) services in their IEPs.	0.063	\$628
"Special Education Level 2 ESY	Additional funding to support the summer school or program need for students who require extended school year (ESY) services in their IEPs	0.227	\$2,264
"Special Education Level 3 ESY	Additional funding to support the summer school or program need for students who require extended school year (ESY) services in their IEPs	0.491	\$4,896
"Special Education Level 4 ESY	Additional funding to support the summer school or program need for students who require extended school year (ESY) services in their IEPs	0.491	\$4,896

(d) Section 109 (D.C. Official Code § 38-2908) is amended as follows:

(1) Subsection (a) is amended by striking the phrase "(b) and (b-1)" and inserting the phrase "(b), (b-1), and (b-2)" in its place.

(2) Subsection (b-1) is amended by striking the phrase "and succeeding fiscal years".

(3) Subsection (b-2) is amended as follows:

(A) Paragraph (2) is amended by striking the phrase "and succeeding fiscal years".

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(B) New paragraphs (2A), (2B), (2C), and (2D) are added to read as follows:

“(2A) For Fiscal Year 2018:

“(A) The non-residential per pupil facility allowance for Public Charter Schools shall be \$ 3,193; and

“(B) The residential per pupil facility allowance for Public Charter Schools shall be \$ 8,621.

“(2B) For Fiscal Year 2019, the per pupil facility allowance for Public Charter Schools shall be \$ 3,263.

“(2C) For Fiscal Year 2020, the per pupil facility allowance for Public Charter Schools shall be \$ 3,335.

“(2D) For Fiscal Year 2021, and succeeding fiscal years, the per pupil facility allowance for Public Charter Schools shall be \$ 3,408.”.

(C) Paragraph (3) is amended by striking the phrase “(1) and (2)” and inserting the phrase “(1), (2), (2A), (2B), (2C), and (2D)” in its place.

Sec. 4003. (a) It is the intent of this subtitle that the increase in the District of Columbia Public Schools appropriation in Fiscal Year 2018 resulting from the increase to the Uniform Per Student Funding Formula in Fiscal Year 2018 shall be used for instructional staffing and support provided directly in public schools.

(b) The increase to the Uniform Per Student Funding Formula for District of Columbia Public Schools, pursuant to section 4002, shall not be used in Fiscal Year 2018 to satisfy any compensation terms required by any collective bargaining agreements that become effective in Fiscal Year 2018.

SUBTITLE B. CHILD AND YOUTH, SAFETY AND HEALTH OMNIBUS

Sec. 4011. Short title.

This subtitle may be cited as the “Child and Youth, Safety and Health Omnibus Emergency Amendment Act of 2017”.

Sec. 4012. The Criminal Background Checks for the Protection of Children Act of 2004, effective April 13, 2005 (D.C. Law 15-353; D.C. Official Code § 4-1501.01 *et seq.*), is amended as follows:

(a) Section 202(3) (D.C. Official Code § 4-1501.02(3)) is amended by striking the phrase “any private entity that contracts with” and inserting the phrase “any private entity that is licensed by or contracts with” in its place.

(b) Section 206(a) (D.C. Official Code § 4-1501.06(a)) is amended by striking the phrase “including those of private entities that contract with the District to provide direct services to children or youth and that are under the contractual purview of the agency” and inserting the phrase “including those of private entities that are covered child or youth services providers and that are licensed by or under the contractual purview of the agency” in its place.

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SUBTITLE C. CHILD DEVELOPMENT FACILITIES FUND

Sec. 4021. Short title.

This subtitle may be cited as the "Child Development Facilities Fund Emergency Amendment Act of 2017".

Sec. 4022. The Child Development Facilities Regulation Act of 1998, effective April 13, 1999 (D.C. Law 12-215; D.C. Official Code § 7-2031 *et seq.*), is amended by adding a new section 7a to read as follows:

"Sec. 7a. Child Development Facilities Fund.

"(a) There is established as a special fund the Child Development Facilities Fund ("Fund"), which shall be administered by the Office of the State Superintendent of Education in accordance with subsection (c) of this section.

"(b) Revenue from all payments, fees, and fines collected pursuant to this act shall be deposited in the Fund.

"(c) Money in the Fund shall be used for the following purposes:

"(1) To fund activities regulating child development facilities, including the enforcement and monitoring activities concerning the licensure of child development facilities, pursuant to this act; and

"(2) Appropriate overhead and administrative expenses related to the Fund.

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

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

SUBTITLE D. PUBLIC CHARTER SCHOOL ASSETS AND FACILITIES PRESERVATION

Sec. 4031. Short title.

This subtitle may be cited as the "Public Charter School Assets and Facilities Preservation Emergency Amendment Act of 2017".

Sec. 4032. Section 2213a of the District of Columbia School Reform Act of 1995, effective March 14, 2007 (D.C. Law 16-268; D.C. Official Code § 38-1802.13a), is amended as follows:

(a) Subsection (b) is amended by striking the phrase "with section 48 of the Nonprofit Corporation Act and".

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

(1) The lead-in language is amended by striking the phrase "require that" and inserting the phrase "provide that" in its place.

(2) Subparagraph (B) is amended to read as follows:

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“(B) The corporation’s assets shall be distributed pursuant to a plan of distribution that is in accordance with subsection (d) of this section.”.

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

(1) Paragraph (1) is amended as follows:

(A) The lead-in language is amended by striking the phrase “The chartering authority” and inserting the phrase “Following completion of the closeout audit described in paragraph (3) of this subsection, the chartering authority” in its place.

(B) Subparagraph (A) is amended by striking the word “assets” and inserting the phrase “unencumbered assets” in its place.

(C) Subparagraph (C) is amended to read as follows:

“(C) Distributing the corporation’s remaining assets in accordance with this section.”.

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

(A) Subparagraph (A) is amended to read as follows:

“(A) Provide either that:

“(i) All tangible personal property purchased with District funds, including funds received pursuant to the Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code § 38-2901 *et seq.*), and any assets remaining after satisfaction of the corporation’s debts and the use of assets authorized in subsection (f) of this section shall be transferred or conveyed to the District of Columbia, to be controlled by and subject to the disposition instructions of the Office of the State Superintendent of Education and used solely for educational or similar purposes; or

“(ii) The assets described in sub-subparagraph (i) of this subparagraph, including cash, shall be transferred to another charter school in a transaction overseen by the chartering authority if the acquiring school agrees to enroll the closing school’s students at the start of the following school year; and”.

(B) Subparagraph (B) is amended as follows:

(i) Strike the word “Be” and insert the phrase “Notwithstanding subparagraph (A) of this paragraph, be” in its place.

(ii) Strike the phrase “existing creditor agreements and” and insert the phrase “existing creditor agreements, grant agreements, and” in its place.

(3) Paragraph (3) is amended by striking the phrase “feasible,” and inserting the phrase “feasible upon notice of an event described in subsection (a) of this section,” in its place.

(4) Paragraph (4) is amended by striking the phrase “or the District of Columbia” and inserting the phrase “, the District of Columbia, or a charter school that acquires a corporation’s assets pursuant to this section” in its place.

SUBTITLE E. ACADEMIC CERTIFICATION AND TESTING FUND

Sec. 4041. Short title.

This subtitle may be cited as the “Academic Certification and Testing Fund Emergency Amendment Act of 2017”.

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Sec. 4042. Section 3(c)(1) of the State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2602(c)(1)), is amended by striking the word “nonlapsing” and inserting the word “special” in its place.

SUBTITLE F. POSTSECONDARY AND CAREER GRANT-MAKING

Sec. 4051. Short title.

This subtitle may be cited as the “Postsecondary and Career Grant-Making Authority Emergency Amendment Act of 2017”.

Sec. 4052. Section 3(b) of the State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2602(b)), is amended as follows:

(a) Paragraph (27) is amended by striking the phrase “; and” and inserting a semicolon in its place.

(b) Paragraph (28) is amended by striking the period and inserting the phrase “; and” in its place.

(c) A new paragraph (29) is added to read as follows:

“(29) Have the authority to issue grants, from funds under its administration, to District of Columbia public schools or public charter schools, local education agencies, institutions of higher education, nonprofit organizations, and other education service providers to increase access to postsecondary and career education opportunities, including:

“(A) Programs implementing career and technical education;

“(B) SAT or ACT preparation programs;

“(D) Dual enrollment programs; and

“(D) Programs focused on a successful transition to college and careers.”.

SUBTITLE G. HEALTHY TOTS

Sec. 4061. Short title.

This subtitle may be cited as the “Healthy Tots Emergency Amendment Act of 2017”.

Sec. 4062. Section 4073a of the Healthy Tots Act of 2014, effective October 22, 2015 (D.C. Law 21-36; D.C. Official Code § 38-282.01), is amended as follows:

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

(1) Strike the phrase “are eligible” and insert the phrase “are eligible for at least 6 continuous months” in its place.

(2) Strike the phrase “unless OSSE grants it an exemption” and insert the phrase “unless the facility is exempt pursuant to subsection (a-1) of this section or OSSE grants the facility a hardship exemption” in its place.

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

“(a-1) Subsection (a) of this section shall not apply to a child development facility that is on the U.S. Department of Agriculture (“USDA”) CACF Program National Disqualification List for the period of time that the child development facility is on the USDA CACF Program National Disqualification List.”.

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(c) Subsection (b) is amended by striking the phrase “an exemption, a child development facility must provide OSSE with a written statement describing why participation in the CACF Program constitutes a hardship” and inserting the phrase “a hardship exemption, a child development facility must provide OSSE with a written statement describing why participation in the CACF Program constitutes a hardship, and provide OSSE documentation demonstrating that the child development facility is in compliance with the current CACF Program Meal Patterns” in its place.

(d) Subsection (c) is repealed.

SUBTITLE H. PATRICIA R. HARRIS FACILITY EXCLUSIVE USE

Sec. 4071. Short title.

This subtitle may be cited as the "UDC Patricia R. Harris Facility Exclusive Use Emergency Amendment Act of 2017".

Sec. 4072. Section 422 of the University of the District of Columbia Expansion Act of 2010, effective April 8, 2011 (D.C. Law 18-370; D.C. Official Code § 10-507.01, note), is amended as follows:

(a) The existing text is redesignated as subsection (a).

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

“(b) Subsection (a) of this section shall not apply if the Mayor submits to the Council a proposed resolution pursuant to section 1(b) of An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801(b)), to dispose of the Patricia R. Harris Educational Center School building that contains a provision to lease or sublease space in the building to the University of the District of Columbia and such resolution is approved by the Council.”.

SUBTITLE I. DPR PARKS ADOPTION AND SPONSORSHIP

Sec. 4081. Short title.

This subtitle may be cited as the “DPR Parks Adoption and Sponsorship Emergency Amendment Act of 2017”.

Sec. 4082. Section 5 of the Recreation Act of 1994, effective March 23, 1995 (D.C. Law 10-246; D.C. Official Code § 10-304), is amended as follows:

(a) Subsection (b) is repealed.

(b) New subsections (c) and (d) are added to read as follows:

“(c) The Department may enter into a written agreement with a BID corporation, as defined in section 3(4) of the Business Improvement Districts Act of 1996, effective May 29, 1996 (D.C. Law 11-134; D.C. Official Code § 2-1215.02(4)) (“BID act”), to authorize the BID corporation to:

“(1) Perform maintenance and operations of Franklin Square Park, upon its transfer or lease to the District from the National Park Service, Yards Park, Canal Park, and parks within the NoMa Improvement Association BID, as defined by section 207 of the BID act (D.C. Official Code § 2-1215.57); and

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“(2) Enter into contracts, including contracts for concessions and programs, with third parties to generate revenue to fund the maintenance and operations of the parks identified in paragraph (1) of this subsection.

“(d) The Department may make a grant in accordance with the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), to a BID corporation for maintenance and operations of the parks identified in subsection (c)(1) of this section.”.

SUBTITLE J. MY SCHOOL DC TRANSFER

Sec. 4091. Short title.

This subtitle may be cited as the “My School DC Transfer Emergency Amendment Act of 2017”.

Sec. 4092. The Department of Education Establish Act of 2007, effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-191 *et seq.*), is amended as follows:

(a) Section 205(a)(1) (D.C. Official Code § 38-194(a)(1)) is amended by striking the phrase “Department of Education” both times it appears and inserting the phrase “Office of the State Superintendent of Education” in its place.

(b) Section 206(a) (D.C. Official Code § 38-195(a)) is amended by striking the phrase “Deputy Mayor for Education” and inserting the phrase “State Superintendent of Education” in its place.

Sec. 4093. Section 4122 of the My School DC EdFest Sponsorship and Advertising Act of 2015, effective October 22, 2015 (D.C. Law 21-36; D.C. Official Code § 38-196.01), is amended as follows:

(a) Subsection (a) is amended by striking the phrase “Deputy Mayor for Education” and inserting the phrase “State Superintendent of Education” in its place.

(b) Subsection (f) is amended by striking the phrase “Deputy Mayor for Education” and inserting the phrase “State Superintendent of Education” in its place.

Sec. 4094. Section 3(b) of the State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2602(b)), is amended by adding a new paragraph (4A) to read as follows:

“(4A) Administer the common lottery system for admission to public schools in the District of Columbia;”.

SUBTITLE K. ACCESS TO QUALITY CHILD CARE FUND ESTABLISHMENT

Sec. 4101. Short title.

This subtitle may be cited as the “Access to Quality Child Care Fund Establishment Emergency Act of 2017”.

Sec. 4102. Definitions.

For the purposes of this subtitle, the term:

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(1) "Child development facility" means a center, home, or other structure that provides care and other services, supervision, and guidance for children, infants, and toddlers on a regular basis, regardless of its designated name. The term "child development facility" does not include a public or private elementary or secondary school engaged in legally required educational and related functions or a pre-kindergarten education program licensed pursuant to the Pre-K Enhancement and Expansion Amendment Act of 2008, effective July 18, 2008 (D.C. Law 17-202; D.C. Official Code § 38-271.01 *et seq.*).

(2) "Infant" means an individual younger than 12 months of age.

(3) "Operator" means an individual or entity that owns or is responsible for the operations of a child development facility.

(4) "OSSE" means the Office of the State Superintendent of Education, established by section 2 of the State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2601).

(5) "Subsidized child care" means part-time or full-time child care services, subsidized in whole or in part to eligible families pursuant to local and federal law, including sections 5a and 6 of the Day Care Policy Amendment Act of 1998, effective April 13, 1999 (D.C. Law 12-216; D.C. Official Code §§ 4-404.01 and 4-405), and the Child Care and Development Block Grant Act of 2014, approved November 19, 2014 (128 Stat. 1971; 42 U.S.C. § 9858, note).

(6) "Toddler" means an individual older than 12 months but younger than 36 months of age.

Sec. 4103. Access to Quality Child Care Fund.

(a) There is established as a special fund the Access to Quality Child Care Fund ("Fund"), which shall be administered by the Office of the State Superintendent of Education in accordance with section 4104 and subsection (c) of this section.

(b) There shall be deposited into the Fund:

(1) In Fiscal Year 2018, \$11 million from local appropriations; and

(2) Private donations, gifts, and grants.

(c) Money in the Fund shall be used to provide grants or contracts to fund the following activities that expand access to child care:

(1) Improving the supply of child care services for infants and toddlers, which may include establishing new or expanding existing child development facilities serving infants and toddlers; provided, that at least 50% of amounts expended pursuant to this paragraph are used to improve the supply of child care services for infants and toddlers eligible for subsidized child care;

(2) Supporting the costs of certification, higher education, and credentialing of child development facility staff;

(3) Providing technical assistance and training to child development facility operators to support compliance with the licensure process or efficient and effective operations;

(4) Evaluating and assessing the availability, quality, and willingness of child development facility operators to expand services for infants and toddlers in the District and

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conducting studies authorized pursuant to the Child Care Study Act of 2017, enacted on June 5, 2017 (D.C. Act 22-72; 64 DCR 5610); and

(5) Carrying out other activities as determined by OSSE related to expanding access to infant and toddler child care and improving the quality of child care services provided in the District.

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

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

Sec. 4104. Access to quality child care grant-making authority.

(a) Except as provided in subsection (b) of this section, the Office of the State Superintendent of Education shall award funds from the Access to Quality Child Care Fund available pursuant to section 4103(c)(1), on a competitive basis, as grants to:

(1) Organizations that provide child care services to infants and toddlers to open child development facilities;

(2) Existing child development facilities to expand available space to serve infants and toddlers; or

(3) Organizations that provide child care services to carry out other activities necessary to expand access to child care and improve the quality of child care services provided in the District consistent with the findings of the evaluation and studies conducted pursuant to section 4103(c)(4).

(b)(1) The OSSE may award a grant or contract to a single nonprofit organization that does not provide child care services to infants and toddlers; provided, that:

(A) The grantee or contractor has a proven track record of success in grant-making related to child development facilities;

(B) The grantee or contractor agrees to use 90% of OSSE's award to award subgrants to organizations that provide child care services, for the purposes of expanding child care services in accordance with the terms of this section;

(C) The grantee or contractor agrees to undergo an annual audit and submit quarterly reports to OSSE on its financial health and its use of the OSSE award; and

(D) The grantee or contractor has a proven track record in providing financing and investment approaches and technical assistance in child development facility financing and development.

(2) A grant or contract awarded pursuant to this subsection shall be awarded for a term of at least 2 years, subject to the availability of funding.

(3)(A) The grantee or contractor shall award subgrants for terms of at least 2 years, subject to the availability of funding.

(B) All subgrants of District funds shall be awarded on a competitive basis.

(C) Subgrants shall be awarded for the following purposes:

(i) Improving the supply of child care services for infants and toddlers, which may include establishing new, renovating existing, or expanding child development facilities serving infants and toddlers; or

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(ii) Carrying out other activities necessary to expand access to child care and improving the quality of child care services provided in the District consistent with the findings of the evaluation and studies conducted pursuant to section 4103(c)(4).

(c) At least 50% of amounts awarded under this section shall be used to improve the supply of child care services for infants and toddlers eligible for subsidized child care.

(d) The OSSE may not award a grant or contract under this section in excess of \$1 million during a 12-month period, either singularly or cumulatively, unless the grant is first submitted to the Council for approval, in accordance with 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)), or by act.

Sec. 4105. The Child Care Services Assistance Fund Act of 1988, effective March 16, 1989 (D.C. Law 7-220; D.C. Official Code § 7-2001 *et seq.*), is repealed.

Sec. 4106. Section 5 of the Child Care Study Act of 2017, enacted on June 5, 2017 (D.C. Act 22-72; 64 DCR 5610), is amended to read as follows:

“Sec. 5. The OSSE shall submit the studies required in section 3 and section 4 to the Council no later than August 1, 2018.”.

SUBTITLE L. SPECIAL EDUCATION ENHANCEMENT FUND

Sec. 4111. Short title.

This subtitle may be cited as the “Special Education Enhancement Fund Emergency Amendment Act of 2017”.

Sec. 4112. Section 7g of the State Education Office Establishment Act of 2000, effective March 10, 2015 (D.C. Law 20-196; D.C. Official Code § 38-2613), is amended by adding a new subsection (c-1) to read as follows:

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

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

Sec. 4113. Applicability.

This subtitle shall apply as of the effective date of this act.

SUBTITLE M. OFFICE OF STATE SUPERINTENDENT OF EDUCATION EARLY LITERACY GRANT PROGRAM

Sec. 4121. Short title.

This subtitle may be cited as the “Office of the State Superintendent of Education Early Literacy Grant Program Emergency Amendment Act of 2017”.

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Sec. 4122. Section 3(b)(24) of the State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2602(b)(24)), is amended by striking the phrase “competitive grant program” and inserting the phrase “competitive, multiyear grant program, subject to available funding,” in its place.

SUBTITLE N. OFFICE OF OUT OF SCHOOL TIME GRANTS AND YOUTH OUTCOMES

Sec. 4131. Short title.

This subtitle may be cited as the “Office of Out of School Time Grants and Youth Outcomes Emergency Amendment Act of 2017”.

Sec. 4132. Section 5 of the Office of Out of School Time Grants and Youth Outcomes Establishment Act of 2016, effective April 7, 2017 (D.C. Law 21-261; 64 DCR 2090), is amended as follows:

(a) Subsection (b)(1) is amended by striking the phrase “paragraph (2)” and inserting the phrase “paragraphs (2) and (3)” in its place.

(b) Subsection (b) is amended by adding a new paragraph (3) to read as follows:

“(3) The Office may award grants to nonprofit organizations for the purpose of providing training or technical assistance to the Commission or to nonprofit organizations that provide out-of-school time programs.”

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

“(e) Except for grants supporting out-of-school time summer programs, grants awarded under subsection (b)(1) of this section shall be for terms of at least 3 years, subject to the availability of funding.”

SUBTITLE O. OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION REPORTING REQUIREMENTS

Sec. 4141. Short title.

This subtitle may be cited as the “Office of the State Superintendent of Education Reporting Requirements Emergency Amendment Act of 2017”.

Sec. 4142. Section 10(e) of the Day Care Policy Act of 1979, effective September 19, 1979 (D.C. Law 3-16; D.C. Official Code § 4-409(e)), is repealed.

Sec. 4143. Section 2(k) of Article II of An Act To provide for compulsory school attendance, for the taking of a school census in the District of Columbia, and for other purposes, approved February 4, 1925 (43 Stat. 806; D.C. Official Code § 38-203(k)), is amended by striking the date “October 1” and inserting the date “November 30” in its place.

Sec. 4144. Section 202(d) of the Attendance Accountability Amendment Act of 2013, effective June 23, 2015 (D.C. Law 21-12; D.C. Official Code § 38-236(d)), is amended by striking the date “October 1” and inserting the date “December 15” in its place.

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Sec. 4145. The Pre-k Enhancement and Expansion Amendment Act of 2008, effective July 18, 2008 (D.C. Law 17-202; D.C. Official Code § 38-271.01 *et seq.*), is amended as follows:

(a) Section 103(e) (D.C. Official Code § 38-271.03(e)) is amended by striking the date “September 15” and inserting the date “December 30” in its place.

(b) Section 104 (D.C. Official Code § 38-271.04) is amended by striking the date “September 30” and inserting the date “December 30” in its place.

(c) Section 105(a) (D.C. Official Code § 38-271.05(a)) is amended by striking the date “September 30” and inserting the date “December 30” in its place.

Sec. 4146. Section 15c of the District of Columbia Nonresident Tuition Act, effective May 9, 2012 (D.C. Law 19-126; D.C. Official Code § 38-312.03), is amended by striking the date “May 9” and inserting the date “July 31” in its place.

Sec. 4147. Section 303 of the Healthy Schools Act of 2010, effective July 27, 2010 (D.C. Law 18-209; D.C. Official Code § 38-823.03), is amended by striking the date “June 30” and inserting the date “September 30” in its place.

Sec. 4148. Section 116(a) of the Protection of Students with Disabilities Amendment Act of 2008, effective March 20, 2009 (D.C. Law 17-304; D.C. Official Code § 38-2561.16(a)), is amended by striking the phrase “to the Council”.

Sec. 4149. Section 112(a)(2) of the Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code § 38-2911(a)(2)), is amended by striking the date “2016” and inserting the date “2017” in its place.

Sec. 4150. Applicability.

This subtitle shall apply as of the effective date of this act.

**SUBTITLE P. PER CAPITA DISTRICT OF COLUMBIA PUBLIC SCHOOL
AND PUBLIC CHARTER SCHOOL FUNDING AMENDMENT**

Sec. 4151. Short title.

This subtitle may be cited as the “Per Capita District of Columbia Public School and Public Charter School Funding Emergency Amendment Act of 2017”.

Sec. 4152. The District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321; D.C. Official Code § 38-1802.01 *et seq.*), is amended as follows:

(a) Section 2402 (D.C. Official Code § 38-1804.02) is amended as follows:

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

(A) The lead-in language is amended to read as follows:

“(b) COLLECTION OF ENROLLMENT FIGURES. — Not later than October 15 of each year, the Office of the State Superintendent of Education shall collect the following from local education agencies:”.

(B) Paragraphs (2), (4), and (6) are repealed.

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(C) Paragraph (7) is amended by striking the semicolon at the end and inserting the phrase “; and” in its place.

(D) Paragraph (8) is repealed.

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

“(c) ANNUAL REPORTS. — Not later than December 31 of each year, the Office of the State Superintendent of Education shall transmit to the Mayor and the Council, and make publicly available, a report on the verified enrollment of each local education agency, disaggregated by the categories of students identified in subsection (b) of this section, and an explanation of the systems, procedures, and methodology used to verify enrollment pursuant to subsection (d) of this section.”

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

“(d) VERIFICATION OF STUDENT ENROLLMENT. — The Office of the State Superintendent of Education shall:

“(1) Verify the accuracy of the local education agencies’ enrollment figures provided pursuant to subsections (a) and (b) of this section;

“(2) Determine the amount of fees and tuition assessed and collected from the nonresident students described in subsection (b) of this section; and

“(3) Fund the verification solely from amounts appropriated to the Office of the State Superintendent of Education for staff, stipends, and non-personal services of the Office of the State Superintendent of Education by an act making appropriations for the District of Columbia.”

(b) Section 2403 (D.C. Official Code § 38-1804.03) is amended as follows:

(1) Subsection (a)(2)(E) is amended by striking the phrase “audited enrollment” and inserting the phrase “verified enrollment” in its place.

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

(A) Paragraph (3) is amended by striking the phrase “audited enrollment” and inserting the phrase “verified enrollment” in its place.

(B) Paragraph (4) is amended by striking the phrase “audited actual enrollment” both times it appears and inserting the phrase “verified actual enrollment” in its place.

Sec. 4153. The Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Amendment Act of 1998, effective March 26, 1999 (D.C. Law 12-270; D.C. Official Code § 38-2901 *et seq.*), is amended as follows:

(a) Section 107 (D.C. Official Code § 38-2906) is amended as follows:

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

(A) Strike the date “2012” and insert the date “2018” in its place.

(B) Strike the phrase “audited enrollment” and insert the phrase “verified enrollment” in its place.

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

“(d)(1) The student counts reported by October 15 of each year shall be verified by the Office of the State Superintendent of Education, which shall also determine the number of students whose tuition for enrollment in other school systems is paid for by funds available to the

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District of Columbia public schools and the amount of fees and tuition assessed and collected from nonresident students enrolled in local education agencies.

“(2) The verification shall cover the information required by section 2402 of the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321; D.C. Official Code § 38-1804.02), and shall be transmitted to the Mayor and the Council, and made publically available, no later than December 31 of each year. Until the verification is transmitted, the unverified October count shall serve as the basis for quarterly payments.”.

(b) Section 107b (D.C. Official Code § 38-2906.02) is amended as follows:

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

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

(i) Strike the phrase “unaudited October enrollment” and insert the phrase “unverified October enrollment” in its place.

(ii) Strike the phrase “on October 5” and insert the phrase “by October 15” in its place.

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

(i) Strike the phrase “unaudited October enrollment” and insert the phrase “unverified October enrollment” in its place.

(ii) Strike the phrase “on October 5” and insert the phrase “by October 15” in its place.

(C) Paragraph (4) is amended by striking the phrase “audited October enrollment” and inserting the phrase “verified October enrollment” in its place.

(2) Subsection (c) is amended by striking the word “audit” both times it appears and inserting the word “verification” in its place.

TITLE V. HEALTH AND HUMAN SERVICES

SUBTITLE A. TANF CHILD BENEFIT PROTECTION

Sec. 5001. Short title.

This subtitle may be cited as the “TANF Child Benefit Protection Emergency Amendment Act of 2017”.

Sec. 5002. The District of Columbia Public Assistance Act of 1982, effective April 6, 1982 (D.C. Law 4-101; D.C. Official Code § 4-201.01 *et seq.*), is amended as follows:

(a) Section 205 (D.C. Official Code § 4-202.05) is amended by adding a new subsection (e) to read as follows:

“(e) The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), shall issue rules to implement the provisions of the TANF Child Benefit Protection Amendment Act of 2017, passed on 2nd reading on June 27, 2017 (Enrolled version of Bill 22-244).”.

(b) Section 511b (D.C. Official Code § 4-205.11b) is repealed.

(c) Section 518(e) (D.C. Official Code § 4-205.18(e)) is amended by striking the phrase “act.” and inserting the phrase “act; provided, that no sanction under this title, or regulations implementing this title, shall exceed 6% of the assistance unit’s TANF benefits.” in its place.

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(d) Section 519f (D.C. Official Code § 4-205.19f) is amended by adding a new subsection (g) to read as follows:

“(g)(1) For the purposes of this subsection, an assistance unit’s TANF benefits shall consist of the following portions:

“(A) 80% is designated for the child or children of the assistance unit; and

“(B) 20% is designated for the adult member or members of the assistance unit.

“(2) No sanction under this title, or regulations implementing this title, shall reduce the portion of an assistance unit’s TANF benefits that is designated for the child or children of the assistance unit.

“(3) The Department of Human Services shall impose a 30% reduction of the portion of the assistance unit’s TANF benefits designated for the adult member or members of the assistance unit when a TANF recipient is found to be in noncompliance with this title, or regulations implementing this title.”

(e) Section 552 (D.C. Official Code § 4-205.52) is amended as follows:

(1) Subsection (c-2) is repealed.

(2) Subsection (c-3) is repealed.

(f) Section 553(a) (D.C. Official Code § 4-205.53(a)) is amended by striking the phrase “made erroneously, or if he or she finds that the recipient’s circumstances have altered sufficiently to warrant such action” and inserting the phrase “made erroneously, if the recipient’s circumstances have altered sufficiently to warrant such action, or if the recipient has not timely completed the recertification process” in its place.

SUBTITLE B. CFSA REPORTING REQUIREMENTS

Sec. 5021. Short title.

This subtitle may be cited as the “CFSA Reporting Requirements Emergency Amendment Act of 2017”.

Sec. 5022. Section 105 of the Grandparent Caregivers Pilot Program Establishment Act of 2005, effective March 8, 2006 (D.C. Law 16-69; D.C. Official Code § 4-251.05), is amended by striking the phrase “No later than January 1 of each year, beginning in 2007” and inserting the phrase “No later than February 28th of each year, beginning in 2018” in its place.

Sec. 5023. The Prevention of Child Abuse and Neglect Act of 1977, effective September 23, 1977 (D.C. Law 2-22; D.C. Official Code § 4-1301.01 *et seq.*), is amended as follows:

(a) Section 374(b)(3) (D.C. Official Code § 4-1303.74(b)(3)) is amended by striking the phrase “Beginning January 31, 2014, and every January 31st thereafter” and inserting the phrase “Beginning February 28, 2018, and every February 28th thereafter” in its place.

(b) Section 384(b)(1) (D.C. Official Code § 4-1303.84(b)(1)) is amended as follows:

(1) Subparagraph (C) is amended by striking the phrase “Beginning on January 31, 2018, and every January 31st thereafter” and inserting the phrase “Beginning on February 28, 2018, and every February 28th thereafter” in its place.

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(2) Subparagraph (D) is amended by striking the phrase “By January 31, 2018, and every January 31st thereafter” and inserting the phrase “By February 28, 2018, and every February 28th thereafter” in its place.

Sec. 5024. Section 107 of the Newborn Safe Haven Amendment Act of 2010, effective May 27, 2010 (D.C. Law 18-158; D.C. Official Code § 4-1451.07), is amended by striking the phrase “January 1, 2011, and on January 1 of each year thereafter” and inserting the phrase “January 31, 2018, and on January 31st of each year thereafter” in its place.

SUBTITLE C. DEPARTMENT OF HEALTH CARE FINANCE GRANT-MAKING

Sec. 5031. Short title.

This subtitle may be cited as the “Department of Health Care Finance Grant-Making Emergency Amendment Act of 2017”.

Sec. 5032. The Department of Health Care Finance Establishment Act of 2007, effective February 27, 2008 (D.C. Law 17-109; D.C. Official Code § 7-771.01 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 7-771.01) is amended by adding a new paragraph (4A) to read as follows:

“(4A) “Director” means the Director of the Department of Health Care Finance.”.

(b) A new section 8a is added to read as follows:

“Sec. 8a. Grant authority.

“(a)(1) For Fiscal Year 2018, the Director shall:

“(A) Award 4 grants of at least \$50,000 to facilitate the development and application of telehealth services to:

“(i) Health care providers located in Wards 7 and 8; and

“(ii) Residents located in Wards 7 and 8;

“(B) Award 2 grants of at least \$75,000 to facilitate the development and application of telehealth services to homeless shelters or public housing projects; and

“(C) Award a grant of \$250,000 to a college of pharmacy located in the District to create and maintain a medication-assisted treatment genomic registry.

“(2) In awarding grants pursuant to paragraph (1)(A) of this subsection, the Director shall consider the following:

“(A) Promoting telehealth in specialty areas of medicine, including ophthalmology, obstetrics, and endocrinology; and

“(B) Expanding the application of telehealth to public schools, patient homes, and skilled nursing facilities.

“(b) By April 1, 2018, the Director shall submit a report to the Secretary to the Council on all grants issued pursuant to subsection (a) of this section.

“(c) All grants issued pursuant to subsection (a) of this section shall be administered pursuant to the requirements set forth in the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*).

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“(d) The Director may set forth health outcome measures for all grants issued pursuant to subsection (a) of this section.

“(e) For the purposes of this section, the term:

“(1) “Health-care provider” shall have the same meaning as provided in section 3(4) of the Health-Care Decisions Act of 1988, effective March 16, 1989 (D.C. Law 7-189; D.C. Official Code § 21-2202(4)).

“(2) “Medication-assisted treatment genomic registry” means a central location for the submission of genetic test information that health care providers can use in the provision of medication assisted treatment, clinical decision support for induction, stabilization, and maintenance treatment, and genomic-guided medication therapy management for opioid addiction.

“(3) “Telehealth” shall have the same meaning as provided in section 2(4) of the Telehealth Reimbursement Act of 2013, effective October 17, 2013 (D.C. Law 20-26; D.C. Official Code § 31-3861(4)).”.

SUBTITLE D. MEDICAL ASSISTANCE PROGRAM

Sec. 5041. Short title.

This subtitle may be cited as the “Medical Assistance Program Emergency Amendment Act of 2017”.

Sec. 5042. Section 1(a) of An Act To enable the District of Columbia to receive Federal financial assistance under title XIX of the Social Security Act for a medical assistance program, and for other purposes, approved December 27, 1967 (81 Stat. 744; D.C. Official Code § 1-307.02(a)), is amended by adding a new paragraph (11) to read as follows:

“(11) Review and approval by the Council of the Fiscal Year 2018 Budget and Financial Plan shall constitute the Council review and approval required by paragraph (2) of this subsection of any amendment, modification, or waiver of the state plan required to:

“(A) Continue a provider fee on District Medicaid hospitals for in-patient services;

“(B) Continue a supplemental payment to District Medicaid hospitals for outpatient services;

“(C) Update the payment methodology and rates for fee-for-service providers;

“(D) Renew and amend the Intellectual and Developmental Disabilities waiver;

“(E) Make changes to the health homes program; and

“(F) Make changes to mental health rehabilitation services.”.

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SUBTITLE E. SCHOOL-BASED BEHAVIORAL HEALTH COMPREHENSIVE PLAN

Sec. 5051. Short title.

This subtitle may be cited as "School-Based Behavioral Health Comprehensive Plan Emergency Amendment Act of 2017"

Sec. 5052. Section 203 of the Early Childhood and School-Based Behavioral Health Infrastructure Act of 2012, effective June 7, 2012 (D.C. Law 19-141; D.C. Official Code § 2-1517.32), is amended as follows:

(a) The existing text is designated as subsection (a).

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

"(b)(1) The Mayor shall not alter the school-based behavioral health programs and services model for the 2017-2018 school year.

"(2) There is established a Task Force on School Mental Health ("Task Force") to steer the creation of a comprehensive plan to expand school-based behavioral health programs and services. The Task Force shall consist of the following:

"(A) The Deputy Mayor for Health and Human Services or his or her designee;

"(B) The Deputy Mayor for Education or his or her designee;

"(C) The Director of the Department of Behavioral Health or his or her designee;

"(D) The State Superintendent of Education or his or her designee;

"(E) A Department of Behavioral Health school mental health program clinician appointed by the Chairperson of the Committee on Health, in consultation with committee members;

"(F) The Chairperson of the Committee on Health or his or her designee;

"(G) The Chairperson of the Committee on Education or his or her designee;

"(H) A Department of Behavioral Health school mental health program clinician appointed by the Mayor;

"(I) A representative of a core service agency appointed by the Mayor;

"(J) A non-core service agency school mental health provider appointed by the Mayor;

"(K) A District of Columbia Public Schools representative appointed by the Mayor;

"(L) A parent of a District of Columbia Public Schools student and a parent of a District of Columbia public charter school student appointed by the Chairperson of the Committee on Education, in consultation with committee members;

"(M) A non-core service agency school mental health provider appointed by the Chairperson of the Committee on Education, in consultation with committee members;

"(N) A District of Columbia public charter school representative appointed by the Chairperson of the Committee on Education, in consultation with committee members;

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“(O) A representative of a core service agency appointed by the Chairperson of the Committee on Health, in consultation with committee members; and

“(P) A school mental health expert appointed by the Chairperson of the Committee on Health, in consultation with committee members.

“(3) The Task Force shall review the comprehensive plan submitted to the Committee on Health and the Committee on Education on May 9, 2017, by the Deputy Mayor for Health and Human Services (“Deputy Mayor”).

“(4) By February 9, 2018, the Task Force shall provide a report to the Council and the Mayor that includes the following:

“(A) An evaluation of the comprehensive plan submitted under paragraph (3) of this subsection, including the following:

“(i) Any shortcomings or defects in the plan;

“(ii) An analysis of healthcare provider interest in participating in the plan;

“(iii) An analysis of healthcare provider capacity to participate in the plan; and

“(iv) District of Columbia Public Schools and District of Columbia public charter schools interest in participating in the plan;

“(B) An analysis of the school mental health programs and providers currently operating in District of Columbia Public Schools and District of Columbia public charter schools, including best practices;

“(C) An analysis of the Department of Behavioral Health’s current school mental health program (“SMHP”) to determine what schools participate in the SMHP and what activities occur across the schools, including an analysis of available Department of Behavioral health data, such as the following:

“(i) The number of psychiatric admits for children by school;

“(ii) The number of children with an individualized education plan; and

“(iii) Existing SMHP data for the number of sessions and number of clients per school;

“(D) A comprehensive plan to expand school-based behavioral health programs and services, which shall include:

“(i) The Task Force’s proposed changes to the Deputy Mayor’s comprehensive plan under paragraph (3) of this subsection;

“(ii) A timeline for implementation of the Task Force’s comprehensive plan;

“(iii) A funding source for the Task Force’s comprehensive plan;

“(iv) A workforce development strategy;

“(v) The District-wide need for school-based behavioral health programs and services; and

“(vi) Evaluation criteria to determine the common metrics all school mental health providers should collect so indicators of success may be reported across providers.”.

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Sec. 5053. Applicability.

This subtitle shall apply as of the effective date of this act.

**SUBTITLE F. MEDICAID HOSPITAL OUTPATIENT SUPPLEMENTAL
PAYMENT**

Sec. 5061. Short title.

This subtitle may be cited as the "Medicaid Hospital Outpatient Supplemental Payment Emergency Act of 2017".

Sec. 5062. Definitions.

For the purposes of this subtitle, the term:

(1) "Department" means the Department of Health Care Finance.

(2) "Hospital" shall have the same meaning as provided in section 2(a)(1) of the Health-Care and Community Residence Facility, Hospice and Home Care Licensure Act of 1983, effective February 24, 1984 (D.C. Law 5-48; D.C. Official Code § 44-501(a)(1)), but excludes any hospital operated by the federal government.

(3) "Hospital system" means any group of hospitals licensed separately, but operated, owned, or maintained by a common entity.

(4) "Medicaid" means the medical assistance programs authorized by Title XIX of the Social Security Act, approved July 30, 1965 (79 Stat. 343; 42 U.S.C. § 1396 *et seq.*), and by section 1 of An Act To enable the District of Columbia to receive Federal financial assistance under title XIX of the Social Security Act for a medical assistance program, and for other purposes, approved December 27, 1967 (81 Stat. 744; D.C. Official Code § 1-307.02), and administered by the Department.

(5) "Outpatient gross patient revenue" means the amount calculated in accordance with generally accepted accounting principles for hospitals that is reported as the sum of Lines 18 and 19; Column 2; Worksheet G-2 of the Hospital and Hospital Health Care Complex Cost Report (Form CMS 2552-10), filed for the period ending between October 1, 2014, and September 30, 2015.

Sec. 5063. Hospital Provider Fee Fund.

(a) There is established as a special fund the Hospital Provider Fee Fund ("Fund"), which shall be administered by the Department in accordance with subsections (c) and (d) of this section.

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

(1) Fees collected under this subtitle; and

(2) Interest and penalties collected under this subtitle.

(c) Money in the Fund may only be used for the following purposes:

(1) Making Medicaid outpatient hospital access payments to hospitals as required under section 5066;

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(2) Payment of administrative expenses incurred by the Department or its agent in performing the activities authorized by this subtitle in an amount not to exceed \$150,000 annually; and

(3) Providing refunds to hospitals pursuant to section 5065.

(d) Money in the Fund may not be used to replace money appropriated to the Medicaid program.

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

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

Sec. 5064. Hospital provider fee.

(a) Beginning October 1, 2017, and subject to section 5065, the District may charge each hospital a fee based on its outpatient gross patient revenue. The fee shall be charged at a uniform rate necessary to generate the following:

(1) An amount equal to the non-federal share of the total available spending room under the outpatient Medicaid upper payment limit for private hospitals applicable to District Fiscal Year ("DFY") 2018 consistent with the federal approval of the authorizing Medicaid State Plan amendment; plus

(2) An amount equal to the non-federal share of the total available spending room under the outpatient Medicaid upper payment limit for District operated hospitals applicable to DFY 2018 consistent with the federal approval of the authorizing Medicaid State Plan amendment; plus

(3) An amount equal to the Department's administrative expenses as described in section 5063(c)(2).

(b) A psychiatric hospital that is an agency or a unit of the District government is exempt from the fee imposed under subsection (a) of this section, unless the exemption is adjudged to be unconstitutional or otherwise invalid, in which case a psychiatric hospital that is an agency or a unit of the District government shall pay the fee imposed by subsection (a) of this section.

Sec. 5065. Applicability of fees.

(a) The fee imposed by section 5064 shall not be due and payable until such time that the Centers for Medicare and Medicaid Services approves the Medicaid State Plan amendment authorizing the Medicaid payments described in section 5066.

(b) The fee imposed by section 5064 shall cease to be imposed, and any moneys remaining in the Fund shall be refunded to hospitals in proportion to the amounts paid by them, if:

(1) The Department makes changes in its rules that reduce the hospital inpatient or outpatient Medicaid payment rates, including adjustment to payment rates that are in effect on October 1, 2016; or

(2) The payments to hospitals required under section 5066 are modified in any way other than to secure federal approval of such payments as described in section 5066 or are

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not eligible for federal matching funds under section 1903(w) of the Social Security Act, approved July 30, 1965 (70 Stat. 349; 42 U.S.C. § 1396b(w)) ("Social Security Act").

(c) The fee imposed by section 5064 shall not take effect or shall cease to be imposed if the fee is determined to be an impermissible tax under section 1903(w)(3)(B) of the Social Security Act by the Centers for Medicare and Medicaid Services.

(d) Should the fee imposed by section 5064 not take effect or cease to be imposed, moneys in the Fund derived from the imposed fee shall be disbursed in accordance with section 5066 to the extent federal matching is available. If federal matching is not available due to a determination by the Centers for Medicare and Medicaid Services that the fee is impermissible, any remaining moneys shall be refunded to hospitals in proportion to the amounts paid by them.

Sec. 5066. Medicaid outpatient hospital access payments.

(a)(1) For visits and services beginning October 1, 2017, quarterly Medicaid outpatient hospital access payments shall be made to each private hospital.

(2) Each payment will be equal to the hospital's DFY 2015 outpatient Medicaid payments divided by the total in District private hospital DFY 2015 outpatient Medicaid payments multiplied by 1/4 of the total outpatient private hospital access payment pool.

(3) The total outpatient private hospital access payment pool is equal to the total available spending room under the private hospital outpatient Medicaid upper payment limit for DFY 2018.

(b)(1) For visits and services beginning October 1, 2017, outpatient hospital access payments shall be made to the United Medical Center.

(2) Each payment shall be equal to 1/4 of the total outpatient public hospital access payment pool.

(3) The total outpatient public hospital access payment pool is equal to the total available spending room under the District-operated hospital outpatient Medicaid upper payment limit for DFY 2018.

(c) The quarterly Medicaid outpatient hospital access payments shall be made within 15 business days after the end of each DFY quarter for the Medicaid visits and services rendered during that quarter.

(d) No payments shall be made under this section until such time that the Centers for Medicare and Medicaid Services approves the Medicaid State Plan amendment authorizing the Medicaid payments described in this subtitle.

(e) The Medicaid payment methodologies authorized under this subtitle shall not be altered in any way unless such alteration is necessary to gain federal approval from the Centers for Medicare and Medicaid Services.

Sec. 5067. Quarterly notice and collection.

(a) The fee imposed under section 5064, which shall be calculated, due, and payable on a quarterly basis, shall be due and payable by the 15th of the last month of each DFY quarter; provided, that the fee shall not be due and payable until:

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(1) The District issues written notice that the payment methodologies for payments to hospitals required under section 5066 have been approved by the Centers for Medicare and Medicaid Services; and

(2) The District issues written notice to the hospital informing the hospital of its fee rate, outpatient gross patient revenue subject to the fee, and the fee amount owed on a quarterly basis, including, in the initial written notice from the District to the hospital, all fee amounts owed beginning with the period commencing on October 1, 2017, to ensure all applicable fee obligations have been identified.

(b)(1) If a hospital fails to pay the full amount of the fee in accordance with this subtitle, the unpaid balance shall accrue interest at the rate of 1.5% per month or any fraction thereof, which shall be added to the unpaid balance.

(2) The Chief Financial Officer may arrange a payment plan for the amount of the fee and interest in arrears.

(c) The payment by the hospital of the fee created in this subtitle shall be reported as an allowable cost for purposes of Medicaid hospital reimbursement.

Sec. 5068. Multi-hospital systems, closure, merger, and new hospitals.

(a) If a hospital system conducts, operates, or maintains more than one hospital licensed by the Department of Health, the hospital system shall pay the fee for each hospital separately.

(b)(1) Notwithstanding any other provision in this subtitle, if a hospital system or person ceases to conduct, operate, or maintain a hospital that is subject to a fee under section 5064, as evidenced by the transfer or surrender of the hospital license, the fee for the DFY in which the cessation occurs shall be adjusted by multiplying the fee computed under section 5064 by a fraction, the numerator of which is the number of days in the year during which the hospital system or person conducted, operated, or maintained the hospital, and the denominator of which is 365.

(2) Immediately upon ceasing to conduct, operate, or maintain a hospital, the hospital system or person shall pay the fee for the year as so adjusted, to the extent not previously paid.

(c) Notwithstanding any other provision in this subtitle, a hospital system or person who conducts, operates, or maintains a hospital, upon notice by the Department, shall pay the fee computed under section 5064 and subsection (a) of this section in installments on the due date stated in the notice and on the regular installment due dates for the DFY occurring after the due dates of the initial notice.

Sec. 5069. Rules.

The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat.1204; D.C. Official Code § 2-501 *et seq.*), may issue rules to implement the provisions of this subtitle.

Sec. 5070. Sunset.

This subtitle shall expire on September 30, 2018.

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SUBTITLE G. MEDICAID HOSPITAL INPATIENT FEE

Sec. 5081. Short title.

This subtitle may be cited as the "Medicaid Hospital Inpatient Rate Supplement Emergency Act of 2017".

Sec. 5082. Definitions.

For the purposes of this subtitle, the term:

- (1) "Department" means the Department of Health Care Finance.
- (2) "Hospital" shall have the same meaning as provided in section 2(a)(1) of the Health-Care and Community Residence Facility, Hospice and Home Care Licensure Act of 1983, effective February 24, 1984 (D.C. Law 5-48; D.C. Official Code § 44-501(a)(1)), but excludes any hospital operated by the federal government and any specialty hospital, as defined by the District of Columbia's Medicaid State Plan ("State Plan"), or a hospital that is reimbursed under a specialty hospital reimbursement methodology under the State Plan.
- (3) "Hospital system" means any group of hospitals licensed separately but operated, owned, or maintained by a common entity.
- (4) "Inpatient net patient revenue" means the amount calculated in accordance with generally accepted accounting principles for hospitals as derived from each hospital's filed Hospital and Hospital Health Care Complex Cost Report (Form CMS-2552-10), filed for the period ending between October 1, 2014, and September 30, 2015, using the references below:
 - (A) The sum of: Worksheet G-2; Column 1; Lines 1, 2, 3, 4, 16 and 18;
 - (B) Minus: The ratio of the sum of Worksheet G-2; Column 1; Lines 5, 6, and 7 divided by Worksheet G-2; Column 1; Line 17 multiplied by Worksheet G-2; Column 1; Line 18;
 - (C) Divided by: Worksheet G-2; Column 3; Line 28; and
 - (D) Multiplied by: Worksheet G-3; Column 1; Line 3.
- (5) "Medicaid" means the medical assistance programs authorized by Title XIX of the Social Security Act, approved July 30, 1965 (79 Stat. 343; 42 U.S.C. § 1396 *et seq.*) ("Social Security Act"), and by section 1 of An Act To enable the District of Columbia to receive Federal financial assistance under title XIX of the Social Security Act for a medical assistance program, and for other purposes, approved December 27, 1967 (81 Stat. 744; D.C. Official Code § 1-307.02), and administered by the Department.

Sec. 5083. Hospital Fund.

- (a) There is established as a special fund the Hospital Fund ("Fund"), which shall be administered by the Department in accordance with subsection (c) of this section.
- (b) Revenue from the following sources shall be deposited in the Fund:
 - (1) Fees collected under this subtitle;
 - (2) Interest and penalties collected under this subtitle; and
 - (3) Other amounts collected under this subtitle.
- (c) Money in the Fund shall be used solely as set forth in section 5084 (a)(2) of this subtitle.

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

(2) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation; provided, that any remaining money in the Fund at the end of each fiscal year shall be refunded to hospitals in proportion to the amounts paid by them.

Sec. 5084. Hospital provider fee.

(a)(1) Beginning October 1, 2017, and except as provided in subsection (b) of this section and section 5087, the District, through the Office of Tax and Revenue, may charge each hospital a fee based on its inpatient net patient revenue.

(2) The fee shall be charged at a uniform rate necessary to generate no more than \$8.8 million to support the maintenance of inpatient Medicaid Fee-for-Service rates at the District Fiscal Year ("DFY") 2015 level of 98% of cost to non-specialty hospitals.

(3) The fee collected pursuant to this section shall be deposited in the Hospital Fund, established by section 5083.

(b) A psychiatric hospital that is an agency or a unit of the District government is exempt from the fee imposed under subsection (a) of this section, unless the exemption is adjudged to be unconstitutional or otherwise invalid, in which case a psychiatric hospital that is an agency or a unit of the District government shall pay the fee imposed by subsection (a) of this section.

(c) If necessary, by August 1, 2017, the Department shall submit a provider tax waiver application to the Center for Medicare and Medicaid Services to ensure the provisions of this subtitle qualify as a broad-based health care related tax, as that term is defined in section 1903(w)(3)(B) of the Social Security Act.

Sec. 5085. Quarterly notice and collection.

(a) The fee imposed under section 5084 shall be due and payable by the 15th of the last month of each DFY quarter.

(b) The fee imposed under section 5084 shall be calculated, due, and payable on a quarterly basis, but shall not be due and payable until the District issues written notice to each hospital informing the hospital of its fee rate, inpatient net patient revenue subject to the fee, and the fee amount owed on a quarterly basis, including, in the initial written notice from the District to the hospital, all fee amounts owed beginning with the period October 1, 2017, to ensure all applicable fee obligations have been identified.

(c)(1) If a hospital fails to pay the full amount of its fee by the date required, the unpaid balance shall accrue interest at the rate of 1.5% per month or any fraction thereof, which shall be added to the unpaid balance.

(2) The Chief Financial Officer may arrange a payment plan for the amount of the fee and interest in arrears.

(d) The payment by the hospital of the fee created in this subtitle shall be reported as an allowable cost for purposes of Medicaid hospital reimbursement.

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Sec. 5086. Multi-hospital systems, closure, merger, and new hospitals.

(a) If a hospital system conducts, operates, or maintains more than one hospital licensed by the Department of Health, the hospital system shall pay the fee for each hospital separately.

(b)(1) Notwithstanding section 5084, if a hospital system or person that is subject to a fee under section 5084 ceases to conduct, operate, or maintain a hospital, as evidenced by the transfer or surrender of a hospital license, the fee for the DFY in which the cessation occurs shall be adjusted by multiplying the fee computed under section 5084 by a fraction, the numerator of which is the number of days in the year during which the hospital system or person conducts, operates, or maintains the hospital and the denominator of which is 365.

(2) Immediately upon ceasing to conduct, operate, or maintain a hospital, the hospital system or person shall pay the fee for the year as so adjusted, to the extent not previously paid.

(c) Notwithstanding any other provision of this subtitle, a hospital system or person who conducts, operates, or maintains a hospital, upon notice by the Department, shall pay the fee required under 5084 in accordance with subsection (a) of this section on the due date stated in the notice and on the regular installment due dates for the DFY occurring after the due date of the initial notice.

Sec. 5087. Federal determinations; suspension and termination of assessment.

(a) If the Centers for Medicare and Medicaid Services determines that an assessment imposed on a hospital pursuant to this subtitle does not satisfy the requirements for federal financial participation set forth in section 1903(w) of the Social Security Act, that determination shall not affect the validity, amount, applicable rate, or any other terms of an assessment on other hospitals imposed by this subtitle.

(b) If the Centers for Medicare and Medicaid Services determines that an exclusion for specialty hospitals under this subtitle would prevent an assessment imposed by this subtitle from qualifying as a broad-based health care related tax, as that term is defined in section 1903(w)(3)(B) of the Social Security Act, the exclusion of specialty hospitals shall not be made.

Sec. 5088. Rules.

The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue rules to implement the provisions of this subtitle.

Sec. 5089. Applicability; sunset.

(a) Section 5084(c) shall apply as of the effective date of this act.

(b) This subtitle shall expire on September 30, 2018.

SUBTITLE H. EAST END MEDICAL CENTER

Sec. 5091. Short title.

This subtitle may be cited as the "East End Medical Center Emergency Act of 2017".

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Sec. 5092. The Department of Health Care Finance, in coordination with the Deputy Mayor for Planning and Economic Development, shall develop a plan to establish a high-quality, full-service community hospital on the Saint Elizabeths East Campus.

TITLE VI. TRANSPORTATION, PUBLIC WORKS, AND THE ENVIRONMENT**SUBTITLE A. PRODUCT STEWARDSHIP**

Sec. 6001. Short title.

This subtitle may be cited as the "Product Stewardship Emergency Amendment Act of 2017".

Sec. 6002. The Paint Stewardship Act of 2014, effective March 11, 2015 (D.C. Law 20-205; D.C. Official Code § 8-233.01 *et seq.*), is amended as follows:

(a) Section 5 (D.C. Official Code § 8-233.04) is amended by adding a new subsection (f) to read as follows:

"(f) Permit fees collected pursuant to this section shall be deposited in the Product Stewardship Fund established by section 127 of the Sustainable Solid Waste Management Emergency Amendment Act of 2014, passed on emergency basis on June 27, 2017 (Enrolled version of Bill 22-341)."

(b) Section 7(b) (D.C. Official Code § 8-233.06(b)) is amended as follows:

(1) Designate the existing text as paragraph (1).

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

"(2) Revenue generated from the enforcement of this act shall be deposited in the Product Stewardship Fund established by section 127 of the Sustainable Solid Waste Management Emergency Amendment Act of 2014, passed on emergency basis on June 27, 2017 (Enrolled version of Bill 22-341)."

Sec. 6003. Title I of the Sustainable Solid Waste Management Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-154; D.C. Official Code § 8-1041.01 *et seq.*), is amended as follows:

(a) Section 115(4) (D.C. Official Code § 8-1041.01(4)) is amended by striking the phrase "Cosmetic Act." and inserting the phrase "Cosmetic Act. The term "covered electronic equipment" also does not include equipment that is sold to the District government or the federal government." in its place.

(b) Section 118(d) (D.C. Official Code § 8-1041.04(d)) is amended to read as follows:

"(d) Fees collected under this section shall be deposited in the Product Stewardship Fund established by section 127."

(c) Section 126 (D.C. Official Code § 8-1041.12) is amended as follows:

(1) Subsection (a) is amended by adding a new paragraph (3) to read as follows:

"(3) The Mayor may, by rule, restrict the definition of covered electronic equipment to exclude equipment sold to businesses with 100 or more employees."

(2) Subsection (b) is amended by striking the period and adding the phrase "Revenue generated from the enforcement of this subtitle shall be deposited in the Product Stewardship Fund established by section 127." in its place.

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(d) A new Subtitle C is added to read as follows:

“SUBTITLE C. PRODUCT STEWARDSHIP

“Sec. 127. Product Stewardship Fund.

“(a) There is established as a special fund the Product Stewardship Fund (“Fund”), which shall be administered by the Mayor in accordance with subsection (c) of this section.

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

“(1) Permit fees collected pursuant to section 5 of the Paint Stewardship Act of 2014, effective March 11, 2015 (D.C. Law 20-205; D.C. Official Code § 8-233.04);

“(2) Civil fines and penalties collected pursuant to section 7 of the Paint Stewardship Act of 2014, effective March 11, 2015 (D.C. Law 20-205; D.C. Official Code § 8-233.06);

“(3) Fees collected pursuant to section 118; and

“(4) Civil penalties and fines collected pursuant to section 126.

“(c) Money in the Fund shall be used for the purposes of supporting and administering the Paint Stewardship Act of 2014, effective March 11, 2015 (D.C. Law 20-205; D.C. Official Code § 8-233.01 *et seq.*), and Subtitle B.

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

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

SUBTITLE B. SOLAR FOR ALL PROGRAM

Sec. 6011. Short title.

This subtitle may be cited as the “Solar for All Program Emergency Amendment Act of 2017”.

Sec. 6012. Section 216 of the Clean and Affordable Energy Act of 2008, effective October 8, 2016 (D.C. Law 21-154; D.C. Official Code § 8-1774.16), is amended as follows:

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

“(a)(1) There is established the Solar for All Program (“Program”) to increase the access of seniors, small local businesses, nonprofits, and low-income households in the District to the benefits of solar power.

“(2) The Program shall provide the long-term financial benefits of solar energy production to at least 100,000 District low-income households in an amount equivalent to at least 50% of the District’s average residential electric bills for calendar year 2016 by December 31, 2032. The Department shall, to the extent feasible, meet this goal by reducing low-income households’ electric or gas bills by at least 50%.”.

(b) Subsection (e)(1)(C) is amended to read as follows:

“(C) Annual benchmarks for complying with subsection (a)(2) of this section.”.

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SUBTITLE C. LIHEAP HEAT AND EAT INITIATIVE

Sec. 6021. Short title.

This subtitle may be cited as the “LIHEAP Heat and Eat Initiative Emergency Amendment Act of 2017”.

Sec. 6022. Section 5083(b) of the Food Stamp Expansion Act of 2009, effective March 3, 2010 (D.C. Law 18-111; D.C. Official Code § 4-261.03(b)), is amended by striking the phrase “recipients shall” and inserting the phrase “recipients who would receive additional SNAP benefits if they received the minimum annual benefit described in subsection (c) of this section shall” in its place.

SUBTITLE D. AIR QUALITY CONSTRUCTION PERMITS FUND

Sec. 6031. Short title.

This subtitle may be cited as the “Air Quality Construction Permits Fund Emergency Amendment Act of 2017”.

Sec. 6032. The District of Columbia Air Pollution Control Act of 1984, effective March 15, 1985 (D.C. Law 5-165; D.C. Official Code § 8-101.01 *et seq.*), is amended by adding a new section 5i to read as follows:

“Sec. 5i. Air Quality Construction Permits Fund.

“(a) There is established as a special fund the Air Quality Construction Permits Fund (“Fund”), which shall be administered by the Director of the Department of Energy and Environment in accordance with subsection (c) of this section.

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

“(1) Fees collected pursuant to this act; and

“(2) Revenue generated from the enforcement of this act.

“(c) Money in the Fund shall be used to support and administer the air quality programs of the Department of Energy and Environment.

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

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

SUBTITLE E. SOIL EROSION AND SEDIMENT CONTROL FUND

Sec. 6041. Short title.

This subtitle may be cited as the “Soil Erosion and Sediment Control Fund Emergency Amendment Act of 2017”.

Sec. 6042. The Water Pollution Control Act of 1984, effective March 16, 1985 (D.C. Law 5-188; D.C. Official Code § 8-103.01 *et seq.*), is amended by adding a new section 10c to read as follows:

“Sec. 10c. Soil Erosion and Sediment Control Fund.

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“(a) There is established as a special fund the Soil Erosion and Sediment Control Fund (“Fund”), which shall be administered by the Director of the Department of Energy and Environment in accordance with subsection (c) of this section.

“(b) Revenue collected under this act from the Department of Energy and Environment’s review of construction plans for erosion and sediment control shall be deposited in the Fund.

“(c) Money in the Fund shall be used for the purposes of supporting and administering the soil erosion and sediment control programs of the Department of Energy and Environment.

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

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

SUBTITLE F. STORMWATER FEES FUND

Sec. 6051. Short title.

This subtitle may be cited as the “Stormwater Fees Fund Emergency Amendment Act of 2017”.

Sec. 6052. The Water Pollution Control Act of 1984, effective March 16, 1985 (D.C. Law 5-188; D.C. Official Code § 8-103.01 *et seq.*), is amended by adding a new section 10d to read as follows:

“Sec. 10d. Stormwater Fees Fund.

“(a) There is established as a special fund the Stormwater Fees Fund (“Fund”), which shall be administered by the Director of the Department of Energy and Environment in accordance with subsection (c) of this section.

“(b) Revenue collected under this act from the Department of Energy and Environment’s review of construction and grading plans for stormwater management shall be deposited into the Fund.

“(c) Money in the Fund shall be used for the purposes of supporting and administering the stormwater management programs of the Department of Energy and Environment.

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

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

Sec. 6053. Applicability.

This subtitle shall apply as of the effective date of this act.

SUBTITLE G. WETLAND FUND

Sec. 6061. Short title.

This subtitle may be cited as the “Wetland Fund Emergency Amendment Act of 2017”.

Sec. 6062. Section 10(d)(1) of the Water Pollution Control Act of 1984, effective March 16, 1985 (D.C. Law 5-188; D.C. Official Code § 8-103.09(d)(1)), is amended by striking the phrase

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“Excluding monies collected in the current year, any money deposited in the Wetland Fund in the year prior to the current year and the interest earned on that money remaining in the Fund after the payment of the costs accrued in the prior year, less 10% of the remainder amount that shall be retained as a reserve operating balance, shall be transferred or revert to the General Fund of the District of Columbia” and inserting the phrase “The money deposited into the Fund shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time. Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation” in its place.

SUBTITLE H. PRIVATE SPONSORSHIP OF DC CIRCULATOR AND DC STREETCAR

Sec. 6071. Short title.

This subtitle may be cited as the “Private Sponsorship of DC Circulator and DC Streetcar Emergency Amendment Act of 2017”.

Sec. 6072. The Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14–137; D.C. Official Code § 50–921.01 *et seq.*), is amended as follows:

(a) Section 5(a)(3)(H)(ii) (D.C. Official Code § 50-921.04(a)(3)(H)(ii)) is amended by striking the phrase “section 9h;” and inserting the phrase “section 9h; provided further, that proceeds relating to private sponsorship of vehicles, equipment, and facilities used in the DC Circulator program shall be deposited into the DC Circulator Fund established by section 11c; provided further, that proceeds relating to private sponsorship of vehicles, equipment, and facilities used in the DC Streetcar program shall be deposited into the DC Streetcar Fund established by section 11o;” in its place.

(b) Section 11b (D.C. Official Code § 50-921.32) is amended as follows:

(1) Paragraph (2) is amended by striking the phrase “; and” and inserting a semicolon in its place.

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

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

“(4) Enter into agreements to allow the private sponsorship of vehicles, equipment, and facilities used in the DC Circulator program, and the placement of a corporate logo, slogan, or other indicia of sponsorship on the vehicles, equipment, or facilities, and on related websites and social media; provided, that a proposed private sponsorship agreement entered into pursuant to this paragraph shall be submitted, before execution, to the Council for a 45-day period of review, excluding Saturdays, Sundays, legal holidays, and days of Council recess. The agreement submitted to the Council shall include detailed information about the proposed private sponsorship agreement, including, if the agreement contemplates the placement of a corporate logo, slogan, or other indicia of sponsorship on the vehicles, equipment, or facilities, or websites or social media, a drawing depicting how the vehicles, equipment, or facilities, or websites or social media, will appear. If the Council does not approve or disapprove

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the proposed private sponsorship agreement by resolution within this 45-day review period, the proposed private sponsorship agreement shall be deemed approved.”.

(c) Section 11n (D.C. Official Code § 50-921.72) is amended as follows:

(1) Paragraph (3) is amended by striking the phrase “; and” and inserting a semicolon in its place.

(2) Paragraph (4) is amended by striking the period and inserting the phrase “; and” in its place.

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

“(5) Enter into agreements to allow the private sponsorship of vehicles, equipment, and facilities used in the DC Streetcar program, and the placement of a corporate logo, slogan, or other indicia of sponsorship on the vehicles, equipment, or facilities, and on related websites and social media; provided, that a proposed private sponsorship agreement entered into pursuant to this paragraph shall be submitted, before execution, to the Council for a 45-day period of review, excluding Saturdays, Sundays, legal holidays, and days of Council recess. The agreement submitted to the Council shall include detailed information about the proposed private sponsorship agreement, including, if the agreement contemplates the placement of a corporate logo, slogan, or other indicia of sponsorship on the vehicles, equipment, or facilities, or websites or social media, a drawing depicting how the vehicles, equipment, or facilities, or websites or social media, will appear. If the Council does not approve or disapprove the proposed private sponsorship agreement by resolution within the 45-day review period, the proposed private sponsorship agreement shall be deemed approved.”.

SUBTITLE I. COMPETITIVE GRANTS

Sec. 6081. Short title.

This subtitle may be cited as the “Competitive Grants Emergency Act of 2017”.

Sec. 6082. In Fiscal Year 2018, the Department of Small and Local Business Development shall award a grant, on a competitive basis, in an amount not to exceed \$200,000, to support the development of a pilot program to operate a nonprofit grocery store in Ward 8.

Sec. 6083. In Fiscal Year 2018, the Department of Small and Local Business Development shall award a grant, on a competitive basis, in an amount not to exceed \$200,000, to support the development of a pilot program to operate a community-owned grocery store in Ward 8.

Sec. 6084. In Fiscal Year 2018, the Department of Small and Local Business Development shall award a grant, on a competitive basis, in an amount not to exceed \$250,000, to support the costs associated with the creation of an equitable food business incubator in Ward 8.

Sec. 6085. In Fiscal Year 2018, the Department of Energy and Environment shall award a grant, on a competitive basis, in an amount not to exceed \$150,000, to conduct a study to analyze

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aircraft noise from Ronald Reagan Washington National Airport and recommend improvements to its noise abatement programs.

Sec. 6086. In Fiscal Year 2018, the Office of Planning shall award a grant, on a competitive basis, in an amount not to exceed \$200,000, to a nonprofit organization seeking a matching grant to improve federally owned park land in the District.

Sec. 6087. In Fiscal Year 2018, the Department of Parks and Recreation shall award grants, on a competitive basis, in an amount not to exceed \$5,000 for each grant and \$40,000 for all grants awarded under this section, to organize a community run or walk event series in each ward.

SUBTITLE J. CRUMB RUBBER SYNTHETIC TURF MORATORIUM

Sec. 6091. Short title.

This subtitle may be cited as the "Crumb Rubber Artificial Turf Moratorium Emergency Act of 2017".

Sec. 6092. Beginning on the effective date of the Crumb Rubber Artificial Turf Moratorium Act of 2017, passed on 2nd reading on June 27, 2017 (Enrolled version of Bill 22-244), there shall be a moratorium on the installation or construction of any synthetic turf fields made from crumb rubber or other materials made from recycled tires on property owned or leased by the District.

SUBTITLE K. ENERGY ASSISTANCE TRUST FUND FEE

Sec. 6101. Short title.

This subtitle may be cited as the "Energy Assistance Trust Fund Fee Emergency Amendment Act of 2017".

Sec. 6102. Section 211 of the Clean and Affordable Energy Act of 2008, effective October 22, 2008 (D.C. Law 17-250; D.C. Official Code § 8-1774.11), is amended as follows:

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

(1) Paragraph (1) is amended by striking the phrase "\$.0051 per therm" and inserting the phrase "\$0.0083359 per therm" in its place.

(2) Paragraph (2) is amended by striking the phrase "\$0.0000607 per-kilowatt hour" and inserting the phrase "\$0.0002322 per-kilowatt hour" in its place.

(b) Subsection (c) is amended by striking the phrase "program in the amount of \$2.33 million annually," and inserting the phrase "program," in its place.

SUBTITLE L. HEALTHY SCHOOLS ACT

Sec. 6111. Short title.

This subtitle may be cited as the "Healthy Schools Emergency Amendment Act of 2017".

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Sec. 6112. The Healthy Schools Act of 2010, effective July 27, 2010 (D.C. Law 18-209; D.C. Official Code § 38-821.01 *et seq.*), is amended as follows:

(a) Section 101 (D.C. Official Code § 38-821.01) is amended as follows:

(1) Paragraph (1) is redesignated as paragraph (1A).

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

“(1) “Formula grants process” means a process developed by OSSE to distribute grants based on the availability of funding and the needs of schools, as identified through OSSE data collection tools.”.

(b) Section 102 (D.C. Official Code § 38-821.02) is amended as follows:

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

(A) Paragraph (6) is amended by striking the phrase “through a competitive process” and inserting the phrase “through a competitive process or a formula grants process” in its place.

(B) Paragraph (7) is amended by striking the phrase “through a competitive process” and inserting “through a competitive process or a formula grants process” in its place.

(C) New paragraphs (9) and (10) are added to read as follows:

“(9) To increase nutrition education in schools, the Office of the State Superintendent of Education shall make grants available, subject to the availability of funds in the Fund, through either a competitive grant process or a formula grants process, to public schools, public charter schools, and organizations that provide technical assistance to public schools and public charter schools to incorporate nutrition education into the school day.

“(10) To increase cafeteria staff’s abilities to provide healthy meals for students, the Office of the State Superintendent for Education shall make grants available, subject to the availability of funds in the Fund, through either a competitive grant process or a formula grants process, to public schools and public charter schools for the acquisition of kitchen equipment and training sessions for cafeteria workers on cooking skills and nutrition.”.

(2) Subsection (f) is amended as follows:

(A) The existing text is designated as paragraph (1).

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

“(2) For the fiscal year beginning on October 1, 2017, and ending on September 30, 2018, in addition to the amount required by paragraph (1) of this subsection, an additional \$400,000 from the revenues derived from the collection of the tax imposed upon all vendors by D.C. Official Code § 47-2002 shall be deposited into the Fund.”.

SUBTITLE M. TREE CANOPY PROTECTION

Sec. 6121. Short title.

This subtitle may be cited as the “Tree Canopy Protection Emergency Amendment Act of 2017”.

Sec. 6122. Section 4(a) of the Tree Canopy Protection Amendment Act of 2016, effective July 1, 2016 (D.C. Law 21-133; D.C. Official Code § 8-651.02, note, § 8-651.04, note, and § 8-651.04a, note), is amended to read as follows:

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“(a) Section 2(b)(1) and (c) shall not apply to:

“(1) A tree with a circumference of 55 inches or more for which a person or nongovernmental entity has an application for a tree removal permit, which is subsequently approved, pending as of the effective date of this act; or

“(2) A tree with a circumference of 100 inches or more that is located on residential property for which a District resident has a building permit application, which is subsequently approved, for a single-family home that contemplates removal of the tree pending as of October 1, 2016.”.

SUBTITLE N. LEAD EXPOSURE FROM DRINKING WATER IN CHILD DEVELOPMENT FACILITIES PREVENTION

Sec. 6131. Short title.

This subtitle may be cited as the “Lead Exposure from Drinking Water in Child Development Facilities Prevention Emergency Amendment Act of 2017”.

Sec. 6132. The Child Development Facilities Regulation Act of 1998, effective April 13, 1999 (D.C. Law 12-215; D.C. Official Code § 7-2031 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 7-2031) is amended as follows:

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

“(3A)(A) “Drinking water source” means a source of water on the property of a child development facility where children or adults can be expected to consume or cook with the water originating from that source.

“(B) The term “drinking water source” shall not include a source of water for which a child development facility posts a conspicuous sign pursuant to section 21a(b)(3).”.

(2) A new paragraph (7A) is added to read as follows:

“(7A) “Remediation plan” means, at a minimum, a plan to:

“(A) Decrease the elevated lead concentration in a drinking water source to 5 parts per billion or less; or

“(B) Preclude people from consuming water from that source.”.

(b) A new section 21a is added to read as follows:

“Sec. 21a. Prevention of lead in drinking water in child development facilities.

“(a) Within 120 days after the effective date of the Lead Exposure from Drinking Water in Child Development Facilities Prevention Amendment Act of 2017, passed on 2nd reading on June 27, 2017 (Enrolled version of Bill 22-244), the Department of Energy and Environment (“DOEE”) shall provide a list of approved contractors to all child development facilities, from which child development facilities shall select a contractor to assist in meeting the requirements of subsection (b) of this section.

“(b) By September 30, 2019, each child development facility shall:

“(1) Locate all drinking water sources at the child development facility;

“(2) Install a filter that reduces lead in drinking water on each drinking water source in the child development facility and maintain the filters, at a minimum, in a manner consistent with the manufacturer’s recommendations. Filters or all of the filter’s component parts shall be certified for lead reduction to the National Sanitation Foundation (NSF) /American

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National Standards Institute (ANSI) Standard 53 for Health Effects or NSF/ANSI Standard 61 for Health Effects;

“(3) Post conspicuous signs near all water sources at the child development facility that are not drinking water sources that include an image that clearly communicates that the water source should not be used for cooking, when applicable, or consumed;

“(4) Test all drinking water sources for lead annually; and

“(5) If a test conducted pursuant to paragraph (4) of this subsection shows a lead concentration over 5 parts per billion:

“(A) Shut off the drinking water source within 24 hours of receiving the test result and keep the drinking water source shut off until a subsequent test shows that the lead concentration level is not over 5 parts per billion;

“(B) Notify, via email or written communication, parents and guardians of children at the child development facility about the test result and remediation plan within 5 business days of receiving the test result; and

“(C) Notify parents and guardians of children at the child development facility within 5 business days of the completion of the remediation plan.

“(c)(1) Any contractor selected pursuant to subsection (a) of this section shall, at times and in a manner to be determined by the Mayor, provide the child development facility that selected the contractor with written proof that the contractor’s service complied with the requirements of this section.

“(2) A child development facility shall, at times and in a manner to be determined by the Mayor, provide proof of compliance with this section to DOEE.

“(d) After the child development facility provides proof of compliance to DOEE pursuant to subsection (c)(2) of this section, DOEE shall:

“(1) Compensate the contractor selected pursuant to subsection (a) of this section, pursuant to rules issued under subsection (h) of this section; and

“(2) Notify the Office of the State Superintendent of Education as to whether the child development facility has complied with the requirements of this section.

“(e)(1) If a contractor provides a false or misleading proof of compliance under subsection (c)(1) of this section, the Mayor shall, for a 5-year period:

“(A) Remove the contractor from all DOEE-approved contractor lists;

“(B) Prohibit the contractor from participating in the activities described in this section; and

“(C) Prohibit the contractor from conducting business with the District government.

“(2) The penalty provided in this subsection shall be in addition to any other penalty provided by law.

“(3) A person aggrieved by an action of the Mayor taken pursuant to paragraph (1) of this subsection may appeal the action of the Mayor to the Office of Administrative Hearings pursuant to section 6(b-14) of the Office of Administrative Hearings Establishment Act of 2001, effective March 6, 2002 (D.C. Law 14-76; D.C. Official Code § 2-1831.03(b-14)).

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“(f) OSSE, in consultation with DOEE, shall provide to the Mayor, the Council, and the Healthy Schools and Youth Commission, no later than June 30 of each year, a report on child development facility compliance with this section.

“(g) Nothing in this subsection is intended to, or does, create a private right of action against any person or entity based upon compliance or noncompliance with its provisions. No person or entity may assert any claim or right as a beneficiary or protected class under this subsection in any civil, criminal, or administrative action against the District of Columbia.

“(h) Within 120 days after the effective date of the Lead Exposure from Drinking Water in Child Development Facilities Prevention Amendment Act of 2017, passed on 2nd reading on June 27, 2017 (Enrolled version of Bill 22-244), DOEE, in consultation with OSSE, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), shall issue rules to implement the provisions of this section, including rules by which DOEE shall compensate contractors for services provided under subsection (b) of this section.”.

Sec. 6133. Chapter 1 of Title 5-A of the District of Columbia Municipal Regulations (5-A DCMR § 100 *et seq.*) is amended as follows:

(a) Section 103.5 (5-A DCMR § 103.5) is amended by adding a new paragraph (c-1) to read as follows:

“(c-1) Proof of compliance with section 21a of the Facilities Act;”.

(b) Section 104.5 (5-A DCMR § 104.5) is amended by adding a new paragraph (a-1) to read as follows:

“(a-1) Proof of compliance with section 21a of the Facilities Act;”.

(c) Section 122.8 (5-A DCMR § 122.8) is amended to read as follows:

“122.8 A Licensee shall ensure that a Facility is:

“(a) Free of any lead-based paint hazards; and

“(b) In compliance with section 21a of the Facilities Act with respect to all drinking water sources.”.

(d) Section 129.2 (5-A DCMR § 129.2) is amended by adding a new paragraph (c-1) to read as follows:

“(c-1) Proof of compliance with section 21a of the Facilities Act;”.

Sec. 6134. Section 6 of the Office of Administrative Hearings Establishment Act of 2001, effective March 6, 2002 (D.C. Law 14-76; D.C. Official Code § 2-1831.03), is amended by adding a new subsection (b-14) to read as follows:

“(b-14) In addition to those cases described in subsections (a), (b), (b-1), (b-2), (b-3), (b-4), (b-5), (b-6), (b-7), (b-8), (b-9), (b-10), (b-11), (b-12), and (b-13), this act shall apply to all adjudicated cases involving contractors who provide false or misleading proof of compliance under section 21a of the Child Development Facilities Regulation Act of 1998, passed on 2nd reading on June 27, 2017 (Enrolled version of Bill 22-244).”.

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TITLE VII. FINANCE AND REVENUE**SUBTITLE A. SUBJECT TO APPROPRIATIONS**

Sec. 7001. Short title.

This subtitle may be cited as the "Subject to Appropriations Emergency Amendment Act of 2017".

Sec. 7002. Section 4 of the Bicycle Safety Enhancement Amendment Act of 2008, effective March 25, 2009 (D.C. Law 17-352; 56 DCR 1115), is repealed.

Sec. 7003. Section 111(e) of the Prohibition Against Human Trafficking Amendment Act of 2010, effective October 23, 2010 (D.C. Law 18-239; D.C. Official Code § 22-1841(e)), is repealed.

Sec. 7004. Section 3 of the Rhode Island Avenue Metro Plaza Revenue Bonds Amendment Act of 2010, effective March 31, 2011 (D.C. Law 18-344; 58 DCR 630), is repealed.

Sec. 7005. Section 19 of the Health Benefit Exchange Authority Establishment Act of 2011, effective March 2, 2012 (D.C. Law 19-94; D.C. Official Code § 31-3171.18), is repealed.

Sec. 7006. Section 3 of the Residential Parking Protection Amendment Act of 2012, effective October 22, 2012 (D.C. Law 19-182; 59 DCR 9427), is repealed.

Sec. 7007. Section 656 of the Fire and Police Medical Leave and Limited Duty Amendment Act of 2004, effective May 1, 2013 (D.C. Law 19-311; D.C. Official Code § 5-656), is amended to read as follows:

"Sec. 656. Applicability.

"(a) Except as provided in subsections (b) and (c) of this section, this subtitle shall apply as of October 1, 2016.

"(b) Section 654 shall apply as of October 1, 2017.

"(c)(1) Section 652 shall apply upon the date of inclusion of its fiscal effect in an approved budget and financial plan.

"(2) 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.

"(3)(A) The Budget Director shall cause the notice of the certification to be published in the District of Columbia Register.

"(B) The date of publication of the notice of the certification shall not affect the applicability of this section."

Sec. 7008. Section 401 of the Parent and Student Empowerment Amendment Act of 2013, effective February 22, 2014 (D.C. Law 20-76; 61 DCR 39), is repealed.

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Sec. 7009. Section 12(b) of the Public Space Enforcement Amendment Act of 2014, effective March 11, 2015 (D.C. Law 20-207; 61 DCR 12690), is repealed.

Sec. 7010. Section 301 of the Soccer Stadium Development Amendment Act of 2014, effective March 11, 2015 (D.C. Law 20-233; 62 DCR 438), is repealed.

Sec. 7011. Section 4 of the Health-Care Decisions Amendment Act of 2015, effective February 27, 2016 (D.C. Law 21-72; 63 DCR 208), is repealed.

Sec. 7012. Section 3 of the Carcinogenic Flame Retardant Prohibition Amendment Act of 2016, effective May 12, 2016 (D.C. Law 21-108; 63 DCR 4315), is repealed.

Sec. 7013. Section 4 of the Youth Suicide Prevention and School Climate Survey Amendment Act of 2016, effective June 17, 2016 (D.C. Law 21-120; 63 DCR 6856), is repealed.

Sec. 7014. Section 901 of the Neighborhood Engagement Achieves Results Amendment Act of 2016, effective June 30, 2016 (D.C. Law 21-125; 63 DCR 4659), is repealed.

Sec. 7015. Section 901 of the Bicycle and Pedestrian Safety Amendment Act of 2016, effective October 8, 2016 (D.C. Law 21-155; 63 DCR 10143), is repealed.

Sec. 7016. Section 18 of the Building Service Employees Minimum Work Week Act of 2016, effective October 8, 2016 (D.C. Law 21-157; D.C. Official Code § 32-1051.17), is repealed.

Sec. 7017. Section 5 of the Procurement Integrity, Transparency, and Accountability Amendment Act of 2016, effective October 21, 2016 (D.C. Law 21-158; 63 DCR 10752), is amended by striking the phrase “Amendatory sections 205(c)(3), 207(a), and 606 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-351.01 *et seq.*), within section 3(e), (g), and (m),” and inserting the phrase “Amendatory sections 205(c)(3) and 606 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-351.01 *et seq.*), within section 3(e) and (m),” in its place.

Sec. 7018. (a) Section 18 of the Death with Dignity Act of 2016, effective February 18, 2017 (D.C. Law 21-182; D.C. Official Code § 7-661.17), is repealed.

(b) This section shall apply as of the effective date of this act.

Sec. 7019. Section 4 of the Charitable Solicitations Relief Amendment Act of 2016, effective February 18, 2017 (D.C. Law 21-202; 63 DCR 15043), is repealed.

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Sec. 7020. Section 4 of the Food, Environmental, and Economic Development in the District of Columbia Amendment Act of 2016, effective February 18, 2017 (D.C. Law 21-204; 63 DCR 15047), is repealed.

Sec. 7021. Section 5 of the Automatic Voter Registration Amendment Act of 2016, effective February 18, 2017 (D.C. Law 21-208; 63 DCR 15285), is repealed.

Sec. 7022. Section 4 of the Medical Marijuana Omnibus Amendment Act of 2016, effective February 18, 2017 (D.C. Law 21-209; 63 DCR 15291), is repealed.

Sec. 7023. Section 5 of the Relocation Expenses Recoupment and Lien Authority Amendment Act of 2016, effective February 18, 2017 (D.C. Law 21-211; 63 DCR 15307), is repealed.

Sec. 7024. Section 4 of the Department of Consumer and Regulatory Affairs Community Partnership Amendment Act of 2016, effective February 18, 2017 (D.C. Law 21-213; 63 DCR 15330), is repealed.

Sec. 7025. Section 3 of the Planning Actively for Comprehensive Education Facilities Amendment Act of 2016, effective February 18, 2017 (D.C. Law 21-219; 63 DCMR 16023), is repealed.

Sec. 7026. Section 701(a) of the Comprehensive Youth Justice Amendment Act of 2016, effective April 4, 2017 (D.C. Law 21-238; 63 DCR 15312), is amended to read as follows:

“(a) Sections 102(e)(3) and (4), 103, and 204(b) shall apply upon the date of inclusion of their fiscal effect in an approved budget and financial plan.”

Sec. 7027. Section 3 of the Council Financial Disclosure Amendment Act of 2016, effective April 7, 2017 (D.C. Law 21-240; 64 DCR 1598), is repealed.

Sec. 7028. Section 3(a)(2), (b), and (c) of the Washington Metrorail Safety Commission Establishment Act of 2016, effective April 7, 2017 (D.C. Law 21-250; 64 DCR 1635), is repealed.

Sec. 7029. Section 6 of the State Board of Education Omnibus Amendment Act of 2016, effective April 7, 2017 (D.C. Law 21-252; 64 DCR 1656), is repealed.

Sec. 7030. Section 4 of the Fair Credit in Employment Amendment Act of 2016, effective April 7, 2017 (D.C. Law 21-256; 64 DCR 2045), is repealed.

Sec. 7031. Section 11 of the Fair Criminal Record Screening for Housing Act of 2016, effective April 7, 2017 (D.C. Law 21-259; 64 DCR 2070), is repealed.

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Sec. 7032. Section 12 of the Office of Out of School Time Grants and Youth Outcomes Establishment Act of 2016, effective April 7, 2017 (D.C. Law 21-261; 64 DCR 2090), is repealed.

Sec. 7033. Section 301 of the District of Columbia State Athletics Consolidation Act of 2016, effective April 7, 2017 (D.C. Law 21-263; 64 DCR 2110), is repealed.

Sec. 7034. Section 301 of the Universal Paid Leave Amendment Act of 2016, effective April 7, 2017 (D.C. Law 21-264; 64 DCR 2121), is repealed.

Sec. 7035. Section 3 of the First-time Homebuyer Tax Benefit Amendment Act of 2016, effective April 7, 2017 (D.C. Law 21-268; 64 DCR 2159), is repealed.

Sec. 7036. Section 3 of the Advisory Neighborhood Commissions Omnibus Amendment Act of 2016, effective April 7, 2017 (D.C. Law 21-269; 64 DCR 2162), is amended to read as follows:

“Sec. 3. Applicability.

“(a)(1) Section 2(g)(1)(B)(ii) and amendatory section 18(c) within section 2(i) shall apply upon the date of inclusion of their fiscal effect in an approved budget and financial plan.

“(2) 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.

“(3)(A) The Budget Director shall cause the notice of the certification to be published in the District of Columbia Register.

“(B) The date of publication of the notice of the certification shall not affect the applicability of these sections.

“(b) Section 2(g)(1)(A), (h)(4)(B), (h)(5)(A), (h)(7), (h)(8), and amendatory section 18(a), (b), and (d) within section 2(i) shall apply as of April 1, 2017.”

Sec. 7037. Section 3 of the Continuing Care Retirement Community Exemption Amendment Act of 2016, effective April 15, 2017 (D.C. Law 21-274; 64 DCR 951), is repealed.

Sec. 7038. Section 7 of the Child Care Study Act of 2017, enacted on June 5, 2017 (D.C. Act 22-72; 64 DCR 5610), is repealed.

SUBTITLE B. COUNCIL PERIOD 22 RULE 736 REPEALS

Sec. 7041. Short title.

This subtitle may be cited as the “Council Period 22 Rule 736 Emergency Amendment Act of 2017”.

Sec. 7042. The Housing Support for Teachers Act of 2007, effective December 21, 2007 (D.C. Law 17-66; D.C. Official Code § 38-2231 *et seq.*), is repealed.

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Sec. 7043. The Heurich House Foundation Real Property Tax Exemption and Equitable Real Property Tax Relief Act of 2007, effective January 29, 2008 (D.C. Law 17-88; D.C. Official Code § 47-1076), is repealed.

Sec. 7044. The Multi-Unit Real Estate Tax Rate Clarification Act of 2007, effective February 27, 2008 (D.C. Law 17-112; 55 DCR 1864), is repealed.

Sec. 7045. The Evictions with Dignity Amendment Act of 2008, effective April 15, 2008 (D.C. Law 17-146; 55 DCMR 2554), is repealed.

Sec. 7046. The Paramedic and Emergency Medical Technician Transition Amendment Act of 2008, effective March 31, 2009 (D.C. Law 17-356; 56 DCR 1614), is repealed.

Sec. 7047. The Housing Production Trust Fund Stabilization Amendment Act of 2008, effective March 25, 2009 (D.C. Law 17-365; 56 DCR 1217), is repealed.

Sec. 7048. The OTO Hotel at Constitution Square Economic Development Act of 2010, effective July 1, 2010 (D.C. Law 18-188; D.C. Official Code § 47-4631), is repealed.

Sec. 7049. The Shirley's Place Equitable Real Property Tax Relief Act of 2010, effective October 15, 2010 (D.C. Law 18-236; 57 DCR 7160), is repealed.

Sec. 7050. The Thirteenth Church of Christ Real Property Tax Relief and Exemption Act of 2010, effective March 8, 2011 (D.C. Law 18-292; D.C. Official Code § 47-4644), is repealed.

Sec. 7051. The Processing Sales Tax Clarification Act of 2010, effective March 12, 2011 (D.C. Law 18-324; 58 DCR 3), is repealed.

Sec. 7052. The Ballpark Fee Clarification Act of 2010, effective March 31, 2011 (D.C. Law 18-341; 58 DCMR 624), is repealed.

Sec. 7053. The Perry Street Affordable Housing Tax Exemption and Relief Act of 2010, effective March 31, 2011 (D.C. Law 18-342; D.C. Official Code § 47-4647), is repealed.

Sec. 7054. The Public Library Hours Expansion Act of 2012, effective April 20, 2013 (D.C. Law 19-256; D.C. Official Code § 39-125), is repealed.

Sec. 7055. The Howard Town Center Real Property Tax Abatement Act of 2012, effective April 20, 2013 (D.C. Law 19-257; D.C. Official Code § 47-4656), is repealed.

Sec. 7056. The Construction and Demolition Waste Recycling Accountability Act of 2012, effective April 27, 2013 (D.C. Law 19-294; D.C. Official Code § 8-1071 *et seq.*), is repealed.

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Sec. 7057. The Historic Music Cultural Institutions Expansion Tax Abatement Act of 2013, effective February 22, 2014 (D.C. Law 20-86; D.C. Official Code § 47-4662), is repealed.

Sec. 7058. The DC Promise Establishment Act of 2014, effective June 4, 2014 (D.C. Law 20-107; D.C. Official Code § 38-2751 *et seq.*), is repealed.

Sec. 7059. The Breastmilk Bank and Lactation Support Act of 2014, effective July 15, 2014 (D.C. Law 20-121; D.C. Official Code § 7-881.01 *et seq.*), is repealed.

Sec. 7060. The SeVerna, LLC, Real Property Tax Exemption and Real Property Tax Relief Act of 2014, effective March 11, 2015 (D.C. Law 20-209; D.C. Official Code § 47-1095), is repealed.

Sec. 7061. The New Bethany Baptist Church Real Property Tax Exemption Act of 2016, effective August 19, 2016 (D.C. Law 21-145; D.C. Official Code § 47-1098), is repealed.

SUBTITLE C. PRIOR BUDGET ACT

Sec. 7071. Short title.

This subtitle may be cited as the “Prior Budget Support Act Clarification Emergency Amendment Act of 2017”.

Sec. 7072. The Fiscal Year 2016 Budget Support Act of 2015, effective October 22, 2015 (D.C. Law 21-36; 62 DCR 10905), is amended as follows:

(a) Section 1042 is amended as follows:

(1) Strike the phrase “In Fiscal Year 2016, the Mayor shall submit quarterly reports” and insert the phrase “The Mayor shall submit biannual reports” in its place.

(2) Strike the phrase “within 30 days after the end of each quarter, beginning October 1, 2015” and insert the phrase “no later than 30 days after the end of the 2nd and 4th quarters of each fiscal year, beginning October 1, 2017” in its place.

(b) Section 6193 is repealed.

SUBTITLE D. OUR LADY OF PERPETUAL HELP REAL PROPERTY TAX FORGIVENESS

Sec. 7081. Short title.

This subtitle may be cited as the “Our Lady of Perpetual Help Equitable Real Property Tax Relief Emergency Act of 2017”.

Sec. 7082. The Council of the District of Columbia orders that all unpaid real property taxes, interest, penalties, fees, and other related charges assessed through February 1, 2017, against the real property known as Parcel 226, Lot 37 be forgiven.

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SUBTITLE E. INTERNATIONAL SPY MUSEUM TAX ABATEMENT

Sec. 7091. Short title.

This subtitle may be cited as the “International Spy Museum Tax Abatement Emergency Amendment Act of 2017”.

Sec. 7092. Chapter 46 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by adding a new section designation to read as follows:

“47-4666. International Spy Museum; Lot 7006, Square 387.”.

(b) A new section 47-4666 is added to read as follows:

“§ 47-4666. International Spy Museum; Lot 7006, Square 387.

“(a) Except as provided in subsection (b) of this section, the taxes imposed by Chapter 8 of this title on the real property (and any improvements thereon) described for assessment and taxation purposes as Lot 7006, Square 387 (“Property”) and currently owned by the International Spy Museum shall be abated for the real property tax year commencing:

“(1) October 1, 2016, in the amount of \$30,000;

“(2) October 1, 2017, to the extent that they exceed \$115,000;

“(3) October 1, 2018, through the real property tax year ending September 30, 2021, to the extent that they exceed \$200,000 per year; and

“(4) October 1, 2021, in the amount of 100% of the real property taxes on the Property.

“(b) The abatement provided by this section shall terminate at the beginning of the month following the date on which:

“(1) The Property is no longer being developed or used as a museum of the history of espionage, including related ancillary uses, that is open to the general public; or

“(2) The International Spy Museum, or a successor owner of the Property, is no longer exempt from District of Columbia income and franchise taxation under Subchapter II of Chapter 18 of this title.

“(c) The Property and its owner shall be subject to the provisions of §§ 47-1005, 47-1007, and 47-1009 as if the Property had been administratively exempted from real property taxation under Chapter 10 of this title.

“(d) At the discretion of the Office of Tax and Revenue, the abatements provided by this section may be allocated between half tax years for any real property tax year.

“(e) The abatement provided under this section shall be in addition to, and not in lieu of, any other tax relief or assistance from any other source applicable to the Property; provided, that no appeal of the Property’s proposed assessed value for tax years 2017 through 2021 shall be allowed and no claim for a refund of real property tax paid for real property tax years 2016 through 2021 shall be allowed; except, that the Property owner may seek enforcement of the abatement provided by this section.”.

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SUBTITLE F. REVISED REVENUE CONTINGENCY LIST

Sec. 7101. Short title.

This subtitle may be cited as the “Revised Revenue Contingency List Emergency Act of 2017”.

Sec. 7102. (a) Notwithstanding any other provision of law, if local revenues certified in the June 2017 revenue estimate and the September 2017 revenue estimate exceed the annual revenue estimate incorporated in the approved budget and financial plan for Fiscal Year 2018, these additional revenues shall be allocated as follows:

(1) 50% to the Workforce Investments account, which shall be available to fund salary increases or other items required by the terms of collective bargaining agreements that will become effective in Fiscal Year 2018; and

(2) 50% to the General Fund of the District of the Columbia (“offset”), which shall offset a dedication of general sales tax revenue to the capital improvements program (“CIP”) that in turn will be dedicated to the Washington Area Metropolitan Transit Authority (“WMATA”), in accordance with subsections (b) and (c) of this section.

(b)(1)(A) Revenue from general sales tax imposed by section 47-2002(a) of the District of Columbia Official Code at the rate of 5.75% (“general sales tax”) in an amount equal to the recurring revenue in the offset shall become a dedicated tax (“dedicated tax”) for use in the CIP.

(B) One-time funds from the offset shall be made available for use in the CIP.

(2) The revenue allocated according to paragraph (1)(A) of this subsection shall not exceed 17.4% of the total general sales tax revenues certified in the September 2017 revenue estimate.

(c)(1) Use of the dedicated tax in subsection (b)(1)(A) of this section shall be a component of the District’s dedicated funding requirement when all members of the WMATA Compact have approved a dedicated funding stream to support WMATA.

(2) Until such time as the WMATA dedicated funding stream is approved, the dedicated tax in subsection (b)(1)(A) of this section shall be available on an annual, non-recurring basis within the CIP.

SUBTITLE G. SUPERMARKET TAX INCENTIVES CLARIFICATION

Sec. 7111. Short title.

This subtitle may be cited as the “Supermarket Tax Incentives Emergency Amendment Act of 2017”.

Sec. 7112. Section 101(2)(B) of the Food, Environmental, and Economic Development in the District of Columbia Act of 2010, effective April 8, 2011 (D.C. Law 18-353; D.C. Official Code § 2-1212.01(2)(B)), is amended by striking the phrase “16,”.

Sec. 7113. Section 47-3801(1D)(B) of the District of Columbia Official Code is amended by striking the phrase “16,”.

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SUBTITLE H. ADULT LEARNER TRANSIT SUBSIDY

Sec. 7121. Short title.

This subtitle may be cited as the “Adult Learner Transit Subsidy Emergency Amendment Act of 2017”.

Sec. 7122. Section 2 of the School Transit Subsidy Act of 1978, effective March 6, 1979 (D.C. Law 2-152; D.C. Official Code § 35-233), is amended by adding a new subsection (i) to read as follows:

“(i)(1) Subject to available funds, the Mayor shall establish a program for students of adult learning programs to receive subsidies for the Metrorail and Metrobus Transit Systems.

“(2) To be eligible for the program, a student shall be:

“(A) Above 18 years of age;

“(B) A District resident; and

“(C) Enrolled in a publicly funded adult education program that is operated by or receives funding from at least one of the following:

“(i) A local education agency, including the District of Columbia Public Schools or a public charter school;

“(ii) The District of Columbia Public Library;

“(iii) The Office of the State Superintendent for Education; or

“(iv) The University of the District of Columbia Workforce Development and Lifelong Learning Program.

“(3) The total annual appropriation available for the program shall not exceed \$1.988 million.”

SUBTITLE I. COMMISSION ON THE ARTS AND HUMANITIES GRANTS

Sec. 7131. Short title.

This subtitle may be cited as the “Commission on the Arts and Humanities Grants Emergency Act of 2017”.

Sec. 7132. In Fiscal Year 2018, the Commission on the Arts and Humanities shall award, on a competitive basis, grants to:

(1) Provide support to a nonprofit, tax-exempt organization dedicated to preserving burial grounds located in Georgetown, as well as the history of African-American cemeteries, for the purpose of markings and boundaries for such cemeteries and burial grounds and to make visible and definite the locations of graves and the identity of those buried in the graves, in an amount not to exceed \$200,000;

(2) Provide orchestral performances with supporting community engagement events, such as education events and symposia, in venues within the District, along with full-orchestra performances in the Kennedy Center, in an amount not to exceed \$200,000;

(3) Provide support for infrastructure improvements, such as planting, planning, and outreach events, concerning the National Mall and its grounds, to a nonprofit organization dedicated to improving, preserving, and restoring the National Mall, in an amount not to exceed \$250,000;

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(4) Assist with capital improvements, such as replacing aging elevators and heating, ventilation, and air conditioning, at a theater in the Central Business District, as defined in section 9901 of Title 18 of the District of Columbia Municipal Regulations (18 DCMR § 9901), that offers Broadway-style musicals, in an amount not to exceed \$1.9 million;

(5) Provide a literary-enrichment program for District of Columbia Public Schools and District of Columbia public charter schools, which includes the provision of copies of literature and curricular materials and author visits for literary discussion with students, in an amount not to exceed \$250,000;

(6) Support an existing multi-stage theater organization in the Uptown Arts – Mixed Use Overlay District, as defined in section 120.1 of Title 11-W of the District of Columbia Municipal Regulations (11-W DCMR § 120.1), seeking a matching grant to upgrade or renovate its existing facilities, including for the purpose of increasing public access to the facility, in an amount not to exceed \$4.95 million;

(7) Support the establishment of a children’s museum in the Central Business District, as defined in section 9901 of Title 18 of the District of Columbia Municipal Regulations (18 DCMR § 9901), in an amount not to exceed \$700,000; and

(8) Support an existing theater and museum organization in the Central Business District, as defined in section 9901 of Title 18 of the District of Columbia Municipal Regulations (18 DCMR § 9901), that is operated through a public-private partnership and explores the American experience through the intersection of history, performance, and education, in an amount not to exceed \$100,000.

SUBTITLE J. FIRST-TIME HOMEBUYER RECORDATION TAX BENEFIT

Sec. 7141. Short title.

This subtitle may be cited as the “First-Time Homebuyer Recordation Tax Benefit Emergency Amendment Act of 2017”.

Sec. 7142. The District of Columbia Deed Recordation Tax Act, approved March 2, 1962 (76 Stat. 11; D.C. Official Code § 42-1101 *et seq.*), is amended as follows:

(a) Section 301 (D.C. Official Code § 42-1101) is amended as follows:

(1) Paragraph (16) is amended by striking the phrase “means an individual” and inserting the phrase “means an individual purchaser” in its place.

(2) Paragraph (17) is amended by striking the phrase “cooperative unit, that qualifies for the homestead deduction provided pursuant to D.C. Official Code § 47-850” and inserting the phrase “cooperative unit, purchased at an amount not to exceed \$625,000, adjusted annually by the Washington, D.C., Standard Metropolitan Statistical Area Consumer Price Index for Urban Wage Earners and Clerical Workers, that qualifies for the homestead deduction provided pursuant to D.C. Official Code § 47-850 or § 47-850.01” in its place.

(b) Section 303 (D.C. Official Code § 42-1103) is amended as follows:

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

(A) Paragraph (1) is amended as follows:

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(i) Strike the phrase "Beginning on or after October 1, 2016," and insert the phrase "Beginning on October 1 of the year that the fiscal effect of this subsection is included in an approved budget and financial plan," in its place.

(ii) Strike the phrase "the recordation tax" and insert the phrase "the rate of tax provided under subsection (a) of this section" in its place.

(iii) Strike the phrase "except, that" and insert the phrase "provided further, that" in its place.

(iv) Strike the phrase "shall be applied" and insert the phrase "shall be allocated" in its place.

(v) Strike the phrase "homebuyer on the HUD-1 settlement statement." and insert the phrase "homebuyer, as shown on the settlement statement or closing disclosure form." in its place.

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

(i) The lead-in text is amended by striking the phrase "shall:" and inserting the phrase "shall, at the time the deed is offered for recordation:" in its place.

(ii) Subparagraph (B) is amended by striking the phrase "a household" and inserting the phrase "a household, including all owners," in its place.

(iii) Subparagraph (D) is amended by striking the phrase "a copy of the deed and".

(C) Paragraph (3) is repealed.

(2) Subsection (f) is amended as follows:

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

"(f) By December 1 of the 4th year of the applicability of the recordation reduction tax benefit established by subsection (e) of this section, the Mayor shall submit a report to the Council that analyzes the impact of the recordation reduction tax benefit for first-time District homebuyers, which shall include:".

(B) Paragraph (4) is amended by striking the word "and" at the end.

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

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

"(6) A recommendation regarding whether or not to continue the recordation reduction tax benefit.".

SUBTITLE K. PARKING SALES TAX CLARIFICATION

Sec. 7151. Short title.

This subtitle may be cited as the "Parking Sales Tax Clarification Emergency Amendment Act of 2017".

Sec. 7152. Section 47-2002(a)(1) of the District of Columbia Official Code is amended by striking the phrase "station; provided, that after October 1, 2017, the rate of tax shall be 22%;" and inserting the phrase "station;" in its place.

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SUBTITLE L. PUBLIC SPACE RENTAL FORGIVENESS

Sec. 7161. Short title.

This subtitle may be cited as the “Public Space Rental Forgiveness Emergency Act of 2017”.

Sec. 7162. The Council orders that the public space rental fees levied against the public space location 801 13th Street, N.W. (Lot 812, Square 287) pursuant to the District of Columbia Public Space Rental Act, approved October 17, 1968 (82 Stat. 1158; D.C. Official Code § 10-1103.01 *et seq.*) (“Act”), that cover the period between July 1, 2016, to June 30, 2017, and any interest, penalty, and fee, or other charge, including any charge levied pursuant to section 308 of the Act, be forgiven and any amounts paid for this period, if any, be refunded.

Sec. 7163. Applicability.

This subtitle shall apply as of the effective date of this act.

SUBTITLE M. TAX REFORM

Sec. 7171. Short title.

This subtitle may be cited as the “Tax Reform Emergency Amendment Act of 2017”.

Sec. 7172. Chapter 18 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) Section 47-1801.04(44) is amended as follows:

(1) Subparagraph (A) is amended as follows:

(A) Sub-subparagraph (ii) is amended to read as follows:

“(ii) For taxable years beginning after December 31, 2014, but before January 1, 2017, \$5,200 increased annually by the cost-of-living adjustment (if the adjustment does not result in a multiple of \$50, rounded to the next lowest multiple of \$50);”.

(B) New sub-subparagraphs (iii) and (iv) are added to read as follows:

“(iii) For taxable years beginning after December 31, 2016, but before January 1, 2018, \$5,650 increased annually by the cost-of-living adjustment (if the adjustment does not result in a multiple of \$50, rounded to the next lowest multiple of \$50); or

“(iv) For taxable years beginning after December 31, 2017, the standard deduction as prescribed in section 63(c) of the Internal Revenue Code of 1986.”.

(2) Subparagraph (B) is amended as follows:

(A) Sub-subparagraph (ii) is amended to read as follows:

“(ii) For taxable years beginning after December 31, 2014, but before January 1, 2017, \$6,500 increased annually by the cost-of-living adjustment (if the adjustment does not result in a multiple of \$50, rounded to the next lowest multiple of \$50);”.

(B) New sub-subparagraphs (iii) and (iv) are added to read as follows:

“(iii) For taxable years beginning after December 31, 2016, but before January 1, 2018, \$7,800 increased annually by the cost-of-living adjustment (if the adjustment does not result in a multiple of \$50, rounded to the next lowest multiple of \$50); or

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“(iv) For taxable years beginning after December 31, 2017, the standard deduction as prescribed in section 63(c) of the Internal Revenue Code of 1986.”

(3) Subparagraph (C) is amended as follows:

(A) Sub-subparagraph (ii) is amended to read as follows:

“(ii) For taxable years beginning after December 31, 2014, but before January 1, 2017, \$8,350 increased annually by the cost-of-living adjustment (if the adjustment does not result in a multiple of \$50, rounded to the next lowest multiple of \$50);”

(B) New sub-subparagraphs (iii) and (iv) are added to read as follows:

“(iii) For taxable years beginning after December 31, 2016, but before January 1, 2018, \$10,275 increased annually by the cost-of-living adjustment (if the adjustment does not result in a multiple of \$50, rounded to the next lowest multiple of \$50); or

“(iv) For taxable years beginning after December 31, 2017, the standard deduction as prescribed in section 63(c) of the Internal Revenue Code of 1986.”

(b) Section 47-1806.02 is amended as follows:

(1) Subsection (d) is amended by striking the phrase “Until § 47-181(c)(I) is implemented,” and inserting the phrase “Until § 47-181(c)(9) is implemented,” in its place.

(2) Subsection (e) is amended by striking the phrase “Until § 47-181(c)(I) is implemented,” and inserting the phrase “Until § 47-181(c)(9) is implemented,” in its place.

(3) Subsection (i) is amended as follows:

(A) Paragraph (1) is amended by striking the phrase “December 31, 2012,” and inserting the phrase “December 31, 2012, but before January 1, 2018,” in its place.

(B) Paragraph (2) is amended to read as follows:

“(2) For taxable years beginning after December 31, 2017, the personal exemption amount prescribed in section 151 of the Internal Revenue Code of 1986 without reduction for the phaseout of section 151(d)(3) of the Internal Revenue Code of 1986.”

(c) Section 47-1806.03(a)(10) is amended to read as follows:

“(10) In the case of taxable years beginning after December 31, 2015, there is imposed on the taxable income of every resident a tax determined in accordance with the following table:

Not over \$10,000	4% of the taxable income.
Over \$10,000 but not over \$40,000	\$400, plus 6% of the excess over \$ 10,000.
Over \$ 40,000 but not over \$ 60,000	\$2,200, plus 6.5% of the excess over \$ 40,000.
Over \$ 60,000 but not over \$ 350,000	\$3,500, plus 8.5% of the excess over \$ 60,000.
Over \$350,000 but not over \$1,000,000	\$28,150, plus 8.75% of the excess above \$350,000.
Over \$1,000,000	\$85,025, plus 8.95% of the excess above \$1,000,000.”

(d) Section 47-1806.04(e)(4) is amended to read as follows:

“(4) For taxable years beginning after December 31, 2017, the credit provided for in paragraph (1) of this subsection shall no longer be allowed.”

(e) Section 47-1807.02(a) is amended as follows:

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(1) Paragraph (5) is amended as follows:

(A) Strike the phrase "December 31, 2014," and insert the phrase "December 31, 2014, but before January 1, 2016," in its place.

(B) Strike the phrase "foreign; and" and insert the phrase "foreign;" in its place.

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

"(6) For the taxable year beginning after December 31, 2015, but before January 1, 2017, a tax at the rate of 9.2% upon the taxable income of every corporation, whether domestic or foreign;"

(3) New paragraphs (7) and (8) are added to read as follows:

"(7) For the taxable year beginning after December 31, 2016, but before January 1, 2018, a tax at the rate of 9.0% upon the taxable income of every corporation, whether domestic or foreign; and

"(8) For taxable years beginning after December 31, 2017, a tax at the rate of 8.25% upon the taxable income of every corporation, whether domestic or foreign."

(f) Section 47-1808.03(a) is amended as follows:

(1) Paragraph (5) is amended as follows:

(A) Strike the phrase "December 31, 2014," and insert the phrase "December 31, 2014, but before January 1, 2016," in its place.

(B) Strike the phrase "foreign; and" and insert the phrase "foreign;" in its place.

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

"(6) For the taxable year beginning after December 31, 2015, but before January 1, 2017, a tax at the rate of 9.2% upon the taxable income of every unincorporated business, whether domestic or foreign;"

(3) New paragraphs (7) and (8) are added to read as follows:

"(7) For the taxable year beginning after December 31, 2016, but before January 1, 2018, a tax at the rate of 9.0% upon the taxable income of every unincorporated business, whether domestic or foreign; and

"(8) For taxable years beginning after December 31, 2017, a tax at the rate of 8.25% upon the taxable income of every unincorporated business, whether domestic or foreign."

Sec. 7173. Section 47-3701 of the District of Columbia Official Code is amended as follows:

(a) Paragraph (4) is amended as follows:

(1) Subparagraph (C) is amended by striking the year "2016" and inserting the year "2017" in its place.

(2) New subparagraphs (D) and (E) are added to read as follows:

"(D) For a decedent dying after December 31, 2016, but before January 1, 2018:

"(i) The maximum amount of credit for state death taxes allowed by section 2011 of the Internal Revenue Code;

"(ii) Any scheduled increase in the unified credit provided in

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section 2010 of the Internal Revenue Code or thereafter shall not apply and the amount of the unified credit shall be \$745,800; and

“(iii) An estate tax return shall not be required to be filed if the decedent's gross estate does not exceed \$2 million.

“(E) For a decedent dying after December 31, 2017:

“(i) The maximum amount of credit for state death taxes allowed by section 2011 of the Internal Revenue Code;

“(ii) The amount of the unified credit shall be as prescribed in section 2010 of the Internal Revenue Code; and

“(iii) An estate tax return shall not be required to be filed if the decedent's gross estate does not exceed the applicable zero bracket amount.”.

(b) Paragraph (14) is amended to read as follows:

“(14) “Zero bracket amount” means:

“(A) For a decedent whose death occurs after December 31, 2015, but before January 1, 2017, \$1 million;

“(B) For a decedent whose death occurs after December 31, 2016, but before January 1, 2018, \$2 million; or

“(C) For a decedent whose death occurs after December 31, 2017, an amount equal to the basic exclusion amount as prescribed in section 2010(c)(3)(A) of the Internal Revenue Code and any cost-of-living adjustments made pursuant to section 2010(c)(3)(B) of the Internal Revenue Code.”.

Sec. 7174. Applicability.

This subtitle shall apply as of January 1, 2018.

SUBTITLE N. REAL PROPERTY TAX APPEALS

Sec. 7181. Short title.

This subtitle may be cited as the “Real Property Tax Appeals Emergency Amendment Act of 2017”.

Sec. 7182. Chapter 8 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) Section 47-824 is amended as follows:

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

(A) Paragraph (1) is amended by striking the phrase “proposed change in the assessed value of the owner’s real property on or before March 1” and inserting the phrase “proposed change in the assessed value or classification (subject to § 47-813(d-1)(4A) and (4B)) of the owner’s real property for the next real property tax year by March 1” in its place.

(B) Paragraph (2) is repealed.

(C) Paragraph (4) is amended as follows:

(i) Strike the phrase “before May 2” and insert the phrase “by May 1” in its place.

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(ii) Strike the phrase “assessed value” both times it appears and insert the phrase “assessed value or classification (subject to § 47-813(d-1)(4A) and (4B))” in its place.

(iii) Strike the phrase “April 2” and insert the phrase “April 1” in its place.

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

“(d) This section shall apply only to an annual notice issued by March 1 or May 1, as provided under subsection (a) or (b) of this section, and shall not apply to any notice issued under any other provision of this chapter.”.

(b) Section 47-825.01a is amended as follows:

(1) Subsection (d)(2) is amended by striking the phrase “real property.” and inserting the phrase “real property; provided further, that an appeal under this subsection pursuant to another provision of this section or chapter under this title shall be filed within 45 days from the date of the notice.” in its place.

(2) Subsection (e) is amended as follows:

(A) Paragraph (1)(B) is amended by striking the phrase “or a notice of final determination issued under § 47-813(d-1)(4A)”.

(B) Paragraph (7)(B) is amended to read as follows:

“(B) Subject to subparagraph (A) of this paragraph, after the completion of the hearing, the Commission shall have 30 days to decide a residential real property case involving a single family residential property or a residential real property consisting of 4 or fewer dwelling units and 80 days to decide a residential real property case involving a residential real property with 5 or more dwelling units or a commercial real property case.”.

(3) Subsection (f)(1)(B) is amended by striking the phrase “subsection (e)” and inserting the phrase “subsection (d)(2)” in its place.

(4) Subsection (g) is amended as follows:

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

(B) The newly designated paragraph (1) is amended by striking the phrase “§ 47-830, an owner” and inserting the phrase “§ 47-830 or paragraph (2) of this subsection, an owner” in its place.

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

“(2) An owner aggrieved by a decision of the Commission, with respect to an appeal filed pursuant to subsection (d)(2) of this section or a notice issued pursuant to § 42-3131.15, may appeal the decision of the Commission to the Superior Court of the District of Columbia in the same manner and to the same extent as provided in §§ 47-3303 and 47-3304 by September 30 of the tax year in which the decision of the Commission is issued or within 6 months after the date of the decision of the Commission, whichever is later.”.

Sec. 7183. Section 47-3305(c) of the District of Columbia Official Code is repealed.

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SUBTITLE O. HILL EAST COMMUNITY GARDEN REAL PROPERTY TAX RELIEF

Sec. 7191. Short title.

This subtitle may be cited as the "Hill East Community Garden Real Property Tax Relief Emergency Amendment Act of 2017".

Sec. 7192. Chapter 10 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by striking the phrase "47-1061. Capitol Hill Community Garden Land Trust" and inserting the phrase "47-1061. Hill East Community Garden" in its place.

(b) Section 47-1061 is amended as follows:

(1) Designate the existing text as subsection (a).

(2) The newly designated subsection (a) is amended by striking the phrase "Trust, the property" and inserting the phrase "Trust or to the Hill East Community Garden, the property" in its place.

(3) A new subsection (b) is added to read as follows:

"(b) The one-time transfer of the property specified in subsection (a) of this section from the Capitol Hill Community Garden Land Trust to the Hill East Community Garden shall not be subject to the transfer tax imposed under Chapter 9 of this title, the recordation tax imposed under Chapter 11 of Title 42, or the penalty imposed under Chapter 14 of this title."

SUBTITLE P. TIF REAUTHORIZATION

Sec. 7201. Short title.

This subtitle may be cited as the "Tax Increment Financing Reauthorization Emergency Amendment Act of 2017".

Sec. 7202. The Tax Increment Financing Authorization Act of 1998, effective May 4, 1998 (D.C. Law 12-143; D. C. Official Code § 2-1217.01 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 2-1217.01) is amended as follows:

(1) Paragraph (3) is amended by striking the phrase "taxes, exclusive" and inserting the phrase "taxes and possessory interest taxes, including any penalties and interest charges, exclusive" in its place.

(2) Paragraph (4) is amended by striking the phrase "§ 10-1202.08" and inserting the phrase "§ 10-1202.08, and exclusive of any provision of law that dedicates any sales or parking tax revenues to the Washington Metropolitan Area Transit Authority" in its place.

(3) Paragraph (25) is amended by striking the phrase "within the priority development area" and inserting the phrase "within a TIF area" in its place.

(b) Section 3 (D.C. Official Code § 2-1217.02) is amended as follows:

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

(A) Strike the phrase "property tax increment revenues" and insert the phrase "real property tax increment revenues" in its place.

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(B) Strike the citation “§ 1-204.90(m)(6)” and insert the citation “§ 1-204.90(n)(6)” in its place.

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

“(b) TIF bonds may be issued to finance development costs of eligible projects approved pursuant to this subchapter. Refunding bonds may be issued to refund bonds issued pursuant to this subchapter.”.

(c) Section 4 (D.C. Official Code § 2-1217.03) is amended as follows:

(1) Subsection (a) is amended by striking the phrase “of any project located in a priority development area”.

(2) Subsection (c) is repealed.

(3) A new subsection (i) is added to read as follows:

“(i) For the preparation of the certification required by this section, the CFO shall set forth guidance regarding submission requirements and the process for review of information necessary to implement this section.”.

(d) Section 12 (D.C. Official Code § 2-1217.11) is repealed.

SUBTITLE Q. URBAN FARMING

Sec. 7211. Short title.

This subtitle may be cited as the “Urban Farming and Food Security Emergency Amendment Act of 2017”.

Sec. 7212. Section 47-868 of the District of Columbia Official Code is amended as follows:

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

(1) Strike the phrase “if an urban farm is located in” and insert the phrase “if an urban farm is located on or in” in its place.

(2) Strike the phrase “urban farm.” and insert the phrase “urban farm, as computed under subsection (a-1) of this section.” in its place.

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

“(a-1)(1) In the case of an urban farm located in an improvement to real property not exclusively used for urban farming, the portion of the improvement in use as an urban farm shall be computed by dividing the square footage of the portion of the improvement used for urban farming by the gross building area of the improvement.

“(2) In the case of an urban farm located on an improvement to real property not exclusively used for urban farming, the portion of the improvement in use as an urban farm shall be computed by dividing the square footage of the portion of the improvement used for urban farming by the total square footage of the improvement, which shall be computed as the sum of the gross building area of the improvement and the roof area.”.

(b) Subsection (c) is amended by striking the word “semiannually” and inserting the phrase “between semiannual installments of tax” in its place.

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SUBTITLE R. EVENTS DC BOARD CLARIFICATION

Sec. 7221. Short title.

This subtitle may be cited as the “Washington Convention Authority Board of Directors Clarification Emergency Amendment Act of 2017”.

Sec. 7222. Section 205(b)(1) of the Washington Convention Center Authority Act of 1994, effective September 28, 1994 (D.C. Law 10-188; D.C. Official Code § 10-1202.05(b)(1)), is amended to read as follows:

“(b)(1)(A) Except as provided in subparagraph (B) of this paragraph, all public Board members shall be appointed to 4-year terms that shall expire on May 16 of the 4th year.

“(B) The term subsequent to the current term occupied pursuant to:

“(i) The Washington Convention and Sports Authority Board of Directors Cheryle Doggett Confirmation Resolution of 2014, effective October 28, 2014 (Res. 20-664; 61 DCR 11983), shall begin on October 1, 2017, and expire on May 16, 2021; and

“(ii) The Washington Convention and Sports Authority Board of Directors William Hall Confirmation Resolution of 2014, effective October 28, 2014 (Res. 20-666; 61 DCR 11985), shall begin on October 1, 2017, and expire on May 16, 2020.

Sec. 7223. Applicability.

This subtitle shall apply as of July 10, 2017.

SUBTITLE S. POSSESSORY INTEREST CLARIFICATION

Sec. 7231. Short title.

This subtitle may be cited as the “Possessory Interest Clarification Emergency Amendment Act of 2017”.

Sec. 7232. Title 47 of the District of Columbia Official Code is amended as follows:

(a) Chapter 8 is amended as follows:

(1) Section 47-811.03(b)(2) is amended by striking the phrase “taxes under” and inserting the phrase “taxes, or taxes imposed pursuant to § 47-1005.01, under” in its place.

(2) Section 47-867(a) is amended by striking the phrase “this chapter shall” and inserting the phrase “this chapter or the tax under Chapter 10 of this title shall” in its place.

(b) Chapter 10 is amended as follows:

(1) Section 47-1005.01(b) is amended by striking the phrase “and the person is not exempt or immune from income taxation under the law of the United States or the District of Columbia”.

(2) Section 47-1005.02(a)(1) is amended by striking the phrase “tax imposed by Chapter 8” and inserting the phrase “taxes imposed by Chapters 8 and 10” in its place.

(c) Section 47-4665 is amended as follows:

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

(A) Strike the phrase “Chapter 8 of this title shall” and insert the phrase “Chapter 8 of this title or § 47-1005.01 shall” in its place.

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(B) Strike the phrase “property tax” wherever it appears and insert the phrase “property or possessory interest tax” in its place.

(2) Subsection (c) is amended by striking the phrase “property tax” wherever it appears and inserting the phrase “property or possessory interest tax” in its place.

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

(A) Strike the phrase “property tax” wherever it appears and insert the phrase “property or possessory interest tax” in its place.

(B) The lead-in language is amended by striking the phrase “§ 47-811,” and inserting the phrase “§ 47-811 or § 47-1005.01,” in its place.

(4) Subsection (e)(1)(B) is amended by striking the phrase “reservation number,” and inserting the phrase “reservation or possessory interest account number,” in its place.

SUBTITLE T. HOSPITALITY TAX DEDICATION

Sec. 7241. Short title.

This subtitle may be cited as the “Hospitality Tax Dedication Emergency Amendment Act of 2017”.

Sec. 7242. Chapter 20 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by adding a new section designation to read as follows:

“47-2002.03a. Additional tax on gross receipts for transient lodgings or accommodations.”

(b) A new section 47-2002.03a is added to read as follows:

“§ 47-2002.03a. Additional tax on gross receipts for transient lodgings or accommodations.

“(a) A tax, separate from and in addition to, the tax imposed pursuant to § 47-2002(a)(2)(A) and the tax imposed pursuant to § 47-2002.02, is imposed on all vendors at the rate of 0.3% of the gross receipts from the sale of or charges for any room or rooms, lodgings, or accommodations furnished to a transient by any hotel, inn, tourist camp, tourist cabin, or any other place in which rooms, lodgings, or accommodations are regularly furnished to transients.

“(b) If the occupancy of a room or rooms, lodgings, or accommodations is reserved, booked, or otherwise arranged for by a room remarketer, the tax imposed by this section shall be determined based on the net charges and additional charges received by the room remarketer.

“(c) The tax revenue received pursuant to this section shall be dedicated to the Washington Convention and Sports Authority, for transfer to Destination DC for the purposes of marketing and promoting the District of Columbia as a destination. Any tax revenue dedicated pursuant to this subsection shall be in addition to the funds dedicated to Destination DC pursuant to § 10-1202.08a.”

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**SUBTITLE U. UNIVERSITY OF THE DISTRICT OF COLUMBIA
FUNDRAISING MATCH**

Sec. 7251. Short title.

This subtitle may be cited as the "University of the District of Columbia Fundraising Match Emergency Act of 2017".

Sec. 7252. (a) In Fiscal Year 2018, of the funds allocated to the Non-Departmental agency, \$1, up to a maximum of \$1.5 million, shall be transferred to the University of the District of Columbia ("UDC") for every \$2 that UDC raises by April 1, 2018 from private donations.

(b) Of the amount transferred to UDC pursuant to subsection (a) of this section, no less than one-third of the funds shall be deposited into UDC's endowment fund.

SUBTITLE V. COMMODITIES COST RESERVE FUND

Sec. 7261. Short title.

This subtitle may be cited as the "Fixed Cost Commodity Reserve Emergency Amendment Act of 2017".

Sec. 7262. Chapter 3 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by striking the phrase "Commodities Cost Reserve Fund" and inserting the phrase "Commodities Cost Reserve Fund. [Repealed]." in its place.

(b) Section 47-368.04 is repealed.

**SUBTITLE W. RECORDER OF DEEDS AUTOMATION FUND
CLARIFICATION**

Sec. 7271. Short title.

This subtitle may be cited as the "Recorder of Deeds Automation Fund Clarification Emergency Amendment Act of 2017".

Sec. 7272. Section 3 of An Act Providing for expenses of the offices of recorder of deeds and register of wills of the District of Columbia, effective April 12, 1997 (D.C. Law 11-257; D.C. Official Code § 42-1214), is amended as follows:

(a) Subsection (a) is amended by striking the phrase "Recorder of Deeds Automation and Infrastructure Improvement Fund" both times it appears and inserting the phrase "Recorder of Deeds Automation Fund" in its place.

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

(1) Strike the phrase "Recorder of Deeds and the repair and improvement of the infrastructure located at 515 D Street, N.W., Washington, D.C., and any incidental costs associated with that repair and improvement." and insert the phrase "Recorder of Deeds." in its place.

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(2) Strike the phrase “the new system, and the repair of the infrastructure components necessary to meet the overall mission of the Recorder of Deeds.” and insert the phrase “the new system.” in its place.

(c) Subsection (c) is repealed.

Sec. 7273. Title 47 of the District of Columbia Official Code is amended as follows:

(a) Section 47-876 is amended by striking the phrase “Recorder of Deeds Automation and Infrastructure Improvement Fund” and inserting the phrase “Recorder of Deeds Automation Fund” in its place.

(b) Section 47-1340(h) is amended by striking the phrase “Recorder of Deeds Automation and Infrastructure Improvement Fund” and inserting the phrase “Recorder of Deeds Automation Fund” in its place.

SUBTITLE X. EVENTS DC GRANT

Sec. 7281. Short title.

This subtitle may be cited as the “Events DC Grant Emergency Act of 2017”.

Sec. 7282. Notwithstanding any other law or regulation, of the amount provided from enterprise and other funds in Fiscal Year 2018 to the Washington Sports and Entertainment Authority (“Events DC”), Events DC shall award a grant to fund a convention focused on Title IX that includes a sport tournament for young women, in an amount not to exceed \$202,832.

SUBTITLE Y. WOMEN’S NATIONAL DEMOCRATIC CLUB REAL PROPERTY TAX EXEMPTION

Sec. 7291. Short title.

This subtitle may be cited as the “Women’s National Democratic Club Real Property Tax Exemption Emergency Act of 2017”.

Sec. 7292. Chapter 10 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by adding a new section designation to read as follows:

“47-1099. Women’s National Democratic Club; Lot 5, Square 135.”.

(b) A new section 47-1099 is added to read as follows:

“§ 47-1099. Women’s National Democratic Club; Lot 5, Square 135.

“(a) The real property located at 1526 New Hampshire Avenue, N.W., known for tax and assessment purposes as Lot 5, Square 135, shall be exempt from the tax imposed by Chapter 8 of this title as long as Women’s National Democratic Club is the owner of the property, subject to the provisions of §§ 47-1007 and 47-1009, but not § 47-1005.

“(b) The tax exemption provided by this section shall begin as of October 1, 2017.”.

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SUBTITLE Z. UNION MARKET DISTRICT TIF

Sec. 7301. Short title.

This subtitle may be cited as the "Union Market District TIF Emergency Amendment Act of 2017".

Sec. 7302. Section 7193 of the Union Market District TIF Act of 2015, effective October 22, 2015 (D.C. Law 21-36; D.C. Official Code § 2-1217.36b), is amended as follows:

(a) Paragraph (2) is amended by striking the phrase "\$90 million" and inserting the phrase "\$94 million" in its place.

(b) New paragraphs (4), (5), (6), (7), and (8) are added to read as follows:

"(4) An analysis has been completed showing the Project is financially sustainable and economically viable.

"(5) The TIF scope will include a significant investment in new infrastructure, public improvements, and ample parking for the area.

"(6) The Project has strong community and Council support.

"(7) The Project will serve as a catalyst for welcoming retail and residential visits to an emerging neighborhood and along a prominent gateway corridor of the District.

"(8) The TIF is ready to proceed to market, and given current market conditions, it is important that the Council approve a TIF for this project in 2017."

SUBTITLE AA. NATIONAL CHERRY BLOSSOM FESTIVAL FUNDRAISING MATCH

Sec. 7311. Short title.

This subtitle may be cited as the "National Cherry Blossom Festival Fundraising Match Emergency Act of 2017".

Sec. 7312. (a) There is established a matching grant program to support the 2018 National Cherry Blossom Festival ("Program"), which shall be administered by the Washington Convention and Sports Authority ("Authority"). Under the Program, a matching grant shall be awarded to a nonprofit organization that organizes and produces events as part of the official, month-long National Cherry Blossom Festival of up to \$300,000 for every dollar above \$750,000 that the organization has raised in corporate donations by March 31, 2018.

(b) In Fiscal Year 2018, of the funds allocated to the Non-Departmental account, \$300,000 shall be transferred to the Authority to use for the grant authorized by subsection (a) of this section.

(c) A grant awarded pursuant to this section shall be in addition to any other grant awarded by the Authority in support of the National Cherry Blossom Festival.

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TITLE VIII. CAPITAL BUDGET**SUBTITLE A. FISCAL YEAR 2018 CAPITAL PROJECT FINANCING
REALLOCATION APPROVAL**

Sec. 8001. Short title.

This subtitle may be cited as the "Fiscal Year 2018 Capital Project Financing Reallocation Approval Emergency Act of 2017".

Sec. 8002. (a) Pursuant to and in accordance with Chapter 3 of Title 47 of the District of Columbia Official Code, the Council approves the Mayor's request to reallocate \$62,442,212 in general obligation bond proceeds from the District capital projects listed in Table A to the District capital projects listed in Table B, in the amounts specified.

(b) The current allocations were made pursuant to the Fiscal Year 2012 Income Tax Secured Revenue Bond and General Obligation Bond Issuance Approval Resolution of 2011, effective December 6, 2011 (Res. 19-315; 58 DCR 10556), the Fiscal Year 2013 Income Tax Secured Revenue Bond and General Obligation Bond Issuance Approval Resolution of 2012, effective October 16, 2012 (Res. 19-635; 59 DCR 12818), the Fiscal Year 2014 Income Tax Secured Revenue Bond and General Obligation Bond Issuance Approval Resolution of 2013, effective November 5, 2013 (Res. 20-321; 60 DCR 15794), the Fiscal Year 2015 Income Tax Secured Revenue Bond and General Obligation Bond Issuance Approval Resolution of 2014, effective November 18, 2014 (Res. 20-687; 61 DCR 12738), and the Fiscal Year 2017 Income Tax Secured Revenue Bond, General Obligation Bond and General Obligation and Income Tax Secured Revenue Bond Anticipation Note Issuance Approval Resolution of 2016, effective November 1, 2016 (Res. 21-635; 63 DCR 14387).

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TABLE A.

Owner Agency Name	Project Number	Implementing Agency	Project Title	Bond Issuance Series	Amount
Department of General Services	BC4	DGS	Hill E Relocation of Government Fac. & Function	2014C G.O.	500,000
Department of General Services	PL4	DGS	Electronic Security Communications Standardization	2016A G.O.	2,000,000
Office on Aging	A05	DGS	Senior Centers	2016A G.O.	6,451
D.C. Public Library	ITM	DCPL	DCPL Information Technology Modernization	2016A G.O.	253,015
Deputy Mayor for Planning and Economic Development	AWR	DMPED	Saint Elizabeths E Campus Infrastructure	2014C G.O.	4,852,856
Deputy Mayor for Planning and Economic Development	EDP	DMPED	Economic Development Pool	2014C G.O.	51,869
Metropolitan Police Department	PEQ	MPD	Specialized Vehicles - MPD	2016A G.O.	1,758,961
Department of Corrections	CR1	DGS	General Renovations - DC Jail	2014C G.O.	1,643,027
D.C. Public Schools	JOH	DGS	Johnson Middle School Renovation/Modernization	2014C G.O.	464,841
D.C. Public Schools	JOH	DGS	Johnson Middle School Renovation/Modernization	2015A G.O.	4,320,962
D.C. Public Schools	NX3	DGS	Cardozo High School	2016A G.O.	3
Office of the State Superintendent of Education	SFF	DGS	Evans Campus	2012C I.T.	2,000,000
Department of Parks and Recreation	URA	DGS	Urban Agriculture - DPR	2014C G.O.	152,746
Department of Parks and Recreation	URA	DGS	Urban Agriculture - DPR	2016A G.O.	250,000
Department of Parks and Recreation	SQ2	DGS	Square 238 DPR Facility	2016A G.O.	500,000
Department of Parks and Recreation	WBR	DGS	Edgewood Recreation Center	2016A G.O.	11,000,000
Department of Parks and Recreation	WD3	DGS	Hearst Park Pool - Ward 3 Outdoor Pool	2016A G.O.	500,000
Department of Parks and Recreation	THP	DGS	Therapeutic Recreation Center	2016A G.O.	500,000
Department of Healthcare Finance	AP1	DHCF	Predictive Analytic System - I.T. DHCF	2016A G.O.	125,000
Department of Healthcare Finance	CM1	DHCF	Case Management System - DHCF	2016A G.O.	125,000
District Department of Transportation	CG3	DDOT	Local Roadside Improvements	2016A G.O.	5,432,000
District Department of Transportation	ED3	DDOT	Local Street Parking Studies	2014C G.O.	466,108
District Department of Transportation	ED3	DDOT	Local Street Parking Studies	2015A G.O.	500,000
District Department of Transportation	ED3	DDOT	Local Street Parking Studies	2016A G.O.	533,892
District Department of Transportation	EDS	DDOT	Great Streets Initiatives	2015A G.O.	1,331,583
District Department of Transportation	EDS	DDOT	Great Streets Initiatives	2016A G.O.	1,574,147
District Department of Transportation	PM0	DDOT	Materials Testing Lab	2015A G.O.	315,762
District Department of Transportation	PM0	DDOT	Materials Testing Lab	2016A G.O.	684,238
District Department of Transportation	PM3	DDOT	Planning and Management System	2014C G.O.	429,393
District Department of Transportation	SR0	DDOT	Streetscapes	2016A G.O.	1,000,000
District Department of Transportation	CIR	DDOT	Circulator	2015A G.O.	4,307,439
District Department of Transportation	CIR	DDOT	Circulator	2016A G.O.	1,692,561
District Department of Transportation	FLD	DDOT	Prevention of Flooding in Bloomingdale/Ledroit Park Neighborhoods	2016A G.O.	1,592,000
District Department of Transportation	TRL	DDOT	Trails	2014C G.O.	420,714
District Department of Transportation	TRL	DDOT	Trails	2015A G.O.	500,000
District Department of Transportation	TRL	DDOT	Trails	2016A G.O.	1,079,286
District Department of Transportation	TRF	DDOT	Traffic Operations Center	2015A G.O.	500,000
District Department of Transportation	CE3	DDOT	Street Restoration & Rehabilitation	2014C G.O.	664,745
District Department of Transportation	CE3	DDOT	Street Restoration & Rehabilitation	2016A G.O.	1,335,255
Department of Energy and Environment	SWM	DOEE	Stormwater Management	2016A G.O.	1,000,000
Department of Energy and Environment	SUS	DOEE	Sustainable DC Fund-2	2014C G.O.	1,157,257
Department of Behavioral Health	XA6	DBH	Avatar Upgrade	2016D G.O.	169,704
Office of the Chief Technology Officer	ZA1	OCTO	DC GIS Capital Investment	2014C G.O.	176,640
Office of the Chief Technology Officer	ZA1	OCTO	DC GIS Capital Investment	2015A G.O.	300,000
Office of the Chief Technology Officer	N31	OCTO	Data Management and Publication Platform	2015A G.O.	159,921
Office of the Chief Technology Officer	N31	OCTO	Data Management and Publication Platform	2016A G.O.	1,608,954
Office of the Chief Technology Officer	N38	OCTO	Procurement System - GO Bond	2016D G.O.	2,155,882
Office of the Chief Technology Officer	N93	OCTO	Enterprise Computing Device Management	2016A G.O.	350,000
TOTAL					\$62,442,212

TABLE B.

Owner Agency Name	Project Number	Implementing Agency	Project Title	Bond Issuance Series	Amount
District of Columbia Public Schools	YY1	DGS	DC Public Schools Modernization/Renovations	N/A	62,442,212
TOTAL					\$62,442,212

SUBTITLE B. CAPITAL PROJECT REVIEW AND RECONCILIATION

Sec. 8011. Short title.

This subtitle may be cited as the “Capital Project Review and Reconciliation Emergency Amendment Act of 2017”.

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Sec. 8012. The Capital Project Support Fund Establishment Act of 2009, effective March 3, 2010 (D.C. Law 18-111; D.C. Official Code § 1-325.151 *et seq.*), is amended as follows:

(a) Section 1261 (D.C. Official Code § 1-325.151) is amended as follows:

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

“(4A) “Encumbered” means committed to pay for goods or services ordered but not yet received.”.

(2) A new paragraph (7A) is added to read as follows;

“(7A) “Pre-encumbered” means held, but not yet committed, to pay for goods or services that are expected to be, but have not yet been, ordered.”.

(b) Section 1262(b) (D.C. Official Code § 1-325.152(b)) is amended by striking the phrase “sections 1263a, and 1263b” and inserting the phrase “sections 1263a, 1263b, and 1263c” in its place.

(c) Section 1263b(a) (D.C. Official Code § 1-325.153b(a)) is amended to read as follows:

“(a) If a department, office, or agency has a capital project with an unexpended balance of more than \$250,000 for which no funds have been expended, encumbered, or pre-encumbered for 2 consecutive years, the OCFO shall provide 30 days written notice to the department, office, or agency of the CFO’s intent to transfer the surplus capital funds to the Capital Project Support Fund. The CFO shall make this transfer unless the department, office, or agency to which the funds have been budgeted or allotted:

“(1) Certifies to the Mayor, Council, and OCFO, within the 30-day notice period that it intends to use the funds to implement the capital project within 18 months of the certification; and

“(2) Submits a satisfactory activity report to the OCFO describing the status of the implementation within 180 days from the date of certification.”.

(d) A new section 1263c is added to read as follows:

“Sec. 1263c. Release of encumbered or pre-encumbered funds; transfer of surplus capital funds.

“(a) If a department, office, or agency has a capital project with \$250,000 or less in encumbered or pre-encumbered funds that have been in an encumbered or pre-encumbered status for 2 consecutive years, the OCFO shall provide written notice to the department, office, or agency of the OCFO’s identification of such funds.

“(b) Within 30 days of receipt on this notice, the department, office, or agency to which the funds have been budgeted or allotted shall:

“(1) Notify the OCFO in writing of its intent to expend the funds and provide a spending plan for the funds; or

“(2) Release the funds.”.

(e) Section 1265(a) (D.C. Official Code § 1-325.155(a)) is amended as follows:

(1) Paragraph (2) is amended to read as follows:

“(2) For a capital project with a balance of more than \$250,000, no funds have been expended, encumbered, or pre-encumbered, for 2 consecutive years and the agency has not complied with the requirements of section 1263b(a)(1) and (2) after receiving a notice from the OCFO pursuant to that section; or”.

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(2) Paragraph (3) is amended by striking the number “3” and inserting the number “2” in its place.

SUBTITLE C. ANTI-DEFICIENCY FOR CAPITAL PROJECTS

Sec. 8021. Short title.

This subtitle may be cited as the “Anti-Deficiency Act Clarification Emergency Amendment Act of 2017”.

Sec. 8022. Chapter 3 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) Section 47-355.02(8) is amended by striking the phrase “regardless of the percentage;” and inserting the phrase “regardless of the percentage, or, for capital projects, 5% of the project’s budget or \$1 million, regardless of the percentage;” in its place.

(b) Section 47-355.04 is amended as follows:

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

(A) Strike the phrase “budget submitted to Congress” and insert the phrase “finally enacted annual budget” in its place.

(B) Strike the phrase “after Congressional submission” and insert the phrase “after final enactment” in its place.

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

“(a-1) By October 20 of each year, an agency head and agency fiscal officer shall jointly submit to the Chief Financial Officer a monthly spending plan for each capital project based on the finally enacted annual budget. If a project’s budget is changed after final enactment of the annual budget, the agency head and agency fiscal officer shall submit a revised project spending plan to the Chief Financial Officer within one month of final approval of the changes to the project’s budget.”.

(3) Subsection (b) is amended by striking the phrase “approved operating budget” and inserting the phrase “approved operating budget or approved budget for a capital project” in its place.

(c) Section 47-355.05 is amended as follows:

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

“(a) The Chief Financial Officer shall submit reports to the Council and the Mayor on a quarterly basis indicating each agency's actual operating expenditures, obligations, and commitments, each by source of funds, and the expenditures for each capital project, compared to their approved spending plan. This report shall be accompanied by the Chief Financial Officer's observations regarding spending patterns and identify steps being taken to assure spending remains within the approved budget.”.

(2) Subsection (e)(2)(A) is amended to read as follows:

“(2)(A) The summary shall set forth clearly and concisely each budget category affected by the reprogramming, intra-District transfer, or other budget modification, as described in paragraph (1) of this subsection, as follows:

“(i) For the operating budget, by:

“(I) Agency;

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- “(II) Object category; and
 “(III) Comptroller source group; and
 “(ii) For capital projects, by:
 “(I) Agency; and
 “(II) Project and subproject.”.

SUBTITLE D. MASTER LOCAL TRANSPORTATION CAPITAL PROJECTS

Sec. 8031. Short title.

This subtitle may be cited as the “Master Local Transportation Capital Projects Clarification Emergency Amendment Act of 2017”.

Sec. 8032. Section 3(e) of the Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.02(e)), is amended as follows:

(a) Paragraph (1) is amended by striking the period and inserting the phrase “, or from Master local transportation capital projects designated by the Director as Master local transportation capital projects in Fiscal Year 2018 or later.” in its place.

(b) Paragraph (2) is amended by striking the phrase “Fund.” and inserting the phrase “Fund. The Director may also submit requests to OBP to allocate funds for the Related Projects of each Master local transportation capital project created in Fiscal Year 2018 or later.” in its place.

(c) Paragraph (3) is amended by striking the phrase “Fund.” and inserting the phrase “Fund. The Director may also submit requests to OBP to re-allocate funds from any Related Project to the applicable Master local transportation capital project created in Fiscal Year 2018 or later.” in its place.

(d) New paragraphs (4) and (5) are added to read as follows:

“(4)(A) The Director may submit requests to OBP to re-allocate any available fund balances in associated projects to the applicable Master local transportation capital project created in Fiscal Year 2018 or later, in order to align the associated projects with the Master local transportation capital projects.

“(B) For the purposes of this paragraph, the term “associated projects” means Related Projects created before Fiscal Year 2018 with current fund balances for which there will not be out-year appropriations or requests for appropriations.

“(C) This paragraph shall expire on January 31, 2018.

“(5) The CFO shall submit to the Mayor and the Council a quarterly summary of all allocations and re-allocations requested pursuant to this subsection, including a description of whether OBP allocated the requested funds.”.

SUBTITLE E. REVERSE PAYGO REPROGRAMMING

Sec. 8041. Short title.

This subtitle may be cited as the “Reverse Paygo Reprogramming Emergency Amendment Act of 2017”.

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Sec. 8042. Chapter 3 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) Section 47-361(15) is amended to read as follows:

“(15) “Reverse Paygo action” means the movement of authorized Paygo capital budget funds to the operating budget, through a paper project for the purpose of transaction recording and tracking.”.

(b) Section 47-363 is amended by adding a new subsection (f) to read as follows:

“(f)(1) A reverse Paygo action done for the purpose of paying non-capital-eligible expenses, including furniture, fixtures, and equipment, of the same capital project for which Paygo capital funds have been authorized shall not require Council approval; provided, that the Chief Financial Officer shall notify the Budget Director of the Council of the District of Columbia in writing no later than 3 business days after the reverse Paygo action occurs. The notice shall set forth the capital project, amount, and purpose of the reverse Paygo action.

“(2) All other reverse Paygo actions shall require Council approval pursuant to this section.”.

(c) Section 47-366 of the District of Columbia Official Code is amended by striking the phrase “in writing” and inserting the phrase “in writing within 3 business days” in its place.

SUBTITLE F. CAPITAL INFRASTRUCTURE PRESERVATION AND IMPROVEMENT

Sec. 8051. Short title.

This subtitle may be cited as the “Capital Infrastructure Preservation and Improvement Emergency Amendment Act of 2017”.

Sec. 8052. Section 47-392.02 of the District of Columbia Official Code is amended as follows:

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

“(f) Local funds revenue transfer to the Capital Improvements Program. --

“(1) For Fiscal Year 2020, the approved budget and financial plan shall include a minimum local funds transfer to the Capital Improvements Program (“CIP”) of \$58,950,000.

“(2) Beginning with Fiscal Year 2021, and for each subsequent fiscal year thereafter until the provisions of paragraph (3) of this subsection are met, the approved budget and financial plan shall include a minimum local funds transfer to the CIP of \$58,950,000 plus 25% of the amount by which the projected local funds revenue for that fiscal year exceeds the local funds revenue included in the budget and financial plan approved for Fiscal Year 2020.

“(3) When the minimum local funds transfer to the CIP under paragraph (2) of this subsection for any fiscal year causes the amount of funds in the CIP to equal or exceed the amount reported for additions to total accumulated depreciation of capital assets, as reported in the most recent comprehensive annual financial report for the District of Columbia, the approved budget and financial plan for the next fiscal year and for each subsequent year thereafter, shall include a minimum local funds transfer to the CIP equal to the amount reported for additions to total depreciation of capital assets reported in the next annual financial report.”.

(b) Subsection (l) is repealed.

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SUBTITLE G. LOCAL TRANSPORTATION REVENUE

Sec. 8061. Short title.

This subtitle may be cited as the “Local Transportation Revenue Emergency Amendment Act of 2017”.

Sec. 8062. The Highway Trust Fund Establishment Act of 1996, effective April 9, 1997 (D.C. Law 11-184; D.C. Official Code § 9-111.01 *et seq.*), is amended as follows:

(a) Section 102(e)(1) (D.C. Official Code § 9-111.01(e)(1)) is amended by striking the phrase “shall be deposited into the Local Transportation Fund established by section 102a, and used exclusively for the purposes provided therein.” and inserting the phrase “shall be transferred to the Capital Improvements Program and used to fund the renovation, repair, and maintenance of local transportation infrastructure.” in its place.

(b) Section 102a (D.C. Official Code § 9-111.01a) is amended to read as follows

“Sec. 102a. Local transportation revenue transfer.

“(a) The Chief Financial Officer shall deposit revenue derived from public rights-of-way user fees, charges, and penalties collected pursuant to Title VI of the Fiscal Year 1997 Budget Support Act of 1996, effective April 9, 1997 (D.C. Law 11-198; D.C. Official Code § 10-1141.01 *et seq.*) (“1997 Act”), and regulations issued pursuant to the 1997 Act in Chapter 33 of Title 24 of the District of Columbia Municipal Regulations in the District of Columbia Highway Trust Fund (“Fund”) to supplement the Motor Fuel Tax revenues and Motor Fuel Revenue Fund balance to the extent necessary to satisfy local match requirements to obtain federal aid funds.

“(b) Revenue derived from public rights-of-way user fees, charges, and penalties collected pursuant to Title VI of the 1997 Act and regulations issued pursuant to the 1997 Act in Chapter 33 of Title 24 of the District of Columbia Municipal Regulations not deposited in the Fund pursuant to subsection (a) of this section shall be transferred to the Capital Improvements Program and used to fund the renovation, repair, and maintenance of local transportation infrastructure.”.

Sec. 8063. Section 1704 of the Highway Trust Fund Amendment Act of 2001, effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 9-111.31), is repealed.

Sec. 8064. Section 47-305.01 of the District of Columbia Official Code is amended to read as follows:

“§ 47-305.01. Revenue from public rights-of-way included in budget submission.

“All of the revenue derived from the collection of charges imposed for rental and utilization of public rights-of-way authorized by Title VI of the Fiscal Year 1997 Budget Support Act of 1996, effective April 9, 1997 (D.C. Law 11-198; D.C. Official Code § 10-1141.01 *et seq.*), shall be dedicated annually pursuant to § 9-111.01a.”.

Sec. 8065. Section 11i(a) of the Department of Transportation Establishment Act of 2002, effective September 20, 2012 (D.C. Law 19-168; D.C. Official Code 50-921.52(a)), is amended by striking the phrase “from revenues in the Local Transportation Fund” and inserting the phrase “with local transportation revenues” in its place.

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Sec. 8066. Section 7 of the District of Columbia Motor Vehicle Parking Facility Act of 1942, approved February 16, 1942 (56 Stat. 93; D.C. Official Code § 50-2607), is amended by striking the phrase “deposited in the Local Transportation Fund as established by the Highway Trust Fund Amendment Act of 2001, effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 9-111.01a).” and inserting the phrase “transferred to the Capital Improvements Program and used to fund the renovation, repair, and maintenance of local transportation infrastructure.” in its place.

TITLE IX. SPECIAL PURPOSE AND DEDICATED REVENUE FUNDS
SUBTITLE A. DESIGNATED FUND TRANSFERS

Sec. 9001. Short title.

This subtitle may be cited as the “Designated Fund Transfer Emergency Act of 2017”.

Sec. 9002. (a) Notwithstanding any provision of law limiting the use of funds in the accounts listed in following chart, the Chief Financial Officer shall transfer in Fiscal Year 2018 the following amounts from certified fund balances and other revenue in the identified accounts to the General Fund of the District of Columbia:

Agency	Fund Detail	Fund Detail Title	Proposed Sweep
Other Special Purposes:			
ATO	0605	Dishonored Check Fees	76,687
CRO	6020	Board of Engineers Fund	53,851
FBO	1555	Reimbursable from Other Governments	47,782
HCO	0633	Radiation Protection	64,238
		Total	242,558

(b) The total amount identified in subsection (a) of this section shall be made available as set forth in the approved Fiscal Year 2018 Budget and Financial Plan.

SUBTITLE B. RENEWABLE ENERGY DEVELOPMENT FUND

Sec. 9011. Short title.

This subtitle may be cited as the “Renewable Energy Development Fund Emergency Amendment Act of 2017”.

Sec. 9012. Section 8(c)(1) of the Renewable Energy Portfolio Standard Act of 2004, effective April 12, 2005 (D.C. Law 15-340; D.C. Official Code § 34-1436(c)(1)), is amended as follows:

- (a) Subparagraph (C) is amended by striking the word “and”.
- (b) Subparagraph (D) is amended by striking the period and inserting the phrase “; and” in its place.
- (c) A new subparagraph (E) is added to read as follows:

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“(E) For the fiscal year beginning October 1, 2017, and ending September 30, 2018, supporting the DOEE operating budget.”.

TITLE X. APPLICABILITY; FISCAL IMPACT; EFFECTIVE DATE

Sec. 10001. Applicability.

Except as otherwise provided, this act shall apply as of October 1, 2017.

Sec. 10002. 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. 10003. 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
July 20, 2017



COUNCIL OF THE DISTRICT OF COLUMBIA WASHINGTON, D.C. 20004

Docket No. B22-341

[] ITEM ON CONSENT CALENDAR

[X] ACTION & DATE

ADOPTED FINAL READING, 06/27/2017

[X] VOICE VOTE

RECORDED VOTE ON REQUEST

APPROVED

ABSENT

[] ROLL CALL VOTE - Result

Table with 16 columns: Councilmember, Aye, Nay, NV, AB, Councilmember, Aye, Nay, NV, AB, Councilmember, Aye, Nay, NV, AB. Rows include Chmn. Mendelson, Allen, Bonds, Cheh, Evans, Gray, Grosso, McDuffie, Nadeau, Silverman, Todd, White, R., White, T.

X - Indicate Vote

AB - Absent

NV - Present, Not Voting

CERTIFICATION RECORD

Handwritten signature of Secretary to the Council

Secretary to the Council

Handwritten date: 7-6-17

Date

[] ITEM ON CONSENT CALENDAR

[] ACTION & DATE

[] VOICE VOTE

RECORDED VOTE ON REQUEST

ABSENT

[] ROLL CALL VOTE - Result

Table with 16 columns: Councilmember, Aye, Nay, NV, AB, Councilmember, Aye, Nay, NV, AB, Councilmember, Aye, Nay, NV, AB. Rows include Chmn. Mendelson, Allen, Bonds, Cheh, Evans, Gray, Grosso, McDuffie, Nadeau, Silverman, Todd, White, R., White, T.

X - Indicate Vote

AB - Absent

NV - Present, Not Voting

CERTIFICATION RECORD

Secretary to the Council

Date

[] ITEM ON CONSENT CALENDAR

[] ACTION & DATE

[] VOICE VOTE

RECORDED VOTE ON REQUEST

ABSENT

[] ROLL CALL VOTE - Result

Table with 16 columns: Councilmember, Aye, Nay, NV, AB, Councilmember, Aye, Nay, NV, AB, Councilmember, Aye, Nay, NV, AB. Rows include Chmn. Mendelson, Allen, Bonds, Cheh, Evans, Gray, Grosso, McDuffie, Nadeau, Silverman, Todd, White, R., White, T.

X - Indicate Vote

AB - Absent

NV - Present, Not Voting

CERTIFICATION RECORD

Secretary to the Council

007156

Date

ENROLLED ORIGINAL

CORRECTED COPY

A RESOLUTION

21-701

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

December 20, 2016

To confirm the appointment of Ms. Pamela Victoria Williams to the Office of Employee Appeals.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Office of Employee Appeals Pamela Victoria Williams Confirmation Resolution of 2016."

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

Ms. Pamela Victoria Williams
1990 Retta Gilliam Court, S.E.
Washington, D.C. 20020
(Ward 8)

as a member of the Office of Employee Appeals, established by section 601 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 § 1-606.01), to finish an unexpired term to end April 6, 2018.

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-145

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 13, 2017

To declare the existence of an emergency with respect to the need to increase certain appropriations in the Fiscal Year 2017 Local Budget Act of 2016 pursuant to the Omnibus Appropriations Act, 2009.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Fiscal Year 2017 Revised Local Budget Adjustment Emergency Declaration Resolution of 2017”.

Sec. 2. (a) The Office of the Chief Financial Officer provided a quarterly revised revenue estimate in February that resulted in increased Fiscal Year 2017 revenues that are not allocated for a particular use.

(b) In conjunction with the proposed Fiscal Year 2018 Budget and Financial Plan, the Mayor proposed reducing budget authority for several agencies in Fiscal Year 2017 and identified additional amounts from fund balances and policy decisions to increase available resources.

(c) The Fiscal Year 2017 resources resulting from these changes are used to help balance the proposed Fiscal Year 2018 Budget and Financial Plan, align agency budgets with expenditures in Fiscal Year 2017, and ensure timely repayment of the Contingency Cash Reserve Fund.

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

CORRECTED COPY

A RESOLUTION

22-148

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 27, 2017

To confirm the reappointment of Mr. Stephen Bumbaugh to the Public Charter School Board.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Public Charter School Board Stephen Bumbaugh Confirmation Resolution of 2017".

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

Mr. Stephen Bumbaugh
2619 Garfield Street, N.W. #4
Washington, D.C. 20009
(Ward 3)

as a member of the Public Charter School Board, established by section 2214 of the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321; D.C. Official Code § 38-1802.14), for a term to end February 24, 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

22-171

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 11, 2017

To declare the existence of an emergency, due to congressional review, with respect to the need to amend 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.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Medical Marijuana Cultivation Center Relocation Congressional Review Emergency Declaration Resolution of 2017”.

Sec. 2. (a) The Council passed the Medical Marijuana Cultivation Center Amendment Act of 2013, effective December 13, 2013 (D.C. Law 20-59; 60 DCR 15484) (“Act”), which amended the Legalization of Marijuana for Medical Treatment Initiative of 1999 to limit the number of medical marijuana cultivation centers and dispensaries that may locate in any election ward to 6.

(b) In 2015, 4 cultivation centers applied for the last available license in Ward 5, handing in their applications on the same day with the understanding that the applications would be processed, and the final registration awarded, on a first-come, first-serve basis. Instead, the Department of Health awarded the license based on other criteria.

(c) The District of Columbia Office of Administrative Hearings recently determined that the Department of Health’s process in ascertaining which cultivation center would be awarded the final registration for Ward 5 was arbitrary, capricious, or was otherwise not in accordance with the law.

(d) Currently, applicants cannot modify the proposed cultivation center location on their applications subsequent to submission of that application. By allowing the affected applicants to modify the location listed on their pending application with the Department of Health, a new location for their cultivation center, in a different election ward, may be selected without forfeiting the “active” status of their application.

(e) This congressional review emergency legislation will permit cultivation center applicants who were unable to secure the final license in Ward 5 due to an unclear process to change the location on their application and keep their “active” status as they continue to find a suitable location elsewhere within the District of Columbia.

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(f) This legislation shall not result in the registration of more than 6 cultivation centers to operate within a single election ward established by the Council in section 4 of the Redistricting Procedure Act of 1981, effective March 16, 1982 (D.C. Law 4-87; D.C. Official Code § 1-1041.03).

(g) The Medical Marijuana Cultivation Center Relocation Emergency Amendment Act of 2017, effective June 5, 2017 (D.C. Act 22-74; 64 DCR 6078), expires on September 3, 2017, and the Medical Marijuana Cultivation Center Relocation Temporary Amendment Act of 2017, enacted on June 30, 2017 (D.C. Act 22-292; 64 DCR 6247), has not yet become law. This congressional review emergency is necessary to fill the gap in the law.

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 Cultivation Center Relocation Congressional Review Emergency Amendment Act of 2017 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-172

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 11, 2017

To declare the existence of an emergency, due to congressional review, with respect to the need to amend the District of Columbia Election Code of 1955 to allow members of the District of Columbia 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”.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Primary Date Alteration Congressional Review Emergency Declaration Resolution of 2017”.

Sec. 2. (a) On May 16, 2017, the Council passed the Primary Date Alteration Emergency Amendment Act of 2017, effective June 5, 2018 (D.C Act 22-75; 64 DCR 6080), which will expire on September 3, 2017.

(b) On June 6, 2017, the Council passed the identical permanent version – the Primary Date Alteration Amendment Act of 2017 – on final reading (Enrolled version of B22-197). The bill was enacted on June 28, 2017 (D.C. Act 22-91; 64 DCR 6245), and has been transmitted to Congress for the mandatory 30-day review period.

(c) There will be a gap in authority between the expiration of the emergency act on September 3, 2017, and the end of the congressional review period, projected to be September 26, 2017. In order to prevent a gap in the law, it is necessary to move this identical congressional review emergency legislation.

(d) The underlying act changes the date of the District of Columbia’s primary elections to the 3rd Tuesday in June to provide the Board of Elections with sufficient time to certify primary results and provide for due process for any challenges, while leaving ample time for the mailing of overseas ballots within the federally-mandated 45-day period prior to the General Election.

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 Primary Date Alteration Congressional Review Emergency Amendment Act of 2017 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-174

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 11, 2017

To confirm the appointment of Mr. Jelani Freeman to the Office of Employee Appeals.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Office of Employee Appeals Jelani Freeman Confirmation Resolution of 2017”.

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

Mr. Jelani Freeman
1922 16th Street, N.W., Apt.8
Washington, D.C. 20009
(Ward 2)

as a member of the Office of Employee Appeals, established by section 601 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 § 1-606.01), for a term to end April 6, 2022.

Sec. 3. Transmittal.

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

22-175

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 11, 2017

To confirm the appointment of Mrs. Mary Anne Gibbons to the Public Employee Relations Board.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Public Employee Relations Board Mary Anne Gibbons Confirmation Resolution of 2017”.

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

Mrs. Mary Anne Gibbons
1836 Park Road, N.W.
Washington, D.C. 20010
(Ward 1)

as an ad hoc management member of the Public Employee Relations Board, in accordance with section 501(c) 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 § 1-605.01(c)), replacing Yvonne Dixon, to serve the remainder of an unexpired term to end December 12, 2017, and for a new term to end December 12, 2020.

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-176

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 11, 2017

To confirm the reappointment of Mr. John Boardman to the Washington Convention and Sports Authority Board of Directors.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Washington Convention and Sports Authority John Boardman Confirmation Resolution of 2017”.

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

Mr. John Boardman
1723 Shepherd Street, N.W.
Washington, D.C. 20011
(Ward 4)

as an organized labor representative member of the Washington Convention and Sports Authority Board of Directors, established by section 205 of the Washington Convention Center Authority Act of 1994, effective September 28, 1994 (D.C. Law 10-188; D.C. Official Code § 10-1202.05), for a term to end May 16, 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

22-177

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 11, 2017

To confirm the reappointment of Ms. Cheryle Doggett to the Washington Convention and Sports Authority Board of Directors.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Washington Convention and Sports Authority Cheryle Doggett Confirmation Resolution of 2017”.

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

Ms. Cheryle Doggett
5002 Warren Street, N.W.
Washington, D.C. 20016
(Ward 3)

as public member with expertise in business finance of the Washington Convention and Sports Authority Board of Directors, established by section 205 of the Washington Convention Center Authority Act of 1994, effective September 28, 1994 (D.C. Law 10-188; D.C. Official Code § 10-1202.05), for a term to end May 16, 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 upon the effective date of the Washington Convention Authority Board of Directors Clarification Emergency Amendment Act of 2017, passed on emergency basis on June 27, 2017 (Enrolled version of Bill 22-341).

ENROLLED ORIGINAL

A RESOLUTION

22-178

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 11, 2017

To confirm the reappointment of Mr. Darrin Glymph to the Commission on the Arts and Humanities.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Commission on the Arts and Humanities Darrin Glymph Confirmation Resolution of 2017”.

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

Mr. Darrin Glymph
1823 Quincy Street, N.W.
Washington, D.C. 20008
(Ward 4)

as a member of the Commission on the Arts and Humanities, established by section 4 of the Commission on the Arts and Humanities Act, effective October 21, 1975 (D.C. Law 1-22; D.C. Official Code § 39-203), and for a term to end June 30, 2018.

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-179

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 11, 2017

To confirm the reappointment of Ms. Kay Kendall to the Commission on the Arts and Humanities.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Commission on the Arts and Humanities Kay Kendall Confirmation Resolution of 2017”.

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

Ms. Kay Kendall
2412 Tracy Place, N.W.
Washington, D.C. 20008
(Ward 2)

as a member of the Commission on the Arts and Humanities, established by section 4 of the Commission on the Arts and Humanities Act, effective October 21, 1975 (D.C. Law 1-22; D.C. Official Code § 39-203), and for a term to end June 30, 2018.

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-180

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 11, 2017

To confirm the reappointment of Ms. Susan Clampitt to the Commission on the Arts and Humanities.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Commission on the Arts and Humanities Susan Clampitt Confirmation Resolution of 2017”.

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

Ms. Susan Clampitt
633 E Street, S.E.
Washington, D.C. 20003
(Ward 6)

as a member of the Commission on the Arts and Humanities, established by section 4 of the Commission on the Arts and Humanities Act, effective October 21, 1975 (D.C. Law 1-22; D.C. Official Code § 39-203), and for a term to end June 30, 2020.

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-181

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 11, 2017

To confirm the reappointment of Ms. Stacie Lee Banks to the Commission on the Arts and Humanities.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Commission on the Arts and Humanities Stacie Lee Banks Confirmation Resolution of 2017”.

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

Ms. Stacie Lee Banks
4465 Sedgwick Street, N.W.
Washington, D.C. 20016
(Ward 3)

as a member of the Commission on the Arts and Humanities, established by section 4 of the Commission on the Arts and Humanities Act, effective October 21, 1975 (D.C. Law 1-22; D.C. Official Code § 39-203), and for a term to end June 30, 2020.

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-182

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 11, 2017

To confirm the reappointment of Mr. Miles Gray to the Commission on the Arts and Humanities.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Commission on the Arts and Humanities Miles Gray Confirmation Resolution of 2017".

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

Mr. Miles Gray
306 Atlantic Street, S.E. Unit #14
Washington, D.C. 20032
(Ward 8)

as a member of the Commission on the Arts and Humanities, established by section 4 of the Commission on the Arts and Humanities Act, effective October 21, 1975 (D.C. Law 1-22; D.C. Official Code § 39-203), and for a term to end June 30, 2020.

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-183

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 11, 2017

To confirm the reappointment of Ms. Mary Ann Miller to the Commission on the Arts and Humanities.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Commission on the Arts and Humanities Mary Ann Miller Confirmation Resolution of 2017”.

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

Ms. Mary Ann Miller
3001 Veazey Terrace, N.W.
Washington, D.C. 20008
(Ward 3)

as a member of the Commission on the Arts and Humanities, established by section 4 of the Commission on the Arts and Humanities Act, effective October 21, 1975 (D.C. Law 1-22; D.C. Official Code § 39-203), for a term to end June 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

22-184

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 11, 2017

To confirm the reappointment of Mr. José Alberto Uclés to the Commission on the Arts and Humanities.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Commission on the Arts and Humanities José Alberto Uclés Confirmation Resolution of 2017”.

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

Mr. José Alberto Uclés
23 T Street, N.W.
Washington, D.C. 20001
(Ward 5)

as a member of the Commission on the Arts and Humanities, established by section 4 of the Commission on the Arts and Humanities Act, effective October 21, 1975 (D.C. Law 1-22; D.C. Official Code § 39-203), for a term to end June 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

22-185

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 11, 2017

To confirm the reappointment of Ms. Maria Hall Rooney to the Commission on the Arts and Humanities.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Commission on the Arts and Humanities Maria Hall Rooney Confirmation Resolution of 2017”.

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

Ms. Maria Hall Rooney
6136 32nd Street, N.W.
Washington, D.C. 20015
(Ward 4)

as a member of the Commission on the Arts and Humanities, established by section 4 of the Commission on the Arts and Humanities Act, effective October 21, 1975 (D.C. Law 1-22; D.C. Official Code § 39-203), for a term to end June 30, 2020.

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-186

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 11, 2017

To confirm the reappointment of Ms. Josef Palermo to the Commission on the Arts and Humanities.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Commission on the Arts and Humanities Josef Palermo Confirmation Resolution of 2017".

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

Mr. Josef Palermo
2415 20th Street, N.W.
Unit 27
Washington, D.C. 20009
(Ward 1)

as a member of the Commission on the Arts and Humanities, established by section 4 of the Commission on the Arts and Humanities Act, effective October 21, 1975 (D.C. Law 1-22; D.C. Official Code § 39-203), for a term to end June 30, 2020.

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-187

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 11, 2017

To confirm the reappointment of Ms. Gretchen Wharton to the Commission on the Arts and Humanities.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Commission on the Arts and Humanities Gretchen Wharton Confirmation Resolution of 2017”.

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

Ms. Gretchen Wharton
1726 5th Street, N.W.
Washington, D.C. 20001
(Ward 6)

as a member of the Commission on the Arts and Humanities, established by section 4 of the Commission on the Arts and Humanities Act, effective October 21, 1975 (D.C. Law 1-22; D.C. Official Code § 39-203), for a term to end June 30, 2018.

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-188

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 11, 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. 2016-LRSP-01A with City View Redevelopment LLC for units located at 2850 Douglass Place, 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. 2016-LRSP-01A 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 2016, DCHA participated in a Request for Proposals issued by the District of Columbia Department of Housing and Community Development. Of the total proposals received, 12 developers were chosen to work with DCHA and other District agencies to develop affordable housing and permanent supportive housing units for extremely low-income families making 0% to 30% of the area's median income, as well as the chronically homeless and individuals with mental or physical disabilities. Upon approval of the agreement to enter into a long term contract ("ALTSC") by the Council, DCHA will execute the agreement with the selected housing provider under the LRSP.

(c) There exists an immediate need to approve the ALTSC with City View Redevelopment LLC in order to provide long-term affordable housing units for extremely low-income households in the District for units located at 2850 Douglass Place, S.E.

(d) The Council's approval authorizes the ALTSC between the DCHA and City View Redevelopment LLC with respect to the payment of operating subsidy for rental assistance, and

ENROLLED ORIGINAL

allows the owner to lease 6 newly constructed units at City View Apartments and house District extremely low-income households with incomes at 30% or less of the area median income.

Sec. 3. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves the ALTSC with City View Redevelopment LLC to provide operating subsidy in support of 6 affordable housing units in an initial amount not to exceed \$81,120 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

22-189

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 11, 2017

To confirm the reappointment of Mr. Frederick P. Moosally as Director of the Alcoholic Beverage Regulation Administration.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Director of the Alcoholic Beverage Regulation Administration Frederick P. Moosally Confirmation Resolution of 2017”.

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

Mr. Frederick P. Moosally
4630 48th Street, N.W.
Washington, D.C. 20016
(Ward 3)

as the Director of the Alcoholic Beverage Regulation Administration, in accordance with D.C. Official Code § 25-207(a), for a term to end July 14, 2021.

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-190

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 11, 2017

To confirm the appointment of Ms. Eleanor Collinson to the Commission on Human Rights.

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

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

Ms. Eleanor Collinson
3604 Morrison Street, N.W.
Washington, D.C. 20015
(Ward 3)

as a member of the Commission on Human Rights, established by section 401 of the Human Rights Act of 1977, effective December 7, 2004 (D.C. Law 15-216; D.C. Official Code § 2-1404.01), in accordance with section 2(e)(8) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(e)(8)), for a term to end December 31, 2018.

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-191

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 11, 2017

To confirm the appointment of Mr. Philip McNamara to the District of Columbia Homeland Security Commission.

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

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

Mr. Philip McNamara
3104 16th Street, N.W., Apt B
Washington, D.C. 20010
(Ward 1)

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

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-192

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 11, 2017

To declare the existence of an emergency with respect to the need to approve Modification No. 6 to Contract No. CFOPD-16-C-035 with The Robert Bobb Group, LLC, to continue to provide change management services for the implementation of the new Modernized Integrated Tax System for the Office of the Chief Financial Officer on behalf of the Office of Tax and Revenue, and to authorize payment for services received and to be received under the contract.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Contract No. CFOPD-16-C-035 Extension Approval and Payment Authorization Emergency Declaration Resolution of 2017”.

Sec. 2. (a) There exists an immediate need to approve proposed Modification No. 6 to Contract No. CFOPD-16-C-035 with The Robert Bobb Group, LLC, to continue to provide change management services for the implementation of the new Modernized Integrated Tax System for the Office of the Chief Financial Officer on behalf of the Office of Tax and Revenue and to authorize payment for services received and to be received under the contract.

(b) On December 20, 2016, the Contracting Officer executed Modification No. 3, which exercised the first one-year option of the contract in the amount of \$862,901. On June 20, 2017, the Contracting Officer exercised Modification No. 5, which added \$129,020 to the contract amount for a total of \$991,921.

(c) Modification No. 6 would add additional deliverables to the scope of work and an additional amount of \$498,680, which would increase the total contract amount to \$1,490,601.

(d) Council approval is necessary because Modification No. 6 increases the contract to more than \$1 million during a 12-month period, and to allow the continuation of these vital services and The Robert Bobb Group, LLC, to continue to perform under the contract.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Contract No. CFOPD-16-C-035 Extension 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

22-193

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 11, 2017

To declare the existence of an emergency with respect to the need to approve multiyear Contract No. SO-17-016-0001530 with Ungerboeck Software International, Inc., to provide software and programming services to implement a new event booking management system for the Washington Convention and Sports Authority.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Ungerboeck Software International, Inc. Contract Emergency Declaration Resolution of 2017”.

Sec. 2. (a) There exists an immediate need to approve Contract No. SO-17-016-0001530 between the Washington Convention and Sports Authority (“Authority”) and Ungerboeck Software International, Inc., for the implementation of a new event booking management system for the Authority to meet the requirements of the Authority’s multi-faceted business environment.

(b) This multiyear contract with Ungerboeck Software International Inc., is for a not-to-exceed amount of \$580,810 for 18 months from the date of award.

(c) Expeditious Council action is necessary because the Authority’s current event booking management system does not possess the key modules or integration functionality that the Authority now requires for its several venues, such as coordinated and on-demand reporting, room inventory tracking, and customer contacts.

(d) The deficiencies in the Authority’s current system make it challenging for the Authority to efficiently execute its statutory duty to book conventions, meetings, trade shows, sporting and entertainment events, and other events at its venues so that revenues to the District and the Authority from visitor spending may be enhanced.

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 Ungerboeck Software International, Inc. Contract Emergency Approval Resolution of 2017 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-194

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 11, 2017

To approve, on an emergency basis, multiyear Contract No. SO-17-016-0001530 with Ungerboeck Software International, Inc., to provide software and programming services to implement a new event booking management system for the Washington Convention and Sports Authority.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Ungerboeck Software International Inc. Contract Emergency Approval Resolution of 2017”.

Sec. 2. Pursuant to section 451(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51(c)(3)), the Council approves Contract No. SO-17-016-0001530 with Ungerboeck Software International, Inc., to provide software and programming services to implement a new event booking management system for the Washington Convention and Sports Authority in the not-to-exceed amount of \$580,810.

Sec. 3. Transmittal.

The Council shall transmit a copy of this resolution, upon its adoption, to the Washington Convention and Sports Authority.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-195

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 11, 2017

To declare the existence of an emergency with respect to the need to approve Change Order Nos. 1 through 6 to Contract No. DCAM-14-CS-0140 with Tompkins Builders, Inc. for design-build services for Friendship Recreation Center, and to authorize payment in the aggregate amount of \$1,324,373 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 Orders to Contract No. DCAM-14-CS-0140 Approval and Payment Authorization Emergency Declaration Resolution of 2017”.

Sec. 2. (a) There exists an immediate need to approve Change Order Nos. 1 through 6 to Contract No. DCAM-14-CS-0140 with Tompkins Builders, Inc. to provide design-build services for Friendship Recreation Center, and to authorize payment in the aggregate amount of \$1,324,373 for the goods and services received and to be received under the change orders.

(b) On July 12, 2015, the underlying contract to modernize the Friendship Recreation Center was deemed approved by the Council as CA21-0149. Subsequently, Change Order Nos. 1 through 5 were issued with an aggregate value of \$974,742. Thus, Council approval was not required. Proposed Change Order No. 6, in the amount of \$349,631, would increase the aggregate value of Change Order Nos. 1 through 6 to \$1,324,373.

(c) Change Order No. 6 will cause the aggregate value of all change orders issued after Council approval of the underlying contract to exceed \$1 million. Thus, Council approval of Change Order Nos. 1 through 6 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 Orders to Contract No. DCAM-14-CS-0140 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

22-196

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 11, 2017

To declare the existence of an emergency with respect to the need to approve Change Order Nos. 4 and 5 to Contract No. DCAM-14-CS-0098 with GCS-Sigal, LLC for design-build services for Duke Ellington School of the Arts, and to authorize payment in the aggregate amount of \$4,432,612.50 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 Orders to Contract No. DCAM-14-CS-0098 Approval and Payment Authorization Emergency Declaration Resolution of 2017”.

Sec. 2. (a) There exists an immediate need to approve Change Order Nos. 4 and 5 to Contract No. DCAM-14-CS-0098 with GCS-Sigal, LLC for design-build services for Duke Ellington School of the Arts, and to authorize payment in the aggregate amount of \$4,432,612.50 for the goods and services received and to be received under the change orders.

(b) On July 6, 2014, the underlying contract, Contract No. DCAM-14-CS-0098, was deemed approved by the Council as CA20-0416. On July 6, 2015, Change Order Nos. 1 through 2R were deemed approved by the Council as CA21-0129. On July 7, 2016, Change Order No. 3 was deemed approved by the Council as CA21-0459. On March 31, 2017, Change Order No. 4 was issued in the amount of \$994,205.30, increasing the total contract value from \$160,975,000 to \$161,969,205.30. The value of Change Order No. 4 was less than \$1 million; thus, Change Order No. 4 did not require Council approval. Proposed Change Order No. 5, in the amount of \$3,438,407.20, would cause the aggregate value of Change Order Nos. 4 and 5 to be \$4,432,612.50, increasing the total contract value from \$161,969,205.30 to \$165,407,612.50, based on a revised scope of work.

(c) Council approval of Change Order Nos. 4 and 5 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 proposed Change Order No. 5 would cause the aggregate value of all change orders issued after the last Council approval to exceed \$1 million.

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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 Orders to Contract No. DCAM-14-CS-0098 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

22-197

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 11, 2017

To declare the existence of an emergency with respect to the need to approve Change Order Nos. 3 through 7 to Contract No. DCAM-16-CS-0074 with W.M. Schlosser Company, Inc. for construction manager at-risk services for infrastructure work in connection with the DC United Soccer Stadium, and to authorize payment in the aggregate amount of \$6,955,761.28 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 Orders to Contract No. DCAM-16-CS-0074 Approval and Payment Authorization Emergency Declaration Resolution of 2017”.

Sec. 2 (a) There exists an immediate need to approve Change Order Nos. 3 through 7 to Contract No. DCAM-16-CS-0074 with W.M. Schlosser Company, Inc. for construction manager at-risk services for infrastructure work in connection with the DC United Soccer Stadium, and to authorize payment in the aggregate amount of \$6,955,761.28 for the goods and services received and to be received under the change orders.

(b) On May 27, 2016, the underlying contract was deemed approved by the Council as CA21-0385. The underlying contract, as submitted to Council, included 3 phases with a total value of \$25,077,000, which included a lump sum of \$13,752,000 for the first phase, a fee of \$325,000 for the second phase, and a target guaranteed maximum price of \$11 million for the third phase.

(c) The Department subsequently submitted Change Order Nos. 1 and 2 which were approved by the Council as B21-0983 and PR21-1090. Change Order Nos. 1 and 2 authorized revised scopes of work for the contract’s first phase in the aggregate amount of \$1,630,088, increasing the lump sum price for the first phase to \$15,382,088 and the total contract value from \$25,077,000 to \$26,707,088.

(d) Council approval is now required as proposed Change Order No. 7 would establish a final guaranteed maximum price for the third phase of the contract, increasing the target guaranteed maximum price for the third phase by \$6.3 million from \$11.4 million to \$17.7 million and the total value of the contract to \$33,662,849.28. If approved, the aggregate increase to the total contract value, via Change Order Nos. 3 through 7, would be \$6,955,761.28. Proposed Change Order No. 7 would cause the aggregate value of all change orders issued after

ENROLLED ORIGINAL

the last Council approval to exceed \$1 million and thus Council approval of Change Order No. 3 through 7 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 Orders to Contract No. DCAM-16-CS-0074 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

22-198

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 11, 2017

To declare the existence of an emergency with respect to the need to approve Modification Nos. 20 and 23 to Contract No. DCKA-2012-C-0089 with Capital Paving of D.C., Inc. to provide pavement restoration of local streets, 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. DCKA-2012-C-0089 Approval and Payment Authorization Emergency Declaration Resolution of 2017”.

Sec. 2. (a) There exists a need to approve Modification Nos. 20 and 23 to Contract No. DCKA-2012-C-0089 with Capital Paving of D.C., Inc. to provide pavement restoration of local streets, and to authorize payment for the goods and services received and to be received under the modifications.

(b) By Modification No. 20, dated April 6, 2017, the Office of Contracting and Procurement (“OCP”), on behalf of the Department of Transportation, exercised a partial option of Option Year 4 of Contract No. DCKA-2012-C-0089 for the period from April 10, 2017, through June 9, 2017, at no cost.

(c) By Modification No. 23, dated June 6, 2017, OCP exercised the remainder of Option Year 4 for the period from June 9, 2017, through April 8, 2018, in the amount of \$11,145,855. The total estimated amount for Option Year 4 is \$11,145,855.

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

(e) Approval is necessary to allow the continuation of these vital services. Without this approval, Capital Paving of D.C., Inc. cannot be paid for goods and services provided in excess of \$1 million for the contract period April 9, 2017, through April 8, 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. DCKA-2012-C-0089 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

22-199

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 11, 2017

To declare the existence of an emergency with respect to the need to approve Modification No. 1 to Contract No. DCKA-2016-C-0048 with Vanasse Hangen Brustlin, Inc. to provide services related to the National Environmental Policy Act study of the Long Bridge Project, and to authorize payment for the goods and services received and to be received under the modification.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Modification to Contract No. DCKA-2016-C-0048 Approval and Payment Authorization Emergency Declaration Resolution of 2017”.

Sec. 2. (a) There exists a need to approve Modification No. 1 to Contract No. DCKA-2016-C-0048 with Vanasse Hangen Brustlin, Inc. to provide services related to the National Environmental Policy Act study of the Long Bridge Project, and to authorize payment for the goods and services received and to be received under the modification.

(b) On February 15, 2017, the Office of Contracting and Procurement (“OCP”), on behalf of the District Department of Transportation, awarded Contract No. DCKA-2016-C-0048 for the period of February 15, 2017, to February 15, 2019. Under the contract, services were to be ordered by issuing task orders. The District issued Task Order No. 1 on February 15, 2017, in the amount of \$399,533.89, and Task Order No. 2 on May 30, 2017, in the amount of \$598,644.54, for a total amount of \$998,178.43.

(c) By Modification No. 1, OCP proposes to establish the contract ceiling as \$4.1 million.

(d) Council approval is necessary since this modification increases the value of the contract by more than \$1 million during a 12-month period.

(e) Approval is necessary to allow the continuation of these vital services. Without this approval, Vanasse Hangen Brustlin, Inc. cannot be paid for goods and services provided in excess of \$1 million for the contract period February 15, 2017, through February 15, 2019.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modification to Contract No. DCKA-2016-C-0048 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

22-200

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 11, 2017

To declare the existence of an emergency with respect to the need to approve Modification Nos. 6, 7, 8, 9, 13, 14, 15, and 16 to Contract No. CW32705 with Tetra Tech, Inc. to provide services pursuant to the requirements of the Anacostia River Toxics Remediation Act of 2014, 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. CW32705 Approval and Payment Authorization Emergency Declaration Resolution of 2017”.

Sec. 2. (a) There exists a need to approve Modification Nos. 6, 7, 8, 9, 13, 14, 15, and 16 to Contract No. 32705 with Tetra Tech, Inc. to provide services pursuant to the requirements of section 6092 of the Anacostia River Toxics Remediation Act of 2014, effective February 26, 2015 (D.C. Law 20-155; D.C. Official Code § 8-104.31) (“Anacostia River Toxics Remediation Act”), and to authorize payment for the goods and services received and to be received under the modifications.

(b) On December 5, 2016, the District issued Modification No. 6 to partially exercise Option Year 2 for the period of December 8, 2016, through February 14, 2017, in the not-to-exceed amount of \$970,000.

(c) On February 13, 2017, the District issued Modification No. 7 to exercise another partial option for the period of February 15, 2017, through March 14, 2017, at no additional cost.

(d) On March 14, 2017, the District issued Modification No. 8 to exercise a third partial option for Option Year 2 for the period of March 15, 2017, through April 14, 2017, at no additional cost.

(e) On April 12, 2017, the District issued Modification No. 9 to extend Option Year 2 for the period of April 15, 2017, through May 14, 2017, at no additional cost.

(f) On May 14, 2017, the District issued Modification No. 13 to exercise another partial option for the period of May 15, 2017, through June 14, 2017, at no additional cost.

(g) On June 14, 2017, the District issued Modification No. 15 to extend the contract from June 15, 2017, through July 14, 2017, at no additional cost.

(h) On June 14, 2017, the District issued Modification No. 16 which modified the monthly management fixed fee to \$37,000 per month for Option Year 2.

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(i) By proposed Modification No. 14, the District will exercise the remainder of Option Year 2 for the period of July 15, 2017, through December 7, 2017, in the not-to-exceed amount of \$10 million.

(j) 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 the aggregate not-to-exceed value of Modification Nos. 6, 7, 8, 9, 13, 14, 15, and 16 will be in excess of \$1 million . .

(k) Approval of Modification Nos. 6, 7, 8, 9, 13, 14, 15, and 16 in the aggregate not-to-exceed amount of \$10 million is necessary to ensure the performance of services performed to satisfy the requirements of the Anacostia River Toxics Remediation Act and to compensate Tetra Tech, Inc. for the goods and services provided and to be provided under the modifications.

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. CW32705 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

22-201

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 11, 2017

To declare the existence of an emergency with respect to the need to approve Modification Nos. 49 and 50 to Contract No. DCKA-2011-C-0121 with Ratp Dev McDonald Transit to provide services for the operation and maintenance of the DC Streetcar System, 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. DCKA-2011-C-0121 Approval and Payment Authorization Emergency Declaration Resolution of 2017”.

Sec. 2. (a) There exists a need to approve Modification Nos. 49 and 50 to Contract No. DCKA-2011-C-0121 with Ratp Dev McDonald Transit to provide services for the operation and maintenance of the DC Streetcar System, and to authorize payment for the goods and services received and to be received under the modifications.

(b) On June 29, 2017, the District issued Modification No. 49 to partially exercise Option Period 1 for the period of July 6, 2017, through July 22, 2017, in the not-to-exceed amount of \$650,000.

(c) By proposed Modification No. 50, the District will exercise the remainder of Option Period 1 for the period of July 23, 2017, through July 5, 2022, in the not-to exceed amount of \$40,474,750.

(d) Council approval is necessary since these modifications increase the contract value 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, Ratp Dev McDonald Transit cannot be paid for goods and services provided in excess of \$1 million during a 12-month period.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modifications to Contract No. DCKA-2011-C-0121 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

22-202

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 11, 2017

To declare the existence of an emergency with respect to the need to approve Modification Nos. 1, 2, 3, and 4 to Contract No. GAGA-2016-C-0028 with Vision Security Solutions, LLC to procure monitoring, maintenance, repair, and replacement services for closed circuit television cameras deployed at District of Columbia Public Schools sites during Option Year One, and to authorize payment for the services received and to be received under these modifications.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Modifications to Contract No. GAGA-2016-C-0028 with Vision Security Solutions, LLC Approval and Payment Authorization Emergency Declaration Resolution of 2017”.

Sec. 2. (a) There exists a need to approve Modification Nos. 1, 2, 3, and 4 to Contract No. GAGA-2016-C-0028 with Vision Security Solutions, LLC to procure monitoring, maintenance, repair, and replacement services for the closed circuit television cameras deployed at District of Columbia Public Schools sites and to authorize payment for the goods and services received and to be received under Modification Nos. 1, 2, 3, and 4.

(b) By Modification No. 1, on December 23, 2016, the District of Columbia Public Schools exercised a partial option for Option Year One in the amount of \$207,343.16 for the period from January 1 through February 28, 2017.

(c) By Modification No. 2, on February 16, 2017, the District of Columbia Public Schools exercised a second partial option in the amount of \$353,665.42 for the period from March 1 through June 15, 2017.

(d) By Modification No. 3, on June 2, 2017, the District of Columbia Public Schools exercised a third partial option in the amount of \$308,010, resulting in a total not-to-exceed amount of \$869,018.58 for the period from January 1 through August 15, 2017.

(e) Modification No. 4 is now necessary to increase the not-to-exceed amount by \$375,040.42, resulting in a total not-to-exceed amount for Option Year One of \$1,244,059 for the period from January 1 through December 31, 2017.

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

ENROLLED ORIGINAL

(g) Approval is necessary to allow the continuation of these vital services. Without this approval, Vision Security Solutions, LLC cannot be paid for goods and services provided in excess of \$1 million for the contract period from January 1 through December 31, 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. GAGA-2016-C-0028 with Vision Security Solutions, 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

22-203

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 11, 2017

To declare the existence of an emergency with respect to the need to approve Modification Nos. 6 and 7 to Contract No. GAGA-2016-C-0036A-2 with D.C. Central Kitchen to manage the overall District of Columbia Public Schools Food Service Program for an estimated 12 schools during Option Year One, and to authorize payment for the goods and services received and to be received under these modifications.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Modifications to Contract No. GAGA-2016-C-0036A-2 with D.C. Central Kitchen Approval and Payment Authorization Emergency Declaration Resolution of 2017”.

Sec. 2. (a) There exists a need to approve Modification Nos. 6 and 7 to Contract No. GAGA-2016-C-0036A-2 with D.C. Central Kitchen to manage the overall food service program at approximately 12 District of Columbia public schools and to authorize payment for the goods and services received and to be received under Modification Nos. 6 and 7.

(b) By Modification No. 6, on June 26, 2017, the District of Columbia Public Schools exercised a partial option for Option Year One in the amount of \$1,033,674.93 for the period from July 1 through September 30, 2017.

(c) By Modification No. 7, the District of Columbia Public Schools now proposes to exercise the remainder of Option Year One in the amount of \$4,587,039.36, resulting in a total estimated amount for Option Year One of \$5,620,714.29 for the period from July 1, 2017, through June 30, 2018.

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

(g) Approval is necessary to allow the continuation of these vital services. Without this approval, D.C. Central Kitchen cannot be paid for goods and services provided in excess of \$1 million for the contract period from July 1, 2017, through June 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. GAGA-2016-C-0036A-2 with D.C. Central Kitchen 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

22-204

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 11, 2017

To declare the existence of an emergency with respect to the need to approve Modification Nos. 6 and 7 to Contract No. GAGA-2016-C-0036A-1 with SodexoMagic, LLC to manage the overall District of Columbia Public Schools Food Service Program for an estimated 101 schools during Option Year One, and to authorize payment for the goods and services received and to be received under these modifications.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Modifications to Contract No. GAGA-2016-C-0036A-1 with SodexoMagic, LLC Approval and Payment Authorization Emergency Declaration Resolution of 2017”.

Sec. 2. (a) There exists a need to approve Modification Nos. 6 and 7 to Contract No. GAGA-2016-C-0036A-1 with SodexoMagic, LLC to manage the overall food service program for approximately 101 District of Columbia public schools, and to authorize payment for the goods and services received and to be received under Modification Nos. 6 and 7.

(b) By Modification No. 6, on June 23, 2017, the District of Columbia Public Schools exercised a partial option for Option Year One in the amount of \$6,171,656.18 for the period from July 1 through September 30, 2017.

(c) By Modification No. 7, the District of Columbia Public Schools now proposes to exercise the remainder of Option Year One in the amount of \$29,410,449.64, resulting in a total estimated amount for Option Year One of \$35,582,105.82 for the period from July 1, 2017, through June 30, 2018.

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

(e) Approval is necessary to allow the continuation of these vital services. Without this approval, SodexoMagic, LLC cannot be paid for goods and services provided in excess of \$1 million for the contract period from July 1, 2017, through June 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. GAGA-2016-C-0036A-1 with SodexoMagic, 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

22-205

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 11, 2017

To declare the existence of an emergency with respect to the need to approve Modification Nos. 12 and 13 to Contract No. GAGA-2015-C-0034 with Tamah, LLC to acquire dedicated aides to provide one-on-one instructional, behavioral, or medical paraprofessional support for District of Columbia Public Schools’ students during Option Year Two, and to authorize payment for the services received and to be received under these modifications.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Modifications to Contract No. GAGA-2015-C-0034 with Tamah, LLC Approval and Payment Authorization Emergency Declaration Resolution of 2017”.

Sec. 2. (a) There exists a need to approve Modification Nos. 12 and 13 to Contract No. GAGA-2015-C-0034 with Tamah, LLC to acquire dedicated aides to provide one-on-one instructional, behavioral, or medical paraprofessional support for students of the District of Columbia Public Schools, and to authorize payment for the goods and services received and to be received under Modification Nos. 12 and 13.

(b) By Modification No. 12, on June 23, 2017, the District of Columbia Public Schools exercised a partial option for Option Year Two in the amount of \$467,812.50 for the period from July 1 through September 30, 2017.

(c) By Modification No. 13 the District of Columbia Public Schools now proposes to exercise the remainder of Option Year Two in the amount of \$3,006,259.26, resulting in a total not-to-exceed amount for Option Year Two of \$3,474,071.76 for the period from July 1, 2017, through June 30, 2018.

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

(e) Approval is necessary to allow the continuation of these vital services. Without this approval, Tamah, LLC cannot be paid for goods and services provided in excess of \$1 million for the contract period from July 1, 2017, through June 30, 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

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Modifications to Contract No. GAGA-2015-C-0034 with Tamah, 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

22-206

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 11, 2017

To declare the existence of an emergency with respect to the need to approve Modification Nos. 15, 16, and 17 to Contract No. GAGA-2014-C-0026D with The Futures HealthCore, LLC dba Futures Education of the District of Columbia to provide occupational and physical therapy services and to authorize payment for the goods and services received and to be received under option year 3 of the contract.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Modifications for Option Year 3 to Contract No. GAGA-2014-C-0026D with The Futures HealthCore, LLC dba Futures Education of the District of Columbia Approval and Payment Authorization Emergency Declaration Resolution of 2017”.

Sec. 2. (a) There exists a need to approve Modification Nos. 15, 16, and 17 to Contract No. GAGA-2014-C-0026D with The Futures HealthCore, LLC dba Futures Education of the District of Columbia to provide occupational and physical therapy services and to authorize payment for the goods and services received and to be received under Modification Nos. 15, 16, and 17.

(b) By Modification No. 15, dated May 3, 2017, the District of Columbia Public Schools (“DCPS”) increased the estimated amount of option year 3 from \$2,287,752 to \$2,391,543.

(c) By Modification No.16, dated June 19, 2017, the DCPS exercised a partial option for option year 3 in the not-to-exceed amount of \$396,459 for the period from June 20, 2017 through September 30, 2017.

(d) By Modification No. 17, DCPS now proposes to exercise the remainder of option year three for the period from October 1, 2017 through June 19, 2018 in the amount of \$1,995,084, making the total estimated amount for option year 3 \$2,391,543 for the period from June 20, 2017 through June 19, 2018.

(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, The Futures HealthCore, LLC dba Futures Education of the

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District of Columbia cannot be paid for goods and services provided in excess of \$1 million for the contract period June 20, 2017 through June 19, 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 Option Year 3 of Contract No. GAGA-2014-C-0026D with The Futures HealthCore, LLC dba Futures Education of the District of Columbia 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

22-207

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 11, 2017

To authorize the Chairperson of the Committee on Health to hold a roundtable on issues related to congressional efforts to repeal and replace the federal Affordable Care Act and to authorize the University of the District of Columbia to submit grant budget modifications during the Council's summer 2017 recess.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Council Period 22 2017 Recess Rules Resolution of 2017".

Sec. 2. In accordance with Rule 501, the Chairperson of the Committee on Health, in consultation with the Chairman of the Council, is authorized to hold a public roundtable during the period from July 15 through September 15, 2017, on issues related to congressional legislation to repeal and replace the federal Affordable Care Act and its effects on District of Columbia health-insurance coverage.

Sec. 3. The Rules of Organization and Procedure for the Council of the District of Columbia, Council Period 22, Resolution of 2017, effective January 2, 2017 (Res. 22-1; 64 DCR 188), is amended as follows:

(a) Section 306(b) is amended by adding a new paragraph (5) to read as follows:

"(5) A request for a budget modification from the University of the District of Columbia for Fiscal Year 2017 grant funds may be transmitted to the Secretary from July 15 through September 15, 2017."

(b) Section 711 is amended as follows:

(1) The existing text is designated as subsection (a).

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

"(b) Notwithstanding subsection (a) of this section, a request for a budget modification from the University of the District of Columbia for Fiscal Year 2017 grant funds may be submitted, and the time period for the request may be counted, from July 15 through September 15, 2017."

Sec. 4. This resolution shall expire on September 16, 2017.

Sec. 5. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-208

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 11, 2017

To declare the existence of an emergency with respect to the need to amend the Business Improvement Districts Act of 1996 to revise the rates of the assessments in the Capitol Riverfront Business Improvement District.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Capitol Riverfront Business Improvement District Emergency Declaration Resolution of 2017”.

Sec. 2. (a) There exists an immediate need to increase the rates for assessments within the boundaries of the Capitol Riverfront Business Improvement District (“BID”).

(b) The Capitol Riverfront BID was established pursuant to the Capitol Riverfront Business Improvement District Amendment Act of 2007, effective October 18, 2007 (D.C. Law 17-27; 54 DCR 8020), and its boundaries encompass an area approximately 500 acres in size, bounded to the north of I-395, to the south by the Anacostia River, to the east by 15th Street, S.E., and to the west by South Capitol Street, S.E., and the Frederick Douglas Bridge, and through an extension west to 2nd Street, S.W., and Q and P Streets, S.W., which includes Buzzard Point.

(c) The Capitol Riverfront BID serves an area of the District that is growing at a rapid rate, and expects to serve nearly 37 million square feet of new development.

(d) The Capitol Riverfront BID needs additional real property assessment revenue to ensure that its current level of service is maintained and can continue to exist as new development is realized.

(e) A permanent increase to assessment rates is necessary to ensure that the Capitol Riverfront BID can appropriately bill eligible properties within the boundaries of the BID for the next billing cycle, which occurs prior to Council returning from summer legislative recess.

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 Capitol Riverfront Business Improvement District Emergency Amendment Act of 2017 be adopted after a single reading.

Sec. 4. Effective date.

This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-209

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 11, 2017

To declare the existence of an emergency with respect to the need to amend the Fiscal Year 2018 Budget Support Emergency Act of 2017 to clarify the applicability dates for several subtitles of the act.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Fiscal Year 2018 Budget Support Applicability Clarification Emergency Declaration Resolution of 2017”.

Sec. 2. (a) There exists an immediate need to clarify the applicability date of several subtitles of the Fiscal Year 2018 Budget Support Emergency Act of 2017, passed on emergency basis on June 27, 2017 (Enrolled version of Bill 22-341) (the “Emergency Act”), to make the subtitles applicable upon the effective date of the Emergency Act rather than at the beginning of the upcoming fiscal year.

(b) It was the intent of the Council that Subtitle H of Title I of the Emergency Act, the Legislative Branch Performance Bonus Pay Emergency Amendment Act of 2017, be in effect for the remainder of Fiscal Year 2017 to allow legislative-branch personnel authorities to complete performance reviews and awards in the current fiscal year.

(c) It was the intent of the Council that Subtitle N of Title I of the Emergency Act, the Contract Appeals Board Rulemaking Emergency Amendment Act of 2017, be in effect as soon as possible to allow the Contract Appeals Board an opportunity to update its own rules before October 1, 2017.

(d) It was the intent of the Council that Subtitle Z of Title II of the Emergency Act, the DCRB Fair Credit in Employment Emergency Amendment Act of 2017, be in effect as soon as possible to ensure that the District of Columbia Retirement Board can continue to perform certain background checks of its prospective employees for the remainder of Fiscal Year 2017.

(e) Each of the amendments made by this emergency legislation would be superseded upon the effective date of the Fiscal Year 2018 Budget Support Act of 2017, passed on 2nd reading on June 27, 2017 (Enrolled version of Bill 22-244) (the “Permanent Act”).

(f) Enacting the emergency legislation on an emergency basis will allow certain provisions of the Permanent Act to be in effect before October 1, 2017 and the July 11, 2017 legislative meeting is the last opportunity for the Council to do so before the end of Fiscal Year 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 Fiscal Year 2018 Budget Support Applicability Clarification Emergency Amendment Act of 2017 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-210

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 11, 2017

To declare the existence of an emergency with respect to the need to designate the entire portion of the public alley system within Square 376, bounded by 9th Street, N.W., F Street, N.W., 10th Street, N.W., and G Street, N.W., in Ward 2, as McGill Alley to honor the prolific 19th century Washington, D.C. architect, James H. McGill.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “McGill Alley Designation Emergency Declaration Resolution of 2017”.

Sec. 2. (a) There exists an immediate need to approve emergency legislation to officially designate the entire portion of the public alley system in Square 376 as McGill Alley.

(b) The entire portion of the public alley system in Square 376 runs parallel to F Street, N.W, and G Street, N.W., between 9th Street, N.W., and 10th Street, N.W., and is connected to a mixed-use building at 915 F Street, N.W., that includes office, retail, and restaurant space and is known as the Equitable Building.

(c) The purpose of the alley designation is to support the effort to improve the safety and cleanliness of the alleyway for existing tenants of the Equitable Building and to attract new tenants to the Equitable Building, as well as to allow addresses to be assigned to properties within the alley and resolve existing wayfinding issues.

(d) A permanent version of this legislation was approved on first reading on June 27, 2017, and will be considered by the Council on second reading on July 11, 2017.

(e) Enacting the legislation on an emergency basis will make the designation effective sooner than congressional review otherwise will permit and will enable the full use of the Equitable Building to proceed without delay.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the McGill Alley Designation Emergency Act of 2017 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-211

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 11, 2017

To declare the existence of an emergency with respect to the need to establish a standard of care for animals, provide additional authority for the Animal Care and Control Agency to issue citations, and to increase fines for failing to provide animals with humane treatment.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Standard of Care for Animals Emergency Declaration Resolution of 2017”.

Sec. 2. (a) This past February, the Council passed and the Mayor signed the Extreme Weather Protection for Animals Emergency Amendment Act of 2017, effective February 21, 2017 (D.C. Act 22-8; 64 DCR 2345), to protect dogs left outside during extreme winter conditions.

(b) The law was needed in response to situations like that of Momma, a pitbull that was left outside during a Homeland Security Emergency Management Agency extreme cold weather advisory.

(c) Similar permanent legislation, the Standard of Care for Animals Amendment Act of 2017, passed on 1st reading on July 11, 2017 (Engrossed version of Bill 22-64), is pending before the Council.

(d) However, the permanent legislation will not become law before the end of summer, and extreme heat poses as great a danger to animals as extreme cold temperatures.

(e) Already, there have been 2 dogs rescued from hot cars and a third dog has died from heat exposure from being left outside.

(f) The emergency bill creates a standard of care for animals, including requirements of adequate care, feed, space, shelter, and water.

(g) The bill outlines what constitutes an adequate shelter for dogs that primarily reside outdoors.

(h) The bill specifically prohibits leaving an animal in a parked vehicle in such a way as to endanger the animal’s health, safety, or welfare.

(i) The bill also requires that when the temperature reaches above 90 degrees Fahrenheit, animals should not be left outdoors, unattended for more than 15 minutes unless the age, condition, size, and type of animal allows the animal to withstand the extreme weather.

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(j) The bill provides the Animal Care and Control Agency with the authority to issue citations ranging from warnings to fines not to exceed \$500 or \$1000 in cases of intentional or grossly negligent harm to an animal.

(k) Lastly, the bill will ensure there will be safeguards in place for the duration of summer and until a permanent version becomes law.

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 Standard of Care for Animals Emergency Amendment Act of 2017 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-212

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 11, 2017

To declare the existence of an emergency with respect to the need to prohibit the District of Columbia Board of Elections from complying with any requests of the Presidential Advisory Commission on Election Integrity.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Voter Rolls Protection Emergency Declaration Resolution of 2017”.

Sec. 2. (a) On May 11, 2017, President Trump signed Executive Order 13799 to establish the Presidential Advisory Commission on Election Integrity (“Commission”) to purportedly “study the registration and voting processes used in Federal elections”.

(b) On June 28, 2017, the Commission sent a letter to all 50 states and the District of Columbia requesting registered voters’ personal information, including names; addresses; dates of birth; political parties; last 4 digits of social security numbers; voter histories from 2006 onward; active/inactive status; cancelled status; information regarding any felony convictions; information regarding voter registration in another state; information regarding military status; and overseas voter information. The letter did not specify how the Commission plans to use the personal information, but it did state that the data will be made available to the public.

(c) The request is alarming in the context of President Trump’s unsubstantiated comments alleging widespread voter fraud in the November 2016 General Election. The President has falsely alleged on numerous occasions that 3 to 5 million “illegal” votes were cast, despite no evidence to support that allegation. Additionally, the President, the Vice Chair of the Commission, and some of its members have a documented history of support for restrictive policies that have the effect of suppressing the votes of people of color, the elderly, and low-income Americans.

(d) District law provides that some information in the voter rolls is public, but it does not authorize the release of all the information requested, including social security numbers, dates of birth, and information regarding felony convictions. Moreover, compliance with this request even for already public information would only serve to intimidate voters and support rhetoric that undermines the electorate’s confidence in states’ abilities to carry out their elections.

(e) Thus far, 44 states and the District of Columbia have refused to comply with the Commission’s request, either in whole or in part. The Electronic Information Privacy Center has

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also filed for a temporary restraining order in the United States District Court for the District of Columbia to block the request.

(f) The Council supports legitimate efforts to better secure the District’s voter rolls, equipment, and technology, and will continue to conduct oversight to ensure that the District of Columbia Board of Elections (“Board”) conducts the District’s elections securely and with the necessary resources. In that vein, in May, the Council approved \$3 million for the Board to develop and implement a new centralized, integrated citywide voter registration and election management database system.

(g) This emergency legislation will protect registered voters’ personal information by prohibiting the Board from complying with any requests from the Commission. Current laws and regulations regarding what information in the voter rolls is otherwise public would be unaltered.

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 Voter Rolls Protection Emergency Act of 2017 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-213

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 11, 2017

To declare the existence of an emergency with respect to the need to require the Department of Parks and Recreation to issue a grant to an organization providing programming to low-income children at the Fort Dupont Ice Arena.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Fort Dupont Ice Arena Programming Emergency Declaration Resolution of 2017”.

Sec. 2. (a) The Fiscal Year 2017 Local Budget Act of 2016, effective July 29, 2016 (D.C. Law 21-142; 63 DCR 8786) (“Local Budget Act”), allocated \$235,000 in recurring funds to the Department of Parks and Recreation (“the Department”) to support programming at the Fort Dupont Ice Arena for low-income children.

(b) The National Park Service transferred jurisdiction of Fort Dupont to the District in 2010. Currently, a nonprofit organization leases and operates the ice rink on the site, offering a variety of programs, one of which provides free figure skating, hockey, and speed skating lessons to low-income children.

(c) Since the passage of the Local Budget Act, it has come to light that the Department lacks grant-making authority, preventing it from distributing the funds allocated to it for programming at the Fort Dupont Ice Arena.

(d) This legislation is necessary to give the Department the authority to issue a grant using funds allocated for programming at Fort Dupont Ice Rink.

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 Fort Dupont Ice Arena Programming Emergency Amendment Act of 2017 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-214

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 11, 2017

To declare the existence of an emergency with respect to the need to establish a maximum fee for filing a certificate of need application by Unity Health Care, Inc. for a project located at 4430 Benning Road, N.E., Washington, D.C. 20019.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Unity Health Care, Inc. Certificate of Need Maximum Fee Establishment Emergency Declaration Resolution of 2017.”

Sec. 2. (a) Unity Health Care, Inc. (“Unity”), a federally qualified health center, is constructing a new health center as part of the Conway Center development located at 4430 Benning Road, N.E., Washington, D.C. 20019. The new health center is intended to replace Unity’s East of the River (“EOR”) and Minnesota Avenue health centers.

(b) The Conway Center is being developed by So Others Might Eat (“SOME”), which is a 501(c)(3) nonprofit that “exists to help the poor and homeless of our nation’s capital.” When completed, the project will total 320,000 square feet of mixed use space. The SOME portion of the building is being developed with affordable housing units and includes space for job training services. Unity, meanwhile, has agreed to lease and build-out approximately 37,659 square feet of space for its clinical purposes from SOME.

(c) The collaboration between Unity and SOME, which grew out of a long-term partnership, is an innovative, integrated effort to improve patient outcomes and satisfaction by addressing the adverse health conditions of homelessness, unemployment, and poverty that are prevalent in the Ward 7.

(d) The new health center space will enable Unity to address EOR’s physical constraints and expiring lease, which does not contain a renewal provision. In addition, the Minnesota Avenue health center occupies space that previously served as a grocery store and has significant structural and physical limitations that inhibit patient care and services.

(e) The proposed new health space offers an incredible opportunity for Unity to upgrade its clinical space, programs, and services. The new health center will include a total of 43 exam rooms; 6 dental operatories; pharmacy, lab, and wellness space; Women, Infant, and Children services; and a host of specialty medical services, including podiatry, psychiatry, and ophthalmology.

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(f) Furthermore, Unity's new health care clinic will address important components of access and continuity of care, including clinical efficiency (i.e. patient wait times, staff communication, and clinical outcomes), patient well-being and satisfaction (providing a relaxing and comfortable patient environment), and clinical collaboration through informed design. The new site will help foster an efficient and cohesive patient flow and better address patients' wraparound needs through additional services. The strategic positioning of the waiting room, exam rooms, provider pods, and information technology will further optimize Unity's patient-centered medical home model and facilitate a better process for patients to access medical services.

(g) Unity's preliminary "all in" budget for the new clinic is approximately \$7,190,547. Of this amount, \$5,444,279 is dedicated to hard and soft construction costs, and \$1,746,268 million is earmarked for furniture, fixtures, and equipment. Unity is scheduled to begin construction on the new health center in October 2017. The process is expected to take 5 to 6 months, allowing the new health center to open in the 2nd quarter of 2018.

(h) Under District law, an entity requesting a certificate of need for capital projects is required to pay an application fee to the District's State Health Planning and Development Agency. The application fee is 3% of the proposed capital expenditure or \$5,000, whichever is greater – with a maximum of \$300,000.

(i) The above fee formula, if applied to Unity's certificate of need application, would require a payment of approximately \$215,716 by Unity to the District government. Given Unity's significant investment in its new facility, which is intended to meet the needs of East Washington residents, a more appropriate application fee is in order. It is worth noting that existing District law caps the maximum fee for any project receiving funds through the Medical Homes DC Initiative, as operated by the District of Columbia Primary Care Association. While the Medical Homes DC Initiative no longer exists, the need to lessen the regulatory expenses of facilities that serve the underserved endures.

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 Unity Health Care, Inc. Certificate of Need Maximum Fee Establishment Emergency Amendment Act of 2017 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-215

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 11, 2017

To declare the existence of an emergency with respect to the need 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. 2016-LRSP-02A with Ft. Stevens Place LLC for units located at 1339 Ft. Stevens Drive, N.W.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Local Rent Supplement Program Contract No. 2016-LRSP-02A Approval Emergency Declaration 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 sponsor-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 2016, DCHA participated in a Request for Proposals issued by the District of Columbia Department of Housing and Community Development. Of the total proposals received, 12 developers were chosen to work with DCHA and other District agencies to develop affordable housing and permanent supportive housing units for extremely low-income families making 0% to 30% of the area's median income, as well as the chronically homeless and individuals with mental or physical disabilities. Upon approval of the agreement to enter into a long-term subsidy contract ("ALTSC") by the Council, DCHA will enter into an agreement with the selected housing provider under the LRSP.

(c) The emergency legislation to approve the contract will authorize an ALTSC between the DCHA and Ft. Stevens Place LLC with respect to the payment of rental subsidy, and allow the owner to lease 7 rehabilitated units at Ft. Stevens Place Apartments and house extremely low-income households with incomes at 30% or less of the area median income.

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(d) There exists an immediate need to approve a the ALTSC with Ft. Stevens Place LLC under the LRSP in order to provide long-term affordable housing units for extremely low-income households in the District of Columbia for units located at 1339 Fort Stevens Drive, N.W. Ft. Stevens Place LLC requires emergency authorization of the ALTSC in order to close on the construction financing and begin construction of the project. The emergency authorization will enable the project to maintain favorable financing terms and avoid any delay and associated costs.

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 Local Rent Supplement Program Contract No. 2016-LRSP-02A Approval Emergency Act of 2017 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-216

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 11, 2017

To declare the existence of an emergency with respect to the need to approve an agreement to enter into a long-term subsidy contract for 15 years in support of the District's Local Rent Supplement Program to fund housing costs associated with affordable housing units for Contract No. 2014-LRSP-08A with HELP Washington DC LP for units located at 6900 Georgia Avenue, N.W.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Local Rent Supplement Program Contract No. 2014-LRSP-08A Approval Emergency Declaration 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 sponsor-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 2014, 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 0% to 30% of the area's median income, as well as the chronically homeless and individuals with mental or physical disabilities. Upon approval of the contract by the Council, DCHA will enter into an agreement to enter into a long term subsidy contract ("ALTSC") with the selected housing provider under the LRSP.

(c) The emergency legislation to approve the contract will authorize an ALTSC between the District of Columbia Housing Authority and HELP Washington DC LP with respect to the payment of rental subsidy and allow the owner to lease the rehabilitated units at HELP Walter Reed and house extremely low-income households with incomes at 30% or less of the area median income.

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(d) There exists an immediate need to approve the ALTSC with HELP Washington DC LP under the LRSP in order to provide long-term affordable housing units for extremely low-income households in the District for units located at 6900 Georgia Avenue, N.W. HELP Washington DC requires emergency authorization of the ALTSC in order to close on the construction financing and begin construction of the project. The emergency authorization will enable the project to maintain favorable financing terms and avoid any delay and associated costs.

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 Local Rent Supplement Program Contract No. 2014-LRSP-08A Approval Emergency Act of 2017 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-217

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 11, 2017

To declare the existence of an emergency with respect to the need 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. 2016-LRSP-03A with Transitional Housing Corporation for units located at 4506 Georgia Avenue, N.W.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Local Rent Supplement Program Contract No. 2016-LRSP-03A Approval Emergency Declaration 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 sponsor-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 2016, DCHA participated in a Request for Proposals ("RFP") issued by the District of Columbia Department of Housing and Community Development. Of the total proposals received, 12 developers were chosen to work with DCHA and other District agencies to develop affordable housing and permanent supportive housing units for extremely low-income families making 0% to 30% of the area's median income, as well as the chronically homeless and individuals with mental or physical disabilities. Upon approval of the agreement to enter into a long-term subsidy contract ("ALTSC") by the Council, DCHA will enter into the agreement with the selected housing providers under the LRSP.

(c) The emergency legislation to approve the contract will authorize an ALTSC between the District of Columbia Housing Authority and Transitional Housing Corporation with respect to the payment of rental subsidy, and allow the owner to lease 12 rehabilitated units at Partner Arms 2 Apartments and house extremely low-income households with incomes at 30% or less of the area median income.

ENROLLED ORIGINAL

(d) There exists an immediate need to approve the ALTSC with Transitional Housing Corporation under the LRSP in order to provide long-term affordable housing units for extremely low-income households for units located at 4506 Georgia Avenue, N.W. Transitional Housing Corporation requires emergency authorization of the ALTSC in order to close on the construction financing and begin construction of the project. The emergency authorization will enable the project to maintain favorable financing terms and avoid any delay and associated costs.

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 Local Rent Supplement Program Contract No. 2016-LRSP-03A Approval Emergency Act of 2017 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-218

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 11, 2017

To declare the existence of an emergency with respect to the need to approve Modification Nos. 5, 6, 7, 8, 9, 10, 11, 12, and 13 to Contract No. GAGA-2014-C-0026D with The Futures HealthCore, LLC dba Futures Education of the District of Columbia to provide occupational and physical therapy services and to authorize payment for the goods and services received and to be received under that contract.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Modifications to Contract No. GAGA-2014-C-0026D with The Futures HealthCore, LLC dba Futures Education of the District of Columbia Approval and Payment Authorization Emergency Declaration Resolution of 2017”.

Sec. 2. (a) There exists a need to approve Modification Nos. 5, 6, 7, 8, 9, 10, 11, 12, and 13 to Contract No. GAGA-2014-C-0026D with The Futures HealthCore, LLC dba Futures Education of the District of Columbia to provide occupational and physical therapy services and to authorize payment for the goods and services received and to be received under Modification Nos. 5, 6, 7, 8, 9, 10, 11, 12 and 13.

(b) By Modification No. 5, dated June 15, 2016, the District of Columbia Public Schools (“DCPS”) exercised a partial option of option year two of Contract No. GAGA-2014-C-0026D to provide occupational and physical therapy services for the period from June 20, 2016 through July 3, 2016 in the amount of \$177,177.

(c) By Modification No. 6, dated July 1, 2016, the DCPS exercised another partial option for the period from July 4, 2016 through September 30, 2016 in the amount of \$383,292.

(d) By Modification No. 7, dated September 21, 2016, the DCPS exercised another partial option for the period from October 1, 2016 through November 30, 2016 in the amount of \$349,272.

(e) By Modification No. 8, dated November 30, 2016, the DCPS exercised another partial option for the period from December 1, 2016 through January 31, 2017 in the amount of \$310,464.

ENROLLED ORIGINAL

(f) By Modification No. 9, dated December 2, 2016, the DCPS modified Modification No. 8 to change the amount for the period from December 1, 2016 through January 31, 2017 to \$267,436.

(g) By Modification No. 10, dated January 31, 2017, the DCPS exercised another partial option for the period from February 1, 2017 through March 10, 2017 at no additional cost.

(h) By Modification No. 11, dated March 10, 2017, the DCPS exercised another partial option for the period from March 11, 2017 through May 10, 2017 in the amount of \$592,704.

(i) Modification No. 12 was an administrative modification which added no money.

(j) By Modification No. 13, dated May 2, 2017, the DCPS exercised the remainder of option year two for the period from May 11, 2017 through June 19, 2017 in the amount of \$194,312. The total estimated amount for option year two is \$1,787,016.

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

(l) Approval is necessary to allow the continuation of these vital services. Without this approval, The Futures HealthCore, LLC dba Futures Education of the District of Columbia cannot be paid for goods and services provided in excess of \$1 million for the contract period June 20, 2016 through June 19, 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. GAGA-2014-C-0026D with The Futures HealthCore, LLC dba Futures Education of the District of Columbia Approval and Payment Authorization Emergency Act of 2017 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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

Placard Posting Date: July 28, 2017
Protest Petition Deadline: September 11, 2017
Roll Call Hearing Date: September 25, 2017
Protest Hearing Date: November 15, 2017

License No.: ABRA-106996
Licensee: Bindaas 2000 Penn, LLC
Trade Name: Bindaas
License Class: Retailer's Class "C" Restaurant
Address: 2000 Pennsylvania Avenue, N.W.
Contact: Andrew Kline: (202) 686-7600

WARD 2

ANC 2A

SMD 2A08

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 September 25, 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 **November 15, 2017 at 4:30 p.m.**

NATURE OF OPERATION

New Restaurant serving Indian food. Total Occupancy Load of 142. Sidewalk Café with 60 seats.

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

Sunday through Saturday 8 am – 12 am

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

Placard Posting Date: July 21, 2017
 Protest Petition Deadline: September 5, 2017
 Roll Call Hearing Date: September 18, 2017
 Protest Hearing Date: November 15, 2017

License No.: **ABRA-106871
 Licensee: Cantina Bambina, LLC
 Trade Name: Cantina Bambina
 License Class: Retail Class "CT"
 Address: 960 Wharf Street S.W.
 Contact: Michael Fonseca: (202) 625-7700

WARD 6

ANC 6D

SMD 6D04

Notice is hereby given that this licensee has applied for a new license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the **Roll Call Hearing date on September 18, 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 November 15, 2017 at 4:30 p.m.**

NATURE OF OPERATION

New Class "C" Tavern. First floor concession stand, no seating or occupant load; Second floor rooftop bar summer garden, 50 seats, 150 occupancy load; Park and Pier Summer Garden, 600 occupant load. It will service the Transit Pier at The Wharf and adjacent park as Summer Gardens. A total of (2) Summer Gardens. The licensee has requested an Entertainment Endorsement to provide Live Entertainment in the Park and Pier areas.

HOURS OF OPERATION AND HOURS OF ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION INDOOR CONCESSION AREA

**Sunday – Thursday 8:00 am – 12: 00 am and Friday – Saturday 8:00 am – 1:00 am

HOURS OF OPERATION AND HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION (SUMMER GARDEN ROOFTOP BAR

**Sunday – Thursday 8:00 am -1:00 am and Friday – Saturday 8:00 am- 2:00 am

HOURS OF OPERATION PARK AND PIER

Sunday-Saturday 24 Hours

HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION PARK AND PIER

Sunday – Thursday 8:00 am- 12:00 am and Friday – Saturday 8:00 am- 1:00 am

ENTERTAINMENT ENDORSEMENT PARK AND PIER ONLY

Sunday- Saturday 12:00 pm – 10:00 pm

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

Placard Posting Date: July 21, 2017
 Protest Petition Deadline: September 5, 2017
 Roll Call Hearing Date: September 18, 2017
 Protest Hearing Date: November 15, 2017

License No.: **ABRA-106781
 Licensee: Cantina Bambina, LLC
 Trade Name: Cantina Bambina
 License Class: Retail Class "CT"
 Address: 960 Wharf Street S.W.
 Contact: Michael Fonseca: (202) 625-7700

WARD 6

ANC 6D

SMD 6D04

Notice is hereby given that this licensee has applied for a new license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the **Roll Call Hearing date on September 18, 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 November 15, 2017 at 4:30 p.m.**

NATURE OF OPERATION

New Class "C" Tavern. First floor concession stand, no seating or occupant load; Second floor rooftop bar summer garden, 50 seats, 150 occupancy load; Park and Pier Summer Garden, 600 occupant load. It will service the Transit Pier at The Wharf and adjacent park as Summer Gardens. A total of (2) Summer Gardens. The licensee has requested an Entertainment Endorsement to provide Live Entertainment in the Park and Pier areas.

****HOURS OF OPERATION AND HOURS OF ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION INDOOR CONCESSION AREA**

Monday – Thursday 8:00 am – 12: 00 am and Friday – Saturday 8:00 am – 1:00 am

****HOURS OF OPERATION AND HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION (SUMMER GARDEN ROOFTOP BAR**

Monday – Thursday 8:00 am -1:00 am and Friday – Saturday 8:00 am- 2:00 am

HOURS OF OPERATION PARK AND PIER

Sunday-Saturday 24 Hours

HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION PARK AND PIER

Sunday – Thursday 8:00 am- 12:00 am and Friday – Saturday 8:00 am- 1:00 am

ENTERTAINMENT ENDORSEMENT PARK AND PIER ONLY

Sunday- Saturday 12:00 pm – 10:00 pm

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date: July 28, 2017
Protest Petition Deadline: September 11, 2017
Roll Call Hearing Date: September 25, 2017
Protest Hearing Date: November 15, 2017

License No.: ABRA-106997
Licensee: Wheelhouse, LLC
Trade Name: Chloe
License Class: Retailer's Class "C" Restaurant
Address: 1331 4th Street, S.E.
Contact: Andrew Kline: (202) 686-7600

WARD 6 ANC 6D SMD 6D07

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 September 25, 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 November 15, 2017 at 4:30 p.m.

NATURE OF OPERATION

New Restaurant serving American food. Total Occupancy Load of 106. Summer Garden with 34 seats.

HOURS OF OPERATION INSIDE PREMISES AND FOR SUMMER GARDEN

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

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

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

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date: July 28, 2017
Protest Petition Deadline: September 11, 2017
Roll Call Hearing Date: September 25, 2017
Protest Hearing Date: November 15, 2017

License No.: ABRA-106977
Licensee: Legal Sea Foods, LLC
Trade Name: Legal C Bar
License Class: Retailer's Class "C" Restaurant
Address: 50 Massachusetts Avenue, N.E.
Contact: Stephen J. O'Brien: (202) 625-7700

WARD 6

ANC 6C

SMD 6C04

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 September 25, 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 **November 15, 2017 at 4:30 p.m.**

NATURE OF OPERATION

New Class "C" Restaurant with 71 seats and a Total Occupancy Load of 101. Restaurant will serve traditional seafood fare including clams, cod, crab and chowder. No nude performances.

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

Sunday 12:00 pm - 6:00 pm, Monday through Saturday 11:00 am – 9:00 pm

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date: July 28, 2017
Protest Petition Deadline: September 11, 2017
Roll Call Hearing Date: September 25, 2017

License No.: ABRA-060467
Licensee: 1600 U, Inc.
Trade Name: Local 16
License Class: Retailer's Class "C" Restaurant
Address: 1600 U Street, N.W.
Contact: Andrew Kline: (202) 686-7600

WARD 2 ANC 2B SMD 2B08

Notice is hereby given that this licensee has applied for a Substantial Change 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 September 25, 2017 at 10 a.m., 4th Floor, 2000 14th Street, N.W., Washington, DC 20009. Petition and/or request to appear before the Board must be filed on or before the Petition Date.

NATURE OF SUBSTANTIAL CHANGE

Applicant requests a Change of Hours of operation, sales, service, and consumption of alcohol, and entertainment for premises.

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

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

CURRENT HOURS OF ENTERTAINMENT FOR PREMISES

Sunday through Thursday 7 pm - 12 am, Friday and Saturday 7 pm - 1 am

PROPOSED HOURS OF OPERATION AND ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION FOR PREMISES

Sunday through Thursday 10 am - 2 am, Friday and Saturday 10 am - 3 am

PROPOSED HOURS OF ENTERTAINMENT FOR PREMISES

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

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

Placard Posting Date: July 28, 2017
Protest Petition Deadline: September 11, 2017
Roll Call Hearing Date: September 25, 2017
Protest Hearing Date: November 15, 2017

License No.: ABRA-106768
Licensee: VIRA 1, LLC
Trade Name: RASA Indian Grill
License Class: Retailer's Class "C" Restaurant
Address: 1247 First Street, S.E.
Contact: Murray Kivitz: (301) 951-3400

WARD 6

ANC 6D

SMD 6D02

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 September 25, 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 **November 15, 2017 at 4:30 p.m.**

NATURE OF OPERATION

New "C" Restaurant serving Indian inspired cuisine with 45 seats and a Total Occupancy Load of 51. Sidewalk Café with seating for 12 patrons.

HOURS OF OPERATION FOR PREMISES

Sunday through Saturday 7:00 am – 12:00 am

HOURS OF ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION FOR PREMISES

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

HOURS OF OPERATION FOR SIDEWALK CAFÉ

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

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

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

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

Placard Posting Date: July 28, 2017
Protest Petition Deadline: September 11, 2017
Roll Call Hearing Date: September 25, 2017
Protest Hearing Date: November 15, 2017

License No.: ABRA-107058
Licensee: Rice Market, LLC
Trade Name: Rice Market
License Class: Retailer's Class "B"
Address: 1608 14th Street, N.W.
Contact: Chrissie Chang: (703) 992-3994

WARD 2

ANC 2F

SMD 2F01

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 September 25, 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 **November 15, 2017 at 1:30 p.m.**

NATURE OF OPERATION

New Class "B" retail store selling beer and wine for off-premise consumption.

HOURS OF OPERATION AND ALCOHOLIC BEVERAGE SALES

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

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

Placard Posting Date: July 28, 2017
Protest Petition Deadline: September 11, 2017
Roll Call Hearing Date: September 25, 2017
Protest Hearing Date: November 15, 2017

License No.: ABRA-107082
Licensee: 200 Mass Signature Restaurant B, LLC
Trade Name: TBD
License Class: Retailer's Class "D" Restaurant
Address: 200 Massachusetts Avenue, N.W.
Contact: Michael Fonseca: (202) 625-7700

WARD 2

ANC 2C

SMD 2C02

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 September 25, 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 November 15, 2017 at 1:30 p.m.**

NATURE OF OPERATION

New Class "D" Restaurant serving pastries, egg sandwiches, and premium coffee at breakfast time. Offering made-to-order sandwiches and salads, and slow-roasted rotisserie chicken and loaves of freshly-baked sourdough bread in the afternoon. 20 seats and a Total Occupancy Load of 50. Summer Garden with 12 seats.

HOURS OF OPERATION FOR PREMISES AND SUMMER GARDEN

Sunday – Saturday 7:00 am – 11:00 pm

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

Sunday – Saturday 8:00 am – 11:00 pm

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

Placard Posting Date: July 28, 2017
Protest Petition Deadline: September 11, 2017
Roll Call Hearing Date: September 25, 2017
Protest Hearing Date: November 15, 2017

License No.: ABRA-107123
Licensee: Eleana, LLC
Trade Name: TBD
License Class: Retailer's Class "C" Tavern
Address: 1928 9th Street, N.W.
Contact: Andrew Kline: (202) 686-7600

WARD 1

ANC 1B

SMD 1B02

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 September 25, 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 November 15, 2017 at 1:30 p.m.**

NATURE OF OPERATION

New Class "C" Tavern serving Ethiopian and American fare, with a seating capacity of 180 and a Total Occupancy Load of 199.

HOURS OF OPERATION

Sunday – Thursday 7:00 am – 2:00 am
Friday – Saturday 7:00 am – 3:00 am

HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION

Sunday – Thursday 8:00 am – 2:00 am
Friday – Saturday 8:00 am – 3:00 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date: July 28, 2017
Protest Petition Deadline: September 11, 2017
Roll Call Hearing Date: September 25, 2017
Protest Hearing Date: November 15, 2017

License No.: ABRA-107060
Licensee: 200 Mass Signature Restaurant, LLC
Trade Name: Union Square Cafe
License Class: Retailer’s Class “C” Restaurant
Address: 200 Massachusetts Avenue, N.W.
Contact: Michael Fonseca: (202) 625-7700

WARD 2 ANC 2C SMD 2C02

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 September 25, 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 **November 15, 2017 at 1:30 p.m.**

NATURE OF OPERATION

New Class “C” Restaurant serving contemporary American cuisine. The restaurant will serve seasonal fare in a semi-formal, refined setting, with 175 seats and a Total Occupancy Load of 220, including a Summer Garden with 45 seats.

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

Sunday – Thursday 10:00 am – 1:00 am
Friday – Saturday 10:00 am – 2:00 am

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

Sunday – Thursday 10:00 am – 12:00 am
Friday – Saturday 10:00 am – 1:00 am

DEPARTMENT OF ENERGY AND ENVIRONMENT

NOTICE OF PUBLIC HEARING AND
SOLICITATION OF PUBLIC COMMENTFiscal Year 2018 Low Income Home Energy Assistance Program
Draft State Plan

The Department of Energy and Environment (the Department) invites the public to present its comments at a public hearing on the Fiscal Year 2018 (FY18) Draft State Plan for the Low Income Home Energy Assistance Program (LIHEAP).

Public Hearing

HEARING DATE: Wednesday, August 23, 2017
TIME: 5:00 pm
PLACE: Department of Energy and Environment
1200 First Street, NE, Washington, DC 20002
5th Floor
NOMA Gallaudet (Red Line) Metro Stop

Beginning 7/28/2017, the full text of the **FY 2018 Draft LIHEAP State Plan** will be available online at the Department's website. A person may obtain a copy of the Draft LIHEAP State Plan by any of the following means:

Download from the Department's website, doee.dc.gov/liheap. Look for "LIHEAP FY18 Draft State Plan" near the bottom of the page. Follow the link to the page, where the document can be downloaded in a PDF format;

Email a request to LIHEAP.StatePlan@dc.gov with "Request copy of FY 2018 Draft State Plan" in the subject line.

Pick up a copy in person from the Department's reception desk, located at 1200 First Street NE, 5th Floor, Washington, DC 20002. To make an appointment, call the Department's reception at (202) 535-2600 and mention this Notice by name.

Write the Department at 1200 First Street NE, 5th Floor, Washington, DC 20002, "Attn: Kenley Farmer RE: FY18 Draft LIHEAP State Plan" on the outside of the envelope.

The deadline for comments is the above date, at the conclusion of the public hearing. All persons present at the hearing who wish to be heard may testify in person. All presentations shall be limited to five minutes. Persons are urged to submit duplicate copies of their written statements.

Persons may also submit comments by email, with a subject line of “FY18 Draft LIHEAP State Plan”, to LIHEAP.StatePlan@dc.gov. Comments clearly marked “FY18 Draft LIHEAP State Plan” may also be hand delivered or mailed to the Department’s offices at the address stated above. All comments should be received no later than the conclusion of the public hearing on the above date.

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF FOR-HIRE VEHICLES**

NOTICE OF PUBLIC HEARING

**Notice of Consideration of Proposed Amendments to
Title 31 (Taxicabs and Public Vehicles for Hire)
of the District of Columbia Municipal Regulations:
Loitering Definition and Rules**

**Wednesday, August 9, 2017
10:00 AM**

The Department of For-Hire Vehicles (“DFHV”) has scheduled a Public Hearing at 10:00 am on Wednesday, August 9, 2017 at 2235 Shannon Place, SE, Washington, DC 20020, inside the Hearing Room, Suite 2032, regarding the need for proposed rulemaking to amend Title 31 of the District of Columbia Municipal Regulations concerning: Loitering Definition and Rules. The rules relevant to loitering currently appear in Title 31 DCMR §§ 819, 821, 828, 1402, 1403, 2000, and 9901.

Those interested in speaking at the hearing should register by calling 202-645-6002 not later than Tuesday, August 8 at 3:00 pm. Testimony will be limited to the specific subject matter of this public hearing. Each participant will be allotted up to five (5) minutes to present. Participants must submit ten (10) copies of their written testimony to the Secretary of the Department of For-Hire Vehicles, 2235 Shannon Place SE, Suite 3001, Washington, D.C. 20020, in advance of the hearing. All speakers should be prepared to answer questions that may be posed by the Department during the hearing.

This public hearing is for the purpose of gaining advance public and industry feedback on potential revisions to the definition and regulations relevant to the loitering of vehicles-for-hire which appear in Title 31 DCMR §§ 819, 821, 828, 1402, 1403, 2000, and 9901, and is not for seeking comments under the Administrative Procedures Act (D.C. Code § 2-501 *et seq.*).

The public hearing will take place at the following time and location:

WEDNESDAY, AUGUST 9, 2017 AT 10:00 AM

**2235 SHANNON PLACE, S.E.
WASHINGTON, DC 20020
HEARING ROOM, SUITE 2032**

**BOARD OF ZONING ADJUSTMENT
PUBLIC HEARING NOTICE
WEDNESDAY, SEPTEMBER 13, 2017
441 4TH STREET, N.W.
JERRILY R. KRESS MEMORIAL HEARING ROOM, SUITE 220-SOUTH
WASHINGTON, D.C. 20001**

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

TIME: 9:30 A.M.

WARD TWO

19557 **Application of Commonwealth of Australia**, pursuant to 11 DCMR
ANC 2B Subtitle X, Chapter 2, to replace an existing chancery use by demolishing
the existing Australian chancery building and replacing it with a new
chancery building in the MU-15 zone at premises 1601 Massachusetts
Avenue N.W. (Square 181, Lot 162).

WARD SIX

19547 **Application of Todd Helmus and Rena Rudavsky**, pursuant to 11
ANC 6C DCMR Subtitle X, Chapter 9, for a special exception under Subtitle C §
703.2(b) from the minimum parking requirements of Subtitle C § 701, to
convert an existing accessory building into additional living space for the
existing one-family dwelling in the RF-1 Zone at premises 714 4th Street
N.E. (Square 777, Lot 68).

WARD SIX

19549 **Application of Bradley Greenfield**, pursuant to 11 DCMR Subtitle X,
ANC 6A Chapter 9, for special exceptions under Subtitle E § 205.5 from the rear
yard requirements of Subtitle E § 205.4, and under Subtitle E § 5201 from
the lot occupancy requirements of Subtitle E § 304.1 and the
nonconforming structure requirements of Subtitle C § 202, to construct a
two-story rear addition to an existing one-family dwelling in the RF-1
Zone at premises 1330 Maryland Avenue N.E. (Square 1027, Lot 36).

BZA PUBLIC HEARING NOTICE
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WARD TWO

THIS CASE HAS BEEN POSTPONED FROM THE HEARING OF APRIL 12, 2017 TO THE HEARING OF MAY 31, 2017 TO THE HEARING OF JUNE 28, 2017, TO THE HEARING OF SEPTEMBER 13, 2017 AT THE APPLICANT'S REQUEST:

19459 **Application of Andrew Phillips**, pursuant to 11 DCMR Subtitle X, Chapter 9, ANC 2F for a special exception under the penthouse requirements of Subtitle C § 1500.3(b), to permit roof access for the upper unit of an existing flat in the RF-1 Zone at premises 930 P Street N.W. (Square 366, Lot 817).

WARD SIX

THIS CASE WAS POSTPONED TO THE HEARING OF JUNE 14, 2017, THEN TO THE HEARING OF SEPTEMBER 13, 2017 AT THE APPLICANT'S REQUEST.

19492 **Application of Henry M. Hunt**, pursuant to 11 DCMR Subtitle X, Chapter 9, ANC 6E for a special exception under Subtitle E § 5201, from the lot occupancy requirements of Subtitle E § 304.1, and the rear yard requirements of Subtitle E § 306.1, and a special exception from the penthouse setback requirements of Subtitle C § 1502.1, to construct a one-story rear addition with roof deck to an existing one-family dwelling in the RF-1 Zone at premises 1529 8th Street, N.W. (Square 421, Lot 60).

WARD SIX

19550 **Appeal of ANC 6C**, pursuant to 11 DCMR Subtitle Y § 302, from the ANC 6C decision made on March 31, 2017 by the Zoning Administrator, Department of Consumer and Regulatory Affairs, to issue building permit B17006219, to permit the renovation of a one-family dwelling to two separate one-family dwelling units in the RF-1 Zone at premises 1125 7th Street N.E. (Square 886, Lot 35).

PLEASE NOTE:

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

Failure of an applicant or appellant to be adequately prepared to present the application or appeal to the Board, and address the required standards of proof for the application or appeal, may subject the application or appeal to postponement, dismissal or denial. The public hearing in these cases will be conducted in accordance with the provisions of Subtitles X and Y of the District of Columbia Municipal Regulations, Title 11. Pursuant to Subtitle Y, Chapter 2 of the Regulations, the Board will impose time limits on the

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SEPTEMBER 13, 2017

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

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

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

Do you need assistance to participate?

Amharic

ለሙከራ ቦርድ ላይ ለመገኘት ለማድረግ ይደረግዎታል?

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

Chinese

您需要有人帮助参加活动吗?

如果您需要特殊便利设施或语言协助服务（翻译或口译），请在见面之前提前五天与 Zee Hill 联系，电话号码 (202) 727-0312，电子邮件 Zelalem.Hill@dc.gov。这些是免费提供的服务。

French

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

Korean

참여하시는데 도움이 필요하세요?
특별한 편의를 제공해 드려야 하거나, 언어 지원 서비스(번역 또는 통역)가 필요하시면, 회의 5일 전에 Zee Hill 씨께 (202) 727-0312로 전화 하시거나 Zelalem.Hill@dc.gov 로 이메일을 주시기 바랍니다. 이와 같은 서비스는 무료로 제공됩니다.

Spanish

¿Necesita ayuda para participar?
Si tiene necesidades especiales o si necesita servicios de ayuda en su idioma (de traducción o

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interpretación), por favor comuníquese con Zee Hill llamando al (202) 727-0312 o escribiendo a Zelalem.Hill@dc.gov cinco días antes de la sesión. Estos servicios serán proporcionados sin costo alguno.

Vietnamese

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

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

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

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

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

NOTICE OF FINAL RULEMAKING

The Alcoholic Beverage Control Board (Board), pursuant to the authority set forth in Section 101(a) of the Title 25, D.C. Code Enactment and Related Amendments Act of 2001, effective May 3, 2001 (D.C. Law 13-298; D.C. Official Code § 25-351(a) (2012 Repl. & 2017 Supp.)), and in accordance with 23 DCMR § 303.1, hereby gives notice of the adoption of final rules that amend Chapter 3 (Limitations on Licenses) of Title 23 (Alcoholic Beverages) of the District of Columbia Municipal Regulations (DCMR), by creating a new Section 311 entitled, Langdon Park Moratorium Zone.

The final rules place a three (3) year limit on the number of class CN and CX retailer licenses issued in Langdon Park, as well as prohibit the approval of new Entertainment Endorsements for class CR and CT retailer licenses. The limitation on the aforementioned on-premises retailer licenses and entertainment endorsements shall be known as the Langdon Park Moratorium Zone (LPMZ). The moratorium extends approximately six hundred feet (600 ft.) in all directions from 2122 24th Place, N.E.

A complete summary of the background of the LPMZ, as well as witnesses' testimonies received during the Board's Public Hearing concerning the moratorium were published in the Notice of Proposed Rulemaking, which is located at 63 DCR 13905 (November 11, 2016). See <http://dcregs.dc.gov/Gateway/NoticeHome.aspx?NoticeID=6208696>.

PUBLIC COMMENTS AND THE BOARD'S RESPONSE

During the thirty (30)-day comment period (Comment Period), the Board only received written comments from the Langdon Park Community Association (LPCA). The LPCA advised the Board of the Council for the District of Columbia (Council) and the Mayor's plans for revitalizing the Langdon Park community, particularly along New York Avenue, N.E., and bringing new businesses to the neighborhood. Based on the pending plans for the community, the LPCA asked the Board to expand the moratorium to more than six hundred feet (600 ft.) from 2122 24th Place, N.E., and to put it in place for five (5) years as opposed to three (3) as the Board proposed.

The Board carefully considered the LPCA's comments, but ultimately decided not to implement its recommendations. Regarding the LPCA's request to expand the moratorium to more than six hundred feet (600 ft.), the Board determined that doing so is not authorized under the law. D.C. Official Code § 25-352(d) sets forth the requirement for moratoria that limit the number of licenses to be issued, the number of licenses to be issued for a single class, or the issuance of amended licenses of a single class. The law provides that in addition to meeting the general requirements for implementing a moratorium, a certain number of licenses must currently exist in the location where the moratorium is sought. Specifically, D. C. Official Code § 25-352(d) provides that the following additional conditions must be met:

- (1) If the requested moratorium area is a locality, there shall exist in the area at least three (3) licensed establishments of the same class or 6 licensed establishments of any class or combination of classes;
- (2) If the requested moratorium area is a section, there shall exist in the area at least six (6) establishments of the same class or twelve (12) establishments of any class or combination of classes; or
- (3) If the requested moratorium area is a portion, there shall exist in the area at least nine (9) establishments of the same class or eighteen (18) establishments of any class or combination of classes.

An ABRA investigator visited Ward 5 prior to the Board adopting the moratorium in order to assess whether the area met the requirements of D.C. Official Code § 25-352(d) concerning the number of existing licenses. Based on the investigator's assessment of the area, it was determined that there were not enough existing licenses in Ward 5 to allow for a moratorium greater than six hundred square feet (600 sq. ft.) from 2122 24th Place, N.E. It is for this reason that the Board rejects the LPCA's suggestion to expand the moratorium.

Finally, the Board considered the LPCA's recommendation to have the moratorium last for five (5) years as opposed to three (3), and determined a longer moratorium would not be in the best interest of the community. The Board recognizes that Ward 5 is expanding with new businesses and residential properties. In addition, the Board is mindful of the Mayor's and the Council's plans for bringing new businesses and jobs to Ward 5. With this in mind, the Board does not believe placing a five (5)-year moratorium in Ward 5 aligns with the Mayor's and the Council's mission of improving the economic development in that community.

The Board recognizes the LPCA's concerns and desire for a five (5)-year moratorium. A moratorium can be reinstated if the Board determines that it is in the best interest of the community. Prior to the termination of the three (3)-year moratorium, the LPCA or any other interested party meeting the requirements of D.C. Official Code § 25-352 may request that the Board keep the moratorium in place. At this juncture, however, the Board does not find that a five (5)-year moratorium would be in the public's interest.

BOARD'S DECISION TO ADOPT THE RULES AS FINAL

At the conclusion of the Comment Period, the Board transmitted the rules to the Council for the mandatory ninety (90)-day review period. Prior to transmission, the Board corrected a typographical error in the last sentence of § 311.1. Specifically, "CN" was replaced with "CT." By definition, nightclubs (Retailer CN Licenses) have entertainment endorsements. The retailer license identified should have been CT, as indicated in the preamble to the Notice of Proposed Rulemaking. This technical amendment was brought to the Office of the Attorney General, Legal Counsel Division's attention prior to transmission, and they determined that the revision was technical in nature as well.

The ninety (90)-day Council review period ended on May 9, 2017, with no affirmative action by the Council to disapprove the rules. As such, the rules were deemed approved as of that date. See PR22-93, at <http://ims.dccouncil.us/Legislation/PR22-0093?FromSearchResults=true>.

The Board gives notice that on May 24, 2017, it voted six (6) to zero (0) to adopt the Langdon Park Moratorium Zone Notice of Final Rulemaking. These rules will go into effect five (5) days after they are published in the *D.C. Register*.

Chapter 3, LIMITATIONS ON LICENSES, of Title 23 DCMR, ALCOHOLIC BEVERAGES, is amended by adding a new Section 311 to read as follows:

311 LANGDON PARK MORATORIUM ZONE

- 311.1 The number of retailer's licenses class CN and CX permitted in the Langdon Park Moratorium Zone, which extends approximately six hundred feet (600 ft.) in all directions from the intersection of Bladensburg Road, N.E. and 24th Place, N.E., Washington, D.C., shall not exceed three (3). No new entertainment endorsements for class CR and CT retailer's licenses shall be issued in the moratorium zone.
- 311.2 The Langdon Park Moratorium Zone is more specifically described as the area bounded by a line beginning at the 2200 block of 24th Place, N.E.; continuing in a northeast direction to the 2200 block of 25th Place, N.E.; continuing east to the 2400 block of Bladensburg Road N.E.; continuing in a southeast direction to the 2800 block of V Street N.E.; continuing southwest along the north side of the 2700 block of New York Avenue, N.E. to the 2000 block of Bladensburg Road, N.E.; continuing in a northwesterly direction to the 2200 block of Adams Place, N.E.; continuing north to the 2100 block of Queens Chapel Road, N.E.
- 311.3 All hotels, whether present or future, shall be exempt from the Langdon Park Moratorium Zone.
- 311.4 Nothing in this section shall prohibit the Board from approving the transfer of ownership of a retailer's license class CN or CX within the Langdon Park Moratorium Zone that was in effect or for which an application was pending prior to the effective date of this section, subject to the requirements of Title 25 of the D.C. Official Code and this title.
- 311.5 Nothing in this section shall prohibit the Board from approving the transfer of a license from a location within the Langdon Park Moratorium Zone to a new location within the Langdon Park Moratorium Zone.
- 311.6 A license holder outside the Langdon Park Moratorium Zone shall not be permitted to transfer its license to a location within the Langdon Park Moratorium Zone.
- 311.7 Nothing in this section shall prohibit a valid protest of any transfer or change of license class.

- 311.8 The moratorium shall have a prospective effect and shall not apply to any license granted prior to the effective date of this section or to any application for licensure pending on the effective date of this section.
- 311.9 This section shall expire three (3) years after the date of publication of the notice of final rulemaking in *D.C. Register*.

OFFICE OF VICTIM SERVICES AND JUSTICE GRANTS

NOTICE OF FINAL RULEMAKING

The Director of the Office of Victim Services and Justice Grants, pursuant to the authority under Section 214(f) of the Neighborhood Engagement Achieves Results Amendment Act of 2016, effective June 30, 2016 (D.C. Law 21-125; D.C. Official Code § 7-2831(f) (2012 Repl.)) and Mayor’s Order 2016-17, dated February 1, 2016, hereby gives notice of the adoption of a new Chapter 42 (Private Security Camera Voucher Program) of Title 24 (Public Space and Safety) of the District of Columbia Municipal Regulations (DCMR).

This rulemaking establishes a voucher program for qualifying residents to have a security camera system installed on a residential property and registered with the Metropolitan Police Department.

A Notice of Emergency and Proposed Rulemaking was previously published in the *D.C. Register* on May 19, 2017, at 64 DCR 4794. No comments were received and no changes have been made to the rulemaking.

These rules were adopted as final on June 29, 2017, and shall take effect upon publication of this notice in the *D.C. Register*.

A new Chapter 42, PRIVATE SECURITY CAMERA VOUCHER PROGRAM, is added to Title 24 DCMR, PUBLIC SPACE AND SAFETY, to read as follows:

CHAPTER 42 PRIVATE SECURITY CAMERA VOUCHER PROGRAM

Sec.	Title
4200	General Provisions
4201	Application
4202	Prioritization of Eligible Locations
4203	Third Party Installation of Security Camera
4299	Definitions

4200 GENERAL PROVISIONS

4200.1 This chapter implements the private security camera voucher program, which creates an incentive for eligible residents and residential property owners to install security cameras that are intended to help deter crime and assist law enforcement with investigations.

4200.2 An owner or tenant of a property that is used as a residence (the Applicant) and who is receiving public assistance under the District of Columbia Public Assistance Act of 1982, effective April 6, 1982 (D.C. Law 4-101; D.C. Official Code §§ 4-201.01 *et seq.*), may be eligible to participate in the private security camera voucher program.

- 4200.3 An Applicant approved by the Office of Victim Services and Justice Grants (the Office) shall receive, at no cost, a security camera system that is purchased and installed by a third party entity pursuant to § 4203; the Office shall register the security camera system with the Metropolitan Police Department.
- 4200.4 The maximum costs of the security camera system shall be up to two hundred dollars (\$200) per camera purchased and no more than five hundred dollars (\$500) per address of a property used as a residence
- 4200.5 Only one (1) security camera system per property address shall be eligible for this program.
- 4200.6 Residents of properties owned by the District of Columbia Housing Authority shall not be eligible for a voucher under this chapter.
- 4200.7 To be eligible for the voucher in § 4200.2, the Applicant must submit an application after the effective date of these regulations and before all available funds are expended.
- 4200.8 As part of this program, the Metropolitan Police Department will not have access to live video from the camera.
- 4200.9 By participating in this program, the Applicant acknowledges that he or she will not use the security camera for any unlawful or harassing purposes and will comply with any property requirements related to the installation of the security camera system.

4201 APPLICATION

- 4201.1 An Applicant shall submit a security camera voucher application on the form prescribed by the Office.
- 4201.2 A completed application shall include:
- (a) The completed form prescribed by the Office; and
 - (b) Proof of current receipt of public assistance pursuant to the District of Columbia Public Assistance Act of 1982, effective April 6, 1982 (D.C. Law 4-101; §§ 4-201.01 *et seq.*), under one of the following programs:
 - (1) General Assistance for Children;
 - (2) Emergency Shelter Family Services;
 - (3) Temporary Assistance for Needy Families;
 - (4) Program on Work, Employment, and Responsibility; or
 - (5) Interim Disability Assistance.

4201.3 Upon the determination that an Applicant has complied with all the requirements of § 4201.2, and subject to the availability of funds, the voucher application shall be approved and processed by the Office.

4202 PRIORITIZATION OF ELIGIBLE LOCATIONS

4202.1 Until August 31, 2017, the Office shall accept applications only from Applicants whose property is located in the following Police Service Areas (PSA):

- (a) First District:
 - (1) PSA 103;
 - (2) PSA 104;
 - (3) PSA 105;
 - (4) PSA 106;
 - (5) PSA 107;
 - (6) PSA 108;
- (b) Second District:
 - (1) PSA 202;
 - (2) PSA 207;
 - (3) PSA 208;
- (c) Third District:
 - (1) PSA 302;
 - (2) PSA 303;
 - (3) PSA 305;
 - (4) PSA 307;
 - (5) PSA 308;
- (d) Fourth District:
 - (1) PSA 402;
 - (2) PSA 403;
 - (3) PSA 404;
 - (4) PSA 405;

(5) PSA 406;

(6) PSA 407;

(7) PSA 409;

(e) Fifth District: All PSAs;

(f) Sixth District:

(1) PSA 601;

(2) PSA 602;

(3) PSA 603;

(4) PSA 604;

(5) PSA 608; and

(g) Seventh District: All PSAs.

4202.2 Beginning September 1, 2017, the Office shall accept applications from Applicants whose property is located in any PSA.

4202.3 PSA borders can be found online at: <http://mpdc.dc.gov/page/police-districts-and-police-service-areas>.

4202.4 Each Applicant can find relevant property address PSAs online at: <http://geospatial.dcgis.dc.gov/PSAFinder/>.

4203 THIRD PARTY INSTALLATION OF SECURITY CAMERA

4203.1 The Office shall contract with a third party entity to provide the following services:

- (a) Purchase of the security camera systems; and
- (b) Installation of the security camera system at the Applicant’s residence.

4203.2 Upon determination that the third party entity has complied with all the requirements of this section, payment shall be made to the third party entity.

4203.3 The third party entity shall:

- (a) Coordinate with the Applicant the date and time of installing the security camera system at the Applicant’s residence; and
- (b) Be solely responsible for the purchase and installation of the security camera system at the Applicant’s residence.

4203.4 The third party entity shall not provide an uninstalled security camera system to any Applicant.

4203.5 Once the installation is complete, the Applicant shall own the security camera system.

4299 DEFINITIONS

4299.1 The following definitions shall apply to terms used in this chapter:

Applicant – A property owner that submits an application for a security camera voucher; provided, that a tenant of a property owner may submit an application with the consent of the property owner.

Office – The Office of Victim Services and Justice Grants.

PSA – Police Service Area.

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA

NOTICE OF FINAL RULEMAKING

AND

Z.C. ORDER NO. 16-25

Z.C. Case No. 16-25

D.C. Boathouse, LLC

(Zoning Map Amendment for Lots 42 and 810 in Square 6)

July 10, 2017

The Zoning Commission for the District of Columbia (Zoning Commission), pursuant to its authority under § 1 of the Zoning Act of 1938, approved June 20, 1938 (52 Stat. 797; D.C. Official Code § 6-641.01 (2012 Repl.)), hereby gives notice of its amendment to the Zoning Map to rezone Square 6, Lots 42 and 810 from the RA-5 zone to the MU-2 zone.

A Notice of Proposed Rulemaking was published in the June 2, 2017 edition of the *D.C. Register* at 64 DCR 5245. No comments were received.

The Zoning Map of the District of Columbia is amended as follows:

SQUARE	LOTS	MAP AMENDMENT
6	42 and 810	RA-5 to MU-2

On March 20, 2017, upon the motion of Vice Chairman Miller, as seconded by Commissioner Shapiro, the Zoning Commission took **PROPOSED ACTION** to **APPROVE** the petition at the conclusion of the public hearing by a vote of **5-0-0** (Anthony J. Hood, Robert E. Miller, Peter A. Shapiro, Peter G. May, and Michael G. Turnbull to approve).

On July 10, 2017, upon the motion of Chairman Hood, as seconded by Vice Chairman Miller, the Zoning Commission took **FINAL ACTION** to **APPROVE** the petition at its public meeting by a vote of **5-0-0** (Anthony J. Hood, Robert E. Miller, Peter A. Shapiro, and Peter G. May to approve; Michael G. Turnbull to approve by absentee ballot).

In accordance with the provisions of 11-Z DCMR § 604.9, this Order shall become final and effective upon publication in the *DC Register*; that is on July 28, 2017.

BY THE ORDER OF THE D.C. ZONING COMMISSION

A majority of the Commission members approved the issuance of this Order.

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA

NOTICE OF FINAL RULEMAKING**AND****Z.C. ORDER NO. 17-01****Z.C. Case No. 17-01****(Text Amendment – 11 DCMR)****(Continuing Care Retirement Community)****July 10, 2017**

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 Rep1.)), hereby gives notice of the adoption of amendments to Subtitles B (Definitions, Rules of Measurement, and Use Categories) and U (Use Permissions) of Title 11 (Zoning Regulations of 2016) of the District of Columbia Municipal Regulations (DCMR).

The text amendments revise the definition of a Continuing Care Retirement Community (CCRC) to allow a CCRC to include independent living, assisted living, and skilled nursing care, or any combination thereof, and to add specific review criteria when special exception approval is required. The amendments also clarify that the inclusion of skilled nursing care is permissible but not required in a CCRC. Finally, new text is added to Subtitle U to expressly make the use a matter of right in the Residential Apartment (RA) zones (Subtitle F), except for RA-1 and RA-6 zones where special exception approval is required. This matter of right designation will carry through to the Mixed Use (Subtitle G) and the Special Purpose (Subtitle K) zones.

A Notice of Proposed Rulemaking was published in the June 9, 2017 edition of the *D.C. Register* at 64 DCR 5444. No comments were received. However, the Office of Planning submitted a supplemental report suggesting the deletion of proposed § 203.1(f)(1) to Subtitle U. Paragraph (f) permits a CCRC as a special exception in the R, RF, RA-1, and RA-6 zones. As proposed, the subparagraph contains the same age limitation as stated in the definition of the use. The proposed matter-of-right provision being added to § 401 of Subtitle U does not restate the age limitation. The Commission agreed that eliminating the redundant statement of the age limitation would remove any potential ambiguity from the adopted text.

The amendments shall become effective upon publication of this notice in the *D.C. Register*.

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

Chapter 1, DEFINITIONS, is amended as follows:

The definition of “Continuing Care Retirement Community” in § 100.2 of § 100, DEFINITIONS, is amended to read as follows:

Continuing Care Retirement Community: A building or group of buildings providing a continuity of residential occupancy and health care for elderly persons. This facility includes dwelling units for independent living, assisted living facilities, or a skilled nursing care facility of a suitable size to provide treatment or care of the residents; it may also include ancillary facilities for the further enjoyment, service, or care of the residents. The facility is restricted to persons sixty (60) years of age or older or married couples or domestic partners where either the spouse or domestic partner is sixty (60) years of age or older.

Title 11-U DCMR, USE PERMISSIONS, is amended as follows:

Chapter 2, USE PERMISSIONS RESIDENTIAL HOUSE (R) ZONES, is amended as follows:

Paragraph (f) of § 203.1 of § 203, SPECIAL EXCEPTION USES – R-USE GROUPS A, B, AND C, is amended to read as follows:

203.1 The following uses shall be permitted as a special exception in R-Use Groups A, B, and C, if approved by the Board of Zoning Adjustment under Subtitle X, Chapter 9 subject to applicable conditions of each paragraph:

...¹

- (f) Continuing care retirement community, subject to the provisions of this paragraph:
 - (1) The use shall include one or more of the following services:
 - (A) Dwelling units for independent living;
 - (B) Assisted living facilities; or
 - (C) A licensed skilled nursing care facility;
 - (2) If the use does not include assisted living or skilled nursing facilities, the number of residents shall not exceed eight (8);
 - (3) The use may include ancillary uses for the further enjoyment, service, or care of the residents;
 - (4) The use and related facilities shall provide sufficient off-street parking spaces for employees, residents, and visitors;

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

- (5) The use, including any outdoor spaces provided, shall be located and designed so that it is not likely to become objectionable to neighboring properties because of noise, traffic, or other objectionable conditions; and
- (6) The Board of Zoning Adjustment may require special treatment in the way of design, screening of buildings, planting and parking areas, signs, or other requirements as it deems necessary to protect adjacent and nearby properties.

Chapter 4, USE PERMISSIONS RESIDENTIAL APARTMENT (RA) ZONES, is amended as follows:

A new subparagraph (3) is added to paragraph (d) of § 401.1 of § 401, MATTER-OF-RIGHT USES (RA), to read as follows:

401.1 The following uses shall be permitted as a matter of right subject to any applicable conditions:

- (a) ...
- (d) Except for the RA-1 and RA-6 zones:
 - (1) Multiple dwellings provided that in an apartment house, accommodations may be provided only to residents who stay at the premises a minimum of one (1) month;
 - (2) Hotel in existence as of May 16, 1980, with a valid certificate of occupancy or a valid application for a building permit; provided, that the gross floor area of the hotel may not be increased and the total area within the hotel devoted to function rooms, exhibit space, and commercial adjuncts may not be increased. An existing hotel may be repaired, renovated, remodeled, or structurally altered; and
 - (3) A continuing care retirement community; and
- (e) ...

Subsection 420.1 of § 420, SPECIAL EXCEPTION USES (RA), is amended as follows:

Subparagraph (7) of paragraph (g) is amended to read as follows:

- (g) Nonresidential adjunct uses as an accessory use within an apartment house, consisting of the sale of foods, drugs, and sundries and personal services designed to serve the tenants' daily living needs subject to the following conditions:

...

- (7) In considering an application under this paragraph the Board of Zoning Adjustment shall give consideration to the following:
- (A) The proximity of MU and NC zones;
 - (B) The adequacy and convenience of parking spaces existing in or for the MU and NC zones;
 - (C) The adequacy and scope of commodities and services provided within those MU and NC zones; and
 - (D) The size and character of the apartment house, since the tenants of the apartment house will be expected to furnish all or substantially all of the financial support of the requested adjunct;

Subparagraph (4) of paragraph (h) is amended to read as follows:

- (h) A parking garage constructed as a principal use on a lot other than an alley lot in an RA-5 zone subject to the following conditions:
- ...
- (4) Before taking final action on an application for the use, the Board of Zoning Adjustment shall submit the application to the D.C. Department of Transportation for review and report; and

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

- (i) In the RA-1 and RA-6 zones, a continuing care retirement community subject to the conditions of Subtitle U § 203.1(f), except for 203.1(f)(3).

On April 13, 2017, upon the motion of Vice Chairman Miller, as seconded by Commissioner Shapiro, the Zoning Commission took **PROPOSED ACTION** to **APPROVE** the petition at its public meeting by a vote of **5-0-0** (Anthony J. Hood, Robert E. Miller, Peter A. Shapiro, Peter G. May, and Michael G. Turnbull to approve).

On July 10, 2017, upon the motion of Commissioner Shapiro, as seconded by Chairman Hood, the Zoning Commission took **FINAL ACTION** to **APPROVE** the petition at its public meeting by a vote of **5-0-0** (Anthony J. Hood, Robert E. Miller, Peter A. Shapiro, Peter G. May, and Michael G. Turnbull to approve).

In accordance with the provisions of 11 DCMR § 2038, this Order shall become final and effective upon publication in the *D.C. Register*; that is, on July 28, 2017.

BY THE ORDER OF THE D.C. ZONING COMMISSION

A majority of the Commission members approved the issuance of this Order.

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA

NOTICE OF FINAL RULEMAKING**AND****Z.C. ORDER NO. 17-02****Z.C. Case No. 17-02****(Text Amendment – 11 DCMR)****(Text Amendment to Subtitles B and U re: Use Clarification Language)****July 10, 2017**

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 Rep1.)), hereby gives notice of its adoption of amendments to Subtitles B (Definitions, Rules of Measurement, and Use Categories) and U (Use Permissions) of Title 11 (Zoning Regulations of 2016) of the District of Columbia Municipal Regulations (DCMR).

The adopted text eliminates confusion over where a Driver's License Road Test Facility is permitted by including it as an example of what types of uses fall within the Local Government use category and excluding it as a permitted Local Government use in an MU-3 zone, formerly the C-1 zone. Also, the adopted rules permit Automobile and Truck Sales, Boat or Marine Sales, and Mass Transit Facility uses in the same areas as those uses were permitted in the 1958 Zoning Regulations. Clarifying language was added to allow public schools to collocate with other schools and to share recreation facilities.

In addition, the adopted rules also correct the references in Subtitle U § 201.1(a) to R-Use Groups instead of listing the individual zone to ensure all the appropriate zones are in the correct use category, and delete Subtitle U § 201.1(c), which references home occupation use, because home occupation is included by reference as an Accessory Use (Subtitle U § 250.1(e)). The amendments also delete Subtitle U § 201.1(d), which references accessory apartments and instead add that use in the list of Accessory Uses permitted in R zones.

A Notice of Proposed Rulemaking was published in the May 19, 2017 edition of the *D.C. Register* at 64 DCR 4789. No comments were received and no changes were made to the text as proposed.

The amendments shall become effective upon publication of this notice in the *D.C. Register*.

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

Chapter 2, USE CATEGORIES, is amended as follows:

Subparagraph (t)(2) of § 200.2 of § 200, INTRODUCTION, is amended to read as follows:

- (t) Government, Local:

...¹

- (2) Examples include, but are not limited to: public community centers, police stations, libraries, driver’s license road test facilities, or fire stations; and

...

Title 11-U DCMR, USE PERMISSIONS, is amended as follows:

Chapter 2, USE PERMISSIONS RESIDENTIAL HOUSE (R) ZONES, is amended as follows:

Subsection 201.1 of § 201, MATTER-OF-RIGHT USES – R-USE GROUPS A, B, C, AND D, is amended to read as follows:

201.1 The following uses in this section shall be permitted as a matter of right subject to any applicable conditions:

- (a) A principal dwelling unit shall be permitted as follows:
 - (1) In the R-Use Groups A and D, the principal dwelling unit shall be in a detached building;
 - (2) In the R-Use Group B, the principal dwelling unit may be in either a detached or semi-detached building; and
 - (3) In the R-Use Group C, the principal dwelling unit may be in either a detached, semi-detached, or an attached building; and
- (b) Clerical and religious group residences for no more than fifteen (15) persons.

Subsection 202.1 of § 202, MATTER-OF-RIGHT USES – R-USE GROUPS A, B, AND C, is amended as follows:

Paragraph (n) is amended to read as follows:

- (n) Public schools, collocation of. Public schools may collocate with other permitted schools or uses provided all applicable requirements of this title are met. Public schools may share common on-site recreation space including gymnasiums, playgrounds, and field, and these shared recreation spaces may count toward the minimum lot area provided that the school is adjacent to the shared recreation space; on-site office use must be ancillary and necessary to the operation of the particular school;

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

Paragraph (p) is amended to read as follows:

- (p) Temporary use of premises by fairs, circuses, or carnivals, subject to the provisions of Title 19 DCMR, Chapter 13 (Amusements, Parks, and Recreation);

New paragraphs (q) and (r) are added to read as follows:

- (q) Mass transit facility; and
- (r) Reuse of former District of Columbia public school subject to the conditions of Subtitle U § 252.

Subsection 250.1 of § 250, ACCESSORY USES (R), is amended by amending its introductory text, striking the word “and” from paragraph (d), re-designating the existing text of paragraph (e) as a new paragraph (f), and inserting replacement text in paragraph (e) as follows:

- 250.1 The following accessory uses shall be permitted as a matter of right in all R use groups subject to the associated conditions:
- ...
 - (d) Home Occupation subject to the conditions of Subtitle U § 251;
 - (e) An accessory apartment subject to the conditions of Subtitle U § 253; and
 - (f) Other accessory uses, buildings or structures customarily incidental to the uses permitted in R zones under the provisions of this section shall be permitted; including one (1) sale in the nature of a yard sale, garage sale, or home sales party may be held at a dwelling unit during a twelve (12) month period.

Section 252, USES IN FORMER PUBLIC SCHOOLS (R), is amended to revise its title to read as follows:

252 REUSE OF FORMER PUBLIC SCHOOLS (R)

Chapter 5, USE PERMISSIONS MIXED-USE (MU) ZONES, is amended as follows:

Subparagraph (a)(8) of § 507.1 of § 507, MATTER-OF-RIGHT USES (MU-USE GROUP C), is amended to read as follows:

- 507.1 In addition to the uses permitted by Subtitle U § 501, the following uses shall be permitted in MU Use Group C as a matter of right subject to any applicable conditions:

- (a) Any use within the following use categories:
- ...
- (8) Local government uses;
- ...

Paragraph (n) of § 510.1 of § 510, MATTER-OF-RIGHT USES (MU-USE GROUP D), is amended to read as follows:

- 510.1 The following uses shall be permitted in MU-Use Group D as a matter of right subject to any applicable conditions:
- ...
 - (n) Local government uses except a Driver’s License Road Test Facility;
 - ...

Subsection 512.1 of § 512, MATTER-OF-RIGHT USES (MU-USE GROUP E), is amended by striking the word “and” from subparagraph (l)(7), re-designating the existing text of paragraph (m) as a new paragraph (n), and inserting replacement text in paragraph (m) is amended to read as follows:

- 512.1 The following uses shall be permitted in MU-USE Group E as a matter of right subject to any applicable conditions:
- ...
 - (l) An animal boarding use located in a basement or cellar space subject to the following:
 - ...
 - (7) Floor finish materials and wall finish materials measured a minimum of forty-eight inches (48 in.) from the floor shall be impervious and washable;
 - (m) Automobile, truck, boat, or marine sales; and
 - (n) Other accessory uses customarily incidental and subordinate to the uses permitted by this section.

On April 13, 2017, upon the motion of Vice Chairman Miller, as seconded by Commissioner Shapiro, the Zoning Commission took **PROPOSED ACTION** to **APPROVE** the petition at the conclusion of the public hearing by a vote of **5-0-0** (Anthony J. Hood, Robert E. Miller, Peter A. Shapiro, Peter G. May, and Michael G. Turnbull to approve).

On June 26, 2017, upon the motion of Chairman Hood, as seconded by Vice Chairman Miller, the Zoning Commission took **FINAL ACTION** to **APPROVE** the petition at its public meeting by a vote of **5-0-0** (Anthony J. Hood, Robert E. Miller, Peter A. Shapiro, and Peter G. May to approve; Michael G. Turnbull to approve by absentee ballot).

In accordance with the provisions of 11-Z DCMR § 604.9, this Order shall become final and effective upon publication in the *DC Register*; that is on July 28, 2017.

BY THE ORDER OF THE D.C. ZONING COMMISSION

A majority of the Commission members approved the issuance of this Order.

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA

NOTICE OF FINAL RULEMAKING**AND****Z.C. ORDER NO. 17-04****Z.C. Case No. 17-04****(Text Amendment – 11 DCMR)****(New MU-30 Zone and Missing Special Exceptions Uses in the MU Use Group F)****July 10, 2017**

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 Rep1.)), hereby gives notice of its adoption of amendments to Subtitle B (Definitions, Rules of Measurement, and Use Categories), Subtitle C (General Rules) Subtitle G (Mixed-Use (MU) Zones), Subtitle U (Use Permissions), and Subtitle X (General Procedures) of Title 11 (Zoning Regulations of 2016) of the District of Columbia Municipal Regulations (DCMR) to create a new high-density mixed-use zone (MU-30) with development standards and use provisions; and to add special exceptions uses in the MU Use Group F in Subtitle U not carried over from the predecessor zones that existed in the Zoning Regulations of 1958.

A Notice of Proposed Rulemaking was published in the June 9, 2017 edition of the *D.C. Register* at 64 DCR 5448. No comments were received and no substantive changes made to the proposed text. At the recommendation of the Office of the Attorney General, the means by which residential density in the MU-30 zone was made subject to the Inclusionary Zoning (“IZ”) regulations was changed. Instead of adding a reference to IZ compliance to 11-G DCMR § 402, which is the general density provision for MU zones, the adopted rules insert a reference to the MU-30 zone in 11-C DCMR § 1001.2(a), which is the provision that identifies those zone districts to which IZ applies.

The amendments shall become effective upon publication of this notice in the *D.C. Register*.

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

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

Subsection 318.7 of § 318, RULES OF MEASUREMENT FOR REAR YARDS, is amended to read as follows:

318.7 In the case of a corner lot in the MU-1, MU-2, MU-8, MU-9, MU-15, MU-16, MU-20, MU-21, MU-23, MU-30, NC-13, and CG-3 zones, a court complying with the width requirements for a closed court as applicable for each zone may be provided in lieu of a rear yard. For the purposes of this section, the required court shall be provided above a horizontal plan beginning not more than twenty feet (20

ft.) above the curb grade opposite the center of the front of the building and the width of the court shall be computed for the entire height of court.

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

Chapter 10, INCLUSIONARY ZONING, is amended as follows:

Paragraph (a) of § 1001.2 of § 1001, APPLICABILITY, is amended to include a reference to the MU-30 zone, as follows:

1001.2 Except as provided in Subtitle C § 1001.5, the requirements and modifications of this chapter shall apply to developments meeting the following criteria:

(a) Are mapped in the R-2, R-3, R-10, R-13, R-17, R-20, RA-1 through RA-4, RA-6, RA-7, RA-8, or RA-9 zone; any RF, ARTS, CG, RC, USN, STE, SEFC, or HE zone; the NC-1 through NC-5 or NC-7 through NC-13 zone; the MU-1 through MU-10 or MU-12 through MU-26, MU-28, MU-29 or MU-30 zone; or the D-2 or D-4 zone.

...¹

Title 11-G, MIXED-USE (MU) ZONES, is amended as follows:

Chapter 4, MIXED-USE ZONES - MU-3, MU-4, MU-5, MU-6, MU-7, MU-8, MU-9, AND MU-10, is amended as follows:

The chapter’s title is amended to read as follows:

CHAPTER 4 MIXED-USE ZONES – MU-3, MU-4, MU-5, MU-6, MU-7, MU-8, MU-9, MU-10, AND MU-30

Section 400, PURPOSE AND INTENT, is amended as follows:

Subsection 400.1 is amended to read as follows:

400.1 The MU-3 through MU-10 and the MU-30 zones are mixed-use zones that are intended to be applied throughout the city consistent with the density designation of the Comprehensive Plan. A zone may be applied to more than one (1) density designation.

A new § 400.10 is added to read as follows:

400.10 The MU-30 zone is intended to:

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

- (a) Permit high-density mixed-use development including office, retail, and housing, with a focus on employment; and
- (b) Be located in or near the downtown core that comprises the retail and office centers for both the District of Columbia and the metropolitan area.

New § 402.4 is added to § 402, DENSITY - FLOOR AREA RATIO (FAR), to read as follows:

402.4 In the MU-30 zone, the maximum permitted FAR shall be as set forth in the following table:

TABLE G § 402.4: MAXIMUM PERMITTED FAR

MU-30 Zone Height	Maximum FAR	
	Total Permitted	Maximum Non-Residential Use
Buildings erected to a height of one hundred ten feet (110 ft.) or less	8.5	8.5
	10.2 (IZ)	
Buildings erected to a height in excess of one hundred ten feet (110 ft.) as permitted in Subtitle G § 403.2	10.0	10.0
	12.0 (IZ)	

Section 403, HEIGHT, is amended to read as follows:

403 HEIGHT

403.1 The maximum permitted building height and number of stories, not including the penthouse, in the MU-3 through MU-10 zones and the MU-30 zone shall be as set forth in the following table, except as provided in Subtitle G § 403.2:

TABLE G § 403.1: MAXIMUM PERMITTED HEIGHT/STORIES

Zone	Maximum Height (Feet)	Maximum Stories
MU-3	40	3
MU-4	50	N/A
MU-5-A	65	N/A
	70 (IZ)	
MU-5-B	75	N/A
MU-6	90	N/A
MU-7	65	N/A
MU-8	70	N/A
MU-9	90	N/A
MU-10	90	N/A

Zone	Maximum Height (Feet)	Maximum Stories
	100 (IZ)	
MU-30	110	NA

403.2 In the MU-30 zone, a building or other structure may be erected to a height not exceeding one hundred thirty feet (130 ft.); provided, that the building or other structure shall face or abut a street not less than one hundred ten feet (110 ft.) wide between building lines.

403.3 The maximum permitted height of a penthouse, except as prohibited on the roof of a detached dwelling, semi-detached dwelling, rowhouse, or flat in Subtitle C § 1500.4, shall be as set forth in the following table:

TABLE G § 403.3: MAXIMUM PERMITTED PENTHOUSE HEIGHT AND STORIES

Zone	Maximum Penthouse Height	Maximum Penthouse Stories
MU-3 MU-4	12 ft. except 15 ft. for penthouse mechanical space	1; Second story permitted for penthouse mechanical space
MU-5-A MU-7	12 ft., except 18 ft. 6 in. for penthouse mechanical space	1; Second story permitted for penthouse mechanical space
MU-5B MU-8	20 ft.	1; Second story permitted for penthouse mechanical space
MU-6 MU-9 MU-10 MU-30	20 ft.	1 plus mezzanine; Second story permitted for penthouse mechanical space

Section 404, LOT OCCUPANCY, is amended as follows:

404 LOT OCCUPANCY

404.1 The maximum permitted lot occupancy for residential use in the MU-3 through MU-10 zones and the MU-30 zone shall be as set forth in the following table:

TABLE G § 404.1: MAXIMUM PERMITTED LOT OCCUPANCY

Zone	Maximum Lot Occupancy for Residential Use
MU-3	60%
	60% (IZ)
MU-4	60%
	75% (IZ)
MU-5-A	80%

Zone	Maximum Lot Occupancy for Residential Use
MU-5-B	80% (IZ)
MU-6	80%
	90% (IZ)
MU-7	75%
	80% (IZ)
MU-8	N/A
MU-9	N/A
MU-10	75%
	N/A (IZ)
MU-30	N/A

Subsections 405.3, 405.4, and 405.6 of § 405, REAR YARD, are amended to read as follows:

405.3 A minimum rear yard of two and one-half inches (2.5 in.) per one foot (1 ft.) of vertical distance from the mean finished grade at the middle of the rear of the structure to the highest point of the main roof or parapet wall, but not less than twelve feet (12 ft.) shall be provided in the MU-7, MU-8, MU-9, MU-10, and MU-30 zones.

405.4 In the MU-3 through MU-9 zones, a horizontal plane may be established at twenty feet (20 ft.) above the mean finished grade at the middle of the rear of the structure for the purpose of measuring rear yards.

405.6 In the MU-8, MU-9, and MU-30 zones, rear yard shall be established subject to the following conditions:

- (a) A rear yard is not required to be provided below a horizontal plane as described in Subtitle G § 405.4;
- (b) Where a lot abuts an alley, the rear yard may be measured from the center line of the alley to the rear wall of the building or other structure; and
- (c) Where a lot does not abut an alley, the rear yard shall be measured from the rear lot line to the rear wall of the building or other structure.

Subsection 407.3 of § 407, GREEN AREA RATIO (GAR), is amended to read as follows:

407.3 The minimum required GAR for the MU-9, MU-10, and MU-30 zones shall be 0.20.

Title 11-U, USE PERMISSIONS, is amended as follows:

Chapter 5, USE PERMISSIONS MIXED-USE (MU) ZONES, is amended as follows:

Subsection 500.2 of § 500, GENERAL USE PROVISION FOR MU ZONES, is amended to read as follows:

500.2 Use groups for the MU zones are as follows:

TABLE U § 500.2 MU-USE GROUPS

MU-Use Group A	MU-Use Group B	MU-Use Group C	MU-Use Group D	MU-Use Group E	MU-Use Group F	MU-Use Group G
MU-1 MU-2 MU-15, MU-16 MU-23	MU-11	MU-12, MU-13 MU-14 CG-5 CG-6 CG-7	MU-3	MU-4, MU-5 MU-6 MU-17, MU-18 MU-19 MU-24, MU-25 MU-26, MU-27 CG-2	MU-7, MU-8 MU-9 MU-20, MU-21 MU-28 CG-3 MU-30	MU-10 MU-22 MU-29 CG-4

Subsection 515.1 of § 515, MATTER-OF-RIGHT USES (MU-USE GROUP F), is amended as follows:

Paragraph (l) is amended to read as follows:

- (l) In the MU-9 zone, any establishment that has as a principal use the administration of massages, provided that no portion of the establishment shall be located within two hundred feet (200 ft.) of a R, RF, or RA zone;

The existing text of paragraph (m) is designated as new paragraph (n) and new text is inserted into paragraph (m) so that both provisions read as follows:

- (m) In the MU-30 zone, a gasoline service station provided no portion of the structure or premises shall be located within twenty-five feet (25 ft.) of a R, RF or RA zone unless separated from that R, RF, or RA zone by a street or alley; and
- (n) Other accessory uses customarily incidental and subordinate to the uses permitted by this section.

Section 516, SPECIAL EXCEPTION USES (MU-USE GROUP F), is amended to read as follows:

516 SPECIAL EXCEPTION USES (MU-USE GROUP F)

516.1 The following uses shall be permitted as a special exception if approved by the Board of Zoning Adjustment under Subtitle X, Chapter 9, subject to the provisions of this section:

- (a) Retail, large format, subject to the conditions of Subtitle U § 511.1(j);
- (b) Sexually-oriented business establishment in the MU-9, MU-21, or MU-30 zone, subject to the following conditions:
 - (1) No portion of the establishment shall be located within six hundred feet (600 ft.) of an R, RF, RA, MU-1, MU-2, MU-15, MU-16, or MU-23 zone;
 - (2) No portion of the establishment shall be located within six hundred feet (600 ft.) of a church, school, library, playground, or the area under the jurisdiction of the Commission of Fine Arts pursuant to the Shipstead-Luce Act, approved May 16, 1930 (46 Stat. 366, as amended; D.C. Official Code § 6-611.01 (formerly codified at D.C. Official Code § 5-410 (1994 Repl.)));
 - (3) No portion of the establishment shall be located within three hundred feet (300 ft.) of any other sexually-oriented business establishment;
 - (4) There shall be no display of goods or services visible from the exterior of the premises;
 - (5) The establishment shall be compatible with other uses in the area;
 - (6) The use shall not become objectionable because of its effect on the character of the neighborhood or because of noise, traffic, or other conditions; and
 - (7) The establishment shall not have an adverse impact on religious, educational, or governmental facilities located in the area;
- (c) Public utility pumping station, subject to any requirements pertaining to setbacks or screening, or other requirements the Board of Zoning Adjustment deems necessary for the protection of adjacent or nearby property;
- (d) Enlargement of an existing laundry or dry cleaning establishment that contains more than five thousand square feet (5,000 sq. ft.) of gross floor area, subject to the provisions of this paragraph:
 - (1) Any noise or odor shall not adversely affect the neighborhood;
 - (2) Dangerous or otherwise objectionable traffic conditions shall not be created; and

- (3) The Board of Zoning Adjustment may impose additional requirements as to the location of the building and other structures, the location of equipment, and other requirements as the Board deems necessary to protect adjacent or nearby property;
- (e) An Electronic Equipment Facility (EEF) that does not qualify as a matter-of-right use under Subtitle U § 515.1(k) subject to the requirements of this paragraph:
 - (1) An EEF shall not occupy more than fifty percent (50%) of the constructed gross floor area of the building, unless approved as part of a planned unit development pursuant to Subtitle X, Chapter 3;
 - (2) An applicant shall demonstrate, in addition to the requirements Subtitle X, Chapter 9 that the proposed use will not, as a consequence of its design, operation, low employee presence, or proximity to other EEFs, inhibit future revitalization of the neighborhood, reduce the potential for vibrant streetscapes, deplete street life, or inhibit pedestrian or vehicular movement;
 - (3) In evaluating whether an EEF will have any of the adverse impacts described in Subtitle U § 516.1(e)(2), the Board of Zoning Adjustment shall consider, in addition to other relevant factors, the:
 - (A) Absence of retail uses or a design capable of accommodating retail uses in the future;
 - (B) Presence of security or other elements in the design that could impair street life and pedestrian flow;
 - (C) Inability of the EEF to be adapted in the future for permitted uses; and
 - (4) The Board of Zoning Adjustment may impose requirements pertaining to design, appearance, landscaping, parking, and other such requirements as it deems necessary to protect adjacent property and to achieve an active, safe, and vibrant street life;
- (f) Where not permitted as a matter of right, any establishment that has as a principal use the administration of massages, subject to the following conditions:

- (1) No portion of the establishment shall be located within two hundred feet (200 ft.) of an R, RF, or RA zone;
 - (2) The establishment shall be compatible with other uses in the area;
 - (3) The use shall not become objectionable because of its effect on the character of the neighborhood or because of noise, traffic, or other conditions; and
 - (4) The establishment shall not have an adverse impact on religious, educational, or governmental facilities located in the area.
- (g) Where not permitted as a matter of right, a gasoline service station to be established or enlarged, or a repair garage not including body and fender work, subject to the following conditions:
- (1) The station shall not be located within twenty-five feet (25 ft.) of a residential zone;
 - (2) The operation of the use shall not create dangerous or other objectionable traffic conditions; and
 - (3) Required parking spaces may be arranged so that not all spaces are accessible at all times. All parking spaces provided under this subsection shall be designed and operated so that sufficient access and maneuvering space is available to permit the parking and removal of any vehicles without moving any other vehicle onto public space; and
- (h) Any use permitted as a matter of right in MU-Use Group F that does not comply with the required conditions for Use Group F may apply for permission as a special exception, except firearms retail sales establishments.

Title 11-X, GENERAL PROCEDURES, is amended as follows:

Chapter 3, PLANNED UNIT DEVELOPMENTS, is amended as follows:

Section 303, PLANNED UNIT DEVELOPMENT FLEXIBILITY, is amended as follows:

Table X § 303.7 in § 303.7 is amended as follows:

TABLE X § 303.7: MAXIMUM PERMITTED PUD BUILDING HEIGHT IN THE LEAST RESTRICTIVE ZONE DISTRICT

Zone	Maximum PUD Height (feet)
...	
MU-29 (CR/FT)	110
MU-30	130
PDR-7 (M/FT)	90
...	

Subsection 303.16 is amended to read as follows:

303.16 An electronic equipment facility (EEF) may occupy more than fifty percent (50%) of the gross floor area of a building in the MU-7, MU-8, MU-9, MU-30 or any D zone, if approved as part of a PUD in accordance with the requirements of this chapter and subject to the following additional criteria:

...

On May 11, 2017, upon the motion of Chairman Hood, as seconded by Commissioner Shapiro, the Zoning Commission took **PROPOSED ACTION** to **APPROVE** the petition at its public meeting by a vote of **3-0-2** (Anthony J. Hood, Peter A. Shapiro, and Michael G. Turnbull to approve; Robert E. Miller and Peter G. May, not present, not voting).

On July 10, 2017, upon the motion of Commissioner Turnbull, as seconded by Chairman Hood, the Zoning Commission took **FINAL ACTION** to **APPROVE** the petition at its public meeting by a vote of **5-0-0** (Anthony J. Hood, Robert E. Miller, Peter A. Shapiro, Peter G. May, and Michael G. Turnbull to approve).

In accordance with the provisions of 11 DCMR § 2038, this Order shall become final and effective upon publication in the *D.C. Register*; that is, on July 28, 2017.

BY THE ORDER OF THE D.C. ZONING COMMISSION

A majority of the Commission members approved the issuance of this Order.

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS

NOTICE OF EMERGENCY AND PROPOSED RULEMAKING

The Director of the Department of Consumer and Regulatory Affairs (Director), pursuant to Section 101(b) of the Omnibus Regulatory Reform Amendment Act of 1998, effective April 29, 1998 (D.C. Law 12-86; D.C. Official Code § 47-2851.04(c)(1) (2015 Repl.)), Section 10(b) of An Act To control the possession, sale, transfer, and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of evidence, and for other purposes, approved July 8, 1932 (47 Stat. 652; D.C. Official Code § 22-4510(b) (2012 Repl.)), and Section 3 of the Streamlining Regulation Act of 2003, effective October 28, 2003 (D.C. Law 15-38; 50 DCR 6913 (August 22, 2003)), hereby gives notice of the adoption of the following amendment to Chapter 5 (Basic Business License Schedule of Fees) of Title 17 (Business, Occupations, and Professionals) of the District of Columbia Municipal Regulations (DCMR)

This emergency rulemaking amends Chapter 5 to add a fee schedule in a new Section 517.

Emergency action is needed to ensure that the endorsement for stun gun sales required by the “Stun Gun Regulation Emergency Amendment Act of 2016” (D.C. Bill 21-986), and substantially similar emergency, temporary, and permanent legislation, exists for those wishing to sell stun guns in the District of Columbia.

Pursuant to D.C. Law 12-86, the Director may issue rules amending the special license and permits fees. This emergency rulemaking was adopted on June 27, 2017, and became effective immediately on that date. It will remain in effect for up to one hundred and twenty (120) days, unless earlier superseded by a notice of final rulemaking published in the *D.C. Register*. The rules will expire on October 25, 2017.

The Director also hereby gives notice of the intent to take final rulemaking action to adopt this amendment. Pursuant to Section 10(a) of the Act, the proposed amendment will be submitted to the Council of the District of Columbia for a forty-five (45) day period of review, and final rulemaking action will not be taken until the later of thirty (30) days after the date of publication of this notice in the *D.C. Register* or Council approval of the amendment.

Chapter 5, BASIC BUSINESS LICENSE SCHEDULE OF FEES, of Title 17 DCMR, BUSINESS, OCCUPATIONS, AND PROFESSIONALS, is amended by adding the following Section 517:

517 STUN GUN SALES ENDORSEMENT

517.1 The Director shall charge fees for business license categories with a Stun Gun Sales Endorsement as follows:

- (a) Stun gun sales: \$200.00

All persons desiring to comment on these proposed regulations should submit written comments to Annie McCarthy, Legislative Affairs Specialist, Department of Consumer and Regulatory Affairs, 1100 Fourth Street, S.W., Room 5164, Washington, D.C. 20024, or by e-mail to annie.mccarthy@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.

DEPARTMENT OF HEALTH

NOTICE OF EMERGENCY AND PROPOSED RULEMAKING

The Director of the Department of Health, pursuant to the authority set forth in § 15 of the Death with Dignity Act of 2016 (Act), effective February 18, 2017 (D.C. Law 21-182; 63 DCR 15697 (December 23, 2016); to be codified at D.C. Official Code § 7-661.14)), and Mayor’s Order 2017-149, dated June 28, 2017, hereby gives notice of the adoption of a new Subtitle D (Birth and Death) to Title 22 (Health) of the District of Columbia Municipal Regulations (DCMR), on an emergency basis.

The Emergency and Proposed Rules will establish the procedures for safely dispensing medication to a terminally ill resident of the District to end his or her life in a humane and peaceful manner.

The emergency action is necessary to ensure the health, safety, and welfare of the public by establishing rules to implement the Act, including by requiring mandatory educational training for patients and members of the medical community, and by requiring safe dispensing and proper disposal of controlled medications to help prevent possible injury or death of individuals who come into contact with covered medications intended for patients facing terminal illness.

The Director adopted this emergency rule on July 17, 2017, and the rule took effect on that date. The Director also gives notice of intent to take final rulemaking action to adopt this amendment in not less than thirty (30) days from the date of publication of this notice in the *D.C. Register*. The emergency rule shall continue in effect for one hundred twenty (120) days expiring on November 14, 2017, or upon publication of a Notice of Final Rulemaking, whichever occurs earlier.

Title 22 DCMR, HEALTH, is amended by adding a new Subtitle D to read as follows:

Subtitle 22-D BIRTH AND DEATH

CHAPTER 1 [RESERVED]

CHAPTER 2 [RESERVED]

CHAPTER 3 DEATH WITH DIGNITY

- 300 GENERAL PROVISIONS**
- 301 PATIENT PARTICIPATION**
- 302 HEALTH CARE PROVIDER PARTICIPATION**
- 303 PHARMACIST PARTICIPATION**
- 304 FUNERAL SERVICES REQUIREMENTS**
- 305 SAFE DISPOSAL OF COVERED MEDICATION**
- 306 CONFIDENTIALITY**
- 399 DEFINITIONS**

300 GENERAL PROVISIONS

- 300.1 This chapter shall apply to the following:
- (a) District residents diagnosed with a terminal disease;
 - (b) Physicians licensed in the District;
 - (c) Pharmacists licensed in the District;
 - (d) Pharmacies registered in the District; and
 - (e) Funeral directors and funeral services providers licensed in the District
- 300.2 Information collected pursuant to this chapter shall not be a public record and shall not be available for inspection by the public under the Freedom of Information Act of 1976, pursuant to Section 17 of the Act.
- 300.3 This chapter shall not be construed to authorize any person to end a person's life by lethal injection, mercy killing, active euthanasia, or any other method of medication not authorized under the Act or this chapter.
- 300.4 Actions taken in accordance with the Act or pursuant to this chapter shall not constitute suicide, assisted suicide, mercy killing, active euthanasia, or homicide for the purposes of any provision of District law.
- 300.5 This chapter shall not be construed to authorize a qualified patient to ingest a covered medication in a public place or in such a way that death will result in a public place.
- 300.6 For the purpose of this chapter a patient may establish residency by providing any two (2) of the following original documents that include a valid address in the District:
- (a) A utility bill or computer printout (water, gas, electric, oil, or cable), with name and address, issued within the last sixty (60) days (disconnect notices not accepted);
 - (b) A telephone bill or computer printout (cell phone, wireless, or pager bills acceptable), reflecting patient's name and current address, issued within the last sixty (60) days (disconnect notices not accepted);
 - (c) A deed, mortgage, or settlement agreement reflecting the patient's name and property address;

- (d) An unexpired lease or rental agreement with the name of the patient listed as the lessee, permitted resident, or renter (may be a photocopy). The unexpired lease or rental agreement shall be signed by all parties;
- (e) A District property tax bill or tax assessment issued within the last twelve (12) months reflecting the applicant's name and property address;
- (f) An unexpired homeowner's or renter's insurance policy reflecting the patient's name and address;
- (g) A letter with picture from the Court Services and Offender Supervision Agency or the Department of Corrections certifying the patient's name and District residency issued within the last sixty (60) days;
- (h) A Department of Motor Vehicles proof of residency form signed by the certifier residing at the residence and a copy of the certifier's unexpired District driver's license or District identification card;
- (i) A bank, credit union, credit card, or investment account statement issued within the last sixty (60) days reflecting the patient's name and address;
- (j) A piece of official mail—received from any government agency (with the patient's full name and address) to include contents and envelope received within the last sixty (60) days;
- (k) A form from a social service provider that includes the patient's name and address issued within the last sixty (60) days;
- (l) A medical bill issued within the last sixty (60) days reflecting the patient's name and address;
- (m) A student loan statement issued within the last sixty (60) days reflecting the patient's name and address;
- (n) A home line of equity statement issued within the last sixty (60) days reflecting the patient's name and address;
- (o) A car or personal loan statement (no coupon books/vouchers accepted) issued within the last sixty (60) days reflecting the patient's name and address; or
- (p) A home security system bill issued within the last sixty (60) days reflecting the patient's name and address.

300.7

If at any time a patient participating in the Program or the patient's agent disposes of covered medication, the patient shall be considered to have withdrawn from the

Program and shall re-initiate the three step process (two oral requests and a written request) if the patient wishes to acquire covered medication again.

301 PATIENT PARTICIPATION

301.1 A patient may participate in the Program if the patient is:

- (a) At least eighteen (18) years of age;
- (b) A resident of the District;
- (c) Under the care of a physician; and
- (d) Diagnosed with a terminal disease.

301.2 To participate in the Program a patient shall first complete the training module provided by the Director regarding the Program.

- (a) The training module shall include:
 - (1) Advice on the selection of witnesses;
 - (2) A link to the appropriate form for requesting covered medication;
 - (3) Information on who may prescribe and dispense a covered medication;
 - (4) Information on executing a Do Not Resuscitate Order or similar document;
 - (5) Information on the responsible use of a covered medication; and
 - (6) Information on the responsible disposal of unused covered medications.
- (b) The patient shall attest to having completed the training module on the application form provided by the Director.

301.3 After completing the training module, a patient may request covered medication from an attending physician by making two (2) oral requests to the physician that are separated by at least fifteen (15) days. In addition, the patient shall submit a written request to the physician, on a form provided by the Director, before making the second oral request and at least forty-eight (48) hours before covered medication is prescribed or dispensed. The patient may, on the written request form, designate any person the patient chooses to serve as the patient's agent for the purpose of safely disposing of unused covered medication. Any person so

designated shall acknowledge acceptance of responsibility to safely dispose of unused covered medication by signing the form.

- 301.4 The written request required by § 301.3 shall be witnessed by two (2) individuals, neither of which may be the patient's attending physician at the time of the request, and one of which shall not be:
- (a) A relative of the patient by blood, marriage, or adoption;
 - (b) Entitled to any portion of the patient's estate under a will or by operation of law at the time the patient or any witness signs the request; or
 - (c) An owner, operator, or employee of a health care facility where the patient is receiving treatment or resides.
- 301.5 If a patient is a resident of a long-term care facility at the time of the written request, one of the witnesses required by § 301.4 shall be an individual the facility designates, provided that the facility shall not designate an owner, operator, or employee of the facility.
- 301.6 The patient may:
- (a) Execute, at any time, a "Do Not Resuscitate Order", "Comfort Care Order", or other document that provides instructions to emergency responders not to prolong the life of a person who has a terminal disease and is experiencing cardiac or pulmonary arrest.
 - (b) Notify the Director, after completing the three step process (two oral requests and a written request), that the patient is participating in the Program; or
 - (c) Provide, at any time, health instructions to emergency responders by registering with smart 911 at www.smart911.com.
- 301.7 If a patient notifies the Director that the patient is participating in the Program, the Director shall notify the Office of Unified Communications and the Office of the Chief Medical Examiner.
- 301.8 If the patient chooses to withdraw from the Program, the patient shall notify the Director of the withdrawal. The Director shall provide notice of the patient's withdrawal from the Program to the Office of Unified Communications and the Office of the Chief Medical Examiner (OCME).

302 HEALTH CARE PROVIDER PARTICIPATION

- 302.1 A health care provider, including a health care professional, shall not be required, by contract or otherwise, to dispense or prescribe covered medication.
- 302.2 If a health care provider, including a health care professional, is unable or unwilling to participate in the Program, and the patient transfers his or her care to a new health care provider, the prior health care provider shall, upon the patient's request, transfer a copy of the patient's medical record to the new health care provider.
- 302.3 A health care provider may prohibit any health care provider it employs or contracts with from participating in the Program on the prohibiting health care provider's premises or within the scope of the health care provider's duties for the prohibiting health care provider, provided that the prohibiting health care provider has notified the employee or contractor of this policy before the employee or contractor has provided the covered medication.
- 302.4 An attending physician who is licensed in the District, and who is not prohibited from participation under this section, may participate in the Program after completing the training module approved by the Director.
- 302.5 After completing the training module and receiving a written request for covered medication, an attending physician shall:
- (a) Determine that the patient:
 - (1) Has a terminal disease;
 - (2) Is capable;
 - (3) Has made the request voluntarily; and
 - (4) Is a resident of the District;
 - (b) Inform the patient of:
 - (1) The patient's medical diagnosis;
 - (2) The patient's prognosis;
 - (3) The potential risks associated with taking a covered medication;
 - (4) The probable result of taking a covered medication;

- (5) The feasible alternatives to taking a covered medication, including comfort care, hospice care, and pain control; and
- (6) The availability of supportive counseling to address the range of possible psychological and emotional stress involved with the end stages of life;
- (c) Refer the patient to a consulting physician;
- (d) Refer the patient for counseling if the attending physician believes the patient may have a psychiatric or psychological disorder or depression that impairs the patient's judgment;
- (e) Recommend that the patient notify next of kin, friends, and a spiritual advisor, if applicable, of the decision to request covered medication;
- (f) Counsel the patient about the importance of having another person present when the patient ingests covered medication, and of not taking covered medication in a public place;
- (g) Inform the patient that the patient may rescind a request for covered medication at any time and in any manner; and
- (h) Verify, immediately before dispensing a covered medication or delivering a prescription for a covered medication, that the patient is making an informed decision.

302.6 The attending physician shall document, file in the patient's medical record, and make available to the Department for compliance review:

- (a) The date of each patient oral request for covered medication;
- (b) The date of receipt of the written request for covered medication;
- (c) The attending physician's:
 - (1) Diagnosis and prognosis of the patient;
 - (2) Determination that the patient is a District resident and the documentation the patient supplied to support the determination;
 - (3) Determination that the patient is capable, is acting voluntarily, and has made an informed decision to request covered medication;
 - (4) Offer to the patient to rescind the request for covered medication before the second oral request;

- (5) Notation on the form provided by the Director that all requirements of the Act have been met;
- (6) Notation on the form provided by the Director of all steps taken to carry out the patient's request for covered medication, including the medication dispensed or prescribed;
- (d) The consulting physician's:
 - (1) Diagnosis and prognosis of the patient;
 - (2) Verification that the patient is capable, acting voluntarily, and has made an informed decision to request covered medication;
- (e) The report by the psychiatrist or psychologist of the outcome and determinations of counseling, if applicable; and
- (f) For a patient who died after using a covered medication:
 - (1) The patient's age at death;
 - (2) The patient's education level, if known;
 - (3) The patient's race or ethnicity;
 - (4) The patient's sex;
 - (5) The patient's type of insurance, if known;
 - (6) The patient's terminal disease; and
 - (7) Whether the patient died due to using a covered medication.

302.7 When a patient has been referred to a consulting physician, as required by § 302.5(c), the consulting physician shall:

- (a) Examine the patient and the patient's medical records to confirm, in writing, the attending physician's diagnosis and prognosis that the patient has a terminal disease;
- (b) Verify, in writing, to the attending physician that the patient:
 - (1) Is capable, including that patient does not suffer from a psychiatric or psychological disorder or depression that impairs the patient's judgment;

- (2) Is acting voluntarily; and
 - (3) Has made an informed decision;
 - (c) Complete the consult form provided by the Director and immediately submit the completed form to the attending physician; and
 - (d) Refer the patient for counseling if the consulting physician believes the patient may have a psychiatric or psychological disorder or depression that impairs the patient's judgment.
- 302.8 The attending physician shall not dispense or prescribe covered medication to a patient who has been referred for counseling until the patient receives counseling and the psychologist or psychiatrist who counseled the patient determines and reports to the attending physician that the patient does not have a psychiatric or psychological disorder or depression that causes impaired judgment. The attending physician shall document the results of the psychological or psychiatric evaluation on the form to be submitted to the Department.
- 302.9 After the attending physician has completed all the requirements of §§ 302.5 and 302.6, and after the attending physician offers the patient another opportunity to rescind the patient's request, the attending physician may dispense directly to the patient, or prescribe, covered medication, including ancillary medication intended to minimize patient discomfort.
- 302.10 If the attending physician prescribes covered medication rather than dispensing it directly to the patient, the attending physician first shall offer the patient another opportunity to rescind the patient's request and then shall:
- (a) Contact a pharmacist who is licensed in the District and authorized to participate in the Program, and inform the pharmacist of the prescription;
 - (b) Deliver the written prescription to the pharmacist personally, by telephone, by facsimile, or electronically; and
 - (c) Record the date the prescription was delivered in the patient's medical record.
- 302.11 If the attending physician dispenses the medication, the attending physician shall immediately notify the Department on a form provided by the Director that covered medication has been dispensed. The Department shall provide the notification form, or information contained therein, to the OCME.
- 302.12 Within thirty (30) days after a patient dies from ingesting a covered medication, or as soon as practicable after the health care provider is made aware of a

patient's death resulting from ingesting the covered medication, the health care provider shall notify the Department of the patient's death.

303 PHARMACIST PARTICIPATION

303.1 A pharmacist licensed in the District may participate in the Program after completing the training module approved by the Director.

303.2 A pharmacist shall only provide covered medication to a qualified patient when the pharmacist has received the prescription for covered medication from the attending physician.

303.3 After a pharmacist has prepared a prescription for covered medication, the pharmacist shall dispense the covered medication only to the following:

- (a) The qualified patient;
- (b) The attending physician; or
- (c) An agent the qualified patient has designated to the pharmacist verbally or in writing.

303.4 If the qualified patient has verbally designated an agent to receive covered medication, the pharmacist shall, as soon as practicable, document the name of the person the qualified patient has verbally designated as an agent.

303.5 Immediately upon dispensing covered medication, the pharmacist shall notify the attending physician by facsimile or electronically, and shall notify the Department by emailing the Pharmacy Dispensing Form to the address provided on the Form. The Department shall provide the Pharmacy Dispensing Form, or information contained therein, to the OCME.

304 FUNERAL SERVICES AND DEATH RECORDS REQUIREMENTS

304.1 Neither a funeral director nor any funeral services personnel shall disclose to anyone any information they may have that the decedent has participated in the Program.

304.2 Death record clearances by the OCME shall be required for all deaths occurring in the District of Columbia for which covered medications have been dispensed regardless of disposition type or place. Death record clearance includes review of the death certificate to ensure that the:

- (a) Cause of death is etiologically specific; and

- (b) Manner of death is appropriate for a non-OCME physician (natural) or as determined by the Chief Medical Examiner.
- 304.3 Within forty-eight (48) hours after death, the physician in charge of a patient's care for the condition that resulted in death shall complete, sign, and return the medical certification portion of the death certificate to the funeral director, except when clearance is required by the OCME per § 304.2. When OCME clearance is required, medical certification shall be provided by the physician to OCME within forty-eight (48) hours after death.
- 304.4 An attending physician completing the death certificate for a decedent who participated in the Program shall identify the cause of death as the underlying medical condition consistent with the International Classification of Diseases without reference to the fact that the decedent ingested a covered medication.
- 304.5 An attending physician completing the death certification for a decedent who participated in the Program shall not include any of the following terms in the cause of death or manner of death sections:
- (a) PAS (physician assisted suicide);
 - (b) MAID (medical assistance in dying or medically assisted dying);
 - (c) Physician Assisted;
 - (d) DWD (death with dignity);
 - (e) Legally prescribed or legal prescription;
 - (f) Physician-assisted dying;
 - (g) The term for any covered medication; and
 - (h) Any reference to the Act or this chapter.
- 304.6 A death record related to a participant in the Program shall only list "natural" as the manner of death, or as otherwise determined by the Chief Medical Examiner.
- 304.7 The Registrar may require an attending physician for a patient who participated in the Program to furnish related information to the Registrar sooner than the thirty (30)-day notification deadline provided for in the Act if necessary to complete the certificate of death.

305 SAFE DISPOSAL OF COVERED MEDICATION

305.1 If a patient participating in the Program chooses not to use covered medication, the patient, or an agent the patient has designated to dispose of unused covered medication, shall not:

- (a) Dispose of covered medication by flushing it down a toilet, sink, sewer, or any other source that may result in the covered medication being conducted to the waters of the District; or
- (b) Return the covered medication to a pharmacy or the physician that dispensed the covered medication.

305.2 A person in possession of unused covered medication, regardless of whether the person is the patient or an agent of the patient, shall safely dispose of the covered medication. Safe disposal may consist of the following:

- (a) Take the covered medication out of the original container;
- (b) Mix the covered medication with an undesirable substance such as cat litter or used coffee grounds;
- (c) Place the mixture of covered medication and undesirable substance into a disposable container, such as a used plastic food container or sealable bag;
- (d) Conceal or remove personal information, including the prescription number, from the prescription container by scratching off the information or covering it with permanent black marker; and
- (e) Place the sealed container and the empty covered medication containers into the household trash.

306 CONFIDENTIALITY

306.1 No person may permit inspection of, disclose information contained in, or copy or issue a copy of any part of a record or related death record except as authorized by the Act and this chapter.

306.2 The Registrar may authorize the disclosure of information contained in death records, including Death with Dignity supporting documentation, for research purposes.

399 DEFINITIONS

399.1 When used in this chapter, the following words and phrases shall have the meanings ascribed:

Act—the Death with Dignity Act of 2016, effective February 18, 2017 (D.C. Law 21-182; D.C. Official Code §§ 7-661.01 *et seq.*), applicable as of June 6, 2017.

Agent—a person chosen by a qualified patient to receive covered medication on the patient’s behalf, to safely dispose of unused covered medication on the patient’s behalf, or both.

Attending physician—the physician selected by, or assigned to, the patient who has primary responsibility for the treatment and care of the patient.

Capable—having the mental capacity to make and communicate health care decisions to a health care provider.

Consulting physician—a physician who is qualified by specialty or experience to make a professional diagnosis and prognosis regarding the patient’s disease and who is willing to participate in the provision of covered medication to a qualified patient in accordance with the Act.

Covered medication—a drug, which when prescribed for a person with a terminal illness, is intended to result in humane and peaceful death. This term includes: Secobarbital, Pentobarbital, Phenobarbital, chloral hydrate, and morphine sulfate.

Day—Calendar day.

Department—Department of Health.

Director—Director of the Department of Health.

Health care professional—a physician who is a doctor of osteopathic medicine (DO), a doctor of allopathic medicine (MD), or a pharmacist (PharmD).

Health care provider—a person, partnership, corporation, facility, or institution that is licensed, certified, or authorized under District law to administer health care or dispense medication in the ordinary course of business or practice of a profession.

Oral request—means:

- (a) Spoken in-person communication or sign language interpretation;
- (b) Communication over the telephone;
- (c) Communication through an electronic speech generation device; or

- (d) A request, by a patient who is not capable of using the means of communication described in (a) and (b), that is written or typed by the patient in the attending physician's presence and is immediately given directly to the attending physician by the patient.

Program—the process authorized by the Act by which a qualified patient may request covered medication from a physician and self-administer covered medication to achieve humane and peaceful death.

Record—a certificate, report, or form submitted to the Director for the Program.

Registrar—the person appointed by the Director to administer the system of vital records for the District.

Terminal disease—an incurable and irreversible disease that has been medically confirmed and is expected, within reasonable medical judgment, to result in death within six (6) months.

Comments on the proposed rules should be sent in writing to the Department of Health, Office of the General Counsel, 6th Floor, 899 North Capitol Street, N.E., Washington, D.C. 20002, not later than thirty (30) days after the date of publication of this notice in the *D.C. Register*. Copies of the proposed rules may be obtained Monday through Friday, except holidays, between the hours of 8:15 A.M. and 4:45 P.M. at the same address. Questions concerning the rulemaking should be directed to Angli Black, Paralegal Specialist, at Angli.Black@dc.gov or (202) 442-5977.

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM


Mayor's Order 2017-159
July 14, 2017

SUBJECT: Appointment – District of Columbia Educational Opportunity for Military Children State Council


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 21 of the Interstate Compact on Educational Opportunity for Military Children Establishment Act of 2012, effective May 1, 2013, D.C. Law 19-304; 60 DCR 2717 (March 8, 2013), to be codified as D.C. Official Code § 49-1101.20, it is hereby **ORDERED** that:

1. **RENUNDA LEE** is appointed as the parent representative member of the District of Columbia Educational Opportunity for Military Children State Council, replacing Aubrey Stull, serving at the pleasure of the Mayor:
2. **EFFECTIVE DATE:** This Order shall become effective immediately.



MURIEL BOWSER
MAYOR

ATTEST: 

LAUREN C. VAUGHAN
SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2017-160
July 14, 2017

SUBJECT: Appointments — Open Government Advisory Group


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 Mayor's Order 2016-094, dated June 9, 2016, as amended by Mayor's Order 2017-107, dated April 20, 2017, it is hereby **ORDERED** that:

1. **JAY MELDER** is appointed as the voting member designee of the Deputy Mayor for Health and Human Services of the Open Government Advisory Group ("**Group**"), replacing Tene Dolphin, serving at the pleasure of the Mayor.
2. **TIFFANY CROWE** is appointed as a public member who has an interest in government transparency, open data, and enhancing the public's access to government data of the Group, replacing Aliya Rahman, to serve the remainder of an unexpired term ending June 9, 2019.
3. **EFFECTIVE DATE:** This Order shall become effective immediately.



MURIEL BOWSER
MAYOR

ATTEST: 
LAUREN C. VAUGHAN
SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2017-161
July 14, 2017

SUBJECT: Reappointments — District of Columbia Uniform Law Commission


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 3 of the District of Columbia Uniform Law Commission Act of 2010, effective March 12, 2011 (D.C. Law 18-313, D.C. Official Code § 3-1432 (2016 Repl.)), it is hereby **ORDERED** that:

- 1. The following persons are reappointed as members of the District of Columbia Uniform Law Commission, for terms to end July 1, 2020:
 - a. **BRIAN K. FLOWERS**
 - b. **JOHN J. MCAVOY**
 - c. **JAMES C. MCKAY**
- 2. **EFFECTIVE DATE:** This Order shall become effective immediately.



MURIEL BOWSER
MAYOR

ATTEST: 
LAUREN C. VAUGHAN
SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM


Mayor's Order 2017-162
July 14, 2017

SUBJECT: Reappointments — District of Columbia Higher Education Licensure Commission


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 4 of the Education Licensure Commission Act of 1976, effective April 6, 1977, D.C. Law 1-104, D.C. Official Code § 38-1304 (2012 Repl. and 2016 Supp.), it is hereby **ORDERED** that:

1. The following persons are reappointed as members of the District of Columbia Higher Education Licensure Commission, for terms ending August 15, 2020:
 - a. **DR. JOANNE JOYNER**
 - b. **JOHN CROSS**
2. **EFFECTIVE DATE:** This Order shall become effective immediately.



MURIEL BOWSER
MAYOR

ATTEST:  _____
LAUREN C. VAUGHAN
SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2017-163
July 19, 2017

SUBJECT: Appointment — Acting Director, Office of Disability Rights


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 by section 4 of the Disability Rights Protection Act of 2006, effective March 8, 2007, D.C. Law 16-239; D.C. Official Code § 2-1431.03(c) (2016 Repl.), it is hereby **ORDERED** that:

1. **MATHEW MCCOLLOUGH** is appointed Acting Director, Office of Disability Rights, and shall serve in that capacity at the pleasure of the Mayor.
2. This Order supersedes Mayor's Order 2017-145, dated June 14, 2017.
3. **EFFECTIVE DATE:** This Order shall become effective immediately.



MURIEL BOWSER
MAYOR

ATTEST: 

LAUREN C. VAUGHAN
SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2017-164
July 19, 2017

SUBJECT: Appointment - Rent Administrator


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.), section 2(d) of the Housing Regulation Administration Amendment Act of 2008, effective March 29, 2009, D.C. Law 17-366; D.C. Official Code § 42-3502.03a (2012 Repl.), in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979, D.C. Law 2-142; D.C. Official Code § 1-523.01 (2016 Repl.), and pursuant to the Rent Administrator Lauren Pair Confirmation Resolution of 2017, effective June 27, 2017, R22-0155, it is hereby **ORDERED** that:

1. **LAUREN PAIR** is appointed Rent Administrator, and shall serve for a term to end three years from the date of confirmation.
2. **EFFECTIVE DATE:** This Order shall be effective *nunc pro tunc* to June 27, 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 2017-165
July 20, 2017

SUBJECT: Amendment and Appointments — District of Columbia Emancipation Day Commission

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 Mayor's Order 2016-061, dated April 14, 2016, it is hereby **ORDERED** that:

1. Section IV(D.) of Mayor's Order 2016-061, dated April 14, 2016, is amended as follows:
 - A. By striking the phrase "District Government agencies" and inserting the phrase "the District government" in its place.
2. The following persons are appointed as public members of the District of Columbia Emancipation Day Commission ("**Commission**") serving at the pleasure of the Mayor:
 - a. **DR. HELGA BASKETT-TIPPETT**
 - b. **CHRISTINE HALEY**
 - c. **MARY IVEY**
 - d. **JUNEL JEFFREY**
 - e. **HOWARD MARKS**
 - f. **DORJAN SHORT**
 - g. **FRANK SMITH**
 - h. **KASSANDRA WHITT**
 - i. **ANN WICKER**
3. The following persons are appointed to the Commission as representatives from the District government as ex officio members:
 - a. **LAMONT AKINS**, from the Executive Office of the Mayor
 - b. **EBONY BROWN**, from the Commission on the Arts and Humanities
 - c. **SHERYL NEWMAN**, from the Council of the District of Columbia
 - d. **LAUREN VAUGHAN**, as the Secretary of the District of Columbia

- e. **DEREK YOUNGER**, from the Office of Cable Television, Film, Music and Entertainment
- 4. **EFFECTIVE DATE:** This order shall become effective immediately.



MURIEL BOWSER
MAYOR

ATTEST: 

LAUREN C. VAUGHAN
SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2017-166
July 20, 2017

SUBJECT: Appointments and Reappointments — State Early Childhood Development Coordinating Council


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 107 of the Pre-K Enhancement and Expansion Amendment Act of 2008, effective March 8, 2011, D.C. Law 18-285, D.C. Official Code § 38-271.07 (2012 Repl.), it is hereby **ORDERED** that:

1. The following persons are appointed as members of the State Early Childhood Development Coordinating Council ("**Council**") to serve at the pleasure of the Mayor:
 - a. **MARGARETH D. LEGASPI**, as the State Director for Head Start Collaboration replacing Christophe Beard.
 - b. **BRENDA HARRIS**, as director of the entity designated as the state resource and referral agency member, replacing Myrna Peralta.
 - c. **JACK MCCARTHY**, as the designee of the Executive Director of the Public Charter School Board.
2. The following persons are appointed as members of the Council for terms to end June 3, 2019:
 - a. **LATOYA SMITH**, as an additional category identified by the Council as necessary or appropriate member, replacing Belen Oyola-Rebaza.
 - b. **LINDA MOORE**, as a representative of a public charter school support organization member, replacing Michela English.
3. The following persons are reappointed as members of the Council for terms to end June 3, 2019:

- a. **CECELIA ALVARADO**, as a representative of the DC Collaborative member.
 - b. **JUDY BERMAN**, as an additional category identified by the Council as necessary or appropriate member.
 - c. **CYNTHIA DAVIS**, as an additional category identified by the Council as necessary or appropriate member.
 - d. **GREGORY MCCARTHY**, as a representative of the business community member.
4. **EFFECTIVE DATE:** This Order shall become effective immediately.


MURIEL BOWSER
MAYOR

ATTEST: 
LAUREN C. VAUGHAN
SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2017-167
July 20, 2017

SUBJECT: Appointment — Construction Codes Coordinating Board


ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(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 Mayor's Order 2009-22, dated February 25, 2009, as amended by Mayor's Order 2012-32, dated February 29, 2012, it is hereby **ORDERED** that:

1. **JOEL CAUSEY** is appointed to the Construction Codes Coordinating Board as a private citizen member, replacing Robert Looper, to serve the remainder of an unexpired term ending June 15, 2018.
2. **EFFECTIVE DATE:** This Order shall become effective immediately.



MURIEL BOWSER
MAYOR

ATTEST: 

LAUREN C. VAUGHAN
SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2017-168
July 20, 2017

SUBJECT: Appointments — Commission on Aging


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 402 of the District of Columbia Act on the Aging, effective October 29, 1975, D.C. Law 1-24, D.C. Official Code § 7-504.02 (2012 Repl. and 2017 Supp.), it is hereby **ORDERED** that:

1. The following persons are appointed as members to the Commission on Aging:
 - a. **JOHN GIACOMINI**, replacing Janet Heisse, for a term ending October 28, 2019.
 - b. **CAROLYN MATTHEWS**, replacing Jacqueline Arguelles, to serve the remainder of an unexpired term ending October 28, 2017 and for a new term to end October 28, 2020
2. **EFFECTIVE DATE:** This Order shall be effective *nunc pro tunc* to June 28, 2017.



MURIEL BOWSER
MAYOR

ATTEST:  _____
LAUREN C. VAUGHAN
SECRETARY OF THE DISTRICT OF COLUMBIA

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF PUBLIC HEARINGS
CALENDAR

WEDNESDAY, AUGUST 2, 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 # 17-251-00011; Getbri, Inc., t/a Cedar Hill Bar & Grill/Uniontown Bar & Grill, 2200 Martin Luther King, Jr., Ave, SE, License #91887, Retailer CT ANC 8A
Failed to Comply with Board Order and failed to Follow Security Plan
- Show Cause Hearing (Status)** **9:30 AM**
Case # 16-251-00277; DC Live, LLC, t/a XO, 15 K Street NE, License #100316 Retailer CT, ANC 6C
Failed or Refused to Allow an ABRA Investigator and MPD to Enter or Inspect Without Delay the Licensed Premises or Examine the Books and Records of the Business, or Otherwise Interfered with an Investigation
- Fact Finding Hearing** **9:30 AM**
(One Day Substantial Change 17-SC-00342),Applicant: Brandon Skall
Event: DC Brau Brewing, LLC, t/a DC Brau Brewing , Date of Event: August 27, 2017, Hours of Event: 2:00pm-9:00pm, Neighborhood: 3178 Bladensburg Road, NE, Size of Event (800 Attendees)
- Show Cause Hearing*** **10:00 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*** **11:00 AM**
Case # 16-CC-00166; Metaril, LLC, t/a Prego Again, 1617 17th Street NW License #90326, Retailer B, ANC 2B
Sale to Minor Violation, Failed to Require Production of Valid Identification, No ABC Manager on Duty (Two Counts)

Board's Calendar
August 2, 2017

**BOARD RECESS AT 12:00 PM
ADMINISTRATIVE AGENDA
1:00 PM**

Protest Hearing* **1:30 PM**
Case # 17-PRO-00029; Yegna Restaurant and Lounge, Inc., t/a Asefu's Palace
1920 9th Street NW, License #105977, Retailer CT, ANC 1B
Application for a New License

Show Cause Hearing* **1:30 PM**
Case # 17-CC-00017; Minnesota Store, LLC, t/a Minnesota Store, 3728
Minnesota Ave NE, License #95245, Retailer B, ANC 7F
**Sale to Minor Violation, Failed to Take Steps Necessary to Ascertain Legal
Drinking Age**

Show Cause Hearing* **2:30 PM**
Case # 16-CMP-00793; M & M Beer & Wine, Inc., t/a M & M Market, 3544
East Capitol Street NE, License #78461, Retailer B, ANC 7F,
No ABC Manager on Duty

Show Cause Hearing* **3:30 PM**
Case # 17-CC-00027; Capitol Market, LLC, t/a Capitol Market, 2501 North
Capitol Street NE, License #91021, Retailer B, ANC 5E
**Sale to Minor Violation, Failed to Take Steps Necessary to Ascertain Legal
Drinking Age**

Protest Hearing* **4:30 PM**
Case # 17-PRO-00028; Silver Cathedral Commons, LLC, t/a Silver, 3404
Wisconsin Ave NW, License #105729, Retailer CR, ANC 3C
Application for a New License
*This hearing is cancelled due to the submission of a Settlement Agreement for
the Board's review and approval.*

***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
LICENSING AGENDA

WEDNESDAY, AUGUST 2, 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 1A. SMD 1A09. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No conflict with Settlement Agreement. *Alfie's*, 3301 Georgia Avenue NW, Retailer CR, License No. 101301.
-

2. Review Application for Safekeeping of License – Original Request. ANC 2C. SMD 2C01. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. *International Spy Museum*, 800 F Street NW, Retailer CX, License No. 060573.
-

3. Review Application for Safekeeping of License – Original Request. ANC 2F. SMD 2F02. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No conflict with Settlement Agreement. *Tortilla Coast*, 1454-1460 P Street NW, Retailer CR, License No. 086859.
-

1. Review Application for Sidewalk Café with seating for 12 patrons. *Proposed Hours of Operation and Alcoholic Beverage Sales and Consumption for Sidewalk Café*: Sunday 9am to 10pm, Monday-Thursday 11am to 10:30pm, Friday 11am to 11pm, Saturday 9am to 11pm. ANC 2E. SMD 2E02. The Establishment has one unpaid citation fine. No conflict with Settlement Agreement. *Café Divan*, 1834 Wisconsin Avenue NW, Retailer CR, License No. 060603.
-

***In accordance with D.C. Official Code §2-547(b) of the Open Meetings Amendment Act, this portion of the meeting will be closed for deliberation and to consult with an attorney to obtain legal advice. The Board's vote will be held in an open session, and the public is permitted to attend.**

APPLETREE EARLY LEARNING PUBLIC CHARTER SCHOOL**REQUEST FOR PROPOSALS****Psychological Services**

AppleTree Early Learning PCS is seeking an organization(s) to provide Psychological Services to serve our population of students in the early childhood school setting. Please contact Jenna Umansky, Special Education Manager, for details on the RFP. The deadline for responding to the RFP is August, 4 2017 at 4pm. Contact – Jenna Umansky, Special Education Manager, 415 Michigan Avenue NE, Washington, DC 20017, (202) 821-3288, jenna.umansky@appletreepcs.org.

DC COMMISSION ON THE ARTS AND HUMANITIES**NOTICE OF FUNDING AVAILABILITY****FY 2018 Sister Cities Grant Program**

The DC Commission on the Arts and Humanities (CAH) announces the availability of its Sister Cities grant program for fiscal year 2018. Grants supporting individuals and organizations will be available during this period.

The Sister Cities grant program (SCG) provides one-time project support and covers travel expenses to foster arts and humanities exchange between the District of Columbia and DC's Sister Cities (For a complete list of Sister Cities visit: <http://os.dc.gov/service/dc-sister-cities>). SCG grants support high-quality dance, music and theatre ensembles, visual arts exhibitions and literary readings, as well as individual and multi-disciplinary artists. SCG may also support participation in arts festivals.

Individuals must be over the age of 18 and must demonstrate DC residency for at least one year prior to the time of application, and be in good standing with CAH and the Government of the District of Columbia, in addition to other eligibility criteria listed in the program's guidelines. Organizations must be incorporated in the District, headquartered with a land address in DC and have 501(c)(3) status for at least one year prior to the application period in addition to other eligibility criteria listed in the program's guidelines. Applicants must also be a registered organization in good standing with the DC Department of Consumer and Regulatory Affairs (DCRA), Corporation Division, the Office of Tax and Revenue (OTR), the Internal Revenue Service (IRS), and the Department of Employment Services (DOES) and possess clean hands certification at the time of application.

All eligible applications are reviewed through a competitive process. Evaluation criteria are based on 1) Arts and Humanities Content, 2) District and Sister Cities Engagement and Impact, and 3) Financial Capacity, Management and Sustainability. All activities funded by the grant must occur in FY 2018 and be completed by September 30, 2018.

The Request for Applications (RFA) will be available electronically beginning August 14, 2017 on the CAH website at <http://dcarts.dc.gov/>. Applicants must apply online. The deadline for applications is October 27, 2017.

CAH will present a program orientation and technical assistance workshop. Workshop details will be available on the CAH website beginning August 14, 2017.

For more information, please contact:

Kali Wasenko
External Engagement Specialist
DC Commission on the Arts and Humanities
200 I (EYE) St. SE
Washington, DC 20003
(202) 724-5613 or kali.wasenko@dc.gov

CHILD AND FAMILY SERVICES AGENCY**Mayor's Advisory Committee Meeting on Child Abuse and Neglect (MACCAN)**

Tuesday – July 25, 2017

10:00 a.m. – 12:00 p.m.

Child and Family Services Agency
200 I Street SE, Conference Room 2203-B
Washington, DC 20003

Agenda

1. Call to Order
2. Ascertainment of Quorum
3. Acknowledgement of Adoption of the Minutes of the January 24, 2017 meeting
4. Report by the Chair and Co-Chair of MACCAN
 - a. Swearing in of membership (Sharra Greer)- MOTA
 - b. New CFSA member- Lia Walker, Administrator, Community Partnerships
 - c. Think Before You Spank Rack Cards
5. Discussion
 - a. Safe Haven Redesign- Brenda Donald, Director, Child & Family Services Agency
6. Opportunity for Public Comment
7. Adjournment
8. Next Meeting September 26, 2017, 10:00-11:30 pm @ CFSA, room 2203-B

Questions/Comments? Please contact Roni Seabrook at (202) 724-7076 or roni.seabrook@dc.gov.

EAGLE ACADEMY PUBLIC CHARTER SCHOOL**INVITATION FOR BID****Bread Distributor**

Eagle Academy PCS is advertising the opportunity to bid on the delivery of bread products to children enrolled at the school for the 2017-2018 school year with a possible extension of (2) one year renewals. All meals must meet at a minimum, but are not restricted to, the USDA National School Breakfast, Lunch, Afterschool Snack and At Risk Supper meal pattern requirements. Additional specifications outlined in the Invitation for Bid (IFB) such as; student data, days of service, meal quality, etc. may be obtained beginning on **7/28/17** from **Vernal Crooms at (202) 469-9994** or vcrooms@eagleacademypcs.org:

Proposals will be accepted at **3400 Wheeler Road, SE, Washington, DC 20032** on **8/10/17**, not later than **2 p.m.**

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

OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION**NOTICE OF FUNDING AVAILABILITY****FY18 21st Century Community Learning Centers Grant (ESEA Title IV, Part B)****Request for Application Release Date: Thursday, August, 28, 2017****Grant Award Notification (GAN) Estimated Release Date: Monday, October 16, 2017**

The Division of Elementary, Secondary, and Specialized Education, within the Office of the State Superintendent of Education (OSSE), will be soliciting grant proposals from eligible District of Columbia agencies. These agencies are inclusive of local educational agency, community-based organization, another public or private entity, or a consortium of two (2) or more of such agencies, organizations, or entities that do not currently receive 21st Century Community Learning Centers (21st CCLC) grant funds in the District of Columbia. States must give priority to applications that are jointly submitted by a local educational agency and a community-based organization or other public or private entity.

The total funding available for 21st CCLC awards is Seven Million, Nine Hundred Ninety-Seven Thousand, Four Hundred Sixty-Five Dollars and Fifty-One Cents (\$7,997,465.51). The 21st CCLC grant award period will be from the date of the award to Sunday, September 30, 2018. Successful applicants will be funded for two (2) additional years subject to funding availability.

The purpose of the 21st CCLC program is to establish or expand community learning centers that provide students with academic enrichment opportunities along with activities designed to complement the students' regular academic program. Along with student opportunities, 21st CCLC offers the students' families literacy and related educational development. 21st CCLC programs, which can be located in elementary schools, secondary schools, or other similarly accessible facilities, provide a range of high-quality services to support student learning and development. At the same time, centers help working parents by providing a safe environment for students during non-school hours or periods when school is not in session.

Authorized under Title IV, Part B, of the Elementary and Secondary Education Act (ESEA), as amended, the law's specific purposes are to:

- provide opportunities for academic enrichment, including providing tutorial services to help students (particularly students in high-poverty areas and those who attend low-performing schools) meet State and local student performance standards in core academic subjects such as reading and mathematics;
- offer students a broad array of additional services, programs, and activities, such as youth development activities; drug and violence prevention programs; counseling programs; art, music, and recreation programs; technology education programs; and character education programs that are designed to reinforce and complement the regular academic program of participating students; and

- offer families of students served by community learning centers opportunities for literacy and related educational development.

Program costs must be paid, not merely incurred, by the awardee to the payee prior to requesting reimbursement. All awards will be reviewed annually for consideration of continued funding. To receive more information or for a copy of the Request for Applications (RFA), please contact:

Sheryl Hamilton
Office of the State Superintendent of Education
810 First Street, NE, 8th Floor
Washington, D.C. 20002
Telephone: (202) 741-6404
Email: 21stcclc.info@dc.gov

Organizations interested in applying for 21st CCLC may use the following link to access OSSE's on-line Enterprise Grants Management System (EGMS): <http://grants.osse.dc.gov/>. Applicants will need to create an EGMS username and password to access the 21st CCLC application. The RFA and application submission guidance will also be available on OSSE's 21st CCLC webpage at <http://osse.dc.gov/service/title-iv-part-b-21st-century-community-learning-centers>.

A 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 with 21st CCLC. Upon completion of their review, reviewers shall make recommendations for awards based on the scoring rubric. OSSE's Division of Elementary, Secondary, and Specialized Education will make all final award decisions.

OSSE will provide two web-based pre-application technical assistance sessions on **Thursday, September 7 and Thursday, September 14, 2017**. The pre-application technical assistance sessions will include an overview of the 21st CCLC grant program, competition, and EGMS for application submissions; and will provide technical assistance for any grant competition inquiries. Potential applicants may register for the September 7 session [here](#) or for the September 14 session [here](#).

One in-person pre-application technical assistance session will be held at OSSE (810 1st Street, NE, Washington, DC) on **Monday, September 11, 2017** in the Third Floor Grand Hall. Potential applicants may register for the in-person technical assistance session at <http://bit.ly/2trr56J>. Please note that seating will be limited so please limit the number of staff registering and attending the in-person session to three (3) or less.

OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION**NOTICE OF FUNDING AVAILABILITY****Scholarships for Opportunity and Results (SOAR) Act Grants****Request for Applications Release Date: August 11, 2017**

The Office of the State Superintendent of Education (OSSE) will issue Requests for Applications (RFAs) for Scholarships for Opportunity and Results (SOAR) Act grant funds. SOAR Act funds are available to District of Columbia (DC) charter local education agencies (LEAs) and third-party non-profit charter support organizations. The purpose of the funds is to increase the achievement and academic growth of DC public charter school students and to support the improvement and expansion of high-quality public charter schools. This notice provides information regarding two competitive opportunities.

At least \$6,000,000 is available through the following competitive funding opportunities:

Grants to Non-Profit Third-Party Charter Support Organizations (Charter Support Grants)

Eligible applicants are non-profit third-party charter school support organizations that have a demonstrated history of success working with DC charter schools on similar projects. Applicants must use funds to support projects designed to have a direct and rapid impact on academic achievement and outcomes for charter school students overall or on the achievement of historically underperforming subgroups. Applicants are required to submit a letter of recommendation from a DC charter school with direct experience working with the organization as well as a complete list of all schools and districts to which the organization has provided similar services. \$2,000,000 will be awarded.

Facilities Grants

Eligible applicants are high-quality DC public charter schools. Applicants must use funds to support the renovation of former District of Columbia Public School (or other District-owned) facilities leased from the District or facilities owned by charter schools. Eligible applicants must provide documentation of site control. \$4,000,000 will be awarded.

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.

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). OSSE will make all final award decisions.

To receive more information on these grants, please contact:

Ronda Kardash
Office of the State Superintendent of Education
810 First Street, NE, Eighth Floor, Washington, D.C. 20002
Email: Ronda.Kardash@dc.gov

The RFA for these competitive grant programs 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.

DISTRICT OF COLUMBIA
BOARD OF ELECTIONS

**Certification of Filling a Vacancy
In Advisory Neighborhood Commission**

Pursuant to D.C. Official Code §1-309.06(d)(6)(D), If there is only one person qualified to fill the vacancy within the affected single-member district, the vacancy shall be deemed filled by the qualified person, the Board hereby certifies that the vacancy has been filled in the following single-member district by the individual listed below:

Greg Ehrhardt
Single-Member District 3E01

DISTRICT OF COLUMBIA OFFICE OF EMPLOYEE APPEALS

AUGUST BOARD MEETING

This notice outlines the schedule of the regular meetings of the Board for the Office of Employee Appeals. Portions of the meetings are held in open session, and the public is invited to attend. The August 22, 2017 Board meeting is cancelled. Our next meeting will take place on November 7, 2017. The meeting will be held in our new office location at 955 L'Enfant Plaza, Suite 2500, SW, Washington, D.C. A copy of the draft agenda for the meeting will be posted on the agency's website and the lobby of the Office of Employee Appeals. For further information, please contact the front desk at 202.727.0004.

DATE	TIME	ROOM NUMBER
Tuesday, August 22, 2017	11:00 AM	Room 380 East (Cancelled)

DEPARTMENT OF ENERGY AND ENVIRONMENT**PUBLIC NOTICE**

Notice is hereby given that, pursuant to 40 C.F.R. Part 51.161, D.C. Official Code §2-505, and 20 DCMR §210, the Air Quality Division (AQD) of the Department of Energy and Environment (DOEE), located at 1200 First Street NE, 5th Floor, Washington, DC, intends to issue an air quality permit (#7158) to New Again Auto Body of DC, LLC (dba North East Auto Body) to operate one (1) Zhondga AK DDF Spray and Curing paint booth as well as construct a modified exhaust stack for the booth at the facility located at 3188 Bladensburg Road NE, Washington, DC 20018. The contact person for the facility is Carolyn McNey at (301) 674-9406.

Emissions Estimate:

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

The proposed emission limits are as follows:

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

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

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

Coating Category	VOC Regulatory Limit As Applied*	
	(Pounds per gallon)	(Grams per liter)
Truck bed liner coating	1.7	200
Underbody coating	3.6	430
Uniform finish coating	4.5	540

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

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

1. An automotive coating that is not in compliance with Condition (b) (relating to coating VOC content limits); and
 2. A cleaning solvent that does not meet the requirements of Condition (c) (relating to cleaning solvent VOC content limits).
- e. An emission into the atmosphere of odorous or other air pollutants from any source in any quantity and of any characteristic, and duration which is, or is likely to be injurious to the public health or welfare, or which interferes with the reasonable enjoyment of life or property is prohibited [20 DCMR 903.1]
- f. Visible emissions shall not be emitted into the outdoor atmosphere from the paint booth. [20 DCMR 201.1, 20 DCMR 606, and 20 DCMR 903.1]

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

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

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

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

No comments or hearing requests submitted after August 28, 2017 will be accepted.

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

DEPARTMENT OF ENERGY AND ENVIRONMENT

NOTICE OF FUNDING AVAILABILITY

Vulnerability Assessment and Resilience Audit/Solar Tool for Affordable Housing

The Department of Energy and Environment (the Department) seeks eligible entities to create and implement a tool for assessing the vulnerability of the District's affordable housing stock to climate change and identifying possible resilience upgrades, including the installation of solar technologies and energy storage to help meet the goals set out in the Mayor's Climate Ready DC Plan and the Solar for All program. The amount available for the project is approximately \$250,000.00.

Beginning 7/28/2017, the full text of the Request for Applications (RFA) will be available on the Department's website. A person may obtain a copy of this RFA by any of the following means:

Download from the Department's website, www.doe.dc.gov. Select the *Resources* tab. Cursor over the pull-down list and select *Grants and Funding*. On the new page, cursor down to this RFA. Click on *Read More* and download this RFA and related information from the *Attachments* section.

Email a request to greenbuildingrfa.grants@dc.gov with "Request copy of RFA 2017-1723-USA" in the subject line.

Pick up a copy in person from the Department's reception desk, located at 1200 First Street NE, 5th Floor, Washington, DC 20002. To make an appointment, call Kate Johnson at (202) 299-3355 and mention this RFA by name.

Write DOEE at 1200 First Street NE, 5th Floor, Washington, DC 20002, "Attn: Kate Johnson RE:2017-1723-USA" on the outside of the envelope.

An informational meeting at the above address and conference call will be held on August 16 at 1pm. The call number is 866-738-0635 and conference code is 7488157.

The deadline for application submissions is 8/28/2017, at 4:30 p.m. Five hard copies must be submitted to the above address and a complete electronic copy must be e-mailed to greenbuildingrfa.grants@dc.gov.

Eligibility: All the checked institutions below may apply for these grants:

- Nonprofit organizations, including those with IRS 501(c)(3) or 501(c)(4) determinations;
- Faith-based organizations;
- Government agencies;
- Universities/educational institutions; and
- Private Enterprises.

For additional information regarding this RFA, write to: greenbuildingrfa.grants@dc.gov.

FRIENDSHIP PUBLIC CHARTER SCHOOL**INVITATION FOR BID****Food Distributor**

Friendship Public Charter School is advertising the opportunity to bid on the delivery of grocery products to children enrolled at the school for the 2017-2018 school year with a possible extension of (2) one year renewals. All items must meet at a minimum, but are not restricted to, the USDA National School Breakfast, Lunch, Afterschool Snack and At Risk Supper meal pattern requirements. Additional specifications outlined in the Invitation for Bid (IFB) such as; student data, days of service, meal quality, etc. may be obtained beginning on **July 28, 2017 from Ruby Sherman at Procurementinquiry.org.**

http://www.friendshipschools.org/apps/pages/index.jsp?uREC_ID=256718&type=d&pREC_ID=585620

Proposals will be accepted at 1400 First Street NW, Suite 300, Washington DC. 20001 on **August 14, 2017**, not later than **2 p.m.**

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

DEPARTMENT OF HEALTH CARE FINANCE

NOTICE OF PUBLIC MEETINGDepartment of Health Care Finance Pharmacy and Therapeutics Committee

The Department of Health Care Finance (DHCF) Pharmacy and Therapeutics Committee (Committee) pursuant to the requirements of Mayor's Order 2007-46, dated January 23, 2007, and hereby announces a public meeting of the Committee to obtain input on the review and maintenance of a Preferred Drug List (PDL) for the District of Columbia. The meeting will be **Thursday, September 7, 2017 at 2:30 PM at 441 Fourth Street NW, Washington, DC 20001, on the 10th Floor in the Main Street Conference Room 1028.** Please note that government issued ID is needed to access the building. Use the North Lobby elevators to access the 10th floor.

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

Alzheimer's Agents	Cytokine and CAM Antagonists
Antibiotics, GI	Fluoroquinolones, Oral
Anticonvulsants	Immunosuppressants, Oral
Antidepressants, Others	Macrolides and Ketolides (tentative)
Antidepressants, SSRIs	Multiple Sclerosis Agents
Antifungals, Oral	Neuropathic Pain
Antifungals, Topical	Sedative Hypnotics
Antiparkinson's Agents	Stimulants and Related Agents
Antipsychotics	

Any person or organizations who wish to make a presentation to the DHCF P&T Committee should furnish his or her name, address, telephone number, and name of organization represented by calling (202) 442-9076 **no later than 4:45pm on Wednesday, August 30th, 2017.** The person or organization may also submit the aforementioned information via e-mail to Charlene Fairfax (charlene.fairfax@dc.gov).

An individual wishing to make an oral presentation to the Committee will be limited to three (3) minutes. A person wishing to provide written information should supply twenty (20) copies of the written information to the Committee **no later than 4:45pm on Wednesday, August 30th, 2017. Handouts are limited to no more than two standard 8½ by 11 inch pages of "bulleted" points (or one page front and back).** The ready-to-disseminate, written information can also be mailed **to arrive no later than Wednesday, August 30th, 2017** to:

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

DEPARTMENT OF INSURANCE, SECURITIES, AND BANKING**DISTRICT OF COLUMBIA FINANCIAL LITERACY COUNCIL****NOTICE OF PUBLIC MEETING**

The Members of the District of Columbia Financial Literacy Council (DCFLC) will hold a meeting 3:00 PM, Thursday, August 17, 2017. The meeting will be held at the DC Department of Insurance, Securities and Banking, 810 First St, NE, 7th Floor Conference Room, Washington, D.C. 20002. Below is the draft agenda for this meeting. A final agenda will be posted to the Department of Insurance, Securities, and Banking's website at <http://disb.dc.gov>. Please RSVP to Idriys J. Abdullah, idriys.abdullah@dc.gov, for additional information call (202) 442-7832 or e-mail idriys.abdullah@dc.gov

DRAFT AGENDA

- I.** Call to Order
- II.** Welcoming Remarks
- III.** Minutes of the Previous Meeting
- IV.** Unfinished Business
- V.** New Business
- VI.** Executive Session
- VII.** Adjournment

LATIN AMERICAN MONTESSORI BILINGUAL PUBLIC CHARTER SCHOOL**INVITATION FOR BID****Food Service Management Services**

Latin American Montessori Bilingual PCS is advertising the opportunity to bid on the delivery of breakfast, lunch, and snack to children enrolled at the school for the 2017-2018 school year with a possible extension of (4) one year renewals. All meals must meet at a minimum, but are not restricted to, the USDA National School Breakfast, Lunch, Afterschool Snack meal pattern requirements. Additional specifications outlined in the Invitation for Bid (IFB) such as; student data, days of service, meal quality, etc. may be obtained beginning on **7/28/2017** from **Betsy Romero** at **202-525-5105** or betsy@lambpcs.org:

Proposals will be accepted at 1375 Missouri Avenue, NW Washington, DC 20011 on **August 18, 2017** no later than 1:00 pm.

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

MAYA ANGELOU PUBLIC CHARTER SCHOOL**NOTICE OF INTENT TO ENTER SOLE SOURCE CONTRACT****Energy Management System**

Maya Angelou Public Charter School intends to enter into a sole source contract with Siemens for an Energy Management System. The cost of this contract is ~\$50,000.

The decision to sole source is a result of addressing an emergency repair and maintaining consistency and compatibility with the existing energy management system. As Siemens is the sole source for factory trained technicians and genuine parts, Maya Angelou Public Charter School intends to enter into a sole source contract.

MAYA ANGELOU PUBLIC CHARTER SCHOOL
REQUEST FOR PROPOSALS
Door Removal and Replacement

Overview of Facility:

Maya Angelou Public Charter School (MAPCS) is located at 5600 East Capitol Street NE, Washington DC 20019. Our mission is to create learning communities in lower income urban areas where all students, particularly those who have not succeeded in traditional schools, can succeed academically and socially.

Intent and Definitions:

The intent of this solicitation is to secure proposals to replace select doors at MAPCS on the ground and first floors.

The term “owner” or “MAPCS” means Maya Angelou Public Charter School. The term “contractor” means the responsible bidder awarded the contract. The term “doors” means all materials and labor required to remove and install doors, including hardware, shimming, etc.

Scope of Work:

- a. Provide a detailed bid, including material, permit(s), and labor description and charges.
- b. Provide all labor, materials, and supervision necessary to replace doors as described in the addendum in a first-class, workman-like, and professional manner.
- c. Dispose all construction debris. Clean-up and removal of old materials is the sole responsibility of the contractor and should be included with the submitted bid.
- d. The owner reserves the right to consider proposals with minor variances with respect any specific requirements specified herein, but judged to meet the intent of this specification.

Evaluation Criteria:

The following criteria will be used to evaluate each proposal:

- i. Cost
 - ii. Function
 - iii. Experience
 - iv. Quality of the proposed installation
 - v. Employment of DC residents
 - vi. References
- e. The owner will evaluate each proposal. Cost will not be the sole factor when awarding the contract. The owner reserves the right to reject any or all proposals.

Contractor Expectations:

- f. All bidders are expected to inspect the site at 5600 East Capitol Street NE, Washington DC 20019.
- g. Appointments can be scheduled by contacting Heather Hesslink at (202) 792-5655 ext. 1106 or at hhesslink@seeforever.org.

Required Submittals:

- h. At the time of bidding, the contractor shall furnish a complete bid including a detailed list of materials and labor.
- i. All bids are must include:
 - i. Projected timeline for the entire project from Phase I: Preconstruction to complete.
 - ii. Detailed information about proposed hardware, including make and model numbers.
 - iii. Description of material composition of the different types of doors.

Bid Proposal Acceptance and Information:

- j. All bid proposals will be accepted until **12:00 PM on August 30, 2017**.
- k. Interested vendors will respond to the advertised Notice of RFP via upload to SmartSheet link at <https://app.smartsheet.com/b/form/af887d4e90cb40a5ba6db1262cb3b689>
- l. The RFP can also be accessed at the See Forever Foundation website, www.seeforever.org/requestforproposals
- m. Any proposal received after 12:01 PM on August 30, 2017 is deemed non-responsive and will not be considered. Proposals will not be accepted by oral communications, telephone, electronic mail, telegraphic transmission, or fax.

DISTRICT OF COLUMBIA OFFICE OF PUBLIC-PRIVATE PARTNERSHIPS

NOTICE OF INTENT TO ACCEPT UNSOLICITED PROPOSALS
SEPTEMBER 1, 2017 TO SEPTEMBER 29, 2017

The District of Columbia Office of Public-Private Partnerships (“DC OP3”), pursuant to 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.*) (“P3 Act”) and in accordance with the procedures set forth in Chapter 48 (Public-Private Partnerships) of Title 27 (Contracts and Procurement) of the District of Columbia Municipal Regulations (“P3 Rules”), hereby gives notice of its intent to accept unsolicited proposals for possible public-private partnership projects.

Interested parties should review the process for submitting unsolicited proposals, which are detailed in the DC OP3 Guidelines and Procedures (“P3 Guidelines”). The P3 Guidelines, along with several forms that must be included as part of an unsolicited proposal, are available at <http://op3.dc.gov/proposals>.

Unsolicited proposals will only be accepted between the hours of 9:00 a.m. EST and 4:00 p.m. EST on business days that the District of Columbia government is open beginning on **Friday, September 1, 2017** and ending on **Friday, September 29, 2017**. Unsolicited proposals must be delivered by hand, by U.S. Mail, or by a delivery service. Only proposals meeting all of the requirements stated in the P3 Rules and P3 Guidelines and submitted during the times listed above will be considered for review by DC OP3.

Interested parties are encouraged to meet with the DC OP3 before submitting an unsolicited proposal. For additional information, please contact DC OP3 at op3@dc.gov or (202) 724-2128.

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 September 1, 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 July 28, 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

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61718	Ackerman	Glen H.	Rpt Fee	Ackerman Brown, PLLC 2101 L Street, NW, Suite 440	20037
61719	Albarran	Jacqueline	New Fee	Natural Resources Defense Council 1152 15th Street, NW, Suite 300	20005
61720	Alexander	Damien Vincent	New Fee	The Roberts Law Group, PLLC 1717 K Street, NW, Suite 900	20006
61721	Baumgardner	Carla M.	New Fee	The Law Offices of Eric Howel Sayles., PLLC 11 Dupont Circle, NW	20036
61722	Bedney	Joe Francis	Rpt Fee	Friendship Public Charter School 1400 1st Street, NW, Suite 300	20001
61723	Bell	Anna Maria	Rpt Free	District of Columbia Child and Family Services Agency 200 I Street, SE	20003
61724	Billhofer	Elizabeth	New Fee	Hillis-Carnes Capitol Services, PLLC 100 M Street, SE, Suite 600	20003
61725	Blanco	Johnny	New Fee	SunTrust Bank 2929 M Street, NW	20007
61726	Bonilla	Mirna R.	Rpt Fee	Quadel Consulting & Training, LLC 1200 G Street, NW, Suite 700	20005
61727	Bowman	Charles F.	Rptb Fee	Self (Dual) 5214 Ames Street, NE	20019
61728	Calabrese	Anthony J.	New Fee	Self 321 18th Street, SE #2	20003
61729	Chevannes- McSears	Jessica	Rpt Free	Child and Family Services Agency 200 I Street, SE	20003
61730	Colenda	Jason A.	New Fee	K Street Financial Group 1801 K Street, NW, Suite 210	20006
61731	Coverdell	Donald D.	Rpt Free	Child and Family Services Agency 200 I Street, SE	20003

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61732	Crawley	Antarah A.	New Fee	Neal R. Gross & Company 1323 Rhode Island Avenue, NW	20005
61733	Curvey- Chukwu	Angila M.	New Fee	Howard University Faculty Practice Plan 2041 Georgia Avenue, NW, Towers - Suite 3400	20060
61734	Daly	Jennifer R.	New Fee	Natural Resources Defense Council 1152 15th Street, NW	20005
61735	Diringer	Ty Rader	New Fee	American Oversight 1030 15th Street, NW, Suite B255	20005
61736	Dodson	Aretha A.	New Free	Department of Labor 800 K Street, NW	20001
61737	Dombroff	Laurie F.	Rpt Fee	Madison Marquette 670 Water Street, SW	20814
61738	Dorset	Morgan Ruth	New Fee	Capitol Seniors Housing 1275 Pennsylvania Avenue, NW, Second Floor	20008
61739	Dorsey	Doris T.	Rpt Fee	Hawkins Delafield & Wood, LLP 601 13th Street, NW, Suite 800S	20005
61740	Engelbrecht	Cindy R.	New Fee	GKG Law, PC 1055 Thomas Jefferson Street, NW, Suite 500	20007
61741	Ewell	Carolyn	Rpt Fee	Deanwood Rehabilitation and Wellness Center 5000 Nannie Helen Burroughs Avenue, NE	20019
61742	Figueroa	Diana Simona	New Fee	TD Bank 1275 First Street, NE	20002
61743	Ford	Darlene W.	Rpt Fee	Forest City Washington 301 Water Street, SE, Suite 201	20003
61744	Forward	Christopher S.	New Fee	Carr Workplaces 1050 30th Street, NW	20007

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61745	Foster	Kylan S.	New Fee	Planned Power Systems, Inc. 3623 South Dakota Avenue, NE	20018
61746	Goldstein	Sara F.	Rpt Fee	Capitol Title Insurance Agency, Inc 5151 Wisconsin Avenue, NW, Suite 350	20016
61747	Goldstein	Stanley H.	Rpt Fee	Capitol Title Insurance Agency, Inc 5151 Wisconsin Avenue, NW, Suite 350	20016
61748	Gomperts	Gregory	New Fee	Shipman & Goodwin, LLP 1875 K Street, NW	20006
61749	Gregory	Rose A.	Rptb Fee	Self (Dual) 111 53rd Street, NE	20019
61750	Guerrero	Elsie	New Fee	Self 2950 Van Ness Street, NW, Apartment 319	20008
61751	Habte	Emebet	New Fee	National Capital Bank 316 Pennsylvania Avenue, SE	20003
61752	Hartnett	Zachary A.	Rpt Fee	CT Strategies, LLC 1919 M Street, NW, Suite 200	20036
61753	Holland	Cristine	New Fee	Fannie Mae 3900 Wisconsin Avenue, NW	20016
61754	James	Carmen J.	Rpt Fee	United Bank 1825-C Wisconsin Avenue, NW	20007
61755	Johnson	Kiley	New Fee	TTR Sotheby's International Realty 1206 30th Street, NW	20007
61756	Johnson	Shanna C.	New Fee	Blackboard, Inc 111 19th Street, NW, Floor 9	20036
61757	Kent	Yolanda	New Fee	Self 910 Rhode Island Avenue, NE	20018
61758	Kornegay	Kendra	New Free	DC Department of Corrections 1901 D Street, SE	20003

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61759	Lewis	Crystal	New Fee	Self 1631 Euclid Street, NW, Apartment 309	20009
61760	Lippie	Caroline	New Fee	Potts-Dupre, Hawkins & Kramer, CHTD 900 7th Street, NW, Suite 1020	20001
61761	Lucas, Jr.	Allan E.	Rptb Fee	Self (Dual) 326 Peabody Street, NE	20011
61762	Magargel	Craig	New Fee	Yale Steam Laundry Condominium c/o Community Management Corporation Management Office, 437 New York Avenue, NW	20001
61763	Martin	Cynthia A.	Rpt Free	Department of Homeland Security 3801 Nebraska Avenue, NW	20528
61764	Mathis	Roberta Y.	New Free	Department of Defense 7400 Defense Pentagon	20301
61765	McCarthy	Robert W.	New Fee	Charles Schwab & Company 1100 H Street, NW, Suite 100	20005
61766	McKinney	Renee T.	New Fee	Self 1311 Madison Street, NW, Apt. #307	20011
61767	Minor	Kwanice	New Fee	Self 4244 4th Street, SE	20032
61768	Nasim	Rehan	New Fee	Bank-Fund Staff Federal Credit Union 1900 Pennsylvania Avenue, NW	20006
61769	Packard	Darryl	New Fee	CenterPoint Education Services 1747 Pennsylvania Avenue, NW	20006
61770	Parker-Vicks	Renee	New Fee	Alliance for Retired Americans 815 16th Street, NW, 4th Floor North	20006
61771	Reid	Charlene	New Free	DC Department of Corrections 1901 D Street, SE	20003

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61772	Sally	Jonathon C.	Rpt Fee	Circle Management Company 4018 Brandywine Street, NW	20016
61773	Sands	William	New Fee	BB&T 601 13th Street, NW	20772
61774	Shaw	P. Morgan	New Fee	Latino Economic Development Corporation of Washington, DC 641 S Street, NW, 3rd Floor	20001
61775	Stevens	Mikishia Denise	New Fee	St Mary's Court Housing Development Corporation 725 24th Street, NW	20037
61776	Stewart	Angela D.	New Fee	Self 1434 Duncan Street, NE	20002
61777	Stukes	Hasiba	New Fee	Fannie Mae 3900 Wisconsin Avenue, NW	20016
61778	Sypult	Shirley A.	Rpt Fee	Smith, Gambrell & Russell, LLP 1055 Thomas Jefferson Street, NW, Suite 400	20007
61779	Taylor	Maureen S.	Rpt Free	United States Department of Transportation 1200 New Jersey Avenue, SE, Room E84-462	20590
61780	Thomas	Natalia	Rpt Fee	Capital Reporting Company 1250 I Street, NW, Suite 350	20005
61781	Thomas	Sallie	Rpt Free	DC Department of Corrections 2000 14th Street, NW	20009
61782	Thomas	Joy L.	New Free	DC Department of Corrections 1901 D Street, SE	20003
61783	Venson	Agnes	Rpt Fee	Victory Drug Center 3201 Alabama Avenue, SE	20020
61784	Vinson	Lisa Marie	New Fee	TurnKey Title, LLC 3232 Georgia Avenue, NW, Suite 101	20010

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61785	Vinston	Beverly J.	Rpt Fee	National Railroad Passenger Corporation (Amtrak) 60 Massachusetts Avenue, NE	20002
61786	Vitelli	Sara	Rpt Fee	Wells Fargo Bank 1700 Pennsylvania Avenue, NW	20006
61787	Washington	Kyana C.	New Fee	Fort Myer Construction 2237 33rd Street, NE	20018
61788	Wilkins	Marina	New Fee	Engineered Demolition, LLC 2412 Minnesota Avenue, SE	20020
61789	Williams	Nikki	Rpt Fee	McGurieWoods, LLP 2001 K Street, NW, Suite 400	20006
61790	Williams	Tracy	Rpt Free	National Transportation Safety Board 490 L'Enfant Plaza East, SW	20594
61791	Williams	Vanessa D.	New Fee	Aon/HTB 1120 20th Street, NW	20036
61792	Williamson	Anna N.	New Fee	Jennings, Strouss and Salmon, PLC 1350 I Street, NW, Suite 810	20005
61793	Wilmot	Krista Y.	New Fee	Aiken Gump Strauss Hauer & Feld, LLP 1333 New Hampshire Avenue, NW	20036
61794	Wright	Sade	New Fee	Self 4442 Alabama Avenue, SE	20019
61795	Wyche	Jean Ellen	Rptb Fee	Self (Dual) 1311 Madison Street, NW, Apt. #307	20011

**WASHINGTON MATH SCIENCE TECHNOLOGY PUBLIC CHARTER HIGH
SCHOOL****REQUEST FOR PROPOSALS****2017-2018****Special Education Services**

The Washington Mathematics Science Technology Public Charter High School (WMST PCHS) is located in Ward 5 of the District of Columbia. WMST PCHS, in accordance with section 2204(c) of the District of Columbia School Reform Act of 1995, solicits proposals from all interested and qualified vendors for special education services for SY2017-18.

Requested Services

Special Education Services (SPED) and related services including but not limited to:

- Psychological Assessments;
- Special Education Evaluations;
- Speech and Language Pathology; and
- Special Education Legal Counsel Services

These services are to be offered at DC International School during school hours to students who require specialized services.

Basis for Award of Contract

WMST PCHS reserves the right to award a contract as it determines to be in the best interest of the school.

Submission Information

Bids must include evidence of experience in the field, qualifications and estimated fees.

Questions and proposals please email lcox@wmstpchs.net . Proposals are due no later than 1:00 pm August 4th, 2017.

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

REQUEST FOR PROPOSALS

CPA Financial Statement Audit and Tax Services

Washington Math Science Technology PCHS invites CPA firms on the DCPCSBs approved list of auditors to submit a proposal for the preparation of its yearly audited and consolidated financial statements and related tax filings. Please contact Lisa Cox at lcox@wmstpchs.net for more information. All proposals are due by 4:00 pm on Friday, August 4th, 2017.

WASHINGTON YU YING PUBLIC CHARTER SCHOOL**REQUEST FOR PROPOSALS****ABA Therapy Services**

RFP for ABA Therapy Services: Washington Yu Ying PCS is seeking a contracting agency to provide ABA, social skills teaching, and other classroom-based support for elementary students. All therapists will conduct themselves in a professional manner when dealing with students, families, and staff. The agency must be able to provide:

- In-class support and ABA 1:1 services, including pullout time for direct instruction
- Conduct Functional Behavioral Assessment/ Behavior Intervention Plans
- IEP Creation - develop IEP goals, attend IEP meetings, enter goals into systems, and complete IEP progress reports
- Any additional work such as reviewing IEPs, meetings or phone conferences, and other tasks as needed

Deadline for submissions is close of business August 9, 2017. Please e-mail proposals and supporting documents to RFP@washingtoneyu.org. Please specify “RFP for ABA Therapy Services” in the subject line.

WASHINGTON YU YING PUBLIC CHARTER SCHOOL**REQUEST FOR PROPOSALS****Comprehensive Psychological Evaluations**

RFP for Comprehensive Psychological Evaluations: Washington Yu Ying PCS is seeking competitive bids for special education services for comprehensive psychological evaluations. Special education service providers will be required to attend eligibility and or IEP meetings, to assist in determining eligibility, and to write IEPs. These services are to be offered at Washington Yu Ying PCS during school hours to students who require specialized services.

Bids must include evidence of experience in field, qualifications, and estimated fees. Must be able to meet the new proposed changes to the DCMR.

Deadline for submissions is close of business August 9, 2017. Please e-mail proposals and supporting documents to RFP@washingtoneying.org. Please specify “RFP for Comprehensive Psychological Evaluations” in the subject line.

WASHINGTON YU YING PUBLIC CHARTER SCHOOL

REQUEST FOR PROPOSALS

Investment Services

RFP for Investment Services: Washington Yu Ying PCS is seeking a firm or consultant to provide investment advisory and management services.

For more information, please request a full RFP packet from Annie Schleicher at RFP@washingtoneyu.org or go to <https://goo.gl/ttMb2r>

Deadline for submissions is close of business August 9, 2017. Please e-mail proposals and supporting documents to RFP@washingtoneyu.org. Please specify “RFP for Investment Services” in the subject line.”

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

Application No. 19074-A of Alexander Hastings, pursuant to 11 DCMR Subtitle Y § 703, for a minor modification to the plans approved in BZA Order No. 19074 to construct a one-story rear garage addition and a covered walkway to an existing one-family dwelling in the R-4 Zone¹ at premises 1329 Holbrook St. (Square 4073, Lot 82).

The original application (No. 19074) was pursuant to 11 DCMR § 3104.1², for a special exception under § 223, not meeting the rear yard requirements under § 404.1, to allow the construction of a two-story rear garage addition and a covered walkway to an existing one-family dwelling in the R-4 District at premises 1329 Holbrook Street, N.E. (Square 4073, Lot 82).

HEARING DATES (Case No. 19074):	September 29 and December 1, 2015, and February 9, 2016
DECISION DATE (Case No. 19074):	February 9, 2016
ORDER ISSUANCE DATE (Case No. 19074):	February 11, 2016
MODIFICATION DECISION DATE:	July 12, 2017

SUMMARY ORDER ON REQUEST FOR MINOR MODIFICATION

BACKGROUND

On February 9, 2016, in Application No. 19074, the Board of Zoning Adjustment (“Board” or “BZA”), based on a referral from the Zoning Administrator, approved the request by Alexander Hastings (the “Applicant”) for a special exception under § 223, not meeting the rear yard requirements under § 404.1, to allow the construction of a two-story rear garage addition and a covered walkway to an existing one-family dwelling in the R-4 District at premises 1329 Holbrook Street, N.E. (Square 4073, Lot 82).

The Board issued Order No. 19074 on February 11, 2016. (Exhibit 3.) The approval in Case No. 19074 was subject to the approved plans at Exhibit 33 in the record of Case No. 19074.

MOTION FOR MINOR MODIFICATION

On May 24, 2017, the Applicant submitted a request for a minor modification to modify the plans approved by the Board in Order No. 19074 (the “Order”). (Exhibits 1-6.) Pursuant to 11 DCMR Subtitle Y § 703, the Applicant requested a minor modification to the plans approved in

¹ In the 2016 Zoning Regulations, the designation for the R-4 District has been changed to the RF-1 District.

² 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 (“the 2016 Regulations”).

BZA Order No. 19074 to reduce the footprint of the accessory structure to comply with the building restriction line, remove the second floor of the accessory structure, and eliminate the covered walkway that would have connected the accessory structure to the principal structure to allow the construction of a two-story rear garage addition to an existing one-family dwelling in the R-4 District. The proposed plan revisions are based on issues raised by the District Department of Transportation (“DDOT”) that occurred in the permitting process regarding the building restriction line. The Applicant also indicated that, due to cost, he has eliminated the walkway portion of the original plans and removed a floor of the accessory structure.

In Application No. 19074, the Applicant had requested approval to allow the construction of a two-story rear garage addition and a covered walkway at the subject property. In Case No. 19074, both the Office of Planning (“OP”) and DDOT recommended approval of the application, although OP raised an issue of encroachments in the building restriction area. The Advisory Neighborhood Commission (“ANC”) for the subject property, ANC 5D, did not submit a written report or testify. On February 9, 2016, the Board approved a special exception under § 223, not meeting the rear yard requirements under § 404.1, to allow the construction of a two-story rear garage addition and a covered walkway at the subject property. On February 11, 2016, the Board issued Order No. 19074. (Exhibit 3.)

In Case No. 19074-A, the Applicant requested modifications to the original plans for a garage accessory apartment at the rear of the subject property. The Applicant noted that the original plan cannot be built legally because of unresolvable issues involving the building restriction line. To bring the plan back into compliance with DDOT’s requirements, the Applicant is seeking to make the garage footprint smaller. Also, the Applicant indicated that he would be eliminating the walkway extension to the original house and a floor of the garage building due to high cost estimates. He asked for the matter to be heard as a minor modification or modification of consequence. (Exhibit 5.)

OP submitted a report dated June 30, 2017, recommending approval of the request for a minor modification to the previously approved plans. OP noted that the Applicant is proposing to reduce the size of the addition and garage and is not requesting any additional relief from the Zoning Regulations. (Exhibit 8.) ANC 5D did not submit any comments or a report regarding the application for a minor modification to the approved plans. DDOT submitted a report dated June 29, 2017, stating that DDOT had no objections to approval of the requested modification. (Exhibit 7.)

The Merits of the Request for Minor Modification

The Applicant’s request complies with 11 DCMR Subtitle Y § 703.3, which defines a minor modification as “modifications that do not change the material facts upon which the Board based its original approval of the application.”

In the application herein, the Applicant is requesting a minor modification to the plans approved in Order No. 19074 so as to reduce the footprint of the accessory structure to comply with the

building restriction line, remove the second floor of the accessory structure, and eliminate the covered walkway that would have connected the accessory structure to the principal structure, to allow the construction of a two-story rear garage addition to an existing one-family dwelling in the R-4 District. This request does not otherwise impact the approved special exception relief under § 223, not meeting the rear yard requirements under § 404.1, that the Board approved in Case No. 19074. (Exhibit 5.)

Pursuant to Subtitle Y §§ 703.6-703.9, the request for a minor modification shall be served on all other parties to the original application and those parties are allowed to submit comments within 10 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 minor modification to ANC 5D, the other party to Application No. 19074. ANC 5D did not submit a report to the record of this application.

The Applicant also served its request on the Office of Planning. OP submitted a report dated June 30, 2017 recommending approval of the requested modification as a minor modification. (Exhibit 8.)

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 minor modification. Based upon the record before the Board and having given great weight to the OP report filed in this case, the Board concludes that in seeking a minor modification to the plans approved in Case No. 19074, 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. 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 a minor modification of the Board's approval in Application No. 19074 is hereby **GRANTED, SUBJECT TO THE MODIFIED PLANS AT EXHIBIT 4.**

In all other respects, Order No. 19074 remains unchanged.

VOTE ON ORIGINAL APPLICATION ON FEBRUARY 9, 2016: 3-0-2

(Frederick L. Hill, Robert E. Miller, and Jeffrey L. Hinkle, to APPROVE; Marnique Y. Heath, not participating, and one Board seat vacant.)

VOTE ON MINOR MODIFICATION ON JULY 12, 2017: 4-0-1

(Frederick L. Hill, Lesylleé M. White, Carlton E. Hart, and Peter A. Shapiro, 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: July 18, 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. 19519 of Events DC, pursuant to 11 DCMR Subtitle X, Chapter 10, for a variance from the maximum lot occupancy requirements of Subtitle K § 604.1, to construct a sports arena and practice facility in the STE-9 and STE-12 zones at premises 1100 Alabama Avenue S.E. (Square 5868, Lots 815 & 819).

HEARING DATE: July 12, 2017

DECISION DATE: July 12, 2017

SUMMARY ORDER

REVIEW BY THE ZONING ADMINISTRATOR

The application was accompanied by two memoranda, dated April 27, 2017 and May 24, 2017, from the Zoning Administrator, certifying the required relief. (Exhibits 4 and 27.)

The Board of Zoning Adjustment (“Board”) provided proper and timely notice of the public hearing on this application by publication in the *D.C. Register* and by mail to Advisory Neighborhood Commission (“ANC”) 8C and to owners of property located within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 8C, which is automatically a party to this application. The ANC submitted a timely report on June 28, 2017, recommending approval of the application. The ANC’s report indicated that at a regularly scheduled, properly noticed public meeting on June 7, 2017, at which a quorum was present, the ANC voted 5 (yes) to 2 (abstaining) to support the application. (Exhibit 29.) In addition, the ANC Chair testified in support of the application at the hearing.

The Office of Planning (“OP”) submitted a timely report in support of the application. (Exhibit 30.)

The District Department of Transportation (“DDOT”) submitted a timely report indicating that it had no objection to the grant of the application, subject to three conditions. (Exhibit 28.)

As directed by 11 DCMR Subtitle X § 1002.2, the Board required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to Subtitle X § 1002.1 for a variance from the maximum lot occupancy requirements of Subtitle K § 604.1, to construct a sports arena and practice facility in the STE-9 and STE-12 zones. The only parties to the case were the ANC and the Applicant. No parties appeared at the public hearing in opposition to the application. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board, and having given great weight to the ANC and OP reports filed in this case, the Board concludes that in seeking a variance from 11 DCMR Subtitle K § 604.1, the Applicant has met the burden of proof under 11 DCMR Subtitle X § 1002.1, that there exists an exceptional or extraordinary situation or condition related to the property that creates a practical difficulty for the owner in complying with the Zoning Regulations, and that the relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map.

Pursuant to 11 DCMR 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 2 AND WITH THE FOLLOWING CONDITIONS:**

1. All loading activities shall occur via the future 13th Street S.E. curb cut once 13th Street S.E. is constructed to its ultimate paved condition.
2. The internal connection to the loading area from Cypress Street S.E. shall be eliminated once the curb cut on 13th Street S.E. is open to truck traffic.
3. The Applicant shall implement the proposed Loading Management Plan, dated June 26, 2017, until the new curb cut on 13th Street S.E. is constructed and open to use by trucks.

VOTE: **4-0-1** (Frederick L. Hill, Carlton E. Hart, Lesylleé M. White, and Peter A. Shapiro 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: July 13, 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

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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.

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**

Application No. 19520 of Ethel Taylor, as amended¹, pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception from the home occupation requirements under U § 251.6, to permit the use of a portion of a one-family dwelling as a dog grooming business in the R-1-A at premises 2130 Sudbury Place N.W. (Square 2754, Lot 802).

HEARING DATE: July 12, 2017

DECISION DATE: July 12, 2017

SUMMARY ORDER

REVIEW BY THE ZONING ADMINISTRATOR

The application was accompanied by a memorandum, dated May 2, 2017, from the Zoning Administrator, certifying the required relief. (Exhibit 6.)

The Board of Zoning Adjustment (“Board”) provided proper and timely notice of the public hearing on this application by publication in the *D.C. Register* and by mail to Advisory Neighborhood Commission (“ANC”) 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 and accompanying resolution indicated that at a regularly scheduled, properly noticed public meeting on March 7, 2017, at which a quorum was present, the ANC voted 8-0 to support the application. (Exhibits 30 and 31.)

The Office of Planning (“OP”) submitted a timely report, dated June 30, 2017, in opposition to the application for a use variance. In its report, OP recommended denial of a use variance and provided recommendations for four conditions should the application be granted. In response to the Board’s questions regarding the language of Subtitle U § 251.6², which seemingly allows

¹ The Applicant amended the application by removing the request for relief as a use variance from Subtitle U § 251.5 and leaving a request for special exception relief from the requirements of Subtitle U § 251.6. The use variance request was based on the Zoning Administrator memo that accompanied the application and which indicated that the correct relief is a use variance for home occupation for animal grooming (U § 251.5) (Ex. 6.) Based on the option for special exception relief in the current language of the Zoning Regulations, the Office of Zoning advertised the relief in the alternative as “pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception from the home occupation requirements under U § 251.6, or pursuant to Subtitle X, Chapter 10, for a variance from the home occupation requirements of U § 251.5.” (Emphasis added.) The Board accepted the amendment at the hearing and the caption has been amended accordingly.

² Subtitle U § 251.5 states in pertinent part:

“Except as explicitly permitted by Subtitle U § 251.1, the following uses categories are prohibited as home occupations:

(a) Animal sales, care, and boarding;

special exception relief for the use, OP responded that it read the provision as not applying to prohibited uses, based on the understanding that the “is” before “prohibited” in Subtitle U § 251.6 may be an error. Still, OP agreed that, based on the current language of the regulations, the requested home occupation for animal grooming would be allowable by special exception. The Office of the Attorney General, when asked by the Board, agreed with OP’s recommendation that the current language of the regulations would permit the home occupation for animal grooming to be allowed by special exception. Therefore, the Board determined that relief could be granted by special exception and was not persuaded to follow OP’s recommendation for denial, as its issues pertained to the three-prong test for use variance relief.

At the hearing, the Applicant testified that she agreed with OP’s recommended conditions. She also testified that she agreed to a condition to only have one client at a time on the premises.

The District Department of Transportation (“DDOT”) submitted a timely report indicating that it had no objection to the grant of the application. (Exhibit 37.)

Eleven letters of support of the application from customers and nearby residents; a petition in support; a letter in support from the Ward Councilmember, Councilmember Todd; and a letter in support from the Shepherd’s Park Citizens Association were submitted to the record. (Exhibits 8 and 36, 32, and 33.) In addition, testimony was provided by Dr. Sharon Smith, a veterinarian, in support of the application.

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 from the home occupation requirements under U § 251.6, to permit the use of a portion of a one-family dwelling as a dog grooming business in the R-1-A. 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 U § 251.6, 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.

....

Subtitle U § 251.6 states in pertinent part:

A home occupation that is not permitted or is prohibited in this chapter may be permitted as a special exception by the Board of Zoning Adjustment under Subtitle X, subject to the following conditions:

...

(emphasis added.)

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 AND WITH THE FOLLOWING CONDITIONS:**

1. The Board's approval shall be valid for a period of **FIVE (5) YEARS** beginning on the effective date of this order.
2. No boarding facilities and no external yards or other external facilities for the keeping of animals are provided.
3. The HVAC system is upgraded to provide an effective odor control system for the use.
4. Hours of operation are 8:00 am to 4:00 pm, Tuesday through Friday, and by appointment only.
5. The appointment schedule shall have no more than one client per hour on the premises. The hours of operation will generate a maximum of eight clients per day.

VOTE: **4-0-1** (Frederick L. Hill, Lesylleé M. White, Carlton E. Hart, and Peter A. Shapiro, 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: July 17, 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

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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.

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**

Application No. 19522 of Ladurée Washington, LLC, pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception from the rooftop mechanical equipment screening requirements of Subtitle C § 1500.6, to install rooftop mechanical equipment without screening in the MU-4 Zone at premises 3060 M Street N.W. (Square 1198, Lot 808).

HEARING DATE: July 12, 2017

DECISION DATE: July 12, 2017

SUMMARY ORDER

REVIEW BY THE ZONING ADMINISTRATOR

A memorandum, dated April 27, 2017, from the Zoning Administrator, certifying the required relief, accompanied the application. (Exhibit 6.)

The Board of Zoning Adjustment (“Board”) provided proper and timely notice of the public hearing on this application by publication in the *D.C. Register* and by mail to Advisory Neighborhood Commission (“ANC”) 2E and to owners of property located within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 2E, 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 30, 2017, at which a quorum was present, the ANC voted 6-0-0 to support the application. (Exhibit 34.) ANC 2E Chairman Joe Gibbons testified at the hearing in support of the application.

The Office of Planning (“OP”) submitted a timely report, dated June 30, 2017, in support of the application. (Exhibit 38.) The District Department of Transportation (“DDOT”) submitted a timely report, dated June 29, 2017, expressing no objection to the approval of the application. (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 from the rooftop mechanical equipment screening requirements of Subtitle C § 1500.6, to install rooftop mechanical equipment without screening in the MU-4 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, and Subtitle C § 1500.6, 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 5 – ARCHITECTURAL PLANS AND ELEVATIONS.**

VOTE: 4-0-1 (Frederick L. Hill, Carlton E. Hart, Lesylleé M. White, and Peter A. Shapiro 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: July 17, 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

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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.

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. 19523 of Villa Park I LLC, as amended¹, pursuant to 11 DCMR Subtitle X, Chapter 10, for variances from the nonconforming structure requirements of Subtitle C § 202.2 and the maximum floor area ratio requirements of Subtitle F § 602.1, to convert an existing four-story building into a four-unit apartment house in the RA-8 zone at premises 1902 R Street N.W. (Square 111, Lot 81).

HEARING DATE: July 12, 2017

DECISION DATE: July 12, 2017

SUMMARY ORDER

SELF-CERTIFIED

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2. (Exhibits 4 (original) and 50 (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") 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 recommending approval of the application. The ANC's report indicated that at a regularly scheduled, properly noticed public meeting on June 14, 2017, at which a quorum was present, the ANC voted 7-0-0 to support the application. (Exhibit 37.) In addition, the ANC Commissioner Daniel Warwick testified in support of the application at the hearing.

The Office of Planning ("OP") submitted a timely report recommending denial of the application. In its report, OP noted that lot occupancy and nonconforming structure relief may also be required. (Exhibit 43.) The Applicant submitted a supplemental statement and supporting evidence into the record after OP's report was filed. At the hearing, the Applicant noted that it had reduced the amount of FAR relief it was requesting and had amended its application by requesting variance relief from the nonconforming structure requirements based on OP's recommendations. The Applicant argued that the relief from FAR being requested would be "*de*

¹ The Applicant amended the application by adding a request for a variance from the nonconforming structure requirements of Subtitle C § 202.2 to the original application. (Exhibit 45 and 50.) The caption has been amended accordingly.

minimus.” *Gilmartin v. District of Columbia Bd. Of Zoning Adjustment*, 579 A.2d 1164. At the hearing, OP testified that based on the supplemental information submitted by the Applicant, OP’s opposition had changed as to some aspects of the variance test, i.e. the exceptional condition leading to a practical difficulty and effect of the public good, but that OP continued to believe that granting the relief requested would have an adverse effect on the zone plan because the existing building already exceeds the FAR for the zone. To OP’s continued opposition, the Applicant argued that in the surrounding neighborhood, many buildings were also nonconforming as to FAR, to which point OP agreed. Despite OP’s continued opposition, the Board found that the Applicant met its burden of proof for this particular case because of the reasons given for the ANC’s support for the project, the east wall thickness, and the existing stairway. Because the Board found that the Applicant met the burden of proof, it declined to make a determination as to whether the relief was “*de minimus*” under *Gilmartin. Id.* Therefore, the Board was not persuaded to follow OP’s recommendation.

The District Department of Transportation (“DDOT”) submitted a timely report indicating that it had no objection to the grant of the application. (Exhibit 42.)

Seven letters of support of the application from nearby neighbors were submitted to the record. (Exhibits 30, 32-36, and 39.)

As directed by 11 DCMR Subtitle X § 1002.2, the Board required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to Subtitle X § 1002.1 for variances from the nonconforming structure requirements of Subtitle C § 202.2 and the maximum floor area ratio requirements of Subtitle F § 602.1, to convert an existing four-story building into a four-unit apartment house in the RA-8 zone. The only parties to the case were the ANC and the Applicant. No parties appeared at the public hearing in opposition to the application. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board, and having given great weight to the ANC and OP reports filed in this case, the Board concludes that in seeking variances from 11 DCMR Subtitle C § 202.2 and Subtitle F § 602.1, the Applicant has met the burden of proof under 11 DCMR Subtitle X § 1002.1, that there exists an exceptional or extraordinary situation or condition related to the property that creates a practical difficulty for the owner in complying with the Zoning Regulations, and that the relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map.

Pursuant to 11 DCMR 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 45B.**

VOTE: **4-0-1** (Frederick L. Hill, Lesylleé M. White, Carlton E. Hart, and Peter A. Shapiro 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: July 19, 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 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

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DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.

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

Application No. 19527 of Eric Goetz, as amended¹, pursuant to 11 DCMR Subtitle X, Chapter 9, for special exceptions under Subtitle E § 206.2 from the roof top architectural element requirements of Subtitle E § 206.1, and under Subtitle E § 5203 from the height limitations of Subtitle E § 303.1, to construct a rear and third story addition to an existing two-story one-family dwelling in the RF-1 Zone at premises 119 7th Street, S.E. (Square 870, Lot 858).

HEARING DATE: July 12, 2017
DECISION DATE: July 12, 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 (original); Exhibit 36 (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") 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 June 13, 2017, at which a quorum was present, the ANC voted 3-1-4 to support the application. (Exhibit 41.)

The Office of Planning ("OP") submitted a timely report recommending approval of the application. (Exhibit 43.)

The District Department of Transportation ("DDOT") submitted a timely report indicating that it had no objection to the grant of the application. (Exhibit 44.)

¹ The Applicant amended the application (Exhibit 36) by removing from the original request a special exception from the depth of rear addition limitation under Subtitle E § 205.4. The amended relief is reflected in the caption above.

Four letters of support for the application were submitted by neighbors. (Exhibits 12-15.) A letter in support was submitted by the Capitol Hill Restoration Society. (Exhibit 42.) Seven opposition letters were submitted by nearby residents, three of whom testified in opposition at the hearing. (Exhibits 30-32, 46-49.)

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 under Subtitle E § 206.2 from the roof top architectural element requirements of Subtitle E § 206.1, and under Subtitle E § 5203 from the height limitations of Subtitle E § 303.1. The only parties to the case were the ANC and the Applicant. No parties appeared at the public hearing in opposition to this application. Accordingly, a decision by the Board to grant this application would not be averse to any party.

Based upon the record before the Board and having given great weight to the OP 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 E §§ 206.2, 206.1, 5203, and 303.1, that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board further concludes that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map.

Pursuant to 11 DCMR 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 37 – REVISED ARCHITECTURAL PLANS & ELEVATIONS.**

VOTE: 3-1-1 (Frederick L. Hill, Peter A. Shapiro, and Lesylleé M. White to APPROVE; Carlton E. Hart opposed to the motion; 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: July 17, 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.

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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. 19529 of William Flens, as amended¹, pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception from the alteration of a rooftop architectural element requirement of Subtitle E § 206.1, and under Subtitle E § 5201, from the nonconforming structure requirements of Subtitle C § 202.2 and the lot occupancy requirements of Subtitle E § 304.1, to construct a two-story rear and side addition to an existing one-family dwelling in the RF-1 Zone at premises 1108 South Carolina Avenue, S.E. (Square 990S, Lot 8).

HEARING DATE: July 12, 2017

DECISION DATE: July 12, 2017

SUMMARY ORDER

SELF-CERTIFICATION

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR Subtitle Y § 300.6. (Exhibit 2 (original), Exhibit 33 (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") 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 June 13, 2017, at which a quorum was present, the ANC voted 5-0-3 to support the application. (Exhibit 30.)

The Office of Planning ("OP") submitted a timely report recommending approval of the application, as amended. (Exhibit 39.)

The District Department of Transportation ("DDOT") submitted a timely report indicating that it had no objection to the grant of the application. (Exhibit 38.)

¹ The Applicant amended the application by adding to the original request a special exception from the alteration of a rooftop architectural element requirement of Subtitle E § 206.1. (Exhibit 33.) The amended relief is reflected in the caption above.

A letter of support was submitted by the Capitol Hill Restoration Society. (Exhibit 31.) Three letters of support were submitted by neighbors, including one adjacent neighbor. (Exhibits 27-29.) Two neighbors submitted opposition letters into the record and one of those neighbors testified in opposition to the application at the hearing. (Exhibits 41-43.)

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 from the alteration of a rooftop architectural element requirement of Subtitle E § 206.1, and under Subtitle E § 5201, a special exception from the nonconforming structure requirements of Subtitle C § 202.2 and the lot occupancy requirements of Subtitle E § 304.1. The only parties to the case were the ANC and the Applicant. No parties appeared at the public hearing in opposition to this application. Accordingly, a decision by the Board to grant this application would not be averse to any party.

Based upon the record before the Board and having given great weight to the OP 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 §§ 206.1 and 5201, and Subtitle C § 202.2, 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 37 – REVISED ARCHITECTURAL PLANS AND ELEVATIONS.**

VOTE: 4-0-1 (Frederick L. Hill, Peter A. Shapiro, 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: July 18, 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.

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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.

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
ZONING COMMISSION ORDER NO. 16-18A
Z.C. Case No. 16-18A
MedStar Georgetown University Hospital
(Further Processing of the 2017-2036 Georgetown University Campus Plan
@ Square 1321, Lots 824, 825, 826, 833)
June 8, 2017

Pursuant to notice, the Zoning Commission for the District of Columbia (“Commission”) held a public hearing on June 8, 2017, to consider an application by MedStar Health, Inc. (“MedStar”), through its wholly owned not-for-profit subsidiary MedStar Georgetown Medical Center, Inc. d/b/a MedStar Georgetown University Hospital (“MGUH” or the “Applicant”) on behalf of Georgetown University (the “University”), for special exception approval for further processing of the 2017-2036 Georgetown University Campus Plan (the “2017 Campus Plan”) to permit the construction of a new medical/surgical pavilion (the “Surgical Pavilion”) at MGUH (the “Project”).

Pursuant to 11-C DCMR § 1504 the Applicant requested special exception approval from the penthouse requirements of 11-C DCMR §§ 1500.6, 1500.9, and 1502.1. The Applicant also requested special exception approval pursuant to 11-C DCMR § 1402.1 to authorize the construction of a retaining wall to the west of the Surgical Pavilion that is higher than the allowance provided for in 11-C DCMR, Chapter 14. MGUH also requested flexibility to permit minor refinements to the design of the Surgical Pavilion to comply with any conditions of approval and comments from either the Old Georgetown Board of the Commission of Fine Arts.

The Commission considered the further processing application pursuant to Subtitles X and Z of the District of Columbia Zoning Regulations, Title 11 of the District of Columbia Municipal Regulations (“DCMR”). The public hearing was conducted in accordance with the provisions of Subtitle Z, Chapter 4 of the Zoning Regulations. For the reasons stated below, the Commission hereby **APPROVES** the Application.

FINDINGS OF FACT

Application, Parties, Agency Reports, and Hearing

1. On April 18, 2017, pursuant to 11-X DCMR § 900 and in accordance with 11-X DCMR § 101, the Applicant filed an application for special exception approval for further processing of the 2017 Campus Plan to permit construction of the Surgical Pavilion at MGUH. (Exhibits [“Ex.”] 1-8.)
2. Pursuant to 11-C DCMR § 1504, the Applicant requested special exception approval from the penthouse setback requirements of 11-C DCMR § 1502.1: (i) for an emergency egress stairwell associated with the hospital’s Federal Aviation Administration (“FAA”) approved helipad that is not set back a distance equal to its height from the rear building wall; and (ii) to have a portion of the penthouse at the north end that is not set back a

distance equal to its height from a building wall that borders an open court. Pursuant to 11-C DCMR § 1504, the Applicant also requested special exception relief from the requirements of 11-C DCMR § 1500.9 to have a mechanical penthouse with enclosing walls that are not a single uniform height and relief from the requirements of 11-C § 1500.6 to have more than a single penthouse enclosure. The Applicant requested special exception approval pursuant to 11-C DCMR § 1402.1 to authorize the construction of a retaining wall to the west of the proposed addition along the east-west access road shown on the 2017 Campus Plan. The retaining wall is higher than the allowance provided for in 11-C DCMR, Chapter 14.

3. At its May 9, 2017, public meeting the Commission provisionally granted party status to the Georgetown University Student Association (“GUSA”). (Ex. 16-16A.) GUSA’s party status was confirmed at the public hearing on the Application on June 8, 2017.
4. Advisory Neighborhood Commission (“ANC”) 2E, the ANC within which the property is located and ANC 3D, the ANC across the street from the Property, were both automatic parties
5. The parties to the case therefore were the Applicant, ANC 2E, ANC 3D, and GUSA.
6. On May 19, 2017, the Applicant filed supplemental materials in support of the further processing application including additional architectural drawings to address comments from the Office of Planning (“OP”), supplemental and updated transportation information including a memorandum highlighting the aspects of the Comprehensive Transportation Review submitted with the 2017 Campus Plan that are specific to the Surgical Pavilion, revised conditions of approval, and the Applicant’s construction management plan and construction management agreement agreed to by the Applicant and community representatives serving on the Georgetown Community Partnership (“GCP”) Steering Committee. (Ex. 21-21F2.)
7. By report dated May 26, 2017, OP recommended approval of the requested special exception for further processing of the approved 2017 Campus Plan and the requested special exception relief for the proposed penthouses pursuant to Subtitle C § 1504 and the proposed retaining wall pursuant to Subtitle C § 1402. OP also recommended approval of the Applicant’s request to allow flexibility for minor refinements to the design resulting from conditions required by the Old Georgetown Board (“OGB”) and Commission on Fine Arts (“CFA”). (Ex. 23.)
8. By report dated May 30, 2017, District Department of Transportation (“DDOT”) stated that it had no objection to the requested special exception approval subject to the additional mitigations listed on pages 3-4 of its report including: (i) a commitment to track employee travel patterns and short-term impacts of construction to ensure that

MGUH is providing sufficient Georgetown University Transportation Service (“GUTS”) services, transit benefits, and bicycle and pedestrian accommodations to meet demand; (ii) a commitment to providing a GUTS stop on the north side of campus adjacent to MGUH, within one month of completion of the Surgical Pavilion; (iii) providing monthly transit subsidies of up to \$80 per employee per month during construction in lieu of the \$255 transit subsidy for 180 employees as proposed by the Applicant; (iv) installing a real-time transit information screen that is easily viewable from the main MGUH entrance or lobby and includes GUTS information; and (v) including bike routing and wayfinding information in the new Surgical Pavilion wayfinding plan, to be completed concurrently with the completion of the Surgical Pavilion. (Ex. 24.)

9. ANC 2E submitted a letter dated June 1, 2017, indicating that at a duly noticed public meeting on May 30, 2017, at which notice was properly given and a quorum was present, ANC 2E voted unanimously to support the Project, having no issues or concerns with the application. (Ex. 25.)
10. On June 7, 2017, the Applicant filed a consolidated set of architectural drawings. (Ex. 30-30A3.)
11. ANC 3D submitted a letter dated June 8, 2017, indicating that at a duly noticed public meeting on June 7, 2017, at which notice was properly given and a quorum was present, ANC 3D voted 6-1-0 to adopt a resolution in support the Project, having no issues or concerns. (Ex. 35.) The letter also requested leave to file the report on the date of the hearing, but the request was unnecessary. The Commission must give great weight to a written report of an affected ANC “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.” (11-Z DCMR 406.2.)
12. After proper notice, the Commission held a public hearing on the application on June 8, 2017.
13. At the public hearing, and through the testimony of the Applicant’s expert traffic witness Jami Milanovich, the Applicant agreed to: (i) track employee GUTS ridership on a quarterly basis; (ii) install a real-time transit information screen that is easily viewable from the main MGUH entrance or lobby and includes GUTS information; and (iii) include bike routing and wayfinding information on the Surgical Pavilion wayfinding plan, to be completed concurrently with the completion of the Surgical Pavilion. In lieu of the bus turnaround proposed by DDOT, MGUH will add additional mini shuttle capacity to transport passengers from the current stop on the south side of campus to the hospital until the new permanent bus circle opens. MGUH will also provide a \$255 per month subsidy, the maximum allowed pursuant to federal law, for 180 employees who

currently drive to the hospital. If the desired result is not achieved, the subsidy initiative may be revised.

14. OP; DDOT; ANC 2E Chair Joe Gibbons; ANC 3D Commissioner Conrad DeWitte; Nan Bell, representing the Burleith Citizens Association; Jennifer Romm, representing the Citizens Association of Georgetown; Ron Lewis, as Co-Chair of the GCP Steering Committee; and Don Edwards, as the facilitator for GCP, all testified in support of the Application. OP indicated that the Department of Environment and Energy was also in support of the application.
15. There were no letters in opposition filed to the case record and no persons testified in opposition to the application at the public hearing. John Bray, who lives in Foxhall Village, testified as an undeclared witness regarding questions he had about the west side of the University's campus.
16. At the conclusion of the public hearing, the Commission voted to approve the application, including the flexibility to make minor refinements in the design requested by the Applicant as is more specifically described in Condition No. 1 below.

The Property

17. The property that is the subject of this application is Square 1321, Lots 824, 825, 826, and 833 (the "Property"). The Property is located in the R-3 zone and within the Georgetown Historic District on the University's campus. The main hospital building is located south of Reservoir Road and at the north end of the campus. The Surgical Pavilion will be an addition to the east side of the main hospital building.

Status of the Campus Plan

18. The Commission approved the 2010-2017 Georgetown University Campus Plan in July 2012. (*See* Z.C. Order No. 10-32 (the "2010 Campus Plan").) Pursuant to the 2010 Campus Plan, the University and community parties established the GCP to promote collegial, consensus-based decision making regarding areas of mutual interest and concern. MGUH participates actively in the GCP and is an ex officio member of the GCP's Steering Committee.
19. Since the approval of the 2010 Campus Plan, the University, MGUH, and community parties in the GCP have actively engaged in master planning discussions surrounding the future campus, with a focus on developing a 20-year successor plan to govern development of the campus.

20. The University filed its 2017 Campus Plan application on September 1, 2016, and on December 1, 2017, the Commission unanimously approved the 2017 Campus Plan. (*See* Z.C. Case No. 16-18.)
21. The Surgical Pavilion project was discussed extensively within the GCP during the master planning process and was included as a development site in the 2017 Campus Plan.

The Surgical Pavilion

22. The Applicant operates the hospital in accordance with the terms of a lease agreement with the University.
23. Consistent with the approved 2017 Campus Plan, MGUH proposes to construct a new state of the art, six-story, Surgical Pavilion building addition to the existing main hospital.
24. The Surgical Pavilion will have a maximum height of 90 feet measured from the middle of the front of the main hospital building and will also include a mechanical penthouse that has a maximum height of 18 feet, six inches. The Surgical Pavilion is located east of the main hospital building and will be connected to the main hospital building at the basement, ground floor, first floor, and fourth floor. The Surgical Pavilion will be constructed on an existing surface parking lot and will contain approximately 450,000 square feet of gross floor area and approximately 644 parking spaces in a below-grade parking garage.
25. The Project includes: (i) the relocation, modernization, and expansion of operating rooms; (ii) relocation of ICU and medical/surgical beds; (iii) relocation and expansion of the Emergency Department; (iv) the addition of imaging equipment; (v) backfill projects before and after the Surgical Pavilion is completed; (vi) a satellite pharmacy; (vii) central sterile processing; (viii) materials management depot; (ix) an underground loading dock that includes loading bays that can handle contaminated waste; and (x) a parking garage with approximately 644 below-grade parking spaces. The hospital currently operates approximately 415 beds, and after completion of the Project, it will be licensed to operate approximately 538 beds.
26. The placement and orientation of the new Surgical Pavilion facilitates the conversion of the remainder of the existing surface parking lots into four expansive new landscaped spaces on the University's campus. Three linked open spaces are located directly to the east of the Surgical Pavilion and create a new "front door" for the University on Reservoir Road. Each open space is paired with and serves as a forecourt for a corresponding University building to its east. The fourth open space, along Reservoir

Road, will operate as a forecourt for St. Mary's Hall and give the campus a strong presence and identity along its northern boundary. The four new open spaces and the Surgical Pavilion replace existing expansive surface parking lots with vegetated landscape that is in stark contrast to the current asphalt paving.

27. The Surgical Pavilion is set back from Reservoir Road approximately 175 feet from the south curb. It is aligned with the north façades of the existing hospital building to the west and St. Mary's Hall to the east. The height of the addition matches the height of the existing hospital building and the proposed massing steps down in height and is proportionate to the lower-scaled St. Mary's Hall.
28. The Surgical Pavilion's façade designs are influenced by, and are responsive to, the adjacent open spaces and buildings. Along the east façade two related façade types are employed. A primary façade expression is employed opposite Darnall Hall and Henle Village along the wider expanse of the north-south campus green. In this location, a more regular façade treatment frames the western edge of the space. A monumentally scaled façade serves as an appropriate backdrop to this important new campus space. Just to the north along that same façade, a related but distinct façade treatment responds to the narrowing of the green space and the lower-scaled campus buildings in close proximity. The façade that faces Reservoir Road has a vertical expression and serves as the symbolic front façade of the proposed Surgical Pavilion.

The Purpose and Need for Modernization

29. The main hospital building was built in 1946 and is in need of major modernization. Much of the existing MGUH facility no longer meets space standards for current health care facility construction, and undersized patient rooms lead to suboptimal use of MGUH's licensed bed capacity. The existing floor-to-ceiling heights make it difficult to accommodate major medical equipment with state-of-the-art-technology to support the critical care services delivered in the hospital. In addition, significant space constraints within the existing hospital have precipitated the creation of operational models of care that are less than optimal and require the unnecessary transport of critical patients between multiple floors of the hospital. Also, multiple hospital departments are significantly undersized which has led to the need to accommodate patients in areas that are inefficient, lack privacy, and are undesirable from a patient care perspective. The lack of available operational beds in the hospital due to space constraints has created bottlenecks within the hospital, which significantly affects patient throughput and requires patients to be observed within the Emergency Department and multiple recovery areas for extended periods of time. These practices create extended lengths of stay and significantly affect the overall patient experience within the hospital.

30. In addition, MGUH is currently using nearly every square foot of available space within the existing hospital to provide clinical care. If the hospital were to simply modernize in its existing footprint, it would be required to permanently reduce the number of total patients it could care for because existing clinical spaces (operating rooms and emergency rooms, as well as patient rooms) need to be expanded to provide optimal care. In addition, if the Applicant were to renovate within the existing footprint, it would be forced to close large sections of the hospital, thus substantially limiting the amount and types of care it could provide to the community for several years. This effort would be disruptive to patient care, time consuming, and significantly more expensive overall than the proposed plan. Under the proposed plan, the hospital can continue normal patient care operations while the new Surgical Pavilion is being built. Upon completion of the Surgical Pavilion, surgical, critical care and emergency services will be moved from the existing building into the Pavilion. Several clinical services as well as critical support service departments including, the kitchen, environmental services, IT, central sterile processing, hospital facilities operations, security, administrative spaces and the morgue will remain in the existing hospital facility and will support the entire hospital.
31. The proposed square footage allocations for the Surgical Pavilion conform to the Facility Guidelines Institute's ("FGI") 2014 Guidelines for hospitals, establishing the most current space standards by room function. The FGI is a consensus-based organization, which publishes its recommended standards for health care facilities approximately every four years. The recommended room sizes are only a minimum based on current input from the health care industry. The Applicant will follow the recommendations outlined in the guidelines.

Further Processing: Compliance with the Requirements of 11- X DCMR § 101

32. The requested special exception approval complies with the requirements of 11-X DCMR § 101 of the Zoning Regulations. The relevant zoning requirements, and the Applicant's satisfaction of those requirements are addressed below:
- A. *Section 101.1-Education use by a college or university shall be permitted as a special exception subject to review and approval by the Zoning Commission after its determination that the use meets the applicable standards and condition of this chapter.*

Georgetown University was founded as an educational institution of higher learning in 1789 and received its federal charter in 1815. The University began operating the hospital in 1898. Today, MGUH annually provides training to students from both the school of medicine and the school of nursing, as well as almost 500 residents and fellows through its own accredited graduate medical education programs. Additionally, MGUH works closely with the University's

research enterprise to help bring innovative therapies from the scientific laboratory to the patient bedside.

- B. *Section 101.2-The uses shall be located so that they are not likely to become objectionable to neighboring property because of noise, traffic, parking, number of students, or other objectionable conditions.*

The Surgical Pavilion will be located adjacent to the existing hospital facilities, across Reservoir Road from residential properties, and west of the Cloisters townhouses. The nearest neighbors to the Surgical Pavilion are all University-related uses. The Applicant has worked extensively with the GCP in order to minimize impacts of the proposed Surgical Pavilion on neighboring properties outside the campus. The GCP and the Applicant have agreed upon a Construction Management Plan, a helicopter noise abatement strategy, and a Traffic Mitigation Plan to mitigate the effects of the proposed Surgical Pavilion during and after construction.

As a part of the agreement, the Applicant has developed its own comprehensive Transportation Demand Management (“TDM”) Plan separate from the University’s TDM Plan. The Applicant’s TDM Plan is aimed at managing traffic impacts associated with its unique population.

MGUH and GCP agreed to a TDM metric of peak hour auto trip reductions and established a Baseline Peak Hour Trip Reduction Goal of 15% below what is forecasted with future growth, which is five percent below existing traffic volumes. MGUH and GCP also established an Aspirational Peak Hour Trip Reduction Goal of 22% below what is forecasted with future growth, which is 12% below existing traffic volumes. MGUH and GCP agreed to three broad categories of trip reduction strategies that allow for flexibility over the 20 years of the new Campus Plan in order to achieve the aforementioned TDM Goals. Those three categories include the following:

- Education and Outreach – This strategy includes supporting a dedicated TDM Program Manager to provide assistance and oversight of MGUH’s car/vanpooling matching and incentives, establishing and managing a centralized commuter information database, organizing and executing TDM educational events, as well as promoting and facilitating enrollment in the regional Guaranteed Ride Home Program.
- Transit Subsidy – This strategy includes subsidizing employee transit expenses as a means to offset commuting costs and encourage more employees to use public transportation instead of driving to MGUH.

- Decanting – This strategy involves relocating certain departments and staff functions to reduce the amount of people arriving at the University during peak hours.

Currently, the University is allotted 4,080 parking spaces, of which 2,700 spaces are allocated for the Applicant's use. There will be no net change in the number of parking spaces. As part of the Project, a new below-grade parking garage is proposed with approximately 644 parking spaces. Parking in the new garage will replace approximately 300 spaces lost from the removal of Lots A and B, which will be removed to accommodate the Surgical Pavilion. The new parking garage will also allow for the elimination of a significant number of stacked parking spaces in Garage 1, Garage 2, and the Leavey Garage. The removal of the stacked parking will allow for a more user-friendly experience for parkers and will encourage more visitors to park on-campus as opposed to in the neighborhood.

As a result of the agreed upon mitigations in the Construction Management Plan, helicopter noise abatement strategy, and the Traffic Mitigation Plan the amount of noise, traffic, parking, lighting, or visual impacts on neighboring properties will be reduced. The proposed Surgical Pavilion will also not increase the number of students attending classes on the University's campus.

C. Section 101.5-The Project Complies with the R-3 Zone development standards.

11-X DCMR § 101.5 permits a base height of 50 feet for campus buildings, but pursuant to Subtitle D § 303.2, the height may be increased to a maximum of 90 feet, not including the penthouse, provided that the building is set back from all lot lines at least one foot for each foot of height exceeding the 50-foot height limit. A non-residential building constructed pursuant to 11-D DCMR § 303.2 shall also be permitted a mechanical penthouse with a maximum height of 18 feet, six inches. The maximum floor area ratio ("FAR") for all buildings on the University's campus is 1.8. (11-X DCMR §101.5.)

The proposed Surgical Pavilion will have a maximum height of 90 feet, excluding the penthouse, and will be removed from all lot lines, at a minimum, a distance of 144 feet. The mechanical penthouse will have a maximum height of 18 feet, six inches. The additional gross floor area for the Surgical Pavilion, together with the existing gross floor area of the campus, will result in an FAR of 1.33, which is within the 1.54 FAR approved in the 2017 Campus Plan and below the 1.8 FAR permitted under the Zoning Regulations.

As discussed below, the Applicant requested special exception relief from the retaining wall and penthouse requirements of the Zoning Regulations.

- D. Section 101.8-As a prerequisite to requesting a further processing for each college or university use, the applicant shall have submitted to the Zoning Commission for its approval a plan for developing the campus as a whole, showing the location, height, and bulk, where appropriate, of all present and proposed improvements including, but not limited to, the following: (a) Buildings and parking and loading facilities; (b) Screening, signs, streets, and public utility facilities; (c) Athletic and other recreational facilities; and (d) A description of all activities conducted or to be conducted on the campus, and of the capacity of all present and proposed campus development.*

Section 101.16 – A further processing of a campus plan building shall not be filed simultaneously with a full campus plan application.

The Commission unanimously approved the 2017 Campus Plan at its December 1, 2016, public hearing. As previously stated, the further processing application for the Surgical Pavilion was filed on April 18, 2017, after the approval of the 2017 Campus Plan.

- E. Section 101.11-In reviewing and deciding a campus plan application or new building construction pursuant to a campus plan, the Zoning Commission shall consider, to the extent they are relevant, the policies of the District of Columbia Elements of the Comprehensive Plan.*

The proposed Surgical Pavilion is not inconsistent with the goals and policies of the District of Columbia Comprehensive Plan. As shown on the District of Columbia Comprehensive Plan Future Land Use Map, the Property is designated as an institutional use. Part of creating successful neighborhoods is recognizing that institutional uses contribute to a neighborhood's character and help make all communities more livable. (*See* 10 DCMR § 218.2.)

In addition, the proposed Surgical Pavilion will not adversely affect the character or quality of life in the surrounding residential area. To the contrary, the Project furthers the health of District Residents. The Comprehensive Plan recognizes the importance of hospital uses on university campuses to the economy, character, history, and future of the District of Columbia. (*See* 10 DCMR §§ 1214.6, 311.7.) The District's healthcare institutions and hospitals located on university campuses provide services and resources to the community that could not possibly be provided by the government alone. (*See* 10 DCMR §§ 315.2-315.4.)

- F. *Section 101.12-As an integral part of the application requesting approval of new building construction pursuant to a campus plan, the college or university shall certify and document that the proposed building or amendment is within the FAR limit for the campus as a whole, based upon the computation included in the most recently approved campus plan and the FARs of any other buildings constructed or demolished since the campus plan was approved.*

The additional gross floor area for the Surgical Pavilion, together with the existing gross floor area of the campus, will result in an FAR of 1.33, which is within the 1.54 FAR approved under the 2017 Campus Plan and below the 1.8 FAR permitted under the Zoning Regulations.

- G. *Section 101.13-Pursuant to Subtitle Z § 405.1, as soon as the application is accepted, the Office of Zoning shall refer the application to the Office of Planning, the Department of Transportation, and the Department of Energy and Environment for review and written reports.*

The application was referred to OP, DDOT, and the Department of Energy and Environment (“DOEE”) for review and written report. Each of OP, DDOT and DOEE reviewed and reported in writing, and/or in testimony at the hearing on June 8, 2017, that they support the Surgical Pavilion.

Special Exception Approval

33. Pursuant to 11-C DCMR § 1504, the Applicant requested special exception approval from the penthouse setback requirements of 11-C DCMR § 1502.1: (i) for an emergency egress stairwell associated with the hospital’s FAA-approved helipad that is not set back a distance equal to its height from the rear building wall; and (ii) to have a portion of the penthouse at the north end that is not set back a distance equal to its height from a building wall that borders an open court. The Applicant also requests special exception relief from the requirements of 11-C DCMR § 1500.9 to have a mechanical penthouse with enclosing walls that are not a single uniform height and relief from the requirements of 11-C DCMR § 1500.6 to have more than a single penthouse enclosure.
34. In this case, the Applicant will provide emergency egress stairwells at the north and south ends of penthouse both with a height of 11 feet. The south egress stairwell will not be set back from the south building wall. The main penthouse enclosure will have a height of 18 feet, six inches, and at the north end, a small portion of the main penthouse enclosure is not set back from the irregular open court. In addition, the Applicant proposes a second mechanical penthouse height of 14 feet, six inches for a portion the penthouse along the east side of the building. The rooftop helipad will also be located on a separate platform that has a height of six feet, eight inches.

35. Relief granted through a special exception is presumed appropriate, reasonable and compatible with other uses in the same zoning classification, provided the specific regulatory requirements for the relief requested are met. Under 11-C DCMR § 1504, special exception relief may be granted from the requirements for penthouses where “[o]perating difficulties such as meeting D.C. Construction Code, Title 12 DCMR requirements for roof access and stairwell separation or elevator stack location to achieve reasonable efficiencies in lower floors; size of building lot; or other conditions relating to the building or surrounding area make full compliance unduly restrictive, prohibitively costly or unreasonable.” (11-C DCMR § 1504.1(d).) Deviations from the penthouse requirements are permissible provided “[t]he intent and purpose” of Subtitle C, Chapter 1500 “shall not be materially impaired by the structure, and the light and air of adjacent buildings shall not be affected adversely.” (11-C DCMR § 1504.1(f).)
36. The rooftop helipad represents a key shared objective between MGUH and the surrounding community. It replaces the existing at-grade emergency helicopter landing pad currently located on the west edge of Shaw Field, which is located approximately 650 feet from the nearest MGUH building entrance and over 785 feet from the current Emergency Department, with a new rooftop landing pad that is located directly above the new Emergency Department and surgical suites. The new rooftop helipad also mitigates community impact concerns, is less disruptive to University activities, and reduces internal campus vehicular congestion, while providing state of the art medical care to patients that arrive under critical circumstances.
37. FAA clearance guidelines require the helipad to be 50 feet in diameter with an associated 76-foot clear diameter final approach and takeoff area. The National Fire Protection Association (“NFPA”) 418, Standards for Heliports, requires that the helipad be served by no fewer than two separate means of egress. NFPA 418 also requires that the means of egress serving the helipad must be remotely located and at least 30 feet and 90 degrees apart from each other relative to the landing zone. The first means of egress will be accessed from the enclosed mechanical penthouse north of the helipad and the second means of egress will be located on the south side of the helipad in a separate stair enclosure. Accommodating a second means of egress on the east or west sides of the helipad is not feasible given the narrow massing of the pavilion and the mandated clearance guidelines. In addition to the above stated clearances guidelines, the location is also a result of FAA mandated flight paths.
38. The Project has received concept approval from the OGB and CFA, which includes the penthouse as proposed. In addition, all of the adjacent buildings are utilized by the University and the penthouse will not impact the light or air of any adjacent buildings since there is no building directly abutting the south and east building walls. The Applicant has made every effort to comply with the setback and enclosure requirements.

There is no alternative location for the required egress stairwell that would meet the setback requirements, comply with FAA clearance guidelines, and the NFPA 418, which requires two means of egress from the helipad separated by 36 feet and 90 degrees or greater in plan. Inclusion of the helipad also reduces the amount of space within the main mechanical penthouse enclosure by approximately 5,600 square feet, which could otherwise have been used to house equipment to serve the building's hospital use.

39. As a hospital, the building also requires more mechanical penthouse equipment space than an office building, multifamily residential building, or other commercial mixed-used building. Hospital air handling units are mandated to have (i) higher peak load air delivery (approximately 15% higher cubic feet per minute per gross square foot); (ii) filters downstream of supply fans, which add 10 feet of length; (iii) full building humidification, which adds five feet of length for humidifier and downstream absorption distance); and (iv) twice the minimum outside air ventilation with preheat coils, which adds five feet of length. In addition, air handling units in a hospital operate 24 hours a day, seven days a week, 365 days a year, which necessitates units that are 10%-15% greater in volume over a typical air handling unit in order to comply with the energy code. Air handling units in hospitals are also cross-connected for redundancy, resulting in significantly more ductwork in the penthouse.
40. The hospital use also includes a myriad of exhausts that are not required in office buildings, multifamily residential buildings, or other commercial mixed-use buildings. The additional exhausts include: airborne isolation, emergency department triage and decontamination, pharmacy compounding hoods, and exhausts for hazardous material storage areas, such as chemical and biological waste. These types of exhaust are required to discharge at a minimum of 10 feet vertically and horizontally from accessible maintenance areas, which results in recesses in the penthouse to preclude visible portions of the exhaust systems protruding above the penthouse enclosure.
41. All options to locate mechanical equipment in other areas of the building have been explored. A two-story mechanical area is planned to support the operating rooms on Levels 1 and 2 of the Surgical Pavilion, and as a result, no other mechanical equipment can be located in the two-story mechanical area. Furthermore, below-grade space has been maximized within the limits of the University ground lease between existing building structures to accommodate utility head-end rooms and a chiller plant to supplement the chilled water provided by the University central plant to meet the low temperature operating room requirements. Reductions in the proposed mechanical penthouse area would require either relocation of: (i) the below-grade drop-off and patient pickup; (ii) the below-grade loading area and associated central sterile processing and materials management program spaces; or (iii) the above-grade program spaces required by the Certificate of Need issued by the District of Columbia Department of Health.
42. There is also no feasible alternative to providing penthouse enclosing walls of varying heights and multiple penthouse enclosures. Providing for enclosing walls of a uniform

height and single penthouse enclosure would require greater setback relief on the east side of the penthouse and it would also result in the elimination of the rooftop helipad.

43. The Applicant requests special exception relief pursuant to 11-C DCMR § 1402.1 to authorize the construction of a retaining wall to the west of the proposed addition along the east-west access road shown on the 2017 Campus Plan. The retaining wall is higher than the allowance provided for in Subtitle C, Chapter 14 and has a height ranging from approximately one foot on the western edge of the wall to a maximum height of approximately 25 feet along the eastern portion of the retaining wall as shown on the Retaining Wall Plan included in the architectural plans. The east-west connector road extends from the hospital complex to the west and then connects out to Reservoir Road to the north. There will be a retaining wall adjacent to and on the south side of this roadway. The east-west road is located on interior lots and is not adjacent to any residential properties. As a result, the regulations limiting the height of retaining walls are unduly burdensome since the retaining wall will be largely unseen from neighboring residential properties which are located approximately 650 feet to the west. Furthermore, the Applicant demonstrated that there was no reasonable alternative to the construction of the retaining wall; due to the grade change, a slope would encroach upon and eliminate the existing athletic field to the south of the proposed roadway.

The Old Georgetown Act & Commission of Fine Arts

44. The Applicant met with OGB staff on numerous occasions and presented architectural drawings for consideration to OGB on November 05, 2015, February 04, 2016, May 05, 2016, June 16, 2016, July 07, 2016, and September 01, 2016. The meetings and presentations included the proposed Surgical Pavilion and penthouse, the landscaped campus green over the below-grade parking structure, and traffic/site circulation related issues. At the meeting held on September 1, 2016, OGB granted concept approval for the design and recommended that the Project be forwarded to CFA. As a condition of OGB's concept approval, OGB requested that the Applicant present the Project again at the design development stage for further review and approval prior to the issuance of construction permits by DCRA. As a result, the Applicant filed architectural plans with CFA on September 7, 2016, which plans were granted concept approval at the CFA's September 15, 2016 public meeting. (Ex. 7D.)
45. Since the Applicant will present the Project to OGB and/or CFA at the design stage, the Applicant requests flexibility to permit minor refinements to the design to comply with any conditions of approval and comments from either OGB or CFA.

CONCLUSIONS OF LAW

1. The Commission may grant special exception approval to authorize the construction of a new structure devoted to a university-related use, provided the requirements of 11-X DCMR § 101 of the Zoning Regulations are met. Based upon the record before the

Commission, the Commission concludes that the Applicant has met its burden of proof pursuant to 11-X DCMR § 101 of the Zoning Regulations. The Surgical Pavilion has been located and designed so that it is not likely to become objectionable because of noise, traffic, number of students, or other objectionable impacts. It will further the goals of the Campus Plan as well as the relevant goals of the Comprehensive Plan. The Commission further concludes that granting the relief will not tend to adversely affect the use of neighboring property in accordance with the Zoning Regulations and Map and is not inconsistent with policies of the District of Columbia Elements of the Comprehensive Plan.

2. The Commission concludes that the Applicant met its burden of proof for special exception approval from the penthouse setback requirements of 11-C DCMR §§ 1500.6, 1500.9, and 1502.1 since the proposed penthouse is in harmony with the purpose and intent of the Zoning Regulations and meets the test for special exception relief under Subtitle C § 1504.
3. The Commission concludes that the Applicant met its burden of proof pursuant 11-C DCMR § 1402.1 for special exception approval of a retaining wall, since the retaining wall is in harmony with the purpose and intent of the Zoning Regulations and meets the test for special exception relief under Subtitle C § 1402.1.
4. The Commission is required under § 13(d) of the Advisory Neighborhood Commissions Act of 1975, effective March 26, 1976 (D.C. Law 1-21; D.C. Official Code § 1-309.10(d)) to give “great weight” to the issues and concerns raised in the written reports of the affected ANCs. In this instance, ANC 2E and ANC 3D expressed no issues or concern, but rather indicated their support of the application. The District of Columbia Court of Appeals has noted that the ANC Act does not require an agency “to give ‘great weight’ to the ANC's recommendation but requires the [the agency] to give great weight to any issues and concerns raised by the ANC in reaching its decision.” (*Metropole Condo. Ass'n v. D.C. Bd. of Zoning Adjustment*, 141 A.3d 1079, 1086 (D.C. 2016).) Since neither ANC expressed any issues or concerns, there was nothing for the Commission to give great weight to.
5. In contrast, the Commission is required under § 5 of the Office of Zoning Independence Act of 1990, effective September 20, 1990 (D.C. Law 8-163; D.C. Official Code § 6-623.04 (2001)), to give great weight to OP recommendations. The Commission has carefully considered the OP’s recommendation in support of the application and agrees that approval of the Further Processing application and associated special exception approval is appropriate.

DECISION

In consideration of the Findings of Fact and Conclusions of Law contained in this Order, the Zoning Commission **ORDERS APPROVAL** of the application for special exception approval for the further processing of the 2017 Campus Plan. The Zoning Commission also **ORDERS APPROVAL** of the application for special exception approval from the penthouse requirements of 11-C DCMR §§ 1500.6, 1500.9, and 1502.1 and the retaining wall requirements of 11-C DCMR, Chapter 14. This approval is subject to the following guidelines, conditions, and standards:

1. MGUH shall construct the Surgical Pavilion in accordance with the plans titled “Consolidated Further Processing Plans”, prepared by Shalom Baranes Associates dated June 7, 2017, and marked as Exhibits 30A1-30A3 of the record. Since the Applicant will present the Project to OGB and/or CFA at the design stage, the Applicant shall have flexibility to make minor refinements to the design with respect to landscape elements and exterior details, locations, and dimensions, including curtainwall mullions and spandrels, window frames, doorways, glass types, belt courses, sills, bases, cornices, railings and trim; and any other similar changes to comply with any conditions of approval and comments from either OGB or CFA.
2. MGUH shall ensure that the routine flight path for helicopters will approach and depart the Hospital's helipad linearly from and towards the Potomac River over the center of the Georgetown University Campus. Safety considerations may, on rare occasions, require pilots to alter this path due to weather or other ambient situations. The helipad will be constructed with sound-baffling material using the best available technology. Helicopter noise monitoring in the neighborhood will take place at unannounced times at least twice a year in agreed-upon locations, or more frequently if off-route or noise issues develop. This condition is based on the expectation that helicopter flights to MGUH will not exceed an average of 1.5 flights per day.
3. MGUH shall ensure that the MGUH Emergency Department facilities will provide no more than 32 universal treatment bays and one sexual assault nurse examiner (“SANE”) suite. MGUH will work with the GCP in requesting DC Fire and Emergency Management Systems (“FEMS”) to adopt "quiet community" protocols to reduce ambulance siren usage in the neighborhood.
4. Transportation Management
 - a. MGUH shall implement TDM and trip reduction measures sufficient to ensure peak hour vehicle trips shall not exceed 1,245 trips during the AM peak hour and 939 trips during the PM peak hour (“Performance Target Commitment”). In addition, as an aspirational goal, MGUH will strive to achieve a peak hour trip threshold that is below 1,153 AM peak hour trips and 870 PM peak hour trips. MGUH shall be permitted to update the TDM Plan, in consultation with the GCP

and DDOT, to enhance its efficacy over the life of the 2017 Campus Plan consistent with the performance standards set forth above;

- b. To assess MGUH's efforts towards achieving the Performance Target Commitment and aspirational goal described above, MGUH shall conduct an Annual Transportation Performance Monitoring Study. The Study shall include: (1) measurement of MGUH vehicle trip generation; (2) a MGUH-wide transportation survey (including determination of mode split); (3) GUTS ridership counts utilizing AVL and APC data; (4) a summary report of TDM activities and expenditures; (5) parking counts; and (6) during construction of the Surgical Pavilion, the tracking of GUTS ridership on a quarterly basis. The Annual Transportation Performance Monitoring Study shall be conducted in accordance with the methodology outlined on pages 73-79 of the CTR (Exhibit 33 of the 2017 Campus Plan Record), as modified with the five items listed on page 17 of the DDOT Report (Exhibit 43 of the 2017 Campus Plan Record). The Annual Transportation Performance Monitoring Study shall be submitted to the GCP and DDOT by December 31 of each year, during the term of the 2017 Campus Plan; and
 - c. If the Results of the Annual Transportation Performance Study reveal that the Performance Target Commitment outlined above is not met, MGUH will work with the GCP and DDOT to review the then-current TDM strategies and associated expenditures to develop an increasingly robust plan to augment existing and/or implement more stringent TDM strategies to enhance performance. Furthermore, MGUH shall conduct and submit a Supplemental Performance Monitoring Study by June 30 of the same academic year to track progress toward the Performance Target Commitment until such time as the Commitment is met. If the Performance Target Commitment is not met in the following fall, the additional TDM strategies and associated expenditures will become increasingly more stringent, and MGUH shall work with the GCP and DDOT to develop additional TDM strategies not currently included in the TDM Plan until such time as the Performance Target Commitment is met.
5. Electric Car Charging Stations. MGUH shall install two 240-volt electric car charging stations in the Surgical Pavilion parking garage. The car charging stations shall be installed prior to opening of the Surgical Pavilion.
 6. Real Time Transit Information Screen. MGHU shall install a real-time transit information screen that is easily viewable from the main MGUH entrance or lobby and includes GUTS information, to be completed concurrently with the completion of the Surgical Pavilion.
 7. Bike Routing and Wayfinding. MGUH shall provide bike routing and wayfinding information on the Surgical Pavilion wayfinding plan, to be completed concurrently with the completion of the Surgical Pavilion.

8. As part of the Project, MGUH and the University shall construct a roadway running from east to west connecting Entrance 4 to the Leavey Garage (the "New Road"). During and after construction of the Surgical Pavilion, MGUH will not utilize Entrance 4 or the New Road for any construction related traffic (including employee shuttles and trucks), commercial vehicles, or services/deliveries. During and after construction, MGUH intends to use Entrance 4 and the New Road solely for vehicular transportation (i.e., patients, visitors, and employees traveling in cars). During construction, ambulances will continue to use Entrance 2, unless the use of a different entrance or the limited use of the road is necessary due to the particular urgent needs of a patient. Any change to MGUH's use of Entrance 4 or the New Road shall be permitted only if reviewed by and concurred to by the GCP, based on a demonstration that measures will be implemented to mitigate adverse impacts (e.g. noise, light, and air quality). The limitations on the University's use of Entrance 4 are addressed in 2017 Campus Plan Condition 20(d).
9. Construction Management Plan. Construction relating to the Project shall take place according to the written Construction Management Agreement and Plan between MGUH and the community representatives of the GCP, dated May 14, 2017 and marked as Exhibits 28A1-28A2 of the record, that incorporates the construction plan outline presented to the community representatives of the GCP on September 14, 2015. The agreement provides for no idling of trucks on Reservoir Road; off-site parking to replace on-site staff and visitor parking, such as the surface parking on Lots A and B, that will be unavailable during construction; environmental, noise and vermin controls to protect the community; communication procedures and records that maximize effective communication from and to the community during construction; at the completion of construction of the Project or during construction if need be, repair and resurfacing as needed of any part of Reservoir Road damaged by construction traffic; and a similar construction management plan to be in effect for back-fill and other on-campus construction relating to MGUH.
10. As part of the Construction Management Agreement discussed in Condition 9 above, MGUH shall work with the University and the GCP to develop a plan acceptable to applicable regulatory agencies in the District of Columbia for vehicular, pedestrian, and bicycle circulation into, around the perimeter of, and within the campus during all phases of construction of the Project. The plan will be submitted to the GCP for review and comment.
11. Mini Shuttles. MGUH shall provide additional mini shuttle capacity to transport GUTS passengers from the current stop on the south side of the University's campus to the hospital until the new permanent bus turnaround south of the Lombardi Comprehensive Cancer Care Center is operational.
12. Reporting and Compliance Review. By November 30th of each year following approval of its Further Processing application for the Surgical Pavilion, MGUH shall file an annual compliance report with the GCP that addresses MGUH's compliance with the above conditions.

13. The Applicant is required to comply fully with the provisions of the Human Rights Act of 1977, D.C. Law 2-38, as amended, and this order is conditioned upon full compliance with those provisions. 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 identify or expression, familial status, family responsibilities, matriculation, political affiliation, disability, source of income, genetic information, or place of residence or business. Sexual harassment is a form of sex discrimination that is also prohibited by the Act. In addition, harassment based on any of the above protected categories is also prohibited by the Act. Discrimination in violation of the Act will not be tolerated. Violators will be subject to disciplinary action. The failure or refusal of the Applicant to comply shall furnish grounds for the denial or, if issued, revocation of any building permits or certificates of occupancy issued pursuant to this Order.

At its public hearing on June 8, 2017, upon the motion of Vice Chairman Miller as seconded by Chairman Hood, the Zoning Commission unanimously **APPROVED** the application by a vote of **4-0-1** (Anthony J. Hood, Robert E. Miller, Peter G. May, and Michael G. Turnbull to approve; Peter Shapiro not present, not voting).

In accordance with the provisions of 11-Z DCMR § 604.9 of the Zoning Regulations, this Order July 28, 2017.

BY THE ORDER OF THE D.C. ZONING COMMISSION

A majority of the Commission members approved the issuance of this Order.

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF FINAL RULEMAKING**

AND

Z.C. ORDER NO. 16-25

Z.C. Case No. 16-25

D.C. Boathouse, LLC

(Zoning Map Amendment for Lots 42 and 810 in Square 6)

July 10, 2017

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

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF FINAL RULEMAKING
AND
Z.C. ORDER NO. 17-01
Z.C. Case No. 17-01
(Text Amendment – 11 DCMR)
(Continuing Care Retirement Community)
July 10, 2017**

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

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF FINAL RULEMAKING
AND
Z.C. ORDER NO. 17-02
Z.C. Case No. 17-02
(Text Amendment – 11 DCMR)
(Text Amendment to Subtitles B and U re: Use Clarification Language)
July 10, 2017**

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

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF FINAL RULEMAKING
AND
Z.C. ORDER NO. 17-04
Z.C. Case No. 17-04
(Text Amendment – 11 DCMR)
(New MU-30 Zone and Missing Special Exceptions Uses in the MU Use Group F)
July 10, 2017**

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

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