

District of Columbia

REGISTER

HIGHLIGHTS

- D.C. Council schedules a public hearing on Bill 22-0178, Commission on Poverty in the District of Columbia Establishment Act of 2017
- D.C. Council schedules a public hearing on Bill 22-0459, Opioid Abuse Treatment Act of 2017
- D.C. Council schedules a public hearing on Proposed Resolution 22-448, Sense of the Council in Support of Legislative Action to Protect Dreamers Resolution of 2017
- D.C. Commission on the Arts and Humanities invites District curators to present exhibition concepts for the Commission’s Gallery
- Office of the Chief Financial Officer issues an assessment document regarding the District of Columbia Median Family Income by Household Size for 2015
- D.C. Board of Elections updates the Campaign Finance regulations
- Department of Employment Services announces funding availability for the Fiscal Year 2018 Public Education Program

DISTRICT OF COLUMBIA REGISTER

Publication Authority and Policy

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

All documents published in the *District of Columbia Register* (*Register*) must be submitted in accordance with the applicable provisions of the Rules of the Office of Documents and Administrative Issuances. Documents which are published in the *Register* include (1) Acts and resolutions of the Council of the District of Columbia; (2) Notices of proposed Council legislation, Council hearings, and other Council actions; (3) Notices of public hearings; (4) Notices of final, proposed, and emergency rulemaking; (5) Mayor's Orders and information on changes in the structure of the D.C. government (6) Notices, Opinions, and Orders of D.C. Boards, Commissions and Agencies; (7) Documents having general applicability and notices and information of general public interest.

Deadlines for Submission of Documents for Publication

The Office of Documents and Administrative Issuances accepts electronic documents for publication using a Web-based portal. To submit documents for publication, agency heads, or their representatives, may obtain a username and password by email at dcdocuments@dc.gov. For guidelines on how to format and submit documents for publication, email dcdocuments@dc.gov.

The deadline for filing documents for publication for District of Columbia Agencies, Boards, Commissions, and Public Charter schools is THURSDAY, NOON of the previous week before publication. The deadline for filing documents for publication for the Council of the District of Columbia is WEDNESDAY, NOON of the week of publication. If an official District of Columbia government holiday falls on Thursday, the deadline for filing documents is Wednesday. Email the Office of Documents and Administrative Issuances at dcdocuments@dc.gov to request the *District of Columbia Register* publication schedule.

Viewing the DC Register

The Office of Documents and Administrative Issuances publishes the *D.C. Register* ONLINE every Friday at www.dcregs.dc.gov. The Office of Documents does not offer paid subscriptions to the *D.C. Register*. Copies of the *Register* from April 2003 through July 2010 are also available online in the *D.C. Register* Archive on the website for the Office of the Secretary at www.os.dc.gov. Hardcopies of the *Register* from 1954 to September 2009 are available at the Martin Luther King, Jr. Memorial Library's Washingtonian Division, 901 G Street, NW, Washington, DC 20001. There are no restrictions on the republication of any portion of the *Register*. News services are encouraged to publish all or part of the *Register*.

Legal Effect of Publication - Certification

Except in the case of emergency rules, no rule or document of general applicability and legal effect shall become effective until it is published in the *Register*. Publication creates a rebuttable legal presumption that a document has been duly issued, prescribed, adopted, or enacted and that the document complies with the requirements of the *District of Columbia Documents Act* and the *District of Columbia Administrative Procedure Act*. The Administrator of the Office of Documents and Administrative Issuances hereby certifies that this issue of the *Register* contains all documents required to be published under the provisions of the *District of Columbia Documents Act*.

DISTRICT OF COLUMBIA OFFICE OF DOCUMENTS AND ADMINISTRATIVE ISSUANCES

ROOM 520S – 441 4th STREET, ONE JUDICIARY SQUARE - WASHINGTON, D.C. 20001 - (202) 727-5090

MURIEL E. BOWSER
MAYOR

VICTOR L. REID, ESQ.
ADMINISTRATOR

CONTENTS

ACTIONS OF THE COUNCIL OF THE DISTRICT OF COLUMBIA

D.C. LAWS

L22-21 Childhood Lead Exposure Prevention
Amendment Act of 2017 010159

L22-22 Duvall Court Designation Act of 2017..... 010160

L22-23 Ebenezer Court Designation Act of 2017..... 010161

L22-24 Inclusionary Zoning Consistency Amendment
Act of 2017 010162

L22-25 Brishell Jones Way Designation Act of 2017 010163

L22-26 Glick Court Designation Act of 2017..... 010164

L22-27 McGill Alley Designation Act of 2017 010165

D.C. ACTS

A22-141 Unity Health Care, Inc. Certificate of Need
Maximum Fee Establishment Temporary
Amendment Act of 2017 [B22-384]010166 - 010167

A22-142 Fort Dupont Ice Arena Programming Temporary
Amendment Act of 2017 [B22-389]010168 - 010169

A22-143 Voter Rolls Protection Temporary Act of 2017 [B22-391].....010170 - 010171

A22-144 General Obligation Bonds and Bond Anticipation
Notes for Fiscal Years 2018-2023 Authorization
Emergency Act of 2017 [B22-429]010172 - 010189

A22-145 Modifications to Contract No. CW28295
Approval and Payment Authorization Emergency
Act of 2017 [B22-435]010190 - 010191

RESOLUTIONS

Res 22-233 Voter Rolls Protection Congressional Review
Emergency Declaration Resolution of 2017 010192

Res 22-234 Fort Dupont Ice Arena Programming
Congressional Review Emergency
Declaration Resolution of 2017..... 010193

ACTIONS OF THE COUNCIL OF THE DISTRICT OF COLUMBIA CONT'D

RESOLUTIONS CONT'D

Res 22-235 Capitol Riverfront Business Improvement
District Congressional Review Emergency
Declaration Resolution of 2017.....010194 - 010195

Res 22-237 Modifications to Contract No. CW26186
Approval and Payment Authorization
Emergency Declaration Resolution of 2017010196 - 010197

Res 22-239 Opposition to the Revocation or Suspension
of Drivers’ Licenses of Individuals Convicted
of Drug Offenses Resolution of 2017..... 010198

Res 22-240 Dining with Dogs Emergency Declaration
Resolution of 2017 010199

Res 22-241 Standard of Care for Animals Congressional
Review Emergency Declaration Resolution
of 2017010200 - 010201

Res 22-242 Fiscal Year 2018 Budget Support Clarification
Emergency Declaration Resolution of 2017 010202

Res 22-243 Fiscal Year 2018 Budget Support
Congressional Review Emergency
Declaration Resolution of 2017..... 010203

Res 22-244 Campaign Finance Reform and Transparency
Emergency Declaration Resolution of 2017 010204

Res 22-245 Ethics Board Quorum Emergency Declaration
Resolution of 2017 010205

Res 22-247 Washington Metrorail Safety Commission
Board of Directors Appointment Emergency
Declaration Resolution of 2017.....010206 - 010207

Res 22-248 At-Risk Tenant Protection Clarifying Emergency
Declaration Resolution of 2017.....010208 - 010209

BILLS INTRODUCED AND PROPOSED RESOLUTIONS

Notice of Intent to Act on New Legislation -
Bills B22-514, B22-515, and B22-516 and
Proposed Resolutions PR22-526 through PR22-530.....010210 - 010211

ACTIONS OF THE COUNCIL OF THE DISTRICT OF COLUMBIA CONT'D

COUNCIL HEARINGS

Notice of Public Hearings -

B22-31 Stop Work Order Disclosure and Regulation
Amendment Act of 2017 010212

B22-317 Notification of Vacant and Blighted Classification
Amendment Act of 2017 010212

B22-381 Landlord Transparency Amendment Act of 2017..... 010212

B22-396 Property Manager Licensing Amendment Act of 2017..... 010212

B22-127 City Innovation Fund Re-Establishment
Amendment Act of 2017 010213

B22-0178 Commission on Poverty in the District of Columbia
Establishment Act of 2017 (Joint)..... 010214

B22-0352 Office of Administrative Hearings Jurisdiction
Expansion Amendment Act of 2017
(Revised and Abbreviated).....010215 - 010216

B22-395 Accessible and Transparent Procurement
Amendment Act of 2017 010217

B22-439 Quick Payment Amendment Act of 2017 010217

B22-440 Government Contractor-Subcontractor Dispute
Resolution Amendment Act of 2017..... 010217

B22-0458 Opioid Overdose Prevention Act of 2017 (Joint).....010218 - 010219

B22-0459 Opioid Abuse Treatment Act of 2017 (Joint).....010218 - 010219

PR 22-448 Sense of the Council in Support of Legislative
Action to Protect Dreamers Resolution of 2017..... 010220

PR 22-525 Sense of the Council in Support of Legislative
Action to Protect Temporary Protected Status
Resolution of 2017 010220

Notice of Public Oversight Roundtables -

The Condition of the District’s Roadways 010221

The Department of Consumer and Regulatory Affairs:
Management of the Vacant and Blighted Property Program 010222

The Department of Consumer and Regulatory Affairs:
Permitting Services and Illegal Construction..... 010223

The District’s Snow Removal Operations Plan for Winter
2017-2018 010224

ACTIONS OF THE EXECUTIVE BRANCH AND INDEPENDENT AGENCIES

PUBLIC HEARINGS

Alcoholic Beverage Regulation Administration -

Circa at Chinatown - ANC 2C - New 010225

Class B Renewals for October 13, 2017010226 - 010295

Family Food and Delicatessen Store - ANC 4C - Renewal - RESCIND 010296

Homewood Suites by Hilton Washington DC - ANC 6D -
Substantial Changes 010297

Kofuku - ANC 2C - New 010298

Potomac Distilling Company - ANC 6D - Summer Garden 010299

Young's Deli & Market - ANC 3B - Renewal - CORRECTION..... 010300

Young's Deli & Market - ANC 3B - Renewal - RESCIND 010301

Zoning Adjustment, Board of - November 29, 2017 - Public Hearings

19615 Gabriela Maglione - ANC 2F.....010302 - 010305

19620 Petit Scholars West End LLC dba Petit Scholars
@ RIA - ANC 5C.....010302 - 010305

19631 E ST, LLC - ANC 6B.....010302 - 010305

19632 AMT-Varnum, LLC - ANC 4C (Appeal)010302 - 010305

19635 HJB Properties, LLC - ANC 5D010302 - 010305

19636 Scott Yurcheshen - ANC 5E010302 - 010305

FINAL RULEMAKING

Elections, DC Board of - Amend 3 DCMR (Elections and Ethics),
Ch. 30 (Campaign Finance Operations: Committees, Candidates,
Constituent Service Programs, Statehood Funds),
Sections 3011 and 3017,
Ch. 34 (Campaign Finance Recordkeeping and Audits),
Sections 3400 and 3402,
Ch. 38 (Legal Defense Committees), Sec. 3802, and
Ch. 41 (Campaign Finance Operations: Exploratory Committees),
Sec. 4101,
to update the Campaign Finance regulations010306 - 010319

ACTIONS OF THE EXECUTIVE BRANCH AND INDEPENDENT AGENCIES CONT'D

PROPOSED RULEMAKING

Alcoholic Beverage Regulation Administration -
 Amend 23 DCMR (Alcoholic Beverages),
 Ch. 1 (Provisions of General Applicability),
 Ch. 2 (License and Permit Categories),
 Ch. 3 (Limitations on Licenses),
 Ch. 5 (License Applications),
 Ch. 7 (General Operating Requirements),
 Ch. 8 (Enforcement, Infractions, and Penalties),
 Ch. 9 (Prohibited and Restricted Activities),
 Ch. 10 (Endorsements),
 Ch. 12 (Records and Reports),
 Ch. 13 (Transport of Beverages),
 Ch. 15 (Applications: Notice of Hearings Involving Licenses),
 Ch. 16 (Contested Hearings, Non-Contested Hearings,
 Protest Hearings and Procedures), and
 Ch. 17 (Procedural Requirements for Board Hearings),
 to make technical changes010320 - 010342

NOTICES, OPINIONS, AND ORDERS

MAYOR’S ORDERS

2017-233 Reappointments and Appointments – Board of
 Massage Therapy (Darlene Jackson, Cary Bland,
 Joseph Reo, and Danielle Weatherford)010343 - 010344

2017-234 Reappointments and Appointments – Board of
 Marriage and Family Therapy (Sylvia Rosario,
 Sheila Holt, Jennifer Novak, and William Boston)010345 - 010346

2017-235 Reappointments and Appointments – Board of
 Nursing (Laverne Plater, Layo George,
 Monica Goletiani, and Nancy K. Uhland)010347 - 010348

2017-236 Reappointment and Appointment – Board of Physical
 Therapy (Joel Hemphill and Bernardine Evans) 010349

2017-237 Reappointment and Appointment – Board of
 Psychology (Anthony Alfred Jimenez and
 Louis Ferguson)..... 010350

2017-238 Designation of Special Event Areas for
 Potential Post-Season Baseball Games010351 - 010352

2017-239 Reappointments and Appointments – Board of
 Professional Engineering (Roland Carter,
 Paul Rich, and Samuel Wilson)010353 - 010354

ACTIONS OF THE EXECUTIVE BRANCH AND INDEPENDENT AGENCIES CONT'D

**NOTICES, OPINIONS, AND ORDERS CONT'D
MAYOR'S ORDERS CONT'D**

2017-240	Appointment – Rental Housing Commission (Michael Spencer)	010355
----------	--	--------

**NOTICES, OPINIONS, AND ORDERS CONT'D
BOARDS, COMMISSIONS, AND AGENCIES**

Alcoholic Beverage Regulation Administration -		
	ABC Board's Calendar - October 18, 2017	010356 - 010357
	ABC Board's Class B Cease and Desist Agenda - October 18, 2017	010358 - 010360
	ABC Board's Investigative Agenda - October 18, 2017	010361 - 010362
	ABC Board's Licensing Agenda - October 18, 2017	010363 - 010367
	ABC Board's Safekeeping Cancellation Agenda - October 18, 2017	010368

Arts and Humanities, DC Commission on the -		
	Notice of Funding Availability - Open Call to District Curators	010369

	Notice of Public Meeting - Board of Commissioners - October 19, 2017	010370
--	---	--------

Chief Financial Officer, Office of the -		
	District of Columbia Motor Fuel Tax Remains Unchanged - Effective October 1, 2017	010371

	Notice of the District of Columbia Median Family Income on the Basis of Household Size for 2015	010372
--	---	--------

D.C. Bilingual Public Charter School -		
	Request for Proposals - IT Maintenance & Repair Services and Computer IT Support Services.....	010373

Elections, Board of -		
	Certification of ANC/SMD Vacancy in 1A06	010374

Employment Services, Department of -		
	Notice of Funding Availability - Fiscal Year 2018 - Public Education Program (PEP)	010375 - 010376

Energy and Environment, Department of -		
	Notice of Intent to Issue a Facility-Wide Title V Air Quality Operating Permit and General Permit - #035-R1 U.S. Department of the Treasury, Bureau of Engraving and Printing, 14 th and C Streets SW	010377 - 010382

ACTIONS OF THE EXECUTIVE BRANCH AND INDEPENDENT AGENCIES CONT'D

**NOTICES, OPINIONS, AND ORDERS CONT'D
BOARDS, COMMISSIONS, AND AGENCIES CONT'D**

For-Hire Vehicles, Department of -
 For-Hire Vehicles Advisory Council Meeting -
 October 18, 2017 010383

Insurance, Securities and Banking, Department of -
 Notice of Public Meeting - Financial Literacy
 Council - November 16, 2017 010384

KIPP DC Public Charter Schools -
 Request for Proposals - Hotel and Conference Center Services 010385

Perry Street Prep Public Charter School -
 Request for Proposals - Research and Dissemination
 Project - Public Charter School Improvement 010386

Public Service Commission -
 Notice of Proposed Issuance of Stock or Evidences
 of Indebtedness - Formal Case No. 1147 - Application
 of Potomac Electric Power Company for a Certificate
 of Authority to Issue Debt Securities 010387 - 010388

Rocketship Education DC Public Charter School -
 Invitation for Bid - Food Service Management Services 010389

Secretary, Office of the -
 Recommendations for Appointment as DC Notaries Public -
 Effective November 15, 2017 010390 - 010398

Two Rivers Public Charter School -
 Request for Proposals - Behavioral Specialist Consultant 010399

Zoning Adjustment, Board of - Cases -
 12666-C McGovern, Hinshaw, Peaslee, et al. - ANC 2B - Order 010400 - 010404
 19451 District of Columbia - ANC 6D - Order 010405 - 010436
 19566 19566 Cindy Jimenez and Cris Turner - ANC 6A - Order 010437 - 010439
 19568 Catherine St. Denis and Andrew Cruikshank -
 ANC 3E - Order 010440 - 010442

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 22-21

**"Childhood Lead Exposure Prevention
Amendment Act of 2017"**

As required by Section 412(a) of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 22-29 on first and second readings June 27, 2017, and July 11, 2017, respectively. Following the signature of the Mayor on July 31, 2017, as required by Section 404(e) of the Charter, the bill became Act 22-125 and was published in the August 11, 2017 edition of the D.C. Register (Vol. 64, page 7631). Act 22-125 was transmitted to Congress on August 10, 2017 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 22-125 is now D.C. Law 22-21, effective September 23, 2017.



Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

August 11, 14, 15, 16, 17, 18, 21, 22, 23, 24, 25, 28, 29, 30, 31

September 1, 5, 6, 7, 8, 11, 12, 13, 14, 15, 18, 19, 20, 21, 22

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 22-22

"Duvall Court Designation Act of 2017"

As required by Section 412(a) of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 22-56 on first and second readings June 27, 2017, and July 11, 2017, respectively. Following the signature of the Mayor on July 31, 2017, as required by Section 404(e) of the Charter, the bill became Act 22-126 and was published in the August 11, 2017 edition of the D.C. Register (Vol. 64, page 7643). Act 22-126 was transmitted to Congress on August 10, 2017 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 22-126 is now D.C. Law 22-22, effective September 23, 2017.



Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

August 11, 14, 15, 16, 17, 18, 21, 22, 23, 24, 25, 28, 29, 30, 31
September 1, 5, 6, 7, 8, 11, 12, 13, 14, 15, 18, 19, 20, 21, 22

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 22-23

"Ebenezer Court Designation Act of 2017"

As required by Section 412(a) of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 22-91 on first and second readings June 27, 2017, and July 11, 2017, respectively. Following the signature of the Mayor on July 31, 2017, as required by Section 404(e) of the Charter, the bill became Act 22-127 and was published in the August 11, 2017 edition of the D.C. Register (Vol. 64, page 7645). Act 22-127 was transmitted to Congress on August 10, 2017 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 22-127 is now D.C. Law 22-23, effective September 23, 2017.



Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

August 11, 14, 15, 16, 17, 18, 21, 22, 23, 24, 25, 28, 29, 30, 31

September 1, 5, 6, 7, 8, 11, 12, 13, 14, 15, 18, 19, 20, 21, 22

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 22-24

"Inclusionary Zoning Consistency Amendment Act of 2017"

As required by Section 412(a) of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 22-104 on first and second readings May 16, 2017, and July 11, 2017, respectively. Following the signature of the Mayor on July 31, 2017, as required by Section 404(e) of the Charter, the bill became Act 22-128 and was published in the August 11, 2017 edition of the D.C. Register (Vol. 64, page 7647). Act 22-128 was transmitted to Congress on August 10, 2017 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 22-128 is now D.C. Law 22-24, effective September 23, 2017.



Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

August 11, 14, 15, 16, 17, 18, 21, 22, 23, 24, 25, 28, 29, 30, 31

September 1, 5, 6, 7, 8, 11, 12, 13, 14, 15, 18, 19, 20, 21, 22

COUNCIL OF THE DISTRICT OF COLUMBIA

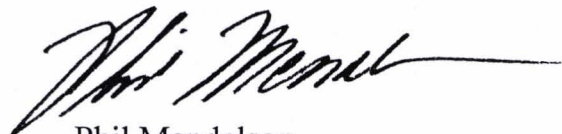
NOTICE

D.C. LAW 22-25

"Brishell Jones Way Designation Act of 2017"

As required by Section 412(a) of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 22-116 on first and second readings June 27, 2017, and July 11, 2017, respectively. Following the signature of the Mayor on July 31, 2017, as required by Section 404(e) of the Charter, the bill became Act 22-129 and was published in the August 11, 2017 edition of the D.C. Register (Vol. 64, page 7650). Act 22-129 was transmitted to Congress on August 10, 2017 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 22-129 is now D.C. Law 22-25, effective September 23, 2017.



Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

- August 11, 14, 15, 16, 17, 18, 21, 22, 23, 24, 25, 28, 29, 30, 31
- September 1, 5, 6, 7, 8, 11, 12, 13, 14, 15, 18, 19, 20, 21, 22

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 22-26

"Glick Court Designation Act of 2017"

As required by Section 412(a) of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 22-53 on first and second readings June 27, 2017, and July 11, 2017, respectively. The legislation was deemed approved without the signature of the Mayor on August 3, 2017, as required by Section 404(e) of the Charter, the bill became Act 22-139 and was published in the August 11, 2017 edition of the D.C. Register (Vol. 64, page 7797). Act 22-139 was transmitted to Congress on August 10, 2017 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 22-139 is now D.C. Law 22-26, effective September 23, 2017.



Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

August 11, 14, 15, 16, 17, 18, 21, 22, 23, 24, 25, 28, 29, 30, 31
September 1, 5, 6, 7, 8, 11, 12, 13, 14, 15, 18, 19, 20, 21, 22

COUNCIL OF THE DISTRICT OF COLUMBIA

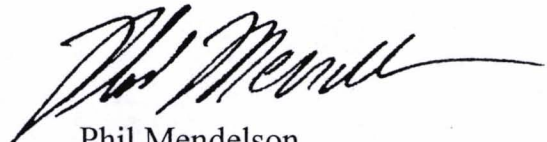
NOTICE

D.C. LAW 22-27

"McGill Alley Designation Act of 2017"

As required by Section 412(a) of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 22-59 on first and second readings June 27, 2017, and July 11, 2017, respectively. The legislation was deemed approved without the signature of the Mayor on August 3, 2017, as required by Section 404(e) of the Charter, the bill became Act 22-140 and was published in the August 11, 2017 edition of the D.C. Register (Vol. 64, page 7799). Act 22-140 was transmitted to Congress on August 10, 2017 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 22-140 is now D.C. Law 22-27, effective September 23, 2017.



Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

August 11, 14, 15, 16, 17, 18, 21, 22, 23, 24, 25, 28, 29, 30, 31

September 1, 5, 6, 7, 8, 11, 12, 13, 14, 15, 18, 19, 20, 21, 22

ENROLLED ORIGINAL

AN ACT

D.C. ACT 22-141

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

OCTOBER 4, 2017

To amend, on a temporary basis, the Health Services Planning Program Re-Establishment Act of 1996 to set forth the 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.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Unity Health Care, Inc. Certificate of Need Maximum Fee Establishment Temporary Amendment Act of 2017".

Sec. 2. Section 21 of the Health Services Planning Program Re-Establishment Act of 1996, effective April 9, 1997 (D.C. Law 11-191; D.C. Official Code § 44-420), is amended by adding a new subsection (c) to read as follows:

"(c) Notwithstanding the provisions of subsection (a) of this section, the maximum application fee that may be collected from Unity Health Care, Inc. for a project located at 4430 Benning Road, N.E., Washington, D.C. 20019 shall be \$5,000."

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

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

ENROLLED ORIGINAL

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

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED
October 4, 2017

ENROLLED ORIGINAL

AN ACT

D.C. ACT 22-142

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

OCTOBER 4, 2017

To amend, on a temporary basis, the Recreation Act of 1994 to require the Department of Parks and Recreation to issue a grant to an organization to provide programming to low-income children at the Fort Dupont Ice Arena.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Fort Dupont Ice Arena Programming Temporary Amendment Act of 2017".

Sec. 2. Section 3 of the Recreation Act of 1994, effective March 23, 1995 (D.C. Law 10-246; D.C. Official Code § 10-302), is amended by adding a new subsection (e) to read as follows:

"(e) Beginning in Fiscal Year 2017, and on an annual basis thereafter, the Department shall issue a \$235,000 grant to an organization to provide programming for low-income children at Fort Dupont Ice Arena. The grantee shall have experience in providing such programming and shall not charge a participation fee to low-income residents."

Sec. 3. Fiscal impact statement.

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


Sec. 4. Effective date.

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

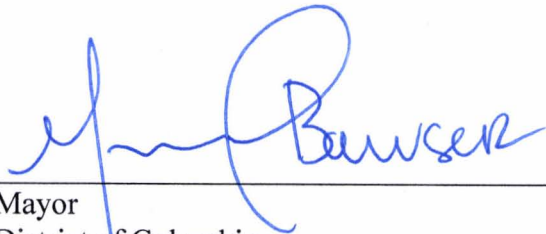
ENROLLED ORIGINAL

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

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED
October 4, 2017

ENROLLED ORIGINAL

AN ACT

D.C. ACT 22-143

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

OCTOBER 4, 2017

To prohibit, on a temporary basis, the District of Columbia Board of Elections from complying with any requests of the Presidential Advisory Commission on Election Integrity.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Voter Rolls Protection Temporary Act of 2017".

Sec. 2. Notwithstanding any other District law or regulation, the District of Columbia Board of Elections shall not comply with any request of the Presidential Advisory Commission on Election Integrity, established May 11, 2017 (Exec. Order No. 13799; 82 Fed. Reg. 22389).

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

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

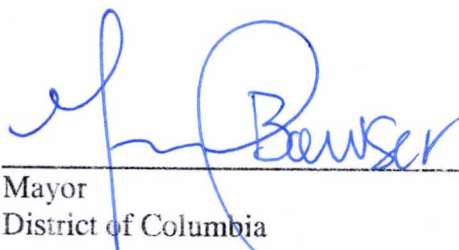
ENROLLED ORIGINAL

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

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED
October 4, 2017

ENROLLED ORIGINAL

AN ACT

D.C. ACT 22-144

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

OCTOBER 4, 2017

To authorize the issuance of general obligation bonds and general obligation bond anticipation notes of the District of Columbia for the purposes of financing certain capital projects and the refunding of certain capital indebtedness of the District of Columbia during fiscal years 2018 through 2023; and to amend section 47-336 of the District of Columbia Official Code to amend the definition of special real property tax levy.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "General Obligation Bonds and Bond Anticipation Notes for Fiscal Years 2018-2023 Authorization Emergency Act of 2017".

TITLE I. GENERAL OBLIGATION BONDS AND ANTICIPATION NOTES; AUTHORIZATION.

Sec. 2. Definitions.

For the purposes of this act, the term:

(1) "Additional Bonds" means District general obligation bonds that may be issued pursuant to section 461 of the Home Rule Act and any act enacted subsequent to this act on a parity with the bonds.

(2) "Additional Notes" means District general obligation bond anticipation notes that may be issued pursuant to section 475 of the Home Rule Act and any act enacted subsequent to this act on a parity with the notes.

(3) "Authorized Delegate" means any officer or employee of the executive office of the Mayor to whom the Mayor has delegated any of the Mayor's functions under this act pursuant to section 422(6) of the Home Rule Act, including, but not limited to, the Chief Financial Officer, the City Administrator, and the Treasurer of the District of Columbia.

(4) "Bond Counsel" means a firm or firms of attorneys designated as bond counsel or co-bond counsel from time to time by the Mayor or an Authorized Delegate.

(5) "Bonds" means District general obligation bonds authorized to be issued pursuant to this act, including any refunding bonds.

ENROLLED ORIGINAL

(6) "Capital Projects" means the District capital projects as defined in section 103(8) of the Home Rule Act.

(7) "Deposit and Investment Act" means the Financial Institutions Deposit and Investment Amendment Act of 1997, effective March 18, 1998 (D.C. Law 12-56; D.C. Official Code § 47-351.01 *et seq.*).

(8) "Escrow Agreement" means any agreement heretofore or hereafter entered into by the Mayor or an Authorized Delegate to provide for the custody, investment, and disbursement of revenues and funds pledged to, and in which a security interest is created for, the payment of the principal of, and interest on, the bonds or notes.

(9) "Hedge Agreement" means any financial arrangement that is a cap, floor, or collar; forward rate; future rate; swap, which swap may be based on an amount equal to either a principal amount or a notional principal amount relating to all or a portion of the principal amount of a series of bonds; asset, index, price, or market-linked transaction or agreement; other interest rate exchange or rate protection transaction agreement; other similar transactions, however designated; any combination thereof; any option with respect thereto; or any similar arrangement, which is executed by the District for purposes of debt management, including managing interest rate fluctuations on bonds, but not for purposes of speculation.

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

(11) "Notes" means District general obligation bond anticipation notes authorized to be issued pursuant to this act, including any renewals of such notes.

(12) "Outstanding Debt" means the outstanding indebtedness at any time of the District for capital project loans from the Treasury of the United States, any Treasury Advances, any outstanding general obligation bonds issued pursuant to this or any prior act, any outstanding general obligation bond anticipation notes issued pursuant to this or any prior act, and any income tax secured revenue bonds issued pursuant to the Income Tax Secured Bond Authorization Act of 2008, effective October 22, 2008 (D.C. Law 17-254, D.C. Official Code § 47-340.26 *et seq.*).

(13) "Paying Agent" means the District or any bank, trust company, or national banking association designated to serve in this capacity by the Mayor or an Authorized Delegate pursuant to section 6.

(14) "Procurement Act" means 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.*).

(15) "Registrar" means the District or any bank, trust company, or national banking association designated to serve in this capacity by the Mayor or an Authorized Delegate pursuant to section 6.

(16) "Special Tax Fund" means the debt service fund established pursuant to section 9(a)(1).

(17) "Special Tax Funds" means the debt service funds established pursuant to 9(a)(1) and 9(a)(2).

(18) "Special Tax Fund for Notes" means the debt service fund established pursuant to section 9(a)(2).

ENROLLED ORIGINAL

(19) "Treasury Advances" means amounts advanced to the District from the United States Treasury pursuant to Chapter 34 of Title 47 of the District of Columbia Official Code.

Sec. 3. Findings.

The Council finds that:

(1) Section 461 of the Home Rule Act authorizes the District to incur indebtedness by issuing general obligation bonds to refund Outstanding Debt of the District and to provide for the payment of the cost of acquiring or undertaking its various capital projects.

(2) Section 475 of the Home Rule Act authorizes the District to incur indebtedness by issuing general obligation bond anticipation notes, the proceeds of which shall be used for the purposes for which general obligation bonds may be issued under section 461 of the Home Rule Act.

(3) The cost of Outstanding Debt may be reduced by refunding a portion of it through the issuance of the bonds and the District's cost of borrowing may be reduced by the issuance from time to time of notes in anticipation of the issuance of bonds.

(4) The issuance of the bonds and the notes in anticipation of the bonds is an economical method of financing the costs of acquiring or undertaking the capital projects described in section 5 and of refunding all or a portion of certain Outstanding Debt as is in the public interest.

(5) To fund the capital needs of the District for fiscal years 2018 through 2023, it will be necessary to issue bonds from time to time in one or more series in an aggregate principal amount not to exceed \$4,200,000,000 and to issue notes from time to time in one or more series in anticipation of all or a portion of the bonds.

Sec. 4. Bond and note authorization.

(a) The District is authorized to incur indebtedness by issuing the bonds pursuant to sections 461 through 467 of the Home Rule Act to provide for any of the following:

(1) The payment of the cost of acquiring, undertaking, or refinancing capital projects described in section 5 for general governmental and enterprise purposes;

(2) The reimbursing of amounts temporarily advanced for the purposes authorized by this act from the General Fund of the District of Columbia, any enterprise fund, or other fund or account of the District;

(3) The refunding of Outstanding Debt; and

(4) The payment of the costs and expenses of preparation, execution, issuance, sale or delivery of, or security for, the bonds and notes, including the payments of contracts or agreements the Mayor or an Authorized Delegate may determine to be necessary and appropriate as described in section 7(f), and the payment of other debt program related costs as provided in the contracts or agreements related thereto.

(b) The Mayor or an Authorized Delegate is authorized to pay from the proceeds of the bonds and other District funds, the costs and expenses referred to in subsection (a)(4) of this section and to the extent necessary to establish or continue the tax exempt status of any of the

ENROLLED ORIGINAL

bonds issued on a tax exempt basis.

(c) The District is authorized pursuant to section 475 of the Home Rule Act to issue the notes in anticipation of the issuance of general obligation bonds and to expend the proceeds of the notes for any of the purposes for which bonds may be issued.

Sec. 5. Capital projects.

(a)(1) Bonds and notes may be issued from time to time to provide for the payment of the cost of acquiring, undertaking, or refinancing capital projects of the District and reimbursement of amounts advanced for such purposes, including, but not limited to, capital projects for the following categories of facilities and equipment by project and project description:

- (A) Physical plant;
- (B) Technology;
- (C) Mass transportation;
- (D) Roads and bridges;
- (E) Housing and economic development;
- (F) Environmental protection;
- (G) Major equipment; and
- (H) Recreation.

(2) The Council shall specify and determine from time to time, by resolution, the capital projects for which the issuance of bonds shall be authorized.

(b) The maximum principal amount of indebtedness that may be incurred through the issuance of bonds or notes for the capital projects, exclusive of the costs and expenses of issuing and delivering the bonds or notes and any other costs referred to in section 4(a)(4) which may be funded with proceeds of the bonds or notes, shall not exceed \$4,200,000,000; provided, that the principal amount of any notes or bonds issued to refund prior notes or bonds issued for any capital project shall not be included in the determination of the principal amount of indebtedness issued for such project, and provided that the aggregate amount of any refunded notes or additional notes refinanced with bonds or additional bonds shall be returned to the maximum principal amount of indebtedness for use in future issuances.

(c) The maximum total principal amount to be financed through the bonds and notes provided for the capital projects listed in subsection (a)(1) of this section shall include amounts requested by the District government and approved by Congress in the District's Fiscal Year 2018-2023 Capital Improvements Plan or other capital projects approved by the Council, as it may be modified from time to time by appropriations legislation, or by the Council.

(d) The costs of the capital projects approved for financing pursuant to this act and prior bond acts that have become law, which are paid originally from the General Fund of the District of Columbia or General Capital Improvements Fund of the District of Columbia, are reasonably expected to be reimbursed in whole or in part with the proceeds of the bonds or notes in the maximum amount set forth in subsection (b) of this section. The adoption of this act by the Council declares the intent of the District under Treas. Reg. § 1.150-2, issued under the Internal

ENROLLED ORIGINAL

Revenue Code of 1986, approved October 22, 1986 (100 Stat. 2085; 26 U.S.C. § 1 *et seq.*), to reimburse the General Fund of the District of Columbia and General Capital Improvement Fund of the District of Columbia or to refinance Treasury Advances or loans from the Treasury of the United States for capital projects, in either case, with the proceeds of the bonds and notes.

(e) Funds pursuant to this act shall not be used to pay for personnel of the District, except those in positions working on authorized capital projects that create assets or extend the useful life of the assets.

Sec. 6. Bond and note details.

(a) The Mayor or an Authorized Delegate is authorized to take any action necessary or appropriate in accordance with this act in connection with the preparation, execution, issuance, sale, delivery, security for, and payment of the bonds and notes, including, but not limited to, determinations of:

- (1) Whether the bonds or notes are to be issued in one or more series and the principal amount of each series;
- (2) For each series of the bonds or notes, the date of issuance, sale, and delivery of the bonds or notes, the maturity date or dates of the bonds (provided that the maximum maturity of any bond shall not exceed 30 years from the date of issuance) or notes (provided that the maximum maturity date of any note, including any renewal note issued to refund such note, shall not be later than the last day of the 3rd fiscal year following the fiscal year during which such note was originally issued), the dates for payment of principal and interest on the bonds or notes, and the amount of each installment or sinking fund payment of principal (provided that the principal installments on each series of the bonds shall begin no later than 3 years from the date of issuance of the series);
- (3) The rate or rates of interest or the method for determining the rate or rates of interest on each series of the bonds and notes; provided, that the interest rate or rates borne by the bonds of any series with fixed interest rates shall not exceed 15% per year (calculated on the basis of a 360-day year consisting of twelve 30-day months) in any event and that the interest rate or rates borne by the bonds of any series with non-fixed interest rates shall not exceed 15% per year (calculated on the basis of the actual number of days elapsed over a year of 365 or 366 days and based on the total amount of interest paid in any fiscal year), and the interest rate or rates borne by the notes of any series shall not exceed in the aggregate 10% per year (calculated on the basis of a 360-day year consisting of twelve 30-day months or on the basis of the actual number of days elapsed over a year of 365 or 366 days), as determined by the Mayor or the Authorized Delegate; provided further, that if the notes are not paid at maturity, the notes may provide for an interest rate or rates after maturity not to exceed in the aggregate 15% per year (calculated on the basis of a 360-day year consisting of twelve 30-day months or on the basis of the actual number of days elapsed over a year of 365 or 366 days), as determined by the Mayor or the Authorized Delegate;
- (4) For each series of the bonds or notes, the maximum debt service payable in any fiscal year in accordance with the amount permitted under section 11(a)(3);
- (5) The designation of any series of the bonds or notes and their denominations,

ENROLLED ORIGINAL

lettering, and numbering or the manner of determining the designations and denominations, lettering, and numbering;

(6) The price and terms under which any series of the bonds or notes may be paid, optionally or mandatorily redeemed, accelerated, tendered, called, or put for redemption, repurchase, or remarketing before their stated maturities;

(7) The final form, content, and terms of each series of the bonds and notes, including a determination that any series of the bonds or notes may be issued in book-entry form;

(8) The designation of a registrar, if other than the District, for any series of the bonds or notes and the execution and delivery of any necessary agreements relating to the appointment;

(9) The designation of a Paying Agent for any series of the bonds or notes and the execution and delivery of any necessary agreements relating to the appointment;

(10) Provisions for the registration, transfer, and exchange of the bonds or notes and the replacement of mutilated, lost, stolen, or destroyed bonds or notes; and

(11) Provisions for the security of holders of the bonds or notes, including, but not limited to, bond insurance or other credit enhancement.

(b) The bonds and notes shall be executed in the name of the District and on its behalf by the manual signature of the Mayor or an Authorized Delegate. To the extent required by the Home Rule Act, the official seal of the District or a facsimile of it shall be impressed, printed, or otherwise reproduced on the bonds and notes.

(c) The registrar shall manually authenticate each bond or note and maintain the books of registration for the payment of the principal of, and interest on, the bonds or notes and perform other ministerial responsibilities as specifically provided in its appointment as registrar, and the securities depository, if the bonds or notes are issued in book-entry form, shall maintain or cause to be maintained books of registration of owners of beneficial interests in the bonds or notes.

Sec. 7. Sale of the bonds and notes.

(a) The bonds of any series may be sold by the Mayor or an Authorized Delegate at a public sale upon receipt of sealed proposals (including electronic bids), or at a private sale on a negotiated basis in a manner as the Mayor or an Authorized Delegate may determine to be in the public interest, all pursuant to and in accordance with section 466 of the Home Rule Act. The notes of any series may be sold by the Mayor or an Authorized Delegate by competitive bid or negotiated sale as may be determined by the Mayor or an Authorized Delegate to be in the best interest of the District.

(b) The Mayor or an Authorized Delegate may prepare, or cause to be prepared, and may execute, for each sale of the bonds or notes, offering documents on behalf of the District and may authorize the distribution of the offering documents for the bonds or notes.

(c) The Mayor or an Authorized Delegate shall take actions and execute and deliver agreements, documents, and instruments (including any amendment of or supplement to any such agreement, document, or instrument) as required by or incidental to:

ENROLLED ORIGINAL

(1) The issuance of the bonds or notes;

(2) If and to the extent the bonds or notes are issued on a tax-exempt basis, the exclusion from gross income for federal income tax purposes of interest on the bonds or notes, the treatment of interest on the bonds or notes as not an item of tax preference for purposes of the federal alternative minimum tax, and the exemption from District taxation of interest on the bonds or notes;

(3) The performance of any covenants contained in this act or any purchase contract for the bonds or notes; and

(4) The execution, delivery, and performance of any financing documents in connection with the sale of the bonds or notes, including but not limited to, any Escrow Agreement, trust agreement, bond or note purchase agreement, or paying agent agreement.

(d) The bonds or notes shall not be issued until the Mayor or an Authorized Delegate receives an approving opinion from Bond Counsel as to the validity of the bonds or notes and, if and to the extent the bonds or notes are issued on a tax-exempt basis, the treatment of the interest on the bonds or notes for purposes of federal and District income taxation.

(e) The Mayor shall execute a bond issuance certificate or note issuance certificate, as the case may be, evidencing the determinations made and other actions taken by the Mayor for each series of the bonds or notes issued and shall designate in such certificate the amount of the bonds or notes to be used to finance capital projects or to refund or refinance Outstanding Debt, the amount of principal and interest on that amount of bonds or notes to be paid through sinking fund payments, redemptions, or otherwise, in each fiscal year, the date of the bonds or notes, the series designation, the authorized denominations, the Paying Agent or Agents, and any other matters pertaining to the bonds or notes, including any matters applicable under section 6(a). A copy of the bond issuance certificate or note issuance certificate, as the case may be, shall be filed with the Secretary to the Council not more than 3 days after the delivery of the bonds or notes covered by the certificate. Any bond issuance certificate or note issuance certificate shall be conclusive evidence of the actions or determinations taken or made as stated in the certificate.

(f) The Procurement Act and the Deposit and Investment Act shall not apply to whatever contract the Mayor or an Authorized Delegate may from time to time enter into for purposes of this act or the Mayor or an Authorized Delegate may determine to be necessary or appropriate for purposes of this act to place, in whole or in part, including, but not limited to:

(1) An investment or obligation of the District as represented by the bonds or notes;

(2) A contract or contracts for bond insurance or other credit enhancement (including, but not limited to, a letter or line of credits), or liquidity agreements, or placement of any investment or obligation or program of investment including any offering document, contract based on interest rate, currency, cash flow, or other basis, including, without limitation, interest rate swap agreements; currency swap agreements; insurance agreements; forward payment conversion agreements; futures contracts providing for payments based on levels of, or changes in, interest rates, currency exchange rates, or stock or other indices; contracts to exchange cash flows or a series of payments; and contracts to hedge payment, currency, rate, spread, or similar exposure, including, without limitation, interest rate floors, or caps, options,

ENROLLED ORIGINAL

puts, and calls, Hedge Agreements, and any required supplements to any such documents. The contracts or other arrangements may also be entered into by the District in connection with, or incidental to, entering into or maintaining any agreement that secures the bonds or notes. The contracts or other arrangements entered into pursuant to this section shall contain whatever payment security, terms, and conditions as the Mayor or an Authorized Delegate may consider appropriate and shall be entered into with whatever party or parties the Mayor or an Authorized Delegate may select, after giving due consideration, where applicable, to the creditworthiness of the counterparty or counterparties, including any rating by a nationally recognized rating agency or any other criteria as may be appropriate.

(3) A contract or contracts for an escrow agent, paying agent, disclosure agent, trustee, collection agent, registrar, underwriting, legal services, accounting, financial advisory services, rating agency services, printing, and any other contracts for services of professionals or advisors or for disclosure services as the Mayor or an Authorized Delegate may consider to be necessary or appropriate.

Sec. 8. Payment and security of the bonds and notes.

(a) The full faith and credit of the District is pledged for the payment of the principal of, and interest on, the bonds and notes as they become due and payable through required sinking fund payments, redemptions, or otherwise.

(b) The Council shall, in the full exercise of the authority granted in section 483 of the Home Rule Act and under any other law, provide in each annual budget for a fiscal year of the District sufficient funds to pay the principal of, and interest on, the bonds and notes becoming due and payable for any reason during that fiscal year.

(c) The Mayor shall, in the full exercise of the authority granted to the Mayor under the Home Rule Act and under any other law, take such actions as may be necessary or appropriate to ensure that the principal of, and interest on, the bonds and notes are paid when due for any reason, including the payment of principal and interest from any funds or accounts of the District not otherwise legally committed.

(d) The bonds and notes shall evidence continuing obligations of the District until paid in accordance with their terms.

(e) Any Paying Agent shall pay the principal of, and interest on, the bonds and notes and may perform other ministerial responsibilities as specifically provided in its appointment as paying agent.

(f) Proceeds of the bonds or notes and any money set aside for any security for the bonds or notes or any contract or other arrangement entered into pursuant to this section may be pledged to and used to service any contract or other arrangement providing for payment of principal of and interest on the bonds or notes.

Sec. 9. Special tax; establishment of rates; collection.

(a) (1) The Council determines that a special tax is necessary in conjunction with the authorization and issuance of the bonds and any Additional Bonds. Pursuant to section 481 of the

ENROLLED ORIGINAL

Home Rule Act and notwithstanding the provisions of Chapter 5 of Title 47 of the District of Columbia Official Code, there is levied, for each real property tax year in which bonds or Additional Bonds are outstanding, a special tax on the real property in the District subject to taxation, in amounts that will be sufficient to pay the principal of, and interest on, the bonds and Additional Bonds coming due in each year. This special tax is levied, without limitation as to rate or amount, on all classes of real property subject to taxation in the District. The special tax shall be collected and apportioned among classes of real property in the same manner as other District real property taxes and, when collected, shall be set aside in a Special Tax Fund maintained separate from other funds of the District. The collection and custody of the special tax payment may be pursuant to an agreement with an agent for such purposes and the Special Tax Fund may be maintained under an Escrow Agreement. When deposited, the funds in the fund and all investment income or earnings on these funds shall be irrevocably dedicated and pledged to the payment of principal, and interest on, the bonds and any Additional Bonds. Any Escrow Agreement providing for holding funds for the benefit of the holders of the bonds shall be maintained so long as any of the bonds is outstanding under this act.

(2) In addition to the special tax levied pursuant to subsection (a)(1) of this section, the Council determines that a separate tax levy is necessary in conjunction with the authorization and issuance of notes and any Additional Notes. Pursuant to section 467(a) of the Home Rule Act, and notwithstanding the provisions of Chapter 5 of Title 47 of the District of Columbia Official Code, there is levied, for each real property tax year in which notes or Additional Notes are outstanding, a special tax for notes on the real property in the District subject to taxation, which shall be separate and distinct from the collection and pledge of the special tax in subsection (a)(1) of this section, in amounts that will be sufficient to pay the principal of, and interest on, the notes and Additional Notes coming due in each year. This special tax for notes shall be levied, without limitation as to rate or amount, on all classes of real property subject to taxation in the District. The special tax for notes shall be collected and apportioned among classes of real property in the same manner as other District real property taxes and, when collected, shall be set aside in a Special Tax Fund for Notes maintained separate from other funds of the District, including the Special Tax Fund maintained under subsection (a)(1) of this section. The collection and custody of the revenue pledge payment may be pursuant to an agreement with an agent for such purposes and the Special Tax Fund for Notes may be maintained under an Escrow Agreement. When deposited, the revenues in the fund and all investment income or earnings on these funds shall be irrevocably dedicated and pledged to the payment of principal, and interest on, the notes and any Additional Notes. Any Escrow Agreement providing for holding funds for the benefit of the holders of the notes or Additional Notes shall be maintained so long as any of the notes or Additional Notes is outstanding under this act.

(3) The special taxes authorized pursuant to subsection (a)(1) and (2) of this subsection shall be levied and collected ratably and on a parity with each other, and in the event there are insufficient collections of real property taxes, the amounts collected shall be allocated to each of the Special Tax Funds in proportion of the amounts of bonds and Additional Bonds and notes and Additional Notes outstanding.

ENROLLED ORIGINAL

(b) The District irrevocably pledges for and on behalf of the owners of the bonds or notes as further security for the due and punctual payment of the principal and redemption price, if any, of, and interest on, the bonds or notes as they shall become due and payable for any reason, all of its right, title, and interest now owned or later acquired in and to the revenue from the applicable special taxes levied by this section, whether to be received, or held at the time, by a collection agent, custodian, or escrow agent for the District, or by District officials. This pledge creates and grants a parity security interest, which is created and perfected as contemplated in section 467 of the Home Rule Act, subject to the terms, conditions, and limitations in this act, including the provisions of subsections (e) and (i) of this section and the provisions setting forth conditions and limitations applicable to the issuance of Additional Bonds or Additional Notes secured, equally and ratably with the bonds or notes, respectively by a pledge of and security interest in the special tax revenue or special tax for notes revenue.

(c) The security interests created in the revenues from the special taxes levied by this section shall be valid, binding, and perfected from the time of the delivery of the first bonds or notes with or without the physical delivery or allocation of any special tax revenue or special tax for notes revenue and with or without any further action. The security interest shall be valid, binding, and perfected whether or not any statement, document, or instrument relating to the security interest is recorded or filed. The pledge and lien created by the security interest shall be valid, binding, and perfected with respect to any individual or legal entity having claims against the District, whether or not the individual or legal entity has notice of the pledge and lien.

(d) If the District pays or, pursuant to section 15, makes provisions to pay to the owners of all bonds and Additional Bonds or notes and Additional Notes the principal or redemption price, if any, and the interest due or to become due, at the time and in the manner stipulated, the security interest created in the revenue from the special taxes levied under this section shall be terminated.

(e)(1) In any real property tax year, if the amount expected to be on deposit in the Special Tax Fund on the first day of the next succeeding real property tax year exceeds the greater of the earnings on the Special Tax Fund for the current real property tax year or 1/12 of the amount that the Mayor certifies as required to pay the principal of, and interest on, the bonds and any Additional Bonds coming due in the next succeeding real property tax year, the Mayor shall either cause the transfer of that excess amount to the General Fund of the District of Columbia or the use of that excess amount to purchase, for cancellation, Outstanding Debt. That excess amount shall be released from the lien on and security interest in the special tax revenue created under this section.

(2) In any real property tax year, if the amount expected to be on deposit in the Special Tax Fund for Notes on the first day of the next succeeding real property tax year exceeds the greater of the earnings on the Special Tax Fund for Notes for the current real property tax year or 1/12 of the amount that the Mayor certifies as required to pay the principal of, and interest on, the notes and any Additional Notes coming due in the next succeeding real property tax year, the Mayor shall either cause the transfer of that excess amount to the General Fund of the District of Columbia or the use of that excess amount to purchase, for cancellation, Outstanding Debt. That excess amount shall be released from the lien on and security interest in the special tax for notes revenue created under this section.

ENROLLED ORIGINAL

(3) On or before the date upon which the Mayor is required by law to submit to the Council proposed real property tax rates for a real property tax year of the District (but not later than the first day of that real property tax year), the Mayor shall certify to the Council the amount required in that real property tax year to pay the principal of, and interest on, the bonds and any Additional Bonds or notes and any Additional Notes coming due for any reason during that real property tax year. The amount certified, less any funds then on deposit in the Special Tax Funds after application of paragraphs (1) and (2) of this subsection, shall be called the special tax requirement.

(f) On or before the date upon which the Mayor is required by law to submit to the Council proposed tax rates for a real property tax year of the District (but not later than the first day of that real property tax year), the Mayor shall calculate and submit to the Council proposed real property special tax rates to be applied during the real property tax year to all real property subject to taxation in the District. The real property special tax rates shall be calculated to yield the special tax requirement, as that amount is certified by the Mayor pursuant to subsection (e) of this section.

(g) The Council, in the same manner as provided for the establishment of other real property tax rates, shall, by act, establish real property special tax rates for the real property tax year calculated to yield the special tax requirement, as that amount is certified by the Mayor pursuant to subsection (e) of this section. If the Council fails to enact special real property tax rates for the real property tax year within the time provided by law, the real property special tax rates submitted by the Mayor pursuant to subsection (f) of this section shall be the real property special tax rates to be applied during that real property tax year.

(h) Real property special taxes shall be collected in the same manner as other District real property taxes and the Mayor shall promptly deposit in the Special Tax Funds all real property special taxes collected, including collection through a collection agent and deposit under an Escrow Agreement. If the law of the District relating to the levy or collection of real property taxes or the calculation or establishment of real property tax rates is changed in a manner that renders any of the provisions of subsections (e) through (h) of this section incapable of performance in accordance with their respective terms, the Mayor and the Council shall take actions that result in the collection of real property special taxes, in the same manner as other District real property taxes, in the amounts required by this section.

(i) The District and the Mayor reserve the right to satisfy all or a portion of the special tax pledge requirements by setting aside and depositing into the Special Tax Funds, equally and ratably, at any time any funds of the District not otherwise legally committed, which shall irrevocably dedicate and pledge those deposits to the payment of principal of, and interest on, the bonds and Additional Bonds or notes and any Additional Notes then outstanding. To the extent that all or a portion of the special tax requirement or revenue pledge requirement is satisfied by those deposits, an equal amount of real property special tax revenue or special tax for notes revenue subsequently collected shall be released from the lien on and the security interest in the special tax revenue or the special tax for notes revenue created under this section and shall be paid to reimburse the General Fund of the District of Columbia or other fund of the District of Columbia from which the other funds were received, and any other funds so deposited in lieu of a portion of the special tax revenues

ENROLLED ORIGINAL

or pledged property tax revenues shall be subject to the pledge and security interest under this act as if they were special tax revenues or special tax for notes pledged revenues pursuant to section 467 of the Home Rule Act.

(j) The Mayor shall provide for the payment of the principal of, and interest on, the bonds or notes, as it may become due and payable for any reason, by transferring funds on deposit in the Special Tax Funds, respectively, to the Paying Agent to the extent required pursuant to the bond or Additional Bond issuance certificate or note or Additional Note issuance certificate provided for in section 7.

Sec. 10. Issuance of bonds to pay notes when due.

(a) The District shall issue the bonds or, to the extent permitted by the Home Rule Act, renewal notes to provide for the payment of the principal of the notes, as they may become due and payable.

(b) The par value to be received from the sale of any bonds issued to refund the notes or any renewal notes shall, to the extent necessary, be used to pay the principal of, and interest on, the notes when due and are pledged to that purpose.

Sec. 11. General covenants.

(a) The following covenants are made by the District in connection with the authorization and issuance of the bonds:

(1) Pursuant to section 603(c) of the Home Rule Act, the Council shall not approve any budget that would result in expenditures being made by the District during any fiscal year in excess of all resources which the Mayor estimates will be available from all funds available to the District for that fiscal year, except as permitted by applicable law. The Mayor shall not forward to the President for submission to Congress a budget that is not balanced according to the provisions of section 603(c) of the Home Rule Act, except as permitted by applicable law.

(2) The District shall prepare its annual financial statements in accordance with generally accepted accounting principles for state and local governments and cause its annual financial statements to be audited by an independent accountant.

(3) The District shall not issue any general obligation bonds or general obligation bond anticipation notes, other than bonds or renewal notes to refund any Outstanding Debt, or incur any indebtedness to the Treasury of the United States for capital projects in an amount that would cause the amount of debt service payable in any fiscal year on all the indebtedness, including all outstanding bonds and loans, to exceed any limitations set forth in the Home Rule Act or the borrowing limitation set forth in D. C. Official Code § 47-335.02 at the time the additional bonds or indebtedness are issued or incurred. For purposes of the limitation imposed by this section, and as required by section 475(b) of the Home Rule Act, the Council hereby determines that the estimated maximum annual debt service amount for the bonds anticipated by the notes is \$30 million.

(4) Subject to applicable law, the District shall maintain a capital projects fund, separate from other funds of the District, into which it will deposit the proceeds of any bonds or

ENROLLED ORIGINAL

notes, other than bonds or notes issued to refund Outstanding Debt, less any capitalized interest and accrued interest, and shall expend the proceeds only to finance capital projects and incidental costs as defined in section 103(8) of the Home Rule Act. Subject to applicable law, the proceeds of the bonds or notes may be escrowed in appropriate accounts with escrow agents or a trustee for the bonds or notes to be applied to the applicable purposes. Interest or other investment earnings of proceeds in the capital projects fund shall be credited to the General Fund of the District of Columbia, subject to provisions for any deposit requirements to a rebate fund or other funds in accordance with agreements pertaining to the bonds or notes.

(b) The Mayor or an Authorized Delegate may, through a trust agreement or other instrument, make additional covenants of the District and agree to other provisions to better secure, administer funds for, and protect the bonds or notes and the owners thereof.

Sec. 12. Events of default.

(a) Each of the following events constitutes an event of default:

(1) Failure to pay the principal of the bonds or notes, as the case may be, when the principal becomes due and payable at maturity, upon redemption, or otherwise;

(2) Failure to pay an installment of interest on the bonds or notes, as the case may be, upon the day when the interest becomes due; and

(3) Failure by the District to observe and perform any covenant, condition, agreement, or provision, other than as specified in paragraphs (1) and (2) of this subsection, contained in the bonds or notes, as the case may be, or in this act, but only if the failure continues for a period of 90 days after transmittal to the District of written notice of failure.

(b) A bond or note owner who claims an event of default under subsection (a)(3) of this section shall provide to the registrar written notice specifying the failure and requesting that it be remedied. Upon verifying that the written notice has been transmitted by a bona fide bond or note owner, the registrar, if other than the District, shall transmit the written notice to the District. If the registrar is the District, the written notice shall be delivered directly to the Mayor. Transmittal to the District of the written notice required by subsection (a)(3) of this section shall not be accomplished in any manner other than that set forth in this subsection. If there is a trust agreement or Escrow Agreement for the bonds or notes, the notice by bond or note owners and notice to the District shall be given by and to the persons designated in or pursuant to such agreement.

Sec. 13. Remedies.

(a) Upon the occurrence and continuance of any event of default, any bond or note owner may:

(1) By mandamus or other suit, action, or proceeding at law or in equity, enforce all rights of the bond or note owner and require the District to carry out any agreements with or for the benefit of the bond or note owner and to perform its duties under this act;

(2) Bring suit upon the bonds or notes, as the case may be; and

(3) By action or suit at law or in equity, enjoin any acts that may be unlawful or in violation of the rights of the bond or note owner.

ENROLLED ORIGINAL

(b) If any proceeding initiated by any bond or note owner to enforce any right under this act is discontinued or abandoned for any reason, the District and the bond or note owner shall be restored to their former positions and rights, and all rights, remedies, and powers of each of the parties shall continue as though the proceeding had not been initiated.

(c) Subject to the provisions of the Home Rule Act, if there is a trust agreement or Escrow Agreement for the bonds or notes, actions under this act or such agreement, or on the bonds or notes, as the case may be, shall be subject to applicable provisions in the agreement, notwithstanding other provisions in this act.

Sec. 14. District officials.

(a) The elected and appointed officials, officers, employees, or agents of the District shall not be liable personally for the payment of the bonds or notes or be subject to any personal liability by reason of the issuance of the bonds or notes.

(b) The signature, countersignature, facsimile signature, or facsimile countersignature on the bonds or notes shall be valid and sufficient for all purposes, notwithstanding the fact that the official ceases to be that official before delivery of the bonds or notes.

Sec. 15. Defeasance of bonds and notes.

(a) The bonds or notes, as the case may be, shall be legally defeased and no longer be considered outstanding and unpaid for the purpose of this act, and the requirements of this act shall be discharged with respect to the bonds or the notes if the Mayor or an Authorized Delegate:

(1) Deposits with an escrow agent, which shall be a bank, trust company, or national banking association with requisite trust powers, in a separate defeasance escrow account, established and maintained by the escrow agent solely at the expense of the District and held in trust for the bond owners, sufficient moneys or direct obligations of the United States, the principal of, and interest on, which, when due and payable, will provide sufficient moneys to pay when due the principal of, and interest on, the bonds or notes to be defeased; and

(2) Delivers to the defeasance escrow agent an irrevocable letter of instruction to apply the moneys or investments to the payment of the principal of and interest on, the bonds or notes to be defeased as they become due and payable.

(b) The defeasance escrow agent shall not invest the defeasance escrow account in any investment callable at the option of its issuer if the call could result in less than sufficient moneys being available for the purposes required by this section.

(c) The defeasance escrow account specified in subsection (a) of this section may be established and maintained without regard to any District limitations placed on these accounts by any law, except for this act.

(d) References in this section to "amounts due and payable" include, but are not limited to, amounts due and payable by reason of optional or mandatory redemption.

ENROLLED ORIGINAL

Sec. 16. Additional debt and other obligations.

Subject to the terms of any trust agreement or Escrow Agreement pertaining to the bonds or notes, the District reserves the right at any time to borrow money or enter into other obligations to the full extent permitted by law, to secure the borrowings or obligations by the pledge of its full faith and credit, to secure the borrowings or other obligations by any other security and pledges of funds as may be authorized by law, and to issue bonds, including Additional Bonds, notes, including Additional Notes, or other instruments, to evidence the borrowings or obligations. Any act of the Council authorizing the issuance of Additional Bonds or Additional Notes shall provide for an increase in the special tax requirements sufficient to pay principal of, and interest on, the Additional Bonds or Additional Notes.

Sec. 17. Tax status.

If and to the extent the bonds or notes are issued on a tax-exempt basis, the Mayor or an Authorized Delegate shall not (1) take any action or omit to take any action, or (2) invest, reinvest, or accumulate any moneys in a manner that will cause the interest on the bonds or notes, as the case may be, to be includable in gross income for federal income tax purposes or to be treated as an item of tax preference for purposes of the federal alternative minimum tax. The Mayor or an Authorized Delegate shall also take all actions necessary to be taken, including to make any rebate payment, if any, when due, so that the interest on the bonds or notes will not be includable in gross income for federal income tax purposes or be treated as an item of tax preference for purposes of the federal alternative minimum tax.

Sec. 18. Contract.

This act shall constitute a contract between the District and the owners of the bonds and notes. To the extent that any acts or resolutions of the Council may be in conflict with this act, this act shall be controlling with respect to bonds and notes.

Sec. 19. Authorized delegation of authority.

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

Sec. 20. Maintenance of documents.

Copies of the specimen bonds and notes and related documents shall be filed in the Office of the Secretary of the District of Columbia.

Sec. 21. Information reporting.

(a) Within 3 days after the Mayor's receipt of the transcript of proceedings relating to the issuance of any series of the bonds or notes, the Mayor shall transmit a copy of the transcript to the Secretary to the Council.

(b) The Mayor shall notify the Council, within 30 days, if any funds or accounts of the District not otherwise legally committed have been used for the payment of principal of

ENROLLED ORIGINAL

and interest on the bonds pursuant to section 8(c).

(c)(1) The Mayor's letter of transmittal accompanying the submission of any proposed resolution to approve the issuance of bonds or notes pursuant to this act shall include a statement as to:

(A) Whether the bonds or notes of any series are intended to be sold by competitive bid or by negotiated sale and, if bonds of any series are intended to be sold by negotiated sale, a copy of the Mayor's written determination that sale by competitive bid is not feasible or is not in the best interests of the District and a statement of the reasons supporting this determination; and

(B) Whether the bonds or notes of any series are intended to be issued on a tax-exempt or taxable basis.

(d)(1) No portion of the proceeds of the sale of bonds or notes shall be used to compensate a District employee unless the employee actually performs duties related to the projects financed by this act, as provided in section 5(e).

(2) Within 30 days after the effective date of this act, and before any bonds or notes are issued pursuant to this act, the Mayor shall submit to the Council a list of all District employees who are compensated, in whole or part, by capital improvement funds.

(e) With respect to a negotiated sale of bonds or notes, the underwriters shall provide written notification to the District of the following circumstances:

(1) Any relationship, during the prior 2 years, with elected or appointed District officials, or the District's bond counsel or financial advisor, that could create a conflict of interest or apparent conflict of interest with the duties performed, or to be performed, by such underwriters or other advisors for the District;

(2) Any arrangement, during the prior 2 years, to share fees with other underwriters, firms, or individuals in connection with the provision of services to the District by either entity; and

(3) Any public finance transaction for any other issuer where the underwriter, or prospective underwriter, is serving, or has served in the prior 2 years, as financial advisor in any transaction where the District's financial advisor was, or is, an underwriter.

Sec. 22. Period of limitations.

At the end of the 20-day period beginning on the date of the first publication pursuant to the notice in section 463(a) of the Home Rule Act that an act authorizing the issuance of the bonds has taken effect:

(1) Any recital or statement of fact contained in such act or in the preamble or title of this act shall be deemed to be true for the purpose of determining the validity of any bonds authorized by this act, and the District and all others interested shall be estopped from denying any such recital or statement of fact; and

(2) This act, and all proceedings in connection with the authorization of the issuance of bonds authorized by this act, shall be deemed to have been duly and regularly taken, passed, and done by the District, in compliance with the Home Rule Act and all other applicable

ENROLLED ORIGINAL

laws, for the purpose of determining the validity of this act and the proceeding in connection with the authorization and issuance of bonds authorized by this act; and no court shall have jurisdiction in any suit, action, or proceeding commenced before the end of such 20-day period.

TITLE II. CONFORMING AMENDMENT.

Sec. 201. Section 47-336(4) of the District of Columbia Official Code is amended to read as follows:

“(4) “Special real property tax levy” means those portions of the real property tax levy required by District of Columbia general obligation bonds or general obligation notes acts to be deposited in the debt service funds so that, when added to the funds already on deposit in the funds, the funds will be sufficient to pay the principal and interest on all outstanding general obligation bonds and additional bonds or general obligation notes and additional notes coming due in any year.”.

TITLE III. SEVERABILITY.

Sec. 301. Severability.

As provided in the General Rule of Severability Adoption Act of 1983, effective March 14, 1984 (D.C. Law 5-56; D.C. Official Code § 45-201), if any provision of this act or the application of this act to any person or circumstance is held to be unconstitutional or beyond the statutory authority of the Council, or otherwise invalid, the invalidity shall not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

TITLE IV. GENERAL PROVISIONS.

Sec. 401. Fiscal impact statement.

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

Sec. 402. Effective date.

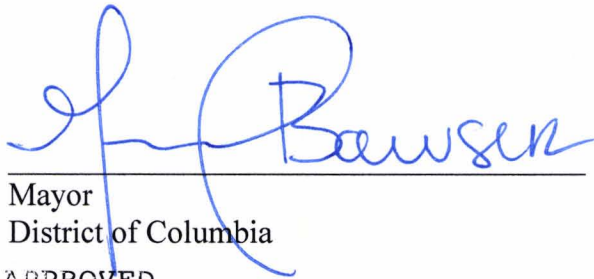
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

ENROLLED ORIGINAL

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED
October 4, 2017

ENROLLED ORIGINAL

AN ACT

D.C. ACT 22-145

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

OCTOBER 4, 2017

To approve, on an emergency basis, Modification No. 7 and proposed Modification No. 8 to Contract No. CW28295 with Maru Solutions, Incorporated, to provide Mission Oriented Business Integrated Services, and to authorize payment for the goods and services received and to be received under the modifications.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Modifications to Contract No. CW28295 Approval and Payment Authorization Emergency Act of 2017".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Modification No. 7 and proposed Modification No. 8 to Contract No. CW28295 with Maru Solutions, Incorporated, to provide Mission Oriented Business Integrated Services to the District government, and authorizes payment in the not-to-exceed amount of \$10 million for the goods and services received and to be received under the modifications.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

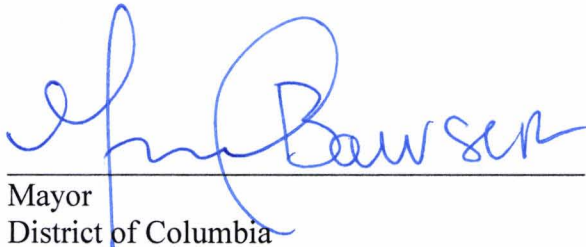
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in

ENROLLED ORIGINAL

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
October 4, 2017

ENROLLED ORIGINAL

A RESOLUTION

22-233

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

October 3, 2017

To declare the existence of an emergency, due to congressional review, 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 Congressional Review Emergency Declaration Resolution of 2017”.

Sec. 2. (a) On July 11, 2017, the Council passed the Voter Rolls Protection Emergency Act of 2017, effective July 25, 2017 (D.C. Act 22-108; 64 DCR 7392) (“emergency act”), which will expire on October 23, 2017.

(b) On September 19, 2017, the Council passed the Voter Rolls Protection Temporary Act of 2017, passed on 2nd reading on September 19, 2017 (Enrolled version of Bill 22-391) (“temporary act”). The temporary act is currently undergoing mayoral review with a response due on October 6, 2017, and will not become law until after the expiration of the emergency act.

(c) This congressional review emergency legislation is necessary to prevent a gap in the law between the expiration of the emergency act and the effective date of the temporary act.

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 Congressional Review Emergency Act of 2017 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-234

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

October 3, 2017

To declare the existence of an emergency, due to congressional review, 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 Congressional Review 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 Arena.

(e) This congressional review emergency legislation is necessary to ensure that there is no gap between when the Fort Dupont Ice Arena Programming Emergency Amendment Act of 2017, enacted on June 25, 2017 (D.C. Act 22-107; 64 DCR 7390), expires on October 23, 2017, and when the Fort Dupont Ice Arena Programming Temporary Amendment Act of 2017, passed on 2nd reading on September 19, 2017 (Enrolled version of Bill 22-389), becomes effective.

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 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

22-235

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

October 3, 2017

To declare the existence of an emergency, due to congressional review, 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 Congressional Review 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) An 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.

(f) This congressional review emergency is needed because the Capitol Riverfront Business Improvement District Emergency Amendment Act, effective July 28, 2017 (D.C. Act 22-122; 64 DCR 7420), expires on October 26, 2017, and the permanent version of the legislation has not yet been enacted.

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 Capitol Riverfront Business Improvement District 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

22-237

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

October 3, 2017

To declare the existence of an emergency with respect to the need to approve Modification Nos. 9, 10, and 11 to Contract No. CW26186 with Fleetpro, Inc. to provide on-site fleet preventative maintenance services, and 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. CW26186 Approval and Payment Authorization Emergency Declaration Resolution of 2017”.

Sec. 2 (a) There exists a need to approve Modification Nos. 9, 10, and 11 to Contract No. CW26186 with Fleetpro, Inc. to provide on-site fleet preventative maintenance services, and authorize payment for the goods and services received and to be received under the modifications.

(b) By Modification No. 9, dated January 12, 2017, the Office of Contracting and Procurement (“OCP”), on behalf of the Department of Public Works, exercised a partial option of Option Year 3 of Contract No. CW26186 for the period from February 12, 2017, through August 11, 2017, in the estimated amount of \$606,144.

(c) By Modification No. 10, dated July 5, 2017, OCP exercised a partial option of Option Year 3 for the period from August 12, 2017, through November 11, 2017, in the estimated amount of \$303,072.

(d) Modification No. 11 is now necessary to exercise the remainder of Option Year 3 for the period from November 12, 2017, through February 11, 2018, in the amount of \$303,072.03, which will increase the total estimated contract amount for Option Year 3 from \$909,216 to \$1,212,288.03.

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

(f) Approval is necessary to allow the continuation of these vital services. Without this approval, Fleetpro, Inc. cannot be paid for goods and services provided in excess of \$1 million for the contract period February 12, 2017, through February 11, 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. CW26186 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

22-239

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

October 3, 2017

To express the Council's opposition to a law that requires in all circumstances, or requires in the absence of compelling circumstances warranting an exception, the revocation, or suspension for at least 6 months, of the driver's license of any individual who is convicted, after the enactment of such law, of any violation of the federal Controlled Substances Act or any drug offense.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Opposition to the Revocation or Suspension of Drivers' Licenses of Individuals Convicted of Drug Offenses Resolution of 2017".

Sec. 2. Pursuant to 23 U.S.C. § 159(a)(3)(B)(ii), the Council opposes a law described in 23 U.S.C. § 159(a)(3)(A), relating to the revocation, suspension, issuance, or reinstatement of drivers' licenses to convicted drug offenders.

Sec. 3. Transmittal.

The Council shall transmit a copy of this resolution, upon its adoption, to the Mayor and the Secretary of the United States Department of Transportation.

Sec. 4. Fiscal impact statement.

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

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

ENROLLED ORIGINAL

A RESOLUTION

22-240

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

October 3, 2017

To declare the existence of an emergency with respect to the need to allow food establishments to permit dogs in outdoor dining areas and unenclosed sidewalk cafés.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Dining with Dogs Emergency Declaration Resolution of 2017”.

Sec. 2. (a) Owners taking their dogs to outdoor dining areas, such as patios, is a tradition for some restaurants and a part of their business model. Until recently, the restaurants have been able to do so without interference.

(b) Last month, the Department of Health, acting under authority of an outdated regulation that states that live animals shall not be allowed on the premises of a food establishment, effectively interfered with how many food establishments are run.

(c) While there is a warranted concern for dogs being inside food establishments and near where food preparation takes place, the Dining with Dogs Emergency Act of 2017 (“Emergency Act”) represents common sense legislation narrowly tailored to ensure that dogs neither enter the interior of food establishments nor come near any place where food is prepared.

(d) The Emergency Act will allow food establishment owners to make their own decisions about whether to allow dogs in outdoor dining areas and will give food establishments the option to do so without fear of retribution.

(e) Additionally, the Emergency Act places requirements on both owners of food establishments and patrons, if the owner decides to allow dogs in outdoor seating areas.

(f) Before winter arrives, there is a narrow time frame in which owners of food establishments can offer outdoor dining to patrons and their dogs.

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 Dining with Dogs Emergency Act of 2017 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-241

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

October 3, 2017

To declare the existence of an emergency, due to congressional review, 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 Congressional Review 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) That emergency act was needed because of situations like that of Momma, a Pitbull that was left outside during a Homeland Security Emergency Management Agency extreme cold weather advisory.

(c) Permanent legislation creating similar protections, 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) The permanent legislation will not become law before the weather cools down for the rest of the year, and extreme heat poses as great a danger to animals as extreme cold temperatures.

(e) Already, 2 dogs this year have been rescued from hot cars and a third dog has died from heat exposure from being left outside.

(f) The congressional review emergency bill (“CRE”) creates a standard of care for animals, including requirements of adequate care, feed, space, shelter, and water.

(g) The CRE outlines what constitutes an adequate shelter for dogs confined outdoors.

(h) The CRE specifically prohibits leaving an animal alone in a vehicle in such a way as to endanger the animal’s health or safety.

ENROLLED ORIGINAL

(i) The CRE also requires that when the temperature reaches above 90 degrees Fahrenheit, animals shall not be left outdoors and unattended for more than 15 minutes unless the age, condition, size, and type of animal allows the animal to withstand the extreme weather.

(j) The CRE 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) Bill 22-64, the Standard of Care for Animals Amendment Act of 2017 will be approved on final reading by the Council on October 3, 2017. Bill 22-64 will be pending congressional review at the time Bill 22-392, the Standard of Care for Animals Emergency Amendment Act of 2017, effective July 31, 2017 (D.C. Act 22-137; 64 DCR 7787), expires on October 29, 2017. Therefore, the congressional review emergency bill is required.

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 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

22-242

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

October 3, 2017

To declare the existence of an emergency with respect to the need to make minor, technical, and clarifying amendments to various budget-related provisions of law, to provide funding for the collective bargaining agreement between the District of Columbia Public Schools and the Washington Teachers' Union, and to provide additional funding to District of Columbia public charter schools.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Fiscal Year 2018 Budget Support Clarification Emergency Declaration Resolution of 2017".

Sec. 2. (a) On June 27, 2017, the Council passed Bill 22-244, the Fiscal Year 2018 Budget Support Act of 2017 ("Act"). Following the passage of the Act, staff at the Office of the Chief Financial Officer and the Council identified certain provisions in the Act that need to be clarified or amended to effectuate their intent.

(b) The proposed modifications include conforming amendments, clarifying provisions, or other minor amendments that must go into effect immediately to clarify the law and implement the Fiscal Year 2018 Budget and Financial Plan as approved by the District.

(c) Furthermore, there exists an immediate need to provide funding for the recently negotiated collective bargaining agreement between the District of Columbia Public Schools and the Washington Teachers' Union (the "WTU Contract"). Certain legislative changes are necessary to allocate funding based on the June 2017 and September 2017 revenue estimates.

(d) In addition to allocating funding for the WTU Contract, other legislative changes are necessary to implement the contract, such as modifying the Fiscal Year 2018 uniform per student funding formula and authorizing certain payments to public charter schools.

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 Clarification Emergency Amendment Act of 2017 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-243

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

October 3, 2017

To declare the existence of an emergency, due to congressional review, with respect to the need to enact and amend provisions of law necessary to support the Fiscal Year 2018 budget.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Fiscal Year 2018 Budget Support Congressional Review Emergency Declaration Resolution of 2017”.

Sec. 2. (a) On June 27, 2017, the Council passed the Fiscal Year 2018 Budget Support Emergency Act of 2017, effective July 20, 2017 (D.C. Act 22-104; 64 DCR 7032) (“Emergency Act”), which enacted and amended provisions of law necessary to support the Fiscal Year 2018 budget and will expire on October 18, 2017.

(b) On June 27, 2017, the Council also passed the Fiscal Year 2018 Budget Support Act of 2017, enacted on July 31, 2017 (D.C. Act 22-130; 64 DCR 7652) (“Permanent Act”), which is substantially similar to the Emergency Act. Transmittal of the Permanent Act to Congress is pending.

(c) The congressional review period for the Permanent Act will create a gap in authority between expiration of the Emergency Act and effective date of the Permanent Act. This congressional review emergency act is necessary to avoid that gap in the implementation of the Fiscal Year 2018 Budget and Financial Plan.

(d) In addition, the Emergency Act does not reflect amendments made to the Permanent Act by the Fiscal Year 2018 Budget Support Clarification Emergency Amendment Act of 2017, as introduced on October 3, 2017 (Bill 22-491), and the Fiscal Year 2018 Budget Support Clarification Temporary Act of 2017, as introduced on October 3, 2017 (Bill 22-492), both of which will be considered at the October 3, 2017 legislative meeting. These amendments are included in this congressional review emergency act and given retroactive effect to ensure that provisions related to funding for the collective bargaining agreement for the Washington Teachers’ Union are in effect during the period from October 1, 2017, until the Permanent Act becomes effective.

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 Congressional Review Emergency Act of 2017 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-244

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

October 3, 2017

To declare the existence of an emergency with respect to the need to amend the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011 to enhance the reporting requirements of political action committees and independent expenditure committees during nonelection years and to apply current contribution limitations to political action committees during nonelection years.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Campaign Finance Reform and Transparency Emergency Declaration Resolution of 2017”.

Sec. 2. (a) On December 6, 2016, the Council passed the Campaign Finance Reform and Transparency Emergency Amendment Act of 2016, effective December 24, 2016 (D.C. Act 21-584; 63 DCR 16043), which expired on March 24, 2017.

(b) On December 20, 2016, the Council passed the Campaign Finance Reform and Transparency Temporary Amendment Act of 2016, effective April 1, 2017 (D.C. Law 21-235; 64 DCR 3408) (“temporary act”), which will expire on November 12, 2017.

(c) This second round of identical emergency and temporary legislation is necessary to prevent a gap in the law between the expiration of the temporary act and the incorporation of its provisions into permanent legislation pending in the Committee on the Judiciary and Public Safety.

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 Campaign Finance Reform and Transparency Emergency Amendment Act of 2017 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-245

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

October 3, 2017

To declare the existence of an emergency with respect to the need to amend the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011 to increase the quorum requirement of the District of Columbia Board of Ethics and Government Accountability from 2 members to a majority of the sitting members.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Ethics Board Quorum Emergency Declaration Resolution of 2017”.

Sec. 2. (a) The District of Columbia Board of Ethics and Government Accountability (“Ethics Board”) was established in 2012 as a 3-member board, pursuant to section 202 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 § 1-1162.02). Since its establishment, the Ethics Board has had a quorum requirement of 2 members.

(b) When the Council increased the size of the Ethics Board from 3 members to 5 members in section 1082(a) of the Board of Ethics and Government Accountability Board Size Amendment Act of 2015, effective October 22, 2015 (D.C. Law 21-36; 62 DCR 10905), it did not also increase the Ethics Board’s quorum requirement.

(c) Having a quorum requirement of 2 members makes it difficult for 2 members to have even an informal discussion without running the risk of having a “meeting,” as that term is defined in section 404(1) of the Open Meetings Act, effective March 31, 2011 (D.C. Law 18-350; D.C. Official Code § 2-574(1)).

(d) Emergency legislation is necessary to amend the quorum requirement to align with the Ethics Board’s expansion.

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 Ethics Board Quorum Emergency Amendment Act of 2017 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-247

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

October 3, 2017

To declare the existence of an emergency with respect to the need to authorize the Mayor and the Council to make appointments to the Board of Directors of the Washington Metrorail Safety Commission; and to make a conforming amendment to the Confirmation Act of 1978.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Washington Metrorail Safety Commission Board of Directors Appointment Emergency Declaration Resolution of 2017”.

Sec. 2. (a) There exists an immediate need to authorize the Mayor and the Council to make appointments to the Board of Directors of the Washington Metrorail Safety Commission (“Commission”), pursuant to Article III.B. of section 2 of the Washington Metrorail Safety Commission Establishment Act of 2016, effective April 7, 2017 (D.C. Law 21-250; D.C. Official Code § 9-1109.11) (“Metrorail Safety Act”).

(b) The Council approved the Metrorail Safety Act in order for the District of Columbia to enter into the Metrorail Safety Commission Interstate Compact (“Compact”) with the Commonwealth of Virginia and the State of Maryland. The goal of entering the Compact was to create the Commission, which is a legally and financially independent safety authority, to provide oversight over the Washington Metropolitan Area Transit Authority Metrorail System (“WMATA Metrorail System”).

(c) The Commission replaces the Tri-state Oversight Committee (“TOC”) which previously served as the State Safety Oversight agency for the WMATA Metrorail System. This is necessary because the TOC lacked the enforcement authority, the technical expertise, and sufficient resources to conduct its oversight responsibilities over the WMATA Metrorail System.

(d) Since October 9, 2015, the Federal Transit Administration (“FTA”) has taken over all oversight, inspection, and enforcement responsibilities of the WMATA Metrorail System from the TOC. The FTA will continue to administer safety oversight of the WMATA Metrorail System until the Commission is stood up and certified by the FTA to take over the safety oversight responsibilities.

(e) The Commission will have exclusive authority and responsibility over the WMATA Metrorail System with the power to restrict, suspend, or prohibit rail service on all or part of the WMATA Metrorail System. In addition, the Commission will develop and

ENROLLED ORIGINAL

adopt a written state safety oversight program standard; review and approve the WMATA Public Transportation Agency Safety Plan; investigate Hazards, Incidents, and Accidents; approve and oversee Corrective Action Plans; and meet other requirements of federal and state law relating to safety oversight of the WMATA Metrorail System.

(f) The Compact requires that the Commission be governed by a Board of Directors (“Board”) consisting of 6 Members. The District of Columbia, Maryland, and Virginia are each required to appoint 2 Members and one Alternate Member pursuant to each jurisdiction’s applicable laws.

(g) Currently, the District does not have a law that specifies how it will make its appointments to the Board.

(h) Emergency legislation would address this issue by allowing the Mayor to appoint one Member and the Alternate Member to the Board, with the advice and consent of the Council, and allow the Council to appoint the other Member to the Board.

(i) Since the Council has approved the Metrorail Safety Act, both Maryland and Virginia have adopted similar legislation, Congress has ratified the Compact, and it was signed into law by the President.

(j) With the Compact becoming law, it is important to immediately appoint Members to the Board to get the Commission up and running so that the FTA can transfer the safety oversight responsibilities of the WMATA Metrorail System to the Commission. This emergency legislation will allow the District to move quickly on this issue.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Washington Metrorail Safety Commission Board of Directors Appointment Emergency Amendment Act of 2017 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-248

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

October 3, 2017

To declare the existence of an emergency with respect to the need to clarify that the Office of the Attorney General is authorized to enforce the District of Columbia Consumer Protection Procedures Act against housing providers that violate certain consumer protection laws that protect tenants.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “At-Risk Tenant Protection Clarifying Emergency Declaration Resolution of 2017”.

Sec. 2. (a) By bringing enforcement actions or investigations under the District of Columbia Consumer Protection Procedures Act, D.C. Official Code § 28-3901, *et seq.* (“CPPA”), the District government is increasingly looking to protect tenant-consumers from unscrupulous housing providers that fail to live up to their obligations.

(b) The CPPA provides the Attorney General with flexible enforcement tools to address problem housing providers, including the ability to enjoin bad conduct, recover restitution for tenant-consumers forced to live in substandard conditions, and penalties to deter future violations.

(c) For instance, in one case filed in the Superior Court of the District of Columbia, the Attorney General recently obtained more than \$268,000 in rent refunds that will go to consumers allegedly forced by their housing provider to live in slum-like conditions.

(d) However, there remains the possibility that a District of Columbia court might question whether the District has authority to bring a CPPA enforcement action in the landlord-tenant arena.

(e) This concern is due to language in the CPPA that prevents the Department of Consumer and Regulatory Affairs (“DCRA”) from applying the CPPA to “landlord-tenant relations.” D.C. Official Code § 28-3903(c)(2)(A).

(f) Even though this exclusion, by its express terms, only applies to DCRA, a court might nevertheless wrongly interpret that provision to foreclose an enforcement action brought by the Attorney General under the CPPA.

(g) There are active CPPA enforcement cases and non-public investigations in the landlord-tenant arena that could be jeopardized by a wrong interpretation of the CPPA’s

ENROLLED ORIGINAL

landlord-tenant exclusion. It is therefore necessary to clarify that the Attorney General may enforce the CPPA in the area of landlord-tenant relations.

(h) Therefore, there exists an immediate need to clarify existing law on an emergency basis so that current District tenants that might be helped by the Attorney General's active enforcement in this area are not potentially robbed of the full protections due them under District law.

(i) This emergency legislation is necessary because the temporary legislation currently in effect, the At-Risk Tenant Protection Clarifying Temporary Amendment Act of 2016, effective April 15, 2017 (D.C. Law 21-271; 64 DCR 944), will expire on November 26, 2017, and the Council has not yet passed permanent legislation, the At-Risk Tenant Protection Clarifying Amendment Act of 2017, as introduced on March 7, 2017 (Bill 22-170).

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 At-Risk Tenant Protection Clarifying Emergency Amendment Act of 2017 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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

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

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

COUNCIL OF THE DISTRICT OF COLUMBIA**PROPOSED LEGISLATION****BILLS**

- | | |
|---------|---|
| B22-514 | Relief from Firearms Disqualification Amendment Act of 2017

Intro. 10-3-17 by Councilmembers Allen, Silverman, Grosso, Cheh, McDuffie, and Chairman Mendelson and referred to the Committee on Judiciary and Public Safety |
| <hr/> | |
| B22-515 | Gas Station Advisory Board Amendment Act of 2017

Intro. 10-3-17 by Chairman Mendelson and Councilmembers Cheh and Evans and referred to the Committee on Transportation and the Environment |
| <hr/> | |
| B22-516 | Reducing Criminalization to Improve Community Safety and Health Amendment Act of 2017

Intro. 10-5-17 by Councilmembers Grosso and R. White and referred to the Committee on Judiciary and Public Safety |
-

PROPOSED RESOLUTIONS

- PR22-526 Medical Marijuana Reciprocity Rulemaking Approval Resolution of 2017
- Intro. 10-2-17 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Health with comments from the Committee on Judiciary and Public Safety
-
- PR22-527 Reimbursable Detail Subsidy Program Resolution of 2017
- Intro. 10-3-17 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Business and Economic Development with comments from the Committee on Judiciary and Public Safety
-
- PR22-528 Public Employee Relations Board Barbara Somson Confirmation Resolution of 2017
- Intro. 10-4-17 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Labor and Workforce Development
-
- PR22-529 Health Benefit Exchange Authority Executive Board Dr. Leighton Ku Confirmation Resolution of 2017
- Intro. 10-4-17 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Health
-
- PR22-530 Health Benefit Exchange Authority Executive Board Dr. Henry J. Aaron Confirmation Resolution of 2017
- Intro. 10-4-17 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Health
-

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

1350 Pennsylvania Avenue, NW, Washington, DC 20004

CHAIRMAN PHIL MENDELSON
COMMITTEE OF THE WHOLE
ANNOUNCES A PUBLIC HEARING

on

Bill 22-31, Stop Work Order Disclosure and Regulation Amendment Act of 2017

Bill 22-317, Notification of Vacant and Blighted Classification Amendment Act of 2017

Bill 22-381, Landlord Transparency Amendment Act of 2017

Bill 22-396, Property Manager Licensing Amendment Act of 2017

on

Thursday, November 9, 2017

11:00 a.m., Hearing Room 120 John A. Wilson Building

1350 Pennsylvania Avenue, NW

Washington, DC 20004

Council Chairman Phil Mendelson announces a public hearing before the Committee of the Whole on **Bill 22-31**, the “Stop Work Order Disclosure and Regulation Amendment Act of 2017,” **Bill 22-317**, the “Notification of Vacant and Blighted Classification Amendment Act of 2017,” **Bill 22-381**, the “Landlord Transparency Amendment Act of 2017”, and **Bill 22-396**, the “Property Manager Licensing Amendment Act of 2017”. The hearing will be held at 11:00 a.m. on Thursday, November 9, 2017 in the Hearing Room 120, of the John A. Wilson Building.

The stated purpose of **Bill 22-31** is to require that sellers of residential real property must disclose any stop work orders that had been issued against the property during the sellers ownership or control of the property. The stated purpose of **Bill 22-317** is to require that Notices of Vacant or Blighted Property determinations be mailed electronically to the Office of the Advisory Neighborhood Commission, the affected Advisory Neighborhood Commission and posted on the vacant building. The notice of final determination shall also include reference to and evaluation of any evidence provided by the affected Advisory Neighborhood Commission. It also establishes what information must be provided by the Real Property Tax Appeals Commission for the District of Columbia to the Office of Advisory Neighborhood Commission and the affected Advisory Neighborhood Commission. The stated purpose of **Bill 22-381** is to authorize the Mayor or Mayor's designee to compel the production of ownership records by subpoena after a finding of ten housing code violations in a single housing unit or thirty-five violations in a single building. The state purpose of **Bill 22-396** is to define the term property manager and clarify the scope of duties of licensed property managers in the District. It specifies the education requirements that must be met prior to licensing, inclusive of coursework on common interest communities.

Those who wish to testify must email the Committee of the Whole at cow@dccouncil.us, or call Randi Powell, Legislative Policy Advisor, at 202-724-8196, and provide your name, address, telephone number, organizational affiliation and title (if any) by close of business Tuesday, November 7, 2017. Persons wishing to testify are encouraged, but not required, to submit 15 copies of written testimony. If submitted by the close of business on Wednesday, November 8, 2017 the testimony will be distributed to Councilmembers before the roundtable. Witnesses should limit their testimony to four minutes; less time will be allowed if there are a large number of witnesses.

If you are unable to testify at the roundtable, written statements are encouraged and will be made a part of the official record. Written statements should be submitted to the Committee of the Whole, Council of the District of Columbia, Suite 410 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004. The record will close at 5:00 p.m. on November 23, 2017.

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

1350 Pennsylvania Avenue, NW, Washington, DC 20004

CHAIRMAN PHIL MENDELSON
COMMITTEE OF THE WHOLE
ANNOUNCES A PUBLIC HEARING

on

Bill 22-127, City Innovation Fund Re-Establishment Amendment Act of 2017

on

**Wednesday, November 1, 2017
9:30 a.m., Room 412, John A. Wilson Building
1350 Pennsylvania Avenue, NW
Washington, DC 20004**

Council Chairman Phil Mendelson announces a public hearing before the Committee of the Whole on **Bill 22-127**, the “City Innovation Fund Re-Establishment Amendment Act of 2017.” The hearing will be held at 9:30 a.m. on Wednesday, November 1, 2017 in Room 412 of the John A. Wilson Building.

The stated purpose of Bill 22-395 is to amend the Fiscal Year 2014 Budget Support Act of 2013 to re-establish the City Innovation Fund in Fiscal Year 2018. The Innovation Fund was established in Fiscal Year 2014 to provide subgrants to nonprofit organizations in education, job training, health, services for seniors, arts, public safety, and the environment in an amount up to \$100,000 for each subgrant. The fund was managed by the Community Foundation for the National Capital Region. The program was authorized through fiscal year 2016. As introduced, Bill 22-127 would raise the subgrant cap to \$200,000, put the fund under the oversight of the Deputy Mayor for Health and Human Services, and authorize up to \$15 million per year for the fund, subject to annual appropriations through the budget process.

Those who wish to testify are asked to email the Committee of the Whole at cow@dccouncil.us, or call Evan Cash, Committee and Legislative Director at (202) 724-7002, and to provide your name, address, telephone number, organizational affiliation and title (if any) by close of business Monday, **October 30, 2017**. Persons wishing to testify are encouraged, but not required, to submit 15 copies of written testimony. If submitted by the close of business on October 30, 2017 the testimony will be distributed to Councilmembers before the hearing. Witnesses should limit their testimony to four minutes; less time will be allowed if there are a large number of witnesses. Copies of the legislation can be obtained through the Legislative Services Division of the Secretary of the Council’s office or on <http://lims.dccouncil.us>.

If you are unable to testify at the hearing, written statements are encouraged and will be made a part of the official record. Written statements should be submitted to the Committee of the Whole, Council of the District of Columbia, Suite 410 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004. The record will close at 5:00 p.m. on November 15, 2017.

COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE ON LABOR AND WORKFORCE DEVELOPMENT
NOTICE OF JOINT PUBLIC HEARING
1350 Pennsylvania Avenue, NW, Washington, D.C. 20004

CHAIRPERSON ELISSA SILVERMAN
COMMITTEE ON LABOR AND WORKFORCE DEVELOPMENT

AND

CHAIRPERSON ANITA BONDS
COMMITTEE ON HOUSING AND NEIGHBORHOOD REVITALIZATION

ANNOUNCE A JOINT PUBLIC HEARING ON

**B22-0178, THE “COMMISSION ON POVERTY IN THE DISTRICT OF COLUMBIA
ESTABLISHMENT ACT OF 2017”**

Wednesday, November 1, 2017, 1:00 p.m.
Hearing Room 500, John A. Wilson Building
1350 Pennsylvania Avenue, NW
Washington, DC 20004

Councilmember Elissa Silverman, Chair of the Committee on Labor and Workforce Development, and Councilmember Anita Bonds, Chair of the Committee on Housing and Neighborhood Revitalization, announce a joint hearing on B22-178, the “Commission on Poverty in the District of Columbia Establishment Act of 2017.” The hearing will be held at 1 p.m. on Wednesday, November 1, 2017, in Room 500 of the John A. Wilson Building.

The purpose of B22-0178, the “Commission on Poverty in the District of Columbia Establishment Act of 2017,” is to establish a Commission on Poverty to study and reduce poverty in the District of Columbia.

Those who wish to testify before the Committee are asked to contact Ms. Charnisa Royster at labor@dccouncil.us or (202) 724-7772 by 5:00 p.m. on Friday, October 27, 2017, to provide their name, address, telephone number, organizational affiliation and title (if any), as well as the language of oral interpretation, if any, they require. Those wishing to testify are encouraged, but not required, to submit 15 copies of written testimony. Those representing organizations will have five minutes to present their testimony, and other individuals will have three minutes to present their testimony; less time may be allowed if there are a large number of witnesses.

If a witness is unable to testify at the hearing, written statements are encouraged and will be made a part of the official record. Written statements should be submitted by email to Ms. Royster at labor@dccouncil.us or mailed to the Committee on Labor and Workforce Development, Council of the District of Columbia, Suite 115 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004. The record will close at 5:00 p.m. on Wednesday, November 15, 2017.

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

REVISED AND ABBREVIATED

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

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

Announces a Public Hearing

on

- **B22-0352 - Office of Administrative Hearings Jurisdiction Expansion Amendment Act of 2017**

**Tuesday, October 24, 2017, 2:00 P.M.
John A. Wilson Building, Room 412
1350 Pennsylvania Avenue, N.W.
Washington, DC 20004**

Councilmember Brandon Todd announces the scheduling of a public hearing by the Committee on Government Operations on B22-352, the “Office of Administrative Hearings Jurisdiction Expansion Amendment Act of 2017”. The public hearing is scheduled for Thursday, October 11, 2017 at 11:00 a.m. in Room 500 of the John A. Wilson Building, 1350 Pennsylvania Ave., NW, Washington, DC 20004. *This notice has been revised to announce that B22-352 has been rescheduled for October 24, 2017 at 2 p.m. in Room 412.*

B22-352 expands the jurisdiction of the Office of Administrative Hearings (OAH) to include adjudicated cases arising from the Department of Behavioral Health, the Rental Housing Conversion and Sale Act of 1980, cases involving the Department of Energy and the Environment, cases involving the denial or revocation of a notary commission, as well as certain cases involving or arising from the Condominium Act of 1976. OAH's jurisdiction would also include the Department of Insurance, Securities, and Banking, Child Support Enforcement, as well as certain cases involving DC Public Schools and Public Charter Schools.

Individuals and representatives of organizations who wish to testify at the public hearing are asked to contact Faye Caldwell of the Committee on Government Operations at (202) 724-6663 or by email at fcaldwell@dccouncil.us and provide their name(s), address, telephone number, email address, and organizational affiliation, if any, by close of business Monday, October 23, 2017. Each witness is requested to bring 20 copies of his/her written testimony. Representatives of organizations and government agencies will be limited to 5 minutes in order to permit each witness an opportunity to be heard. Individual witnesses will be limited to 3 minutes.

If you are unable to testify at the public hearing, written statements are encouraged and will be made a part of the official record. The official record will remain open until close of business Friday, November 3, 2017. Copies of written statements should be submitted to the Committee on Government Operations, Council of the District of Columbia, Suite 117 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004.

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

1350 Pennsylvania Avenue, NW, Washington, DC 20004

CHAIRMAN PHIL MENDELSON
COMMITTEE OF THE WHOLE
ANNOUNCES A PUBLIC HEARING

on

Bill 22-395, Accessible and Transparent Procurement Amendment Act of 2017

Bill 22-439, Quick Payment Amendment Act of 2017

Bill 22-440, Government Contractor-Subcontractor Dispute Resolution Amendment Act of 2017

on

Wednesday, November 1, 2017
10:00 a.m., Room 412, John A. Wilson Building
1350 Pennsylvania Avenue, NW
Washington, DC 20004

Council Chairman Phil Mendelson announces a public hearing before the Committee of the Whole on **Bill 22-395**, the “Accessible and Transparent Procurement Amendment Act of 2017,” **Bill 22-439**, the “Quick Payment Amendment Act of 2017,” and **Bill 22-440**, the “Government Contractor-Subcontractor Dispute Resolution Amendment Act of 2017.” The hearing will be held at 10:00 a.m. on Wednesday, November 1, 2017 in Room 412 of the John A. Wilson Building.

The stated purpose of Bill 22-395 is to amend the Procurement Practices Reform Act of 2010 to require that all District government procurement solicitations and contracts be published on one publicly accessible website. The stated purpose of Bill 22-439 is to amend the District of Columbia Quick Payment Act of 1984 to decrease the number of days a District agency has to make a payment to a business concern after receipt of a proper invoice from 30 to 15 days unless otherwise provided for by contract, and to decrease the number of days the District has to notify a business concern of a defect in the goods or services from 15 to 10 days. The stated purpose of Bill 22-440 is to amend the District of Columbia Quick Payment Act of 1984 to establish an expeditious procedure for resolving disputes between contractors and subcontractors.

Those who wish to testify are asked to email the Committee of the Whole at cw@dccouncil.us, or call Evan Cash, Committee and Legislative Director at (202) 724-7002, and to provide your name, address, telephone number, organizational affiliation and title (if any) by close of business Monday, **October 30, 2017**. Persons wishing to testify are encouraged, but not required, to submit 15 copies of written testimony. If submitted by the close of business on October 30, 2017 the testimony will be distributed to Councilmembers before the hearing. Witnesses should limit their testimony to four minutes; less time will be allowed if there are a large number of witnesses. Copies of the legislation can be obtained through the Legislative Services Division of the Secretary of the Council’s office or on <http://lims.dccouncil.us>.

If you are unable to testify at the hearing, written statements are encouraged and will be made a part of the official record. Written statements should be submitted to the Committee of the Whole, Council of the District of Columbia, Suite 410 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004. The record will close at 5:00 p.m. on November 15, 2017.

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

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

AND

**COUNCILMEMBER VINCENT GRAY, CHAIRPERSON
COMMITTEE ON HEALTH**

ANNOUNCE A JOINT PUBLIC HEARING TO CONSIDER

BILL 22-0458, THE “OPIOID OVERDOSE PREVENTION ACT OF 2017”

AND

BILL 22-0459, THE “OPIOID ABUSE TREATMENT ACT OF 2017”

**Thursday, December 14, 2017, 1:00 p.m.
Room 412, John A. Wilson Building
1350 Pennsylvania Avenue, N.W.
Washington, D.C. 20004**

On Thursday, December 14, 2017, Councilmember Charles Allen, Chairperson of the Committee on the Judiciary and Public Safety, and Councilmember Vincent Gray, Chairperson of the Committee on Health, will hold a joint public hearing to consider Bill 22-0458, the “Opioid Overdose Prevention Act of 2017”, and Bill 22-0459, and the “Opioid Abuse Treatment Act of 2017”. The hearing will take place in Room 412 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., at 1:00 p.m.

The stated purpose of Bill 22-0458, the “Opioid Overdose Prevention Act of 2017”, is to require the Metropolitan Police Department to provide opioid antagonist rescue kits for sworn personnel in order to prevent potential overdose deaths; to require the Metropolitan Police Department to provide training for all sworn personnel; and to allow for the voluntary surrender of opiates and drug paraphernalia at Metropolitan Police Department stations.

The stated purpose of Bill 22-0459, the “Opioid Abuse Treatment Act of 2017”, is to improve treatment for substance use disorders by requiring every health plan to transmit upon request a

list of all in-network providers that treat opiate use disorders, along with their contact information; requiring the Department of Health Care Finance to determine the feasibility of expanding opioid use disorder medication offerings in methadone clinics; requiring a study on appropriate reimbursement levels for substance abuse treatment; requiring that all currently approved forms of medication-assisted therapies prescribed for substance abuse disorders are covered without any utilization control such as a prior authorization or step therapy; requiring high-rate opioid prescribers to participate in training; requiring the Department of Corrections' Medical Director to have experience with opioid treatment; requiring that the Department of Corrections ensure individuals receiving treatment for opioid addiction prior to entering a Department of Corrections facility continue to receive that treatment; establishing a fatality review team at the Department of Behavioral Health to review all overdose deaths in the District; requiring health care facilities to make the services of at least one health care provider who is trained and authorized under federal law to prescribe opioid addiction treatment medications; and requiring hospitals to establish discharge protocols for individuals identified as having a substance abuse disorder.

The Committees invite the public to testify or to submit written testimony. Anyone wishing to testify at the hearing should contact the Committee on the Judiciary & Public Safety via email at judiciary@dccouncil.us or at (202) 727-8275, and provide their name, telephone number, organizational affiliation, and title (if any), by **close of business Friday, December 8.** Representatives of organizations will be allowed a maximum of five minutes for oral testimony, and individuals will be allowed a maximum of three minutes. Witnesses are encouraged to bring **twenty single-sided copies** of their written testimony and, if possible, also submit a copy of their testimony electronically in advance to judiciary@dccouncil.us.

For witnesses who are unable to testify at the hearing, written statements will be made part of the official record. Copies of written statements should be submitted to the Committee on the Judiciary & Public Safety at judiciary@dccouncil.us or to Nyasha Smith, Secretary to the Council, 1350 Pennsylvania Avenue, N.W., Suite 5, Washington, D.C. 20004. **The record will close at the end of the business day on December 28.**

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

1350 Pennsylvania Avenue, NW, Washington, DC 20004

CHAIRMAN PHIL MENDELSON
COMMITTEE OF THE WHOLE
ANNOUNCES A PUBLIC HEARING

on

PR 22-448, Sense of the Council in Support of Legislative Action to Protect Dreamers Resolution of 2017

&

PR 22-525, Sense of the Council in Support of Legislative Action to Protect Temporary Protected Status Resolution of 2017

on

Thursday, November 2, 2017

9:30 a.m., Council Chambers, John A. Wilson Building

1350 Pennsylvania Avenue, NW

Washington, DC 20004

Council Chairman Phil Mendelson announces a public hearing before the Committee of the Whole on **PR 22-448**, the “Sense of the Council in Support of Legislative Action to Protect Dreamers Resolution of 2017,” and **PR 22-525**, the “Sense of the Council in Support of Legislative Action to Protect Temporary Protected Status Resolution of 2017.” The hearing will be held at 9:30 a.m. on Thursday, November 2, 2017 in Hearing Room 500, the Council Chambers, of the John A. Wilson Building.

The purpose of **PR 22-448** is to call upon the United States Congress to take legislative action to protect Deferred Action for Childhood Arrival (DACA) recipients. On September 5, 2017, U.S. Attorney General Jeff Sessions formally announced that the Trump Administration is ending the DACA program. The DACA program provides a two-year renewable reprieve from deportation to individuals whose parents brought them illegally to the U.S. when they were children. Additionally, the program allows these individuals to study, work, and obtain a driver’s license. If Congress does not pass legislation to protect DACA recipients, almost 800,000 individuals will be vulnerable to deportation.

PR 22-525 urges President Trump and Congress to act immediately to extend the temporary protected status (TPS) program. The program was created in 1990 and protects foreign nationals who are from countries that are experiencing on-going armed conflicts, environmental disasters, or extraordinary life-threatening conditions. Individuals who qualify for TPS must renew their status every 18 months. On May 22, 2017, President Trump threatened to reduce the number of months that Haitian nationals may be covered under TPS by reducing the protection period from 18 months to six months. Reduction of the TPS program, regardless of the nationality of the individual covered under TPS, would adversely affect the District since approximately 33,000 individuals who qualify for TPS reside in the District.

Those who wish to testify are asked to email the Committee of the Whole at cow@dccouncil.us, or call Christina Setlow, Deputy Committee Director at (202) 724-4865, and to provide your name, address, telephone number, organizational affiliation and title (if any) by close of business **Tuesday, October 31, 2017**. Persons wishing to testify are encouraged, but not required, to submit 15 copies of written testimony. If submitted by the close of business on October 31, 2017 the testimony will be distributed to Councilmembers before the hearing. **Witnesses should limit their testimony to four minutes; less time will be allowed if there are a large number of witnesses.** Copies of the legislation can be obtained through the Legislative Services Division of the Secretary of the Council’s office or on <http://lims.dccouncil.us>.

If you are unable to testify at the hearing, written statements are encouraged and will be made a part of the official record. Written statements should be submitted to the Committee of the Whole, Council of the District of Columbia, Suite 410 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004. The record will close at 5:00 p.m. on November 16, 2017.

COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE ON TRANSPORTATION & THE ENVIRONMENT
MARY M. CHEH, CHAIR

NOTICE OF PUBLIC OVERSIGHT ROUNDTABLE ON

The Condition of the District's Roadways

October 24, 2017, at 11:00 AM
in Room 123 of the John A. Wilson Building
1350 Pennsylvania Avenue, NW, Washington, DC 20004

On October 24, 2017, Councilmember Mary M. Cheh, Chairperson of the Committee on Transportation and the Environment, will hold a public oversight roundtable on the condition of the District's roadways. The public roundtable will begin at 11:00 AM in Room 123 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W.

The purpose of the roundtable is to discuss and to hear testimony regarding the District Department of Transportation's (DDOT) road rehabilitation efforts, examine the feasibility of using alternative construction materials to facilitate the preservation of infrastructure assets, ascertain whether there are other resources that the agency needs to more effectively meet its obligations to conduct maintenance and rehabilitation activities, and obtain a specific plan of action to improve roadway conditions.

The Committee invites the public to testify or to submit written testimony, which will be made a part of the official Hearing Record. Anyone wishing to testify should contact Ms. Aukima Benjamin, Staff Assistant to the Committee on Transportation and the Environment, at (202) 724-8062 or via e-mail at abenjamin@dccouncil.us. Persons representing organizations will have five minutes to present their testimony. Individuals will have three minutes to present their testimony. Witnesses should bring eight copies of their written testimony and should submit a copy of their testimony electronically to abenjamin@dccouncil.us.

If you are unable to testify in person, written statements are encouraged and will be made a part of the official record. Copies of written statements should be submitted to Ms. Benjamin at the following address: Committee on Transportation and the Environment, John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Suite 108, Washington, D.C. 20004. Statements may also be e-mailed to abenjamin@dccouncil.us or faxed to (202) 724-8118. The record will close at the end of the business day on November 7, 2017.

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

**CHAIRMAN PHIL MENDELSON
COMMITTEE OF THE WHOLE
ANNOUNCES A PUBLIC OVERSIGHT ROUNDTABLE**

on

**The Department of Consumer and Regulatory Affairs:
Management of the Vacant and Blighted Property Program**

on

**Tuesday, November 14, 2017
9:30 a.m., Hearing Room 412, John A. Wilson Building
1350 Pennsylvania Avenue, NW
Washington, DC 20004**

Council Chairman Phil Mendelson announces a public oversight roundtable before the Committee of the Whole to discuss Department of Consumer and Regulatory Affairs (“DCRA”) management of the Vacant and Blighted Property Program. The roundtable will be held at 9:30 a.m. on Tuesday, November 14, 2017 in the Hearing Room 412 of the John A. Wilson Building.

The purpose of this public roundtable is to receive testimony from the public and government witnesses regarding implementation of the District laws and regulations governing vacant and blighted property. It is the public policy to eliminate vacant and blighted property conditions. Relevant to this roundtable is the September 21, 2017 report produced by the Office of the District of Columbia Auditor entitled “Significant Improvements Needed in DCRA Management of Vacant and Blighted Property Program” (<https://goo.gl/gkkWyL>).

Those who wish to testify must email the Committee of the Whole at cow@dccouncil.us, or call Randi Powell, Legislative Policy Advisor, at 202-724-8196, and provide your name, address, telephone number, organizational affiliation and title (if any) by close of business Friday, November 10, 2017. Persons wishing to testify are encouraged, but not required, to submit 15 copies of written testimony. If submitted by the close of business on Monday, November 13, 2017 the testimony will be distributed to Councilmembers before the roundtable. Witnesses should limit their testimony to five minutes; less time will be allowed if there are a large number of witnesses.

If you are unable to testify at the roundtable, written statements are encouraged and will be made a part of the official record. Written statements should be submitted to the Committee of the Whole, Council of the District of Columbia, Suite 410 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004. The record will close at 5:00 p.m. on November 28, 2017.

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

**CHAIRMAN PHIL MENDELSON
COMMITTEE OF THE WHOLE
ANNOUNCES A PUBLIC OVERSIGHT ROUNDTABLE**

on

**The Department of Consumer and Regulatory Affairs:
Permitting Services and Illegal Construction**

on

**Tuesday, October 24, 2017
11:00 a.m., Council Chambers, John A. Wilson Building
1350 Pennsylvania Avenue, NW
Washington, DC 20004**

Council Chairman Phil Mendelson announces a public oversight roundtable before the Committee of the Whole seeking public comment on the Department of Consumer and Regulatory Affairs (“DCRA”) permitting services and illegal construction enforcement. The roundtable will be held at 11:00 a.m. on Tuesday, October 24, 2017 in the Council Chamber (Hearing Room 500) of the John A. Wilson Building.

This is the first in a series of roundtables being held by the Committee to provide a forum for District residents and businesses to discuss the issuance of permits and the enforcement of the District’s construction codes regulated by DCRA. This roundtable is to be an opportunity for residents, businesses, and advocates to discuss the issue of inconsistent permitting services and non-compliant construction in the District. The Committee is especially interested in hearing feedback regarding DCRA’s permitting and enforcement programs of residential construction sites.

Those who wish to testify are asked to email the Committee of the Whole at cow@dccouncil.us, or call Randi Powell, Legislative Policy Advisor, at 202-724-8196, and to provide your name, address, telephone number, organizational affiliation and title (if any) by close of business Friday, October 20, 2017. Persons wishing to testify are encouraged, but not required, to submit 15 copies of written testimony. If submitted by the close of business on Monday, October 23, 2017 the testimony will be distributed to Councilmembers before the roundtable. Witnesses should limit their testimony to five minutes; less time will be allowed if there are a large number of witnesses.

If you are unable to testify at the roundtable, written statements are encouraged and will be made a part of the official record. Written statements should be submitted to the Committee of the Whole, Council of the District of Columbia, Suite 410 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004. The record will close at 5:00 p.m. on November 6, 2017.

COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE ON TRANSPORTATION & THE ENVIRONMENT
MARY M. CHEH, CHAIR

NOTICE OF PUBLIC OVERSIGHT ROUNDTABLE ON

The District's Snow Removal Operations Plan for Winter 2017-2018

October 16, 2017 at 11:00 a.m.
Room 500 of the John A. Wilson Building
1350 Pennsylvania Avenue, NW, Washington, DC 20004

On Monday, October 16, 2017, Councilmember Mary M. Cheh, Chairperson of the Committee on the Transportation and the Environment, will hold a public oversight roundtable on the District's Snow Removal Operations Plan for Winter 2017-2018. The roundtable will begin at 11:00 a.m. in Room 500 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W.

The Department of Public Works has the primary responsibility for the District's snow removal operations. Efficient operations require the participation and coordination of many government agencies and hundreds of employees. This roundtable will examine DPW's readiness for the coming snow season and the agency's ability to coordinate with other entities.

The Committee invites the public to testify or to submit written testimony, which will be made a part of the official record. Anyone wishing to testify should contact Ms. Aukima Benjamin, Staff Assistant to the Committee on Transportation and the Environment, at (202) 724-8062 or via e-mail at abenjamin@dccouncil.us. Persons representing organizations will have five minutes to present their testimony. Individuals will have three minutes to present their testimony. Witnesses should bring eight copies of their written testimony and should submit a copy of their testimony electronically to abenjamin@dccouncil.us.

If you are unable to testify in person, written statements are encouraged and will be made a part of the official record. Copies of written statements should be submitted to Ms. Aukima Benjamin, staff assistant to the Committee on Transportation and the Environment, John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Suite 108, Washington, D.C. 20004. They may also be e-mailed to abenjamin@dccouncil.us or faxed to (202) 724-8118. The record will close at the end of the business day on October 30, 2017.

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date: October 13, 2017
Protest Petition Deadline: November 27, 2017
Roll Call Hearing Date: December 11, 2017
Protest Hearing Date: February 7, 2018

License No.: ABRA-107615
Licensee: MHG Chinatown, LLC
Trade Name: Circa at Chinatown
License Class: Retailer's Class "C" Restaurant
Address: 781 7th Street, N.W.
Contact: Rosemarie Salguero, Esq.: (301) 986-1300

WARD 2

ANC 2C

SMD 2C01

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 December 11, 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 February 7, 2018 at 1:30 p.m.

NATURE OF OPERATION

A new restaurant serving American cuisine. Seating capacity of 295 inside. Total Occupancy Load of 314. License will include an Entertainment Endorsement.

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

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

HOURS OF LIVE ENTERTAINMENT

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

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
10/13/2017

Notice is hereby given that:

License Number: ABRA-076139

License Class/Type: B / Retail - Grocery

Applicant: Whole Foods Market Group, Inc.

Trade Name: Whole Foods Market

ANC: 3E01

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

4530 40TH ST NW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
11/27/2017

A HEARING WILL BE HELD ON:
12/11/2017

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	7 am - 9:30 pm	7 am - 9:30 pm
Monday:	7 am - 10:30 pm	7 am - 10:30 pm
Tuesday:	7 am - 10:30 pm	7 am - 10:30 pm
Wednesday:	7 am - 10:30 pm	7 am - 10:30 pm
Thursday:	7 am - 10:30 pm	7 am - 10:30 pm
Friday:	7 am - 10:30 pm	7 am - 10:30 pm
Saturday:	7 am - 10:30 pm	7 am - 10:30 pm

ENDORSEMENT(S): Tasting

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
10/13/2017

Notice is hereby given that:

License Number: ABRA-021721

License Class/Type: B / Retail - Grocery

Applicant: No Jun Choon & Myong A

Trade Name: Andy's Carryout

ANC: 6E04

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

209 NEW YORK AVE NW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
11/27/2017

A HEARING WILL BE HELD ON:
12/11/2017

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	9 am - 9 pm	9 am - 9 pm
Monday:	9 am - 9 pm	9 am - 9 pm
Tuesday:	9 am - 9 pm	9 am - 9 pm
Wednesday:	9 am - 9 pm	9 am - 9 pm
Thursday:	9 am - 9 pm	9 am - 9 pm
Friday:	9 am - 9 pm	9 am - 9 pm
Saturday:	9 am - 9 pm	9 am - 9 pm

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
10/13/2017

Notice is hereby given that:

License Number: ABRA-098903

License Class/Type: B / Retail - Grocery

Applicant: 11th House LLC

Trade Name: Odd Provisions

ANC: 1A07

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

3301 - 3303 11TH ST NW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
11/27/2017

A HEARING WILL BE HELD ON:
12/11/2017

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	7 am - 10 pm	7 am - 10 pm
Monday:	7 am - 12 am	7 am - 12 am
Tuesday:	7 am - 12 am	7 am - 12 am
Wednesday:	7 am - 12 am	7 am - 12 am
Thursday:	7 am - 12 am	7 am - 12 am
Friday:	7 am - 12 am	7 am - 12 am
Saturday:	7 am - 12 am	7 am - 12 am

ENDORSEMENT(S): Tasting

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
10/13/2017

Notice is hereby given that:

License Number: ABRA-080595

License Class/Type: B / Retail - Class B

Applicant: Travel Traders Retail, Inc.

Trade Name: The Market

ANC: 6C02

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

400 NEW JERSEY B AVE NW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
11/27/2017

A HEARING WILL BE HELD ON:
12/11/2017

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	6 am - 11 pm	7 am - 10 pm
Monday:	6 am - 11 pm	7 am - 10 pm
Tuesday:	6 am - 11 pm	7 am - 10 pm
Wednesday:	6 am - 11 pm	7 am - 10 pm
Thursday:	6 am - 11 pm	7 am - 10 pm
Friday:	6 am - 11 pm	7 am - 10 pm
Saturday:	6 am - 11 pm	7 am - 10 pm

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
10/13/2017

Notice is hereby given that:

License Number: ABRA-026520

License Class/Type: B / Retail - Grocery

Applicant: Tariq Hussain

Trade Name: 7-Eleven

ANC: 6D02

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

1101 SOUTH CAPITOL ST SW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
11/27/2017

A HEARING WILL BE HELD ON:
12/11/2017

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	24 hours -	9 am - 10 pm
Monday:	24 hours -	9 am - 10 pm
Tuesday:	24 hours -	9 am - 10 pm
Wednesday:	24 hours -	9 am - 10 pm
Thursday:	24 hours -	9 am - 10 pm
Friday:	24 hours -	9 am - 10 pm
Saturday:	24 hours -	9 am - 10 pm

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
10/13/2017

Notice is hereby given that:

License Number: ABRA-092834

License Class/Type: B / Retail - Full Service

Applicant: Little Red Fox LLC

Trade Name: Little Red Fox

ANC: 3F05

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

5035 CONNECTICUT AVE NW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
11/27/2017

A HEARING WILL BE HELD ON:
12/11/2017

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	7:30am - 11:30pm	9:00am - 11:30pm
Monday:	7:30am - 11:30pm	9:00am - 11:30pm
Tuesday:	7:30am - 11:30pm	9:00am - 11:30pm
Wednesday:	7:30am - 11:30pm	9:00am - 11:30pm
Thursday:	7:30am - 11:30pm	9:00am - 11:30pm
Friday:	7:30am - 11:30pm	9:00am - 11:30pm
Saturday:	7:30am - 11:30pm	9:00am - 11:30pm

ENDORSEMENT(S): Tasting

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
10/13/2017

Notice is hereby given that:

License Number: ABRA-106018

License Class/Type: B / Retail - Grocery

Applicant: BT Brothers, LLC

Trade Name: Nam's Market

ANC: 8A06

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

1327 W ST SE

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
11/27/2017

A HEARING WILL BE HELD ON:
12/11/2017

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	8 am - 12 am	8 am - 12 am
Monday:	8 am - 12 am	8 am - 12 am
Tuesday:	8 am - 12 am	8 am - 12 am
Wednesday:	8 am - 12 am	8 am - 12 am
Thursday:	8 am - 12 am	8 am - 12 am
Friday:	8 am - 12 am	8 am - 12 am
Saturday:	8 am - 12 am	8 am - 12 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
10/13/2017

Notice is hereby given that:

License Number: ABRA-086746

License Class/Type: B / Retail - Class B

Applicant: Open Door Market, Inc.

Trade Name: Open Door Market

ANC: 2D02

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

2160 CALIFORNIA ST NW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
11/27/2017

A HEARING WILL BE HELD ON:
12/11/2017

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	9 am - 10 pm	9 am - 10 pm
Monday:	9 am - 10 pm	9 am - 10 pm
Tuesday:	9 am - 10 pm	9 am - 10 pm
Wednesday:	9 am - 10 pm	9 am - 10 pm
Thursday:	9 am - 10 pm	9 am - 10 pm
Friday:	9 am - 10 pm	9 am - 10 pm
Saturday:	9 am - 10 pm	9 am - 10 pm

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
10/13/2017

Notice is hereby given that:

License Number: ABRA-095181

License Class/Type: B / Retail - Grocery

Applicant: Harris Teeter , LLC

Trade Name: Harris Teeter

ANC: 6B07

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

1350 POTOMAC AVE SE

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
11/27/2017

A HEARING WILL BE HELD ON:
12/11/2017

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	7 am - 12 am	7 am - 12 am
Monday:	7 am - 12 am	7 am - 12 am
Tuesday:	7 am - 12 am	7 am - 12 am
Wednesday:	7 am - 12 am	7 am - 12 am
Thursday:	7 am - 12 am	7 am - 12 am
Friday:	7 am - 12 am	7am - 12 am
Saturday:	7 am - 12 am	7 am - 12 am

ENDORSEMENT(S): Tasting

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
10/13/2017

Notice is hereby given that:

License Number: ABRA-095171

License Class/Type: B / Retail - Grocery

Applicant: Harris Teeter, LLC

Trade Name: Harris Teeter

ANC: 1C06

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

1631 Kalorama RD NW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
11/27/2017

A HEARING WILL BE HELD ON:
12/11/2017

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	7 am - 12 am	7 am - 12 am
Monday:	7 am - 12 am	7 am - 12 am
Tuesday:	7 am - 12 am	7 am - 12 am
Wednesday:	7 am - 12 am	7 am - 12 am
Thursday:	7 am - 12 am	7 am - 12 am
Friday:	7 am - 12 am	12 am - 12 am
Saturday:	7 am - 12 am	7 am - 12 am

ENDORSEMENT(S): Tasting

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
10/13/2017

Notice is hereby given that:

License Number: ABRA-106180

License Class/Type: B / Retail - Grocery

Applicant: 3rd & Pennsylvania, LLC

Trade Name: Roland's Grocery

ANC: 6B01

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

333 Pennsylvania AVE SE

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
11/27/2017

A HEARING WILL BE HELD ON:
12/11/2017

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	8 am - 11 pm	10 am - 10 pm
Monday:	8 am - 11 pm	9 am - 10 pm
Tuesday:	8 am - 11 pm	9 am - 10 pm
Wednesday:	8 am - 11 pm	9 am - 10 pm
Thursday:	8 am - 11 pm	9 am - 10 pm
Friday:	8 am - 11 pm	9 am - 10 pm
Saturday:	8 am - 11 pm	9 am - 10 pm

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
10/13/2017

Notice is hereby given that:

License Number: ABRA-095169

License Class/Type: B / Retail - Class B

Applicant: Shaw Howard Deli, LLC

Trade Name: Shaw Howard Deli

ANC: 1B01

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

1911 7th ST NW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
11/27/2017

A HEARING WILL BE HELD ON:
12/11/2017

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	7 am - 12 am	9 am - 12 am
Monday:	7 am - 12 am	9 am - 12 am
Tuesday:	7 am - 12 am	9 am - 12 am
Wednesday:	7 am - 12 am	9 am - 12 am
Thursday:	7 am - 12 am	9 am - 12 am
Friday:	7 am - 12 am	9 am - 12 am
Saturday:	7 am - 12 am	9 am - 12 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
10/13/2017

Notice is hereby given that:

License Number: ABRA-088858

License Class/Type: B / Retail - Grocery

Applicant: Liff's Market, LLC

Trade Name: Liff's Market

ANC: 8C03

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

600 ALABAMA AVE SE

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
11/27/2017

A HEARING WILL BE HELD ON:
12/11/2017

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	6 am - 6 am	7 am - 12 am
Monday:	6 am - 6 am	7am - 12 am
Tuesday:	6 am - 6 am	7 am - 12 am
Wednesday:	6 am - 6 am	7 am - 12 am
Thursday:	6 am - 6 am	7 am - 12 am
Friday:	6 am - 6am	7 am - 12 am
Saturday:	6 am - 6 am	7 am - 12 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
10/13/2017

Notice is hereby given that:

License Number: ABRA-094996

License Class/Type: B / Retail - Full Service
Grocery

Applicant: MOM'S ORGANIC MARKET INC.

Trade Name: MOM'S Organic Market

ANC: 5D01

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

1401 NEW YORK AVE NE

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
11/27/2017

A HEARING WILL BE HELD ON:
12/11/2017

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	9AM - 8PM	10AM - 8PM
Monday:	9AM - 9PM	10AM - 9PM
Tuesday:	9AM - 9PM	10AM - 9PM
Wednesday:	9AM - 9PM	10AM - 9PM
Thursday:	9AM - 9PM	10AM - 9PM
Friday:	9AM - 9PM	10AM - 9PM
Saturday:	9AM - :9PM	10AM - 9PM

ENDORSEMENT(S): Tasting

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
10/13/2017

Notice is hereby given that:

License Number: ABRA-097721

License Class/Type: B / Retail - Class B

Applicant: LeDroit Market, Inc.

Trade Name: Ledroit Market

ANC: 1B01

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

1901 4TH ST NW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
11/27/2017

A HEARING WILL BE HELD ON:
12/11/2017

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

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

ENDORSEMENT(S): Tasting

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
10/13/2017

Notice is hereby given that:

License Number: ABRA-098589

License Class/Type: B / Retail - Grocery

Applicant: ALFA LLC

Trade Name: Gold Coast Cafe & Mart

ANC: 4C01

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

5501 COLORADO AVE NW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
11/27/2017

A HEARING WILL BE HELD ON:
12/11/2017

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	7 am - 8 pm	7 am - 8 pm
Monday:	7 am - 8 pm	7 am - 8 pm
Tuesday:	7 am - 8 pm	7 am - 8 pm
Wednesday:	7 am - 8 pm	7 am - 8 pm
Thursday:	7 am - 8 pm	7 am - 8 pm
Friday:	7 am - 8 pm	7 am - 8 pm
Saturday:	7 am - 8 pm	7 am - 8 pm

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
10/13/2017

Notice is hereby given that:

License Number: ABRA-079164

License Class/Type: B / Retail - Grocery

Applicant: A & F, LLC

Trade Name: L Street Market

ANC: 6C06

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

1100 4TH ST NE

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
11/27/2017

A HEARING WILL BE HELD ON:
12/11/2017

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	10 am - 9 pm	10 am - 9 pm
Monday:	9 am - 9 pm	9 am - 9 pm
Tuesday:	9 am - 9 pm	9 am - 9 pm
Wednesday:	9 am - 9 pm	9 am - 9 pm
Thursday:	9 am - 9 pm	9 am - 9 pm
Friday:	9 am - 9 pm	9 am - 9 pm
Saturday:	9 am - 9 pm	9 am - 9 pm

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
10/13/2017

Notice is hereby given that:

License Number: ABRA-098356

License Class/Type: B / Retail - Full Service
Grocery

Applicant: Chef AmyB LLC

Trade Name: Centrolina

ANC: 2C01

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

974 Palmer AL NW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
11/27/2017

A HEARING WILL BE HELD ON:
12/11/2017

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	6am - 12:30am	7am - 12am
Monday:	6am - 12:30am	7am - 12am
Tuesday:	6am - 12:30am	7am - 12am
Wednesday:	6am - 12:30am	7am - 12am
Thursday:	6am - 12:30am	7am - 12am
Friday:	6am - 12:30am	7am - 12am
Saturday:	6am - 12:30am	7am - 12am

ENDORSEMENT(S): Tasting

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
10/13/2017

Notice is hereby given that:

License Number: ABRA-089668

License Class/Type: B / Retail - Grocery

Applicant: Hyun, Inc.

Trade Name: Mimi's Convenience

ANC: 3D04

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

5435 MacArthur BLVD NW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
11/27/2017

A HEARING WILL BE HELD ON:
12/11/2017

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	CLOSED -	CLOSED -
Monday:	6:30 am - 10 pm	9 am - 10 pm
Tuesday:	6:30 am - 10 pm	9 am - 10 pm
Wednesday:	6:30 am - 10 pm	9 am - 10 pm
Thursday:	6:30 am - 10 pm	9 am - 10 pm
Friday:	6:30 am - 10 pm	9 am - 10 pm
Saturday:	6:30 am - :10 pm	9 am - 10 pm

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
10/13/2017

Notice is hereby given that:

License Number: ABRA-105990

License Class/Type: B / Retail - Class B

Applicant: Wineandbutter, LLC

Trade Name: P & C Market

ANC: 6B05

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

1023 EAST CAPITOL ST SE

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
11/27/2017

A HEARING WILL BE HELD ON:
12/11/2017

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	7 am - 10 pm	9 am - 10 pm
Monday:	7 am - 10 pm	9 am - 10 pm
Tuesday:	7 am - 10 pm	9 am - 10 pm
Wednesday:	7 am - 10 pm	9 am - 10 pm
Thursday:	7 am - 10 pm	9 am - 10 pm
Friday:	7 am - 10 pm	9 am - 10 pm
Saturday:	7 am - 10 pm	9 am - 10 pm

ENDORSEMENT(S): Tasting

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
10/13/2017

Notice is hereby given that:

License Number: ABRA-105727

License Class/Type: B / Retail - Class B

Applicant: BK, Inc.

Trade Name: Hi Market

ANC: 1B07

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

2655 15th ST NW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
11/27/2017

A HEARING WILL BE HELD ON:
12/11/2017

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	9am - 9pm	10am - 9pm
Monday:	9am - 9pm	9am - 9pm
Tuesday:	9am - 9pm	9am - 9pm
Wednesday:	9am - 9pm	9am - 9pm
Thursday:	9am - 9pm	9am - 9pm
Friday:	9am - 9pm	9am - 9pm
Saturday:	9am - 9pm	9am - 9pm

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
10/13/2017

Notice is hereby given that:

License Number: ABRA-098845

License Class/Type: B / Retail - Class B

Applicant: The Mediterranean Way Co.

Trade Name: The Mediterranean Way Gourmet Market

ANC: 2B01

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

1717 CONNECTICUT AVE NW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
11/27/2017

A HEARING WILL BE HELD ON:
12/11/2017

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	10am - 8pm	10am - 8pm
Monday:	10am - 10pm	10am - 10pm
Tuesday:	10am - 10pm	10am - 10pm
Wednesday:	10am - 10pm	10am - 10pm
Thursday:	10am - 10pm	10am - 10pm
Friday:	10am - 10pm	10am - 10pm
Saturday:	10am - 10pm	10am - 10pm

ENDORSEMENT(S): Tasting

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
10/13/2017

Notice is hereby given that:

License Number: ABRA-093687

License Class/Type: B / Retail - Grocery

Applicant: Radici Uno (One Root), LLC

Trade Name: Radici

ANC: 6B02

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

301 - 303 7th ST SE

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
11/27/2017

A HEARING WILL BE HELD ON:
12/11/2017

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	7 am - 9 pm	9 am - 9 pm
Monday:	7 am - 11 pm	9 am - 11 pm
Tuesday:	7 am - 11 pm	9 am - 11 pm
Wednesday:	7 am - 11 pm	9 am - 11 pm
Thursday:	7 am - 11 pm	9 am - 11 pm
Friday:	7 am - 11 pm	9 am - 11 pm
Saturday:	7 am - 11 pm	9 am - 11 pm

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
10/13/2017

Notice is hereby given that:

License Number: ABRA-060167

License Class/Type: B / Retail - Grocery

Applicant: Whole Foods Market Group Inc

Trade Name: Fresh Fields Whole Foods Market

ANC: 2F02

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

1440 P ST NW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
11/27/2017

A HEARING WILL BE HELD ON:
12/11/2017

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	7 am - 12 am	7 am - 12 am
Monday:	7 am - 12 am	7 am - 12 am
Tuesday:	7 am - 12 am	7 am - 12 am
Wednesday:	7 am - 12 am	7 am - 12 am
Thursday:	7 am - 12 am	7 am - 12 am
Friday:	7 am - 12 am	7 am - 12 am
Saturday:	7 am - 12 am	7 am - 12 am

ENDORSEMENT(S): Tasting

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
10/13/2017

Notice is hereby given that:

License Number: ABRA-086916

License Class/Type: B / Retail - Grocery

Applicant: Whole Foods Market Group Inc

Trade Name: Whole Foods Market

ANC: 2A07

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

2201 I ST NW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
11/27/2017

A HEARING WILL BE HELD ON:
12/11/2017

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	7am - 12am	7am - 12am
Monday:	7am - 12am	7am - 12am
Tuesday:	7am - 12am	7am - 12am
Wednesday:	7am - 12am	7am - 12am
Thursday:	7am - 12am	7am - 12am
Friday:	7am - 12am	7am - 12am
Saturday:	7am - 12am	7am - 12am

ENDORSEMENT(S): Tasting

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
10/13/2017

Notice is hereby given that:

License Number: ABRA-097960

License Class/Type: B / Retail - Grocery

Applicant: SMJ & Metro Inc.

Trade Name: Metro Supermarket

ANC: 2B02

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

2130 P ST NW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
11/27/2017

A HEARING WILL BE HELD ON:
12/11/2017

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	9 am - 8 pm	9 am - 8 pm
Monday:	8 am - 10 pm	8 am - 10 pm
Tuesday:	8 am - 10 pm	8 am - 10 pm
Wednesday:	8 am - 10 pm	8 am - 10 pm
Thursday:	8 am - 10 pm	8 am - 10 pm
Friday:	8 am - 10 pm	8 am - 10 pm
Saturday:	8 am - 10 pm	8 am - 10 pm

ENDORSEMENT(S): Tasting

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
10/13/2017

Notice is hereby given that:

License Number: ABRA-105036

License Class/Type: B / Retail - Grocery

Applicant: 2400 Minnesota Avenue, SE, LLC

Trade Name: Martha's Market

ANC: 7B03

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

2400 MINNESOTA AVE SE

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
11/27/2017

A HEARING WILL BE HELD ON:
12/11/2017

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	8 am - 12 am	9 am - 12 am
Monday:	8 am - 12 am	9 am - 12 am
Tuesday:	8 am - 12 am	9 am - 12 am
Wednesday:	8 am - 12 am	9 am - 12 am
Thursday:	8 am - 12 am	9 am - 12 am
Friday:	8 am - 12 am	9 am - 12 am
Saturday:	8 am - 12 am	9 am - 12 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
10/13/2017

Notice is hereby given that:

License Number: ABRA-094783

License Class/Type: B / Retail - Grocery

Applicant: Wade Road, Inc.

Trade Name: Charles Corner

ANC: 8C02

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

2600 WADE RD SE

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
11/27/2017

A HEARING WILL BE HELD ON:
12/11/2017

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	8 am - 10 pm	8 am - 10 pm
Monday:	7 am - 10 pm	7 am - 10 pm
Tuesday:	7 am - 10 pm	7 am - 10 pm
Wednesday:	7 am - 10 pm	7 am - 10 pm
Thursday:	7 am - 10 pm	7 am - 10 pm
Friday:	7 am - 10 pm	7 am - 10 pm
Saturday:	8 am - 10 pm	8 am - 10 pm

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
10/13/2017

Notice is hereby given that:

License Number: ABRA-095112

License Class/Type: B / Retail - Full Service
Grocery

Applicant: Harris Teeter, LLC

Trade Name: Harris Teeter

ANC: 6D07

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

401 M ST SE

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
11/27/2017

A HEARING WILL BE HELD ON:
12/11/2017

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	6 am - 12 am	7 am - 12 am
Monday:	6 am - 12 am	7 am - 12 am
Tuesday:	6 am - 12 am	7 am - 12 am
Wednesday:	6 am - 12 am	7 am - 12 am
Thursday:	6 am - 12 am	7 am - 12 am
Friday:	6 am - 12 am	7 am - 12 am
Saturday:	6 am - 12 am	7 am - 12 am

ENDORSEMENT(S): Tasting

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
10/13/2017

Notice is hereby given that:

License Number: ABRA-060593

License Class/Type: B / Retail - Grocery

Applicant: Hudai Yavalar

Trade Name: Le Petite Corner Store

ANC: 2E02

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

1643 34TH ST NW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
11/27/2017

A HEARING WILL BE HELD ON:
12/11/2017

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	8 am - 7 pm	9 am - 7 pm
Monday:	7 am - 9:30 pm	9 am - 9:30 pm
Tuesday:	7 am - 9:30 pm	9 am - 9:30 pm
Wednesday:	7 am - 9:30 pm	9 am - 9:30 pm
Thursday:	7 am - 9:30 pm	9 am - 9:30 pm
Friday:	7 am - 10 pm	9 am - 10 pm
Saturday:	7 am - 10 pm	9 am - 10 pm

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
10/13/2017

Notice is hereby given that:

License Number: ABRA-098178

License Class/Type: B / Retail - Grocery

Applicant: Good Food Market, LLC

Trade Name: Good Food Markets

ANC: 5C07

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

2006 RHODE ISLAND AVE NE

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
11/27/2017

A HEARING WILL BE HELD ON:
12/11/2017

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	9 am - 9 pm	9 am - 9 pm
Monday:	9 am - 9 pm	9 am - 9 pm
Tuesday:	9 am - 9 pm	9 am - 9 pm
Wednesday:	9 am - 9 pm	9 am - 9 pm
Thursday:	9 am - 9 pm	9 am - 9 pm
Friday:	9 am - 9 pm	9 am - 9 pm
Saturday:	9 am - 9 pm	9 am - 9 pm

ENDORSEMENT(S): Tasting

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
10/13/2017

Notice is hereby given that:

License Number: ABRA-095245

License Class/Type: B / Retail - Class B

Applicant: Minnesota Store, LLC

Trade Name: Minnesota Store

ANC: 7F06

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

3728 MINNESOTA AVE NE

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
11/27/2017

A HEARING WILL BE HELD ON:
12/11/2017

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	7am - 11:45 pm	7 am - 11:45 pm
Monday:	7 am - 11:45 pm	7 am - 11:45 pm
Tuesday:	7 am - 11:45 pm	7 am - 11:45 pm
Wednesday:	7 am - 11:45 pm	7 am - 11:45 pm
Thursday:	7 am - 11:45	7 am - 11:45 pm
Friday:	7 am - 11:45 pm	7 am - 11:45 pm
Saturday:	7 am - 11:45 pm	7 am - 11:45 pm

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
10/13/2017

Notice is hereby given that:

License Number: ABRA-082681

License Class/Type: B / Retail - Grocery

Applicant: The Landragin Operating Company Three, LLC

Trade Name: Cork & Fork

ANC: 2F02

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

1522 14TH ST NW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
11/27/2017

A HEARING WILL BE HELD ON:
12/11/2017

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	9 am - 10 pm	9 am - 10 pm
Monday:	9 am - 10 pm	9 am - 10 pm
Tuesday:	9 am - 10 pm	9 am - 10 pm
Wednesday:	9 am - 10 pm	9 am - 10 pm
Thursday:	9 am - 10 pm	9 am - 10 pm
Friday:	9 am - 10 pm	9 am - 10 pm
Saturday:	9 am - 10 pm	9 am - 10 pm

ENDORSEMENT(S): Tasting

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
10/13/2017

Notice is hereby given that:

License Number: ABRA-081331

License Class/Type: B / Retail - Grocery

Applicant: Broad Branch Market, LLC

Trade Name: The Broad Branch Market

ANC: 3G05

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

5608 BROAD BRANCH RD NW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
11/27/2017

A HEARING WILL BE HELD ON:
12/11/2017

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	7 am - 10 pm	9 am - 10 pm
Monday:	7 am - 10 pm	9 am - 10 pm
Tuesday:	7 am - 10 pm	9 am - 10 pm
Wednesday:	7 am - 10 pm	9 am - 10 pm
Thursday:	7 am - 10 pm	9 am - 10 pm
Friday:	7 am - 10 pm	9 am - 10 pm
Saturday:	7 am - 10 pm	9 am - 10 pm

ENDORSEMENT(S): Tasting

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
10/13/2017

Notice is hereby given that:

License Number: ABRA-077411

License Class/Type: B / Retail - Grocery

Applicant: GG and SONS, Inc.

Trade Name: Elmira Grocery

ANC: 8D06

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

4401 SOUTH CAPITOL ST SW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
11/27/2017

A HEARING WILL BE HELD ON:
12/11/2017

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	9 am - 10 pm	9 am - 10 pm
Monday:	9 am - 10 pm	9 am - 10 pm
Tuesday:	9 am - 10 pm	9 am - 10 pm
Wednesday:	9 am - 10 pm	9 am - 10 pm
Thursday:	9 am - 10 pm	9 am - 10 pm
Friday:	9 am - 10 pm	9 am - 10 pm
Saturday:	9 am - 10 pm	9 am - 10 pm

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
10/13/2017

Notice is hereby given that:

License Number: ABRA-094127

License Class/Type: B / Retail - Grocery

Applicant: Bella Market LLC

Trade Name: Economy Market

ANC: 6A08

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

1804 D ST NE

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
11/27/2017

A HEARING WILL BE HELD ON:
12/11/2017

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	9 am - 8 pm	9 am - 8 pm
Monday:	9 am - 10 pm	9 am - 10 pm
Tuesday:	9 am - 10 pm	9 am - 10 pm
Wednesday:	9 am - 10 pm	9 am - 10 pm
Thursday:	9 am - 10 pm	9 am - 10 pm
Friday:	9 am - 10 pm	9 am - 10 pm
Saturday:	9 am - 10 pm	9 am - 10 pm

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
10/13/2017

Notice is hereby given that:

License Number: ABRA-081343

License Class/Type: B / Retail - Grocery

Applicant: PTK INCORPORATED

Trade Name: Night 'N' Day 24 Hour Convenience Store

ANC: 7E01

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

5026 BENNING RD SE

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
11/27/2017

A HEARING WILL BE HELD ON:
12/11/2017

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	24 hours -	9 am - 12 am
Monday:	24 hours -	9 am - 12 am
Tuesday:	24 hours -	9 am - 12 am
Wednesday:	24 hours -	9 am - 12 am
Thursday:	24 hours -	9 am - 12 am
Friday:	24 hours -	9 am - 12 am
Saturday:	24 hours -	9 am - 12 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
10/13/2017

Notice is hereby given that:

License Number: ABRA-100950

License Class/Type: B / Retail - Grocery

Applicant: MB LLC

Trade Name: Bodega

ANC: 5C07

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

2409 FRANKLIN ST NE

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
11/27/2017

A HEARING WILL BE HELD ON:
12/11/2017

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	CLOSED - CLOSED	CLOSED - CLOSED
Monday:	7 am - 7 pm	7 am - 7 pm
Tuesday:	7 am - 7 pm	7 am - 7 pm
Wednesday:	7 am - 7 pm	7 am - 7 pm
Thursday:	7 am - 7 pm	7 am - 7 pm
Friday:	7 am - 7 pm	7 am - 7 pm
Saturday:	7 am - 7 pm	7 am - 7 pm

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
10/13/2017

Notice is hereby given that:

License Number: ABRA-071763

License Class/Type: B / Retail - Grocery

Applicant: Stop & Go LLC

Trade Name: Stop & Go Market

ANC: 1A10

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

3001 SHERMAN AVE NW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
11/27/2017

A HEARING WILL BE HELD ON:
12/11/2017

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

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

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
10/13/2017

Notice is hereby given that:

License Number: ABRA-103665

License Class/Type: B / Retail - Class B

Applicant: Neighborhood of Smret Market LLC

Trade Name: Smert Sun Market

ANC: 5E03

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

415 RHODE ISLAND AVE NE

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
11/27/2017

A HEARING WILL BE HELD ON:
12/11/2017

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	9 am - 10 pm	9 am - 10 pm
Monday:	9 am - 10 pm	9 am - 10 pm
Tuesday:	9 am - 10 pm	9 am - 10 pm
Wednesday:	9 am - 10 pm	9 am - 10 pm
Thursday:	9 am - 10 pm	9 am - 10 pm
Friday:	9 am - 10 pm	9 am - 10 pm
Saturday:	9 am - 10 pm	9 am - 10 pm

ENDORSEMENT(S): Tasting

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
10/13/2017

Notice is hereby given that:

License Number: ABRA-100526

License Class/Type: B / Retail - Grocery

Applicant: YOSEPH & SEIFE LLC

Trade Name: Upshur Grocery & Deli

ANC: 4C10

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

233 UPSHUR ST NW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
11/27/2017

A HEARING WILL BE HELD ON:
12/11/2017

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	9 am - 10 pm	10 am - 9 pm
Monday:	9 am - 10 pm	9 am - 9 pm
Tuesday:	9 am - 10 pm	9 am - 9 pm
Wednesday:	9 am - 10 pm	9 am - 9 pm
Thursday:	9 am - 10 pm	9 am - 9 pm
Friday:	9 am - 10 pm	9 am - 9 pm
Saturday:	9 am - 10 pm	9 am - 9 pm

ENDORSEMENT(S): Tasting

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
10/13/2017

Notice is hereby given that:

License Number: ABRA-087466

License Class/Type: B / Retail - Grocery

Applicant: Shepherd Market, LLC

Trade Name: Shepherd Market

ANC: 4C06

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

1247 Shepherd ST NW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
11/27/2017

A HEARING WILL BE HELD ON:
12/11/2017

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	8 am - 10 pm	9 am - 10 pm
Monday:	8 am - 10 pm	9 am - 10 pm
Tuesday:	8 am - 10 pm	9 am - 10 pm
Wednesday:	8 am - 10 pm	9 am - 10 pm
Thursday:	8 am - 10 pm	9 am - 10 pm
Friday:	8 am - 10 pm	9 am - 10 pm
Saturday:	8 am - 10 pm	9 am - 10 pm

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
10/13/2017

Notice is hereby given that:

License Number: ABRA-093257

License Class/Type: B / Retail - Class B

Applicant: Argyle Market, LLC

Trade Name: Argyle Market

ANC: 1D01

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

3220 17TH ST NW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
11/27/2017

A HEARING WILL BE HELD ON:
12/11/2017

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	7 am - 12 am	9 am - 12 am
Monday:	7 am - 12 am	9 am - 12 am
Tuesday:	7 am - 12 am	9 am - 12 am
Wednesday:	7 am - 12 am	9 am - 12 am
Thursday:	7 am - 12 am	9 am - 12 am
Friday:	7 am - 12 am	9 am - 12 am
Saturday:	7 am - 12 am	9 am - 12 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
10/13/2017

Notice is hereby given that:

License Number: ABRA-095170

License Class/Type: B / Retail - Grocery

Applicant: Harris Teeter, LLC

Trade Name: Harris Teeter

ANC: 6C06

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

1201 1st ST NE

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
11/27/2017

A HEARING WILL BE HELD ON:
12/11/2017

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	7 am - 12 am	7 am - 12 am
Monday:	7 am - 12 am	7 am - 12 am
Tuesday:	7 am - 12 am	7 am - 12 am
Wednesday:	7 am - 12 am	7 am - 12 am
Thursday:	7 am - 12 am	7 am - 12 am
Friday:	7 am - 12 am	7 am - 12 am
Saturday:	7 am - 12 am	7 am - 12 am

ENDORSEMENT(S): Tasting

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
10/13/2017

Notice is hereby given that:

License Number: ABRA-093817

License Class/Type: B / Retail - Grocery

Applicant: Sun Rising Inc.

Trade Name: 7 Food Store

ANC: 5D05

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

1830 BENNING RD NE

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
11/27/2017

A HEARING WILL BE HELD ON:
12/11/2017

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	8 am - 9 pm	9 am - 9 pm
Monday:	8 am - 10 pm	9 am - 10 pm
Tuesday:	8 am - 10 pm	9 am - 10 pm
Wednesday:	8 am - 10 pm	9 am - 10 pm
Thursday:	8 am - 10 pm	9 am - 10 pm
Friday:	9 am - 11 pm	9 am - 10 pm
Saturday:	9 am - 10 pm	9 am - 10 pm

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
10/13/2017

Notice is hereby given that:

License Number: ABRA-100436

License Class/Type: B / Retail - Grocery

Applicant: Via Umbria, LLC

Trade Name: Via Umbria

ANC: 2E03

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

1525 WISCONSIN AVE NW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
11/27/2017

A HEARING WILL BE HELD ON:
12/11/2017

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	6 am - 11:30 pm	7 am - 11:30 pm
Monday:	6 am - 11:30 pm	7 am - 11:30 pm
Tuesday:	6 am - 11:30 pm	7 am - 11:30 pm
Wednesday:	6 am - 11:30 pm	7 am - 11:30 pm
Thursday:	6 am - 11:30 pm	7 am - 11:30 pm
Friday:	6 am - 11:30 pm	7 am - 11:30 pm
Saturday:	6 am - 11:30 pm	7 am - 11:30 pm

ENDORSEMENT(S): Tasting

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
10/13/2017

Notice is hereby given that:

License Number: ABRA-105167

License Class/Type: B / Retail - Class B

Applicant: E & F, Inc.

Trade Name: Elm Cookie Corner

ANC: 1B01

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

1970 2ND ST NW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
11/27/2017

A HEARING WILL BE HELD ON:
12/11/2017

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	7 am - 12 am	9am - 12am
Monday:	7 am - 12 am	9 am - 12 am
Tuesday:	7 am - 12 am	9 am - 12 am
Wednesday:	7 am - 12 am	9 am - 12 am
Thursday:	7 am - 12 am	9 am - 12 am
Friday:	7 am - 12am	9 am - 12 am
Saturday:	7am - 12 am	9 am - 12 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
10/13/2017

Notice is hereby given that:

License Number: ABRA-086085

License Class/Type: B / Retail - Class B

Applicant: JH Topia, Inc.

Trade Name: Patron Convenience Store

ANC: 7B04

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

3235 PENNSYLVANIA AVE SE

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
11/27/2017

A HEARING WILL BE HELD ON:
12/11/2017

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	7 am - 12 am	9:30 am - 10 pm
Monday:	7 am - 12 am	9:30 am - 10 pm
Tuesday:	7 am - 12 am	9:30 am - 10 pm
Wednesday:	7 am - 12 am	9:30 am - 10 pm
Thursday:	7 am - 12 am	9:30 am - 10 pm
Friday:	7 am - 12 am	9:30 am - 10 pm
Saturday:	7 am - 12 am	9:30 am - 10 pm

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
10/13/2017

Notice is hereby given that:

License Number: ABRA-022045

License Class/Type: B / Retail - Grocery

Applicant: Whole Foods Market Group Inc

Trade Name: Fresh Fields Whole Foods Market

ANC: 3B02

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

2323 WISCONSIN AVE NW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
11/27/2017

A HEARING WILL BE HELD ON:
12/11/2017

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	7 am - 12 am	7 am - 12 am
Monday:	7 am - 12 am	7 am - 12 am
Tuesday:	7 am - 12 am	7 am - 12 am
Wednesday:	7 am - 12 am	7 am - 12 am
Thursday:	7 am - 12 am	7 am - 12 am
Friday:	7 am - 12 am	7 am - 12 am
Saturday:	7 am - 12 am	7 am - 12 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
10/13/2017

Notice is hereby given that:

License Number: ABRA-060506

License Class/Type: B / Retail - Grocery

Applicant: Wabi Corporation Inc.

Trade Name: Windows Cafe & Market

ANC: 5E07

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

101 RHODE ISLAND AVE NW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
11/27/2017

A HEARING WILL BE HELD ON:
12/11/2017

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	9 am - 10 pm	10 am - 10 pm
Monday:	9 am - 10 pm	9 am - 10 pm
Tuesday:	9 am - 10 pm	9 am - 10 pm
Wednesday:	9 am - 10 pm	9 am - 10 pm
Thursday:	9 am - 10 pm	9 am - 10 pm
Friday:	9 am - 10 pm	9 am - 10 pm
Saturday:	9 am - 10 pm	9 am - 10 pm

ENDORSEMENT(S): Tasting

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
10/13/2017

Notice is hereby given that:

License Number: ABRA-013885

License Class/Type: B / Retail - Grocery

Applicant: Vincent H. Covert

Trade Name: M L K Deli

ANC: 8C03

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

3113 M.L. KING JR., AVE SE

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
11/27/2017

A HEARING WILL BE HELD ON:
12/11/2017

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	10 am - 12 am	10 am - 9 pm
Monday:	9 am - 12 am	9 am - 9 pm
Tuesday:	9 am - 12 am	9 am - 9 pm
Wednesday:	9 am - 12 am	9 am - 9 pm
Thursday:	9 am - 12 am	9 am - 9 pm
Friday:	9 am - 12 am	9 am - 9 pm
Saturday:	10 am - 12 am	10 am - 9 pm

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
10/13/2017

Notice is hereby given that:

License Number: ABRA-103200

License Class/Type: B / Retail - Grocery

Applicant: Yk Han Inc.

Trade Name: Han's Market

ANC: 5E07

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

1942 1ST ST NW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
11/27/2017

A HEARING WILL BE HELD ON:
12/11/2017

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	7:30 am - 12 am	9 am - 12 am
Monday:	7:30 am - 12 am	9 am - 12 am
Tuesday:	7:30 am - 12 am	9 am - 12 am
Wednesday:	7:30 am - 12 am	9 am - 12 am
Thursday:	7:30 am - 12 am	9 am - 12 am
Friday:	7:30 am - 12 am	9 am - 12 am
Saturday:	7:30 am - 12 am	9 am - 12 am

ENDORSEMENT(S): Tasting

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
10/13/2017

Notice is hereby given that:

License Number: ABRA-005950

License Class/Type: B / Retail - Grocery

Applicant: Prester John's Corporation

Trade Name: Wisemillers Grocery & Deli

ANC: 2E08

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

1236 36TH ST NW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
11/27/2017

A HEARING WILL BE HELD ON:
12/11/2017

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	8 am - 11:30 pm	9 am - 11:30 pm
Monday:	7 am - 11:30 pm	9 am - 11:30 pm
Tuesday:	7 am - 11:30 pm	9 am - 11:30 pm
Wednesday:	7 am - 11:30 pm	9 am - 11:30 pm
Thursday:	7 am - 11:30 pm	9 am - 11:30 pm
Friday:	7 am - 11:30 pm	9 am - 11:30 pm
Saturday:	8 am - 11:30 pm	9 am - 11:30 pm

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
10/13/2017

Notice is hereby given that:

License Number: ABRA-103996

License Class/Type: B / Retail - Grocery

Applicant: Summit Industries DC, LLC

Trade Name: Yang's Market

ANC: 5E07

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

138 U ST NE

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
11/27/2017

A HEARING WILL BE HELD ON:
12/11/2017

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	8 am - 9:30 pm	9 am - 9 pm
Monday:	8 am - 9:30 pm	9 am - 9 pm
Tuesday:	8 am - 9:30 pm	9 am - 9 pm
Wednesday:	8 am - 9:30 pm	9 am - 9 pm
Thursday:	8 am - 9:30 pm	9 am - 9 pm
Friday:	8 am - 9:30 pm	9 am - 9 pm
Saturday:	8 am - 9:30 pm	9 am - 9 pm

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
10/13/2017

Notice is hereby given that:

License Number: ABRA-060723

License Class/Type: B / Retail - Grocery

Applicant: MYRB Corporation

Trade Name: Geranium Market

ANC: 4A03

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

7350 GEORGIA AVE NW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
11/27/2017

A HEARING WILL BE HELD ON:
12/11/2017

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	9 am - 10 pm	9 am - 10 pm
Monday:	9 am - 10 pm	9 am - 10 pm
Tuesday:	9 am - 10 pm	9 am - 10 pm
Wednesday:	9 am - 10 pm	9 am - 10 pm
Thursday:	9 am - 10 pm	9 am - 10 pm
Friday:	9 am - 10 pm	9 am - 10 pm
Saturday:	9 am - 10 pm	9 am - 10 pm

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
10/13/2017

Notice is hereby given that:

License Number: ABRA-082995

License Class/Type: B / Retail - Grocery

Applicant: Koo Sunbeam Market, Inc.

Trade Name: Sunbeam Market

ANC: 5E09

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

2324 NORTH CAPITOL ST NW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
11/27/2017

A HEARING WILL BE HELD ON:
12/11/2017

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	9 am - 9 pm	10 am - 9 pm
Monday:	9 am - 9 pm	9 am - 9 pm
Tuesday:	9 am - 9 pm	9 am - 9 pm
Wednesday:	9 am - 9 pm	9 am - 9 pm
Thursday:	9 am - 9 pm	9 am - 9 pm
Friday:	9 am - 9 pm	9 am - 9 am
Saturday:	9 am - 9 pm	9 am - 9 pm

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
10/13/2017

Notice is hereby given that:

License Number: ABRA-083507

License Class/Type: B / Retail - Grocery

Applicant: District of Columbia CVS Pharmacy, LLC

Trade Name: CVS Pharmacy #2104

ANC: 3F05

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

5013 CONNECTICUT AVE NW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
11/27/2017

A HEARING WILL BE HELD ON:
12/11/2017

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	8 am - 10 pm	8 am - 10 pm
Monday:	8 am - 10 pm	8 am - 10 pm
Tuesday:	8 am - 10 pm	8 am - 10 pm
Wednesday:	8 am - 10 pm	8 am - 10 pm
Thursday:	8 am - 10 pm	8 am - 10 pm
Friday:	8 am - 10 pm	8 am - 10 pm
Saturday:	8 am - 10 pm	8 am - 10 pm

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
10/13/2017

Notice is hereby given that:

License Number: ABRA-060454

License Class/Type: B / Retail - Grocery

Applicant: Bella Investments, Inc.

Trade Name: New Hampshire Market

ANC: 2B09

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

1900 16TH ST NW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
11/27/2017

A HEARING WILL BE HELD ON:
12/11/2017

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	8 am - 12 am	9 am - 12 am
Monday:	8 am - 12 am	9 am - 12 am
Tuesday:	8 am - 12 am	9 am - 12 am
Wednesday:	8 am - 12 am	9 am - 12 am
Thursday:	8 am - 12 am	9 am - 12 am
Friday:	8 am - 12 am	9 am - 12 am
Saturday:	8 am - 12 am	9 am - 12 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
10/13/2017

Notice is hereby given that:

License Number: ABRA-082443

License Class/Type: B / Retail - Grocery

Applicant: DKDC, LLC

Trade Name: Cork Market And Tasting Room

ANC: 1B12

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

1805 A 14TH ST NW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
11/27/2017

A HEARING WILL BE HELD ON:
12/11/2017

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	9 am - 10 pm	9 am - 10 pm
Monday:	9 am - 10 pm	9 am - 10 pm
Tuesday:	9 am - 10 pm	9 am - 10 pm
Wednesday:	9 am - 10 pm	9 am - 10 pm
Thursday:	9 am - 10 pm	9 am - 10 pm
Friday:	9 am - 10 pm	9 am - 10 pm
Saturday:	9 am - 10 pm	9 am - 10 pm

ENDORSEMENT(S): Tasting

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
10/13/2017

Notice is hereby given that:

License Number: ABRA-091021

License Class/Type: B / Retail - Grocery

Applicant: Capitol, LLC

Trade Name: Capitol Market

ANC: 5E09

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

2501 NORTH CAPITOL ST NE

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
11/27/2017

A HEARING WILL BE HELD ON:
12/11/2017

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	9 am - 10 pm	9 am - 10 pm
Monday:	9 am - 10 pm	9 am - 10 pm
Tuesday:	9 am - 10 pm	9 am - 10 pm
Wednesday:	9 am - 10 pm	9 am - 10 pm
Thursday:	9 am - 10 pm	9 am - 10 pm
Friday:	9 am - 10 pm	9 am - 10 pm
Saturday:	9 am - 10 pm	9 am - 10 pm

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
10/13/2017

Notice is hereby given that:

License Number: ABRA-090326

License Class/Type: B / Retail - Class B

Applicant: Metaril, LLC

Trade Name: Prego Again

ANC: 2B04

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

1617 17TH ST NW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
11/27/2017

A HEARING WILL BE HELD ON:
12/11/2017

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	9 am - 10 pm	9 am - 10 pm
Monday:	9 am - 12 am	9 am - 12 am
Tuesday:	9 am - 12pm	9 am - 12 am
Wednesday:	9 am - 12 am	9 am - 12 am
Thursday:	9 am - 12 pm	9 am - 12 am
Friday:	9 am - 12 am	9 am - 12 am
Saturday:	9 am - 12 am	9 am - 12 am

ENDORSEMENT(S): Tasting

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
10/13/2017

Notice is hereby given that:

License Number: ABRA-023503

License Class/Type: B / Retail - Grocery

Applicant: Rufael, Incorporation

Trade Name: Missouri Avenue Market

ANC: 4A06

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

5900 GEORGIA AVE NW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
11/27/2017

A HEARING WILL BE HELD ON:
12/11/2017

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	7 am - 12 am	7 am - 12 am
Monday:	7 am - 12 am	7 am - 12 am
Tuesday:	7 am - 12 am	7 am - 12 am
Wednesday:	7 am - 12 am	7 am - 12 am
Thursday:	7 am - 12 am	7 am - 12 am
Friday:	7 am - 12 am	7 am - 12 am
Saturday:	7 am - 12 am	7 am - 12 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
10/13/2017

Notice is hereby given that:

License Number: ABRA-088611

License Class/Type: B / Retail - Class B

Applicant: L Street Market, Inc.

Trade Name: 7th L Street Market

ANC: 6B04

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

700 L ST SE

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
11/27/2017

A HEARING WILL BE HELD ON:
12/11/2017

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	8 am - 7 pm	9 am - 7 pm
Monday:	7:30 am - 8 pm	9 am - 8 pm
Tuesday:	7:30 am - 8 pm	9 am - 8 pm
Wednesday:	7:30 am - 8 pm	9 am - 8 pm
Thursday:	7:30 am - 8 pm	9 am - 8 pm
Friday:	7:30 am - 8 pm	9 am - 8 pm
Saturday:	7:30 am - 8 pm	9 am - 8 pm

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
10/13/2017

Notice is hereby given that:

License Number: ABRA-104505

License Class/Type: B / Retail - Full Service
Grocery

Applicant: Whole Foods Market Group, Inc.

Trade Name: Whole Foods Market

ANC: 6C05

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

600 H ST NE

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
11/27/2017

A HEARING WILL BE HELD ON:
12/11/2017

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	7 am - 11 pm	8 am - 11 pm
Monday:	7 am - 11 pm	8 am - 11 pm
Tuesday:	7 am - 11 pm	8 am - 11 pm
Wednesday:	7 am - 11 pm	8 am - 11 pm
Thursday:	7 am - 11 pm	8 am - 11 pm
Friday:	7 am - 11 pm	8 am - 11 pm
Saturday:	7 am - 11 pm	8 am - 11 pm

ENDORSEMENT(S): Tasting

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
10/13/2017

Notice is hereby given that:

License Number: ABRA-086607

License Class/Type: B / Retail - Class B

Applicant: The Bodega Incorporated

Trade Name: The Cupboard

ANC: 6A08

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

1504 EAST CAPITOL ST NE

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
11/27/2017

A HEARING WILL BE HELD ON:
12/11/2017

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	9:30 am - 10 pm	10 am - 10 pm
Monday:	9:30 am - 10 pm	9:30 am - 10 pm
Tuesday:	9:30 am - 10 pm	9: 30 am - 10 pm
Wednesday:	9:30 am - 10 pm	9:30 am - 10 pm
Thursday:	9:30 am - 10 pm	9:30 am - 10 pm
Friday:	9:30 am - 10 pm	9:30 am - 10 pm
Saturday:	9:30 am - 10 pm	9:30 am - 10 pm

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
10/13/2017

Notice is hereby given that:

License Number: ABRA-017772

License Class/Type: B / Retail - Grocery

Applicant: Manhattan Market, Inc.

Trade Name: Manhattan Market

ANC: 3C01

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

2647 CONNECTICUT AVE NW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
11/27/2017

A HEARING WILL BE HELD ON:
12/11/2017

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	7 am - 12 am	7 am - 12 am
Monday:	7 am - 12 am	7 am - 12 am
Tuesday:	7 am - 12 am	7 am - 12 am
Wednesday:	7 am - 12 am	7 am - 12 am
Thursday:	7 am - 12 am	7 am - 12 am
Friday:	7 am - 12 am	7 am - 12 am
Saturday:	7 am - 12 am	7 am - 12 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
10/13/2017

Notice is hereby given that:

License Number: ABRA-083125

License Class/Type: B / Retail - Class B

Applicant: Shitu, Inc.

Trade Name: Gee's Market

ANC: 1A08

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

3583 WARDER ST NW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
11/27/2017

A HEARING WILL BE HELD ON:
12/11/2017

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	8 am - 12 am	9 am - 12 am
Monday:	8 am - 12 am	9 am - 12 am
Tuesday:	8 am - 12 am	9 am - 12 am
Wednesday:	8 am - 12 am	9 am - 12 am
Thursday:	8 am - 12 am	9 am - 12 am
Friday:	8 am - 12 am	9 am - 12 am
Saturday:	8 am - 12 am	9 am - 12 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
10/13/2017

Notice is hereby given that:

License Number: ABRA-090639

License Class/Type: B / Retail - Grocery

Applicant: Midagra L.L.C.

Trade Name: DCanter

ANC: 6B03

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

545 8th ST SE

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
11/27/2017

A HEARING WILL BE HELD ON:
12/11/2017

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	9 am - 10 pm	9 am - 10 pm
Monday:	9 am - 10 pm	9 am - 10 pm
Tuesday:	9 am - 10 pm	9 am - 10 pm
Wednesday:	9 am - 10 pm	9 am - 10 pm
Thursday:	9 am - 10 pm	9 am - 10 pm
Friday:	9 am - 10 pm	9 am - 10 pm
Saturday:	9 am - 10 pm	9 am - 10 pm

ENDORSEMENT(S): Tasting

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
10/13/2017

Notice is hereby given that:

License Number: ABRA-100343

License Class/Type: B / Retail - Grocery

Applicant: Ruth Achard

Trade Name: Food Town Market

ANC: 3B01

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

4000 Tunlaw RD NW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
11/27/2017

A HEARING WILL BE HELD ON:
12/11/2017

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	10 am - 7 pm	10 am - 7 pm
Monday:	10 am - 8 pm	10 am - 8 pm
Tuesday:	10 am - 8 pm	10 am - 8 pm
Wednesday:	10 am - 8 pm	10 am - 8 pm
Thursday:	10 am - 8 pm	10 am - 8 pm
Friday:	10 am - 8 pm	10 am - 8 pm
Saturday:	10 am - 8 pm	10 am - 8 pm

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
10/13/2017

Notice is hereby given that:

License Number: ABRA-086606

License Class/Type: B / Retail - Grocery

Applicant: S & K Corporation

Trade Name: 11th & M Corner Market

ANC: 2F06

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

1133 11TH ST NW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
11/27/2017

A HEARING WILL BE HELD ON:
12/11/2017

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	7 am - 12 am	7 am - 12 am
Monday:	7 am - 12 am	7 am - 12 am
Tuesday:	7 am - 12 am	7 am - 12 am
Wednesday:	7 am - 12 am	7 am - 12 am
Thursday:	7 am - 12 am	7 am - 12 am
Friday:	7 am - 12 am	7 am - 12 am
Saturday:	7 am - 12 am	7 am - 12 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION
ADMINISTRATION
ON
10/6/2017

****RESCIND**

Notice is hereby given that

Applicant: Family Food and Delicatessen Store

B Retail - Grocery

Licensee: ME & JJJS, INC.

License Number: [ABRA-086078](#)

ANC: 4C08

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

3713 NEW HAMPSHIRE AVE NW, WASHINGTON, DC 20010

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

11/20/2017

A HEARING WILL BE HELD ON:

12/4/2017

at 10.a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009

Hours of Operation		Hours of Sales	
Sun	8 am - 12 am	Sun	8 am - 12 am
Mon	8 am - 12 am	Mon	8 am - 12 am
Tue	8 am - 12 am	Tue	8 am - 12 am
Wed	8 am - 12 am	Wed	8 am - 12 am
Thu	8 am - 12 am	Thu	8 am - 12 am
Fri	8 am - 12 am	Fri	8 am - 12 am
Sat	8 am - 12 am	Sat	8 am - 12 am

FOR FURTHER INFORMATION CALL: (202) 442-4423.

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date: October 13, 2017
Protest Petition Deadline: November 27, 2017
Roll Call Hearing Date: December 11, 2017

License No.: ABRA-105178
Licensee: SKCG 50 M, LLC
Trade Name: Homewood Suites by Hilton Washington DC
License Class: Retailer’s Class “D” Tavern
Address: 50 M Street, S.E.
Contact: Matthew T. Minora, Esq.: (202) 625-7700

WARD 6 ANC 6D SMD 6D02

Notice is hereby given that this licensee has requested Substantial Changes to their license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the **Roll Call Hearing date on December 11, 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 CHANGES

Applicant is requesting a Class Change from Retailer Class “D” Tavern to Retailer Class “C” Tavern, a Change of Hours On-Premise and for the Outdoor Summer Garden, and an Entertainment Endorsement.

CURRENT HOURS OF OPERATION ON PREMISE

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

CURRENT HOURS OF OPERATION FOR THE OUTDOOR SUMMER GARDEN

Sunday through Saturday 6 am – 11 pm

CURRENT HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE AND CONSUMPTION ON PREMISE AND FOR THE OUTDOOR SUMMER GARDEN

Sunday through Saturday 4 am – 11 pm

PROPOSED HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE AND CONSUMPTION ON PREMISE AND FOR THE OUTDOOR SUMMER GARDEN

Sunday through Saturday 10 am – 11 pm

PROPOSED HOURS OF LIVE ENTERTAINMENT ON PREMISE AND FOR THE OUTDOOR SUMMER GARDEN

Sunday through Saturday 10 am – 10 pm

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date: October 13, 2017
Protest Petition Deadline: November 27, 2017
Roll Call Hearing Date: December 11, 2017
Protest Hearing Date: February 7, 2018

License No.: ABRA-107991
Licensee: Tokyo Express, LLC
Trade Name: Kofuku
License Class: Retailer's Class "C" Restaurant
Address: 815 7th Street, N.W.
Contact: Eugene Mark: (301) 237-7850

WARD 2

ANC 2C

SMD 2C01

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 December 11, 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 **February 7, 2018 at 4:30 p.m.**

NATURE OF OPERATION

A Retailer "C" Restaurant serving Japanese/Asian cuisine that includes hibachi, sushi, sashimi ramen and udon noodles. Total Occupancy Load of 56, with seating for 40.

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

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

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date: October 13, 2017
Protest Petition Deadline: November 27, 2017
Roll Call Hearing Date: December 11, 2017

License No.: ABRA-106554
Licensee: Potomac Distilling Limited Liability Company
Trade Name: Potomac Distilling Company
License Class: Retailer’s Class “C” Tavern
Address: 1130 Maine Avenue, S.W.
Contact: Andrew Kline, Esq.: (202) 686-7600

WARD 6 ANC 6D SMD 6D04

Notice is hereby given that this licensee has requested a Substantial Change to their license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the **Roll Call Hearing date on November 27, 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 an additional Summer Garden Endorsement with 40 seats.

CURRENT HOURS OF OPERATION AND ALCOHOLIC BEVERAGE SALES, SERVICE AND CONSUMPTION ON PREMISE AND FOR THE FIRST SUMMER GARDEN

Sunday 10 am 12 am, Monday through Friday 11:30 am – 1:30am, Saturday 10 am – 1:30 am

PROPOSED HOURS OF OPERATION AND ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION ON THE ADDITIONAL OUTDOOR SUMMER GARDEN

Sunday 10 am – 12 am, Monday through Friday 11:30 am – 12 am, Saturday 10 am 12 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
9/29/2017

****CORRECTION**

Notice is hereby given that:

License Number: ABRA-107577

License Class/Type: B Retail - Grocery

Applicant: Youwon Services LLC

Trade Name: Young's Deli & Market

ANC: 3B04

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

4000 MASSACHUSETTS AVE NW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
11/13/2017

A HEARING WILL BE HELD ON:
11/27/2017

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	9 am - 1 pm	9 am - 1 pm
Monday:	8 am - 7 pm	9 am - 7 pm
Tuesday:	8 am - 7 pm	9 am - 7 pm
Wednesday:	8 am - 7 pm	9 am - 7 pm
Thursday:	8 am - 7 pm	9 am - 7 pm
Friday:	8 am - 7 pm	9 am - 7 pm
Saturday:	8 am - 7 pm	9 am - 7 pm

ENDORSEMENT(S): **Tasting

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
9/29/2017

****RESCIND**

Notice is hereby given that:

License Number: ABRA-107577

License Class/Type: B Retail - Grocery

Applicant: Youwon Services LLC

Trade Name: Young's Deli & Market

ANC: 3B04

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

4000 MASSACHUSETTS AVE NW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
11/13/2017

A HEARING WILL BE HELD ON:
11/27/2017

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	9 am - 1 pm	9 am - 1 pm
Monday:	8 am - 7 pm	9 am - 7 pm
Tuesday:	8 am - 7 pm	9 am - 7 pm
Wednesday:	8 am - 7 pm	9 am - 7 pm
Thursday:	8 am - 7 pm	9 am - 7 pm
Friday:	8 am - 7 pm	9 am - 7 pm
Saturday:	8 am - 7 pm	9 am - 7 pm

FOR FURTHER INFORMATION CALL: (202) 442-4423

**BOARD OF ZONING ADJUSTMENT
PUBLIC HEARING NOTICE
WEDNESDAY, NOVEMBER 29, 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

19615 **Application of Gabriela Maglione**, pursuant to 11 DCMR Subtitle X, Chapter 9, ANC 2F for a special exception under the use provisions of Subtitle U § 513.1(n), to permit a dog grooming business on the ground floor of an existing commercial building in the MU-4 Zone at premises 1408 9th Street N.W. (Square 366, Lot 801).

WARD FIVE

19620 **Application of Petit Scholars West End LLC dba Petit Scholars @ RIA**, ANC 5C pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception under the use provisions of Subtitle U § 401.1 (c), to permit a child development center with greater than 25 individuals in the MU-4 Zone at premises 2066 Rhode Island Avenue N.E. (Square 4219, Lot 823).

WARD SIX

19631 **Application of E ST, LLC**, pursuant to 11 DCMR Subtitle X, Chapter 9, for a ANC 6B special exception under the use requirements of Subtitle U § 301.1(c), and pursuant to Subtitle X, Chapter 10, for area variances from the lot occupancy requirements of Subtitle E § 304.1, from the height requirements of Subtitle E § 5002.1, from the lot occupancy requirements of Subtitle E § 5003.1, from the rear yard requirements of Subtitle E § 306.1, from the side yard requirements of Subtitle E § 307.1, and from the use requirements of Subtitle U § 301.1(d), to construct an accessory dwelling unit and convert the existing three-unit apartment house to a flat in the RF-1 Zone at premises 602 E Street S.E. (Square 876, Lot 65).

BZA PUBLIC HEARING NOTICE

NOVEMBER 29, 2017

PAGE NO. 2

WARD FIVE

19635 **Application of HJB Properties, LLC**, pursuant to 11 DCMR Subtitle X, Chapter 9, for special exceptions from the residential building conversion requirements of Subtitle U § 320.2, and from the building height requirements of Subtitle E § 5203.1 to construct a rear addition to an existing one-family dwelling and convert it to a three-unit apartment house in the RF-1 Zone at premises 1121 Morse Street N.E. (Square 4070, Lot 138).

WARD FIVE

19636 **Application of Scott Yurcheshen**, pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception under Subtitle E § 5201 from the lot occupancy requirements of Subtitle E § 304.1, and under Subtitle C § 1504 from the penthouse requirements of Subtitle C § 1500.4 and from the penthouse setback requirements of Subtitle C § 1502.1, to construct a roof deck and expand existing rear decks on an existing flat in the RF-1 Zone at premises 26 Q Street N.E. (Square 3520, Lot 118).

WARD FOUR

19632 **Appeal of AMT-Varnum, LLC**, pursuant to 11 DCMR Subtitle Y § 302, from the decision made on August 23, 2017 by the Zoning Administrator, Department of Consumer and Regulatory Affairs, to deny building permit B1611940, to construct a new, three-story flat in the RF-1 Zone at premises 1523 Varnum Street, NW. (Square 2698, Lot 46).

PLEASE NOTE:

Failure of an applicant or appellant to appear at the public hearing will subject the application or appeal to dismissal at the discretion of the Board.

Failure of an applicant or appellant to be adequately prepared to present the application or appeal to the Board, and address the required standards of proof for the application or appeal, may subject the application or appeal to postponement, dismissal or denial. The public hearing in these cases will be conducted in accordance with the provisions of Subtitles X and Y of the District of Columbia Municipal Regulations, Title 11. Pursuant to Subtitle Y, Chapter 2 of the Regulations, the Board will impose time limits on the testimony of all individuals. Individuals and organizations interested in any application may testify at the public hearing or submit written comments to the Board.

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

BZA PUBLIC HEARING NOTICE
NOVEMBER 29, 2017
PAGE NO. 3

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 ዕርዳታ ያስፈልግዎታል?

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

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

0312 ወይም በኢሜል Zelalem.Hill@dc.gov ይገናኙ። እነኚህ አገልግሎቶች የሚሰጡት 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 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.

BZA PUBLIC HEARING NOTICE
NOVEMBER 29, 2017
PAGE NO. 4

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**

DISTRICT OF COLUMBIA BOARD OF ELECTIONS

FINAL RULEMAKING

The District of Columbia Board of Elections, pursuant to the authority set forth in The District of Columbia Election Code of 1955, approved August 12, 1955, as amended (69 Stat. 699; D.C. Official Code § 1-1001.05(a)(14) (2016 Repl.)), hereby gives notice of the adoption of amendments to Chapter 30 (Campaign Finance Operations: Committees, Candidates, Constituent Service Programs, Statehood Funds), Chapter 34 (Campaign Finance Recordkeeping and Audits), Chapter 38 (Legal Defense Committees) and Chapter 41 (Campaign Finance Operations: Exploratory Committees) of Title 3 (Elections and Ethics) of the District of Columbia Municipal Regulations (DCMR).

These amendments place the Board's regulations into conformity with the Campaign Finance Reform and Transparency Emergency Act of 2016, enacted December 24, 2016 (D.C. Act 21-584; 63 DCR 16043 (December 30, 2016)), and the Campaign Finance Reform and Transparency Temporary Amendment Act of 2016, enacted April 1, 2017 (D.C. Act 21-619; 64 DCR 885 (February 3, 2017)) (the "Acts").

A Notice of Emergency and Proposed Rulemaking with respect to these amendments was published in the *D.C. Register* on April 21, 2017, at 64 DCR 3804. No written comments on the proposed rules were received during the public comment period, and no substantive changes have been made to the regulations as proposed. The Board took adopted these rules as final at a regular meeting on Wednesday, September 6, 2017 and they will become effective upon publication of this notice in the *D.C. Register*.

Chapter 30, CAMPAIGN FINANCE OPERATIONS: COMMITTEES, CANDIDATES, CONSTITUENT SERVICE PROGRAMS, STATEHOOD FUNDS, of Title 3 DCMR, ELECTIONS AND ETHICS, is amended as follows:

Section 3011, LIMITATIONS ON CONTRIBUTIONS, is amended in its entirety to read as follows:

3011 LIMITATIONS ON CONTRIBUTIONS

3011.1 No person, including a business contributor and its affiliated entities, may make any contribution, and no person may receive any contribution, which, when totaled with all other contributions from the same person, pertaining to an individual's campaign for nomination as a candidate or election to public office, including both the primary and general elections, or special elections, exceeds the limitations enumerated for each office set forth in § 3011.2.

3011.2 Contributions in support of either individual candidates or their authorized committees, or for the recall of an incumbent, shall be limited to the following:

- (a) Mayor, U.S. Senator, and U.S. Representative to Congress – two thousand dollars (\$2,000);
- (b) Chairman of the Council and the Attorney General – one thousand five hundred dollars (\$1,500);
- (c) At-large Member of the Council – one thousand dollars (\$1,000);
- (d) Ward Member of the Council and At-large Member of the State Board of Education– five hundred dollars (\$500);
- (e) Ward Member of the State Board of Education – two hundred dollars (\$200);
- (f) Official of a Political Party – two hundred dollars (\$200);
- (g) Advisory Neighborhood Commissioner – twenty-five dollars (\$25); and
- (h) Political Action Committee – five thousand dollars (\$5,000).

3011.3 With the exception of special elections, no person, including a business contributor and its affiliated entities, shall make any contribution in any one primary or general election that, when totaled, exceeds five thousand dollars (\$5,000), to any one (1) political action committee.

3011.4 No person or business contributor and its affiliated entities shall receive or make a contribution in the form of cash or money order which exceeds one hundred dollars (\$100).

3011.5 For the purposes of the contribution limitations of this section, expenditures for candidates for office shall not be considered contributions or expenditures by or on behalf of a candidate when derived from:

- (a) Personal funds belonging to candidates; and
- (b) Funds from any person, political action committee, or independent expenditure committee advocating the election or defeat of any candidate for office; provided, that the contributions it has received and the expenditures it has made were not controlled by or coordinated with any public official or candidate, anyone acting on their behalf, or by any political committee authorized by the candidate.

3011.6 Each loan or advance from a candidate or member of the immediate family of a candidate shall be evidenced by a written instruction that fully discloses:

- (a) The terms of the loan or advance;

- (b) The conditions of the loan or advance;
 - (c) The parties to the loan or advance; and
 - (d) Documentation regarding the source of the funds when the loan or advance is from the candidate.
- 3011.7 The amount of each loan or advance from a member of the candidate's immediate family shall be included in computing and applying the limitations on contributions under § 3011, upon receipt by the authorized political committee of the loan or advance from an immediate family member; provided, that the standards for repayment are consistent with the repayment policies of lending institutions in the District of Columbia.
- 3011.8 Contributions to a candidate, political committee, political action committee, or an independent expenditure committee shall be attributed to the person actually making the contribution.
- 3011.9 Contributions from minor children (under eighteen (18) years old) shall be attributed to their parents or legal guardians unless:
- (a) The decision to contribute is made knowingly and voluntarily by the minor child; and
 - (b) The funds, goods, or services contributed are owned or controlled exclusively by the minor child.
- 3011.10 A connected organization, under § 3000.8, and each committee established, financed, maintained, or controlled by the connected organization share a single contribution limitation.
- 3011.11 A Bitcoin contribution may be accepted if the value of the Bitcoin contribution at the time of transfer does not exceed the contribution limits established by § 3011.
- 3011.12 A Bitcoin contribution received during the initial transfer shall be rejected and returned to the contributor if it exceeds the contribution limits established by § 3011.
- 3011.13 A Bitcoin contribution that does not exceed the contribution limits at the time of transfer shall, within five (5) days of receipt, be liquidated and converted into U.S. dollars on a high volume public Bitcoin exchange website that is open to transactions in the United States.
- 3011.14 Each committee that receives a Bitcoin contribution shall be responsible for verifying both the accuracy of the contributor information provided and the

Bitcoin value determinations as part of the committee's recordkeeping obligations under § 3400.

- 3011.15 Each committee that accepts Bitcoin contributions shall require the contributor to affirm on forms soliciting Bitcoin contributions:
- (a) That the contributor is a United States citizen or legal permanent resident;
 - (b) That the contributor's personal funds were used to purchase the Bitcoin contributed; and
 - (c) That the contributor is the actual lawful owner of the Bitcoin contributed.
- 3011.16 No person, including a business contributor, shall make a bundled or cause to make a bundling of contributions from different donors for the purpose of making a single contribution, directly or indirectly, to a candidate or political committee.
- 3011.17 No candidate or political committee shall accept, directly or indirectly a bundling of contributions from different donors for the purpose of making a single contribution in support of a candidate for public office.
- 3011.18 Each political committee shall disclose in a separate sub-schedule of Schedule A, to be prescribed by the Director, of the R&E Report, where two (2) or more contributions are forwarded from one or more persons, by a person who is not acting with actual authority as an agent or principal of a committee, the following information:
- (a) The name, address, and employer of each person reasonably known by the committee to have bundled in excess of ten thousand dollars (\$10,000) in contributions during the reporting period;
 - (b) The identity of each instance in which multiple checks or money orders dated on or around the same date were received from contributors who share the same employer; and
 - (c) For each person, the total amount of the bundling.
- 3011.19 Limitations on bundled contributions under §§ 3011.16 and 3011.17, shall not apply to hosting a fundraiser, by itself.
- 3011.20 Any business entity, as that term is defined in § 29-101.02 of the District of Columbia Official Code, may make contributions in the District of Columbia.
- 3011.21 A corporation, its affiliated entities, including its subsidiaries, and each committee established, financed, maintained, or controlled by the corporation and its affiliated entities share a single contribution limitation.

- 3011.22 Each business entity is deemed to be a separate entity; provided, that a business entity, which is established, financed, maintained, or controlled (51% or more) by another entity, or shares a controller, whether the controller is another entity or an individual, is considered, for the purposes of the contribution limitations, an affiliated entity of the other business entity.
- 3011.23 All contributions by a partnership shall be subject to each contributing partner's individual contribution limitations, under § 3011.
- 3011.24 Contributions by a partnership shall be attributed to each partner either by:
- (a) Instructions from the partnership to the committee or the candidate; or
 - (b) Agreement of the partners; provided, that the profits of non-contributing partners are not affected.
- 3011.25 No portion of any contribution under § 3011.22 shall derive from the profits of a corporation that is a partner.
- 3011.26 Each business entity, as that term is defined in § 29-101.02 of the District of Columbia Official Code, is subject to the limitations on contributions set forth in § 3011.
- 3011.27 A business contributor consists of:
- (a) A business entity that makes a contribution; and
 - (b) Each of that business entity's affiliated entities.
- 3011.28 A business contributor shall certify on a form prescribed by the Director and submitted to the committee for each contribution that it makes that none of its affiliated entities have contributed an amount that, when aggregated with the business contributor's contribution to that committee, would exceed the limits imposed by the Campaign Finance Act.
- 3011.29 A business contributor to a political committee, political action committee, or an independent expenditure committee shall provide the committee with the identities of the contributor's affiliated entities that have also contributed to the committee, the date and amount of each contribution and expenditure made.
- 3011.30 [REPEALED].
- 3011.31 Limitations on contributions under § 3011 shall not apply to initiative or referendum measures.

3011.32 With the exception of contributions received to retire debt, a political committee or a candidate shall not receive or accept contributions after the election or defeat of the candidate for office, or after the candidate notifies the Office of Campaign Finance of the intent to terminate the candidacy.

3011.33 [REPEALED].

Section 3017, FILINGS AND DEADLINES, is amended in its entirety to read as follows:

3017 FILINGS AND DEADLINES

3017.1 Reports of Receipts and Expenditures (R&E Reports) shall be filed with the Office of Campaign Finance by:

- (a) The treasurer of each political committee;
- (b) Each candidate required to register pursuant to § 3002.2, unless reporting is otherwise exempted or waived under §§ 3003 and 3004;
- (c) The treasurer of each political action committee; and
- (d) The treasurer of each independent expenditure committee.

3017.2 All candidates and committees, except as otherwise noted in this chapter, shall file R&E Reports on the following dates:

- (a) March 10, June 10, August 10, October 10, and December 10 in the seven (7) months preceding the date on which an election is held for which the candidate seeks office and the committee supports a candidate for office;
- (b) January 31, March 10, June 10, August 10, October 10, December 10, and the eighth (8th) day next preceding the date of any election, in any year in which there is held an election for which the candidate seeks office and the committee supports a candidate for office;
- (c) January 31 and July 31; provided, that a committee no later than January 31 declares its intention to not support a candidate during an election year under § 3000.18; and
- (d) January 31 and July 31, in a non-election year; provided, that a committee no later than January 31 of the non-election year declares its intention to not support a candidate during an election year under § 3000.18.

3017.3 All political action committees and independent expenditure committees shall also file R&E Reports on April 10 and October 10 of each year in which there is no election.

- 3017.4 Constituent-service program R&E Reports shall be filed quarterly each year on the first (1st) day of the following months:
- (a) January;
 - (b) April;
 - (c) July; and
 - (d) October.
- 3017.5 Statehood Fund R&E Reports shall be filed quarterly each year on the first (1st) day of the following months:
- (a) January;
 - (b) April;
 - (c) July; and
 - (d) October.
- 3017.6 Except as otherwise provided in this chapter, R&E Reports shall be filed on January 31 and July 31 of each year until all debts and obligations are satisfied by the following:
- (a) Political committees pursuant to § 3015.8;
 - (b) A Statehood Fund when the U.S. Senator or Representative vacates office; and
 - (c) A constituent-service program when the elected official vacates office.
- 3017.7 All R&E Reports shall contain all financial transactions through and including the fifth (5th) day preceding the filing deadline for each R&E Report; provided, that the reporting period for the next R&E Report shall commence on the day following the closing date of the prior R&E Report.
- 3017.8 All contributions of two hundred dollars (\$200) or more, received after the filing deadline for the eighth (8th) day preceding the election Report, shall be reported in writing within twenty-four (24) hours of receipt.
- 3017.9 Where an exception to the mandatory electronic filing requirement is granted, all reports and statements filed in person or by first class mail shall be deemed timely filed when received by 5:30 p.m. of the prescribed filing date.

- 3017.10 All reports and statements electronically filed shall be deemed timely filed if received by midnight of the prescribed filing deadline.
- 3017.11 Upon written request submitted by the candidate or committee, on or before the filing deadline, the Director may allow an extension for filing a Report or statement for a reasonable period of time, for good cause shown.
- 3017.12 Any reference to days in this chapter is to calendar days, unless otherwise indicated.

Chapter 34, CAMPAIGN FINANCE RECORDKEEPING AND AUDITS, is amended as follows:

Section 3400, RECORDKEEPING PROCEDURES, is amended in its entirety to read as follows:

3400 RECORDKEEPING PROCEDURES

- 3400.1 To ensure financial accountability, this chapter governs the recordkeeping procedures for the following:
- (a) All candidates;
 - (b) Political Committees;
 - (c) Political action committees;
 - (d) Independent expenditure committees;
 - (e) Constituent-Service Programs; and
 - (f) Statehood Funds.
- 3400.2 Each person who is required to file records under § 3400.1 shall obtain and preserve, from the date of registration, detailed records of all contributions and expenditures disclosed in reports and statements filed with the Director, including the following:
- (a) Check stubs;
 - (b) Bank statements;
 - (c) Canceled checks;
 - (d) Contributor cards and copies of donor checks;

- (e) Credit card contributions, including merchant statements
- (f) Deposit slips;
- (g) Invoices;
- (h) Receipts;
- (i) Contracts;
- (j) Subcontracts;
- (k) Payroll records;
- (l) Lease agreements;
- (m) Petty cash journals, if applicable;
- (n) Ledgers;
- (o) Vouchers; and
- (p) Loan documents including the source of the funds.

3400.3 Each filer shall also obtain and preserve from each business contributor:

- (a) The identities of the business contributor's affiliated entities that have made contributions or expenditures to the filer;
- (b) The date and amount of each contribution and expenditure made by the business contributor's affiliated entities to the filer;
- (c) [REPEALED]; and
- (d) A certification with respect to each contribution made that none of the business contributor's affiliated entities contributed an amount that, when aggregated with the contribution of the business contributor, exceeded the contribution limits.

3400.4 Bank statements may be submitted in lieu of canceled checks to show financial transactions, as long as the bank statements include photocopies of the canceled checks.

- 3400.5 A contribution received after an election cycle (primary and general) shall be earmarked to indicate that the contribution is for the retirement of the debt of a candidate or political committee.
- 3400.6 All filers, with the exception of lobbyists, shall maintain the records required under § 3400.2 for a period of three (3) years from the date of the filing of the final Report of Receipts and Expenditures (R&E Report) and the Statement of Committee Termination under § 3016.
- 3400.7 Each lobbyist shall maintain the records required under § 3400.2 for a period of five (5) years from the date of the filing of the Lobbying Activity Report previously required to be filed with the Office of Campaign Finance.

Section 3402, RECEIPTS, is amended in its entirety to read as follows:

3402 RECEIPTS

- 3402.1 To fully identify the donor of a contribution, including the Bitcoin, each receipt shall contain:
- (a) The donor's full name;
 - (b) The donor's mailing address;
 - (c) The donor's occupation and principal place of business, if any;
 - (d) The date of the contribution;
 - (e) The amount of the contribution; and
 - (f) The contribution type (*i.e.*, check, credit card, money order, or cash).
- 3402.2 Each receipt from a business contributor shall also contain the following:
- (a) The identities of the business contributor's affiliated entities that have made contributions or expenditures to the filer;
 - (b) The date and amount of each contribution and expenditure made by the business contributor's affiliated entities to the filer;
 - (c) [REPEALED]; and
 - (d) A certification with respect to each contribution made that none of the business contributor's affiliated entities contributed an amount that, when aggregated with the contribution of the business contributor, exceeded the contribution limits.

- 3402.3 Each receipt shall be handled in the following manner:
- (a) A pre-numbered receipt shall issue for each contribution received; and
 - (b) Receipts shall be documented by contributor cards and copies of the donor's check.
- 3402.4 Each committee shall obtain and preserve:
- (a) Each instance in which two (2) or more contributions are forwarded from one or more persons by a person who is not acting with actual authority as an agent or principal of a committee;
 - (b) The name, address, and employer of each person reasonably known by the committee to have bundled in excess of ten thousand dollars (\$10,000) during any reporting period, and;
 - (c) For each person, the total amount of the bundling.
- 3402.5 Records of receipts and contributions shall be maintained to show:
- (a) Cumulative totals, with the exception of receipts for sales or collections; and
 - (b) For receipts for sales or collections, a detailed record of receipts and expenditures.
- 3402.6 Each filer shall separately identify itemized receipts from unitemized receipts (for example, those receipts obtained at fundraising events).

Chapter 38, LEGAL DEFENSE COMMITTEES, is amended as follows:

Section 3802, FILING AND REPORTING REQUIREMENTS, is amended in its entirety to read as follows:

3802 FILING AND REPORTING REQUIREMENTS

- 3802.1 The treasurer of each legal defense committee shall electronically file Reports of Receipts and Expenditures (R&E Reports), in accordance with §§ 3006 and 3008 of Chapter 30, on forms prescribed by the Director, within thirty (30) days after the committee's organization and every thirty (30) days thereafter until dissolution.
- 3802.2 The treasurer (or, if the treasurer is unavailable, the designated agent as listed on the Statement of Organization filed under § 3801.2) shall electronically verify

with respect to each R&E Report by oath or affirmation, subject to penalties of perjury, that reasonable due diligence was exercised in the preparation of the report, and that the report is true and complete to the best of the filer's knowledge.

3802.3

R&E Reports must disclose:

- (a) The amount of cash on hand at the beginning of the reporting period;
- (b) The full name and mailing address, including occupation and principal place of business, if any, of each person, including a business contributor, who has made one or more contributions to or for the committee within the calendar year in an aggregate amount or value in excess of fifty dollars (\$50) or more, together with the amount and date of the contributions;
- (c) The name and address of each affiliated entity of a business contributor which has also made a contribution to the committee;
- (d) The name, address, and employer of each person reasonably known by the committee to have submitted a bundled contribution in excess of ten thousand dollars (\$10,000) to the committee during the reporting period, and the total amount of the bundling;
- (e) The total sum of individual contributions made to or for the committee during the reporting period that is not reported under § 3802.2(b);
- (f) Each loan to or from any person within the calendar year in an aggregate amount or value of fifty (\$50) or more, together with the full names and mailing addresses (including the occupation and the principal place of business, if any) of the lender and endorsers, if any, and the date and amount of the loans;
- (g) The total sum of all receipts by or for the committee during the reporting period;
- (h) The full name and mailing address, including the occupation and the principal place of business, if any, of each person to whom expenditures have been made by or on behalf of the committee within the calendar year in an aggregate amount or value of ten dollars (\$10) or more;
- (i) The total sum of expenditures made by the committee during the calendar year;
- (j) The amount and nature of debts and obligations owed by or to the committee, in a form as the Director of Campaign Finance may prescribe; and

(k) Other information as may be required by the Director of Campaign Finance.

3802.4 R&E Reports must be complete no later than five (5) days before the prescribed filing deadline.

3802.5 The treasurer of a legal defense fund, and each beneficiary of such a fund, shall keep a detailed and exact account of:

(a) Each contribution made by any person, including a business contributor, to or for the legal defense committee;

(b) The full name and address (including the occupation and principal place of business, if any) of each person, including a business contributor, that made a contribution of at least fifty dollars (\$50) or more, and the date and amount of such contribution;

(c) The name and address of any affiliated entity of each business contributor which made a contribution to the committee, and the date and the amount of the contribution;

(d) The name, address, and employer of each person reasonably known by the committee to have submitted a bundled contribution in excess of ten thousand dollars (\$10,000) to the committee during the reporting period, and the total amount of the bundling;

(e) Each expenditure made by or on behalf of the legal defense committee; and

(f) The full name and address (including the occupation and principal place of business, if any) of each person to whom an expenditure was made, and the name, address, and the office held or sought, or the position held, by the public official, whichever is applicable.

Chapter 41, CAMPAIGN FINANCE OPERATIONS: EXPLORATORY COMMITTEES, is amended as follows:

Section 4101, DESIGNATION OF AN EXPLORATORY COMMITTEE AS A PRINCIPAL CAMPAIGN COMMITTEE, is amended in its entirety to read as follows:

4101 DESIGNATION OF AN EXPLORATORY COMMITTEE AS A PRINCIPAL CAMPAIGN COMMITTEE

4101.1 In the event that an individual on whose behalf an exploratory committee was organized becomes a candidate, the exploratory committee may be designated as a

candidate's principal campaign committee, pursuant to § 3005 of Chapter 30 of this title.

- 4101.2 If an exploratory committee is designated as a principal campaign committee:
- (a) The exploratory committee shall be named as a "Connected Organization or Affiliated Committee", under § 3000.7 in the Statement of Organization filed pursuant to § 3000.9 by the designated principal campaign committee;
 - (b) All funds previously raised and spent by the exploratory committee shall be reported as contributions and expenditures, pursuant to § 3008 of Chapter 30 of this title;
 - (c) The exploratory committee shall account for all financial transactions including, but not limited to, contributions, expenditures, and loans, retroactive to the formation of the exploratory committee as defined in Chapter 99 of this title; and
 - (d) The exploratory committee shall:
 - (1) Determine whether persons making contributions previously received by or on behalf of the candidate or by the principal campaign committee before designation may have exceeded the relevant limits, pursuant to § 3011 of Chapter 30 of this title; and
 - (2) Refund any contributions to donors who may have exceeded the contribution limitations by no later than 30 days after such determination is made.
- 4101.3 To ascertain individual donor compliance with the contribution limitations, contributions to an exploratory committee, or to a pre-designated principal campaign committee, shall be attributed in aggregate by donor name.

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

NOTICE OF PROPOSED RULEMAKING

The Alcoholic Beverage Control Board (Board), pursuant to the authority set forth in the Omnibus Alcoholic Beverage Amendment Act of 2004, effective September 30, 2004 (D.C. Law 15-187; D.C. Official Code § 25-211(b) (2012 Repl. & 2017 Supp.)) and Mayor's Order 2001-96, dated June 28, 2001, as revised by Mayor's Order 2001-102, dated July 23, 2001, hereby gives notice of proposed rulemaking action to amend Chapters 1 (Provisions of General Applicability), 2 (License and Permit Categories), 3 (Limitations on Licenses), 5 (License Applications), 7 (General Operating Requirements), 8 (Enforcement, Infractions, and Penalties), 9 (Prohibited and Restricted Activities), 10 (Endorsements), 12 (Records and Reports), 13 (Transport of Beverages), 15 (Applications: Notice of Hearings Involving Licenses), 16 (Contested Hearings, Non-Contested Hearings, Protest Hearings and Procedures), and 17 (Procedural Requirements for Board Hearings) of Title 23 (Alcoholic Beverages) of the District of Columbia Municipal Regulations (DCMR).

The proposed amendments to Chapter 1 include clarifying the language in § 100 (Extension of Expiration Dates of Protested Licenses) and revising the definition of "Roll Call Hearings" in § 199 (Definitions). The proposed amendments to Chapter 2 include establishing the reports and records requirements for holders of a storage facility permit. Additionally, the proposed rulemaking would amend Chapter 2 by updating the renewal periods in § 207, and reorganizing the licensing fees, permit and endorsement fees, and the application fees located in §§ 208-210.

The proposed amendments to Chapter 3 include reducing the quota limit for Class B Retailer's licenses in § 300 (Limitation on the Number of Class A and Class B Retailer's Licenses) and making clear that quota limits on Class A and B Retailer's licenses do not apply to Retailer's licenses, Class IA and IB. Additionally, § 302 (Licenses Near Schools, Colleges, Universities, and Recreation Areas) is amended by exempting Retailer's licenses, Class IA and IB, and Class B licenses where the establishment is located in a hotel, from the four hundred foot (400 ft.) restriction requirement.

The proposed amendments to Chapter 5 would clarify what documentation an applicant's seeking to transfer a license to a new owner is required to submit to the Board. Chapter 7 would be amended by requiring the purchaser of an ABC license to apply for a Temporary Operating Retail Permit pending the Board's decision on an application to transfer the license to a new owner. In addition, the proposed rulemaking would amend § 705 (Hours of Sale and Delivery for Off-premises Retailer Licenses) by correcting the Sunday hours set forth in § 705.9 so that they are consistent with the other hours listed in the subsection.

The proposed rulemaking would amend Chapter 8 by limiting the look-back period for mandatory warnings to four years as well as correct the D.C. Official Code citation in Chapter 9. Chapter 10 is amended by clarifying holders of tavern and nightclub licenses, without an entertainment endorsement, are prohibited from repositioning the establishment's furniture for purposes of creating a dance floor in excess of one hundred forty square feet (140 sq. ft.).

In accordance with the Omnibus Alcoholic Beverage Regulation Amendment Act of 2016, effective April 7, 2017 (D.C. Law 21-260; D.C. Official Code §§ 25-101, *et seq.*), the proposed rulemaking would amend Chapter 12 by repealing § 1206. Furthermore, technical revisions are proposed for § 1208 (Retention and Inspection of Books and Records). The proposed rulemaking would also amend Chapter 13 by clarifying what information is required for importation permits in § 1301 (Importation Permits for Retailers of Alcoholic Beverages).

The proposed amendments to Chapter 15 include revising the notice requirements for marine vessels and Retailer's licenses, Class IA and IB as provided for in § 1502 (Notice of an Application for a New License, Renewal of a License, or Transfer of a License to a New Location). Section 1502 is further amended by ensuring the language in the regulation is consistent with D.C. Official Code § 25-422 and repealing § 1502.4.

The proposed rulemaking would amend Chapter 16 by (1) requiring Groups of Five or More to designate a representative for the group in their protest letter; (2) allowing for the use of electronic signatures; (3) authorizing the Board to dismiss a party for the failure to appear at the Protest Status Hearing; (4) authorizing the expiration of a license in those instances where the licensee's second re-filed renewal application is dismissed due their failing to attend a hearing and the application is not reinstated; (5) prohibiting the use of recording devices or transcription during mediation proceedings; (6) authorizing the Board to deny a settlement agreement when either signatory to the agreement fails to respond to the Board's request for modifications within thirty (30) days; (7) allowing the Board to limit the duration of questioning during Protest Hearings; (8) establishing rules for consolidating cases as well as creating a rule on witnesses; (9) revising the Fact Finding Hearing requirements; and (10) allowing for the dismissal of an application due to the failure of the Applicant to pursue adjudication of an application.

Lastly, the proposed rulemaking makes changes to Chapter 17 by amending (1) the service of papers requirement so that it conforms with the ABC Board's practice; (2) the requirements for obtaining a continuance; (3) the length of time ABRA has for complying with a request for the inspection of documents; (4) the requirements for serving parties to a proceeding with documentary evidence prior to the hearing; (5) the rules for filing motions with the ABC Board; (6) the requirements for submitting Proposed Findings for Fact and Conclusions of Law to the ABC Board; and (7) the requirement that six (6) copies of a petition for reconsideration, reargument, or rehearing must be filed with the ABC Board.

On July 12, 2017, by a vote of six (6) to zero (0), the Board adopted the proposed rules. The Board also gives notice of its intent to take final rulemaking action to adopt these rules on a permanent basis in not fewer than thirty (30) days after the date of publication of this notice in the *D.C. Register*. Pursuant to D.C. Official Code § 25-211(b)(2) (2017 Supp.), the proposed rules will be transmitted to the Council of the District of Columbia (Council) for a ninety (90) day period of review. The final rules shall not become effective absent approval by the Council.

Chapter 1, PROVISIONS OF GENERAL APPLICABILITY, of Title 23 DCMR, ALCOHOLIC BEVERAGES, is amended as follows:

Section 100, EXTENSION OF EXPIRATION DATES OF PROTESTED LICENSES, is amended by amending §§ 100.3 and 100.4 as follows:

- 100.3 In the case of protested applications for renewal of a license, the license shall continue in effect until the Board has rendered a final decision.
- 100.4 In the case of protested applications for a transfer to a new location, the license shall continue in effect only for purposes of the original location, and operations at the new location shall be prohibited until the Board has rendered a final decision.

Section 199, DEFINITIONS, § 199.1, is amended by revising the definition of “Roll Call Hearing” as follows:

Roll call hearing – the proceeding specified in a placard posted at an applicant’s premises. It is at this hearing that the applicant and the protestant(s) are introduced to each other and where the grounds for objection to the license application are read to the public.

Chapter 2, LICENSE AND PERMIT CATEGORIES, is amended as follows:

Section 205, STORAGE FACILITY PERMIT AND OFF-PREMISES STORAGE PERMIT, is amended in its entirety to read as follows:

- 205 STORAGE FACILITY PERMIT AND OFF-PREMISES STORAGE PERMIT**
- 205.1 A storage facility permit shall allow the holder to establish a bonded warehouse in the District of Columbia for the storage of alcoholic beverages by the holder of a Manufacturer's license, Wholesaler's license, Retailer's license Class A, Class C, Class D, or a Caterer's license who possesses an off-premises storage permit, or for the accounts of other persons.
- 205.2 The holder of a storage facility permit shall be authorized to handle alcoholic beverages. The handling of alcoholic beverages under this subsection shall include packaging and repackaging services; bottle labeling services; creating buckets or variety packs that may include non-alcoholic products; and picking, packing, and shipping alcoholic beverage orders directly to the consumer.
- 205.3 The holder of a Manufacturer's license, Wholesaler's license, Retailer's license Class A, Class C, Class D, or a Caterer's license shall obtain an off-premises storage permit to store alcoholic beverages at a storage facility approved by the Board.
- 205.4 The fee for the off-premises storage permit shall be in accordance with 23 DCMR § 209 (Permit and Endorsement Fees).

- 205.5 Alcoholic beverages stored in a bonded storage facility pursuant to this section may be removed from the storage facility only for the purpose of being (a) exported from the District; (b) shipped to a holder of a Manufacturer's license, Wholesaler's license, Retailer's license Class A, C, or D, or a Caterer's license located in the District; (c) returned to a bonded storage facility, (d) shipped or delivered to a consumer, or (e) returned to a private collector who is a tenant.
- 205.6 The Board-approved storage facility shall be physically secure, zoned for the intended use and physically separated from any other use.
- 205.7 Delivery of alcoholic beverages to a Board-approved storage facility shall create a bailment in favor of the holder of a storage facility permit.
- 205.8 Warehousing of alcoholic beverages by any person other than a holder of a Manufacturer's license, Wholesaler's license, Retailer's license Class A, C, or D, a Caterer's license, or a private collector with a tenant agreement is prohibited.
- 205.9 The sale, service, or consumption of alcoholic beverages at a Board-approved storage facility shall be prohibited without a tasting permit.
- 205.10 The holder of a storage facility permit shall post, in a conspicuous place, the following:
- (a) A warning sign, in accordance with the requirements set forth in § 719.1;
 - (b) A copy of the storage permit; and
 - (c) A copy of the Wholesaler's, Manufacturer's, Retailer's Class A, C, or D, or the Caterer's license in its licensed portion of the Board-approved storage facility.
- 205.11 The holder of the storage facility permit shall, upon request, provide an ABRA investigator or member of the Metropolitan Police Department with its permit for inspection.
- 205.12 The holder of a Manufacturer's license, Wholesaler's license, Retailer's license Class A, C, or D, or a Caterer's license, that stores alcoholic beverages at a storage facility shall maintain and report to the Board, on an annual basis, the following:
- (a) Records identifying the kind and quantity of alcoholic beverages being stored at the Board-approved storage facility; and
 - (b) The movement of alcoholic beverages to and from the storage facility.

205.13 The Board shall have the right to inspect the warehouse of a storage facility permit holder as it may deem necessary for the proper regulation of the storage of alcoholic beverages.

205.14 A storage facility permit shall be valid for three (3) years.

Section 207, LICENSURE PERIODS, is amended to read as follows:

207 LICENSURE PERIODS

207.1 Except as provided for in § 207.2, the following licenses or permits issued by the Board shall be valid for three (3) years:

- (a) Manufacturer’s license;
- (b) Wholesaler’s license;
- (c) Off-premises Retailer’s license;
- (d) On-premises Retailer’s license;
- (e) Caterer’s license;
- (f) Solicitor’s license;
- (g) Farm winery retail licenses;
- (h) Alcohol certification permit;
- (i) Tasting permit; and
- (j) Storage facility permit.

207.2 Licenses issued by the Board shall be valid for less than three (3) years in the following instances:

- (a) When suspended or revoked;
- (b) In the case of Temporary festival, and farmer’s market licenses;
- (c) When the license takes effect on a date in between the dates established by the Board for the regular licenses period of each license class, in which case the license shall be valid only until the end of the licensure period; and
- (d) In the case of stipulated licenses.

207.3 The three (3)-year renewal period for each license listed below shall occur sequentially every three (3) years starting with the following dates:

License Class	Licensure Period	Ending Year
Manufacturer A	Apr. 1 to Mar. 31	2018
Wholesaler A	Apr. 1 to Mar. 31	2018
Retailer A	Apr. 1 to Mar. 31	2018
Manufacturer B	Oct. 1 to Sept. 30	2020
Wholesaler B	Oct. 1 to Sept. 30	2020
Retailer B	Oct. 1 to Sept. 30	2020
Retailer CR	Apr. 1 to Mar. 31	2019
Retailer CT	Oct. 1 to Sept. 30	2019
Retailer CN	Oct. 1 to Sept. 30	2019
Retailer CH	Apr. 1 to Mar. 31	2019
Multipurpose facility CX	Apr. 1 to Mar. 31	2019
Common Carrier CX	Apr. 1 to Mar 31	2019
Retailer Arena CX	Apr. 1 to Mar 31	2019
Retailer DR	Apr. 1 to Mar. 31	2019
Retailer DT	Oct. 1 to Sept. 30	2019
Retailer DN	Oct. 1 to Sept. 30	2019
Retailer DH	Apr. 1 to Mar. 31	2019
Multipurpose facility DX	Apr. 1 to Mar. 31	2019
Common carrier DX	Apr. 1 to Mar 31	2019
Caterer	Apr. 1 to Mar 31	2019
Solicitor	July 1 to June 30	2020
Club CX	Apr. 1 to Mar 31	2019
Club DX	Apr. 1 to Mar 31	2019
Farm winery retail	Oct. 1 to Sept. 30	2018
Alcohol certification provider permit	July 1 to June 30	2020

Section 208, LICENSE FEES, is amended in its entirety to read as follows:

208 LICENSE FEES

208.1 All license fees shall be paid by credit card, certified check, money order, business check, attorney's check, or personal check payable to ABRA. Applicants

and licensees shall pay the annual license fees specified by the Board in the following manner:

- (a) The fee for the first year shall be paid at the time an application is filed, but shall be returned to an applicant, minus the prescribed processing fee, if the application is denied; and
- (b) The fees for the second and third year shall be paid no later than one (1) and two (2) years, respectively, from the date of the issuance of the license; provided, that a licensee may pay the second and third year fees when the first year fee is paid. The payment of the second and third year license fees shall not require the filing of a clean-hands certificate by the applicant.

208.2 The Board may impose a late fee upon a licensee for failure to timely remit the second or third year fee, or the renewal fee, in the amount of fifty dollars (\$50) for each day after the due date of payment. The total amount of the late fee to be paid to ABRA shall not exceed the annual cost of the license. The Board may suspend a license until the licensee pays the second or third year fee and any additional fee imposed by the Board for late payment. A license not renewed timely shall be deemed expired and the licensee shall not be permitted to sell or serve alcoholic beverages.

208.3 The Board may suspend a license, permit, or endorsement where payment was made by the applicant to ABRA with a check returned unpaid. The applicant, in addition to any late fees imposed by the Board pursuant to § 208.2, shall also be charged by ABRA with a one hundred dollar (\$100) returned check fee.

208.4 The annual license fees for manufacturer’s licenses shall be as follows:

Class	Fee
Manufacturer’s class A (rectifying plant)	\$ 6,000
Manufacturer’s class A (distillery)	\$ 6,000
Manufacturer’s class A (distillery producing more than 50% non-beverage alcohol)	\$ 3,000
Manufacturer’s class A (winery)	\$ 1,500
Manufacturer’s class B (brewery)	\$ 5,000
Manufacturer’s class C (alcohol-infused confectionary food products)	\$ 1,000

208.5 The annual license fees for wholesaler’s licenses shall be as follows:

Class	Fee
Wholesaler’s class A	\$ 5,200
Wholesaler’s class B	\$ 2,600

208.6 The annual license fees for off-premises retailer’s licenses shall be as follows:

Class	Fee
Retailer’s class A	\$ 2,600
Retailer’s class B	\$ 1,300
Internet retailer’s class IA	\$ 2,600
Internet retailer’s class IB	\$ 1,300
Farmer’s market class J	\$ 300
Farmer’s market class K	\$ 500

208.7 The annual license fees for all Class C licenses, except the DC Arena, shall be based on its capacity load, which shall be defined as the maximum number of patrons that may be in the establishment at any one time. The holder of a Class C license shall submit both its capacity placards identifying the maximum number of patrons and certificate of occupancy identifying the number of seats from the Department of Consumer and Regulatory Affairs with both its initial and renewal license applications.

208.8 The annual license fees are as follows:

Class	Capacity	Fee
CR restaurant	99 or fewer	\$1,000
CR restaurant	100 to 199	\$1,300
CR restaurant	200 to 499	\$1,950
CR restaurant	500 or more	\$2,600
CT tavern	99 or fewer	\$1,300
CT tavern	100 to 199	\$2,080
CT tavern	200 or more	\$3,120
CN nightclub	99 or fewer	\$1,950
CN nightclub	100 to 199	\$2,600
CN nightclub	200 to 499	\$3,250
CN nightclub	500 to 999	\$4,550
CN nightclub	1,000 or more	\$5,850
CH hotel	99 or fewer guest rooms	\$2,600
CH hotel	100 or more guest rooms	\$5,200
CB bed and breakfast		\$ 1,000
CX club		\$1,950
CX multipurpose facility		\$1,950
CX marine vessel, single vessel		\$1,950
CX marine vessel line, for 3 or fewer vessels and dockside waiting areas		\$3,250
For each additional vessel or dockside waiting area		\$1,950

CX railroad dining or club car, single car	\$650
CX railroad company, all dining or club cars	\$1,950

208.9 The annual license fees for all Class D licenses, except the DC Arena, shall be based on its capacity load, which shall be defined as the maximum number of patrons that may be in the establishment at any one time. The holder of a Class D license shall submit both its capacity placards identifying the maximum number of patrons and certificate of occupancy identifying the number of seats from the Department of Consumer and Regulatory Affairs with both its initial and renewal license applications.

208.10 The annual license fees are as follows:

Class	Capacity	Fee
DR restaurant	99 or fewer	\$600
DR restaurant	100 to 199	\$780
DR restaurant	200 to 499	\$1,170
DR restaurant	500 or more	\$1,560
DT tavern	99 or fewer	\$1,000
DT tavern	100 to 199	\$1,300
DT tavern	200 or more	\$1,950
DN nightclub	99 or fewer	\$1,300
DN nightclub	100 to 199	\$1,625
DN nightclub	200 to 499	\$1,950
DN nightclub	500 to 999	\$2,600
DN nightclub	1,000 or more	\$4,550
DH hotel	99 or fewer guest rooms	\$1,300
DH hotel	100 or more guest rooms	\$2,600
DB bed and breakfast		\$ 650
DX club		\$650
DX multipurpose facility		\$650
DX marine vessel, single vessel		\$975
DX marine vessel line, for 3 or fewer vessels and dockside waiting areas		\$1,300
For each additional vessel or dockside waiting area		\$650
DX railroad dining or club car, single car		\$325
DX railroad company, all dining or club cars		\$650

208.11 The daily fee for a Temporary license shall be as follows:

Class	Fee
Temporary class F	\$ 130
Temporary class G	\$ 300

208. 12 The annual fee for a Solicitor’s and a Manager’s license shall be as follows:

Type	Fee
Solicitor’s license	\$ 325
Manager’s license	\$ 130

208. 13 The annual fee for Class CX multipurpose facility licenses shall be as follows:

Class	Fee
Retailer’s license Class Arena CX multipurpose facility	\$ 10,000

208.14 The annual license fee for a Catering license shall be based on the caterer's annual revenue for the previous year as follows:

Class	Gross Annual Revenue	Fee
Caterer	More than \$1,000,000 per year gross annual revenue	\$5,000
Caterer	\$1,000,000 or less per year gross annual revenue	\$4,000
Caterer	\$500,000 or less per year gross annual revenue	\$3,000
Caterer	\$300,000 or less per year gross annual revenue	\$2,000
Caterer	\$200,000 or less per year gross annual revenue	\$1,500
Caterer	\$100,000 or less per year gross annual revenue	\$1,000
Caterer	\$50,000 or less per year gross annual revenue	\$750
Caterer	\$25,000 or less per year gross annual revenue	\$500

208. 15 The annual fee for a Farm Winery license, a Pub Crawl license, and a festival license shall be as follows:

Type/Class	Fee
Farm winery retailer's license	\$ 2,500
Pub crawl license	\$ 500
Festival license class H	\$ 1,000
Festival license class I	\$ 2,000

208.16 For purposes of determining the catering fee set forth in § 208.14, the applicant, as part of its submitted application, shall provide the Board with a signed affidavit on a form provided by ABRA, which shall include a statement of the applicant's annual gross revenue from catering for the previous year, as well as any additional supporting documentation necessary to verify the statement of the applicant.

208.17 The submission of a knowingly false or misleading affidavit shall be grounds for the Board to order the licensee to show cause why the license should not be suspended or revoked, or a civil fine imposed based upon the primary tier schedule set forth in D.C. Official Code § 25-830(c).

208.18 The fee for a duplicate license or replacement of a lost license shall be ten dollars (\$10).

Section 209, PERMIT AND ENDORSEMENT FEES, is amended in its entirety to read as follows:

209 PERMIT AND ENDORSEMENT FEES

209.1 The fee for permits and endorsements shall be as follows:

Permit/Endorsement	Fee
Importation permit	\$ 5
Pool buying group agent importation permit	\$ 1,000/year
Tasting permit for off-premises retailers, wholesalers, manufacturers, and private collectors	\$ 130/year
Brew pub permit	\$ 3,900/year
Storage facility permit	\$ 300/year
Off-premises storage permit	\$ 25/year
Alcohol certification provider permit	\$ 100
Personal auction permit	\$ 30
Nonprofit corporation auction permit	\$ 30
Wine and beer purchasing permit	\$ 35
Wine pub permit	\$ 5,000/year
Distillery pub permit	\$7,500/year
On-site sales and consumption permit	\$ 1,000/year
Sidewalk café or summer garden endorsement	\$ 75/year
Entertainment endorsement (twenty percent (20%) of the base license fee)	20%
Amendment to a license which results in an inspection	\$ 50

Section 210, APPLICATION FEES, is amended in its entirety to read as follows:

210 APPLICATION FEES

210.1 Application fees shall be as follows:

Application	Fee
Filing of a new license (excluding manager and solicitor license applications)	\$ 75
Transfer of a license to a new owner	\$ 250
Transfer of a license to a new location	\$ 250
Change of officer, director, stockholder, or general or limited partner in a	\$ 100

partnership	
Corporate or trade name change	\$ 50
Keg registration (six dollars (\$6) per keg registration book. A registration book shall be valid for the registration of ten (10) kegs	\$ 6
Stipulated license	\$100

Chapter 3, LIMITATIONS ON LICENSES, is amended as follows:

Section 300, LIMITATION ON THE NUMBER OF CLASS A AND CLASS B RETAILER’S LICENSES, is amended by (a) amending §§ 300.2 and (b) adding new §§ 300.3-300.5 to read as follows:

- 300.2 The 275 quota limit set forth in D.C. Official Code § 25-331(b) shall not apply to Class B Retailer’s license renewal applications.
- 300.3 Off-premises Retailer’s license Class IA shall not be counted toward the quota limit set forth in § 300.1.
- 300.4 Off-premises Retailer’s license Class IB shall not be counted toward the quota limit set forth in § 300.2.
- 300.5 The quotas set forth in § 300.1 and 300.2 shall not prohibit the issuance of a license for an off-premises retailer’s license, Class IA or IB.

Section 300, is further amended by renumbering the current §§ 300.3 - 300.6 as §§ 300.6 - 300.9.

Section 302, LICENSES NEAR SCHOOLS, COLLEGES, UNIVERSITIES, AND RECREATION CENTERS, is amended by adding new §§ 302.9 and 302.10.

- 302.9 The four hundred foot (400 ft.) restriction shall not apply to an application for a Retailer’s license, Class IA or IB.
- 302.10 The four hundred foot (400 ft.) restriction shall not apply to an applicant for a Retailer’s license Class B if the applicant’s establishment will be located inside of a hotel and will have no direct public access to the street or the outside of the hotel’s building.

Section 501, REQUIRED STATEMENTS, of Chapter 5, LICENSE APPLICATIONS, is amended by amending § 501.3 to read as follows:

- 501.3 An applicant requesting the transfer of a license to a new owner pursuant to D.C. Official Code § 25-405 shall submit a completed transfer application and any documentation and other written statements evidencing the legal transfer of the license, including the financial details surrounding the transfer, and establishing to

the Board’s satisfaction that the new owner meets all of the qualifications of D.C. Official Code § 25-301.

Chapter 7, GENERAL OPERATING REQUIREMENTS, is amended as follows:

Section 703, TEMPORARY OPERATING RETAIL PERMIT, is amended by amending § 703.1 to read as follows:

- 703.1 The purchaser of an ABC licensed establishment that seeks to continue business operations while awaiting Board approval on a transfer of ownership application where no substantial change will occur shall apply to the Board for a permit to temporarily operate under the license pursuant to the following conditions:
 - (a) The transfer application must be filed with or before the application for temporary authority;
 - (b) The subject premises must not have been closed nor the sale or service of alcoholic beverages discontinued during the thirty (30) days immediately prior to the filing of the permit application; and
 - (c) That no substantial changes to the licensed premises will occur.

Section 705, HOURS OF SALE AND DELIVERY FOR OFF-PREMISES RETAIL LICENSEES, is amended by amending § 705.9(c) to read as follows:

- 705.9
...
 - (c) 3:00 a.m. and 8:00 a.m., on Sunday.

Section 805, WARNINGS, of Chapter 8, ENFORCEMENT, INFRACTIONS, AND PENALTIES, is amended by amending § 805.3 to read as follows:

- 805.3 A licensee entitled to a mandatory administrative written warning for a first violation shall not be entitled to a mandatory administrative written warning for a second or subsequent violation of the same offense committed within four (4) years of issuance of the first mandatory administrative written warning.

Section 905, RESTRICTIONS ON ENTRANCE INTO LICENSED PREMISES, of Chapter 9, PROHIBITED AND RESTRICTED ACTIVITIES, is amended by amending § 905.1 to read as follows:

- 905.1 The admittance requirement of those persons displaying a valid identification as set forth in D.C. Official Code § 25-782(d) shall not preclude establishments from enforcing a dress code or an age restriction, provided those establishments do not discriminate on any basis prohibited by Chapter 14 of Title 2 of the D.C. Official Code.

Chapter 10, ENDORSEMENTS, is amended as follows:

Section 1000, ENTERTAINMENT ENDORSEMENT, is amended by adding a new § 1000.3 to read as follows:

1000.3 A licensee under a license, Class C/T or D/T, which does not possess an entertainment endorsement, shall not position furniture in a manner that creates a dance floor area greater than one hundred forty square feet (140 sq. ft.).

Section 1000 is further amended by renumbering the current §§ 1000.3 through 1000.5 as §§ 1000.4 through 1000.6.

Chapter 12, RECORDS AND REPORTS, is amended as follows:

Section 1206, MANUFACTURER'S REPORTS, is amended in its entirety to read as follows:

1206 [REPEALED].

Section 1208, RETENTION AND INSPECTION OF BOOKS AND RECORDS, is amended by amending §§ 1208.4 and 1208.5 as follows:

1208.4 The holder of a Retailer's, Manufacturer's, or Wholesaler's license may maintain its records at a location in the District of Columbia other than the licensed premises with the approval of the Board. Any requested location must: (1) maintain the original invoices; and (2) be available for inspection by ABRA investigators at any time during business hours.

1208.5 The holder of a Retailer's license may maintain its original invoices outside of the District of Columbia upon a determination by the Board that good cause exists. However, duplicate invoices must be maintained in the District of Columbia at either the licensed premises or a location approved by the Board and the applicant is responsible for providing the original invoices to the Board within three (3) days of receiving a written request from the Board. Failure to make the original invoices available to the Board within three (3) days of its written request shall constitute a violation of § 1208.1.

Section 1301, IMPORTATION PERMITS FOR RETAILERS OF ALCOHOLIC BEVERAGES, of Chapter 13, TRANSPORT OF BEVERAGES, is amended by (a) amending §§ 1301.1 and (b) adding a new § 1301.3 to read as follows:

1301.1 An importation permit issued under D.C. Official Code § 25-119 to the holder of a Retailer's license Class A, B, C, or D, or any other entity authorized to obtain an importation permit in accordance with 23 DCMR § 1302.3 must bear the full brand or trade name of the alcoholic beverage to be imported. If the brand of alcoholic beverage to be imported is listed by a licensed manufacturer or wholesaler under these regulations, then upon application made to the Board, the

retailer shall certify that the brand of alcoholic beverage sought to be imported is not available from a licensed manufacturer or wholesaler in sufficient kind or quantity to reasonably satisfy the immediate needs of the licensee.

- 1301.3 An importation permit issued under D.C. Official Code § 25-119 shall be obtained by:
- (a) Any unlicensed alcohol manufacturer, wholesaler, or retailer located outside of the District of Columbia that ships alcohol to the property of an official embassy, federal exempt property, or any other property exempt from Title 25 of the D.C. Official Code. Federal property exempt from Title 25 includes, but is not limited to, property under the control of the National Park Service and the Smithsonian Institute;
 - (b) A federally licensed importer that does not hold a District of Columbia alcohol license importing alcohol into the District of Columbia. The issuance of this permit shall be conditioned on the importer until an appropriate District alcohol license is obtained; and
 - (c) A state licensed manufacturer or wholesaler that does not hold a District of Columbia alcohol license donating alcoholic beverages to a non-profit organization, charity, or for a temporary event license holder.

Section 1502, NOTICE OF AN APPLICATION FOR A NEW LICENSE, RENEWAL OF A LICENSE, OR TRANSFER OF A LICENSE TO A NEW LOCATION, of Chapter 15, APPLICATIONS: NOTICE OF HEARINGS INVOLVING LICENSES, is amended in its entirety to read as follows:

1502 NOTICE OF AN APPLICATION FOR A NEW LICENSE, RENEWAL OF A LICENSE, OR TRANSFER OF A LICENSE TO A NEW LOCATION

- 1502.1 The provisions of this section shall govern notice to the public of all applications for new licenses, renewals, or a transfer to a new location, including Manufacturer, Wholesaler, and Retailer licenses, but shall not apply to Solicitor's licenses, Manager's licenses, Caterer's licenses, or to Temporary licenses.
- 1502.2 Upon acceptance of an application, the Board shall establish the date for a roll call hearing on the application, which shall be at least forty-five (45) days after the application is accepted.
- 1502.3 At least forty-five (45) days prior to the roll call hearing, the Board shall give notice of an application to the entities set forth in D.C. Official Code § 25-421(a). This notice requirement shall not apply to renewal applications in those instances where the Applicant's new license or transfer to a new location application has a forty-five (45) day public comment period ending within thirty (30) days of the renewal deadline for that license class.
- 1502.4 [REPEALED].

- 1502.5 Except as provided for in §§ 1502.6 and 1502.7, at least forty-five (45) days before the roll call hearing, the applicant shall post at least two (2) notice placards, provided by the Board, in conspicuous places on the outside of the establishment for the duration of the protest period.
- 1502.6 Subsection 1502.5 shall not apply to new or renewal license applications for a common carrier license for a passenger-carrying marine vessel that does not possess a physical location in the District of Columbia.
- 1502.7 At least forty-five (45) days before the roll call hearing, the applicant for a new or renewal license application for a Retailer's license Class IA or IB shall have a copy of the placard notice provided by the Board on its website.
- 1502.8 The Board shall inspect the premises at least once before the date of the roll call hearing specified on the notice in order to ensure that the placards continue to be prominently and visibly displayed to the public. If the placards have been removed or are posted in a manner not visible from the street, the establishment shall be re-advertised and replacarded for a further forty-five (45) calendar day period.

Chapter 16, CONTESTED HEARINGS, NON-CONTESTED HEARINGS, PROTEST HEARINGS AND PROCEDURES, is amended as follows:

Section 1602, FILING A PROTEST, is amended by amending § 1602.3 as follows, and adding a new § 1602.4 to read as follows:

- 1602.3 All protests shall be signed by the protestant and contain the protestant's full name, e-mail address or mailing address. For Groups of Five or More, the protest shall identify the members of the group and the designated representative(s) who may receive correspondence from the Board on behalf of the Group.
- 1602.4 For purposes of § 1602.3, electronic signatures on protest letters are permitted.

Section 1602, FILING A PROTEST, is further amended by renumbering the current §§ 1602.4 as 1602.5.

Section 1604, PROTEST STATUS HEARING, is amended by adding a new § 1604.3 follows:

- 1604.3 Failure to appear at the Protest Status Hearing either in person or through a designated representative may result in denial of the license application or dismissal of a protest, unless, in the discretion of the Board, good cause is shown for the failure to appear. Examples of good cause for failure to appear include, but are not limited to:

- (a) Sudden, severe illness or accident;
- (b) Death or sudden illness in the immediate family, such as spouse, partner, children, parents, or siblings;
- (c) Incarceration;
- (d) Severe inclement weather; or
- (e) Arriving after the Protest Status Hearing has concluded.

Section 1604, is further amended by renumbering existing § 1604.3 as § 1604.4.

Section 1606, PARTY DISMISSAL, is amended by amending § 1606.5 as follows:

1606.5 In the event that an applicant's re-filed second renewal application is dismissed for failure to appear at a hearing and not reinstated by the Board for good cause, the license renewal application shall be denied and the license expired. The applicant shall be required to file a new license application, unless prohibited by a liquor license moratorium, and shall not be permitted to file a third license renewal application.

Section 1609, MEDIATION, is amended by adding a new § 1609.2 to read as follows:

1609.2 Mediation proceedings are confidential to the extent agreed to by the parties or provided by other law or rule of the District of Columbia. Mediation proceedings shall not be recorded or transcribed in any fashion. Statements made during mediation and documents and other evidence disclosed during mediation are not discoverable unless otherwise required by District or Federal law.

Section 1609 is further amended by renumbering §§ 1609.2 and 1609.3 as §§ 1609.3 and 1609.4.

Section 1610, SETTLEMENT AGREEMENTS, is amended by adding new §§ 1610.6 and 1610.7 to read as follows:

1610.6 The Board shall issue an order denying the settlement agreement if the parties to a settlement agreement reject the modifications proposed by the Board and fail to submit a new settlement agreement in accordance with § 1610.5 or fail to respond to the Board's modifications within thirty (30) days of receiving notice of the modifications.

1610.7 If the Board issues an Order denying the settlement agreement pursuant to § 1610.6, the matter will be scheduled for a Protest Hearing, if a protest has been filed against the Application.

Section 1610 is further amended by renumbering existing § 1610.6 as § 1610.8.

Section 1612, PROTEST HEARINGS, by adding new § 1612.9 to read as follows:

1612.9 The Board may, on a motion from either party or on its own motion, limit the number of persons who may testify on behalf of the Applicant, Licensee, or protestant if the Board determines the testimony would be redundant.

A new Section 1614, CONSOLIDATED HEARINGS BEFORE THE BOARD, is added to read as follows:

1614 CONSOLIDATED HEARINGS BEFORE THE BOARD

1614.1 A consolidated protest hearing or show cause hearing may be held if the issues to be considered at the hearing are the same issues that are involved in another proceeding with the same Applicant pending before the Board.

1614.2 It is within the discretion of the Board to grant or deny a party's request for consolidation. In considering the request, the Board may consider factors such as whether the issue(s) may be more efficiently decided if the hearings are combined.

1614.3 In considering the party's request for consolidation, the Board must take into account the adjudication deadlines for each case and may require a party to waive the adjudication deadline associated with one (1) or more cases if consolidation otherwise prevents the Board from deciding all of the cases at issue within their respective deadlines.

1614.4 The Board may also propose on its own motion to consolidate two (2) or more cases in one (1) hearing for administrative efficiency.

1614.5 Before consolidating a hearing, the Board must notify the parties of its intention to do so, to provide the parties with an opportunity to file any objection.

1614.6 If the Board decides to hold a consolidated hearing, the Board may make either a consolidated decision and record or a separate decision and record on each issue. The Board shall ensure that any evidence that is common to all cases and material to the common issue to be decided is included in the consolidated record or each individual record, as applicable.

A new Section 1615, RULE ON WITNESSES, is added to read as follows:

1615 RULE ON WITNESSES

1615.1 At the request of a party, or on its own motion, and subject to § 1615.2, the Board shall order witnesses excluded so that they will not hear the testimony of other witnesses.

- 1615.2 Notwithstanding § 1615.1, the following persons shall not be excluded from hearings before the Board:
- (a) The Applicant or the Licensee;
 - (b) The Designated Representative for a party to a proceeding; or
 - (c) Any person whose presence is shown by a party to be essential to the presentation of his or her case.

Section 1614, FACT-FINDING HEARINGS, is amended by renumbering it § 1616, and amending it in its entirety to read as follows:

1616 FACT-FINDING HEARINGS

- 1616.1 Prior to rendering a final decision on a licensing request or an ABRA Investigative Report, the Board may hold a non-evidentiary fact-finding hearing to obtain further information from an applicant, licensee, witness, government official, or any other member of the public with the permission of the Board.
- 1616.2 A licensee shall not be fined or have its license suspended or revoked at a fact-finding hearing. However, information provided at a fact-finding hearing may result in the issuance of a show cause notice pursuant to 23 DCMR § 1611 (Show Cause Hearings) or other enforcement action permitted under the Act or this title. The fact-finding hearing may also result in the Board initiating an action to deny, modify, place conditions, or approve an application, as well as any other action authorized by this Title.
- 1616.3 An applicant or licensee that fails to appear at a fact-finding hearing without good cause or refuses to respond to questions asked by the Board may have their application deemed abandoned, which shall result in the denial of the application. A denial issued under this provision shall not be deemed technical or procedural under D.C. Official Code § 25-338(b).
- 1616.4 At any time, in its discretion, the Board may limit or exclude the submission of evidence, statements, and testimony at the hearing.
- 1616.5 All fact-finding hearings shall be open to the public unless closed to the public in accordance with Section 405 of the Open Meetings Act, effective March 31, 2011 (D.C. Law 18-350; D.C. Official Code § 2-575), as amended.

Section 1615, MORATORIUM HEARINGS, is renumbered § 1617.

A new Section 1618, DISMISSAL FOR FAILURE TO PURSUE AN APPLICATION OR PROTEST, is added to read as follows:

1618 DISMISSAL FOR FAILURE TO PURSUE AN APPLICATION OR PROTEST

1618.1 Absent good cause, where the applicant to a pending liquor license application fails to appear for a fitness hearing or fact-finding hearing, fails to file requested pleadings, or comply with a Board order, the Board shall, on its own motion, dismiss the application.

1618.2 Examples of good cause include, but are not limited to:

- (a) The Applicant did not receive notice of a scheduled hearing;
- (b) The Applicant had an emergency that prevented him or her from appearing at the hearing; or
- (c) The Applicant was not aware of the Board order or the Board’s pleadings request.

Chapter 17, PROCEDURAL REQUIREMENTS FOR BOARD HEARINGS, is amended as follows:

Section 1703, SERVICE OF PAPERS, is amended by amending § 1703.1 and § 1703.5(e) as follows:

1703.1 Any papers filed with the Board or on opposing parties in a contested case shall be served by personal delivery, first class U.S. mail, registered or certified mail, or by electronic mail. Proof of service shall be shown as required in § 1703.7.

...

1703.5

...

- (e) By electronic mail at the e-mail address on file with ABRA;

Section 1705, CONTINUANCES, is amended by amending § 1705.2 to read as follows:

1705.2 An attorney who knows or should know of a scheduling conflict shall immediately, but no later than two (2) days before the scheduled hearing, file a motion for continuance with the Board, with copies submitted to the opposing party or parties. A scheduling conflict with another tribunal may be considered good cause for continuing the proceeding.

Section 1708, INSPECTION OF BOARD FILES, is amended by amending § 1708.1 to read as follows:

1708.1 The records of the Board shall be available for inspection and copying during normal business hours at the request of any interested party or member of the public. The Board shall make the records available within five (5) business days from when the request is made.

Section 1713, DOCUMENTARY EVIDENCE, is amended by amending § 1713.2 to read as follows:

1713.2 Any party who intends to offer documentary evidence at a hearing shall, seven (7) calendar days prior to the hearing, disclose the evidence to the opposing party. Absent good cause, failure to disclose documentary evidence seven (7) calendar days prior to the hearing may result in the Board excluding the evidence.

Section 1716, MOTIONS, is amended to read as follows:

1716 MOTIONS

1716.1 Any party to a protest may seek relief from the Board against an opposing party by filing a motion with the Board. Unless otherwise specified, motions shall conform to the following requirements:

- (a) Be in writing;
- (b) Served upon the other parties to the protest by electronic mail or the first-class U.S. Postal Service; and
- (c) Filed with the Board.

1716.2 Motions for a continuance shall conform with 23 DCMR § 1705 (Continuances).

1716.3 Any party may file a response in opposition to a motion within seven (7) calendar days after service of the motion. In the case of motions for continuances which have been filed by a party on the sixth (6th) calendar day before a scheduled hearing, pursuant to § 1705.1, responses thereto shall either be made in writing and served by personal delivery on all parties prior to the hearing or shall be made orally on the date of the hearing.

1716.4 A response to a motion shall not include a motion for other affirmative relief against the moving party.

1716.5 If a party filing an opposition desires to submit a motion for other affirmative relief, it shall be done by separate pleading.

1716.7 [REPEALED].

1716.7 A reply may be filed within three (3) calendar days after service of a response in opposition to a motion, but the reply shall not re-argue propositions presented in the motion, nor present matters which are not strictly in reply to the opposition.

1716.8 No further pleading shall be filed except by leave of the Board.

Section 1717, POST-HEARING SUBMISSIONS, is amended in its entirety to read as follows:

1717 POST-HEARING SUBMISSIONS

- 1717.1 No document or other information shall be accepted for the record after the close of a hearing except as follow:
- (a) Unless accompanied by a Motion to Re-open the Record demonstrating good cause and the lack of prejudice to any party;
 - (b) Until all parties are afforded due notice and an opportunity to rebut the information; or
 - (c) Upon official notice of a material fact not appearing in the evidence in the record in accordance with D.C. Official Code § 2-509(b).
- 1717.2 The Board shall afford parties an opportunity to file Proposed Findings of Fact and Conclusions of Law within thirty (30) calendar days after receipt of the transcript from the hearing. The Board may, in its discretion grant an extension to file Proposed Findings of Fact and Conclusions of Law for good cause. An extension granted by the Board shall not exceed twenty (20) calendar days after the initial deadline.
- 1717.3 [REPEALED].
- 1717.4 [REPEALED].
- 1717.5 A copy of the Proposed Findings of Fact and Conclusions of Law shall be served on each party.
- 1717.6 Proposed Findings of Fact and Conclusions of Law shall be limited to the record and refrain from including new legal issues or evidence not previously raised at the hearing.

Section 1719, RECONSIDERATION, REHEARING, AND REARGUMENT, is amended by amending § 1719.2 to read as follows:

- 1719.2 An original copy of the Petition shall be filed with the Board, and a copy shall be served on each party and intervenor.

Copies of the proposed rulemaking can be obtained by contacting Martha Jenkins, General Counsel, Alcoholic Beverage Regulation Administration, 2000 14th Street, N.W., 4th Floor, Washington, D.C. 20009. All persons desiring to comment on the proposed rulemaking must submit their written comments, not later than thirty (30) days after the date of the publication of this notice in the *D.C. Register*, to the above address or via email to martha.jenkins@dc.gov.

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2017-233
October 3, 2017

SUBJECT: Reappointments and Appointments — Board of Massage Therapy

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 215 of the District of Columbia Health Occupations Revisions Act of 1985, effective March 14, 1995, D.C. Law 10-205; D.C. Official Code § 3-1202.15 (2016 Repl.), and in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979, D.C. Law 2-142; D.C. Official Code § 1-523.01 (2016 Repl.), it is hereby **ORDERED** that:

1. **DARLENE JACKSON**, pursuant to the Board of Massage Therapy Darlene Jackson Confirmation Resolution of 2017 effective May 29, 2017, PR22-0213, is reappointed as a massage therapist licensed in the District member of the Board of Massage Therapy, for a term to end October 29, 2019.
2. **CARY BLAND**, pursuant to the Board of Massage Therapy Cary Bland Confirmation Resolution of 2017, effective May 29, 2017, PR22-0200, is reappointed as a massage therapist licensed in the District member of the Board of Massage Therapy, for a term to end October 29, 2020.
3. **JOSEPH REO**, pursuant to the Board of Massage Therapy Joseph Reo Confirmation Resolution of 2017, effective May 29, 2017, PR22-0201, is appointed as a massage therapist licensed in the District member of the Board of Massage Therapy, replacing Pamela Lynn Birchett, for a term to end October 29, 2019.
4. **DANIELLE WEATHERFORD**, pursuant to the Board of Massage Therapy Danielle Weatherford Confirmation Resolution of 2017, effective May 29, 2017, PR22-0199, is appointed as a massage therapist licensed in the District member of the Board of Massage Therapy, filling a vacant seat, for a term to end October 29, 2020.

5. **EFFECTIVE DATE:** This Order shall be effective *nunc pro tunc* to May 29, 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 2017-234
October 3, 2017

SUBJECT: Reappointments and Appointments — Board of Marriage and Family Therapy

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 217 of the District of Columbia Health Occupations Revision Act of 1985, effective March 10, 2004, D.C. Law 15-88; D.C. Official Code § 3-1202.17 (2016 Repl.), and in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979, D.C. Law 2-142; D.C. Official Code § 1-523.01 (2016 Repl.), it is hereby **ORDERED** that:

1. **SYLVIA ROSARIO**, pursuant to the Board of Marriage and Family Therapy Sylvia Rosario Confirmation Resolution of 2017, effective March 25, 2017, PR22-0086, is reappointed as a marriage and family therapist licensed in the District member, for a term to end January 3, 2018.
2. **SHEILA HOLT**, pursuant to the Board of Marriage and Family Therapy Sheila Holt Confirmation Resolution of 2017, effective April 8, 2017, PR22-0111 is reappointed as a marriage and family therapist licensed in the District member, for a term to end February 5, 2020.
3. **JENNIFER NOVAK**, pursuant to the Board of Marriage and Family Therapy Jennifer Novak Confirmation Resolution of 2017, effective July 1, 2017, PR22-0317 is appointed as a marriage and family therapist licensed in the District member of the Board of Marriage and Family Therapy, replacing David Nickens, for a term to end January 3, 2018.
4. **WILLIAM BOSTON**, pursuant to the Board of Marriage and Family Therapy William Boston Confirmation Resolution of 2017, effective April 8, 2017, PR22-0112 is appointed as a consumer member, filling a vacant seat, for a term to end February 15, 2020.

5. **EFFECTIVE DATE:** This Order shall be effective *nunc pro tunc* to the date of confirmation.



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 2017-235
October 3, 2017

SUBJECT: Reappointments and Appointments — Board of Nursing

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 204 of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986, D.C. Law 6-99; D.C. Official Code § 3-1202.04 (2016 Repl. and 2017 Supp.), and in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979, D.C. Law 2-142; D.C. Official Code § 1-523.01 (2016 Repl.), it is hereby **ORDERED** that:

1. **LAVERNE PLATER** pursuant to the Board of Nursing Laverne Plater Confirmation Resolution of 2017, effective June 17, 2017, PR 22-0290, is reappointed as a registered nurse licensed and practicing in the District member of the Board of Nursing, for a term to end July 21, 2020.
2. **LAYO GEORGE**, pursuant to the Board of Nursing Layo George Confirmation Resolution of 2017 effective June 17, 2017, PR 22-0267, is reappointed as a registered nurse licensed and practicing in the District member of the Board of Nursing, for a term to end July 21, 2020.
3. **MONICA GOLETIANI** pursuant to the Board of Nursing Monica Goletiani Confirmation Resolution of 2017, effective May 29, 2017 PR 22-0214, is appointed as a consumer member of the Board of Nursing, replacing Mary Ivey, for a term to end July 21, 2018.
4. **NANCY K. UHLAND**, pursuant to the Board of Nursing Nancy Uhland Confirmation Resolution of 2017, effective May 1, 2017, PR22-0157, is appointed as a registered nurse licensed and practicing in the District member of the Board of Nursing, replacing Toni Eason, for a term to end July 21, 2019.

5. **EFFECTIVE DATE:** This Order shall be effective *nunc pro tunc* to the date of confirmation.



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 2017-236
October 3, 2017

SUBJECT: Reappointment and Appointment — Board of Physical Therapy


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 209 of the District Columbia Health Code Revisions Act of 1985, effective March 25, 1986, D.C. Law 6-99; D.C. Official Code § 3-1202.09 (2016 Repl.), and in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979, D.C. Law 2-142; D.C. Official Code § 1-523.01 (2016 Repl.), it is hereby **ORDERED** that:

1. **JOEL HEMPHILL**, pursuant to the Board of Physical Therapy Joel Hemphill Confirmation Resolution of 2017, effective May 1, 2017, PR22-0153, is reappointed as a physical therapist licensed in the District member of the Board of Physical Therapy, for a term ending April 16, 2020.
2. **BERNARDINE EVANS**, pursuant to the Board of Physical Therapy Bernardine Evans Confirmation Resolution of 2017, effective May 29, 2017, PR22-0222, is appointed as a physical therapist licensed in the District member of the Board of Physical Therapy, replacing Christopher Cousins, for a term ending April 16, 2020.
3. **EFFECTIVE DATE:** This Order shall be effective *nunc pro tunc* to the date of confirmation.



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 2017-237
October 3, 2017

SUBJECT: Reappointment and Appointment — Board of Psychology


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.), pursuant to section 211 of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986, D.C. Law 6-99; D.C. Official Code § 3-1202.11 (2016 Repl.), and in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979, D.C. Law 2-142; D.C. Official Code § 1-523.01 (2016 Repl.), it is hereby **ORDERED** that:

1. **ANTHONY ALFRED JIMENEZ**, pursuant to the Board of Psychology Anthony Alfred Jimenez Confirmation Resolution of 2017, effective July 1, 2017, PR 22-0297 is reappointed as a psychologist licensed in the District member of the Board of Psychology, for a term to end November 30, 2019.
2. **LOUIS FERGUSON** pursuant to the Board of Psychology Louis Ferguson Confirmation Resolution of 2017, effective May 15, 2017, PR22-0172, is appointed as a consumer member of the Board of Psychology, replacing Gerald Filbin, for a term to end November 30, 2018.
3. **EFFECTIVE DATE:** This Order shall be effective *nunc pro tunc* to the date of confirmation.



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 2017-238

October 4, 2017

SUBJECT: Designation of Special Event Areas for Potential Post-Season Baseball Games

ORIGINATING AGENCY: Office of the Mayor


By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(11) of the District of Columbia Home Rule Act, approved December 23, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(11) (2016 Repl.), it is hereby **ORDERED** that:

1. This Order applies to certain special event activities associated with post-season baseball games that may be held at Nationals Park during the 2017 Major League Baseball season. The potential postseason baseball game dates are between October 5 and November 2, 2017.
2. For the purposes of this Order, the term "post-season baseball game" means a Major League Baseball game held at Nationals Park after the conclusion of the regular Major League Baseball season in order to determine what teams will play in the World Series and a World Series game.
3. On post-season baseball game dates, the land area defined in the Lease Agreement dated March 6, 2006, by and between the Washington Convention and Sports Authority, as successor in interest to the District of Columbia Sports and Entertainment Commission, and the Washington Nationals Stadium, LLC ("**Lessee**"), successor in interest to Baseball Expos, L.P., as the "Baseball Stadium Site" (more particularly defined in Exhibit A to the Lease Agreement as the area of land consisting of approximately nineteen (19) acres, bounded by N Street, S.E., Potomac Avenue, S.E., South Capitol Street, and First Street, S.E.), is designated as a Special Event Area to which the provisions of 19 DCMR § 1301 shall not apply, for the purposes described in this Order.
4. On post-season baseball game dates, N Street, S.E., between South Capitol Street and First Street, S.E., and Half Street, S.E., between M Street, S.E., and N Street, S.E., are designated as Special Event Areas to which the provisions of 19 DCMR § 1301 shall not apply, for the purposes described in this Order.

- 5. Streets within the Special Event Areas designated by paragraph 4 of this Order may be closed to non-emergency vehicular traffic starting six (6) hours before the commencement of a post-season baseball game, and continuing until three (3) hours after the post-season baseball game ends.
- 6. No sidewalk space within the Special Events Areas designated by paragraphs 3 and 4 may be closed to pedestrian traffic, unless specifically authorized by the City Administrator.
- 7. All building, health, life, and safety requirements shall remain applicable to the Special Event Areas designated by this Order.
- 8. Persons authorized to vend in the Nationals Park Vending Zone pursuant to 24 DCMR 530 shall continue to be authorized to vend in the Special Events Areas designated by paragraph 4 of this Order. In addition, the Department of Consumer and Regulatory Affairs may issue additional, special event vending permits within the Special Events Areas.
- 9. The District Department of Transportation may authorize additional lane closures and sidewalk closures in association with post-season baseball games for bus loading zones, television and radio broadcast vehicle parking, and other activities associated with post-season baseball games.
- 10. The District Department of Transportation shall inform the Metropolitan Police Department, Fire and Emergency Medical Services Department, Homeland Security and Emergency Management Agency of all street closures under this Order.
- 11. **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 2017-239
October 6, 2017

SUBJECT: Reappointments and Appointments – Board of Professional Engineering

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.), pursuant to the Second Omnibus Regulatory Reform Amendment Act of 1998, effective April 20, 1999, D.C. Law 12-261; D.C. Official Code § 47-2853.06(e) (2015 Repl.), and in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979, D.C. Law 2-142; D.C. Official Code § 1- 523.01 (2016 Repl. and 2017 Supp.), it is hereby **ORDERED** that:

1. **ROLAND CARTER**, pursuant to the Board of Professional Engineering Roland Carter Confirmation Resolution of 2017, effective June 17, 2017, PR22-0275, is appointed as a consumer member of the Board of Professional Engineering, replacing Ernest T. Boykin, Jr., to serve the remainder of an unexpired term ending January 19, 2018.
2. **PAUL RICH**, pursuant to the Board of Professional Engineering Paul Rich Confirmation Resolution of 2017, effective March 25, 2017, PR22-0091, is reappointed as a professional engineer licensed in the District member of the Board of Professional Engineering, for a term to end January 19, 2020.
3. **SAMUEL WILSON**, pursuant to the Board of Professional Engineering Samuel Wilson Confirmation Resolution of 2017, effective March 25, 2017, PR22-0090, is reappointed as a professional engineer licensed in the District member of the Board of Professional Engineering, for a term to end January 19, 2020.

4. **EFFECTIVE DATE:** This Order shall be effective *nunc pro tunc* to the date of confirmation.



MURIEL BOWSER
MAYOR

ATTEST: 
LAUREN C. VAUGHAN
SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

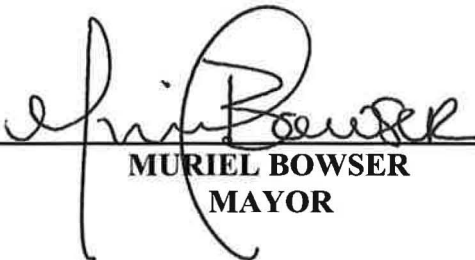
Mayor's Order 2017-240
October 6, 2017

SUBJECT: Appointment — Rental Housing 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.), pursuant to section 201 of the Rental Housing Act of 1985, effective July 17, 1985, D.C. Law 6-10; D.C. Official Code § 42-3502.01 (2013 Repl.), which established the Rental Housing Commission, and in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979, D.C. Law 2-142; D.C. Official Code § 1-523.01 (2016 Repl. and 2017 Supp.), it is hereby **ORDERED** that:

1. **MICHAEL SPENCER** is appointed Chairperson of the Rental Housing Commission, and shall serve in that capacity at the pleasure of the Mayor.
2. **EFFECTIVE DATE:** This Order shall be effective *nunc pro tunc* to October 2, 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, OCTOBER 18, 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-CC-00069; YARP Incorporation, t/a Kiflu's Wine and Spirits, 1201
5th Street NW, License #92419, Retailer A
Sale to Minor Violation, Failed to Take Steps Necessary to Ascertain Legal
Drinking Age

Show Cause Hearing (Status) 9:30 AM
Case # 17-CMP-00300; Yu Lin Corporation, t/a One Fish Tow Fish, 2423
Pennsylvania Ave NW, License #86425, Retailer DR
Failed to File Quarterly Statement

Show Cause Hearing (Status) 9:30 AM
Case # 17-CC-00082; Dean & Deluca of Georgetown, Inc., t/a Dean & Deluca
3276 M Street NW, License #18083, Retailer B
Sale to Minor Violation, Failed to Take Steps Necessary to Ascertain Legal
Drinking Age

Show Cause Hearing (Status) 9:30 AM
Case # 17-251-00027 and # 17-251-00027(a); Amaya-I, LLC, t/a La Cabana
Restaurant, 3614 14th Street NW, License #74849, Retailer CR
Operating after Hours, Violation of Settlement Agreement, Sale to Minor
Violation, Dancing or Cover Charge Endorsement

Show Cause Hearing (Status) 9:30 AM
Case # 17-CMP-00188; Precious Pies and Catering, LLC, t/a Layla Lounge
501 Morse Street NE, License #97367, Retailer CT
Allowed Establishment to be Used for Unlawful or Disorderly Purposes,
Failed to Follow Security Plan, A Sealed Bottle of Alcohol Was Opened and
Consumed at the Establishment

Board's Calendar
October 18, 2017

Public Hearing*

Technical Amendment Rulemaking

10:00 AM

**BOARD RECESS AT 12:00 PM
ADMINISTRATIVE AGENDA
1:00 PM**

Protest Hearing*

Case # 16-PRO-00045; Hanks on the Hill, LLC, t/a Hanks Oyster Bar, 633
Pennsylvania Ave SE, License #89718, Retailer CR

Application to Renew the License

1:30 PM

Protest Hearing*

Case # 17-PRO-00036; Big Bear Café, LLC, t/a Big Bear Café, 1700 First
Street NW, License #84379, Retailer CR

**Substantial Change (Rooftop Summer Garden Endorsement for 68 seats
and expansion to the second floor for 65 seats with occupancy of 85.**

4:30 PM

***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
CEASE AND DESIST AGENDA – CLASS B LICENSEES

WEDNESDAY, OCTOBER 18, 2017
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

The ABC Board will be issuing Orders to Cease and Desist to the following Licensees for the reasons outlined below:

ABRA-105853 – **Cape Starz Wine** – Wholesaler – B – 4221 CONNECTICUT AVE NW
[Licensee did not renew.]

ABRA-103721 – **Wine Advise** – Wholesaler – B – 2820 PENNSYLVANIA AVE NW
[Licensee did not renew.]

ABRA-091895 – **Diamond District Wines** – Wholesaler – B – 4221 CONNECTICUT AVE NW
[Licensee did not renew.]

ABRA-104332 – **Bel Ragazzo** – Wholesaler – B – 4221 CONNECTICUT AVE NW
[Licensee did not renew.]

ABRA-086470 – **Anacostia Market** – Retail – B – 1303 GOOD HOPE RD SE
[Licensee did not renew.]

ABRA-095905 – **MLK Mini Market** – Retail – B – 3333 MARTIN LUTHER KING JR AVE SE
[Licensee did not renew.]

ABRA-095880 – **New Seven Market** – Retail – B – 1406 GOOD HOPE RD SE
[Licensee did not renew.]

ABRA-078242 – **13th Street Market** – Retail – B – 3582 13TH ST NW
[Licensee did not renew.]

ABRA-102043 – **Toni's Market** – Retail – B – 5319 EAST CAPITOL ST SE
[Licensee did not renew.]

ABRA-103261 – **Midnight Delicatessen** – Retail – B – 4701 GEORGIA AVE NW
[Licensee did not renew.]

ABRA-094098 – **Aldi Inc.** – Retail – B – 901 17TH ST NE
[Licensee did not renew.]

ABRA-105191 – **Menick's Market** – Retail – B – 4401 NANNIE HELEN BURROUGHS AVE
NE
[Licensee did not renew.]

ABRA-091196 – **Georgia Line Convenience Store** – Retail – B – 5125 GEORGIA AVE NW
[Licensee did not renew.]

ABRA-096957 – **Kalorama Deli** – Retail – B – 2343 17TH ST NW
[Licensee did not renew.]

ABRA-074162 – **Jubilee Market** – Retail – B – 2316 4TH ST NE
[Licensee did not renew.]

ABRA-021578 – **Dupont Market** – Retail – B – 1807 18TH ST NW
[Licensee did not renew.]

ABRA-089932 – **King Convenience Store** – Retail – B – 1535 U ST SE
[Licensee did not renew.]

ABRA-103124 – **Rioja Market** – Retail – B – 1813 A COLUMBIA RD NW
[Licensee did not renew.]

ABRA-102578 – **Soapstone Market** – Retail – B – 4465 CONNECTICUT AVE NW

[Licensee did not renew.]

ABRA-077268 – **Grapes n' Hopes Market** – Retail – B – 512 RHODE ISLAND AVE NW
[Licensee did not renew.]

ABRA-090945 – **Smucker Farms Of Lancaster County** – Retail – B – 2118 14TH ST NW
[Licensee did not renew.]

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

**NOTICE OF MEETING
INVESTIGATIVE AGENDA**

**WEDNESDAY, OCTOBER 18, 2017
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

On Wednesday, October 18, 2017 at 4:00 pm., the Alcoholic Beverage Control Board will hold a closed meeting regarding the matters identified below. In accordance with Section 405(b) of the Open Meetings Amendment Act of 2010, the meeting will be closed “to plan, discuss, or hear reports concerning ongoing or planned investigations of alleged criminal or civil misconduct or violations of law or regulations.”

1. Case# 17-251-00157, Penn Commons, 700 6th Street N.W., Retailer CR, License # ABRA-095147

2. Case# 17-CMP-00558, Casa Luca, 1099 New York Avenue N.W., Retailer CR, License # ABRA-091894

3. Case# 17-251-00161, Capo, 715 Florida Avenue N.W., Retailer CT, License # ABRA-103693

4. Case# 17-251-00160, Golden Paradise Restaurant, 3903-3905 14th Street N.W., Retailer CR, License # ABRA-098205

5. Case# 17-CMP-00566, Boeymonger Restaurant, 3265 Prospect Street N.W., Retailer DR, License # ABRA-102904

6. Case# 17-CMP-00567, Pearl Dive Oyster Palace/BlackJack, 1612 14th Street N.W., Retailer CR, License # ABRA-085382

7. Case# 17-CC-00108, Bobby Van’s Grill, 1201 New York Avenue N.W., Retailer CR, License # ABRA-073165

8. Case# 17-251-00152, Amsterdam Lounge, 1208 U Street N.W., Retailer CT, License #
ABRA-100340

9. Case# 17-CC-00100, Dacha Beer Garden, 1600-1602 7th Street N.W., Retailer CT, License #
ABRA-092773

10. Case# 17-CMP-00617, Halftime Sports Bar, 1427 H Street N.E., Retailer CT, License #
ABRA-094107

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF MEETING
LICENSING AGENDA

WEDNESDAY, OCTOBER 18, 2017 AT 1:00 PM
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

1. Review Request for Stipulated License with Letter of ANC Support. ANC 6D. SMD 6D02. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No conflict with Settlement Agreement. *Homewood Suites by Hilton Washington DC*, 50 M Street SE, Retailer DT, License No. 105178.

2. Review Request for Stipulated License with Letter of ANC Support. ANC 2C. SMD 2C01. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. *Kofuku*, 815 7th Street NW, Retailer CR, License No. 107991.

3. Review Application for Safekeeping of License – New Request. License was previously held in Safekeeping from 3/30/2016 through 11/3/2016. ANC 6E. SMD 6E02. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No conflict with Settlement Agreement. *Grapes n’ Hopes Market*, 512 Rhode Island Avenue NW, Retailer B Grocery, License No. 077268.

4. Review Application for Safekeeping of License – Original Request. ANC 5C. SMD 5C04. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. *Tasting Table Budapest*, 1850 New York Avenue NE, Retailer B, License No. 106409.

5. Review Application for Safekeeping of License – Original Request. ANC 6D. SMD 6D07. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No conflict with Settlement Agreement. *Il Parco*, 202 M Street SE, Retailer CR, License No. 089126.

6. Review Request to Extend Safekeeping of License pending ongoing transfer. Original Safekeeping Date: 9/23/2001. Extensions have been made on a regular basis approximately every 6 months since that time. ANC 3C. SMD 3C07. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. *Shemali's*, 3306 Wisconsin Avenue NW, Retailer B, License No. 070233.
-
7. Review Request for Extension of Safekeeping of Licensing – Seventh Request. Original Safekeeping Date: 11/12/2013. ANC 4D. SMD 4D01. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. *G Spot (formerly)*, 5413 Georgia Avenue NW, Retailer CT, License No. 093419.
-
8. Review Request to Extend Safekeeping of License – Sixth Request. Original Safekeeping Date: 9/1/2006. ANC 2E. SMD 2E05. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. *Machu Picchu Restaurant*, 3263 M Street NW, Retailer CR, License No. 008309.
-
9. Review Request to Extend Safekeeping of License – Fifth Request. Original Safekeeping Date: Pre-1998. ANC 2A. SMD 2A04. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. *1720 Club*, 2600 Virginia Avenue NW, Retailer CN, License No. 015251.
-
10. Review Request to Extend Safekeeping of License – Fourth Request. Original Safekeeping Date: 3/1/2013. ANC 1D. SMD 1D02. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. *Sangria Café*, 3636 16th Street NW A, Retailer CR, License No. 090781.
-
11. Review Request to Extend Safekeeping of License pending sale of property – Fourth Request. Original Safekeeping Date: 12/23/2013. ANC 3E. SMD 3E01. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. *Dancing Crab*, 4615 41st Street NW, Retailer CR, License No. 090297.
-

12. Review Request to Extend Safekeeping of License – Third Request. Original Safekeeping Date: 3/30/2016. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. **FreshDirect**, No Location, Retailer A Liquor Store, License No. 100017.

13. Review request to extend Safekeeping of License – Third Request. Original Safekeeping Date: 8/3/2016. ANC 6A. SMD 6A06. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No conflict with Settlement Agreement. **The Argonaut**, 1433 H Street NE, Retailer CR, License No. 072672.

14. Review Request to Extend Safekeeping of License – Second Request. Original Safekeeping Date: 1/25/2017. ANC 6D. SMD 6D06. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. **Exotic Wine and Liquors**, 1550 1st Street SW, Retailer A Liquor Store, License No. 105806.

15. Review Request to Extend Safekeeping of License – First Request. Original Safekeeping Date: 6/7/2017. ANC 2A. SMD 2A08. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. **Marvin Center**, 800 21st Street NW, Retailer CX, License No. 001070.

16. Review Request to Extend Safekeeping of License – First Request. Original Safekeeping Date: 3/22/2017. ANC 3B. SMD 3B02. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. **Fresh Fields Whole Foods Market**, 2323 Wisconsin Avenue NW, Retailer DR, License No. 086069.

17. Review Request to Extend Safekeeping of License – First Request. Original Safekeeping Date: 3/22/2017. ANC 3B. SMD 3B02. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. **Fresh Fields Whole Foods Market**, 2323 Wisconsin Avenue NW, Retailer B Grocery, License No. 022045.

18. Review Request to Extend Safekeeping of License – First Request. Original Safekeeping Date: 2/1/2017. ANC 3E. SMD 3E01. No outstanding fines/citations. No outstanding violations. No

pending enforcement matters. No conflict with Settlement Agreement. **Bread & Salt**, 4619 41st Street NW, Retailer CR, License No. 090853.

19. Review Request for Change of Hours of Alcoholic Beverage Sales. **Approved Hours of Operation:** Sunday-Saturday 8am to 9pm. **Approved Hours of Alcoholic Beverage Sales:** Sunday-Saturday 9am to 8:30pm. **Proposed Hours of Alcoholic Beverage Sales:** Sunday-Saturday 8am to 8:30pm. ANC 2E. SMD 2E06. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. **Sara's Market**, 3008 Q Street NW, Retailer B, License No. 086230.
-

20. Review Request for Change of Hours. **Approved Hours of Operation:** Sunday-Saturday 8am to 5pm. **Approved Hours of Alcoholic Beverage Sales:** Sunday-Saturday 9am to 5pm. **Proposed Hours of Operation:** Sunday-Saturday 8am to 8pm. **Proposed Hours of Alcoholic Beverage Sales:** Sunday-Saturday 9am to 8pm. ANC 5D. SMD 5D01. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. **A. Litteri Inc.**, 517 Morse Street NE, Retailer B, License No. 001006.
-

21. Review Request to expand the storage space of the Establishment to include the basement level, in units B201, B202, and B203 of 1900 L Street NW. This will not result in an increase in patron seating of the establishment. ANC 2B. SMD 2B06. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No conflict with Settlement Agreement. **Barmy Wine and Liquors**, 1912 L Street NW, Retailer A Liquor Store, License No. 023822.
-

22. Review Application for Summer Garden Endorsement with seating for 35 patrons. **Proposed Hours of Operation and Alcoholic Beverage Sales and Consumption for Summer Garden:** Sunday-Saturday 9am to 2am. ANC 1B. SMD 1B12. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. **TBD (M & A Hospitality, LLC.)**, 1805 14th Street NW, Retailer CR, License No. 107308.
-

23. Review Application for rooftop Summer Garden Endorsement with seating for 183 patrons. **Proposed Hours of Operation for Summer Garden:** Sunday 10am to 3am, Monday-Thursday 8am to 3am, Friday-Saturday 8am to 4am. **Proposed Hours of Alcoholic Beverage Sales and Consumption for Summer Garden:** Sunday 10am to 2am, Monday-Thursday 8am to 2am, Friday-Saturday 8am to 3am. ANC 5C. SMD 5C02. One outstanding payment is due. No

outstanding violations. No pending enforcement matters. No Settlement Agreement. *Bliss*, 2122 24th Place NE, Retailer CT, License No. 095711.

24. Review Application for Sidewalk Café Endorsement with seating for 16 patrons. ***Proposed Hours of Operation for Sidewalk Café:*** Monday-Friday 7am to 8pm, Saturday 8am to 8pm (closed Sunday). ***Proposed Hours of Alcoholic Beverage Sales and Consumption for Sidewalk Café:*** Monday-Friday 11am to 8pm, Saturday 11am to 6pm (closed Sunday). ANC 2F. SMD 2F05. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. *Modern Market*, 1010 Vermont Avenue NW, Retailer CR, License No. 103722.
-

25. Review of Premises Address Change from 1401 New York Avenue NE to 1501 New York Avenue, NE based on new zoning. ANC 5D. SMD 5D01. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. *MOM's Organic Market*, 1401 New York Avenue NE, Retailer B Grocery, License No. 094996.
-

***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.**

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF MEETING
CANCELLATION AGENDA – SAFEKEEPING

WEDNESDAY, OCTOBER 18, 2017
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

The Board will be cancelling the following licenses for the reasons outlined below:

ABRA-074267 – **Compact Market** – Retailer – B – 1613 Montello Avenue NE
[Safekeeping][Licensee did not renew license or request an extension of Safekeeping.]

ABRA-077898 – **Fairmont Market** – Retailer – B – 2628 11th Street NW
[Safekeeping][Licensee did not renew license or request an extension of Safekeeping.]

ABRA-107282 – **TBD (64 High, LLC)** – Retailer – B – No Location
[Safekeeping][Licensee did not request an extension of Safekeeping.]

ABRA-095964 – **After Peacock Room** – Retailer – CR – 2622 P Street NW
[Safekeeping][Licensee did not request an extension of Safekeeping.]

ABRA-084620 – **Heat** – Retailer – C – Nightclub – No Location
[Safekeeping][Licensee did not request an extension of Safekeeping.]

ABRA-087875 – **Cloakroom** – C – Nightclub – 476 K Street NW
[Safekeeping][Licensee did not request an extension of Safekeeping.]

ABRA-000014 – **Coast In Liquors** – Retailer – A – Liquor Store - 301 Florida Avenue NE
[Safekeeping][Licensee did not request an extension of Safekeeping.]

DC COMMISSION ON THE ARTS AND HUMANITIES

NOTICE OF FUNDING AVAILABILITY

Open Call to District Curators

Deadline: Friday, January 15, 2018 at 4:00PM

The DC Commission on the Arts and Humanities (CAH) invites individual curators and curatorial teams residing in the District of Columbia to propose an exhibition concept to present in the CAH Gallery located at 200 I (Eye) Street, SE. This initiative seeks to support local curators in the development of innovative exhibition proposals that have robust educational, cultural and/or conceptual components. Two (2) exhibition proposals will be funded for presentation during the FY18 gallery exhibition calendar.

Proposed Exhibition Dates: Exhibitions may occur within one of the available timeframes to be announced.

Gallery Hours: Monday to Friday, 9AM – 6PM. Weekend hours are not available due to the security restrictions of the building.

Eligibility: Curators or curatorial teams must demonstrate District residency of at least one year prior to the time of application. Proposals for solo, duo or group exhibitions are acceptable. Curators must be over the age of 18.

Artwork: Two- and three-dimensional works including, but not limited to prints, drawings, mixed media compositions, paintings, photographs, ceramics, video works, and sculptures in the round can be accommodated within the CAH Gallery. Both pre-existing works in addition to commissioned works can be intermixed as curator deems appropriate. Site visits to CAH's Gallery at 200 I (Eye) Street are highly recommended when considering prospective artwork for inclusion. Artwork must be able to load-in through the front entrance (site visit required to obtain entrance dimensions) and works greater than 100lbs must be pre-approved for load-bearing capacity (for walls and floor). Curator(s) must utilize the exhibition space in its current state, requiring no additional construction or lighting.

Budget: Curator(s) for each exhibit proposal will be awarded a grant of \$25,000 to install, execute, and de-install the selected projects.

Applications may be submitted online at dcarts.dc.gov beginning Monday, October 30, 2017. Deadline to apply is Friday, January 15, 2018.

For additional information, contact Zoma Wallace, zoma.wallace@dc.gov or 202-724-5613.

DISTRICT OF COLUMBIA COMMISSION ON THE ARTS AND HUMANITIES**NOTICE OF PUBLIC MEETING****Board of Commissioners**

The Board of Commissioners of the District of Columbia Commission on the Arts and Humanities (CAH) will be holding a Full Commission Meeting on Thursday, October 19, 2017 at 3:30 p.m. The meeting will be held at 200 I St. SE, Washington D.C. 20003.

A final agenda will be posted to the CAH website at <http://dcarts.dc.gov/page/commissioner-meetings>. For further information, please contact the front desk at (202) 724-5613.

DRAFT AGENDA

- | | | |
|----|--------------------------------|---------------------------|
| 1. | Call to Order | Chairperson |
| 2. | Adoption of the Agenda | All Commissioners Present |
| 3. | Adoption of Minutes | All Commissioners Present |
| 4. | Chairperson's Report | Chairperson |
| 5. | Executive Director's Report | Executive Director |
| 6. | Committee Reports | All Commissioners Present |
| 7. | New Business and Announcements | All Commissioners Present |
| 8. | Adjournment | Chairperson |

OFFICE OF THE CHIEF FINANCIAL OFFICER
Office of Revenue Analysis

District of Columbia Motor Fuel Tax Remains Unchanged
Effective October 1, 2017

Pursuant to D.C. Official Code § 47-2301, the District of Columbia is required to levy and collect a tax on motor vehicle fuels equal to 8 percent of the average wholesale price of a gallon of regular unleaded gasoline. The average wholesale price is to be calculated semi-annually and in no case shall the price computed be less than \$2.94. The computed average wholesale price should also not vary by more than 10 percent from the prior period's average price. The average wholesale price is computed by using the monthly Regular Gasoline Wholesale/Resale Price by Refiners provided by the Energy Information Administration for the Central Atlantic (PADD 1B) region for the six month periods ending in June and December each year.

For the six-month period ending June 30, 2017, the computed average wholesale price of a gallon of gasoline was less than \$2.94. Accordingly, the tax, computed at 8 percent of the \$2.94 minimum price, remains at 23.5 cents per gallon for the period of October 1, 2017 through March 31, 2018.

OFFICE OF THE CHIEF FINANCIAL OFFICER
Office of Revenue Analysis

NOTICE
of the
DISTRICT OF COLUMBIA MEDIAN FAMILY INCOME
ON THE BASIS OF HOUSEHOLD SIZE
FOR 2015

In accord with the Truth in Affordability Reporting D.C. Code §42-2151.02

District of Columbia Median Household Income By Household Size 2015		
Household Size	Estimate	Margin of Error
1-person households	\$50,680	+/- \$923.00
2-person households	\$100,483	+/- \$1,907.00
3-person households	\$88,674	+/- \$3,924.00
4-person households	\$102,986	+/- \$5,989.00
5-person households	\$77,112	+/- \$8,900.00
6-person households	\$81,381	+/- \$16,197.00
7-or -more -person households	\$88,566	+/- \$10,197
All Households	\$70,848	+/- \$843.00

Source: U.S. Census Bureau, 2011-2015 American Community Survey 5-Year Estimates

D.C. BILINGUAL PUBLIC CHARTER SCHOOL**REQUEST FOR PROPOSALS**

D.C. Bilingual Public Charter School in accordance with section 2204(c) of the District of Columbia School Reform Act of 1995 solicits proposals for vendors to provide the following services for SY17.18:

- IT Maintenance & Repair Services
- Computer IT Support Services

Proposal Submission

A Portable Document Format (pdf) election version of your proposal must be received by the school no later than **4:00 p.m. EST on Monday, October 23, 2017**. Proposals should be emailed to bids@dcbilingual.org

No phone call submission or late responses please. Interviews, samples, demonstrations will be scheduled at our request after the review of the proposals only.

BOARD OF ELECTIONS**CERTIFICATION OF ANC/SMD VACANCY**

The District of Columbia Board of Elections hereby gives notice that there is a vacancy in one (1) Advisory Neighborhood Commission office, certified pursuant to D.C. Official Code § 1-309.06(d)(2); 2001 Ed; 2006 Repl. Vol.

VACANT: 1A06

Petition Circulation Period: **Monday, October 16, 2017 thru Monday, November 6, 2017**

Petition Challenge Period: **Thursday, November 9, 2017 thru Thursday, Nov. 16, 2017**

Candidates seeking the Office of Advisory Neighborhood Commissioner, or their representatives, may pick up nominating petitions at the following location:

**D.C. Board of Elections
441 - 4th Street, NW, Room 250N
Washington, DC 20001**

For more information, the public may call **727-2525**.

**DEPARTMENT OF EMPLOYMENT SERVICES
NOTICE OF FUNDING AVAILABILITY (NOFA)**

FISCAL YEAR 2018 (FY18)

Public Education Program (PEP)

Request for Application (RFA) Release Date: October 23, 2017

The Department of Employment Services (DOES), Office of Wage-Hour (OWH) is developing a community-based public education program. This grant opportunity will provide non-profits with the necessary tools needed to facilitate public education forums for employers and employees, provide referrals for employees interested in filing a claim, and build a more open relationship with residents and the business community. Two (2) non-profits will be selected annually and trained on performing outreach to District residents to raise awareness for the Office of Wage Hour and to inform the community of wage laws, employee commuter benefits, and First Source requirements. OWH will require organizations to participate in trainings and submit reports detailing the number of businesses touched and employee contacts made.

Eligibility: DOES will select a grantee based upon the following criteria:

1. The applicant must be a D.C. based **non-profit** who operates in the District and has substantial experience in the following areas:
 - a. Developing and launching new programs
 - b. Servicing vulnerable residents neighborhoods, and wards
 - c. Outreach activities to local business and communities
 - d. Promoting public education
 - e. Managing grants and reporting
2. Possess the internal capacity and expertise to realize the outcomes identified in the project.
3. Be fiscally stable.
4. Have adequate office and training space to accommodate potential community events and other program needs.

Award Period: The grant period is for one year and will begin from the effective award date.

Available Funding: The Office of Wage-Hour has identified \$120,000 in total available funding and anticipates awarding up to two grants, each with a maximum award amount of \$60,000.

To receive more information about this grant opportunity, please contact:

Anthony Gamblin

Program Manager
Office of Grants Administration and Resource Allocation
Department of Employment Services
4058 Minnesota Avenue, NE, Suite 5300
Washington, DC 20019
Email: Anthony.Gamblin2@dc.gov

DEPARTMENT OF ENERGY AND ENVIRONMENT**PUBLIC NOTICE****AIR QUALITY TITLE V OPERATING PERMIT AND
GENERAL PERMIT FOR U.S. DEPARTMENT OF THE TREASURY,
BUREAU OF ENGRAVING AND PRINTING**

Notice is hereby given that U.S. Department of the Treasury, Bureau of Engraving and Printing has applied for a Title V air quality permit pursuant to the requirements of Title 20 of the District of Columbia Municipal Regulations, Chapters 2 and 3 (20 DCMR Chapters 2 and 3) to operate the following equipment at its facility located at 14th and C Streets SW, Washington DC:

Emission Units				
Emission Unit ID	Equipment No., Area	Emission Unit Name	Ch. 2 Permit¹	Description
02-2	201, Section 2	Giori I-10	6974	Sheet-fed Non-Heatset Intaglio Cylinder Wipe Currency Press Located at Main Building, Basement A Wing, Installed 1999
02-2	202, Section 2	Giori I-10	6975	Sheet-fed Non-Heatset Intaglio Cylinder Wipe Currency Press Located at Main Building, Basement A Wing, Installed 1999
02-2	110, Section 10	Giori I-10	6976	Sheet-fed Non-Heatset Intaglio Cylinder Wipe Currency Press Located at Main Building, Basement C Wing, Installed 2000
02-2	210, Section 10	Giori I-10	6977	Sheet-fed Non-Heatset Intaglio Cylinder Wipe Currency Press Located at Main Building, Basement C Wing, Installed 2000
02-4	901, Section 9	Super Orlof	6581-R1	Sheet-fed Non-Heatset Cylinder Wipe Intaglio SOI Located at M-100-C, Installed 2006
02-4	902, Section 9	Super Orlof	6582-R1	Sheet-fed Non-Heatset Cylinder Wipe Intaglio SOI Located at M-100-C, Installed 2006
02-4	601, Section 6	Super Orlof	6706-R1	Sheet-fed Non-Heatset Cylinder Wipe Intaglio SOI Located at M-400-C, Installed 2009
02-4	602, Section 6	Super Orlof	6707-R1	Sheet-fed Non-Heatset Cylinder Wipe Intaglio SOI Located at M-400-C, Installed 2009
08-1	013, COPE	Giori COPE Pak		Sheet-fed Non-Heatset Letterpress, Located M-200-B, Installed 1998

Emission Units				
Emission Unit ID	Equipment No., Area	Emission Unit Name	Ch. 2 Permit ¹	Description
08-1	014, COPE	Giori COPE Pak		Sheet-fed Non-Heatset Letterpress, Located M-200-B, Installed 1997
08-1	015, COPE	Giori COPE Pak		Sheet-fed Non-Heatset Letterpress, Located M-200-B, Installed 1997
08-1	016, COPE	Giori COPE Pak		Sheet-fed Non-Heatset Letterpress, Located M-200-B, Installed 1985
08-1	019, COPE	Giori COPE Pak		Sheet-fed Non-Heatset Letterpress, Located A-300-M, Installed 1987
08-1	023, COPE	Giori COPE Pak	6947	Sheet-fed Non-Heatset Letterpress, Located M-100-A, Moved to this facility from Western Currency Facility and Installed 2017
08-3	None, LEPE	LEPE Press (formerly SCOPE)	6574-R1	Sheet-fed Non-Heatset Letterpress, Located A-400-M, Installed 2012
09	203, Section 2	Simultan	6739	Sheet-fed Non-Heatset Offset Lithographic Press, Located M-BSMT-A, Installed 1999
09	310, Section 10	Simultan	6373-R1	Sheet-fed Non-Heatset Offset Lithographic Press, Located M-BSMT-C, Installed. 2001
09	903, Section 9	Simultan	6374-R1	Sheet-fed Non-Heatset Offset Lithographic Press, Located M-100-C, Installed 2002
11-1	113, 1	Carver hand die stamp		Sheet-fed Non-Heatset, Paper Wipe Intaglio, Located at M-325-A, Installed 1951
11-1	114, 1	Carver hand die stamp		Sheet-fed HS & Non-Heatset Paper Wipe Intaglio, Located M-325-A, Installed 1951
11-1	115, 1	Miehle 4-plateflatbed		Sheet-fed Non-Heatset, Paper Wipe Intaglio, Located at M-325-A, Installed 1954
11-1	116, 1	Cronite die stamp Hi Speed		Sheet-fed HS & Non-Heatset Paper Wipe Intaglio, Located M-325-A, Installed 1992
11-1	117, 1	Hand press		Sheet-fed Non-Heatset, Paper Wipe Intaglio, Located at M-325-A, Installed 1951
11-1	118, 1	Hand press		Sheet-fed Non-Heatset, Paper Wipe Intaglio, Located at M-325-A, Installed 1951

Emission Units				
Emission Unit ID	Equipment No., Area	Emission Unit Name	Ch. 2 Permit ¹	Description
11-1	119, 1	Elephant press		Sheet-fed Non-Heatset, Paper Wipe Intaglio, Located at M-325-A, Installed 2003
11-1	None, Research & Development (R&D) Center	KBA Giori Mini Orlof II Research press	6338-R1	Sheet-fed Non-Heatset, Cylinder Wipe Intaglio SOI, Located at M-100-A, Installed 2010
11-2	061, Flatbed	Heidelberg job press		Job press, Located at M-300-B, Installed 1968
11-2	062, Flatbed	Kluge job press		Job press Located at M-300-B, Installed 1968
11-2	076, Flatbed	Miller SW letterpress		SW letterpress, Located at M-300-B, Installed 1952
11-2	077, Flatbed	Miller SW letterpress		SW letterpress, Located at M-300-B, Installed 1952
11-3	034, S-OFFSET	Ryobi 3302M		Sheet-fed Non-Heatset, Offset Lithographic press, Located at M-300-B, Installed 1992
11-3	044, S-OFFSET	Heidelberg Speedmaster		Sheet-fed Non-Heatset, Offset Lithographic press, Located at M-300-B, Installed 1998
11-3	None, S-OFFSET	GTO Heidelberg		Sheet-fed Non-Heatset, Offset Lithographic press, Located at M-100-A, Installed 2003
11-3	None, S-OFFSET	Komori Offset Lithographic press	6589-R1	Sheet-fed Non-Heatset, Cylinder Wipe Intaglio, Located at M-300-B, Installed 2012
11-5	None, Carpentry Shop	Paint Shop		Paint Shop
12	None, Freight Building	Emergency Generator (#1)	6404-R1	MTU Onsite Energy 1000-XC6DT2, Located at Freight Building, Installed in 2011
12	None, Freight Building	Emergency Generator (#2)	6405-R1	MTU Onsite Energy 1000-XC6DT2, Located at Freight Building, Installed in 2011
12	None, M-019	Main Building Fire Pump		Patterson Model 8x8 MI, Located M-019, Installed 1996
13-4-Cr	None, D-200	Dalmar Chromium Plating Line	6378	Dalmar Chromium Plating Line (including 3 Chrome Plating tanks), with a control device 13-4-Cr, Located D-200, Installed 2009

Emission Units				
Emission Unit ID	Equipment No., Area	Emission Unit Name	Ch. 2 Permit ¹	Description
13-5-Ni	None, D-200	Dalmar Nickel Plating Line	6377	Dalmar Nickel Plating Line, with a control device 13-5-Ni, Located D-200, Installed 2009
14	None, M-BSMT Between A&B	Central Trim System		Central Trim System, with dual Mactiflo 4MTF80 baghouse control device 14-CTS Located at M-BSMT between A&B, Installed 1997
15	None, Annex 1 st Floor & Basement	Ink Manufacturing		Ink Manufacturing and Solids Handling with RotoClone control device 15-WDC, Located in Annex 1 st Floor & Basement, Installed 1996

¹ The Chapter 2 permits listed are those being incorporated into this Title V permit that have been issued since the previous Title V permit was issued on August 27, 2001. Those units with no Chapter 2 permit listed were in the older Title V permit.

In addition to the above, the facility operates the following miscellaneous/insignificant sources:

1. Miscellaneous chemical use and miscellaneous cleaning sources including the following:
 - Several small laboratory fume hoods and laboratory fugitive emissions;
 - Photoengraving;
 - Bench-scale laboratory equipment used for physical or chemical analysis (not including aforementioned laboratory fume hoods or vents);
 - Design and engraving of master proofs and dies for intaglio printing;
 - Janitorial services and consumer use of janitorial products;
 - Manufacture of PVC coated rollers for inking in and wiping tests;
 - Calibration and maintenance of laboratory equipment or other analytical equipment;
 - Storage of inks and raw materials, which must be stored in closed containers;
 - Storage, drum preparation, and QC testing of hazardous and non-hazardous wastes; and
 - Miscellaneous clean-up operations;
2. Printing support operations, fugitive emissions from ink reconstitution/mill, ink jet, roller recovery, engraving
3. Carpentry shop operations;
4. Masonry shop operations;
5. Electric shop operations;
6. Plumbing shop operations;
7. Sheet metal shop operations;
8. Electro-machinist shop operations;
9. Machine shop operations;
10. Brazing, soldering, and welding equipment, and cutting torches related to manufacturing and construction activities that do not result in emissions of HAP metals;
11. Laser trimmers which shall use dust collection equipment to minimize fugitive dust emissions;
12. Processing, testing, inspection, and shredding of paper inside building in facilities with no

- externally ducted emissions point;
13. Processing of photographic films for proofs and offset printing;
 14. Degreasing equipment using only solvents with zero VOC content as measured by EPA reference method 24;
 15. Mixing of concrete;
 16. Pretreatment of wastewater from electroplating operations;
 17. Pretreatment of Dalmar wiping solution from printing processes;
 18. Firing range where only lead-free bullets shall be used;
 19. Cooling towers; and
 20. Natural gas-fired kitchen equipment.

The contact person for the facility is Mr. David Kaczka, Manager, Environmental Compliance, Office of Environment, Health & Safety (OEHS), at (202) 874-2107.

The U.S. Department of the Treasury, Bureau of Engraving and Printing has the potential to emit (PTE) the following air pollutants:

FACILITY-WIDE EMISSIONS SUMMARY [TONS PER YEAR]	
Pollutants	Potential Emissions
Sulfur Dioxide (SO ₂)	0.03
Oxides of Nitrogen (NO _x)	7.07
Total Particulate Matter (PM Total)	2.39
Volatile Organic Compounds (VOC)	82.28
Carbon Monoxide (CO)	0.60
Total Hazardous Air Pollutants (HAP)	3.68

The PTE of 82.28 tons per year (TPY) of volatile organic compounds (VOC) exceeds the major source threshold in the District of Columbia of 25 TPY of VOC. No other major source thresholds are exceeded based on the above potential emissions. Because potential emissions of VOC exceed the relevant major source threshold, pursuant to 20 DCMR 300.1(a), the source is subject to Chapter 3 and must obtain an operating permit in accordance with that regulation and Title V of the federal Clean Air Act.

The Department of Energy and Environment (DOEE) has reviewed the permit application and related documents and has made a preliminary determination that the applicant meets all applicable air quality requirements promulgated by the U.S. Environmental Protection Agency (EPA) and the District. Therefore, draft Title V Permit No. 035-R1 has been prepared.

The application, the draft permit, and all other materials submitted by the applicant [except those entitled to confidential treatment under 20 DCMR 301.1(c)] considered in making this preliminary determination are available for public review during normal business hours at the offices of the Department of Energy and Environment, 1200 First Street NE, 5th Floor, Washington DC 20002. Copies of the draft permit and related fact sheet are available at <http://doee.dc.gov/service/public-notice-hearings>.

A public hearing on this permitting action will not be held unless DOEE has received a request for such a hearing within 30 days of the publication of this notice. Interested parties may also submit written comments on the permitting action.

Comments on the draft permit and any request for a public hearing should be addressed to:

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

No comments or hearing requests submitted after November 13, 2017 will be accepted.

For more information, please contact Abraham T. Hagos at (202) 535-1354 or Abraham.Hagos@dc.gov.

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF FOR-HIRE VEHICLES**

NOTICE OF FOR-HIRE VEHICLES ADVISORY COUNCIL MEETING

The Department of For-Hire Vehicles will hold a For-Hire Vehicles Advisory Council Meeting on Wednesday, October 18, 2017 at 10:00 am. The meeting will be held at 2235 Shannon Place, SE, Washington, DC 20020, inside the Hearing Room, Suite 2032. Visitors to the building must show identification and pass through the metal detector. Allow ample time to find street parking or to use the pay-to-park lot adjacent to the building.

The final agenda will be posted no later than seven (7) days before the For-Hire Vehicles Advisory Council Meeting on the DFHV website at www.dfhv.dc.gov.

Members of the public are invited to participate in the Public Comment Period. You may present a statement to the Council on any issue of concern; the Council generally does not answer questions. Statements are limited to five (5) minutes for registered speakers. Time and agenda permitting, nonregistered speakers may be allowed 2 minutes to address the Council. To register, please call 202-645-6002 no later than 3:00 p.m. on October 17, 2017. Registered speakers will be called first, in the order of registration. **Registered speakers must provide ten (10) printed copies of their typewritten statements to the Advisory Council Recorder no later than the time they are called to the podium.**

DRAFT AGENDA

- I. Call to Order
- II. Advisory Council Communication
- III. Advisory Council Action Items
- IV. Government Communications and Presentations
- V. General Counsel's Report
- VI. Staff Reports
- VII. Public Comment Period
- VIII. Adjournment

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, November 16, 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

KIPP DC PUBLIC CHARTER SCHOOLS**REQUEST FOR PROPOSALS****Hotel and Conference Center Services**

KIPP DC is soliciting proposals from qualified vendors for hotel room accommodations, meals, and conference space for an event from December 14-16, 2017. The RFP can be found at <https://www.kippdc.org/procurement>. Proposals should be uploaded to the website no later than 5:00 P.M. EST on October 30, 2017. Questions can be addressed to megan.hawkins@kippdc.org.

PERRY STREET PREP PUBLIC CHARTER SCHOOL**REQUEST FOR PROPOSALS****Research and Dissemination Project:
Public Charter School Improvement**

Perry Street Public Charter School—a nonprofit, Title I, public charter school in Washington, DC's Ward 5—seeks to partner with an organization to study and disseminate key factors facilitating success in Perry Street Prep's long-term school improvement journey. Desired outcomes include: 1) a final report with findings and resources, for local and national distribution, as well as 2) a dissemination event to be held in spring 2019.

To request a copy of the full RFP, interested parties should email Kelly Smith, Director of Operations at ksmith@pspdc.org.

Proposals with a scope of work, detailed fees and expenses, and deliverables, along with an unsigned contract, are due no later than **5 pm EST by Friday, October 27, 2017**, via e-mail to **ksmith@pspdc.org**.

PUBLIC SERVICE COMMISSION OF THE DISTRICT OF COLUMBIA

**NOTICE OF PROPOSED ISSUANCE OF STOCK OR EVIDENCES OF
INDEBTEDNESS****FORMAL CASE NO. 1147, IN THE MATTER OF THE APPLICATION OF POTOMAC
ELECTRIC POWER COMPANY FOR A CERTIFICATE OF AUTHORITY TO ISSUE
DEBT SECURITIES**

1. The Public Service Commission of the District of Columbia (“Commission”) hereby gives notice, pursuant to D.C. Code §§ 2-505, 34-502 and 34-503 (2001), that it intends, in not less than 30 days from the date of publication of this Notice in the *D.C. Register*, to take final action on the Application of the Potomac Electric Power Company (“Pepco” or “Company”) for a certificate authorizing the Company to issue and sell up to \$600 million of long-term secured and unsecured debt securities.¹

2. In its Application, filed on September 21, 2017, Pepco requests authority to issue up to \$600 million of long-term secured and unsecured debt securities for a three-year period.² The Company states that it plans to use the proceeds from the financing for six primary purposes: (1) to refund maturing long-term debt; (2) for redemptions; (3) to refund outstanding securities of the Company, should future market conditions make refinancings feasible; (4) to refund short-term debt incurred to finance utility construction and operations on a temporary basis; (5) to fund ongoing capital requirements of the Company; and (6) for other general corporate purposes.³ Pepco further states that the precise timing and types of financing selected will depend on factors such as prevailing and anticipated market conditions, the cost and volume of the Company’s anticipated and outstanding short-term debt, the costs of the Company’s outstanding securities, and capital structure considerations.⁴ Pepco seeks expedited review of its Application under the Commission’s expedited review process in Chapter 35 of the Commission’s rules (15 DCMR §§ 3500-3505 (2000)).⁵

¹ *Formal Case No. 1147, In the Matter of the Application of Potomac Electric Power Company for a Certificate of Authority to Issue Debt Securities* (“*Formal Case No. 1147*”), Potomac Electric Power Company’s Application for Authority to Issue Debt Securities, filed Sept. 21, 2017 (“Pepco’s Application”).

² Pepco’s Application at 6.

³ Pepco’s Application at 2.

⁴ Pepco’s Application at 2.

⁵ Pepco’s Application at 1. *See also* 15 DCMR § 3501.1, describing the Commission’s expedited review process: “An application for authority to issue or amend tariffs or issue stock or evidences of indebtedness that are payable in more than one year shall be approved by the Commission within thirty days after the publication date in the D.C. Register, provided that: (1) no objection is filed within thirty (30) days after the date of publication; and (2) the Commission does not order additional time for review of the application.”

3. Pepco's Application and supporting documentation are on file with the Commission and may be reviewed at the Office of the Commission Secretary, 1325 G Street, N.W., Suite 800, Washington, D.C. 20005, between the hours of 9:00 a.m. and 5:30 p.m., Monday through Friday, or may be viewed on the Commission's website by visiting www.dcpssc.org and, under the "eDocket System" tab, selecting "Search Current Dockets" and typing "FC 1147" in the field labeled "Select Case Number." Copies of the Application are available, upon request, at a per-page reproduction fee.

4. Any person desiring to comment on the Application or object to the expedited handling of the Application shall file written comments or objections stating the reasons for the objections no later than 30 days from the date of publication of this Notice in the *D.C. Register* addressed to Brinda Westbrook-Sedgwick, Commission Secretary, at the address listed in the preceding paragraph. Any responses to comments or objections shall be filed within 35 days from the date of publication of this Notice in the *D.C. Register*. Once the comment period expires, the Commission will take final action. Persons with questions concerning this Notice should call (202) 626-5150.

ROCKETSHIP EDUCATION DC PUBLIC CHARTER SCHOOL**INVITATION FOR BID****Food Service Management Services**

Rocketship Education DC Public Charter School is advertising the opportunity to bid on the delivery of breakfast, lunch, snack and/or CACFP supper meals to children enrolled at the school for the 2017-2018 school year with a possible extension of (4) one year renewals. All meals must meet at a minimum, but are not restricted to, the USDA National School Breakfast, Lunch, Afterschool Snack and At Risk Supper meal pattern requirements. Additional specifications outlined in the Invitation for Bid (IFB) such as; student data, days of service, meal quality, etc. may be obtained beginning on **October 13, 2017** from **Larisa Yarmolovich at (860) 235-4459 or lyarmolovich@rsed.org**:

Proposals will be accepted at 2335 Reynolds Place, SE Washington DC, 20020 on **November 8, 2017** not later than **4:00 PM**

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

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 November 15, 2017.

Comments on these potential appointments should be submitted, in writing, to the Office of Notary Commissions and Authentications, 441 4th Street, NW, Suite 810 South, Washington, D.C. 20001 within seven (7) days of the publication of this notice in the *D.C. Register* on October 13, 2017. Additional copies of this list are available at the above address or the website of the Office of the Secretary at www.os.dc.gov.

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

Effective: November 15, 2017

Page 2

Baker	Joyce M.	Cozen O'Connor 1200 19th Street, NW	20036
Barnes	Timothy P.	Self (Dual) 1326 R Street, NW, Apartment 2	20009
Bauguess	Julia	Whitfield Bryson & Mason, LLP 5101 Wisconsin Avenue, NW, Suite 305	20016
Bear	Kozue Ringler	United States Postal Service 475 L'Enfant Plaza, SW	20260
Bediones	Michael	Douglas Development Corporation 702 H Street, NW	20001
Blackwood	Janelle F.	Information Technology Industry Council 1101 K Street, NW, Suite 610	20005
Blalock	Rachelle	BB&T 1909 K Street, NW, Floor 2	20006
Boone	Tonia Jeanette	Cushman & Wakefield, Inc. 750 First Street NE, Suite 250	20744
Brooks	Jennifer E.	Police Executive Research Forum 1120 Connecticut Avenue, NW, Suite 930	20036
Brown	Deirdre P.	Self (Dual) 4455 Connecticut Avenue, NW Unit 107	20008
Buckin	Paul	Wiley Rein, LLP 1776 K Street, NW	20006
Burrell	Yaiza E.	Ballard Spahr, LLC 1909 K Street, NW, 12th Floor	20006
Cain	Deon P.	National Healthcare Anti-Fraud Association 1220 L Street, NW, Suite 600	20005

D.C. Office of the Secretary

Effective: November 15, 2017

Recommendations for appointment as DC Notaries Public

Page 3

Cook	Yvette Sharee	Baker Hostetler, LLP 1050 Connecticut Avenue, NW, Suite 1100	20036
Crudup	Patricia A.	Morgan Lewis & Bockius 1111 Pennsylvania Avenue, NW	20004
Cruz	Maria	PNC Bank 5330 Connecticut Avenue, NW	20015
Davis	Vernon	The KPS Link Corp 1030 15th Street, NW	20005
Davis	William E.	United States Postal Service 475 L'Enfant Plaza, SW	20260
Defenbaugh	Patrick D.	Barbaricum, LLC 1714 N Street, NW	20036
Dillman	Karrah Michelle	CleanChoice Energy 1055 Thomas Jefferson Street, NW, Suite 650	20007
Dmitriev	Roman	Bank Fund Staff Federal Credit Union 1725 I Street, NW, Suite 400	20006
Dockery	Marcus Anthony	Self 1713 C Street, SE	20003
Douglas	Antwanett D	Howard University Employees Federal Credit Union 525 Bryant Street, NW, Suite C102	20059
Dwumahene	Albert	Sullivan & Worcester 1666 K Street, NW, Suite 700	20006
Favaro	Anthony	M & T Bank Mortgage Division 1899 L Street, NW	20036
Finley	Leslie H.	Latham & Watkins, LLP 555 Eleventh Street, NW, Suite 1000	20004
Forster	Jenna Nichole	Motley Rice, LLC 401 9th Street, NW	20004

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

Effective: November 15, 2017

Page 4

Fritts	Richard L.	Paragon Title 1410 Q Street, NW	20009
Garcia	Rebekah V.	RELX, Inc. 1150 18th Street, NW, # 600	20036
Ghaith	Sara	Self 411 10th Street, SE	20002
Gresson	Ariane I.	Wilson Sonsini Goodrich and Rosati 1700 K Street, NW, 5th Floor	20002
Hallock	Cappy	Gregory Edwards, LLC 400 Virginia Avenue, SW, Suite C120	20024
Hamza	Muhammad	Human Rights First 805 15th Street, NW, Suite 900	20005
Hatcher	Sandra H.	Bank of America 2201 C Street, NW, Suite B833	20520
Haverkamp	Meagan B.	Berkeley Research Group, LLC 1800 M Street, NW, Suite 200	20008
Heavener	Christopher Aaron	Bohler DC 1331 Pennsylvania Avenue, NW, Suite 1250N	20004
Hubbard-Davis	Helen	Tudor Park Foundation 1644 31st Street, NW	20007
James	Tonya M.	Fannie Mae 3900 Wisconsin Avenue, NW	20016
Jera	Zandile	PNC Wealth Management 800 17th Street, NW	20006
Johnson	Lavonnie D.	Self 1109 O Street, NW, Apartment 301	20005
Johnson	Rashida L.	Bank Fund Staff Federal Credit Union 1725 I Street, NW	20006

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

Effective: November 15, 2017

Page 5

Johnson	Sondra	MedStar Georgetown University Hospital 3800 Reservoir Rd, NW	20007
Jones	Cheryl	Columbia Property Trust 801 Pennsylvania Avenue, NW, Suite 801	20004
Jones	Elizabeth	Franciscan Monestary of the Holy Land in America 1400 Quincy Street, NE	20017
Jones	Jessica	Preventive Measures, LLC 2759 Martin Luther King, Jr., Avenue, SE	20032
Kinderdine	Jerilyn J.	DCI Consulting Group, Inc. 1920 I Street, NW	20006
King	Kevin	Self 1605 17th Street, SE, Apartment 5	20020
King	Mildred	Train Us Don't Close Us 3119 Martin Luther King Avenue, SE	20032
Kucheryavenko	Oleg	Self 340 Adams Street, NE, Unit 101	20002
LaMotta	Melanie	Liotta, Dranitzke & Engel, LLC 1666 Connecticut Avenue, NW, Suite 250	20009
León	Sofia	JAB Holding Company 1701 Pennsylvania Avenue, NW, Suite 801	20006
Lopez Gonzalez	Gerardo C	Wells Fargo Bank 1901 7th Street, NW	20001
Lu	Renee	Charles Schwab 1845 K Street, NW	20006
Lumpkin	Mary A.	Coalition for the Homeless 1234 Massachusetts Avenue, NW, Suite C-1015	20005

D.C. Office of the Secretary

Effective: November 15, 2017

Recommendations for appointment as DC Notaries Public

Page 6

Marinov	Miroslav M.	Wells Fargo Bank 1001 Connecticut Avenue, NW	20036
Marshall	Gerald A.	David M. Schwarz Architects, Inc 1707 L Street, NW, Suite 400	20036
McClellan	Marigold P.	Congressional Federal Credit Union 441 2nd Street, SW, Room H2-195	20515
Mendoza	Nicole A.	Think Food Group, LLC 717 D Street, NW, 6th Floor	20004
Miller	Dorinda	Same Day Process Service 1413 K Street, NW, 7th Floor	20005
Monroe	Tahiti P.	Self (Dual) 438 Park Road, NW	20010
Montserrat	Gia Madeleine	Nuclear Energy Institute 1201 F Street, NW, Suite 1100	20004
Murphy	Camesha N.	Barnes Vanze Architects 1000 Potomac Street, NW, Suite L-2	20007
Nekoueian	Najmeh N.	Kaplan Kirsch & Rockwell 1001 Connecticut Avenue, NW, Suite 800	20036
Nelson	Amanda	Adam James LLC d/b/a Carter Mackenzie 1101 Pennsylvania Avenue, NW, 3rd Floor	20004
Newson	Darin Lamar	Department of Employment Services 4058 Minnesota Avenue, NE, Suite 4000	20019
Ngabmen Nzoudja, Jr.	Charlin	Wells Fargo Bank 801 Pennsylvania Avenue, NW	20004
Nixon	Monique D.	Executive Office of the President, Office of Administration 725 17th Street, NW	20503

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

Effective: November 15, 2017

Page 7

Norman	Anita	Self 1853 3 rd Street, NW	20001
Nunnery	Dawn Loftin	IDA Science & Technology Policy Institute 1899 Pennsylvania Avenue, NW	20006
Parker	Safiya	PNC Bank 1913 Massachusetts Avenue, NW	20036
Pefley	Dawn M.	Cozen O'Connor 1200 19th Street, NW	20036
Pickeral	Jewelyn A.	Truth Initiative Foundation 900 G Street, NW, Fourth Floor	20001
Pierce	Keith Anthony	Accounting Principals 1776 Eye Street, NW, Suite 575	20006
Plater	BD	District of Columbia Army National Guard 2001 East Capitol Street	20003
Purnell	Catherine Upshur	Washington First Bank 1025 Connecticut Avenue, NW	20036
Qaqish	Basel	Douglas Development Corporation 702 H Street, NW	20001
Rein	Joyce E.	Adam James LLC d/b/a Carter Mackenzie 1101 Pennsylvania Avenue, NW, 3rd Floor	20004
Rothstein	Randall M.	Paragon Title 1410 Q Street, NW	20009
Rouse	Kenisha A.	Self (Dual) 5137 Hanna Place, SE	20019
Sacks	Craig	National Capital Title & Escrow, LLC 1405 Rhode Island Avenue, NW	20005
Sadler	Joan	Baker & Hostetler, LLP 1050 Connecticut Avenue, NW, Suite 1100	20036

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

Effective: November 15, 2017

Page 8

Scott	Terry-Ann	United States Postal Service 475 L'Enfant Plaza, SW	20260
Selkirk	Andrea R.	Ballard Spahr, LLP 1909 K Street, NW, 12th Floor	20006
Sellers	Joseph C.	Mid-Atlantic Settlement Services 1617 14th Street, NW	20009
Smith	Christina Anderson	US House Of Representatives, Office of the Clerk, Office of Official Reporters 1718 Longworth HOB, 15 Independence Avenue, SE	20515
Smith	Gail V.	Akin Gump Strauss Hauer & Feld, LLP 1333 New Hampshire Avenue, NW	20036
Steiner	Krista	Adam James LLC d/b/a Carter Mackenzie 1101 Pennsylvania Avenue, NW, 3rd Floor	20004
Suissa	Matthew A.	Paragon Title 1410 Q Street, NW	20009
Tadesse	Guenet	Parking Management, Inc. 1725 Desales Street, NW	20036
Terry	Alicia A.	Kutak Rock, LLP 1625 Eye Street, NW, Suite 800	20006
Thomas	Deja R. H.	Self (Dual) 2818 31st Street, SE, Apartment 713	20020
Trinca	Antonina	CSSI, Inc 425 3rd Street, SW	20024
Ulu	Bertha Clarice	DC Prep Public Charter School 707 Edgewood Street, NE	20017
Wagner	Carolyn M.	Goodwin Procter, LLP 901 New York Avenue, NW	20001

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

Effective: November 15, 2017

Page 9

Watson	Barbara A.	U.S. Department of Housing and Urban Development 451 7th Street, SW, Room 9226	20410
White	Lorraine V.	Hunton & Williams LLP 2200 Pennsylvania Avenue, NW	20037
Wick	Sara	Ace- Federal Reporters, Inc 1625 I Street, NW, Suite 790	20006
Williams	Tonia	Destinations International 2025 M Street, NW	20036
Williams	Sonya N.	District of Columbia Government Child and Family Services Agency 200 I Street, SE	20003
Williams	Tonia	Destinations International 2025 M Street, NW	20036
Williams	Vivian M.	Office of the Attorney General 441 4th Street, NW, Suite 550N	20001
Wright	Linnet C.	Self 1011 Monroe Street, NW	20010
Yeh	Albert	Neal R. Gross & Company 1323 Rhode Island Avenue, NW	20005

TWO RIVERS PUBLIC CHARTER SCHOOL

REQUEST FOR PROPOSALS

Behavioral Specialist Consultant

Two Rivers Public Charter School is seeking a company to provide a behavioral specialist consultant. For a copy of the RFP, please email Mary Gornick at procurement@tworiverspcs.org.

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

Order No. 12666-C of McGovern, Hinshaw, Peaslee, et al., pursuant to 11 DCMR Subtitle Y § 703, for a modification of consequence to the conditions of BZA Order No. 8711 as amended by BZA Order No. 12666 to allow the relocation of the seventeen accessory parking spaces serving 1234 19th Street from their current location at 1920 N Street to 1233 20th Street in the D-5 Zone at premises 1234 19th Street, N.W. (Square 116, Lot 17).

The original application (No. 8711 as modified by No. 12666) was pursuant to Sub-section 8207.2 of the Zoning Regulations¹, for a special exception under Paragraph 4101.42 to construct an office building and for modification of BZA Order No. 8711, which required accessory outdoor parking spaces for an adjacent building at 1234 – 19th Street, to be located in the garage of the new building in the SP District at the premises 1906-1922 “N” Street, N.W., (Square 116, Lots, 14, 17, 814, 831, and 834).

HEARING DATE (8711):	April 13, 1966
DECISION DATE (8711):	April 13, 1966
ORDER EFFECTIVE DATE (8711):	April 29, 1966
1ST MODIFICATION ORDER ISSUANCE (12666B):	August 31, 1978
2ND MODIFICATON DECISION DATE:	September 20, 2017

SUMMARY ORDER ON REQUEST FOR MODIFICATION OF CONSEQUENCE

BACKGROUND

The office building at 1234 19th Street, N.W. was constructed in 1966. In Order No. 8711 dated April 29, 1966, the Board of Zoning Adjustment (“Board” or “BZA”) granted the owner of 1234 19th Street permission to locate 17 required parking spaces on a surface parking lot on the adjacent property to the north, Lot 17 in Square 116. Condition (b) in BZA Order No. 8711 required the recordation of a covenant on Lot 17 stating that the spaces must be maintained for as long as the 1234 19th building is used for medical offices. The covenant was recorded on September 13, 1966.

Twelve years later in 1978, the owners of Lot 17 sought to redevelop the property along with several adjacent lots, thereby displacing the surface parking lot that contained the accessory spaces. In BZA Application No. 12666 involving Lot 17 and certain adjacent lots (Lots 14, 814, 831 and 834), a special exception was granted to allow construction of the new building, 1920 N Street, N.W., and to amend Order No. 8711 to allow the 1234 19th accessory spaces to be moved

¹ The original application (No. 8711) and the first modification application (No. 12666) were 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”). Also, all of the zone district names have been changed in the 2016 Zoning Regulations, in this case from the SP to the D-5 Zone. The repeal of the 1958 Regulations and change of zone district name has no effect on the validity of the Board’s decision in Application No. 8711/12666 or the validity of this order.

into the new building's underground garage. After the Board granted the requested relief, the original covenant was amended on January 9, 1979. 1920 N was then constructed with a garage that accommodated the spaces.

1233 20th will remain and will be connected to the new building. 1920 N has been recently demolished and the owners of 1920 N reached an agreement with the owners of 1234 19th to allow the relocation of the 17 parking spaces currently at 1920 N to the existing garage of 1233 20th which is located directly west of 1234 19th.

MOTION FOR MODIFICATION OF CONSEQUENCE

On July 18, 2017, the Applicant submitted a request for a modification of consequence to the conditions approved by the Board in Order No. 8711, as modified by Order No. 12666 (the "Order"). (Exhibits 1-4.) Pursuant to 11 DCMR Subtitle Y § 703, the Applicant is requesting to modify Condition (f) of Order No. 8711 that required 17 accessory parking spaces serving the medical office building at 1234 19th Street, N.W. be located within the building at 1920 N Street, N.W. to relocate those spaces to another building within the same record lot. The reason for the modification is that 1920 N Street is being demolished. The Applicant proposes to move the parking spaces to the building at 1233 20th Street, N.W. The Applicant also proposes to amend the covenant on the property to reflect the relocation of the parking spaces.² (Exhibit 3.)

The request is filed jointly by the owners and ground lessee of the two properties affected by the original Board Order: the owners of 1234 19th Street, N.W. (Lisa Peaslee McGovern, Elaine Peaslee Hinshaw, and Sarah Rider Peaslee), the ground lessee of 1234 19th Street, N.W. (1234 Associates Limited Partnership), and the owner of 1920 N Street, N.W. (JBG/1920 N, LLC), the building that now contains the accessory spaces and Marvin Jawer who is the owner of a small portion of the land on which 1920 is located. Also joining in the request is the owner of 1233 20th Street, N.W. (JBG 1233 20th Street, LLC) since the accessory parking will be moved to that building, with the Board approval.

In Order No. 8711, the Board granted the Applicant's request to allow 17 required parking spaces to be located on a surface parking lot on the adjacent property to the north (Square 116, Lot 17) in order to serve a proposed medical office building. That order was subject to seven conditions. Condition (f) at issue required the Applicant to record a covenant ensuring that the parking lot be maintained, as proposed, as long as the building is used as a medical office. The covenant was recorded on September 7, 1966.

In Order No. 12666, the Board, in part, granted the Applicant's request to modify Order No. 8711 "to allow the required parking spaces to be relocated within the parking garage of the

² The Applicant also originally requested a waiver of the two-year filing deadline, but withdrew that request upon determining that the two-year time limit does not apply to a request to modify conditions. (Exhibit 8.)

proposed building [at 1920 N Street], rather than on the existing surface parking lot.” The covenant was modified accordingly on January 9, 1979.

The Merits of the Request for the Modification of Consequence

The Applicant’s request complies with 11 DCMR Subtitle Y § 703.4, which defines a modification of consequence as a “proposed change to a condition cited by the Board in the final order, or a redesign or relocation of architectural elements and open spaces from the final design approved by the Board.”

In the application herein, the Applicant is requesting a modification of consequence to the Order because with this modification, the Applicant is seeking to modify Condition (f) of Order No. 8711 that required 17 accessory parking spaces be located within the building at 1920 N Street in order to relocate those spaces to another building within the same record lot. The reason for the modification is that 1920 N Street is being demolished and thus the required accessory spaces can no longer be located there. The Applicant proposes to move the parking spaces to the building at 1233 20th Street. The Applicant also proposes to amend the covenant on the property to reflect the relocation of the parking spaces. (Exhibit 3.) Other than this change to the approved conditions, the Order will remain as approved by the Board.

In recent years, the current owner of 1920 N has acquired certain additional adjacent lots (Lots 59, 60, 61, and 809) as well as Lot 76 which contains 1233 20th, an existing office building. IN 2015, 1920, the newly acquired lots and the 1233 20th Street lot were combined into a single record lot, Lot 75. The owner now seeks to demolish the 1920 N building and construct a single larger office building. 1233 20th will remain and will be connected to the new building. Since the demolition of 1920 N has begun, the owners of 1920 N reached an agreement with the owners of 1234 19th to allow the relocation of the 17 parking spaces currently at 1920 N to the existing garage of 1233 20th which is located directly west of 1234 19th.

The 1979 amended covenant needs to be modified again to reflect the relocation of the spaces. Since Order No. 8711, as amended by Order No. 12666, required the spaces to be located in a building that is now being demolished, the original order also needs to be modified to reflect the new location.

The Applicant indicated that the shift of spaces from the garage of 1920 N to an existing garage on the same record lot will have no impacts on the community. The spaces will remain in close proximity to 1234 19th. The number of accessory spaces will not change, thus there will be no change in parking impacts on the neighborhood. Further, under the 2016 Zoning Regulations, there would be no parking required for 1234 19th if it were substantially renovated. The 1233 20th garage contains 146 parking spaces (with valet parking) which exceeds the minimum required at the time of its construction. (Exhibit 3.)

Pursuant to Subtitle Y §§ 703.8-703.9, the request for a modification of consequence shall be served on all other parties to the original application and those parties are allowed to submit comments within ten days after the request has been filed with the Office of Zoning and served

on all parties. The Applicant provided proper and timely notice of the request for modification of consequence to Advisory Neighborhood Commission (“ANC”) 2B, the only other party to Application No. 12666. ANC 2B submitted a report, dated September 20, 2017, that indicated that the ANC, at a properly noticed and fully quorumed public meeting on September 13, 2017, voted 8-0-0 to support the Modification of Consequence request, noting that there would be no loss of parking with the modification of consequence. The ANC raised no issues or concerns in its report and indicated that it was in support of the modification as proposed. (Exhibit 10.)

The Applicant also served its request on OP. OP submitted a report on September 8, 2017 recommending the Board approve the modification requested by the Applicant. (Exhibit 6.) DDOT submitted a report indicating it had no objection to the modification. (Exhibit 7.)

On September 20, 2017, the Board deliberated on the modification request and approved the request.

As directed by 11 DCMR Subtitle Y § 703.4, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case for a modification of consequence. Based upon the record before the Board and having given great weight to the OP and ANC reports filed in this case, the Board concludes that in seeking a modification of consequence to the conditions approved in Case Nos. 8711 and 12666, 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 modification of consequence of the Board’s approval in Application Nos. 8711/12666 is hereby **GRANTED, SUBJECT TO THE FOLLOWING CONDITION:**

Condition (f) of Order No. 8711 is modified to read as follows:

(f) The Applicant shall provide an amended covenant running with the land that will require the 17 off-street parking spaces to be maintained at 1233 20th Street, N.W. so long as the office building at premises 1234 19th Street, N.W. is used for medical offices.

In all other respects, Order Nos. 8711 and 12666 remains unchanged.

VOTE ON APPLICATION NO. 8711 ON APRIL 27, 1966; EFFECTIVE APRIL 29, 1966.

**BZA APPLICATION NO. 12666-C
PAGE NO. 4**

**VOTE ON APPLICATION NO. 12666 MODIFYING ORDER NO. 8711 ON JULY 5, 1978:
4-0**

(Charles R. Norris, Chloethiel Woodard Smith, and William F. McIntosh to GRANT, Walter B. Lewis to GRANT by proxy, Leonard L. McCants not present, not voting.)

VOTE ON MODIFICATION OF CONSEQUENCE ON SEPTEMBER 20, 2017: 3-0-2
(Carlton E. Hart, Lesylleé M. White, and Peter A. Shapiro to APPROVE; Frederick L. Hill, not present, not voting; one Board seat vacant.)

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

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

FINAL DATE OF ORDER: October 3, 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. 19451 of the District of Columbia, pursuant to 11 DCMR Subtitle X, Chapters 9 and 10, for a special exception pursuant to Subtitle U § 320.1(a) to allow an emergency shelter with more than 15 persons, a special exception under Subtitle C § 703 to allow a reduction in the number of required parking spaces, and a variance from the building height and number of stories requirements of Subtitle E § 303.1 in the RF-1 Zone at premises 850 Delaware Avenue, S.W. (Square 590E, Lot 800).

HEARING DATE: March 1, 2017

DECISION DATE: March 1, 2017

DECISION AND ORDER

This self-certified application was submitted on January 4, 2017 on behalf of the District of Columbia, the owner of the property that is the subject of the application (the “Applicant”). The application requested special exception relief to allow an emergency shelter for more than 15 persons and a reduction in the parking requirement, and area variances from requirements relating to building height in feet and in number of stories in the RF-1 district at 850 Delaware Avenue, N.W. (Square 590E, Lot 800). Following a public hearing, the Board voted to grant the application.

PRELIMINARY MATTERS

Notice of Application and Notice of Hearing. By memoranda dated January 4, 2017, the Office of Zoning provided notice of the application to the Office of Planning (“OP”); the District Department of Transportation (“DDOT”); the Department of Human Services (“DHS”); the Councilmember for Ward 6 as well as the Chairman and the four at-large members of the D.C. Council; Advisory Neighborhood Commission (“ANC”) 6D, the ANC in which the subject property is located; and Single Member District/ANC 6D02. Pursuant to 11 DCMR Subtitle Y § 402.1, on January 5, 2017 the Office of Zoning mailed letters providing notice of the hearing to the Applicant, the Councilmember for Ward 6, ANC 6D, and the owners of all property within 200 feet of the subject property. Notice was published in the District of Columbia Register on January 13, 2017 (64 DCR 330).

Party Status. The Applicant and ANC 6D were automatically parties in this proceeding. A request for party status in opposition to the application submitted by Square 643 Associates LLC, the owner of property at 700 Delaware Avenue, S.W., was withdrawn.

A request for party status in opposition to the application, filed March 1, 2017 by Dan Forsyth, was denied as untimely.

Applicant's Case. The Applicant provided evidence and testimony about the proposed emergency shelter from witnesses including Laura Green Zeilinger, the Director of the District Department of Human Services and an expert in matters relating to homelessness, including best practices in providing services for the homeless; Greer Gillis, the Director of the Department of General Services; Dan VanPelt, an expert in transportation planning and engineering; and John Burke, the principal architect of the proposed emergency shelter building and an expert in architecture. The Applicant also provided written testimony in support of the application from City Administrator Rashad Young (Exhibit 61.) The Chairman of the Council of the District of Columbia, Phil Mendelson, provided a written statement "to present the public policy underlying [the application], to explain the process behind [the Council's site selection] decision, and to state the Council's support for these sites [selected by the Council] for emergency shelters." (Exhibit 70.)

OP Report. By memorandum dated February 17, 2017, the Office of Planning recommended approval of the zoning relief requested by the Applicant. (Exhibit 47.)

DDOT. By memorandum dated February 16, 2017, the District Department of Transportation indicated no objection to approval of the application. (Exhibit 42.)

Other agency reports. The Board of Zoning Adjustment ("Board" or "BZA") received letters in support of the proposed emergency shelter from the First Police District of the Metropolitan Police Department (Exhibit 54), the D.C. Fire and Emergency Medical Services Department (Exhibit 53), and the District of Columbia Public Schools (Exhibit 52).

The U.S. Commission of Fine Arts ("CFA") submitted comments by letter dated February 24, 2017, indicating that CFA had reviewed concept designs for the Ward 6 shelter and commending "this innovative building program that recognizes the value of decentralized short-term housing and provides residents with safe and dignified accommodations." The CFA members "strongly endorsed the overall goal of building transitional housing for homeless families in established residential neighborhoods, and they expressed support for the development of programmatic and operational guidelines for these facilities." In approving the concept for the proposed building to house the Ward 6 emergency shelter, the members of the Commission of Fine Arts endorsed "the refined modern aesthetic of the design" and "expressed strong support for the massing, program disposition, and careful siting of the building and its creative use of the site to

provide outdoor recreation space. They commended the project for its rational, compact planning and the approach of contemporary architecture for a public project in Washington, D.C.” (Exhibit 59.)

ANC Report. By resolution dated February 13, 2017, ANC 6D indicated that, at a properly noticed public meeting on the same date with a quorum present, the ANC voted “to support the construction of a Short-Term Family Housing at 850 Delaware Ave, SW.” (Exhibit 48.)

Persons in support. The Board received letters from persons in support of the application. The persons in support generally cited the need for the emergency shelter and stated that the size and operation of the planned shelter would not be objectionable, and that the emergency shelter use would not generate adverse impacts in the surrounding neighborhood.

Persons in opposition. The Board also received letters from persons in opposition to the application. The persons in opposition commented unfavorably on the site selection process for the proposed emergency shelter use, and objected to the planned height of the building and its proximity to public housing.

FINDINGS OF FACT

1. The subject property is a large parcel located on the northeast corner of the intersection of Delaware Avenue and I Street, S.W. (Square 590E, Lot 800).
2. The subject property has a trapezoidal shape with approximately 286 feet of frontage on Delaware Avenue, 127 feet of frontage on I Street, and 49 feet on H Street. The eastern property line of Lot 800, the only lot in Square 590E, abuts private property. The lot area is 24,187 square feet.
3. The subject property is improved with a three-story building located on the southern portion of the site. The building is used as a medical care facility operated by Unity Health Care Inc. to provide primary health care services to homeless and low-income individuals. The Applicant plans to raze the existing building.
4. The northwest portion of the subject property includes part of the former U.S. Reservation No. 220, which was transferred from the jurisdiction of the National Park Service to the District of Columbia for highway purposes in 1957. Reservation 220 has a land area of approximately 11,065 square feet, of which

approximately 4,878 square feet is included in the subject property. The transfer of jurisdiction precluded any development on the portion of the subject property included in Reservation 220.

5. The eastern portion of the subject property was formerly part of the right of way of First Street S.W., a L'Enfant Plan street, which was closed by a street and alley closing plat dated February 5, 1957. Upon the closing, an area 45 feet wide reverted to the subject property. New construction in the former right of way is discouraged by a District policy favoring the retention of the view corridors of the L'Enfant Plan streets that have been closed. (*See Comprehensive Plan of the National Capital, Policy UD-1.1.2, Reinforcing the L'Enfant Plan, 10A DCMR § 903.7.*)
6. The subject property is located a half-mile or less from three Metrorail stations serving the Green, Blue, Orange, and Silver lines. Nine bus lines provide service within a third of a mile from the subject property. Bicycle- and car-sharing options are also conveniently accessible from the subject property.

Program needs

7. More than 7,000 persons experience homelessness in the District of Columbia on any given night. They currently include 941 families in emergency shelter, including approximately 600 families now staying in “overflow” hotels. Almost half of the families now served in emergency shelters are headed by a parent – usually a mother age 24 or younger – with infant children. Approximately 60 percent of residents at emergency shelters are children.
8. The Department of Human Services administers the Homeless Services Reform Act of 2005 (“Homeless Services Reform Act”), effective October 22, 2005 (D.C. Law 16-35; D.C. Official Code §§ 4-751.01 *et seq.*), which established requirements for the delivery of publicly funded services for homeless persons and specified that eligible clients had the right to shelter in certain severe weather conditions. The District was required to make available appropriate space in District of Columbia public or private buildings and facilities for any person in the District who was homeless and could not access other shelter. The Mayor was directed not to place homeless families in non-apartment style shelters. (D.C. Official Code §§ 4-753.01, 4-754.11.)
9. The Homeless Services Reform Act specified that the District’s provision of homeless services must be based on a Continuum of Care that offers a

comprehensive range of services through various member agencies and is designed to meet the specific, assessed needs of individuals and families who are homeless or at imminent risk of becoming homeless. (D.C. Official Code § 4-753.01.) The District is required to respond to the changing needs of individuals and families by ensuring that transfer between and among services within the Continuum of Care is fluid and allows clients to modify the intensity of services they receive to meet their needs, preferences, and changing circumstances. (D.C. Official Code § 4-753.01(a).)

10. The Continuum of Care may include a range of services, including (a) shelter to meet the housing needs of individuals and families who are homeless through the provision of temporary shelter for families for the purpose of meeting short-term housing needs and other supportive service needs, and (b) supportive services for the purpose of providing families who are homeless or at imminent risk of becoming homeless with services that address their housing, employment, physical health, mental health, alcohol and other substance abuse recovery, child care, case management, transportation, and other health and social service needs which, if unmet, may be barriers to obtaining or maintaining permanent housing. These services may be delivered through shelters. (D.C. Official Code §§ 4-753.01(b)(3)(C), 4-753.01(b)(5).)
11. The Homeless Services Reform Act created the D.C. Interagency Council on Homelessness (“ICH”) for the purpose of facilitating interagency, cabinet-level leadership in planning, policymaking, program development, provider monitoring, and budgeting for the Continuum of Care of homeless services. (D.C. Official Code § 4-752.01(a).) The ICH is chaired by the City Administrator and is charged with providing leadership in the development of strategies and policies that guide the implementation of the District’s policies and programs for meeting the needs of individuals and families who are homeless or at imminent risk of becoming homeless. (D.C. Official Code §§ 4-752.01(a), 4-752.01(a).)
12. The District previously sheltered homeless families at the D.C. Village shelter “in conditions described as ‘overcrowded,’ ‘pest infested,’ and ‘inhumane’” until beginning to shelter families at D.C. General, a former hospital that “was not intended to be used for the purpose of sheltering families,” in 2007. The D.C. General family shelter was intended as a temporary measure but “remains the District’s primary emergency family shelter, housing 250 to 300 families experiencing homelessness.

13. In 2015 the Interagency Council on Homelessness participated in the development of Homeward DC, the District’s strategy to end homelessness. Homeward DC is a five-year strategic plan to prevent and end homelessness that was devised based on research and experience and in recognition of best practices and evidence-based models from across the country. Homeward DC calls for the development of “service-enriched, community-based shelters” that are smaller in scale than the D.C. General family shelter, which is proposed to be closed by the 2019-2020 hypothermia season. According to DHS, the temporal aspect of the Homeward DC goal is critically important from a cost perspective and to provide suitable shelter for families who are experiencing homelessness.
14. Two principal components of Homeward DC are the need to provide a total of 280 residential units to replace the D.C. General family shelter, and the need to provide emergency shelters that will serve families in a smaller, more dignified environment than is provided at the D.C. General family shelter. Each new community-based shelter was intended to be “economically feasible and able to be developed within a 24-30 month timeline,” and located on a site close to Metrobus transportation and other services and amenities.
15. By letter dated September 18, 2015, Mayor Muriel Bowser transmitted legislation to the Council entitled the “Advancing Year Round Access to Shelter Policy and Prevention of Homelessness Amendment Act of 2015” (now known as “Interim Eligibility and Minimum Shelter Standards Act of 2015”) (the “Interim Eligibility Act”).
16. The Committee Report for the bill¹ explained the need for the legislation as follows:

[t]he problems with D.C. General as a shelter are myriad.... The size of this facility has proven difficult to manage. Moreover, the building is old and outdated with basic systems that work poorly and are costly to maintain, including its heating, cooling, electrical, and water systems. In addition, the facility has been reported to be infested with pests and vermin. Also, outbreaks of scabies and reports of filthy communal bathrooms have been made. Further, reports of drug dealing and fights in and around the facility are rampant.... [N]umerous complaints of staff misconduct ... have

¹ Council of the District of Columbia, Committee of the Whole, Committee Report on Bill 21-352, “Interim Eligibility and Minimum Shelter Standards Amendment Act of 2015.”

been made.

17. The Committee Report indicated that there was “widespread agreement that D.C. General is inadequate to meet the needs of families experiencing homelessness and should be closed.” The report noted that Mayor Vincent Gray had “offered a plan to replace D.C. General with a network of smaller shelters located throughout the city” in 2014. In order to implement this model Mayor Bowser sought Council “authorization to depart from the existing legal preference to provide apartment-style shelter” and instead “to utilize private room units to replace D.C. General.”
18. The Committee Report emphasized that “the District’s strategy should be not only to close D.C. General, but to replace the inappropriate existing facilities with new facilities that meet the needs of those they serve and to do so in a way that adheres to the standards of dignity we expect as a government. Thus ... we should also seek to provide our homeless population with housing that is safe, humane, and in the interest of public health.”
19. As enacted, the Interim Eligibility Act, *inter alia*, amended the Homeless Shelter Reform Act to authorize the Mayor to provide shelter to a family in a private room meeting certain minimum standards and constructed for the purpose of closing the D.C. General family shelter.
20. Those private rooms are referred to as “DC General Family Shelter replacement units,” a term defined as “a private room that includes space to store and refrigerate food and is constructed by or at the request of the District for the purpose of sheltering a homeless family.” (D.C. Official Code § 4-751.01(11A).) A “private room” is defined as a part or division of a building that has: (A) four continuous non-portable walls meeting both the ceiling and floor; (B) a door that locks from both the inside and outside as its main point of access; (C) sufficient insulation from sound; (D) lighting within the room that the occupants can turn on or off as desired; and (E) access to on-site bathroom facilities, including a toilet, sink, and shower. (D.C. Official Code § 4-751.01(28A).)
21. Buildings composed of D.C. General Family Shelter replacement units (“Replacement Units”) must include, at minimum, a private bathroom – including a toilet, sink, and bathtub or shower – in at least 10 percent of the Replacement Units. One private, lockable bathroom that includes a toilet, sink, and bathtub and is accessible to all residents must be provided for every five Replacement Units. At least two multi-fixture bathrooms must be provided per floor, with multiple toilets, sinks, and showers. (D.C. Official Code § 4-753.01(d)(3).)

22. The Mayor was directed to maintain a minimum of 280 D.C. General Family Shelter Replacement Units in the District's shelter inventory, once the Replacement Units were constructed. (D.C. Official Code § 4-753.01(d)(5).)
23. In 2016 Mayor Muriel Bowser announced an initiative entitled "A Plan to Close D.C. General: Short Term Family Housing in All 8 Wards." The plan called for the replacement of the family shelter at the former D.C. General Hospital with smaller shelters on sites throughout the District.
24. Under the 2016 initiative to close the D.C. General family shelter and establish new emergency shelters with a maximum of 50 family units each, the Mayor proposed seven sites as potential locations for the new shelters, and proposed to build some of the shelters on sites leased by the District.
25. The sites proposed by the Mayor were identified after the District undertook a search for properties in each ward that could meet the relevant criteria: that is, sites capable of providing a total of at least 280 units, so as to replace the emergency shelter at D.C. General; were economically feasible; were close to public transportation and other services and amenities; and could be developed within 24 to 30 months. The search considered District-owned properties as well as properties to purchase or lease.
26. In Ward 6, the Mayor selected, as the site for a new emergency shelter, a parcel at 700 Delaware Avenue, S.W.
27. Under District law, the Mayor could not proceed with the lease land acquisition or proposed construction without Council approval.
28. Therefore, through a letter dated February 11, 2016, the Mayor proposed legislation, entitled the "Homeward DC Omnibus Approval of Facilities Plan for Short-term Housing for Persons Experiencing Homelessness Act of 2016," to seek Council approval for the Mayor's acquisition and construction plan and for certain proposed transactions for the development of short-term housing facilities for families and individuals experiencing homelessness.
29. In her letter, Mayor Bowser "committed to closing DC General" and recognized that, to do so, "we need alternative, safe, and dignified places for families experiencing homelessness," noting that "[b]est practices suggest that children and families do best when short-term housing is provided in smaller-scale, service-

enriched, community-based settings.” The Mayor proposed legislation so that the Council could “express support for and intent to approve impending contracts for short-term housing for persons experiencing homelessness [and to] specify the process for Council approval of these contracts.... The Mayor stated that

It is critical that the Council express its intent to approve the proposed leases and construction contracts in advance, so that the Department of General Services will be able to complete negotiations of the leases and advance the process for construction contracts. It is imperative that the District provide developers with a demonstrated commitment to ensure their willingness to assume risk for advancing designs, securing financing and initiating predevelopment activities.

30. The transactions included a lease between the District and 700 Delaware LLC for a facility in Ward 6 for approximately 50 families experiencing homelessness, at a cost of approximately \$2.25 million annually, consistent with a letter of intent entered into between the District and 700 Delaware LLC, dated November 19, 2015. (Homeward DC Omnibus Approval of Facilities Plan for Short-term Housing for Persons Experiencing Homelessness Act of 2016, Sec. 2(a)(5).)
31. The Council of the District of Columbia endorsed aspects of the Mayor’s plan – especially the intention to end use of D.C. General as an emergency shelter for families – but “disagreed with three of the seven sites proposed by the Mayor, and disagreed with the economics of the Mayor’s plan – namely that five of the seven sites would be leased....” On March 17, 2016 the Council held a public hearing to address site selection for the emergency shelters, which lasted almost 12 hours and for which more than 80 citizens registered to testify. In May 2016, the Council voted unanimously to direct the Mayor to change three of the sites selected for new shelters – among them the site in Ward 6 – and “to change the economic structure of the plan so that all of the sites would be owned, not leased” by the District. The Council also appropriated a capital budget of \$125 million for the plan. (Exhibit 70.)
32. The Councilmembers received suggestions for alternative sites at the public hearing and subsequently, including “several alternatives” for the Ward 6 shelter. As described in the testimony of Council Chairman Phil Mendelson, the Council “considered several suggested sites.” The site proposed by the Mayor “was widely criticized for a variety of reasons....” The Council initially voted to approve a District-owned site at 2nd and K Streets, N.W. but, after raising

“concerns regarding federal regulatory approvals” for that site, the Mayor proposed locating the Ward 6 shelter at the subject property. The subject property “became more attractive” to the Council as the site for the proposed emergency shelter. (Exhibit 70.)

33. The “Homeward DC Omnibus Approval of Facilities Plan for Short-Term Housing for Persons Experiencing Homelessness Act of 2016” was renamed the “Homeless Shelter Replacement Act of 2016.” In its report on the Act (Bill 21-620), the Council stated that Bill 21-620 presented “a clear plan for how the District will replace D.C. General and, notably, will be fully funded through Bill 21-668, the *Fiscal Year 2017 Local Budget Act of 2016*. The Council report also stated that Bill 21-620 was

a strong statement of the District’s commitment to making homelessness rare, brief, and non-recurring and that doing the right thing can be done in a manner that is both an effective and efficient use of the District’s financial resources and capital assets. The District’s strategy cannot be simply to close D.C. General, but to close and replace D.C. General with new facilities and a full complement of services and supports that truly meet the needs of families experiencing homelessness.

34. *The Homeless Shelter Replacement Act of 2016* (D.C. Law 21-141, effective July 29, 2016; D.C. Official Code § 4-754.01 Note) authorized the Mayor, at Section 3(a), to use designated funds to provide temporary shelter for families experiencing homelessness by constructing six facilities containing D.C. General Family Shelter replacement units, as defined in *The Homeless Services Reform Act*, to replace the D.C. General family shelter. Section 3(a)(5) authorized the Mayor “to use funds appropriated for capital project HSW06C—Ward 6 Shelter to construct a facility to provide temporary shelter for families experiencing homelessness containing 50 DC General Family Shelter replacement units on District-owned land at 850 Delaware Avenue, S.W., Square 590E, Lot 800 ... provided, that the site also may be utilized to locate a health-services facility serving families experiencing homelessness....” The Act appropriated up to \$100 million for the specified purposes. (Section 3(b).) The Mayor was authorized to use funds appropriated for capital project THK16C – Temporary and Permanent Supportive Housing Pool Project for any acquisition or construction authorized by the Act, the cost of which exceeded the amount appropriated for HSW06C – Ward 6 Shelter. Section 3(c).

35. The *Homeless Shelter Replacement Act* reflected the Council’s findings, in Section 2, that:

Best practices suggest that children and families do best when short-term housing is provided in smaller-scale, service-enriched, community-based settings, and it is therefore in the best interest of the District to replace the DC General Family Shelter with a series of facilities throughout the District that provide temporary shelter. (Paragraph 4.)

To close the DC General Family Shelter ... the District needs to construct new facilities that are safe and dignified spaces for families experiencing homelessness. (Paragraph 6.)

It is in the best interest of the District to construct these new temporary-shelter facilities on District-owned land, in part to avoid the disruption to the provision of services in the continuum of care that would accompany the eventual expiration of leases. (Paragraph 7.)

36. The D.C. Council’s Committee Report on Bill 21-620, “*Homeless Shelter Replacement Act of 2016*,” provides an overview of homelessness in the District of Columbia and the “new approach to sheltering families experiencing homelessness.” The report notes that replacement of the D.C. General family shelter by “a similar number of new family units, but in smaller facilities purposely designed with the intention of housing families experiencing homelessness will immediately eliminate some of the most pressing problems that exist at D.C. General” in part because “smaller facilities with fewer families will likely be easier to manage.” The Committee Report concludes that “[r]eplacement of D.C. General offers the District a unique opportunity to design a system of shelter facilities with a focus on prioritizing the needs of clients and takes into account lessons learned over decades of providing shelter and services in inadequate facilities.”
37. The Applicant’s proposed emergency shelter was designed to comply with the statutory requirements and to incorporate standards and guidelines devised by the Interagency Council on Homelessness and the Department of Human Services based *inter alia* on research including studies of best practices. As a result:

- a. The emergency shelter will provide 50 sleeping units, consistent with the policy to replace the beds currently provided at the D.C. General family shelter with smaller facilities in locations around the District.
- b. The number of sleeping units per floor was limited to 10, to encourage a predictable environment in which each family could experience greater privacy, without excessive noise or turbulence in the hallways, at a scale where the common rooms on each floor would feel more like community living rooms than anonymous cafeterias or auditoriums.
- c. Each floor was designed to provide a direct line of sight down the floor's single central hallway, which will enhance personal safety by removing hiding places so that the program operator can ensure safety without the need for more intrusive security measures. Activities in the common areas and hallways will be monitored by staff stationed at the security desk on each floor 24 hours per day.
- d. The emergency shelter will not use congregate, dormitory-style bathrooms but will provide bathrooms that will accommodate only one person at a time, with at least one private bathroom for every two family units and some rooms having en-suite private bathrooms to accommodate families with special needs.

Emergency shelter use

38. The Applicant proposes to construct and operate an emergency shelter at the subject property. The new building will also provide space for a medical care facility, primarily on the cellar level.²
39. The new building will be located in the southern portion of the subject property, and will be built up to the property lines on the H Street (south) and Delaware Avenue (west) sides. The north exterior wall of the new building will abut Reservation 220. The proposed building will not be constructed on Reservation 220 or on the 1st Street, S.W. right of way ("ROW").
40. The emergency shelter will meet all applicable code and licensing requirements, and will be operated consistent with the Short-Term Family Housing programs

² Medical care uses are permitted as a matter of right in the RF-1 zone pursuant to Subtitle U § 301.1(k).

administered by the Department of Human Services for the purpose of providing immediate support to families experiencing homelessness.

41. The emergency shelter will provide 50 residential units, with a capacity of up to 166 persons, in a seven-story building containing approximately 51,791 square feet of gross floor area devoted to the emergency shelter use (plus approximately 2,121 square feet of cellar floor area). In addition to the residential units, the building will provide space for services and functions in support of the emergency shelter use, including a dining area, administrative offices, and recreational areas for residents.
42. The main entry to the emergency shelter will be located on Delaware Avenue at the northern end of the building. In addition to the shelter lobby, the ground floor of the new building will provide space for administrative functions including offices for case management and training, a conference room, and storage along the western edge. Common areas will include a dining and food serving area as well as a computer room, exam room, and space for workforce training. The emergency shelter will provide private meeting space for the provision of “wrap-around” services designed to assist residents in obtaining permanent housing more quickly.³
43. The entrance to the medical care facility will be provided from I Street via a lobby (approximately 1,214 square feet) located at the southern end of the building. The medical care facility will occupy approximately 6,646 square feet of cellar floor area.
44. Floors two through seven of the new building will each contain residential units accessed by a central corridor. The arrangement of units along a single corridor allows a direct line of sight to each residential unit.
45. The northern end of each residential floor will be devoted to a community room, while smaller common areas will provide a sink, microwave, and laundry facilities. An outdoor play space, ranging from 345 square feet to 451 square feet on the seventh, will be provided on each residential floor.

³ Wrap-around services are intended to provide residents of the emergency shelter with connections to permanent housing programs, housing search assistance, credit counseling, and budgeting, as well as assistance in meeting needs such as childcare, health care, training, and employment services,

46. Each floor will have a security desk staffed 24-hours per day. Staff monitors will be stationed on each residential floor in a location providing a line of sight encompassing the common areas and the entire length of the hallway. (Exhibit 63.)
47. The residential units will be arranged so that two units will have private bathrooms and the other units will share “family” bathrooms. Each unit will provide two, three, or four beds. A total of 50 units will be provided: 10 each on the second and third floors; eight units each on the fourth and fifth floors; and seven units each on the sixth and seventh floors.
48. The sleeping units and common areas in the emergency shelter will be fully furnished. Residents found eligible for emergency shelter will be permitted to bring personal belongings but not large furniture. (Exhibit 63.)
49. The cellar level of the new building will provide space for the medical care facility (almost 6,000 square feet) as well as areas devoted to long-term bicycle parking and to storage.
50. The rear yard, along the eastern edge of the subject property, will be devoted to parking for vehicles and for bicycles, and to a loading berth, platform, and a service delivery space. Vehicular access to the site will be provided via existing curb cuts, with ingress from H Street and egress onto I Street. An evergreen hedge, 42 inches in height, will be planted along the eastern edge of the subject property, consistent with the requirements of Subtitle C § 714.2.
51. The parking area will provide 13 parking spaces for vehicles. One space will be devoted to the medical care use, and 12 will be devoted to the emergency shelter use. Pursuant to Subtitle C § 701.5, the parking requirements for zoning purposes are one space for the medical care use and 26 spaces for the emergency shelter use.
52. The maximum number of parking spaces that can be provided in the designated parking area is 13, given the zoning requirements for the depth of each parking space. The parking spaces will be laid out at a 45-degree angle so as to allow a drive aisle of sufficient width. The drive aisle will be 17 feet wide, the minimum required pursuant to Subtitle C § 712.5.
53. The new emergency shelter building will not have a kitchen for food preparation on-site. Instead, meals will be delivered by van twice each day, with deliveries utilizing the on-site loading facilities.

54. Trash collection for the new building will occur in the rear yard, accessed through the ingress and egress established for the on-site parking and loading. Trash will be stored in a room within the emergency shelter building, adjacent to the loading area, in accordance with Subtitle C § 907.1.
55. The Applicant will implement a loading management plan to facilitate deliveries to the site, which the Applicant estimated would occur six to seven times per day. In accordance with the loading management plan, the building management will designate a loading manager, who will be on duty during delivery hours to coordinate and schedule deliveries where possible, and who will encourage compliance with DDOT policies for truck routes and for freight management and commercial vehicle operations. Loading operations will be limited to daytime hours of operation, with signage indicating these hours posted prominently at the loading zone. Trucks using the loading zone will not be allowed to idle and must follow guidelines for heavy-vehicle operation and the primary access routes designated by DDOT. (Exhibit 34.)
56. Bicycle parking will be provided on site, with five short-term spaces near the entrance to the emergency shelter and five long-term spaces inside the building. (Exhibit 34.) Residents of the emergency shelter will have access to the long-term bicycle storage spaces. (Exhibit 42.)
57. The Applicant will implement a transportation demand management (“TDM”) plan to minimize the traffic impacts of the emergency shelter use. Elements of the TDM plan will include the designation of a TDM coordinator, transit subsidies, and bicycle amenities. All residents of the emergency shelter will receive vouchers to encourage public transit use. Children who are enrolled in a D.C. public school are eligible to receive a DC One Card, which permits free travel on Metrorail and Metrobus.
58. The emergency shelter will be operated by a staff of approximately 24 to 26 employees, with at least 12 employees expected on site at all times and as many as 27 on site at peak staffing times. Because employees will work in shifts beginning at 7:00 a.m., 3:00 p.m., and 11:00 p.m., the arrival times of most employees will not coincide with the times of peak traffic on streets in the vicinity of the subject property. (Exhibit 34.)
59. Residents of the shelter will not be permitted to park vehicles on site. Based on experience at other emergency shelters, the Applicant projects that less than one

percent of shelter residents will own a vehicle, and that most residents will likely utilize non-automobile transportation options such as public transit, bicycles, or walking to travel to and from the emergency shelter. (Exhibit 34.)

60. A “community advisory team” was formed as part of the Mayor’s community engagement process related to the emergency shelter initiative in Ward 6 to coordinate community feedback and input, share information on issues and concerns, and comment on building designs to help ensure that the new shelter building would reflect the character the surrounding neighborhood. The Ward 6 community advisory team, comprising 10 community representatives, will conduct “ongoing discussions about specific concerns” with respect to the emergency shelter and will “provide feedback on concerns related to resident quality of life during construction and help develop” a “good neighbor agreement” for the program. The good-neighbor agreement, between the Applicant, the service provider of the emergency shelter, and the advisory team on behalf of the community, will address expectations and commitments regarding exterior facility and landscape maintenance, community safety, neighborhood codes of conduct, and communication, problem-solving, and mutual respect. (Exhibits 50, 61.)

Building height

61. The Applicant proposes to construct a building 88.5 feet and seven stories in height to house the emergency shelter use. Pursuant to Subtitle E § 303.1, a maximum height of 35 feet and three stories is permitted as a matter of right in the RF-1 zone. Subtitle E § 303.3 allows a building height of 40 feet as a special exception.

RF zoning classification

62. The subject property is located in an RF-1 zone that also encompasses areas to the north and east of the subject property.
63. The Residential Flat (RF) zones are residential zones, which provide for areas developed primarily with row dwellings, but within which there have been limited conversions of dwellings or other buildings into more than two dwelling units. Subtitle E § 100.1.
64. The provisions of the RF zones are intended to: (a) recognize and reinforce the importance of neighborhood character, walkable neighborhoods, housing affordability, aging in place, preservation of housing stock, improvements to the

- overall environment, and low- and moderate-density housing to the overall housing mix and health of the city; (b) allow for limited compatible non-residential uses; (c) allow for the matter-of-right development of existing lots of record; (d) establish minimum lot area and dimensions for the subdivision and creation of new lots of record in RF zones; (e) allow for the limited conversion of rowhouse and other structures for flats; and (f) prohibit the conversion of flats and row houses for apartment buildings as anticipated in the RA zone. (Subtitle E § 100.3.)
65. The bulk of structures in the RF zones is controlled through the combined requirements of the general development standards and the zone-specific development standards of Subtitle E (governing Residential Flats zones) and the requirements and standards of Subtitle C (stating General Rules). (Subtitle E § 101.1.)
66. The development standards of Subtitle E are intended to (a) control the bulk or volume of structures, including height, floor area ratio, and lot occupancy; (b) control the location of building bulk in relation to adjacent lots and streets, by regulating setbacks for side and rear yards, and the relationship of buildings to street lot lines; (c) regulate the mixture of uses; and (d) promote the environmental performance of development. (Subtitle E § 101.2.)
67. The proposed shelter building will comply with development standards applicable in the RF-1 zone with the exception of building height. As a result of the new construction, lot occupancy at the subject property will increase from 29 percent to 36 percent, where a maximum of 40 percent is permitted as a matter of right (Subtitle E § 304.1). A rear yard of 46 feet, seven inches will be provided, where a minimum depth of 20 feet is required (Subtitle E § 306.1). Pursuant to Subtitle E § 307.2, a side yard is not required along a side street abutting a corner lot in the RF-1 zone. The subject property is a corner lot, and the new construction will not provide a side yard on the south side (along I Street); however, a setback of approximately 120 feet will be provided on the north side (abutting H Street).

Nearby properties

68. Properties to the south and west of the subject property are zoned RA-1 and RA-3, with an area mapped as MU-7 located to the south. Properties further to the southeast of the subject property are zoned R-5.

69. The surrounding neighborhood consists of a mix of residential, institutional, and office uses. The nine-story Capitol Park Plaza apartment building (in the RA-3 zone) is located directly across Delaware Avenue to the west of the subject property; the Friendship Baptist Church is located directly across I Street to the south; and a variety of low-rise garden-style apartments are located to the north and northwest. The former Randall Junior High School property, which abuts the subject property to the east, is currently vacant but is the site of a planned unit development (“PUD”) approved by the Zoning Commission in Case No. 07-13. The approved PUD allows new residential construction at a height of 110 feet and 12 stories. See Z.C. Order No. 07-13D (effective May 9, 2014).
70. The new emergency shelter building will be set back at least 90 feet from adjacent property lines to the north, west, and south. On the east, the emergency shelter building will be at a distance of at least 90 feet from the Randall school building.
71. Retail uses, including a grocery store and pharmacy, and service establishments are located near the Metrorail stations within walking distance of the subject property. A park and two public schools are also located within a half-mile of the subject property.
72. No other property in Square 590E or within 1,000 feet of the subject property is presently used as an emergency shelter.

CONCLUSIONS OF LAW AND OPINION

The Applicant seeks a special exception pursuant to Subtitle U § 320.1(a) to allow an emergency shelter with more than 15 persons, a special exception under Subtitle C § 703 to allow a reduction in the number of required parking spaces, and area variances from the building height and number of stories requirements of Subtitle E § 303.1 in the RF-1 zone at 850 Delaware Avenue S.W. (Square 590E, Lot 800). The Board is authorized under § 8 of the Zoning Act, D.C. Official Code § 6-641.07(g)(2) (2008 Supp.) to grant special exceptions, as provided in the Zoning Regulations, where, in the judgment of the Board, the special exception will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps and will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Zoning Map, subject to specific conditions. (See 11 DCMR Subtitle X § 901.2.)

Emergency shelter use

Pursuant to Subtitle U § 320.1, certain uses may be permitted in the RF-1 zone if approved by the Board as a special exception under Subtitle X, Chapter 9, subject to the provisions applicable to each use. In accordance with Subtitle U § 320.1(a), the uses permitted in the RF-1 zone by special exception include any use or structure permitted under Subtitle U § 203 subject to any modifications mentioned with respect to use permissions in the Residential Flats (RF) zones. The criteria for special exception approval of an emergency shelter use are listed in Subtitle U § 203.1(h).

Emergency shelter use. In the case of an emergency shelter use considered under Subtitle U § 203.1(h), the provisions applicable to this application specify that the proposed emergency shelter must provide adequate, appropriately located, and screened off-street parking to provide for the needs of occupants, employees, and visitors to the facility (Subtitle U § 203.1(h)(3)); the proposed emergency shelter must meet all applicable code and licensing requirements (Subtitle U § 203.1(h)(4)); the proposed emergency shelter must not have an adverse impact on the neighborhood because of traffic, noise, operations, or the number of similar facilities in the area (Subtitle U § 203.1(h)(5)); and a facility for more than 15 persons, not including any resident supervisors or staff and their families, can be approved only if the Board finds that the program goals and objectives of the District of Columbia cannot be achieved by a facility of a smaller size at the location and if there is no other reasonable alternative to meet the program needs of that area of the District (Subtitle U § 203.1(h)(7)).⁴ Based on the findings of fact, the Board concludes that the new building will be devoted to use as an emergency shelter, as that term is defined in the Zoning Regulations,⁵ and that the application satisfies the requirements for special exception relief in accordance with Subtitle U § 203.1(h).

With regard to Subtitle U § 203.1(h)(3), the Board concludes that the proposed emergency shelter will provide adequate, appropriately located, and screened off-street parking to provide for the needs of occupants, employees, and visitors to the facility. The Applicant will provide 13 spaces in a parking lot along the eastern edge of the property, 12 of which will be reserved for use by employees of the emergency shelter and any visitors to the site.⁶ The Board concludes that 12 spaces will be adequate for the planned

⁴ Certain provisions of Subtitle U § 203.1(h) do not apply to this application. They are Subtitle U § 203.1(h)(1) and Subtitle U § 203.1(h)(2), since the subject property is zoned RF-1 and therefore is not located in any R-Use group, and Subtitle U § 203.1(h)(6), concerning the cumulative effect of facilities, because no other facility is now located in the same square or within 1,000 feet.

⁵ The Zoning Regulations define an “emergency shelter” as “[a] facility providing temporary housing for one (1) or more individuals who are otherwise homeless as that arrangement is defined in the *Homeless Services Reform Act of 2005* ...; an emergency shelter use may also provide ancillary services such as counseling, vocational training, or similar social and career assistance.” (11 DCMR Subtitle B § 100.2.)

⁶ The remaining parking space will be devoted to the medical care facility.

emergency shelter use, which will not generate a significant demand for parking given the relatively small number of employees at the facility. Based on experience at other facilities, the Applicant anticipates that very few residents of the new emergency shelter will own personal vehicles. Residents will not be permitted to park vehicles on-site, but will receive transit subsidies to encourage use of public transportation. The use of personal vehicles is not necessary for convenient access to the site, since the location is well-served by public transportation and conveniently located near car- and bicycle-sharing facilities, and the shelter building will provide both short-term and long-term bicycle storage. The Board notes that ANC 6D concluded that the Applicant's proposal will "provide adequate off-street parking" (Exhibit 48.)

The Board finds that the parking lot will be appropriately located, given the size and shape of the subject property, the location of the new building, and development constraints on the site. Consistent with zoning requirements, the Applicant will install landscaping, including an evergreen hedge 42 inches high, along the eastern property line to screen the parking spaces from view from neighboring properties.

With respect to Subtitle U § 203.1(h)(4), the Board credits the Applicant's testimony, confirmed by the Office of Planning and not disputed by any testimony or evidence, that the proposed emergency shelter will meet all applicable code and licensing requirements. The Applicant indicated that the Department of General Services will ensure compliance with all applicable code requirements, while the Department of Human Services will ensure compliance with all applicable licensing requirements.

In accordance with Subtitle U § 203.1(h)(5), the Board finds that the proposed emergency shelter will not have an adverse impact on the neighborhood because of traffic, noise, operations, or the number of similar facilities in the area. The emergency shelter at the subject property will be the only such facility in the vicinity. DDOT concurred with the Applicant's method of calculating trip generation estimates for the project, and concluded that "impacts to the surrounding vehicle network [associated with shelter operation] are expected to be minimal." (Exhibit 42.) The emergency shelter is not expected to generate significant increases in traffic, at a level that would have an adverse impact on the neighborhood, because most shelter residents likely will not travel to the site by personal vehicle, the shelter will be staffed by a relatively small number of employees who will work in shifts on a schedule that will not coincide with peak traffic periods on nearby streets, the residents will move in without bringing furniture or other large items typically delivered by trucks, and the internal circulation of the site, including a designated area for loading and trash collection on the east side of the property, will be adequate to accommodate twice-daily food deliveries and trash collection. The Applicant will implement both a transportation demand management plan and a loading management

plan to help minimize potential adverse impacts relating to traffic, parking, and loading operations of the new emergency shelter use at the subject property. DDOT concluded that access to the loading and off-street parking, as proposed by the Applicant, would be consistent with DDOT standards, and that the Applicant's proposed loading area will be sufficient to accommodate the project and consistent with DDOT standards. (Exhibit 42.) ANC 6D also concluded that the new emergency shelter would "provide adequate loading and is not anticipated to generate appreciable increases in traffic along Eye Street, SW." (Exhibit 48.)

The emergency shelter use is not likely to generate any adverse impacts relating to noise or operations. Operation of the emergency shelter will be supervised by staff who will be on-site 24 hours each day. All operations will be contained within the building with the exception of small outdoor recreation areas on the residential floors of the building, which will also be subject to staff supervision. Trash collection will occur on the eastern side of the property, in the designated loading area. Operation of the emergency shelter use will be guided by a "good neighbor agreement" devised by a community advisory team that will conduct ongoing discussions to address any concerns about the emergency shelter that may arise in the future. Several District agencies, in addition to OP and DDOT, indicated no objection to the proposed emergency shelter, including the First Police District of the Metropolitan Police Department (Exhibit 54), the D.C. Fire and Emergency Medical Services Department (Exhibit 53), and the District of Columbia Public Schools (Exhibit 52). ANC 6D "determined that as a primarily residential use, the facility will produce no adverse impacts due to noise or general operations" (Exhibit 48.)

Pursuant to Subtitle U § 203.1(h)(7), an emergency shelter for more than 15 persons, not including any resident supervisors or staff and their families, can be approved only if the Board finds that the program goals and objectives of the District of Columbia cannot be achieved by a facility of a smaller size at the location and if there is no other reasonable alternative to meet the program needs of that area of the District.⁷ The Applicant proposes to operate an emergency shelter containing 50 residential units, with a capacity of up to 166 persons, at the subject property.

The Board concludes that the District's program goals and objectives cannot be achieved by a facility of a smaller size at the subject property because the size of the planned emergency shelter, in terms of the number of units, is required by the District policy to close the D.C. General Family Shelter and to provide a like number of emergency shelter

⁷ The emergency shelter proposed in this application will not include any resident supervisors or staff and their families.

units in smaller facilities on sites in locations around the District. By statute, the District of Columbia is required to maintain an inventory of 280 Replacement Units, once constructed. Provision of a total of 280 residential units is also a key component of the Homeward DC initiative devised by the Interagency Council on Homelessness. To achieve a total of 280 Replacement Units District-wide, each individual emergency shelter for families must contain between 46 and 50 sleeping units.

The decision to provide 50 residential units in the emergency shelter was also driven by program needs related to the provision of wrap-around services. The Applicant determined that a larger number of units in a single facility would help achieve program efficiencies and manage the costs of the services by allowing the provision of services to a larger number of people at one location, rather than building and operating multiple smaller facilities.⁸ The desire for efficiency and cost-management was balanced by the need to provide a smaller, family-scale environment on each floor and in the emergency shelter as a whole. The number of sleeping units was set at 50 as the optimal balance between legal requirements and the program's needs and costs.

The Board was also persuaded that construction of multiple smaller facilities on various sites in Ward 6 or the construction of a lower, multi-wing building on the subject property were not feasible options. The Applicant described the importance of the seven-story, 50-unit shelter considering the relevant legal requirements, the costs of providing the services, and the program needs of an emergency shelter facility for families with small children.⁹ The Applicant decided against building smaller shelters because the operation of multiple structures would require the operation of multiple programs, with significantly higher annual operating costs than a single 50-unit shelter.

Construction of multiple smaller facilities would also delay the time until a sufficient number of replacement units would become available to allow the closure of the D.C. General shelter. Homeward DC calls for the development of "service-enriched,

⁸ As the Applicant noted, a restriction on the number of occupants to a maximum of 15 would require the construction and operation of at least 12 separate emergency shelter facilities in Ward 6 to house 166 persons who will be served at the subject property, with each smaller facility required to be located on a District-owned site at least 1,000 feet from each other and not in the same square as each other. The delivery of comprehensive, on-site wrap-around services for the residents could not efficiently or effectively be replicated at numerous different smaller District-owned facilities spread throughout Ward 6. (Exhibit 38.)

⁹ The City Administrator described the proposal to construct a seven-story emergency shelter at the subject property as "a critical element of the District's eight-ward initiative to developing a more effective crisis response system." (Exhibit 61.) The director of DHS testified that the size of the proposed emergency shelter was "necessary to achieve the legislative goal of replacing DC General with facilities for 280 families" while providing emergency shelters that would "harmonize and integrate with the community." (Exhibit 63.)

community-based shelters” on a schedule such that the D.C. General Family Shelter can be closed by the 2019-2020 hypothermia season.

The size of the planned emergency shelter in terms of the dimensions of the building similarly reflects requirements of District laws and policies. The *Homeless Services Reform Act*, as amended by the *Interim Eligibility Act*, establishes standards for the provision of services for families by specifying the minimum requirements for a private room, for bathrooms, and for access to related services. Specific design elements of the emergency shelter proposed in this application were derived from the legal requirements as well as from research and experience, concerning especially the maximum of 10 sleeping units per floor and the provision of a single hallway on each floor, so that the entire length is visible to staff, to enhance the residents’ security.

The Board finds that the proposed density is appropriate at the site, considering especially the public need for the facility and the lack of adverse impacts associated with the emergency shelter on the use of neighboring property. An increase in density is not necessarily incompatible with a residential neighborhood where an increase in the population of an area would not demonstrably bring about an increase in traffic or indicate a significant change in the level of noise. *Clerics of St. Viator, Inc. v. District of Columbia Bd. of Zoning Adjustment*, 320 A.2d 291, 295 (D.C. 1974).

The Board concludes that the Applicant has satisfied the requirement of Subtitle U § 203.1(h)(7) in showing that there is no other reasonable alternative to the proposed Ward 6 emergency shelter to meet the program needs of that area of the District. This application grew out of a process, undertaken over a period of years, to devise and implement policies addressing homelessness in the District of Columbia. As part of the process, the responsible District agencies identified certain criteria to assess whether a given property would be a suitable location for an emergency shelter designed to serve families in D.C. General Replacement Units. The Mayor identified sites in each ward. The Council considered the Mayor’s initial proposal, as well as other possible sites, before making a determination that the subject property best fit the selection criteria. The Office of Planning and ANC 6D recommended approval of the emergency shelter proposed at the subject property.

In accordance with Subtitle X § 901.2, the Board concludes that approval of the requested special exception to allow an emergency shelter will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps and will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Zoning Map. As discussed above, the Board does not find that operation of the shelter will create any adverse impacts on the use of neighboring property.

Approval of the requested special exception will be in harmony with the RF-1 zone and its purposes to recognize and reinforce the importance of neighborhood character, walkable neighborhoods, housing affordability, aging in place, preservation of housing stock, improvements to the overall environment, and low- and moderate-density housing to the overall housing mix and health of the city. The RF-1 zone provides for areas developed primarily with row dwellings, but anticipates some higher density development as well, since buildings up to 90 feet in height are permitted, without zoning relief, under certain circumstances.¹⁰ The Applicant's proposal satisfies the area requirements applicable in the RF-1 zone with the exception of height. The Board does not find that the proposed building height of 88.5 feet and seven stories is incompatible with the RF-1 zone mapped at the subject property, especially considering the mix of uses and building types in the vicinity. ANC 6D stated its belief that "the building's proposed design and massing will fit in with the architecture of the surrounding community" (Exhibit 48.)

Parking reduction. The Applicant seeks a special exception under Subtitle C § 703 to allow a reduction, from 26 to 12, in the number of parking spaces required for the emergency shelter use. The Zoning Regulations, in accordance with Subtitle C § 703.1, provide flexibility from the minimum required number of parking spaces, *inter alia*, when the provision of the required number of spaces would be impractical or unnecessary due to a lack of demand for parking or proximity to transit. Pursuant to Subtitle C § 703.2, the Board may grant a reduction in the number of required parking spaces subject to the general special exception requirements and to the applicant's demonstration of at least one of the eight enumerated conditions. A reduction in the required number of parking spaces must be only for the amount that the applicant is physically unable to provide, and must be proportionate to the reduction in parking demand demonstrated by the applicant. (Subtitle C § 703.3.)

In this case, the Board finds that the Applicant has demonstrated several of the conditions listed in Subtitle C § 703.2. As described in the findings of fact, the emergency shelter use will be particularly well served by mass transit, shared vehicle, and bicycle facilities (Subtitle C § 703.2(b)), since the location offers convenient accessibility to mass transit

¹⁰ Pursuant to Subtitle E § 303.4, a place of worship may be erected to a height not exceeding 60 feet and three stories, not including the penthouse. In accordance with Subtitle E § 303.5, a building may be erected to a height not exceeding 90 feet, not including the penthouse, if the building is removed from all lot lines of its lot for a distance equal to the height of the building above the natural grade. Under Subtitle E § 303.6, an institutional building may be erected to a height not exceeding 90 feet, not including the penthouse, if the building is removed from all lot lines of its lot a distance of not less than one foot for each foot of height in excess of that authorized in the zone in which it is located.

service, especially Metrobus and Metrorail, as well as to shared vehicle and shared bicycle facilities. The new building will provide bicycle parking available to both residents and employees of the emergency shelter. The land use and transportation characteristics of the neighborhood minimize the need for required parking spaces (Subtitle C § 703.2(c)), given the location of the subject property in a walkable, mixed-use neighborhood where retail and other commercial uses, schools, and parks are accessible on foot. The nature of the emergency shelter use and the number of residents, employees, and visitors who would reasonably be expected to use the proposed building at one time will generate demand for less parking than the minimum parking standards. (Subtitle C § 703.2(e).) The Applicant reasonably expects, based on experience at other sites, that residents of the emergency shelter will not own personal vehicles, and residents will not be permitted to park on-site. Among other TDM measures that the Applicant will implement, residents will be offered transit subsidies to encourage the use of public transportation. The emergency shelter will employ a relatively small number of employees, who will work in shifts so that the parking demand generated by the staff of the emergency shelter use will not be concentrated at any one time.

Consistent with Subtitle C § 703.3, the Board concludes that a reduction in the required number of parking spaces for the emergency shelter use to 12 (in addition to one space required for the medical care facility also on the site) accounts for the amount of parking that the Applicant is physically unable to provide, and is proportionate to the reduction in parking demand demonstrated by the Applicant. The Applicant has shown that, as proposed, the emergency shelter use is unlikely to create a demand for parking that would warrant the provision of more than 12 spaces.

The Applicant has also demonstrated that additional parking cannot be provided on-site due to the constraints imposed by the siting of the new emergency shelter building and the infeasibility of providing below-grade parking. The layout of the parking area was designed to provide the maximum number of spaces possible while also providing a drive aisle of suitable width for adequate maneuverability for vehicles. Any below-grade garage would have to be located at least two levels below ground, since the medical care facility and other necessary features of the planned emergency shelter will occupy the basement level. Particularly in light of the limited demand for parking expected to be generated by the emergency shelter use, a below-grade garage would be economically infeasible due to the high costs of construction, and the trapezoidal shape of the site would necessarily result an inefficient layout of any below-grade parking spaces.

In accordance with Subtitle X § 901.2, the Board concludes that approval of the requested special exception to allow a reduction in the number of parking spaces will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps

and will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Zoning Map. The grant of flexibility from the minimum required number of parking spaces is warranted, as demonstrated by the Applicant, since the provision of the required number of spaces would be impractical and unnecessary, and the requested reduction reflects the amount of parking that the Applicant is physically unable to provide and is proportionate to a reduction in parking demand associated with the planned emergency shelter use at the subject property. For the reasons discussed above, the Board finds that the proposed reduction in the number of on-site parking spaces will not create any adverse impacts on the use of neighboring property.

Area variances

The Applicant seeks area variances from requirements relating to building height in feet and number of stories in the RF-1 zone under Subtitle E § 303.1. The Board is authorized under § 8 of the Zoning Act to grant variance relief where, “by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of the original adoption of the regulations or by reason of exceptional topographical conditions or other extraordinary or exceptional situation or condition of a specific piece of property,” the strict application of the Zoning Regulations would result in peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the owner of the property, provided that 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. (*See* 11 DCMR Subtitle X § 1000.1.)

Extraordinary or exceptional situation. For purposes of variance relief, the “extraordinary or exceptional situation” need not inhere in the land itself. *Clerics of St. Viator, Inc. v. District of Columbia Bd. of Zoning Adjustment*, 320 A.2d 291, 294 (D.C. 1974). Rather, the extraordinary or exceptional conditions that justify a finding of uniqueness can be caused by subsequent events extraneous to the land at issue, provided that the condition uniquely affects a single property. *Capitol Hill Restoration Society, Inc. v. District of Columbia Bd. of Zoning Adjustment*, 534 A.2d 939, 942 (D.C. 1987); *DeAzcarate v. District of Columbia Bd. of Zoning Adjustment*, 388 A.2d 1233, 1237 (D.C. 1978) (the extraordinary or exceptional condition that is the basis for a use variance need not be inherent in the land but can be caused by subsequent events extraneous to the land itself....[The] term was designed to serve as an additional source of authority enabling the Board to temper the strict application of the zoning regulations in appropriate cases); *Monaco v. District of Columbia Bd. of Zoning Adjustment*, 407 A.2d 1091, 1097

(D.C. 1979) (for purposes of approval of variance relief, “extraordinary circumstances” need not be limited to physical aspects of the land). The extraordinary or exceptional conditions affecting a property can arise from a confluence of factors; the critical requirement is that the extraordinary condition must affect a single property. *Metropole Condominium Ass’n v. District of Columbia Bd. of Zoning Adjustment*, 141 A.3d 1079, 1082-1083 (D.C. 2016), citing *Gilmartin v. District of Columbia Bd. of Zoning Adjustment*, 579 A.2d 1164, 1168 (D.C. 1990).

The Board may consider the property owner’s needs in finding an exceptional situation or condition when the applicant is a non-profit organization and the proposed use is a public service. *Monaco v. District of Columbia Board of Zoning Adjustment*, 407 A.2d 1091 (D.C. 1979) (BZA considered permissible factors in applying the first branch of the variance test to a public service organization; the organization’s wish to move to a particular site did not make the site unique, but the Board properly recognized that the site’s location made it “uniquely valuable” to the organization and “uniquely suitable for [its] headquarters.”) Generally, an applicant’s desire to utilize property for a certain use is not by itself sufficient to create an extraordinary or exceptional situation or condition under the zoning regulations, *Palmer v. District of Columbia Bd. of Zoning Adjustment*, 287 A.2d 535, 540 (D.C. 1972), but subsequent decisions modified *Palmer*, permitting the BZA to weigh more fully the equities in an individual case. *National Black Child Development Institute, Inc. (“NBCDI”) v. District of Columbia Bd. of Zoning Adjustment*, 483 A.2d 687, 690 (D.C. 1984). Consistent with “a well established element of our governmental system,” the Board “may be more flexible when it assesses a non-profit organization,” even if “a commercial user before the BZA might not be able to establish uniqueness in a particular site’s exceptional profit-making potential.” *Monaco* at 1098, quoting 3 R. Anderson, *American Law of Zoning* s 14.78 (1968) (the public need for a use is an important factor in granting or denying a variance and “the apparently objective standards of the enabling acts are applied differently to the several kinds of uses ...”). The characterization of a proposed use as a public service is significant, and “when a public service has inadequate facilities and applies for a variance to expand ..., then the Board of Zoning Adjustment does not err in considering the needs of the organization as possible ‘other extraordinary and exceptional situation or condition of a particular piece of property.’” (*Monaco* at 1099.) *See also NBCDI*, 483 A.2d 687 (D.C. 1984) (BZA did not exceed its authority in granting variance relief to a nonprofit entity whose work promoted the public welfare by benefitting “black children and families within the District,” when, absent variance relief, “the great expense of operating offices at another site would cause serious detriment” to the nonprofit.)

The need to expand does not automatically exempt a public service organization from all zoning requirements. In applying for an area variance, a public service organization must

show (1) that the specific design it wants to build constitutes an institutional necessity, not merely the most desired of various options, and (2) precisely how the needed design features require the specific variance sought. *Draude v. District of Columbia Bd. of Zoning Adjustment*, 527 A.2d 1242, 1256 (D.C. 1987).

The Board concurs with the Applicant that the subject property is faced with an exceptional situation and condition as the result of the physical constraints limiting development of the lot, especially its trapezoidal shape and the restrictions on how a building can be sited on the lot imposed by the inclusion of a portion of Reservation 220 and the former First Street right of way, as well as the designation of the subject property, in legislation enacted by the D.C. Council, as the site for a new emergency shelter in furtherance of Homeward DC, a District-wide initiative to comply with statutory requirements and to implement public policy by creating an adequate supply of emergency shelter units for use by eligible families facing homelessness.¹¹ The Council selected the site as the best option relative to criteria determined by the Council, which in large measure reflected the criteria used by the Mayor and by District agencies in defining the parameters for locations best suited for emergency shelters providing D.C. General Replacement Units, and appropriated funds for use in building and operating an emergency shelter at that site. As discussed *supra*, the Board accepts the Council's determination.

The Applicant has requested area variance relief from the limits on building height in terms of feet and number of stories. The Applicant has shown that the District has a need to use the subject property in furtherance of providing a public service, the provision of shelter and services to homeless families. The site is "uniquely valuable" to the Applicant in light of the goals and policies set forth in the Homeward DC initiative, and is "uniquely suitable" as the location for the proposed emergency shelter in light of the site selection process undertaken by District agencies and finally voted on by the Council. The Applicant demonstrated a need for the proposed building height, as a lower building with multiple wings at the subject property or the operation of several smaller facilities at multiple locations would not be possible, would complicate the provision of services while greatly increasing the costs, and would not comport with the District's policy decisions with respect to the optimal size and layout of emergency shelter facilities. The Board finds that the proposed building height of 88.5 feet and seven stories is an

¹¹ The Applicant also cited "specific conditions...imposed on the proposed development" as creating "a further exceptional situation and condition," listing the requirement to provide 50 residential units, as well as space for support services, as "an exceptional situation and condition that further dictates the size, program, and design of the building and directly impacts the Applicant's ability to provide a fully zoning-compliant project." (Exhibit 38.) However, the proposed use of a property is not a sufficient basis for determining the presence of exceptional conditions, *Metropole Condominium Ass'n*, 141 A.3d at 1083.

institutional necessity with respect to the construction of an emergency shelter for families that will meet statutory requirements with respect to the provision of private rooms, adequate bathroom facilities, and suitable space to offer wrap-around services while also meeting security requirements and achieving cost efficiencies in the operation of the shelter.

Practical difficulties. An applicant for area variance relief is required to show that the strict application of the zoning regulations would result in “practical difficulties.” *French v. District of Columbia Bd. of Zoning Adjustment*, 658 A.2d 1023, 1035 (D.C. 1995), quoting *Roumel v. District of Columbia Bd. of Zoning Adjustment*, 417 A.2d 405, 408 (D.C. 1980). A showing of practical difficulty requires “[t]he applicant [to] demonstrate that ... compliance with the area restriction would be unnecessarily burdensome” *Metropole Condominium Ass’n v. District of Columbia Bd. of Zoning Adjustment*, 141 A.3d 1079, 1084 (D.C. 2016), quoting *Fleishman v. District of Columbia Bd. of Zoning Adjustment*, 27 A.3d 554, 561-62 (D.C. 2011). In assessing a claim of practical difficulty, proper factors for the Board’s consideration include the added expense and inconvenience to the applicant inherent in alternatives that would not require the requested variance relief. *Barbour v. District of Columbia Bd. of Zoning Adjustment*, 358 A.2d 326, 327 (D.C. 1976).

The Applicant asserted that, absent variance relief, the District would be unable to meet its program needs, since the requested variances are needed to carry out the public purpose of providing the necessary emergency shelter facility at the site designated for Ward 6. The strict application of the Zoning Regulations would result in peculiar and exceptional practical difficulties to the Applicant by precluding the construction of an emergency shelter building on the site consistent with legal and public policy requirements. A building limited to the height and number of stories permitted as a matter of right would be unnecessarily burdensome to the Applicant by preventing its implementation of a design derived from extensive research and consideration of operational efficiencies and the costs of providing the necessary services.

The strict application of the zoning limits on building height would result in practical difficulties to the Applicant in part because the development constraints in place at the subject property preclude the construction of a new emergency shelter building at a lower height spread out horizontally on the site. The building footprint cannot be extended further to the south or west, since the Applicant’s proposed design already incorporates construction up to the south and west property lines. The building footprint cannot be extended further to the north, because, as designed, the building’s north exterior wall will abut Reservation 220, which precludes any further development to the north. Any

additional development to the east, cantilevered over the proposed parking and loading area, would require zoning relief from rear yard requirements and would contravene the District policy to retain the view corridors of L'Enfant Plan streets. Even if physically possible, a lower building with a larger footprint would result in internal areas without windows, which would therefore be unsuitable for residential use, and would require multiple corridors that would not allow for internal direct lines of sight, thereby diminishing the safety and security of residents and staff of the emergency shelter. Below-grade construction would not be appropriate for the emergency shelter use.

No substantial detriment or impairment. The Board finds that approval of the requested variance relief would not result in substantial detriment to the public good or cause any impairment of the zone plan. As previously discussed, the proposed emergency shelter use satisfies the requirements for special exception approval such that the use is consistent with zoning requirements and will not cause adverse impacts on the use of neighboring property. The Applicant has demonstrated that the size of the planned building is necessary to meet relevant program needs and achieve needed efficiencies through the provision of 50 residential units and space for related “wrap-around” services as part of a program to provide 280 units District-wide in a setting designed to create a suitable environment for families facing homelessness in a building that will be integrated into the surrounding community. The Office of Planning and ANC 6D both recommended approval of the requested variance relief, finding no substantial detriment to the public good arising from the additional building height. The Commission of Fine Arts also commented favorably on the building design, endorsing its “refined modern aesthetic” and expressing “strong support for the massing ... and careful siting of the building.” The Board concurs with OP’s testimony that the Applicant’s proposed building “would be compatible with the development pattern” of nearby buildings, and that its “substantial” setbacks will ensure that the additional height would not result in “any shadows to negatively impact light and air to neighboring residences.” The proposed height of the emergency shelter is less than the maximum height permitted as a matter of right under certain circumstances (*i.e.* buildings permitted up to 90 feet in height in accordance with Subtitle F § 303), and therefore will not substantially impair the intent, purpose, or integrity of the RF-1 zone.

Great weight

The Board is required to give “great weight” to the recommendation of the Office of Planning. (D.C. Official Code § 6-623.04 (2012 Repl.)) For the reasons discussed

above, the Board concurs with OP's recommendation that the application should be approved in this case.

The Board is also required to give "great weight" to the issues and concerns raised by the affected ANC. Section 13(d) of the Advisory Neighborhood Commissions Act of 1975, effective March 26, 1976 (D.C. Law 1-21; D.C. Official Code § 1-309.10(d)(3)(A) (2012 Repl.)). In this case ANC 6D passed a resolution in support of the application and did not state any issues or concerns in opposition to the Board's approval of the application. Thus, there is nothing for the Board to give great weight to.

Based on the findings of fact and conclusion of law, the Board concludes that the Applicant has satisfied the burden of proof with respect to the request for a special exception to allow an emergency shelter for more than 15 persons, a special exception to reduce the number of required parking spaces, and area variances from requirements relating to building height in feet and number of stories in the RF-1 district at 850 Delaware Avenue, S.W. (Square 590E, Lot 800). Accordingly, it is **ORDERED** that the application is hereby **GRANTED AND, PURSUANT TO SUBTITLE Y § 604.10, SUBJECT TO THE APPROVED PLANS AT EXHIBIT 38B - ARCHITECTURAL DRAWINGS.**

VOTE: 4-0-1 (Frederick L. Hill, Robert E. Miller, Lesylleé M. White, and Carlton E. Hart voting to APPROVE; one Board seat vacant).

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

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

FINAL DATE OF ORDER: October 4, 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.

BZA APPLICATION NO. 19451

PAGE NO. 31

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. 19566 of 19566 Cindy Jimenez and Cris Turner, pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception under Subtitle E § 5201 from the rear yard requirements of Subtitle E § 205.4, to construct a three-story rear addition to an existing one-family dwelling in the RF-1 Zone at premises 225 Tennessee Avenue N.E. (Square 1033, Lot 126).

HEARING DATE: September 27, 2017

DECISION DATE: September 27, 2017

SUMMARY ORDER

SELF-CERTIFICATION

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR Subtitle Y § 300.6. (Exhibit 5.) In granting the certified relief, the Board of Zoning Adjustment ("Board" or "BZA") made no finding that the relief is either necessary or sufficient. Instead, the Board expects the Zoning Administrator to undertake a thorough and independent review of the building permit and certificate of occupancy applications filed for this project and to deny any application for which additional or different zoning relief is needed.

The Board provided proper and timely notice of the public hearing on this application by publication in the *D.C. Register* and by mail to Advisory Neighborhood Commission ("ANC") 6A and to owners of property located within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 6A, 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 September 14, 2017, at which a quorum was present, the ANC voted 6-0-0 to support the application. (Exhibit 35.)

The Office of Planning ("OP") submitted a timely report, dated September 15, 2017, in support of the application. (Exhibit 36.) The District Department of Transportation ("DDOT") submitted a timely report, dated September 15, 2017, expressing no objection to the approval of the application. (Exhibit 37.)

Three letters of support for the application were submitted to the record by neighbors, including one adjacent owner. (Exhibits 13, 31, and 32.) The Capitol Hill Restoration Society submitted a letter in opposition to the application. (Exhibit 38.)

As directed by 11 DCMR Subtitle X § 901.3, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to Subtitle X § 901.2, for a special exception under Subtitle E § 5201 from the rear yard requirements of Subtitle E § 205.4, to construct a three-story rear addition to an existing one-family dwelling in the RF-1 Zone. No parties appeared at the public hearing in opposition to this application. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board and having given great weight to the OP and ANC reports, the Board concludes that the Applicant has met the burden of proof, pursuant to 11 DCMR Subtitle X § 901.2, and Subtitle E §§ 5201 and 205.4, 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 11.**

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

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

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

FINAL DATE OF ORDER: October 2, 2017

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

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

BZA APPLICATION NO. 19566

PAGE NO. 2

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. 19568 of Catherine St. Denis and Andrew Cruikshank, pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception under Subtitle D § 5201 from the front setback requirements of Subtitle D § 305.1, to construct a front addition to an existing one-family dwelling in the R-2 Zone at premises 4348 Garrison Street N.W. (Square 1655, Lot 814).

HEARING DATE: Applicant waived right to a public hearing

DECISION DATE: September 27, 2017

SUMMARY ORDER

REVIEW BY THE ZONING ADMINISTRATOR

The application was accompanied by a memorandum, dated May 23, 2017, from the Zoning Administrator, certifying the required relief. (Exhibit 4.)

Pursuant to 11 DCMR Subtitle Y § 401, this application was tentatively placed on the Board of Zoning Adjustment's ("Board" or "BZA") expedited review calendar for decision without hearing because of the applicant's waiver of its right to a hearing. (Exhibit 2.)

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") 3E, and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 3E, which is automatically a party to this application. The ANC submitted a resolution indicating that at a properly noticed meeting on September 19, 2017, at which a quorum was in attendance, ANC 3E voted 5-0-0 to support the application with the condition that the Applicant install and use a rain barrel on the property after the addition is completed. (Exhibit 35.)

The Office of Planning ("OP") submitted a timely report, dated September 15, 2017, in support of the application. (Exhibit 28.) The District Department of Transportation ("DDOT") submitted a timely report, dated September 15, 2017, expressing no objection to the approval of the application. (Exhibit 32.)

Four letters were submitted by neighbors to the record in support of the application. (Exhibits 30, 31, 33, and 34.)

No objections to expedited calendar consideration were made by any person or entity entitled to do by Subtitle Y §§ 401.7 and 401.8. The matter was therefore called on the Board's expedited calendar for the date referenced above and the Board voted to grant 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 under Subtitle D § 5201 from the front setback requirements of Subtitle D § 305.1, to construct a front addition to an existing one-family dwelling in the R-2 Zone. No parties appeared at the public meeting 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 D §§ 5201 and 305.1, 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 8 AND SUBJECT TO THE FOLLOWING CONDITION:**

1. The Applicant shall install a rain barrel on the property.

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

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

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

FINAL DATE OF ORDER: October 3, 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

BZA APPLICATION NO. 19568

PAGE NO. 2

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.

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.

District of Columbia REGISTER – October 13, 2017 – Vol. 64 - No. 41 010159 – 010442