

District of Columbia

REGISTER

HIGHLIGHTS

- D.C. Council passes Resolution 21-750, Medical Respite Services Exemption Emergency Declaration Resolution of 2016
- D.C. Council passes Resolution 22-13, Elderly Tenant and Tenant with a Disability Protection Emergency Declaration Resolution of 2017
- D.C. Council schedules a public oversight roundtable on “Sentencing in the District of Columbia: Agency Roles and Responsibilities”
- Executive Office of the Mayor announces funding availability for the FY17 Immigrant Justice Legal Services Grant
- Department of Energy and Environment announces funding availability for the Green Zone Environmental Program’s (GZEP) Summer Youth and Young Adults Watershed Protection Education and Job Training
- Department of Health Care Finance establishes participation and reimbursement guidelines for lactation services
- Department of Health announces funding availability for the FY 2017 Opioid Treatment Support Program

DISTRICT OF COLUMBIA REGISTER

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COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

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**"Extension of Time to Dispose of 1300 H Street,
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Sheet Temporary Amendment
Act of 2016"**

As required by Section 412(a) of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 21-859 on first and second readings September 20, 2016, and October 11, 2016, respectively. Following the signature of the Mayor on October 31, 2016, as required by Section 404(e) of the Charter, the bill became Act 21-519 and was published in the November 4, 2016 edition of the D.C. Register (Vol. 63, page 13593). Act 21-519 was transmitted to Congress on November 14, 2016 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 21-519 is now D.C. Law 21-178, effective December 28, 2016.



Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

November 14, 15, 16, 17, 18, 21, 22, 23, 25, 28, 29, 30

December 1, 2, 5, 6, 7, 8, 9, 12, 13, 14, 15, 16, 19, 20, 21, 22, 23, 27

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 21-179

**"Fort Dupont Ice Arena Programming
Temporary Amendment
Act of 2016"**

As required by Section 412(a) of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 21-867 on first and second readings September 20, 2016, and October 11, 2016, respectively. Following the signature of the Mayor on October 31, 2016, as required by Section 404(e) of the Charter, the bill became Act 21-520 and was published in the November 4, 2016 edition of the D.C. Register (Vol. 63, page 13595). Act 21-520 was transmitted to Congress on November 14, 2016 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 21-520 is now D.C. Law 21-179, effective December 28, 2016.



Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

November 14, 15, 16, 17, 18, 21, 22, 23, 25, 28, 29, 30

December 1, 2, 5, 6, 7, 8, 9, 12, 13, 14, 15, 16, 19, 20, 21, 22, 23, 27

COUNCIL OF THE DISTRICT OF COLUMBIA

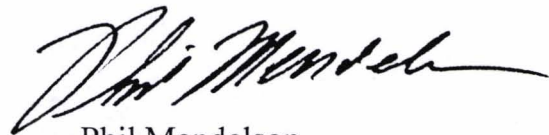
NOTICE

D.C. LAW 21-180

**"Child and Youth, Safety and Health Omnibus
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As required by Section 412(a) of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 21-869 on first and second readings September 20, 2016, and October 11, 2016, respectively. Following the signature of the Mayor on October 31, 2016, as required by Section 404(e) of the Charter, the bill became Act 21-521 and was published in the November 4, 2016 edition of the D.C. Register (Vol. 63, page 13597). Act 21-521 was transmitted to Congress on November 14, 2016 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 21-521 is now D.C. Law 21-180, effective December 28, 2016.



Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

November 14, 15, 16, 17, 18, 21, 22, 23, 25, 28, 29, 30

December 1, 2, 5, 6, 7, 8, 9, 12, 13, 14, 15, 16, 19, 20, 21, 22, 23, 27

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 21-181

**"Closing of Public Streets and Dedication of
Land for Street and Alley Purposes in
and abutting Squares 3953, 3954, 4024,
4025, and Parcel 143/45, S.O.
14-20357, Act of 2016"**

As required by Section 412(a) of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 21-445 on first and second readings July 12, 2016, and October 11, 2016, respectively. Following the signature of the Mayor on October 31, 2016, as required by Section 404(e) of the Charter, the bill became Act 21-522 and was published in the November 4, 2016 edition of the D.C. Register (Vol. 63, page 13599). Act 21-522 was transmitted to Congress on November 14, 2016 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 21-522 is now D.C. Law 21-181, effective December 28, 2016.



Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

November 14, 15, 16, 17, 18, 21, 22, 23, 25, 28, 29, 30

December 1, 2, 5, 6, 7, 8, 9, 12, 13, 14, 15, 16, 19, 20, 21, 22, 23, 27

ENROLLED ORIGINAL

A RESOLUTION

21-699

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

December 20, 2016

To declare the existence of an emergency, due to congressional review, with respect to the need to amend An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes to extend the time in which the Mayor may dispose of certain District-owned real property, commonly referred to as the Strand Theater, located at 5131 Nannie Helen Burroughs Avenue, N.E., and designated for tax and assessment purposes as Lot 801 in Square 5196.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Extension of Time to Dispose of the Strand Theater Congressional Review Emergency Declaration Resolution of 2016”.

Sec. 2. (a) The District owns real property located at 5131 Nannie Helen Burroughs Avenue, N.E., Washington, D.C. 20019 (“Property”). The Property, also known as the Strand Theater, is currently improved by an abandoned building.

(b) The Council previously approved the Strand Theater Disposition Approval Resolution of 2009, effective October 6, 2009, (Res. 18-263; 56 DCR 8410) (“Resolution”), authorizing the disposition and development of the Property. The lessee identified in the Resolution, the Washington Metropolitan Community Development Corporation (the “Developer”), was selected in 2008, through a competitive solicitation process, to redevelop the Property. A Disposition and Development Agreement (“DDA”) between the Developer and the District was executed on March 30, 2010, pursuant to the Resolution.

(c) The Developer has worked diligently to create a development program for the Property that will both address neighborhood needs of quality retail and community space, while also incorporating much-needed affordable housing that was not originally planned for the Property. The Developer achieved this expanded program by working with adjacent property owners to acquire sites to the west and south of the Property, significantly expanding the project footprint.

(d) The Property is planned to include approximately 9,000 square feet of commercial space, including two retail bays, a small business incubator, additional community space, and approximately 53,000 square feet of residential space, to provide approximately 86 for-rent apartments, each of which shall be reserved for households with income at or below 60% of Area

ENROLLED ORIGINAL

Median Income (“AMI”), including 28 replacement units for families currently living at Lincoln Heights or Richardson Dwellings (“Project”).

(e) The community, through its advocates, the affected ANC, and the Ward 7 Councilmember, has expressed support for the revised Project and for including the 86 residential units, all of which will be affordable.

(f) The Project is of great importance to the surrounding Deanwood neighborhood and Ward 7 as a whole due to the need for additional retail and commercial offerings in the community. Additionally, the 28 replacement units that will be brought online through this Project will enable the relocation of families currently living at Lincoln Heights and/or Richardson Dwellings, while allowing the District to clear the portion of the Lincoln Heights site slated for the first round of on-site demolition and redevelopment under the New Communities Initiative.

(g) Prior to transfer of the Property to the Developer, the following pre-closing obligations must be met: Developer must apply and be approved for a Planned Unit Development, complete construction drawings, apply and secure a building permit from the Department of Consumer and Regulatory Affairs, and secure all financing for the project, including 4% Low Income Housing Tax Credits (“LIHTCs”).

(h) The Mayor’s authority to dispose of the Property under the Extension of Time to Dispose of the Strand Theater Emergency Amendment Act of 2016, effective October 6, 2016 (D.C. Act 21-497; 63 DCR 12609) (“Emergency Act”), expired on December 9, 2016.

(i) Permanent legislation, the Extension of Time to Dispose of the Strand Theater Amendment Act of 2016, passed on 2nd reading on December 20, 2016 (Enrolled version of Bill 21-658) (“Permanent Act”), will provide a 2-year extension of the Mayor’s authority to dispose of the Property, expiring on December 10, 2018, but has not yet taken effect.

(j) The Extension of Time to Dispose of the Strand Theater Congressional Review Emergency Act of 2016 would fill the gap between expiration of the Emergency Act on December 9, 2016 and the effective date of the Permanent Act, rendering continuous the Mayor’s authority to dispose of the Property and afford the Developer the time necessary to satisfy the conditions precedent to the disposition of the Property in accordance with the DDA.

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 Extension of Time to Dispose of the Strand Theater Congressional Review Emergency Amendment Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

21-750

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

December 20, 2016

To declare the existence of an emergency with respect to the need to amend the Homeless Services Reform Act of 2005 to define the term medical respite services, to require a provider of medical respite services to provide 24-hour notice before a placement will end, and to exempt the provision of medical respite services from certain requirements of the act, including the transfer, suspension, termination, and hearing requirements.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Medical Respite Services Exemption Emergency Declaration Resolution of 2016”.

Sec. 2. (a) There exists an immediate need to amend the Homeless Services Reform Act of 2005, effective October 22, 2005 (D.C. Law 16-35; D.C. Official Code § 4-751.01 *et seq.*)(“Act”), to clarify that medical respite services shall be exempt from the transfer, suspension, termination, and hearing requirements of the Act.

(b) Medical respite services consist of limited-time acute and post-acute 24-hour care that is provided 7 days a week to individuals who are homeless and who are too sick to be on the street or in a shelter, but are not sick enough to be admitted to a hospital.

(c) The Act requires a provider under the Continuum of Care to provide notice to an individual at least 15 days before the date the individual will be transferred to another provider or will have services suspended or terminated.

(d) If a transfer is requested by the provider, either a client must consent to the transfer or the provider is required to find an alternative provider that accepts the client and appropriately meets the client’s needs. In addition, if a suspension or termination is requested, a provider must provide medical respite services until the outcome of any fair hearing requested.

(e) The notice, transfer, suspension, and terminations requirements are burdensome on providers of medical respite services and have had a significant adverse effect on their operations.

(f) Due to these requirements, cases have arisen in which medical respite service providers have been prohibited from discharging an individual in a reasonable amount of time. These cases have unnecessarily delayed the limited number of medical respite beds from becoming available.

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(g) The accompanying emergency legislation addresses this issue by granting medical respite service providers the opportunity to discharge individuals based on the judgment of medical professionals. Therefore, providers can ensure that medical respite services are being utilized properly and maximize the benefits for all individuals in need of these services.

(h) Furthermore, the accompanying emergency legislation will eliminate the ambiguity that exists under the current law to clarify that medical respite services providers operate independently from traditional shelter providers and shall not be mandated to operate under the same rules, regulations, and laws.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Medical Respite Services Exemption Emergency Amendment Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

21-754

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

December 20, 2016

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 establish financial disclosure requirements for the Council of the District of Columbia and to clarify financial disclosure requirements for certain Washington Metropolitan Area Transit Authority Board members.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Council Financial Disclosure Emergency Declaration Resolution of 2016”.

Sec. 2. (a) There exists a need to approve emergency legislation to amend 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 § 1-1161.01 *et seq.*), to make clearer financial disclosure filing requirements for Council employees.

(b) Permanent legislation, the Council Financial Disclosure Amendment Act of 2016, passed on 2nd reading on December 20, 2016 (Enrolled version of Bill 21-332), achieves this goal. Making its provisions effective sooner than the time needed for congressional review would otherwise allow, will permit the Board of Ethics and Government Accountability and Council personnel authorities to prepare to identify those employees who must file either a public financial disclosure or a confidential financial disclosure under the revised law.

(c) Because a new Congress will be seated the first week of January, the Council will not send legislation to Congress for its standard 30-day review until after the 115th Congress is seated. In addition, because of the Presidential Inauguration and holidays in January and February, the permanent legislation may become effective as late as March.

(d) According to guidance from the Board of Ethics and Government Accountability, agency heads, and now Council personnel authorities, must submit a list of public disclosure filers in early March.

(e) Adoption of emergency legislation to put into place the new provisions of law before the Board of Ethics and Government Accountability begins its 2017 financial disclosure activities will maximize time, especially for the legislative branch, to make determinations as to which employees must provide public and confidential financial disclosures so that the public

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disclosure list can be sent to the Board of Ethics and Government Accountability in a timely manner.

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 Council Financial Disclosure Emergency Amendment Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

21-755

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

December 20, 2016

To declare the existence of an emergency with respect to the need to order the closing of a portion of the public alley system in Square 453, bounded by I Street, N.W., 7th Street, N.W., H Street, N.W., and 6th Street, N.W., in Ward 2.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Closing of a Public Alley in Square 453, S.O. 14-17847, Emergency Declaration Resolution of 2016”.

Sec. 2. (a) There exists an immediate need to approve emergency legislation to close a portion of the public alley system in Square 453 to allow for the consolidation of lots and the development of a residential building with ground-floor retail bounded by I Street, N.W., 7th Street, N.W., H Street, N.W., and 6th Street, N.W., in Ward 2. The applicant is Eye Street JV LLC.

(b) The 15-foot north-south public alley will be replaced with a wider alley easement to provide better circulation to the 30-foot alley within the central portion of the square.

(c) Permanent legislation, the Closing of a Public Alley in Square 453, S.O. 14-17847, Act of 2016, passed on 2nd reading on December 20, 2016 (Enrolled version of Bill 21-447), will effectuate this alley closing following the required period of congressional review.

(d) Enacting similar legislation on an emergency basis will make the closing effective sooner than congressional review of the permanent legislation otherwise will allow and enable the project to proceed without delay.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Closing of a Public Alley in Square 453, S.O. 14-17847, Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

21-756

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

December 20, 2016

To declare the existence of an emergency with respect to the need to order the closing of a portion of the public alley system in Square 126, bounded by K Street, N.W., 17th Street, N.W., I Street, N.W., and 18th Street, N.W., in Ward 2.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Closing of a Public Alley in Square 126, S.O. 14-17521, Emergency Declaration Resolution of 2016".

Sec. 2. (a) There exists an immediate need to approve emergency legislation to close a portion of the public alley system in Square 126, bounded by K Street, N.W., to the north, 17th Street, N.W., to the east, I Street, N.W., to the south, and 18th Street, N.W., to the west in Ward 2. The land area affected by this legislation is approximately 435 square feet. The applicant is 1700 K Street Associates, LLC.

(b) Currently, an office and retail building located at 1700 K Street, N.W., projects above and below a small portion of the alley in Square 126 pursuant to an airspace lease, which expires in 2023, between the District and the applicant. The purpose of the alley closing is to be a permanent substitute for the existing public-space lease.

(c) Permanent legislation, the Closing of a Public Alley in Square 126, S.O. 14-17521 Act of 2016, passed on 2nd reading on December 20, 2016 (Enrolled version of Bill 21-586), will effectuate this alley closing following the required period of congressional review.

(d) Enacting similar legislation on an emergency basis will make the closing effective sooner than congressional review of the permanent legislation otherwise will allow and enable the redevelopment of 1700 K Street, N.W., to proceed without delay.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Closing of a Public Alley in Square 126, S.O. 14-17521, Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

21-757

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

December 20, 2016

To declare the existence of an emergency with respect to the need to require the transfer of certain District-owned properties in Historic Anacostia for the purpose of renovation and development as workforce housing in accordance with historic preservation standards.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Historic Preservation of Derelict District Properties Emergency Declaration Resolution of 2016”.

Sec. 2. (a) The District owns real properties located at 1220 Maple View Place, S.E., and 1326 Valley Place, S.E., (“Properties”). The Properties are currently vacant and blighted and controlled by the Property Acquisition and Disposition Division (“PADD”) of the Department of Housing and Community Development (“DHCD”).

(b) On December 6, 2016, the Council passed the Historic Preservation of Derelict District Properties Act of 2016, passed on 2nd reading on December 6, 2016 (Enrolled version of Bill 21-837) (“Act”). The purpose of the Act is to require the Mayor to transfer the Properties in fee simple and without cost, from DHCD to the L’Enfant Trust (“Trust”), for renovation and use as workforce housing.

(c) The Trust is a historic preservation nonprofit organization founded in 1978 to “promote a public aesthetic in land use planning” in Washington, D.C. The Trust started its Historic Properties Redevelopment Program (“HPR Program”) in 2013. The HPR Program uses a revolving fund to redevelop vacant and blighted properties at a loss to the Trust, properties that for-profit developers likely would avoid purchasing or accepting possession of due to the likelihood that the developer would incur a loss performing the extensive renovations required, even after selling the redeveloped properties at market value. The Trust chose Historic Anacostia as a primary focus for the HPR Program within the District, recognizing the high number of government-owned blighted and vacant buildings in that area.

(d) The purpose of the Act is to ensure that the Trust, a proven and well-regarded nonprofit, is able to provide what is essentially a gift to the city, by redeveloping these homes in accordance with historic-preservation standards and turning them into workforce housing. The Act would create affordable homes for working class District residents, eliminate neighborhood blight, and remove homes of negative value from the District’s inventory.

(e) In order for the transfer to occur as quickly as possible, it is necessary for authorizing

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legislation to be passed immediately. As a result, rehabilitation can occur and the Properties be returned to use more quickly.

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 Historic Preservation of Derelict District Properties Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

22-7

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

January 10, 2017

To declare the existence of an emergency, due to congressional review, with respect to the need to amend the Student Access to Treatment Act of 2007 to authorize employees and agents of public schools certified under the Office of the State Superintendent of Education's epinephrine administration training program to administer a designated epinephrine auto-injector to a student to whom it is prescribed.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Access to Emergency Epinephrine in Schools Clarification Congressional Review Emergency Declaration Resolution of 2017".

Sec. 2. (a) In 2015, the Council passed the Access to Emergency Epinephrine in Schools Amendment Act of 2015 ("Access to Emergency Epinephrine in Schools"), effective March 9, 2016 (D.C. Law 21-77; D.C. Official Code § 38-651.01 *et seq.*), in order to increase access to epinephrine for students and adults in schools.

(b) Epinephrine, a self-injectable medication, is a first-line treatment for anaphylaxis reactions. Without immediate treatment, anaphylaxis can worsen quickly and lead to severe injury or death within 15 minutes. This window is often not enough time for emergency response units to arrive and administer this medication. For this reason, the legislation authorized public schools to possess undesignated epinephrine injectors and directed the Office of the State Superintendent of Education ("OSSE") to develop and implement a standalone epinephrine administration training program for employees and agents of a school. Undesignated epinephrine injectors are obtained without a prescription for a particular person.

(c) Before the passage of the Access to Emergency Epinephrine in Schools, the only way an employee or agent of school could legally administer epinephrine to a person suffering an episode of anaphylaxis was through completing the Department of Health's Administration of Medicine ("AOM") training program for school-based personnel. AOM is comprehensive in nature and requires staff to take 3½ days off of work to complete. The length of the AOM training program limits the number of staff that can be trained in epinephrine administration. The Council's goal was to increase access in this regard.

(d) OSSE has created an online training module on the administration of epinephrine that can be completed by staff in a matter of minutes. Similar standalone trainings are offered in other jurisdictions that require a school to stock epinephrine including neighboring Maryland and Virginia.

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(e) On September 9, 2016, OSSE released draft regulations to implement Access to Emergency Epinephrine in Schools and after reviewing it has come to the Council's attention that the law still has a barrier to increasing access to epinephrine.

(f) The Access to Emergency Epinephrine in Schools states that an employee or agent of a school who is certified through OSSE may administer an undesignated epinephrine auto-injector to a student who the employee or agent believes in good faith to be suffering or about to suffer an anaphylactic episode. Although there is no difference in training necessary for administering a designated versus undesignated epinephrine auto-injector, the law is being interpreted to mean that employees or agents of a school certified through OSSE's training program can only administer undesignated epinephrine injectors. Thus, if a student with a known allergy is suffering an anaphylactic episode and has their own designated epinephrine auto-injector stored at the school, only school-based staff that has completed the Department of Health's AOM training would legally be able to administer the life-saving medication.

(g) The Council's intent in passing the Access to Emergency Epinephrine in Schools was to increase access to emergency epinephrine in schools in a number of ways, including increasing the number of school-based employees who are trained in administering the medication.

(h) Therefore, on October 11, 2016, the Council passed the Access to Emergency Epinephrine in Schools Clarification Emergency Amendment Act of 2016, effective October 31, 2016 (D.C. Act 21-527; 63 DCR 13609) to amend existing law to ensure that an employee or agent of a school that is certified through OSSE's administration of epinephrine training can legally administer both designated and undesignated epinephrine auto-injectors to a student who the employee or agent believes in good faith to be suffering or about to suffer an anaphylactic episode. Act 21-527 will expire on January 29, 2017.

(i) Temporary legislation, the Access to Emergency Epinephrine in Schools Clarification Temporary Amendment Act of 2016, enacted on November 18, 2016 (D.C. Act 21-537; 63 DCR 14351) was signed by the Mayor on November 18, 2016. It has not yet been transmitted to Congress for the 30-day review period required by section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)).

(j) A congressional review emergency is needed to prevent a gap in the law as school-based personnel have already begun the OSSE training.

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 Access to Emergency Epinephrine in Schools Clarification Congressional Review Emergency Amendment Act of 2017 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

22-8

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

January 10, 2017

To declare the existence of an emergency with respect to the need to approve an agreement to enter into a long-term subsidy contract for 15 years in support of the District's Local Rent Supplement Program to fund housing costs associated with affordable housing units for Contract No. 2014-LRSP-07-02A with South Capitol Improvements, LLC, for Local Rent Supplement Program units located at 4001 South Capitol Street, S.W., and to authorize payment for housing services to be received under the contract.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Local Rent Supplement Program Contract No. 2014-LRSP-07-02A Approval and Payment Authorization Emergency Declaration Resolution of 2017".

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

(b) In April 2014, DCHA participated in a Request for Proposals issued by the District of Columbia Department of Housing and Community Development ("DHCD"). Of the total proposals received, 12 developers were chosen to work with DCHA and other District agencies to develop affordable housing and permanent supportive housing units for extremely low-income families making between 0% and 30% of the area's median income, as well as the chronically homeless and individuals with mental or physical disabilities throughout the District. Upon approval of the contract by the Council, DCHA will enter into an agreement to enter into a long-

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term contract (“ALTSC”) with the selected housing providers under the LRSP for housing services provided under the contract.

(c) There exists an immediate need to approve the ALTSC with South Capitol Improvements, LLC, under the District of Columbia Housing Authority’s Local Rent Supplement Program in order to provide long-term affordable housing units for extremely low-income households in the District for units located at 4001 South Capitol Street, S.W.

(d) The emergency legislation to approve the contract will authorize an ALTSC between the District of Columbia Housing Authority and South Capitol Improvements, LLC, with respect to the payment of rental subsidy, and allow the owner to lease 20 newly constructed units at South Capitol Multifamily and house District of Columbia extremely low-income households with incomes at 30% or less of the area median income.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Local Rent Supplement Program Contract No. 2013-LRSP-07-02A Approval and Payment Authorization Emergency Act of 2017 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

22-9

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

January 10, 2017

To declare the existence of an emergency with respect to the need to approve Modification Nos. 3, 4, and 5 and proposed Modification No. 6 to Human Care Agreement No. DCJM-2013-H-0007-06 with Community Multi-Services, Inc. to provide residential services to District citizens with intellectual and developmental disabilities, and to authorize payment for the goods and services received and to be received under the contract.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Modifications to Human Care Agreement No. DCJM-2013-H-0007-06 Approval and Payment Authorization Emergency Declaration Resolution of 2017”.

Sec. 2. (a) There exists a need to approve Modification Nos. 3, 4, and 5 and proposed Modification No. 6 to Human Care Agreement No. DCJM-2013-H-0007-06 with Community Multi-Services, Inc. to provide residential services to District citizens with intellectual and developmental disabilities, and to authorize payment for the goods and services received and to be received during Option Year 2.

(b) On June 1, 2014, the District awarded Human Care Agreement No. DCJM-2013-H-0007-06 to Community Multi-Services, Inc. for the period from June 1, 2014, through May 31, 2015.

(c) Through several modifications, the District exercised Option Year 1 for the period from June 1, 2015, through May 31, 2016.

(d) By Modification No. 3, dated May 31, 2016, the District partially exercised Option Year 2 for the period from June 1, 2016, through September 30, 2016, in the amount of \$444,013.65.

(e) By Modification No. 4, dated September 6, 2016, the District further partially exercised Option Year 2 for the period from October 1, 2016, through November 30, 2016, in the amount of \$222,006.83.

(f) By Modification No. 5, dated November 7, 2016, the District partially exercised Option Year 2 for the period from December 1, 2016, through December 31, 2016, in the estimated amount of \$108,841.95.

(g) The aggregate value of Modification Nos. 3 through 5 was less than \$1 million; thus, Modification Nos. 3 through 5 did not require Council approval.

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(h) By Modification No. 6, the District proposes to exercise the remainder of Option Year 2 for the period from January 1, 2017, through May 31, 2017, in the estimated amount of \$531,241.13, resulting in an aggregate estimated amount of \$1,306,103.56 for the entire Option Year 2 period from June 1, 2016, through May 31, 2017.

(i) Approval is necessary to allow the continuation of these vital services. Without this approval, Community Multi-Services, Inc. cannot be paid for goods and services provided in excess of \$1 million during Option Year 2 of the contract from June 1, 2016, through May 31, 2017.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modifications to Human Care Agreement No. DCJM-2013-H-0007-06 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

22-10

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

January 10, 2017

To declare the existence of an emergency with respect to the need to approve Modification No. M029 and proposed Modification No. M030 to Human Care Agreement No. DCRL-2013-H-0039A with The National Center for Children and Families to provide case management and traditional and therapeutic family-based foster care services for children and youth, and to authorize payment for the services received and to be received under the modifications.

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

Sec. 2. (a) There exists a need to approve Modification No. M029 and proposed Modification No. M030 to Human Care Agreement No. DCRL-2013-H-0039A with The National Center for Children and Families to provide case management and traditional and therapeutic family-based foster care services for children and youth, and to authorize payment for the services received and to be received under these modifications.

(b) By Modification No. M029, issued on November 30, 2016, the Child and Family Services Agency (“CFSA”) exercised a partial option of Option Year 3 of Human Care Agreement No. DCRL-2013-H-0039A in the not-to-exceed amount of \$986,822.55 for the period from December 12, 2016, through January 15, 2017.

(c) By Modification No. M030, CFSA proposes to exercise the remainder of Option Year 3 for the period from January 16, 2017, through December 11, 2017, in the not-to-exceed amount of \$9,304,326.93, making the total not-to-exceed amount for Option Year 3 \$10,291,149.48 for the period from December 12, 2016, through December 11, 2017.

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

(e) Approval is necessary to allow the continuation of these vital services. Without this approval, The National Center for Children and Families cannot be paid for services provided in excess of \$1 million.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modifications to Human Care Agreement No. DCRL-2013-H-0039A 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

22-11

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

January 10, 2017

To declare the existence of an emergency with respect to the need to approve Modification Nos. 2, 3, and 5 and proposed Modification No. 4 to Human Care Agreement No. DCJM-2014-H-0006-01 with the National Children's Center, Inc. to provide residential habilitation, supported living, host home, and related residential expenses to District persons with intellectual and developmental disabilities, and to authorize payment for the services received and to be received under the modifications.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Modifications to Human Care Agreement No. DCJM-2014-H-0006-01 Approval and Payment Authorization Emergency Declaration Resolution of 2017".

Sec. 2. (a) There exists a need to approve Modification Nos. 2, 3, and 5 and proposed Modification No. 4 to Human Care Agreement No. DCJM-2014-H-0006-01 with the National Children's Center, Inc. to provide residential habilitation, supported living, host home, and related residential expenses to District persons with intellectual and developmental disabilities, and to authorize payment for the services received and to be received under Modification Nos. 2, 3, and 5 and proposed Modification No. 4.

(b) On June 29, 2016, by Modification No. 2, the Office of Contracting and Procurement ("OCP"), on behalf of the Department on Disability Services, exercised a partial option of Option Year 2 of Human Care Agreement No. DCJM-2014-H-0006-01 to provide residential habilitation, supported living, host home, and related residential expenses to District persons with intellectual and developmental disabilities for the period from July 1, 2016, through September 30, 2016, in the amount of \$528,717.40.

(c) On September 6, 2016, by Modification No. 3, OCP exercised another partial option of Option Year 2 for the period from October 1, 2016, through November 30, 2016, in the amount of \$352,478.28.

(d) To provide for continued contract performance during the Council's review of Modification No. 4, OCP issued Modification No. 5, dated December 1, 2016, which extended the term of the partial option from December 1, 2016, through January 30, 2017, at no additional cost.

(e) Modification No. 4 is now necessary to exercise the remaining option and increase the total not-to-exceed amount for Option Year 2 to \$2,347,898.40.

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

(g) Approval is necessary to allow the continuation of these vital services. Without this approval, the National Children's Center, Inc. cannot be paid for services provided in excess of \$1 million for the contract period July 1, 2016, through June 30, 2017.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modifications to Human Care Agreement No. DCJM-2014-H-0006-01 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

22-12

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

January 10, 2017

To declare the existence of an emergency with respect to the need to approve Modification Nos. 6 and 8 to Human Care Agreement No. CW29940 with The WIN Team LLC to provide extended family home services, and to authorize payment for the services received and to be received under the modifications.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Modifications to Human Care Agreement No. CW29940 Approval and Payment Authorization Emergency Declaration Resolution of 2017”.

Sec. 2. (a) There exists a need to approve Modification Nos. 6 and 8 to Human Care Agreement No. CW29940 with The WIN Team LLC to provide extended family home services, and to authorize payment for the services received and to be received under the modifications.

(b) On June 30, 2016, by Modification No. 6, the Office of Contracting and Procurement (“OCP”), on behalf of the Department of Youth Rehabilitation Services, exercised Option Year 2 of Human Care Agreement No. CW29940 to provide extended family home services for the period from June 30, 2016, to June 29, 2017, in the amount of \$896,325.

(c) Proposed Modification No. 8, in the not-to-exceed amount of \$454,860, is now necessary to increase the total not-to-exceed amount for Option Year 2 to \$1,164,168.69.

(d) Council approval is necessary since this modification increases the contract by more than \$1 million during a 12-month period.

(e) Approval is necessary to allow the continuation of these vital services. Without this approval, The WIN Team LLC cannot be paid for services provided in excess of \$1 million for the contract period June 30, 2016, through June 29, 2017.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modifications to Human Care Agreement No. CW29940 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

22-13

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

January 10, 2017

To declare the existence of an emergency, with respect to the need to amend the Rental Housing Act of 1985 to authorize the Rental Housing Commission to certify and publish, prior to March 1 of each year, the most recent annual cost-of-living adjustment of benefits for social security recipients and the maximum annual rent adjustment that may be imposed on a unit occupied by an elderly tenant or tenant with a disability, and to add the Social Security cost-of-living adjustment as a third lowest option of the cap on the annual standard rent increase for a unit occupied by an elderly tenant or a tenant with a disability in addition to the Consumer Price Index, and 5 % of the current rent charged.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Elderly Tenant and Tenant with a Disability Protection Emergency Declaration Resolution of 2017”.

Sec. 2. (a) The District’s rent control regime is established by the Rental Housing Act of 1985. More than 80,000 housing units are subject to the law and account for about 50% of the rental housing stock in the District. For units subject to rent control, annual rent increases for most tenants are limited to the Consumer Price Index (“CPI-W”) plus 2%, with a maximum of 10%, and for elderly tenants and tenants with disabilities, the CPI-W alone, with a maximum of 5%.

(b) The Elderly Tenant and Tenant With a Disability Protection Amendment Act of 2016, passed on 2nd reading December 6, 2016 (Enrolled version of Bill 21-173), added the Social Security cost-of-living adjustment as a third-lowest option of the cap on the annual standard rent increase for a unit occupied by an elderly tenant or a tenant with a disability, in addition to the CPI-W and 5 % of the current rent charged.

(c) Bill 21-173 also authorized the Rental Housing Commission (“RHC”) to certify and publish before March 1 of each year:

(1) The most recent annual cost-of-living adjustment of benefits for social security recipients; and

(2) The maximum annual rent adjustment that may be imposed on a unit occupied by an elderly tenant or tenant with a disability.

(d) The RHC publishes regulations governing the annual adjustment of general applicability in late January, for an effective date on May 1. However, the RHC will not have the

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authority to begin the regulatory process to publish these regulations until Bill 21-173 becomes law, likely sometime in March.

(e) Even if the RHC publishes emergency regulations in April, the regulations will give housing providers just a few weeks' notice of the new requirements. This short notice period could lead to confusion and errors, possibly harming elderly tenants, tenants with disabilities, and housing providers.

(f) This emergency legislation is necessary to provide adequate notice to housing providers, elderly tenants, and tenants with disabilities of the addition of the annual cost-of-living adjustment of benefits for social security recipients as a more affordable increase of rents charged.

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 Elderly Tenant and Tenant with a Disability Protection 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**

B22-53	Glick Court Designation Act of 2017 Intro. 1-11-17 by Councilmember Allen and referred to the Committee of the Whole
B22-54	Marion S. Barry Summer Youth Employment Expansion Amendment Act of 2017 Intro. 1-11-17 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Labor and Workforce Development
B22-56	Duvall Court Designation Act of 2017 Intro. 1-17-17 by Councilmember Allen and referred to the Committee of the Whole
B22-57	Closing of a Public Alley in Square 2960, S.O. 15-53893, Act of 2017 Intro. 1-17-17 by Councilmember Todd and referred to the Committee of the Whole

- B22-59 McGill Alley Designation Act of 2017
Intro. 1-18-17 by Councilmember Evans and referred to the Committee of the Whole
-
- B22-60 Grocery Store Restrictive Covenant Prohibition Act of 2017
Intro. 1-10-17 by Councilmembers Cheh and Bonds and referred to the Committee of the Whole with comments from the Committee on Business and Economic Development
-
- B22-61 Open Restroom Facilities Task Force Establishment Act of 2017
Intro. 1-10-17 by Councilmembers Nadeau, Silverman, Allen, Grosso, T. White, and Bonds and referred to the Committee on Health with comments from the Committee on Human Services
-
- B22-62 Health Literacy Council Establishment Act of 2017
Intro. 1-10-17 by Councilmember Todd and referred sequentially to the Committee on Health and the Committee on Education
-
- B22-63 Wi-Fi Task Force Act of 2017
Intro. 1-10-17 by Councilmembers Todd, Evans, Silverman, Bonds, R. White, and Nadeau and referred to the Committee on Government Operations
-
- B22-64 Extreme Weather Protection for Animals Act of 2017
Intro. 1-10-17 by Councilmembers Todd, Bonds, Cheh, and Silverman and referred to the Committee on Health with comments from the Committee on Transportation and the Environment
-
- B22-65 First Source Taxpayer Protection Act of 2017
Intro. 1-10-17 by Councilmembers T. White, Bonds, R. White, Silverman, and Nadeau and referred to the Committee on Labor and Workforce Development with comments from the Committee on Business and Economic Development
-

- B22-66 Omnibus District of Columbia Department of For-Hire Vehicles Amendment Act of 2017
- Intro. 1-23-17 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Business and Economic Development
-
- B22-67 Department of Motor Vehicles Drug Conviction Repeal Amendment Act of 2017
- Intro. 1-23-17 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Transportation and the Environment
-
- B22-68 Deferred Compensation Program Enrollment Act of 2017
- Intro. 1-23-17 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Labor and Workforce Development
-
- B22-70 Emissions Inspection Amendment Act of 2017
- Intro. 1-23-17 by Councilmembers Evans and Cheh and referred to the Committee on Transportation and the Environment
-
- B22-71 Debt Buying Limitation Amendment Act of 2017
- Intro. 1-24-17 by Councilmembers Cheh, Grosso, Allen, Nadeau, and R. White and referred to the Committee on Business and Economic Development with comments from the Committee of the Whole
-
- B22-72 Save Good Food Amendment Act of 2017
- Intro. 1-24-17 by Councilmembers Cheh, Nadeau, Grosso, Allen, and Evans and referred sequentially to the Committee on Health and the Committee on Finance and Revenue
-
- B22-73 Artist Protection Amendment Act of 2017
- Intro. 1-24-17 by Councilmembers Cheh and Evans and referred to the Committee of the Whole
-

- B22-74 Local Resident Voting Rights Amendment Act of 2017
- Intro. 1-24-17 by Councilmembers Grosso, Silverman, Allen, Nadeau, R. White, Evans, and Bonds and referred to the Committee on Judiciary and Public Safety
-
- B22-75 Language Access for Education Amendment Act of 2017
- Intro. 1-24-17 by Councilmembers Grosso, Nadeau, Gray, Allen, R. White, Silverman, and McDuffie and referred to the Committee of the Whole with comments from the Committee on Education and the Committee on Judiciary and Public Safety
-
- B22-76 District of Columbia Child Development Facilities Expansion Amendment Act of 2017
- Intro. 1-24-17 by Councilmembers Grosso, Cheh, Nadeau, and Silverman and referred to the Committee on Education
-
- B22-77 Disposition of District Land for Affordable Housing Clarification Amendment Act of 2017
- Intro. 1-24-17 by Councilmembers Bonds, Gray, Silverman, R. White, Cheh, and Nadeau and referred sequentially to the Committee on Business and Economic Development and the Committee of the Whole with comments from the Committee on Housing and Neighborhood Revitalization
-
- B22-78 The Upper Northwest Recreation Center Feasibility Study Act of 2017
- Intro. 1-24-17 by Councilmembers Todd and Silverman and referred to the Committee on Transportation and the Environment
-
- B22-79 Dyslexia and Other Reading Disabilities Screening and Prevention Pilot Program Act of 2017
- Intro. 1-24-17 by Councilmembers Todd, R. White, Evans, Bonds, Nadeau, T. White, and McDuffie and referred to the Committee on Education
-

- B22-80 Access to Justice for Immigrants Amendment Act of 2017
Intro. 1-24-17 by Councilmembers Nadeau, R. White, and Grosso and referred to the Committee on Judiciary and Public Safety
-
- B22-81 Community College for All Scholarship Amendment Act of 2017
Intro. 1-24-17 by Councilmembers T. White, Silverman, R. White, Gray, Nadeau, Evans, Allen, and McDuffie and referred to the Committee of the Whole
-
- B22-82 Inclusive Entrepreneurship Act of 2017
Intro. 1-24-17 by Councilmember T. White and referred to the Committee on Business and Economic Development
-
- B22-85 Pay-As-You-Go Capital Infrastructure Preservation and Improvement Act of 2017
Intro. 1-24-17 by Councilmembers Gray and Evans and referred to the Committee of the Whole
-
- B22-86 Land Trust, District Residency, and Community Reinvestment Task Force Act of 2017
Intro. 1-24-17 by Councilmembers McDuffie, Gray, Grosso, and Bonds and referred to the Committee on Business and Economic Development with comments from the Committee on Housing and Neighborhood Revitalization and the Committee of the Whole
-
- B22-87 Elections Modernization Amendment Act of 2017
Intro. 1-24-17 by Councilmembers Allen, R. White, Grosso, and Nadeau and referred to the Committee on Judiciary and Public Safety
-

PROPOSED RESOLUTIONS

- PR22-66 District of Columbia Auditor Kathleen Patterson Reappointment Resolution of 2017
Intro. 1-10-17 by Chairman Mendelson and referred to the Committee of the Whole
-

- PR22-67 Compensation and Working Conditions Agreement between the Office of the State Superintendent of Education, Division of Student Transportation and Teamsters Local 639 Approval Resolution of 2017
- Intro. 1-11-17 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Labor and Workforce Development
-
- PR22-69 Medical Marijuana Pesticide Rulemaking Approval Resolution of 2017
- Intro. 1-13-17 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Health
-
- PR22-71 Child and Family Services Agency Brenda Donald Confirmation Resolution of 2017
- Intro. 1-18-17 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Human Services
-
- PR22-72 Sense of the Council Regarding the Health Impacts of Heavy Backpacks Resolution of 2017
- Intro. 1-10-17 by Councilmembers Todd, Silverman, and Bonds and referred to the Committee on Health
-
- PR22-73 Opposition to the Revocation of the Operator Permit (Driver License) or Driving Privilege of a Person Convicted of a Drug Offense Resolution of 2017
- Intro. 1-23-17 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Transportation and the Environment
-
- PR22-75 Sense of the Council in Reaffirmation of the Human Rights of District of Columbia Residents and in Opposition to Bigotry and Violence Resolution of 2017
- Intro. 1-24-17 by Councilmembers R. White, Allen, Cheh, Gray, Nadeau, Todd, Grosso, Bonds, Evans, McDuffie, Silverman, T. White, and Chairman Mendelson and Retained by the Council
-

PR22-77 District of Columbia Retirement Board Lyle M. Blanchard Reappointment
Resolution of 2017

Intro. 1-24-17 by Chairman Mendelson and referred to the Committee of the
Whole

PR22-78 District of Columbia Retirement Board Michael J. Warren Reappointment
Resolution of 2017

Intro. 1-24-17 by Chairman Mendelson and referred to the Committee of the
Whole

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

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

ANNOUNCES A PUBLIC OVERSIGHT ROUNDTABLE ON

**SENTENCING IN THE DISTRICT OF COLUMBIA:
AGENCY ROLES AND RESPONSIBILITIES**

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

On Thursday, February 9, 2017, Councilmember Charles Allen, Chairperson of the Committee on the Judiciary and Public Safety, will convene a public oversight roundtable to consider “Sentencing in the District of Columbia: Agency Roles and Responsibilities”. The roundtable will take place in Room 500 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., at 9:30 a.m.

The Committee invites the public to testify or to submit written testimony. Anyone wishing to testify at the roundtable should contact the Committee on the Judiciary and 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, Monday, February 6, 2017**. Representatives of organizations will be allowed a maximum of five minutes for oral testimony, and individuals will be allowed a maximum of three minutes. Witnesses should 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 roundtable, written statements will be made part of the official record. Copies of written statements should be submitted either to the Committee at judiciary@dccouncil.us or to Nyasha Smith, Secretary to the Council, 1350 Pennsylvania Avenue, N.W., Suite 5, Washington, D.C. 20004. **The record will close at the end of the business day on February 23, 2017.**

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

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

on

**PR 22-66, the “District of Columbia Auditor Kathleen Patterson Reappointment
Resolution of 2017”**

on

**Tuesday, January 31, 2017
3:00 p.m., Hearing Room 412, John A. Wilson Building
1350 Pennsylvania Avenue, NW
Washington, DC 20004**

Council Chairman Phil Mendelson announces a public roundtable before the Committee of Whole on PR 22-66, the “District of Columbia Auditor Kathleen Patterson Reappointment Resolution of 2017.” The roundtable will be held Tuesday, January 31, 2017 at 3:00 p.m. in Hearing Room 412 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W.

The stated purpose of PR 22-66 is to confirm the reappointment of Ms. Kathleen Patterson as the District of Columbia Auditor for a term to expire February 25, 2023. The mission of the Office of the District of Columbia Auditor (ODCA) is to support the Council of the District of Columbia by conducting audits that improve the economy, efficiency, and accountability of District government. The office was established by Congress as part of the Home Rule Act, to serve the legislature similarly to the U.S. Government Accountability Office. The purpose of this hearing is to receive testimony from government and public witnesses as to the fitness of this nominee for reappointment as Auditor.

Those who wish to testify are asked to email the Committee of the Whole at cow@dccouncil.us, or to call Evan Cash, Committee and Legislative Director at (202) 724-7002, and provide your name, address, telephone number, organizational affiliation, and title (if any) by close of business Monday, January 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 January 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 noon on February 6, 2017.

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date: January 27, 2017
Protest Petition Deadline: March 13, 2017
Roll Call Hearing Date: March 27, 2017

License No.: ABRA-087875
Licensee: 476 K, LLC
Trade Name: Cloakroom
License Class: Retailer’s Class “C” Nightclub
Address: 476 K Street, N.W.
Contact: Andre De Moya: (202) 371-2223

WARD 6 ANC 6E SMD 6E05

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 March 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 a Summer Garden Endorsement.

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

Sunday through Thursday 10:30 am – 2 am, and Friday through Saturday 10:30 am – 3 am

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

Sunday through Thursday 10:30 am – 2 am, and Friday through Saturday from 10:30 am – 3 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
1/27/2017

Notice is hereby given that:

License Number: ABRA-097277

License Class/Type: C Tavern

Applicant: Lemlem Gebrewahd

Trade Name: Freedom Lounge

ANC: 1B02

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

1920 9TH ST NW, WASHINGTON, DC 20001

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

3/13/2017

A HEARING WILL BE HELD ON:

3/27/2017

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

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	11 am - 3 am	11 am - 2 am	6 pm - 2 am
Monday:	11 am - 3 am	11 am - 2 am	6 pm - 2 am
Tuesday:	11 am - 3 am	11 am - 2 am	6 pm - 2 am
Wednesday:	11 am - 3 am	11 am - 2 am	6 pm - 3 am
Thursday:	11 am - 3 am	11 am - 2 am	6 pm - 3 am
Friday:	11 am - 4 am	11 am - 3 am	6 pm - 4 am
Saturday:	11 am - 4 am	11 am - 3 am	6 pm - 4 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date: January 27, 2017
Protest Petition Deadline: March 13, 2017
Roll Call Hearing Date: March 27, 2017

License No.: ABRA-087727
Licensee: Gin Rummy Group, Inc.
Trade Name: Gin Rummy
License Class: Retailer’s Class “C” Tavern
Address: 3522 12th Street, N.E.
Contact: Delores Pol, Owner: (301) 518-6333

WARD 5

ANC 5B

SMD 5B02

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 March 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 a Change of Hours of Operation and Alcoholic Beverage Sales.

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

Sunday through Saturday 10 am – 12 am

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

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

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date: January 27, 2017
Protest Petition Deadline: March 13, 2017
Roll Call Hearing Date: March 27, 2017
Protest Hearing Date: May 24, 2017

License No.: ABRA-105073
Licensee: Kristina's Café, LLC
Trade Name: Kristina's Café and Pastries
License Class: Retailer's Class "C" Restaurant
Address: 4418 MacArthur Boulevard, N.W.
Contact: Bryan Short: (202) 888-2107

WARD 3

ANC 3D

SMD 3D09

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 March 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. The **Protest Hearing date** is scheduled on **May 24, 2017 at 1:30 p.m.**

NATURE OF OPERATION

A Retailer's Class "C" Restaurant that will be serving traditional European bakery items, sandwiches, small plates, and drinks with a Total Occupancy Load of 18. The Summer Garden seating capacity is 16 seats.

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

Sunday through Saturday 8:00 am – 11:00 pm

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date: January 27, 2017
Protest Petition Deadline: March 13, 2017
Roll Call Hearing Date: March 27, 2017
Protest Hearing Date: May 24, 2017

License No.: ABRA-105256
Licensee: LPQ 14th & K Street, Inc.
Trade Name: Le Pain Quotidien
License Class: Retailer's Class "C" Restaurant
Address: 1401 K Street, N.W.
Contact: Stephen O'Brien: 202-625-7700

WARD 2

ANC 2F

SMD 2F05

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 March 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. The Protest Hearing date is scheduled on May 24, 2017 at 4:30 p.m.

NATURE OF OPERATION

New Class "C" Restaurant with 149 seats, a Sidewalk Café with 66 seats and a Total Occupancy Load of 223. Restaurant will serve café-style food and baked goods.

HOURS OF OPERATION FOR PREMISES AND SIDEWALK CAFÉ

Sunday through Saturday 7 am - 10 pm

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

Sunday through Saturday 8 am -10 pm

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date: January 27, 2017
Protest Petition Deadline: March 13, 2017
Roll Call Hearing Date: March 27, 2017
Protest Hearing Date: May 24, 2017

License No.: ABRA-105098
Licensee: Hurricane Hospitality, LLC
Trade Name: Pearl Street Warehouse
License Class: Retailer's Class "C" Tavern
Address: 33 Pearl Street, S.W.
Contact: Michael Fonseca: (202) 625-7700

WARD 6

ANC 6D

SMD 6D04

Notice is hereby given that this licensee has applied for a new license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the Roll Call Hearing date on March 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. The Protest Hearing date is scheduled on May 24, 2017 at 1:30 p.m.

NATURE OF OPERATION

New Class "C" Tavern with 150 seats and a Total Occupancy Load of 300. Tavern will be a live music venue and bar with diner-style food. Entertainment Endorsement requested.

HOURS OF OPERATION FOR PREMISES

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

HOURS OF ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION FOR PREMISES

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

HOURS OF LIVE ENTERTAINMENT

Sunday through Thursday 6 pm - 1 am, Friday & Saturday 6 pm - 2am

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

Saturday and Sunday 8 am - 2 am, Monday through Friday 3 pm - 2 am

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

NOTICE OF PUBLIC HEARING

11:30 A.M. – 12:00 P.M., WEDNESDAY, FEBRUARY 15, 2017

**FRANK D. REEVES MUNICIPAL CENTER
ALCOHOLIC BEVERAGE CONTROL BOARD HEARING ROOM
2000 14TH STREET, N.W., SUITE 400 SOUTH, 4TH FLOOR
WASHINGTON, D.C. 20009**

The Alcoholic Beverage Control Board (Board) will hold a hearing to receive public comment on its proposal to permanently amend Section 718 of Title 23 of the D.C. Municipal Regulations regarding the MPD Reimbursable Detail Subsidy Program. Proposed amendments include:

- Adding Pub Crawl Events to the types of events for which one may request MPD RDO Officers; and
- Reducing the reimbursable percentage from seventy percent (70%) to fifty percent (50%).

The Board will adopt these rules on a permanent basis following 30 days of publication in the *D.C. Register* and upon approval from the Council of the District of Columbia. Review complete details of the proposal in the Notice of Emergency and Proposed Rulemaking.

HEARING INFORMATION

WHEN: 11:30 a.m. on Wednesday, February 15, 2017

WHERE: Alcoholic Beverage Control Board Hearing Room, 2000 14th Street, N.W., Suite 400 South, 4th Floor, Washington, D.C. 20009

Individuals and representatives of organizations that want to testify should contact ABRA General Counsel Martha Jenkins by **Friday, February 10, 2017**:

- Call - (202) 442-4456
- Email - abralegal@dc.gov
(include full name, title, and organization, if applicable, of the person(s) testifying in the email)

Witnesses should bring six (6) copies of their written testimony to the Board. Testimony may be limited to five minutes in order to permit each person an opportunity to be heard.

Members of the public that are unable to testify in person are encouraged to provide written comments, which will be made a part of the Board's official record. Copies of written statements should be submitted to ABRA General Counsel Martha Jenkins no later than **4 p.m. on Friday, February 24, 2017**, at ABRA's mailing address or e-mail address stated above.

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

****CORRECTION**

Placard Posting Date: January 6, 2017
Protest Petition Deadline: February 21, 2017
Roll Call Hearing Date: March 6, 2017
Protest Hearing Date: May 3, 2017

License No.: ABRA-105091
Licensee: Yard House USA, Inc.
Trade Name: Yard House Restaurant
License Class: Retailer’s Class “C” Restaurant
Address: 812 7th Street, N.W.
Contact: Stephen J. O’Brien, Esq.: 202-625-7700

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 March 6, 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 **May 3, 2017 at 1:30 p.m.**

NATURE OF OPERATION

An American Restaurant & Brew House that serves lunch and dinner, including a large variety of local draft beers. Seating Capacity of 338, Total Occupancy Load of 538, and a Sidewalk Cafe with 40 seats. Dancing and Entertainment.

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

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

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

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

****HOURS OF LIVE ENTERTAINMENT/DANCING**

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

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

****RESCIND**

Placard Posting Date: January 6, 2017
Protest Petition Deadline: February 21, 2017
Roll Call Hearing Date: March 6, 2017
Protest Hearing Date: May 3, 2017

License No.: ABRA-105091
Licensee: Yard House USA, Inc.
Trade Name: Yard House Restaurant
License Class: Retailer’s Class “C” Restaurant
Address: 812 7th Street, N.W.
Contact: Stephen J. O’Brien, Esq.: 202-625-7700

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 March 6, 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 **May 3, 2017 at 1:30 p.m.**

NATURE OF OPERATION

An American Restaurant & Brew House that serves lunch and dinner, including a large variety of local draft beers. Seating Capacity of 338, Total Occupancy Load of 538, and a Sidewalk Cafe with 40 seats. Dancing and Entertainment.

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

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

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

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

**OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION
DISTRICT OF COLUMBIA EDUCATION LICENSURE COMMISSION**

**NOTICE
OF PUBLIC MEETING**

A public hearing in the case of Mid-Atlantic College has been scheduled by the Higher Education Licensure Commission of the District of Columbia as follows:

**9:30 am, Monday, January 30, 2017
810 First Street NE, 2nd Floor
Washington, DC 20002
Conference room 2031**

Below is the draft agenda for this hearing. A final agenda will be posted at 810 First Street, NE, 2nd Floor Washington, DC.

For additional information, please contact: Angela Lee, 202-724-2095, Email: angela.lee@dc.gov.

DRAFT AGENDA

- I. Call to Order
- II. Opening Statements
- III. Government's Case in Chief
 - a. Direct and cross examination of witnesses
 - b. Admission of Evidence
- IV. Respondent's Case in Chief
 - a. Direct and cross examination of witnesses
 - b. Admission of Evidence
- V. Closing Arguments
- VI. Adjournment

**MAYOR'S AGENT
FOR THE HISTORIC LANDMARK AND HISTORIC DISTRICT PROTECTION ACT**

NOTICE OF PUBLIC HEARING

Public notice is hereby given that the Mayor's Agent will hold a public hearing on the remand of earlier orders affecting property subject to the Historic Landmark and Historic District Protection Act of 1978.

Hearing Date: **Friday, March 10, 2017 at 10:00 a.m.**
Case Number: H.P.A. 14-393 and 15-133
Address: 2501 (2507) First Street NW
Square/Lot: Square 3128, Lot 800
Applicant: Vision McMillan Partners and the District of Columbia Office of the Deputy Mayor for Planning and Economic Development
Type of Work: Raze and subdivision

Affected Historic Property: McMillan Park Reservoir
Affected ANC: 5E

In response to the remand of this proceeding by the District of Columbia Court of Appeals in its opinion *Friends of McMillan Park v. District of Columbia Zoning Commission* (Nos. 15-AA-0493, 15-AA-0525, 15-AA-0536, 15-AA-0572 and 15-AA-1008) ("the Appeal"), issued on December 8, 2016, the Mayor's Agent Hearing Officer hereby gives notice of an additional public hearing to be held on **March 10, 2017 at 10:00 a.m., at 1100 4th Street SW**, Room 650, the scope of which will be limited to following issues:

- 1) Do the proposed project's historic preservation benefits taken as a whole outweigh its historic preservation harms? Slip op. at 28. In addressing this question, the applicants are requested to provide legal analysis as to how such an inquiry should be conducted consistent with the Historic Landmark and Historic District Protection Act, D.C. Code §§ 6-1102 (10), 1101 (b), 1104 (e), and 1106 (e).
- 2) What are the specific architecture, land planning, and/or community benefits that individually or collectively make this a project of special merit within the meaning of D.C. Code § 6-1102(11)?
- 3) Is the proposed demolition and subdivision necessary to obtain the special merit benefits identified? Could an economically viable mixed-use development meeting the goals of the comprehensive plan be constructed on the site with less demolition and no subdivision?
- 4) Are there reasonable alternatives that would achieve the same special merit benefits that would avoid or reduce the need demolition or subdivision?

The parties in this remand proceeding are the Applicants and the petitioners in the Appeal, namely Friends of McMillan Park, McMillan Coalition for Sustainable Agriculture, and DC for Reasonable Development. The Applicants have the burden of proof as to all issues. All parties may present testimony and evidence supplementary to the existing record and legal argument and in doing so are enjoined to coordinate presentations and remain within the scope of the additional hearing as stated above.

For further information, contact the Historic Preservation Office, at (202) 442-8800.

DEPARTMENT OF FOR-HIRE VEHICLES**NOTICE OF FINAL RULEMAKING**

The Acting Director of the Department of For-Hire Vehicles¹ (“Department” or (“DFHV”), pursuant to the authority set forth in Sections 8(c) (2), (3), (7) and (19), 14, 15, 16, 20j and 20j-3, of the District of Columbia Taxicab Commission Establishment Act of 1985 (“Establishment Act”), effective March 25, 1986, (D.C. Law 6-97; D.C. Official Code §§ 50-301.07(c) (2), (3), (7) and (19), 50-301.13, 50-301.14, 50-301.15, 50-301.29, and 50-301.29c (2014 Repl. & 2016 Supp.)), hereby gives notice of its intent to adopt an amendment to Chapters 9 (Insurance Requirements for Public Vehicles-for-Hire) and 14 (Operation of Black Cars), of Title 31 (Taxicabs and Public Vehicles For Hire) of the District of Columbia Municipal Regulations (DCMR).

This final rulemaking amends Chapters 9 and 14 to expand the options for taxicab, black car, and limousine operators to comply with existing commercial insurance requirements. The rules allow operators to present vehicle inspection officers with electronic evidence of their compliance with the insurance requirements of Chapter 9 and authorize officers to verify compliance in real time; these measures will increase efficiency and improve the accuracy of the insurance information collected.

Proposed rulemaking was adopted by the Department’s predecessor, the D.C. Taxicab Commission, on November 18, 2015, and was published in the *D.C. Register* on September 23, 2016 at 63 DCR 011664. The Department received no comments during the comment period expiring October 23, 2016. The only changes made in this final rulemaking from the proposed rulemaking were to correct the agency’s name. No substantial changes have been made from the proposed rules.

The rules were adopted as final on November 4, 2016, and they will become effective upon publication in the *D.C. Register*.

Chapter 9, INSURANCE REQUIREMENTS FOR PUBLIC VEHICLES-FOR-HIRE, of Title 31 DCMR, TAXICABS AND PUBLIC VEHICLES FOR HIRE, is amended as follows:

Section 900, APPLICATION AND SCOPE, is amended as follows:

Subsection 900.12 is amended to read as follows:

900.12 Each operator of a public vehicle-for-hire shall carry a hard copy, or electronic or digitally-produced insurance identification card or insurance policy, displaying proof of current insurance, in his or her name, in each vehicle he or she operates that is licensed under the provisions of D.C. Official Code § 50-314 (2016 Supp.)

¹ The District of Columbia Taxicab Commission was renamed and re-structured as the Department of For-Hire Vehicles by the Transportation Reorganization Act of 2016, effective June 22, 2016 (D.C. Law 21-0124; 63 DCR 7076 (May 13, 2016)).

at all times. The Department may issue an administrative issuance approving the forms of digital and electronic information acceptable as proof of insurance under this subsection. Failure to have current proof of insurance in his or her possession is a violation of this section subject to the penalties provided in § 907.

Chapter 14, OPERATION OF BLACK CARS, is amended as follows:

Section 1402, OPERATING REQUIREMENTS, is amended as follows:

Subsection 1402.4 is amended to read as follows:

1402.4 Each operator shall at all times carry on his or her person, or have readily available inside the vehicle for production upon demand by a District enforcement official, the following documents:

- (1) The operator’s personal driver’s license;
- (2) The vehicle registration;
- (3) The operator's DFHV operator’s license identification card; and
- (4) An insurance card or policy, or digital or electronic version thereof, evidencing a valid and effective commercial insurance policy meeting the requirements of Chapter 9. The Department may issue an administrative issuance approving the forms of digital and electronic information acceptable as proof of insurance under this paragraph.

DEPARTMENT OF HEALTH CARE FINANCE

NOTICE OF FINAL RULEMAKING

The Director of the Department of Health Care Finance (DHCF), pursuant to the authority set forth in An Act to enable the District of Columbia (District) to receive federal financial assistance under Title XIX of the Social Security Act for a medical assistance program, and for other purposes, approved December 27, 1967 (81 Stat.744; D.C. Official Code § 1-307.02 (2016 Repl.)) and Section 6(6) of the Department of Health Care Finance Establishment Act of 2007, effective February 27, 2008 (D.C. Law 17-109; D.C. Official Code § 7-771.05(6) (2012 Repl.)), hereby gives notice of the adoption of an amendment to Chapter 65 of Title 29 (Public Welfare) of the District of Columbia Municipal Regulations (DCMR), entitled “Medicaid Reimbursement to Nursing Facilities.”

These rules reflect changes to the reimbursement methodology used for nursing facilities providing care to District Medicaid beneficiaries, and remove the annual inflation adjustment component of the nursing facility reimbursement methodology for Fiscal Year 2017 and all years thereafter in line with the District’s long term budget priorities. The aggregate impact of the elimination of the inflation adjustment is a reduction of approximately \$4,569,346 in each year from FY17 through FY21.

The corresponding State Plan Amendment (SPA) to the District of Columbia State Plan for Medical Assistance (State Plan) must be approved by the U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services (CMS) and the Council of the District of Columbia (Council). The Council approved the corresponding SPA through the Fiscal Year 2017 Budget Support Emergency Act of 2016, signed July 20, 2016 (D.C. Act 21-463; 63 DCR 009843 (July 29, 2016)). CMS approved the corresponding SPA on November 22, 2016, with an effective date of October 1, 2016.

A Notice of Emergency and Proposed Rulemaking was published in the *D.C. Register* on September 30, 2016 at 63 DCR 011919. Comments were received from the District of Columbia Health Care Association (DCHCA). DHCF carefully considered the comments received, as detailed below.

DCHCA submitted the following comments regarding the dates for which the proposed elimination adjustments are effective:

DCHCA stated that the organization did not understand the need to enact such a modification to the State Plan on a permanent basis. The commenter asserted that the 2017 budget eliminated the inflation factor for that year but does not authorize elimination for future years. DCHCA acknowledged that DHCF is working with the provider community to revise the payment methodology and that the goal is to have the revised methodology implemented in 2018, and requested that DHCF reconsider discontinuing the annual inflation adjustment for Fiscal Year 2017 until this process is complete.

Due to the budget process for District government agencies, DHCF is only allowed to operate under an approved budget for a single fiscal year at a time. The Fiscal Year 2017 Budget Support Act authorized the elimination of the annual inflation adjustments. As the commenter noted below, DHCF is in the process of overhauling the nursing facility reimbursement methodology for Fiscal Year 2018. When DHCF makes changes to State Plan pages that are reflected in corresponding rules, the changes are drafted as effective on a date certain. The changes are then superseded by subsequent updates to the State Plan and corresponding rules. Therefore, the elimination of the inflation adjustments are drafted as effective from October 1, 2016 until the Centers for Medicare and Medicaid Services (CMS) approves the State Plan Amendment (SPA) containing the new reimbursement methodology.

DCHCA submitted the following comments regarding the existing provider tax:

DCHCA stated that provider facilities pay approximately \$14.5 million annually in the form of a provider tax, and that one of the factors that led DCHCA membership to initially propose the tax was years of Medicaid under funding the care of District residents in nursing homes and years without an inflation factor to keep up with increased costs.

DHCF acknowledges the commenter's statement regarding payment of a provider tax. DHCF notes that the funds collected through the tax are primarily used to reimburse the nursing facilities subject to the tax. DHCF also recognizes that the annual inflation adjustment for each of the three (3) cost centers was eliminated from January 1, 2011 through September 30, 2013 as a result of budget constraints during that time period. However, the inflation adjustments for all three (3) cost centers were reinstated effective October 1, 2013, as budget funds were once again made available to allocate to the inflation adjustments for Fiscal Year 2014.

DCHCA submitted the following comments regarding the frequency of rebasing of the current rates:

DCHCA stated that under the current payment methodology, nursing facility costs are scheduled to be audited every three years (3) and facility rates are rebased. The commenter noted that based on the dates reflected in the current State Plan pages, the next rebasing year is 2016, and asserted that work will likely not begin on the 2016 rebasing until 2018 if at all. DCHCA stated that the 2010 rebasing had recently been completed that the 2013 rebasing had not yet begun, and that therefore rates are currently behind by six years.

DHCF recognizes the challenges in completing timely rebasing of nursing facility rates under the current reimbursement methodology, and this issue is being addressed as DHCF works with the provider community to reform the reimbursement methodology for Fiscal Year 2018 forward. DHCF notes that its nursing facility rates have in fact been finalized through Fiscal Year 2014. DHCF also notes that as the current reimbursement methodology model requires all provider appeals regarding their facility-specific rates to be resolved before new rates may be finalized, ongoing provider appeals have prevented the finalization of new rates.

DCHCA submitted the following comments regarding the purpose of including the inflation adjustors for each cost center in the reimbursement methodology:

DCHCA stated that the inflation factor is a very important piece of the current nursing facility payment methodology because it adds additional funds to help cover the added costs that occur between rebasing. As an example of added costs, the commenter cited the annual increase to the District minimum wage, which has increased from \$7.25 in 2008 to \$11.50 in 2016 and is set to be \$15.00 per hour by 2020.

DCHCA added that in addition to the added labor costs mentioned above, CMS has recently released their Final Rule on Requirements for Participation in the Medicare and Medicaid program and asserted that promulgation of the rule will add considerable additional costs to providers as they comply with the conditions of the rule.

The commenter stated that provider facilities continually operate close to the margin to provide care and the cuts to Medicare that occurred with the “Affordable Care Act” and that the loss of annual inflation adjustments could directly impact the quality of the operation and decisions made on programs and personnel.

DHCF appreciates the commenter’s concern regarding the increase in labor costs and the potential additional costs that nursing facilities may incur as a result of meeting updated requirements of 42 CFR Part 483 as reflected in the recently issued final rule. These changes are being taken into consideration as DHCF works with the provider community to create a revised reimbursement methodology that accurately reflects the costs of providing nursing facility services to District Medicaid beneficiaries in compliance with District and federal requirements. Furthermore, the current reimbursement methodology accounts for changes to District or federal requirements that impact costs by rebasing rates every three (3) years.

DCHCA submitted the following comments regarding the annual Upper Payment Limit (UPL) demonstration for nursing facility rates:

DCHCA acknowledged that DHCF must make assurances to CMS about the UPL on an annual basis. DCHCA requested that DHCF confirm that the UPL test is applied in the aggregate and not on a facility specific level. DCHCA also requested that the organization be given the opportunity to review the UPL calculation.

DHCF can confirm that the annual UPL demonstration for District Medicaid nursing facilities is performed in the aggregate and not on a facility-specific level. DHCF will share the results of the annual UPL demonstration with the provider community once it has been completed.

Following careful consideration of all comments received as detailed above, DHCF has determined that no changes to these rules are required and therefore none have been made for these final rules.

The Director adopted these rules as final on January 17, 2017, and they shall become effective on the date of publication of this notice in the *D.C. Register*.

Chapter 65, MEDICAID REIMBURSEMENT TO NURSING FACILITIES, of Title 29 DCMR, PUBLIC WELFARE, is amended as follows:

Section 6508, FINAL PER DIEM RATE CALCULATION, is amended to read as follows:

6508 FINAL PER DIEM RATE CALCULATION

6508.1 Each nursing facility's per diem rate effective January 1, 2006 shall be the sum of Subparagraphs (a), (b), and (c) as set forth below:

- (a) The nursing and resident care base year cost per diem, which shall be calculated as follows:
 - (1) Effective January 1, 2006, through September 30, 2007, the nursing and resident care base year cost per diem established pursuant to Section 6505, adjusted for inflation to March 30, 2003, using the CMS Prospective Payment System Skilled Nursing Facility Input Price Index (CMS Index).
 - (2) Effective October 1, 2007, through September 30, 2008, the nursing and resident care base year cost per diem calculated pursuant to Subsection 6508.1(a)(1), adjusted for inflation using the CMS Index for District Fiscal Years 2006, 2007, and 2008.
 - (3) Effective October 1, 2008, through September 30, 2009, the nursing and resident care base year cost per diem calculated pursuant to Subsection 6508.1(a)(2), adjusted for inflation using the CMS Index.
 - (4) Effective October 1, 2009 through December 31, 2010, the nursing and resident care base year cost per diem calculated pursuant to Subsection 6508.1(a)(3), adjusted for inflation using the CMS Index.
 - (5) Effective January 1, 2011 through September 30, 2013, the annual inflation adjustment shall be eliminated.
 - (6) Effective October 1, 2013, the nursing and resident care base year cost per diem calculated pursuant to Subsection 6508.1(a)(4), shall be annually adjusted for inflation using the CMS Index. This inflation adjustment shall not apply or be calculated for the period in which the inflation adjustment was eliminated in Subsection 6508.1(a)(5).
 - (7) Effective October 1, 2016, the annual inflation adjustment shall be eliminated.

- (b) The routine and support base year cost per diem, which shall be calculated as follows:
- (1) Effective January 1, 2006, through September 30, 2007, the routine and support base year cost per diem established pursuant to Section 6506, adjusted for inflation to March 30, 2003, using the CMS Prospective Payment System Skilled Nursing Facility Input Price Index (CMS Index).
 - (2) Effective October 1, 2007, through September 30, 2008, the routine and support base year cost per diem calculated pursuant to Subsection 6508.1(b)(1), indexed for inflation using the CMS Index.
 - (3) Effective October 1, 2008, through September 30, 2009, the routine and support base year cost per diem calculated pursuant to Subsection 6508.1(b)(2), adjusted for inflation using the CMS Index.
 - (4) Effective October 1, 2009 through December 31, 2010, the routine and support base year cost per diem calculated according to Subsection 6508.1(b)(3), adjusted for inflation using the CMS Index.
 - (5) Effective January 2011 through September 30, 2013, the annual inflation adjustment is eliminated.
 - (6) Effective October 1, 2013, the routine and support base year cost per diem calculated pursuant to Subsection 6508.1(b)(4), shall be annually adjusted for inflation using the CMS Index. This inflation adjustment shall not apply or be calculated for the period in which the inflation adjustment was eliminated in Subsection 6508.1(b)(5).
 - (7) Effective October 1, 2016, the annual inflation adjustment shall be eliminated.
- (c) The capital-related base year cost per diem, which shall be calculated as follows:
- (1) Effective January 1, 2006, through September 30, 2007, the capital-related base year cost per diem established pursuant to Section 6507 adjusted for inflation to March 30, 2003, using the CMS Prospective Payment System Skilled Nursing Facility Input Price Index (CMS Index). The inflation adjustment in this

subparagraph shall not be applied to depreciation, amortization, and interest on capital related expenditures.

- (2) Effective October 1, 2007, through September 30, 2008, the capital-related base year cost per diem calculated pursuant to Subsection 6508.1(c)(1) adjusted for inflation using the CMS Index for District Fiscal Years 2006, 2007, and 2008. The inflation adjustment in this subparagraph shall not be applied to depreciation, amortization and interest on capital-related expenditures.
- (3) Effective October 1, 2008, through September 30, 2009, the capital-related base year cost per diem calculated pursuant to Subsection 6508.1(c)(2) adjusted for inflation using the CMS Index. The inflation adjustment in this subsection shall not be applied to depreciation, amortization and interest on capital-related expenditures.
- (4) Effective October 1, 2009 through December 31, 2010, the capital-related base year cost per diem calculated pursuant to Subsection 6508.1(c)(3) adjusted for inflation using the CMS Index. The inflation adjustment in this subsection shall not be applied to depreciation, amortization and interest on capital-related expenditures.
- (5) Effective January 1, 2011 through September 30, 2013, the annual inflation adjustment is eliminated.
- (6) Effective October 1, 2013, the capital-related base year cost per diem calculated pursuant to Subsection 6508.1(c)(4), shall be annually adjusted for inflation using the CMS Index. This inflation adjustment shall not apply or be calculated for the period in which the inflation adjustment was eliminated in Subsection 6508.1(c)(5). The inflation adjustment in this subsection shall not be applied to depreciation, amortization and interest on capital-related expenditures.
- (7) Effective October 1, 2016, the annual inflation adjustment shall be eliminated.

6508.2 Effective April 1, 2006 and every six (6) months thereafter, the nursing and resident care costs per diem shall be re-calculated in accordance with Section 6505. The per diem rates established for routine and support costs and capital-related costs established pursuant to Subsection 6508.1 shall be carried forward until costs are rebased.

- 6508.3 When necessary, each facility's per diem rate shall be reduced by the same percentage to maintain compliance with the Medicare upper payment limit requirement.
- 6508.4 DHCF may approve an adjustment to the facility's per diem rate if the facility demonstrates that it incurred higher costs due to extraordinary circumstances beyond its control including but not limited to strikes, fire flood, earthquake, or similar unusual occurrences with substantial cost effects.
- 6508.5 Each adjustment pursuant to Subsection 6508.4 shall be made only to the extent the costs are reasonable, attributable to the circumstances specified, separately identified by the facility, and verified by DHCF.

DEPARTMENT OF HEALTH CARE FINANCE

NOTICE OF FINAL RULEMAKING

The Director of the Department of Health Care Finance (DHCF or the Department), pursuant to the authority set forth in An Act to enable the District of Columbia (District) to receive federal financial assistance under Title XIX of the Social Security Act for a medical assistance program, and for other purposes, approved December 27, 1967 (81 Stat.774; D.C. Official Code § 1-307.02 (2016 Repl. & 2016 Supp.)), and Section 6(6) of the Department of Health Care Finance Establishment Act of 2007, effective February 27, 2008 (D.C. Law 17-109; D.C. Official Code § 7-771.05(6) (2012 Repl.)), hereby gives notice of the adoption a new Chapter 100 of Title 29 (Public Welfare) of the District of Columbia Municipal Regulations (DCMR), entitled, “Lactation Services.”

This rule sets forth the services covered under Medicaid to promote breastfeeding of infants, including lactation consultation education and support, breast pumps and lactation supplies, and banked donor milk. These lactation services are included in “pregnancy-related services” under 42 CFR § 440.210, durable medical equipment under Section 2110(a)(12) of the Social Security Act, and Early and Periodic Screening, Diagnostic, and Treatment (EPSDT) services pursuant to Section 1905(a)(4)(B) of the Social Security Act, respectively. Extensive research studies have documented many short-term and long-term benefits of breastfeeding for both the nursing infant and mother, and the Centers for Medicare and Medicaid Services (CMS) encourages States to increase access to lactation services. The U.S. Preventive Services Task Force (USPSTF) specifically recommends coordinated interventions throughout pregnancy, birth, and infancy to increase breastfeeding initiation, duration, and exclusivity. This rule supports breastfeeding as the optimal way to feed infants. Additionally, this rule sets standards for Medicaid participation and identifies health care practitioners eligible for reimbursement of lactation services. DHCF projects an increase in aggregate expenditures of approximately \$598,923 in FY 2017.

An initial Notice of Proposed Rulemaking was published in the *D.C. Register* on September 2, 2016 at 63 DCR 011169. No comments were received and no substantive changes have been made. One technical change has been made to Subsection 10001.7 to correct the citation for the qualifications of a registered lactation consultant that is employed by or has a contract with a Federally Qualified Health Center (FQHC).

The Director has adopted these rules as final on January 17, 2017, and they shall become effective on the date of publication of this rulemaking in the *D.C. Register*.

Title 29 DCMR, PUBLIC WELFARE, is amended by adding a new Chapter 100 as follows:

CHAPTER 100 LACTATION SERVICES

- 10000 General Provisions**
- 10001 Lactation Consultation, Education, and Support**
- 10002 Breast Pumps and Lactation Supplies**

- 10003 Banked Donor Milk**
- 10004 Records**
- 10005 Reimbursement**
- 10006 Audits and Reviews**
- 10099 Definitions**

10000 GENERAL PROVISIONS

- 10000.1 These rules establish the standards and conditions of reimbursement of lactation services under the District of Columbia Medicaid Program.
- 10000.2 The provisions of this chapter governing conditions of participation for providers of lactation services shall be in support and furtherance of breastfeeding as the optimal way to feed infants.
- 10000.3 The following lactation services, included in this chapter, shall be consistent with the regulations set forth herein:
 - (a) Lactation consultation, education, and support;
 - (b) Breast pumps and lactation supplies; and
 - (c) Banked donor milk.

10001 LACTATION CONSULTATION, EDUCATION, AND SUPPORT

- 10001.1 Lactation consultation, education, and support shall mean evaluation of the mother and infant’s overall breastfeeding readiness, education on proper breastfeeding techniques, education on the proper use of a breast pump, and delivery of other necessary information and assistance to enhance breastfeeding.
- 10001.2 Lactation consultation, education, and support shall be reimbursed by the Department of Health Care Finance (DHCF) under the “pregnancy-related services” benefit, subject to any requirements set forth in the State Plan, implementing rules, and any subsequent amendments thereto.
- 10001.3 Lactation consultation, education, and support shall be covered for Medicaid-eligible women as follows:
 - (a) One (1) prenatal visit; and
 - (b) Up to six (6) visits during the sixty (60) day postpartum period. The sixty (60) day postpartum period shall be defined as beginning on the last day of pregnancy and extending through the end of the calendar month in which the sixtieth (60th) day after the end of the pregnancy falls.

- 10001.4 Reimbursable lactation consultation, education, and support may be provided in a clinic, physician's office, freestanding birth center, or in the home, by practitioners set forth under Subsection 10001.5.
- 10001.5 The following practitioners shall deliver lactation consultation, education, and support services in the settings described in Subsection 10001.4:
- (a) A certified nurse mid-wife, licensed pursuant to the District of Columbia Health Occupations Revision Act of 1985 (HORA), effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code §§ 3-1201 *et seq.* (2012 Repl. & 2015 Supp.)), Chapter 58 (Nurse-Midwives) of Title 17 of the District of Columbia Municipal Regulations (DCMR), and who demonstrates current certification by the International Board of Lactation Consultant Examiners (IBLCE) to deliver lactation consultation, education, and support; or
 - (b) A registered lactation consultant, who demonstrates current certification by the IBLCE to deliver lactation consultation, education, and support.
- 10001.6 In order for a provider under Subsection 10001.5 to receive Medicaid reimbursement, each provider shall comply with all provider screening and enrollment requirements set forth under Chapter 94 (Medicaid Provider and Supplier Screening, Enrollment, and Termination) of Title 29 DCMR. Additionally, a registered lactation consultant shall meet the following requirements, unless Subsection 10001.7 applies:
- (a) Deliver lactation consultation, education, and support only when the services are ordered and/or prescribed by a physician, nurse practitioner, or certified nurse midwife who is licensed pursuant to HORA and corresponding rules, and is screened and enrolled in accordance with Chapter 94 of Title 29 DCMR;
 - (b) Submit a copy of the order or prescription for lactation consultation, education and support with each claim that is submitted for Medicaid reimbursement; and
 - (c) Complete an orientation session on billing provided by DHCF or its agent.
- 10001.7 If a registered lactation consultant who meets the qualifications in Section 10001.5(a) is employed by or has a contract with a Federally Qualified Health Center (FQHC) to deliver lactation consultation, education, and support, and the FQHC submits claims for reimbursement to DHCF for those services in accordance with Chapter 45 (Medicaid Reimbursement for Federally Qualified Health Centers) of Title 29 DCMR, the registered lactation consultants shall not bill DHCF separately for those services.

10002 BREAST PUMPS AND LACTATION SUPPLIES

- 10002.1 Breast pumps described under Subsection 10002.3 and lactation supplies described under Subsection 10002.4 are reimbursable for mothers with infants under “durable medical equipment,” subject to any requirements set forth in the District of Columbia State Plan for Medical Assistance (State Plan), § 996 of Title 29 DCMR, and any subsequent amendments thereto.
- 10002.2 Breast pumps and lactation supplies described under Subsections 10002.3 and 10002.4 shall be reimbursable if:
- (a) The criteria set forth under Subsection 10002.3 is met;
 - (b) Prescribed by one of the following providers that has been screened and enrolled pursuant to Chapter 94 (Medicaid Provider and Supplier Screening, Enrollment, and Termination) of Title 29 DCMR and has a treatment relationship with the beneficiary or infant:
 - (1) A physician licensed pursuant to HORA and corresponding rules;
 - (2) A nurse practitioner licensed as an advanced practice registered nurse pursuant to HORA and corresponding rules; or
 - (3) A certified nurse mid-wife licensed as an advanced practice registered nurse pursuant to HORA and corresponding rules; and
 - (c) The infant is between the age of zero (0) and twelve (12) months, unless DHCF or its agent grants prior authorization when an infant is older than twelve (12) months.
- 10002.3 The following breast pumps are available to beneficiaries in accordance with Subsection 10002.2, subject to the following additional requirements:
- (a) Hospital grade, or multi-user, electric pump only available for rental through prior authorization under the following circumstances:
 - (1) A mother and infant are separated due to illness;
 - (2) A mother is unable to feed directly from the breast due to congenital anomalies;
 - (3) A mother is unable to feed directly from the breast due to the prematurity of the baby;
 - (4) A mother requires induced lactation;
 - (5) A mother requires re-lactation;

- (6) An infant is adopted; or
- (7) A mother or infant has other medical or psychological conditions that preclude effective feeding at the breast.

- (b) Individual electric breast pump for a mother who needs to maintain lactation because of separation from the infant on a regular basis, such as being employed.
- (c) Manual breast pump for a mother who needs to occasionally express milk.

10002.4 Subject to the requirements under Subsection 10002.2, the following lactation supplies shall be reimbursed by DHCF:

- (a) A maximum of two (2) breast pump kits, including tubing, valves, flanges, and collection bottles;
- (b) Nipple shields; and
- (c) Supplemental feeding tubes/devices and syringes.

10003 BANKED DONOR MILK

10003.1 Medicaid-reimbursable banked donor milk shall be provided on an outpatient basis for Medicaid-eligible mothers with infants, and shall be provided in accordance with the following requirements:

- (a) The infant is between the age of zero (0) and twelve (12) months, unless DHCF or its agent grants prior authorization when an infant is older than twelve (12) months;
- (b) The infant requires banked donor milk due to the following reasons:
 - (1) Banked donor milk is necessary for the infant to thrive because the infant is fragile, preterm, or is medically compromised, such as having a diagnosis of formula intolerance, metabolic conditions, or genetic conditions requiring human milk; and
 - (2) The mother cannot breastfeed due to illness, death, surgery, chronic condition, or drug or medication use that is contraindicated for breastfeeding;
- (c) The requesting physician is the infant’s treating physician and has documented medical necessity in accordance with Subsection 10003.2 of this chapter;

- (d) The requesting physician has discussed with the parent or guardian the benefits and risks of using banked donor milk, including infectious disease, freshness, effects of pasteurization, nutrients, and growth factors;
- (e) The requesting physician has addressed with the donated human milk bank donor screening, pasteurization, milk storage, and transport of the donated milk;
- (f) The requesting physician has provided an informed consent form that the parent or guardian has signed and dated, and indicates that the risks and benefits of using banked donor milk have been discussed with them; and
- (g) The banked donor milk is pasteurized, donated by a screened donor, and supplied by a donated human milk bank that meets the following requirements:
 - (1) Is screened and enrolled in Medicaid pursuant to the requirements set forth in Chapter 94 (Medicaid Provider and Supplier Screening, Enrollment, and Termination) of Title 29 DCMR;
 - (2) Is approved by the Human Milk Bank Association of North America (HMBANA) and meets other standards as may be adopted by DHCF;
 - (3) Adheres to guidelines set forth by HMBANA and meets other standards as may be adopted by DHCF; and
 - (4) Transports banked donor milk in a manner that protects the milk from contamination, thawing, and refreezing.

10003.2 The following documentation shall be submitted to DHCF for review and approval in order to determine the medical necessity of banked donor milk:

- (a) A Donated Human Milk Request Form that is:
 - (1) Completed and signed by the treating physician on an initial or continuing request for authorization, and specifies the quantity and time frame; and
 - (2) Completed by the donated human milk bank, and specifies the quantity and time frame;
- (b) The following written documentation from the treating physician to support a finding that banked donor milk is medically necessary for the beneficiary:

- (1) A detailed explanation of why the particular infant cannot survive and grow as expected on any other formula (*e.g.*, elemental, special, or routine formulas or food) or any enteral nutritional product other than donor human milk;
- (2) A detailed explanation of why donated human milk must be used to correct or ameliorate a documented condition or defect; and
- (3) Documentation that the infant participated in a clinical feeding trial of an appropriate nutritional product every one hundred eighty (180) days. If the infant is too fragile for a feeding trial, documentation must support the illness that makes the infant too fragile to test; and

(c) The informed consent that identifies the risks and benefits for the parent or guardian of using banked donor milk.

10003.3 A request for authorization for banked donor milk shall be completed, signed, and submitted to DHCF by the treating physician every ninety (90) days, and shall expire upon the infant's first birthday.

10004 RECORDS

10004.1 Each provider shall maintain complete and accurate records reflecting the specific lactation services ordered and provided to each beneficiary. Additionally, the ordering physician of donated human milk and the donated human milk bank shall each maintain copies of the Donated Human Milk Request form.

10004.2 Each provider shall permit reviews and on-site inspections to be conducted by CMS, its agents, DHCF and its agents to determine provider compliance with all applicable laws.

10004.3 Each provider shall maintain, and make available upon request by authorized federal and local Medicaid personnel, complete financial records covering its operations.

10004.4 All financial and treatment records and information shall be maintained for a period of at least ten (10) years following the date of treatment for which a claim for reimbursement was made or when all audits or investigations have been completed, whichever is longer.

10004.5 Each provider shall comply with the terms of its Medicaid Provider Agreement with respect to the maintenance of all beneficiary and financial records.

10004.6 All medical records shall be maintained in accordance with the Health Insurance Protection and Affordability Act of 1996 (HIPAA), effective August 21, 1996 (Pub. L. 104-191, 110 Stat. 1936) and the Health Information Technology for Economic and Clinical Health Act of 2009 (HITECH), enacted under Title XIII of Division A and Title IV of Division B of the American Recovery and Reinvestment Act of 2009 (ARRA) (Pub.L. 111-5).

10005 REIMBURSEMENT

10005.1 Each provider shall comply with the requirements set forth in Chapter 14 (Health-Care Assistance Reimbursement) of Title 29 DCMR.

10005.2 DHCF shall establish fees and reimbursement for only those services outlined in Subsections 10001 through 10003. Reimbursement for lactation services shall be made according to the District of Columbia Medicaid fee schedule available online at <http://www.dc-medicaid.com>.

10006 AUDITS AND REVIEWS

10006.1 DHCF shall perform audits to ensure that Medicaid payments are consistent with efficiency, economy, and quality of care and made in accordance with federal and District rules governing Medicaid.

10006.2 Each Provider shall allow access to relevant records and program documentation upon request and during an on-site audit or review by DHCF, other District of Columbia government officials and representatives of the United States Department of Health and Human Services (HHS).

10099 DEFINITIONS

10099.1 When used in this chapter, the following terms and phrases shall have the meanings ascribed:

Breast pump - A device used to extract breast milk from a lactating mother. The following are breast pumps for the purposes of this chapter:

- (a) **Hospital grade electric breast pump** - A breast pump with high levels of suction and pressure that are typically larger and heavier than other breast pumps.
- (b) **Individual electric breast pump** - A breast pump that typically runs on batteries or household current, and is typically lightweight and compact.
- (c) **Manual breast pump** - A breast pump that does not run on electricity and allows the user to produce the suction and control

the pressure exerted from the pump.

Induced lactation - The process of making milk without going through pregnancy and birth.

Nipple shields - A cover which a mother places over her nipple prior to breastfeeding.

Pregnancy-related services - Services that are necessary for the health of the pregnant woman and fetus, or that have become necessary as a result of the woman having been pregnant.

Re-lactation - The process of rebuilding milk supply when it has reduced significantly or is not of sufficient quantity to sustain the baby, after weeks or months of not breastfeeding.

Supplemental lactation aides - a device that allows a breastfeeding mother to supplement the infant with expressed breast milk.

DISTRICT DEPARTMENT OF TRANSPORTATION

NOTICE OF FINAL RULEMAKING

The Director of the District Department of Transportation (“Department”), pursuant to the authority set forth in Section 103 of the Urban Forest Preservation Act of 2002, effective June 12, 2003 (D.C. Law 14-309; D.C. Official Code § 8-651.03 (2013 Repl.)), Sections 4(5)(A) (assigning authority to coordinate and manage public space permits and records to the Department Director), 5(a)(4)(A) (assigning duty to review and approve public space permit requests to the Department Director), 6(b) (transferring the public right-of-way maintenance function previously delegated to the Department of Public Works (DPW) under Section III (F) of Reorganization Plan No. 4 of 1983 to the Department), and 9j (rulemaking authority) of the Department of Transportation Establishment Act of 2002 (“DDOT Establishment Act”), effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code §§ 50-921.03(5)(A), 50-921.04(a)(4)(A), 50-921.05(b), and 50-921.18 (2014 Repl. & 2016 Supp.)), Section 604 of the Fiscal Year 1997 Budget Support Act of 1996, effective April 9, 1997 (D.C. Law 11-198; D.C. Official Code § 10-1141.04 (2013 Repl. & 2016 Supp.)) (authorizing rules concerning rental of public space), and Mayor’s Order 2016-5, dated January 12, 2016, hereby gives notice of the adoption of the following amendment to Chapter 1 (Occupation and Use of Public Space) of Title 24 (Public Space and Safety) of the District of Columbia Municipal Regulations (DCMR).

The final rulemaking amends the regulations in Title 24 DCMR, Chapter 1, governing the beautification of tree spaces. The rulemaking requires a permit to plant a tree in a tree space, install any structure in a tree space, or install or modify a tree fence in a tree space; makes explicit the District of Columbia’s authority to remove either permitted or unpermitted trees planted in tree spaces; makes explicit in this chapter the requirement that an owner or occupant keep the tree space adjacent to his or her property free of refuse; prohibits plantings from being placed too close to the base of a tree; expands the list of prohibited plant types and ground cover types; prohibits solid barriers and certain types of borders around tree spaces; specifies the type of fencing that qualifies for a tree fence permit; incorporates by reference Subsection 608.06 of the District of Columbia Department of Transportation Standard Specifications for Highways and Structures (2013) and drawing number 608.13 of the District of Columbia Department of Transportation Standard Drawings (August 2015) with respect to the standards specified in both documents for tree fences; and makes explicit the authority of District of Columbia (“District”) employees or contractors authorized by the District government to remove a non-compliant or hazardous tree space beautification.

A Notice of Proposed Rulemaking was published in the *D.C. Register* on September 2, 2016, at 63 DCR 11184.

DDOT received three public comments. Each of the commenters requested clarification of or to Section 109. One commenter indicated support for Section 109 as it would contribute to fostering conditions for a vigorous and well-managed community forest. One commenter requested changes to Section 109 related to mulch, fence heights, and clearances for large shrubs; however, DDOT is retaining the provisions as published for policy reasons based on tripping hazards and to protect trees and the District’s canopy.

One comment disagreed with the restrictive nature of allowable tree fences based on high pricing as well as a need for temporary alternatives. However, a second commenter supported Subsections 109.9 and 109.10 as appropriate and contributing to a vigorous and well-managed community forest. DDOT is not changing the language as proposed as it is in line with best practices to help keep street trees healthy and installing non-compliant fences can damage roots, bark, or cause other damage to street trees.

One comment referenced the relationship between this rulemaking and changes made pursuant to the Tree Canopy Protection Amendment Act of 2015 (D.C. Law 21-0133). These regulations do not stem from the Tree Canopy Protection Act of 2015. As a result, the requested changes to the proposed regulations based on the Tree Canopy Protection Act of 2015 are outside the scope of this regulation. DDOT has removed all changes to Chapter 37 and will include those changes with a rulemaking that will soon be published related to the Tree Canopy Protection Amendment Act of 2016, effective July 1, 2016 (D.C. Law 21-133; 63 DCR 7134 (May 13, 2016)).

DDOT thoroughly reviewed and considered each of the comments received and determined that no substantive changes to the rulemaking are needed. Therefore no substantive changes were made to the text of the proposed rulemaking.

The Director adopted this rulemaking as final on November 3, 2016 and it shall become effective upon publication of this notice in the *D.C. Register*.

Chapter 1, OCCUPATION AND USE OF PUBLIC SPACE, of Title 24 DCMR, PUBLIC SPACE AND SAFETY, is amended as follows:

Section 109, BEAUTIFICATION OF TREE SPACES, is amended to read as follows:

109 BEAUTIFICATION OF TREE SPACES

- 109.1 The regulations contained in this section apply to the unpaved area of the sidewalk, which is reserved by the District government for planting trees and is referred to in this section as “tree space”.
- 109.2 The owner or occupant of property adjacent to a tree space is responsible for keeping the tree space clean and free of refuse pursuant to 21 DCMR § 702.
- 109.3 The beautification of a tree space shall not require a public space permit unless the beautification includes the planting of a tree, the installation of any structure, or the installation or modification of a tree fence. Tree Space beautification activities that do not require a permit must comply with the requirements of this section and any other applicable law or regulation.
- 109.4 The beautification of a tree space may only be undertaken by the owner or occupant of the property that abuts the tree space, provided:

- (a) The tree space beautification shall be undertaken solely at the personal risk and expense of that owner or occupant; and
- (b) Such care and keeping of the tree space beautification shall remain the responsibility of that owner or occupant.

109.5 The beautification of a tree space shall not extend:

- (a) Over the curb or the sidewalk;
- (b) Within three feet (3 ft.) of a crosswalk or paved bus stop landing;
- (c) Within six feet (6 ft.) of an entrance to an alley;
- (d) Within six feet (6 ft.) of a street corner;
- (e) Within two feet (2 ft.) from the base of an existing street tree; or
- (f) Within four feet (4 ft.) of a parking meter or a fire hydrant.

109.6 In a continuous tree space, tree space beautification areas shall be not more than nine feet (9 ft.) long, and at least six feet (6 ft.) shall separate each beautified area.

109.7 The grade of a tree space shall not be altered in conjunction with a tree space beautification effort, except with mulch spread to a depth of two to three inches (2 – 3 in.), but not placed directly against or mounded at the base of the tree.

109.8 The use of the following as ground cover is prohibited:

- (a) Gravel, rocks, bricks, stone, or concrete pavers or any other paving material, except as authorized by a public space permit; or
- (b) Any type of landscape fabric or plastic sheeting.

109.9 To protect the health of the tree and the environment, no person shall plant or maintain any of the following plant types in a tree space:

- (a) Plants having a deep root system;
- (b) Any plant whose mature height is over eighteen inches (18 in.);
- (c) Any vegetables;
- (d) Any plants which spread by way of subsurface shoots or runners; or
- (e) Any plants which climb or intertwine.

- (f) Any invasive plant species.
- 109.10 To protect the safety of the public and the health of the tree, the use of wickets; hoop-style fencing; fencing having sharp points; or raised wooden, brick, stone or masonry borders, edging, or walls of any kind to border a tree space is prohibited.
- 109.11 Notwithstanding § 109.10, a tree fence, border, or edging existing on June 1, 2016, that was consistent with the version of these rules in effect on May 30, 2016 may remain until such time as it is removed by the owner or occupant of the property which abuts the tree space or by District government employees or contractors authorized by the District government.
- 109.12 A tree space may be bordered by a tree fence which shall:
- (a) Only be installed as authorized by a valid public space permit issued by the Director of the District Department of Transportation;
 - (b) Meet or exceed the District's specifications for an ornamental tree fence found in § 608.06 of the District of Columbia Department of Transportation Standard Specifications for Highways and Structures (2013), as such specifications are amended from time to time (DDOT Standard Specifications) available at <http://ddot.dc.gov/page/standard-specifications-highways-and-structures>;
 - (c) Be assembled and installed as shown on the ornamental tree fence drawing number 608.13 found in the District of Columbia Department of Transportation Standard Drawings (August 2015) as such standard drawings are revised from time to time (DDOT Standard Drawings) available at <http://ddot.dc.gov/page/standard-drawings-2015>; and
 - (d) Not restrict the flow of rainwater runoff from the sidewalk into the tree space.
- 109.13 Notwithstanding § 109.12, a tree space may be bordered by a tree fence of an alternate design if it meets all of the following:
- (a) The design allows the unrestricted flow of rainwater runoff from the sidewalk into the tree space;
 - (b) The material, fabrication and installation specifications are reasonably consistent with those required by the DDOT Standard Specifications, for an ornamental tree fence;
 - (c) The tree fence is designed to only border the tree space on the three (3) sides that do not abut the curb line;

- (d) The tree fence is designed to have side panels which are set back at least fourteen inches (14 in.) from the vertical face of the roadway curb as shown on the drawings in Subsection 608.13 for an ornamental tree fence as found in the DDOT Standard Drawings; and
 - (e) The height of the tree fence shall be approximately eighteen inches (18 in.) tall as measured from the sidewalk or curb elevation.
- 109.14 The District government may enter a tree space without the permission of the owner or occupant of the property that abuts the tree space.
- 109.15 A tree space beautification may be destroyed or removed and disposed of by the District government or its agents, if destruction or removal and disposal is necessary for the following construction, repair, or maintenance activities:
- (a) Street construction or reconstruction;
 - (b) Curb and gutter construction, reconstruction or repair;
 - (c) Sidewalk construction or reconstruction;
 - (d) Tree removal or planting; or
 - (e) Modification to the tree space, including, but not limited to the following:
 - (i) Expanding the tree space; and
 - (ii) Altering the grade and soil condition prior to a tree planting.
- 109.16 A tree space beautification that is not in compliance with this section, and that is hazardous to the public or the health of the tree, as determined by the Director of the District Department of Transportation, may be removed and disposed of by District government employees or contractors.
- 109.17 This section shall not be construed to supersede the provisions of Chapter 11 (Downtown Streetscape) of Title 24 of the District of Columbia Municipal Regulations.

Section 199, DEFINITIONS, is amended as follows:

New definitions are added to Subsection 199.1 to read as follows:

Invasive Plant Species – one of the following plants:
Grasses and Sedges

Bamboos (*Bambusa vulgaris*, *Phyllostachys aurea* and *Pseudosasa japonica*)
Bog Bulrush (*Schoenoplectus mucronatus*)
Common Reed (*Phragmites australis*)
Japanese Stiltgrass (*Microstegium vimineum*)
Wavyleaf Basketgrass (*Oplismenus hirtellus* ssp. *undulatifolius*)

Herbaceous Forbs

Beefsteak Plant (*Perilla frutescens*)
Canada Thistle (*Cirsium arvense*)
Chinese Lespedeza (*Lespedeza cuneata*)
Common Daylily (*Hemerocallis fulva*)
Dame's Rocket (*Hesperis matronalis*)
European Stinging Nettle (*Urtica dioica*)
Fig Buttercup (*Ficaria verna*)
Garlic Mustard (*Alliaria petiolata*)
Ground Ivy (*Glechoma hederacea*)
Japanese Knotweed (*Fallopia japonica*)
Nodding Star of Bethlehem (*Ornithogalum nutans*) and Sleepydick (*Ornithogalum umbellatum*)
Purple Loosestrife (*Lythrum salicaria*)
Spotted Knapweed (*Centaurea stoebe* ssp. *micranthos*)

Shrubs and Subshrubs

Amur Honeysuckle (*Lonicera maackii*)
Autumn Olive (*Elaeagnus umbellata*)
Japanese Barberry (*Berberis thunbergii*)
Japanese Meadowsweet (*Spiraea japonica*)
Linden Viburnum (*Viburnum dilatatum*)
Morrow's Honeysuckle (*Lonicera morrowii*)
Multiflora Rose (*Rosa multiflora*)
Privets (*Ligustrum obtusifolium*, *L. ovalifolium*, *L. sinense* and *L. vulgare*)
Wineberry (*Rubus phoenicolasius*)
Winged Burning Bush (*Euonymus alatus*)

Vines

Black Swallow-Wort (*Cynanchum louiseae*)
Chinese Wisteria (*Wisteria sinensis*)
Chocolate Vine (*Akebia quinata*)
Common Periwinkle (*Vinca minor*)
English Ivy (*Hedera helix*)
Japanese Honeysuckle (*Lonicera japonica*)
Japanese Hop (*Humulus japonicus*)
Japanese Wisteria (*Wisteria floribunda*)
Kudzu (*Pueraria montana* var. *lobata*)
Mile-a-Minute (*Persicaria perfoliata*)

Oriental Bittersweet (*Celastrus orbiculatus*)
Pale Swallow-Wort (*Cynanchum rossicum*)
Porcelainberry (*Ampelopsis brevipedunculata*)
Sweet Autumn Virginsbower (*Clematis terniflora*)
Winter Creeper (*Euonymus fortunei*)

Sidewalk – the portion of the surface space located between the curb line and the building line intended for the use of pedestrians.

Tree fence – a low enclosure of an open design that separates the sidewalk from the tree space and is designed and constructed in accordance with DDOT guidelines.

Tree space – an unpaved portion of the sidewalk that is reserved by the District government for the planting of a tree.

Tree space beautification – a visual improvement made to a tree space using live plant materials other than trees, such as grass, tropical flowers, or other shallow rooted plants having decorative flowers or foliage.

DEPARTMENT OF FOR-HIRE VEHICLES

NOTICE OF FOURTH EMERGENCY RULEMAKING

The Director of the Department of For-Hire Vehicles¹ (“Department” or “DFHV”), pursuant to the authority set forth in Sections 8(c) (3), (7), (19) and (20), 20a, and 20g, of the District of Columbia Taxicab Commission Establishment Act of 1985 (“Establishment Act”), effective March 25, 1986, effective March 10, 2015 (D.C. Law 6-97; D.C. Official Code §§ 50-301.07(c) (3), (7), (19) and (20), 50-301.20, and 50-301.26 (2014 Repl. & 2016 Supp.)), hereby gives notice of the adoption, on an emergency basis, of amendments to Chapter 4 (Taxicab Payment Service Providers) of Title 31 (Taxicabs and Public Vehicles For Hire) of the District of Columbia Municipal Regulations (DCMR).

This fourth emergency rulemaking establishes the amount of the payment service provider (PSP) surcharge bond; it is identical in language to a proposed rulemaking approved by the Commission, on October 14, 2015. Current regulations require PSPs to maintain a bond to ensure the payment to the District of the passenger surcharges collected through approved modern taximeter systems (MTSs). The regulations do not establish, however, the amount of the bond. There is an immediate need to preserve and promote the safety and welfare of District residents by ensuring that the amount of the bond is clearly established in the Department’s regulations, to eliminate the possibility of confusion among these stakeholders about this requirement for both: (1) renewal applications of all current PSPs are currently pending before the Department; and (2) new applicants may submit applications as PSPs at any time.

An identical emergency rulemaking was adopted by the Commission on December 9, 2015 and took effect immediately. The emergency rulemaking remained in effect for one hundred and twenty (120) days after the date of adoption, expiring April 6, 2016 and was published in the *D.C. Register* on May 20, 2016 at 63 DCR 007719. An identical second emergency rulemaking was adopted by the Commission on April 13, 2016 and took effect immediately. The second emergency rulemaking remained in effect for one hundred and twenty (120) days after adoption expiring on August 11, 2016. An identical third emergency rulemaking was adopted by the Department on August 11, 2016 and took effect immediately. The third emergency rulemaking remained in effect for one hundred and twenty (120) after adoption expiring on December 9, 2016.

This fourth emergency rulemaking was adopted by the Department on December 9, 2016 and took effect immediately. This fourth emergency rulemaking will remain in effect for one hundred and twenty (120) days after the date of adoption, expiring April 8, 2017.

Chapter 4, TAXICAB PAYMENT SERVICE PROVIDERS, of Title 31 DCMR, TAXICABS AND PUBLIC VEHICLES FOR HIRE, is amended as follows:

¹ The District of Columbia Taxicab Commission was renamed and re-structured as the Department of For-Hire Vehicles by the Transportation Reorganization Act of 2016, effective June 22, 2016 (D.C. Law 21-0124; 63 DCR 7076 (May 13, 2016)).

Section 403, PROPOSED MODERN TAXIMETER SYSTEMS – APPLICATIONS BY PSPS, is amended as follows:

The title of Section 403, PROPOSED MODERN TAXIMETER SYSTEMS – APPLICATIONS BY PSPS, is amended to read as follows:

403 APPLICATIONS

Subsection 403.3 is amended to read as follows:

403.3 Each application shall be made under penalty of perjury, and shall be accompanied by an application fee of five thousand dollars (\$5,000) and by a surcharge bond of one hundred thousand dollars (\$100,000).

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2017-011
January 17, 2017

SUBJECT: Reappointment –Chesapeake Bay Scientific and Technical Advisory Committee


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.), in accordance with the Chesapeake Bay Agreement of December 9, 1983, as amended (signed by the Mayor of the District of Columbia, the Governors of Virginia, Pennsylvania and Maryland, the Chesapeake Bay Commission, and the United States Environmental Protection Agency), and pursuant to Article III, Section A(5)(a) of the Scientific and Technical Advisory Committee Bylaws and Operational Guidelines, it is hereby **ORDERED** that:

1. **HAMID KARIMI** is reappointed as a public member of the Chesapeake Bay Scientific and Technical Advisory Committee, for a term to end May 1, 2020.
2. **EFFECTIVE DATE:** This Order shall become effective immediately.



MURIEL BOWSER
MAYOR

ATTEST: 

LAUREN C. VAUGHAN
SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA**ADMINISTRATIVE ISSUANCE SYSTEM**

Mayor's Order 2017-012
January 17, 2017

SUBJECT: Reappointments and Appointments - District of Columbia Water and Sewer Authority Board of Directors

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 204 of the Water and Sewer Authority Establishment and Department of Public Works Reorganization Act of 1996, effective April 18, 1996 (D.C. Law 11-111; D.C. Official Code § 34-2202.04 (2012 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. **ELLEN BOARDMAN**, pursuant to the District of Columbia Water and Sewer Authority Board of Directors Ellen Boardman Confirmation Resolution of 2016, effective December 20, 2016, Resolution 21-0724, is reappointed as a principal member of the District of Columbia Water and Sewer Authority Board of Directors, for a term to end September 12, 2020.
2. **ANTHONY GIANCOLA**, pursuant to the District of Columbia Water and Sewer Authority Board of Directors Anthony Giancola Confirmation Resolution of 2016, effective December 20, 2016, Resolution 21-0722, is appointed as an alternate member of the District of Columbia Water and Sewer Authority Board of Directors, replacing Terry Bellamy, for a term to end September 12, 2019.
3. **EMILE THOMPSON**, pursuant to the District of Columbia Water and Sewer Authority Board of Directors Emile Thompson Confirmation Resolution of 2016, effective December 20, 2016, Resolution 21-0723, is appointed as a principal member of the District of Columbia Water and Sewer Authority Board of Directors, replacing Obiora Menkiti, for a term to end September 12, 2020.
4. **TOMMY WELLS**, pursuant to the District of Columbia Water and Sewer Authority Board of Directors Tommy Wells Confirmation Resolution of 2016, effective December 20, 2016, Resolution 21-0725, is appointed as a principal member of the District of Columbia Water and Sewer Authority Board of Directors, replacing Robert Mallett, for a term to end September 12, 2020.

- 5. The following persons are reappointed to the District of Columbia Water and Sewer Authority Board of Directors, representing Montgomery County, Maryland, pursuant to the recommendation of Isiah Leggett, Montgomery County Executive, for terms to end May 31, 2020:
 - a. **TIMOTHY FIRESTINE** as a principal member
 - b. **BONNIE KIRKLAND** as an alternate member

- 6. **EFFECTIVE DATE:** Section 1, 2, 3, and 4 of this Order shall be effective *nunc pro tunc* to December 20, 2016. Section 5 of this Order shall be effective *nunc pro tunc* to October 25, 2016.



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 2017-013
January 17, 2017

SUBJECT: Appointments – Mayor's Interfaith Council


ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(2) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2) (2016 Repl.), and in accordance with Mayor's Order 2011-110, dated June 20, 2011, it is hereby **ORDERED** that:

1. The following persons are appointed as voting members to the Mayor's Interfaith Council for terms to end July 29, 2019:
 - a. **MICHAEL D. SCOTT**, filling a vacant position
 - b. **Rev. DONALD ISAAC**, replacing Rev. Lionel Edmonds.
2. **EFFECTIVE DATE:** Section 1(a) of this Order shall be effective *nunc pro tunc* to June 23, 2016. Section 1(b) of this Order shall be effective *nunc pro tunc* to July 18, 2016.



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 2017-014
January 18, 2017

SUBJECT: Reappointments and Appointment — State Early Childhood Development Coordinating Council


ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(2) of the District of Columbia Home Rule Act of 1973, approved December 24, 1973 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2) (2016 Repl.), and pursuant to section 107 of the Pre-K Enhancement and Expansion Amendment Act of 2008, effective March 8, 2011, D.C. Law 18-285, D.C. Official Code § 38-271.07 (2012 Repl.), it is hereby **ORDERED** that:

1. The following persons are reappointed as to the State Early Childhood Development Coordinating Council ("**Coordinating Council**") for terms to end May 9, 2018:
 - a. **MARIA GOMEZ**, as a representative of a community-based organization;
 - b. **FRANCESS ROLLINGS**, as a representative of a community-based organization;
 - c. **SEAN COMPAGNUCCI**, as a representative of public schools;
 - d. **STACEY COLLINS**, as a representative of the business community;
 - e. **DANA JONES**, as a representative of Head Start;
 - f. **PATRICIA STONESIFER**, as a representative of a community-based organization;
 - g. **JENNIFER LOCKWOOD-SHABAT**, as a representative of the philanthropic community;
 - h. **CARRIE THORNHILL**, as a representative of an early childhood advocacy organization;

- i. **ELIZABETH GROGINSKY**, as a member representing an additional category identified by the Coordinating Council as necessary or appropriate; and
 - j. **LEE BEERS**, as a member representing an additional category identified by the Coordinating Council as necessary or appropriate, and as Chair.
2. **MYRNA PERALTA** is appointed as the director of the entity designated as the state resource and referral agency member of the Council, replacing Renata Claros, to serve at the pleasure of the Mayor.
3. **EFFECTIVE DATE:** This Order shall become effective immediately.


MURIEL BOWSER
MAYOR

ATTEST: 
LAUREN C. VAUGHAN
SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM


Mayor's Order 2017-015
January 18, 2017

SUBJECT: Appointments — Metropolitan Washington Regional Ryan White Planning Council


ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by sections 422(2) and (11) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2) and (11) (2016 Repl.), pursuant to §§ 2602(a)(1) and (b)(1) of the Public Health Service Act, as amended by § 101 of the Ryan White Comprehensive AIDS Resources Emergency Act of 1990, approved August 18, 1990, 104 Stat. 576, 42 U.S.C. 300ff-12(a)(1) and (b)(1), and pursuant to Mayor's Order 2016-001, dated January 8, 2016, it is hereby **ORDERED** that:

1. The following persons are appointed as *ex-officio*, non-voting District government members of the Metropolitan Washington Regional Ryan White Planning Council, filling vacant seats, and shall serve at the pleasure of the Mayor:
 - a. **TRINA DUTTA**, representing the District Department of Health Care Finance.
 - b. **MAJORIE COOPER-SMITH**, representing the District Department of Behavioral Health.
2. **EFFECTIVE DATE:** This Order shall become effective immediately.



MURIEL BOWSER
MAYOR

ATTEST: 
 LAUREN C. VAUGHAN
 SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

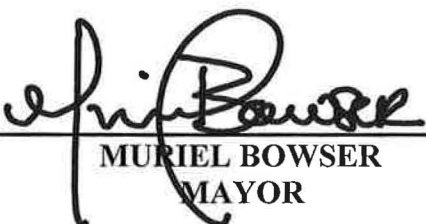
Mayor's Order 2017-016
January 18, 2016

SUBJECT: Appointment — Police and Firefighters Retirement and Relief Board


ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by sections 422(2) and (11) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2) and (11) (2016 Repl.), and in accordance with section 122 of An Act To increase compensation for District of Columbia policemen, firemen, and teachers; to increase annuities payable to retired teachers in the District of Columbia; to establish an equitable tax on real property in the District of Columbia; to provide for additional revenue for the District of Columbia; and for other purposes, approved September 3, 1974, Pub. L. 93-407, D.C. Official Code § 5-722 (2012 Repl. and 2016 Supp.), it is hereby **ORDERED** that:

1. **JUSTIN ZIMMERMAN**, is appointed as a member of the Police and Firefighters Retirement and Relief Board ("**Board**"), representing the District of Columbia Department of Human Resources, replacing Margaret Radabaugh, and shall serve in that capacity at the pleasure of the Mayor.
2. **JUSTIN ZIMMERMAN**, is appointed as Chairperson of the Board, replacing Pamela Brown, and shall serve in that capacity at the pleasure of the Mayor.
3. **EFFECTIVE DATE:** This Order shall become effective immediately.



MURIEL BOWSER
MAYOR

ATTEST: 

LAUREN C. VAUGHAN
SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA**ADMINISTRATIVE ISSUANCE SYSTEM**

Mayor's Order 2017-017
January 18, 2017

SUBJECT: Amendment and Appointment — Historic Preservation Review Board

ORIGINATING AGENCY: Office of the Mayor


By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(2) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2) (2016 Repl.), pursuant to Mayor's Order 83-119, dated May 6, 1983, pursuant to section 4 of the Historic Landmark and Historic Protection Act of 1978, effective March 3, 1979, D.C. Law 2-144; D.C. Official Code § 6-1103 (2012 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. Section 1 of Mayor's Order 2016-186, dated December 2, 2016, is amended by striking the phrase "licensed interior designer" and inserting the phrase "architectural historian" in its place.
2. **MARNIQUE HEATH**, pursuant to the District of Columbia Historic Preservation Review Board Marnique Heath Confirmation Resolution of 2016, effective December 6, 2016, Res. 21-668, is appointed as a public member of the District of Columbia Historic Preservation Review Board, replacing Charles Wilson, for a term to end July 21, 2018.
3. **OUTERBRIDGE HORSEY**, pursuant to the District of Columbia Historic Preservation Review Board Outerbridge Horsey Confirmation Resolution of 2016, effective December 20, 2016, Res. 21-704, is appointed as a public member of the District of Columbia Historic Preservation Review Board, replacing Nancy Metzger, for a term to end July 21, 2019.
4. **MARNIQUE HEATH** is appointed Chairperson of the Historic Preservation Review Board, and shall serve in that capacity at the pleasure of the Mayor.

5. **EFFECTIVE DATE:** This Order shall be effective *nunc pro tunc* to the confirmation date of each appointee. Section 4 of 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 2017-018
January 18, 2017

SUBJECT: Appointment — Corrections Information Council

ORIGINATING AGENCY: Office of the Mayor


By virtue of the authority vested in me as Mayor of the District of Columbia 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 11201 of the National Capital Revitalization and Self-Government Improvement Act of 1977, effective October 2, 2010, D.C. Law 18-233; D.C. Official Code § 24-101.01 (2016 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. **CHARLES THORNTON**, pursuant to the Corrections Information Council Governing Board Charles Thornton Confirmation Resolution of 2016, effective November 15, 2016, Resolution 21-0660, is appointed as a member, replacing Samuel Whittaker, for a term to end June 7, 2017.
2. **CHARLES THORNTON**, is appointed as Chairperson of the Corrections Information Council, and shall serve in that capacity at the pleasure of the Mayor.
3. **EFFECTIVE DATE:** This Order shall be effective *nunc pro tunc* to November 15, 2016.



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 2017-019
January 18, 2017

SUBJECT: Appointments—Child Fatality Review Committee

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 of 1973, approved December 24, 1973 (87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2) (2016 Repl.)), and in accordance with section 4604 of the Child Fatality Review Committee Establishment Act of 2001, effective October 3, 2001 (D.C. Law 14-28, D.C. Official Code § 4-1371.04 (2012 Repl. and 2016 Supp.)), it is hereby **ORDERED** that:

1. The following persons are appointed as members of the Child Fatality Review Committee, and shall serve only while employed in their official position, and shall serve at the pleasure of the Mayor:
 - a. **ADAM BACKELS**, as a representative of the District of Columbia Public Schools, replacing Andrea Allen.
 - b. **COMMANDER LESLIE PARSONS**, as a representative of the Metropolitan Police Department, replacing Commander Robert Alder.
 - c. **CORY CHANDLER**, as a representative of the Child and Family Services Agency, filling a vacant seat.
 - d. **SERGEANT KEITH BATTON**, as a representative of the Metropolitan Police Department, filling a vacant seat.
 - e. **YULIANA DEL ARROYO**, as a representative of Office of the State Superintendent of Education, filling a vacant seat.

2. **EFFECTIVE DATE:** This Order shall become effective immediately.



MURIEL BOWSER
MAYOR

ATTEST: 

LAUREN C. VAUGHAN
SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2017-020
January 18, 2017

SUBJECT: Appointment – Acting Director, Office of Returning Citizen Affairs

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 Supp.)), pursuant to the Office on Ex-Offender Affairs and Commission on Re-Entry and Ex-Offender Affairs Establishment Act of 2006, approved March 8, 2007 (D.C. Law 16-243; D.C. Official Code § 24-1302) (2016 Supp.)), and Mayor's Order 2012-31, dated February 28, 2012, it is hereby **ORDERED** that:

1. **BRIAN FERGUSON** is appointed Acting Director, Office on Returning Citizens Affairs, and shall serve in that capacity at the pleasure of the Mayor.
2. This Order supersedes Mayor's Order 2015-053, dated January 29, 2015.
3. **EFFECTIVE DATE:** This Order shall be effective *nunc pro tunc* to September 12, 2016.



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, FEBRUARY 1, 2017
2000 14TH STREET, N.W., SUITE 400S
WASHINGTON, D.C. 20009

Donovan W. Anderson, Chairperson
Members: Nick Alberti, Mike Silverstein,
James Short, Mafara Hobson, Jake Perry

Protest Hearing (Status) **9:30 AM**
Case # 16-PRO-00118; La Kabah, LLC, t/a Aura Lounge (formerly Marrakach Restaurant), 2147-2179 P Street NW, License #90204, Retailer CT, ANC 2B
Application to Renew the License

Protest Hearing (Status) **9:30 AM**
Case # 16-PRO-00117; 1716 I, LLC, t/a Eye Bar/Garden of Eden, 1716 I Street NW, License #83133, Retailer CN, ANC 2B
Application to Renew the License

Protest Hearing (Status) **9:30 AM**
Case # 16-PRO-00109; The Fireplace Restaurant, Inc., t/a The Fireplace, 2161 P Street NW, License #14419, Retailer CT, ANC 2B
Application to Renew the License

Protest Hearing (Status) **9:30 AM**
Case # 16-PRO-00110; Family, LLC, t/a MK Lounge & Restaurant, 1930 9th Street NW, License #88787, Retailer CT, ANC 1B
Application to Renew the License

This hearing has been continued to February 15, 2017 at 9:30 am.

Protest Hearing (Status) **9:30 AM**
Case # 16-PRO-00113; TMI International, Inc., t/a Sip, 1812 Hamlin Street NE License #95164, Retailer CT, ANC 5C
Application to Renew the License

Board's Calendar
February 1, 2017

Protest Hearing (Status) **9:30 AM**
Case # 16-PRO-00114; 1624 U Street, Inc., t/a Chi-Cha Lounge, 1624 U Street NW, License #26519, Retailer CT, ANC 2B
Application to Renew the License

Protest Hearing (Status) **9:30 AM**
Case # 16-PRO-00116; Green Island Heaven & Hell, Inc., t/a Green Island Café/Heaven & Hell (The), 2327 18th Street NW, License #74503, Retailer CT ANC 1C
Application to Renew the License

Show Cause Hearing (Status) **9:30 AM**
Case # 16-CMP-00634; Miso Hungry, Inc., t/a Sushi Go Round & Tapas, 705 7th Street NW, License #71110, Retailer CR, ANC 2C
No ABC Manager on Duty

Fact Finding Hearing* **9:30 AM**
Domaine DC, LLC
4221 Connecticut Ave NW
Request to Renew the Storage Facility Permit

Show Cause Hearing* **10:00 AM**
Case # 16-251-00125, 1215 CT, LLC, t/a Rosebar Lounge, 1215 Connecticut Ave NW, License #77883, Retailer CT, ANC 2B
Failed to Follow Security Plan

Show Cause Hearing* **11:00 AM**
Case # 16-CMP-00116; Brilliant, LLC, t/a Flash, 645 Florida Ave NW License #90823, Retailer CT, ANC 1B
No ABC Manager on Duty (Two Counts)

Show Cause Hearing* **11:00 AM**
Case # 16-CMP-00385; T and A, LLC, t/a Montana Liquors, 1801 Montana Ave NE, License #97473, Retailer A, ANC 5C
No ABC Manager on Duty

BOARD RECESS AT 12:00 PM
ADMINISTRATIVE AGENDA
1:00 PM

Protest Hearing* **1:30 PM**
Case # 16-PRO-00021; Chaplin Restaurant DC, LLC, t/a Chaplin, 1501 9th Street NW, License #95700, Retailer CR, ANC 6E
Application to Renew the License

Board's Calendar
February 1, 2017

***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**

**WEDNESDAY, FEBRUARY 1, 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-091196 – **Georgia Line Convenience Store** – Retail – B – 5125 Georgia Avenue NW
[Licensee did not make 3rd year payment.]

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF MEETING
INVESTIGATIVE AGENDA

WEDNESDAY, FEBRUARY 1, 2017
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

On Wednesday, February 1, 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#16-CMP-00832, Beuchert’s 623 Pennsylvania Avenue S.E., Retailer CR, License # ABRA-089616

2. Case# 16-CMP-00793, M & M Market, 3544 East Capitol Street N.E., Retailer B, License # ABRA-078461

3. Case# 16-CC-00163, FoBoGro, 2140 F Street N.W., Retailer B, License # ABRA-082431

4. Case# 16-251-00277, XO, 15 K Street N.E., Retailer CT, License # ABRA-100316

5. Case# 16-CC-00160, Wisemillers Grocery & Deli, 1236 36th Street N.W., Retailer B, License # ABRA-005950

6. Case# 16-251-00255, The Brixton, 901 U Street N.W., Retailer CT, License # ABRA-082871

7. Case# 16-251-00264, Ambassador Restaurant, 1907 9th Street N.W., Retailer CR, License # ABRA-090422

8. Case# 16-CMP-00842, Addis Ethiopian Restaurant, 707 H Street N.E., Retailer CR, License # ABRA-097534

-
9. Case# 16-CMP-00841, Shaw Howard Deli, 1911 7th Street N.W., Retailer B, License # ABRA-095169
-
10. Case# 16-CC-00164, Sylvia's Liquors, 1818 Benning Road N.E., Retailer A, License # ABRA-104606
-
11. Case# 16-CC-00161, The Wine Specialist, 1133 20th Street N.W., Retailer A, License # ABRA-087537
-
12. Case# 17-CMP-00003, Golden Paradise Restaurant, 3903-3905 14th Street N.W., Retailer CR, License # ABRA-098205
-
13. Case# 17-CC-00003, Rainbow Market, 626 Kennedy Street N.W., Retailer B, License # ABRA-090283
-
14. Case# 16-CC-00166, Prego Again, 1617 17th Street N.W., Retailer B, License # ABRA-090326
-
15. Case# 16-CC-00165, Rosebud Liquor, 1711 17th Street N.W., Retailer A, License # ABRA-060751
-

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF MEETING
LICENSING AGENDA

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

1. Review Application for Safekeeping of License – Original Request. ANC 5D. SMD 5D02. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No conflict with Settlement Agreement. ***Kovaks Liquors***, 1237 Mount Olivet Road NE, Retailer A Liquor Store, License No. 076573.

2. Review Application for Safekeeping of License – Original Request. 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.

3. Review Request for Change of Hours. ***Approved Hours of Operation, Alcoholic Beverage Sales and Consumption, and Live Entertainment***: Sunday 12pm to 10pm, Monday-Thursday 4pm to 10pm, Friday-Saturday 12pm to 12am. ***Proposed Hours of Operation, Alcoholic Beverage Sales and Consumption, and Live Entertainment***: Sunday 10am to 12am, Monday-Thursday 4pm to 12am, Friday 12pm to 1am, Saturday 10am to 1am. ANC 6C. SMD 6C06. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No conflict with Settlement Agreement. ***Wunder Garten***, 131 M Street NE, Retailer DT, License No. 098173.

4. Review Application for Entertainment Endorsement to provide Live Entertainment including Dancing. ***Proposed Hours of Live Entertainment***: Sunday-Thursday 6pm to 2am, Friday-Saturday 6pm to 3am. ANC 6A. SMD 6A01. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No conflict with Settlement Agreement. ***Ben's Chili Bowl/Ben's Upstairs/Ten 01***, 1001 H Street NE, Retailer CR, License No. 093103.

5. Review Application for Entertainment Endorsement to provide Live Entertainment. ***Proposed Hours of Live Entertainment***: Sunday-Thursday 6pm to 2am, Friday-Saturday

6pm to 3am. ANC 5C. SMD 5C05. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. *Zion Kitchen and Trading*, 1805 Montana Avenue NE, Retailer CR, License No. 096141.

6. Review Request to increase seating in Summer Garden from 50 to 100. ANC 2E. SMD 2E05. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No conflict with Settlement Agreement. *Dean & DeLuca*, 3276 M Street NW, Retailer DR, License No. 093723.
-

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

CENTER CITY PUBLIC CHARTER SCHOOLS**REQUEST FOR PROPOSALS****Door Services**

Center City Public Charter Schools is soliciting proposals from qualified vendors for the following:

Center City PCS wishes to engage a contractor for fire rated door services

To obtain copies of full RFPs, please visit our website: www.centercitypcs.org/contact/request-for-proposal. The full RFPs contain guidelines for submission, applicable qualifications, and deadlines.

Contact Person:

Natasha Harrison
nharrison@centercitypcs.org

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

The D.C. Criminal Code Reform Commission (CCRC) will hold a meeting of its Criminal Code Revision Advisory Group (Advisory Group) on Wednesday, February 1, 2017 at 2pm. The meeting will be held in Room 1112 of the Citywide Conference Center on the 11th Floor of 441 Fourth St., N.W., Washington, DC. The planned agenda for the meeting is below. The final agenda, minutes, and other documents will be available online at <http://www.open-dc.gov/public-bodies/meetings> and at <http://ccrc.dc.gov>.

For further information, contact Richard Schmechel, Executive Director, at (202) 442-8715 or richard.schmechel@dc.gov.

PLANNED MEETING AGENDA

- I. Welcome and Announcements
- II. Discussion Items:
 - a. Second Draft of Report No. 1, Recommendations for Enactment of D.C. Code Title 22 and Other Changes to Criminal Statutes;
 - b. Advisory Group Memorandum No. 4, Changes for Second Draft of Recommendations for Enactment of D.C. Code Title 22 and Other Changes to Criminal Statutes;
- III. Discussion Items:
 - a. First Draft of Report No. 2, Recommendations for Chapter 2 of the Revised Criminal Code: Basic Requirements of Offense Liability;
 - b. Advisory Group Memorandum No. 2, Adoption of a Comprehensive General Part in the Revised Criminal Code
- IV. Adjournment.

**DEPARTMENT OF ENERGY AND ENVIRONMENT
NOTICE OF FUNDING AVAILABILITY**

**Green Zone Environmental Program's (GZEP) Summer Youth and Young Adults
Watershed Protection Education and Job Training**

The Department of Energy and Environment (the Department) seeks eligible entities to provide education, training, and hands-on activities related to watershed protection for 30-50 youth and young adults (per work site) at 1-3 GZEP assembly sites for 3-5 weeks of the 2017 GZEP session, typically running from June 26-August 4, 2017. Session details are in Section 7.2. For background on GZEP, please visit <http://doee.dc.gov/summer>.

The amount available for the project is approximately \$60,000 from the date of the award through September 30, 2017. DOEE expects to make multiple awards for up to \$20,000. This amount is subject to availability of funding and approval by the appropriate agencies.

Beginning 1/27/2017, the full text of the Request for Applications (RFA) will be available on the Department's website. A person may obtain a copy of this RFA by any of the following means:

Download from the Department's website, www.doee.dc.gov. Select the *Resources* tab. Cursor over the pull-down list and select *Grants and Funding*. On the new page, cursor down to the announcement for this RFA. Click on *Read More* and download this RFA and related information from the *Attachments* section.

Email a request to GZEP2017.stormwater@dc.gov with "Request copy of RFA 2017-1709-SWMD" in the subject line.

Pick up a copy in person from the Department's reception desk, located at 1200 First Street NE, 5th Floor, Washington, DC 20002. To make an appointment, call Emily Rice at (202) 535-2679 and mention this RFA by name.

Write DOEE at 1200 First Street NE, 5th Floor, Washington, DC 20002, "Attn: Emily Rice RE:2017-1709-SWMD" on the outside of the envelope.

DOEE will host public information sessions. Visit our webpage for more details.

The deadline for application submissions is 3/3/2017, at 4:30 p.m. Five hard copies must be submitted to the above address and a complete electronic copy must be e-mailed to GZEP2017.stormwater@dc.gov.

Eligibility: All the checked institutions below may apply for these grants:

- Nonprofit organizations, including those with IRS 501(c)(3) or 501(c)(4) determinations;
- Faith-based organizations;
- Government agencies

- Universities/educational institutions; and
- Private Enterprises.

Additional eligibility requirements are described in the full RFA.

For additional information regarding this RFA, write to: GZEP2017.stormwater@dc.gov.

DEPARTMENT OF ENERGY AND ENVIRONMENT
AMENDED NOTICE OF FUNDING AVAILABILITY

Request for Applications (RFA) - Solar Works DC, the District's Low-Income Solar Photovoltaic (PV) Systems Installation and Job Training Program

This is the second notice for this Request for Applications ("RFA"). This notice announces revisions to the document. The revised document supersedes the original.

The Department of Energy and Environment (the Department) seeks eligible entities to install solar photovoltaic systems on low-income single family homes in the District and establish a comprehensive year-round solar photovoltaic (PV) systems job training program for adult District residents, ages 18 and above. The grant is competitively scored. Proposals from District-based applicants receive extra points. Proposals that address training unemployed or underemployed District residents are encouraged.

Due to a number of public questions regarding the meaning of terms in the original RFA, DOEE has revised that document and posted the revised version. The revised version, dated 1-27-17, is the version to which to respond. The revisions show as follows: Underlined text in the RFA indicates an addition from the original. ~~Stricken~~ text indicates language that has been removed.

The amount available for the project is approximately \$950,000.00. This amount is subject to availability of funding and approval by the appropriate agencies.

The project period is 12 months from the date of grant award, subject to the availability of funding, with an option to continue the program at comparable annual funding amounts, for up to two additional years, for a maximum of three years, subject to grantee performance and the availability of funding.

Beginning 1/27/2017, a revised RFA will be available on the Department's website. A person may obtain a copy of this RFA by any of the following means:

Download from the Department's website, www.doe.dc.gov/page/grants-and-other-funding. Scroll down to the announcement for this RFA. Click on *Read More* and download this RFA and related information from the *Attachments* section.

Email a request to solarworksdc2017@dc.gov with "Request copy of RFA 2017-1712-" in the subject line.

Pick up a copy in person from the Department's reception desk, located at 1200 First Street NE, 5th Floor, Washington, DC 20002. To make an appointment, call Ben Stutz at (202) 481-3839 and mention this RFA by name.

Write DOEE at 1200 First Street NE, 5th Floor, Washington, DC 20002, "Attn: Ben Stutz RE:2017-1712-" on the outside of the envelope.

DOEE will hold a public information session on Wednesday, February 1, 2017, at 2:00pm at 1200 First Street, NE, 5th Floor, Washington, DC 20002. Call in toll-free to participate via telephone at (877) 784-3995. Use Participant Code 3127831. Attendance is not mandatory.

The deadline for application submissions has been revised. That deadline is now 2/27/2017, by 4:30 p.m. Five hard copies must be submitted to the above address and a complete electronic copy must be e-mailed to solarworksdc2017@dc.gov.

Eligibility: All the checked institutions below may apply for these grants:

- Nonprofit organizations, including those with IRS 501(c)(3) or 501(c)(4) determinations;
- Faith-based organizations;
- Government agencies
- Universities/educational institutions; and
- Private Enterprises.

For additional information regarding this RFA, write to: solarworksdc2017@dc.gov.

DEPARTMENT OF ENERGY AND ENVIRONMENT

PUBLIC NOTICE

Notice is hereby given that, pursuant to 40 C.F.R. Part 51.161, D.C. Official Code §2-505, and 20 DCMR §210, the Air Quality Division (AQD) of the Department of Energy and Environment (DOEE), located at 1200 First Street NE, 5th Floor, Washington, DC, intends to issue Permit Nos. 7089 through 7093 to the United States Department of the Interior to construct and operate five 6.0 MMBTU/hr rated heat input natural gas-fired boilers at the Department of the Interior facility, located at 1849 C Street NW, Washington DC 20240. The contact person for the facility is Richard Farr, Chief, Facilities Management and Services Division, at (202) 208 - 3056

Emissions:

The estimated maximum annual emissions from each of the five 6.0 MMBTU/hr natural gas-fired boilers are expected to be as follows:

	Maximum Annual Emissions for Each Boiler
Pollutant	(tons/yr)
Total Particulate Matter (PM Total)	0.2
Sulfur Dioxide (SO ₂)	0.02
Nitrogen Oxides (NO _x)	0.6
Volatile Organic Compounds (VOC)	0.1
Carbon Monoxide (CO)	2.2

The proposed emission limits are as follows:

- a. Each of the five (5) identical 6.0 million BTU per hour AERCO Benchmark 6000 natural gas-fired boilers, shall not emit pollutants in excess of those specified in the following table [20 DCMR 201]:

Boiler Emission Limits	
Pollutant	Short-Term Limit (lb/hr)
Carbon Monoxide (CO)	0.504
Oxides of Nitrogen (NO _x)	0.140
Total Particulate Matter (PM Total)	0.046
Sulfur Dioxide (SO ₂)	0.004

*PM Total includes both filterable and condensable fractions.

- b. Visible emissions shall not be emitted into the outdoor atmosphere from the boilers, except that discharges not exceeding forty percent (40%) opacity (unaveraged) shall be permitted for two (2) minutes in any sixty (60) minute period and for an aggregate of twelve (12) minutes in any twenty-four hour (24 hr.) period during start-up, cleaning, adjustment of combustion controls, or malfunction of the equipment [20 DCMR 606.1]

- c. An emission into the atmosphere of odorous or other air pollutants from any source in any quantity and of any characteristic, and duration which is, or is likely to be injurious to the public health or welfare, or which interferes with the reasonable enjoyment of life or property is prohibited. [20 DCMR 903.1]
- d. Total suspended particulate matter (TSP) emissions from each of the boilers shall not exceed 0.11 pound per million BTU. [20 DCMR 600.1]

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

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

Comments on the proposed permits 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 February 27, 2017 will be accepted.

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

DEPARTMENT OF ENERGY AND ENVIRONMENT

PUBLIC NOTICE

Notice is hereby given that, pursuant to 40 C.F.R. Part 51.161, D.C. Official Code §2-505, and 20 DCMR §210, the Air Quality Division (AQD) of the Department of Energy and Environment (DOEE), located at 1200 First Street NE, 5th Floor, Washington, DC, intends to issue Permit Nos. 7094 and 7095 to the United States Department of the Interior to construct and operate one 800 kWe and one 200 kWe natural gas fired MicroTurbine at the Department of the Interior facility located at 1849 C Street NW, Washington DC 20240. The contact person for the facility is Richard Farr, Chief, Facilities Management and Services Division, at (202) 208 - 3056

Emissions:

Maximum annual emissions from each of the MicroTurbines, are expected to be as follows:

Pollutant	Maximum Annual Emissions (tons/Year)	
	Model C200	Model C800
Total Particulate Matter (PM Total)	0.03	0.03
Sulfur Dioxide (SO ₂)	0.03	0.03
Nitrogen Oxides (NO _x)	0.35	1.40
Volatile Organic Compounds (VOC)	0.09	0.35
Carbon Monoxide (CO)	0.96	3.85

The proposed emission limits are as follows:

- a. Each of the MicroTurbines shall not emit pollutants in excess of the following [20 DCMR 201]:

MicroTurbine Emission Limits (lb/hr)		
Pollutant	Model C200	Model C800
Carbon Monoxide (CO)	0.22	0.88
Oxides of Nitrogen (NO _x)	0.08	0.32
Total Particulate Matter (PM Total)*	0.02	0.06
Sulfur Dioxide (SO ₂)	0.01	0.06

*PM Total includes both filterable and condensable fractions.

- b. Visible emissions shall not be emitted into the outdoor atmosphere from the MicroTurbines, except that discharges not exceeding forty percent (40%) opacity (unaveraged) shall be permitted for two (2) minutes in any sixty (60) minute period and for an aggregate of twelve (12) minutes in any twenty-four hour (24 hr.) period during start-up, cleaning, adjustment of combustion controls, or malfunction of the equipment [20 DCMR 606.1]
- c. An emission into the atmosphere of odorous or other air pollutants from any source in any quantity and of any characteristic, and duration which is, or is likely to be injurious to the public health or welfare, or which interferes with the reasonable enjoyment of life or property is prohibited. [20 DCMR 903.1]

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

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

Comments on the proposed permits 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 February 27, 2017 will be accepted.

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

DEPARTMENT OF ENERGY AND ENVIRONMENT

PUBLIC NOTICE

Notice is hereby given that, pursuant to 40 C.F.R. Part 51.161, D.C. Official Code §2-505, and 20 DCMR §210, the Air Quality Division (AQD) of the Department of Energy and Environment (DOEE), located at 1200 First Street NE, Washington, DC, intends to issue permits (Nos. 7132 and 7133) to Carrollsburg A, Condominium to construct and operate two (2) identical 65 kWe Capstone Turbine Corporation natural gas-fired MicroTurbines, designated MT1 and MT2, with serial numbers 8801 and 8802, respectively, and located at 1250 4th Street SW, Washington DC. The contact person for the facility is Chris Froehlich, General Manager, at (202) 554-5780.

Microturbines to be Permitted:

Equipment Name	ID Number	Serial Number	Rated Output (kWe)	Permit Number
Capstone MicroTurbine CHP Generator	MT1	8801	65	7132
Capstone Microturbine CHP Generator	MT2	8802	65	7133

The proposed emission limits are as follows:

- a. Each of the MicroTurbines shall not emit pollutants in excess of the following [20 DCMR 201]:

MicroTurbine Emission Limits (lb/hr)	
Pollutant	Model C65
Carbon Monoxide (CO)	0.082
Oxides of Nitrogen (NO _x)	0.030
Total Particulate Matter (PM Total)*	0.0013
Sulfur Dioxide (SO ₂)	0.0023

*PM Total includes both filterable and condensable fractions.

- b. Visible emissions shall not be emitted into the outdoor atmosphere from the MicroTurbines, except that discharges not exceeding forty percent (40 %) opacity (averaged) shall be permitted for two (2) minutes in any sixty (60) minute period and for an aggregate of twelve (12) minutes in any twenty-four hour (24 hr.) period during start-up, cleaning, adjustment of combustion controls, if any, or malfunction of the microtrubines. [20 DCMR 606.1]
- c. An emission into the atmosphere of odorous or other air pollutants from any source in any quantity and of any characteristic, and duration which is, or is likely to be injurious to the public health or welfare, or which interferes with the reasonable enjoyment of life or property is prohibited. [20 DCMR 903.1]

The estimated maximum emissions from each of the two MicroTurbines are as follows:

Pollutant	Maximum Annual Emissions Using Natural Gas (tons/yr)
Carbon Monoxide (CO)	0.36
Oxides of Nitrogen (NO _x)	0.13
Total Particulate Matter (PM Total)	0.0055
Volatile Organic Compounds (VOCs)	0.03
Sulfur Dioxide (SO ₂)	0.0099

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

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

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

Stephen S. Ours
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 February 27, 2017 will be accepted.

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

DEPARTMENT OF ENERGY AND ENVIRONMENT**PUBLIC NOTICE**

Notice is hereby given that, pursuant to 40 C.F.R. Part 51.161, D.C. Official Code §2-505, and 20 DCMR §210, the Air Quality Division (AQD) of the Department of Energy and Environment (DDOE), located at 1200 First Street NE, 5th Floor, Washington, DC, intends to issue an air quality permit (#7152) to A & W Auto Services to construct and operate one (1) cross flow automotive paint spray booth at the facility located at 6000 Sligo Mill Road NE, Washington DC 20011. The contact person for the facility is Patrick Marx at (301) 538-2375.

Emissions Estimate:

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

The proposed emission limits are as follows:

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

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

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

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

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

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

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

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

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

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

No comments or hearing requests submitted after February 27, 2017 will be accepted.

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

**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, February 8, 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 3:30 p.m. on February 7, 2017. Registered speakers will be called first, in the order of registration. **Registered speakers must provide ten (10) printed copies of their typewritten statements to the Advisory Council Recorder no later than the time they are called to the podium.**

DRAFT AGENDA

- I. Call to Order
- II. Advisory Council Communication
- III. Advisory Council Action Items
- IV. Government Communications and Presentations
- V. General Counsel's Report
- VI. Staff Reports
- VII. Public Comment Period
- VIII. Adjournment

FRIENDSHIP PUBLIC CHARTER SCHOOL**NOTICE OF INTENT TO ENTER TWO SOLE SOURCE CONTRACTS****Post-Issuance Compliance Services**

Friendship PCS intends to enter into a sole source contract with BLX Group to provide Post Issuance Compliance Services. The estimated yearly cost is approximately \$50,000. The decision to sole source is based on BLX's familiarity with Friendship PCS's existing and expanding bond program and their expertise with the complex, technical and evolving nature of the post-issuance requirements for tax-exempt financing for non-profit issuers and conduit borrowers. The contract term shall be automatically renewed for the same period unless either party, 60 days before expiration, gives notice to the other of its desire to end the agreement.

Payroll Processing Services

Friendship PCS intends to enter into a sole source contract with ADP to provide Payroll, tax filing, time and attendance, human resources, self-service benefits administration, talent and data processing services including related web hosting services, equipment, computer programs, software and documentation. The estimated yearly cost is approximately \$50,000. The decision to sole source is based on the fact that ADP has been benefit program to Friendship Public Charter School s since September 2, 2009. The execution of this contract extension ensures uninterrupted coverage. The contract term shall be automatically renewed for the same period unless either party, 60 days before expiration, gives notice to the other of its desire to end the agreement.

FRIENDSHIP PUBLIC CHARTER SCHOOL**NOTICE OF REQUEST FOR PROPOSAL**

Friendship Public Charter School is soliciting proposals from qualified vendors for:

- **Support Services for Visually Impaired Students**
- **Copier Equipment Leasing & Maintenance Services**
- **Executive Search Firm to provide ongoing recruitment of executives, principals, academy directors**

The competitive Request for Proposal can be found on FPCS website at <http://www.friendshipschools.org/procurement>. Proposals are due no later than 4:00 P.M., EST, February 21st, 2017. No proposal will be accepted after the deadline. Questions can be addressed to: ProcurementInquiry@friendshipschools.org

Friendship Public Charter School is soliciting proposals from qualified vendors for: **Speech and Language Support Services for Students** The competitive Request for Proposal can be found on FPCS website at <http://www.friendshipschools.org/procurement>. Proposals are due no later than 4:00 P.M., EST, February 17th, 2017. No proposal will be accepted after the deadline. Questions can be addressed to: ProcurementInquiry@friendshipschools.org

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

NOTICE OF PUBLIC MEETING

Department of Health Care Finance Pharmacy and Therapeutics Committee

The Department of Health Care Finance (DHCF) Pharmacy and Therapeutics Committee (Committee), pursuant to the requirements of Mayor's Order 2007-46, dated January 23rd, 2007, hereby announces a public meeting of the Committee to obtain input on the review and maintenance of a Preferred Drug List (PDL) for the District of Columbia. The meeting will be held on **Thursday, March 2nd, 2017, at 2:30pm** in the **441 4th St. NW, Washington, DC 20001**, on the **10th FL in the Main St. Conference Room 1028**. Please note that a government issued ID is needed to access the building. Use the North Lobby elevators to access the 10th FL.

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

Androgenic Agents	Hypoglycemics, Incretin Mimetics/Enhancers
Antibiotics, Vaginal	Hypoglycemics, Insulins
Antiemetics/Antivertigo Agents	Hypoglycemics, Meglitinides
Antihyperuricemics	Hypoglycemics, Metformins
Bladder Relaxants	Hypoglycemics, SGLT2 Inhibitors
Bone Resorption and Suppression Agents	Hypoglycemics, Thiazolidinediones
BPH Agents	Pancreatic Enzymes
Erythropoiesis Stimulating Agents	Phosphate Binders
GI Motility, Chronic, Irritable Bowel Syndrome	Progestins For Cachexia
Growth Hormone	Proton Pump Inhibitors
H. Pylori Agents	Ulcerative Colitis Agents
Hepatitis C Agents	Vaginal Estrogen Preparations
Histamine-2-Receptor Antagonists	

Any person or organization who wishes to make a presentation to the Committee should furnish the name of the person or the organization represented to Charlene Fairfax at (202) 442-9076 or charlene.fairfax@dc.gov **no later than 4:45pm on Thursday, February 23rd, 2017**. Oral presentations are limited to three (3) minutes.

Any person who wishes to provide written information must supply twenty (20) copies of such information to the Committee. **Handouts are limited to no more than two standard 8-1/2 by 11 inch pages of "bulleted" points (or one page front and back)**. The ready-to-disseminate, written information must arrive **no later than 4:45pm on Thursday, February 23rd, 2017** at: Department of Health Care Finance, Attention: Charlene Fairfax, RPh, CDE, 441 4th Street NW, Suite 900 South, Washington, DC 20001.

DEPARTMENT OF HEALTH

PUBLIC NOTICE

The District of Columbia Board of Respiratory Therapy (“Board”) hereby gives notice of its regular meetings for the calendar year 2017, pursuant to § 405 of the District of Columbia Health Occupation Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1204.05 (b) (2012 Repl.)).

The Board will continue to hold its regular meetings on a bi-monthly basis on the second Monday every two (2) months. The first meeting of 2017 will be held on Monday, February 13, 2017 from 9:00 AM – 11:00 AM and will be open to the public from 9:00 AM until 9:30 AM to discuss various agenda items and any comments and/or concerns from the public. In accordance with § 575(b) of the Open Meetings Act of 2010 (D.C. Official Code § 2-575(b) (2012 Repl.)), the meeting will be closed from 9:30 AM to 11:00 AM to plan, discuss, or hear reports concerning licensing issues, ongoing or planned investigations of practice complaints, and or violations of law or regulations.

Subsequent meetings of the calendar year will be held at the same time on the following dates:

Monday, April 10, 2017

Monday, June 12, 2017

Monday, August 14, 2017

Monday, October 9, 2017

Monday, December 11, 2017

The meetings will be held at 899 North Capitol Street, NE, Second Floor, Washington, DC 20002. Visit the Health Professional Licensing Administration website at <http://doh.dc.gov/events> and to view additional information and agenda.

DEPARTMENT OF HEALTH (DOH)

NOTICE OF FUNDING AVAILABILITY (NOFA)

**FY 2017 Opioid Treatment Support Program
RFA# HAHSTA_OTSP02.10.17**

The District of Columbia, Department of Health (DOH) is soliciting applications from qualified applicants to provide services in the program and service areas described in this Notice of Funding Availability (NOFA). This announcement provides public notice of the Department of Health's intent to make funds available for the purpose described below. The applicable Request for Applications (RFA) will be released under a separate announcement with guidelines for submitting the application, review criteria and DOH terms and conditions for applying for and receiving funding.

General Information:

Funding Opportunity Title:	FY2017 Opioid Treatment Support Program
Funding Opportunity Number:	
RFA ID#:	RFA # HAHSTA OTSP02.10.17
Opportunity Category:	Competitive
DOH Administrative Unit:	HIV/AIDS, Hepatitis, STD, Tuberculosis Administration
DOH Program Bureau	Prevention and Intervention Services Division
Program Contact:	Nestor Rocha, Division Chief nestor.rocha@dc.gov 202/671-4900
Program Description:	The Government of the District of Columbia, Department of Health (DOH), HIV/AIDS, Hepatitis, STD and Tuberculosis Administration (HAHSTA) is soliciting applications from qualified applicants to build capacity among primary care providers and Federally Qualified Health Centers (FQHCs) to prescribe buprenorphine-based treatment to opioid users.
Eligible Applicants	Not-for-profit organizations, including healthcare entities and universities; government-operated health facilities; for-profit health and support service providers demonstrated to be the only entity able to provide the service. All applicants must be located within and provide services in the District of Columbia.

Anticipated # of Awards:	Up to 5
Anticipated Amount Available:	\$1,000,000.00

Funding Authorization

Legislative Authorization	FY17 Budget Support Act of 2016
Associated CFDA#	Not Applicable
Associated Federal Award ID#	Not Applicable
Cost Sharing / Match Required	No
RFA Release Date:	Friday, February 10, 2017
Pre-Application Meeting (Date)	Friday, February 17, 2017
Pre-Application Meeting (Time)	10:30 a.m. – 12:00 p.m.
Pre-Application Meeting (Location/Conference Call Access)	899 North Capitol Street, NE – 4 th Floor
Letter of Intent Due date:	Friday, February 17, 2017
Application Deadline Date:	Friday, March 10, 2017
Application Deadline Time:	By 6:00 p.m.
Links to Additional Information about this Funding Opportunity	DC Grants Clearinghouse https://opgs.dc.gov/page/opgs-district-grants-clearinghouse DOH EGMS https://dcdoh.force.com/GO_ApplicantLogin2

Notes:

1. DOH reserves the right to issue addenda and/or amendments subsequent to the issuance of this NOFA, or to rescind the NOFA.
2. Awards are contingent upon the availability of funds.
3. Individuals are not eligible for DOH grant funding.
4. Applicants must have a DUNS #, TaxID#, be registered in the federal Systems for Award Management (SAM).
5. Effective September 1, 2016, grant application submissions will be done via the DOH Enterprise Grants Management System (EGMS). Applicants must register to obtain an EGMS account at least two weeks prior to the submission deadline date.
6. DOH is located in a secured building. Government issued identification must be presented for entrance.

DISTRICT OF COLUMBIA GOVERNMENT

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
HOUSING PRODUCTION TRUST FUND ADVISORY BOARDPUBLIC MEETING NOTICE

DC Department of Housing and Community Development (DHCD)-Housing Production Trust Fund (HPTF) Advisory Board announces its next meeting at 1:00 pm, **Thursday, February 16, 2017**, at 1800 Martin Luther King Jr., Avenue, SE, Washington, DC 20020, room 318. See Draft Agenda below.

For additional information, please contact Oke Anyaegbunam via e-mail at Oke.Anyaegbunam@dc.gov or by telephone at 202-442-7200.

DRAFT AGENDA (as of 1.19.17):

Call to Order, Susanne Slater, Chair

- 1) Approval of Prior Meeting Summaries
- 2) Recent updates and report releases
- 3) Discussion of HPTF policies
- 4) Announcements
- 5) Public Comments
- 6) Adjournment

KIPP DC PUBLIC CHARTER SCHOOLS**REQUEST FOR PROPOSALS****New Market Tax Credit Consulting Services**

KIPP DC is soliciting proposals from qualified vendors for New Market Tax Credit Consulting Services. The RFP can be found on KIPP DC's website at <http://www.kippdc.org/procurement>. Proposals should be uploaded to the website no later than 5:00 P.M., EST, on February 10, 2017. Questions can be addressed to justin.ellis@kippdc.org.

Auditorium Flooring

KIPP DC is soliciting proposals from qualified vendors for Auditorium Flooring. The RFP can be found on KIPP DC's website at <http://www.kippdc.org/procurement>. Proposals should be uploaded to the website no later than 5:00 P.M., EST, on February 7, 2017. Questions can be addressed to lorraine.amos@kippdc.org and jsalsbury@pmmcompanies.org.

MAYA ANGELOU PUBLIC CHARTER SCHOOL
NOTICE OF INTENT TO ENTER SOLE SOURCE CONTRACT

Gym Window Replacement (Galaxy Glass)

Maya Angelou Public Charter School intends to enter into a sole source contract with Galaxy Glass for window replacement in the gym. The cost of this contract is \$73,020.00.

The decision to sole source is to maintain structural and architectural consistency. The defining architectural feature of the building's exterior is the unique windows. All previous window renovations, which have been implemented in phases, have been completed by Galaxy Glass, and selecting a different vendor may result in additional expense and/or architectural inconsistencies.

EXECUTIVE OFFICE OF THE MAYOR**NOTICE OF FUNDING AVAILABILITY****FY17 Immigrant Justice Legal Services Grant**

The Executive Office of the Mayor (EOM) is soliciting grant applications from qualified private organizations, Community-Based Organizations (CBOs), and partnerships serving District of Columbia residents for its *FY 2017 Immigrant Justice Legal Services Grant Program* (IJLS).

The grant is intended to fund programs that provide eleven (11) targeted services and resources to the DC immigrant population. See the Request for Proposals (RFA) for acceptable funding purposes.

Eligibility and Amount of Grant: The *FY 2017 Immigrant Justice Legal Services Grant Program* offers one-time grants of up to \$150,000 to Community-Based Organizations (CBO) with a current and valid 501(c)(3) status, as well as private organizations, associations and law firms that plan to mobilize pro bono talent in order to provide the immigrant justice legal services to DC residents. *Partnerships between private entities and 501(c)(3) CBOs are highly encouraged.*

Number of Awards, Amounts and Duration of Grant: Up to 20 grants in amounts of up to \$150,000 to successful applicants are expected. Only one application per organization will be accepted.

The grant award will be for a period not to exceed 6 months, with an earliest starting date of April 1, 2017 and a closing date of September 30, 2017. However, client obligations will continue beyond the period of the award.

RFA Release Date: Wednesday, January 25, 2017

Pre-Bidders' Conferences:**Monday, February 13, 2017 (10:00 am – 11:30 am)**

Frank D. Reeves Center
2000 14th St NW, Room 200
Washington, DC 20009

RSVP: [IJLSprebiddersconference213-10am.eventbrite.com](https://www.eventbrite.com/e/ijsprebiddersconference213-10am)

Monday, February 13, 2017 (5:30 pm – 7 pm)

One Judiciary Square
441 4th St NW, Room 1114
Washington, DC 20001

RSVP: [IJLSprebiddersconference213-530pm.eventbrite.com](https://www.eventbrite.com/e/ijsprebiddersconference213-530pm)

Tuesday, February 14, 2017 (10:00 am – 11:30 am)

John A. Wilson Building
1350 Pennsylvania Ave NW, Room G9
Washington, DC 20004

RSVP: [IJLSprebiddersconference214-10am.eventbrite.com](https://www.eventbrite.com/e/ijsprebiddersconference214-10am)

- Submission Deadline:** Tuesday, February 21, 2017 at 5:00pm EST
Incomplete or late applications will not be accepted.
- Submission Details:** Online submissions only. Please submit complete application through the online portal: **ZoomGrants**. (Resources for using ZoomGrants are included.)
- Point of Contact:** DORY PETERS
Dory.peters@dc.gov
(202) 727-3120
Inquiry Period: February 6 – Feb 17, 2017
- Availability of RFA:** The RFA will be posted on these websites:
- Mayor’s Office on Asian & Pacific Islander Affairs
(<http://apia.dc.gov/>)
- Mayor’s Office on Latino Affairs (www.ola.dc.gov)
- Mayor’s Office on African Affairs (<http://oaa.dc.gov/>)
- Office of Documents and Administrative Issuances
(<https://os.dc.gov/page/fy-2017-immigrant-justice-legal-services-grant>)
- Office of Partnerships and Grant Services
District Grant Clearinghouse
(<https://opgs.dc.gov/page/opgs-district-grants-clearinghouse>)

**MUNDO VERDE PUBLIC CHARTER SCHOOL
NOTICE OF INTENT TO ENTER A SOLE SOURCE CONTRACT**

Vamonos Tours Inc.

Mundo Verde Public Charter School intends to enter into a sole source contract with Vamonos Tours Inc. for educational student travel to Puerto Rico for over \$25,000 for the current school year.

- Mundo Verde PCS has a need for customized elementary school educational tour services aligned with our curriculum, Expeditionary Learning principles, environmental sustainability and social-emotional learning.

For further information regarding this notice contact Sara Mosenkis at 202-750-7060 or smosenkis@mudoverdepcs.org no later than 4pm January 27, 2016.

**OFFICE OF THE DEPUTY MAYOR FOR
PLANNING AND ECONOMIC DEVELOPMENT**

**NOTICE OF PUBLIC SURPLUS MEETING
PURSUANT TO D.C. OFFICIAL CODE §10-801
AND OURRFP PUBLIC MEETING FOR EASTERN BOYS AND GIRLS CLUB**

The District will conduct a public meeting to receive comments on the proposed surplus of District property.

After the public surplus meeting, the District will solicit feedback on the redevelopment of District property through an OurRFP Public Meeting. The Public Meeting will include an interactive discussion of community goals for redeveloping the former Eastern Branch Boys and Girls Club site.

The date, time and location shall be as follows:

- Property:** “Eastern Branch Boys and Girls Club”
261 17th St SE, Washington, DC
Lot 0802 in Square 1088
- Date:** Thursday, February, 16th 2017
- Time:** 6:30pm – Surplus Meeting Start Time
Public Meeting starts immediately after Surplus Meeting
- Location:** Friendship Chamberlain Elementary
1345 Potomac Avenue SE
Washington, DC 20003
- Contact:** Dion Townley, Project Manager
dion.townley@dc.gov
(202) 531-2272

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

BOARD OF DIRECTORS

NOTICE OF PUBLIC MEETING

The Board of Directors of the District of Columbia Water and Sewer Authority (DC Water) will be holding a meeting on Thursday, February 2, 2017 at 9:30 a.m. The meeting will be held in the Board Room (4th floor) at 5000 Overlook Avenue, S.W., Washington, D.C. 20032. Below is the draft agenda for this meeting. A final agenda will be posted to DC Water's website at www.dewater.com.

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

DRAFT AGENDA

- | | | |
|----|--|-----------------------|
| 1. | Call to Order | Board Chairman |
| 2. | Roll Call | Board Secretary |
| 3. | Approval of January 5, 2017 Meeting Minutes | Board Chairman |
| 4. | Committee Reports | Committee Chairperson |
| 5. | General Manager's Report | General Manager |
| 6. | Action Items
Joint-Use
Non Joint-Use | Board Chairman |
| 7. | Other Business | Board Chairman |
| 8. | Adjournment | Board Chairman |

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

Application No. 19402 of Cluss Alley LLC, pursuant to 11 DCMR Subtitle X, Chapter 9, for special exceptions under the alley width requirements of Subtitle C § 303.3(a), and the rear yard requirements of Subtitle E § 5104.1, to subdivide a lot and permit the conversion of an existing building into two one-family alley dwellings in the RF-1 Zone at premises 1237 (rear) C Street S.E. (Square 1017, Lot 79).

HEARING DATE: January 11, 2016

DECISION DATE: January 11, 2016

SUMMARY ORDER

SELF-CERTIFICATION

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR Subtitle Y § 300.6. (Exhibit 3.) In granting the certified relief, the Board of Zoning Adjustment ("Board" or "BZA") made no finding that the relief is either necessary or sufficient. Instead, the Board expects the Zoning Administrator to undertake a thorough and independent review of the building permit and certificate of occupancy applications filed for this project and to deny any application for which additional or different zoning relief is needed.

The Board provided proper and timely notice of the public hearing on this application by publication in the *D.C. Register* and by mail to Advisory Neighborhood Commission ("ANC") 6B and to owners of property located within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 6B, which is automatically a party to this application. The ANC submitted a report recommending approval of the application. The ANC's report indicated that at a regularly scheduled, properly noticed public meeting on December 13, 2016, at which a quorum was present, the ANC voted 8-0-0 to support the application. (Exhibit 36.)

The Office of Planning ("OP") submitted a timely report, dated December 29, 2016 (Exhibit 37), and testified at the hearing in support of the application. The District Department of Transportation ("DDOT") submitted a timely report, dated December 20, 2016, expressing no objection to the approval of the application. (Exhibit 31.)

A letter in support of the application was filed by the Capitol Hill Restoration Society. (Exhibit 40.)

Heather S. Foley, a nearby resident, submitted a letter in opposition to the application (Exhibit 39.) Two other nearby property owners testified at the hearing in opposition to the application. (Exhibit 41.)

As directed by 11 DCMR Subtitle X § 901.3, the Board has required the Applicant to satisfy the

burden of proving the elements that are necessary to establish the case pursuant to Subtitle X § 901.2, for special exceptions under the alley width requirements of Subtitle C § 303.3(a), and the rear yard requirements of Subtitle E § 5104.1, to subdivide a lot and permit the conversion of an existing building into two one-family alley dwellings in the RF-1 Zone. No parties appeared at the public hearing in opposition to this application. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board and having given great weight to the OP and ANC reports, the Board concludes that the Applicant has met the burden of proof, pursuant to 11 DCMR Subtitle X § 901.2, Subtitle C § 303.3(a), and Subtitle E § 5104.1, 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 5.**

VOTE: **3-0-2** (Carlton E. Hart, Frederick L. Hill, and Robert E. Miller, to APPROVE; two Board seats vacant.)

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

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

ATTESTED BY: _____
SARA A. BARDIN
Director, Office of Zoning

FINAL DATE OF ORDER: January 17, 2017

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

PURSUANT TO 11 DCMR SUBTITLE Y § 702.1, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN

SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSE OF SECURING A BUILDING PERMIT, OR THE APPLICANT FILES A REQUEST FOR A TIME EXTENSION PURSUANT TO SUBTITLE Y § 705 PRIOR TO THE EXPIRATION OF THE TWO-YEAR PERIOD AND THE REQUEST IS GRANTED. PURSUANT TO SUBTITLE Y § 703.14, NO OTHER ACTION, INCLUDING THE FILING OR GRANTING OF AN APPLICATION FOR A MODIFICATION PURSUANT TO SUBTITLE Y §§ 703 OR 704, SHALL TOLL OR EXTEND THE TIME PERIOD.

PURSUANT TO 11 DCMR SUBTITLE Y § 604, APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION 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

441 4TH STREET, N.W.
SUITE 200-SOUTH
WASHINGTON, D.C. 20001

PUBLIC NOTICE OF CLOSED MEETING FOR FEBRUARY 8, 2017

In accordance with § 405(c) of the Open Meetings Act, D.C. Official Code § 2-575 (c), on January 11, 2017, the Board of Zoning Adjustment voted 3-0-2, to hold a *closed meeting on Wednesday, February 8, 2017*, beginning at 9:00 a.m. for the purpose of obtaining legal advice from counsel and/or to deliberate upon, but not voting on the Remand of 18852 and 18853 of SB-Urban and the Remand of 18638 of Rosebusch LLC and Gregg Busch.

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

Frederick L. Hill, Chairperson, Carlton E. Hart, two Board seats vacant, and a Member of the Zoning Commission.
Clifford W. Moy, Secretary of the Board of Zoning Adjustment
Sara A. Bardin, Director, Office of Zoning.

GOVERNMENT OF THE DISTRICT OF COLUMBIA

BOARD OF ZONING ADJUSTMENT

441 4TH STREET, N.W.
SUITE 200-SOUTH
WASHINGTON, D.C. 20001

PUBLIC NOTICE OF CLOSED MEETINGS FOR FEBRUARY 2017

In accordance with § 405(c) of the Open Meetings Act, D.C. Official Code § 2-575 (c), on January 18, 2017, the Board of Zoning Adjustment voted 3-0-2 to hold *closed meetings telephonically on Mondays, January 30th, February 6th, February 13th, and (Tuesday) February 21st*, beginning at 3:00 p.m. for the purpose of obtaining legal advice from counsel and/or to deliberate upon, but not voting on the cases scheduled to be publicly heard or decided by the Board on the day after each such closed meeting, as those cases are identified on the Board's meeting and hearing agendas for February 1st, February 8th, February 15th, and February 22nd.

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

Frederick L. Hill, Chairperson, Carlton E. Hart, two Board seats vacant, and a Member of the Zoning Commission.

**Clifford W. Moy, Secretary of the Board of Zoning Adjustment
Sara A. Bardin, Director, Office of Zoning.**

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