



District of Columbia

REGISTER

HIGHLIGHTS

- D.C. Council passes Law 22-66, Health Literacy Council Establishment Act of 2017
- D.C. Council schedules a public hearing on Bill 22-0522, District Waterways Management Act of 2017
- D.C. Council schedules a public oversight roundtable on the “Future of School Reform in the District of Columbia”
- Department of Behavioral Health announces funding availability for the DC Peer Operated Center grant
- D.C. Board of Elections proposes rules governing the use of electronic petitions
- Department of Energy and Environment announces funding availability for the 2018 Washington DC Electric Vehicle Grand Prix project
- Department of Energy and Environment extends the submission deadline for the Boating Access Request for Partners 2018 grant
- D.C. Water and Sewer Authority proposes an increase in retail rates and other fees for Water and Sewer Services

DISTRICT OF COLUMBIA REGISTER

Publication Authority and Policy

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

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DISTRICT OF COLUMBIA OFFICE OF DOCUMENTS AND ADMINISTRATIVE ISSUANCES

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MAYOR

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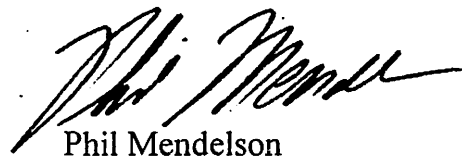
NOTICE

D.C. LAW 22-55

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

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 22-280 on first and second readings November 7, 2017, and December 5, 2017, respectively. Following the signature of the Mayor on December 20, 2017, pursuant to Section 404(e) of the Charter, the bill became Act 22-214 and was published in the December 29, 2017 edition of the D.C. Register (Vol. 64, page 13434). Act 22-214 was transmitted to Congress on January 3, 2018 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 22-214 is now D.C. Law 22-55, effective February 15, 2018.



Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

January	3, 4, 5, 8, 9, 10, 11, 12, 16, 17, 18, 19, 22, 23, 24, 25, 26, 29, 30, 31
February	1, 2, 5, 6, 7, 8, 9, 12, 13, 14

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 22-56

"Closing of a Public Alley in Square 3594, S.O. 16-25309, Act of 2017"

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 22-295 on first and second readings November 7, 2017, and December 5, 2017, respectively. Following the signature of the Mayor on December 20, 2017, pursuant to Section 404(e) of the Charter, the bill became Act 22-215 and was published in the December 29, 2017 edition of the D.C. Register (Vol. 64, page 13436). Act 22-215 was transmitted to Congress on January 3, 2018 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 22-215 is now D.C. Law 22-56, effective February 15, 2018.



Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

January	3, 4, 5, 8, 9, 10, 11, 12, 16, 17, 18, 19, 22, 23, 24, 25, 26, 29, 30, 31
February	1, 2, 5, 6, 7, 8, 9, 12, 13, 14

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 22-57

"Ward 4 Full-Service Grocery Store Amendment Act of 2017"

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 22-335 on first and second third readings November 7, 2017, and December 5, 2017, respectively.

Following the signature of the Mayor on December 20, 2017, pursuant to Section 404(e) of the Charter, the bill became Act 22-216 and was published in the December 29, 2017 edition of the D.C. Register (Vol. 64, page 13438). Act 22-216 was transmitted to Congress on January 3, 2018 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 22-216 is now D.C. Law 22-57, effective February 15, 2018.



Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

January	3, 4, 5, 8, 9, 10, 11, 12, 16, 17, 18, 19, 22, 23, 24, 25, 26, 29, 30, 31
February	1, 2, 5, 6, 7, 8, 9, 12, 13, 14

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 22-58

"Union Market Tax Increment Financing Act of 2017"

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 22-382 on first and second readings November 7, 2017, and December 5, 2017, respectively. Following the signature of the Mayor on December 20, 2017, pursuant to Section 404(e) of the Charter, the bill became Act 22-218 and was published in the December 29, 2017 edition of the D.C. Register (Vol. 64, page 13442). Act 22-218 was transmitted to Congress on January 3, 2018 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 22-218 is now D.C. Law 22-58, effective February 15, 2018.



Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

January	3, 4, 5, 8, 9, 10, 11, 12, 16, 17, 18, 19, 22, 23, 24, 25, 26, 29, 30, 31
February	1, 2, 5, 6, 7, 8, 9, 12, 13, 14

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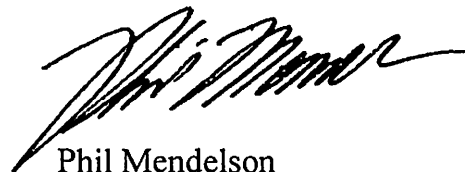
NOTICE

D.C. LAW 22-59

"Office on African American Affairs Establishment Act of 2017"

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 22-318 on first and second readings November 7, 2017, and December 5, 2017, respectively. Following the signature of the Mayor on December 28, 2017, pursuant to Section 404(e) of the Charter, the bill became Act 22-219 and was published in the January 5, 2018 edition of the D.C. Register (Vol. 65, page 2). Act 22-219 was transmitted to Congress on January 5, 2018 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 22-219 is now D.C. Law 22-59, effective February 17, 2018.



Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

January	5, 8, 9, 10, 11, 12, 16, 17, 18, 19, 22, 23, 24, 25, 26, 29, 30, 31
February	1, 2, 5, 6, 7, 8, 9, 12, 13, 14, 15, 16

COUNCIL OF THE DISTRICT OF COLUMBIA

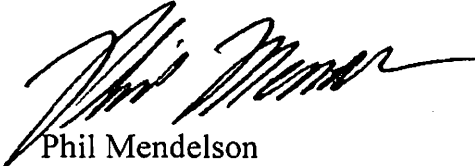
NOTICE

D.C. LAW 22-60

"Advanced Practice Registered Nurse Signature Authority Amendment Act of 2017"

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 22-333 on first and second readings November 7, 2017, and December 5, 2017, respectively. Following the signature of the Mayor on December 28, 2017, pursuant to Section 404(e) of the Charter, the bill became Act 22-220 and was published in the January 5, 2018 edition of the D.C. Register (Vol. 65, page 5). Act 22-220 was transmitted to Congress on January 5, 2018 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 22-220 is now D.C. Law 22-60, effective February 17, 2018.



Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

January	5, 8, 9, 10, 11, 12, 16, 17, 18, 19, 22, 23, 24, 25, 26, 29, 30, 31
February	1, 2, 5, 6, 7, 8, 9, 12, 13, 14, 15, 16

COUNCIL OF THE DISTRICT OF COLUMBIA

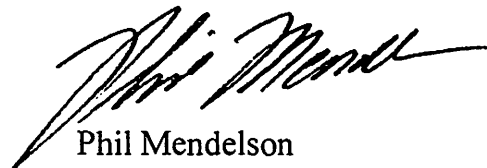
NOTICE

D.C. LAW 22-61

"Public School Health Services Amendment Act of 2017"

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 22-27 on first and second readings November 7, 2017, and December 5, 2017, respectively. Following the signature of the Mayor on December 28, 2017, pursuant to Section 404(e) of the Charter, the bill became Act 22-222 and was published in the January 12, 2018 edition of the D.C. Register (Vol. 65, page 127). Act 22-222 was transmitted to Congress on January 5, 2018 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 22-222 is now D.C. Law 22-61, effective February 17, 2018.



Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

January	5, 8, 9, 10, 11, 12, 16, 17, 18, 19, 22, 23, 24, 25, 26, 29, 30, 31
February	1, 2, 5, 6, 7, 8, 9, 12, 13, 14, 15, 16

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE


D.C. LAW 22-62

"D.C. Healthcare Alliance Re-Enrollment Reform Amendment Act of 2017"

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 22-231 on first and second readings November 7, 2017, and December 5, 2017, respectively. The legislation was deemed approved without the signature of the Mayor on December 29, 2017.

Pursuant to Section 404(e) of the Charter, the bill became Act 22-223 and was published in the January 5, 2018 edition of the D.C. Register (Vol. 65, page 9). Act 22-223 was transmitted to Congress on January 5, 2018 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 22-223 is now D.C. Law 22-62, effective February 17, 2018.



Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

January	5, 8, 9, 10, 11, 12, 16, 17, 18, 19, 22, 23, 24, 25, 26, 29, 30, 31
February	1, 2, 5, 6, 7, 8, 9, 12, 13, 14, 15, 16

COUNCIL OF THE DISTRICT OF COLUMBIA

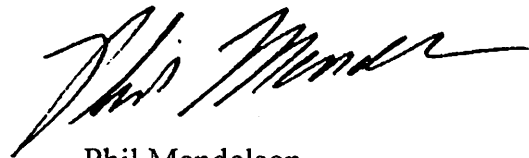
NOTICE

D.C. LAW 22-63

**"Department of Health Care Finance Independent Procurement Authority
Temporary Amendment Act of 2017"**

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 22-550 on first and second readings November 21, 2017, and December 5, 2017, respectively. The legislation was deemed approved without the signature of the Mayor on December 29, 2017. Pursuant to Section 404(e) of the Charter, the bill became Act 22-224 and was published in the January 5, 2018 edition of the D.C. Register (Vol. 65, page 11). Act 22-224 was transmitted to Congress on January 5, 2018 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 22-224 is now D.C. Law 22-63, effective February 17, 2018.



Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

January	5, 8, 9, 10, 11, 12, 16, 17, 18, 19, 22, 23, 24, 25, 26, 29, 30, 31
February	1, 2, 5, 6, 7, 8, 9, 12, 13, 14, 15, 16

COUNCIL OF THE DISTRICT OF COLUMBIA

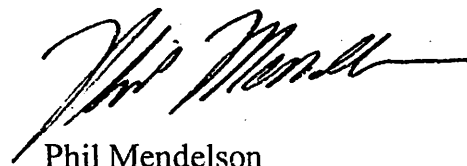
NOTICE

D.C. LAW 22-64

"Ballpark Fee Forgiveness Act of 2017"

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 22-220 on first and second readings November 7, 2017, and December 5, 2017, respectively. Following the signature of the Mayor on January 10, 2018, pursuant to Section 404(e) of the Charter, the bill became Act 22-228 and was published in the January 19, 2018 edition of the D.C. Register (Vol. 65, page 328). Act 22-228 was transmitted to Congress on January 16, 2018 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 22-228 is now D.C. Law 22-64, effective February 28, 2018.



Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

January	16, 17, 18, 19, 22, 23, 24, 25, 26, 29, 30, 31
February	1, 2, 5, 6, 7, 8, 9, 12, 13, 14, 15, 16, 20, 21, 22, 23, 26, 27

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 22-65

“Homeless Services Reform Amendment Act of 2017”

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 22-293 on first and second readings November 7, 2017, and December 5, 2017, respectively. Following the signature of the Mayor on January 10, 2018, pursuant to Section 404(e) of the Charter, the bill became Act 22-229 and was published in the January 19, 2018 edition of the D.C. Register (Vol. 65, page 331). Act 22-229 was transmitted to Congress on January 16, 2018 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 22-229 is now D.C. Law 22-65, effective February 28, 2018.



Phil Mendelson
Chairman of the Council

Days Counted During the Congressional Review Period:

January	16, 17, 18, 19, 22, 23, 24, 25, 26, 29, 30, 31
February	1, 2, 5, 6, 7, 8, 9, 12, 13, 14, 15, 16, 20, 21, 22, 23, 26, 27

COUNCIL OF THE DISTRICT OF COLUMBIA

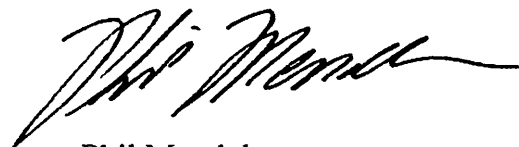
NOTICE

D.C. LAW 22-66

"Health Literacy Council Establishment Act of 2017"

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 22-62 on first and second readings November 7, 2017, and December 5, 2017, respectively. Following the signature of the Mayor on January 12, 2018, pursuant to Section 404(e) of the Charter, the bill became Act 22-230 and was published in the January 19, 2018 edition of the D.C. Register (Vol. 65, page 354). Act 22-230 was transmitted to Congress on January 22, 2018 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 22-230 is now D.C. Law 22-66, effective March 6, 2018.



Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

January	22, 23, 24, 25, 26, 29, 30, 31
February	1, 2, 5, 6, 7, 8, 9, 12, 13, 14, 15, 16, 20, 21, 22, 23, 26, 27, 28
March	1, 2, 5

ENROLLED ORIGINAL

AN ACT

D.C. ACT 22-274

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MARCH 8, 2018

To officially designate the park in Square 2550S, Lot 800, bounded by 19th Street, N.W., Kalorama Road, N.W., and Columbia Road, N.W., in Ward 1, as Ann Hughes Hargrove Park.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Ann Hughes Hargrove Park Designation Act of 2018”.

Sec. 2. Pursuant to sections 401 and 422 of the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code §§ 9-204.01 and 9-204.22), the Council officially designates the park in Square 2550S, Lot 800, bounded by 19th Street, N.W., Kalorama Road, N.W., and Columbia Road, N.W., in Ward 1, as “Ann Hughes Hargrove Park”.

Sec. 3. Transmittal.

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

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

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

ENROLLED ORIGINAL

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED
March 8, 2018

ENROLLED ORIGINAL

AN ACT
D.C. ACT 22-275

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MARCH 8, 2018

To allow food establishments to permit dogs in outdoor dining areas and unenclosed sidewalk cafés.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Dining with Dogs Act of 2018".

Sec. 2. Definitions.

For the purposes of this act, the term:

- (1) "Carrier" means a crate designed for carrying dogs or a front-pack or backpack designed to safely carry a dog.
- (2) "Food establishment" means any business that offers outdoor seating and sells food for consumption on its premises.
- (3) "Leash" means a line held by a person on one end that is for leading or restraining a dog.
- (4) "Outdoor dining area" means an outdoor area on private property where food is served by a food establishment.
- (5) "Unenclosed sidewalk café" means any authorized use of public space adjacent to a food establishment that contains tables, chairs, railings, or planters, which is open to the sky and at the sides, but may include awnings or umbrellas, and which is able to be removed within a 24-hour period.
- (6) "Waste bag" means a plastic bag designed for disposing of dog excrement.

Sec. 3. Outdoor dining with dogs.

(a)(1) Notwithstanding any other provision of District law or regulation to the contrary, a food establishment may permit dogs in outdoor dining areas or designated portions thereof, or in unenclosed sidewalk cafés.

(2) A food establishment that permits dogs in outdoor dining areas or unenclosed sidewalk cafés may restrict types of dogs based on a dog's size or temperament.

(b) A food establishment that permits dogs in outdoor dining areas or unenclosed sidewalk cafés shall:

- (1) Post signage outside the food establishment clearly stating that dogs are permitted in outdoor dining areas of the food establishment or in an unenclosed sidewalk café

ENROLLED ORIGINAL

adjacent to the food establishment, along with any restrictions on dogs based on size or temperament;

(2) Provide an entrance that does not require dogs to enter an indoor dining area or an area in which food is being stored or prepared to access the outdoor dining area or the unenclosed sidewalk café;

(3) Provide patrons with waste bags and a sanitary means of disposing of waste bags;

(4) Meet the requirements of section 503.1 of Title 25A of the District of Columbia Municipal Regulations (25A DCMR § 503.1), by ensuring that food employees do not care for or handle dogs;

(5) Require a patron to keep the patron's dog in a carrier or on a leash at all times; and

(6) Prohibit a patron from leaving the patron's dog unattended.

(c) A food establishment may require a patron to take the patron's dog off the food establishment's premises or away from the food establishment's unenclosed sidewalk café.

(d) Nothing in this act shall be construed to prevent live animals, as described in section 3214.2(b) and (c) of Title 25A of the District of Columbia Municipal Regulations (25A DCMR § 3214.2(b) and (c)), from accessing a food establishment.

Sec. 4. Fiscal impact statement

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

Sec. 5. Effective date.

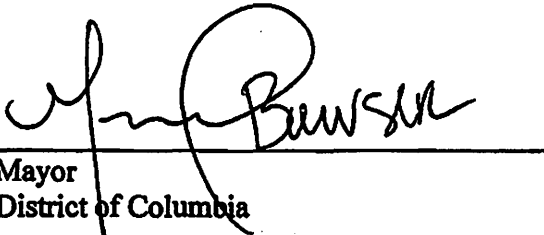
The act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as

ENROLLED ORIGINAL

provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.



Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED
March 8, 2018

ENROLLED ORIGINAL

AN ACT
D.C. ACT 22-276

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MARCH 8, 2018

To symbolically designate the 2600 block of Wisconsin Avenue, N.W., between Davis Street, N.W., and Edmunds Street, N.W., in Ward 3, as Boris Nemtsov Plaza.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Boris Nemtsov Plaza Designation Act of 2018”.

Sec. 2. Pursuant to sections 401, 403a, and 423 of the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code §§ 9-204.01, 9-204.03a, and 9-204.23), the Council symbolically designates the 2600 block of Wisconsin Avenue, N.W., between Davis Street, N.W., and Edmunds Street, N.W., in Ward 3, as “Boris Nemtsov Plaza”.

Sec. 3. Transmittal.

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

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

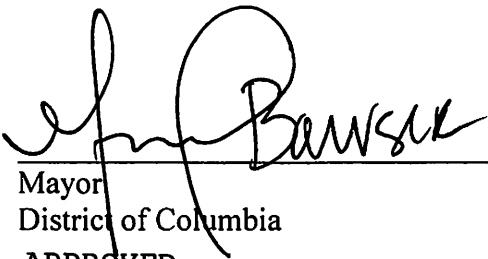
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

ENROLLED ORIGINAL

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED
March 8, 2018

ENROLLED ORIGINAL

A RESOLUTION

22-419

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 6, 2018

To declare the existence of an emergency, due to congressional review, with respect to the need to officially designate a portion of the public alley system in Square 762, bounded by 2nd Street, S.E., C Street, S.E., 3rd Street, S.E., and Pennsylvania Avenue, S.E., in Ward 6, as “Lincoln Court;” and to amend the National Capital Revitalization and Self-Government Improvement Act of 1997 to exempt one of the Council appointments to the District of Columbia Corrections Information Council from the District of Columbia residency requirements.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Lincoln Court Designation Congressional Review Emergency Declaration Resolution of 2018”.

Sec. 2. (a) The Lincoln Court Designation Act of 2017 was passed by the Council on second reading on December 5, 2017, was signed by the Mayor on December 20, 2017, was transmitted to Congress on January 3, 2018, and is projected to become law on March 24, 2018.

(b) Also on December 5, 2017, in order to avoid an extension of the already long delay in naming this alley and to permit development of the property on the alley, the Council approved the Lincoln Court Designation Emergency Act of 2017, effective December 20, 2017 (D.C. Act 22-210; 64 DCR 13416), which will expire on March 20, 2018.

(c) The Lincoln Court Designation Congressional Review Emergency Act of 2018 is necessary to ensure that there is no gap in legal authority between March 20, 2018, and March 24, 2018.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Lincoln Court Designation Congressional Review Emergency Act of 2018 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-422

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 6, 2018

To declare the existence of an emergency, due to congressional review, with respect to the need to amend the Personal Delivery Device Pilot Program Act of 2016 to extend the personal delivery device pilot program through December 31, 2018, and to provide that a registration, including a renewal, issued before December 31, 2017, shall be valid for one year from the date of registration, unless the registration is revoked by the Director of the District Department of Transportation.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Personal Delivery Device Pilot Program Extension Congressional Review Emergency Declaration Resolution of 2018”.

Sec. 2. (a) The Personal Delivery Device Pilot Program Act of 2016 (“Act”) required the District Department of Transportation (“DDOT”) to implement a personal delivery device pilot program (“pilot program”) and authorized the operation of personal delivery devices (“PDD”), except within the Central Business District, pursuant to operational standards to be determined by DDOT.

(b) When the pilot program was first established, the pilot program was set to expire on December 31, 2017.

(c) On December 12, 2017, the Council passed emergency legislation to extend the pilot program through December 31, 2018, in order to give DDOT and PDD operators participating in the pilot program the opportunity to collect more data, which can be used to shape permanent legislation.

(d) The emergency legislation also clarified that registrations, including renewals, issued before December 31, 2017, shall be valid for one year from the date of registration, in order to allow current PDD operators to continue to participate in the pilot program.

(e) This congressional review emergency legislation is necessary to ensure that there is no gap in legal authority between the expiration of the Personal Delivery Device Pilot Program Extension Emergency Amendment Act of 2017, on April 3, 2018, and the effective date of the Personal Delivery Device Pilot Program Extension Temporary Amendment Act of 2017, which is projected to become law on April 10, 2018.

ENROLLED ORIGINAL

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Personal Delivery Device Pilot Program Extension Congressional Review Emergency Amendment Act of 2018 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-423

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 6, 2018

To confirm the appointment of Ms. Stacy Mills to the Child Fatality Review Committee.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Child Fatality Review Committee Stacy Mills Confirmation Resolution of 2018”.

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

Ms. Stacy Mills
6609 3rd Street, N.W.
Washington, D.C. 20012
(Ward 4)

as a community representative member of the Child Fatality Review Committee, established by section 4603 of the Child Fatality Review Committee Establishment Act of 2001, effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 4-1371.03), for a term to end April 20, 2018.

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-424

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 6, 2018

To confirm the appointment of Dr. Jacqueline Francis to the Child Fatality Review Committee.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Child Fatality Review Committee Jacqueline Francis Confirmation Resolution of 2018”.

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

Dr. Jacqueline Francis
921 12th Street, N.E.
Washington, D.C. 20002
(Ward 6)

as a community representative member of the Child Fatality Review Committee, established by section 4603 of the Child Fatality Review Committee Establishment Act of 2001, effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 4-1371.03), for a term to end July 12, 2019.

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-425

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 6, 2018

To confirm the appointment of Ms. LaShunda Hill to the Child Fatality Review Committee.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Child Fatality Review Committee LaShunda Hill Confirmation Resolution of 2018”.

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

Ms. LaShunda Hill
116 T Street, N.E., G27
Washington, D.C. 20002
(Ward 5)

as a community representative member of the Child Fatality Review Committee, established by section 4603 of the Child Fatality Review Committee Establishment Act of 2001, effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 4-1371.03), for a term to end July 13, 2020.

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-426

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 6, 2018

To confirm the appointment of Ms. Lanita Williams to the Child Fatality Review Committee.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Child Fatality Review Committee Lanita Williams Confirmation Resolution of 2018”.

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

Ms. Lanita Williams
3000 7th Street, N.E., #121
Washington, D.C. 20017
(Ward 5)

as a community representative member of the Child Fatality Review Committee, established by section 4603 of the Child Fatality Review Committee Establishment Act of 2001, effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 4-1371.03), for a term to end April 20, 2018.

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-427

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 6, 2018

To confirm the appointment of Dr. Cheryl Williams to the Child Fatality Review Committee.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Child Fatality Review Committee Cheryl Williams Confirmation Resolution of 2018”.

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

Dr. Cheryl Williams
314 19th Street, N.E.
Washington, D.C. 20002
(Ward 6)

as a community representative member of the Child Fatality Review Committee, established by section 4603 of the Child Fatality Review Committee Establishment Act of 2001, effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 4-1371.03), for a term to end April 20, 2018.

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-428

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 6, 2018

To confirm the appointment of Dr. Inez Reeves to the Child Fatality Review Committee.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Child Fatality Review Committee Inez Reeves Confirmation Resolution of 2018”.

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

Dr. Inez Reeves
12237 McDonald Chapel Drive
Gaithersburg, Maryland 20878

as a community representative member of the Child Fatality Review Committee, established by section 4603 of the Child Fatality Review Committee Establishment Act of 2001, effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 4-1371.03), for a term to end April 8, 2020.

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-429

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 6, 2018

To confirm the appointment of Mr. Ian Harris to the Domestic Violence Fatality Review Board.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Domestic Violence Fatality Review Board Ian Harris Confirmation Resolution of 2018".

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

Mr. Ian Harris
1325 Massachusetts Avenue, N.W., 7th Floor
Washington, D.C. 20005
(Ward 2)

as a community representative member of the Domestic Violence Fatality Review Board, established by D.C. Official Code § 16-1052, for a term to end July 20, 2019.

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-433

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 6, 2018

To confirm the appointment of Mr. Chinedu Felix Osuchukwu to the Commission on the Arts and Humanities.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Commission on the Arts and Humanities Chinedu Felix Osuchukwu Confirmation Resolution of 2018”.

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

Mr. Chinedu Felix Osuchukwu
4322 E Street, S.E.
Washington, D.C. 20019
(Ward 7)

as a member of the Commission on the Arts and Humanities, established by section 4 of the Commission on the Arts and Humanities Act, effective October 21, 1975 (D.C. Law 1-22; D.C. Official Code § 39-203), for a term to end June 30, 2020.

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-434

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 6, 2018

To confirm the reappointment of Ms. Cliftine Jones to the Real Property Tax Appeals Commission.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Real Property Tax Appeals Commission Cliftine Jones Confirmation Resolution of 2018”.

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

Ms. Cliftine Jones
1917 Shepherd Street, N.W.
Washington, D.C. 20011
(Ward 4)

as a full-time member of the Real Property Tax Appeals Commission, established by D.C. Official Code § 47-825.01a, for a term to end April 30, 2022.

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-435

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 6, 2018

To confirm the reappointment of Mr. Donald Isaac, Jr. to the Real Property Tax Appeals Commission.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Real Property Tax Appeals Commission Donald Isaac, Jr. Confirmation Resolution of 2018”.

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

Mr. Donald Isaac, Jr.
1391 Pennsylvania Avenue, S.E.
Washington, D.C. 20003
(Ward 6)

as a part-time member of the Real Property Tax Appeals Commission, established by D.C. Official Code § 47-825.01a, for a term to end April 30, 2022.

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-436

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 6, 2018

To confirm the reappointment of Mr. Gregory Syphax to the Real Property Tax Appeals Commission.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Real Property Tax Appeals Commission Gregory Syphax Confirmation Resolution of 2018”.

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

Mr. Gregory Syphax
1439 Locust Road, N.W.
Washington, D.C. 20012
(Ward 4)

as Chairperson of the Real Property Tax Appeals Commission, established by D.C. Official Code § 47-825.01a, for a term to end April 30, 2022.

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-437

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 6, 2018

To confirm the reappointment of Ms. May S. Chan to the Real Property Tax Appeals Commission.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Real Property Tax Appeals Commission May S. Chan Confirmation Resolution of 2018”.

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

Ms. May S. Chan
475 K Street, N.W., Unit 527
Washington, D.C. 20001
(Ward 6)

as a full-time member of the Real Property Tax Appeals Commission, established by D.C. Official Code § 47-825.01a, for a term to end April 30, 2022.

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-438

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 6, 2018

To confirm the reappointment of Mr. John N. Ollivierra to the Real Property Tax Appeals Commission.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Real Property Tax Appeals Commission John N. Ollivierra Confirmation Resolution of 2018”.

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

Mr. John N. Ollivierra
2215 Hunter Place, S.E., #104
Washington, D.C. 20020
(Ward 8)

as a part-time member of the Real Property Tax Appeals Commission, established by D.C. Official Code § 47-825.01a, for a term to end April 30, 2022.

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-441

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 6, 2018

To declare the existence of an emergency with respect to the need to approve Modification Nos. 7 and 8 to Contract No. DCKA-2014-D-0053-A01 with Excel Tree Expert Co., Inc. for pruning services, and to authorize payment for the goods and services received and to be received under the modifications.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Modifications to Contract No. DCKA-2014-D-0053-A01 Approval and Payment Authorization Emergency Declaration Resolution of 2018”.

Sec. 2. (a) There exists a need to approve Modification Nos. 7 and 8 to Contract No. DCKA-2014-D-0053-A01 with Excel Tree Expert Co., Inc. for pruning services, and to authorize payment for the goods and services received and to be received under the modifications.

(b) By Modification No. 7, dated January 6, 2018, the Office of Contracting and Procurement, on behalf of the District Department of Transportation, exercised a partial option of Option Year 3 of Contract No. DCKA-2014-D-0053-A01 with Excel Tree Expert Co., Inc. for pruning services for the period from January 7, 2018, through March 31, 2018, in the not-to-exceed amount of \$750,000.

(c) Modification No. 8 is now necessary to exercise the remainder of Option Year 3 and increase the total not-to-exceed amount for Option Year 3 to \$2,269,125.

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

(e) Approval is necessary to allow the continuation of these vital services. Without this approval, Excel Tree Expert Co., Inc. cannot be paid for goods and services provided in excess of \$1 million for the contract period beginning January 7, 2018 through January 6, 2019.

ENROLLED ORIGINAL

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modifications to Contract No. DCKA-2014-D-0053-A01 Approval and Payment Authorization Emergency Act of 2018 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-442

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 6, 2018

To declare the existence of an emergency with respect to the need to approve Modification Nos. 6 and 7 to Contract No. DCKA-2014-D-0053-A02 with C&D Tree Service, Inc. for pruning services, and to authorize payment for the goods and services received and to be received under the modifications.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Modifications to Contract No. DCKA-2014-D-0053-A02 Approval and Payment Authorization Emergency Declaration Resolution of 2018”.

Sec. 2. (a) There exists a need to approve Modification Nos. 6 and 7 to Contract No. DCKA-2014-D-0053-A02 with C&D Tree Service, Inc. for pruning services, and to authorize payment for the goods and services received and to be received under the modifications.

(b) By Modification No. 6, dated January 6, 2018, the Office of Contracting and Procurement, on behalf of the District Department of Transportation, exercised a partial option of Option Year 3 for the period from January 7, 2018, through March 31, 2018, in the not-to-exceed amount of \$750,000.

(c) Modification No. 7 is now necessary to exercise the remainder of Option Year 3 and increase the total not-to-exceed amount for Option Year 3 to \$2.275 million.

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

(e) Approval is necessary to allow the continuation of these vital services. Without this approval, C&D Tree Service, Inc. cannot be paid for the goods and services provided in excess of \$1 million for the contract period of January 7, 2018, through January 6, 2019.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modifications to Contract No. DCKA-2014-D-0053-A02 Approval and Payment Authorization Emergency Act of 2018 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-443

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 6, 2018

To declare the existence of an emergency with respect to the need to approve Modification Nos. 040, 041, 042, and 043 to Contract No. POKV-2006-C-0064 with Conduent State and Local Solutions, Inc. to provide ticket processing services, and to authorize payment for the goods and services received and to be received under the modifications.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Modifications to Contract No. POKV-2006-C-0064 Approval and Payment Authorization Emergency Declaration Resolution of 2018”.

Sec. 2. (a) There exists a need to approve Modification Nos. 040, 041, 042, and 043 to Contract No. POKV-2006-C-0064 with Conduent State and Local Solutions, Inc. to provide ticket processing services, and to authorize payment for the goods and services received and to be received under the modifications.

(b) By Modification No. 040, dated January 2, 2018, the Office of Contracting and Procurement, on behalf of the Department of Motor Vehicles, extended Contract No. POKV-2006-C-0064, on a sole source basis, for the period from January 3, 2018, through March 2, 2018, in the not-to-exceed amount of \$1 million.

(c) Modification No. 041 was an administrative modification.

(d) By Modification No. 042, dated February 6, 2018, the Office of Contracting and Procurement, on behalf of the Department of Motor Vehicles, extended Contract No. POKV-2006-C-0064, on a sole source basis, for the period from January 3, 2018, through March 20, 2018, in the amount of \$0.

(e) Modification 043 is now necessary to extend Contract No. POKV-2006-C-0064 for the period beginning March 21, 2018, through January 2, 2019, and increase the total not-to-exceed amount to \$10,936,667.

(f) Council approval is required by section 451(b) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51(b)), because the modifications increase the contract value 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, Conduent State and Local Solutions, Inc. cannot be paid for the goods and services

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provided in excess of \$1 million for the contract period of January 3, 2018, through January 2, 2019.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modifications to Contract No. POKV-2006-C-0064 Approval and Payment Authorization Emergency Act of 2018 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-444

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 6, 2018

To declare the existence of an emergency with respect to the need to approve Contract No. DCAM-17-CS-0075 and Change Order Nos. 1 through 3 to Contract No. DCAM-17-CS-0075 with Consys, Inc. for renovation and upgrade services for the Department of Motor Vehicles Inspection Station located at 1001 Half Street, S.W., and to authorize payment in the aggregate amount of \$1,150,045.55 for the goods and services received and to be received under the contract and change orders.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Contract No. DCAM-17-CS-0075 and Change Orders to Contract No. DCAM-17-CS-0075 Approval and Payment Authorization Emergency Declaration Resolution of 2018”.

Sec. 2. (a) There exists an immediate need to approve Contract No. DCAM-17-CS-0075 and Change Order Nos. 1 through 3 to Contract No. DCAM-17-CS-0075 with Consys, Inc. for renovation and upgrade services for the Department of Motor Vehicles Inspection Station located at 1001 Half Street, S.W., and to authorize payment in the aggregate amount of \$1,150,045.55 for the goods and services received and to be received under the contract and change orders.

(b)(1) On June 5, 2017, the Department of General Services executed Contract No. DCAM-17-CS-0075 with Consys, Inc. with a total contract value of \$897,786. The value of the contract was less than \$1 million; thus, the contract did not require Council approval.

(2) On January 11, 2018, Change Order No. 1 was issued in the amount of \$99,620.95, increasing the total contract value from \$897,786 to \$997,406.95. The aggregate value of the contract and Change Order No. 1 was less than \$1 million; thus, the contract and Change Order No. 1 did not require Council approval.

(3) On February 2, 2018, Change Order No. 2 was issued, but it did not alter the contract value.

(4) Proposed Change Order No. 3, in the amount of \$152,638.60, would increase the aggregate value of Change Order Nos. 1 through 3 to \$252,259.55, thereby increasing the total contract value from \$897,786 to \$1,150,045.55.

(c) Proposed Change Order No. 3 would cause the aggregate value of the contract and change orders to exceed \$1 million; thus, Council approval is now required pursuant to section

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451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51).

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Contract No. DCAM-17-CS-0075 and Change Orders to Contract No. DCAM-17-CS-0075 Approval and Payment Authorization Emergency Act of 2018 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-445

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 6, 2018

To declare the existence of an emergency with respect to the need to approve Modification Nos. 01 and 02 to Contract No. DCAM-17-CS-0025K with DC General Construction, Inc. for on-call construction, maintenance, and repair services, and to authorize payment in the not-to-exceed amount of \$2.5 million for the goods and services received and to be received under the modifications.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Modifications to Contract No. DCAM-17-CS-0025K Approval and Payment Authorization Emergency Declaration Resolution of 2018”.

Sec. 2. (a) There exists an immediate need to approve Modification Nos. 01 and 02 to Contract No. DCAM-17-CS-0025K with DC General Construction, Inc. for on-call construction, maintenance, and repair services, and to authorize payment in the not-to-exceed amount of \$2.5 million for the goods and services received and to be received under the modifications.

(b) The underlying contract for on-call construction, maintenance, and repair services at various District public schools, parks, recreation facilities, and other municipal facilities was deemed approved by the Council on May 18, 2017, as CA22-0107. On February 2, 2018, via Modification No. 01, the Department of General Services exercised the first of 2 available one-year options to extend the term of the contract and assigned a value of \$950,000 for Option Year 1. Modification No. 02 would increase the contract value for Option Year 1 to \$2.5 million.

(c) Modification Nos. 01 and 02 will increase the total expenditures under Contract No. DCAM-17-CS-0025K by more than \$1 million during a 12-month period. Therefore, Council approval of Modification Nos. 01 and 02 is required pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51).

(d) Council approval is needed to compensate DC General Construction, Inc. for the goods and services received and to be received under the modifications.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modifications to Contract No. DCAM-17-CS-0025K Approval and Payment Authorization Emergency Act of 2018 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-446

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 6, 2018

To declare the existence of an emergency with respect to the need to approve Modification Nos. 01 and 02 to Contract No. DCAM-17-CS-0025C with Paige Industrial Services, Inc. for on-call construction, maintenance, and repair services, and to authorize payment in the not-to-exceed amount of \$2.5 million for the goods and services received and to be received under the modifications.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Modifications to Contract No. DCAM-17-CS-0025C Approval and Payment Authorization Emergency Declaration Resolution of 2018”.

Sec. 2. (a) There exists an immediate need to approve Modification Nos. 01 and 02 to Contract No. DCAM-17-CS-0025C with Paige Industrial Services, Inc. for on-call construction, maintenance, and repair services, and to authorize payment in the not-to-exceed amount of \$2.5 million for the goods and services received and to be received under the modifications.

(b) The underlying contract for on-call construction, maintenance, and repair services at various District public schools, parks, recreation facilities, and other municipal facilities was deemed approved by the Council on May 6, 2017, as CA22-0086. On February 2, 2018, via Modification No. 01, the Department of General Services exercised the first of 2 available one-year options to extend the term of the contract and assigned a value of \$950,000 for Option Year 1. Modification No. 02 would increase the contract value for Option Year 1 to \$2.5 million.

(c) Modification Nos. 01 and 02 will increase the total expenditures under Contract No. DCAM-17-CS-0025C by more than \$1 million during a 12-month period. Therefore, Council approval of Modification Nos. 01 and 02 is required pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51).

(d) Council approval is needed to compensate Paige Industrial Services, Inc. for the goods and services received and to be received under the modifications.

ENROLLED ORIGINAL

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modifications to Contract No. DCAM-17-CS-0025C Approval and Payment Authorization Emergency Act of 2018 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-447

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 6, 2018

To declare the existence of an emergency with respect to the need to approve Modification Nos. 01 and 02 to Contract No. DCAM-17-CS-0025F with Broughton Construction Company LLC for on-call construction, maintenance, and repair services, and to authorize payment in the not-to-exceed amount of \$2.5 million for the goods and services received and to be received under the modifications.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Modifications to Contract No. DCAM-17-CS-0025F Approval and Payment Authorization Emergency Declaration Resolution of 2018”.

Sec. 2. (a) here exists an immediate need to approve Modification Nos. 01 and 02 to Contract No. DCAM-17-CS-0025F with Broughton Construction Company LLC for on-call construction, maintenance, and repair services, and to authorize payment for the goods and services received and to be received under the modifications.

(b) The underlying contract for on-call construction, maintenance, and repair services at various District public schools, parks, recreation facilities, and other municipal facilities was deemed approved by the Council on May 6, 2017, as CA22-0087. On February 5, 2018, via Modification No. 01, the Department of General Services exercised the first of 2 available one-year options to extend the term of the contract and assigned a value of \$950,000 for Option Year 1. Modification No. 02 would increase the contract value for Option Year 1 to \$2.5 million.

(c) Modification Nos. 01 and 02 will increase the total expenditures under Contract No. DCAM-17-CS-0025F by more than \$1 million during a 12-month period. Therefore, Council approval of Modification Nos. 01 and 02 is required pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51).

(d) Council approval is needed to compensate Broughton Construction Company LLC for the goods and services received and to be received under the modifications.

ENROLLED ORIGINAL

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modifications to Contract No. DCAM-17-CS-0025F Approval and Payment Authorization Emergency Act of 2018 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-448

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 6, 2018

To declare the existence of an emergency with respect to the need to approve Modification Nos. 03 and 04 to Contract No. DCAM-17-CS-0025I with HRGM Corporation for on-call construction, maintenance, and repair services, and to authorize payment in the not-to-exceed amount of \$2.5 million for the goods and services received and to be received under the modifications.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Modifications to Contract No. DCAM-17-CS-0025I Approval and Payment Authorization Emergency Declaration Resolution of 2018”.

Sec. 2. (a) There exists an immediate need to approve Modification Nos. 03 and 04 to Contract No. DCAM-17-CS-0025I with HRGM Corporation for on-call construction, maintenance, and repair services, and to authorize payment in the not-to-exceed amount of \$2.5 million for the goods and services received and to be received under the modifications.

(b) The underlying contract for on-call construction, maintenance, and repair services at various District public schools, parks, recreation facilities, and other municipal facilities was deemed approved by the Council on May 6, 2017, as CA22-0089. On February 2, 2018, via Modification No. 03, the Department of General Services exercised the first of 2 available one-year options to extend the term of the contract and assigned a value of \$950,000 for Option Year 1. Modification No. 04 would increase the contract value for Option Year 1 to \$2.5 million.

(c) Modification Nos. 01 and 02 will increase the total Option Year 01 expenditures under Contract No. DCAM-17-CS-0025I by more than \$1 million during a 12-month period. Therefore, Council approval of Modification Nos. 03 and 04 is required pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51).

(d) Council approval is needed to compensate HRGM Corporation for the goods and services received and to be received under the modifications.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modifications to Contract No. DCAM-17-CS-0025I Approval and Payment Authorization Emergency Act of 2018 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-449

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 6, 2018

To declare the existence of an emergency with respect to the need to approve Modification Nos. 01 and 02 to Contract No. DCAM-17-CS-0025D with Keystone Plus Construction Corporation for on-call construction, maintenance, and repair services, and to authorize payment in the not-to-exceed amount of \$2.5 million for the goods and services received and to be received under the modifications.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Modifications to Contract No. DCAM-17-CS-0025D Approval and Payment Authorization Emergency Declaration Resolution of 2018”.

Sec. 2. (a) There exists an immediate need to approve Modification Nos. 01 and 02 to Contract No. DCAM-17-CS-0025D with Keystone Plus Construction Corporation for on-call construction, maintenance, and repair services, and to authorize payment in the not-to-exceed amount of \$2.5 million for the goods and services received and to be received under the modifications.

(b) The underlying contract for on-call construction, maintenance, and repair services at various District public schools, parks, recreation facilities, and other municipal facilities was deemed approved by the Council on May 6, 2017, as CA22-0092. On February 5, 2018, via Modification No. 01, the Department of General Services exercised the first of 2 available one-year options to extend the term of the contract and assigned a contract value of \$950,000 for Option Year 1. Modification No. 02 would increase the contract value for Option Year 1 to \$2.5 million.

(c) Modification Nos. 01 and 02 will increase the total expenditures under Contract No. DCAM-17-CS-0025D by more than \$1 million during a 12-month period. Therefore, Council approval of Modification Nos. 01 and 02 is required pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51).

(d) Council approval is needed to compensate Keystone Plus Construction Corporation for the goods and services received and to be received under the modifications.

ENROLLED ORIGINAL

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modifications to Contract No. DCAM-17-CS-0025D Approval and Payment Authorization Emergency Act of 2018 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-450

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 6, 2018

To declare the existence of an emergency with respect to the need to approve Modification Nos. 03 and 04 to Contract No. DCAM-17-CS-0025G with Chiaramonte Construction Company for on-call construction, maintenance, and repair services, and to authorize payment in the not-to-exceed amount of \$2.5 million for the goods and services received and to be received under the modifications.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Modifications to Contract No. DCAM-17-CS-0025G Approval and Payment Authorization Emergency Declaration Resolution of 2018”.

Sec. 2. (a) There exists an immediate need to approve Modification Nos. 03 and 04 to Contract No. DCAM-17-CS-0025G with Chiaramonte Construction Company for on-call construction, maintenance, and repair services, and to authorize payment for the goods and services received and to be received under the modifications.

(b) The underlying contract for on-call construction, maintenance, and repair services at various District public schools, parks, recreation facilities, and other municipal facilities was deemed approved by the Council on May 6, 2017, as CA22-0091. On February 2, 2018, via Modification No. 03, the Department of General Services exercised the first of 2 available one-year options to extend the term of the contract and assigned a value of \$950,000 for Option Year 1. Modification No. 04 would increase the contract value for Option Year 1 to \$2.5 million.

(c) Modification Nos. 03 and 04 will increase the total Option Year 01 expenditures under Contract No. DCAM-17-CS-0025G by more than \$1 million during a 12-month period. Therefore, Council approval of Modification Nos. 03 and 04 is required pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51).

(d) Council approval is needed to compensate Chiaramonte Construction Company for the goods and services received and to be received under the modifications.

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

ENROLLED ORIGINAL

Modifications to Contract No. DCAM-17-CS-0025G Approval and Payment Authorization
Emergency Act of 2018 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-451

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 6, 2018

To declare the existence of an emergency with respect to the need to approve Modification Nos. 01 and 02 to Contract No. DCAM-17-CS-0025L with Corenic Construction Group LLC for on-call construction, maintenance, and repair services, and to authorize payment in the not-to-exceed amount of \$2.5 million for the goods and services received and to be received under the modifications.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Modifications to Contract No. DCAM-17-CS-0025L Approval and Payment Authorization Emergency Declaration Resolution of 2018”.

Sec. 2. (a) There exists an immediate need to approve Modification Nos. 01 and 02 to Contract No. DCAM-17-CS-0025L with Corenic Construction Group LLC for on-call construction, maintenance, and repair services, and to authorize payment in the not-to-exceed amount of \$2.5 million for the goods and services received and to be received under the modifications.

(b) The underlying contract for on-call construction, maintenance, and repair services at various District public schools, parks, recreation facilities, and other municipal facilities was deemed approved by the Council on May 8, 2017, as CA22-0095. On February 5, 2018, via Modification No. 01, the Department of General Services exercised the first of 2 available one-year options to extend the term of the contract and assigned a value of \$950,000 for Option Year 1. Modification No. 02 would increase the contract value for Option Year 1 to \$2.5 million.

(c) Modification Nos. 01 and 02 will increase the total expenditures under Contract No. DCAM-17-CS-0025L by more than \$1 million during a 12-month period. Therefore, Council approval of Modification Nos. 01 and 02 is required pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51).

(d) Council approval is needed to compensate Corenic Construction Group LLC for the goods and services received and to be received under the modifications.

ENROLLED ORIGINAL

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modifications to Contract No. DCAM-17-CS-0025L Approval and Payment Authorization Emergency Act of 2018 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-452

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 6, 2018

To declare the existence of an emergency with respect to the need to approve Modification Nos. 15, 18, and 19 to Contract No. RM-15-RFP-SRR-104-LSI-BY4-SC with Life Stride, Inc. to provide supported rehabilitative residence services and to authorize payment for the goods and services received and to be received under the modifications.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Modifications to Contract No. RM-15-RFP-SRR-104-LSI-BY4-SC Approval and Payment Authorization Emergency Declaration Resolution of 2018”.

Sec. 2. (a) There exists a need to approve Modification Nos. 15, 18, and 19 to Contract No. RM-15-RFP-SRR-104-LSI-BY4-SC with Life Stride, Inc. (“Contract”) to provide supported rehabilitative residence services, and to authorize payment for the goods and services received and to be received under the modifications.

(b) By Modification No. 15, dated December 21, 2017, the Office of Contracting and Procurement (“OCP”), on behalf of the Department of Behavioral Health, exercised a partial option of option year three of the Contract in the amount of \$559,158 for the period from December 22, 2017 through February 28, 2018.

(c) By Modification No. 18, dated January 22, 2018, the OCP revised the term of partial option year three of the Contract to include the period from March 1, 2018 through March 31, 2018 and increased the amount of partial option year three by \$211,389 to \$770,547.

(d) Modification No. 19 is now necessary to exercise the remainder of option year three of the Contract, to include the period from April 1, 2018 through December 21, 2018, and increase the total not-to-exceed amount for option year three by \$1,729,453 to \$2,500,000.

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

(f) Approval is necessary to allow the continuation of these vital services. Without this approval, Life Stride, Inc. cannot be paid for goods and services provided in excess of \$1 million for the contract period from December 22, 2017 through December 21, 2018.

ENROLLED ORIGINAL

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modifications to Contract No. RM-15-RFP-SRR-104-LSI-BY4-SC Approval and Payment Authorization Emergency Act of 2018 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-453

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 6, 2018

To declare the existence of an emergency with respect to the need to amend the District of Columbia Election Code of 1955 to exempt the current Executive Director of the District of Columbia Board of Elections from the domicile requirement.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Board of Elections Domicile Requirement Emergency Declaration Resolution of 2018”.

Sec. 2. (a) Under D.C. Official Code § 1-1001.05(e)(1)(A), the District of Columbia Board of Elections (“the Board”) is tasked with selecting, employing, and fixing the compensation of its Executive Director, who serves at the Board’s pleasure. The Board’s Executive Director is not subject to Council confirmation.

(b) Under D.C. Official Code § 1-1001.05(e)(1)(B), the Executive Director is required to be a District resident throughout his or her term, and failure to maintain District residency shall result in a forfeiture of the position.

(c) On July 6, 2016, the Board hired Alice Miller as its Executive Director, who was at that time and is now a resident of Silver Spring, Maryland.

(d) The Board conducted a national search for the position and, finding no qualified candidates residing in the District or willing to move to the District, deemed the position of Executive Director – an excepted service position – a hard-to-fill position, waived the domicile requirement, and appointed Director Miller.

(e) On February 15, 2018, the media reported that Director Miller is a Maryland resident.

(f) Director Miller’s service in this position has been commendable and is not in question. She has shown strong operational and fiscal management skills and has extensive experience in elections administration. However, those who govern the District must call it home.

(g) Nevertheless, the District is fewer than 4 months away from conducting the June 19, 2018, primary election, the administration of which will require expertise, extensive interagency coordination, and logistics management that cannot be transitioned at this late stage. Additionally, it is unclear whether the Board possessed the legal authority to waive the domicile requirement, although it maintains that it does. It would be irresponsible to leave unresolved any

ENROLLED ORIGINAL

uncertainty into the Executive Director's ability to carry out her duties by not statutorily exempting Director Miller from the domicile requirement.

(h) Emergency legislation to exempt Director Miller is necessary to maintain stability at the agency and to ensure that the District's elections are properly administered. However, the exemption provided by this emergency legislation will not apply to future Executive Directors.

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 Board of Elections Domicile Requirement Emergency Amendment Act of 2018 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-454

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 6, 2018

To declare the existence of an emergency with respect to the need to establish that it shall be unlawful for the owner or operator of a grocery store or food retail store to agree to the inclusion of a restrictive land covenant or use restriction on the sale, lease, or other transfer of real property used as a grocery store or food retail store that prohibits the subsequent use of the property as a grocery store, unless the owner or operator relocates the grocery store or food retail store within a half mile of its former location, commences operation of the store within 2 years, and limits the restrictive covenant to not exceed 3 years.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Grocery Store Restrictive Covenant Prohibition Emergency Declaration Resolution of 2018”.

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

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

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

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

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

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

ENROLLED ORIGINAL

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

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

(i) Further, this emergency legislation is necessary as the temporary legislation currently in effect, the Grocery Store Restrictive Covenant Prohibition Temporary Act of 2017, effective July 28, 2017 (D.C. Law 22-270; 64 DCR 5304), will expire on March 10, 2018, and the permanent legislation, the Grocery Store Restrictive Covenant Prohibition Act of 2018, passed on 1st reading on March 6, 2018 (Engrossed version of Bill 22-60), has not yet been enacted by the Council.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Grocery Store Restrictive Covenant Prohibition Emergency Act of 2018 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-456

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 6, 2018

To declare the existence of an emergency with respect to the need to amend the Not-For-Profit Hospital Corporation Establishment Amendment Act of 2011 to require the retention of electronic recordings of meetings of the Board of Directors of the Not-For-Profit Hospital Corporation (“Board”) for a minimum of 5 years, to require the Board to take all efforts reasonably necessary to recover and preserve electronic recordings of its meetings as of April 1, 2013, and to inform the Council and the Director of the District of Columbia Open Government Office in writing of compliance efforts by April 1, 2018.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Preservation of Electronic Recordings of Meetings Emergency Declaration Resolution of 2018”.

Sec. 2. (a) On February 21, 2018, the Committee on Health held a Fiscal Year 2017-2018 performance oversight roundtable on the Board of Directors of the Not-For-Profit Hospital Corporation (“Board”). At that time, testimony revealed that the Board previously contracted with a company to record its meetings electronically, and that recordings of such meetings are allegedly subject to deletion after 6 months.

(b) There exists a need to amend the Not-For-Profit Hospital Corporation Establishment Amendment Act of 2011 to ensure that electronic recordings of meetings of the Board shall be retained for a minimum of 5 years, to require the Board to take all efforts reasonably necessary to recover and preserve electronic recordings of its meetings as of April 1, 2013, and to inform the Council and the Director of the District of Columbia Open Government Office in writing of compliance efforts by April 1, 2018.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Preservation of Electronic Recordings of Meetings Emergency Amendment Act of 2018 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

- | | |
|---------|---|
| B22-744 | Optometry Practice Amendment Act of 2018

Intro. 03 - 09 - 2018 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Health |
| <hr/> | |
| B22-745 | Park 7 at Minnesota-Benning Tax Abatement Act of 2018

Intro. 03 - 09 - 2018 by Councilmember Gray and referred to the Committee on Finance and Revenue |

PROPOSED RESOLUTIONS

- | | |
|----------|---|
| PR22-797 | Commission on Re-Entry and Returning Citizen Affairs Leon Fields, III Confirmation Resolution of 2018

Intro. 03 - 07 - 2018 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Housing and Neighborhood Revitalization |
| <hr/> | |
| PR22-798 | Washington Convention and Sports Authority Board of Directors Linda Greenan Confirmation Resolution of 2018

Intro. 03 - 07 - 2018 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Finance and Revenue |
| <hr/> | |
| PR22-799 | Washington Convention and Sports Authority Board of Directors George T. Simpson Confirmation Resolution of 2018

Intro. 03 - 07 - 2018 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Finance and Revenue |
-

- PR22-800 Washington Convention and Sports Authority Board of Directors Julio Jay Haddock Ortiz Confirmation Resolution of 2018
- Intro. 03 - 07 - 2018 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Finance and Revenue
-
- PR22-801 Commission on Asian and Pacific Islander Community Development Bruce Leal Confirmation Resolution of 2018
- Intro. 03 - 07 - 2018 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Government Operations
-
- PR22-802 Commission on Asian and Pacific Islander Community Development Rebecca Lee Confirmation Resolution of 2018
- Intro. 03 - 07 - 2018 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Government Operations
-
- PR22-803 Police Complaints Board Natalie Walker Confirmation Resolution of 2018
- Intro. 03 - 09 - 2018 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Judiciary and Public Safety
-
- PR22-804 Board of Physical Therapy Margaret Plack Confirmation Resolution of 2018
- Intro. 03 - 09 - 2018 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Health
-

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

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

ANNOUNCES A PUBLIC HEARING ON

**BILL 22-0193, THE “TEMPORARY PROTECTION ORDER FIREARM
RELINQUISHMENT AMENDMENT ACT OF 2017”**

**BILL 22-0400, THE “EXTREME RISK CIVIL PROTECTION ORDER
AMENDMENT ACT OF 2017”**

**BILL 22-0588, THE “POSSESSION OF FIREARM AND AMMUNITION PENALTIES
AMENDMENT ACT OF 2017”**

**PROPOSED RESOLUTION 22-0552, THE “SENSE OF THE COUNCIL IN OPPOSITION
TO CONCEALED CARRY RECIPROCITY RESOLUTION OF 2017”**

AND

**PROPOSED RESOLUTION 22-0796, THE “SENSE OF THE COUNCIL VIRGINIA AND
MARYLAND ASSAULT RIFLE PROHIBITION RESOLUTION OF 2018”**

**Thursday, March 22, 2018, 11:00 a.m.
Room 500, John A. Wilson Building
1350 Pennsylvania Avenue, N.W.
Washington, D.C. 20004**

On Thursday, March 22, 2018, Councilmember Charles Allen, Chairperson of the Committee on the Judiciary and Public Safety, will hold a public hearing on Bill 22-0193, the “Temporary Protection Order Firearm Relinquishment Amendment Act of 2017”; Bill 22-0400, the “Extreme Risk Civil Protection Order Amendment Act of 2017”; Bill 22-0588, the “Possession of Firearm and Ammunition Penalties Amendment Act of 2017”; Proposed Resolution 22-0552, the “Sense of the Council in Opposition to Concealed Carry Reciprocity Resolution of 2017”; and Proposed Resolution 22-0796, the “Sense of the Council Virginia and Maryland Assault Rifle Prohibition Resolution of 2018”. The hearing will take place in Room 500 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., at 11:00 a.m. *Please note that this notice has been revised to reflect the inclusion of PR22-0796 and the updated start time of 11 a.m.*

The stated purpose of Bill 22-0193, the “Temporary Protection Order Firearm Relinquishment Amendment Act of 2017”, is to amend Title 16 of the District of Columbia Official Code to require an individual subject to a temporary protection order to relinquish the individual’s firearms; and to amend An Act To control the possession, sale, transfer and use of pistols and other dangerous weapons in the District of Columbia to provide penalties, to prescribe rules of evidence, and for other purposes to provide that an individual may not own or keep a firearm in the individual’s possession or under the individual’s control if the individual is subject to a court order requiring the individual to relinquish possession of any firearms.

The stated purpose of Bill 22-0400, the “Extreme Risk Civil Protection Order Amendment Act of 2017”, is to authorize a court to issue a temporary ex parte extreme risk civil protection order if there is a finding that there is a reasonable belief to find that the subject of the petition poses an immediate and present danger of causing personal injury to self or others by possession or control of a firearm, and to establish an extreme risk civil protection order for the duration of one year to remove firearms when a court finds by a preponderance of evidence that the subject of the petition poses a significant threat of harm to self or others.

The stated purpose of B22-0588, the “Possession of Firearm and Ammunition Penalties Amendment Act of 2017”, is to prohibit a person from knowingly possessing or receiving any firearm with a tampered serial number; to prohibit a person from possessing a stolen firearm or stolen ammunition; to prohibit the possession of ammunition by individuals previously convicted of felonies; to increase the penalty for possession of a high-capacity magazine; to prohibit trafficking firearms or ammunition; and to permit persons to surrender to the Metropolitan Police Department firearms or ammunition that this act prohibits.

The stated purpose of PR22-0552, the “Sense of the Council in Opposition to Concealed Carry Reciprocity Resolution of 2017”, is to declare the Sense of the Council in opposition to congressional action that would make the District of Columbia less safe by imposing concealed carry reciprocity, which allows individuals who are licensed to carry a concealed firearm in any state to carry their firearms in the District of Columbia.

The stated purpose of PR22-0796, the “Sense of the Council Virginia and Maryland Assault Rifle Prohibition Resolution of 2018”, is to declare the Sense of the Council in support of calling on the Virginia and Maryland legislatures to ban assault rifles in order to prevent such weapons from being brought into the District of Columbia.

The Committee invites the public to testify or to submit written testimony. Anyone wishing to testify at the hearing should contact the Committee via email at judiciary@dccouncil.us or at (202) 727-8078, and provide their name, telephone number, organizational affiliation, and title (if any), by **close of business Monday, March 19, 2018**. Representatives of organizations will be allowed a maximum of five minutes for oral testimony, and individuals will be allowed a maximum of three minutes. Witnesses are encouraged to bring **twenty double-sided copies** of their written testimony and, if possible, also submit a copy of their testimony electronically in advance to judiciary@dccouncil.us.

For witnesses who are unable to testify at the hearing, written statements will be made part of the official record. Copies of written statements should be submitted to the Committee at judiciary@dccouncil.us. **The record will close at the end of the business day on April 6, 2018.**

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

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

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

on

B22-0522 - District Waterways Management Act of 2017

**Wednesday, May 16, 2018, 11:00 A.M.
John A. Wilson Building, Room 412
1350 Pennsylvania Avenue, N.W.
Washington, DC 20004**

Councilmember Brandon T. Todd announces the scheduling of a public hearing by the Committee on Government Operations on B22-522, the “District Waterways Management Act of 2017”. The public hearing is scheduled for Wednesday, May 16, 2018 at 11:00 a.m. in Room 412 of the John A. Wilson Building, 1350 Pennsylvania Ave., NW, Washington, DC 20004.

B22-522 establishes the District Waterways Management Office within the Office of the City Administrator and also establishes the District Waterways Management Commission. The Office's purpose will be to plan, manage, coordinate, promote, and advocate for the diverse uses of and access to the waterways and adjacent property. The Commission is required to develop and publish a District Waterways Management Action Plan by July 1, 2019.

Individuals and representatives of organizations who wish to testify at the public hearing are asked to contact Faye Caldwell of the Committee on Government Operations at (202) 724-6663 or by email at fcaldwell@dccouncil.us and provide their name(s), address, telephone number, email address, and organizational affiliation, if any, by close of business Tuesday, May 15, 2018. Each witness is requested to bring 20 copies of his/her written testimony. Representatives of organizations and government agencies will be limited to 5 minutes in order to permit each witness an opportunity to be heard. Individual witnesses will be limited to 3 minutes.

If you are unable to testify at the public hearing, written statements are encouraged and will be made a part of the official record. The official record will remain open until close of business Wednesday, May 30, 2018. Copies of written statements should be submitted to the Committee on Government Operations, Council of the District of Columbia, Suite 117 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004.

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

**COUNCILMEMBER DAVID GROSSO
COMMITTEE ON EDUCATION
ANNOUNCES THE PUBLIC OVERSIGHT ROUNDTABLE**

on

The Future of School Reform in the District of Columbia

on

**Monday, March 19, 2018
10:00 a.m, Hearing Room 412, John A. Wilson Building
1350 Pennsylvania Avenue, NW
Washington, DC 20004**

Councilmember David Grosso announces the public roundtable of the Committee on Education on The Future of School Reform in the District of Columbia.

The purpose of this roundtable is to focus specifically on improvements to the D.C. Public Education Reform Amendment Act and other cross-sector issues. It will be an opportunity for the public to review the following: mechanisms for greater Council and public oversight and engagement, a more transparent school budget system, analyzing teacher and student evaluations, cross-sector issues, and highlighting ways to put a greater distance between politics and the education of our youth.

The Committee invites the public to testify or submit written testimony. Those who wish to testify may sign-up online at <http://bit.do/educationhearings> or call the Committee on Education at (202) 724-8061 by 5:00 pm on March 15, 2018. Persons wishing to testify are encouraged to bring 10 copies of their written testimony

This is the first of a series of roundtables that will be scheduled during both daytime and evening hours to get the full engagement of the public. If you are unable to testify at the roundtable, written statements are encouraged and will be made a part of the official record. Written statements should be submitted by email to Ashley Strange, astrange@dccouncil.us, or by post to the Committee on Education, Council of the District of Columbia, 1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004. The record will remain open for an extended time and will close at a date to be determined later.

**COUNCIL OF THE DISTRICT OF COLUMBIA
Notice of Grant Budget Modifications**

Pursuant to the Consolidated Appropriations Act of 2017, approved May 5, 2017 (P.L. 115-31), the Council of the District of Columbia gives notice that the Mayor has transmitted the following Grant Budget Modification (GBM).

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

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

GBM 22-71: FY 2018 Grant Budget Modifications as of February 2, 2018

RECEIVED: 14 day review begins March 13, 2018

GBM 22-72: FY 2018 Grant Budget Modifications as of February 7, 2018

RECEIVED: 14 day review begins March 13, 2018

GBM 22-73: FY 2018 Grant Budget Modifications as of February 9, 2018

RECEIVED: 14 day review begins March 13, 2018

GBM 22-74: FY 2018 Grant Budget Modifications as of February 14, 2018

RECEIVED: 14 day review begins March 13, 2018

COUNCIL OF THE DISTRICT OF COLUMBIA
Notice of Reprogramming Requests

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

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

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

Reprog. 22-110

Request to reprogram \$1,200,000 of Fiscal Year 2018 Local funds budget authority from the Department of Youth Rehabilitation Services (DYRS) to the Department of Behavioral Health (DBH) was filed in the Office of the Secretary on March 9, 2018. This reprogramming ensures that the DBH will be able to perform mandatory psychiatric evaluations for individuals referred to SEH by the court.

RECEIVED: 14 day review begins March 12, 2018

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

Placard Posting Date: March 16, 2018
 Protest Petition Deadline: April 30, 2018
 Roll Call Hearing Date: May 14, 2018

License No.: ABRA-102866
 Licensee: Basque Bar, LLC
 Trade Name: Anxo Cidery & Tasting Room
 License Class: Retailer's Class "C" Tavern
 Address: 711 Kennedy Street, N.W.
 Contact: Rachel Fitz: (410) 375-1630

WARD 4

ANC 4D

SMD 4D01

Notice is hereby given that this licensee has requested Substantial Changes to their license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the **Roll Call Hearing date on May 14, 2018 at 10 a.m., 4th Floor, 2000 14th Street, N.W., Washington, DC 20009**. Petition and/or request to appear before the Board must be filed on or before the Petition Date.

NATURE OF SUBSTANTIAL CHANGES

Licensee is requesting to expand into the existing property, to increase the occupancy from 42 seats to 61 seats, with a new Total Occupancy Load of 80. Licensee is requesting to add a Sidewalk Café with 10-15 seats. Licensee is requesting to add an Entertainment Endorsement to include live entertainment indoors and outdoors, with Dancing, and Cover Charge. Licensee is requesting to add a Brew Pub Endorsement.

CURRENT HOURS OF OPERATION INSIDE PREMISES

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

CURRENT HOURS OF ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION INSIDE PREMISES

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

PROPOSED HOURS OF OPERATION (SIDEWALK CAFÉ)

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

PROPOSED HOURS OF ALCOHOLIC BEVERAGE SALES/SERVICE/AND CONSUMPTION (SIDEWALK CAFÉ)

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

PROPOSED HOURS OF LIVE ENTERTAINMENT (INDOORS)

Sunday – Saturday 10 am – 2am

PROPOSED HOURS OF LIVE ENTERTAINMENT (OUTDOOR SUMMER GARDEN/SIDEWALK CAFÉ)

Sunday – Saturday 10 am – 1 am

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

Placard Posting Date: March 16, 2018
Protest Petition Deadline: April 30, 2018
Roll Call Hearing Date: May 14, 2018

License No.: ABRA-086393
Licensee: Beau Thai, LLC
Trade Name: BKK Cookshop
License Class: Retailer’s Class “C” Restaurant
Address: 1700 New Jersey Avenue, N.W.
Contact: Andrew Kline, Esq.: (202) 686-7600

WARD 6 ANC 6E SMD 6E02

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 May 14, 2018 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

Request to add a Sidewalk Cafe with 52 seats.

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

Sunday – Saturday 8am – 11pm

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

Sunday – Saturday 11am – 11pm

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
3/16/2018

Notice is hereby given that:

License Number: ABRA-084240

License Class/Type: A / Retail - Liquor Store

Applicant: Lin's spirit, Inc.

Trade Name: JB Liquors

ANC: 4C04

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

3914 14TH ST NW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
4/30/2018

A HEARING WILL BE HELD ON:
5/14/2018

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

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

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
3/16/2018

Notice is hereby given that:

License Number: ABRA-108146

License Class/Type: A / Retail - Liquor Store

Applicant: RJ9699, Inc.

Trade Name: Downtown Liquors

ANC: 4C04

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

3712 14TH ST NW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
4/30/2018

A HEARING WILL BE HELD ON:
5/14/2018

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

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

ENDORSEMENT(S): Tasting

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
3/16/2018

Notice is hereby given that:

License Number: ABRA-014341

License Class/Type: A / Retail - Liquor Store

Applicant: Silverman's-Mun Liquors, Inc

Trade Name: Silvermans Liquors

ANC: 7D01

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

2033 BENNING RD NE

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
4/30/2018

A HEARING WILL BE HELD ON:
5/14/2018

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

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

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
3/16/2018

Notice is hereby given that:

License Number: ABRA-093813

License Class/Type: A / Retail - Liquor Store

Applicant: JLC INC

Trade Name: Towne Wine & Liquor

ANC: 2E03

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

1326 WISCONSIN AVE NW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
4/30/2018

A HEARING WILL BE HELD ON:
5/14/2018

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

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

ENDORSEMENT(S): Tasting

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
3/16/2018

Notice is hereby given that:

License Number: ABRA-094178

License Class/Type: A / Retail - Liquor Store

Applicant: S & G Inc.

Trade Name: Park Market

ANC: 1A04

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

3400 13th ST NW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
4/30/2018

A HEARING WILL BE HELD ON:
5/14/2018

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

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

ENDORSEMENT(S): Tasting

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
3/16/2018

Notice is hereby given that:

License Number: ABRA-101095

License Class/Type: A / Retail - Liquor Store

Applicant: Venus 2 INC.

Trade Name: 9 & P St. Liquor

ANC: 2F06

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

1428 9TH ST NW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
4/30/2018

A HEARING WILL BE HELD ON:
5/14/2018

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

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

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
3/16/2018

Notice is hereby given that:

License Number: ABRA-089591

License Class/Type: A / Retail - Liquor Store

Applicant: 7 River, LLC

Trade Name: 7 River Mart

ANC: 6A03

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

250 11th ST NE

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
4/30/2018

A HEARING WILL BE HELD ON:
5/14/2018

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

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

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
3/16/2018

Notice is hereby given that:

License Number: ABRA-108836

License Class/Type: A / Retail - Liquor Store

Applicant: ChoDaeBak, Inc.

Trade Name: Mart Liquors

ANC: 8C02

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

2931 MARTIN LUTHER KING JR AVE SE

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
4/30/2018

A HEARING WILL BE HELD ON:
5/14/2018

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

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

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
3/16/2018

Notice is hereby given that:

License Number: ABRA-076250

License Class/Type: A / Retail - Liquor Store

Applicant: Fikre Market, Inc.

Trade Name: Capitol View Market

ANC: 7C03

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

4920 CENTRAL AVE NE

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
4/30/2018

A HEARING WILL BE HELD ON:
5/14/2018

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

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

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
3/16/2018

Notice is hereby given that:

License Number: ABRA-107000

License Class/Type: A / Retail - Liquor Store

Applicant: Goldentree, Inc.

Trade Name: Shipley Liquors

ANC: 8B06

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

2281 SAVANNAH ST SE

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
4/30/2018

A HEARING WILL BE HELD ON:
5/14/2018

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	8 am - 8 pm	8 am - 8 pm
Monday:	7 am - 12 am	7 am - 12 am
Tuesday:	7 am - 12 am	7 am - 12 am
Wednesday:	7 am - 12 am	7 am - 12 am
Thursday:	7 am - 12 am	7 am - 12 am
Friday:	7 am - 12 am	7 am - 12 am
Saturday:	7 am - 12 am	7 am - 12 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
3/16/2018

Notice is hereby given that:

License Number: ABRA-104158 License Class/Type: A Retail - Liquor Store

Applicant: Golden Triangle Investments, LLC

Trade Name: Hamilton Liquors

ANC: 4D04

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

5205 GEORGIA AVE NW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
4/30/2018

A HEARING WILL BE HELD ON:
5/14/2018

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

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

ENDORSEMENT(S): Tasting

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
3/16/2018

Notice is hereby given that:

License Number: ABRA-093800

License Class/Type: A / Retail - Liquor Store

Applicant: IDA Incorporated

Trade Name: S & G Wine & Liquors

ANC: 4D01

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

5421 GEORGIA AVE NW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
4/30/2018

A HEARING WILL BE HELD ON:
5/14/2018

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

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

ENDORSEMENT(S): Tasting

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date: March 16, 2018
Protest Petition Deadline: April 30, 2018
Roll Call Hearing Date: May 14, 2018

License No.: ABRA-094559
Licensee: Las Placitas Café, LLC
Trade Name: Las Placitas Restaurant
License Class: Retailer's Class "C" Restaurant
Address: 4724 14th Street, N.W.
Contact: Isidoro Amaya, Owner: (202) 804-4507

WARD 4

ANC 4C

SMD 4C02

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 May 14, 2018 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

Request to add a Sidewalk Cafe with 16 seats.

CURRENT HOURS OF OPERATION AND ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION (INSIDE PREMISES)

Sunday – Thursday 10am – 2am

Friday – Saturday 10am – 3am

CURRENT HOURS OF LIVE ENTERTAINMENT (INSIDE PREMISES)

Sunday – Thursday 6pm – 2am

Friday 6pm – 3am

Saturday 10am – 3am

PROPOSED HOURS OF OPERATION (SIDEWALK CAFE)

Sunday – Thursday 10am – 2am

Friday – Saturday 10am – 3am

PROPOSED HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION (SIDEWALK CAFE)

Sunday – Saturday 10am – 11pm

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

****RESCIND**

Placard Posting Date: March 2, 2018
Protest Petition Deadline: April 17, 2018
Roll Call Hearing Date: April 30, 2018
Protest Hearing Date: June 27, 2018

License No.: ABRA-108322
Licensee: Lukes Lobster XXIX, LLC
Trade Name: Luke’s Lobster
License Class: Retailer’s Class “C” Restaurant
Address: 800 17th Street, N.W.
Contact: Benjamin Conniff: (646) 559 - 4644

WARD 2

ANC 2B

SMD 2B06

Notice is hereby given that this licensee has applied for a new license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the **Roll Call Hearing date on April 30, 2018 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 **June 27, 2018 at 1:30 p.m.**

NATURE OF OPERATION

New **Class “D” Restaurant serving lobster, crab, shrimp, and soups. Total Occupancy Load of 49 and seating for 33 inside. Summer Garden with 16 seats.

HOURS OF OPERATION AND ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUPTION INSIDE PREMISES AND FOR SUMMER GARDEN

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

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

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

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date: March 16, 2018
 Protest Petition Deadline: April 30, 2018
 Roll Call Hearing Date: May 14, 2018
 Protest Hearing Date: July 11, 2018

License No.: ABRA-109267
 Licensee: ONS Group, LLC
 Trade Name: Naan & Beyond
 License Class: Retailer's Class "C" Restaurant
 Address: 1025 Vermont Avenue, N.W.
 Contact: Chrissie Chang: 703-992-3994

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 May 14, 2018 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 **July 11, 2018 at 1:30 p.m.**

NATURE OF OPERATION

A new class C Restaurant serving Indian and American cuisine. Seating Capacity of 61 and Total Occupancy Load of 122 inside premises. Seating Capacity of 36 and Total Occupancy Load of 45 for the outdoor Sidewalk Café. The Restaurant includes an Entertainment Endorsement to provide live entertainment inside the premises only.

HOURS OF OPERATION INSIDE PREMISES AND FOR THE OUTDOOR SIDEWALK CAFÉ

Sunday through Thursday 7 am – 4 am, Friday and Saturday 7 am – 5 am

HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION INSIDE PREMISES AND FOR THE OUTDOOR SIDEWALK CAFÉ

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

HOURS OF LIVE ENTERTAINMENT INSIDE PREMISES ONLY

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

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

Placard Posting Date: March 16, 2018
Protest Petition Deadline: April 30, 2018
Roll Call Hearing Date: May 14, 2018
Protest Hearing Date: July 11, 2018

License No: ABRA-107663
Licensee: Creative Food Group, LLC
Trade Name: Officina
License Class: Retailer's Class "B" Full-Service Grocery Store
Address: 1120 Maine Avenue, S.W.
Contact: Andrew Kline: (202) 686-7600

WARD 6

ANC 6D

SMD 6D04

Notice is hereby given that this licensee has applied for a new license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the **Roll Call Hearing date on May 14, 2018 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 **July 11, 2018 at 1:30 p.m.**

NATURE OF OPERATION

New Retail Class B, Full-Service Grocery Store selling beer and wine.

PROPOSED HOURS OF OPERATION

Sunday – Saturday 7 am – 3 am

PROPOSED HOURS OF ALCOHOLIC BEVERAGE SALES

Sunday – Saturday 8 am – 12 am

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

Placard Posting Date: March 16, 2018
Protest Petition Deadline: April 30, 2018
Roll Call Hearing Date: May 14, 2018
Protest Hearing Date: July 11, 2018

License No: ABRA-107664
Licensee: Creative Food Group, LLC
Trade Name: Officina
License Class: Retailer's Class "C" Restaurant
Address: 1120 Maine Avenue, S.W.
Contact: Andrew Kline: (202) 686-7600

WARD 6

ANC 6D

SMD 6D04

Notice is hereby given that this licensee has applied for a new license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the **Roll Call Hearing date on May 14, 2018 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 **July 11, 2018 at 1:30 p.m.**

NATURE OF OPERATION

New Class C Restaurant with 218 seats and a Total Occupancy Load of 600. Serving contemporary Italian fare, located inside of a Full-Service Grocery Store selling beer and wine. Licensee is requesting (3) Summer Gardens on (3) different floors of the establishment, with 154 seats in total. Applicant is also requesting an Entertainment Endorsement to provide live entertainment indoors and outdoors.

PROPOSED HOURS OF OPERATION (INSIDE PREMISES AND FOR SUMMER GARDEN)

Sunday – Saturday 7 am – 3 am

PROPOSED HOURS OF ALCOHOLIC BEVERAGE SALES/ SERVICE/ AND CONSUMPTION (INSIDE PREMISES AND FOR SUMMER GARDEN)

Sunday – Thursday 8 am – 2 am

Friday – Saturday 8 am – 3 am

PROPOSED HOURS OF LIVE ENTERTAINMENT (INDOORS AND OUTDOORS)

Sunday – Thursday 6 pm – 2 am

Friday – Saturday 6 pm – 3 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date: March 16, 2018
Protest Petition Deadline: April 30, 2018
Roll Cal Hearing Date: May 14, 2018

License No.: ABRA-108398
Licensee: Pisco Y Nazca Dupont LLC
Trade Name: Pisco Y Nazca Gastro Bar
License Class: Retailer's Class "C" Restaurant
Address: 1823 L Street, N.W.
Contact: Andrew Kline: 202-686-7600

WARD 2 ANC 2B SMD 2B06

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 May 14, 2018 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 to add a Sidewalk Café with 42 seats.

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

Sunday through Saturday 11 am – 12 am

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

Sunday through Saturday 11 am – 12 am

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

Placard Posting Date: March 16, 2018
Protest Petition Deadline: April 30, 2018
Roll Call Hearing Date: May 14, 2018
Protest Hearing Date: July 11, 2018

License No.: ABRA-109295
Licensee: Paradise SV, LLC
Trade Name: Pizzeria Paradiso
License Class: Retailer's Class "C" Restaurant
Address: 4850 Massachusetts Avenue N.W., Ste.100
Contact: Michael D. Fonseca: (202) 625-7700

WARD 3

ANC 3D

SMD 3D03

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 May 14, 2018 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 July 11, 2018 at 4:30 p.m.**

NATURE OF OPERATION

New Class "C" Restaurant, serving a variety of wood-fired pizzas and other Italian favorites. There will be 135 seats, with a Total Occupancy Load of 158. The licensee is requesting a Summer Garden endorsement with 64 seats.

PROPOSED HOURS OF OPERATION (INSIDE PREMISES)

Monday – Friday, 11:00 am – 1:00 am
Saturday – Sunday, 9:00 am – 1:00 am

PROPOSED HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION (INSIDE PREMISES)

Sunday – Saturday, 11:00 am – 1:00 am

PROPOSED HOURS OF OPERATION (SUMMER GARDEN)

Sunday, 9:00 am – 11:00 pm
Monday – Thursday, 11:00 am – 11:00 pm
Friday, 11:00 am – 12:00 am
Saturday, 9:00 am – 12:00 am

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

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

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date: March 16, 2018
Protest Petition Deadline: April 30, 2018
Roll Call Hearing Date: May 14, 2018
Protest Hearing Date: July 11, 2018

License No.: ABRA-108756
Licensee: Phillips Seafood - P Street LLC
Trade Name: Street Carts/Phillips Seafood & Steaks
License Class: Retailer's Class "C" Restaurant
Address: 1454 P Street, N.W.
Contact: Stephen O' Brien: 202 625-7700

WARD 2 ANC 2F SMD 2F02

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 May 14, 2018 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 July 11, 2018 at 4:30 p.m.

NATURE OF OPERATION

New Class C establishment offering quick, casual Asian food as well as a full-service restaurant serving fresh seafood and meats. Total Occupancy Load inside is 290 with seating for 275. Two Sidewalk Cafés with 60 seats each, 120 seats in total.

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

Sunday through Saturday 10 am – 2 am

HOURS OF OPERATION AND ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION FOR THE TWO SIDEWALK CAFÉS

Sunday through Thursday 10 am – 11 pm, and Friday and Saturday 10 am – 12 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date: March 16, 2018
Protest Petition Deadline: April 30, 2018
Roll Call Hearing Date: May 14, 2018
Protest Hearing Date: July 11, 2018

License No.: ABRA-109270
Licensee: Toryumon Japanese House, Inc.
Trade Name: Toryumon Japanese House
License Class: Retailer's Class "C" Restaurant
Address: 1901 Pennsylvania Avenue, N.W., Suite 0001
Contact: Chrissie Chang: 703-992-3994

WARD 2

ANC 2B

SMD 2B06

Notice is hereby given that this licensee has applied for a new license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the Roll Call Hearing date on May 14, 2018 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 July 11, 2018 at 4:30 p.m.

NATURE OF OPERATION

A new Restaurant serving Japanese cuisine. Seating Capacity of 49 and Total Occupancy Load of 66. The Restaurant will not include Entertainment, Dancing or Cover Charge.

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

Sunday 12pm - 10 pm
Monday through Thursday 11 am - 10 pm
Friday and Saturday 11 am - 11 pm

DEPARTMENT OF HEALTH

NOTICE OF PROPOSED RULEMAKING

The Director of the Department of Health, pursuant to the authority set forth under Section 302(14) of the District of Columbia Health Occupations Revision Act of 1985 (“Act”), effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1203.02(14) (2016 Repl.)), and Mayor’s Order 98-140, dated August 20, 1998, hereby gives notice of the intent to take proposed rulemaking action to adopt the following amendments to Chapter 85 (Licensed, Registered, or Certified Health Professional Criminal Background Checks) of Title 17 (Business, Occupations, and Professionals) of the District of Columbia Municipal Regulations (DCMR) in not less than thirty (30) days from the date of publication of this notice in the *D.C. Register*.

The purpose of this rulemaking is to update the criminal background check (CBC) process based on the Health Regulation & Licensing Administration’s (HRLA) experience since implementing the program in 2010. The changes represent HRLA’s effort to make the CBC process as seamless as possible for all of the health professionals that it regulates. To accomplish that end, the following amendments are set forth:

Subsection 8501.1 will require an applicant who is not or has never been licensed, registered, or certified in another state and is applying for the same in the District of Columbia to undergo a fingerprint scan CBC. The license, registration, or certification will not be issued until the board that regulates the professional has reviewed the results of the CBC.

Subsection 8501.2 will require an applicant, who is endorsing from another state, and has not had a state and FBI CBC performed within the last two (2) years, to undergo a fingerprint scan CBC.

Subsection 8501.3 will require an applicant who has had a state and FBI CBC done in the state from which he or she is endorsing, to undergo a CBC based on the applicant’s name, gender, Social Security number, date of birth, and mailing address.

Subsection 8501.4 will require a person who is renewing his or her license, registration, or certification to undergo a fingerprint scan CBC or a CBC based on a name search, which shall include the applicant’s gender, Social Security number, date of birth, and mailing address. The CBC shall occur at a two (2) year interval coinciding with the renewal date of the respective profession.

Subsection 8501.5 will require a person applying for reinstatement, reactivation, or for a higher level license, registration, or certification in a specific profession to undergo a CBC if the applicant has not had a CBC done within the two (2) years prior to the date of his or her application.

Subsection 8501.6 provides that the CBC shall disclose the criminal history of the prospective applicant in the District of Columbia or in any other state or territory of the United States.

Subsection 8501.7 requires an applicant for an initial license, registration, or certification to

present a current driver's license or government-issued identification, containing a facial photograph for the purpose of verifying his or her identity in order to obtain a fingerprint scan CBC.

Subsection 8502.1 requires an applicant to pay the CBC processing fee.

Subsection 8503.1 requires the Health Regulation & Licensing Administration to maintain a record of the most recent date on which a CBC was performed.

Subsection 8503.2 prohibits the Health Regulation & Licensing Administration from disclosing the results of a CBC unless it is requested by the Director, or requested by the person who is the subject of the CBC, or required to be produced pursuant to a court order, or provided to any person with the written consent and authorization of the person who is the subject of the CBC.

Section 8504 (Out of State Applicants) is repealed.

Subsection 8505.1 provides that if an applicant's fingerprint scan is rejected two (2) or more times because the scans are unreadable, a CBC shall be conducted based on the applicant's name, gender, Social Security number, date of birth, and mailing address.

Subsection 8506.1 provides that if the CBC reveals that the applicant has been convicted in any jurisdiction of any crime involving moral turpitude, as defined by D.C. Official Code § 3-1205.14(a)(4), before making a determination as to whether the applicant shall be licensed, registered, or certified, the board shall afford the applicant the opportunity to appear before the board and present evidence to assist the board in determining his or her fitness to practice, prior to making a final decision as to the disposition of the application.

Finally, subsection 8599.1 defines the term "criminal background check."

Title 17 DCMR, BUSINESS, OCCUPATIONS, AND PROFESSIONALS, Chapter 85, LICENSED, REGISTERED, OR CERTIFIED HEALTH PROFESSIONAL CRIMINAL BACKGROUND CHECKS, is amended as follows:

Section 8501, BACKGROUND CHECK REQUIREMENT, is amended to read as follows:

Subsection 8501.1 is amended to read as follows:

8501.1 If an applicant for a license, registration, or certification is not or has not been licensed, registered, or certified in another state, the applicant shall be required to undergo a fingerprint scan criminal background check (CBC). The license, registration, or certification shall not be issued until the board with the authority to regulate the health professional, pursuant to D.C. Official Code § 3-1201.01 *et seq.*, has completed a review of the applicant's CBC in accordance with the provisions of this chapter.

Subsection 8501.2 is amended to read as follows:

8501.2 If an applicant for initial licensure, registration, or certification, by endorsement, has not had a state and FBI CBC conducted in the jurisdiction from which he or she is endorsing, within the last two (2) years, the applicant shall be required to undergo a fingerprint scan CBC.

Subsection 8501.3 is amended to read as follows:

8501.3 If an applicant for licensure, registration, or certification, by endorsement, has had a state and FBI CBC in the jurisdiction from which he or she is endorsing within the last two (2) years, then the applicant shall be required to undergo a CBC based on the applicant's name, gender, Social Security number, date of birth, and mailing address.

Subsection 8501.4 is amended to read as follows:

8501.4 A person renewing his or her license, registration, or certification shall be required to undergo a fingerprint scan CBC or a CBC based on a name search, which shall include the applicant's gender, Social Security number, date of birth, and mailing address. The CBC shall occur at a two (2) year interval coinciding with the renewal date of the respective profession.

Subsection 8501.5 is amended to read as follows:

8501.5 A person applying for reinstatement, reactivation, or for a higher level license, registration, or certification in a specific profession shall be required to undergo a CBC if the applicant has not had a CBC done within the two (2) years prior to the date of his or her application.

A new Subsection 8501.6 is added to read as follows:

8501.6 The CBC shall disclose the criminal history of the prospective applicant in the District of Columbia or in any other state or territory of the United States.

A new Subsection 8501.7 is added to read as follows:

8501.7 An applicant for an initial license, registration, or certification shall present a current driver's license or government-issued identification, containing a facial photograph, to verify his or her identity in order to obtain a fingerprint scan CBC.

Section 8502, FEES, is amended to read as follows:

Subsection 8502.1 is amended to read as follows:

8502.1 An applicant for a license, registration, or certification shall pay the CBC processing fee.

Section 8503, RECORDKEEPING, is amended to read as follows:

Subsection 8503.1 is amended to read as follows:

8503.1 The Health Regulation & Licensing Administration shall maintain a record of the most recent date on which a CBC was performed.

Subsection 8503.2 is amended to read as follows:

8503.2 The Health Regulation & Licensing Administration shall not disclose CBC records obtained for the purpose of licensure, registration, or certification except:

- (a) To the Director during an official inspection or investigation of a facility;
- (b) To the person who is the subject of the CBC;
- (c) To comply with a court order; or
- (d) To any person, with the written consent and authorization of the person who is the subject of the CBC.

Section 8504, OUT OF STATE APPLICANTS, is amended as follows:

8504 REPEALED

Section 8505, ILLEGIBLE FINGERPRINT CARDS, is amended as follows:

Subsection 8505.1 is amended to read as follows:

8505.1 If an applicant’s fingerprint scan is rejected two (2) or more times because the scans are unreadable, a CBC shall be conducted based on the applicant’s name, gender, Social Security number, date of birth, and mailing address.

Section 8506, BOARD OF REVIEW, is amended as follows:

Subsection 8506.1 is amended to read as follows:

8506.1 If the CBC reveals that the applicant has been convicted in any jurisdiction of any crime involving moral turpitude, pursuant to D.C. Official Code § 3-205.14(a)(4),

before making a determination as to whether the applicant shall be licensed, registered, or certified, the board shall afford the applicant the opportunity to appear before the board and present evidence to assist the board prior to making a final decision as to the disposition of the application.

Section 8599, DEFINITIONS, is amended as follows:

Subsection 8599.1 is amended as follows:

The definition of “Criminal background check” is amended to read as follows:

Criminal background check – an investigation into a person’s history by the appropriate state and federal authorities or approved vendor to determine whether the person has been convicted of a crime in the District of Columbia or in any other state or territory of the United States.

All persons desiring to comment on the subject of this proposed rulemaking should file comments in writing not later than thirty (30) days after the date of the publication of this notice in the *D.C. Register*. Comments should be sent to the Department of Health, Office of the General Counsel, 899 North Capitol Street, N.E., 6th Floor, Washington, D.C. 20002. In addition, comments may be sent to Van.Brathwaite@dc.gov, (202) 442-4899. Copies of the proposed rules may be obtained from the Department of Health at the same address during the hours of 9 a.m. to 5 p.m., Monday through Friday, excluding holidays.

PUBLIC SERVICE COMMISSION OF THE DISTRICT OF COLUMBIA

NOTICE OF THIRD PROPOSED RULEMAKINGRM27-2017-01, IN THE MATTER OF THE COMMISSION'S INVESTIGATION INTO THE RULES GOVERNING LOCAL EXCHANGE CARRIER QUALITY OF SERVICE STANDARDS FOR THE DISTRICT,

1. The Public Service Commission of the District of Columbia ("Commission") hereby gives notice pursuant to Sections 34-802, 2-505, and 34-401(a) of the District of Columbia Code¹ of its intent to amend Chapter 27 (Regulation of Telecommunications Service Providers) of Title 15 (Public Utilities and Cable Television) of the District of Columbia Municipal Regulations ("DCMR"), in not less than 30 days from the date of publication of this Notice of Proposed Rulemaking ("NOPR") in the *D.C. Register*.

2. The proposed amendments require telecommunications service providers reporting telecommunications service outages to identify the most specific location of the service outage and the geographic area affected by the service outage that the telecommunications service provider has available when the initial report is filed and the actual location of the service outage in the telecommunications service provider's network and the geographic area affected in the final report. Previous NOPRs seeking to amend these rules were published on January 20, 2017² and September 15, 2017.³

Chapter 27, REGULATION OF TELECOMMUNICATIONS SERVICE PROVIDERS, of Title 15 DCMR, PUBLIC UTILITIES AND CABLE TELEVISION, is amended as follows:

Section 2740, REPORTING REQUIREMENTS FOR SERVICE OUTAGES AND INCIDENTS RESULTING IN PERSONAL INJURY OR DEATH, is amended as follows:

2740.4 Each telephone or email communication rendered by the telecommunications service provider subsequent to a service outage shall, at a minimum, state clearly the following information:

- (a) The date and time the telecommunications service provider determines that the service outage has occurred;
- (b) The most specific location in the telecommunications service provider's network of the service outage(s) that is available when the report is filed;

¹ D.C. Official Code § 34-802 (2001); D.C. Official Code § 34-401(a); and D.C. Official Code § 2-505 (2001).

² 64 *D.C. Reg.* 548 (January 20, 2017).

³ 64 *D.C. Reg.* 9109 (September 15, 2017).

- (c) The geographic area affected by the outage, including street names and neighborhoods, if available;
- (d) The estimated total number of customers out of service;
- (e) A preliminary assessment as to the cause of the service outage(s); and
- (f) The estimated repair and/or restoration time.

2740.11 The telecommunications service provider shall file a written report concerning all service outages with the Public Service Commission and the Office of the People's Counsel within five (5) days following the end of a service outage. Each written report shall, at a minimum, state clearly the following information:

- (a) A description of the service outage(s) and/or incident(s) and information as to the cause of the event(s);
- (b) The actual location of the outage(s) in the telecommunications service provider's network;
- (c) The geographic area affected by the outage, including street names and neighborhoods, if available;
- (d) The actual repair and restoration times of the service outage(s) and/or incident(s);
- (e) A description of the restoration effort;
- (f) The total number of customers affected by the service outage;
- (g) A self-assessment of the telecommunications service provider's restoration efforts in the District of Columbia; and
- (h) A description of the steps that the telecommunications service providers will undertake to prevent such outages in the future or improve repair times and processes.

3. Any person interested in commenting on the subject matter of this proposed rulemaking must submit comments and reply comments in writing no later than 30 days and 45 days, respectively, from the date of publication of this NOPR in the *D.C. Register*. Comments and reply comments are to be addressed to Brinda Westbrook-Sedgwick, Commission Secretary, Public Service Commission of the District of Columbia, 1325 G Street, N.W., Suite 800, Washington D.C., 20005 or psc-commissionsecretary@dc.gov. After the comment period expires, the Commission will take final rulemaking action. Persons with questions concerning this NOPR should call 202-626-5150.

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

NOTICE OF PROPOSED RULEMAKING

The Board of Directors (Board) of the District of Columbia Water and Sewer Authority (DC Water), pursuant to the authority set forth in Sections 203(3) and (11) and 216 of the Water and Sewer Authority Establishment and Department of Public Works Reorganization Act of 1996, effective April 18, 1996 (D.C. Law 11-111, §§ 203(3), (11) and 216); D.C. Official Code §§ 34-2202.03(3) and (11), and § 34-2202.16 (2012 Repl.); and Section 6(a) of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1206; D.C. Official Code § 2-505(a) (2016 Repl.)), hereby gives notice that at its regularly scheduled meeting on March 1, 2018, the Board adopted Resolution #18-29 to propose the amendment of Sections 112 (Fees) and 199 (Definitions) of Chapter 1 (Water Supply) of Title 21 (Water and Sanitation) of the District of Columbia Municipal Regulations (DCMR).

The purpose of this rulemaking is to amend the System Availability Fee (SAF) regulations and add relevant definitions. The proposed amendments include the following:

- Maintained the effective date of the SAF regulations as June 1, 2018.
- Revised the DC Water guidance document used to determine the SAF meter size from DC Water Standard Details and Guideline Masters to DC Water's Meter Sizing Instructions and Worksheets.
- Added procedures and requirements to receive credits for affordable housing unit (AHU) development and redevelopment. Below are example SAF calculations for projects with AHUs:

- 1) For a new residential development that includes 1 AHU with a 1 inch SAF meter size:

AHU credit is \$3,944, and the Net SAF = \$3,944 (SAF) - \$3,944 (AHU credit) = 0.
No SAF charged.

- 2) For a residential redevelopment project that had a 2 inch meter, replaces 1 AHU, and has a 1.5 inch SAF meter size:

Net SAF = \$19,082 (1.5" SAF) - \$38,661 (2" SAF Credit) - 0 (Net AHU = 1-1)
= - \$19,579. No SAF charged.

- 3) For a new multi-family development project that has 100 residential units with 30 AHUs and a 3 inch SAF meter size:

Net SAF = \$112,942 (3" SAF) - \$33,882 (30% of SAF) = \$79,094.

- 4) For a multi-family redevelopment project that had 100 residential units and 20 AHUs with a 3 inch meter, and redevelops 100 residential units with 30 AHUs and a 3 inch SAF meter size:

Net SAF = \$112,942 (3” SAF) – \$112,942 (3” SAF Credit) – \$11,294 (10% SAF = ((30-20)/100) x \$112,942) = - \$11,294. No SAF charged.

- Clarified the requirements for projects submitted prior to the effective date of June 1, 2018 and approved by June 1, 2019.
- Added formulas to clarify how the SAF is calculated with the SAF Credit, AHU Credit and Net AHU Credit.
- Clarified requirements for Payment Plan Agreement.

The Board requests comments on these proposed regulations and comments.

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

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

Section 112, FEES, is amended by revising the effective date of Subsection 112.11 to read as follows:

112.11 Effective June 1, 2018, DCRA Construction Permit Applicants and federal facilities shall be assessed a System Availability Fee (SAF) for new water and sewer connections and renovation or redevelopment projects for existing connections to the District’s potable water and sanitary sewer systems based on the SAF meter size in accordance with the following fee schedule and requirements:

- (a) Residential customers shall be charged a System Availability Fee based on the SAF meter size as listed below:

SAF Meter Size (inches)	Water System Availability Fee	Sewer System Availability Fee	Total System Availability Fee
5/8”	\$ 1,135	\$ 2,809	\$ 3,944
3/4”	\$ 1,135	\$ 2,809	\$ 3,944
1”	\$ 1,135	\$ 2,809	\$ 3,944
1”x1.25”	\$ 2,047	\$ 5,066	\$ 7,113
1.5”	\$ 5,491	\$ 13,591	\$ 19,082
2”	\$ 11,125	\$ 27,536	\$ 38,661
3”	\$ 32,500	\$ 80,442	\$ 112,942

- (b) Multi-Family and all Non-Residential customers shall be charged a System Availability Fee based on the SAF meter size as listed below:

SAF Meter Size (inches)	Water System Availability Fee	Sewer System Availability Fee	Total System Availability Fee
1” or smaller	\$ 1,282	\$ 3,173	\$ 4,455

SAF Meter Size (inches)	Water System Availability Fee	Sewer System Availability Fee	Total System Availability Fee
1"x1.25"	\$ 2,047	\$ 5,066	\$ 7,113
1.5"	\$ 5,491	\$ 13,591	\$ 19,082
2"	\$ 11,125	\$ 27,536	\$ 38,661
3"	\$ 32,500	\$ 80,442	\$ 112,942
4"	\$ 83,388	\$ 206,394	\$ 289,782
6"	\$ 229,246	\$ 567,408	\$ 796,654
8"	\$ 229,246	\$ 567,408	\$ 796,654
8"x2"	\$ 229,246	\$ 567,408	\$ 796,654
8"x4"x1"	\$ 229,246	\$ 567,408	\$ 796,654
10"	\$ 229,246	\$ 567,408	\$ 796,654
12"	\$ 229,246	\$ 567,408	\$ 796,654
16"	\$ 229,246	\$ 567,408	\$ 796,654

- (c) The SAF meter size shall be computed for the peak water demand, excluding fire demand in accordance with D.C. Construction Codes Supplement, as amended, Chapter 3 (Water Meters) of this title, and DC Water’s Meter Sizing Instructions and Worksheets.
- (d) The SAF shall be assessed for any premise, building or structure that requires a new metered water service connection to the District’s potable water and/or sanitary sewer systems.
- (e) The Net SAF shall be assessed for renovation or redevelopment projects for any premise, building or structure that uses an existing metered water service connection to the District’s potable water and/or sanitary sewer systems.
- (f) For a renovation or redevelopment project on a property that already had/has a DC Water meter(s) and account(s), DC Water shall determine the Net SAF based on the difference between the property’s new System Availability Fee determined by the SAF meter size(s) (SAF) and the SAF Credit determined by the old meter size(s) for the meters(s) being removed from the system:

$$\text{Net SAF} = \text{SAF} - \text{SAF Credit}$$

- (g) Properties under renovation or redevelopment shall not receive a SAF Credit for the DC Water account(s) that have been inactive for more than twenty-four (24) months prior to DC Water’s issuance of the Certificate of Approval.
- (h) For any new premise, building or structure that includes one or more affordable housing unit (AHU), DC Water shall also provide an AHU Credit equal to:

- (1) AHU Credit - Three Thousand Nine Hundred Forty-Four dollars (\$3,944) for each AHU in a metered residential structure of three (3) or less units (e.g., single-family structure, townhouse, condominium, cooperative housing association unit, or apartment).
- (2) % AHU Credit or % Net AHU Credit - The percentage of affordable housing units credit (% AHU credit) or percentage of additional AHU credit (% Net AHU Credit) in a metered multi-family residential structure of four or more housing units (condominium, cooperative housing association, or apartment) determined as follows: % AHU (or % Net AHU) equals the number of AHUs (or Net AHU) divided by total number of residential units (RU) times one hundred (100) times the SAF:

$$\% \text{ AHU} = (\text{AHU} \div \text{RU}) \times 100$$

$$\text{AHU Credit} = \% \text{ AHU} \times \text{SAF}$$

- (i) For a renovation or redevelopment project that includes replacing existing affordable housing units and/or the construction of additional affordable housing units, DC Water shall provide a Net AHU Credit as provided in Section 112.11(h) based on the percentage of additional affordable housing units (% Net AHU) determined as follows: % Net AHU equals the number of additional AHUs (Net AHU) divided by the total number of residential units times one hundred (100):

$$\% \text{ Net AHU} = ((\text{Net AHU}) \div \text{RU}) \times 100$$

$$\text{Net AHU Credit} = (\% \text{ Net AHU}) \times \text{SAF}$$

- (j) The Net AHU shall be determined based on the difference between the total number of affordable housing units constructed after completing the renovation/redevelopment project (aAHU) and the total number of affordable housing units existing prior to the renovation/redevelopment project (bAHU). If aAHU is less than bAHU (less than zero), no Net AHU Credit will be provided:

$$\text{Net AHU} = (\text{aAHU} - \text{bAHU})$$

- (k) Projects that request AHU or Net AHU Credits shall submit one or more of the following documents:
- (1) Land Disposition Development Agreement;
 - (2) Zoning Commission Order;
 - (3) Planned Unit Development Covenant;

- (4) Certificate of Inclusionary Zoning; or
 - (5) Letter from the District financing agency that establishes the number of AHU in the property.
- (l) If the Net System Availability Fee (less AHU Credit or Net AHU Credit) is zero or less, no System Availability Fee shall be charged.
 - (m) If the Net System Availability Fee (less AHU Credit or Net AHU Credit) is greater than zero, DC Water shall assess the System Availability Fee.
 - (n) DC Water may request documentation to confirm the number of proposed affordable housing units that were actually constructed. If the number of constructed AHUs is less than the proposed AHUs, DC Water shall bill the property owner the amount of the AHU Credit or Net AHU Credit for the unconstructed AHUs.
 - (o) For DCRA Construction Permit applicants, payment of the System Availability Fee shall be a condition for DC Water's issuance of the Certificate of Approval.
 - (p) DCRA Construction Permit applicants that submitted plans and specifications to DC Water prior to the effective date of these regulations, shall not be subject to the System Availability Fee provided:
 - (1) The DC Water Engineering Review fee(s) has been paid;
 - (2) The plans, specifications and other information necessary to meet the requirements listed in DC Water Project Submission Checklist has been accepted for review by DC Water in support of a DCRA Building Permit for the project, without substantial revisions that result in the change in the peak water demand that changes the size or number of meter connections for the project;
 - (3) The DCRA Building Permit for the premise, building, or structure requiring water and sewer service is submitted to DCRA and accepted for review by DCRA within one calendar year after the effective date of these regulations; and
 - (4) DC Water issues the Certificate of Approval within one calendar year after the effective date of these regulations, unless DC Water's review is delayed due to a force majeure event that closes DC Water's offices for one or more days one week before June 1, 2019.
 - (q) For federal facilities, payment of the System Availability Fee shall be a condition of DC Water's issuance of the Certificate of Approval.

- (r) Before June 1, 2021, the property owner may request to pay the System Availability Fee in four equal installments, with the final payment due no later than one calendar year after the execution date of a Payment Plan Agreement. Execution of a Payment Plan Agreement and payment of the first installment payment, shall be a condition of DC Water's issuance of the Certificate of Approval. Any overdue payments under the Payment Plan Agreement shall be treated as an overdue bill for water and sewer service charges as set forth in D.C. Official Code § 34-2407.02.
- (s) In the case that the DCRA Construction Permit is not issued or is revoked or the project is not constructed, upon written request from the property owner, DC Water shall issue the property owner a refund of the System Availability Fee.

Section 199, DEFINITIONS, is amended by adding the following terms and definitions to read as follows:

Affordable Housing Unit – a housing unit that is offered for rent or for sale for residential occupancy and as a result of a federal or District subsidy, incentive or benefit, and is made available and affordable to households whose income limit requirements are established by a federal or District program or agency or the Council for the District of Columbia.

Force Majeure Event - an event arising from causes beyond the control of DC Water or the control of any entity controlled by DC Water, which results in the closure of DC Water facilities.

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

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

NOTICE OF PROPOSED RULEMAKING

The Board of Directors (Board) of the District of Columbia Water and Sewer Authority (DC Water), pursuant to the authority set forth in Sections 203(3) and (11) and 216 of the Water and Sewer Authority Establishment and Department of Public Works Reorganization Act of 1996, effective April 18, 1996 (D.C. Law 11-111, §§ 203(3), (11) and 216; D.C. Official Code §§ 34-2202.03(3) and (11) and § 34-2202.16 (2012 Repl.)); Section 6(a) of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1206; D.C. Official Code § 2-505(a) (2016 Repl.)); and in accordance with Chapter 40 (Retail Ratemaking) of Title 21 (Water and Sanitation) of the District of Columbia Municipal Regulations (DCMR), hereby gives notice that at its regularly scheduled meeting on March 1, 2018, the Board adopted Resolution #18-27 to propose the amendment of Section 112 (Fees) of Chapter 1 (Water Supply), and Sections 4100 (Rates for Water Service) and 4101 (Rates for Sewer Service) of Chapter 41 (Retail Water and Sewer Rates), of Title 21 of the DCMR.

The purpose of this rulemaking is to amend the Right-of-Way Occupancy Fee Pass Through Charge, Payment-in-Lieu of Taxes Fee, the Clean Rivers Impervious Area Charge, and Retail Rates and Charges for Water and Sewer Services effective for Fiscal Year 2019 and 2020.

The Board requests comments on this proposed rulemaking. The Board will also receive comments on this proposed rulemaking at a public hearing, which is scheduled for May 9, 2018 at the Metropolitan Washington Council of Governments, 777 North Capitol Street, N.E. A Notice of Public Hearing and the agenda will be published in the *D.C. Register* at a later date.

This proposed rulemaking, if finalized, will be effective October 1, 2018.

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

Section 112, FEES, Subsection 112.8, is amended to read as follows:

- 112.8 The District of Columbia Right-of-Way Occupancy Fee Pass Through Charge and the Payment-in-Lieu of Taxes (PILOT) Fee shall be as follows:
- (a) District of Columbia Right-of-Way Fee, assessed to recover the cost of fees charged by the District of Columbia to D.C. Water and Sewer Authority for use of District of Columbia public space and rights of way, for each one hundred cubic feet (1 Ccf) of water use shall be:

Customer	Effective October 1, 2018		Effective October 1, 2019	
	Per Ccf of water use	Per 1,000 Gals. of water use	Per Ccf of water use	Per 1,000 Gals. of water use
Residential	\$0.18	\$0.24	\$0.19	\$0.25
Multi-Family	\$0.18	\$0.24	\$0.19	\$0.25
Non-Residential	\$0.18	\$0.24	\$0.19	\$0.25

(b) Payment-in-Lieu of Taxes (PILOT) Fee to the Office of the Chief Financial Officer (OCFO) of the District of Columbia, assessed to cover the amount which D.C. Water and Sewer Authority pays each fiscal year to the District of Columbia, consistent with D.C. Water and Sewer Authority's enabling statute for public goods and services received from the District of Columbia, for each one hundred cubic feet (1 Ccf) of water use shall be:

Customer	Effective October 1, 2018		Effective October 1, 2019	
	Per Ccf of water use	Per 1,000 Gals. of water use	Per Ccf of water use	Per 1,000 Gals. of water use
Residential	\$0.50	\$0.67	\$0.51	\$0.68
Multi-Family	\$0.50	\$0.67	\$0.51	\$0.68
Non-Residential	\$0.50	\$0.67	\$0.51	\$0.68

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

The Title of the Chapter shall be amended to read:

RETAIL WATER AND SEWER RATES AND CHARGES

Section 4100, RATES FOR WATER SERVICE, Subsection 4100.3, is amended to read as follows:

4100.3 The retail rates for metered water service for each one hundred cubic feet (1 Ccf) of water use shall be:

Customer	Effective October 1, 2018		Effective October 1, 2019	
	Per Ccf of water use	Per 1,000 Gals. of water use	Per Ccf of water use	Per 1,000 Gals. of water use
Residential - 0 to 4 Ccf	\$2.91	\$3.89	\$3.06	\$4.09
Residential - Greater than 4 Ccf	\$3.90	\$5.21	\$4.10	\$5.48
Multi-Family	\$3.37	\$4.51	\$3.54	\$4.73
Non-Residential	\$4.05	\$5.42	\$4.25	\$5.68

Section 4101, RATES FOR SEWER SERVICE, is amended as follows:

The title of the Section shall be amended to read:

4101 RATES AND CHARGES FOR SEWER SERVICE

Subsection 4101.1 is amended to read as follows:

4101.1 (a) The retail rates for sanitary sewer service for each one hundred cubic feet (1 Ccf) of water use shall be:

Customer	Effective October 1, 2018		Effective October 1, 2019	
	Per Ccf of water use	Per 1,000 Gals. of water use	Per Ccf of water use	Per 1,000 Gals. of water use
Residential	\$7.75	\$10.36	\$8.14	\$10.88
Multi-Family	\$7.75	\$10.36	\$8.14	\$10.88
Non-Residential	\$7.75	\$10.36	\$8.14	\$10.88

Subsection 4101.3 is amended to read as follows:

4101.3 The annual Clean Rivers Impervious Area Charge (CRIAC) per Equivalent Residential Unit (ERU) shall be:

Customer	Effective October 1, 2018		Effective October 1, 2019	
	Annual CRIAC per ERU	Monthly CRIAC per ERU	Annual CRIAC per ERU	Monthly CRIAC per ERU
Residential	\$276.00	\$23.00	\$306.96	\$25.58
Multi-Family	\$276.00	\$23.00	\$306.96	\$25.58
Non-Residential	\$276.00	\$23.00	\$306.96	\$25.58

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

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

NOTICE OF PROPOSED RULEMAKING

The Board of Directors (Board) of the District of Columbia Water and Sewer Authority (DC Water), pursuant to the authority set forth in Sections 203(3) and (11) and 216 of the Water and Sewer Authority Establishment and Department of Public Works Reorganization Act of 1996, effective April 18, 1996 (D.C. Law 11-111, §§ 203(3), (11) and 216; D.C. Official Code §§ 34-2202.03(3) and (11) and § 34-2202.16 (2012 Repl.)); and Section 6(a) of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1206; D.C. Official Code § 2-505(a) (2016 Repl.)); hereby gives notice that at its rescheduled regular meeting on March 1, 2018, the Board adopted Resolution #18-28 to propose the amendment of Section 4103 (Fire Protection Service Fee) of Chapter 41 (Retail Water and Sewer Rates) of Title 21 (Water and Sanitation) of the District of Columbia Municipal Regulations (DCMR).

The purpose of this rulemaking is to amend the Fire Protection Service Fee for FY 2018 through FY 2021.

The Board requests comments on these proposed regulations.

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

Section 4103, FIRE PROTECTION SERVICE FEE, of Chapter 41, RETAIL WATER AND SEWER RATES, of Title 21 DCMR, WATER AND SANITATION, is amended as follows:

4103 FIRE PROTECTION SERVICE FEE

- 4103.1 The charge to the District of Columbia for fire protection service, including, but not limited to the delivery of water flows for firefighting as well as maintaining and upgrading public fire hydrants in the District of Columbia, (plus the cost of fire hydrant inspections performed by the DC Fire and Emergency Medical Services) shall be Ten Million Seven Hundred Ninety Six Thousand Dollars (\$10,796,000) for fiscal year (FY) 2018 and Twelve Million Five Hundred Twenty Seven Thousand Dollars (\$12,527,000) per fiscal year for FY 2019, FY 2020, and FY 2021.
- 4103.2 The fee may be examined every three years to determine if the fee is sufficient to recoup the actual costs for providing this service.
- 4103.3 In the event the actual costs are not being recouped, the District of Columbia shall pay the difference and the fee will be appropriately adjusted pursuant to the rulemaking process.

4103.4 In the event the costs paid by the District of Columbia exceed DC Water's actual costs, the fee shall be adjusted pursuant to the rulemaking process.

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

DISTRICT OF COLUMBIA BOARD OF ELECTIONS

NOTICE OF EMERGENCY AND PROPOSED RULEMAKING

The District of Columbia Board of Elections, pursuant to the authority set forth in The District of Columbia Election Code of 1955, approved August 12, 1955, as amended (69 Stat. 699; D.C. Official Code § 1-1001.05(a)(14) (2016 Repl.)), hereby gives notice of emergency and proposed rulemaking action to adopt amendments to Chapter 10 (Initiative and Referendum); Chapter 11, (Recall of Elected Officials); Chapter 14 (Candidate Nominations: Political Party Primaries for Presidential Preference and Convention Delegates); Chapter 15 (Candidate Nominations: Electors of President and Vice President of the United States); Chapter 16 (Candidate Nomination: Delegate to the U.S. House of Representatives, Mayor, Chairman and Members of the Council of the District of Columbia, Attorney General, U.S. Senator, U.S. Representative, Members of the State Board of Education, and Advisory Neighborhood Commissioner); and Chapter 17 (Candidates: Members and Officials of Local Committees of Political Parties and National Committee Persons) in Title 3 (Elections and Ethics) of the District of Columbia Municipal Regulations (DCMR).

The purpose of the amendments to these chapters is to establish rules for the use of electronic petitions following the passage of the “Ballot Access Modernization Amendment Act of 2016,” effective October 8, 2016 (D.C. Law 21-160, 63 DCR 12932 (October 21, 2016) (D.C. Official Code § 1-1001.5 (a)(19)(A)-(D)(2017 Supp))).

Emergency action to adopt these rules is necessary since the rulemaking will establish regulations for candidates qualifying for ballot access in the June 19, 2018 Primary Election. Adoption of these rules is necessary for the immediate preservation of the public peace and welfare of District residents, in accordance with D. C. Official Code § 2-505(c) (2016 Repl.).

The Board adopted these emergency rules at its regularly scheduled meeting on Wednesday, March 7, 2018, at which time the amendments became effective. The emergency rules shall remain in effect until July 5, 2018 (one hundred and twenty (120) days from the adoption date), unless superseded by publication of a Notice of Final Rulemaking in the *D.C. Register*.

Chapter 10, INITIATIVE AND REFERENDUM, of Title 3 DCMR, ELECTIONS AND ETHICS, is amended as follows:

Section 1002, PETITION FORM, is amended to read as follows:

1002 PETITION FORM

1002.1 The Board shall prepare and provide to the proposer at a public meeting an original petition form which shall contain the following:

- (a) Numbered lines for twenty (20) names, designed so that each signer may personally affix the date signed and his or her signature, printed name, residence address (giving street and number) and election ward;
- (b) A statement requesting that the Board hold an election on the initiative or referendum measure contained in the petition, stating the measure's serial number and short title;
- (c) The text of the official summary and short title of the measure printed on the front of the petition sheet;
- (d) A warning statement declaring that only duly registered qualified electors of the District of Columbia may sign the petition;
- (e) Instructions advising signatories of the proper method of signing the petition as follows: EVERY PETITIONER MUST SIGN HIS OR HER OWN NAME. UNDER NO CIRCUMSTANCES IS ANY PERSON PERMITTED TO SIGN ANOTHER PERSON'S NAME OR SIGN MORE THAN ONCE. PRINT YOUR NAME AND RESIDENCE ADDRESS IN FULL; and
- (f) The words "PAID FOR BY" followed by the name and address of the payer or the committee or other person, and its treasurer on whose behalf the material appears, in the right hand corner of the front page.

1002.2 The second page of each petition form shall include a circulator's affidavit, providing space for the circulator of a petition to record his or her name and address and the dates between which the signatures on the sheet were obtained. By signing the affidavit, the circulator swears under oath or affirms that:

- (a) He or she is a qualified petition circulator;
- (b) He or she was in the presence of each person who signed the petition at the time the petition was signed;
- (c) According to the best information available to the circulator, each signature is the genuine signature of the person whose name it purports to be.

1002.3 No petition sheets may be circulated prior to the Board's provision of the original petition form.

1002.4 A proposer shall be permitted to choose a paper and/or electronic petition form. Unless specified, the laws and rules concerning the circulation of petitions, including, but not limited to, the qualifications of circulators, the validity of signatures, and challenges to petitions, shall apply regardless of the format of the petition.

1002.5 If the proposer chooses a paper petition form, the proposer shall reproduce the petition form at his or her own expense. Each reproduced petition sheet shall be printed in its entirety on white paper of good writing quality of the same size as the original petition form prepared by the Board and shall be double-sided.

1002.6 Each circulator circulating an electronic petition shall register his or her device in-person at the Board’s office. The circulator shall provide a unique and valid email address for account registration and device authentication. No circulator shall have a registered account for electronic petition circulation unless his or her device has been authenticated.

Section 1005, FILING PETITIONS, is amended to read as follows:

1005 FILING PETITIONS

1005.1 Before the petition is submitted, any petition pages circulated in an electronic format shall be printed at the Board’s office and signed by the individual circulator who collected the signatures.

1005.2 All pages of an initiative petition shall be submitted for filing no later than 5:00 p.m. on the one hundred and eightieth (180th) calendar day following the date upon which the Board provided the original petition form. All pages of a referendum petition shall be submitted for filing no later than 5:00 p.m. on the last business day before the act, or any part of the act, which is the subject of the referendum has become law. A petition, or any sheet comprising the petition, that is not timely submitted shall not be accepted for filing.

1005.3 All timely submitted petitions shall be received by the Executive Director or his or her designee. When a petition is offered for filing, the Executive Director shall:

- (a) Count the petition pages and issue a receipt for the total number of petition pages submitted;
- (b) Shall serially number the pages and obliterate any blank lines appearing on each petition page; and

- (c) Prepare an initial total count, broken down by ward, of the signatures submitted pursuant to the rules of this section.

1005.4 A signature shall not be accepted, and shall not be included in the Executive Director’s initial total count, if it:

- (a) Appears on a page that is not a proper reproduction of the paper form provided by the Board;
- (b) Appears on a page which does not have a completed circulator affidavit;
- (c) Appears on a page that was circulated by an individual who is not a qualified petition circulator; or
- (d) Is the signature of a registered voter who submitted a notarized request to disallow his or her signature from being counted on the petition, provided that the request was received prior to the time the petition is filed.

1005.5 If the initial total count indicates that a petition contains at least five percent (5%) of registered qualified electors in the District, the Executive Director shall accept the petition, post the petition for public inspection and challenge, and proceed with registration verification of petition signers in accordance with the rules of this chapter. If the petition does not contain at least five percent (5%) of registered qualified electors in the District, the Executive Director shall refuse to accept the petition and shall notify the proposer(s) in writing of the refusal.

1005.6 If the accepted petition is for a referendum, the Executive Director shall request that the custodian of the act return it to the Chairman of the Council of the District of Columbia.

1005.7 Within ten (10) days after a refusal, the proposer(s) of a rejected initiative or referendum petition may petition the Superior Court of the District of Columbia for a writ in the nature of mandamus to compel the Board to accept the petition. The Board shall retain the submitted petition pending appeal.

Chapter 11, RECALL OF ELECTED OFFICIALS, is amended as follows:

Section 1102, PETITION FORM, is amended to read as follows:

1102 PETITION FORM

1102.1 The Board shall prepare and provide to the proposer at a public meeting an original petition form which shall contain the following:

- (a) Numbered lines for twenty (20) names, designed so that each signer may personally affix the date signed and his or her signature, printed name, residence address (giving street and number) and election ward;
- (b) A statement requesting that the Board hold a recall election in the manner prescribed in Charter Amendment No. 2 to Title IV of the District of Columbia Self-Government and Governmental Reorganization Act;
- (c) The name of the elected officer sought to be recalled and the office held by that elected official;
- (d) The name and address of the proposer or proposers of the recall;
- (e) The statement of grounds for the recall and the response of the officer sought to be recalled, if any. If the officer sought to be recalled has not responded, the petition shall so state;
- (f) A warning statement declaring that only duly registered qualified electors of the District of Columbia may sign the petition;
- (g) Instructions advising signatories of the proper method of signing the petition as follows: EVERY PETITIONER MUST SIGN HIS OR HER OWN NAME. UNDER NO CIRCUMSTANCES IS ANY PERSON PERMITTED TO SIGN ANOTHER PERSON'S NAME OR SIGN MORE THAN ONCE. PRINT YOUR NAME AND RESIDENCE ADDRESS IN FULL.
- (h) The words "PAID FOR BY" followed by the name and address of the payer or the committee or other person, and its treasurer on whose behalf the material appears, in the right hand corner of the front page.

1102.2 The second page of each petition form shall include a circulator's affidavit, providing space for the circulator of a petition to record his or her name and address and the dates between which the signatures on the sheet were obtained. By signing the affidavit, the circulator swears under oath or affirms that:

- (a) He or she is a qualified petition circulator;
- (b) He or she was in the presence of each person who signed the petition at the time the petition was signed;

- (c) According to the best information available to the circulator, each signature is the genuine signature of the person whose name it purports to be.
- 1102.3 No petition sheets may be circulated prior to the Board's provision of the original petition form.
- 1102.4 A proposer shall be permitted to choose a paper and/or electronic petition form. Unless specified, the laws and rules concerning the circulation of petitions, including, but not limited to, the qualifications of circulators, the validity of signatures, and challenges to petitions, shall apply regardless of the format of the petition.
- 1102.5 If the proposer chooses a paper petition form, the proposer shall reproduce the petition form at his or her own expense. Each reproduced petition sheet shall be printed in its entirety on white paper of good writing quality of the same size as the original petition form prepared by the Board and shall be double-sided.
- 1102.6 Each circulator circulating an electronic petition shall register his or her device in-person at the Board's office. The circulator shall provide a unique and valid email address for account registration and device authentication. No circulator shall have a registered account for electronic petition circulation unless his or her device has been authenticated.

Section 1105, FILING PETITIONS, is amended to read as follows:

1105 FILING PETITIONS

- 1105.1 Before the petition is submitted, any petition pages circulated in an electronic format shall be printed at the Board's office and signed by the individual circulator who collected the signatures.
- 1105.2 Where the elected official sought to be recalled is an elected official other than an Advisory Neighborhood Commissioner, all pages of a recall petition shall be submitted for filing no later than 5:00 p.m. on the one hundred and eightieth (180th) calendar day following the date upon which the Board provided the original petition form. Where the elected official sought to be recalled is an Advisory Neighborhood Commissioner, all pages of a recall petition shall be submitted for filing no later than 5:00 p.m. on the sixtieth (60th) calendar day following the date upon which the Board provided the original petition form. A petition, or any sheet comprising the petition, that is not timely submitted shall not be accepted for filing

- 1105.3 All timely submitted petitions shall be received by the Executive Director or his or her designee. When a petition is offered for filing, the Executive Director shall:
- (a) Count the petition pages and issue a receipt for the total number of petition pages submitted;
 - (b) Serially number the pages and obliterate any blank lines appearing on each petition page; and
 - (c) Prepare an initial total count, broken down by ward, of the signatures submitted.
- 1105.4 A signature shall not be accepted, and shall not be included in the Executive Director's initial total count, if it:
- (a) Appears on a page that is not a proper reproduction of the paper form provided by the Board;
 - (b) Appears on a page which does not have a completed circulator affidavit;
 - (c) Appears on a page that was circulated by an individual who is not a qualified petition circulator; and
 - (d) Is the signature of a registered voter who submitted a notarized request to disallow his or her signature from being counted on the petition, provided that the request was received prior to the time the petition is filed.
- 1105.5 If the initial total count indicates that the petition contains the signatures of at least ten percent (10%) of the registered qualified electors residing in the political subdivision from which the elected official sought to be recalled is elected, the Executive Director shall accept the petition, post the petition for public inspection and challenge, and proceed with registration verification of petition signers in accordance with the rules of this chapter. If the petition does not contain the signatures of at least ten percent (10%) of the registered qualified electors residing in the political subdivision from which the elected official sought to be recalled is elected, the Executive Director refuse to accept the petition and shall notify the proposer(s) in writing of the refusal
- 1105.6 Within ten (10) days after the refusal, the proposer(s) of a refused petition may, pursuant to D.C. Code § 1-1001.(1) (2016 Repl.), petition the Superior Court of the District of Columbia for a writ in the nature of mandamus to compel the Board to accept the petition.

Chapter 14, CANDIDATE NOMINATIONS: POLITICAL PARTY PRIMARIES FOR PRESIDENTIAL PREFERENCE AND CONVENTION DELEGATES, is amended as follows:

Section 1402, PETITION FORM, is amended to read as follows:

1402 PETITION FORM

1402.1 A nominating petition form shall be separately prepared and issued by the Executive Director or his or her designee for each candidate for presidential nominee.

1402.2 The first page of the petition shall contain the following information:

- (a) The full name and state of residence of the candidate for presidential nominee, or if the petition is used to nominate an uncommitted delegation pursuant to party plan, the word "uncommitted" shall be placed on the petition in the space provided for the presidential candidate's name and state of residence;
- (b) The name of the political party with which the candidate for presidential nominee, or uncommitted delegation, is affiliated;
- (c) The name, address, voter registration number, and office sought by each candidate for convention delegate or alternate, if the party plan provides that convention delegates and alternates are to be listed on the ballot or on a separate reference sheet provided to the voter with the ballot; and
- (d) A statement that all of the signatories to the petition shall be of the same political party as the nominee.

1402.3 The second page of the of the petition shall include a circulator's affidavit, providing space for the circulator of a nominating petition to record his or her name, address, and telephone number. By signing the affidavit, the circulator swears under oath or affirms that he or she:

- (a) Is a qualified petition circulator;
- (b) Personally circulated the petition sheet;
- (c) Personally witnessed the signing of each signature on the petition sheet; and

(d) Inquired whether each signer is a registered voter in the District of Columbia and that the signer is a registered voter in the same political party as the candidate seeking nomination.

1402.4 A candidate shall be permitted to choose a paper and/or electronic nominating petition form. Unless specified, the laws and rules concerning the circulation of petitions, including, but not limited to, the qualifications of circulators, the validity of signatures, and challenges to petitions, shall apply regardless of the format of the petition.

1402.5 No nominating petition, whether in paper or electronic format, shall be issued to any person other than the candidate whose name appears on the first page of the petition, unless the Board receives written notice from the candidate which authorizes the Board to release petitions in his or her name. The authorization shall include the following:

- (a) Candidate's name;
- (b) Office which the candidate seeks and political party; and
- (c) Candidate's signature.

1402.6 Each circulator circulating an electronic petition shall register his or her device in-person at the Board's office. The circulator shall provide a unique and valid email address for account registration and device authentication. No circulator shall have a registered account for electronic petition circulation unless his or her device has been authenticated.

Section 1405, FILING PETITIONS, is amended to read as follows:

1405 FILING PETITIONS

1405.1 Before the nominating petition is filed:

- (a) Any petition pages circulated in an electronic format shall be printed at the Board's office and signed by the individual circulator who collected the signatures; and
- (b) All sheets which comprise the petition shall be assembled and serially numbered.

1405.2 At the time of filing the nomination by petition, the following affidavits, forms, and declarations shall be filed on forms prescribed by the Board:

- (a) If the petition nominates a specific presidential candidate, an affidavit executed personally by the presidential candidate (“Affidavit of Presidential Nominee Candidate”) naming the candidates for delegate and alternate and stating their consent to the following:
 - (i) the appearance of his or her name on the primary ballot; and
 - (ii) if applicable, the appearance of each named delegate/alternate being listed on the ballot (or separate handout) as committed to his or her candidacy;
- (b) If the petition nominates “uncommitted” delegates, one of the following affidavits or forms:
 - (i) If the party plan does not require the listing of delegates/alternates on the ballot or separate handout, an affidavit filed by the sponsor of the petition effort that he or she is a sponsor of the petition to place “uncommitted” on the ballot; or
 - (ii) If the party plan requires listing of delegates/alternates on the ballot or separate handout, a “Delegate Slate Registration Form” which provides the names of all candidates for delegate/alternate, and the name, address, telephone number and signature of the individual who is authorized to represent the delegates/alternates in matters before the Board;
- (c) A Declaration of Candidacy for each candidate for delegate and alternate, as required by Chapter 6 of this title; and
- (d) An affidavit from each candidate for delegate and alternate stating that he or she was properly selected as a delegate/alternate pursuant to party rules (“declaration of proper selection”).

1405.3 The nominating petition and supporting affidavits described in this section, as well as Declarations of Candidacy from each candidate for delegate and alternate (when applicable) as required pursuant to chapter 6 of this title, shall be filed in-person at the Board’s office no later than 5:00 p.m. on the 90th day preceding the election (“petition-filing deadline”). Any candidate may file petition supplements prior to the petition-filing deadline. All petitions and supplements shall be received by the Executive Director or his or her designee if filed on or before the petition-filing deadline. All petitions and supplements shall be accompanied by an affidavit executed by the person filing the petition or supplement attesting that to the best of his or her knowledge, the petition is complete and contains the legally required number of valid signatures.

- 1405.4 Within three (3) business days following the petition-filing deadline, the Executive Director or his or her designee shall issue a preliminary determination of petition sufficiency. In order to be determined sufficient, a petition nominating a candidate shall:
- (a) Contain the minimum statutory number of signatures required to obtain ballot access for the office sought;
 - (b) Be on a form issued by the Executive Director or his or her designee in accordance with the rules of this chapter; and
 - (c) Be accompanied by the affidavits described in this section and the Declarations of Candidacy required by Chapter 6.
- 1405.5 In determining whether the minimum statutory number of signatures is contained in the nominating petition, the Executive Director or his or her designee shall not count any signatures submitted on petition pages that fail to include a completed circulator's affidavit or any signatures of registered voters who submitted a written notarized request to disallow the voter's signature from being counted on the petition; provided, that the request shall be received prior to the time the petition is filed.
- 1405.6 Notice of the Executive Director's preliminary determination of petition sufficiency shall be served immediately by email or first-class mail upon each candidate for delegate and alternate.
- 1405.7 In the event that it is determined that a candidate's nominating petition is insufficient, the candidate's nominating petition shall nevertheless be posted for the challenge period specified in D.C. Official Code § 1-1001.08 (o) (2016 Repl.), along with the Executive Director's preliminary determination.
- 1405.8 Within three (3) days of issuing a notice of petition insufficiency, a candidate aggrieved by the decision may file a written notice of appeal with the Board, duly signed by the candidate and specifying concisely the grounds for appeal.
- 1405.9 The Board shall hold a hearing on the appeal within three (3) days after receipt of the appeal notice.
- 1405.10 The hearing shall be conducted in accordance with the procedures provided in the District of Columbia Administrative Procedure Act, (D.C. Official Code §§ 2-501 *et seq.* (2016 Repl.)), and may be heard by a one-member panel (D.C. Official Code § 1-1001.05 (g) (2016 Repl.)).

- 1405.11 Any appeal from a decision of a one-member panel to the full Board shall be taken in the manner prescribed by D.C. Official Code § 1-1001.05 (g) (2016 Repl.); however, in no case shall the time allowed for the appeal exceed three (3) business days from the date of decision of the one-member panel.

Chapter 15, CANDIDATE NOMINATIONS: ELECTORS OF PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES, is amended as follows:

Section 1502, PETITION FORM, is amended to read as follows:

1502 PETITION FORM

- 1502.1 A nominating petition form shall be separately prepared and issued by the Executive Director or his or her designee for each pair of candidates for President and Vice President.
- 1502.2 The first page of the petition shall contain the following information:
- (a) The names of the candidates for President and Vice President and the candidates' political party or "independent";
 - (b) The names, addresses, and registration number of the three (3) candidates for presidential electors; and
 - (c) A statement indicating that any registered voter, regardless of party affiliation, may sign the petition; and
 - (d) A statement that only the names of the candidates for President and Vice President will be listed on the ballot.
- 1502.3 The second page of the petition shall include a circulator's affidavit, providing space for the circulator of a nominating petition to record his or her name, address, and telephone number. By signing the affidavit, the circulator swears under oath or affirms that he or she:
- (a) Is a qualified petition circulator;
 - (b) Personally circulated the petition sheet;
 - (c) Personally witnessed the signing of each signature on the petition sheet; and
 - (d) Inquired whether each signer is a registered voter in the District of Columbia.

- 1502.4 A candidate shall be permitted to choose a paper and/or electronic nominating petition form. Unless specified, the laws and rules concerning the circulation of petitions, including, but not limited to, the qualifications of circulators, the validity of signatures, and challenges to petitions, shall apply regardless of the format of the petition.
- 1502.4 No nominating petition, whether in paper or electronic format, shall be issued to any person other than the candidate whose name appears on the first page of the petition, unless the Board receives written notice from the candidate which authorizes the Board to release petitions in his or her name. The authorization shall include the following:
- (a) Candidate's name;
 - (b) Office which the candidate seeks and political party; and
 - (c) Candidate's signature.
- 1502.5 Each circulator circulating an electronic petition shall register his or her device in-person at the Board's office. The circulator shall provide a unique and valid email address for account registration and device authentication. No circulator shall have a registered account for electronic petition circulation unless his or her device has been authenticated.

Section 1505, FILING PETITIONS, is amended to read as follows:

1505 FILING PETITIONS

- 1505.1 Before the nominating petition is filed:
- (a) Any petition pages circulated in an electronic format shall be printed at the Board's office and signed by the individual circulator who collected the signatures; and
 - (b) All sheets which comprise the petition shall be assembled and serially numbered.
- 1505.2 The nominating petition and supporting affidavits, as well as the Declarations of Candidacy from each candidate for Presidential Elector as required pursuant to Chapter 6 of this title, shall be filed in-person at the Board's office no later than 5:00 p.m. on the 90th day preceding the election ("petition-filing deadline"). Any candidate may file petition supplements prior to the petition-filing deadline, provided that the supplements are accompanied by an affidavit executed by the person filing them. All petitions and supplements shall be received by the

Executive Director or his or her designee if filed on or before the petition-filing deadline.

- 1505.3 Within three (3) business days following the petition-filing deadline, the Executive Director or his or her designee shall issue a preliminary determination of petition sufficiency. In order to be determined sufficient, a petition nominating a candidate shall:
- (a) Contain the minimum statutory number of signatures required to obtain ballot access for the office sought;
 - (b) Be accompanied by an affidavit executed by the person filing the petition, attesting that to the best of his or her knowledge, the petition is complete and contains the legally required number of valid signatures; and
 - (c) Be on a form issued by the Executive Director or his or her designee in accordance with the rules of this chapter.
- 1505.4 In determining whether the minimum statutory number of signatures is contained in the nominating petition, the Executive Director or his or her designee shall not count any signatures submitted on petition pages that fail to include a completed circulator's affidavit or any signatures of registered voters who submitted a written notarized request to disallow the voter's signature from being counted on the petition; provided, that the request shall be received prior to the time the petition is filed.
- 1505.5 Notice of the Executive Director's preliminary determination of petition sufficiency shall be served immediately by email or first-class mail upon each candidate.
- 1505.6 In the event that it is determined that a candidate's nominating petition is insufficient, the candidate's nominating petition shall nevertheless be posted for the challenge period specified in D.C. Official Code sec. 1-1001.08 (o) (2016 Repl.), along with the Executive Director's preliminary determination.
- 1505.7 Within three (3) days of issuing a notice of an adverse determination, a candidate aggrieved by the decision may file a written notice of appeal with the Board, duly signed by the candidate and specifying concisely the grounds for appeal.
- 1505.8 The Board shall hold a hearing on the appeal within three (3) days after receipt of the appeal notice.

- 1505.9 The hearing shall be conducted in accordance with the procedures provided in the District of Columbia Administrative Procedure Act, (D.C. Official Code §§ 2-501 *et seq.* (2016 Repl.)), and may be heard by a one-member panel (D.C. Official Code § 1-1001.05 (g) (2016 Repl.)).
- 1505.10 Any appeal from a decision of a one-member panel to the full Board shall be taken in the manner prescribed by D.C. Official Code § 1-1001.05 (g) (2016 Repl.); however, in no case shall the time allowed for the appeal exceed fourteen (14) calendar days from the date of decision of the one-member panel.

Chapter 16, CANDIDATE NOMINATION: DELEGATE TO THE U.S. HOUSE OF REPRESENTATIVES, MAYOR, CHAIRMAN AND MEMBERS OF THE COUNCIL OF THE DISTRICT OF COLUMBIA, ATTORNEY GENERAL, U.S. SENATOR, U.S. REPRESENTATIVE, MEMBERS OF THE STATE BOARD OF EDUCATION, AND ADVISORY NEIGHBORHOOD COMMISSIONER, is amended as follows:

Section 1602, PETITION FORM, is amended to read as follows:

1602 PETITION FORM

- 1602.1 A nominating petition form shall be separately prepared and issued by the Executive Director or his or her designee for each candidate seeking nomination to the office of Delegate, Mayor, Chairman and Members of the Council of the District of Columbia, Attorney General, U.S. Senator, U.S. Representative, Member of the State Board of Education, and Advisory Neighborhood Commissioner.
- 1602.2 The first page of the petition shall contain the following information:
- (a) The name and address of the candidate, registration number, and office to which the candidate seeks nomination;
 - (b) In the case of a District partisan office, either the candidate's political party, or "independent";
 - (c) If the candidate is running from a ward or single-member district, a statement that all signatories shall be registered and be residents of the ward or single-member district from which the candidate seeks nomination;
 - (d) If the candidate is seeking nomination of a major party, a statement indicating that signers of the petition shall be of the same political party as the candidate; and

- (e) If the candidate is seeking direct access nomination, a statement indicating that any registered voter, regardless of party affiliation, may sign the petition.

1602.3 The second page of the nominating petition form shall include a circulator's affidavit, providing space for the circulator of a nominating petition to record his or her name and address. By signing the affidavit, the circulator swears under oath or affirms that he or she:

- (a) Is a qualified petition circulator;
- (b) Personally circulated the petition sheet;
- (c) Personally witnessed the signing of each signature on the petition sheet; and
- (d) Inquired whether each signer is a registered voter in the District of Columbia, and where applicable, that the signer is a registered voter in the same political party and/or ward or single-member district as the candidate seeking nomination.

1602.4 A candidate shall be permitted to choose a paper and/or electronic nominating petition form. Unless specified, the laws and rules concerning the circulation of petitions, including, but not limited to, the qualifications of circulators, the validity of signatures, and challenges to petitions, shall apply regardless of the format of the petition.

1602.5 No nominating petition form, whether in paper or electronic format, shall be issued to any person other than the candidate unless the Board receives written notice from the candidate which authorizes the Board to release petitions in his or her name. The authorization shall include the following:

- (a) Candidate's name;
- (b) Office which the candidate seeks and political party, if the office sought is partisan; and
- (c) Candidate's signature.

1602.6 Each circulator circulating an electronic petition shall register his or her device in-person at the Board's office. The circulator shall provide a unique and valid email address for account registration and device authentication. No circulator

shall have a registered account for electronic petition circulation unless his or her device has been authenticated.

Section 1605, FILING PETITIONS, is amended to read as follows:

1605 FILING PETITIONS

1605.1 Before the nominating petition is filed:

- (a) Any petition pages circulated in an electronic format shall be printed at the Board's office and signed by the individual circulator who collected the signatures; and
- (b) All sheets which comprise the petition shall be assembled and serially numbered.

1605.2 The nominating petition and supporting affidavits, as well as the candidate's Declaration of Candidacy as required pursuant to Chapter 6 of this title, shall be filed in-person at the Board's office no later than 5:00 p.m. on the 90th day preceding the election ("petition filing deadline"). Any candidate may file petition supplements prior to the petition-filing deadline, provided that the supplements are accompanied by an affidavit executed by the person filing them. All petitions and supplements shall be received by the Executive Director or his or her designee if filed on or before the petition-filing deadline.

1605.3 Within three (3) business days following the petition-filing deadline, the Executive Director or his or her designee shall issue a preliminary determination of petition sufficiency. In order to be determined sufficient, a petition nominating a candidate shall:

- (a) Contain the minimum statutory number of signatures required to obtain ballot access for the office sought;
- (b) Be accompanied by an affidavit executed by the person filing the petition, attesting that to the best of his or her knowledge, the petition is complete and contains the legally required number of valid signatures; and
- (c) Be on a form issued by the Executive Director or his or her designee in accordance with the rules of this chapter;

1605.4 In determining whether the minimum statutory number of signatures is contained in the nominating petition, the Executive Director or his or her designee shall not count any signatures submitted on petition pages that fail to include a completed circulator's affidavit or any signatures of registered voters who submitted a

written notarized request to disallow the voter's signature from being counted on the petition; provided, that the request shall be received prior to the time the petition is filed.

- 1605.5 Notice of the Executive Director's preliminary determination of petition sufficiency shall be served immediately by email or first-class mail upon each candidate.
- 1605.6 In the event that it is determined that a candidate's nominating petition is insufficient, the candidate's nominating petition shall nevertheless be posted for the challenge period specified in D.C. Official Code § 1-1001.08 (o) (2016 Repl.), along with the Executive Director's preliminary determination.
- 1605.7 Within three (3) days of issuing a notice of an adverse determination, a candidate aggrieved by the decision may file a written notice of appeal with the Board, duly signed by the candidate and specifying concisely the grounds for appeal.
- 1605.8 The Board shall hold a hearing on the appeal within three (3) days after receipt of the appeal notice.
- 1605.9 The hearing shall be conducted in accordance with the procedures provided in the District of Columbia Administrative Procedure Act, (D.C. Official Code §§ 2-501 *et seq.* (2016 Repl.)), and may be heard by a one-member panel (D.C. Official Code § 1-1001.05 (g) (2016 Repl.)).
- 1605.10 Any appeal from a decision of a one-member panel to the full Board shall be taken in the manner prescribed by D.C. Official Code § 1-1001.05 (g) (2016 Repl.); however, in no case shall the time allowed for the appeal exceed fourteen (14) calendar days from the date of decision of the one-member panel.

Chapter 17, CANDIDATES: MEMBERS AND OFFICIALS OF LOCAL COMMITTEES OF POLITICAL PARTIES AND NATIONAL COMMITTEE PERSONS, is amended as follows:

Section 1702, PETITION FORM, is amended to read as follows:

1702 PETITION FORM

- 1702.1 A nominating petition form shall be separately prepared and issued by the Executive Director or his or her designee for each candidate seeking nomination, or group of candidates seeking nomination as a slate, for office.
- 1702.2 Nominations for the offices of members and officials of local party committees elected at-large may be on one nominating petition.

- 1702.3 Nominations for the offices of members and officials of local party committees, to be elected in a single ward, may be on one nominating petition; Provided, that all the candidates stand for office only in the same ward.
- 1702.4 Nominations for the offices of national committeeman, national committeewoman, and the alternates may be on one nominating petition; provided, that no individual is nominated for two (2) or more offices that could not be occupied simultaneously by the same person.
- 1702.5 The first page of the petition shall contain the following information:
- (a) The name, address, and political party of the candidate(s), the ward (where applicable), and the office(s) to which the candidate(s) seek election;
 - (b) A statement that all of the signatories to this petition must be of the same political party as the candidate(s); and
 - (c) If the candidate is running from a ward, a statement that all of the signatories to the petition must be registered in and residents of the ward from which the candidate seeks election.
- 1702.6 The second page of the petition shall include a circulator's affidavit, providing space for the circulator of a nominating petition to record his or her name, address, and telephone number. By signing the affidavit, the circulator swears under oath or affirms that he or she:
- (a) Is a qualified petition circulator;
 - (b) Personally circulated the petition sheet;
 - (c) Personally witnessed the signing of each signature on the petition sheet; and
 - (d) Inquired whether each signer is a registered voter in the same political party and ward, where applicable, as the candidate seeking nomination.
- 1702.7 A candidate or slate shall be permitted to choose a paper and/or electronic nominating petition form. Unless specified, the laws and rules concerning the circulation of petitions, including, but not limited to, the qualifications of circulators, the validity of signatures, and challenges to petitions, shall apply regardless of the format of the petition.

- 1702.8 No nominating petition, whether in paper or electronic format, shall be issued to any person other than the candidate, or the authorized slate representative, unless the Board receives written notice from the candidate or slate representative which authorizes the Board to release petitions in his or her name. The authorization shall include the following:
- (a) Candidate's name;
 - (b) Office which the candidate seeks; and
 - (c) Candidate or slate representative's signature.
- 1702.9 No nominating petition shall be issued unless all "blank" spaces in the candidate(s) name section of each petition sheet are stricken such that no additional names may be appended to the petition page after it has been issued.
- 1702.10 Each circulator circulating an electronic petition shall register his or her device in-person at the Board's office. The circulator shall provide a unique and valid email address for account registration and device authentication. No circulator shall have a registered account for electronic petition circulation unless his or her device has been authenticated.

Section 1705, FILING PETITIONS, is amended to read as follows:

1705 FILING PETITIONS

- 1705.1 Before the nominating petition is filed:
- (a) Any petition pages circulated in an electronic format shall be printed at the Board's office and signed by the individual circulator who collected the signatures; and
 - (b) All sheets which comprise the petition shall be assembled and serially numbered.
- 1705.2 The nominating petition and supporting affidavits, as well as each candidate's Declaration of Candidacy as required pursuant to Chapter 6 of this title, shall be filed in-person at the Board's office no later than 5:00 p.m. on the 90th day preceding the election ("petition-filing deadline"). Any candidate may file petition supplements prior to the petition-filing deadline, provided that the supplements are accompanied by an affidavit executed by the person filing them. All petitions and supplements shall be received by the Executive Director or his or her designee if filed on or before the petition-filing deadline.

- 1705.3 Within three (3) business days following the petition-filing deadline, the Executive Director or his or her designee shall issue a preliminary determination of petition sufficiency. In order to be determined sufficient, a petition nominating a candidate shall:
- (a) Contain the minimum statutory number of signatures required to obtain ballot access for the office sought;
 - (b) Be accompanied by an affidavit executed by the person filing the petition, attesting that to the best of his or her knowledge, the petition is complete and contains the legally required number of valid signatures; and
 - (c) Be on a form issued by the Executive Director or his or her designee in accordance with the rules of this chapter.
- 1705.4 In determining whether the minimum statutory number of signatures is contained in the nominating petition, the Executive Director or his or her designee shall not count any signatures submitted on petition pages that fail to include a completed circulator's affidavit or any signatures of registered voters who submitted a written notarized request to disallow the voter's signature from being counted on the petition; provided, that the request shall be received prior to the time the petition is filed.
- 1705.5 Notice of the Executive Director's preliminary determination of petition sufficiency shall be served immediately by email or first-class mail upon each candidate.
- 1705.6 In the event that it is determined that a candidate's nominating petition is insufficient, the candidate's nominating petition shall nevertheless be posted for the challenge period specified in D.C. Official Code § 1-1001.08 (o) (2016 Repl.), along with the Executive Director's preliminary determination.
- 1705.7 Within three (3) days of issuing a notice of an adverse determination, a candidate aggrieved by the decision may file a written notice of appeal with the Board, duly signed by the candidate and specifying concisely the grounds for appeal.
- 1705.8 The Board shall hold a hearing on the appeal within three (3) days after receipt of the appeal notice.
- 1705.9 The hearing shall be conducted in accordance with the procedures provided in the District of Columbia Administrative Procedure Act, (D.C. Official Code §§ 2-501 *et seq.* (2016 Repl.)), and may be heard by a one-member panel (D.C. Official Code § 1-1001.05 (g) (2016 Repl.)).

1705.10 Any appeal from a decision of a one-member panel to the full Board shall be taken in the manner prescribed by D.C. Official Code § 1-1001.05 (g) (2016 Repl.); however, in no case shall the time allowed for the appeal exceed fourteen (14) calendar days from the date of decision of the one-member panel.

All persons desiring to comment on the subject matter of this proposed rulemaking should file written comments by no later than thirty (30) days after the date of publication of this notice in the *D.C. Register*. Comments should be filed with the Office of the General Counsel, Board of Elections, 1015 Half Street SE, Suite 750, Washington, D.C. 20003. Please direct any questions or concerns to the Office of the General Counsel at 202-727-2194 or ogc@dcboe.org. Copies of the proposed rules may be obtained at cost from the above address, Monday through Friday, between the hours of 9:00 a.m. and 4:00 p.m.

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2018-030
March 7, 2018

SUBJECT: Appointment — 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. **YOLANDA PIERCE** is appointed as a voting member of the Mayor's Interfaith Council, filling a vacant seat, for term to end July 29, 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 2018-031
March 8, 2018

SUBJECT: Delegation - Authority to the Deputy Mayor for Planning and Economic Development to Solicit Offers, Accept Unsolicited Offers, and Execute Certain Documents with Respect to the District-owned Real Property Known for Tax and Assessment Purposes as Lots 0839, 0897, 0906, 0908, 0948, 0952, 1034, and 1035 in Square 5860.

ORIGINATING AGENCY: Office of the Mayor


By virtue of the authority vested in me as Mayor of the District of Columbia by sections 422(6) and (11) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. No. 93-198, D.C. Official Code § 1-204.22(6) and (11) (2016 Repl.); section 1 of An Act authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939, 53 Stat. 1211, Pub. L. No. 76-285, D.C. Official Code § 10-801 (2013 Repl. & 2017 Supp.); and section 1(c) of An Act to grant additional powers to the Commissioners of the District of Columbia and for other purposes, approved December 20, 1944, 58 Stat. 819, Pub. L. No. 78-506, D.C. Official Code § 1-301.01(c) (2016 Repl. & 2017 Supp.), it is hereby **ORDERED** that:

1. The Deputy Mayor for Planning and Economic Development (“**Deputy Mayor**”) is delegated the authority to solicit offers, accept unsolicited offers, and execute on behalf of the District of Columbia any and all documents related to the disposition, development, or use of the District-owned real property known for tax and assessment purposes as Lots 0839, 0897, 0906, 0908, 0948, 0952, 1034, and 1035 in Square 5860 (“**Property**”), including, but not limited to, easements, license agreements, use agreements, deeds, lease agreements, right of entry agreements, covenants, and other associated documents, and to take all actions necessary or useful for or incidental to the solicitation, disposition, and development of the Property.
2. The authority delegated herein to the Deputy Mayor may be further delegated to subordinates under the jurisdiction of the Deputy Mayor.
3. This Order supersedes all previous Mayor’s Orders to the extent of any inconsistency therein.

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



MURIEL BOWSER
MAYOR

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

**OFFICE OF ADMINISTRATIVE HEARINGS
DISTRICT OF COLUMBIA ADVISORY COMMITTEE
PUBLIC NOTICE OF MEETING**

In accordance with D.C. Code § 2-576(1), the Advisory Committee to the Office of Administrative Hearings hereby gives notice that it will meet on Thursday, March 22, 2018 at 4:00pm. The meeting will be held at the following location:

Hearing Room
Board of Ethics and Government Accountability
441 Fourth Street NW, Suite 540 South
Washington, DC 20001

For further information, please contact Shauntinique Steele at nikki.steele@dc.gov or 202-741-5303.

AGENDA

- I. **Welcome and Call to Order**
- II. **Introductions**
- III. **Approval of the Minutes**
- IV. **Vote to Approve Transmission**
- V. **Report from the Chief ALJ**
 - a. **ALJ Vacancies**
 - b. **ALJ Evaluations**
 - c. **Tech issues relating to transparency and the effort to get opinions on line**
 - d. **Establishing jurisdiction by legislation rather than MOU**
 - e. **Relevant information from the Agency Oversight hearing.**
- VI. **Old Business**
- VII. **New Business**
- VIII. **Adjournment**

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF PUBLIC HEARINGS
CALENDAR

WEDNESDAY, MARCH 21, 2018
2000 14TH STREET, N.W., SUITE 400S
WASHINGTON, D.C. 20009

Donovan W. Anderson, Chairperson
Members: Nick Alberti, Mike Silverstein,
James Short, Donald Isaac, Sr., Bobby Cato, Rema Wahabzadah,

Protest Hearing (Status) **9:30 AM**
Case # 18-PRO-00006; M&A Hospitality, LLC, t/a Cork Wine Bar & Market
1805 14th Street NW, License #107308, Retailer CR, ANC 1B
Substantial Change

Protest Hearing (Status) **9:30 AM**
Case # 18-PRO-00008; Bluefin Sushi To Go, LLC, t/a BlueFin Sushi To Go
3073 Canal Street NW, License #108308, Retailer CR, ANC 2E
Request to Transfer License to a New Location

Protest Hearing (Status) **9:30 AM**
Case # 18-PRO-00009l; KHP IV DC TRS, LLC, t/a The Darcy Hotel, 1515
Rhode Island Ave NW, License #102437, Retailer CH, ANC 2B
**Substantial Change (Request to increase Occupancy Load of the Summer
Garden)**

Show Cause Hearing (Status) **9:30 AM**
Case # 17-AUD-00080; Kilala Enterprises, LLC, t/a Sushi Capitol, 325
Pennsylvania Ave SE, License #92785, Retailer DR, ANC 6B
Failed to File Quarterly Statement

Show Cause Hearing* **10:00 AM**
Case # 17-CMP-00680; Debebe Addis, t/a Mesobe Restaurant and Deli Market
1853 7th Street NW, License #81030, Retailer CR, ANC 1B
Operating after Hours

Fact Finding Hearing* **11:00 AM**
Case # 17-251-00253; Historic Restaurants, Inc., t/a Old Engine 12, 1626 North
Capitol Street NW, License #92685, Retailer CT, ANC 5E
Sick Person to the Hospital

Board's Calendar
March 21, 2018

Fact Finding Hearing***11:30 AM**

Yk Han's, Inc., t/a Han's Market, 1942 1st Street NW, License #103200, Retailer B, ANC 5E

Request to place license in Safekeeping

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

Fact Finding Hearing***1:30 PM**

Case # 17-CC-00077; Xaing Fong Corporation, t/a North Sea Carry-out Restaurant, 2479 18th Street NW, License #73973, Retailer B, ANC 1C

Transfer of Ownership Without Board Approval

Show Cause Hearing***2:30 PM**

Case # 17-CMP-00664; Bella Market, LLC, t/a Economy Market, 1804 D Street NE, License #94127, Retailer B, ANC 6A

Violation of Settlement Agreement, Failed to Make a Copy of Settlement Agreement Immediately Accessible

***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
CANCELLATION AGENDA**

**WEDNESDAY, MARCH 21, 2018
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

The Board will be cancelling the following licenses for the reasons outlined below:

ABRA-102913 – **Forward Beverage** – Wholesale – A – 301 New York Avenue NE
[Licensee requested cancellation.]

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

**NOTICE OF MEETING
INVESTIGATIVE AGENDA**

**WEDNESDAY, MARCH 21, 2018
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

On Wednesday, March 21, 2018 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# 18-CC-00002, Pauls Discount Wine & Liquor, 5205 Wisconsin Avenue N.W., Retailer A, License # ABRA-000010

2. Case# 18-CMP-00016, Sankora Café, 2714 Georgia Avenue N.W., Retailer CT, License # ABRA-086424

3. Case# 18-CC-00006, Carlyle Hotel, 1731 New Hampshire Avenue N.W., Retailer CH, License # ABRA-090805

4. Case# 18-CC-00005, Drafting Table, 1529 14th Street N.W., Retailer CR, License # ABRA-089190

5. Case# 18- MGR-00001, ABC Manager Ellen Clenney, License # ABRA-104785

6. Case# 18-AUD-00003, Plan B Burger Bar, 801 Pennsylvania Avenue N.W., Retailer CR, License # ABRA-095796

7. Case# 18-AUD-00001, Open City, 2331 Calvert Street N.W., Retailer CR, License # ABRA-072380

-
8. Case# 18-CMP-00025, Ping Pong Dim Sum, 900 7th Street N.W., Retailer CR, License # ABRA-105730
-
9. Case# 18-CMP-00026, Johnny Pistolas, 2333 18th Street N.W., Retailer CR, License # ABRA-060401
-
10. Case# 18-CMP-00027, Johnny Pistolas, 2333 18th Street N.W., Retailer CR, License # ABRA-060401
-
11. Case# 18-CMP-00024, Ababa Ethiopian Restaurant, 2106 18th Street N.W., Retailer CR, License # ABRA-103289
-
12. Case# 18-CMP-00030, Piola, 2208 14th Street N.W., Retailer CR, License # ABRA-087595
-
13. Case# 18-CMP-00028, XO Restaurant and Lounge, 1426 L Street N.W., Retailer CT, License # ABRA-098370
-
14. Case# 18-CC-00004, Cobalt/30 Degrees/Level One, 1639-1641 R Street N.W., Retailer CT, License # ABRA-071833
-
15. Case# 18-CMP-00032, Halftime Sports Bar, 1427 H Street N.E., Retailer CT, License # ABRA-094107
-
16. Case# 18-CMP-00004, Power Night Club/Lounge/Restaurant, 2335 Bladensburg Road N.E., Retailer CT, License # ABRA-104228
-
17. Case# 18-CMP-00021, Betty's Gojo, 7616 Georgia Avenue N.W., Retailer CR, License # ABRA-102500
-

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF MEETING
LICENSING AGENDA

WEDNESDAY, MARCH 21, 2018 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 2B. SMD 2B07. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No conflict with Settlement Agreement. *Red Apron Burger Bar*, 1323 Connecticut Avenue NW, Retailer CR, License No. 090634.

2. Review Request to extend Safekeeping of License – First Request. Original Safekeeping Date: 9/13/2017. ANC 2B. SMD 2B01. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. *Mandu*, 1805 18th Street NW, Retailer CR, License No. 075684.

3. Review Request to Extend Safekeeping of License – Seventh Request. Original Safekeeping Date: 10/1/2012. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. *Club Rendezvous (formerly)*, No Location, Retailer CN, License No. 104924.

4. Review Request for Change of Hours. *Approved Hours of Operation*: Sunday-Saturday 10am to 12am. *Approved Hours of Alcoholic Beverage Sales and Consumption*: Sunday-Saturday 11am to 12am. *Proposed Hours of Operation*: Sunday-Thursday 10am to 2am, Friday-Saturday 10am to 3am. *Proposed Hours of Alcoholic Beverage Sales and Consumption*: Sunday-Thursday 11am to 2am, Friday-Saturday 11am to 3am. ANC 1B. SMD 1B12. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No conflict with Settlement Agreement. *Pal the Mediterranean Spot*, 1501 U Street NW, Retailer CR, License No. 092484.

***In accordance with D.C. Official Code §2-547(b) of the Open Meetings Amendment Act, this portion of the meeting will be closed for deliberation and to consult with an attorney to obtain legal advice. The Board's vote will be held in an open session, and the public is permitted to attend.**

DEPARTMENT OF BEHAVIORAL HEALTH

NOTICE

The Department of Behavioral Health Establishment Act of 2013 authorizes the Department to “plan, develop, coordinate, and monitor comprehensive and integrated behavioral health systems of care for adults and for children, youth, and their families in the District, so as to maximize utilization of behavioral health services and behavioral health supports and to assure that services for priority populations identified in the Department's annual plan are funded within the Department's appropriations or authorizations by Congress and are available.” The Department has identified a need for additional behavioral health service providers in order to provide high quality behavioral health services for District of Columbia residents.

Therefore, the Director of the Department of Behavioral Health, pursuant to the authority set forth in sections 5113, 5115, 5117, 5118 and 5119 of the Department of Behavioral Health Establishment Act of 2013, effective December 24, 2013 (D.C. Law 20-0061; D.C. Official Code §§ 7-1141.02, 7-1141.04, 7-1141.06, 7-1141.07 and 7-1141.08)(2013 Supp.), hereby gives notice that effective February 16, 2018, the Department will accept new certification applications as defined by Title 22-A, D.C. Municipal Regulation, Chapter 63 “Certification Standards For Substance Use Disorder Treatment and Recovery Providers” for the following levels of care:

- 2.1 Intensive Outpatient Program (IOP);
- 2.5 Day Treatment;
- 3.1 Clinically Managed Low-Intensity Residential;
- 3.3 Clinically Managed Population-Specific High-Intensity Residential;
- 3.5 Clinically Managed High-Intensity Residential (Adult)/ Clinically Managed Medium-Intensity Residential (Youth); and
- 3.7 Medically Monitored Intensive Inpatient Withdrawal Management (MMIIWM).

All prior moratoriums on granting new ASARS certifications are hereby rescinded.

This notice is solely for parties interested in ASARS certification. Obtaining certification does not guarantee that the applicant will receive a Human Care Agreement. A Human Care Agreement, if available in the future, is subject to availability of funds. Additionally, a provider must meet all contract requirements as determined by the Office of Contracting and Procurement prior to receiving a Human Care Agreement.

All questions regarding this Notice should be directed to Atiya Frame-Shamblee, Director, Accountability Administration, DBH, at 64 New York Ave. NE, 3rd floor, Washington D.C. 20002; or Atiya.Frame@dc.gov; or (202) 673-2245.

DEPARTMENT OF BEHAVIORAL HEALTH
NOTICE OF FUNDING AVAILABILITY (NOFA)

RFA No. RM0 DC PEER 033018

DC Peer Operated Center (POC)

Purpose/Description of Project

The Department of Behavioral Health (DBH) will like to utilize Community Mental Health Block Grant funds to expand the peer supportive services through the expansion of Peer-Operated Activity Centers (POC). DBH is committed to the development of POC(s) for consumers of behavioral health services who resides in the District of Columbia. A POC is a network of non-clinical services developed and mobilized to help attain and sustain long-term recovery for consumers and families impacted by behavioral health issues. Providing activities in an environment that will promote a lifetime of wellness for consumers, families and the community. DBH believes those who have “lived experience” in the mental health system play an integral role in the design, development, and implementation of behavioral health services. By providing infrastructure, recovery capital and other referral resources within the District the recovery and resilience-oriented systems will expand the role of certified peer specialist from an expert model to a partnership/consultation model, in which everyone’s perspective, experience and expertise is welcomed and considered.

Eligibility

- Have a diverse team of Certified Peer Specialist with experience navigating the behavioral health system.
- Have administrative processes (such as, intake, referral, etc.)
- Have experience providing linkage to services for behavioral health consumers;
- Have DC Peer Operated Center (POC) physically located within the Wards of the District of Columbia; Ward 6 is excluded;
- Any organization that has received a prior DC Peer Operated Center grant award is excluded from applying and;
- Have a leadership team with lived experience in the public behavioral health system.

Length of Award

The grant award will be made for a period of one (1) year from the date of award. The grant may be continued for two (2) additional whole years based on documented project success and availability of funding. The grant recipient will be estimated to begin activities on May 15, 2018.

Available Funding

Approximately \$200,000 is available to fund one (1) POC. The grant will be awarded by DBH using funds provided by the Community Mental Health Block Grant.

Anticipated Number of Awards

DBH anticipates one (1) award in the amount of \$200,000 for an identified target population for the proposed Center, the geographic range the Center intends to serve and provide a rationale based upon needs assessment data for the selection of a particular target groups and geographic location.

Please note funding for the first year grant award will be prorated to remain consistent with the first year period of award of eight months; subsequent funding, if applicable, will be awarded at the full amount. See the RFA for full details.

Request for Application (RFA) Release

The RFA will be released Friday, March 30, 2018. The RFA will be posted on the Office of Partnerships and Grants website, www.opgs.dc.gov, under the District Grants Clearinghouse. A copy of the RFA may be obtained from the DBH Office of Fiscal Services, located at 64 New York Avenue, NE, Washington, DC 20002, 2nd Floor, from Fiscal Monitor Ms. Marcy Thurston during the hours of 8:15 a.m. – 4:45 p.m. beginning March 30, 2018.

Pre-Application Conference

A pre-application conference will be held at DBH, 64 New York Avenue, NE, Washington, DC, 20002, 2nd Floor, DBH Training Room 242 on Tuesday, April 10, 2018, from 10:00 a.m. – 12:00 p.m. ET. For more information, please contact Teresa King on (202) 671-4035.

Deadline for Applications

The deadline for submission is Monday, April 30, 2018, at 4:45 p.m. ET.

OFFICE OF THE DEPUTY MAYOR FOR EDUCATION

NOTICE OF PUBLIC MEETING

ADVISORY GROUP ON COMMUNITY USE OF PUBLIC SPACE

The Advisory Group on Community Use of Public Space will hold a public meeting on Monday, March 19, 2018 at 6:00pm at the West End Library, 2301 L St NW, Washington, DC 20037.

The role of the Advisory Group is to provide advice and recommendations to the DME regarding District policies and procedures related to community use of public spaces, including fields, gyms, classrooms, meeting rooms, and other District facilities.

Goals of the Advisory Group include ensuring equitable access to public space, streamlining the reservation of public spaces, increasing transparency around processes and fees, and encouraging greater use of public spaces overall.

Individuals and representatives of organizations who wish to comment at the public meeting are asked to notify Alex Cross in the Office of the Deputy Mayor for Education in advance by phone at (202) 727-9543 or by email at alexander.cross@dc.gov. Individuals should provide their names, addresses, telephone numbers, and organizational affiliation, if any, by the close of business on Thursday, March 15, 2018, and should submit one (1) electronic copy of their testimony in advance for the permanent record.

Date: March 19, 2018

Time: 6:00 p.m. – 8:00 p.m.

Location: West End Library
2301 L St NW,
Washington, DC 20037

Contact: Alex Cross
Office of the Deputy Mayor for Education
(202) 727-9543
alexander.cross@dc.gov

OFFICE OF THE DEPUTY MAYOR FOR EDUCATION

NOTICE OF PUBLIC MEETING

COMMISSION ON OUT OF SCHOOL TIME GRANTS AND YOUTH
OUTCOMES

The Commission on Out of School Time Grants and Youth Outcomes will hold a public meeting on Thursday, March 22, 2018 from 6:00 pm to 7:30 pm at One Judiciary Square, 441 4th Street, Room 1107 South. The OST Commission will discuss the bylaws for the OST Commission and the strategic plan.

Individuals and representatives of organizations who wish to comment at a public meeting are asked to notify the OST Office in advance by phone at (202) 481-3932 or by email at learn24@dc.gov. Individuals should furnish their names, addresses, telephone numbers, and organizational affiliation, if any, and if available, submit one electronic copy of their testimony by the close of business on Friday, March 16 at 5:00 pm.

Below is the draft agenda for the meeting.

- I. Call to Order
- II. Public Comment
- III. Announcement of a Quorum
- IV. Approval of the Agenda
- V. Comments from the Executive Director, Office of Out of School Time Grants and Youth Outcomes
- VI. Draft Bylaws
- VII. Strategic Plan Discussion
- VIII. Adjournment

The Office of Out of School Time Grants and Youth Outcomes (OST Office) and the OST Commission support the equitable distribution of high-quality, out-of-school-time programs to District of Columbia youth through coordination among government agencies, grant-making, data collection and evaluation, and the provision of technical assistance to service providers. The OST Commission's purpose is to develop a District-wide strategy for equitable access to out-of-school-time programs and to facilitate interagency planning and coordination for out-of-school time programs and funding.

Date: March 22, 2018
Time: 6:00 p.m. – 7:30 p.m.
Location: One Judiciary Square, 1107 South
441 4th Street, NW
Washington, DC 20001
Contact: Debra Eichenbaum
Grants Management Specialist
Office of Out of School Time Grants and Youth Outcomes
Office of the Deputy Mayor for Education
(202) 478-5913
Debra.eichenbaum@dc.gov

BOARD OF ELECTIONS**CERTIFICATION OF ANC/SMD VACANCY**

The District of Columbia Board of Elections hereby gives notice that there are vacancies in two (2) Advisory Neighborhood Commission offices, certified pursuant to D.C. Official Code § 1-309.06(d)(2); 2001 Ed; 2006 Repl. Vol.

VACANT: 7F07 and 8C01

Petition Circulation Period: Monday, March 19, 2018 thru Monday, April 9, 2018
Petition Challenge Period: Thursday, April 12, 2018 thru Thursday, April 19, 2018

Candidates seeking the Office of Advisory Neighborhood Commissioner, or their representatives, may pick up nominating petitions at the following location:

**D.C. Board of Elections
1015 Half Street, SE, Suite 750
Washington, DC 20003-3654**

For more information, the public may call **727-2525**.

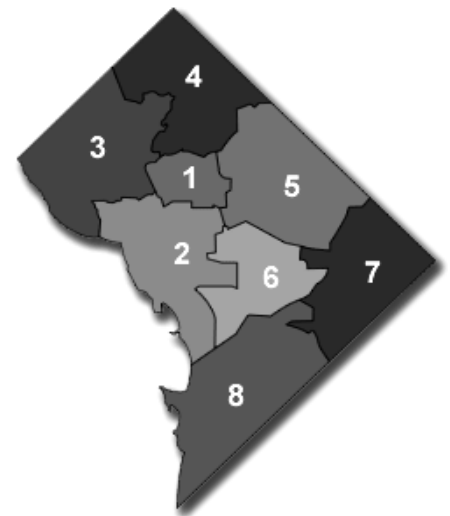
**D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
CITYWIDE REGISTRATION SUMMARY
As Of FEBRUARY 28, 2018**

WARD	DEM	REP	STG	LIB	OTH	N-P	TOTALS
1	43,842	2,873	615	144	177	11,122	58,773
2	29,875	5,634	213	166	151	10,583	46,622
3	37,197	6,287	342	149	152	10,722	54,849
4	48,179	2,195	523	94	160	8,601	59,752
5	51,377	2,297	575	119	227	9,295	63,890
6	53,541	7,032	470	252	236	13,327	74,858
7	47,212	1,272	425	55	165	6,510	55,639
8	45,580	1,369	441	48	178	7,023	54,639
Totals	356,803	28,959	3,604	1,027	1,446	77,183	469,022
Percentage By Party	76.07%	6.17%	.77%	.22%	.31%	16.46%	100.00%

DISTRICT OF COLUMBIA BOARD OF ELECTIONS MONTHLY REPORT OF
VOTER REGISTRATION STATISTICS AND REGISTRATION TRANSACTIONS
AS OF THE END OF FEBRUARY 28, 2018

COVERING CITY WIDE TOTALS BY:
WARD, PRECINCT AND PARTY

ONE JUDICIARY SQUARE
1015 HALF STREET, SE SUITE 750
WASHINGTON, DC 20003
(202) 727-2525
<http://www.dcboe.org>



**D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
WARD 1 REGISTRATION SUMMARY
As Of FEBRUARY 28, 2018**

PRECINCT	DEM	REP	STG	LIB	OTH	N-P	TOTALS
20	1,379	32	8	2	2	239	1,662
22	3,653	381	26	13	13	954	5,040
23	2,822	213	42	11	12	764	3,864
24	2,601	241	25	15	13	771	3,666
25	3,730	432	41	18	14	1,079	5,314
35	3,484	219	49	13	9	825	4,599
36	4,095	240	57	9	19	988	5,408
37	3,338	160	46	10	11	803	4,368
38	2,826	130	45	15	13	738	3,767
39	4,047	196	67	8	15	922	5,255
40	3,751	180	80	9	18	971	5,009
41	3,490	203	70	7	17	996	4,783
42	1,766	84	25	4	10	457	2,346
43	1,758	70	27	5	7	368	2,235
137	1,102	92	7	5	4	247	1,457
TOTALS	43,842	2,873	615	144	177	11,122	58,773

**D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
WARD 2 REGISTRATION SUMMARY
As Of FEBRUARY 28, 2018**

PRECINCT	DEM	REP	STG	LIB	OTH	N-P	TOTALS
2	896	172	7	9	10	543	1,637
3	1,600	371	16	8	9	634	2,638
4	1,876	481	7	10	10	715	3,099
5	2,050	595	12	15	10	752	3,434
6	2,286	823	18	16	15	1,245	4,403
13	1,284	225	4	2	5	412	1,932
14	2,806	463	24	18	9	957	4,277
15	2,929	393	27	18	14	867	4,248
16	3,358	417	27	21	18	943	4,784
17	4,672	621	29	20	16	1,431	6,789
129	2,317	407	12	6	13	877	3,632
141	2,335	296	16	12	13	642	3,314
143	1,466	370	14	11	9	565	2,435
TOTALS	29,875	5,634	213	166	151	10,583	46,622

**D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
WARD 3 REGISTRATION SUMMARY
As Of FEBRUARY 28, 2018**

PRECINCT	DEM	REP	STG	LIB	OTH	N-P	TOTALS
7	1,234	392	15	4	6	550	2,201
8	2,386	627	27	7	9	765	3,821
9	1,155	488	6	8	8	488	2,153
10	1,827	412	21	6	11	673	2,950
11	3,275	840	39	31	21	1,192	5,398
12	480	179	0	5	4	199	867
26	2,805	331	20	8	7	806	3,977
27	2,398	240	22	8	2	550	3,220
28	2,456	459	38	12	12	758	3,735
29	1,298	222	11	8	8	388	1,935
30	1,265	205	11	4	6	295	1,786
31	2,386	297	16	7	12	565	3,283
32	2,681	285	25	7	11	562	3,571
33	2,862	280	23	4	5	648	3,822
34	3,643	416	36	13	11	1,057	5,176
50	2,092	275	15	5	7	489	2,883
136	831	85	6	1	3	262	1,188
138	2,123	254	11	11	9	475	2,883
TOTALS	37,197	6,287	342	149	152	10,722	54,849

D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
WARD 4 REGISTRATION SUMMARY
As Of FEBRUARY 28, 2018

PRECINCT	DEM	REP	STG	LIB	OTH	N-P	TOTALS
45	2,245	67	34	6	8	363	2,723
46	2,762	93	31	8	13	479	3,386
47	3,362	137	45	9	14	733	4,300
48	2,761	128	28	6	7	534	3,464
49	891	44	13	2	5	192	1,147
51	3,276	495	20	7	10	601	4,409
52	1,231	144	9	1	4	228	1,617
53	1,224	73	20	1	3	240	1,561
54	2,304	97	24	4	5	429	2,863
55	2,398	78	16	1	11	415	2,919
56	3,075	97	36	9	13	617	3,847
57	2,425	66	34	6	11	462	3,004
58	2,229	62	19	5	4	336	2,655
59	2,573	83	29	7	7	402	3,101
60	2,140	67	24	5	10	585	2,831
61	1,554	52	15	1	6	281	1,909
62	3,092	132	21	2	4	377	3,628
63	3,625	133	56	2	18	629	4,463
64	2,322	62	21	6	5	343	2,759
65	2,690	85	28	6	2	355	3,166
Totals	48,179	2,195	523	94	160	8,601	59,752

D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
WARD 5 REGISTRATION SUMMARY
As Of FEBRUARY 28, 2018

PRECINCT	DEM	REP	STG	LIB	OTH	N-P	TOTALS
19	4,335	189	64	12	17	950	5,567
44	2,762	237	27	8	18	638	3,690
66	4,412	91	46	4	16	579	5,148
67	2,791	99	24	4	9	420	3,347
68	1,878	161	21	8	6	387	2,461
69	2,064	71	18	1	10	286	2,450
70	1,427	74	24	0	5	222	1,752
71	2,374	69	24	5	9	335	2,816
72	4,250	136	37	8	24	717	5,172
73	1,932	90	23	6	8	349	2,408
74	4,607	253	59	10	21	981	5,931
75	3,809	214	44	18	21	815	4,921
76	1,578	89	20	5	6	359	2,057
77	2,856	121	25	3	14	509	3,528
78	2,885	94	44	9	12	481	3,525
79	2,011	72	23	3	11	362	2,482
135	3,003	177	35	12	15	607	3,849
139	2,403	60	17	3	5	298	2,786
TOTALS	51,377	2,297	575	119	227	9,295	63,890

D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
WARD 6 REGISTRATION SUMMARY
As Of FEBRUARY 28, 2018

PRECINCT	DEM	REP	STG	LIB	OTH	N-P	TOTALS
1	4,348	557	45	26	16	1,195	6,187
18	4,702	362	46	17	22	1,063	6,212
21	1,163	57	8	7	1	243	1,479
81	4,524	369	45	13	18	920	5,889
82	2,501	245	28	9	7	575	3,365
83	5,195	729	37	31	27	1,397	7,416
84	1,941	404	18	5	10	525	2,903
85	2,606	480	18	12	8	725	3,849
86	2,181	249	21	11	7	441	2,910
87	2,623	281	16	3	16	578	3,517
88	2,088	293	19	7	5	475	2,887
89	2,493	613	18	17	10	759	3,910
90	1,544	234	10	6	11	456	2,261
91	3,963	399	32	16	19	916	5,345
127	4,110	313	44	22	18	855	5,362
128	2,392	203	26	11	10	595	3,237
130	766	298	6	1	4	272	1,347
131	2,817	752	17	25	20	892	4,523
142	1,584	194	16	13	7	445	2,259
TOTALS	53,541	7,032	470	252	236	13,327	74,858

D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
WARD 7 REGISTRATION SUMMARY
As Of FEBRUARY 28, 2018

PRECINCT	DEM	REP	STG	LIB	OTH	N-P	TOTALS
80	1,418	82	23	4	1	261	1,789
92	1,576	34	13	1	5	225	1,854
93	1,567	40	17	2	7	224	1,857
94	1,939	59	18	0	6	260	2,282
95	1,654	46	12	1	2	262	1,977
96	2,332	61	15	0	13	342	2,763
97	1,391	44	14	1	6	205	1,661
98	1,884	40	21	4	7	250	2,206
99	1,494	52	18	4	8	252	1,828
100	2,373	46	15	2	7	286	2,729
101	1,566	28	14	4	5	174	1,791
102	2,301	53	20	1	12	292	2,679
103	3,420	78	38	3	10	484	4,033
104	3,049	83	30	2	20	433	3,617
105	2,379	69	20	5	8	373	2,854
106	2,787	59	20	1	11	383	3,261
107	1,738	60	13	1	7	223	2,042
108	1,060	28	6	0	2	127	1,223
109	960	39	4	0	1	101	1,105
110	3,669	100	23	8	9	419	4,228
111	2,418	59	32	3	7	377	2,896
113	2,184	55	21	4	6	263	2,533
132	2,053	57	18	4	5	294	2,431
TOTALS	47,212	1,272	425	55	165	6,510	55,639

D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
WARD 8 REGISTRATION SUMMARY
As Of FEBRUARY 28, 2018

PRECINCT	DEM	REP	STG	LIB	OTH	N-P	TOTALS
112	2,196	59	16	1	10	305	2,587
114	3,472	137	36	4	23	572	4,244
115	2,808	64	27	4	10	593	3,506
116	4,097	98	43	4	13	615	4,870
117	2,076	46	20	3	9	335	2,489
118	2,727	76	31	3	14	390	3,241
119	2,681	110	28	2	13	445	3,279
120	1,891	37	15	2	3	235	2,183
121	3,366	78	28	3	5	455	3,935
122	1,787	45	24	0	8	243	2,107
123	2,319	165	25	11	19	390	2,929
124	2,588	68	22	1	8	354	3,041
125	4,448	105	37	3	13	686	5,292
126	3,808	131	46	6	16	682	4,689
133	1,292	44	9	0	1	172	1,518
134	2,198	49	25	0	6	286	2,564
140	1,826	57	9	1	7	265	2,165
TOTALS	45,580	1,369	441	48	178	7,023	54,639

D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
CITYWIDE REGISTRATION ACTIVITY

For voter registration activity between 1/31/2018 and 2/28/2018

NEW REGISTRATIONS	DEM	REP	STG	LIB	OTH	N-P	TOTAL
Beginning Totals	360,000	29,283	3,608	1,025	1,468	78,142	473,526
Board of Elections Over the Counter	13	0	0	1	0	3	17
Board of Elections by Mail	34	2	0	0	0	18	54
Board of Elections Online Registration	118	14	3	1	1	29	166
Department of Motor Vehicle	669	82	21	0	14	247	1,033
Department of Disability Services	1	0	0	0	1	3	5
Office of Aging	0	0	0	0	0	0	0
Federal Postcard Application	0	0	0	0	0	0	0
Department of Parks and Recreation	0	0	0	0	0	0	0
Nursing Home Program	0	0	0	0	0	0	0
Dept. of Youth Rehabilitative Services	0	0	0	0	0	0	0
Department of Corrections	5	1	0	0	0	0	6
Department of Human Services	28	2	0	1	0	15	46
Special / Provisional	0	0	0	0	0	0	0
All Other Sources	23	0	0	0	0	13	36
+Total New Registrations	891	101	24	3	16	328	1,363

ACTIVATIONS	DEM	REP	STG	LIB	OTH	N-P	TOTAL
Reinstated from Inactive Status	200	16	4	0	2	59	281
Administrative Corrections	1	0	0	0	0	1	2
+TOTAL ACTIVATIONS	201	16	4	0	2	60	283

DEACTIVATIONS	DEM	REP	STG	LIB	OTH	N-P	TOTAL
Changed to Inactive Status	3,744	357	32	16	18	1,181	5,348
Moved Out of District (Deleted)	0	0	0	0	0	0	0
Felon (Deleted)	16	0	0	0	0	6	22
Deceased (Deleted)	141	7	0	0	0	2	150
Administrative Corrections	574	42	4	1	8	49	678
-TOTAL DEACTIVATIONS	4,475	406	36	17	26	1,238	6,198

AFFILIATION CHANGES	DEM	REP	STG	LIB	OTH	N-P
+ Changed To Party	365	48	23	22	13	203
- Changed From Party	-179	-83	-19	-6	-27	-312
ENDING TOTALS	356,803	28,959	3,604	1,027	1,446	77,183

DISTRICT OF COLUMBIA OFFICE OF EMPLOYEE APPEALS

MARCH BOARD MEETING

This notice outlines the schedule of the regular meetings of the Board for the Office of Employee Appeals. Portions of the meetings are held in open session, and the public is invited to attend. Due to a scheduling conflict, the March 13, 2018 Board meeting is cancelled. The rescheduled meeting will take place on March 20, 2018. The meeting will be held at 955 L’Enfant Plaza, Suite 2500, SW, Washington, D.C. A copy of the draft agenda for the meeting will be posted on the agency’s website and the lobby of the Office of Employee Appeals. For further information, please contact the front desk at 202.727.0004. This schedule is subject to change.

DATE	TIME	ROOM NUMBER
Tuesday, March 20, 2018	11:00 AM	Suite 2500

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 permit No. 6372-C2/O to the District of Columbia Water and Sewer Authority (DC Water) to construct and operate Biosolids Handling Facilities (BHF). The equipment described below is located at the Blue Plains Advanced Wastewater Treatment Plant, 5000 Overlook Avenue SW, Washington DC 20032. The contact person for the facility is Meena Gowda, Principal Counsel, at (202) 787-2628.

Equipment to be Permitted

- **Combined Heat and Power (CHP):**
 - Three (3) Solar Mercury 50 Combustion Gas Turbines (CT) rated at 46.3 MMBtu/hr (HHV) heat input firing digester gas (DG) or a combination of digester gas and natural gas;
 - Three (3) Heat Recovery Steam Generators (HRSGs) equipped with supplemental firing by Duct Burners rated at 21 MMBtu/hr (HHV) heat input each, firing DG;
 - One (1) Auxiliary Boiler (AB) rated at 62.52 MMBtu/hr (HHV) heat input, firing DG and 61.79 MMBtu/hr (HHV) heat input firing natural gas (NG); and
 - One (1) Siloxane Destruction Flare (SF) rated at 6.14 MMBtu/hr heat input, firing DG

- **Main Process Train (MPT):**
 - Two (2) Emergency Flares rated at 126 MMBtu/hr heat input each, firing DG.
 - One (1) Raw Sludge Blending, Screening and pre-dewatering process;
 - Four (4) CAMBI Thermal Hydrolysis Process (THP) trains;
 - Four (4) 3.8 million gallon Anaerobic Digesters; and
 - One (1) 44,800 scfm Bioscrubber Odor Scrubber (MPTOS).

- **Final Dewatering Facility:**
 - Sixteen (16) Belt Filter Presses (BFP);
 - One (1) 54,000 scfm Dual Stage Chemical Scrubber - Final Dewatering Facility Odor Scrubber (FDFOS); and
 - One (1) new Spent Wash Water Concrete Collection Tank.

- **Lime Storage Silos**
 - Installation of two (2) new lime storage silos;
 - Installation of Silo Particulate Control Devices; and

- **Building Make-Up Air Handling Units (Space Heaters) Less than 5 MMBtu/hr Heat Input with Equivalent Combined Full Load of 33.11 MMBtu/hr limited to 94.8 MMCF/yr, firing NG**

- Final Dewatering Facility (FDF): 12 units, 0.750 MMBtu/hr each, and 1 unit, 1.00 MMBtu/hr (10.00 MMBtu/hr total);
- CHP Gas Condition Facility: 2 units, 0.70 MMBtu/hr each (1.40 MMBtu/hr total) ;
- CHP Gas Blower Building: 1 unit, 0.25 MMBtu/hr total heat requirement;
- CP Turbine Plant: 3 units, 0.70 MMBtu/hr each (2.10 MMBtu/hr total);
- MPT Pre-Dewatering Building: 2 units, 3.52 MMBtu/hr each, and 1 unit, 3.17 MMBtu/hr (10.21 MMBtu/hr total);
- Digestion Building: 1 unit, 2.20 MMBtu/hr total heat requirement;
- Sludge Screening Building: 1 unit, 2.38 MMBtu/hr total heat requirement; and
- Solids Blending Building: 4 units, 1.145 MMBtu/hr each (4.58 MMBtu/hr total)

This permit renewal is necessary because the amended construction Permit No. 6372-C-A2 issued on October 27, 2014 has expired. Additionally, DC Water requested several modifications to Permit No. 6372-C-A2 which resulted in potential increases of up to 3.47 tons of oxides of nitrogen (NO_x) per year.

Due to on-going construction of permitted equipment, including the inherent need to operate certain equipment and processes for the purposes of demonstrating satisfactory performance, this permit is proposed to allow for both construction and operation of the covered equipment.

Emissions:

The following changes to previously established emission limits are proposed. These changes are proposed as revisions to a previously established “lowest achievable emission rate” (LAER) determination made pursuant to 20 DCMR 204 for the two emergency flares at the facility. These and other NO_x limits contained in the permit are also intended to be proposed as “reasonably available control technology” (RACT) levels for NO_x pursuant to 20 DCMR 805 for inclusion in the District of Columbia’s State Implementation Plan (SIP) found at 40 CFR 52, Subpart J through a different action. All other emission limits established in the previously issued permit to construct remain unchanged.

1. Total allowable emissions of NO_x from the permitted equipment will increase from 77.07 tons per 12-month rolling period to 80.54 tons per 12-month rolling period. This is an increase of 3.47 tons per year.
2. Allowable hourly emissions of NO_x from each of the two emergency flares will increase from 5.29 pounds per hour to 12.72 pounds per hour.

Total allowable emissions from the equipment covered by the permit are summarized in the table below:

Total 12-Month Rolling Emission Limits from Permitted Equipment¹

Pollutant	12-Month Rolling Emissions Limit (tons/yr)
PM (Total) ²	18.45
SO _x	25.04

Pollutant	12-Month Rolling Emissions Limit (tons/yr)
NOx	80.54
VOC	11.84
CO	97.51
PM10	18.45
PM2.5	18.45
HAPs (Total)	1.75

1. The equipment covered consists of three Solar Mercury 50 gas turbines, three duct burners, one auxiliary steam boiler, one siloxane removal system, two emergency flares, space heating units as referenced in this permit, two odor scrubbers (MPTOS and FDFOS), and two lime silo baghouses.

2. Total PM is the sum of the filterable PM and condensable PM

The application to construct and operate the BHF and the draft permit 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 permit and any request for a public hearing should be addressed to:

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

No comments or hearing requests submitted after April 16, 2018 will be accepted.

DEPARTMENT OF ENERGY AND ENVIRONMENT

NOTICE OF FUNDING AVAILABILITY

2018 Washington DC Electric Vehicle Grand Prix

The Department of Energy and Environment (the Department) seeks grant applications from eligible entities with expertise in engineering, science, math, energy efficiency concepts to provide technical assistance and hands-on educational support to District based high schools to adequately prepare them for the 2018 Washington DC Electric Vehicle Grand Prix (DC EVGP). The amount available for the project is approximately \$35,000.00.

Beginning 3/16/2018, the full text of the Request for Applications (RFA) will be available on the Department's website. A person may obtain a copy of this RFA by any of the following means:

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

Email a request to 2018EVGP.grants@dc.gov with "Request copy of RFA 2018-1815-EA" 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 Eric Campbell at (202) 450-0190 and mention this RFA by name.

Write DOEE at 1200 First Street NE, 5th Floor, Washington, DC 20002, "Attn: Eric Campbell RE:2018-1815-EA" on the outside of the envelope.

The deadline for application submissions is 4/6/2018, at 4:30 p.m. Five (5) hard copies must be submitted to the above address and a complete electronic copy must be e-mailed to 2018EVGP.grants@dc.gov.

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

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

For additional information regarding this RFA, write to: 2018EVGP.grants@dc.gov.

DEPARTMENT OF ENERGY AND ENVIRONMENT

NOTICE OF FUNDING AVAILABILITY

Boating Access Request for Partners 2018

The Department of Energy and Environment (the Department) seeks eligible entities to select organizations to be funded to provide increased access to District waterways by recreational boaters. The amount available for the project is approximately \$400,000.00.

Beginning 2/9/2018, the full text of the Request for Applications (RFA) is available on the Department's website. A person may obtain a copy of this RFA by any of the following means:

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

Email a request to fwdrfa.grants@dc.gov with "Request copy of RFA 2018-1813-FWD" 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 Joanne Goodwin at (202) 535-1798 and mention this RFA by name.

Write DOEE at 1200 First Street NE, 5th Floor, Washington, DC 20002, "Attn: Joanne Goodwin RE:2018-1813-FWD" on the outside of the envelope.

The deadline for application submissions has been extended to 4/11/2018, 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 fwdrfa.grants@dc.gov.

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

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

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

FRIENDSHIP PUBLIC CHARTER SCHOOL**REQUEST FOR PROPOSALS**

Friendship Public Charter School is seeking bids from prospective candidates to provide: Implementation and configuration or design and build a business intelligence and data warehousing solution. The solution should automate ETL and reporting processes from multiple transactional systems, currently housing data including but not limited to student information, discipline, attendance, and assessments. The full scope of work will be posted in a competitive Request for Proposal that can be found on FPCS website at <http://www.friendshipschools.org/procurement/>. Proposals are due no later than 4:00 P.M., EST, Friday, April 13th, 2018. No proposals will be accepted after the deadline. Questions can be addressed to ProcurementInquiry@friendshipschools.org

**DEPARTMENT OF HEALTH
HEALTH PROFESSIONAL LICENSING ADMINISTRATION**

NOTICE OF MEETING

Board of Medicine
March 28, 2018

On MARCH 28, 2018 at 8:30 am, the Board of Medicine will hold a meeting to consider and discuss a range of matters impacting competency and safety in the practice of medicine.

The meeting will be open to the public from 8:30 am to 10:30 am to discuss various agenda items and any comments and/or concerns from the public.

In accordance with Section 405(b) of the Open Meetings Amendment Act of 2010, the meeting will then move to Closed Session from 10:30 am until 4:45 pm to plan, discuss, or hear reports concerning licensing issues, ongoing or planned investigations of practice complaints, and or violations of law or regulations.

The meeting location is 899 North Capitol Street NE, 2nd Floor, Washington, DC 20002.

Meeting times and/or locations are subject to change – please visit the Board of Medicine website www.doh.dc.gov/bomed and select BoMed Calendars and Agendas to view the agenda and any changes that may have occurred.

Executive Director for the Board – Frank B. Meyers, JD

**LATIN AMERICAN MONTESSORI BILINGUAL PUBLIC CHARTER SCHOOL
("LAMB")**

REQUEST FOR PROPOSALS

Academic Executive Search Firm

LAMB PCS, a local non-profit based in the District of Columbia, is seeking proposals from qualified firms to conduct a search to identify the Chief Executive Officer for its multi-site dual-language immersion Montessori public charter school. Please send an email to kendall.ladd@lambpcs.org to receive the full RFP. No phone calls will be accepted. Proposals are due no later than 5pm on Friday, March 23, 2018.

PUBLIC SERVICE COMMISSION OF THE DISTRICT OF COLUMBIA**NOTICE OF FINAL TARIFF****FORMAL CASE NO. 988, IN THE MATTER OF THE DEVELOPMENT OF
UNIVERSAL SERVICE STANDARDS AND THE UNIVERSAL SERVICE
TRUST FUND FOR THE DISTRICT OF COLUMBIA**

1. The Public Service Commission of the District of Columbia (“Commission”) hereby gives notice, pursuant to section 34-802 of the District of Columbia Official Code and in accordance with section 2-505 of the District of Columbia Official Code,¹ of its final tariff action taken on March 7, 2018, in Order No. 19288, granting the Application² of Verizon Washington DC, Inc. (“Verizon DC”) requesting authority to amend the following tariff page:

**GENERAL REGULATIONS TARIFF P.S.C.-D.C.-NO. 201
Section 1A, 11th Revised Page 3**

2. Verizon DC identified the proposed tariff amendment as an update to its Universal Service Trust Fund (“DC USTF”) surcharge, which is required by Chapter 28 of the Commission’s Rules of Practice and Procedure. The surcharge is being updated to true up the 2016-2017 payments with the amounts actually billed to customers, and to adjust the surcharge for the 2018 assessment. With the approval of this Application, the monthly per line surcharge is \$0.05 per non-Centrex line and \$0.01 per Centrex line. Verizon DC represented that this Application would decrease the surcharge \$0.02 for non-Centrex lines and did not change the surcharge for Centrex lines.³ In Order No. 19288, the Commission approved Verizon DC’s Application.

¹ D.C. Official Code § 2-505 (2001) ; D.C. Official Code § 34-802 (2001).

² *Formal Case No. 988, In the Matter of the Development of Universal Service Standards and the Universal Service Trust Fund for the District of Columbia*, District of Columbia Universal Service Trust Fund Surcharge Compliance Filing (2018 Surcharge) (“Verizon DC Application”), filed December 22, 2017.

³ Application at 2.

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

Application No. 19647 of Potomac Electric Power Company, pursuant to 11 DCMR Subtitle X, Chapter 9, for special exceptions under Subtitle X § 900.3 to expand an utility use, and under Subtitle A § 207.2 in order to extend the MU-4 Zone regulations to a 35 foot portion of the site zoned RF-1 and pursuant to Subtitle X, Chapter 10, for variances from the vehicle parking requirements of Subtitle C § 701.5, the bicycle parking requirements of Subtitle C § 802.1, the loading requirements of Subtitle C § 901.1, and from the pervious surface requirements of Subtitle E § 204.1 to modernize and expand the existing electrical substation in the MU-4 and RF-1 Zones at premises 1001 Harvard Street N.W. (Square 2852, Lots 33, and 807).

HEARING DATE: January 10, 2018 and February 14, 2018¹
DECISION DATE: February 14, 2018

SUMMARY ORDER

SELF-CERTIFIED

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2. (Exhibit 4.) 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") 1A and 1B and to owners of property located within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 1A, which is automatically a party to this application. The site of the application is across the street to the boundaries of ANC 1B, which therefore is also considered an "affected ANC" for purposes of this application. (See Subtitle Y § 101.8.) Both ANCs submitted timely reports recommending approval of the application. ANC 1A's report indicated that at a regularly scheduled, properly noticed public meeting on November 8, 2017, at which a quorum was present, the ANC voted 6-0-0 to support the application. (Exhibit 13.) ANC 1B submitted a report that indicated that at a regularly scheduled, properly noticed public meeting on December 12, 2017, at which a quorum was present, the ANC voted 11-0-0 to support the application. (Exhibit 31.)

¹ The hearing was postponed from January 10, 2018 to February 14, 2018 at the Applicant's request. (Exhibits 27 and 29.)

The Office of Planning (“OP”) submitted a timely report recommending approval of the application.² (Exhibit 37.) The District Department of Transportation (“DDOT”) submitted a timely report indicating that it had no objection to the grant of the application. (Exhibit 35.)

At the public hearing on February 14, 2018, two persons testified in opposition to the application, Mr. Chris Otten on behalf of DC for Reasonable Development and Mr. Eddie Baker. Both Mr. Otten and Mr. Baker raised concerns with health and safety issues relating to the location of the substation and its proximity to other uses. Mr. Baker’s testimony was more concerned with a different substation on Champlain Street that was the subject property in a separate case, No. 19648, which was heard the same day as the instant case. Mr. Otten also raised a concern that the Board was hearing the request for zoning relief prior to the Public Service Commission of the District of Columbia (“PSC”) completing its review of the project under the PSC’s regulatory process and thus would not benefit from hearing the PSC’s conclusions.

To address the concerns regarding health and safety issues, the Applicant proffered Dr. William H. Bailey as an expert in environmental and occupational health. The Board accepted Dr. Bailey as an expert. Dr. Bailey testified that despite extensive research, to date there is no evidence to conclude that exposure to low level electromagnetic fields is harmful to human health. The Board credits the testimony of the expert to find that the substation use will be in harmony with the general purpose and intent of the Zone Plan and will not tend to adversely affect the use of neighboring property.

As to the concerns raised regarding this Board’s proceedings preceding completion of the case before the PSC, the Applicant testified that it was necessary to seek several regulatory bodies’ approval simultaneously so as to keep to a proposed construction schedule for the project which would begin construction in June 2019 and that this was in keeping with prior Board decisions. The Applicant noted that the project was subject to at least four separate regulatory reviews: this case before the BZA, a case before the PSC, a review before the Historic Preservation Review Board (“HPRB”), and permit review at the Department of Consumer and Regulatory Affairs. The Applicant indicated that HPRB review had been completed and that the project had received concept approval with further review by Historic Preservation Office staff, while the PSC case, which had been filed in May 2017, was still under review. To keep to the proposed construction schedule, it was necessary to not wait for the PSC to complete their proceeding before coming to this Board for zoning relief. In a prior BZA case, the Board had found that “(i) there is no requirement for a PSC determination in order for the Board to consider an application for zoning relief, (ii) the project will need approval by the Board and the PSC before the Applicant can receive a building permit to construct the substation, (iii) the BZA and PSC approval processes are separate with different standards of review...” *Application of PEPCO*, BZA No. 18911 (2015). The Board concludes that in the case before it herein as in Case No. 18911, there is no

² In its report OP noted that the Historic Preservation Review Board had voted in support of the proposed substation’s landmark designation.

requirement for a PSC determination in order for the Board to consider the application for zoning relief, as the BZA and PSC approval processes are separate with different standards of review.

Variance Relief

As directed by 11 DCMR Subtitle X § 1002.2, the Board required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to Subtitle X § 1002.1 for area variances from the vehicle parking requirements of Subtitle C § 701.5, the bicycle parking requirements of Subtitle C § 802.1, the loading requirements of Subtitle C § 901.1, and from the pervious surface requirements of Subtitle E § 204.1 to modernize and expand the existing electrical substation in the MU-4 and RF-1 Zones. The only parties to the case were the ANCs and the Applicant. No parties appeared at the public hearing in opposition to the application. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board, and having given great weight to the ANC and OP reports filed in this case, the Board concludes that in seeking a variance from 11 DCMR Subtitle C §§ 701.5, 802.1, and 901.1, and Subtitle E § 204.1, the Applicant has met the burden of proof under 11 DCMR Subtitle X § 1002.1, that there exists an exceptional or extraordinary situation or condition related to the property that creates a practical difficulty for the owner in complying with the Zoning Regulations, and that the relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map.

Special Exception Relief

As directed by 11 DCMR Subtitle X § 901.3, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to Subtitle X § 901.2, for special exceptions under Subtitle X § 900.3 to expand a utility use, and under Subtitle A § 207.2 in order to extend the MU-4 Zone regulations to a 35-foot portion of the site zoned RF-1. No parties appeared at the public hearing in opposition to this application. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board and having given great weight to the OP and ANC reports, the Board concludes that the Applicant has met the burden of proof, pursuant to 11 DCMR Subtitle X § 901.2, and Subtitle X § 900.3 and Subtitle A § 207.2, that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board further concludes that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map.

Pursuant to 11 DCMR Subtitle Y § 101.9, the Board has determined to waive the requirement of 11 DCMR Subtitle Y § 604.3, that the order of the Board be accompanied by findings of fact and

conclusions of law. The waiver will not prejudice the rights of any party and is appropriate in this case.

It is therefore **ORDERED** that this application is hereby **GRANTED AND, PURSUANT TO SUBTITLE Y § 604.10, SUBJECT TO THE APPROVED PLANS AT EXHIBIT 10 AND WITH THE FOLLOWING CONDITION:**

1. The Applicant shall have minor flexibility to modify the design, as necessary for approval by the Historic Preservation Review Board.

VOTE: **5-0-0** (Frederick L. Hill, Carlton E. Hart, Lesylleé M. White, Lorna L. John, and Anthony J. Hood, to APPROVE.)

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

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

FINAL DATE OF ORDER: March 5, 2018

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.

BZA APPLICATION NO. 19647
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PURSUANT TO 11 DCMR SUBTITLE A § 303, THE PERSON WHO OWNS, CONTROLS, OCCUPIES, MAINTAINS, OR USES THE SUBJECT PROPERTY, OR ANY PART THERETO, SHALL COMPLY WITH THE CONDITIONS IN THIS ORDER, AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT. FAILURE TO ABIDE BY THE CONDITIONS IN THIS ORDER, IN WHOLE OR IN PART SHALL BE GROUNDS FOR THE REVOCATION OF ANY BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY ISSUED PURSUANT TO THIS ORDER.

IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE § 2-1401.01 *ET SEQ.* (ACT), THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, GENETIC INFORMATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.

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

Application No. 19648 of Potomac Electric Power Company, pursuant to 11 DCMR Subtitle X, Chapter 9, for special exceptions under Subtitle X § 900.3 to expand an existing utility use, and pursuant to Subtitle X, Chapter 10, for variances from the vehicle parking requirements of Subtitle C § 701.5, the bicycle parking requirements of Subtitle C § 802.1, the loading requirements of Subtitle C § 901.1, and from the side yard requirements of Subtitle K § 705.1 to modernize and expand the existing electrical substation in the RC-3 Zone at premises 2119 Champlain Street N.W. (Square 2562, Lot 97).

HEARING DATE: January 10, 2018 and February 14, 2018¹
DECISION DATE: February 14, 2018

SUMMARY ORDER

SELF-CERTIFIED

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2. (Exhibit 5.) In granting the certified relief, the Board of Zoning Adjustment ("Board" or "BZA") made no finding that the relief is either necessary or sufficient. Instead, the Board expects the Zoning Administrator to undertake a thorough and independent review of the building permit and certificate of occupancy applications filed for this project and to deny any application for which additional or different zoning relief is needed.

The Board provided proper and timely notice of the public hearing on this application by publication in the *D.C. Register* and by mail to Advisory Neighborhood Commission ("ANC") 1C and to owners of property located within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 1C, which is automatically a party to this application. The ANC submitted a timely report recommending approval of the application. The ANCs report indicated that at a regularly scheduled, properly noticed public meeting on February 7, 2018, at which a quorum was present, the ANC voted to not object to the application. (Exhibit 38.)

The Office of Planning ("OP") submitted a timely report recommending approval of the application. OP also noted that it had no objection to the Board granting the Applicant's request for a waiver of Subtitle Y § 702.1 so that the Applicant is not required to acquire a building permit within two years of approval. The construction timing for the proposed substation depends on the construction completion of the Applicant's other substation project at 1001 Harvard Street, N.W. which is the subject of a separate case, No. 19647. Consequently, the

¹ The hearing was postponed from January 10, 2018 to February 14, 2018 at the Applicant's request. (Exhibits 25 and 26.)

Applicant does not anticipate construction for the proposed substation in this case to occur until December 2022.² (Exhibit 35.)

The District Department of Transportation (“DDOT”) submitted a timely report indicating that it had no objection to the grant of the application. (Exhibit 33.)

At the public hearing on February 14, 2018, two persons testified in opposition to the application, Mr. Chris Otten and Mr. Eddie Baker. Both persons in opposition raised concerns with health and safety issues relating to the location of the substation and its proximity to other uses. Mr. Otten also raised a concern that the Board was hearing the request for zoning relief prior to the Public Service Commission of the District of Columbia (“PSC”) completing its review of the project under the PSC’s regulatory process and thus would not benefit from hearing the PSC’s conclusions.

To address the concerns regarding health and safety issues, the Applicant proffered Dr. William H. Bailey as an expert in environmental and occupational health. The Board accepted Dr. Bailey as an expert. Dr. Bailey testified that despite extensive research, to date there is no evidence to conclude that exposure to low level electromagnetic fields is harmful to human health. The Board credits the testimony of the expert to find that the substation use will be in harmony with the general purpose and intent of the Zone Plan and will not tend to adversely affect the use of neighboring property.

As to the concerns raised regarding this Board’s proceedings preceding completion of the case before the PSC, the Board recognized, as it did in Case No. 19647, that the Applicant needed to seek several regulatory bodies’ approval simultaneously so as to keep to a proposed construction schedule for the project in order to begin construction in June 2019 on the substation in Case No. 19647 with construction of this substation to follow that and that this was in keeping with prior Board decisions. The Applicant noted that the project was subject to at least four separate regulatory reviews: this case before the BZA, a case before the PSC, a review before the Historic Preservation Review Board (“HPRB”), and permit review at the Department of Consumer and Regulatory Affairs. The Applicant indicated that HPRB review had been completed and that the project had received concept approval of new construction and with further review by both HPRB and the Historic Preservation Office staff, while the PSC case, which had been filed in May 2017, was still under review. To keep to the proposed construction schedule, it was necessary to not wait for the PSC to complete their proceeding before coming to this Board for zoning relief. In a prior BZA case, the Board had found that “(i) there is no requirement for a PSC determination in order for the Board to consider an application for zoning relief, (ii) the project will need approval by the Board and the PSC before the Applicant can receive a building permit to construct the substation, (iii) the BZA and PSC approval processes are separate with different standards of review...” *Application of PEPCO*, BZA No. 18911 (2015). The Board concludes that in the case before it herein as in Case No. 18911, there is no requirement for a

² In its report OP also noted that the Historic Preservation Review Board had voted in support of the proposed substation’s landmark designation.

PSC determination in order for the Board to consider the application for zoning relief, as the BZA and PSC approval processes are separate with different standards of review.

Variance Relief

As directed by 11 DCMR Subtitle X § 1002.2, the Board required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to Subtitle X § 1002.1 for area variances from the vehicle parking requirements of Subtitle C § 701.5, the bicycle parking requirements of Subtitle C § 802.1, the loading requirements of Subtitle C § 901.1, and from the side yard requirements of Subtitle K § 705.1 to modernize and expand the existing electrical substation in the RC-3 Zone. The only parties to the case were the ANC and the Applicant. No parties appeared at the public hearing in opposition to the application. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board, and having given great weight to the ANC and OP reports filed in this case, the Board concludes that in seeking a variance from 11 DCMR Subtitle C §§ 701.5, 802.1, and 901.1, and Subtitle K § 705.1, the Applicant has met the burden of proof under 11 DCMR Subtitle X § 1002.1, that there exists an exceptional or extraordinary situation or condition related to the property that creates a practical difficulty for the owner in complying with the Zoning Regulations, and that the relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map.

Special Exception Relief

As directed by 11 DCMR Subtitle X § 901.3, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to Subtitle X § 901.2, for special exceptions under Subtitle X § 900.3 to expand an existing utility use. No parties appeared at the public hearing in opposition to this application. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board and having given great weight to the OP and ANC reports, the Board concludes that the Applicant has met the burden of proof, pursuant to 11 DCMR Subtitle X § 901.2, and Subtitle X § 900.3, that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board further concludes that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map.

Pursuant to 11 DCMR Subtitle Y § 101.9, the Board has determined to waive the requirement of 11 DCMR Subtitle Y § 604.3, that the order of the Board be accompanied by findings of fact and conclusions of law. The waiver will not prejudice the rights of any party and is appropriate in this case.

Pursuant to Subtitle Y § 702.1, an order granting a special exception or variance where the establishment of the use is dependent upon the erection or alteration of a structure shall be valid for a period of two years, within which time an application shall be filed for a building permit for the erection or alteration approved. The Applicant requested that the Board waive the two-year time frame for approval as is permitted for good cause shown under Subtitle Y § 101.9 and requested that any order be valid for a period of five years in order to submit an application for a building permit. The Board finds good cause shown since construction of the substation that is the subject to this application cannot commence until completion of the substation that is the subject of BZA Case No. 19647. The waiver will not prejudice the rights of any party and is appropriate in this case. Therefore, pursuant to 11 DCMR Subtitle Y § 101.9, the Board has determined to waive the two-year timeframe set forth in Subtitle Y § 702.1. As a result, this Order shall be valid for a period of five years from the effective date of the Order.

It is therefore **ORDERED** that this application is hereby **GRANTED AND, PURSUANT TO SUBTITLE Y § 604.10, SUBJECT TO THE APPROVED PLANS AT EXHIBIT 11 AND WITH THE FOLLOWING CONDITION:**

1. The Applicant shall have minor flexibility to modify the design, as necessary for approval by the Historic Preservation Review Board.

VOTE: **5-0-0** (Frederick L. Hill, Anthony J. Hood, Lesylleé M. White, Lorna L. John, and Carlton E. Hart, to APPROVE.)

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

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

FINAL DATE OF ORDER: March 5, 2018

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 THE ABOVE-DESCRIBED WAIVER GRANTED PURSUANT TO 11 DCMR SUBTITLE Y § 101.9, OF THE TWO-YEAR TIMEFRAME OF 11 DCMR SUBTITLE Y § 702.1, THIS ORDER SHALL NOT BE VALID FOR MORE THAN FIVE YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN SUCH FIVE-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 FIVE-YEAR PERIOD AND THE REQUEST IS GRANTED. PURSUANT TO SUBTITLE Y § 703.14, NO OTHER ACTION, INCLUDING THE FILING OR GRANTING

BZA APPLICATION NO. 19648

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OF AN APPLICATION FOR A MODIFICATION PURSUANT TO SUBTITLE Y §§ 703 OR 704, SHALL TOLL OR EXTEND THE TIME PERIOD.

PURSUANT TO 11 DCMR SUBTITLE Y § 604, APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT.

PURSUANT TO 11 DCMR SUBTITLE A § 303, THE PERSON WHO OWNS, CONTROLS, OCCUPIES, MAINTAINS, OR USES THE SUBJECT PROPERTY, OR ANY PART THERETO, SHALL COMPLY WITH THE CONDITIONS IN THIS ORDER, AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT. FAILURE TO ABIDE BY THE CONDITIONS IN THIS ORDER, IN WHOLE OR IN PART SHALL BE GROUNDS FOR THE REVOCATION OF ANY BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY ISSUED PURSUANT TO THIS ORDER.

IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE § 2-1401.01 *ET SEQ.* (ACT), THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, GENETIC INFORMATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.

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

Application No. 19666 of Caryn Schenewerk, as amended¹, pursuant to 11 DCMR Subtitle X, Chapter 9, for special exceptions under Subtitle E § 5201 from the accessory building lot occupancy provisions of Subtitle E § 5003.1, and from the accessory building rear yard requirements of Subtitle E § 5004.1, and pursuant to 11 DCMR Subtitle X, Chapter 10, for variances from the use provisions of Subtitle U § 301.1(c)(b), and the alley width requirements of Subtitle U § 301.1(c)(d)(3), to construct a second floor addition to an existing carriage house in the RF-1 Zone at premises 1209 Park Road N.W. (Square 2839, Lot 119).

HEARING DATES: January 17, 2018 and February 7, 2018²
DECISION DATE: February 28, 2018

SUMMARY ORDER

SELF-CERTIFIED

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2. (Exhibits 4 (original), 49A (first revised) and 58 (final revised).) In granting the certified relief, the Board of Zoning Adjustment ("Board" or "BZA") made no finding that the relief is either necessary or sufficient. Instead, the Board expects the Zoning Administrator to undertake a thorough and independent review of the building permit and certificate of occupancy applications filed for this project and to deny any application for which additional or different zoning relief is needed.

The Board provided proper and timely notice of the public hearing on this application by publication in the *D.C. Register* and by mail to Advisory Neighborhood Commission ("ANC") 1A and to owners of property located within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 1A, which is automatically a party to this application. The ANC submitted a timely report in support of the application. The ANC report indicated that at a duly noticed and scheduled public meeting on December 13, 2017, at which a quorum was present, the ANC voted 7-0-0 in support of the application. (Exhibit 42.) The Chair of the ANC submitted a supplemental, second letter, dated February 5, 2018, in which he stated, "[a]s the material facts of the case have not changed from that reviewed by ANC 1A in December, 2017, - - i.e. the project's scope and design have not changed and the project remains exactly as it was

¹ The Applicant amended the application to add a request for variance relief from the use provisions of alley width requirements of Subtitle U § 301.1(c)(d)(3). (Exhibit 58.) The caption has been revised to reflect the relief, as amended, requested.

² The case was postponed from January 17, 2018 to February 7, 2018 at the Applicant's request. (Exhibit 43.). The Board of Zoning Adjustment granted that request. (Exhibit 46.) The case was heard on February 7, 2018 and scheduled for decision on February 28, 2018.

when presented to the Commission – I can write with confidence that the Commission continues to support this application.” (Exhibit 56.)

The Office of Planning (“OP”) submitted a timely report, recommending approval of the application, as amended, with two conditions. The two conditions OP recommended were that the Applicant obtain from the DC Fire and Emergency Medical Service Department (“FEMS”) in writing a statement that FEMS would have adequate access to the accessory building and dwelling unit given that the alley is less than 15 feet wide and that the accessory building is equipped with sprinklers. (Exhibit 53.) During deliberations, the Board members discussed including the conditions in this Order. While ultimately the Board chose not to include OP’s proposed conditions in the Order, noting that these would be part of the building permit review in any case, they requested that their deliberation over the proposed conditions be included in this Order.

The District Department of Transportation (“DDOT”) submitted a timely report indicating that it had no objection to the grant of the application. (Exhibit 45.)

Fourteen letters in support of the application from neighbors were submitted to the record. (Exhibits 30 – 41, 50, and 51.)

Variance Relief

As directed by 11 DCMR Subtitle X § 1002.2, the Board required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to Subtitle X § 1002.1 for area variances from the use provisions of Subtitle U § 301.1(c)(b), and the alley width requirements of Subtitle U § 301.1(c)(d)(3), to construct a second floor addition to an existing carriage house in the RF-1 Zone. The only parties to the case were the ANC and the Applicant. No parties appeared at the public hearing in opposition to the application. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board, and having given great weight to the OP and ANC reports filed in this case, the Board concludes that in seeking variances from 11 DCMR Subtitle U §§ 301.1(c)(b) and 301.1(c)(d)(3), the Applicant has met the burden of proof under 11 DCMR Subtitle X § 1002.1, that there exists an exceptional or extraordinary situation or condition related to the property that creates a practical difficulty for the owner in complying with the Zoning Regulations, and that the relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map.

Special Exception Relief

As directed by 11 DCMR Subtitle X § 901.3, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to Subtitle X §

901.2, for special exceptions under Subtitle E § 5201 from the accessory building lot occupancy provisions of Subtitle E § 5003.1, and from the accessory building rear yard requirements of Subtitle E § 5004.1. 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 ANC and OP reports, the Board concludes that the Applicant has met the burden of proof, pursuant to 11 DCMR Subtitle X § 901.2 and Subtitle E §§ 5201 and 5004.1, 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 6.**

VOTE: **4-0-1** (Carlton E. Hart, Robert E. Miller, Frederick L. Hill (by absentee vote), and Lesylleé M. White (by absentee vote) to APPROVE; Lorna L. John, not participating or voting.)

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

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

FINAL DATE OF ORDER: March 7, 2018

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

PURSUANT TO 11 DCMR SUBTITLE Y § 702.1, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSE OF SECURING A BUILDING PERMIT, OR THE APPLICANT FILES A REQUEST FOR A TIME EXTENSION PURSUANT TO SUBTITLE Y § 705 PRIOR TO THE EXPIRATION OF THE TWO-YEAR PERIOD AND THE REQUEST IS GRANTED. PURSUANT TO SUBTITLE Y § 703.14, NO OTHER ACTION, INCLUDING THE FILING OR GRANTING OF AN APPLICATION FOR A MODIFICATION PURSUANT TO SUBTITLE Y §§ 703 OR 704, SHALL TOLL OR EXTEND THE TIME PERIOD.

BZA APPLICATION NO. 19666

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PURSUANT TO 11 DCMR SUBTITLE Y § 604, APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT.

IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE § 2-1401.01 *ET SEQ.* (ACT), THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, GENETIC INFORMATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.

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

Application No. 19686 of Trang Nguyen, pursuant to 11 DCMR Subtitle X, Chapter 10, for a use variance from the use restrictions of Subtitle U § 301.1, to permit a retail establishment on the ground floor of a residential flat in the RF-1 zone at premises 207 New York Avenue N.W. (Square 555, Lot 159).

HEARING DATE: February 28, 2018

DECISION DATE: February 28, 2018

SUMMARY ORDER

REVIEW BY THE ZONING ADMINISTRATOR

The application was accompanied by a memorandum, dated November 7, 2017, from the Zoning Administrator, certifying the required relief. (Exhibit 7.)

The Board of Zoning Adjustment (“Board” or “BZA”) 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”) 6E and to owners of property located within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 6E, 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 February 6, 2018, at which a quorum was present, the ANC voted 6-0-0 to support the application. (Exhibit 38.)

The Office of Planning (“OP”) submitted a timely report recommending approval with four conditions. (Exhibit 36.) The District Department of Transportation (“DDOT”) submitted a timely report indicating that it had no objection to the application. (Exhibit 37.)

As directed by 11 DCMR Subtitle X § 1002.2, the Board required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to Subtitle X § 1002.1 for a use variance from the use restrictions of Subtitle U § 301.1, to permit a retail establishment on the ground floor of a residential flat in the RF-1 zone. The only parties to the case were the ANC and the Applicant. No parties appeared at the public hearing in opposition to the application. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board, and having given great weight to the ANC and OP reports filed in this case, the Board concludes that in seeking variances from 11 DCMR Subtitle U § 301.1, the Applicant has met the burden of proof under 11 DCMR Subtitle X § 1002.1, that there exists an exceptional or extraordinary situation or condition related to the property that creates an undue hardship for the owner in complying with the Zoning Regulations, and that the relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map.

Pursuant to 11 DCMR Subtitle Y § 101.9, the Board has determined to waive the requirement of 11 DCMR Subtitle Y § 604.3, that the order of the Board be accompanied by findings of fact and conclusions of law. The waiver will not prejudice the rights of any party and is appropriate in this case.

It is therefore **ORDERED** that this application is hereby **GRANTED AND, PURSUANT TO SUBTITLE Y § 604.10, AND WITH THE FOLLOWING CONDITIONS:**

1. The hours of operation shall not exceed 6:00 AM to 7:00 PM, Monday through Saturday.
2. Trash shall be stored within the building. Rodent and pest control measures shall be implemented.
3. Loading/deliveries shall take place in the rear.
4. Liquor shall not be sold on the premises.

VOTE: 3-0-2 (Carlton E. Hart, Lorna L. John, and Michael G. Turnbull to Approve; Frederick L. Hill and Lesylleé M. White not present, not participating.)

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

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

FINAL DATE OF ORDER: March 1, 2018

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 § 702.2, THIS ORDER SHALL NOT BE VALID FOR MORE THAN SIX MONTHS AFTER IT BECOMES EFFECTIVE UNLESS THE USE APPROVED IN THIS ORDER IS ESTABLISHED WITHIN SUCH SIX-MONTH PERIOD.

**BZA APPLICATION NO. 19686
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PURSUANT TO 11 DCMR SUBTITLE A § 303, THE PERSON WHO OWNS, CONTROLS, OCCUPIES, MAINTAINS, OR USES THE SUBJECT PROPERTY, OR ANY PART THERETO, SHALL COMPLY WITH THE CONDITIONS IN THIS ORDER, AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT. FAILURE TO ABIDE BY THE CONDITIONS IN THIS ORDER, IN WHOLE OR IN PART SHALL BE GROUNDS FOR THE REVOCATION OF ANY BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY ISSUED PURSUANT TO THIS ORDER.

IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE § 2-1401.01 *ET SEQ.* (ACT), THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, GENETIC INFORMATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.

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

Application No. 19688 of Frederic and Pamela Scott, pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception under the residential conversion provisions of Subtitle U § 320.2, and pursuant to Subtitle X, Chapter 10, for a variance from the access requirements of Subtitle U § 301.1(c)(4), to convert an existing accessory structure to a third one-family dwelling unit in the RF-1 zone at premises 433 M Street, N.W. (Square 513, Lot 57).

HEARING DATE: February 28, 2018

DECISION DATE: February 28, 2018

SUMMARY ORDER

SELF-CERTIFICATION

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR Subtitle Y § 300.6. (Exhibit 10.) 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") 6E and to owners of property located within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 6E, which is automatically a party to this application. The ANC submitted a report, dated February 7, 2018 recommending approval of the application. The ANC's report indicated that at a regularly scheduled, properly noticed public meeting on February 6, 2018, at which a quorum was present, the ANC voted 6-0-0 to support the application. The ANC noted that their support was contingent on the approval from the DC Fire and Emergency Medical Services Department ("FEMS"). (Exhibit 33.)

The Office of Planning ("OP") submitted a timely report and testified at the hearing recommending approval of the application, on the condition that FEMS approves of the plans before a permit is issued. (Exhibit 32.)

The District Department of Transportation ("DDOT") submitted a timely report indicating that it had no objection to the grant of the application. (Exhibit 34.)

One letter of support was submitted by a neighbor at 444 Ridge Street, N.W. (Exhibit 35.)

Variance Relief

As directed by 11 DCMR Subtitle X § 1002.2, the Board required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to Subtitle X § 1002.1 for an area variance from the access requirements under Subtitle U § 301.1(c)(4), to convert an existing accessory structure to a third one-family dwelling unit in the RF-1 Zone. The only parties to the case were the ANC and the Applicant. No parties appeared at the public hearing in opposition to the application. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board, and having given great weight to the ANC and OP reports filed in this case, the Board concludes that in seeking a variance from 11 DCMR Subtitle U § 301.1(c)(4), the Applicant has met the burden of proof under 11 DCMR Subtitle X § 1002.1, that there exists an exceptional or extraordinary situation or condition related to the property that creates a practical difficulty for the owner in complying with the Zoning Regulations, and that the relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map.

Special Exception Relief

As directed by 11 DCMR Subtitle X § 901.3, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to Subtitle X § 901.2, for a special exception under the residential conversion requirements of Subtitle U § 320.2. The only parties to the case were the ANC and the Applicant. No parties appeared at the public hearing in opposition to this application. Accordingly, a decision by the Board to grant this application would not be averse to any party.

Based upon the record before the Board and having given great weight to the OP and ANC reports, the Board concludes that the Applicant has met the burden of proof, pursuant to 11 DCMR Subtitle X § 901.2 and Subtitle U § 320.2, that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board further concludes that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map.

Pursuant to 11 DCMR Subtitle Y § 101.9, the Board has determined to waive the requirement of 11 DCMR Subtitle Y § 604.3, that the order of the Board be accompanied by findings of fact and conclusions of law. The waiver will not prejudice the rights of any party and is appropriate in this case.

It is therefore **ORDERED** that this application is hereby **GRANTED AND, PURSUANT TO SUBTITLE Y § 604.10, SUBJECT TO THE FOLLOWING CONDITION:**

1. No certificate of occupancy shall be issued for the third dwelling unit unless the DC Fire and Emergency Medical Services Department indicates no objection to the residential use of the

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accessory structure. Approval for fire safety of plans submitted for a building permit application may be deemed approval by FEMS.

VOTE: 5-0-0 (Carlton E. Hart, Michael G. Turnbull, and Lorna L. John to APPROVE; Frederick L. Hill and Lesylleé M. White not present, not voting).

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

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

FINAL DATE OF ORDER: March 5, 2018

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 § 702.2, THIS ORDER SHALL NOT BE VALID FOR MORE THAN SIX MONTHS AFTER IT BECOMES EFFECTIVE UNLESS THE USE APPROVED IN THIS ORDER IS ESTABLISHED WITHIN SUCH SIX-MONTH PERIOD.

PURSUANT TO 11 DCMR SUBTITLE A § 303, THE PERSON WHO OWNS, CONTROLS, OCCUPIES, MAINTAINS, OR USES THE SUBJECT PROPERTY, OR ANY PART THERETO, SHALL COMPLY WITH THE CONDITION IN THIS ORDER, AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT. FAILURE TO ABIDE BY THE CONDITION IN THIS ORDER, IN WHOLE OR IN PART SHALL BE GROUNDS FOR THE REVOCATION OF ANY BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY ISSUED PURSUANT TO THIS ORDER.

IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE § 2-1401.01 *ET SEQ.* (ACT), THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, GENETIC INFORMATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.

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

Application No. 19694 of 5104 MacArthur LLC, pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception under Subtitle C § 703 from the minimum parking requirements of Subtitle C § 701.5, to convert the existing commercial building to a child development center in the MU-3 Zone at premises 5104 MacArthur Boulevard N.W. (Square 1418, Lot 43).

HEARING DATE: February 28, 2018

DECISION DATE: February 28, 2018

SUMMARY ORDER

SELF-CERTIFICATION

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR Subtitle Y § 300.6. (Exhibit 12.) 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") 3D and to owners of property located within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 3D, 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 February 7, 2018, at which a quorum was present, the ANC voted 9-0-0 to support the application subject to five conditions. (Exhibit 55.) Commissioner Alma Gates, ANC 3D05, gave testimony on behalf of the ANC, and noted that in addition to asking for five conditions, the ANC was asking the Board to limit the term of approval to five years. (Exhibit 57.)

The Office of Planning ("OP") submitted a timely report recommending approval of the application subject to two conditions. (Exhibit 52.) The District Department of Transportation ("DDOT") submitted a timely report indicating that it had no objection to the grant of the application subject to three conditions. (Exhibit 54.)

Sixteen neighbors submitted letters of support. (Exhibits 33-47, and 49.) One neighbor submitted a letter raising some concerns. (Exhibit 53.)

As directed by 11 DCMR Subtitle X § 901.3, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to Subtitle X § 901.2, for a special exception under Subtitle C § 703, from the minimum parking requirements of Subtitle C § 701.5 to convert the existing commercial building to a child development center in

the MU-3 Zone. The only parties to the case were the ANC and the Applicant. No parties appeared at the public hearing in opposition to this application. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board and having given great weight to the OP and ANC reports, the Board concludes that the Applicant has met the burden of proof, pursuant to 11 DCMR Subtitle X § 901.2, and Subtitle C §§ 703 and 701.5, 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, WITH THE FOLLOWING CONDITIONS:**

1. This order shall be effective for a period of **FIVE (5) YEARS** to enable ANC 3D to determine the effectiveness of the Transportation Demand Management (“TDM”) Plan.
2. On an annual basis, the Applicant shall furnish both DDOT and ANC 3D with any complaints received regarding the effectiveness of the TDM Plan.
3. The Applicant shall offer employer-paid transit passes or reimbursements for bicycle commuters of no less than \$20 per employee per month.

VOTE: **3-0-2** (Carlton E. Hart, Lorna L. John, and Michael G. Turnbull, to APPROVE; Frederick L. Hill and Lesylleé M. White, not present, not participating.)

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

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

FINAL DATE OF ORDER: March 5, 2018

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

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PURSUANT TO 11 DCMR SUBTITLE Y § 702.2, THIS ORDER SHALL NOT BE VALID FOR MORE THAN SIX MONTHS AFTER IT BECOMES EFFECTIVE UNLESS THE USE APPROVED IN THIS ORDER IS ESTABLISHED WITHIN SUCH SIX-MONTH PERIOD.

PURSUANT TO 11 DCMR SUBTITLE A § 303, THE PERSON WHO OWNS, CONTROLS, OCCUPIES, MAINTAINS, OR USES THE SUBJECT PROPERTY, OR ANY PART THERETO, SHALL COMPLY WITH THE CONDITIONS IN THIS ORDER, AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT. FAILURE TO ABIDE BY THE CONDITIONS IN THIS ORDER, IN WHOLE OR IN PART SHALL BE GROUNDS FOR THE REVOCATION OF ANY BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY ISSUED PURSUANT TO THIS ORDER.

IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE § 2-1401.01 *ET SEQ.* (ACT), THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, GENETIC INFORMATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.

**BOARD OF ZONING ADJUSTMENT FOR THE DISTRICT OF COLUMBIA
NOTICE OF PROPOSED RULEMAKING
BZA Application No. 19134A**

The Board of Zoning Adjustment for the District of Columbia (BZA), pursuant to the authority set forth in Section 206 of the Foreign Missions Act, approved August 24, 1982 (96 Stat. 286, D.C. Official Code § 6-1306), and the Zoning Regulations of the District of Columbia (Regulations), hereby gives notice of its intention to not disapprove, or in the alternative, disapprove the following:

Application of The Embassy of Zambia, pursuant to 11 DCMR Subtitle Y § 703, for a modification of consequence to the time limit condition of BZA Order No. 19134 to allow the temporary location of a chancery in the in the R-3 Zone at premises 2200 R Street N.W. (Square 2512, Lot 808).

Notice of the public meeting date will be published in the *DC Register*, the public meeting calendar of the Office of Zoning (OZ) website at <http://dcoz.dc.gov/bza/calendar.shtm>, and on public meeting notices available at the OZ office. A final determination on an application to locate, replace, or expand a chancery shall be made no later than six months after the date of the filing of the application.

HOW TO FAMILIARIZE YOURSELF WITH THE CASE

In order to review exhibits in the case, follow these steps:

- Visit the OZ website at www.dcoz.dc.gov
- Click on “Case Records” under “Services”.
- Enter the BZA application number indicated above and click “Go”.
- The search results should produce the case. Click “View Details”.
- On the right-hand side, click “View Full Log”.
- This list comprises the full record in the case. Simply click “View” on any document you wish to see, and it will open a PDF document in a separate window.

HOW TO PARTICIPATE IN THE CASE

Members of the public may participate in a case by submitting a letter in support or opposition into the record or participating as a witness. Visit the Interactive Zoning Information System (IZIS) on our website at <https://app.dcoz.dc.gov/Login.aspx> to make a submission. Please note that party status is not permitted in Foreign Missions cases.

If you have any questions or require any additional information, please call OZ at 202-727-6311.

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
ZONING COMMISSION ORDER NO. 11-15F**

Z.C. Case No. 11-15F

Howard University

(Amendment to the Howard University Central Campus Master Plan)

May 25, 2017

Pursuant to notice, the Zoning Commission for the District of Columbia (“Commission”) held a public hearing on May 18, 2017, in order to consider an application (“Application”) by Howard University (“Howard” or the “Applicant”), for an amendment to the Howard University Central Campus Plan, dated June 29, 2011 (“Campus Plan”), to remove several properties from the Campus Plan boundaries. The Commission considered the application pursuant to Subtitle X § 101.10 of the District of Columbia Zoning Regulations, Title 11 of the District of Columbia Municipal Regulations (“DCMR” or the “Zoning Regulations”). The public hearing was conducted in accordance with the rules of the Board of Zoning Adjustment at Subtitle Y of Title 11 DCMR.

HEARING DATE: May 18, 2017

DECISION DATE: May 25, 2017

FINDINGS OF FACT

1. On March 9, 2017, Howard filed an application with the Commission seeking an amendment to the Campus Plan, dated June 29, 2011, (Exhibit [“Ex.”] 5 in Z.C. Case No. 11-15.) The Campus Plan proposes development for Howard’s campus with over 2,316,584 gross square feet of new construction, major renovations, and additions to existing buildings in three phases over seven years.
2. The Applicant seeks to amend the Campus Plan to extract the following properties (“Extraction Properties”) from the boundaries of the Campus Plan:
 - (a) Effingham Apartments located at 2711-2719 Georgia Avenue, N.W. (Lots 833, 834, and 835, Square 3058);
 - (b) Carver Hall located at 211 Elm Street, N.W. (Lot 830, Square 3084);
 - (c) Slowe Hall located at 1919 Third Street, N.W. (Lot 835, Square 3088);
 - (d) East Towers Parking Lot located at 2251 Sherman Avenue, N.W. (part of Lot 1101, Square 2873);
 - (e) 9th and V Street Parking Lots located at 9th & V Streets, N.W. (Lot 797, Square 2873; Lots 2033, 2011, 2004, 1108, 976, 982, and 1108, Square 2875);

- (f) Parking Lot Three located at the northwestern corner of Georgia Avenue and W Street, N.W., (Lots 62, 811, 934, 945, 968, 970, 972, 977, 979 and 1023, Square 2877); and
 - (g) Florida Avenue Townhomes located at 907 and 909 Florida Avenue, N.W. (Lots 872 and 873, Square 2873)
3. The Applicant's objective with respect to the proposed Campus Plan amendment is to remove underutilized properties which are no longer needed for university uses from the campus and from regulation under the campus plan provisions of the Zoning Regulations and to facilitate their development for private uses in accordance with area revitalization trends and City planning objectives. Such development is expected to generate capital to support the University's educational mission.
 4. The Applicant submitted a Prehearing Statement on April 28, 2017, which included a log of the University's meetings with community groups and the Applicant's transportation report. (Ex. 24).
 5. A description of the proposed Campus Plan amendment and the notice of the public hearing in this matter were published in the *DC Register* on March 31, 2017. (Ex. 8). The notice of public hearing was mailed to all property owners within 200 feet of the Property and to Advisory Neighborhood Commission ("ANC") IB on March 21, 2016. (Ex. 9). On May 18, 2017, the Commission held a public hearing on the application. The only party to the case that appeared at the hearing was the Applicant.
 6. The Commission received letters in support from ANC 1B and ANC 5E, which are automatically parties to the Application. (Ex. 20, 30.) ANC 1B supported the application with certain specified "provisions in the application to the Zoning Commission for approval." The ANC 5E report expressed no issues or concerns.
 7. Letters in support were also received from Pleasant Plains Civic Association, the Georgia Avenue Community Development Task Force, the LeDroit Park Civic Association, and the Bloomingdale Civic Association. (Ex. 14, 22, 31.)
 8. By report dated May 8, 2017 and testimony at the public hearing, the Office of Planning ("OP") recommended approval of the requested amendment to allow the Extraction Properties to be excluded from the Campus Plan. OP also expressed its support for the University's commitment to submit a new campus plan within two years following the Commission's approval of the Application. (Ex. 27.)
 9. By report dated May 2017 and testimony at the public hearing, the District Department of Transportation ("DDOT") indicated that it has no objection to the Application with the condition that the Applicant develop an implementation mechanism to ensure the extension and construction of the street network consistent with the Duke Plan and DDOT standards. At the public hearing, DDOT indicated that the condition proposed by the Applicant to address this issue was acceptable to DDOT. (Ex. 25.)

10. At the public hearing a number of individuals testified some testified in support of the Application, and some testified in opposition to the Application. The testimony in opposition focused on gentrification in the area and the potential for the proposed amendment to contribute to gentrification. Opposition from University students and alumni also centered on a desire for more inclusiveness in University real estate development and planning initiatives. At the end of the hearing the Commission asked the University to meet with the students and report back to the Commission on the meeting. By letter dated May 24, 2017, the University confirmed that it had met with the students who testified at the hearing and summarized the discussions that took place. (Ex. 39.)
11. The Applicant submitted proposed conditions to be included in the Commission's order approving the Application. The conditions address issues raised by DDOT, ANC 1B, and the Bloomingdale Civic Association. Relative to the gentrification concerns raised at the hearing, the University proffered a condition indicating that it would use best efforts to achieve a goal of developing a total of 50-100 units of affordable housing at 30%-60% AMI within the Extraction Properties, the Campus Plan boundaries or other Howard University property. With the exception of Condition No. 5, University accountability and compliance with the proposed conditions is proposed to rely solely on reporting requirements to the Commission in the context of future Campus Plan applications and are not intended to regulate or otherwise burden the future development of the Extraction Properties which will become subject to matter of right zoning requirements upon approval of the Application. The Commission finds that the conditions and proposed accountability through reporting requirements applicable to future Campus Plan applications to be a reasonable and acceptable response to community concerns.

CONCLUSIONS OF LAW

The Applicant is seeking special exception approval pursuant to Subtitle X § 101.14 of the Zoning Regulations, for an amendment to its campus plan. Pursuant to 11-X DCMR §§ 101.2, 101.10, and 901.2, the Commission is authorized to grant a special exception where, in the judgment of the Commission, based on a showing through substantial evidence, the special exception will be in harmony with the general purpose and intent of the Zoning Regulations and Maps and will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps.

The Commission is required under § 3 of the Comprehensive Advisory Neighborhood Commissions Reform Amendment Act of 2000, effective June 27, 2000 (D.C. Law 13-135; D.C. Official Code § 1-309.10(d)) to give great weight to the issues and concerns expressed in the written report of an affected ANC. In this case, ANC 1B requested that certain conditions be included in this Order, and the Commission concludes that the Applicant's proposed conditions address ANC 1B's concerns. ANC 5E's report expressed no issues or concerns and therefore there is nothing to give great weight to. (Ex. 14E.)

The Commission is required under § 5 of the Office of Zoning Independence Act of 1990, effective September 20, 1990 (D.C. Law 8-163, D.C. Official Code §6-623.04) to give great weight to OP recommendations. For the reasons stated above, the Commission concurs with OP's recommendation for approval and has given the OP recommendation the great weight it is entitled.

The Application is subject to compliance with D.C. Law 2-38, the Human Rights Act of 1977.

DECISION

In consideration of the Findings of Fact and Conclusions of Law contained in this Order, the Zoning Commission for the District of Columbia **ORDERS APPROVAL** of the Application subject to the following conditions:

1. Condition No. 1 is hereby amended to change the term of the 2011 Plan as follows: The University will submit an application for review of a new campus plan by March 16, 2020.
2. The University will make best efforts to meet a goal of developing a total of 50-100 housing units at 30%-60% AMI within the Extraction Properties, the Campus Plan boundaries or other Howard University property.
3. Prior to submitting an application for a building permit to develop an Extraction Property, the University or its development partner(s) will present plans for the development of the property at a public meeting of the ANC within which the property is located.
4. Howard University and community will work together to leverage economic development and tax benefits to reinvest in the community and encourage other city support and investment.
5. The University will make best efforts to work with DDOT to negotiate the terms of easements for public vehicular, bicycle and pedestrian access to the proposed rights of way to be constructed by Howard University and its development partners ("Proposed Right of Way") areas depicted in Exhibit 33 in the record. The University will record an easement for each Proposed Right of Way prior to applying for any building permits on properties abutting each specific Proposed Right of Way.
6. The University will enter into lease agreements with the developer(s) of Slowe and Carver Halls to make available up to 50 parking spaces for the residents of the renovated properties at the University garages located at the northeast and southeast corners of V and 5th Streets, N.W. The agreements will span a period not less than 10 years, subject to an annual renewal clause to allow for demand-based adjustments.
7. The University will report to the Zoning Commission on the status of the Proposed Right of Way easements and Conditions Nos. 2- 6 above in all future Campus Plan update, amendment or further processing applications. The Commission shall consider whether

the University has made the requisite compliance or best efforts in determining whether to grant all future campus plan requests before it.

8. In accordance with the D.C. Human Rights Act of 1977, as amended, D.C. Official Code §§ 2-1401.01 *et seq.* (Act), the District of Columbia does not discriminate on the basis of actual or perceived: race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, familial status, family responsibilities, matriculation, political affiliation, genetic information, disability, source of income, or place of residence or business. Sexual harassment is a form of sex discrimination which is prohibited by the Act. In addition, harassment based on any of the above protected categories is prohibited by the Act. Discrimination in violation of the Act will not be tolerated. Violators will be subject to disciplinary action.

On May 25, 2017, upon the motion of Chairman Hood, as seconded by Vice Chairman Miller, the Zoning Commission took **FINAL ACTION** to **APPROVE** the application at the conclusion of its public hearing by a vote of **5-0-0** (Anthony J. Hood, Robert E. Miller, Peter A. Shapiro, Peter G. May, and Michael G. Turnbull to approve).

In accordance with the provisions of 11-Z DCMR § 604.9, this Order shall become final and effective upon publication in the *DC Register*; that is on March 16, 2018.

BY THE ORDER OF THE D.C. ZONING COMMISSION

A majority of the Commission members approved the issuance of this Order.

ANTHONY J. HOOD
CHAIRMAN
ZONING COMMISSION

SARA A. BARDIN
DIRECTOR
OFFICE OF ZONING

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