



***District of Columbia***

**REGISTER**

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**HIGHLIGHTS**

- D.C. Council enacts Act 22-315, Maternal Mortality Review Committee Establishment Act of 2018
- D.C. Council schedules a public hearing on the fiscal year 2019 proposed budget and financial plan
- Office of the Attorney General establishes contracting and procurement policies and procedures
- Department of Behavioral Health solicits applicants for child choice provider certification
- Department of Energy and Environment proposes changes to the material, labeling, and fee requirements for retail carryout bags
- D.C. Board of Elections proposes technical amendments to the voter registration and election procedures regulations
- D.C. Public Service Commission solicits comments on the proposed commercial and industrial high load factor rate
- D.C. Water and Sewer Authority schedules a public hearing on the proposed water and sewer retail rates, fees, and charges for fiscal years 2019 and 2020

# DISTRICT OF COLUMBIA REGISTER

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CONTENTS

ACTIONS OF THE COUNCIL OF THE DISTRICT OF COLUMBIA

D.C. ACTS

A22-315 Maternal Mortality Review Committee Establishment Act of 2018 [B22-524] .....004278 - 004284

A22-316 Dedicated Funding for the Washington Metropolitan Area Transit Authority Emergency Act of 2018 [B22-772] .....004285 - 004286

RESOLUTIONS

Res 22-457 Extension of Time to Dispose of 8th & O Streets, N.W., Congressional Review Emergency Declaration Resolution of 2018.....004287 - 004288

Res 22-458 Boris Nemtsov Plaza Designation Congressional Review Emergency Declaration Resolution of 2018 ..... 004289

Res 22-462 Waterfront Station II Surplus Property Declaration Resolution of 2018 .....004290 - 004291

Res 22-463 Waterfront Station II Disposition Approval Resolution of 2018 .....004292 - 004294

Res 22-464 Revised ABRA Civil Penalty Schedule Resolution of 2018 ..... 004295

Res 22-465 Washington Metropolitan Area Transit Authority Union Station Funding Agreement Approval Resolution of 2018 ..... 004296

Res 22-466 Modifications to Contract No. DCAM-17-CS-0025A Approval and Payment Authorization Emergency Declaration Resolution of 2018.....004297 - 004298

Res 22-467 Modifications to Contract No. DCAM-17-CS-0025B Approval and Payment Authorization Emergency Declaration Resolution of 2018.....004299 - 004300

Res 22-468 Modifications to Contract No. DCAM-17-CS-0025J Approval and Payment Authorization Emergency Declaration Resolution of 2018.....004301 - 004302

Res 22-469 Modifications to Contract No. DCAM-17-CS-0025E Approval and Payment Authorization Emergency Declaration Resolution of 2018.....004303 - 004304

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

**RESOLUTIONS CONT'D**

Res 22-470 Modifications to Contract No. DCAM-17-CS-0025H  
Approval and Payment Authorization Emergency  
Declaration Resolution of 2018..... 004305

Res 22-471 Modifications to Contract No. DCAM-17-CS-0025M  
Approval and Payment Authorization Emergency  
Declaration Resolution of 2018.....004306 - 004307

Res 22-472 Collective Bargaining Agreement between the  
Not-for-Profit Hospital Corporation - United  
Medical Center and the District of Columbia  
Nurses Association Emergency Declaration  
Resolution of 2018 ..... 004308

Res 22-473 Collective Bargaining Agreement between the  
Not-for-Profit Hospital Corporation - United  
Medical Center and the District of Columbia  
Nurses Association Emergency Approval  
Resolution of 2018 ..... 004309

Res 22-474 Dedicated Funding for the Washington  
Metropolitan Area Transit Authority  
Emergency Declaration Resolution of  
2018..... 004310

Res 22-475 Lawrence E. Boone Elementary School  
Designation Emergency Declaration  
Resolution of 2018 ..... 004311

Res 22-476 Medical Marijuana Certified Business  
Enterprise Preference Emergency Declaration  
Resolution of 2018 ..... 004312

Res 22-477 Closing of a Public Alley in Square 748,  
S.O. 16-21105, Emergency Declaration  
Resolution of 2018 ..... 004313

Res 22-478 Swampoodle Park Designation Emergency  
Declaration Resolution of 2018..... 004314

Res 22-479 Watkins Alley Designation Emergency  
Declaration Resolution of 2018.....004315 - 004316

Res 22-480 Southwest Waterfront Exemption Emergency  
Declaration Resolution of 2018.....004317 - 004318

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

**ADOPTED CEREMONIAL RESOLUTIONS**

ACR 22-264 National Boy Scouts Day Recognition  
Resolution of 2018.....004319 - 004320

ACR 22-265 Sonya Bernhardt Georgetowner Recognition  
Resolution of 2018..... 004321

ACR 22-266 Good Neighbors Capitol Hill Refugee  
Resettlement Project Recognition  
Resolution of 2018.....004322 - 004323

ACR 22-267 Barbara Adams Mowat Recognition  
Resolution of 2018.....004324 - 004325

ACR 22-268 George W. Fenderson Posthumous Recognition  
Resolution of 2018.....004326 - 004328

ACR 22-269 Capitol Hill Business Improvement District’s  
15th Anniversary Recognition Resolution of 2018 .....004329 - 004330

ACR 22-270 N Street Village 45th Anniversary Recognition  
Resolution of 2018..... 004331

ACR 22-271 Officer Antonial Atkins Recognition Resolution  
of 2018..... 004332

ACR 22-272 Employee Appreciation Day Recognition  
Resolution of 2018..... 004333

ACR 22-273 Second Chance Month Recognition Resolution  
of 2018.....004334 - 004335

ACR 22-274 Peggy Cooper Cafritz Recognition Resolution  
of 2018.....004336 - 004337

ACR 22-275 Royal R. Robinson, Jr. Recognition Resolution  
of 2018.....004338 - 004339

ACR 22-276 Idris Bilaal Recognition Resolution of 2018 .....004340 - 004341

ACR 22-277 Developmental Disabilities Awareness Month  
Recognition Resolution of 2018 .....004342 - 004343

ACR 22-278 Georgetown University Law School Street Law  
Program Recognition Resolution of 2018 .....004344 - 004345

ACR 22-279 National Girl Scouts Day Recognition Resolution  
of 2018.....004346 - 004347

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

**ADOPTED CEREMONIAL RESOLUTIONS CONT'D**

ACR 22-280 Sexual Assault Awareness Month Recognition  
Resolution of 2018.....004348 - 004351

ACR 22-281 Harriet Tubman Day Recognition Resolution of 2018.....004352 - 004353

ACR 22-282 Music In Our Schools Month Recognition Resolution  
of 2018.....004354 - 004355

ACR 22-283 Food Justice & Our Right to Food – The Why  
Conference Recognition Resolution of 2018.....004356 - 004357

ACR 22-284 Marian J. Cole Recognition Resolution of 2018.....004358 - 004360

**BILLS INTRODUCED AND PROPOSED RESOLUTIONS**

**Notice of Intent to Act on New Legislation -**

Bills B22-775 through B22-792 and Proposed  
Resolutions PR22-832 and PR22-833 .....004361 - 004364

**COUNCIL HEARINGS**

**Notice of Public Hearings -**

Fiscal Year 2019 Proposed Budget and Financial Plan,  
Fiscal Year 2019 Budget Support Act of 2018,  
Fiscal Year 2019 Local Budget Act of 2018,  
Fiscal Year 2019 Federal Budget Act of 2018,  
and Committee Mark-up Schedule, 4/17/2018.....004365 - 004373

**Notice of Public Roundtable -**

PR 22-818 Washington International School Refunding  
Revenue Bonds Project Approval Resolution  
of 2018.....004374

PR 22-819 Georgetown Day School Revenue Bonds Project  
Approval Resolution of 2018 .....004374

**OTHER COUNCIL ACTIONS**

**Notice of Grant Budget Modifications -**

GBM 22-78 FY 2018 Grant Budget Modifications of  
March 22, 2018 .....004375 - 004376

GBM 22-79 FY 2018 Grant Budget Modifications of  
February 6, 2018 .....004375 - 004376

GBM 22-80 FY 2018 Grant Budget Modifications of  
February 20, 2018 .....004375 - 004376

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

**OTHER COUNCIL ACTIONS CONT'D**

**Notice of Grant Budget Modifications - cont'd**

GBM 22-81	FY 2018 Grant Budget Modifications of February 22, 2018 .....	004375 - 004376
GBM 22-82	FY 2018 Grant Budget Modifications of February 27, 2018 .....	004375 - 004376
GBM 22-83	FY 2018 Grant Budget Modifications of February 28, 2018 .....	004375 - 004376
GBM 22-84	FY 2018 Grant Budget Modifications of March 28, 2018 .....	004375 - 004376
GBM 22-85	FY 2018 Grant Budget Modifications of March 28, 2018 .....	004375 - 004376

**Notice of Reprogramming Request -**

22-119	Request to reprogram \$2,097,862 of Fiscal Year 2018 Local funds budget authority within the Office of the Chief Technology Officer (OCTO).....	004377
--------	---	--------

**ACTIONS OF THE EXECUTIVE BRANCH AND INDEPENDENT AGENCIES**

**PUBLIC HEARINGS**

**Alcoholic Beverage Regulation Administration -**

Alfresco Tap and Grill - ANC 1C - Summer Garden.....	004378
Astoria - ANC 2B - New .....	004379
Class A Renewals for April 20, 2018.....	004380 - 004389
District Still - ANC 5E - Renewal - RESCIND .....	004390
Dupont Underground - ANC 2B - New .....	004391
The Meatball Shop - ANC 2F - New .....	004392

**Historic Preservation Review Board -**

**Historic Landmark and Historic District Designations - Cases -**

17-10	Wardman Park Annex (Amendment), 2600/2660 Woodley Road NW .....	004393 - 004394
17-22	Harewood Lodge, 3600 Harewood Lodge NE .....	004393 - 004394

**Water and Sewer Authority, DC -**

Proposed Water and Sewer Retail Rates, Fees and Charges for Fiscal Years 2019 and 2020 - May 9, 2018 .....	004395 - 004396
--	-----------------

**ACTIONS OF THE EXECUTIVE BRANCH AND INDEPENDENT AGENCIES CONT'D**

**PUBLIC HEARINGS CONT'D**

Zoning Adjustment, Board of - May 30, 2018 - Public Hearing  
 19758 1505 NEAL STREET LLC - ANC 5D .....004397 - 004399

Zoning Commission - Cases -  
 12-01A The Catholic University of America .....004400 - 004402  
 18-01 Community Three Development .....004403 - 004405

**FINAL RULEMAKING**

Attorney General, Office of the - Amend 27 DCMR  
 (Contracts and Procurement), to add  
 Ch. 50 (Office of the Attorney General Procurement Rules),  
 Sections 5001 - 5098, and Sec. 5099 (Definitions),  
 to establish contracting and procurement policies and  
 procedures that are consistent with the Procurement  
 Practices Reform Act .....004406 - 004453

**PROPOSED RULEMAKING**

Energy and Environment, Department of - Amend 16 DCMR  
 (Consumers, Commercial Practices, and Civil Infractions),  
 Ch. 40 (Department of the Environment (DDOE) Infractions),  
 to add Sec. 4016 (Wildlife Protection Infractions),  
 to establish a schedule of civil infractions for violations  
 related to the Wildlife Protection Act .....004454 - 004458

Energy and Environment, Department of - Amend  
 21 DCMR (Water and Sanitation),  
 Ch. 10 (Retail Establishment Carryout Bags),  
 Sections 1001, 1002, 1005, 1006, and 1012  
 16 DCMR (Consumers, Commercial Practices, and Civil Infractions),  
 Ch. 40 (Department of the Environment (DDOE) Infractions),  
 to rename Sec. 4011 (Food Service Ware Infractions) to  
 Sec. 4011 (Food Service Ware and Retail Establishment  
 Carryout Bags Infractions)  
 to update the material, labeling, and fee requirements  
 for retail carryout bags and the schedule of fines for  
 violations of the requirements .....004459 - 004463



**ACTIONS OF THE EXECUTIVE BRANCH AND INDEPENDENT AGENCIES CONT'D**

**EMERGENCY RULEMAKING**

Alcoholic Beverage Regulation Administration -  
 Amend 23 DCMR (Alcoholic Beverages),  
 Ch. 7 (General Operating Requirements),  
 Sec. 718 (Reimbursable Detail Subsidy Program),  
 to revise the reimbursable detail coverage percentages  
 for the MPD Reimbursable Detail Subsidy Program  
 (RDO Program); Fourth Emergency Rulemaking  
 supersedes rulemaking published on November 3, 2017  
 at 64 DCR 11640; Expires May 24, 2018 .....004464 - 004466

**EMERGENCY AND PROPOSED RULEMAKING**

Elections, DC Board of - Amend 3 DCMR (Elections and Ethics),  
 Ch. 1 (Organization of the Board of Elections),  
 Sections 100, 101, 102, and 108  
 Ch. 2 (Political and Ethical Conduct of Board Members and  
 Employees) to rename title to Ch. 2 (Personnel) and update  
 Sections 200, 201, 202, 203, and 204  
 Ch. 4 (Hearings), Sections 400, 402, 405, 406, and 428  
 Ch. 5 (Voter Registration), Sections 500 through 521  
 Ch. 7 (Election Procedures), Sections 700 through 725  
 Ch. 8 (Tabulation and Certification of Election Results),  
 Sections 802, 806, and 808  
 Ch. 17 (Candidates: Members and Officials of Local  
 Committees of Political Parties and National  
 Committee Persons), Section 1701  
 Ch. 33 (Prohibition on Use of Government Resources  
 for Campaign-Related Purposes and Interpretive Opinions),  
 Section 3301,  
 to make technical amendments .....004467 - 004518

**NOTICES, OPINIONS, AND ORDERS**

**MAYOR’S ORDERS**

2018-041 Appointment – District of Columbia Commission  
 on Aging (Alice Love) ..... 004519  
 2018-042 Appointments – For-Hire Vehicle Advisory Council  
 (Dawit Dagnev and Jeffrey Schaeffer) ..... 004520  
 2018-043 Appointments – Board for the Condemnation of  
 Insanitary Buildings (Donald W. Sullivan and  
 Patrick Smith)..... 004521

**ACTIONS OF THE EXECUTIVE BRANCH AND INDEPENDENT AGENCIES CONT'D**

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

Alcoholic Beverage Regulation Administration -

ABC Board's Approval to Rescind 405.1 Status  
Agenda - April 25, 2018.....004522 - 004523  
ABC Board's C and D Retailers Cease and Desist  
Agenda - April 25, 2018.....004524 - 004529  
ABC Board's Calendar - April 25, 2018 .....004530 - 004531  
ABC Board's Cancellation Agenda - April 25, 2018 .....004532 - 004533  
ABC Board's Caterers Cease and Desist Agenda - April 25, 2018 .....004534 - 004535  
ABC Board's Class A Cease and Desist Agenda - April 25, 2018.....004536 - 004537  
ABC Board's Investigative Agenda - April 25, 2018.....004538 - 004539  
ABC Board's Licensing Agenda - April 25, 2018.....004540 - 004542

Behavioral Health, Department of -

Acceptance of New Certification Applications for  
Child Choice Providers .....004543

City Arts and Prep Public Charter School -

Request for Proposals - Information Technology Services.....004544

Consumer and Regulatory Affairs, Department of -

Vacant Building Enforcement - 1843 Park Road NW  
Square 2614, Lot 0848 .....004545

Criminal Code Reform Commission, DC -

Advisory Group Meeting - May 2, 2018.....004546

DC Scholars Public Charter School -

Notice of Intent to Enter a Sole Source Contract -  
Interim Head of School .....004547

Education, Office of the Deputy Mayor for -

Cross-Sector Collaboration Task Force Meeting -  
April 24, 2018 .....004548

Elections, Board of -

Monthly Report of Voter Registration Statistics as of  
March 31, 2018 .....004549 - 004558

Public Notice of Proposed Polling Place Relocations -

Precinct #8, Ward 3 and Precinct #29, Ward 3 .....004559 - 004560

**ACTIONS OF THE EXECUTIVE BRANCH AND INDEPENDENT AGENCIES CONT'D**

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

Energy and Environment, Department of -  
 Intent to Issue Air Quality Permits -  
   #6208 United States Government Publishing Office (GPO) -  
       732 North Capitol Street NW.....004561 - 004562  
   #6506-R1 U.S. General Services Administration -  
       400 Maryland Avenue SW.....004563 - 004564

Kingsman Academy Public Charter School -  
 Request for Qualifications - Owner's Representative Services ..... 004565

KIPP DC Public Charter Schools -  
 Notice of Intent to Enter Sole Source Contract -  
 Vision Services..... 004566

Maya Angelou Public Charter School -  
 Notice of Intent to Enter Sole Source Contract - Edgenuity, Inc. .... 004567

Not-For-Profit Hospital Corporation -  
 Board of Directors Public Meeting - April 25, 2018..... 004568

Public Service Commission -  
 Notice of Proposed Tariff -  
   GT2017-02 - Application of Washington Gas Light  
   Company for Authority to Add Rate Schedule No. 7 .....004569 - 004570

  Formal Case No. 1137 - Application of Washington  
   Gas Light Company for Authority to Increase Rates  
   and Charges for Gas Service .....004569 - 004570

Secretary, Office of the -  
 Recommendations for Appointments as DC Notaries Public -  
 Effective May 15, 2018.....004571 - 004580

Water and Sewer Authority, DC -  
 Board of Directors Meeting - May 3, 2018..... 004581

Zoning Adjustment, Board of - Cases -  
 13902-A McDonald's Corporation - ANC 2B - Order.....004582 - 004585  
 19684 C&S Development, LLC - ANC 5E - Order.....004586 - 004589  
 19709 Focus Works, LLC - ANC 8C - Order.....004590 - 004593  
 19715 Joseph McNamara and Meg Booth - ANC 6B - Order.....004594 - 004596  
 19725 1169 Neal Street, LLC - ANC 5D - Order.....004597 - 004599

ENROLLED ORIGINAL

AN ACT

**D.C. ACT 22-315**

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

**APRIL 12, 2018**

To establish a Maternal Mortality Review Committee within the Office of the Chief Medical Examiner to determine the causes associated with maternal mortalities of District residents and those that occur in the District, to describe and record any trends, data, or patterns that are observed surrounding maternal mortalities, to create a strategic framework for improving maternal health outcomes for racial and ethnic minorities in the District, to recommend training to improve the identification, investigation, and prevention of maternal mortalities, and make publicly available an annual report of its findings, recommendations, and steps taken to evaluate implementation of past recommendations.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Maternal Mortality Review Committee Establishment Act of 2018".

Sec. 2. Definitions.

For the purposes of this act, the term:

(1) "Committee" means the Maternal Mortality Review Committee established in section 3.

(2) "Maternal mortality" means any pregnancy-related death or pregnancy-associated death.

(3) "Personally identifiable information" means information that identifies any person or could be used to identify any person, including:

- (A) Prenatal, fetal, pediatric, and infant medical records;
- (B) Hospital discharge records;
- (C) Hospital or clinic records and laboratory reports;
- (D) Health insurance claim information;
- (E) Records of fetal deaths or induced termination of pregnancies; and
- (F) Records of public benefits, child abuse and neglect records, school

records, mental health records, police reports, and autopsy reports.

(4) "Pregnancy-associated death" means the death of a woman while the woman is pregnant or within one year after the end of the pregnancy, irrespective of the cause, other than a pregnancy-related death.

## ENROLLED ORIGINAL

(5) “Pregnancy-related death” means the death of a woman while the woman is pregnant or within one year after the end of the pregnancy, from any cause related to the pregnancy or its management, but not from accidental or incidental causes.

Sec. 3. Establishment and purpose.

(a) There is established a Maternal Mortality Review Committee within the Office of the Chief Medical Examiner (“OCME”). The OCME shall provide facilities, staffing, and other administrative support for the Committee.

(b) The Committee shall evaluate maternal mortalities, including associated factors,:

- (1) That occur in the District; and
- (2) Of District residents, regardless of the place of death.

(c) The Committee’s duties shall include:

- (1) Identifying and characterizing the scope and nature of maternal mortalities in the District and of District residents;
- (2) Describing and recording any data or patterns that are observed surrounding maternal mortalities;
- (3) Examining past events and circumstances surrounding maternal mortalities by reviewing records and other pertinent documents of public agencies and private entities responsible for investigating maternal mortalities or treating pregnant women;
- (4) Developing and revising, as necessary, operating rules and procedures for the review of maternal mortalities, including identification of cases to be reviewed, coordination among the agencies and professionals involved, and improvement of the identification, data collection, and record keeping of the causes of maternal mortalities;
- (5) Recommending systemic improvements to promote improved and integrated public and private systems serving pregnant women in the District;
- (6) Recommending components for prevention and education programs;
- (7) Creating a strategic framework for improving maternal health outcomes for racial and ethnic minorities in the District, including reducing disparities in maternal mortality rates for racial and ethnic minorities; and
- (8) Recommending training for maternal health providers to improve the identification, investigation, and prevention of maternal mortalities.

(d)(1) By July 1st of each year, the Committee shall make publicly available and submit to the Council and Mayor an annual report of its findings, recommendations, and steps taken to evaluate the implementation of past recommendations, which includes the following information:

- (A) A description of the causes of and contributing factors to maternal mortalities the Committee reviewed during the preceding calendar year;
- (B) A description of the state of maternal health in the District, including statistics and causes of maternal mortalities; and

## ENROLLED ORIGINAL

(C) Recommendations for systemic changes and legislation relating to the delivery of maternal health care in the District.

(2) The annual report submitted pursuant to paragraph (1) of this subsection shall not contain any personally identifiable information, but may include aggregated data.

Sec. 4. Composition of the Maternal Mortality Review Committee.

(a) The Mayor shall appoint at least one representative from each of the following agencies:

- (1) The Office of the Chief Medical Examiner;
- (2) The Department of Health;
- (3) The Department of Behavioral Health;
- (4) The Department of Health Care Finance; and
- (5) The Department of Human Services.

(b) In addition to the appointments required by subsection (a) of this section, the Mayor shall appoint the following members in accordance with section 2(f) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(f)):

- (1) One person with experience in obstetrics and gynecology from each of the District's hospitals and birthing centers;
- (2) One representative from the American Congress of Obstetricians and Gynecologists;
- (3) One representative from the American College of Nurse-Midwives;
- (4) One obstetric registered nurse;
- (5) One certified nurse midwife;
- (6) One doula;
- (7) One representative from a pediatric hospital;
- (8) Three representatives from community organizations specializing in women's health, teen pregnancy, or public health;
- (9) One social worker specializing in women's health or maternal health; and
- (10) One person who has been directly impacted by a maternal mortality.

(c) The Committee shall select a Chairperson according to procedures set forth by the Committee.

(d) The Committee shall establish quorum and other procedural requirements as it considers necessary.

(e)(1) Members appointed pursuant to subsection (a) of this section shall serve at the pleasure of the Mayor.

(2) Members appointed pursuant to subsection (b) of this section shall serve a 3-year term and may be removed by the Mayor for cause. Vacancies in membership shall be filled in the same manner in which the original appointment was made.

(f) No member shall serve in a hold-over capacity for longer than 180 days after the expiration of the term to which they were appointed.

## ENROLLED ORIGINAL

(g) The Committee may invite other stakeholders to attend or present at any relevant portion of a Committee meeting.

Sec. 5. Access to information.

(a) Notwithstanding any other provision of law, immediately upon the request of the Committee and as necessary to carry out the Committee's purpose and duties, the Committee shall be provided, without cost and without authorization of the persons to whom the information or records relate, access to:

(1) All information and records of:

(A) Any District agency, or a District agency's contractors, including birth and death certificates, law enforcement investigation data, medical examiner investigation data, and autopsy reports; and

(B) Health agencies that provided prenatal services to the woman; and

(2) All information and records of any healthcare provider, healthcare facility, clinic, laboratory, or medical record department, including providers of mental health services who provided services to the deceased mother, that receives information related to maternal mortalities or prenatal care.

(b) The Committee may seek information from entities and agencies outside the District by any legal means.

(c)(1) Notwithstanding subsection (a)(1) of this section, information and records concerning a current law enforcement investigation may be withheld, at the discretion of the investigating authority, if disclosure of the information would compromise a criminal investigation.

(2) If information or records are withheld under paragraph (1) of this subsection, a report on the status of the investigation shall be submitted to the Committee every 3 months until the earliest of the following events occurs:

(A) The investigation is concluded and the information or records are provided to the Committee; or

(B) The investigating authority determines that providing the information will no longer compromise the investigation and the information or records are provided to the Committee.

(d)(1) The Committee may have access to personally identifiable information relating to maternal mortalities; provided, that the Committee shall not disclose personally identifiable information.

(2) The Department of Health and the Committee may retain data on facilities where maternal mortalities occur for analytical purposes.

## ENROLLED ORIGINAL

## Sec. 6. Subpoena power.

(a) When necessary for the discharge of its duties, the Committee may issue subpoenas to compel witnesses to appear, testify, or produce books, papers, correspondence, memoranda, documents, medical records, or other relevant records.

(b) Except as provided in subsection (c) of this section, subpoenas shall be served personally upon the witness or the witness's designated agent, not less than 5 business days before the date the witness must appear or the documents must be produced, by a special process server, at least 18 years of age, engaged by the Committee.

(c) If, after a reasonable attempt, personal service on a witness or a witness's agent cannot be effected, a special process server identified in subsection (b) of this section may serve a subpoena by registered or certified mail not fewer than 8 business days before the date the witness must appear, testify, or produce documents.

(d) If a witness who has been personally summoned neglects or refuses to obey the subpoena issued pursuant to subsection (a) of this section, the Committee may report that fact to the Superior Court of the District of Columbia, and the court may compel obedience to the subpoena to the same extent as witnesses may be compelled to obey the subpoenas of the court.

## Sec. 7. Confidentiality of Committee information and meetings.

(a) Except as provided in this section, information and records obtained or created by the Committee are confidential and not subject to civil discovery or to disclosure pursuant to the Freedom of Information Act, effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code § 2-531 *et seq.*).

(b) Information and records presented to the Committee for review shall not be immune from subpoena, discovery, or prohibited from being introduced into evidence solely because they were presented to or reviewed by the Committee if the information and records have been obtained through other sources.

(c) A person other than a Committee member who appears before or participates in the Committee's review of maternal mortalities shall sign a confidentiality agreement acknowledging that any information provided to the Committee is confidential; provided, that any such confidentiality agreement shall account for situations where disclosure is necessary for the person to comply with a request for information from the Committee.

(d) Committee meetings are closed to the public and are not subject to the Open Meetings Act, effective March 31, 2011 (D.C. Law 18-350; D.C. Official Code § 2-571 *et seq.*). Committee members who attend closed meetings shall not disclose what occurred with anyone who was not in attendance, other than Committee members, except insofar as disclosure is necessary to carry out the duties of the Committee.

(e) Committee members may disclose information and records related to the Committee only as necessary to carry out the Committee's duties and purposes.



## ENROLLED ORIGINAL

(f) Any party who discloses information pursuant to this act shall take all reasonable steps to ensure that the information disclosed, and the persons to whom the information is disclosed, are as limited as possible.

Sec. 8. Immunity from liability for providing information to the Committee.

(a) Any person, hospital, or institution participating in good faith in providing information to the Committee pursuant to this act shall have immunity from administrative, civil, or criminal liability that might otherwise be incurred or imposed with respect to the disclosure of the information. In any such proceeding, there shall be a rebuttable presumption that the person, hospital, or institution that provided information to the Committee acted in good faith.

(b) If acting in good faith, without malice, and within the parameters of the protocols established by this act, members of the Committee are immune from civil liability for an activity related to reviews of maternal mortalities.

Sec. 9. Unlawful disclosure of information; penalties.

Whoever knowingly discloses, receives, makes use of, or permits the use of information concerning a deceased woman or other person in violation of this act shall be subject to a civil fine of not more than \$1,000. Violations of this act shall be prosecuted by the Office of the Attorney General or the Attorney General's designee in the name of the District of Columbia.

Sec. 10. Applicability.

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

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

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

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

Sec. 11. 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. 12. 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

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.



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Chairman  
Council of the District of Columbia

\_\_\_\_\_  
UNSIGNED  
Mayor  
District of Columbia  
April 11, 2018

ENROLLED ORIGINAL

AN ACT

**D.C. ACT 22-316**

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

**APRIL 13, 2018**

To establish, on an emergency basis, the WMATA Dedicated Funding Fund into which shall be deposited the District’s portion of the dedicated funding commitment to the Washington Metropolitan Area Transit Authority.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Dedicated Funding for the Washington Metropolitan Area Transit Authority Emergency Act of 2018”.

Sec. 2. (a) There is established as a special fund the WMATA Dedicated Funding Fund (“Fund”), which shall be administered by the Mayor in accordance with subsection (c) of this section.

(b) There shall be deposited into the Fund general retail sales tax revenue collected pursuant to Chapter 20 of Title 47 of District of Columbia Official Code as follows:

- (1) In Fiscal Year 2019---\$178.5 million;
- (2) In Fiscal Year 2020---\$178.5 million; and
- (3) In Fiscal Year 2021, and each successive year through Fiscal Year 2059---

\$178.5 million.

(c)(1) Money in the Fund in Fiscal Year 2019 shall be used as a source of funding to make the District’s payment to the Washington Metropolitan Area Transit Authority (“WMATA”) through agency KE0 as shown in the Fiscal Year 2019 Budget and Financial Plan.

(2)(A) Pursuant to a grant agreement between the District and WMATA, and subject to section 3, starting in Fiscal Year 2020, money in the Fund shall be distributed to WMATA by the Mayor as a grant for the purposes of WMATA capital improvements.

(B) The grant agreement shall require that payment to WMATA be made in 2 equal installments in a fiscal year, the first of which shall be made on October 1 and the second of which shall be made on April 1, and include such other terms and conditions as the Mayor considers necessary and appropriate.

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

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

ENROLLED ORIGINAL

Sec. 3. Applicability.


Section 2(c)(2) shall apply upon enactment of legislation by the State of Maryland (or jurisdictions thereof) providing for new dedicated capital funding for WMATA of at least \$167 million annually starting in its fiscal year 2020, and enactment of legislation by the Commonwealth of Virginia (or jurisdictions thereof) providing for new dedicated capital funding for WMATA of at least \$154.5 million annually starting in its fiscal year 2020, and shall remain applicable only during those fiscal years that both Maryland and Virginia (or jurisdictions thereof) have such legislation in effect and provide the dedicated capital funding to WMATA as set forth in this section.


Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

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

  
\_\_\_\_\_  
Chairman  
Council of the District of Columbia

  
\_\_\_\_\_  
Mayor  
District of Columbia  
APPROVED  
April 13, 2018

## ENROLLED ORIGINAL

## A RESOLUTION

22-457

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 10, 2018

To declare the existence of an emergency, due to congressional review, with respect to the need to extend the time allowed for the disposition of District-owned real property located at 1336 8th Street, N.W., and known for tax and assessment purposes as Lot 68 in Square 399.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Extension of Time to Dispose of 8th & O Streets, N.W., Congressional Review Emergency Declaration Resolution of 2018”.

Sec. 2. (a) The District owns real property located at 1336 8th Street, N.W., known for tax and assessment purposes as Lot 68 in Square 399 (“Property”). The Property consists of approximately 13,306 square feet and is currently an unused surface parking lot.

(b) In 2016, Council approved 8th & O Streets, N.W. Disposition Approval Resolution of 2015, effective February 2, 2016 (Res. 21-374; 63 DCR 1498), authorizing the Mayor to dispose of the Property for a mixed-use development providing for affordable housing, residential and market-rate housing, and retail uses.

(c) In 2018, the Council enacted the Extension of Time to Dispose of 8th & O Streets, N.W., Emergency Act of 2018, effective January 31, 2018 (D.C. Act 22-240; 65 DCR 1362) (“Emergency Act”), and the Extension of Time to Dispose of 8th & O Streets, N.W., Temporary Act of 2018, enacted on February 28, 2018 (D.C. Act 22-272; 65 DCR 2372) (“Temporary Act”), extending the Mayor’s authority to dispose of the Property.

(d) The Emergency Act will expire on May 1, 2018. The Temporary Act was transmitted to Congress on March 14, 2018, for the 30-day review period required by section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and is not projected to become law until April 25, 2018.

(e) Congressional review emergency legislation is necessary to ensure that there is no gap in legal authority between the expiration of the Emergency Act and the effective date of the Temporary Act.

**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 Extension of Time to Dispose of 8th & O Streets, N.W., Congressional Review Emergency Act of 2018 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

## ENROLLED ORIGINAL

## A RESOLUTION

22-458

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 10, 2018

To declare the existence of an emergency, due to congressional review, with respect to the need 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.

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

Sec. 2. (a) On January 9, 2018, the Council passed the Boris Nemtsov Plaza Designation Emergency Act of 2018, effective January 25, 2018 (D.C. Act 22-235; 65 DCR 813) (“Emergency Act”), 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”.

(b) On February 6, 2018, the Council passed the Boris Nemtsov Plaza Designation Act of 2018, enacted on March 8, 2018 (D.C. Act 22-276; 65 DCR 2642) (“Permanent Act”), which has been transmitted to Congress for the mandatory 30-day review period.

(c) The Emergency Act will expire on April 25, 2018. However, the congressional-review period for the Permanent Act is not expected to conclude until May 12, 2018. Therefore, a congressional review emergency act is necessary to prevent a gap in the law and to guarantee that the signage in place at Boris Nemtsov Plaza will remain as installed.

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 Boris Nemtsov Plaza 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

22-462

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 10, 2018

To declare that the District-owned real property located at 1000 4th Street, S.W., and known for tax and assessment purposes as Lot 0822 in Square 0542, is no longer required for public purposes.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Waterfront Station II Surplus Property Declaration Resolution of 2018”.

Sec. 2. Findings.

(a) The District is the owner of the real property located at 1000 4th Street, S.W., known for tax and assessment purposes as Lot 0822 in Square 0542 (“Property”). The Property consists of approximately 59,044 square feet of land.

(b) The Property is no longer required for public purposes because the Property’s condition cannot viably accommodate District agency or other public use without cost-prohibitive development. The most pragmatic solution for activating this space is to declare the Property surplus and dispose of the Property for development.

(c) The District has satisfied the public hearing requirements of section 1(b-5) of An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801(b-5)) (“Act”), by holding a public hearing on June 20, 2017, at the Department of Consumer and Regulatory Affairs, located at 1100 4th Street, S.W.

Sec. 3. Pursuant to section 1(a-1) of the Act, the Council determines that the Property is no longer required for public purposes.

Sec. 4. Transmittal.

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



**ENROLLED ORIGINAL**

Sec. 5. Fiscal impact statement.

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

Sec. 6. Effective date.

This resolution shall take effect immediately.

ENROLLED ORIGINAL

## A RESOLUTION

22-463

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 10, 2018

To approve the disposition of District-owned real property known as the Waterfront Station II, located at 1000 4th Street, S.W., known for taxation and assessment purposes as Lot 0822 in Square 0542.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Waterfront Station II Disposition Approval Resolution of 2018”.

## Sec. 2. Definitions.

For the purposes of this resolution, the term:

(1) “Act” means An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801 *et seq.*).

(2) “CBE Act” means the Small and Certified Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.01 *et seq.*).

(3) “Certified Business Enterprise” means a business enterprise or joint venture certified pursuant to the CBE Act.

(4) “Developer” means WFS2, LLC., a Delaware limited liability company, with a business address of c/o PN Hoffman & Associates, Inc., 680 Water Street, S.W., Washington, DC 20024, or its successors, assignees, sublessees, or affiliates, and AHC, Inc., a nonprofit corporation, with a business address of 2230 North Fairfax Drive, Suite 100, Arlington, VA 22201, or its successors, assignees, sublessees, or affiliates, as approved by the Mayor.

(5) “First Source Agreement” means an agreement with the District governing certain obligations of the Developer pursuant to section 4 of the First Source Employment Agreement Act of 1984, effective June 29, 1984 (D.C. Law 5-93; D.C. Official Code § 2-219.03), and Mayor’s Order 83-265, dated November 9, 1983, regarding job creation and employment generated as a result of the construction on the Property.

(6) “Project” means a mixed-use development including affordable housing, market-rate housing, cultural space, neighborhood retail, and any ancillary uses allowed under

## ENROLLED ORIGINAL

applicable law, and as further described in the term sheet submitted with this resolution, in accordance with section 1(b-1) of the Act.

(7) “Property” means the real property located at 1000 4th Street, S.W., commonly known as Waterfront Station II, and known for taxation and assessment purposes as Lot 0822 in Square 0542.

Sec. 3. Findings.

(a) The property consists of an approximately 59,044-square-foot parcel.

(b) The intended use of the Property is a mixed-use project as further described in section 2(6).

(c) The Developer shall comply with the requirements of the Act, and the National Capital Revitalization Corporation and Anacostia Waterfront Corporation Reorganization Act of 2006, effective March 28, 2008 (D.C. Law 17-138; D.C. Official Code § 2-1225.01 *et seq.*), including dedicating residential units in the Project as affordable housing units.

(d) The Developer shall enter into an agreement that shall require the Developer to, at a minimum, contract with Certified Business Enterprises for at least 35% of the contract dollar volume of the Project, and require at least 20% equity and 20% development participation of Certified Business Enterprises in the Project, in accordance with section 2349 of the CBE Act and section 1(b)(6) of the Act.

(e) The Developer shall enter into a First Source Agreement.

(f) The proposed method of disposition is a lease of greater than 15 years pursuant to section 1(b)(8)(C) of the Act, as further described in the documents submitted to the Council with this resolution, in accordance with section 1(b-1) of the Act.

(g) The District has satisfied the public hearing requirements of section 1(b-5) of the Act.

(h) The Land Disposition Agreement for the disposition of the real property shall not be inconsistent with the substantive business terms of the transaction submitted by the Mayor with this resolution in accordance with section 1(b-1)(2) of the Act, unless revisions to those substantive business terms are approved by Council.

Sec. 4. Approval of disposition.

(a) Pursuant to the Act, the Mayor transmitted to the Council a request for approval of the disposition of the Property to the Developer.

(b) The Council approves the disposition of the Property.

Sec. 5. Transmittal.

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

**ENROLLED ORIGINAL**

Sec. 6. 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. 7. Effective date.

This resolution shall take effect immediately.

ENROLLED ORIGINAL

## A RESOLUTION

22-464

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 10, 2018

To approve proposed rules of the Alcoholic Beverage Control Board that amend the Alcoholic Beverage Regulation Administration civility penalty schedule.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Revised ABRA Civil Penalty Schedule Resolution of 2018”.

Sec. 2. Pursuant to D.C. Official Code § 25-211(b)(2), on December 20, 2017, the Mayor transmitted to the Council proposed rules of the Alcoholic Beverage Control Board to amend the Alcoholic Beverage Regulation Administration civil penalty schedule. The Council approves the proposed rules, published at 64 DCR 8604, to amend section 800 of Title 23 of the District of Columbia Municipal Regulations.

Sec. 3. Transmittal.

The Council shall transmit a copy of this resolution, upon its adoption, to the Mayor and the Chairperson of the Alcoholic Beverage Control Board.

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 resolution shall take effect immediately.

ENROLLED ORIGINAL

## A RESOLUTION

22-465

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 10, 2018

To approve the multiyear agreement between the District of Columbia and the State of Maryland and the Washington Metropolitan Area Transit Authority to provide capital funding for improvements to the First Street Entrance to the Union Station Metrorail Station.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Washington Metropolitan Area Transit Authority Union Station Funding Agreement Approval Resolution of 2018”.

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and section 1(j-1) 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; D.C. Official Code § 1-301.01(j-1)), the Council approves the agreement between the District of Columbia and the State of Maryland and the Washington Metropolitan Area Transit Authority to provide capital funding for the construction of improvements to the First Street Entrance to the Union Station Metrorail Station in the not-to-exceed amount, to be provided by the District, of \$4,300,000.

Sec. 3. Transmittal.

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

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-466

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 10, 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-0025A with Hard Light Consulting Group 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-0025A 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-0025A with Hard Light Consulting Group 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 CA22-0084. 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 in the not-to-exceed amount of \$950,000. Modification No. 02 would increase the value of the contract for Option Year 1 to \$2.5 million.

(c) In the aggregate, Modification Nos. 01 and 02 will increase the total expenditures under Contract No. DCAM-17-CS-0025A by an amount in excess of \$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 Hard Light Consulting Group 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-0025A 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

22-467

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 10, 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-0025B with Micon Constructions, 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-0025B 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-0025B with Micon Constructions, 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 CA22-0085. 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 in the not-to-exceed amount of \$950,000. Modification No. 02 would increase the value of the contract for Option Year 1 to \$2.5 million.

(c) In the aggregate, Modification Nos. 01 and 02 will increase the total expenditures under Contract No. DCAM-17-CS-0025B by an amount in excess of \$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 Micon Constructions, 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-0025B 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

22-468

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 10, 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-0025J with Blue Skye Construction 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-0025J 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-0025J with Blue Skye Construction 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 6, 2017, as CA22-0088. On February 5, 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 in the not-to-exceed amount of \$950,000. Modification No. 04 would increase the value of the contract for Option Year 1 to \$2.5 million.

(c) Modification Nos. 03 and 04 will increase the total expenditures under Contract No. DCAM-17-CS-0025J 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 Blue Skye Construction 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-0025J 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

22-469

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 10, 2018

To declare the existence of an emergency with respect to the need to approve Modification Nos. 02 and 03 to Contract No. DCAM-17-CS-0025E with WKM Solutions 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-0025E Approval and Payment Authorization Emergency Declaration Resolution of 2018”.

Sec. 2. (a) There exists an immediate need to approve Modification Nos. 02 and 03 to Contract No. DCAM-17-CS-0025E with WKM Solutions 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 6, 2017, as CA22-0090. On February 2, 2018, via Modification No. 02, the Department of General Services exercised the first of 2 available one-year options to extend the term of the contract in the not-to-exceed amount of \$950,000. Modification No. 03 would increase the value of the contract for Option Year 1 to \$2.5 million.

(c) Modification Nos. 02 and 03 will increase the total expenditures under Contract No. DCAM-17-CS-0025E by more than \$1 million during a 12-month period. Therefore, Council approval of Modification Nos. 02 and 03 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 WKM Solutions 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-0025E 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

22-470

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 10, 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-0025H with General 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-0025H 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-0025H with General 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 CA22-0083. 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 in the not-to-exceed amount of \$950,000. Modification No. 02 would increase the value of the contract 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-0025H by an amount in excess of \$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 General Services 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-0025H 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

22-471

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 10, 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-0025M with Columbia Enterprises 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-0025M 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-0025M with Columbia Enterprises 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 CA22-0108. 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 in the not-to-exceed amount of \$950,000. Modification No. 02 would increase the value of the contract for Option Year 1 value of the contract to \$2.5 million.

(c) Modification Nos. 01 and 02 will increase the total expenditures under Contract No. DCAM-17-CS-0025M 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 Columbia Enterprises 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-0025M 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

22-472

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 10, 2018

To declare the existence of an emergency with respect to the need to approve the compensation collective bargaining agreement for nurses employed by the Not-for-Profit Hospital Corporation - United Medical Center and represented by the District of Columbia Nurses Association.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Collective Bargaining Agreement between the Not-for-Profit Hospital Corporation - United Medical Center and the District of Columbia Nurses Association Emergency Declaration Resolution of 2018”.

Sec. 2. (a) There exists an immediate need to approve the compensation collective bargaining agreement (“agreement”) for the nurses employed by the Not-for-Profit Hospital Corporation - United Medical Center (“UMC”) and represented by the District of Columbia Nurses Association (“DCNA”).

(b) The agreement for the UMC nurses represented by DCNA requires an increase in compensation rates over a period of 5 years. Pursuant to the terms of the agreement, the compensation increase for Fiscal Year 2014 includes an increase of 1% in each bargaining unit member’s gross salary, in addition to a 1% bonus. Thereafter, the agreement provides for an annual wage increase of 2%, with each increase set to occur on the first full pay period of the Fiscal Year, beginning on or after October 1 of each year for Fiscal Years 2015 through 2018, an amount which will, in large part, be paid retroactively.

(c) It is important that the DCNA nurses receive the payments for prior years, and the pay increase for the current year, on an expedited basis, so that they may realize the benefits of the terms of the agreement.

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 Collective Bargaining Agreement between the Not-for-Profit Hospital Corporation - United Medical Center and the District of Columbia Nurses Association Emergency Approval Resolution of 2018 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

## ENROLLED ORIGINAL

## A RESOLUTION

22-473

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 10, 2018

To approve, on an emergency basis, the compensation collective bargaining agreement submitted by the Not-for-Profit Hospital Corporation for nurses employed by the Not-for-Profit Hospital Corporation - United Medical Center and represented by the District of Columbia Nurses Association.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Collective Bargaining Agreement between the Not-for-Profit Hospital Corporation - United Medical Center and the District of Columbia Nurses Association Emergency Approval Resolution of 2018”.

Sec. 2. Pursuant to section 1717(j) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-617.17(j)), the Council of the District of Columbia approves the compensation collective bargaining agreement, including the related pay schedules, between the Not-for-Profit Hospital Corporation - United Medical Center and the District of Columbia Nurses Association, which was transmitted to the Council by the Not-for-Profit Hospital Corporation on March 23, 2018.

Sec. 3. Transmittal.

The Council shall transmit a copy of this resolution, upon its adoption, to the Not-for-Profit Hospital Corporation and the District of Columbia Nurses Association.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

This resolution shall take effect immediately.

ENROLLED ORIGINAL

## A RESOLUTION

22-474

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 10, 2018

To declare the existence of an emergency with respect to the need to approve the District of Columbia's dedicated funding commitment to the Washington Metropolitan Area Transit Authority.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Dedicated Funding for the Washington Metropolitan Area Transit Authority Emergency Declaration Resolution of 2018".

Sec. 2. (a) Recent recommendations, including a 2017 study by former U.S. Transportation Secretary Ray LaHood, recommend that the District, Virginia, and Maryland together provide an annual dedicated amount to total \$500 million to the Washington Metropolitan Area Transit Authority ("WMATA") for capital costs.

(b) On March 10, 2018, the Virginia General Assembly passed legislation that will provide a dedicated funding source of \$154.5 million beginning July 2019 (Fiscal Year 2020) for WMATA's safety and reliability programs. Final approval is slated for April 14, 2018.

(c) The Maryland General Assembly has approved legislation for \$167 million a year dedicated funding commitment.

(d) Mayor Bowser, in her Fiscal Year 2019 budget and financial plan, which was transmitted to the Council on March 21, 2018, included authority and approval of the District's \$178.5 million contribution.

(e) The District's Fiscal Year 2019 budget review process will not be completed until June 2018. Emergency legislation is necessary to reinforce the District's contribution of \$178.5 million a year dedicated funding commitment at the same time as Virginia and Maryland.

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 Dedicated Funding for the Washington Metropolitan Area Transit Authority Emergency Act of 2018 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

## A RESOLUTION

22-475

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 10, 2018

To declare the existence of an emergency with respect to the need to officially designate the school in Lot 822 in Square 5561, bounded by Nicholson Street, S.E., Prout Street, S.E., 22nd Street, S.E., and Minnesota Avenue, S.E., in Ward 8, as Lawrence E. Boone Elementary School.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Lawrence E. Boone Elementary School Designation Emergency Declaration Resolution of 2018”.

Sec. 2. (a) There exists an immediate need to officially designate the school in Lot 822 in Square 5561, bounded by Nicholson Street, S.E., Prout Street, S.E., 22nd Street, S.E., and Minnesota Avenue, S.E., as “Lawrence E. Boone Elementary School”.

(b) After collaborating with students, parents, and community members, the District of Columbia Public Schools found it fitting to re-designate Orr Elementary School as Lawrence E. Boone Elementary School.

(c) The new designation will honor the late Mr. Lawrence E. Boone who served as principal to Orr Elementary School for 23 years and was a pillar in the Anacostia community.

(d) The new Lawrence E. Boone Elementary School is currently under construction and on schedule to open in August 2018.

(e) Bill 22-538, the Lawrence E. Boone Elementary School Designation Act of 2018 is currently under review by the Council. However, to guarantee that the school signage will be installed before the school opens in August 2018, it is necessary to designate the school as “Lawrence E. Boone Elementary School” as soon as possible.

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 Lawrence E. Boone Elementary School Designation Emergency Act of 2018 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

## A RESOLUTION

22-476

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 10, 2018

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

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Medical Marijuana Certified Business Enterprise Preference Emergency Declaration Resolution of 2018”.

Sec. 2. (a) In 2017, the Council, on an emergency and temporary basis, amended the Legalization of Marijuana for Medical Treatment Initiative of 1999, effective July 27, 2010 (D.C. Law 18-210; D.C. Official Code § 7-1671.01 *et seq.*), to provide that a certified business enterprise be awarded preference points in an application for registration of a dispensary, cultivation center, or testing laboratory.

(b) The Medical Marijuana Certified Business Enterprise Preference Temporary Amendment Act of 2017, effective September 6, 2017 (D.C. Law 22-18; 64 DCR 6715) (“temporary legislation”), expires on April 19, 2018.

(c) Permanent legislation, which has been introduced and referred to the Committee on Business and Economic Development for further action, will not be law before the expiration of the temporary legislation.

(d) It is important the provisions of the temporary legislation continue in effect, without interruption, until permanent law is in effect.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Medical Marijuana Certified Business Enterprise Preference Emergency Amendment Act of 2018 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

## A RESOLUTION

22-477

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 10, 2018

To declare the existence of an emergency with respect to the need to order the closing of a portion of the public alley system in Square 748, bounded by 3rd Street, N.E., L Street, N.E., 2nd Street, N.E., Delaware Avenue, N.E., and M Street, N.E., in Ward 6.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Closing of a Public Alley in Square 748, S.O. 16-21105, Emergency Declaration Resolution of 2018”.

Sec. 2. (a) There exists an immediate need to approve emergency legislation to close a portion of the public alley system in Square 748.

(b) JS Congress Holdings, LLC (“the Applicant”) owns an adjacent property located at 1109 Congress Street, N.E., in Ward 6. The Applicant’s property includes Lots 78 and 819; the proposed portion of the alley to be closed abuts Lot 819, 78, and 72.

(c) The north half of Square 748 is occupied by the Uline Arena. On the southeast portion of the square, there are 7 rowhouses fronting 3rd Street, N.E. There also are 2 vacant parcels at the corner of 3rd and L Streets, N.E. The interior L-shaped alley system is approximately 9-feet-wide and terminates in a dead-end. The east-west leg of the alley, consisting of 675 square feet, is the portion proposed to be closed.

(d) The Applicant intends to develop a mixed-use project that includes 64 residential units and up to 4,000 square feet of retail and makers space. As part of the development plan, the Applicant will grant a 15-foot-wide public access easement to replace the proposed alley closure, 40 feet to the east.

(e) A permanent version of this legislation was approved at first reading on March 6, 2018. Making the closing effective sooner than congressional review otherwise would allow will enable the project to proceed without the risk of delay.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Closing of a Public Alley in Square 748, S.O. 16-21105, Emergency Act of 2018 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

## A RESOLUTION

22-478

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 10, 2018

To declare the existence of an emergency with respect to the need to officially designate the park in Lot 68 in Square 749, bounded by L Street, N.E., 2nd Street, N.E., K Street, N.E., and 3rd Street, N.E., in Ward 6, as Swampoodle Park.

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

Sec. 2. (a) There exists an immediate need to officially designate the park in Lot 68 in Square 749, bounded by L Street, N.E., 2nd Street, N.E., K Street, N.E., and 3rd Street, N.E., in Ward 6, as “Swampoodle Park”.

(b) Beginning in 2014, the NOMA Parks Foundation partnered with the District Department of Parks and Recreation to create an 8,300-square-foot community park located at L Street, N.E. and 3rd Street, N.E., in the NOMA Neighborhood.

(c) After an engaging public process facilitated by the NOMA BID and NOMA Parks Foundation, the community selected the name “Swampoodle Park” for the unnamed park to pay homage to the neighborhood’s history.

(d) Construction of the park began in late 2017 and will be complete by April 2018.

(e) Bill 22-629, the Swampoodle Park Designation Act of 2018, is currently under review by the Council. However, to guarantee that the park signage will be installed before the park opens in mid-April 2018, it is necessary to designate the park as “Swampoodle Park” as soon as possible.

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 Swampoodle Park Designation Emergency Act of 2018 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.



ENROLLED ORIGINAL

A RESOLUTION

22-479

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 10, 2018

To declare the existence of an emergency with respect to the need to officially designate the entire portion of the public alley system within Square 1043, bounded by 13th Street, S.E., Pennsylvania Avenue, S.E., G Street, S.E., 14th Street, S.E., and E Street, S.E., in Ward 6, as Watkins Alley.

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

Sec. 2. (a) There exists an immediate need to officially designate the entire portion of the alley system within Square 1043, bounded by 13th Street, S.E., Pennsylvania Avenue, S.E., G Street, S.E., 14th Street, S.E., and E Street, S.E., as “Watkins Alley”.

(b) The purpose of the proposed alley designation is to permit the initiator, E Street LLC, to obtain a building permit to construct a townhouse on an interior lot within Square 1043 in accordance with the Zoning Commission’s approval of E Street LLC’s residential development project.

(c) Currently, the Department of Consumer and Regulatory Affairs will not issue a building permit to construct a residence on a property without an address, and an address cannot be assigned for a property on an unnamed alley.

(d) Abutting neighbors have expressed support of the designation as a result of E Street LLC’s continued efforts to engage with the community over the past 3 years.

(e) Officially designating the entire portion of the public alley system in Square 1043 as “Watkins Alley” will facilitate the assignment of addresses to properties located on the unnamed alley and honor the neighborhood’s history.

(f) Bill 22-538, the Watkins Alley Designation Act of 2018, is currently under review by the Council. However, to avoid extension of the delay in naming this alley and to permit development on the alley, it is necessary to officially designate the alley as “Watkins Alley” as soon as possible.

**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 Watkins Alley Designation Emergency Act of 2018 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

## A RESOLUTION

22-480

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 10, 2018

To declare the existence of an emergency with respect to the need to create an exemption to the 400-foot restriction for applications for on-premises retailer’s licenses, class CT, DT, CX, and DX, and off-premises retailer licenses, class A and B, for the Southwest Waterfront area.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Southwest Waterfront Exemption Emergency Declaration Resolution of 2018”.

Sec. 2. (a) Section 25-314(b) of Title 25 of the District of Columbia Official Code prohibits the issuance of on-premises retailer licenses, class CT, DT, CX, and DX and off-premises retailer’s licenses, class A and B, that will be located within 400 feet of a public, private, parochial primary, elementary, or high school, a college or university, or a recreation area operated by the Department of Parks and Recreation.

(b) On June 27, 2017, the Council enacted the Southwest Waterfront Exemption Emergency Amendment Act of 2017, effective July 13, 2017 (D.C. Act 22-103; 64 DCR 6719) (“Emergency Act”), which created an exemption to the 400-foot rule for on-premises retailer licenses, class CT, DT, CX, and DT and off-premises retailer licenses, class A and B, seeking to operate in the Mixed Use-12 Zone, Square 473. The Emergency Act expired on October 11, 2017.

(c) On July 11, 2017, the Council enacted the Southwest Waterfront Exemption Temporary Amendment Act of 2017, effective September 20, 2017 (D.C. Law 22-20; 64 DCR 7424) (“Temporary Act”). As did the Emergency Act, the Temporary Act creates an exemption to the 400-foot rule for on-premises retailer licenses, class CT, DT, CX, and DT and off-premises retailer licenses, class A and B, seeking to operate in the Mixed Use-12 Zone, Square 473. The Temporary Act will expire on May 3, 2018.

(d) A permanent amendment to D.C. Official Code § 25-314(b) creating the same exemption is included in the Omnibus Alcoholic Beverage Amendment Act of 2017, as introduced on October 25, 2018 (Bill 22-537) (“permanent legislation”), which is currently under review by the Council. The Temporary Act, however, will expire before the permanent legislation becomes law, thereby necessitating emergency Council action.

(e) In addition, since the adoption of the Temporary Act, the Alcoholic Beverage Control

**ENROLLED ORIGINAL**

Board (“Board”) has approved an increasing number of applications for on-premises retailer licenses, class CT, DT, CX, and DX and off-premises retailer licenses, class A and B, seeking to operate in the Mixed Use-12 Zone, Square 473, and it is anticipated that this trend will continue. For the Board to continue to process and approve similar license applications while the permanent legislation completes its review by the Council and then Congress, emergency legislation is needed to keep the exemption created by the Emergency Act and Temporary Act in effect.

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 Southwest Waterfront Exemption Emergency Amendment Act of 2018 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

## A CEREMONIAL RESOLUTION

22-264

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 6, 2018

To recognize and honor the Boy Scouts of America for 108 years of service and to declare February 8, 2018 as “National Boy Scouts Day” in the District of Columbia.

WHEREAS, on February 8, 1910, Chicago publisher William Dickson Boyce filed incorporation papers in the District of Columbia to create the Boy Scouts of America;

WHEREAS, in 1916, the United States Congress granted the Boy Scouts of America a federal charter;

WHEREAS, the Boy Scouts of America is committed to helping millions of youth succeed by providing support, friendship, and mentoring;

WHEREAS, since its creation in 1910, more than 110 million Americans have been participants in Boy Scouts of America programs;

WHEREAS, the Boy Scouts of America have helped develop leaders across the United States and former scouts have gone on to become leaders in all fields, including such notables as astronaut Neil Armstrong, Reverend Dr. Martin Luther King, Jr., and Presidents Gerald Ford, George W. Bush, Bill Clinton, John F. Kennedy, and Barack Obama;

WHEREAS, the National Capital Area Council, founded in 1911, serves 10 counties in Northern Virginia, 6 counties in Maryland, the District of Columbia, and the U.S. Virgin Islands, and is one of the largest councils in the country;

WHEREAS, Troop 100, "The Century Troop," was chartered on February 1, 1918, and is the oldest Boy Scout Troop in Washington, D.C.;

WHEREAS, the Washington, DC District has 54 scouting units serving over 1,290 youth across the District of Columbia; and

**ENROLLED ORIGINAL**

WHEREAS, the Boy Scouts of America has been an integral part of communities across the United States and the District and continues to prepare youth to participate and provide leadership in American society through active civic engagement.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “National Boy Scouts Day Recognition Resolution of 2018”.

Sec. 2. The Council of the District of Columbia recognizes and supports the Boy Scouts of America for being at the forefront of instilling timeless values in youth since its founding in 1910, its more than 100 years of service, and its continued commitment and dedication to America’s youth.

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

## A CEREMONIAL RESOLUTION

22-265

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 6, 2018

To gratefully honor *The Georgetown* newspaper and publisher Sonya Bernhardt on the occasion of her 20th anniversary as publisher.

WHEREAS, as publisher of *The Georgetown* since February 20, 1998, Sonya Bernhardt has led the bi-weekly newspaper whose “influence far exceeds its size” covering the Georgetown lifestyle, arts, real estate, beauty, fashion, social events, dining, and opinions;

WHEREAS, Sonya Bernhardt has ensured that *The Georgetown*, with a current circulation of 40,000, has been a meaningful cultural asset for the District of Columbia, Maryland, and Virginia since its founding in 1954; and

WHEREAS, Sonya Bernhardt has contributed to the growth and vitality of Georgetown shops, services, parks, hotels, restaurants, educational institutions, places of worship, and real estate as the village has flourished and changed, but remained an essential component of our nations’ capital, over the past 20 years.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Sonya Bernhardt Georgetown Recognition Resolution of 2018”.

Sec. 2. The Council of the District of Columbia recognizes, honors, and salutes Sonya Bernhardt for her 20 years of transformational leadership and her assiduous stewardship of a treasure of Georgetown culture, thanks her for her work on behalf of the Georgetown residents, businesses, institutions, and visitors, and extends its sincerest best wishes.

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

**ENROLLED ORIGINAL**

A CEREMONIAL RESOLUTION

22-266

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 6, 2018

To recognize and honor the Good Neighbors Capitol Hill Interfaith Refugee Resettlement Project for its volunteer efforts to resettle refugee families from Afghanistan.

WHEREAS, the Good Neighbors Capitol Hill Refugee Resettlement Project is comprised of 7 Capitol Hill-based congregations, including Capitol Hill Presbyterian Church, Capitol Hill United Methodist Church, Capitol Hill Ward of the Latter Day Saints, Christ Church Episcopal, Hill Havurah, Lutheran Church of the Reformation, and St. Mark’s Episcopal Church;

WHEREAS, the Good Neighbors Capitol Hill Refugee Resettlement Project emerged from discussions among concerned members of 7 Capitol Hill faith communities;

WHEREAS, the Good Neighbors Capitol Hill Refugee Resettlement Project’s first family arrived 3 days before the current U.S. President took office;

WHEREAS, the Good Neighbors Capitol Hill Refugee Resettlement Project has assisted one family per month for a total of 13 families to date;

WHEREAS, the Good Neighbors Capitol Hill Refugee Resettlement Project has and will continue to provide assistance, including rental assistance, furnishing apartments, stocking pantries with food and supplies, helping enroll and acclimating children in school, assisting with developing English skills, accompanying individuals and families to medical appointments, advocating for access to healthcare, facilitating financial education, support for employment preparation and job searches, arranging for transportation, including car purchases, using public transportation, and assisting with driver’s tests, helping these families learn more about their new community, and raising funds to sustain their support for these families;

WHEREAS, the Good Neighbors Capitol Hill Refugee Resettlement Project has provided one family with particular needs with ongoing financial, emotional, and practical assistance for at least a full calendar year; and



**ENROLLED ORIGINAL**

WHEREAS, the Good Neighbors Capitol Hill Refugee Resettlement Project is strictly dependent on the time, energy, and good will of the dedicated volunteer members of Capitol Hill Presbyterian Church, Capitol Hill United Methodist Church, Capitol Hill Ward of the Latter Day Saints, Christ Church Episcopal, Hill Havurah, Lutheran Church of the Reformation, and St. Mark’s Episcopal Church.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Good Neighbors Capitol Hill Refugee Resettlement Project Recognition Resolution of 2018”.

Sec. 2. The Council of the District of Columbia acknowledges and honors the Good Neighbors Capitol Hill Refugee Resettlement Project’s commitment and service to these refugees and their families.

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

## ENROLLED ORIGINAL

## A CEREMONIAL RESOLUTION

22-267

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 6, 2018

To recognize and honor Barbara Adams Mowat for her remarkable contributions as a Shakespeare scholar with the Folger Shakespeare Library on Capitol Hill and the international Shakespeare literary community.

WHEREAS, Barbara Adams Mowat was born in Eufaula, Alabama on January 29, 1934;

WHEREAS, Barbara Adams Mowat earned a bachelor's degree from Auburn University in Mathematics;

WHEREAS, Barbara Adams Mowat did graduate work in Innsbruck, Austria, studying the philosophy of science on a Fulbright scholarship, where she discovered that "what I truly loved doing was reading and that I could make a living doing just that";

WHEREAS, Barbara Adams Mowat earned a master's degree in English from the University of Virginia, working with the eminent Shakespeare scholar Fredson Bowers, where she discovered that "studying Shakespeare was where I belonged";

WHEREAS, Barbara Adams Mowat received a doctorate from Auburn University, where she later taught;

WHEREAS, Barbara Adams Mowat was best known for her work of over 20 years as Editor with Paul Werstine of the Folger Shakespeare Library Editions of Shakespeare's works;

WHEREAS, to date, more than 17 million copies of these books have been sold in all formats and the editions have become the leading choice for American high-school students;

WHEREAS, in recent years, Barbara Adams Mowat has helped guide the creation of the Folger Digital Texts from the Shakespeare Library Editions;

## ENROLLED ORIGINAL

WHEREAS, Barbara Adams Mowat was Consulting Editor and Editor at *Shakespeare Quarterly*, Director of Research at the Folger Shakespeare Library, and Chair of the Folger Institute; and

WHEREAS, Barbara Adams Mowat was President of the Shakespeare Association and of the Southeast Renaissance Conference, as well as Chair of the MLA Committee on the New Variorum Shakespeare and member of the Advisory Board of the International Shakespeare Conference in Stratford-upon-Avon.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Barbara Adams Mowat Recognition Resolution of 2018”.

Sec. 2. The Council of the District of Columbia acknowledges and honors Barbara Adams Mowat

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

22-268

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 6, 2018

To posthumously honor the life and legacy of George W. Fenderson, a 64-year Petworth resident, for his outstanding achievements and lifelong dedication to the District of Columbia and Ward 4.

WHEREAS, George W. Fenderson was born in Morehead City, North Carolina on December 26, 1925 to Herbert and Mary Fenderson;

WHEREAS, as a child, George W. Fenderson moved to the District and attended Slater Langston Elementary School, Terrell Junior High School, and Armstrong High School;

WHEREAS, George W. Fenderson completed coursework at Howard University, the University of the District of Columbia, and the Graduate School of Agriculture;

WHEREAS, George W. Fenderson served proudly in the United States Navy;

WHEREAS, George W. Fenderson had a long career in computer technology, dedicating over 30 years of service to the District and federal governments, and retired from the Metropolitan Police Department in 1988;

WHEREAS, George W. Fenderson also was a taxicab operator, with over 50 years of experience in the industry;

WHEREAS, George W. Fenderson’s favorite part of being a taxicab operator was meeting and talking to the eclectic and unique passengers that the District draws in, including diplomats;

WHEREAS, George W. Fenderson lived in the Petworth neighborhood, located in Ward 4, for 64 years;

WHEREAS, as a longtime Ward 4 resident, George W. Fenderson was an active member of, and advocate for, the Ward 4 community, including serving as chairman of the Fourth Police

**ENROLLED ORIGINAL**

District Citizens Advisory Committee, serving as Ward 4 representative to the DC Democratic State Committee, assisting in the campaigns of several Ward 4 Councilmembers, working with the Ward 4 Council office to identify and address problems in the community, and being elected as the President of the Ward 4 Democrats;

WHEREAS, during his tenure as President of the Ward 4 Democrats, George W. Fenderson increased meeting attendance and organization participation significantly, engaging hundreds of residents;

WHEREAS, George W. Fenderson was a member of multiple community-based and national organizations, including WISE-UP, the National Association for the Advancement of Colored People, People United for Better Government, and the Turner Memorial AME Church;

WHEREAS, George W. Fenderson was actively engaged as a member of several boards, commissions, and councils, such as the Community Health Partnership Corporation, the Metropolitan Police Department Chief of Police Citizens Advisory Council, the DC Taxicab Commission, the DC Democratic State Committee, the Board of Directors of the Washington Economic Development Corporation, and the Board of Directors of the Minority Metropolitan Liquor Dealers Association, on many of which he also held leadership positions;

WHEREAS, in his free time, George W. Fenderson enjoyed dancing, watching the Redskins, attending family gatherings, and phone calls with his daughter about their favorite television programs;

WHEREAS, George W. Fenderson was President of the DC Amateur Football League, and fought to ensure that the football players received free medical examinations;

WHEREAS, on February 12, 2018, George W. Fenderson passed away leaving behind a great legacy of civic engagement and public service, a community forever benefitted by his contributions, and a loving family with their hearts and minds full of memories; and

WHEREAS, George W. Fenderson was predeceased by his wife, Gloria Fenderson, and is survived by his 2 children, Renetta Ceasar and Kenneth Fenderson, and his grandchildren.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “George W. Fenderson Posthumous Recognition Resolution of 2018”.

**ENROLLED ORIGINAL**

Sec. 2. The Council of the District of Columbia posthumously honors and celebrates the life of George W. Fenderson for his outstanding achievements and steadfast dedication to serving the District of Columbia and Ward 4.

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

22-269

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 6, 2018

To honor the Capitol Hill Business Improvement District on the occasion of its 15th anniversary and to recognize the dedication and commitment of its President, Patty Brosmer, for her service to the Capitol Hill community.

WHEREAS, the Capitol Hill Business Improvement District (“Capitol Hill BID”), having been the first of its kind in the District of Columbia, has served as a model nonprofit organization dedicated to making Capitol Hill clean and safe;

WHEREAS, the Capitol Hill BID area includes Eastern Market and the District’s oldest commercial corridor, known as Barracks Row, and is adjacent to world-famous landmarks such as the United States Capitol, Union Station, the United States Supreme Court, and the Library of Congress;

WHEREAS, the Capitol Hill BID is led by a 22-member Board of Directors, representing a cross section of Capitol Hill stakeholders, including business owners, property owners, cultural and nonprofit organizations, and elected officials;

WHEREAS, the mission of the Capitol Hill BID is focused on maintaining and beautifying Capitol Hill’s commercial streets and sidewalks, and supporting local businesses by creating a clean and vibrant environment;

WHEREAS, the Capitol Hill BID has had an important impact on the renaissance of our Capitol Hill neighborhood, especially the commercial corridor;

WHEREAS, the Capitol Hill BID’s signature program, Ready, Willing and Working (“RWW”), instituted by Patty Brosmer, provides top-quality street cleaning services throughout the BID, and other commercial corridors throughout the city;

WHEREAS, RWW employs more than 50 individuals throughout the District of Columbia who were once homeless or formerly incarcerated;

**ENROLLED ORIGINAL**

WHEREAS, RWW provides a holistic approach and supportive services that allow participants to achieve permanent self-sufficiency;

WHEREAS, 70% of participants from RWW remain employed, independently housed, and free citizens; and

WHEREAS, the District of Columbia and the Council of the District of Columbia are privileged and honored to recognize the Capitol Hill Business Improvement District on this, its 15th anniversary.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Capitol Hill Business Improvement District’s 15th Anniversary Recognition Resolution of 2018”.

Sec. 2. The Council of the District of Columbia recognizes the Capitol Hill Business Improvement District for its commitment to the District of Columbia.

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.



ENROLLED ORIGINAL

## A CEREMONIAL RESOLUTION

22-270

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 6, 2018

To recognize and honor N Street Village for its many contributions to the citizens and the city of Washington, D.C. and congratulate it as it celebrates 45 years of service.

WHEREAS, N Street Village was founded in 1972;

WHEREAS, N Street Village is a community of empowerment and recovery for homeless and low-income women in Washington, D.C. with comprehensive services addressing both emergency and long-term needs;

WHEREAS, N Street Village helps women achieve personal stability and make gains in their housing, income, employment, mental health, physical health and addiction recovery;

WHEREAS, over the last 45 years, N Street Village has grown to become the largest provider specializing in supportive services and housing for homeless and low-income women in the District of Columbia;

WHEREAS, N Street Village is the only provider of women's wrap-around and emergency services, open 24 hours a day, 7 days a week, 365 days a year; and

WHEREAS, last year, N Street Village served nearly 2,000 women and provided housing for triple the number of women that it was annually serving a decade ago.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "N Street Village 45th Anniversary Recognition Resolution of 2018".

Sec. 2. The Council of the District of Columbia recognizes and honors N Street Village for its many contributions to the citizens and the city of Washington, D.C. and congratulates it as it celebrates 45 years of service.

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

## A CEREMONIAL RESOLUTION

22-271

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 6, 2018

To recognize, honor and express our gratitude to Officer Antonial Atkins, for his untiring dedication and service to the residents of the District of Columbia on the occasion of his retirement and to declare March 2, 2018 as “Officer Antonial Atkins Day” in the District of Columbia.

WHEREAS, Officer Antonia Atkins was appointed to the Metropolitan Police Department on October 10, 1989 serving the residents of the District of Columbia;

WHEREAS, Officer Antonial Atkins has 28 years of esteemed service on the Metropolitan Police Department;

WHEREAS, Officer Antonial Atkins has been a stalwart in the Georgetown Community, providing safety and gaining the respect and trust of residents for over a decade;

WHEREAS, Officer Antonial Atkins has worked to enhance the relationships between the police and the many diverse communities within the District of Columbia;

WHEREAS, Officer Antonial Atkins received outstanding reviews on his annual performance evaluations;

WHEREAS, Officer Antonial Atkins wore badge number 3390 throughout his career;

WHEREAS, Officer Antonial Atkins received 4 Crime Reduction Awards throughout his esteemed career.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Officer Antonial Atkins Recognition Resolution of 2018”.

Sec. 2. The Council of the District of Columbia recognizes, honors and appreciates Officer Antonial Atkins for his stellar service to the residents of the District of Columbia and declares March 2, 2018 as “Officer Antonial Atkins Day” in the District of Columbia.

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

## A CEREMONIAL RESOLUTION

22-272

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 6, 2018

To declare March 2, 2018 as “Employee Appreciation Day” in the District of Columbia.

WHEREAS, the workforce of the District of Columbia is composed of 400,800 of dedicated and diverse employees;

WHEREAS, the workforce of the District of Columbia, through its hard work and service, is significantly contributing to the economic vitality of Washington, D.C.;

WHEREAS, the essential services that District employees provide make a difference every day and enhance the quality of life for those who live, work in, or visit Washington, D.C.; and

WHEREAS, on the first Friday in March, March 2, 2018, the residents, business community, government agencies, and organizations of Washington, D.C. will honor the workforce of Washington, D.C. on Employee Appreciation Day.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Employee Appreciation Day Recognition Resolution of 2018”.

Sec. 2. The Council of the District of Columbia recognizes and honors the contributions and achievements of the workforce of Washington, D.C. and declares March 2, 2018 as “Employee Appreciation Day” in the District of Columbia.

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

22-273

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 6, 2018

To declare the month of April 2018 as “Second Chance Month” in the District of Columbia.

WHEREAS, every person is endowed with human dignity and value;

WHEREAS, redemption and compassion are American and District values;

WHEREAS, an estimated 70 million Americans possess a criminal record;

WHEREAS, returning citizens account for one in 10 District residents;

WHEREAS, individuals with a criminal record often face significant barriers, also known as collateral consequences, when reintegrating into society;

WHEREAS, the District has a unique relationship with the federal government, such that adults who are convicted of District felony offenses are sent to Bureau of Prisons facilities across the country;

WHEREAS, District residents who are in Bureau of Prisons facilities may be hundreds of miles away from their families and disconnected from District services, thus exacerbating the collateral consequences they face when returning to the District;

WHEREAS, many of these collateral consequences are automatic and do not consider the severity of the offense committed, the time elapsed since its commission, the individual’s efforts to make amends and regain the public’s trust, or whether the consequence has a proven public safety benefit;

WHEREAS, obtaining meaningful employment is one of the most significant barriers to reducing recidivism and ultimately increasing public safety;

WHEREAS, 65% of all jobs in the American economy are predicted to require postsecondary education and training beyond high school by 2020;

## ENROLLED ORIGINAL

WHEREAS, housing is an additional obstacle for returning citizens, as the District is one of the most expensive jurisdictions in which to live, and public housing options are limited;

WHEREAS, in recent years, the Council has passed groundbreaking legislation designed to reduce barriers to employment and housing for individuals with criminal records, including the Fair Criminal Record Screening Amendment Act of 2014 and the Fair Criminal Record Screening for Housing Act of 2016;

WHEREAS, the Council is currently considering several measures to reform the District’s sealing and expungement laws to allow District residents with arrest records and criminal convictions to move forward in their lives; and

WHEREAS, the designation of April as Second Chance Month will increase public awareness about the challenges faced by those who have paid their debt to society, and opportunities for individuals, employers, housing providers, congregations, and communities to extend second chances.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Second Chance Month Recognition Resolution of 2018”.

Sec. 2. The Council of the District of Columbia declares the month of April 2018 as “Second Chance Month” in the District of Columbia.

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

## A CEREMONIAL RESOLUTION

22-274

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 6, 2018

To posthumously recognize and honor Peggy Cooper Cafritz for her tireless contributions to the preservation of African and African American art and the cultivation of the artistic community in the District of Columbia and beyond.

WHEREAS, Peggy Cooper Cafritz was born in Mobile, Alabama, on April 7, 1947, and moved to the District of Columbia in the fall of 1964 to attend the George Washington University, where she was instrumental in establishing the Black Student Union and the integration of Greek letter organizations on campus;

WHEREAS, Peggy Cooper Cafritz completed her baccalaureate degree in 1968 and earned a law degree in 1971 from the George Washington University;

WHEREAS, Peggy Cooper Cafritz, at the culmination of her academic career, established the Summer Workshop for Careers in the Arts—a summer program centered on exposing high school students to career paths in the arts;

WHEREAS, Peggy Cooper Cafritz, driven by her lifelong passion to make high-quality arts and academic education accessible to all high school students throughout the District, partnered with the George Washington University, representatives from the John F. Kennedy Center for the Performing Arts, and District of Columbia Public Schools to found the nationally renowned Duke Ellington School of the Arts;

WHEREAS, Duke Ellington School of the Arts has produced numerous prominent artists, including Dave Chappelle, Micaela Angela Davis, Clifton Powell, Denyce Graves, and many others;

WHEREAS, Peggy Cooper Cafritz used her personal wealth to amass one of the largest collections of African and African American art in the country, as well as foster the development of contemporary African and African American artists;

## ENROLLED ORIGINAL

WHEREAS, Peggy Cooper Cafritz, personally mentored dozens of young people in the District and across the country, donating her time and financial resources to provide these young people with the holistic support they needed to pursue their personal and career aspirations;

WHEREAS, Peggy Cooper Cafritz devoted herself to increasing access and fostering meaningful connections between the District’s artistic and civic communities through serving as chairman emeritus of the D.C. Commission on the Arts and Humanities, co-chair of a Smithsonian Institution’s Cultural Equity Committee, a board member of the John F. Kennedy Center for the Performing Arts and other arts institutions, and 6 years as President of the District of Columbia School Board;

WHEREAS, Peggy Cooper Cafritz passed away on February 18, 2018; and

WHEREAS, Peggy Cooper Cafritz is survived by her daughter, Arcelie Reyes, and her sons, Zachary and Cooper Cafritz.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Peggy Cooper Cafritz Recognition Resolution of 2018”.

Sec. 2. The Council of the District of Columbia posthumously recognizes and honors Peggy Cooper Cafritz for her decades of service and commitment to the arts and civic communities of the District of Columbia.

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

22-275

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 6, 2018

To posthumously celebrate and honor the life of Royal R. Robinson, Jr.

WHEREAS, Royal R. Robinson, Jr. grew up in a working-class neighborhood in Northeast, Washington, D.C.;

WHEREAS, Royal R. Robinson, Jr. stood as a beacon helping to constructively guide the growth of youth on 5th Street, N.E., keeping them out of harm’s way;

WHEREAS, Royal R. Robinson, Jr. wisely emphasized to those he mentored what it meant to work for and earn something, a lesson that many learned and followed well into their adult lives;

WHEREAS, Royal R. Robinson, Jr. was a great basketball player, first at Armstrong High School, and later in college, who helped to teach others the skills he acquired, facilitating some to become accomplished athletes at the high school and then at the university level;

WHEREAS, Royal R. Robinson, Jr. unselfishly supported and expressed his pride in the accomplishments of those he mentored, often reaching out to let them know how proud he was, helping them where he could;

WHEREAS, Royal R. Robinson, Jr., through his presence and character, was the mortar bonding people together;

WHEREAS, Royal R. Robinson, Jr. passed away peacefully in his sleep on Monday, December 18, 2017; and

WHEREAS, Royal R. Robinson, Jr. leaves a legacy of strength and resolve and an indomitable spirit that with commitment and hard work, things will continue to get better.



**ENROLLED ORIGINAL**

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Royal R. Robinson, Jr. Recognition Resolution of 2018”.

Sec. 2. The Council of the District of Columbia joins those who were the beneficiaries of his unmatched human gifts in celebrating the life of Royal R. Robinson, Jr. and the powerful positive impact he had on the lives of so many Washingtonians.

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

## A CEREMONIAL RESOLUTION

22-276

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 6, 2018

To celebrate and recognize the life and career of Idris Bilaal, who served as an integral staffer in the National Aeronautics and Space Administration, Goddard Space Flight Center.

WHEREAS, Idris Bilaal was born on February 14, 1927 at 1154 Fifth Street, N.E., Washington, D.C., the son of Edward Berry, Sr. and Belle Russell Berry;

WHEREAS, Idris Bilaal received his education in the District of Columbia Public Schools system, attending Logan Elementary School, Terrell Junior High School, and Cardozo Senior High School;

WHEREAS, upon graduating from Cardozo Senior High School, Mr. Bilaal entered the United States Army and courageously served for 21 years as a Master Sergeant;

WHEREAS, Mr. Bilaal served fearlessly in 3 major conflicts: World War II, the Korean War, and the Vietnam War;

WHEREAS, Mr. Bilaal later became a technical writer at the Goddard Space Flight Center and was an essential member of the Network Support Team at Goddard Space Flight Center;

WHEREAS, despite racial barriers in our country that were evident during his time, Mr. Bilaal persevered and was able to perform in a fundamental capacity for a vital government agency, the National Aeronautics and Space Administration;

WHEREAS, while working on the Network Support team, Mr. Bilaal was responsible for tracking and communicating with prominent astronauts such as Neil Armstrong and Edwin Eugene (“Buzz”) Aldrin Jr.;

WHEREAS, Mr. Bilaal’s contribution to the revolutionary work of the National Aeronautics and Space Administration displays his high level of expertise as well as his continued dedication to serve his country;

**ENROLLED ORIGINAL**

WHEREAS, Mr. Bilaal subsequently worked as a documentation Engineer at Goddard Space Flight Center, where he provided guidance in tracking satellites;

WHEREAS, following his career in the Space Flight Center, Mr. Bilaal assisted students as a mathematics tutor for several years at Jefferson Junior High School and continues to mentor and encourage students to pursue careers in STEM; and

WHEREAS, although he experienced various obstacles, Mr. Bilaal had a successful career that was centered around aiding his community and the entire nation and is an inspiration to all within his community.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Idris Bilaal Recognition Resolution of 2018”.

Sec. 2. The Council of the District of Columbia celebrates the life and career of Idris Bilaal.

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

## A CEREMONIAL RESOLUTION

22-277

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 6, 2018

To recognize the many contributions of people with developmental disabilities, to emphasize the importance of protecting and providing access, support, and services for people with disabilities, to reaffirm the District’s commitment to protecting its most vulnerable residents, and to declare the month of March 2018, as “Developmental Disabilities Awareness Month” in the District of Columbia.

WHEREAS, developmental disabilities continue to affect more than 7 million Americans and their families;

WHEREAS, persons with a work-limiting disability continue to experience lower average wages, lower employment rates, lower labor market activity, and higher rates of poverty;

WHEREAS, we encourage all citizens to support opportunities for people with developmental disabilities to experience full access to education, housing, employment, recreational activities, and other community resources;

WHEREAS, ensuring the prospect of a fulfilling life for everyone, regardless of disability, requires the continued commitment of our entire community to protecting both access and dignity for people with disabilities;

WHEREAS, the then President of the United States proclaimed the month of March 1987, as the first “Developmental Disabilities Awareness Month”, speaking of the “prospect of a brighter future and greater opportunity” for people with disabilities;

WHEREAS, this month’s theme for Developmental Disabilities Awareness Month is “Our Voices, Our Choices”; and

WHEREAS, March 2018, is the 31th anniversary of the original Developmental Disabilities Awareness Month recognition.

**ENROLLED ORIGINAL**

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Developmental Disabilities Awareness Month Recognition Resolution of 2018”.

Sec. 2. The Council of the District of Columbia recognizes the contributions of people with developmental disabilities and declares the month of March 2018, as “Developmental Disabilities Awareness Month” in the District of Columbia, as a confirmation of the District’s continued support for residents with developmental disabilities and those who support them to achieve their goals.

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

## ENROLLED ORIGINAL

## A CEREMONIAL RESOLUTION

22-278

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 6, 2018

To honor and recognize the Street Law Program at Georgetown University Law School for 45 years of providing law-related education to laypersons in the District of Columbia.

WHEREAS, since 1972, the Georgetown University Law School Street Law Program has trained over 1,300 law students to teach law-related concepts in the District of Columbia public high schools, serving over 35,000 District students;

WHEREAS, in addition to its work in the schools, the Street Law Program teaches practical law to adults and youth in a variety of local settings, including correctional facilities, drug and alcohol treatment centers, homeless shelters, halfway houses, the Department of Corrections Inspired Youth Program, and the D.C. Superior Court Balanced and Restorative Justice Centers;

WHEREAS, the hallmark of the Street Law Program for both law students and the learners they teach is its methodology of highly participatory, interactive, inquiry-based, and experiential instruction to transform the classroom into a model of justice, due process, human rights, and civics;

WHEREAS, as the first program of its kind in the world, the Georgetown Street Law Program set the precedent for the development of other street law programs, of which there are now over 40 such programs nationally and additional programs around the globe;

WHEREAS, the Street Law Program effectively enhances civic participation in the District of Columbia by empowering students with a law-focused education and motivating Georgetown Law School students to be active participants in the local community;

WHEREAS, the Street Law Program supports the high school to law school pipeline in partnership with the Washington Lawyers Committee, pairing a law firm or legal organization

## ENROLLED ORIGINAL

with a high school class, allowing students to learn from practicing attorneys who stimulate their interest in the legal profession and promote positive relationships with local institutions;

WHEREAS, since 2011, the District of Columbia Human Rights Commission has partnered with the Street Law Program to facilitate a capstone project centered around the District of Columbia Human Rights Act and the Universal Declaration of Human Rights, in which hundreds of students participate each year;

WHEREAS, evaluations show that the Street Law Program increases civic knowledge and analytical skills of students;

WHEREAS, every year the program culminates with a mock trial held at the Superior Court of the District of Columbia where hundreds of high school students demonstrate their skills by playing lawyers and witnesses, and are evaluated by practicing attorneys and judges of the District of Columbia courts;

WHEREAS, a number of high school student participants in the program have gone on to become lawyers; and

WHEREAS, the Georgetown University Law School Street Law Program exemplifies the power of civic engagement and strives to strengthen institutions of democratic practice.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Georgetown University Law School Street Law Program Recognition Resolution of 2018”.

Sec. 2. The Council of the District of Columbia honors and recognizes the Street Law Program at Georgetown University Law School for its 45-year history of providing law-related education to laypersons in the District of Columbia.

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

22-279

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 6, 2018

To recognize and honor the Girl Scouts of the United States of America for 106 years of service and to declare March 12, 2018 as “National Girl Scouts Day” in the District of Columbia.

WHEREAS, Girl Scouts of the United States of America was founded on March 12, 1912, by Juliette “Daisy” Gordon Low, when she organized the first troop meeting of 18 girls in Savannah, Georgia;

WHEREAS, Juliette Gordon Low envisioned an organization that would encourage girls to serve their communities, experience the out-of-doors, and have the opportunity to develop self-reliance and resourcefulness;

79

WHEREAS, Girl Scouts of the United States of America was chartered by Congress on March 16, 1950;

WHEREAS, Girl Scouts of the United States of America has grown into a girl-led, inclusive global movement that includes 1.6 million girls ages 5 to 18 years old, 800,000 adults in 92 countries, and more than 50 million alumni;

WHEREAS, the Girl Scouts program focuses on STEM, the outdoors, development of life skills, and entrepreneurship, and the organization helps girls thrive as they develop a strong sense of self, seek challenges and learn from setbacks, display positive values, form and maintain healthy relationships, and identify and solve problems in the community;

WHEREAS, the Girl Scouts of the Nation’s Capital, one of the largest councils in the country, serves over 87,000 members, including over 60,000 girls, in the District of Columbia, 8 counties in Maryland, 10 counties in Virginia, and 7 counties in West Virginia;



**ENROLLED ORIGINAL**

WHEREAS, 351 troops serve nearly 3,000 girls across the District of Columbia; and

WHEREAS, the Girls Scouts of the United States of America has been an integral part of communities across the United States and the District, and continues to build girls of courage, confidence, and character who make the world a better place.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “National Girl Scouts Day Recognition Resolution of 2018”.

Sec. 2. The Council of the District of Columbia declares March 12, 2018 to be “National Girl Scouts Day” in the District of Columbia and recognizes the Girl Scouts of the United States of America for inspiring, challenging, and empowering girls since its founding in 1912, for its more than 100 years of service, and for its continued commitment and dedication to America’s girls.

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

22-280

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 6, 2018

To declare the month of April 2018 as “Sexual Assault Awareness Month” in the District of Columbia, and to urge residents to show their support for victim-survivors and work to prevent sexual assault, abuse, and harassment.

WHEREAS, women-organized protests against sexual violence began in the late 1970s in England with ‘Take Back the Night’ marches in direct response to the violence that women encountered as they walked the streets at night;

WHEREAS, these activities became more coordinated and soon developed into a movement that extended to the United States, and in 1978, the first “Take Back the Night” events in the United States were held in San Francisco and New York City;

WHEREAS, the movement that developed in the United States was also created in the wake of the civil rights movement, which was buoyed by Black women’s activism to disrupt the persistent and systemic sexual violence that they experienced;

WHEREAS, each member of the Washington, D.C., community shares the collective responsibility to promote the health and well-being of District residents by interrupting the cultural norms that allow sexual violence to occur;

WHEREAS, the month of April has been designated as Sexual Assault Awareness Month in the United States and was first observed nationally in April 2001, after the alarming statistics of sexual assaults and underreporting became more apparent;

WHEREAS, sexual assault awareness activities have expanded to include the issue of sexual violence against men and men’s participation in ending sexual violence;

WHEREAS, according to the Department of Justice’s National Crime Victimization Survey, every 98 seconds, someone in the United States is sexually assaulted;

## ENROLLED ORIGINAL

WHEREAS, according to the Centers for Disease Control & Prevention's National Intimate Partner and Sexual Violence Survey, one out of every 5 women has been the victim-survivor of an attempted or completed rape in her lifetime;

WHEREAS, nearly 3 million men in the United States have been the victim-survivors of sexual assault or rape;

WHEREAS, girls 16 to 19 years of age are 4 times more likely than the general population to be victim-survivors of rape, attempted rape, or sexual assault;

WHEREAS, women 18 to 24 years of age who are not in college are 4 times more likely to have experienced sexual violence than women in general;

WHEREAS, only 23% of rape or sexual assaults are reported to the police;

WHEREAS, victim-survivors of sexual assault are 3 times more likely to suffer from depression, 6 times more likely to suffer from post-traumatic stress disorder, 13 times more likely to abuse alcohol, 26 times more likely to abuse drugs, and 4 times more likely to contemplate suicide;

WHEREAS, approximately 70% of sexual assaults are committed by someone known to the victim-survivor, and 45% of rapists are an acquaintance;

WHEREAS, 5% of rapists will reoffend within 3 years, and 24% of rapists will reoffend within 15 years;

WHEREAS, despite the prevalence of sexual violence and its disproportionate effect on at-risk populations, such as the LGBTQ community and victim-survivors with disabilities, sexual violence remains the most underreported crime;

WHEREAS, sexual violence exists on a spectrum of behaviors ranging from verbal harassment to sexual assault, it is imperative to recognize that sexual harassment in the workplace is a pervasive yet often overlooked manifestation of sexual violence;

WHEREAS, sexual harassment in the workplace is a form of discrimination which violates Title VII of the Civil Rights Act of 1964;

## ENROLLED ORIGINAL

WHEREAS, the Equal Employment Opportunity Commission’s Task Force on the Study of Harassment in the Workplace found that 45% of all workplace harassment complaints filed in 2015 were based on sex;

WHEREAS, 70% of people who are sexually harassed in the workplace never file a formal complaint;

WHEREAS, sexual harassment in the workplace has profound financial and social costs;

WHEREAS, sexual harassment victim-survivors exhibit detrimental psychological and physical health effects;

WHEREAS, bystanders to sexual harassment in the workplace are also psychologically impacted, thereby decreasing productivity and increasing staff turnover;

WHEREAS, at least one in 4 children have experienced child neglect or abuse (including physical, emotional, and sexual) at some point in their lives, and one in 7 children have experienced abuse or neglect in the last year;

WHEREAS, adverse childhood experiences like sexual trauma predisposes individuals to inflammatory and autoimmune diseases such as asthma, heart disease, fibromyalgia, Crohn’s disease, type 1 diabetes, and rheumatoid arthritis;

WHEREAS, victim-survivors of childhood sexual abuse experience more depression, obesity, autoimmune diseases, eating disorders, and addictions;

WHEREAS, victim-survivors of child sexual abuse have higher rates of being sexually assaulted again as adults;

WHEREAS, in fact, children who had an experience of rape or attempted rape in their adolescent years are 13.7 times more likely to experience rape or attempted rape in their first year of college; and

WHEREAS, the District of Columbia now joins all 50 states, the territories, and other major cities in recognizing Sexual Assault Awareness Month.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Sexual Assault Awareness Month Recognition Resolution of 2018”.

**ENROLLED ORIGINAL**

Sec. 2. The Council of the District of Columbia recognizes and supports Sexual Assault Awareness Month, urges residents to show their support for victim-survivors and work to prevent sexual assault, abuse, and harassment, and declares the month of April 2018 as “Sexual Assault Awareness Month” in the District of Columbia.

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

## ENROLLED ORIGINAL

## A CEREMONIAL RESOLUTION

22-281

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 6, 2018

To recognize and commemorate the legacy of Harriet Tubman, the abolitionist, heroine, and Underground Railroad conductor, and declare March 10, 2018 as “Harriet Tubman Day” in the District of Columbia.

WHEREAS, Harriet Tubman was born Araminta Harriet Ross to enslaved parents in Maryland in 1820, and successfully escaped the bondage of slavery in 1849;

WHEREAS, after escaping slavery in 1849, Harriet Tubman made 19 trips along the eastern coast of the U.S. and into Canada to rescue hundreds of slaves from slavery;

WHEREAS, Harriet Tubman risked her life and freedom and returned many times to rescue both family members and other slaves from the plantation system;

WHEREAS, Harriet Tubman led hundreds to freedom in the north as the most famous “conductor” on the Underground Railroad, an elaborate network of safe houses organized for that purpose;

WHEREAS, Harriet Tubman became an eloquent and effective speaker on behalf of the movement to abolish slavery;

WHEREAS, Harriet Tubman contributed to the Union cause during the Civil War, serving as a cook, nurse, scout, and a spy;

WHEREAS, on June 2, 1863, Harriet Tubman, under the command of Union Colonel James Montgomery, led 150 black Union soldiers in the Combahee River Raid, which resulted in the liberation of 756 slaves in South Carolina;

WHEREAS, following the Civil War, Harriet Tubman focused her efforts on the women’s rights movement, to promote women’s suffrage;

**ENROLLED ORIGINAL**

WHEREAS, Harriet Tubman continued to care for African Americans through the establishment of the Harriet Tubman Home for the Aged in 1908; and

WHEREAS, Harriet Tubman died in Auburn, New York, on March 10, 1913, leaving a legacy that continues to inspire all people who cherish freedom.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Harriet Tubman Day Recognition Resolution of 2018”.

Sec. 2. The Council of the District of Columbia recognizes and celebrates Harriet Tubman’s life for her extraordinary courage and commitment to freedom and declares March 10, 2018 as “Harriet Tubman Day” in the District of Columbia.

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

22-282

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 6, 2018

To declare March 2018 as “Music In Our Schools Month” in the District of Columbia.

WHEREAS, music is the shared human experience of artistic expression that knows no boundaries of time and place;

WHEREAS, the National Association for Music Education, an organization of more than 75,000 active and retired music teachers and 60,000 honor students, has arranged a variety of musical activities in the name of “Music In Our Schools Month” to be enjoyed by children and adults across the nation;

WHEREAS, Music In Our Schools Month began as a single statewide celebration in 1973, and has grown over the decades to encompass a day, then a week, and then in 1985 to become a month-long celebration of school music;

WHEREAS, the purpose of Music In Our Schools Month is to raise awareness of the importance of music education for all children – and to remind citizens that schools is where all children should have access to music;

WHEREAS, Music in Our Schools Month is now celebrated by hundreds of thousands of children, friends, and families who join to rejoice in the timeless power of music in our schools and in our communities;

WHEREAS, the study of music is basic to the complete education, provides a competitive edge for successful educational reform, engages students in individual and group activity, and develops creativity, problem-solving, and critical and evaluative skills;

WHEREAS, music education engages children in developing proficiencies in creativity, self-expression, problem-solving, and evaluative and mathematical skills;



**ENROLLED ORIGINAL**

WHEREAS, music education helps students acquire skills in production and performance of music, as well as an understanding of history and culture;

WHEREAS, children who study music tend to have larger vocabularies and more advanced reading skills than their peers who do not participate in music lessons;

WHEREAS, Music In Our Schools Month continues to be important because it recognizes the vital role that music education play in the lives of so many young people and the value music education add to our schools and communities; and

WHEREAS, recognizing March as Music In Our Schools Month reaffirms the District’s commitment to supporting music education in the District.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Music In Our Schools Month Recognition Resolution of 2018”.

Sec. 2. The Council of the District of Columbia declares March 2018 as “Music In Our Schools Month” in the District of Columbia, endorses the observance of Music In Our Schools Month as an opportunity to support the purposes and practices of music education, and encourages teachers, students, and all citizens to participate.

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

## A CEREMONIAL RESOLUTION

22-283

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 6, 2018

To recognize the Food Justice & Our Right to Food – The Why Conference occurring March 23 through March 25, 2018.

WHEREAS, the Gray Panthers of Metropolitan Washington for 45 years has played a significant role in social justice, advocating for the interests of seniors and youth, the dispossessed, and those seeking to attain more just treatment through efforts to end homelessness, ensure quality education, fair and respectful treatment for our seniors, universal health care for all, peace, an end to nuclear proliferation, and more;

WHEREAS, since its founds in 1955, the Central NorthEast Civic Association has sought to inform and be informed as good neighbors working to improve and maintain a high quality of civic life, and supporting education, employment, safety, and productive environments for our neighbors and residents;

WHEREAS, on December 2, 1969, at the White House Conference on Food, Nutrition, and Health, then President Richard Nixon remarked that “the moment is at hand to put an end to hunger in America itself,” but nearly 50 years later, one in 7 District households is struggling against hunger;

WHEREAS, a lack of access to healthy food contributes to obesity and poor health outcomes, and the impact of poor and inadequate diets in the United States has resulted in \$220 million in excess health care costs in 2017;

WHEREAS, Wards 7 and 8 have the District’s highest obesity rates, and are the home wards of nearly half of the District’s participants in the federal SNAP and WIC programs;

WHEREAS, Wards 7 and 8 have large food deserts, and in 2016, only 2 of the city’s 49 full-service grocery stores were located in Ward 7 and only one in Ward 8 while wards with higher household incomes had up to 10 full-service stores; and

**ENROLLED ORIGINAL**

WHEREAS, Gray Panthers of Metropolitan Washington and the Central NorthEast Civic Association have joined forces to convene the seminal Food Justice & Our Right to Food - The Why Conference on March 23 through March 25, 2018 at Kelly Miller Middle School in Ward 7 to confront the central question of why in the world’s wealthiest nation hunger exists and find solutions to improve people’s access to nutritious food.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Food Justice & Our Right to Food – The Why Conference Recognition Resolution of 2018”.

Sec. 2. The Council of the District of Columbia recognizes the Food Justice & Our Right to Food - The Why Conference and commends its organizers, the Gray Panthers of Metropolitan Washington and the Central NorthEast Civic Association.

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

## ENROLLED ORIGINAL

## A CEREMONIAL RESOLUTION

22-284

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 6, 2018

To posthumously celebrate and honor the life of Marian J. Cole.

WHEREAS, Marian JoAnn McElroy Cole, known by close friends and family members as “Mary Jo,” was born and raised in Guthrie, Oklahoma on June 12, 1934 to the late Joseph M. McElroy and Ruby Clarke McElroy as the third of 5 children, and was a member of her family’s church, Progressive Baptist Church, in Guthrie, Oklahoma;

WHEREAS, Marian J. Cole attended Favor School in Guthrie, Oklahoma and graduated from Colorado Springs High School in 1954, in Colorado Springs, Colorado;

WHEREAS, Marian J. Cole married the late Robert Cole, and in 1965, moved to Washington, D.C., and purchased her first home in the Marshall Heights area;

WHEREAS, Marian J. Cole became a member of the St. John’s Baptist Church of Marshall Heights, singing and playing the piano for the Senior Choir, serving in the Missionary Circle and Pastor Aid Ministries, as well as participating in Monday’s Bible Study classes and Wednesday’s Noon Day Prayer Services;

WHEREAS, Marian J. Cole and a few residents in the Marshall Heights community held monthly meetings at C. W. Harris Elementary School to improve their community, leading to the establishment of the Marshall Heights Civic Association as a grassroots effort to rehabilitate housing, and to get the community streets, curbs, and sidewalks paved;

WHEREAS, Marian J. Cole became one of the original founders of the Marshall Heights Community Development Organization (“MHCDO”) in 1979, and served on the Board of Directors as Recording Secretary from 1987 to 1995, and the Chairperson of the Benevolent Committee from 1987 until she took ill;

WHEREAS, Marian J. Cole was one of the main coordinators of the Queen of England’s visit to the first houses MHCDO built on Drake Place, S.E., referred to today as Queens Stroll Place, S.E.;

## ENROLLED ORIGINAL

WHEREAS, Marian J. Cole, after the Queen’s visit, participated as a MHCDO representative and chaperone on the education and cultural exchange tour to Great Britain on November 16 through November 24, 1991 that was arranged for the students of Fletcher Johnson Middle School, located in the Marshall Heights/Eastgate communities;

WHEREAS, Marian J. Cole, through her work with the Marshall Heights Community Development Organization, helped organize the Marshall Heights Weed and Seed Operation, a Department of Justice community program seeking to reduce crime and build community partnerships between residents and community stakeholders;

WHEREAS, Marian J. Cole helped to reestablish the S.E./N.E. Friends of the Capitol View Library and she served on the board as the secretary until she became ill, deriving great joy from working with the Friends of the Capitol View Library on the library’s annual bazaar and the library’s community garden event in 2013;

WHEREAS, Marian J. Cole became one of the first black woman homeowners in the Ocean Pines, Maryland community in the late 1980s after successful legal action that overcame opposition and denials due to her race, gender, and marital status;

WHEREAS, Marian J. Cole worked for the federal government as a secretary for the Food and Drug Administration in the late 1960s, as Executive Secretary with the Federal Emergency Management Agency (“FEMA”) in 1979, and while employed with FEMA, served as the Financial Secretary for the Black Women in Sisterhood for Action (“BISA”) the Metropolitan Washington Area, Inc. in 1982, becoming the first elected president to BISA’s Federal City chapter in 1983;

WHEREAS, Marian J. Cole retired from the federal government after 32 years of service and continued her community activism full time;

WHEREAS, Marian J. Cole was a devoted mother who was very involved in her children’s education and extracurricular activities, particularly as a member of the Parent Teacher Association at C.W. Harris and Shadd Elementary Schools as well as Evans Jr. High School, all located in Ward 7;

WHEREAS, in 1966, she was the Den Mother to the Boys Scout of America’s Cub Scout, Pack No. 580, Den 4, sponsored by the Church of Atonement, located in the Marshall Heights/Capital View communities;

**ENROLLED ORIGINAL**

WHEREAS, in her later years, with her youngest son assisting her, she served as the head basketball coach for the Marshall Heights YMCA;

WHEREAS, Marian J. Cole played piano for numerous churches and associations across the Washington, D.C. metropolitan area, including the Mount Bethel Baptist Association; her home church, St. John Baptist Church of Marshall Heights; Seat Pleasant Baptist Church; Christ Memorial Baptist Church; Division of Psalm Baptist Church; and Button Memorial United Methodist Church; and

WHEREAS, Marian J. Cole passed peacefully from this life on February 10, 2018 in Torrance, California.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Marian J. Cole Recognition Resolution of 2018”.

Sec. 2. The Council of the District of Columbia posthumously honors and remembers the life and contributions of Marian J. Cole, recognizes her extraordinary contributions to the Marshall Heights neighborhood, and expresses condolences on his passing.

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

**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](http://www.dccouncil.us).

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

- |         |  |
|---------|--|
| B22-775 | Daylight Saving Time Preservation Act of 2018<br><br>Intro. 4-10-18 by Councilmember Evans and referred to the Committee of the Whole  |
| <hr/>   |  |
| B22-776 | District of Columbia Education Research Advisory Board and Collaborative Establishment Amendment Act of 2018<br><br>Intro. 4-10-18 by Councilmembers Cheh, R. White, Nadeau, Silverman, Allen, Gray, and Chairman Mendelson and referred sequentially to the Committee on Education and the Committee of the Whole |
| <hr/>   |  |
| B22-777 | Pathways to District Government Careers Act of 2018<br><br>Intro. 4-10-18 by Councilmembers Silverman, T. White, Allen, R. White, Gray, Evans, Nadeau, Todd, Grosso, and Chairman Mendelson and referred to the Committee on Labor and Workforce Development   |
-

- B22-778 Youth Vote Amendment Act of 2018  
Intro. 4-10-18 by Councilmembers Allen, Grosso, R. White, Bonds, Gray, Nadeau, and T. White and referred to the Committee on Judiciary and Public Safety
- 
- B22-779 Distributed Energy Resources Authority Act of 2018  
Intro. 4-10-18 by Councilmembers Allen and Cheh and referred to the Committee on Business and Economic Development with comments from the Committee on Transportation and the Environment
- 
- B22-780 Intrafamily Offenses and Anti-Stalking Orders Amendment Act of 2018  
Intro. 4-10-18 by Councilmembers Allen, Cheh, Grosso, Todd, Bonds, Evans, Nadeau, R. White, and Chairman Mendelson and referred to the Committee on Judiciary and Public Safety
- 
- B22-781 Blind Students Literacy and Education Rights Act of 2018  
Intro. 4-10-18 by Councilmembers Todd, Nadeau, and Bonds and referred to the Committee on Education
- 
- B22-782 Cyber Civilian Collective Act of 2018  
Intro. 4-10-18 by Councilmembers Todd and Nadeau and referred to the Committee on Government Operations
- 
- B22-783 Small Business Cybersecurity Tax Credit Amendment Act of 2018  
Intro. 4-10-18 by Councilmembers Todd, Nadeau, Bonds, and R. White and referred to the Committee on Finance and Revenue with comments from the Committee on Business and Economic Development
- 
- B22-784 Certified Professional Midwife Act of 2018  
Intro. 4-10-18 by Councilmembers Gray, Grosso, R. White, Evans, Bonds, and Todd and referred to the Committee on Health
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- B22-785 Patient Centered Maternal Care Program Act of 2018  
Intro. 4-10-18 by Councilmembers Gray, Grosso, Evans, and Bonds and referred to the Committee on Health
- 
- B22-786 Agencies, Boards, and Commissions Jurisdiction Update Amendment Act of 2018  
Intro. 4-11-18 by Councilmember Todd and referred to the Committee on Government Operations
- 
- B22-787 Rev. W.W. Flood Way Designation Act of 2018  
Intro. 4-12-18 by Councilmember T. White and referred to the Committee of the Whole
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- B22-788 Hannah Hawkins Place Designation Act of 2018  
Intro. 4-12-18 by Councilmember T. White and referred to the Committee of the Whole
- 
- B22-789 Unfoldment, Inc. Real Property Tax Relief Act of 2018  
Intro. 4-12-18 by Councilmember T. White and referred to the Committee on Finance and Revenue
- 
- B22-790 Student Certificate of Health Amendment Act of 2018  
Intro. 4-10-18 by Councilmembers Gray, Bonds, and Evans and referred sequentially to the Committee on Health and the Committee on Education
- 
- B22-791 College Success Center Program Establishment Act of 2018  
Intro. 4-10-18 by Councilmember T. White and referred to the Committee on Education
-

B22-792 Barber and Cosmetologist Prevention of Domestic Violence and Sexual Assault Awareness Training Amendment Act of 2018

Intro. 4-17-18 by Councilmembers Todd and Bonds and referred to the Committee on Business and Economic Development with comments from the Committee on Judiciary and Public Safety

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### **PROPOSED RESOLUTIONS**

PR22-832 Sense of the Council to preserve the Integrity of Our National Census Count Resolution of 2018

Intro. 4-10-18 by Councilmembers Bonds, R. White, Todd, Cheh, Grosso, Silverman, Nadeau, Allen, and Gray and Retained by the Council with comments from the Committee of the Whole

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PR22-833 Local Rent Supplement Program Contract No. 2014-LRSP-09A Approval Resolution of 2018

Intro. 4-11-18 by Chairman Mendelson at the request of the District of Columbia Housing Authority and Retained by the Council with comments from the Committee on Housing and Neighborhood Revitalization

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**COUNCIL OF THE DISTRICT OF COLUMBIA  
 NOTICE OF PUBLIC HEARINGS  
 FISCAL YEAR 2019 PROPOSED BUDGET AND FINANCIAL PLAN,  
 FISCAL YEAR 2019 BUDGET SUPPORT ACT OF 2018,  
 FISCAL YEAR 2019 LOCAL BUDGET ACT OF 2018  
 FISCAL YEAR 2019 FEDERAL BUDGET ACT OF 2018, AND  
 COMMITTEE MARK-UP SCHEDULE  
 4/17/2018**

**SUMMARY**

March 21, 2018	Mayor Transmits the Fiscal Year 2019 Proposed Budget and Financial Plan
March 23, 2018	Committee of the Whole Public Briefing on the Mayor's Fiscal Year 2019 Proposed Budget and Financial Plan
March 26, 2018 to April 26, 2018	Committee Public Hearings on the "Fiscal Year 2019 Local Budget Act of 2018." (The Committees may also simultaneously receive testimony on the sections of the Fiscal Year 2019 Budget Support Act that affect the agencies under each Committee's purview)
April 27, 2018	Committee of the Whole Public Hearing on the "Fiscal Year 2019 Local Budget Act of 2018", "Fiscal Year 2019 Federal Budget Act of 2018" and "Fiscal Year 2019 Budget Support Act of 2018."
May 2-4, 2018	Committee Mark-ups and Reporting on Agency Budgets for Fiscal Year 2019
May 8, 2018	Budget Work Session 10:00 a.m.
May 15, 2018	Committee of the Whole and Council consideration of the "Fiscal Year 2019 Local Budget Act of 2018", "Fiscal Year 2019 Federal Portion Budget Request Act of 2018" and the "Fiscal Year 2019 Budget Support Act of 2018"
May 29, 2018	Council consideration of the "Fiscal Year 2019 Local Budget Act of 2018" and the "Fiscal Year 2019 Federal Portion Budget Request Act of 2018"

The Council of the District of Columbia hereby gives notice of its intention to hold public hearings on the FY 2019 Proposed Budget and Financial Plan, the "Fiscal Year 2019 Local Budget Act of 2018", "Fiscal Year 2019 Federal Portion Budget Request Act of 2018" and the "Fiscal Year 2019 Budget Support Act of 2018". The hearings will begin Monday, March 26, 2018 and conclude on Thursday, April 26, 2018 and will take place in the Council Chamber (Room 500), Room 412, Room 120, or Room 123 of the John A. Wilson Building; 1350 Pennsylvania Avenue, N.W.; Washington, DC 20004.

The Committee mark-ups will begin Wednesday, May 2, 2018 and conclude on Friday, May 4, 2018 and will take place in the Council Chamber (Room 500) of the John A. Wilson Building; 1350 Pennsylvania Avenue, N.W.; Washington, DC 20004.

Persons wishing to testify are encouraged, but not required, to submit written testimony in advance of each hearing to the corresponding committee office. If a written statement cannot be provided prior to the day of the hearing, please have at least 15 copies of your written statement available on the day of the hearing for immediate distribution to the Council. The hearing record will close two business days following the conclusion of each respective hearing. Persons submitting written statements for the record should observe this deadline. For more information about the Council's budget oversight hearings and mark-up schedule please contact the committee of interest.

ADDENDUM OF CHANGES TO THE PUBLIC HEARING SCHEDULE

<u>New Date</u>	<u>Original Date</u>	<u>Hearing</u>
March 28, 2018		Mayor's Office of African Affairs (Government Operations - Room 123; 10:00a.m.)
March 28, 2018	March 27, 2018	Contract Appeals Board (COW - Room 500; 10:00a.m.)
March 29, 2018	April 11, 2018	State Board of Education, Office of the Ombudsman, and Office of the Student Advocate (Education - Room 123; 10:00a.m.)
April 11, 2018	March 29, 2018	Deputy Mayor for Education and DC Public Charter School Board (Education - Room 120; 10:00a.m.)
April 13, 2018		Housing Production Trust Fund - Public Witnesses Only (Housing & Community Development - Room 500; 11:00a.m.)
April 20, 2018	March 29, 2018	District of Columbia Housing Authority (Housing & Community Development - Room 412; 11:00a.m.)
April 24, 2018	March 28, 2018	Office of Veterans' Affairs (Government Operations - Room 123; 10:00a.m.)
April 24, 2018		Office of Lesbian, Gay, Bisexual, Transgender & Questioning Affairs (Government Operations - Room 123; 10:00a.m.)
April 25, 2018	April 23, 2018	Department of Behavioral Health (Health - Room 500; 10:00a.m.)

**PUBLIC HEARING SCHEDULE**

<b>COMMITTEE OF THE WHOLE</b>		<b>Chairman Phil Mendelson</b>
<b>FRIDAY, MARCH 23, 2018; COUNCIL CHAMBER (Room 500)</b>		
<b>Time</b>	<b>Subject</b>	
10:00 a.m. - End	Committee of the Whole Public Briefing on the Mayor's Fiscal Year 2019 Proposed Budget and Financial Plan	

<b>COMMITTEE OF THE WHOLE</b>		<b>Chairman Phil Mendelson</b>
<b>MONDAY, MARCH 26, 2018; COUNCIL CHAMBER (Room 500)</b>		
<b>Time</b>	<b>Agency</b>	
10:30 a.m. - End	Metropolitan Washington Council of Governments	
	Office of Zoning	
	Office of Planning	

Persons wishing to testify about the performance of any of the foregoing agencies may email: [cow@dccouncil.us](mailto:cow@dccouncil.us) or by calling 202-724-8196.

<b>COMMITTEE ON TRANSPORTATION &amp; THE ENVIRONMENT</b>		<b>Chairperson Mary Cheh</b>
<b>MONDAY, MARCH 26, 2018; Room 412</b>		
<b>Time</b>	<b>Agency</b>	
11:00 a.m. - End	Department of General Services	

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Aukima Benjamin ([abenjamin@dccouncil.us](mailto:abenjamin@dccouncil.us)) or by calling 202-724-8062.

<b>COMMITTEE OF THE WHOLE</b>		<b>Chairman Phil Mendelson</b>
<b>TUESDAY, MARCH 27, 2018; COUNCIL CHAMBER (Room 500)</b>		
<b>Time</b>	<b>Agency</b>	
10:00 a.m. - End	Council of the District of Columbia	
	District of Columbia Auditor	
	New Columbia Statehood Commission	
	Office of Contracting and Procurement	
	District of Columbia Retirement Board/Funds	
	District Retiree Health Contribution	

Persons wishing to testify about the performance of any of the foregoing agencies may email: [cow@dccouncil.us](mailto:cow@dccouncil.us) or by calling 202-724-8196.

<b>COMMITTEE ON HEALTH</b>		<b>Chairperson Vincent Gray</b>
<b>TUESDAY, MARCH 27, 2018; Room 412</b>		
<b>Time</b>	<b>Agency</b>	
10:00 a.m. - End	Deputy Mayor for Health and Human Services	
	Not-For-Profit Hospital Corporation	
	Not-For-Profit Hospital Board	

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Malcolm Cameron ([mcameron@dccouncil.us](mailto:mcameron@dccouncil.us)) or by calling 202-654-6179.

<b>COMMITTEE ON TRANSPORTATION &amp; THE ENVIRONMENT</b>		<b>Chairperson Mary Cheh</b>
<b>TUESDAY, MARCH 27, 2018; Room 123</b>		
<b>Time</b>	<b>Agency</b>	
11:00 a.m. - End	Department of Energy and the Environment	

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Aukima Benjamin ([abenjamin@dccouncil.us](mailto:abenjamin@dccouncil.us)) or by calling 202-724-8062.

<b>COMMITTEE ON HUMAN SERVICES</b>		<b>Chairperson Brianne Nadeau</b>
<b>WEDNESDAY, MARCH 28, 2018; COUNCIL CHAMBER (Room 500)</b>		
<b>Time</b>	<b>Agency</b>	
10:00 a.m. - End	Department of Disability Services	
	Office of Disability Rights	

Persons wishing to testify about the performance of any of the foregoing agencies may email: [humanservices@dccouncil.us](mailto:humanservices@dccouncil.us) or by calling 202-724-8170.

<b>COMMITTEE ON EDUCATION</b>		<b>Chairperson David Grosso</b>
<b>WEDNESDAY, MARCH 28, 2018; Room 412</b>		
<b>Time</b>	<b>Agency</b>	
10:00 a.m. - End	District of Columbia Public Schools <b>(Public Witnesses Only)</b>	

Persons wishing to testify about the performance of any of the foregoing agencies may do so online at: <http://bit.do/educationhearings> or by calling 202-724-8061.

**COMMITTEE ON GOVERNMENT OPERATIONS**

**Chairman Brandon Todd**

<b>WEDNESDAY, MARCH 28, 2018; Room 123</b>	
<b>Time</b>	<b>Agency</b>
10:00 a.m. - End	Office of Asian and Pacific Islander Affairs
	Office of Latino Affairs
	Office of African American Affairs
	Office of African Affairs

Persons wishing to testify about the performance of any of the foregoing agencies may email: [governmentoperations@dccouncil.us](mailto:governmentoperations@dccouncil.us) or by calling 202-724-6663.

**COMMITTEE OF THE WHOLE**

**Chairman Phil Mendelson**

<b>WEDNESDAY, MARCH 28, 2018; Room 120</b>	
<b>Time</b>	<b>Agency</b>
10:00 a.m. - End	Contract Appeals Board
	University of the District of Columbia

Persons wishing to testify about the performance of any of the foregoing agencies may email: [cow@dccouncil.us](mailto:cow@dccouncil.us) or by calling 202-724-8196.

**COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY**

**Chairperson Charles Allen**

<b>THURSDAY, MARCH 29, 2018; COUNCIL CHAMBER (Room 500)</b>	
<b>Time</b>	<b>Agency</b>
9:30 a.m. - End	Deputy Mayor for Public Safety and Justice
	Office of Neighborhood Safety and Engagement
	Metropolitan Police Department
	Criminal Justice Coordinating Council
	Office of Police Complaints

Persons wishing to testify about the performance of any of the foregoing agencies may email: [judiciary@dccouncil.us](mailto:judiciary@dccouncil.us) or by calling 202-727-8275.

**COMMITTEE ON HOUSING & NEIGHBORHOOD REVITALIZATION**

**Chairperson Anita Bonds**

<b>THURSDAY, MARCH 29, 2018; Room 412</b>	
<b>Time</b>	<b>Agency</b>
11:00 a.m. - End	Mayor's Office on Returning Citizen Affairs
	Office of the Advisory Neighborhood Commissions

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Oscar Montiel ([omontiel@dccouncil.us](mailto:omontiel@dccouncil.us)) or by calling 202-724-8198.

**COMMITTEE ON EDUCATION**

**Chairperson David Grosso**

<b>THURSDAY, MARCH 29, 2018; Room 123</b>	
<b>Time</b>	<b>Agency</b>
10:00 a.m. - End	State Board of Education
	Office of the Ombudsman
	Office of the Student Advocate

Persons wishing to testify about the performance of any of the foregoing agencies may do so online at: <http://bit.do/educationhearings> or by calling 202-724-8061.

**COMMITTEE OF THE WHOLE**

**Chairman Phil Mendelson**

<b>THURSDAY, MARCH 29, 2018; Room 120</b>	
<b>Time</b>	<b>Agency</b>
9:30 a.m. - 5:00 p.m.	Office of Budget and Planning
	Department of Consumer and Regulatory Affairs

Persons wishing to testify about the performance of any of the foregoing agencies may email: [cow@dccouncil.us](mailto:cow@dccouncil.us) or by calling 202-724-8196.

**COMMITTEE ON HEALTH**

**Chairperson Vincent Gray**

<b>MONDAY, APRIL 9, 2018; COUNCIL CHAMBER (Room 500)</b>	
<b>Time</b>	<b>Agency</b>
10:00 a.m. - End	Department of Health

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Malcolm Cameron ([mcameron@dccouncil.us](mailto:mcameron@dccouncil.us)) or by calling 202-654-6179.

**COMMITTEE ON TRANSPORTATION & THE ENVIRONMENT**

**Chairperson Mary Cheh**

<b>MONDAY, APRIL 9, 2018; Room 412</b>	
<b>Time</b>	<b>Agency</b>
10:00 a.m. - End	District Department of Transportation

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Aukima Benjamin ([abenjamin@dccouncil.us](mailto:abenjamin@dccouncil.us)) or by calling 202-724-8062.

**COMMITTEE ON FINANCE & REVENUE**

**Chairperson Jack Evans**

<b>WEDNESDAY, APRIL 11, 2018; COUNCIL CHAMBER (Room 500)</b>	
<b>Time</b>	<b>Agency</b>
10:00 a.m. - End	Events DC
	Destination DC
	Commission on the Arts and Humanities

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Sarina Loy ([sloy@dccouncil.us](mailto:sloy@dccouncil.us)) or by calling 202-724-8058.

**COMMITTEE ON BUSINESS & ECONOMIC DEVELOPMENT**

**Chairperson Kenyan McDuffie**

<b>WEDNESDAY, APRIL 11, 2018; Room 412</b>	
<b>Time</b>	<b>Agency</b>
10:00 a.m. - End	Department of Small and Local Business Development
	Department of Insurance, Securities and Banking
	Department of For-Hire Vehicles

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Chanell Autrey ([cautrey@dccouncil.us](mailto:cautrey@dccouncil.us)) or by calling 202-724-8053.

**COMMITTEE ON LABOR & WORKFORCE DEVELOPMENT**

**Chairperson Elissa Silverman**

<b>WEDNESDAY, APRIL 11, 2018; Room 123</b>	
<b>Time</b>	<b>Agency</b>
10:00 a.m. - End	Office of Labor Relations and Collective Bargaining
	Department of Human Resources
	Office of Risk Management

Persons wishing to testify about the performance of any of the foregoing agencies may contact: [labour@dccouncil.us](mailto:labour@dccouncil.us) or by calling 202-724-7772.

**COMMITTEE ON EDUCATION**

**Chairperson David Grosso**

<b>WEDNESDAY, APRIL 11, 2018; Room 120</b>	
<b>Time</b>	<b>Agency</b>
10:00 a.m. - End	Deputy Mayor for Education
	District of Columbia Public Charter School Board

Persons wishing to testify about the performance of any of the foregoing agencies may do so online at: <http://bit.do/educationhearings> or by calling 202-724-8061.

**COMMITTEE ON HUMAN SERVICES**

**Chairperson Brianne Nadeau**

<b>THURSDAY, APRIL 12, 2018; COUNCIL CHAMBER (Room 500)</b>	
<b>Time</b>	<b>Agency</b>
10:00 a.m. - End	Department of Human Services

Persons wishing to testify about the performance of any of the foregoing agencies may email: [humanservices@dccouncil.us](mailto:humanservices@dccouncil.us) or by calling 202-724-8170.

**COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY**

**Chairperson Charles Allen**

<b>THURSDAY, APRIL 12, 2018; Room 412</b>	
<b>Time</b>	<b>Agency</b>
9:30 a.m. - End	Fire and Emergency Medical Services Department
	Office of Unified Communications
	Homeland Security and Emergency Management Agency

Persons wishing to testify about the performance of any of the foregoing agencies may email: [judiciary@dccouncil.us](mailto:judiciary@dccouncil.us) or by calling 202-727-8275.

**COMMITTEE ON TRANSPORTATION & THE ENVIRONMENT**

**Chairperson Mary Cheh**

<b>THURSDAY, APRIL 12, 2018; Room 123</b>	
<b>Time</b>	<b>Agency</b>
11:00 a.m. - End	Department of Motor Vehicles
	Department of Parks and Recreation

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Aukima Benjamin ([abenjamin@dccouncil.us](mailto:abenjamin@dccouncil.us)) or by calling 202-724-8062.

**COMMITTEE ON HOUSING & NEIGHBORHOOD REVITALIZATION**

**Chairperson Anita Bonds**

<b>FRIDAY, APRIL 13, 2018; COUNCIL CHAMBER (Room 500)</b>	
<b>Time</b>	<b>Agency</b>
11:00 a.m. - End	Department of Housing and Community Development ( <b>Public Witnesses Only</b> )
	Housing Production Trust Fund ( <b>Public Witnesses Only</b> )

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Oscar Montiel ([omontiel@dccouncil.us](mailto:omontiel@dccouncil.us)) or by calling 202-724-8198.

**COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY**

**Chairperson Charles Allen**

<b>FRIDAY, APRIL 13, 2018; Room 123</b>	
<b>Time</b>	<b>Agency</b>
10:30 a.m. - 5:00 p.m.	Office of the Attorney General
	Office of Victim Services and Justice Grants
	Board Ethics and Government Accountability
	District of Columbia Board of Elections
	Office of Campaign Finance

Persons wishing to testify about the performance of any of the foregoing agencies may email: [judiciary@dccouncil.us](mailto:judiciary@dccouncil.us) or by calling 202-727-8275.

**COMMITTEE ON GOVERNMENT OPERATIONS**

**Chairman Brandon Todd**

<b>FRIDAY, APRIL 13, 2018; Room 120</b>	
<b>Time</b>	<b>Agency</b>
10:00 a.m. - End	Office of Administrative Hearings
	Office of the Inspector General

Persons wishing to testify about the performance of any of the foregoing agencies may email: [governmentoperations@dccouncil.us](mailto:governmentoperations@dccouncil.us) or by calling 202-724-6663.

**COMMITTEE ON HOUSING & NEIGHBORHOOD REVITALIZATION**

**Chairperson Anita Bonds**

<b>TUESDAY, APRIL 17, 2018; COUNCIL CHAMBER (Room 500)</b>	
<b>Time</b>	<b>Agency</b>
1:30 p.m. - End	Department of Housing and Community Development ( <b>Government Witnesses Only</b> )
	Housing Production Trust Fund ( <b>Government Witnesses Only</b> )
	Housing Finance Agency

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Oscar Montiel ([omontiel@dccouncil.us](mailto:omontiel@dccouncil.us)) or by calling 202-724-8198.

**COMMITTEE ON LABOR & WORKFORCE DEVELOPMENT**

**Chairperson Elissa Silverman**

<b>WEDNESDAY, APRIL 18, 2018; COUNCIL CHAMBER (Room 500)</b>	
<b>Time</b>	<b>Agency</b>
10:00 a.m. - End	Department of Employment Services ( <b>Public Witnesses Only</b> )
	Workforce Investment Council ( <b>Public Witnesses Only</b> )
	Deputy Mayor for Greater Economic Opportunity ( <b>Public Witnesses Only</b> )

Persons wishing to testify about the performance of any of the foregoing agencies may contact: [labor@dccouncil.us](mailto:labor@dccouncil.us) or by calling 202-724-7772.

**COMMITTEE ON FINANCE & REVENUE**

**Chairperson Jack Evans**

<b>WEDNESDAY, APRIL 18, 2018; Room 412</b>	
<b>Time</b>	<b>Agency</b>
10:00 a.m. - End	Office of the Chief Financial Officer
	DC Lottery
	Real Property Tax Appeals Commission

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Sarina Loy ([sloy@dccouncil.us](mailto:sloy@dccouncil.us)) or by calling 202-724-8058.

**COMMITTEE ON HUMAN SERVICES**

**Chairperson Brianne Nadeau**

<b>WEDNESDAY, APRIL 18, 2018; Room 123</b>	
<b>Time</b>	<b>Agency</b>
10:00 a.m. - End	Child and Family Services Agency
	Department of Youth Rehabilitation Services

Persons wishing to testify about the performance of any of the foregoing agencies may email: [humanservices@dccouncil.us](mailto:humanservices@dccouncil.us) or by calling 202-724-8170.

**COMMITTEE ON EDUCATION**

**Chairperson David Grosso**

<b>WEDNESDAY, APRIL 18, 2018; Room 120</b>	
<b>Time</b>	<b>Agency</b>
10:00 a.m. - End	District of Columbia Public Library

Persons wishing to testify about the performance of any of the foregoing agencies may do so online at: <http://bit.do/educationhearings> or by calling 202-724-8061.

**COMMITTEE ON EDUCATION**

**Chairperson David Grosso**

<b>THURSDAY, APRIL 19, 2018; COUNCIL CHAMBER (Room 500)</b>	
<b>Time</b>	<b>Agency</b>
10:00 a.m. - End	District of Columbia Public Schools ( <b>Government Witnesses Only</b> )

Persons wishing to testify about the performance of any of the foregoing agencies may do so online at: <http://bit.do/educationhearings> or by calling 202-724-8061.



**COMMITTEE ON HEALTH**

**Chairperson Vincent Gray**

THURSDAY, APRIL 19, 2018; Room 412	
Time	Agency
10:00 a.m. - End	District of Columbia Health Benefit Exchange Authority Department of Health Care Finance

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Malcolm Cameron ([mcameron@dccouncil.us](mailto:mcameron@dccouncil.us)) or by calling 202-654-6179.

**COMMITTEE ON BUSINESS & ECONOMIC DEVELOPMENT**

**Chairperson Kenyan McDuffie**

THURSDAY, APRIL 19, 2018; Room 123	
Time	Agency
10:00 a.m. - End	Public Service Commission Office of People's Counsel

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Chanell Autrey ([cautrey@dccouncil.us](mailto:cautrey@dccouncil.us)) or by calling 202-724-8053.

**COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY**

**Chairperson Charles Allen**

THURSDAY, APRIL 19, 2018; Room 120	
Time	Agency
9:30 a.m. - End	District of Columbia National Guard Office of Human Rights Department of Corrections Corrections Information Council Department of Forensic Sciences Office of the Chief Medical Examiner

Persons wishing to testify about the performance of any of the foregoing agencies may email: [judiciary@dccouncil.us](mailto:judiciary@dccouncil.us) or by calling 202-727-8275.

**COMMITTEE ON TRANSPORTATION & THE ENVIRONMENT**

**Chairperson Mary Cheh**

FRIDAY, APRIL 20, 2018; COUNCIL CHAMBER (Room 500)	
Time	Agency
11:00 a.m. - End	Department of Public Works

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Aukima Benjamin ([abenjamin@dccouncil.us](mailto:abenjamin@dccouncil.us)) or by calling 202-724-8062.

**COMMITTEE ON HOUSING & NEIGHBORHOOD REVITALIZATION**

**Chairperson Anita Bonds**

FRIDAY, APRIL 20, 2018; Room 412	
Time	Agency
11:00 a.m. - End	District of Columbia Housing Authority

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Oscar Montiel ([omontiel@dccouncil.us](mailto:omontiel@dccouncil.us)) or by calling 202-724-8198.

**COMMITTEE ON LABOR & WORKFORCE DEVELOPMENT**

**Chairperson Elissa Silverman**

FRIDAY, APRIL 20, 2018; Room 123	
Time	Agency
10:00 a.m. - End	Department of Employment Services ( <b>Government Witnesses Only</b> ) Workforce Investment Council ( <b>Government Witnesses Only</b> ) Deputy Mayor for Greater Economic Opportunity ( <b>Government Witnesses Only</b> )

Persons wishing to testify about the performance of any of the foregoing agencies may contact: [labor@dccouncil.us](mailto:labor@dccouncil.us) or by calling 202-724-7772.

**COMMITTEE ON BUSINESS & ECONOMIC DEVELOPMENT**

**Chairperson Kenyan McDuffie**

TUESDAY, APRIL 24, 2018; COUNCIL CHAMBER (Room 500)	
Time	Agency
11:00 a.m. - End	Office of Cable Television, Film, Music and Entertainment Alcoholic Beverage Regulation Administration Deputy Mayor for Planning and Economic Development

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Chanell Autry ([cautry@dccouncil.us](mailto:cautry@dccouncil.us)) or by calling 202-724-8053.

**COMMITTEE ON EDUCATION**

**Chairperson David Grosso**

<b>TUESDAY, APRIL 24, 2018; Room 412</b>	
<b>Time</b>	<b>Agency</b>
10:00 a.m. - End	Office of the State Superintendent

Persons wishing to testify about the performance of any of the foregoing agencies may do so online at: <http://bit.do/educationhearings> or by calling 202-724-8061.

**COMMITTEE ON GOVERNMENT OPERATIONS**

**Chairperson Brandon Todd**

<b>TUESDAY, APRIL 24, 2018; Room 123</b>	
<b>Time</b>	<b>Agency</b>
11:00 a.m. - End	Office of the Chief Technology Officer
	Office of Veterans' Affairs
	Office of Lesbian, Gay, Bisexual, Transgender & Questioning Affairs

Persons wishing to testify about the performance of any of the foregoing agencies may email: [governmentoperations@dccouncil.us](mailto:governmentoperations@dccouncil.us) or by calling 202-724-6663.

**COMMITTEE ON HEALTH**

**Chairperson Vincent Gray**

<b>WEDNESDAY, APRIL 25, 2018; COUNCIL CHAMBER (Room 500)</b>	
<b>Time</b>	<b>Agency</b>
10:00 a.m. - End	Department of Behavioral Health

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Malcolm Cameron ([mcameron@dccouncil.us](mailto:mcameron@dccouncil.us)) or by calling 202-654-6179.

**COMMITTEE ON HOUSING & NEIGHBORHOOD REVITALIZATION**

**Chairperson Anita Bonds**

<b>WEDNESDAY, APRIL 25, 2018; Room 412</b>	
<b>Time</b>	<b>Agency</b>
11:00 a.m. - End	District of Columbia Office on Aging
	Office of the Tenant Advocate

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Oscar Montiel ([omontiel@dccouncil.us](mailto:omontiel@dccouncil.us)) or by calling 202-724-8198.

**COMMITTEE ON GOVERNMENT OPERATIONS**

**Chairman Brandon Todd**

<b>THURSDAY, APRIL 26, 2018; COUNCIL CHAMBER (Room 500)</b>	
<b>Time</b>	<b>Agency</b>
11:00 a.m. - End	Executive Office of the Mayor
	Office of the City Administrator
	Office of the Senior Advisor
	Mayor's Office of Legal Counsel
	Secretary of the District of Columbia

Persons wishing to testify about the performance of any of the foregoing agencies may email: [governmentoperations@dccouncil.us](mailto:governmentoperations@dccouncil.us) or by calling 202-724-6663.

**COMMITTEE ON LABOR & WORKFORCE DEVELOPMENT**

**Chairperson Elissa Silverman**

<b>THURSDAY, APRIL 26, 2018; Room 123</b>	
<b>Time</b>	<b>Agency</b>
10:00 a.m. - End	Office of Employee Appeals
	Public Employees Relations Board

Persons wishing to testify about the performance of any of the foregoing agencies may contact: [labor@dccouncil.us](mailto:labor@dccouncil.us) or by calling 202-724-7772.

**COMMITTEE OF THE WHOLE**

**Chairman Phil Mendelson**

<b>FRIDAY, APRIL 27, 2018; COUNCIL CHAMBER (Room 500)</b>	
<b>Time</b>	<b>Agency</b>
10:00 a.m. - End	Committee of the Whole Hearing on the "Fiscal Year 2019 Local Budget Act of 2018," "Fiscal Year 2019 Federal Portion Budget Request Act of 2018" and the "Fiscal Year 2019 Budget Support Act of 2018"

**COMMITTEE MARK-UP SCHEDULE****WEDNESDAY, MAY 2, 2018; COUNCIL CHAMBER (Room 500)**

<b>Time</b>	<b>Committee</b>
2:00 p.m. - 4:00 p.m.	Committee on Labor and Workforce Development
4:00 p.m. - 6:00 p.m.	Committee on Housing and Neighborhood Revitalization

**THURSDAY, MAY 3, 2018; COUNCIL CHAMBER (Room 500)**

<b>Time</b>	<b>Committee</b>
10:00 a.m. - 11:00 a.m.	Committee on Government Operations
11:00 a.m. - 12:00 pm.	Committee on Finance and Revenue
12:00 p.m. - 2:00 p.m.	Committee on Business and Economic Development
2:00 p.m. - 4:00 p.m.	Committee on Human Services
4:00 p.m. - 6:00 p.m.	Committee on Health

**FRIDAY, MAY 4, 2018; COUNCIL CHAMBER (Room 500)**

<b>Time</b>	<b>Committee</b>
10:00 a.m. - 12:00 p.m.	Committee on Transportation and the Environment
12:00 p.m. - 2:00 p.m.	Committee on Education
2:00 p.m. - 4:00 p.m.	Committee on the Judiciary
4:00 p.m. - 6:00 p.m.	Committee of the Whole

**Council of the District of Columbia  
Committee on Finance and Revenue  
Notice of Public Roundtable**

John A. Wilson Building, 1350 Pennsylvania Avenue, N.W. Washington, D.C. 20004

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**COUNCILMEMBER JACK EVANS, CHAIR  
COMMITTEE ON FINANCE AND REVENUE**

**ANNOUNCES A PUBLIC ROUNDTABLE ON:**

**PR 22-818, the “Washington International School Refunding Revenue Bonds Project Approval Resolution of 2018”  
PR 22-819, the “Georgetown Day School Revenue Bonds Project Approval Resolution of 2018”**

**Monday, April 30, 2018**

**9:45 a.m.**

**Room 120 - John A. Wilson Building  
1350 Pennsylvania Avenue, NW, Washington, D.C. 20004**

Councilmember Jack Evans, Chairman of the Committee on Finance and Revenue, announces a public roundtable to be held on Monday, April 30, 2018 at 9:45 a.m. in Room 120, of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004.

PR 22-818, the “Washington International School Refunding Revenue Bonds Project Approval Resolution of 2018” would authorize and provide for issuance, sale, and delivery in an aggregate amount not to exceed \$33 million of District of Columbia refunding revenue bonds in one or more series and to authorize and provide for the loan of the proceeds of the bonds to assist the Washington international School, in the financing, refinancing, or reimbursing of costs associated with an authorized project pursuant to section 490 of the District of Columbia Home Rule Act. The project includes the refunding of series 2013 and series 1999 bonds issued. The school is located at two campuses, 1690 36<sup>th</sup> Street, NW, in Ward 2 and 3100 Macomb Street, NW in Ward 3.

PR 22-819, the “Georgetown Day School Revenue Bonds Project Approval Resolution of 2018” would authorize and provide for issuance, sale, and delivery in an aggregate amount not to exceed \$141 million of District of Columbia revenue bonds in one or more series and to authorize and provide for the loan of the proceeds of the bonds to assist the Georgetown Day School, in the financing, refinancing, or reimbursing of costs associated with an authorized project pursuant to section 490 of the District of Columbia Home Rule Act. The project includes the refunding of series 2005 bonds issued, and financing the construction of a lower and middle school facility at 4200 Davenport Street NW, located in Ward 3.

The Committee invites the public to testify at the roundtable. Those who wish to testify should contact Sarina Loy, Committee Assistant at (202) 724-8058 or [sloy@dccouncil.us](mailto:sloy@dccouncil.us), and provide your name, organizational affiliation (if any), and title with the organization by 9:45a.m. on Friday, April 27, 2018. Witnesses should bring 15 copies of their written testimony to the roundtable. The Committee allows individuals 3 minutes to provide oral testimony in order to permit each witness an opportunity to be heard. Additional written statements are encouraged and will be made part of the official record. Written statements may be submitted by e-mail to [sloy@dccouncil.us](mailto:sloy@dccouncil.us) or mailed to: Council of the District of Columbia, 1350 Pennsylvania Ave., N.W., Suite 114, Washington D.C. 20004.

**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

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**GBM 22-78:** FY 2018 Grant Budget Modifications of March 22, 2018

RECEIVED: 14 day review begins April 13, 2018

**GBM 22-79:** FY 2018 Grant Budget Modifications of February 6, 2018

RECEIVED: 14 day review begins April 17, 2018

**GBM 22-80:** FY 2018 Grant Budget Modifications of February 20, 2018

RECEIVED: 14 day review begins April 17, 2018

**GBM 22-81:** FY 2018 Grant Budget Modifications of February 22, 2018

RECEIVED: 14 day review begins April 17, 2018

**GBM 22-82:** FY 2018 Grant Budget Modifications of February 27, 2018

RECEIVED: 14 day review begins April 17, 2018

**GBM 22-83:** FY 2018 Grant Budget Modifications of February 28, 2018

RECEIVED: 14 day review begins April 17, 2018

**GBM 22-84:** FY 2018 Grant Budget Modifications of March 28, 2018

RECEIVED: 14 day review begins April 17, 2018

**GBM 22-85:** FY 2018 Grant Budget Modifications of March 28, 2018

RECEIVED: 14 day review begins April 17, 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

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**Reprog. 22-119**

Request to reprogram \$2,097,862 of Fiscal Year 2018 Local funds budget authority within the Office of the Chief Technology Officer (OCTO) was filed in the Office of the Secretary on April 12, 2018. This reprogramming ensures that OCTO can cover IT Consultant resources working on critical FY 2018 initiatives.

RECEIVED: 14 day review begins April 13, 2018

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

Placard Posting Date: April 20, 2018  
Protest Petition Deadline: June 4, 2018  
Roll Call Hearing Date: June 18, 2018

License No.: ABRA-107410  
Licensee: California St. Hospitality, Inc.  
Trade Name: Alfresco Tap and Grill  
License Class: Retailer's Class "C" Restaurant  
Address: 2009 18<sup>th</sup> Street, N.W.  
Contact: Andrew Kline: (202) 686-7600

WARD 1

ANC 1C

SMD 1C07

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 June 18, 2018 at 10 a.m., 4th Floor, 2000 14<sup>th</sup> 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 second Summer Garden to their existing Summer Garden endorsement. The second Summer Garden will have seating for 65 patrons on the terrace.

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

Sunday through Thursday 11am – 2am, Friday and Saturday 11am – 3am

**CURRENT HOURS OF OPERATION/ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION FOR EXISTING SUMMER GARDEN**

Sunday through Thursday 11am – 12:30am, Friday and Saturday 11am – 1:30am

**PROPOSED HOURS OF OPERATION/ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION FOR NEW TERRACE SUMMER GARDEN**

Sunday through Thursday 8am – 12:30am, Friday and Saturday 8am – 1:30am



## ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

## NOTICE OF PUBLIC HEARING

Placard Posting Date: April 20, 2018  
Protest Petition Deadline: June 4, 2018  
Roll Call Hearing Date: June 18, 2018  
Protest Hearing Date: August 8, 2018

License No.: ABRA-109333  
Licensee: AstoriaDC, LLC  
Trade Name: Astoria  
License Class: Retailer's Class "C" Restaurant  
Address: 1521 17<sup>th</sup> Street, N.W.  
Contact: Stephen J. O'Brien: (202) 625-7700

WARD 2

ANC 2B

SMD 2B05

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 June 18, 2018 at 10 a.m., 4th Floor, 2000 14<sup>th</sup> 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 **August 8, 2018 at 1:30 p.m.**

**NATURE OF OPERATION**

New Class "C" Restaurant serving Asian dumplings and a specialty cocktail menu. Total Occupancy Load of 99. Sidewalk Cafe with 25 seats.

**HOURS OF OPERATION/ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION/LIVE ENTERTAINMENT INSIDE PREMISES**

Sunday through Thursday 11am to 2am, Friday and Saturday 11am to 3am

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

Sunday through Thursday 11am to 12am, Friday and Saturday 11am to 1am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
4/20/2018

Notice is hereby given that:

License Number: ABRA-096628

License Class/Type: A / Retail - Liquor Store

Applicant: Aki Muller & Eyob, LLC

Trade Name: Ocean Front Liquors

ANC: 8D04

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

4682 MARTIN LUTHER KING JR AVE SW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR  
BEFORE:  
6/4/2018

A HEARING WILL BE HELD ON:  
6/18/2018

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 - 11 pm	9 am - 11 pm
Monday:	9 am - 11 pm	9 am - 11 pm
Tuesday:	9 am - 11 pm	9 am - 11 pm
Wednesday:	9 am - 11 pm	9 am - 11 pm
Thursday:	9 am - 11 pm	9 am - 11 pm
Friday:	9 am - 11 pm	9 am - 11 pm
Saturday:	9 am - 11 pm	9 am - 11 pm

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
4/20/2018

Notice is hereby given that:

License Number: ABRA-107464

License Class/Type: A / Retail - Liquor Store

Applicant: Sane, LLC

Trade Name: Sane Wine & Spirits

ANC: 6E04

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

1201 5TH ST NW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR  
BEFORE:  
6/4/2018

A HEARING WILL BE HELD ON:  
6/18/2018

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

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

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
4/20/2018

Notice is hereby given that:

License Number: ABRA-088025

License Class/Type: A / Retail - Liquor Store

Applicant: Deccan Group LLC

Trade Name: State Liquors

ANC: 2B02

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

2159 P ST NW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR  
BEFORE:  
6/4/2018

A HEARING WILL BE HELD ON:  
6/18/2018

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  
ON  
4/20/2018

Notice is hereby given that:

License Number: ABRA-091095

License Class/Type: A / Retail - Liquor Store

Applicant: Holiday Family Liquor Inc

Trade Name: Holiday Liquors

ANC: 8C07

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

3505 WHEELER RD SE

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR  
BEFORE:  
6/4/2018

A HEARING WILL BE HELD ON:  
6/18/2018

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 - 10 pm	9 am - 10 pm
Monday:	9 am - 11 pm	9 am - 11 pm
Tuesday:	9 am - 11pm	9 am - 11 pm
Wednesday:	9 am - 11pm	9 am - 11 pm
Thursday:	9 am - 11 pm	9 am - 11 pm
Friday:	9 am - 11 pm	9 am - 11pm
Saturday:	9 am - 11 pm	9 am - 11 pm

ENDORSEMENT(S): Tasting

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
4/20/2018

Notice is hereby given that:

License Number: ABRA-075512

License Class/Type: A / Retail - Liquor Store

Applicant: Kamvs, LLC

Trade Name: Van Ness Liquors

ANC: 3F02

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

**4201 CONNECTICUT AVE NW**

**PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR  
BEFORE:  
6/4/2018**

**A HEARING WILL BE HELD ON:  
6/18/2018**

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

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
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  
4/20/2018

Notice is hereby given that:

License Number: ABRA-089730

License Class/Type: A / Retail - Liquor Store

Applicant: Federal Spirits LLC (1420 U Street NW, Unit #146)

Trade Name: Ezra

ANC: 2B05

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

1629 K ST NW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR  
BEFORE:  
6/4/2018

A HEARING WILL BE HELD ON:  
6/18/2018

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

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

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
4/20/2018

Notice is hereby given that:

License Number: ABRA-080900

License Class/Type: A / Retail - Liquor Store

Applicant: AG Corporation

Trade Name: Fairmont Liquor & Grocery

ANC: 1B03

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

2633 SHERMAN AVE NW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR  
BEFORE:  
6/4/2018

A HEARING WILL BE HELD ON:  
6/18/2018

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

Days	Hours of Operation	Hours of Sales/Service
Sunday:	closed - closed	closed - closed
Monday:	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  
4/20/2018

Notice is hereby given that:

License Number: ABRA-071204

License Class/Type: A / Retail - Liquor Store

Applicant: M & K Inc

Trade Name: ABC Grocery

ANC: 6E02

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

1401 6TH ST NW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR  
BEFORE:  
6/4/2018

A HEARING WILL BE HELD ON:  
6/18/2018

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 - 10 pm	9 am - 10 pm
Monday:	9 am - 10 pm	9 am - 10 pm
Tuesday:	9 am - 10 pm	9 am - 10 pm
Wednesday:	9 am - 10 pm	9 am - 10 pm
Thursday:	9 am - 10 pm	9 am - 10 pm
Friday:	9 am - 10 pm	9 am - 10 pm
Saturday:	9 am - 10 pm	9 am - 10 pm

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
4/20/2018

Notice is hereby given that:

License Number: ABRA-000252

License Class/Type: A Retail - Liquor Store

Applicant: Schneiders Liquor Co., Inc

Trade Name: Schneider's of Capitol Hill

ANC: 6C02

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

300 MASSACHUSETTS AVE NE

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR  
BEFORE:  
6/4/2018

A HEARING WILL BE HELD ON:  
6/18/2018

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 - 7 pm	10 am - 7 pm
Monday:	9 am - 9 pm	9 am - 9 pm
Tuesday:	9 am - 9 pm	9 am - 9 pm
Wednesday:	9 am - 9 pm	9 am - 9 pm
Thursday:	9 am - 9 pm	9 am - 9 pm
Friday:	9 am - 9 pm	9 am - 9 pm
Saturday:	9 am - 9 pm	9 am - 9 pm

ENDORSEMENT(S): Tasting

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
4/20/2018

Notice is hereby given that:

License Number: ABRA-100211

License Class/Type: A / Retail - Liquor Store

Applicant: K & W Legacy, LLC

Trade Name: Capitol Hill Wine & Spirits

ANC: 6B01

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

323 PENNSYLVANIA AVE SE

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR  
BEFORE:  
6/4/2018

A HEARING WILL BE HELD ON:  
6/18/2018

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

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

ENDORSEMENT(S): Tasting

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
4/13/2018

**\*\*RESCIND**

Notice is hereby given that:

License Number: ABRA-102521

License Class/Type: A / Internet

Applicant: District Still, LLC

Trade Name: District Still

ANC: 5E03

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

175 R ST NE

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR  
BEFORE:  
5/29/2018

A HEARING WILL BE HELD ON:  
6/11/2018

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

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
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: April 20, 2018  
Protest Petition Deadline: June 4, 2018  
Roll Call Hearing Date: June 18, 2018  
Protest Hearing Date: August 8, 2018

License No.: ABRA-109116  
Licensee: DCENTER, Inc.  
Trade Name: Dupont Underground  
License Class: Retailer's Class "DX" Multipurpose Facility  
Address: 19 Dupont Circle, N.W.  
Contact: Sarah Lerner: (919) 265-8925

WARD 2

ANC 2B

SMD 2B03

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 June 18, 2018 at 10 a.m., 4th Floor, 2000 14<sup>th</sup> 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 **August 8, 2018 at 4:30 p.m.**

**NATURE OF OPERATION**

New Multipurpose Facility offering cultural and arts events such as music, theatre, films, motion graphic art show, lectures, and corporate events. Total Occupancy Load of 400 with seating for 375.

**HOURS OF OPERATION**

Sunday through Thursday 9:30am – 10pm, Friday 9:30am – 12am, and Saturday 12pm – 12am

**HOURS OF ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION**

Sunday through Thursday 6pm – 10pm, Friday 9:30am – 12am, and Saturday 12pm – 12am

## ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

## NOTICE OF PUBLIC HEARING

Placard Posting Date: April 20, 2018  
Protest Petition Deadline: June 4, 2018  
Roll Call Hearing Date: June 18, 2018  
Protest Hearing Date: August 8, 2018

License No.: ABRA-109496  
Licensee: TMS DC 14<sup>th</sup> Street, LLC  
Trade Name: The Meatball Shop  
License Class: Retailer's Class "C" Restaurant  
Address: 1720 14<sup>th</sup> Street, N.W.  
Contact: Stephen O'Brien: (202) 625-7700

WARD 2

ANC 2F

SMD 2F01

Notice is hereby given that this licensee has applied for a new license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the **Roll Call Hearing date on June 18, 2018 at 10 a.m., 4th Floor, 2000 14<sup>th</sup> 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 **August 8, 2018 at 1:30 p.m.**

**NATURE OF OPERATION**

New Restaurant serving a seasonally-focused menu, five types of meatballs, selection of sauces, veggie sides and handmade ice cream sandwiches. Live Entertainment will be provided only for special events. Total Occupancy Load of 80 with seating for 74. Sidewalk Café with 8 seats.

**HOURS OF OPERATION AND ALCOHOLIC BEVERAGE****SALES/SERVICE/CONSUMPTION INSIDE PREMISES**

Sunday 10am – 12am, Monday through Wednesday 11:30am – 1am, Thursday and Friday 11:30am – 2 am, and Saturday 10am – 2am

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

Sunday 10am – 12am, Monday through Friday 11:30am – 12am, and Saturday 10am – 12am

**HOURS OF LIVE ENTERTAINMENT INSIDE PREMISES ONLY**

Sunday 10am – 12am, Monday through Wednesday 11:30am – 1am, Thursday and Friday 11:30am – 2 am, and Saturday 10am – 2am

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

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

**Case No. 17-10: Wardman Park Annex (amendment)**  
**2600/2660 Woodley Road NW**  
**Parts of Lots 32 and 850 in Square 2132**  
**Affected Advisory Neighborhood Commission: 3C**

**Case No. 17-22: Harewood Lodge**  
**3600 Harewood Lodge NE**  
**Part of Lot 6 in Square 3663**  
**Affected Advisory Neighborhood Commission: 5A**

The hearing will take place at **9:00 a.m. on Thursday, May 24, 2018**, at 441 Fourth Street, NW (One Judiciary Square), in Room 220 South. It will be conducted in accordance with the Review Board's Rules of Procedure (10C DCMR 2). A copy of the rules can be obtained from the Historic Preservation Office at 1100 4<sup>th</sup> Street SW, Suite E650, Washington, D.C. 20024, or by phone at (202) 442-8800, and they are included in the preservation regulations which can be found on the Historic Preservation Office website.

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

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

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

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

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

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

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

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

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



## DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

## NOTICE OF PUBLIC HEARING

Wednesday, May 9, 2018

6:30 p.m.

Metropolitan Washington Council of Governments  
777 North Capitol Street, N.E.  
Washington, D.C. 20002  
First Floor Training Room

The Board of Directors of the District of Columbia Water and Sewer Authority (the Board), in accordance with Section 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; D.C. Official Code § 34-2202.16 (2012 Repl.) approved Board Resolution 18-27, which, if adopted, would amend 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 (Water and Sanitation) of the District of Columbia Municipal Regulations (DCMR). Pursuant to 21 DCMR Chapter 40, the Board will conduct a public hearing at the above stated date, time, and place to receive comments on proposed rulemaking, which were published in the *D.C. Register* (DCR) at 65 DCR 2730 on the March 16, 2018.

Below is the draft agenda for this meeting. A final agenda will be posted to DC Water's website at [www.dewater.com](http://www.dewater.com).

Each individual or representative of an organization who wishes to present testimony at the public hearing is requested to furnish his or her name, address, telephone number and name of the organization (if any) by calling (202) 787-2330 or emailing the request to [Lmanley@dewater.com](mailto:Lmanley@dewater.com) no later than 5:00 p.m., Monday May 7, 2018. Other persons wishing to present testimony may testify after those on the witness list. Persons making presentations are urged to address their statements to relevant issues.

Oral presentations by individuals will be limited to five (5) minutes. Oral presentations made by representatives of an organization will not be longer than ten (10) minutes. Statements should summarize extensive written materials so there will be time for all interested persons to be heard. Oral presentations will be heard and considered, but for accuracy of the record, all statements should be submitted in writing. The hearing will end when all persons wishing to make comments have been heard.

Written testimony may be submitted by mail to Linda R. Manley, Secretary to the Board, District of Columbia Water and Sewer Authority, 5000 Overlook Ave., S.W., Washington, D.C. 20032, or by email to [Lmanley@dewater.com](mailto:Lmanley@dewater.com). Such written testimony is to be clearly marked "Written Testimony for Public Hearing, May 9, 2018" and received by 5:00 p.m. Monday, May 7, 2018.

**PUBLIC HEARING ON  
Proposed Retail Rates, Fees & Charges  
for Fiscal Years 2019 & 2020**

Wednesday, May 9, 2018

6:30 p.m.

**AGENDA**

- 1. Call to Order .....Tommy Wells, Chairman
- 2. Opening Statement.....Tommy Wells, Chairman
- 3. DC Water Management Presentation.....Henderson J. Brown, IV., Interim General Manager  
Proposed FY 2019 & FY 2020 Retail Rates, Fees    Matthew Brown, Chief Financial Officer  
& Charges
- 4. Presentation by Independent Consultant..... Amawalk Consulting  
Proposed FY 2019 & FY 2020 Retail Rates, Fees & Charges
- 5. Public Witnesses
  - Pre-registered Speakers
  - Other comments (time permitting)
- 6. Closing Statement .....Tommy Wells, Chairman
- 7. Adjournment .....Tommy Wells, Chairman

**BOARD OF ZONING ADJUSTMENT  
PUBLIC HEARING NOTICE  
WEDNESDAY, MAY 30, 2018  
441 4<sup>TH</sup> STREET, N.W.  
JERRILY R. KRESS MEMORIAL HEARING ROOM, SUITE 220-SOUTH  
WASHINGTON, D.C. 20001**

**TO CONSIDER THE FOLLOWING:** The Board of Zoning Adjustment will adhere to the following schedule, but reserves the right to hear items on the agenda out of turn.

**TIME: 9:30 A.M.**

**WARD FIVE**

19758            **Application of 1505 NEAL STREET LLC**, pursuant to 11 DCMR Subtitle X, ANC 5D            Chapter 9, for a special exception under the residential conversion requirements of Subtitle U § 320.2, to convert the existing principal dwelling unit into a seven-unit apartment house in the RF-1 Zone at premises 1505 Neal Street N.E. (Square 4072, Lots 48 and 47).

**PLEASE NOTE:**

Failure of an applicant or appellant to appear at the public hearing will subject the application or appeal to dismissal at the discretion of the Board.

Failure of an applicant or appellant to be adequately prepared to present the application or appeal to the Board, and address the required standards of proof for the application or appeal, may subject the application or appeal to postponement, dismissal or denial. The public hearing in these cases will be conducted in accordance with the provisions of Subtitles X and Y of the District of Columbia Municipal Regulations, Title 11. Pursuant to Subtitle Y, Chapter 2 of the Regulations, the Board will impose time limits on the testimony of all individuals. Individuals and organizations interested in any application may testify at the public hearing or submit written comments to the Board.

Except for the affected ANC, any person who desires to participate as a party in this case must clearly demonstrate that the person's interests would likely be more significantly, distinctly, or uniquely affected by the proposed zoning action than other persons in the general public. **Persons seeking party status shall file with the Board, not less than 14 days prior to the date set for the hearing, a Form 140 – Party Status Application Form.\*** This form may be obtained from the Office of Zoning at the address stated below or downloaded from the Office of Zoning's website at: [www.dcoz.dc.gov](http://www.dcoz.dc.gov). All requests and comments should be submitted to the Board through the Director, Office of Zoning, 441 4<sup>th</sup> Street, NW, Suite 210, Washington, D.C. 20001. Please include the case number on all correspondence.

BZA PUBLIC HEARING NOTICE

MAY 30, 2018

PAGE NO. 2

*\*Note that party status is not permitted in Foreign Missions cases.*

**Do you need assistance to participate?**

Amharic

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የተለየ እርዳታ ካስፈለገዎት ወይም የቋንቋ እርዳታ አገልግሎቶች (ትርጉም ወይም ማስተርጓሚ) ካስፈለገዎት እባክዎን ከስብሰባ ወረቀቶች ቀናት በፊት ዚህ ሂደት በስልክ ቁጥር (202) 727-0312 ወይም በኢሜይል [Zelalem.Hill@dc.gov](mailto:Zelalem.Hill@dc.gov) ይገናኙ። እነዚህ አገልግሎቶች የሚሰጡት በነጻ ነው።

Chinese

您需要有人帮助参加活动吗?

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French

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Korean

참여하시는데 도움이 필요하세요?

특별한 편의를 제공해 드려야 하거나, 언어 지원 서비스(번역 또는 통역)가 필요하시면, 회의 5일 전에 Zee Hill 씨께 (202) 727-0312로 전화 하시거나 [Zelalem.Hill@dc.gov](mailto:Zelalem.Hill@dc.gov) 로 이메일을 주시기 바랍니다. 이와 같은 서비스는 무료로 제공됩니다.

Spanish

¿Necesita ayuda para participar?

Si tiene necesidades especiales o si necesita servicios de ayuda en su idioma (de traducción o interpretación), por favor comuníquese con Zee Hill llamando al (202) 727-0312 o escribiendo a [Zelalem.Hill@dc.gov](mailto:Zelalem.Hill@dc.gov) cinco días antes de la sesión. Estos servicios serán proporcionados sin costo alguno.

Vietnamese

Quý vị có cần trợ giúp gì để tham gia không?

Nếu quý vị cần thu xếp đặc biệt hoặc trợ giúp về ngôn ngữ (biên dịch hoặc thông dịch) xin vui lòng liên hệ với Zee Hill tại (202) 727-0312 hoặc [Zelalem.Hill@dc.gov](mailto:Zelalem.Hill@dc.gov) trước năm ngày. Các dịch vụ này hoàn toàn miễn phí.

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

BZA PUBLIC HEARING NOTICE

MAY 30, 2018

PAGE NO. 3

**FREDERICK L. HILL, CHAIRPERSON  
LESYLLEÉ M. WHITE, MEMBER  
LORNA L. JOHN, MEMBER  
CARLTON HART, VICE-CHAIRPERSON,  
NATIONAL CAPITAL PLANNING COMMISSION  
A PARTICIPATING MEMBER OF THE ZONING COMMISSION  
CLIFFORD W. MOY, SECRETARY TO THE BZA  
SARA A. BARDIN, DIRECTOR, OFFICE OF ZONING**



**How to participate as a witness.**

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

**How to participate as a party.**

Any person who desires to participate as a party in this case must so request and must comply with the provisions of Subtitle Z § 404.1.

A party has the right to cross-examine witnesses, to submit proposed findings of fact and conclusions of law, to receive a copy of the written decision of the Zoning Commission, and to exercise the other rights of parties as specified in the Zoning Commission's Rules of Practice and Procedure. If you are still unsure of what it means to participate as a party and would like more information on this, please contact the Office of Zoning at [dcoz@dc.gov](mailto:dcoz@dc.gov) or at (202) 727-6311.

Except for an affected ANC, any person who desires to participate as a party in this case must clearly demonstrate that the person's interests would likely be more significantly, distinctly, or uniquely affected by the proposed zoning action than other persons in the general public. Persons seeking party status **shall file with the Commission, not less than 14 days prior to the date set for the hearing, or 14 days prior to a scheduled public meeting if seeking advanced party status consideration, a Form 140 – Party Status Application, a copy of which may be downloaded from the Office of Zoning's website at: <https://app.dcoz.dc.gov/Help/Forms.html>.** This form may also be obtained from the Office of Zoning at the address stated below.

Subtitle Z § 406.2 provides that the written report of an affected ANC shall be given great weight if received at any time prior to the date of a Commission meeting to consider final action, including any continuation thereof on the application, and sets forth the information that the report must contain. Pursuant to Subtitle Z § 406.3, if an ANC wishes to participate in the hearing, it must file a written report at least seven days in advance of the public hearing and provide the name of the person who is authorized by the ANC to represent it at the hearing.

All individuals, organizations, or associations wishing to testify in this case are encouraged to inform the Office of Zoning their intent to testify prior to the hearing date. This can be done by mail sent to the address stated below, e-mail ([donna.hanousek@dc.gov](mailto:donna.hanousek@dc.gov)), or by calling (202) 727-0789.

The following maximum time limits for oral testimony shall be adhered to and no time may be ceded:

- 1. Applicant and parties in support 60 minutes collectively
- 2. Parties in opposition 60 minutes collectively
- 3. Organizations 5 minutes each
- 4. Individuals 3 minutes each

Pursuant to Subtitle Z § 408.4, the Commission may increase or decrease the time allowed above, in which case, the presiding officer shall ensure reasonable balance in the allocation of time between proponents and opponents.

Written statements, in lieu of oral testimony, may be submitted for inclusion in the record. The public is encouraged to submit written testimony through the Interactive Zoning Information System (IZIS) at <https://app.dcoz.dc.gov/Login.aspx>; however, written statements may also be submitted by mail to 441 4<sup>th</sup> Street, N.W., Suite 200-S, Washington, DC 20001; by e-mail to [zcsubmissions@dc.gov](mailto:zcsubmissions@dc.gov); or by fax to (202) 727-6072. Please include the case number on your submission. **FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.**

**ANTHONY J. HOOD, ROBERT E. MILLER, PETER G. MAY, PETER A. SHAPIRO, AND MICHAEL G. TURNBULL ----- ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY SARA A. BARDIN, DIRECTOR, AND BY SHARON S. SCHELLIN, SECRETARY TO THE ZONING COMMISSION.**

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**Quý vị có cần trợ giúp gì để tham gia không?** Nếu quý vị cần thu xếp đặc biệt hoặc trợ giúp về ngôn ngữ (biên dịch hoặc thông dịch) xin vui lòng liên hệ với Zee Hill tại (202) 727-0312 hoặc [Zelalem.Hill@dc.gov](mailto:Zelalem.Hill@dc.gov) trước năm ngày. Các dịch vụ này hoàn toàn miễn phí.

**ለመተና ሰርዳታ ያስፈልግዎታል?** የተለየ እርዳታ ካስፈለገዎት ወይም የቋንቋ እርዳታ አገልግሎቶች (ትርጉም ወይም ማስተርጓሚ) ካስፈለገዎት እባክዎን ከስብሰባው አዎንታዊ ቀናት በፊት ዚ ሂልን በስልክ ቁጥር (202) 727-0312 ወይም በኢሜል [Zelalem.Hill@dc.gov](mailto:Zelalem.Hill@dc.gov) ይገናኙ። እነኚህ አገልግሎቶች የሚሰጡት በነጻ ነው።



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

**TIME AND PLACE:**                      **Thursday, June 7, 2018 @ 6:30 p.m.**  
**Office of Zoning Hearing Room**  
**441 4<sup>th</sup> Street, N.W., Suite 220**  
**Washington, D.C. 20001**

**FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:**

**CASE NO. 18-01 (Community Three Development – Zoning Map Amendment @ Square 361, Lot 827 – 1925 Vermont Avenue, N.W.)**

**THIS CASE IS OF INTEREST TO ANC 1B**

On January 8, 2018, the Office of Zoning received an application from Community Three Development (“Applicant”) requesting approval of a Zoning Map amendment for 1925 Vermont Avenue, N.W. (Square 361, Lot 827) (“Property”). On March 16, 2016, the Office of Planning submitted its report in support of setting down the application for a public hearing. At its March 26, 2018 public meeting, the Zoning Commission determined that the application is a rulemaking case, and the Zoning Commission voted to set down the application (now a petition) for a public hearing as a rulemaking case.

The property that is the subject of this petition consists of approximately 37,927 square feet of land area. The Property is generally bounded by residential properties and a public alley on the north, residential properties and a public alley to the south, a public alley (known as 9½ Street) to the east, and Vermont Avenue to the west. The Property is located in the RF-1 zone and is designated as Mixed-Use Moderate Density Residential/Moderate Density Commercial on the Future Land Use Map (“FLUM”) of the District of Columbia Comprehensive Plan.

The petition proposes to rezone the Property to the ARTS-2 zone to make it consistent with the Property’s mixed-use designation on the FLUM.

This public hearing will be conducted in accordance with the rulemaking case provisions of the Zoning Regulations, 11 DCMR Subtitle Z, Chapter 5.

**How to participate as a witness.**

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

**Time limits.**

All individuals, organizations, or associations wishing to testify in this case are encouraged to inform the Office of Zoning their intent to testify prior to the hearing date. This can be done by mail sent to the address stated below, e-mail ([donna.hanousek@dc.gov](mailto:donna.hanousek@dc.gov)), or by calling (202) 727-0789.

The following maximum time limits for oral testimony shall be adhered to and no time may be ceded:

- |    |               |                |
|----|---------------|----------------|
| 1. | Organizations | 5 minutes each |
| 2. | Individuals   | 3 minutes each |

Pursuant to Subtitle Z § 408.4, the Commission may increase or decrease the time allowed above, in which case, the presiding officer shall ensure reasonable balance in the allocation of time between proponents and opponents.

Written statements, in lieu of oral testimony, may be submitted for inclusion in the record. The public is encouraged to submit written testimony through the Interactive Zoning Information System (IZIS) at <http://app.dcoz.dc.gov/Login.aspx>; however, written statements may also be submitted by mail to 441 4<sup>th</sup> Street, N.W., Suite 200-S, Washington, DC 20001; by e-mail to [zcsubmissions@dc.gov](mailto:zcsubmissions@dc.gov); or by fax to (202) 727-6072. Please include the case number on your submission. **FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.**

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ለመከተኛ ዕርዳታ ያስፈልግዎታል? የተለየ እርዳታ ካስፈለገዎት ወይም የቋንቋ እርዳታ አገልግሎቶች (ትርጉም ወይም ማስተርጓጎም) ካስፈለገዎት እባክዎን ከስብሰባው አጭነት ቀናት በፊት ዚ ሂልን በስልክ ቁጥር (202) 727-0312 ወይም በኢሜል [Zelalem.Hill@dc.gov](mailto:Zelalem.Hill@dc.gov) ይገናኙ። እነኚህ አገልግሎቶች የሚሰጡት በነጻ ነው።

**OFFICE OF THE ATTORNEY GENERAL**

**NOTICE OF FINAL RULEMAKING**

The Attorney General, pursuant to authority granted by section 108b of the Attorney General for the District of Columbia Clarification and Elected Term Amendment Act of 2010, effective October 22, 2015 (D.C. Law 21-36; D.C. Official Code § 1-301.88b)(2016 Repl. & 2017 Supp.), hereby gives notice of final rulemaking action to add a new Chapter 50 in Title 27, “Contracts and Procurement,” in the District of Columbia Municipal Regulations entitled “Office of the Attorney General Procurement Rules”.

No comments have been received in response to the Emergency and Proposed Rulemaking published in the *D.C. Register* on February 23, 2018 at 65 DCR 1903. No changes been made to the text of the proposed rules. The proposed Office of Attorney General Procurement Rules shall become final and effective on the date of publication of this notice in the *D.C. Register*.

**A new Chapter 50 is added to Title 27 (CONTRACTS AND PROCUREMENT) of the District of Columbia Municipal Regulations (DCMR) to read as follows:**

**CHAPTER 50           OFFICE OF THE ATTORNEY GENERAL PROCUREMENT RULES**

- 5001           GENERAL**
- 5002           COMPLIANCE WITH PROCUREMENT ACT AND REGULATIONS**
- 5003           CONTINGENT FEES**
- 5004           MULTIYEAR CONTRACTS**
- 5005           CANCELLATION OF MULTIYEAR CONTRACTS**
- 5006           MULTIYEAR CONTRACT SOLICITATIONS**
- 5007           APPLICABILITY**
- 5008           CHIEF CONTRACTING OFFICER**
- 5009           DELEGATION OF AUTHORITY TO CONTRACTING OFFICERS**
- 5010           AUTHORITY AND DUTIES OF CONTRACTING OFFICERS**
- 5011           CONDUCT OF CONTRACTING OFFICERS**
- 5012           CONTRACTOR QUALIFICATION REQUIREMENTS**
- 5013           RESPONSIBILITY**
- 5014           PRICE REASONABLENESS**
- 5015           ORGANIZATIONAL           CONFLICTS           OF           INTEREST;  
DISQUALIFICATION**
- 5016           PROCUREMENT PLANNING**
- 5017           MARKET RESEARCH**
- 5018           PREPARING SOLICITATIONS**
- 5019           PUBLICIZING PROCUREMENT OPPORTUNITIES**
- 5020           INVITATION FOR BIDS**

5021 REQUESTS FOR PROPOSALS  
5022 NOTICE OF INTENT TO AWARD A SOLE SOURCE CONTRACT  
5023 NOTICE OF CONTRACT AWARDS OVER ONE HUNDRED THOUSAND DOLLARS (\$100,000)  
5024 NOTICE OF EMERGENCY PROCUREMENTS  
5025 CONTRACT TYPES  
5026 FIXED-PRICE CONTRACTS  
5027 COST REIMBURSEMENT CONTRACTS  
5028 SPECIAL METHODS OF CONTRACTING  
5029 BASIC ORDERING AGREEMENTS  
5030 TIME AND MATERIALS CONTRACTS AND LABOR HOURS CONTRACTS  
5031 CONTRACTING PROCEDURES GENERALLY  
5032 SOLE SOURCE CONTRACTS  
5033 EMERGENCY PROCUREMENTS  
5034 SEALED BIDDING  
5035 COMPETITIVE NEGOTIATION  
5036 SIMPLIFIED CONTRACTING PROCEDURES  
5037 COMPETITION EXEMPTIONS  
5038 BLANKET PURCHASE AGREEMENTS  
5039 DISTRICT OF COLUMBIA SUPPLY SCHEDULE  
5040 MANDATORY SET-ASIDES  
5041 FEDERAL SCHEDULES  
5042 THE CONTRACTING OFFICER’S RESPONSIBILITY FOR CONTRACT ADMINISTRATION  
5043 PAYMENT REQUESTS  
5044 EXERCISING THE CONTRACT OPTIONS  
5045 CONTRACT MODIFICATIONS  
5046 CONTRACT TERMINATION  
5047 CONTRACT DOCUMENTATION  
5048 TRANSFER OF CONTRACTS  
5049 DISPUTES  
5050 PROTESTS  
5051 REQUESTS FOR RECORDS  
5052 PRIVACY AND DISCLOSURE  
5053 APPLICABLE LAWS  
5054 to 5098 RESERVED  
5099 DEFINITIONS

**5001 GENERAL**

- 5001.1 This chapter sets forth the procurement rules of the Office of the Attorney General (OAG), pursuant to authority granted by Section 108b of the Attorney General for the District of Columbia Clarification and Elected Term Amendment Act of 2010, effective October 15, 2015 (D.C. Law 21-36; D.C. Official Code § 1-301.88b) (2016 Repl. & 2017 Supp.) (“Act”). The OAG is an independent agency of the District of Columbia government. Its general mission is to enforce the laws of the District in a manner that is in the public’s interest, to provide the District government with the highest level of legal advice and service, and to defend and protect the District’s interests in court. In accordance with the Act, the OAG is subject to the requirements of the District of Columbia Procurement Practices Reform Act of 2010 effective April 8, 2011, (“PPRA”)(D.C. Law 18-371; D.C. Official Code §§ 2-351.01, *et seq.*) (2016 Repl.), as amended, OAG has the authority to issue and implement its own procurement rules. These regulations supersede and replace any existing procurement regulations unless expressly reference or incorporated in these rules.
- 5001.2 Where any statute or regulation is referred to in this title, the reference shall be to the most recent version, and any amendments or revisions to the statute or regulation.
- 5001.3 The Attorney General is authorized to enter into contracts to assist the OAG to carry out its mission, and the Attorney General may delegate that authority in accordance with the Act and these rules.
- 5001.4 These procurement rules are for the benefit of the OAG, and are not intended to confer any rights or benefits on third parties. The principal purposes of these rules are to ensure that the OAG’s procurement activities:
- (a) Are carried out in a fair, efficient and objective manner that promotes public confidence in OAG’s integrity; and
  - (b) Produce reasonable value and results for the OAG.
- 5001.5 These rules are intended to encourage participation by Certified Business Enterprises (CBEs), in accordance with the Small and Certified Business Enterprise Development and Assistance Act of 2005, (“SCBEDA Act”) effective October 20, 2005 (D.C. Law 16-133; D.C. Official Code § 2-218). The OAG’s goals include expanding the use of CBEs.

- 5001.6 The Attorney General may waive the applicability of any provisions in these rules that are not specifically required by statute if the Attorney General finds in writing that:
- (a) Such waiver is in the best interest of the OAG;
  - (b) Such waiver is not inconsistent with fair, competitive, and transparent procurement practices; and
  - (c) Such waiver would not alter the terms of a contract.
- 5001.7 Pursuant to authority described in “Part D-i. Attorney General for the District of Columbia” of the Fiscal Year 2013 Budget Support Act of 2012, effective September 20, 2012 (59 DCR 8025) and “Part A -Summary of Expenses” of the Fiscal Year 2017 Local Budget Act of 2016, effective July 29, 2016 (63 DCR 11133) and incorporated in the District of Columbia Appropriations Act, 2017, approved May 5, 2017, Pub. L. 115-31, and any substantially similar temporary or permanent authority, the Attorney General may enter into a contract to pay vendor fees, including legal fees to be paid as a fixed percentage of District revenue recovered from third parties on behalf of the District under contracts that provide for payment of fees based upon and from such District revenue as may be recovered by the vendor;

**5002 COMPLIANCE WITH PROCUREMENT ACT AND REGULATIONS**

- 5002.1 Except as otherwise provided in the PPRA, the Act, or this chapter, a contract which is entered into in violation of the PPRA, the Act, or this chapter is void.
- 5002.2 Notwithstanding the provisions of § 5002.1, a contract shall not be void if a determination is made that good faith has been shown by all parties and the violation of the provisions of the PPRA, the Act or this chapter are *de minimis*. The determination of good faith may be made by any of the following:
- (a) The Attorney General;
  - (b) The Contract Appeals Board; or
  - (c) A court of competent jurisdiction.
- 5002.3 The Attorney General’s determination of good faith and that a violation of the provisions of the PPRA, the Act or this chapter are *de minimis* made pursuant to § 5002.2 (a) shall be in writing based upon a written request for review by the

contractor or Contracting Officer. The request shall fully describe the contract, the status of performance, the reason why the contract is valid, and the grounds for the determination.

### **5003 CONTINGENT FEES**

5003.1 The Contracting Officer shall ensure that each solicitation, other than those for small purchases, contains language approved by the Attorney General giving notice to prospective contractors of the prohibition against contingent fee arrangements set forth in § 416 of the PPRA.

5003.2 The Contracting Officer shall ensure that the language required by § 416(b) of the PPRA is inserted into each contract.

5003.3 Except as permitted in § 416(b) of the PPRA the Contracting Officer shall not award any contract to a contractor that has made arrangements to pay a contingent fee or other consideration for soliciting or obtaining the contract.

5003.4 If the Contracting Officer has reason to believe that a prospective contractor or contractor is or has been involved in a contingent fee arrangement prohibited under § 416 of the PPRA, and not otherwise permitted by law, the Contracting Officer shall inform the Attorney General in writing, which shall include any evidence or documentation of the alleged prohibited arrangement.

5003.5 If the Attorney General determines that a prohibited contingent fee has been paid or that a contractor has entered into an arrangement to pay a prohibited contingent fee under an existing contract, the Attorney General shall have the right to terminate an existing contract or take any other remedial action authorized under § 416(b) of the PPRA.

5003.6 If the Attorney General determines that a prospective contractor has entered into an arrangement to pay a prohibited contingent fee, he or she shall direct the Contracting Officer to notify the prospective contractor that it is no longer eligible for contract award.

### **5004 MULTIYEAR CONTRACTS**

5004.1 Except for contracts awarded pursuant to 5001.7 and unless prohibited by an appropriations act, a Contracting Officer may enter into a multiyear contract to obtain goods and services for any period of time deemed to be in the best interest of the District provided the term of the contract and conditions of renewal or extension, if any, are included in the solicitation and funds are available for the first fiscal period at the time of contracting and the contract is consistent with the



requirement of § 5004.2 of this chapter. Payment and performance obligations for succeeding fiscal periods shall be subject to availability and appropriations of funds.

5004.2 Except for contracts awarded pursuant to 5001.7, a multiyear contract is authorized where the Contracting Officer determines that:

- (a) Estimated requirements cover the period of the contract and are reasonably firm and continuing; and
- (b) The multiyear term would encourage effective competition, promote economies in District procurement, or otherwise be in the best interest of the District.

5004.3 Multiyear contracting may be used in procurement by competitive sealed bids or competitive sealed proposals or in sole source procurement.

5004.4 Except for contracts awarded pursuant to 5001.7, budget authority to fund a multiyear contract shall be obligated on an annual basis. The initial obligation of funds shall be for the period between the dates of contract award through the end of the fiscal year in which the contract award occurs. Thereafter, each subsequent obligation of funds shall be made one (1) fiscal year at a time and must cover the contract amount that will be incurred in the fiscal year in which the contract work will be performed. First fiscal year requirements of the contract, and funds for requirements in each subsequent contract term, shall be obligated one (1) fiscal year at a time.

## **5005 CANCELLATION OF MULTIYEAR CONTRACTS**

5005.1 Except for contracts awarded pursuant to 5001.7, at the end of each fiscal year, a multiyear contract shall be canceled if sufficient budget authority is not available to fund the contract during a subsequent fiscal year.

5005.2 Except for contracts awarded pursuant to 5001.7, if a multiyear contract is canceled due to unavailability of funds, the contractor shall be reimbursed for the reasonable value of any nonrecurring costs incurred but not amortized in the price of the goods delivered and accepted or services delivered and accepted under the contract.

5005.3 Except for contracts awarded pursuant to 5001.7, if a multiyear contract is terminated for the convenience of the District, including items subject to cancellation, the District's obligation shall not exceed the amount specified for contract performance plus the reasonable value of any nonrecurring costs incurred

but not amortized in the price of the goods delivered or services performed under the contract.

5005.4 The costs of cancellation under § 5005.2 or termination under § 5005.3 may be paid from appropriations available for such purposes.

5005.5 For contracts awarded pursuant to the authority cited in 5001.7, the terms of the contract shall govern cancellation and payments, if any.

**5006 MULTIYEAR CONTRACT SOLICITATIONS**

5006.1 Except for solicitations for multiyear contracts pursuant to 5001.7, a solicitation for a multiyear contract shall include:

- (a) The amount of supplies or services required or the proposed contract period;
- (b) A unit price for each supply or service, which unit prices shall be the same throughout the contract (except to the extent price adjustments may be provided in the solicitation or resulting contract).
- (c) A clause stating that the multiyear contract will be cancelled if funds are not appropriated or otherwise made available to support the continuation of performance in any fiscal period succeeding the first and a statement that this clause does not affect either the District’s rights or the contractor’s rights under any termination clause in the contract; and
- (d) Whether bidders or offerors may submit prices for:
  - (1) The first fiscal period only;
  - (2) The entire time of performance only; or
  - (3) Both the first fiscal period and the entire time of performance.

**5007 APPLICABILITY**

5007.1 These rules apply to the procurement of goods or services, including construction services, by and for the OAG:

- (a) Whether through purchase or lease; and

- (b) Whether the goods or services are already in existence or must be developed.

5007.2 This chapter does not apply to any goods or services that the OAG may acquire as a gift, or on a pro bono basis.

5007.3 These rules shall not apply to:

- (a) The purchase or lease of real property by the OAG; and
- (b) The disposition of real or personal property by the OAG.

**5008 CHIEF CONTRACTING OFFICER**

5008.1 The Attorney General shall serve as the OAG’s Chief Contracting Officer (CCO). The CCO shall have plenary contracting authority and have responsibility for supervising the OAG’s procurement activities. The CCO shall prescribe the standard contract format and standard contract provisions to be included in the contracts, consistent with this chapter. The CCO may waive standard contract provisions and substitute contract provisions if the CCO determines that it is in the best interest of the OAG to do so.

**5009 DELEGATION OF AUTHORITY TO CONTRACTING OFFICERS**

5009.1 The Attorney General may delegate contracting authority to any qualified OAG employee.

5009.2 Each delegation of contracting authority under the Act shall be in writing and shall include clear instructions on the limitations of the contracting authority being delegated.

5009.3 The Attorney General shall use a form approved for each written delegation or modification of contracting authority. The executed form shall include the following:

- (a) The limitations on the scope of delegated authority to be exercised;
- (b) The limitations on the authority set forth in applicable laws and regulations; and
- (c) The signature of the Attorney General.

- 5009.4 In no instance shall the individual being delegated contracting authority presume any greater contracting authority than what has been given. Any individual delegated contracting authority shall not re-delegate that authority without approval of the Attorney General.
- 5009.5 Termination of a Contracting Officer's appointment shall be in writing unless the written delegation or modification of authority contains a provision for automatic termination or expiration. No termination shall operate retroactively.
- 5009.6 Subject to compliance with these rules, Contracting Officers shall have wide latitude to exercise business judgment in conducting procurements. Consequently, the ability to exercise that discretion wisely and responsibly is an important job qualification.
- 5009.7 The Attorney General shall ensure that Contracting Officers periodically receive training to strengthen and update their skills and knowledge concerning procurement matters.
- 5009.8 The Attorney General shall publish and regularly update on the OAG Internet an updated list of authorized Contracting Officers and their authority limits.

## **5010 AUTHORITY AND DUTIES OF CONTRACTING OFFICERS**

- 5010.1 The Contracting Officer shall be authorized to enter into, administer, and terminate contracts. However, the Contracting Officer may bind the District only to the extent of the contracting authority set forth in his or her delegation.
- 5010.2 The Contracting Officer shall:
- (a) Make all determinations and findings required by the Act, the PPRA, or this chapter for each solicitation or contract for which he or she is responsible;
  - (b) Not enter into a contract unless he or she has ensured that all requirements of law, rules, and all other applicable procedures (including approvals) have been met;
  - (c) Have wide latitude to exercise business judgment;
  - (d) Ensure that contractors receive impartial, fair, and equitable treatment in accordance with the PPRA, the Act and this chapter;

- (e) Request and consider the advice of specialists in auditing, law, engineering, transportation, and other fields when necessary or appropriate to the exercise of the contracting officer's authority;
- (f) Ensure that sufficient unencumbered budget authority is available for obligation for each contract;
- (g) Not make any purchase or enter into any contract for an amount in excess of his or her specifically delegated contracting authority; and
- (h) Maintain the contract file, which serves as the repository for all required documentation concerning the procurement and any resulting contracts.

## **5011 CONDUCT OF CONTRACTING OFFICERS**

- 5011.1 The procurement business of the OAG shall be conducted in a manner above reproach and, except as authorized by law, with complete impartiality and with preferential treatment for none.
- 5011.2 The Attorney General shall ensure that each Contracting Officer is thoroughly familiar with the conflict of interest and other employee conduct provisions of Chapter 18 (Employee Conduct) of Subtitle B (Government Personnel) of Title 6 (Personnel) of the District of Columbia Municipal Regulations, and the applicability of those regulations to Contracting Officers and the procurement process.

## **5012 CONTRACTOR QUALIFICATION REQUIREMENTS**

- 5012.1 A prospective contractor must:
- (a) Be responsible; and
  - (b) Not be disqualified on the basis of conflicts of interest (either personal or organizational) or related ethical concerns.
- 5012.2 The issues of responsibility and conflicts of interests/disqualification are addressed in §§ 5013 and 5015 respectively.

## **5013 RESPONSIBILITY**

- 5013.1 To receive a contract from the OAG, a contractor must be responsible. To be considered responsible, a contractor must:

- (a) Have or provide evidence that it can obtain the financial, technical, and organizational skills and resources, and the facilities and equipment, necessary to perform the contract in accordance with its terms;
- (b) Have a satisfactory performance record;
- (c) Have a satisfactory record of integrity and business ethics;
- (d) Not be suspended, debarred, or otherwise ineligible to receive contracts from the District Government or the Federal Government;
- (e) Meet any other qualification criteria that may be imposed by applicable laws or regulations;
- (f) Have the necessary licenses, permits, and certifications to perform the contract; and
- (g) Provide adequate evidence that it has paid all applicable District of Columbia and Federal taxes and filed District and Federal tax returns.

5013.2 The Contracting Officer shall make a written determination if the contractor is found to be non-responsible. Depending on the level of formality of the contract and at the Contracting Officer's discretion, the Contracting Officer may make a written determination if the contractor is found to be responsible. Award of a contract shall be considered the Contracting Officer's determination that the contractor is responsible.

5013.3 In evaluating a prospective contractor's responsibility, a Contracting Officer may request information from the contractor and may also consider information available from other sources. Where necessary, the Contracting Officer may also perform a pre-award survey involving interviews with contractor personnel or visits to the contractor's facilities. Information on the capabilities and suitability of proposed subcontractors also may be considered in evaluating responsibility.

5013.4 For all contracts that exceed \$100,000, a potential contractor shall complete and submit with its bid or offer a certification developed by OAG to provide information needs to determine if a prospective contractor is responsible. The certification shall be signed under the penalty of perjury. The contractor shall update its responses in the certification during the term of the contract within 60 days of a material change in a response to its prior questionnaire and prior to the exercise of an option year contract.

**5014 PRICE REASONABLENESS**

5014.1 The contracting officer may determine whether a price is fair and reasonable for each contract.

**5015 ORGANIZATIONAL CONFLICTS OF INTEREST;  
DISQUALIFICATION**

5015.1 The OAG intends to avoid even the appearance of conflict of interest or impropriety in connection with its procurement activities. Thus, even if a prospective contractor is determined to be responsible, the CCO has the discretion to disqualify the contractor (or to take other appropriate measures) based on a conflict of interest, the appearance thereof, or other ethical considerations as further described in sections.

5015.2 If the Contracting Officer determines that there is a conflict of interest, the appearance of a conflict of interest, or another ethical consideration, the Contracting Officer may:

- (a) Disqualify a contractor at any point during procurement;
- (b) Rescind or terminate a contract subsequent to contract award; or
- (c) Take other appropriate corrective measures, such as canceling a pending solicitation and initiating a new procurement; provided, however, that prior to taking any such action, the Contracting Officer shall first obtain the approval of the CCO.

5015.3 A determination by the Contracting Officer and the CCO to take a corrective measure described in § 5015.4 below shall be made in writing and included in the contract file.

5015.4 The ethical consideration(s) that may authorize disqualification or another corrective measure go beyond a violation of the ethics and conflict of interest rules of the District of Columbia government and the prospective contractor, if any. The CCO may properly take corrective measures whenever necessary or prudent to avoid the appearance of impropriety or otherwise eliminate doubts about the integrity and fairness of procurement. For example, situations in which corrective measures might be warranted include (but are not limited to):

- (a) Cases where an employee of the OAG or the CCO have any interest, direct or indirect, as principal, surety, or otherwise in a contract, where the

expense or consideration of the contract is payable from OAG funds.

- (b) Cases where the Attorney General or an employee of the OAG involved in a procurement had a relationship with a contractor that fell outside the District of Columbia government ethics rules, but nonetheless raised questions about the procurement's integrity;
- (c) Cases where a prospective contractor received preferential treatment in relation to its competitors;
- (d) Cases where a prospective contractor hired a former employee of the OAG who was privy to non-public information about the procurement, and involved that individual in its proposal preparation efforts; or
- (e) Cases where there is clear evidence suggesting collusive bidding or similar anti-competitive practices by prospective contractors.

5015.5 Organizational conflicts of interest also may warrant disqualification or other corrective measures. Organizational conflict of interest means a situation in which a contractor:

- (a) May be unable to render impartial and objective assistance or advice to the OAG; or
- (b) May have an unfair advantage over potential competitors.

5015.6 Organizational conflicts of interests can arise in a variety of circumstances. For example, a contractor that develops the technical specifications for an item that will be the subject of a future procurement may have an incentive to develop specifications favoring its own products unless it is barred from participating in the future procurement. Another example is a case where a contractor performs services for the OAG that require access to non-public information (for example, proprietary data of other companies) and could therefore gain an unfair advantage over competitors in future procurements.

5015.7 A number of measures may be appropriate for eliminating or mitigating organizational conflicts of interest, and the Contracting Officer has broad discretion to select the approach that is most suitable in any particular case. For example, a contract to assist the OAG in developing requirements for a future procurement ordinarily should include a clause prohibiting the contractor from participating in the future procurement. A contract in which the contractor gains access to proprietary information of other companies (or non-public information on the OAG's procurement plans) should include an appropriate clause that



prevents the contractor from using such information in any manner that might give it an unfair advantage and prohibits the contractor from disclosing this proprietary information.

5015.8 In each case, the mechanism adopted to address an organizational conflict of interest should be designed to prevent:

(a) The existence of conflicting roles that might bias a contractor’s judgment; and

(b) An unfair competitive advantage.

## **5016 PROCUREMENT PLANNING**

5016.1 OAG shall perform procurement planning and conduct market research to promote and provide for full and open competition with due regard to the nature of the goods and services to be acquired.

5016.2 When full and open competition is not required by law, the agency shall perform procurement planning and conduct market research to obtain competition to the maximum extent practicable.

5016.3 Procurement planning shall begin as soon as an agency need is identified and preferably well in advance of the fiscal year in which the contract award is necessary. In developing the plan, the planner may form a team consisting of all those who will be responsible for significant aspects of the procurement, such as contracting, fiscal, legal, and technical personnel and, when applicable, the Department of Small and Local Business Development.

## **5017 MARKET RESEARCH**

5017.1 Before issuing a solicitation or making a purchase, the OAG shall:

(a) Estimate the likely cost of the proposed procurement and assure that adequate funds are available; and

(b) Conduct appropriate market research and establish minimum needs.

5017.2 Market research is designed primarily to familiarize the OAG with the market for the goods or services it seeks to acquire in order to develop an appropriate strategy for conducting a prompt and efficient procurement that promotes full and open competition between qualified firms. The extent of market research will vary depending on factors such as urgency, the size and complexity of the

proposed procurement, and the OAG’s existing knowledge of the market based on its (or its key personnel’s) past experience in procuring similar goods or services.

5017.3 Market research, to the extent it is relevant to the particular procurement and not already known to the OAG, generally should focus on obtaining information such as the following:

- (a) Customary practices in the relevant market;
- (b) The prospective sources that may be able to supply the goods or services;
- (c) The opportunities for participation by firms that qualify as CBEs;
- (d) The benchmarks available to evaluate the likely cost of the procurement and the reasonableness of prices or costs proposed by prospective contractors; and
- (e) The requirements of any laws or regulations unique to the procurement.

5017.4 In conducting market research, the OAG may solicit information from prospective sources on matters such as their interest in the potential procurement, the characteristics and costs of their products or services, their customary practices, and their knowledge of the industry generally. Such information may be solicited by requesting interested parties to submit written information (for example, by posting a notice on the Internet seeking information pertinent to the proposed procurement), through meetings or telephone contacts, by distributing and seeking comments on a draft solicitation, or through other prudent means.

5017.5 In addition to soliciting information from prospective contractors, the OAG may also obtain information from other sources. For example, price information that can assist in estimating the likely cost of the procurement and in evaluating price reasonableness is frequently available from sources such as catalogs, Internet sites, or records of past procurements.

## **5018 PREPARING SOLICITATIONS**

5018.1 Following the conduct of market research, the Contracting Officer shall make a determination as to which procurement method identified in these regulations is most beneficial to the OAG. The Contracting Officer will ordinarily prepare a solicitation requesting responses; however, the Contracting Officer may determine to purchase the required goods or services through its small purchase procedures or from a federal or District supply schedule contract, or any other method set forth in the PPRA or this chapter.

- 5018.2 When the Contracting Officer issues a solicitation, its length and contents will depend on factors such as the size of the procurement, the nature and complexity of the goods or services, the contracting procedure to be used, and the contract type. In general, however, a solicitation should clearly describe the OAG’s needs (for example, by providing a statement of work outlining the type of services required or information specifying product characteristics or capabilities) and method of award.
- 5018.3 In preparing a solicitation, the Contracting Officer should seek to enhance competition by carefully scrutinizing and eliminating, to the extent possible, any unnecessary requirements that may restrict the number of prospective sources or the range of goods or services they can offer. Such provisions may include, for example, technical specifications that unnecessarily limit the competitive field, unnecessarily aggressive delivery schedules, or burdensome terms and conditions that might deter smaller companies from competing.
- 5018.4 The Contracting Officer may issue solicitations in paper form or electronically.
- 5018.5 The Contracting Officer with the approval of the CCO may cancel a solicitation or reject all bids or proposals received at any time before the contract award when the Contracting Officer determines in writing that the cancellation is in the OAG’s best interests.

## **5019 PUBLICIZING PROCUREMENT OPPORTUNITIES**

- 5019.1 The Attorney General shall maintain an OAG Internet site that provides the public with notice of opportunities to participate in OAG’s procurement process, notice of contract awards and other relevant information about OAG procurements.
- 5019.2 The Contracting Officer may also use other methods to publicize procurement. The specific method or methods used should be tailored to the particular procurement, taking into account factors such as the size of the procurement, the type of goods or services sought, the urgency associated with the requirement, and the most efficient means of disseminating information in the relevant market. The methods available to publicize procurement opportunities may include print advertising, Internet notices, developing source lists of qualified firms known to supply particular categories of goods or services, soliciting specific sources through written notices or telephone contacts, and holding pre-bid or pre-proposal conferences.
- 5019.3 In addition to publication or other method of publicizing the procurement opportunity described in Section, unless otherwise specified in this chapter, the

Contracting Officer shall also compile a list of at least three (3) vendors that the Contracting Officer reasonably believes are qualified to provide the services or goods specified in a solicitation and shall provide those vendors with a copy of the solicitation. If the Contracting Officer is unable to locate at least three (3) potential vendors, the Contracting Officer shall provide the solicitation to as many vendors as the Contracting Officer can reasonably identify.

## **5020 INVITATION FOR BIDS**

5020.1 An Invitation for Bids (IFB) shall be advertised for at least fourteen (14) days before the date set for the receipt of bids, unless the Attorney General determines in writing that it is appropriate to shorten the notice period to not less than three (3) days. The Attorney General shall consider the following factors in determining whether it is appropriate to shorten a notice period:

- (a) The complexity of the procurement;
- (b) Subcontracting requirements;
- (c) The degree of urgency;
- (d) The impact of a shortened notice period on competition; and
- (e) Any other relevant factors.

## **5021 REQUESTS FOR PROPOSALS**

5021.1 A Request for Proposals (RFP) shall be advertised for at least twenty-one (21) days before the date set for the receipt of proposals, unless the Attorney General determines in writing that it is appropriate to shorten the notice period to not less than fourteen (14) days. The Attorney General shall consider the following factors in determining whether it is appropriate to shorten the notice period:

- (a) The complexity of the procurement;
- (b) Subcontracting requirements;
- (c) The degree of urgency;
- (d) The impact of a shortened notice period on competition; and
- (e) Any other relevant factors.

**5022 NOTICE OF INTENT TO AWARD A SOLE SOURCE CONTRACT**

5022.1 A notice of intent to award a sole source contract shall be published on the OAG Internet for at least ten (10) days prior to contract award.

5022.2 A notice of intent to award a sole source contract shall include:

- (a) A copy of the proposed determination and findings required under § 404(b) of the PPRA;
- (b) A clear description of the item to be procured;
- (c) The intended sole source contractor.

5022.3 Sole source awards, regardless of dollar value, shall be published in accordance with the provisions in § 5023.1 of this chapter.

**5023 NOTICE OF CONTRACT AWARDS OVER ONE HUNDRED THOUSAND DOLLARS (\$100,000)**

5023.1 The following documents related to each contract award over one hundred thousand dollars (\$100,000) shall be published on the OAG Internet site within seven (7) days of award:

- (a) The solicitation and all amendments thereto;
- (b) The contract and all modifications thereto;
- (c) Determinations and findings; and
- (d) Change orders.

5023.2 All information published under this section shall be removed from the Internet site upon the expiration or termination of the contract, or after five (5) years of award, whichever is longer.

**5024 NOTICE OF EMERGENCY PROCUREMENTS**

5024.1 Emergency procurement awards, regardless of dollar value, shall be published in accordance with the provisions in § 5023.1 of this chapter.

**5025 CONTRACT TYPES**

- 5025.1 The type of contract awarded by the Contracting Officer will generally depend on factors such as the particular goods or services to be acquired, whether the costs of the goods or services can be estimated in advance with reasonable accuracy, and the degree to which the precise nature and extent of the contract work is known at the time of award.
- 5025.2 The Contracting Officer may use a variety of contract types, including but not limited to:
- (a) Fixed price contracts (fixed price contracts will generally be used in connection with the purchases of discrete and identifiable goods or assets, and for other appropriate purchases);
  - (b) Cost reimbursement contracts;
  - (c) Delivery order contracts;
  - (d) Time-and-materials or labor-hours contracts; and
  - (e) Indefinite Delivery, Indefinite Quantity contracts.
- 5025.3 The Contracting Officer may also award any alternative type of contract that will produce reasonable value in the context of a particular procurement. However, the Contracting Officer may not award cost-plus-percentage-of-cost contracts.

**5026 FIXED-PRICE CONTRACTS**

- 5026.1 Fixed price contracts include several variants:
- (a) Firm, fixed price contracts;
  - (b) Fixed price contracts with economic price adjustment; and
  - (c) Fixed price incentive contracts.
  - (d) Fixed Unit Price Contracts.
- 5026.2 Unlike cost reimbursement contracts, any type of fixed price contract obligates the contractor to complete the contractually-specified work for a fixed price.
- 5026.3 A firm fixed price contract provides for a price that is not subject to adjustment,

except in the event of a change to the scope of work.

5026.4 A fixed price contract with economic price adjustment provides for an upward or downward adjustment in the stated contract price based on changes in certain benchmarks specifically identified in the contract (for example, catalog prices, the producer price index for a particular commodity, or a recognized index for the price of legal services), subject to a ceiling on upward adjustments.

5026.5 A fixed price incentive contract generally provides for establishing a final price by applying a formula based on the relationship between the total cost actually incurred by the contractor and a total target cost. A fixed price incentive contract results in the parties sharing in the cost savings or increases associated with differences between the actual and target cost. These contracts also can include incentive formulas based on the contractor's schedule or technical performance.

## **5027 COST REIMBURSEMENT CONTRACTS**

5027.1 Cost reimbursement contracts provide for the contractor to recover the reimbursable costs it incurs in contract performance, plus a fee (that is, a profit).

5027.2 A reimbursable cost must be:

- (a) Reasonable in nature and amount;
- (b) Properly allocable to the contract;
- (c) Determined in accordance with generally accepted accounting principles; and
- (d) Not identified as non-reimbursable pursuant to Chapter 33 of Title 2700 of the DCMR or under the terms of the particular contract.

5027.3 To ensure that the OAG's payment obligations are not open-ended, a cost reimbursement contract must specify a not-to-exceed cost that the contractor cannot exceed (the "not-to-exceed limit"), except at its own risk, without the Contracting Officer's written approval. Because the contractor can cease performance once it reaches the not-to-exceed cost (unless the Contracting Officer approves an increase), it is not obligated to complete the contract work unless it can do so within the not-to-exceed limit.

5027.4 Cost reimbursement contracts can take three (3) forms:

- (a) Cost-plus-fixed-fee;

(b) Cost-plus-incentive-fee; and

(c) Cost-plus-award-fee.

5027.5 The differences between the types of cost reimbursement contracts listed in Section relate to the manner in which the contractor's fee is determined.

5027.6 A cost-plus-fixed-fee contract provides for a fee that is fixed at the contract's inception and is not subject to adjustment unless the contract is modified to change the contract work.

5027.7 A cost-plus-incentive-fee contract provides for a fee that generally is determined by applying a formula based on the relationship between the contractor's total reimbursable cost and a total target cost, subject to a specified minimum and maximum. These contracts also can include incentive formulas based on the contractor's schedule or technical performance.

5027.8 A cost-plus-award-fee contract provides for:

(a) A base fee fixed at the contract's inception; and

(b) An award fee that the contractor may earn (in whole or in part) during performance, which is designed to motivate superior performance.

5027.9 The award fee in a cost-plus-award-fee contract is determined unilaterally by the Contracting Officer, based on the Contracting Officer's judgment and evaluation of how well the contractor has performed in relation to the award fee criteria identified in the contract. In no event shall the total award fee available to the contractor exceed ten percent (10%).

5027.10 In appropriate circumstances, the Contracting Officer may include a guaranteed maximum price (GMP) in a cost reimbursement contract. A GMP differs from a not-to-exceed amount in that a contractor is required to complete performance of the base scope of work required under the contract for an amount that does not exceed the GMP. Under such an approach, if the total cost exceeds the GMP, the contractor shall be required to complete performance of the base scope of work at its own cost and expense.

## **5028 SPECIAL METHODS OF CONTRACTING**

5028.1 Notwithstanding any other provision of this chapter, a Contracting Officer may award contracts with other organizations, public or private, for goods and services



that are in the OAG’s best interest. As part of the procurement planning process, the Contracting Officer will determine the most appropriate method of contracting based on, among other considerations, the scope of work, delivery schedules, existing market conditions, and other relevant considerations. The selection of any Special Method of Contracting shall be considered a competitive procurement for the purposes of this chapter.

- (a) Cooperative Purchasing Agreements. The OAG shall be authorized and encouraged to participate in, sponsor, conduct, or administer Cooperative Purchasing Agreements and contracts with any other organization, public or private, including state, county, or municipal jurisdictions, for the purpose of procuring supplies and services, which shall include construction services or architectural and engineering services related to construction repairs, upgrades, restoration, alteration, and reconstruction of existing buildings and facilities.
- (b) Cooperative Purchasing Agreements entered into by the OAG shall be in accordance with, to the extent practicable, all laws, statutes, and regulations applicable to the OAG with respect to contracting, and shall not be inconsistent with laws, statutes, and regulations of the United States government that apply specifically to the District.
- (c) Contracts with Federal Agencies - In the discretion of the CCO, the CCO may authorize Contracting Officers to place orders, if the CCO determines it to be in the best interest of the OAG, with any federal department, establishment, bureau, or office for materials, supplies, equipment, work, or services of any kind that such federal agency may be in a position to supply or be equipped to render, by contract, supply schedule, or otherwise, and shall pay promptly by check to such federal agency, upon its written request, either in advance or upon furnishing or performance thereof, all or part of the estimated or actual costs thereof as determined by such department, establishment, bureau, or office as may be requisitioned; but proper adjustments on the basis of the actual costs of the materials, supplies or equipment furnished or work or services performed, paid for in advance, shall be made as may be agreed upon by the departments, establishments, bureaus, or offices concerned. Orders placed as provided in this subsection shall be considered as obligations upon appropriations in the same manner as orders or contracts placed with private contractors.
- (d) Contracts with District Agencies - The CCO may authorize Contracting Officers to place orders with any department, office, or agency of the District for materials, supplies, equipment, work, or services of any kind

that the requisitioned department, office, or agency may be in a position to supply or equipped to render. To the extent that the OAG places any such order, it shall either advance, subject to proper adjustment on the basis of actual cost, or reimburse, such department, office or agency the actual cost of materials, supplies, or equipment furnished or work or services performed as determined by such department, office, or agency as may be requisitioned. Orders placed as provided in this subsection shall be considered as obligations upon appropriations in the same manner as orders or contracts placed with private contractors.

- (e) Letter Contracts - A letter contract may be used only after the Contracting Officer determines, in writing, that no other type of contract is suitable. A letter contract shall not commit the OAG to a definitive contract in excess of the funds available at the time the letter contract is executed. The Contracting Officer may use a letter contract when the OAG's interests demand that the contractor be given a binding commitment so that work can start immediately and executing a definitive contract is not possible in sufficient time to meet the requirement. Each letter contract shall be as complete and definite as possible under the circumstances and shall include clauses approved and required by the CCO. When a letter contract is executed, the Contracting Officer shall include a price ceiling for the anticipated definitive contract. The price ceiling shall not be exceeded. Each letter contract shall also include a clause indicating the maximum liability of the OAG under the letter contract. The maximum liability to the OAG shall be the estimated amount necessary to cover the contractor's requirement for funds before execution of the definitive contract. However, the OAG's maximum liability shall not exceed fifty percent (50%) of the overall price ceiling for the term of the definitive contract. The Contracting Officer shall execute a definitive contract within one hundred and twenty (120) days after the date of execution of the letter contract or before completion of fifty percent (50%) of the work to be performed, whichever occurs first. The Contracting Officer may authorize an additional period to complete the definitive contract. Prior to execution of a letter contract, the Contracting Officer shall ensure that funds are encumbered for obligation in the amount of the maximum OAG liability for the term of the letter contract. For purposes of review and approval of letter contracts, and for purposes of contracting authority, the Contracting Officer shall use the estimated amount of the definitive contract for determining the type and level of review and approval required.

**5029 BASIC ORDERING AGREEMENTS**

- 5029.1 Under basic ordering agreements (also known as task order contracts or term contracts), the contractor’s performance obligations are triggered when the Contracting Officer subsequently issues task orders pursuant to the contract.
- 5029.2 Basic ordering agreements include:
- (a) Requirements contracts; and
  - (b) Indefinite quantities contracts.
- 5029.3 A requirement contract provides the mechanism for the Contracting Officer to order from the contractor all of its requirements for designated supplies or services during a specified period (subject to any maximum ordering limitation in the contract). This type of contract should only be used when the Contracting Officer determines that a requirement contract will provide superior economic benefits to an indefinite quantity contract as it locks the Contracting Officer into one (1) source of supply for the goods or services required under the basic ordering agreement. A requirements contract must be approved by the CCO in addition to the Contracting Officer.
- 5029.4 An indefinite quantity contract provides for an indefinite quantity, within specified limits, of supplies or services to be furnished during a fixed period.
- 5029.5 An indefinite quantity contract:
- (a) Requires the OAG to order and the contractor to deliver at least the stated minimum quantity of supplies or services; and
  - (b) Requires the contractor to deliver any additional quantities the OAG may order during the contract period (subject to any maximum quantity limitations in the contract).
- 5029.6 The Contracting Officer may award a single indefinite quantity contract for particular goods or services, or may award multiple contracts and choose between the selected contractors in awarding subsequent delivery orders.
- 5029.7 If an indefinite quantity contract is used, the Contracting Officer shall establish, at the time the basic ordering agreements are awarded, a procedure by which work will be awarded under the basic ordering agreements (“award procedure”).
- 5029.8 Generally, one (1) of the following two (2) award procedures shall be used:

- (a) The rotating award procedure, where work is assigned on a rotation basis (that is, the first task order is given to Contractor A, the second task order to Contractor B, etc.); or
- (b) The competitive award procedure, where the Contracting Officer requests task order proposals from two (2) or more contractors holding an indefinite delivery contract.

5029.9 The competitive award procedure is preferred.

5029.10 If the competitive award procedure is used, each task order request shall specify:

- (a) The specific goods or services required;
- (b) A delivery date; and
- (c) Such other information as the Contracting Officer may reasonably request.

**5030 TIME AND MATERIALS CONTRACTS AND LABOR HOURS CONTRACTS**

5030.1 Time-and-materials contracts provide for acquiring supplies or services on the basis of:

- (a) Direct labor hours charged at fixed hourly rates that are loaded rates that which include overhead, general and administrative expenses, and profit; and
- (b) Materials (which may be charged either at their actual cost or at fixed unit prices).

5030.2 A labor hours contract is a time-and-materials contract that does not involve materials.

5030.3 Both time-and-materials contracts and labor hours contracts should specify a ceiling price.

**5031 CONTRACTING PROCEDURES GENERALLY**

5031.1 In general, every procurement by the OAG should be conducted in accordance with competitive contracting procedures, suitable to the specific procurement, that produce reasonable value and reasonable results.

5031.2 The contracting procedures the Contracting Officer may include, but are not limited to, the procedures described in this chapter. In any procurement including change orders or supplemental agreements, the Contracting Officer may require the bidder, offeror or contractor to submit to the OAG factual information reasonably available to the bidder, offeror or contractor, in order to substantiate that the price or cost offered, or some portion of it, is reasonable.

## **5032 SOLE SOURCE CONTRACTS**

5032.1 Procurement contracts may be awarded through noncompetitive negotiations when the CCO or the CCO designee determines in writing that there is only one (1) source for the required commodity, service, construction, litigation experts, §

5032.2 If the Contracting Officer makes a determination pursuant to § 5032.1 that a sole source procurement is necessary to meet an essential requirement of the OAG, the Contracting Officer shall document such determination in writing and may procure goods, services, or construction without regard to the procedures set forth elsewhere in this chapter, provided that the Contracting Officer shall comply with the provisions of § 5022 of these rules regarding posting notice of intent to award a sole source procurement.

5032.3 A written determination by the Contracting Officer supporting a single available source procurement pursuant to Section shall include:

- (a) A description of the nature of the goods or services; and
- (b) An explanation of why the goods or services are only available from a single source.

5032.4 The Contracting Officer shall publicize the District's intent to enter into a sole source contract in accordance with the provisions of § 5022.

5032.5 The Contracting Officer shall publicize all sole source contracts in accordance with the provisions of § 5022.

5032.6 If a grant or law requires a specific vendor to provide certain goods or services for a requirement, the Contracting Officer does not have to publicize the notice of intent to enter into a sole source contract.

5032.7 A sole source contract shall not be justified on the basis of:

- (a) The lack of adequate advance planning for the procurement of the required goods or services;
- (b) Delays in the procurement caused by administrative delays, lack of sufficient procurement personnel, or improper handling of procurement requests or competitive procedures; or
- (c) Pending expiration of budget authority.

### **5033 EMERGENCY PROCUREMENTS**

5033.1 The Contracting Officer may award a contract on an emergency basis when there is an imminent threat to the public health, welfare, property, or safety, or to prevent or minimize serious disruption in District services.

5033.2 The Contracting Officer shall prepare a D&F that sets forth the justification for the emergency procurement. The D&F shall include:

- (a) Identification of the agency and specific identification of the document as an emergency D&F;
- (b) A statement that emergency procurement procedures will be used for the procurement;
- (c) A description of the requirement;
- (d) A description of the emergency;
- (e) A description of steps taken to solicit bids or proposals from as many potential competitors as possible under the emergency condition;
- (f) A determination that the anticipated costs to the District will be fair and reasonable in light of the emergency;
- (g) A specific citation to Section 405 of the PPRA (D.C. Official Code § 2-354.05) and the applicable provisions of this chapter that provide legal authority for the emergency procurement; and
- (h) Any other pertinent facts that support the emergency justification.

5033.3 An emergency contract shall not be justified on the basis of:

- (a) The lack of adequate advance planning for the procurement of the required goods or services;

- (b) Delays in the procurement caused by administrative delays, lack of sufficient procurement personnel, or improper handling of procurement requests or competitive procedures; or
- (c) Pending expiration of budget authority.

- 5033.4 Emergency procurements shall be limited to those goods or services necessary to meet the emergency.
- 5033.5 Emergency procurements shall be made with as much competition as is practicable under the circumstances, based on the judgment and determination of the Contracting Officer.
- 5033.6 The Contracting Officer shall have the authority to issue oral orders or notices to proceed to contractors to provide goods or services to the District, provided the directive is reduced to writing within three (3) business days after issuance and the funding for the goods or services provided is certified by the appropriate fiscal official.
- 5033.7 Emergency procurement procedures shall not be used for contracts exceeding ninety (90) days; provided that if the development time for the goods or services exceeds ninety (90) days, the contract shall not exceed one hundred twenty (120) days.
- 5033.8 A contract procured on an emergency basis shall not be modified to expand the scope or extend the time of the procurement unless a limited number of additional goods or services are needed to fill an on-going emergency requirement until regular procurement action procedures can be completed.
- 5033.9 Notice of all emergency procurements, including D&Fs, shall be publicized in accordance with the provisions of § 5022.

**5034 SEALED BIDDING**

- 5034.1 The solicitation used to initiate a procurement conducted by sealed bidding is known as an Invitation for Bids (IFB).
- 5034.2 The evaluation factors used in sealed bid procurements are limited to price and price-related factors (including price evaluation preferences for CBEs).
- 5034.3 The IFB shall specify:

- (a) Any information necessary to explain how the Contracting Officer will evaluate price (for example, whether option prices will be evaluated);
- (b) Any price-related factors that will be evaluated and their relative importance in the overall evaluation scheme;
- (c) A description of the goods or services sought (including quantity requirements);
- (d) The contract delivery schedule;
- (e) A description of any special qualification requirements the contractor must satisfy;
- (f) Instructions for submitting bids (including the deadline for bid submission, the method(s) for submitting bids, any representations or certifications bidders must submit, and any requirements for the submission of items such as bid samples, subcontracting plans, or payment or performance bonds);
- (g) The period during which bids must remain open for acceptance; and
- (h) The contract's terms and conditions.

- 5034.4 Any changes in the information set forth in an IFB must be made by an amendment to the IFB.
- 5034.5 Bids shall be submitted by a method specifically permitted by the IFB (for example, hand delivery, mailing, electronic transmission, or fax).
- 5034.6 A bid may be withdrawn or modified at any time before bid opening by any of the methods permitted for submitting bids.
- 5034.7 A late bid (or late modification or withdrawal) shall not be considered, unless such delay is caused by the OAG.
- 5034.8 The Contracting Officer shall prepare and maintain in the contract file an abstract listing the bid prices.
- 5034.9 The contract shall be awarded to the qualified bidder whose bid is responsive to the IFB and is most advantageous to the OAG considering only price and the price-related evaluation factors identified in the IFB and the Contracting Officer determines that the bidder is responsible.



5034.10 To be considered responsive, a bid must comply in all material respects with the IFB. Responsiveness involves matters that relate to the bid itself as opposed to the responsibility or other qualifications of the bidder. In determining whether a bid is responsive, the Contracting Officer has the discretion to permit correction of minor informalities or irregularities.

5034.11 The Contracting Officer shall endeavor to include with every IFB solicitation the form of the contract that the contractor will be required to enter into. To the greatest extent possible, the Contracting Officer should endeavor to provide clear and concise contract documents. Contracts which consist of the solicitation, the bid, and other documents attached together but not integrated into a single contract document are discouraged

### **5035 COMPETITIVE NEGOTIATION**

5035.1 The solicitation used to initiate a procurement conducted by competitive negotiation is known as a Request for Proposals (RFP).

5035.2 If the Contracting Officer issues an RFP, the Contracting Officer shall establish a deadline for offerors' submission of initial proposals consistent with the requirements of § 5019.

5035.3 The evaluation criteria used in procurements conducted by competitive negotiation include price or cost (including, but not limited to, hourly rates for services and fixed fees for cost reimbursement contracts) along with any other factors appropriate to the particular procurement (for example, the offeror's technical approach, past performance, or status as a CBE or plans for subcontracting with CBEs).

5035.4 The RFP may, if the Contracting Officer deems it advisable, contain either an estimate that generally describes the price range contemplated by the Contracting Officer or a funding limitation for the procurement.

5035.5 The RFP shall specify all evaluation factors and their relative importance. The RFP should also include:

- (a) A description of the goods, services, or scope of construction work sought (including quantity or estimated quantity);
- (b) The contract delivery schedule (including any permitted variations in the delivery schedule);

- (c) A description of any special qualification requirements the contractor must satisfy;
- (d) Instructions for submitting proposals including: the deadline for proposal submission, the method(s) for submitting proposals, the information to be provided in the proposal (including any requirements for past performance information or for subcontracting plans), and any representations or certifications the offeror must submit;
- (e) The period during which proposals must remain open for acceptance; and
- (f) The anticipated contract terms and conditions and the extent to which they are negotiable.

5035.6 Any changes in the information set forth in an RFP must be made by an amendment to the RFP. Amendments shall be made no less than three (3) business days before the proposal submission date specified by the RFP.

5035.7 Proposals shall be submitted by a method specifically permitted by the RFP.

5035.8 The Contracting Officer shall evaluate proposals based solely on the evaluation criteria specified in the RFP. In evaluating past performance the Contracting Officer is not limited to considering only the information from references listed by the offeror.

5035.9 After initial proposals have been evaluated, the Contracting Officer may:

- (a) Make an award based on initial proposals; or
- (b) Establish a competitive range consisting of those proposals that remain under consideration, which shall include all proposals that, in the Contracting Officer's judgment (erring on the side of the offeror), could be awarded the procurement.

5035.10 The Contracting Officer may begin discussions with only the top three ranked offerors in the competitive range. Discussions with the offerors may be written (including electronic) or oral. The primary objective of discussions is to maximize the OAG's ability to obtain the best value based on the evaluation factors set forth in the RFP. The scope and extent of discussions are a matter of Contracting Officer judgment.

5035.11 At the conclusion of discussions, the Contracting Officer shall request that the offerors submit best and final offers by a common cut-off date. If the Contracting

Officer is unable to award a contract after best and final offers have been evaluated and negotiated, the Contracting Officer may proceed to negotiate with the next three highest ranked offerors. The Contracting Officer may proceed to select a contractor by the method set forth in this subchapter until a contract is awarded or the solicitation cancelled.

5035.12 The contract shall be awarded to the qualified offeror whose offer is most advantageous to the OAG under the RFP's evaluation criteria and this subchapter.

5035.13 The Contracting Officer shall prepare documentation explaining the basis for the contract award decision which shall be maintained in the contract file.

5035.14 The Contracting Officer shall endeavor to include with every RFP solicitation the form of the contract that the contractor will be required to enter into. To the greatest extent possible, the Contracting Officer should endeavor to provide clear, concise contract documents. Contracts which consist of the solicitation, the proposal, and other documents attached together but not integrated into a single contract document are discouraged

## **5036 SIMPLIFIED CONTRACTING PROCEDURES**

5036.1 The basic purposes of simplified contracting procedures are to:

- (a) Promote economy, efficiency, and innovation in contracting;
- (b) Reduce administrative costs to the OAG; and
- (c) Avoid unnecessary burdens or complexities that could reduce competition, such as by deterring smaller contractors from participating in a procurement.

5036.2 Simplified contracting procedures may be used only with contracts that have an estimated value equal to or less than one hundred thousand dollars (\$100,000).

5036.3 Requirements procured under this chapter shall not be parceled, split, divided, or purchased over a period of time in order not to exceed the small purchase limit.

5036.4 The Contracting Officer shall conduct simplified procurements in the manner that is most suitable, efficient, and economical based on the circumstances of each acquisition. As appropriate, the Contracting Officer may elect to use or adapt procedures that are part of the sealed bidding or competitive negotiation process.

- 5036.5 On a simplified procurement, the Contracting Officer shall:
- (a) Promote competition to the extent practicable and efficient;
  - (b) Establish reasonable deadlines for the submission of responses to solicitations; and
  - (c) Evaluate quotations or offers in an impartial manner on the basis established in the solicitation.
- 5036.6 If a contract that has an estimated value of more than ten thousand dollars (\$10,000) is procured through the simplified contracting procedures, the Contracting Officer shall obtain written quotes from at least two (2) potential suppliers.
- 5036.7 The Contracting Officer may solicit quotations orally in appropriate cases when doing so is practical and economical. When soliciting quotations orally, the Contracting Officer shall instruct suppliers to respond in writing.
- 5036.8 An oral solicitation shall provide a clear description of the OAG's requirements (for example the type of goods or services sought, quantities, and schedule) and the basis on which the award will be made.
- 5036.9 Written solicitations shall provide a complete statement of relevant information without being unnecessarily lengthy. A written solicitation should include the same information required in an oral solicitation, plus the following:
- (a) Anticipated contract terms and conditions (and the extent to which they are negotiable);
  - (b) Applicable certifications or representations; and
  - (c) Instructions for submitting responses.
- 5036.10 The basis for award may be price or cost alone or price/cost and other factors. Solicitations are not required to state the relative importance assigned to each evaluation factor.
- 5036.11 The price/cost and other terms of the award shall be set forth in a written contract or purchase order. The Contracting Officer shall include a statement in the contract file briefly explaining the basis for the award decision.

**5037            COMPETITION EXEMPTIONS**

- 5037.1            The procurements that are exempt from competition cited in Section 413 of the PPRA (D.C. Official Code § 2-354.13) are not subject to the requirements of §§ 5034 and 5035.
- 5037.2            The exemption from competition when procuring legal services or negotiation services in connection with proceedings before administrative agencies or state or federal courts, including experts, attorneys, and mediators, cited in Section 413(3) of the PPRA, includes services in connection with present or anticipated proceedings or services procured to provide advice or to prevent litigation.
- 5037.3            The exemption from competition when procuring entertainers, cited in Section 413(6) of the PPRA, includes entertainers and speakers.
- 5037.4            The exemption from competition when procuring job-related seminars and training for District employees, cited in Section 413(7) of the PPRA, applies to job-related seminars and training that are intended to enhance District employees' knowledge, skill and ability to perform the duties of their position.
- 5037.5            The exemption from competition when procuring goods or services provided by another public entity, agency, or authority, cited in Section 413(10) of the PPRA, includes goods and services provided by another governmental entity, public entity, agency, or authority, or an organization consisting of such entities, agencies, or authorities.

**5038            BLANKET PURCHASE AGREEMENTS**

- 5038.1            A blanket purchase agreement (BPA) is not a contract and may be established without a purchase requisition or the obligation of funds.
- 5038.2            The Contracting Officer may use a BPA as a simplified contracting procedures to fill anticipated repetitive needs for goods or services by establishing charge accounts with sources of supply if at least one (1) of the following criteria apply:
- (a)            There is a wide variety of items in a broad class of goods or services that are generally purchased, but the exact items, quantities, and delivery requirements are not known in advance and may vary considerably; or
  - (b)            The administrative cost of writing numerous purchase orders can be avoided through the use of this procedure.
- 5038.3            The Contracting Officer shall not use a BPA to:

- (a) Procure goods or services for which a requirements type contract has been issued by the District; or
- (b) Avoid the simplified contracting procedures limitation.

5038.4 The Contracting Officer shall include the following information in each BPA:

- (a) A statement that the supplier will furnish goods or services, described in general terms, if and when requested by the contracting officer during a specified period and within a stipulated total amount not to exceed \$100,000;
- (b) A statement that the District is obligated only to the extent that authorized purchases are actually made under the BPA;
- (c) A statement that the prices to the District shall be as low or lower than those charged to the supplier's most favored customer for comparable quantities under similar terms and conditions, in addition to any discounts for prompt payment;
- (d) A statement that specifies the dollar limitation for purchases under the BPA (not to exceed the simplified contracting procedures ); and
- (e) A requirement that all deliveries or shipments under the BPA shall be accompanied by delivery tickets or sales slips which contain the following minimum information:
  - (1) The name of the supplier;
  - (2) The BPA number;
  - (3) The date of purchase;
  - (4) The purchase order number;
  - (5) An itemized list of goods or services furnished;
  - (6) The quantity, unit price, and extension of each item, less applicable discounts; and
  - (7i) The date of delivery or shipment.

- 5038.5 To the extent practicable, BPAs for items of the same type shall be placed concurrently with more than one (1) supplier. All competitive sources shall be given an equal opportunity to furnish goods, services, or other items under a BPA.
- 5038.6 When there are an insufficient number of vendors with BPAs to ensure maximum practicable competition for a particular purchase, the Contracting Officer shall:
- (a) Solicit quotations from other sources and make the purchase as appropriate; and
  - (b) Establish additional BPA's to facilitate future purchases when recurring requirements for the same or similar items or services seem likely, when qualified sources are willing to accept a BPA, or when it is otherwise practical to do so.
- 5038.7 A BPA shall be considered terminated when the procurements under it are equal to its total dollar limitation or when the stated time period expires.

#### **5039 DISTRICT OF COLUMBIA SUPPLY SCHEDULES**

- 5039.1 The Contracting Officer shall award contracts of \$250,000 or less to a qualified Small Business Enterprise (SBE) as that term is defined in the SCBEDA Act, on the District of Columbia Supply Schedule (DCSS).
- 5039.2 If the Contracting Officer determines in writing that there are not at least two (2) qualified SBEs on the DCSS that can provide the goods or services, the Contracting Officer may use a qualified CBE on the DCSS that can provide the goods or services.
- 5039.3 If the Contracting Officer determines in writing that the price offered by the SBE or CBE is believed to be 12% or more above the likely price in the open market, the Contracting Officer may decline to award a contract under this section, and may issue the solicitation in the set-aside market under § 5040.
- 5039.4 A copy of each determination made under this section shall be submitted promptly to the Director of the Department of Small and Local Business Development (DSLBD).

#### **5040 MANDATORY SET-ASIDES**

- 5040.1 The Contracting Officer shall award contracts of \$250,000 or less to a qualified SBE.

5040.2 If the Contracting Officer determines in writing that there are not at least two (2) qualified SBEs that can provide the goods or services, the Contracting Officer may use a qualified CBE that can provide the goods or services.

5040.3 If the Contracting Officer determines in writing that the price offered by the SBE or CBE is believed to be 12% or more above the likely price in the open market, the Contracting Officer may decline to award a contract under this section, and issue the solicitation in the open market.

5040.4 A copy of each determination made under this section shall be submitted promptly to the Director of the DSLBD.

#### **5041 FEDERAL SCHEDULES**

5041.1 The Contracting Officer may utilize federal schedules that offer supplies and services to the District following the applicable schedule procedures.

5041.2 Except as otherwise provided in a federal schedule, all schedule contract terms and conditions apply to contracts between the schedule contractor and the District.

#### **5042 THE CONTRACTING OFFICER'S RESPONSIBILITY FOR CONTRACT ADMINISTRATION**

5042.1 The Contracting Officer has overall responsibility for the contract's administration. Among other things, this requires the Contracting Officer:

- (a) To monitor whether goods or services are delivered or completed on schedule and conform to contract requirements;
- (b) To ensure that any contractually required inspection or acceptance procedures are followed;
- (c) To monitor the contractor's compliance with any subcontracting requirements contained in the contract; and
- (d) To identify and attempt to resolve issues or problems that arises during contract performance.

5042.2 The Contracting Officer has the authority to take the following actions:

- (a) Authorize contract payments after delivery and acceptance;



- (b) Exercise contract options;
- (c) Terminate the contract; and
- (d) Modify the contract.

5042.3 Prior to terminating a contract, the Contracting Officer shall first obtain the approval of the CCO.

5042.4 No representative of the OAG, including a Contracting Officer, shall:

- (a) Act in a manner that misleads a contractor regarding the limits of his or her authority; or
- (b) Direct or encourage a contractor to perform work that has not been properly authorized.

### **5043 PAYMENT REQUESTS**

5043.1 Requests for payment must be submitted in writing by the contractor together with a valid written contract.

5043.2 Contractor payment requests shall:

- (a) Certify that the contractor is entitled to payment in the requested amount; and
- (b) Include or attach any information necessary to demonstrate entitlement to the requested payment under the contract's terms.

5043.3 Depending on the contract's payment provisions, a payment request may consist of, for example, a statement that specified work has been completed in a satisfactory manner, documentation showing that contract deliverables have been accepted by the OAG, or information detailing the reimbursable costs incurred by the contractor.

5043.4 Payment shall not be made unless authorized by the Contracting Officer. A Contracting Officer's payment authorization shall not preclude the OAG from seeking repayment (or pursuing other remedies) if it subsequently concludes that the contractor was overpaid or otherwise misled the OAG.

5043.5 In addition to the Contracting Officer’s payment authorization, all payment requests must be certified and approved by the District’s Chief Financial Officer (or his or her designee) prior to making any payment.

5043.6 No OAG employee shall authorize payment for the value of supplies and services received without a valid written contract. Any vendor who enters into an oral agreement with an OAG employee to provide supplies or services to the OAG without a valid written contract shall not be paid. This subsection shall not apply to a payment required by court order, a final decision District of Columbia Contract Appeals Board.

#### **5044 EXERCISING OF OPTIONS**

5044.1 To exercise an option over one hundred thousand dollars (\$100,000) the Contracting Officer must first obtain the approval of the CCO.

5044.2 In addition to the approval of the CCO (if applicable), prior to exercising any option, certification of the OAG’s Chief Financial Officer shall be obtained as to whether funds are available for the exercise of the option.

5044.3 When exercising an option, the contracting officer shall provide written notice to the contractor within the time period specified in the contract.

#### **5045 CONTRACT MODIFICATIONS**

5045.1 The Contracting Officer may modify a contract subject to the provisions of this section.

5045.2 A modification must be within the general scope of the original contract. Any requirement for extra work that goes beyond the contract’s general scope shall be the subject of a new procurement.

5045.3 A contract modification in excess of one hundred thousand dollars (\$100,000) shall be approved by the CCO.

5045.4 A contract modification may be effected:

- (a) By a bilateral agreement executed by the Contracting Officer and an authorized representative of the contractor; or
- (b) By the Contracting Officer’s issuance of a written change order, when the contract includes a changes clause permitting the Contracting Officer to

make unilateral changes in the contract work. Under such a clause, the contractor is obligated to perform in accordance with a change order issued by the Contracting Officer, and the contract price is adjusted to reflect the increase or decrease in costs caused by the change.

#### **5046 CONTRACT TERMINATION**

5046.1 All contracts awarded by the Contracting Officer shall include “Termination for Default” and “Termination for Convenience” clauses specifically defining the OAG’s termination rights.

5046.2 When exercising the OAG’s rights under a termination clause in the contract, the Contracting Officer shall provide the contractor with a written notice specifying:

- (a) Whether the termination is for default or for convenience;
- (b) The effective date of the termination;
- (c) The extent of the termination if the termination is partial; and
- (d) Any special instructions that apply to the termination (for example, instructions concerning the disposition of contract inventory).

5046.3 After terminating a contract for convenience, the Contracting Officer shall request a settlement proposal from the contractor and shall attempt to negotiate a settlement that resolves all of the parties’ rights and liabilities (except those arising from any portion of the contract still in effect). If the parties negotiate a settlement, the Contracting Officer shall prepare a memorandum describing the principal elements of the settlement and shall include the memorandum in the contract file. If the parties fail to negotiate a settlement within one year from the effective date of termination, the contracting officer shall make a final determination of settlement.

#### **5047 CONTRACT DOCUMENTATION**

5047.1 The Contracting Officer is responsible for maintaining documentation regarding the contract and the procurement.

5047.2 The contract file shall include:

- (a) The solicitation and any amendments;
- (b) The contract and any modifications;

- (c) Any type of documentation that is specifically required to be maintained in the contract file by other sections of this chapter; and
- (d) Any other documentation that may be necessary to memorialize important decisions or events relating to the procurement or the contract.

**5048 TRANSFER OF CONTRACTS**

- 5048.1 Contracts or pending procurements related to the OAG may be transferred by the OAG to any agency or instrumentality of the District in accordance with the provisions of this section.
- 5048.2 The CCO shall review the proposed procurement or contract and determine whether it is in the best interest of the OAG to transfer the procurement or contract.
- 5048.3 If the CCO determines it is in the OAG’s best interest to transfer a contract or procurement, the Contracting Officer shall have the authority to transfer the contract.
- 5048.4 Transfer of a contract or procurement shall not operate to transfer funds to support the assigned contract or procurement. Funds shall be transferred pursuant to an intra-District memorandum of understanding, reprogramming, or other appropriate process.

**5049 DISPUTES**

- 5049.1 Each contract entered into by the Contracting Officer shall include a disputes clause that sets forth the procedures by which disputes shall be resolved.

**5050 PROTESTS**

- 5050.1 All protests to the award of a contract by the Contracting Officer shall be resolved in accordance with Section 1003 of the PPRA (D.C. Official Code §-2-360.03).

**5051 REQUESTS FOR RECORDS**

- 5051.1 A request for a record of OAG shall be made to OAG’s designated Freedom of Information Officer.
- 5051.2 OAG’s response to a request for a record shall be made in accordance with the

provisions of the D.C. Freedom of Information Act (Title II of the District of Columbia Administrative Procedure Act, effective March 29, 1977, as amended, (D.C. Law 1-96; D.C. Official Code §§ 2-531 *et seq.* (2012 Repl.)) (“FOIA Act”), and Title I, Chapter 4 of the D.C. Municipal Regulations.

## **5052 PRIVACY AND DISCLOSURE**

5052.1 The Contracting Officer shall include in every solicitation and contract the following provisions:

- (a) If a contractor collects, retains, or has in its possession any document, record, or other information obtained in the performance of a District contract which document, record, or information may be exempt from disclosure under the FOIA Act, the contractor shall not disclose the document, record, or other information to any person other than an authorized District employee or agent;
- (b) If a contractor collects, retains, or has in its possession any document, record, or other information obtained in the performance of a District contract the disclosure of which is prohibited by any District or federal law or regulation, the contractor shall not disclose the document, record, or other information to any person other than an authorized District employee or agent; and
- (c) If a contractor is not sure whether a document, record, or other information may be disclosed, the contractor shall refer the matter to the contracting officer.

## **5053 APPLICABLE LAWS**

5053.1 The OAG shall comply with the requirements related to:

- (a) Council review of multiyear contracts and contracts in excess of one million dollars (\$1,000,000) - as set forth in Section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.51); and Council review of multiyear contracts and contracts in excess of one million dollars (\$1,000,000) as set forth in Section 105a of the PPRA.
- (b) Anti-Deficiency Act - The OAG’s obligations and responsibilities under the terms of the Contract and the Contract Documents are and shall remain subject to the provisions of (i) the federal Anti-Deficiency Act, 31 U.S.C. §§1341, 1342, 1349, 1350, 1351, (ii) D.C. Code 47-105, (iii) the District

of Columbia Anti-Deficiency Act, D.C. Code §§ 47-355.01 - 355.08, as the foregoing statutes may be amended from time to time, and (iv) Section 446 of the District of Columbia Home Rule Act.

- (c) Other Contracting Laws Applicable to the OAG – District of Columbia Quick Payment Act of 1984, as amended, D.C. Official Code sec. 2-221.01; Living Wage Act of 2006, as amended, D.C. Official Code sec. 2-220.01; SCBEDA Act; as amended, D.C. Official Code sec. 2-218.01 and 2-218.50; First Source Employment Agreement Act of 1984, as amended, D.C. Official Code sec. 2-219.01; Service Contract Act, 41 USC 351(a); Health Insurance Portability and Accountability Act of 1996, P.L. 104-191; the Privacy and Security Rules codified at 45 C.F.R. Parts 160 and 164.

## 5054 to 5098 RESERVED

## 5099 DEFINITIONS

5099 .1 When used in this chapter, the following terms have the meanings ascribed:

**Accepted or Acceptance** - the act of an authorized representative of the District by which the District, for itself or as agent of another, assumes ownership of existing identified goods tendered or approves specific services rendered or construction completed as partial or complete performance of the contract.

**Actual costs** - amounts determined on the basis of costs incurred, as distinguished from forecasted costs. Actual costs include standard costs properly adjusted for applicable variances.

**Adequate evidence** - information sufficient to support the reasonable belief that a particular act or omission has occurred.

**Amendment** - any change to a solicitation issued by the contracting officer.

**Attorney General** – the agency head of the Office of the Attorney General (OAG) for the District of Columbia.

**Change order** - a written order signed by the contracting officer directing the contractor to make a change that the contracting officer is authorized to order without the contractor's consent pursuant to the contract.

**Claim** - a written demand or written assertion by the District or a contractor seeking, as a matter of right, the payment of money in a sum certain, the adjustment or interpretation of contract terms, or other relief arising under or relating to the contract.

**Contingent fee** - any commission, percentage, brokerage, or other fee that is dependent upon or tied to the success that a person or concern has in securing a District contract.

**Contract** - a mutually binding agreement between the District and a contractor, which must be in writing unless otherwise authorized by the Act, including agreements in which a party other than the District is obligated to pay the contractor.

**Contract modification** - any written change in the terms of a contract.

**Cost** - the amount paid or charged for something. Cost does not include the contractor's profit.

**Cost contract** - a cost-reimbursement contract in which the contractor receives no fee.

**Cost-plus-award-fee contract** - a cost-reimbursement type contract that provides for a fee consisting of an amount fixed at the beginning of the contract and potential award of additional fee amounts based upon a judgmental evaluation by the contracting officer, sufficient to provide motivation for excellence in contract performance.

**Cost-plus-fixed-fee contract** - a cost-reimbursement type contract which provides for the payment of a fixed fee to the contractor. The fixed fee, once negotiated, does not vary with actual cost, but may be adjusted as a result of any subsequent changes in the work or services to be performed under the contract.

**Cost-plus-incentive-fee contract** - a cost-reimbursement type contract that provides for an initially negotiated fee to be adjusted later by a formula based on the relationship of total allowable costs to total target costs. After performance of the contract, the fee payable to the contractor is determined in accordance with a negotiated formula.

**Cost-reimbursement contract** - a contract which provides for payment of allowable costs incurred in the performance of a contract, to the extent prescribed in the contract. This type of contract establishes an estimate of

total cost for the purpose of obligating funds, and establishes a ceiling which the contractor may not exceed (except at its own risk) without prior approval of, or subsequent ratification by, the contracting officer.

**Definitive contract** - the contract executed pursuant to letter contract commitment.

**District of Columbia Supply Schedule** - indefinite quantity contracts made with more than one (1) CBE supplier for comparable goods and services at varying prices.

**Expert** - a person with excellent qualifications and a high degree of attainment in a professional, scientific, technical, or other field, whose knowledge and mastery of the principles, practices, problems, methods, and techniques of his or her field or activity, or of a specialized area in the field, are clearly superior to those usually possessed by ordinarily competent persons in that activity, and whose attainment is such that he or she usually is regarded as an authority or as a practitioner of unusual competence and skill by other persons in the profession, occupation, or activity.

**Firm-fixed-price contract** - a fixed-price contract that provides for a price that is not subject to any adjustment of the basis of the contractor's cost experience in performing the contract. This type of contract places maximum risk and full responsibility for all costs and resulting profit or loss upon the contractor, and provides maximum incentive for the contractor to control cost and perform effectively.

**Fixed-price contract with economic price adjustment** - a fixed-price contract that provides for the upward and downward revision of the stated contract price upon the occurrence of certain contingencies that are specifically defined in the contract.

**Incentive contract** - a fixed-price or cost-reimbursement type contract which provides for relating the amount of profit or fee payable under the contract with the contractor's performance in order to obtain specific procurement objectives.

**Indefinite-quantity contract** - a contract that provides for an indefinite quantity, within written stated limits, of specific goods or services to be furnished during a fixed period, with deliveries to be scheduled by placing orders with the contractor. The contract requires the District to order and the contractor to furnish at least a stated minimum of goods or services.



**Inspection** - examining and testing goods, services, or construction to determine whether they conform to contract requirements. This includes, when appropriate, examination and testing of raw materials, components, and intermediate assemblies.

**Labor-hour contract** - a contract that is a variant of the time-and-materials type contract differing only in that materials are not supplied by the contractor.

**Legal services** - Work performed by an attorney or experts or legal support personnel under the supervision of an attorney on behalf of a client, involving law-related matters including, but not limited to: 1) issuing advice or opinions in general or to prepare for or prevent litigation; 2) filing, pleading, and defending present or anticipated administrative, civil, or criminal claims; or 3) mediating, arbitrating, or any other pre or post trial negotiating or alternative dispute resolutions.

**Letter contract** - a written preliminary contractual instrument that authorizes the contractor to begin immediately manufacturing or delivering goods or performing services. A letter contract is always associated with a definitive contract, and a letter contract by itself cannot be the sole document used for a complete procurement.

**Market survey** - a testing of the marketplace to ascertain whether other qualified sources capable of satisfying the District's requirement exist. It may range from written or telephone contacts with knowledgeable experts regarding similar or duplicate requirements, and the results of any market test recently undertaken, to the more formal sources-sought announcements in pertinent publications (such as technical or scientific journals, or the Commerce Business Daily) or solicitations for information or planning purposes.

**Maximum liability** - the amount, not to exceed fifty percent (50%) of the overall contract price ceiling, obligated by the letter contract over which the District cannot be liable if the letter contract is terminated.

**Multiyear contract** - as used in this chapter, a contract for a period longer than twelve (12) months that is funded by annual appropriations.

**Nonrecurring costs** - those production costs which are generally incurred on a one-time basis and include costs such as plant or equipment relocation, plant rearrangement, pre-production engineering, initial spoilage and rework, and specialized work force training.

**Option** - a unilateral right in a contract under which, for a specified time, the District may elect to extend the term of a contract.

**Person** - any business entity, individual, union, committee, club, or other organization or group of individuals.

**Pre-solicitation** - prior to the transmittal by the District of any proposed contract documents to the proposed contractor before the issuance of a solicitation or in a proposed sole source procurement.

**Price** - the amount the District anticipates it will pay the contractor for full performance under the terms of a contract, including costs and profit.

**Price ceiling** - an amount established during negotiations or at the discretion of the contracting officer which constitutes the maximum that may be paid to the contractor for performance of a contract.

**Procurement planning** - the process by which the efforts of all personnel responsible for an acquisition are coordinated and integrated through a comprehensive plan for fulfilling agency needs in a timely manner and at a reasonable cost. It includes developing the overall strategy for managing the acquisition.

**Recurring costs** - the production costs that vary with the quantity being produced, such as labor and materials.

**Requirements contract**- a contract that provides for the filling of all actual purchase requirements of designated District agencies for specific goods or services during a specified contract period, with deliveries to be scheduled by placing orders with the contractor as required.

**Settlement proposal** - a proposal for effecting settlement of a contract terminated, in whole or in part, submitted by a contractor or subcontractor.

**Subcontractor** - any supplier, distributor, vendor, or firm who furnishes goods, services, or construction to or for a prime contractor or another subcontractor.

**Supplemental agreement** - a bilateral contract modification.

**Term contract** - a requirements contract or an indefinite-quantity contract.

**Termination for default** - the exercise of the District's contractual right to terminate, completely or partially, a contract because of the contractor's actual or anticipated failure to perform its contractual obligations.

**Testing** - the element of inspection that determines the properties or elements, including functional operation of goods or their components, by the application of established scientific principles and procedures.

**Time-and-materials contract** - a type of contract that provides for the procurement of goods or services on the basis of direct labor hours at specified fixed hourly rates (which include wages, overhead, general and administrative expenses, and profit) and material at cost.

## DEPARTMENT OF ENERGY AND ENVIRONMENT

NOTICE OF PROPOSED RULEMAKING**Wildlife Protection Infractions**

The Director of the Department of Energy and Environment (Department), pursuant to the authority set forth in the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October 5, 1985 (D.C. Law 6-42; D.C. Official Code § 2 1801.04(a)(1)(2016 Repl.)), the Wildlife Protection Act of 2010, effective March 8, 2011 (D.C. Law 18-289; D.C. Official Code § 8-2211) (2013 Repl. & 2017 Supp.), Section 6002 of the Fiscal Year 2017 Budget Support Act of 2016, (“Wildlife Protection Enforcement Amendment Act of 2016”) effective October 8, 2016 (D.C. Law 21-160; D.C. Official Code § 8-2201 *et seq.* (2013 Repl. and 2017 Supp.)), the District Department of the Environment Establishment Act of 2005, effective February 15, 2006 (D.C. Law 16-51; D.C. Official Code § 8-151.01 *et seq.*) (2013 Repl. and 2017 Supp.), Mayor’s Order 2006-61, dated June 14, 2006, and Mayor’s Order 2014-123, dated May 27, 2014, hereby gives notice of the intent to adopt the following amendments to Chapter 40 (Department of the Environment (DDOE) Infractions) of Title 16 (Consumers, Commercial Practices, and Civil Infractions) of the District of Columbia Municipal Regulations (DCMR).

Pursuant to § 104(a)(1) of the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October 5, 1985 (D.C. Law 6-42; D.C. Official Code § 2-1801.04(a)(1) (2016 Repl.)), the proposed rules will be submitted to the Council of the District of Columbia for review and approval. This rule will become effective upon Council approval, or thirty (30) days after submission, if the Council has not disapproved the proposed rulemaking, and publication of the final rules in the *D.C. Register*.

This rulemaking will schedule fines related to the Wildlife Protection Act in Title 19, Chapter 15 of the DCMR for violations of conditions for licensure and registration, restrictions on the capture, handling, and transport of wildlife, restrictions on euthanasia of wildlife, control requirements for specified species, and required records and annual reporting relating to the capture of wildlife by wildlife control operators and service providers.

**Chapter 40, DEPARTMENT OF THE ENVIRONMENT (DDOE) INFRACTIONS, of Title 16 DCMR, CONSUMERS, COMMERCIAL PRACTICES, AND CIVIL INFRACTIONS, is amended as follows:**

**A new Section 4016, WILDLIFE PROTECTION INFRACTIONS, is added to read as follows:**

**4016 WILDLIFE PROTECTION INFRACTIONS**

4016.1 Violation of the following provision shall be a Class 1 infraction:

- (a) 19 DCMR § 1570.1 (engaging in the control of wildlife without a license);

- (b) 19 DCMR § 1570.13 (controlling wildlife species not designated by the license);
- (c) 19 DCMR § 1571.1 (failure to register as a wildlife control services provider with the Department prior to providing services);
- (d) 19 DCMR § 1571.2 (failure to register as a wildlife control services provider when working as a self-employed wildlife control operator);
- (e) 19 DCMR § 1574.1 (failure to employ non-lethal means as the preference in the control of problem wildlife);
- (f) 19 DCMR § 1574.3 (euthanizing, killing, relocating, distressing, displacing, or otherwise harming a Species of Greatest Conservation Need without written permission from the Department);
- (g) 19 DCMR § 1574.5(a) (Removing, altering, or destroying a Migratory Bird nest with eggs or the young without obtaining a federal permit);
- (h) 19 DCMR § 1574.9 (failure to obtain written permission from the Department to transport wildlife out of the District);
- (i) 19 DCMR § 1574.10 (failure to obtain written permission from the Department to transport wildlife into the District);
- (j) 19 DCMR § 1576.5 (failure obtain a federal permit prior to using a mist or rocket net to capture a bird or bat outdoors);
- (k) 19 DCMR § 1576.12(a) (failure to immediately release, at the site of capture, captured non-target wildlife that is healthy and does not pose an unreasonable risk to the health and safety of persons or domestic animals);
- (l) 19 DCMR § 1576.12(b) (relocating captured non-target wildlife to a property without obtaining prior permission from the property owner);
- (m) 19 DCMR § 1576.14(b) (relocating captured target wildlife to a property without the written permission of the property owner);
- (n) 19 DCMR § 1576.18 (failure to keep captured wildlife in a covered, secure safe container during transport);
- (o) 19 DCMR § 1576.20 (failure to use the quickest, least stressful, and least painful method of euthanasia on sick, injured, or orphaned wildlife);
- (p) 19 DCMR § 1576.21 (failure to use a method of euthanasia that conforms to the Report of the American Veterinary Medical Association (AVMA) Panel on Euthanasia: 2013 Edition for Free-Ranging Wildlife and Domestic Animals);

- (q) 19 DCMR § 1576.22 (failure to obtain prior approval from the Department to use a method of euthanasia not published in the Report of the American Veterinary Medical Association (AVMA) Panel on Euthanasia: 2013 Edition for Free-Ranging Wildlife and Domestic Animals).
- (r) 19 DCMR § 1577.1 (use of a toxicant prohibited by the Department for use on wildlife);
- (s) 19 DCMR § 1577.2 (prohibited use of a toxicant to control pigeons, European starlings, or house sparrows); or
- (t) 19 DCMR § 1577.4 (prohibited use of a leg-hold and other body-gripping trap, body-crushing trap, snare, or harpoon-type trap to control wildlife).

4016.2 Violation of the following provision shall be a Class 2 infraction:

- (a) 19 DCMR § 1576.3 (failure to check a mist net at least once every hour);
- (b) 19 DCMR § 1576.9 (failure to check a trap at least once every twenty-four (24) hours, or more frequently as environmental conditions deemed necessary);
- (c) 19 DCMR § 1576.11 (failure to check the trap if remote technology fails to report in twenty-four (24) hours);
- (d) 19 DCMR § 1576.15 (failure to make reasonable effort to keep dependent young wildlife with their parent);
- (e) 19 DCMR § 1576.16 (failure to obtain written authorization from the Department prior to holding wildlife for the purpose of reuniting dependent young);
- (f) 19 DCMR § 1576.19 (selling, bartering, trading, giving, or retaining wildlife or parts thereof);
- (g) 19 DCMR § 1577.3 (prohibited–use of sticky or glue trap to control wildlife); or
- (h) 19 DCMR § 1577.5 (failure to obtain written permission from the Department to keep wildlife in captivity for longer than thirty-six (36) hours).

4016.3 Violation of the following provisions shall be a Class 3 infraction:

- (a) 19 DCMR § 1573.4 (failure to report a potential outbreak or widespread occurrence of suspected disease in wildlife to the Department);
- (b) 19 DCMR § 1574.6 (failure to obtain written permission and guidance from the Department prior to controlling bats);

- (c) 19 DCMR § 1574.8 (wildlife control of an amphibian or a turtle);
- (d) 19 DCMR § 1574.11 (failure to notify the Department prior to performing wildlife control on black bears or coyotes);
- (e) 19 DCMR§ 1575.2 (wildlife control of a feral cat in violation of the District’s policy of trap, spay or neuter, return, or adoption of feral cats);
- (f) 19 DCMR § 1576.8 (failure to set a trap to avoid capture or harm to a non-targeted wildlife);
- (g) 19 DCMR § 1576.13(a) (b) (failure to transfer to the District’s Animal Care and Control Agency or a licensed wildlife rehabilitator in the District, captured non-target wildlife that is believed to be sick, injured, orphaned, or that poses an unreasonable risk to people or domestic animals, or that is otherwise unfit for release);
- (h) 19 DCMR § 1576.14(c) (failure to surrender captured target wildlife expressing symptoms of disease to the District’s Animal Care and Control Agency for evaluation and assessment);
- (i) 19 DCMR § 1576.14(d) (failure to transfer sick, injured, or abandoned captured target wildlife to a licensed wildlife rehabilitator in the District); or
- (j) 19 DCMR§ 1576.17 (failure to prevent or limit unnecessary discomfort, behavioral stress, or physical harm to captured wildlife during handling, or transport).

4016.4 Violation of the following provisions shall be a Class 4 infraction:

- (a) 19 DCMR § 1573.2 (failure of a wildlife control services provider to submit an accurate summary of wildlife control activities for the preceding year to the Department by January 15<sup>th</sup>).

4016.5 Violation of the following provisions shall be a Class 5 infraction:

- (a) 19 DCMR § 1570.6 (failure of a wildlife control operator to be in possession of their license while engaging in wildlife control activities);
- (b) 19 DCMR § 1572.1 (failure of the wildlife control operator to provide a written assessment of the problem and proposed wildlife control measures);
- (c) 19 DCMR§ 1573.1 (failure of a wildlife control operator to maintain required records of each wildlife control service call);
- (d) 19 DCMR § 1573.3 (failure of a wildlife control services provider to make required records available for inspection by the Department); or

- (e) 19 DCMR § 1576.7 (failure to label trap or exclusionary device with the name, address, and phone number of the wildlife control operator or wildlife control services provider).

All persons desiring to comment on the proposed schedule of fines for the protection of wildlife in the District of Columbia should file comments in writing not later than thirty (30) days after the publication of this notice in the *D.C. Register*. All comments should be labeled “Schedule of Fines, Wildlife Protection Act” and filed with Department of Energy & Environment, Fisheries and Wildlife Division, 1200 First Street, N.E., 5<sup>th</sup> Floor, Washington, DC 20002, Attention: Wildlife Protection Comments, or by e-mail to: [wildlifeprotection.c@dc.gov](mailto:wildlifeprotection.c@dc.gov). All comments will be treated as public documents and will be made available for public viewing on the Department’s website at: [www.ddoe.dc.gov](http://www.ddoe.dc.gov).



## DEPARTMENT OF ENERGY AND ENVIRONMENT

NOTICE OF PROPOSED RULEMAKING**Bag Law Amendments**

The Director of the Department of Energy and Environment (“DOEE”), in accordance with the authority set forth in the District Department of the Environment Establishment Act of 2005, effective February 15, 2006 (D.C. Law 16-51; D.C. Official Code § 8-151.01 *et seq.* (2013 Repl. & 2017 Supp.)), the Anacostia River Clean Up and Protection Act of 2009 (the “Act”), effective September 23, 2009 (D.C. Law 18-55; D.C. Official Code § 2-1226.51 *et seq.* (2016 Repl. & 2017 Supp.)), Mayor’s Order 2006-61, dated June 14, 2006, and Mayor’s Order 2010-27, dated February 1, 2010, hereby gives notice of the intent to adopt the proposed amendments to Chapter 40 (Department of the Environment (DDOE) Infractions) of Title 16 (Consumers, Commercial Practices, and Civil Infractions) and Chapter 10 (Retail Establishment Carryout Bags) of Title 21 (Water and Sanitation) of the District of Columbia Municipal Regulations (DCMR).

This rulemaking aligns the existing regulations with statutory amendments from the Fiscal Year 2017 Budget Support Act of 2016, effective October 8, 2017 (D.C. Law 21-160; 63 DCR 10775) and the Anacostia River Clean Up and Protection Amendment Act of 2012, effective October 23, 2012 (D.C. Law 19-188; 59 DCR 10151). This rulemaking also amends material and labelling requirements at the request of the regulated community and recycling industry and clarifies the requirements for grocery stores with seating and self-checkout aisles.

Specifically, this rulemaking: clarifies that the paper bag fee exemption for restaurants with seating does not apply to grocery stores with seating areas; removes the “Please Recycle” labeling requirement for plastic bags to align with the 2016 amendments to the Act; amends labeling requirements to provide more flexibility on the specific size and location of the “Please Recycle” phrase; updates penalty provisions and the schedule of fines; and, includes requirements for fee collection at self-checkout stations.

The proposed rules will be submitted to the Council of the District of Columbia for review and approval, in accordance with D.C. Official Code § 2-1801.04. The rules will become final upon Council approval, or thirty (30) days after submission, if the Council has not earlier disapproved the proposed rules, and following publication of the final rules in the *D.C. Register*.

**Chapter 10, RETAIL ESTABLISHMENT CARRYOUT BAGS, of Title 21, DCMR, WATER AND SANITATION, is amended as follows:**

**Section 1001, DISPOSABLE CARRYOUT BAG FEE REQUIREMENTS, is amended as follows:**

**By adding Subsection 1001.4 to read:**

1001.4 The retail establishment shall account for all bags provided, whether the transaction is completed by a representative of the establishment or at a self-checkout kiosk.

**Section 1002, DISPOSABLE CARRYOUT BAG MATERIAL AND LABELING REQUIREMENTS, is amended as follows:**

**By amending Subsection 1002.1 to read:**

1002.1 Each disposable carryout bag provided by a retail establishment shall meet the following requirements:

- (a) All paper and plastic disposable carryout bags provided shall be one hundred percent (100%) recyclable;
- (b) All paper disposable carryout bags shall display in a highly visible manner the phrase “Please Recycle This Bag,” or a substantially similar phrase;
- (c) A disposable carryout bag made of paper shall contain a minimum of forty percent (40%) post-consumer recycled content; and
- (d) A disposable carryout bag made of plastic shall be made of high-density polyethylene film marked with the SPI resin identification code 2, or low-density polyethylene film marked with the SPI resin identification code 4.

**Section 1005, APPLICATION OF CARRYOUT BAG REQUIREMENTS TO RESTAURANTS, is amended as follows:**

**By amending Subsection 1005.1 to read:**

1005.1 A restaurant with seating, where food or refreshments are served to transient customers to be eaten on the premises where sold, shall comply with the fee, material, and labeling requirements of Sections 1001 and 1002 for each of the following types of disposable carryout bags provided to a customer to take food away from the restaurant:

- (a) A plastic carryout bag;
- (b) A paper carryout bag, if:

- (1) The bag includes a non-food item, whether or not the bag also contains a food item; and
  - (2) The restaurant directly charges the customer for the non-food item; and,
- (c) A paper carryout bag if the restaurant is classified as a Retail Food Establishment pursuant to D.C. Official Code § 47-2827(j).

**Section 1006, CARRYOUT BAGS NOT SUBJECT TO THIS CHAPTER, is amended as follows:**

**By amending Subsection 1006.1 to read:**

- 1006.1 For the purposes of this Chapter, the term “disposable carryout bag” shall not include:
- (a) A bag used by a customer inside stores to package bulk items, such as fruit, vegetables, nuts, grains, or candy;
  - (b) A bag used by a customer inside a store to contain or wrap frozen foods, meat, or fish, whether or not the items are prepackaged;
  - (c) A bag used by a customer inside a store to contain or wrap flowers, potted plants, or other items where dampness may be a problem;
  - (d) A bag used by a customer inside a store to contain unwrapped prepared foods or bakery goods;
  - (e) A bag used by a customer by a pharmacist to contain prescription drugs;
  - (f) A newspaper bag, door-hanger bag, laundry-dry cleaning bag, or bags sold in a package intended for use as garbage, pet waste, or yard waste bags;
  - (g) A bag provided to a customer by the retail establishment for the purpose of transporting a partially consumed bottle of wine, as required by D.C. Official Code § 25-113(b)(5)(C);
  - (h) A paper carryout bag provided to a customer to take food away from a restaurant with seating, as described in D.C. Official Code § 47-2827(e)(2), unless the entity also holds a license as a Retail Food Establishment pursuant to D.C. Official Code § 47-2827(j); and
  - (i) A reusable carryout bag as defined in Section 1099.

**Section 1012, PENALTIES FOR VIOLATIONS, is amended to read as follows:**

**1012 PENALTIES FOR VIOLATIONS**

- 1012.1 Violation of any of the requirements of this chapter, except for Sections 1007, 1008.1, 1008.5, and 1009, shall subject a retail establishment to the penalties set forth in this Chapter.
- 1012.2 If the Director of the Department of Energy and Environment (Director) determines that a violation of this chapter covered by subsection 1012.1 has occurred, the Director may issue one or both of the following:
  - (a) A warning notice to the retail establishment; and
  - (b) A notice of infraction that shall also impose a fine against the retail establishment.
- 1012.3 No more than one (1) penalty shall be imposed upon a retail establishment within a seven (7) calendar day period.
- 1012.4 A recipient may request a hearing pursuant to instructions contained in the notice of infraction.
- 1012.5 Hearings or adjudications of violations under this Chapter shall be conducted pursuant to the Office of Administrative Hearings Establishment Act of 2001, effective March 6, 2002 (D.C. Law 14-76; D.C. Official Code §§ 2-1831.01 *et seq.*).

**Chapter 40, DEPARTMENT OF THE ENVIRONMENT (DDE) INFRACTIONS, of Title 16, DCMR, CONSUMERS, COMMERCIAL PRACTICES, AND CIVIL INFRACTIONS, is amended as follows:**

**Section 4011, FOOD SERVICE WARE INFRACTIONS, is amended to read as follows:**

**4011 FOOD SERVICE WARE AND RETAIL ESTABLISHMENT CARRYOUT BAGS INFRACTIONS**

- 4011.1 [RESERVED]
- 4011.2 [RESERVED]
- 4011.3 [RESERVED]
- 4011.4 Violation of the following provision shall be a Class 4 infraction:
  - (a) 21 DCMR § 2301.1 (selling or providing food or beverage in expanded polystyrene food service products);

- (b) 21 DCMR § 2302.1 (selling or providing food or beverage in products which are not recyclable or compostable);
- (c) 21 DCMR § 1001.1 (failing to charge the fee of five cents (\$0.05) for each disposable carry-out bag provided);
- (d) 21 DCMR § 1002.1 (failing to comply with material and labelling requirements); and
- (e) 21 DCMR § 1011.1 (sale or distribution of non-compliant disposable carryout bags).

All persons desiring to comment on the proposed regulations should file comments in writing no later than thirty (30) days after the publication of this notice in the *D.C. Register*. Comments should identify the commenter and be clearly marked “DOEE Amendments to Bag Law Regulations Comments.” Comments may be (1) mailed or hand-delivered to DOEE, 1200 First Street NE, 5th Floor, Washington, D.C. 20002, Attention: DOEE Amendments to Bag Law Regulations, or (2) sent by e-mail to [bag.law@dc.gov](mailto:bag.law@dc.gov), with the subject indicated as “DOEE Amendments to Bag Law Regulations Comments.”

The proposed rules are available for viewing at: <http://doee.dc.gov/>. Additionally, a copy of these proposed rules will be on file for viewing at 1200 First Street NE, 5th Floor, Washington, D.C. 20002, during normal business hours.

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

**NOTICE OF FOURTH EMERGENCY RULEMAKING**

The Alcoholic Beverage Control Board (Board), pursuant to the authority set forth in D.C. Official Code § 25-211(b) (2012 Repl. & 2017 Supp.) and delegated in Mayor's Order 2001-96, dated June 28, 2001, and in accordance with Section 6(c) of the District of Columbia Administrative Procedure Act, approved October 21, 1967 (82 Stat. 1206; D.C. Official Code § 2-505 (2016 Repl.)) (D.C. APA), hereby gives notice of the adoption of emergency rules to amend Chapter 7 (General Operating Requirements) of Title 23 (Alcoholic Beverages) of the District of Columbia Municipal Regulations (DCMR).

This rulemaking amends, on an emergency basis, 23 DCMR § 718.2 and 718.3 by reducing the percentage of subsidies paid by the Alcoholic Beverage Regulation Administration (ABRA) to the Metropolitan Police Department (MPD) from seventy percent (70%) to sixty percent (60%) when covering the costs incurred by Alcoholic Beverage Control (ABC) licensees from MPD officers working reimbursable details under the Reimbursable Detail Subsidy Program ("RDO Program" or "Program"). The emergency rules also amend 23 DCMR § 718.2 to include pub crawls among the types of events that can utilize the Program.

By way of background, the RDO Program assists licensed establishments to defray the costs of retaining off-duty MPD officers to patrol the surrounding area of an establishment or an outdoor Special Event or Pub Crawl Event for the purpose of maintaining public safety, including the remediation of traffic congestion and the safety of public patrons, during their approach and departure from the establishment or Special Event or Pub Crawl Event. Over the past several years, the Board has revised the reimbursable detail coverage percentages on an as needed basis. For example, in 2016, the Board increased the number of days covered by the RDO Program from two (2) days to seven (7) days a week and increased the reimbursement percentage from fifty percent (50%) to seventy percent (70%).

On January 25, 2017, the Board adopted emergency and proposed rules to amend 23 DCMR § 718.2 and 718.3. Specifically, the Board amended 23 DCMR § 718.2 to include pub crawl events among the events that can participate in the RDO Program. This amendment was needed in order to ensure that the regulations comport with the Council for the District of Columbia's decision to expand the RDO Program to include pub crawls in the Fiscal Year 2017 Budget.

Additionally, the emergency and proposed rulemaking amended 23 DCMR § 718.3 by reducing the reimbursable percentage from seventy percent (70%) to sixty percent (60%). This change was necessary for immediate fiscal policy reasons. Although the Council expanded the RDO Program, the overall funding levels remained the same. This placed a strain on ABRA's ability to reimburse MPD for its RDO associated costs. Recognizing the public safety benefits of the RDO Program and the need to ensure that the Program continues, the Board elected to reduce the Program's reimbursement percentage from seventy percent (70%) to sixty percent (60%).

The Notice of Emergency and Proposed Rulemaking was published in the *D.C. Register* on April 14, 2017, at 64 DCR 3546, for a thirty (30)-day comment period.

See <http://dcregs.dc.gov/Gateway/RuleHome.aspx?RuleNumber=23-718>.

On May 24, 2017, the Board adopted the Notice of Second Emergency Rulemaking, by a vote of six (6) to zero (0), to re-adopt the emergency rules pending Council's ninety (90)-day review pursuant to D.C. Official Code § 25-211(b). See 64 DCR 7520 (August 4, 2017)[EXPIRED]. During that time, the Board recognized that the emergency rules would have expired on June 5, 2017, and thus, adopted the second emergency rules on May 24. This rulemaking superseded the rules the Board adopted on January 25, 2017. The Board, however, did not make any substantive changes to the emergency rules when it readopted them on May 24, 2017.

On October 3, 2017, the MPD RDO Subsidy Program Notice of Emergency and Proposed Rulemaking was introduced before the Council for the mandatory ninety (90)-day review period. See D.C. Official Code § 25-211(b). The emergency rules, however, were slated to expire before the Council completed its review; thus, necessitating the adoption of another set of emergency rules. The Board adopted the MPD RDO Subsidy Program Third Notice of Emergency Rulemaking on September 27, 2017, by a vote of five (5) to zero (0). These rules, which were substantively similar to the previous rulemakings, were published in the *D.C. Register* on November 3, 2017, at 64 DCR 11640, and will expire on January 25, 2018.

On January 9, 2018, the Council approved the proposed rules. See Reimbursable Detail Subsidy Program Resolution of 2017 (PR22-527), at <http://lims.dccouncil.us/Legislation/PR22-0527?FromSearchResults=true>. The Council's approval of the proposed rules authorizes the Board to move forward with adopting the rules as final, which it intends to do on January 24, 2018. Notwithstanding the adoption of the rules as final, however, the rules will not take effect until five (5) days after they are published in the *D.C. Register*. See D.C. Official Code § 25-211(d). It is uncertain at this time when the final rules will be published in the *D.C. Register*. Given that the emergency rules expire on January 25, 2018, it is certain that the final rules will not be published before the emergency rules expire. Therefore, emergency action is once again necessary to ensure that ABRA can continue to fund the MPD RDO Subsidy Program without exceeding its budget for the fiscal year.

Thus, and in accordance with section 6(c) of the DC APA (D.C. Official Code § 2-505(c)), the Board finds that exigent circumstances still exist warranting the continuation of the emergency rules. Specifically, the Board finds that emergency action is necessary for the immediate preservation of health, safety, and welfare of District of Columbia residents as it is necessary for maintaining reduced spending levels of the Program for the remainder of Fiscal Year 2017 so that ABRA can continue to reimburse MPD for a percentage of the cost incurred by licensees for MPD officers working reimbursable details and to ensure the regulations comport with the Council's objective of expanding the Program to include pub crawls.

These emergency rules were adopted by the Board on January 24, 2018, by a vote of seven (7) to zero (0), and took effect at that time. The emergency rules will remain in effect for up to one hundred twenty (120) days from adoption, expiring May 24, 2018, unless earlier superseded by publication of a Notice of Final Rulemaking in the *D.C. Register*.

**Chapter 7, GENERAL OPERATING REQUIREMENTS, of Title 23 DCMR, ALCOHOLIC BEVERAGES, is amended as follows:**

**Section 718, REIMBURSABLE DETAIL SUBSIDY PROGRAM, is amended by replacing Subsections 718.2 and 718.3 to read as follows, and renumbering the following subsections:**

- 718.2 ABRA will reimburse MPD sixty percent (60%) of the total cost of invoices submitted by MPD to cover the costs incurred by licensees for MPD officers working reimbursable details on Sunday through Saturday nights. The hours eligible for reimbursement for on-premises retailer licensees shall be 11:30 p.m. to 5:00 a.m. ABRA will also reimburse MPD sixty percent (60%) of the total costs of invoices submitted by MPD to cover the costs incurred for Pub Crawl Events and for outdoor Special Events where the Licensee has been approved for a One Day Substantial Change License or a Temporary License. The hours eligible for an outdoor Special Event operating under a One Day Substantial Change License or a Temporary License or a Pub Crawl Event operating under a Pub Crawl License shall be twenty-four (24) hours a day.
- 718.3 MPD shall submit to ABRA on a monthly basis invoices documenting the sixty percent (60%) amount owed by each licensee. Invoices will be paid by ABRA to MPD within thirty (30) days of receipt in the order that they are received until the subsidy program's funds are depleted.



## 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 1 (Organization of the Board of Elections); Chapter 2 (Political and Ethical Conduct of Board Members and Employees); Chapter 4 (Hearings); Chapter 5 (Voter Registration); Chapter 7 (Election Procedures); Chapter 8 (Tabulation and Certification of Election Results); Chapter 17 (Candidates: Members and Officials of Local Committees of Political Parties and National Committee Persons); and Chapter 33 (Prohibition on Use of Government Resources for Campaign-Related Purposes and Interpretive Opinions) in Title 3 (Elections and Ethics) of the District of Columbia Municipal Regulations (DCMR).

The purpose of the amendments to Chapters 1 and 4 is to make minor conforming amendments as a result of the passage of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Official Code § 1-1163.01 *et seq.*), which repealed the Campaign Finance Reform and Conflict of Interest Act. Additional amendments to these chapters are organizational and stylistic.

The amendments to Chapter 2: (1) codify the Board's current status to act as the personnel authority pursuant to the District of Columbia Government Comprehensive Merit Personnel Act of 1978, as amended (D.C. Official Code § 1-601.01 *et seq.*), for its employees; (2) adopt the personnel rules that apply to all other District of Columbia employees, unless specifically exempted in the chapter; (3) relocate any existing personnel regulations to this chapter; and (4) retain the existing rules concerning political activity of Board members and employees.

The purpose of the amendments to Chapters 5, 7 and 8 is to codify rules following the passage of the Automatic Voter Registration Act of 2016 (Law 21-208)(effective February 18, 2017). Substantively the proposed amendments (1) codify a new deadline of 21 days before Election Day for the Board to receive registration applications digitally or by mail; and (2) codify a new deadline of 21 days before a primary election for previously registered voters to newly affiliate with a major political party and be eligible to vote in that party's primary. Further amendments to Chapter 5 establish monthly reporting requirements for voter registration agencies. Additionally, amendments to Chapter 7 establish rules for media conduct and photography in voting places and codify requirements for eligible electors to remain permanent absentee voters. The remaining amendments to these chapters are organizational and stylistic.

The amendment to Chapter 17 changes the deadline for candidates for party offices to file statements to amend or withdrawal from registered slates. This amendment changes the filing deadline to coincide with the deadline to withdrawal as a candidate for either public or party office (54 days before Election Day) which would allow for changes up until the time of the ballot position lottery.

The purpose of the amendment to Chapter 33 is to make a minor conforming amendment by adding the Attorney General to the list of public officials who may, as part of their official duties, express views on a District of Columbia election, as permitted following the passage of the Elected Attorney General Implementation and Legal Service Establishment Amendment Act of 2013 (Law 20-60) (effective December 13, 2013).

Emergency action to adopt these rules is necessary since the rulemaking will establish new regulations concerning the deadline by which voters can register to vote or make voter registration changes, including party affiliation, prior to 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) (2001).

The Board adopted these emergency rules at its regularly scheduled meeting on Wednesday, April 4, 2018, at which time the amendments became effective. The emergency rules shall remain in effect until August 2, 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*.

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

**Chapter 1, ORGANIZATION OF THE BOARD OF ELECTIONS, of Title 3 DCMR, ELECTIONS AND ETHICS, is amended as follows:**

**Section 100, ESTABLISHMENT AND AUTHORITY OF THE BOARD OF ELECTIONS, is amended as follows:**

**Subsection 100.2 is amended to read as follows:**

100.2           The District of Columbia Board of Elections is vested with authority to administer and enforce the provisions of the District of Columbia Election Act, as amended, and Title III of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011 (hereinafter, referred to as the “Campaign Finance Act of 2011”), effective April 27, 2012 (D.C. Official Code § 1-1163.01 *et seq.* (2016 Repl.)).

**Section 101, OFFICE OF CAMPAIGN FINANCE, is amended as follows:**

**Subsection 101.3 is amended to read as follows:**

101.3           The Director of Campaign Finance is responsible for the administrative operations of the Board pertaining to the Campaign Finance Act of 2011 and other duties delegated or assigned by the Board.

**Section 102, ORGANIZATION OF THE BOARD OF ELECTIONS, is amended in its entirety to read as follows:**

**102 MEETINGS**

- 102.1 Board members are charged with providing ultimate oversight over the activities and affairs of the agency. Members should make every effort to ensure their participation in all Board activities.
- 102.2 Board attendance is directly correlated to Board participation and thereby to the success of the agency and its mission. Such participation is necessary for Board members to fulfill their fiduciary obligation to the electors of the District of Columbia. All Board members are expected to be physically present at all scheduled meetings unless some other form of attendance has been approved by the Chair.
- 102.3 Except as provided otherwise by statute, a quorum of the Board shall consist of no fewer than two (2) members of the Board and shall be necessary to conduct official Board business. At the discretion of the Chairperson, any member may participate in a meeting of the Board by means of a video conference, telephone conference or by any means of communication by which all persons participating in the meeting are able to hear one another, and such participation shall constitute presence in person at the meeting.
- 102.4 At the beginning of each calendar year, a preliminary schedule of regular meetings for the year, which the Board has discretion to change, shall be published in the *D.C. Register*. The publication of this schedule shall serve as proper legal notice of all of the Board's regular meetings. Regularly scheduled Board meetings shall be held on the first Wednesday of each month, or at least once each month, at a time and place to be determined by the Board. Additional meetings may be called as needed by the Board. Notice of additional meetings or notice of changes to regularly scheduled meetings shall be published on the Board's website at least forty-eight (48) hours in advance, except in the case of emergency.
- 102.5 The meetings of the Board shall be open to the public, with the exception of executive sessions pursuant to D.C. Official Code § 1-1001.05 (a-1)(3) and the rules of this title.
- 102.6 The Board may hold a pre-meeting executive session immediately prior to commencing a regular meeting for the sole purpose of administrative action, which does not include the deliberation or taking of official action.
- 102.7 The proposed agenda for each Board meeting shall be posted on its website at least twenty-four (24) hours prior to the meeting. Copies of the agenda shall be

available to the public at the meeting. Nothing in this section shall preclude the Board from amending the agenda at the meeting.

- 102.8 Meeting minutes are a matter of public record and shall include the vote of each member on each action. Minutes from each Board meeting shall be posted on the Board's website prior to the next meeting. Copies of minutes shall be available at the Board's next meeting and available for inspection in the Office of the General Counsel and the Board's website.
- 102.9 Meeting transcripts shall be recorded stenographically, or by other means, by an official reporter who may be designated from time-to-time by the Board. Transcripts shall be open for inspection in the Office of the General Counsel and on the Board's website.
- 102.10 The Board encourages comments on any issue under the jurisdiction of the Board at its regular meetings and will provide the public with a reasonable opportunity to appear before the Board and offer such comments.
- 102.11 To ensure the orderly conduct of public Board meetings, public comments may be limited with respect to the number of speakers permitted and the amount of time allotted to each speaker; however, the Board will not discriminate against any speaker on the basis of his or her position on a particular matter.
- 102.12 Any member of the public who intends to comment regarding any agenda item or any issue under the jurisdiction of the Board is encouraged to notify the Board in advance of his or her intent to do so, providing his or her name and the topic on which he or she wishes to speak. Such notification may be provided to the Office of the General Counsel. No person shall be prevented from speaking at a Board meeting simply because he or she has not provided advance notice of his or her intent to do so.
- 102.13 Members of the public who wish to submit items for consideration by the Board shall do so in writing one (1) week in advance. Failure to submit an item in advance as required may, within the Board's discretion, result in the matter being continued until the next regularly scheduled meeting.
- 102.14 Meetings may be adjourned from time-to-time. If the time and place of resumption is publicly announced when the adjournment is ordered, no further notice shall be required.

**Section 108, UNIVERSAL LEAVE, is repealed.**

Chapter 2, POLITICAL AND ETHICAL CONDUCT OF BOARD MEMBERS AND EMPLOYEES, of Title 3 DCMR, ELECTIONS AND ETHICS, is amended in its entirety to read as follows:

**CHAPTER 2 PERSONNEL**

- 200 ESTABLISHMENT OF PERSONNEL AUTHORITY**
- 201 POLITICAL ACTIVITY OF MEMBERS AND EMPLOYEES**
- 202 POLITICAL ACTIVITY OF POLLING PLACE OFFICIALS**
- 203 REPEALED**
- 204 UNIVERSAL LEAVE**

**200 ESTABLISHMENT OF PERSONNEL AUTHORITY**

200.1 Pursuant to the District of Columbia Government Comprehensive Merit Personnel Act of 1978, as amended (D.C. Official Code § 1-601.01 *et seq.*), the Board of Elections is the personnel authority for its employees, with the exception of employees of the Office of Campaign Finance. The Board is vested with the authority to implement rules for the employees over which it has personnel authority. D.C. Official Code § 1-604.06 (a).

200.2 Except as otherwise provided in this chapter, Board members and all employees, regardless of service classification, shall be governed by personnel regulations issued by the Mayor and codified in Title 6-B of the D.C. Municipal Regulations.

**201 POLITICAL ACTIVITY OF MEMBERS AND EMPLOYEES**

201.1 The purpose of this section is to establish higher standards of conduct for members and employees of the District of Columbia Board of Elections in order to maintain public confidence in the integrity of those persons responsible for the administration of the election laws and the conduct of the electoral process in the District of Columbia. The provisions of this section shall solely govern the political conduct of the members and employees of the Board not classified as polling place officials. The provisions of this section are not intended to exempt members and employees from the ethics laws and standard of conduct rules imposed on all District of Columbia employees.

201.2 Except as provided in this section, nothing in this chapter shall be construed as prohibiting the members or employees of the Board from doing any of the following:

- (a) Exercising the right to vote in any election conducted in the District of Columbia or elsewhere;
- (b) Signing any nominating, initiative, referendum or recall petition; or

(c) Attending candidate forums.

201.3 No member or employee of the Board shall:

(a) Be a candidate or nominee for any elected office regulated by the Board of Elections;

(b) Hold any office in any political party or political committee; or

(c) Participate in the activities of or contribute to any political committee of any candidate for District office or for or against any ballot measure in the District of Columbia.

201.4 A member or employee of the Board shall not engage in any activity, including attending political dinners, fundraisers, parties, meetings or conferences which would imply support of or opposition to a local candidate or group of candidates for office, as defined in § 9900, a local political party or political committee, or an initiative, referendum, or recall measure to appear on the ballot in the District of Columbia.

**202 POLITICAL ACTIVITY OF POLLING PLACE OFFICIALS**

202.1 The purpose of this section is to establish higher standards of conduct for polling place officials of the District of Columbia Board of Elections in order to maintain public confidence in the integrity of those persons responsible for the administration of the election laws and the conduct of the electoral process in the District of Columbia. The provisions of this section shall solely govern the political conduct of polling place officials and are not intended to exempt polling place officials from the ethics laws and standard of conduct rules imposed on all District of Columbia employees.

202.2 Polling place officials shall be governed by the provisions of this section while employed by the Board. A polling place official is employed by the Board during any hours that he or she is performing services for the Board.

202.3 A polling place official shall not:

(a) Be a candidate or nominee for any elected office, except that a polling place official may be a candidate for office of Advisory Neighborhood Commissioner. In such instances, the polling place official shall not be assigned to work at a voting place where his or her name appears on the ballot;

(b) Hold any office in any political party or political committee; or

(c) Participate in the activities of any candidate or political committee for or against any ballot measure in the election held in the District of Columbia.

202.4 Political activity conducted by polling place officials prior to employment will not disqualify a polling place official from service.

**203 REPEALED**

**204 UNIVERSAL LEAVE**

204.1 The provisions of this section shall apply only to the employees serving in the following positions on or after January 3, 2017:

- (a) Executive Director;
- (b) General Counsel; and
- (c) Director of Campaign Finance (Director).

204.2 For the purpose of this section, the term “qualified employee” or “qualified position” shall mean the Executive Director, General Counsel, or Director.

204.3 For the purpose of this section, the term “participating employee” shall mean any qualified employee who elects to have a universal leave account in lieu of accruing annual and sick leave.

204.4 An employee appointed to serve in an acting or interim capacity as Executive Director, General Counsel, or Director shall not become subject to the provisions of this section. If the acting Executive Director, General Counsel or Director is later hired by the Board to continue in a qualified position, the applicability of this section shall become effective as of the date of hire.

204.5 Each qualified employee may elect to have a universal leave account in lieu of accruing annual and sick leave.

204.6 On the first pay period of the leave year, each participating employee shall have his or her universal leave account credited with two hundred eight (208) hours of universal leave.

204.7 Each full biweekly pay period represents eight (8) hours of accrued universal leave.

204.8 Each participating employee hired after the first pay period of the leave year shall have his or her universal leave account credited with universal leave on a pro rata basis.

- 204.9 Universal leave shall be used on days on which a participating employee would otherwise work and received pay and shall be exclusive of official holidays and non-workdays established by statute or administrative order.
- 204.10 There shall be no charge to universal leave for absences of less than two (2) hours.
- 204.11 A participating employee may carry over not more than forty (40) hours of unused universal leave for use in succeeding years. Any unused universal leave hours in addition to the approved carry-over hours shall be forfeited at the end of the leave year.
- 204.12 Upon separation, a participating employee shall be paid for any universal leave remaining to his or her credit, less a pro-rated amount representing the portion of the universal leave that would be creditable for the remainder of the year. Payment for leave upon separation shall be at the employee's rate of pay at the time of separation.
- 204.13 Each participating employee serving in that role on January 3, 2017 shall have his or her accrued annual leave balance, up to a maximum of two hundred forty (240) hours, transferred to an annual leave escrow account for use at the discretion of the employee until exhausted. The employee shall be given a lump-sum payment for any annual leave in excess of the leave transferred pursuant to this subsection, payable at the rate of pay in effect on the last day of the last pay period of the 2016 leave year.
- 204.14 Each participating employee appointed without a break in service to any qualified position from another position in the District government after January 3, 2017 shall have his or her accrued annual leave balance, up to a maximum of two hundred forty (240) hours, transferred to an annual leave escrow account for use at the discretion of the employee until exhausted. The employee shall be given a lump-sum payment for any annual leave in excess of the leave transferred pursuant to the subsection, payable at the rate of pay in effect immediately before his or her appointment to a qualified position.
- 204.15 Upon separation, a participating employee shall be paid for any annual leave remaining in the annual leave escrow account.
- 204.16 Each participating employee serving in that role on January 3, 2017, or each participating employee appointed without a break in service to any qualified position from another position in the District government after January 3, 2017, shall have his or her accrued sick leave balance transferred to a sick leave escrow account for use at the discretion of the employee until exhausted.



- 204.17 When a participating employee elects to use leave from either the annual leave escrow account or the sick leave escrow account, such usage shall only be charged for absences of more than two (2) hours.

**Chapter 4, HEARINGS, of Title 3 DCMR, ELECTIONS AND ETHICS, is amended as follows:**

**Section 400, GENERAL PROVISIONS, is amended in its entirety to read as follows:**

**400 GENERAL PROVISIONS**

- 400.1 The provisions of this chapter shall govern the procedures of the Board in all cases involving petition challenges; alleged violations of the District of Columbia Election Act, as amended; alleged violations of the Campaign Finance Act of 2011, as amended; alleged violations of Title III of the Help America Vote Act of 2002; petitions requesting the promulgation, amendment, or repeal of any regulation of the Board; or any other matter requiring the receipt of evidence and testimony in a contested case, complaint, or petition.
- 400.2 In any conflict within this chapter between general and specific provisions, the specific provisions shall govern.
- 400.3 In any conflict between this chapter and the D.C. Administrative Procedure Act, D.C. Official Code §§ 2-501 *et seq.* (2006 Repl.) the D.C. Administrative Procedure Act shall govern.
- 400.4 The General Counsel of the Board shall, following approval by the Board, issue and revise complaint and petition forms and instructions to ensure presentation of adequate information required for the understanding and processing of complaints and petitions.
- 400.5 The Board may, for good cause shown, waive any of the provisions of this chapter if, in the judgment of the Board, the waiver will not prejudice the rights of any party and is not otherwise prohibited by law.
- 400.6 A majority of the Board members shall constitute a quorum at a hearing, except that the Board has the discretion to hear any case brought before it under the District of Columbia Election Act or the Campaign Finance Act of 2011 by a one-member panel, pursuant to D.C. Official Code § 1-1001.05(g) (2006 Repl.).
- 400.7 Any member may participate in a hearing by means of a video conference, telephone conference or by any means of communication by which all persons participating in the hearing are able to hear one another, and such participation shall constitute presence in person at the hearing.

**Section 402, NOTICE OF HEARINGS, is amended in its entirety to read as follows:**

**402 NOTICE OF HEARINGS**

- 402.1 The parties shall be given sufficient opportunity to prepare for the hearing.
- 402.2 The Board shall send a notice of hearing to the party or parties involved which shall:
- (a) Provide the time, date and location of the hearing;
  - (b) Reference applicable statutes, rules, or regulations;
  - (c) State the purpose of the hearing;
  - (d) Advise the party or parties that they may be represented by counsel or other representative of their choosing; and
  - (e) Advise the party or parties that they may bring witnesses.
- 402.3 All hearings before the Board shall be open to the public, except that the Board may enter into executive session pursuant to D.C. Official Code § 1-1001.05 (a-1)(3) and the rules of this title. Public notice of the hearing shall be placed on the Board’s website no fewer than 48 hours in advance of the hearing, unless the nature of the hearing is of an emergency or the date for any hearing required under statute does not allow for 48 hour advance notice.
- 402.4 Hearings may be adjourned from time-to-time. If the time and place of resumption is publicly announced when the adjournment is ordered, no further notice shall be required.

**Section 405, MINUTES AND TRANSCRIPTS, is amended in its entirety to read as follows:**

**405 HEARING TRANSCRIPTS**

- 405.1 The hearing shall be reported under the supervision of the Chairperson, stenographically or by other means, by an official reporter who may be designated from time-to-time by the Board or who may be a regular employee of the Board.
- 405.2 The transcript prepared under this section shall be the official transcript of the hearing.
- 405.3 The transcript shall be open for inspection at the Office of the General Counsel. Copies of the official transcript shall be available to parties and to the public upon payment to the Board of the charges fixed for the copies.

- 405.4 Changes in the official transcript may be made only when they involve errors affecting substance and upon the filing of a motion to correct a transcript with the Board. Copies of the motion to correct a transcript shall be served simultaneously on all opposing parties or legal representatives.
- 405.5 Objections to the motion to correct a transcript shall be filed with the Board within five (5) days and served upon the parties.
- 405.6 The transcript may be amended by the Board at a subsequent hearing to reflect any corrections.

**Section 406, MEETINGS AND HEARINGS, is repealed.**

**Section 428, FINAL DECISION, is amended in its entirety to read as follows:**

**428 FINAL DECISION**

- 428.1 Within a reasonable time after the conclusion of the hearing and the closing of the record, the Board shall render its decision. A member absent at the decision vote may cast an absentee vote only if the member attended all of the hearings on the complaint or petition. A member attending the decision vote and having read the transcript and reviewed the complete record may vote even though that member may not have attended any or all of the prior meetings or hearings on the complaint or petition.
- 428.2 The Board's decision shall be memorialized by a written decision setting forth findings of fact and conclusions of law and giving the reasons for the decision and ordering appropriate action, if necessary.
- 428.3 The conclusions or opinion in the decision shall be governed by and based upon all the evidence adduced at the hearing.
- 428.4 A decision shall be supported by substantial evidence on the record. Pursuant to the substantial evidence rule, courts will uphold an administrative determination of fact if on the entire record the determination is rationally supportable and could have been arrived at reasonably.
- 428.5 The decision shall be served promptly on all parties or their representatives.
- 428.6 If the Board determines that there is a violation of any provision of Title III of the Help America Vote Act of 2002, the Board shall provide the appropriate remedy.
- 428.7 If the Board determines that there is no violation of Title III of the Help America Vote Act of 2002, the Board shall dismiss the complaint and publish the results of the hearing on the Board's website.

428.8 The Board shall render final determinations with respect to complaints alleging violations of Title III of the Help America Vote Act of 2002 prior to the expiration of the 90-day period which begins on the date the complaint is filed, unless the complainant consents to a longer period for making such a determination. If the Board fails to make a timely determination, the complaint shall be resolved within 60 days under alternative dispute resolution procedures established pursuant to Section 432 of this chapter. The record and other materials from any proceedings conducted under standard Board complaint procedures shall be made available for use under the alternative dispute resolution procedures.

**Chapter 5, VOTER REGISTRATION, of Title 3 DCMR, ELECTIONS AND ETHICS, is amended in its entirety to read as follows:**

**CHAPTER 5 VOTER REGISTRATION**

<b>500</b>	<b>GENERAL REQUIREMENTS FOR REGISTRATION</b>
<b>501</b>	<b>QUALIFIED UNIFORMED SERVICES AND OVERSEAS VOTERS</b>
<b>502</b>	<b>REPEALED</b>
<b>503</b>	<b>REGISTRATION APPLICATION FORMS AND REQUIREMENTS</b>
<b>504</b>	<b>REGISTRATION TIMELINESS AND EFFECTIVENESS</b>
<b>505</b>	<b>REPEALED</b>
<b>506</b>	<b>REPEALED</b>
<b>507</b>	<b>REPEALED</b>
<b>508</b>	<b>REPEALED</b>
<b>509</b>	<b>REPEALED</b>
<b>510</b>	<b>VOTER REGISTRATION INFORMATION</b>
<b>511</b>	<b>VOTER REGISTRATION AGENCY DATA</b>
<b>512</b>	<b>REPEALED</b>
<b>513</b>	<b>REPEALED</b>
<b>514</b>	<b>NOTIFICATION OF ACCEPTANCE OF REGISTRATION OR CHANGE OF REGISTRATION</b>
<b>515</b>	<b>REPEALED</b>
<b>516</b>	<b>REPEALED</b>
<b>517</b>	<b>REPEALED</b>
<b>518</b>	<b>SYSTEMATIC VOTER ROLL MAINTENANCE PROGRAM: BIENNIAL MAIL CANVASS</b>
<b>519</b>	<b>VOTER ROLL MAINTENANCE PROGRAM</b>
<b>520</b>	<b>CANCELLATION OF VOTER REGISTRATION: GENERAL GROUNDS AND PROCEDURES</b>
<b>521</b>	<b>CANCELLATION OF VOTER REGISTRATION: CHALLENGE AND REQUEST FOR ADDITIONS TO REGISTRATION ROLL</b>

**500 GENERAL REQUIREMENTS FOR REGISTRATION**

- 500.1 No person shall be registered to vote in the District of Columbia unless he or she:
- (a) Is a qualified elector as defined by D.C. Official Code § 1-1001.02(2) (2016 Repl.); and
  - (b) He or she executes a voter registration application by signature or mark on a form approved in this Chapter attesting that he or she meets the requirements as a qualified elector, and the Board approves the registration application.
- 500.2 A person is a "qualified elector" if he or she:
- (a) For a primary election, is at least seventeen (17) years of age and will be eighteen (18) on or before the next general election, or for a general or special election, is at least eighteen (18) years of age on or before the date of the general or special election;
  - (b) Is a citizen of the United States;
  - (c) Is not incarcerated for the conviction of a crime that is a felony in the District;
  - (d) Has maintained a residence in the District for at least thirty (30) days preceding the next election and does not claim voting residence or the right to vote in any state or territory; and
  - (e) Has not been adjudged legally incompetent to vote by a court of competent jurisdiction.
- 500.3 For the purpose of determining whether an individual is a qualified elector, a person is considered incarcerated if he or she is confined to prison, jail or penitentiary. A person is not considered incarcerated if he or she has completed the court-ordered sentence of confinement and subsequently resides in a halfway house or other community supervision center as terms of probation or parole.
- 500.4 A person who is otherwise a qualified elector may pre-register on or after his or her sixteenth (16th) birthday, but he or she shall not vote in any primary election unless he or she is at least seventeen (17) years of age and will be eighteen (18) on or before the next general election or in any general or special election unless he or she is at least eighteen (18) years of age on or before the date of the general or special election.

**501 QUALIFIED UNIFORMED SERVICES AND OVERSEAS VOTERS**

501.1 A person shall qualify as a uniformed services or overseas voter in elections conducted in the District of Columbia if he or she is:

- (a) A uniformed services voter or an overseas voter who is registered to vote in the District;
- (b) A uniformed services voter whose voting residence is in the District and who otherwise satisfies the District’s voter eligibility requirements;
- (c) An overseas voter who, before leaving the United States, was last eligible to vote in the District and, except for a District residence requirement, otherwise satisfies the District’s voter eligibility requirements;
- (d) An overseas voter who, before leaving the United States, would have been last eligible to vote in the District had the voter then been of voting age, and except for a District residency requirement, otherwise satisfies the District’s voter eligibility requirements; or
- (e) An overseas voter who is not described in paragraphs (c) or (d) and, except for a District residency requirement, otherwise satisfies the District’s voter eligibility requirements, if:
  - (1) The District is the last place where a parent or legal guardian of the voter was or would have been eligible to vote before leaving the United States; and
  - (2) The voter has not previously registered to vote in any other state.

501.2 A uniformed services voter is an individual who is qualified to vote and is:

- (a) A member of the active or reserve components of the Army, Navy, Air Force, Marine Corps, or Coast Guard who is on active duty;
- (b) A member of the Merchant Marine, the commissioned corps of the Public Health Service, or the commissioned corps of the National Oceanic and Atmospheric Administration of the United States;
- (c) A member on activated status of the National Guard or state militia; or
- (d) A spouse or dependent of an individual described in paragraphs (a) – (c).

501.3 An overseas voter is a United States citizen who is outside the United States.

- 501.4 Qualified uniformed services and overseas voters shall inform the Board of their status as such by:
- (a) The use of a Federal Post Card Application (FPCA) or a Federal Write-In Ballot (FWAB);
  - (b) The use of an overseas address on an approved voter registration application or ballot application; or
  - (c) The inclusion on an approved voter registration application or ballot application of other information sufficient to identify the voter as a qualified uniformed services or overseas voter.

**502 REPEALED**

**503 REGISTRATION APPLICATION FORMS AND REQUIREMENTS**

- 503.1 A qualified elector may apply to register to vote, or make subsequent updates to his or her voter registration information, with any of the following Board-approved forms. Any of the following registration forms may be submitted in-person at the Board's office or designated voter registration agency, by mail, or electronically:
- (a) The Board's Voter Registration Application (in printed format or digital application);
  - (b) The National Voter Registration Application (or such nationally recognized form approved by the Election Assistance Commission);
  - (c) A DMV-issued driver's license or non-driver's identification card application where the applicant does not decline to register to vote or update his or her voter registration information; or
  - (d) For qualified military and overseas voters, a Federal Post Card Application (FPCA) or the declaration accompanying a Federal Write-In Absentee Ballot (FWAB declaration).
- 503.2 The Board's official Voter Registration Application shall not be considered valid if altered in any way for use by another individual, governmental agency, or organization for the purpose of registering electors in the District of Columbia.
- 503.3 An applicant shall provide the following information on any voter registration application or voter registration update notification:

- (a) Applicant’s complete name;
- (b) Applicant’s current and fixed residence address in the District;
- (c) Applicant’s date of birth;
- (d) Applicant’s original signature; and
- (e) Applicant’s Department of Motor Vehicles (DMV)-issued identification number in the case of an applicant who has been issued a current and valid driver’s license, or the last four (4) digits of the applicant’s social security number (if any).

503.4 An applicant’s signature captured digitally, or stored digitally at another voter registration agency, and transmitted to the Board shall be sufficient to constitute an original signature and effectuate registration and updates thereto.

503.5 If the applicant is unable to sign his or her name, the applicant may place his or her mark in the space provided for his or her signature and have that mark witnessed by the person assisting by having the witness also sign the voter registration application.

503.6 An applicant for voter registration who is unable to sign or to make a mark on a voter registration application due to a disability may apply with the assistance of another person as long as the individual’s voter registration application is accompanied by a signed affidavit from the person assisting the applicant which states the following:

- (a) That he or she has provided assistance to the applicant;
- (b) That the applicant is unable to complete the application without assistance or sign or make a mark in the space provided for his or her signature;
- (c) That he or she has read or explained the information contained in the application and the voter declaration to the applicant, if the applicant cannot read the information; and
- (d) That he or she has read or explained the penalties for providing false information on the registration application, if the applicant cannot read the information.

503.7 Any applicant who provides on a voter registration application a registration address to which mail cannot be delivered by the U.S. Postal Service shall additionally provide to the Board a designated mailing address to facilitate any official communications required by law.



- 503.8 An applicant for voter registration may include an alternate mailing address in their voter registration application or registration update notification. All official communications required by law shall be sent to the voter at the residence address unless the voter provides an alternate mailing address.
- 503.9 A residence address provided by the applicant shall be sufficiently precise to enable the Board to assign the voter to the appropriate Ward and Advisory Neighborhood Commission Single-Member District (“ANC SMD”) for voting purposes.
- 503.10 If an applicant for voter registration fails to provide the information required for registration, the Registrar or his or her designee shall make reasonable attempts to notify the applicant of the failure. A reasonable attempt to notify the applicant may include a phone call, letter, or email. The Registrar shall choose the most efficient method of communication based upon the contact information provided by the applicant.

#### **504 REGISTRATION TIMELINESS AND EFFECTIVENESS**

- 504.1 Each voter registration application received by the Board shall be considered an update to any previous voter registration record if the applicant is already listed as a registered voter or whose name appears on the inactive list of registered voters, unless the applicant indicates that the change of information is not for voter registration purposes.
- 504.2 All voter registration applications and voter registration update notifications shall be considered to be received by the Board on the date that it is accepted for filing at the Board’s office or other voter registration agency and acknowledged by date-stamp of the receiving agency.
- 504.3 All voter registration applications and voter registration update notifications that are received on or before the 21st day preceding an election shall be considered timely filed. The effective date for registration and updates received on or before the 21st day preceding an election shall be the date the application or notification was received or postmarked, whichever is earlier.
- 504.4 All voter registration applications and voter registration update notifications that are received during the 20 day period preceding an election, other than voter registration applications and voter registration update notifications to either name or address received over the counter at the Board’s office or at a voting place pursuant to this section, shall be held and processed after the date of the election. The effective date for registration and updates received in the 20 day period

preceding an election, other than those permitted by this section, shall be the day after the election.

504.5 Voter registration updates to party affiliation shall not be considered timely filed during the 20 day period preceding a primary election. Requests for change of party affiliation status received during the 20 day period preceding a primary election shall be held and processed after the election. A change in party affiliation status occurs when a voter:

- (a) Changes his or her party registration from one political party to another;
- (b) Changes his or her party registration from “no party (independent)” to a political party; or
- (c) Changes his or her party registration from a political party to “no party (independent).”

504.6 During the twenty (20) day period preceding an election, voter registration applications and voter registration updates to name and/or address shall be considered timely filed, and effective as of the date of receipt, if:

- (a) The application or update notification was submitted over the counter at the Board’s office; or
- (b) The application or update notification was filed at a voting place, provided that the application or update notification was also filed with valid proof of residence.

504.7 Valid proof of residence is any official document showing the voter’s name and a District of Columbia home address. Proof of residence shall either be presented in paper or electronic form. A proof of residence document in electronic form shall be presented on a voter-owned device. The Board shall not be responsible for providing an independent wireless connection for voters to access documents in electronic form. Acceptable forms of proof of residence include:

- (a) A copy of current and valid government-issued photo identification;
- (b) A utility bill for water, gas, electricity, cable, internet, telephone, or cellular phone service issued within the last ninety (90) days;
- (c) A savings, checking, credit, or money market account statement from a bank or credit union issued within the last ninety (90) days;

- (d) A paycheck, stub, or earning statement that includes the employer’s name, address, and telephone number and was issued within the last ninety (90) days;
- (e) A government-issued document or check from a federal or District agency, other than the Board of Elections, issued within the last ninety (90) days; or
- (f) A current residential lease or rental agreement;
- (g) An occupancy statement from a District homeless shelter issued within the last ninety (90) days;
- (h) A tuition or housing bill from a District of Columbia college or university issued for the current academic or housing term.

504.8 Voter registration applications or registration update notifications for name and address received at a voting place that fail to include valid proof of residence shall be held and processed after the election. The effective date of these registration applications and registration updates shall be the day after the election.

**505 REPEALED**

**506 REPEALED**

**507 REPEALED**

**508 REPEALED**

**509 REPEALED**

**510 VOTER REGISTRATION INFORMATION**

510.1 Upon written request, the Board shall provide to any person a list of the registered qualified electors of the District of Columbia or any ward, precinct or ANC SMD therein.

510.2 The Board may furnish selective lists according to party affiliation, date of registration, ward, precinct, or ANC SMD, voter history, or any other permissible category.

510.3 The Board shall make requested voter registration information available to the public on electronic or magnetic medium, or on any media in use by the Board at the time of the request.

- 510.4 A list of duly registered voters eligible to vote in an election (poll book) shall be available for public inspection in all voting places. The information available for public inspection shall include the name, address, party affiliation, and ANC Single-Member District of each eligible and duly registered voter.
- 510.5 The following items of information contained in voter registration records are confidential and shall not be considered public information subject to disclosure to the general public:
- (a) Full or partial social security numbers;
  - (b) Dates of birth;
  - (c) Email addresses or phone numbers;
  - (d) The identity of the voter registration agency at which the voter registered; and
  - (e) The residence and mailing addresses of any registered qualified elector whose residence address has been made confidential pursuant to this section.
- 510.6 Complete voter registration records, including date of birth and social security numbers, shall be released to the District of Columbia Superior Court upon request.
- 510.7 Cumulative data based on confidential information may be publicly disclosed as long as information about any individual cannot be discerned from the disclosed data.
- 510.8 A voter's signature on registration records, either on a paper record or application or an electronically captured image, may be viewed by the public but may not be copied or traced except by Board officials for election administration purposes. Any such copy or tracing is not a public record.
- 510.9 A registered qualified elector's address shall be considered public information until the registered qualified elector or his or her representative presents a copy of a court order to the Registrar directing the confidentiality of the qualified elector's address. If the order is received more than forty-five (45) days before an election, the elector's address shall be immediately removed from all voter records available for public inspection. If the order is received within forty-five (45) days of the election, the address shall be removed as soon as practicable but in no instance later than seven (7) days following an election. Any address made

confidential pursuant to this subsection shall remain confidential for as long as the court shall order.

## **511 VOTER REGISTRATION AGENCY DATA**

511.1 The term “voter registration agency” shall mean an office designated under D.C. Official Code § 1-1001.07(d)(1), the Mayor of the District of Columbia, or the National Voter Registration Act of 1993 to perform voter registration activities.

511.2 The designated voter registration agencies in the District of Columbia are:

- (a) The Department of Motor Vehicles (DMV);
- (b) The Department of Corrections;
- (c) The Department of Youth Rehabilitation Services;
- (d) The Office on Aging;
- (e) The Department of Parks and Recreation;
- (f) The Department of Human Services; and
- (g) The Department on Disability Services.

511.3 Pursuant to D.C. Official Code § 1-1001.07 (d)(12)(B)(i), all voter registration agencies shall submit, on a monthly basis, a report of the previous month’s voter registration activity. Each report shall include the following information:

- (a) The number of clients served at the agency during the reporting month;
- (b) The number of clients who were offered voter registration services;
- (c) The number of clients who indicated that they were already registered to vote at their current address;
- (d) The number of clients who declined to apply to register to vote;
- (e) The number of clients who took voter registration applications to complete offsite;
- (f) The number of clients who completed voter registration applications while onsite; and
- (g) The number of completed paper applications transmitted to the Board of Elections.

**512 REPEALED**

**513 REPEALED**

**514 NOTIFICATION OF ACCEPTANCE OF REGISTRATION OR CHANGE OF REGISTRATION**

514.1 For registration applications and update notifications received at least 21 days prior to an election, the Registrar shall mail a non-forwardable voter registration notification to the applicant advising him or her of the acceptance or rejection of the registration application within nineteen (19) calendar days after the receipt of the registration application or update notification. If the application is rejected, the notification shall include the reason or reasons for the rejection and shall inform the voter of his or her right to either submit additional information as requested by the Board, or appeal the rejection pursuant to D.C. Official Code § 1-1001.07(f) (2014 Repl.).

514.2 In the event that the notification advising the applicant of acceptance of his or her voter registration is returned to the Board as undeliverable, the Registrar shall mail the notice provided in D.C. Official Code § 1-1001.07(j)(1)(B) (2014 Repl.).

514.3 For registration applications received within the 20 day period immediately preceding an election, the Board shall mail each registered voter who filed a voter registration application or update notification a non-forwardable address confirmation notice to the applicant as soon as practicable after the election. If the United States Postal Service returns the address confirmation notification as "undeliverable," the Board shall notify the Attorney General of the District of Columbia.

**515 REPEALED**

**516 REPEALED**

**517 REPEALED**

**518 SYSTEMATIC VOTER ROLL MAINTENANCE PROGRAM: BIENNIAL MAIL CANVASS**

518.1 In January of each odd-numbered year, the Board shall confirm the residence address of each registered voter who did not confirm his or her address through the voting process or file a change of address at the polls in the preceding general election by mailing a first class non-forwardable canvass postcard to the residence address listed on the Board's records.

- 518.2 If the Postal Service returns the postcard and provides a new address for the registrant that is within the District of Columbia, the Board shall change the address on its records accordingly and then mail to both old and new addresses a forwardable notice advising the registrant that their address in the voter records has been changed to reflect the Postal Service information.
- 518.3 If the Postal Service returns the postcard as undeliverable and provides a new address for the registrant outside the District of Columbia, the Board shall mail a forwardable notice to both the old and new address, informing the registrant how to register to vote in their new jurisdiction or correct the address information obtained from the Postal Service.
- 518.4 If the Postal Service returns the postcard to the Board as undeliverable and indicates that no new address is available, the Board shall mail to the registrant at his or her last known address the forwardable notice specified in § 518.3.
- 518.5 The forwardable notices issued to registrants whose initial non-forwardable mailings were returned by the Postal Service shall include a pre-addressed and postage- paid return notification postcard to enable the registrant to confirm or correct any address information obtained from the Postal Service.
- 518.6 Upon mailing of the forwardable notice to any registrant whose initial mailing the Postal Service returned as undeliverable, either with a new address outside the District or an indication that no new address was available, the Board shall designate the registrant’s voter registration status as inactive on the voter roll, effective on the date of the mailing of the notice.
- 518.7 Where a registered voter who has been designated inactive on the voter roll fails to respond to the forwardable notice and fails to vote during the period beginning on the date the notice was mailed and ending on the day after the second subsequent general election for federal office, the registrant’s name shall be removed from the voter roll.
- 518.8 Where a registered voter who has been designated inactive on the voter roll provides the Board with a current residence address, or votes in any election, prior to the day following the second general election for federal office occurring thereafter, the inactive designation shall be removed from the registrant’s record.
- 518.9 A registrant included in the group defined by § 518.1 who has requested a separate mailing address in their voter record shall be initially mailed a notification addressed to the mailing address, asking the registrant to confirm his or her residence address on the voter roll by not later than thirty (30) days of the date of the mailing of the notice.

- 518.10 Where a registrant who has been mailed the notification in § 518.9 fails to confirm or correct their residence address, in writing, within thirty (30) days of the mailing of the notice, the Board shall issue a non-forwardable canvass postcard to the residence address as provided in § 518.1 of this chapter.
- 518.11 In the event that the Biennial Mail Canvass is delayed, the Board shall conduct the canvass as soon as practicable thereafter.
- 518.12 Consistent with procedures of the Biennial Mail Canvass, the Board shall issue the forwardable notices defined in § 518.5 whenever official mail sent to a registrant in the normal course of business is returned to the Board by the Postal Service.
- 518.13 Consistent with procedures of the Biennial Mail Canvass, the Board shall update a registrant's address or designate a registrant's voter registration status as inactive based on the return to the Board by the Postal Service of official mail sent to a registrant in the normal course of business.
- 518.14 Where the Board learns, or has reason to believe, that a registrant does not reside at the address listed on the voter registration application, the Board may issue the notice defined in § 518.1 to confirm the registrant's address, and proceed accordingly.

## **519 VOTER ROLL MAINTENANCE PROGRAM**

- 519.1 The Board may utilize information obtained from the United States Postal Service, the National Change of Address System (NCOA), and the DMV, which identifies registrants who have moved from the addresses listed on the Board's records.
- 519.2 As part of its systematic voter roll maintenance program, the Board may develop additional procedures to identify and remove from the voter roll registrants who are deceased and no notification was received from the Bureau of Vital Statistics, who have moved from the District and no notification was received from the registrant or the United States Postal Service, or who otherwise no longer meets the qualifications as a duly registered voter.
- 519.3 If the Board learns that a registered voter has changed his or her residence address and has failed to inform the Board, in writing, of his or her current residence address, the registrant shall be mailed a non-forwardable notice, to the address listed on the voter roll.



- 519.4 The Board may utilize information obtained from returned juror summons issued by mail by the District of Columbia Superior Court to identify registrants who no longer meet the qualifications as a duly registered voter.
- 519.5 In the event that a juror summons is returned to the District of Columbia Superior Court by the United States Postal Service as undeliverable, or which provides a new address within or outside the District of Columbia, the Board shall mail a non-forwardable notice to the address to the voter's registration, as provided in § 518 of this chapter.
- 519.6 The Board may use other information provided to the District of Columbia Superior Court by the registrant to identify registrants who no longer meet the qualifications as a registered voter.
- 519.7 The Board's Executive Director may enter into agreements with other Chief State Election Officials for the purpose of verifying information on its statewide voter registration list to ensure the accuracy of the District's voter registry.

**520 CANCELLATION OF VOTER REGISTRATION: GENERAL GROUNDS AND PROCEDURES**

- 520.1 The grounds for cancellation of registration by the Board shall be the following:
- (a) Death of the voter;
  - (b) Change in residence from the District of Columbia;
  - (c) Signed authorization from a voter, or written notification from the voter that he or she is not a qualified elector;
  - (d) Incarceration following a felony conviction;
  - (e) Successful challenge to voter registration;
  - (f) Falsification of information on the voter registration application;
  - (g) Declaration of mental incompetence by a court of competent jurisdiction;  
and
  - (h) In the case of a registrant whose registration is deemed inactive, failure to provide the Board with a current residence address in the District, in writing, or failure to vote in any election in accordance with D.C. Official Code § 1-1001.07(i)(4)(B)(2014 Repl.) by not later than the day after the date of the second general election for federal office that occurs after the date of the notice described in this section.

- 520.2 Where the Board cancels or proposes to cancel a voter's name from the registration roll, under § 520.1, notification to the person, as applicable to the cause of cancellation, shall be made by first class (forwardable) mail, except where authorization for removal has been provided by signature of the voter, or where the voter's registration is being removed from the list of registrations deemed inactive.
- 520.3 In the event that the Board learns, through the regular course of business, that a voter is otherwise unqualified to be a registered elector in the District of Columbia, the Registrar shall notify the registrant of this fact.
- 520.4 The notice shall include the information on which the Registrar bases the decision and shall state that the registrant must respond within fourteen (14) days from the date of the mailing of the notice or be cancelled from the voter roll.
- 520.5 The Registrar shall make a determination with respect to the elector's eligibility within ten (10) days of receipt of a response from the registrant.
- 520.6 The determination shall be sent by first class mail to the registrant.
- 520.7 Within fourteen (14) days of mailing the notice, the registrant may appeal, in writing, the Registrar's determination to the Board.
- 520.8 The Board shall conduct a hearing and issue a decision within thirty (30) days of receipt of written notice of the appeal.
- 520.9 Requests for cancellation of voter registration received less than thirty (30) days preceding an election shall be held and processed after that election.

**521 CANCELLATION OF VOTER REGISTRATION: CHALLENGE AND REQUEST FOR ADDITIONS TO REGISTRATION ROLL**

- 521.1 Any duly registered voter may:
- (a) "Challenge" the registration of any person whom the voter believes is fictitious, deceased, disqualified, or ineligible to vote on grounds other than a failure to give notice of a change of address; and
  - (b) "Request" the addition of any person whose name has been erroneously omitted or cancelled from the registration roll.
- 521.2 The Board shall not accept a voter registration challenge or application for correction of the voter roll after the forty-fifth (45th) day preceding an election.

- 521.3 During the period beginning on the ninetieth (90th) day before any election and ending on the forty-fifth (45th) day before any election, the Board shall expedite the process as further described in this section.
- 521.4 Requests for the correction of the voter roll or the challenge of the right to vote of any person named on the voter roll shall be in writing and shall include any evidence in support of the challenge that the registrant is not a qualified elector.
- 521.5 The Board shall send notice to any person whose registration has been challenged, at the address listed on the Board’s record, along with a copy of any evidence filed in support of the challenge.
- 521.6 The notice sent to a person whose registration has been challenged shall be sent to the address listed on the Board’s records, and shall include a statement that the registrant must respond to the challenge not later than thirty (30) days from the date of the mailing of the notice, or ten (10) days if the challenge is received between ninety (90) and forty-five (45) days from the election, or be cancelled from the voter roll.
- 521.7 The Registrar shall make a determination with respect to the challenge, based on any evidence presented, within ten (10) days of receipt of the challenged registrant’s response, or three (three) days if the challenge is received between ninety (90) and forty-five (45) days from the election.
- 521.8 After making a determination with respect to the challenge, the Registrar shall notify, by first class mail, both the challenged registrant and the person who filed the challenge.
- 521.9 Within fourteen (14) days of the date that the Registrar of Voters’ notice is mailed, or five (5) days if the challenge is received between ninety (90) and forty-five (45) days from the election, any aggrieved party may appeal the Registrar’s determination to the Board.
- 521.10 The Board shall conduct a hearing and issue a decision within thirty (30) days of receipt of the written appeal notice, or ten (10) days if the challenge is received between ninety (90) and forty-five (45) days from the election.
- 521.11 With respect to a request for the addition of a person to the voter roll, if the Board’s records indicate that the omission or cancellation was proper, the Board shall send notice of its determination, by first-class (forwardable) mail, to both the individual named in the request and the person who filed the request. The notice shall advise both parties that the person whose name was removed from the

registration roll is required to submit a new voter registration application in order to become registered.

**Chapter 7, ELECTION PROCEDURES, of Title 3 DCMR, ELECTIONS AND ETHICS, is amended in its entirety to read as follows:**

**CHAPTER 7 ELECTION PROCEDURES**

- 700 ELIGIBILITY OF ELECTORS**
- 701 REPEALED**
- 702 VOTING IN-PERSON BEFORE ELECTION DAY**
- 703 OPENING AND CLOSING OF POLLS ON ELECTION DAY**
- 704 POLLING PLACE OFFICIALS**
- 705 NEWS MEDIA**
- 706 POLL WATCHERS AND ELECTION OBSERVERS**
- 707 POLITICAL ACTIVITY AT VOTING PLACES**
- 708 REPEALED**
- 709 REPEALED**
- 710 CHALLENGE TO VOTER QUALIFICATIONS: IN-PERSON VOTING**
- 711 VOTER’S AFFIRMATION**
- 712 SPECIAL BALLOT APPEAL RIGHTS**
- 713 ASSISTANCE TO VOTERS**
- 714 SPOILED BALLOTS**
- 715 REPEALED**
- 716 REPEALED**
- 717 REPEALED**
- 718 REPEALED**
- 719 REPEALED**
- 720 ABSENTEE VOTING**
- 721 CHALLENGE TO VOTER QUALIFICATIONS: ABSENTEE VOTING**
- 722 EMERGENCY ABSENTEE BALLOTS**
- 723 REPEALED**
- 724 REPEALED**
- 725 REPEALED**

**700 ELIGIBILITY OF ELECTORS**

700.1 For the purpose of determining eligibility of an elector in a primary election, a change in party affiliation status occurs when a voter:

- (a) Changes his or her party registration from one political party to another;
- (b) Changes his or her party registration from “no party (independent)” to a political party; or

- (c) Changes his or her party registration from a political party to “No Party (independent).”

700.2 For the purpose to determining eligibility of an elector in any election, the polling place serving a voter’s residence shall be the Election Day polling place that has been designated by the Board for the individual, except that a voter whose residence is served by a polling place that has been identified as inaccessible pursuant to Section 8 of the Voting Accessibility for the Elderly and Handicapped Act may request reassignment to an accessible polling place if he or she:

- (a) Is a senior citizen or a person with a disability; and
- (b) Contacts the Board in writing by no later than the seventh (7<sup>th</sup>) day prior to Election Day to request that a complete ballot for his or her precinct of residence be brought to the accessible polling place on Election Day.

700.3 For the purpose of determining eligibility of an elector during any election for President and Vice President, an individual shall qualify as an elector in the District of Columbia for the offices of President and Vice President only (qualified federal elector) if:

- (a) He or she resided in the District of Columbia and has moved into another state or territory and does not meet the voter registration residency requirements of that state or territory; and
- (b) He or she otherwise meets the requirements of a qualified elector in the District of Columbia as of the date of change of residence.

700.4 Eligible electors shall be permitted to cast a regular ballot during the in-person absentee and early voting periods or at the polling place serving their residence on Election Day. Eligible electors shall include:

- (a) In the case of primary elections:
  - (i) Duly registered voters whose registration record indicates an affiliation with the party conducting the primary and have not changed their party affiliation status during the twenty-one (21) days preceding the primary;
  - (ii) Registered voters who have filed a change of address and/or name notification with valid proof of residence at the time of voting and whose registration record indicates an affiliation with the party conducting the primary that has not been changed during the

- twenty-one (21) days preceding the primary; or
- (iii) Qualified electors who newly register to vote during the in-person absentee or early voting periods or at the polling place serving their residence on Election Day; provide valid proof of residence; and affiliate with a party conducting a primary election.
- (b) In the case of general elections:
- (i) Duly registered voters;
  - (ii) Registered voters who have filed a change of address and/or name notification with valid proof of residence at the time of voting; or
  - (iii) Qualified electors who newly register to vote during the in-person absentee or early voting periods or at the polling place serving their residence on Election Day and provide valid proof of residence.
- (c) In the case of special elections:
- (i) Duly registered voters residing in the political subdivision in which the special election is occurring;
  - (ii) Registered voters residing in the political subdivision in which the special election is occurring who have filed a change of address and/or name notification with valid proof of residence at the time of voting; or
  - (iii) Qualified electors residing in the political subdivision in which the special election is occurring who newly register to vote during the in-person absentee or early voting periods or at the polling place serving their residence on Election Day and provide valid proof of residence.

700.5 An individual whose eligibility to vote in an election cannot be determined at the time of voting shall cast a special (provisional) ballot. An individual's eligibility may be unable to be determined for any of the following reasons:

- (a) The individual attempted to register to vote at the polling place but did not provide valid proof of residence;
- (b) The individual filed a change of address notification at the polling place but did not provide valid proof of residence;

- (c) The individual filed a change of name notification at the polling place but did not provide valid proof of residence;
- (d) The individual is appearing to vote at an Election Day polling place that does not serve the address listed on the Board’s registration records;
- (e) The individual has already signed the poll book for the current election;
- (f) The individual is listed as an absentee voter on the alphabetical or supplemental lists of registered voters (poll book) ;
- (g) The individual has not previously voted in a federal election in the District and who registered to vote by mail and failed to present, either at the time of registration, at the polling place, or when voting by mail, either a copy of a current and valid government-issued photo identification, a copy of a current (the issue, bill, or statement date is no earlier than ninety (90) days before the attempt to register and/or vote, whichever is applicable) utility bill, bank statement, government check, or paycheck, or other government-issued document that shows his or her name and address;
- (h) The individual is listed on the poll book but claims, in a primary election, that the party affiliation indicated on the listing is in error;
- (i) The individual is listed on the poll book but claims, in a general election, that the ANC Single-Member District indicated on the listing is in error;
- (j) The individual’s qualifications as an elector have been challenged pursuant to this chapter, and that challenge is accepted;
- (k) The individual is attempting to vote in an election for federal office during extended voting hours as a result of a federal or District of Columbia court order, or any other order;

**701 REPEALED**

**702 VOTING IN-PERSON BEFORE ELECTION DAY**

702.1 An eligible elector shall be permitted to cast a ballot in-person before Election Day during an in-person absentee voting period not earlier than fifteen (15) days preceding an election. In-person absentee voting shall take place on dates and times that the Executive Director shall designate.

702.2 An eligible elector shall be permitted to cast a ballot in-person before each primary and general election during an early voting period of no more than ten

(10) days prior to Election Day. Early voting shall take place on dates and times that the Executive Director shall designate.

### **703 OPENING AND CLOSING OF POLLS ON ELECTION DAY**

703.1 Polling places in which elections are to be held shall be opened at 7:00 a.m. on the date required by law for the election and shall remain open for voting until 8:00 p.m., except in instances when the time established for closing the polls is extended pursuant to a federal or District of Columbia court order or Board order.

703.2 All persons standing in line at a polling place at the close of polls shall be permitted to vote, if otherwise qualified.

703.3 At the close of polls, a polling place official shall take a position at the end of any existing line of prospective voters, and only persons standing in front of the official at that time shall be permitted to vote.

703.4 By order, the Board may, at its discretion, extend polling hours at a precinct in order to resolve unforeseen emergency situations on Election Day.

### **704 POLLING PLACE OFFICIALS**

704.1 The operations of polling places and ballot counting places shall be conducted by officials designated by the Board.

704.2 The official in charge of each polling place shall be known as the Precinct Captain.

704.3 The duties of the Precinct Captain may be delegated by the Board or by the Precinct Captain to another official, who shall be known as the Alternate Precinct Captain.

704.4 All polling place officials shall be qualified registered electors in the District of Columbia, except that the Board may appoint individuals who are not qualified registered electors to serve as polling place officials, if the individual:

- (a) Is at least sixteen (16) years of age on the day that he or she will be a polling place official;
- (b) Resides in the District of Columbia; and
- (c) Is enrolled in or has graduated from a public or private secondary school or an institution of higher education.

704.6 All polling place officials shall:



- (a) Complete at least four (4) hours of training;
- (b) Receive certification by the Board; and
- (c) Take and sign an oath of office to honestly, faithfully, and promptly perform the duties of office.

704.7 A polling place official's past performance shall be considered before appointing him or her as a polling place official in a subsequent election.

704.8 Unless otherwise provided, Board employees working at early voting centers shall have the same authority and duties as the Precinct Captain and other polling place officials.

## **705 NEWS MEDIA**

705.1 For the purpose of this chapter, the term "media" shall mean any individual or group engaging in the mass communication of information to the public, such as through television, radio, or publishing, and shall not include poll watchers or election observers, as defined in this chapter.

705.2 At the appropriate discretion of the Precinct Captain, news media representatives shall be permitted access to voting places during voting hours for a reasonable and limited period of time for the purpose of filming or photographing inside voting places. The Precinct Captain may consider the following factors when determining the granting and duration of media access to the voting place:

- (a) The size of the voting place;
- (b) The number of persons in the voting place; and
- (c) The amount of time remaining in voting hours.

705.3 Upon entry to the voting place, a media representative shall present his or her news media outlet identification to the Precinct Captain. The Precinct Captain shall record the presence of the media representative(s) and make a determination concerning access and duration thereof.

705.4 Media representatives shall be prohibited from the following activities in any voting place:

- (a) Interviewing polling place officials or voters inside the voting place;
- (b) Taping of media representative's remarks inside the voting place;
- (c) Impeding the voting process or the work of polling place officials;

- (d) Filming or photographing in a way that divulges how an individual is voting;
- (e) Filming or photographing the voter list or other election materials in a way that divulges the name or other registration information of an individual voter.

705.5 No filming or photography of any individual in a voting place, or in the 50 feet abutting an entrance to a voting place, shall be performed unless prior express permission is obtained.

**706 POLL WATCHERS AND ELECTION OBSERVERS**

706.1 Each candidate and each proponent or opponent of a proposed ballot measure may petition the Board for credentials authorizing poll watchers at any voting place and/or ballot counting place.

706.2 Persons who wish to witness the administration of elections, including nonpartisan or bipartisan, domestic or international organizations, who are not affiliated with a candidate or ballot measure may petition the Board for credentials authorizing election observers at any voting place and/or ballot counting place.

706.3 Each petition shall be filed with the Board, not less than two (2) weeks before each election and shall be on a form furnished by the Board. The Board reserves the right to accept petitions filed less than two (2) weeks before each election.

706.4 At the time of filing, the poll watcher petition form shall contain the following information:

- (a) The name, address, telephone number, and signature of the candidate or ballot measure proponent or opponent (“applicant”);
- (b) The office for which the applicant is a candidate or the short title of the measure which the applicant supports or opposes;
- (c) The name, address, email address, and telephone number of the poll watcher supervisor, if one is designated by the candidate, proponent, or opponent;
- (d) The locations where access credentials are sought;
- (e) The names, addresses, email addresses, and telephone numbers of at least two (2) and not more than three (3) persons who are authorized to collect the poll watcher badges from the Board on behalf of the candidate or

ballot measure proponent or opponent for distribution to the authorized poll watchers; and

- (f) A certificate from the applicant that each poll watcher selected shall conform to the regulations of the Board with respect to poll watchers and the conduct of the election.

706.5 At the time of filing, the election observer petition form shall contain the following:

- (a) The name, address, email address, and telephone number of the organization or individual seeking credentials;
- (b) The name, address, email address, and telephone number of the election observer supervisor, if a person is designated by an organization;
- (c) The names, addresses, email addresses, and telephone numbers of all observers who will be receiving badges;
- (d) The locations where access credentials are sought;
- (e) The names, addresses, email addresses, and telephone numbers of at least one (1) and not more than three (3) persons who are authorized to collect the election observer badges from the Board on behalf of the organization or individual seeking credentials for distribution to the authorized election observers; and
- (f) A certificate from the applicant that each election observer selected shall conform to the regulations of the Board with respect to election observers and the conduct of the election.

706.6 The Board may limit the number of poll watchers or election observers to ensure that the conduct of the election will not be obstructed or disrupted, except that:

- (a) Each qualified candidate shall be entitled to one (1) poll watcher in each of the voting places where his or her name appears on the ballot.
- (b) Each proponent or opponent of a ballot measure who has timely filed a verified statement of contributions with the Office of Campaign Finance shall be entitled to one (1) poll watcher in each voting place where the ballot measure appears on the ballot.

706.7 The Board and its designees may, at their discretion, rotate credentialed poll watchers and election observers in and out of voting places and/or ballot counting places on an equitable basis in the event of space constraints. The Board and its

designees may grant preference to poll watchers over election observers, and organizations over individuals.

- 706.8 The Executive Director shall make a ruling on poll watcher and election observer petitions not less than ten (10) days prior to an election.
- 706.9 In making a determination of the number of watchers or observers allowed, the Executive Director shall consider the following:
- (a) The number of candidates or requesting organizations;
  - (b) Whether the candidates are running as a slate;
  - (c) The number of proponents and opponents of measures and proposed Charter amendments;
  - (d) The physical limitations of the voting places and counting places; and
  - (e) Any other relevant factors.
- 706.10 Within twenty-four (24) hours of a denial, the Executive Director shall issue a public notice with respect to any denial of a petition for credentials.
- 706.11 The Board shall issue a badge for each authorized poll watcher or election observer, with space for the watcher's or observer's name and the name of the candidate or party represented by the watcher, or any organization being represented by the observer. Badges shall also be issued for each authorized watcher representing the proponents or opponents of ballot measures.
- 706.12 Badges shall be numbered consecutively, and consecutive numbers issued to each candidate, organization, proponent, or opponent.
- 706.13 All badges shall be worn by the authorized poll watcher or election observer in plain view at all times when on duty at the voting place or counting place.
- 706.14 An authorized alternate poll watcher or election observer may, in the discretion of the watcher or observer supervisor, be substituted for a watcher or observer at any time; provided, that notice is first given to the designated representative of the Board at the voting place or ballot counting place.
- 706.15 A poll watcher shall be allowed to perform the following acts:
- (a) Observe the count;
  - (b) Unofficially ascertain the identity of persons who have voted;

- (c) Report alleged discrepancies to the Precinct Captain; and
- (d) Challenge voters in accordance with the procedures specified in this chapter, if the watcher is a registered qualified elector.

706.16 An election observer shall be allowed to perform the following acts:

- (a) Observe the count;
- (b) Unofficially ascertain the identity of persons who have voted; and
- (c) Report alleged discrepancies to the Precinct Captain.

706.17 No poll watcher or election observer shall, at any time, do any of the following:

- (a) Touch any official record, ballot, voting equipment, or counting form;
- (b) Interfere with the progress of the voting or counting;
- (c) Assist a voter with the act of voting;
- (d) Talk to any voter while the voter is in the process of voting, or to any counter while the count is underway; provided, that a watcher or observer may request that a ballot be referred for ruling on its validity to a representative of the Board;
- (e) In any way obstruct the election process; or
- (f) Use any video or still cameras inside the polling place while the polls are open for voting, or use any video or still camera inside the counting center, if such use is disruptive or interferes with the administration of the counting process.

706.18 A candidate may not serve as a poll watcher at any voting place.

706.19 If a poll watcher or election observer has any question, or claims any discrepancy or error in the voting or the counting of the vote, the watcher or observer shall direct the question or complaint to the election official in charge. In each polling place, the Precinct Captain shall be the representative of the Board to whom the poll watchers or election observers shall direct all questions and comments. In counting places, the Executive Director shall identify those representatives to whom poll watchers and election observers shall direct all questions and comments.

706.20 Any poll watcher or election observer who, in the judgment of the Board or its designated representative, has failed to comply with any of the rules contained in

this section, or has engaged in some other prohibited activity or misconduct, may be requested to leave the voting place or the counting place.

706.21 If a poll watcher or election observer is requested to leave, that watcher's or observer's authorization to use credentials shall be cancelled, and he or she shall leave the voting place or counting place forthwith.

706.22 An authorized alternate poll watcher or election observer may be substituted for a watcher or observer who has been removed.

## **707 POLITICAL ACTIVITY AT VOTING PLACES**

707.1 The Precinct Captain shall have full authority to maintain order, pursuant to the Election Act, the regulations contained in this section, and directives of the Executive Director, General Counsel and their designees, including full authority to request police officials to enforce lawful orders of the Precinct Captain.

707.2 The only persons who shall be permitted to be present in voting places or ballot counting places are the following:

- (a) Designated representatives of the Board;
- (b) Police officers;
- (c) Duly qualified poll watchers and election observers;
- (d) Persons actually engaged in voting; and
- (e) Other persons authorized by the Board.

707.3 The only activity which shall be permitted in the portion of any building used as a voting place or ballot counting place shall be the conduct of the election. No partisan or nonpartisan political activity, or any other activity which, in the judgment of the Precinct Captain, may directly or indirectly interfere with the orderly conduct of the election, shall be permitted in, on, or within a reasonable distance outside the building used as an early voting center, polling place, or ballot counting place.

707.4 For the purposes of this section, the term "political activity" shall include, without limitation, any activity intended to persuade a person to vote for or against any candidate or measure or to desist from voting.

707.5 The distance deemed "reasonable" shall be approximately fifty feet (50 ft.) from any door used to enter the building for voting. The exact distance shall be determined by the Precinct Captain, depending on the physical features of the

building and surrounding area. Wherever possible, the limits shall be indicated by a chalk line, or by some other physical marker at the polling place.

707.6 A voter may bring materials into the voting place for purpose of aiding the voter to cast their ballot, including, but not limited to, sample ballots, candidate pamphlets, or write-in stamps, or other materials. Any items left in the voting place shall be removed and discarded.

707.7 A person shall be warned to cease and desist his or her conduct upon any instance of the following:

- (a) Violation of the Election Act or regulations contained in this section;
- (b) Failure to obey any reasonable order of the Board or its representative(s);  
or
- (c) Acting in a disorderly manner in, or within a reasonable distance outside the building used as a voting place or ballot counting place.

707.8 If the person committing the violation(s) fails to cease and desist, a member of the Metropolitan Police Department of the District of Columbia shall be requested to evict the person or take other appropriate action.

**708 REPEALED**

**709 REPEALED**

**710 CHALLENGE TO VOTER QUALIFICATIONS: IN-PERSON VOTING**

710.1 Challenges to voter qualifications where the voter is present at the time of the challenge shall be conducted according to the procedures of this section. Challenges to a voter's registration, as described in D.C. Official Code § 1-1001.07(e)(5), may occur pursuant to the rules in Chapter 5, and may not occur at any voting place.

710.2 Any duly registered voter may challenge the qualifications of a prospective voter in a primary, special, or general election.

710.3 Any challenge to the qualifications of a prospective voter shall be in writing on a form provided by the Board, and shall indicate the name of the person challenged, the basis for the challenge, and the evidence provided to support the challenge.

710.4 The challenger shall also sign an affidavit declaring under penalty of perjury that the challenge is based upon substantial evidence which he or she believes in good faith shows that the person challenged is not a qualified elector of the District.

- 710.5 After receiving a challenge or making a challenge on his or her own initiative, the Precinct Captain shall give the challenged voter an opportunity to respond.
- 710.6 The Precinct Captain shall review the evidence presented and shall:
- (a) Affirm the challenge upon a finding that it is based on substantial evidence specific to the voter being challenged and probative of the challenged voter's status as a qualified elector; or
  - (b) Deny the challenge upon a finding that it is not based on substantial evidence specific to the voter being challenged and probative of the challenged voter's status as a qualified elector.
- 710.7 The Precinct Captain shall record the decision and the rationale for the decision on a form provided by the Board.
- 710.8 If the Precinct Captain denies the challenge, he or she shall inform the challenger that the challenger may appeal the decision to the Board and shall give the challenger copies of the rules regarding challenges and appeals to the Board.
- 710.9 Any appeal of the Precinct Captain's decision to deny the challenge shall be made either before the challenged voter casts a ballot, or before either the challenger or the challenged voter leaves the polling place, whichever is earlier.
- 710.10 If the challenger does not appeal the Precinct Captain's decision to deny the challenge, the challenged voter shall cast a regular ballot.
- 710.11 If the challenger appeals the Precinct Captain's decision to deny the challenge, the Precinct Captain shall state, over the telephone, the facts of the case to a Board hearing officer authorized to rule on the appeal for the Board.
- 710.12 Either a Board member, the Board's Executive Director, or the Board's Registrar of Voters may serve as the Board's hearing officer for the appeal.
- 710.13 The hearing shall be recorded and transcribed, and the transcript shall serve as the official case record, along with the written documentation specified in this section of the Precinct Captain's initial decision to deny the challenge.
- 710.14 The hearing officer shall take testimony under oath from the challenger, the person challenged, the Precinct Captain, and any witnesses who wish to testify.
- 710.15 Each person who testifies before the hearing officer shall state for the record their name as recorded on the Board's voter registration list, their residence address, mailing address and telephone number, and their role in the challenge.



- 710.16 The hearing officer shall receive evidence and testimony and shall then close the hearing.
- 710.17 After reviewing all evidence pertaining to the challenge and making a decision based upon his or her determination of whether the challenger has presented substantial evidence that is specific to the voter being challenged and probative of the challenged voter's status as a qualified elector, the hearing officer shall either:
- (a) Affirm the Precinct Captain's decision to deny the challenge, in which case the challenged voter shall cast a regular ballot; or
  - (b) Overturn the Precinct Captain's decision to deny the challenge, in which case the challenged voter shall cast a "challenged" special ballot.
- 710.18 If the Precinct Captain affirms the challenge, or if the Board's hearing officer overturns the decision of the Precinct Captain to deny a challenge, the Precinct Captain shall allow the challenged voter to cast a "challenged" special ballot.

## **711 VOTER'S AFFIRMATION**

- 711.1 When any voter appears to vote, the voter shall state aloud his or her name and address.
- 711.2 Every eligible elector shall confirm the accuracy of the name, address, party affiliation, and ANC Single-Member District where applicable, before signing the poll book, or other record prescribed by the Board. Such signature shall be deemed an affirmation that the voter's information is correct as shown on the Board's records and that the voter is a qualified elector.
- 711.3 By signing the Special Ballot Envelope, a voter shall affirm the following:
- (a) That to the best of his or her knowledge and belief, he or she is a qualified elector and eligible to vote in the election;
  - (b) That he or she resides at the residence provided; and
  - (c) That the information contained on the outside of the Special Ballot Envelope is truthful and complete.

## **712 SPECIAL BALLOT APPEAL RIGHTS**

- 712.1 A voter's act of signing a challenged or Special Ballot Envelope shall be deemed the filing of an appeal by the voter of the refusal by the Board's Registrar of Voters to permit the voter to vote by regular ballot, and a waiver of personal

notice from the Board of any denial or refusal to a later count of the challenged or Special Ballot.

- 712.2 The Board shall provide the voter, at the time of voting or after a challenge to an absentee ballot has been upheld pursuant to this chapter, with written notice that indicates the manner by which he or she may learn whether the Executive Director has decided to count or reject, in whole or in part, the voter's Special Ballot, and of the dates scheduled for hearings for voters whose Special Ballots are rejected to contest the Executive Director's preliminary determination if they petition to do so.
- 712.3 Not later than the day after each election, the Board shall enable any voter who has voted a Special Ballot to learn of the Executive Director's preliminary decision to count or reject his or her ballot along with the reason(s) for each decision by accessing either a dedicated section of the Board's website or a telephone service which shall be maintained during regular business hours.
- 712.4 Not later than the second (2<sup>nd</sup>) day after the date of any election, the Board shall, upon petition of the voter, conduct a hearing for the voter to contest the Executive Director's preliminary determination to reject the voter's Special Ballot.
- 712.5 The Board shall review the information provided on the Special Ballot Envelope as well as all other available evidence pertaining to the eligibility of each voter casting a Special Ballot, and shall make a decision about whether to count or reject each special ballot.
- 712.6 At the hearing, the voter may appear and give testimony on the question of the Executive Director's preliminary decision to reject the Special Ballot.
- 712.7 The Board shall make a final determination to either count or reject the voter's Special Ballot no later than the day after the date of the hearing.
- 712.8 The voter may appeal an adverse decision of the Board to the Superior Court of the District of Columbia within one (1) business day after the date of the Board's decision. The decision of the court shall be final and not appealable.

### **713 ASSISTANCE TO VOTERS**

- 713.1 Any voter who requires assistance in voting may be given assistance by a person of the voter's choice, other than a poll watcher or election observer, the voter's employer or agent of that employer, or officer or agent of the voter's union.
- 713.2 The Board shall ensure that capable assistance shall be made available to any requesting voter.

- 713.3 The Board shall provide in each voting place one (1) or more polling place officials specifically trained to assist voters upon their request.
- 713.4 Any person giving assistance shall assist only upon the request of the voter and in accordance with the wishes of the voter.
- 713.5 The Precinct Captain shall ensure that a record is made of the provision of such assistance to the voter and the nature of the voter's need for assistance.
- 713.6 Assistance provided to a voter may include, though not necessarily be limited to, the following:
- (a) Marking the ballot in accordance with the voter's expressed wishes;
  - (b) Reading the ballot to a voter whose vision is impaired or who cannot read;
  - (c) Recording a write-in vote as designated by the voter; and
  - (d) Completing any form for the voter.
- 713.7 No person or official providing voter assistance shall in any way influence or attempt to influence a voter's choice in voting, nor shall the person or official disclose to anyone how the voter voted. Any person who violates this section may, upon conviction, be subject to a \$10,000 fine or imprisonment up to five years, or both, pursuant to D.C. Official Code § 1-1001.14(a).
- 713.8 Written instructions on the operation of the voting process shall be available to all voters. A trained polling place official shall also be available to explain the voting process.
- 713.9 All voters shall have the opportunity, if desired, to mark a demonstration ballot prior to entering the voting booth.

#### **714 SPOILED BALLOTS**

- 714.1 If a voter makes a mistake in marking a ballot or erroneously defaces or tears a ballot, he or she may surrender the spoiled ballot to a polling place official, who shall furnish the voter with another ballot.
- 714.2 The polling place official shall request the voter place the spoiled ballots into the spoiled ballot envelope.
- 714.3 The voter shall seal the envelope and shall return it to the polling official before an additional ballot can be issued.

714.4 A polling place official shall not issue more than three (3) ballots (one (1) original, two (2) replacements) to any voter. Before the polling place official issues the second (2<sup>nd</sup>) ballot, the polling place official shall inform the voter that the voter may have only one (1) additional ballot after the first (1<sup>st</sup>) replacement ballot. Before the polling place official issues the third (3<sup>rd</sup>) ballot, the polling place official shall inform the voter that it will be the last ballot issued to the voter.

714.5 When a voter receives a replacement ballot, the voter shall have the option of receiving a paper or electronic ballot.

**715 REPEALED**

**716 REPEALED**

**717 REPEALED**

**718 REPEALED**

**719 REPEALED**

**720 ABSENTEE VOTING**

720.1 The rules of this section shall govern the process by which eligible electors cast a ballot outside of a voting place (“absentee voting”).

720.2 A qualified federal elector may request an absentee ballot for any primary or general election for the office of President and Vice President of the United States.

720.3 Any duly registered voter may request an absentee ballot for any of the following:

- (a) Any single election;
- (b) All elections in a calendar year; or
- (c) All future elections that the voter may be eligible to vote (permanent request).

720.4 A duly registered voter’s request to permanently receive an absentee ballot shall be honored until:

- (a) The voter submits a written request to no longer receive absentee ballots;
- (b) The voter is no longer a qualified elector;

- (c) Any mail sent to the voter is returned to the Board as undeliverable; or
- (d) The voter fails to return a voted absentee ballot for two back-to-back elections in which he or she is eligible to vote.

720.5 A duly registered voter or qualified federal elector may submit a written request for an absentee ballot electronically, by mail, or in-person at the Board's office. Qualified uniformed services and overseas voters may request an absentee ballot by using the Federal Post Card Application (FPCA) or the declaration accompanying a Federal Write-In Absentee Ballot (FWAB declaration). All requests for absentee ballots shall be received by the Board no later than the seventh (7th) day preceding the date of the election, except that requests for absentee ballots from qualified uniformed services and overseas voters may shall be received no later than the third (3rd) day preceding the date of the election.

720.6 No person shall be permitted to execute an application for an absentee ballot for another registered voter.

720.7 A request for an absentee ballot shall include the following:

- (a) The voter's name;
- (b) Election(s) for which the absentee ballot is requested;
- (c) Address from which the voter is registered to vote;
- (d) Voter's current residence address, if different from the address listed on the Board's records;
- (e) Address to which the absentee ballot shall be delivered, if applicable;
- (f) Voter's DMV-issued identification number, the last four (4) digits of the voter's social security number, or the voter's unique voter identification number issued by the Board;
- (g) Voter's date of birth; and
- (h) Voter's signature, whether original or as a digitized image given directly by the applicant or received on behalf of the applicant through the Department of Motor Vehicles.

720.8 A qualified uniformed services or overseas voter may choose to have his or her absentee ballot electronically transmitted or delivered by mail. If no preference is given, the absentee ballot shall be delivered by mail.

- 720.9 An absentee ballot request from a uniformed services or overseas voter shall be treated as a valid, standing request for an absentee ballot for any and all elections that fall within the election cycle in which the request was received, unless the voter requests absentee ballots for a different time period.
- 720.10 If a duly registered voter who requests an absentee ballot provides a residence address that is different from the residence address listed on the Board's records, the application for an absentee ballot shall also be considered a request for a change of address.
- 720.11 Prior to returning the voted absentee ballot to the Board, a voter shall confirm the accuracy of his or her name, address, party affiliation, and ANC Single-Member District, where applicable, as it appears on the Board's records by signing either the absentee ballot envelope. The voter's signature shall be deemed an affirmation that the voter's information is correct as shown on the Board's records and that the voter is a qualified elector.
- 720.12 An absentee ballot may be returned to the Board by any of the following ways:
- (a) Mail;
  - (b) Brought to any voting place;
  - (c) Delivered to the Board's office at any time before the close of the polls on Election Day; or
  - (d) If the voter is a qualified uniformed services or overseas voter, by fax or email (electronically).
- 720.13 A qualified uniformed services or overseas voter who submits his or her voted ballot electronically shall provide and sign the following statement on a separate document: "I understand that by electronically submitting my voted ballot I am voluntarily waiving my right to a secret ballot."
- 720.14 All voted absentee ballots shall be received no later than 8:00 p.m. on the day of the election.

## **721 CHALLENGE TO VOTER QUALIFICATIONS: ABSENTEE VOTING**

- 721.1 The provisions of this section are inapplicable to absentee ballot requests submitted by covered voters, as that term is defined in D.C. Official Code § 1-1061.02(2).
- 721.2 Challenges to voter qualifications where the voter seeks to cast an absentee ballot shall be conducted according to the procedures of this section. Challenges to the

qualifications of an elector who seeks to cast an emergency absentee ballot are specifically exempted. Challenges to a voter's registration, as described in D.C. Official Code § 1-1001.07(e)(5), may occur only pursuant to the provisions of Chapter 5.

- 721.3 The Board shall post in its office a list of all prospective voters who have submitted requests for absentee ballots for three (3) days beginning on the seventh (7<sup>th</sup>) day preceding an election.
- 721.4 During the three (3) day posting period, any duly registered voter may challenge the qualifications of any prospective voters who have submitted requests for absentee ballots.
- 721.5 Any challenge to the qualifications of a prospective voter shall be in writing on a form provided by the Board, and shall indicate the name of the person challenged, the basis for the challenge, and the evidence provided to support the challenge. The challenge form shall be submitted in-person at the Board's Office.
- 721.6 The challenger shall also sign an affidavit declaring under penalty of perjury that the challenge is based upon substantial evidence which he or she believes in good faith shows that the person challenged is not a qualified elector of the District.
- 721.7 The voter's signature on the request for an absentee ballot shall serve as an affidavit from the voter that he or she is a qualified elector of the District.
- 721.8 On the same day that the challenge is submitted at the Board's Office, the absentee ballot official shall review the evidence presented and shall:
- (a) Affirm the challenge upon a finding that it is based on substantial evidence specific to the voter being challenged and probative of the challenged voter's status as a qualified elector, or;
  - (b) Deny the challenge upon a finding that it is not based on substantial evidence specific to the voter being challenged and probative of the challenged voter's status as a qualified elector.
- 721.9 The absentee ballot official shall record the decision and the rationale for the decision on a form provided by the Board.
- 721.10 If the absentee ballot official denies the challenge, the absentee ballot official shall inform the challenger that the challenger may appeal the decision to the Board and shall give the challenger copies of the rules regarding challenges and appeals to the Board. Any appeal from a decision to deny the challenge must be made immediately.

- 721.11 If the challenger does not appeal the absentee ballot official’s decision to deny the challenge, the absentee ballot shall be counted as a regular ballot.
- 721.12 If the challenger appeals the absentee ballot official’s decision to deny the challenge, the absentee ballot official shall state the facts of the case to a Board hearing officer authorized to rule on the appeal for the Board.
- 721.13 Either a Board member, the Board’s Executive Director, or the Board’s Registrar of Voters official may serve as the Board’s hearing officer for the appeal.
- 721.14 The hearing shall be recorded and transcribed, and the transcript shall serve as the official case record, along with the written documentation of the absentee ballot official’s initial decision to deny the challenge.
- 721.15 The hearing officer shall take testimony under oath from the challenger, the challenged voter (if available), the absentee ballot official, and any witnesses who wish to testify.
- 721.16 Each person who testifies before the hearing officer shall state for the record their name as recorded on the Board’s voter registration list, their residence address, mailing address and telephone number, and their role in the challenge.
- 721.17 The hearing officer shall receive evidence and testimony and shall then close the hearing.
- 721.18 After reviewing all evidence pertaining to the challenge and making a decision based upon his or her determination of whether the challenger has presented substantial evidence that is specific to the voter being challenged and probative of the challenged voter’s status as a qualified elector, the hearing officer shall either:
- (a) Affirm the absentee ballot official’s decision to deny the challenge, in which case the challenged voter’s absentee ballot shall be counted as a regular ballot; or
  - (b) Overturn the absentee ballot official’s decision to deny the challenge, in which case the challenged voter’s absentee ballot and envelope shall be considered a special ballot and envelope.
- 721.19 If the absentee ballot official affirms the challenge, or if the Board’s hearing officer overturns the decision of the absentee ballot official to deny a challenge, the voter’s absentee ballot and envelope shall be considered a special ballot and envelope, marked and processed as such.



**722 EMERGENCY ABSENTEE BALLOTS**

722.1 A duly registered voter may apply for an emergency absentee ballot, through a duly authorized agent, at the office of the Board from the sixth (6th) day prior to any election to the time the polls close on Election Day, under the following circumstances:

- (a) The voter is physically unable to be present at the polls as the result of an illness or accident occurring after the deadline for requesting to vote absentee by mail;
- (b) The voter, having expected to recover from an illness by Election Day and vote at the polls, finds that after the deadline for requesting an absentee ballot by mail has passed, he or she is physically unable to vote at the poll on Election Day; or
- (c) The voter is serving on a sequestered jury on Election Day.

722.2 A duly registered voter shall apply to vote by emergency absentee ballot according to the following procedure:

- (a) The registered voter shall, by signed affidavit on a form provided by the Board, set forth:
  - (1) The reason why he or she is unable to be present at the polls on the day of the election; and
  - (2) Designate a duly registered voter to serve as agent for the purpose of delivering the absentee ballot to the voter, except than an officer of the court in charge of a jury sequestered on election day may act as agent for any registered voter sequestered regardless of whether the officer is a registered voter in the District.
- (b) Upon receipt of the application, the Executive Director, or his or her designee, if satisfied that the person cannot, in fact, be present at the polling place on the day of the election shall issue to the voter, through the voter's duly authorized agent, an absentee ballot which shall be marked by the voter, placed in a sealed envelope and returned to the Board before the close of the polls on election day.
- (c) The person designated as agent shall, by signed affidavit on a form prescribed by the Board, state the following:

- (1) That the ballot will be delivered by the voter who submitted the application for the ballot; and
- (2) That the ballot shall be marked by the voter and placed in a sealed envelope in the agent’s presence, and returned, under seal to the Board by the agent.

722.3 Executive Director or his or her designee shall advise all agents, in writing, that pursuant to D.C. Official Code §§ 1-1001.12 and 1-1001.14 (2016 Repl.), it is unlawful to do any of the following:

- (a) Vote or attempt to vote more than once in any election; or
- (b) Purloin or secret any of the votes cast in any election.

**723 REPEALED**

**724 REPEALED**

**725 REPEALED**

**Chapter 8, TABULATION AND CERTIFICATION OF ELECTION RESULTS, of Title 3 DCMR, ELECTIONS AND ETHICS, is amended as follows:**

**Section 802, VALIDITY OF VOTES, is amended as follows:**

**Subsection 802.5 is amended to read as follows:**

802.5 If a qualified uniformed services or overseas voter chooses to use a Federal Write-In Absentee Ballot, or chooses to electronically submit his or her ballot, it shall be duplicated for all eligible contests, and the duplicated ballot shall be treated as an official ballot and deemed valid.

**Section 806, TABULATION PROCEDURES, is amended as follows:**

**Subsection 806.1 is amended to read as follows:**

806.1 The tabulation of votes cast on Election Day shall be started immediately after the close of polls, and shall be conducted under the direct supervision of the Executive Director or his or her designee. The tabulation of votes cast before Election Day may begin prior to the close of polls on Election Day, provided that no tabulation results may be released to the public until after the close of polls on Election Day.

**Section 808, ABSENTEE BALLOT TABULATION, is amended as follows:**

**Subsection 808.7 is amended to read as follows:**

808.7 The absentee ballot shall be tabulated and counted as being cast in the ward and precinct in which the voter resides provided that the voter signs the absentee ballot envelope to certify that the voter has voted the ballot and has not voted in any other jurisdiction or in any other manner in the election.

**Chapter 17, CANDIDATES: MEMBERS AND OFFICIALS OF LOCAL COMMITTEES OF POLITICAL PARTIES AND NATIONAL COMMITTEE PERSONS, of Title 3 DCMR, ELECTIONS AND ETHICS, is amended as follows:**

**Section 1701, SLATES: FORMATION, AMENDMENT, AND WITHDRAWAL, is amended as follows:**

**Subsection 1701.8 is amended to read as follows:**

1701.8 Amendments to Statements of Slate Registration and Statements of Slate Withdrawals shall be filed in-person at the Board’s office no later than 5 p.m. on the 54th day before Election Day.

**Chapter 33, PROHIBITION ON USE OF GOVERNMENT RESOURCES FOR CAMPAIGN-RELATED PURPOSES AND INTERPRETIVE OPINIONS, of Title 3 DCMR, ELECTIONS AND ETHICS, is amended as follows:**

**Section 3301, PROHIBITION ON USE OF GOVERNMENT RESOURCES FOR CAMPAIGN-RELATED PURPOSES, is amended as follows:**

**Subsection 3301.4 is amended to read as follows:**

3301.4 Notwithstanding the prohibition set forth in § 3301.3, the following public officials may, as part of their official duties, express their views on a District of Columbia election:

- (a) The Mayor;
- (b) The Chairman of the Council;
- (c) Each Member of the Council;
- (d) The Attorney General;
- (e) The President of the State Board of Education; and

- (f) Each Member of the State Board of Education.

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, Washington DC 20003. Please direct any questions or concerns to the Office of the General Counsel at 202-727-2194 or [ogc@dcboe.org](mailto: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 2018-041  
April 13, 2018

**SUBJECT:** Appointment — District of Columbia Commission on Aging

**ORIGINATING AGENCY:** Office of the Mayor


By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(2) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2) (2016 Repl.), and in accordance with section 402 of the District of Columbia Act on the Aging, effective October 29, 1975, D.C. Law 1-24, D.C. Official Code § 7-504.02 (2012 Repl. and 2017 Supp.), it is hereby **ORDERED** that:

- 1. **ALICE LOVE** is appointed as a public member to the Commission on Aging, replacing Ronald Swanda, for a term to end October 28, 2020.
- 2. **EFFECTIVE DATE:** This Order shall become effective immediately.




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MURIEL BOWSER  
MAYOR

ATTEST: 

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LAUREN C. VAUGHAN  
SECRETARY OF THE DISTRICT OF COLUMBIA

**GOVERNMENT OF THE DISTRICT OF COLUMBIA**

**ADMINISTRATIVE ISSUANCE SYSTEM**

Mayor’s Order 2018-042  
April 13, 2018

**SUBJECT:** Appointments – For-Hire Vehicle Advisory 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.), in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979, D.C. Law 20-142; D.C. Official Code § 1-523.01 (2016 Repl. and 2017 Supp.), and pursuant to section 11a of the Department of For-Hire Vehicles Establishment Act of 1985, effective June 22, 2016, D.C. Law 21-124; D.C. Official Code § 50-301.10a (2017 Supp.), which established the For-Hire Vehicle Advisory Council, it is hereby **ORDERED** that:

1. **DAWIT DAGNEW** is appointed as a District resident who operates a public or private vehicles-for-hire in the District representative of the For-Hire Vehicle Advisory Council, replacing Hana Bekele, for an unexpired term to end January 30, 2020.
2. **JEFFREY SCHAEFFER** is appointed as a representative of companies providing vehicle-for-hire industry services in the District member of the For-Hire vehicle Advisory Council, filling a vacant seat, for a term to end July 18, 2019.
3. **EFFECTIVE DATE:** Section 1 of this Order shall become effective immediately and Section 2 shall become effective *nunc pro tunc* to July 18, 2016.




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MURIEL BOWSER  
MAYOR

ATTEST: 

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LAUREN C. VAUGHAN  
SECRETARY OF THE DISTRICT OF COLUMBIA

**GOVERNMENT OF THE DISTRICT OF COLUMBIA**

**ADMINISTRATIVE ISSUANCE SYSTEM**

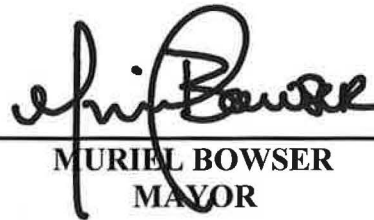
Mayor’s Order 2018-043  
April 13, 2018

**SUBJECT:** Appointments — Board for the Condemnation of Insanitary Buildings

**ORIGINATING AGENCY:** Office of the Mayor


By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(2) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2) (2016 Repl.), and in accordance with section 2 of An Act to create a board for the condemnation of insanitary buildings in the District of Columbia, and for other purposes, approved May 1, 1906, 34 Stat. 157, D.C. Official Code § 6-902 (2012 Repl. and 2017 Supp.), it is hereby **ORDERED** that:

1. The following members are appointed to the Board of Condemnation of Insanitary Buildings serving at the pleasure of the Mayor:
  - a. **DONALD W. SULLIVAN** as the designee of the Department of Consumer and Regulatory Affairs, replacing Jatinder Khokhar.
  - b. **PATRICK SMITH** as the designee of the Deputy Mayor for Planning and Economic Development, replacing Rodney George.
2. **EFFECTIVE DATE:** This Order shall become effective immediately.




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MURIEL BOWSER  
MAYOR

ATTEST: 

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LAUREN C. VAUGHAN  
SECRETARY OF THE DISTRICT OF COLUMBIA

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF MEETING  
AGENDA FOR APPROVAL TO RESCIND 405.1 STATUS

WEDNESDAY, APRIL 25, 2018 AT 1:00 PM  
2000 14<sup>TH</sup> STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

1. Request to Rescind Approval of 405.1 Establishment due to failure to pay annual license fees.  
ANC 2B. SMD 2B09. *Local 14*, 1832 14<sup>th</sup> Street NW, Retailer CR License No. 082214.

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2. Request to Rescind Approval of 405.1 Establishment due to failure to pay annual license fees.  
ANC 2B. SMD 2B07. *B & B*, 1351 Connecticut Avenue NW, Retailer CR, License No. 106181.

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3. Request to Rescind Approval of 405.1 Establishment due to failure to pay annual license fees.  
ANC 1A. SMD 1A10. *Heat Da Spot Café*, 3213 Georgia Avenue NW, Retailer CR, License No. 102848.

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4. Request to Rescind Approval of 405.1 Establishment due to failure to pay annual license fees.  
ANC 6A. SMD 6A06. *Radius At The Ohio*, 1380 H Street NE, Retailer CR, License No. 079274.

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5. Request to Rescind Approval of 405.1 Establishment due to failure to pay annual license fees.  
ANC 2F. SMD 2F06. *Shawshank Diner*, 906 P Street NW, Retailer CR, License No. 104138.

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6. Request to Rescind Approval of 405.1 Establishment due to failure to pay annual license fees.  
ANC 2B. SMD 2B02. *Wahlburgers-DC*, 1 Dupont Circle NW, Retailer CR, License No. 103639.

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7. Request to Rescind Approval of 405.1 Establishment due to failure to pay annual license fees. ANC 6C. SMD 6C06. *Carving Room Kitchen & Bar*, 130 M Street NE, Retailer CR, License No. 107865.
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**\*In accordance with D.C. Official Code §2-574(b) of the Open Meetings Amendment Act, this portion of the meeting will be closed for deliberation and to consult with an attorney to obtain legal advice. The Board's vote will be held in an open session, and the public is permitted to attend.**

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF MEETING  
CEASE AND DESIST AGENDA (C AND D RETAILERS)

WEDNESDAY, APRIL 25, 2018  
2000 14<sup>TH</sup> STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

The ABC Board will be issuing an Order to Cease and Desist to the following Licensee for the reasons outlined below:

ABRA-072685 – **Las Canteras** – Retail – C – Restaurant – 2307 18<sup>th</sup> Street NW  
[The Licensee did not pay third year payment.]

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ABRA-106063 – **Pluma by Bluebird Bakery** – Retail – D – Restaurant – 391 Morse Street NE  
[The Licensee did not pay third year payment.]

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ABRA-097148 – **Beefsteak** – Retail – C – Restaurant – 800 22<sup>nd</sup> Street NW  
[The Licensee did not pay third year payment.]

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ABRA-060553 – **Mr Chen's** – Retail – C – Restaurant – 2604 Connecticut Avenue NW  
[The Licensee did not pay third year payment.]

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ABRA-060467 – **Local 16** – Retail – C – Restaurant – 1600 U Street NW  
[The Licensee did not pay third year payment.]

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ABRA-023533 – **Lindys Bon Appetit** – C – Restaurant – 2040 I Street NW  
[The Licensee did not pay third year payment.]

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ABRA-024197 – **Habana Village** – Retail – C – Restaurant – 1834 Columbia Road NW  
[The Licensee did not pay third year payment.]

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ABRA-060806 – **Churreria Madrid Restaurant** – Retail – C – Restaurant – 2505 Champlain Street NW  
[The Licensee did not pay third year payment.]

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ABRA-088675 – **Kitty's Saloon** – Retail – C – Restaurant – 1208 H Street NE  
[The Licensee did not pay third year payment.]

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ABRA-085467 – **Terasol** – Retail – C – Restaurant – 5010 Connecticut Avenue NW  
[The Licensee did not pay third year payment.]

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ABRA-097534 – **Addis Ethiopian Restaurant** – Retail – C – Restaurant – 707 H Street NE  
[The Licensee did not pay second or third year payments.]

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ABRA-105010 – **Jenkins Capital BBQ** – Retail – C – Restaurant – 3365 14<sup>th</sup> Street NW  
[The Licensee did not pay third year payment.]

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ABRA-104586 – **Rosario** – Retail – C – Restaurant – 2435 18<sup>th</sup> Street NW  
[The Licensee did not pay third year payment.]

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ABRA-103562 – **Chix** – Retail – C – Restaurant – 1210 Half Street SE  
[The Licensee did not pay third year payment.]

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ABRA-060735 – **La Tasca** – Retail – C – Restaurant – 722 7<sup>th</sup> Street NW  
[The Licensee did not pay third year payment.]

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ABRA-060387 – **Eat First** – Retail – C – Restaurant – 609 H Street NW  
[The Licensee did not pay third year payment.]

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ABRA-060146 – **Petits Plats** – Retail – C – Restaurant – 2653 Connecticut Avenue NW  
[The Licensee did not pay third year payment.]

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ABRA-085705 – **The Boomerang Boat** – Retail – C – Marine Vessel – 600 Water Street SW  
[The Licensee did not pay third year payment.]

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ABRA-085705-2 – **Boomerang Pirate Boat** – Retail – C – Marine Vessel – 600 Water Street SW  
[The Licensee did not pay third year payment.]

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ABRA-085705-3 – **Boomerang Yacht** – Retail – C – Marine Vessel – 600 Water Street SW  
[The Licensee did not pay third year payment.]

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ABRA-098831 – **Boss Burger** – Retail – C – Restaurant – 1931 14th Street, NW  
[The Licensee did not pay third year payment.]

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ABRA-100161 – **Shanghai Tokyo Café** – Retail – D – Restaurant – 1376 Park Road NW  
[The Licensee did not pay third year payment.]

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ABRA-100284 – **Tasty Burger** – Retail – C – Restaurant – 2108 8th Street NW  
[The Licensee did not pay third year payment.]

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ABRA-102955 – **Luna Grill & Diner DC** – Retail – C – Restaurant – 1301 Connecticut Avenue  
NW  
[The Licensee did not pay third year payment.]

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ABRA-076457 – **Co Co Sala** – Retail – C – Restaurant – 927 F Street NW  
[The Licensee did not pay third year payment.]

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ABRA-020455 – **Nina's Dandy** – Retail – C – Restaurant – 0 Prince Street, Alexandria, VA  
[The Licensee did not pay third year payment.]

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ABRA-085903 – **Cheers @ The Big Chair** – Retail – C – Restaurant – 2122 Martin Luther  
King Jr. Avenue SE  
[The Licensee did not pay third year payment.]

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ABRA-101229 – **Taco-Ma Yucatan Chicken** – Retail – C – Restaurant – 353 Cedar Street NW  
[The Licensee did not pay third year payment.]

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ABRA-103272 – **Amsterdam Falafelshop of 14th St.** – Retail – C – Restaurant – 1830 14th  
Street NW  
[The Licensee did not pay third year payment.]

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ABRA-001133 – **Restaurant Associates** – Retail – C – Restaurant – 2700 F Street NW  
[The Licensee did not pay third year payment.]

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ABRA-098308 – **Beefsteak** – Retail – C – Restaurant – 1528 Connecticut Avenue NW  
[The Licensee did not pay third year payment.]

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ABRA-099158 – **Hyatt Place Washington DC/National Mall** – Retail – C – Hotel – 400 E Street SW  
[The Licensee did not pay third year payment.]

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ABRA-102120 – **Beefsteak** – Retail – C – Restaurant – 4531 Wisconsin Avenue NW  
[The Licensee did not pay third year payment.]

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ABRA-077111 – **Cork** – Retail – C – Restaurant – 1720 14<sup>th</sup> Street NW  
[The Licensee did not pay third year payment.]

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ABRA-026006 – **Banana Cafe And Piano Bar** – Retail – C – Restaurant – 500 8<sup>th</sup> Street SE  
[The Licensee did not pay third year payment.]

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ABRA-024748 – **Cafe Soleil** – Retail – C – Restaurant – 839 17<sup>th</sup> Street NW  
[The Licensee did not pay third year payment.]

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ABRA-100169 – **The Washington Marriott Hotel** – Retail – C – Hotel – 1221 22<sup>nd</sup> Street NW  
[The Licensee did not pay third year payment.]

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ABRA-106099 – **Across The Pond Restaurant & Pub** – Retail – C – Restaurant – 1732- 1734 Connecticut Avenue NW  
[The Licensee did not pay third year payment.]

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ABRA-105694 – **Rare Steaks and Seafood** – Retail – C – Restaurant – 1595 I Street NW  
[The Licensee did not pay third year payment.]

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ABRA-076011 – **Red Lounge Hookah** – Retail – C – Restaurant – 2013 14<sup>th</sup> Street NW  
[The Licensee did not pay third year payment.]

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ABRA-025832 – **Peacock Café** – Retail – C – Restaurant – 3251 Prospect Street NW  
[The Licensee did not pay third year payment.]

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ABRA-082174 – **Scion Restaurant** – Retail – C – Restaurant – 2100 P Street NW  
[The Licensee did not pay third year payment.]

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ABRA-099889 – **Prospect DC** – Retail – C – Restaurant – 1214 U Street NW  
[The Licensee did not pay third year payment.]

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ABRA-100275 – **The Wydown Coffee Bar** – Retail – C – Restaurant – 1924 14<sup>th</sup> Street NW  
[The Licensee did not pay third year payment.]

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ABRA-101583 – **Bistro Bohem** – Retail – C – Restaurant – 1840 6th Street NW  
[The Licensee did not pay third year payment.]

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ABRA-103934 – **On Rye** – Retail – C – Restaurant – 740 6<sup>th</sup> Street NW  
[The Licensee did not pay third year payment.]

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ABRA-076380 – **Aoi Japanese Restaurant** – Retail – C – Restaurant – 1100 New York Avenue NW  
[The Licensee did not pay third year payment.]

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ABRA-084847 – **El Centro D.F.** – Retail – C – Restaurant – 1819 14<sup>th</sup> Street NW  
[The Licensee did not pay third year payment.]

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ABRA-095796 – **Plan B Burger Bar** – Retail – C – Restaurant – 801 Pennsylvania Avenue NW  
[The Licensee did not pay third year payment.]

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ABRA-102223 – **Whaley's** – Retail – C – Restaurant – 301 Water Street SE  
[The Licensee did not pay third year payment.]

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ABRA-074333 – **Cashah Cafe/Ledo Pizza Restaurant** – Retail – C – Restaurant – 1721 Wisconsin Avenue NW  
[The Licensee did not pay third year payment.]

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ABRA-087627 – **Spectrum** – Retail – C – Restaurant – 1299 Pennsylvania Avenue NW  
[The Licensee did not pay third year payment.]

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ABRA-095180 – **Fasika Ethiopia Cuisine** – Retail – C – Restaurant – 1924 9th Street NW  
[The Licensee did not pay third year payment.]

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ABRA-097603 – **Basil Thai Restaurant** – Retail – C – Restaurant – 1608 Wisconsin Avenue NW  
[The Licensee did not pay third year payment.]

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ABRA-108078 – **Chef Brian's Comfort Kitchen** – Retail – D – Restaurant – 1020 19th Street NW  
[The Licensee did not pay third year payment.]

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ABRA-087574 – **New District Kitchen** – Retail – C – Restaurant – 238 12th Place NE  
[The Licensee did not pay third year payment.]

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ABRA-081027 – **World Bank, J Building** – Retail – C – Restaurant – 701 18<sup>th</sup> Street NW  
[The Licensee did not pay third year payment.]

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ABRA-081024 – **World Bank, MC Building** – Retail – C – Restaurant – 1818 H Street NW  
[The Licensee did not pay third year payment.]

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ABRA-081018 – **World Bank, IFC Building** – Retail – C – Restaurant – 2121 Pennsylvania Avenue NW  
[The Licensee did not pay third year payment.]

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ABRA-081026 – **World Bank, I Building** – Retail – C – Restaurant – 1850 I Street NW  
[The Licensee did not pay third year payment.]

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

**NOTICE OF PUBLIC HEARINGS  
CALENDAR**

**WEDNESDAY, APRIL 25, 2018  
2000 14<sup>TH</sup> 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,**

- |   |                 |
|---|-----------------|
| <b>Protest Hearing (Status)</b><br><b>Case # 18-PRO-00012;</b> Shaw Howard Deli, LLC, t/a Shaw Howard Deli, 1911<br>7th Street NW, License #95169, Retailer B, ANC 1B<br><b>Application to Renew the License</b>  | <b>9:30 AM</b>  |
| <b>Show Cause Hearing (Status)</b><br><b>Case # 17-CMP-00725;</b> IDA Incorporated, t/a S & G Wine & Liquors, 5421<br>Georgia Ave NW, License #93800, Retailer A, ANC 4D<br><b>Allowed Advertisements to be Displayed on the Exterior Windows of the<br/>Establishment</b>                      | <b>9:30 AM</b>  |
| <b>Show Cause Hearing (Status)</b><br><b>Case # 17-CMP-00490;</b> Big Chair, LLC, t/a Cheers @ The Big Chair, 2122<br>Martin Luther King, Jr Ave SE, License #85903, Retailer CR, ANC 8A<br><b>No ABC Manager on Duty</b>   | <b>9:30 AM</b>  |
| <b>Show Cause Hearing (Status)</b><br><b>Case # 17-CC-00126;</b> Sanghera Corporation, t/a King Avenue Liquors, 2757<br>Martin Luther King, Jr Ave SE, License #60177, Retailer A, ANC 8C<br><b>Sale to Minor Violation, Failed to Take Steps Necessary to Ascertain Legal<br/>Drinking Age</b> | <b>9:30 AM</b>  |
| <b>Show Cause Hearing*</b><br><b>Case # 17-CC-00066;</b> Prospect Dining, LLC, t/a Chinese Disco, 3251 Prospect<br>Street NW, License #78058, Retailer CR, ANC 2E<br><b>Sale to Minor Violation</b>   | <b>10:00 AM</b> |



Board's Calendar

April 25, 2018

**Show Cause Hearing\***

**11:00 AM**

**Case # 16-AUD-00086;** Skenco, Inc., t/a Zorba's Café, 1612 20th Street NW

License #7428, Retailer DR, ANC 2B

**Failed to Maintain on Premises Three Years of Adequate Books and Records Showing All Sales**

**BOARD RECESS AT 12:00 PM**

**ADMINISTRATIVE AGENDA**

**1:00 PM**

**Show Cause Hearing\***

**1:30 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**

**Protest Hearing\***

**1:30 PM**

**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 (Request to add a Summer Garden with 35 Seats)**

**Protest Hearing\***

**4:30 PM**

**Case # 17-PRO-00071;** Giant of Maryland, LLC, t/a Giant #2381, 300 H Street

NE, License #91952, Retailer B, ANC 6C

**Application to Renew the License**

**Protest Hearing\***

**4:30 PM**

**Case # 18-PRO-00009;** 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)**

**\*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, APRIL 25, 2018  
2000 14<sup>TH</sup> STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

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

ABRA-088831 – **DGS Delicatessen** – Retail – C – Restaurant – 1317 Connecticut Avenue NW  
[Licensee requested cancellation.]

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ABRA-099133 – **Walters** – C – Tavern – 3632 Georgia Avenue NW  
[Licensee requested cancellation.]

---

ABRA-098865 – **Logan Tavern** – Caterer – 1423 P Street NW  
[Licensee requested cancellation.]

---

ABRA-102765 – **Rite Aid #6734** – Retail – A – Liquor Store – 2255 Wisconsin Avenue NW  
[Licensee requested cancellation.]

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ABRA-098137 – **Patriot II/National Ferry** – Retail – C – Marine Vessel – 1300 Maine Avenue SW  
[Licensee requested cancellation of this boat from fleet of two. Second boat remains active.]

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ABRA-102211 – **Little China Cafe** – Retail – D – Restaurant – 4830 MacArthur Boulevard NW  
[Licensee requested cancellation.]

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ABRA-094784 – **Micho's** – Retail – C – Restaurant – 500 H Street NE  
[Safekeeping][Licensee requested cancellation.]

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ABRA-017006 – **Mr. Henry's** – Retail – C – Restaurant – 1836 Columbia Road NW  
[Safekeeping][Licensee did not request an extension of Safekeeping.]

---

ABRA-089126 – **Il Parco** – Retail – B – 202 M Street SE  
[Safekeeping][Licensee did not request an extension of Safekeeping.]

---

ABRA-103261 – **Midnight Delicatessen** – Retail – B – 4701 Georgia Avenue NW  
[Safekeeping][Licensee did not request an extension of Safekeeping.]

---

ABRA-105355 – **Fortune Liquors** – Retail – A – Liquor Store – No Location  
[Safekeeping][Licensee did not renew.]

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ABRA-102370 – **New York Liquors** – Retail – A – Liquor Store – 1447 Maryland Avenue NE  
[Safekeeping][Licensee did not renew.]

---

ABRA-086210 – **Driftwood Kitchen** – Retail – C – Restaurant – 400 H Street NE  
[Safekeeping][Licensee did not pay third year fee.]

---

ABRA-103289 – **Ababa Ethiopian Restaurant** – Retail – C – Restaurant – 410 S Maple  
Avenue #443, Falls Church, VA  
[Safekeeping][Licensee did not pay third year fee.]

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ABRA-105730 – **Ping Pong Dim Sum** – Retail – C – Restaurant – 900 7th Street NW  
[Safekeeping][Licensee did not pay third year fee.]

---

ABRA-090634 – **Red Apron Burger Bar** – Retail – C – Restaurant – 1323 Connecticut Avenue  
NW  
[Safekeeping][Licensee did not pay Safekeeping fee within 30 days.]

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ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF MEETING  
CEASE AND DESIST AGENDA (CATERERS)

WEDNESDAY, APRIL 25, 2018  
2000 14<sup>TH</sup> STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

The ABC Board will be issuing an Order to Cease and Desist to the following Licensee for the reasons outlined below:

ABRA-096393 – **Tortoise & Hare Bar** – Caterer – 567 23rd Street, South Arlington, VA  
[The Licensee did not renew.]

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ABRA-077045 – **Restaurant Associates, Inc.** – Caterer – 2700 F Street NW  
[The Licensee did not renew.]

---

ABRA-082033 – **Rosa Mexicano Catering** – Caterer – 575 7<sup>th</sup> Street NW  
[The Licensee did not renew.]

---

ABRA-085884 – **Cork** – Caterer – 1720 14th Street NW  
[The Licensee did not renew.]

---

ABRA-089475 – **Hill Country** – Caterer – 410 7<sup>th</sup> Street NW  
[The Licensee did not renew.]

---

ABRA-096988 – **Lebanese Taverna Market/ Catering** – Caterer – 4400 Old Dominion Drive,  
Arlington, VA  
[The Licensee did not renew.]

---

ABRA-101345 – **Haute Saison Catering** – Caterer – 1110 Congress Street NE  
[The Licensee did not renew.]

---

ABRA-103546 – **Bluejacket** – Caterer – 300 Tingey Street SE  
[The Licensee did not renew.]

---

ABRA-107784 – **Future of Sports** – Caterer – 700 H Street NE  
[The Licensee did not renew.]

---

ABRA-107866 – **Matchbox** – Caterer – 521 8<sup>th</sup> Street SE  
[The Licensee did not renew.]

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ABRA-108124 – **Rare Steaks and Seafood** – Caterer – 1595 I Street NW  
[The Licensee did not renew.]

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ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF MEETING  
CEASE AND DESIST AGENDA (CLASS A)

WEDNESDAY, APRIL 25, 2018  
2000 14<sup>TH</sup> STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

The ABC Board will be issuing an Order to Cease and Desist to the following Licensee for the reasons outlined below:

ABRA-105721 – **Bring Your Own Cocktail** – Manufacturer – A – 703 Edgewood Street NE  
[The Licensee did not renew.]

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ABRA-097825 – **Jos. A. Magnus & Co.** – Wholesaler – A – 2052 West Virginia Avenue NE  
[The Licensee did not renew.]

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ABRA-092739 – **Barrel One** – Wholesaler – A – 500 Emerson Street NE  
[The Licensee did not renew.]

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ABRA-095818 – **Gallagher & Graham Fine Spirits** – Retail – A – Liquor Store - 1939 12th Street NW  
[The Licensee did not renew.]

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ABRA-103795 – **Local Vine** – Retail – A – Liquor Store - 1575 New York Avenue NE  
[The Licensee did not renew.]

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ABRA-105526 – **Southern Express Liquors** – Retail – A – Liquor Store - 4416 Southern Avenue SE  
[The Licensee did not renew.]

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ABRA-098478 – **Best One Liquor** – Retail – A – Liquor Store – 322 Florida Avenue NW  
[The Licensee did not renew.]

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ABRA-077663 – **Tunnel Fine Wines & Spirit** – Retail – A – Liquor Store - 311 H Street NW  
[The Licensee did not renew.]

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ABRA-011823 – **Best-In Liquors** – Retail – A – Liquor Store - 1450 P Street NW  
[The Licensee did not renew.]

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ABRA-000434 – **Target Liquor** – Retail – A – Liquor Store - 500 Kennedy Street NW  
[The Licensee did not renew.]

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ABRA-060423 – **Capitol City Wine & Spirits** – Retail – A – Liquor Store - 500 K Street NW  
[The Licensee did not renew.]

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ABRA-070310 – **Sportsman Wine And Liquors** – Retail – A – Liquor Store - 3249 Mt Pleasant Street NW  
[The Licensee did not renew.]

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ABRA-093868 – **Premier Wines** – Retail – A – Internet – 2414 Douglas Street NE  
[The Licensee did not renew.]

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ABRA-102895 – **Vintage Cellars** – Retail – A – Internet - 301 New York Avenue NE  
[The Licensee did not renew.]

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

**NOTICE OF MEETING  
INVESTIGATIVE AGENDA**

**WEDNESDAY, APRIL 25, 2018  
2000 14<sup>TH</sup> STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

**On Wednesday, April 25, 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# 18-251-00014, Living Room, 1010 Vermont Avenue N.W., Retailer CT, License # ABRA-076906

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2. Case# 18-CMP-00058, The Elroy, 1423 H Street N.E., Retailer CT, License # ABRA-096771

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3. Case# 18-CC-00009, Fair Liquors, 5008 1<sup>st</sup> Street N.W., Retailer A, License # ABRA-096106

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4. Case# 18-CC-00011, Chicken + Whiskey, 1738 14<sup>th</sup> Street N.W., Retailer CR, License # ABRA-103863

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5. Case# 18-CC-00013, Wisemillers Grocery & Deli, 1236 36<sup>th</sup> Street N.W., Retailer B, License # ABRA-005950

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6. Case# 18-MGR-00002, ABC Manager, John Ferraro, License # ABRA-106927

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7. Case# 18-CMP-00021, Betty’s Gojo, 7616 Georgia Avenue N.W., Retailer CR, License # ABRA-102500

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8. Case# 18-251-00034, Ozio Martini & Cigar Lounge, 1813 M Street N.W., Retailer CN, License # ABRA-023167

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9. Case# 18-AUD-00015, Pizzeria Paradiso, 2000 Massachusetts Avenue N.W., Retailer CR, License # ABRA-016192

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10. Case# 18-CMP-00062, Millie's, 4866 Massachusetts Avenue N.W., Retailer CR, License # ABRA-100214

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11. Case# None/Unlicensed, Normandy Hotel, 2118 Wyoming Avenue N.W.

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12. Case# 18-CC-00016, Roses Queen Liquors, 830 Bladensburg Road N.E., Retailer A, License # ABRA-060822

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13. Case# 18-CMP-00059, The House, 3530 Georgia Avenue N.W., Retailer CN, License # ABRA-001686

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14. Case# 18-CMP-00063, The Codmother, 1334 U Street N.W., Retailer CT, License # ABRA-086231

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15. Case# 18-CC-00017, Michigan Liquors, 3934 12<sup>th</sup> Street N.E., Retailer A, License # ABRA-104222

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16. Case# 18-MGR-0004, ABC Manager, Alvin Southern, License # ABRA-108220

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17. Case# 18-CMP-00069, Rito Loco, 606 Florida Avenue N.W., Retailer CR, License # ABRA-104119

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ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF MEETING  
LICENSING AGENDA

WEDNESDAY, APRIL 25, 2018 AT 1:00 PM  
2000 14<sup>TH</sup> STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

1. Review Request to Extend Safekeeping of License – Number of Extensions Requests Unknown. Original Safekeeping Date: 5/28/2010. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. *Heat*, No Location, Retailer CN, License No. 084620.

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2. Review Request to Extend Safekeeping of License – Fifth Request. Original Safekeeping Date: 3/1/2013. ANC 1D. SMD 1D02. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. *Sangria Café*, 3636 16<sup>th</sup> Street NW A, Retailer CR, License No. 090781.

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3. Review Request to Extend Safekeeping of License – Second Request. Original Safekeeping Date: 6/7/2017. ANC 2A. SMD 2A08. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. *Marvin Center*, 800 21<sup>st</sup> Street NW, Retailer CX, License No. 001070.

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4. Review Request to Extend Safekeeping of License – First Request. Original Safekeeping Date: 8/2/2017. ANC 1A. SMD 1A09. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No conflict with Settlement Agreement. *Alfie's*, 3301 Georgia Avenue NW, Retailer CR, License No. 101301.

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5. Review Request to Extend Safekeeping of License – First Request. Original Safekeeping Date: 10/25/2017. ANC 4C. SMD 4C08. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. *Family Food and Delicatessen Store*, 3713 New Hampshire Avenue NW, Retailer B, License No. 086078.

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6. Review Request to Extend Safekeeping of License – First Request. Original Safekeeping Date: 11/15/2017. ANC 7F. SMD 7F06. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. *M&M Market*, 3544 East Capitol Street NE, Retailer B Grocery, License No. 078461.

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7. Review Request to Extend Safekeeping of License – First Request. Original Safekeeping Date: 8/16/2017. ANC 6E. SMD 6E02. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. *6<sup>th</sup> & Q Market*, 523 Q Street NW, Retailer B Grocery, License No. 079896.

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8. Review Request to Extend Safekeeping of License – First Request. Original Safekeeping Date: 8/19/2017. ANC 6B. SMD 6B03. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No conflict with Settlement Agreement. *Capitol Hill Tandor and Grill*, 419 8<sup>th</sup> Street SE, Retailer CR, License No. 060689.

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9. Review request from Attorney Risa Hirao to allow parent company, Hill Restaurant Group, LLC, to tender checks for 501 Partners, LLC to pay wholesalers for alcoholic beverage purchases in the District of Columbia. ANC 6B. SMD 6B03. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No conflict with Settlement Agreement. *Ophelia's Fish House*, 501 8<sup>th</sup> Street SE, Retailer CR, License No. 107668.

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10. Review request from Attorney Risa Hirao to allow parent company, Hill Restaurant Group, LLC, to tender checks for Publican Ventures, LLC to pay wholesalers for alcoholic beverage purchases in the District of Columbia. ANC 6B. SMD 6B01. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. *Hawk 'n Dove*, 329 Pennsylvania Avenue SE, Retailer CT, License No. 108218.

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11. Review request from Attorney Risa Hirao to allow parent company, Hill Restaurant Group, LLC, to tender checks for Tingey Street Partners, LLC to pay wholesalers for alcoholic beverage purchases in the District of Columbia. ANC 6D. SMD 6D07. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No conflict with Settlement Agreement. *Willie's Brew & Que*, 300 Tingey Street SE, Retailer CT, License No. 108128.

**\*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 May 1, 2018, the Department will accept new certification applications for Child Choice Providers for the following services as defined by Title 22A, D.C. Municipal Regulation, Chapter 35 “Child Choice Provider Certification Standards.” Certification applications will be accepted through June 30, 2018.

This notice is solely for parties interested in Child Choice Provider 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](mailto:Atiya.Frame@dc.gov); or (202) 673-2245.

**CITY ARTS AND PREP PUBLIC CHARTER SCHOOL**

**REQUEST FOR PROPOSALS**

**Information Technology Services**

**City Arts + Prep PCS** solicits proposals for the following:

- **Information Technology Services**

Proposals and requests for the full RFP should be emailed to [bids@cityartspcs.org](mailto:bids@cityartspcs.org) no later than 5:00 P.M., Tuesday, May 1, 2018.

**GOVERNMENT OF THE DISTRICT OF COLUMBIA  
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS**

**Vacant Building Enforcement**

<b>Address:</b>	<b>Square:</b>	<b>Lot:</b>
1843 Park Road NW	2614	0848

The Department of Consumer and Regulatory Affairs (DCRA) has reviewed and **approved** your request for exemption from the Vacant Building Registration requirements, for the property listed above, for the following reason(s): **ECONOMIC HARDSHIP**

Based on the supporting evidence provided, you are exempt from the vacant tax rate for **2017 tax year ONLY**. Annually you are required by law to register vacant property or seek an exemption for the current tax year. DCRA will notify the Office of Tax and Revenue (OTR) to reclassify the subject property as a Class 1/Class 2. DCRA reserves the right to revoke this exemption if the building is not maintained in accordance with the Vacant Building Maintenance standards, or if disqualifying information is obtained.

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

**WEDNESDAY, MAY 2, 2018 AT 10:00 AM**  
**441 4<sup>TH</sup> STREET N.W., ROOM 1112, WASHINGTON, D.C., 20001**

D.C. Criminal Code Reform Commission  
441 Fourth Street, NW, Suite 1C001S, Washington, D.C. 20001  
(202) 442-8715 [www.ccrc.dc.gov](http://www.ccrc.dc.gov)

The D.C. Criminal Code Reform Commission (CCRC) will hold a meeting of its Criminal Code Revision Advisory Group (Advisory Group) on Wednesday, May 2, 2018 at 10am. The meeting will be held in Room 1112 of the Citywide Conference Center on the 11<sup>th</sup> Floor of 441 Fourth St., N.W., Washington, DC. The planned meeting agenda is below. Any changes to the meeting agenda will be posted on the agency's website, <http://ccrc.dc.gov/page/ccrc-meetings>. For further information, contact Richard Schmechel, Executive Director, at (202) 442-8715 or [richard.schmechel@dc.gov](mailto:richard.schmechel@dc.gov).

**MEETING AGENDA**

- I. Welcome and Announcements.
- II. Discussion of Advisory Group Written Comments on Draft Reports and Memoranda:
  - (A) Third Draft of Report #2, *Basic Requirements of Offense Liability*;
  - (B) First Draft of Report #13, *Criminal Attempt Penalties*;
  - (C) First Draft of Report #14, *Definitions for Offenses Against Persons*;
  - (D) First Draft of Report #15, *Assault and Offensive Physical Contact Offenses*;
  - (E) First Draft of Report #16, *Robbery*; and
  - (F) First Draft of Report #17, *Criminal Menace and Criminal Threat Offenses*.
- III. Discussion of Draft Reports and Memoranda Under Advisory Group Review:
  - (A) First Draft of Report #18, *Solicitation and Renunciation*;
  - (B) First Draft of Report #19, *Homicide*;
  - (C) First Draft of Report #20, *Abuse & Neglect of Children, Elderly, and Vulnerable Adults*;
  - (D) Second Draft of Report #14, *Definitions for Offenses Against Persons*;
  - (E) Advisory Group Memorandum #16, *Supplemental Materials to the First Draft of Report #18*; and
  - (F) Advisory Group Memorandum #17, *Supplemental Materials to the First Draft of Reports #19-20*.
- IV. Adjournment.



**DC SCHOLARS PUBLIC CHARTER SCHOOL****NOTICE OF INTENT TO ENTER A SOLE SOURCE CONTRACT****Interim Head of School**

DC Scholars Public Charter School intends to enter into a sole source contract with Nicole Bryan for contracted school leadership and management of principals for approximately \$175,000 in school year 2018-19. In addition to management of DC Scholars Elementary and Middle School principals, Nicole Bryan will oversee school-wide culture strategies, academic curriculum and vertical alignment between Elementary and Middle School instruction and culture. The decision to sole source is due to the fact that DC Scholars Public Charter School previously partnered with Nicole Bryan for school leadership development services in school year 2017-18 through its charter management organization DC Scholars Community Schools. It would be most effective to continue and increase school leadership development services through Nicole Bryan in SY 2018-19. Nicole Bryan has a proven history in supervising, coaching, and empowering school leaders to appropriately plan for school priorities as well as action plan from student and staff data.

The Sole Source Contract will be awarded at the close of business on April 30, 2018. If you have questions or concerns regarding this notice, contact **Emily Stone** at [202-559-6138](tel:202-559-6138) or [estone@dcscholars.org](mailto:estone@dcscholars.org) no later than **4:00 pm on April 30, 2018**.

## OFFICE OF THE DEPUTY MAYOR FOR EDUCATION

## NOTICE OF PUBLIC MEETING

## CROSS-SECTOR COLLABORATION TASK FORCE

Interim Deputy Mayor for Education Ahnna Smith announces the scheduling of a Cross-Sector Collaboration Task Force meeting.

**Date:** April 24, 2018

**Time:** 6:00 p.m. – 8:00 p.m.

**Location:** Savoy Elementary School  
2400 Shannon Pl SE  
Washington, DC 20020

**Contact:** Ramin Taheri (202) 727-4036 or [ramin.taheri@dc.gov](mailto:ramin.taheri@dc.gov)

**Agenda:**

The Cross-Sector Collaboration Task Force will discuss the feedback collected through the community engagement process the recommendations of the At-Risk Working Group and the Opening, Closing, and Siting Working Group.

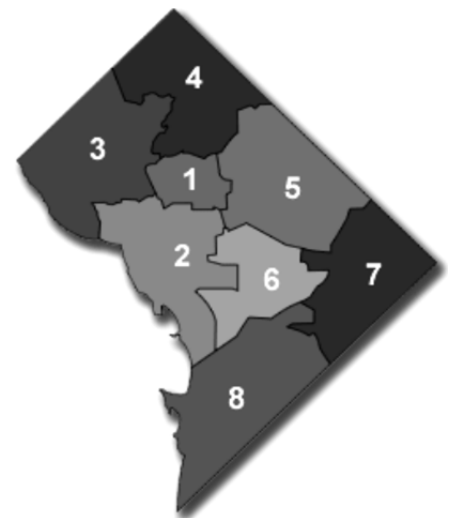
**D.C. BOARD OF ELECTIONS  
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS  
CITYWIDE REGISTRATION SUMMARY  
As Of MARCH 31, 2018**

WARD	DEM	REP	STG	LIB	OTH	N-P	TOTALS
<b>1</b>	44,326	2,878	630	148	196	11,215	<b>59,393</b>
<b>2</b>	29,975	5,658	220	170	158	10,630	<b>46,811</b>
<b>3</b>	37,355	6,280	356	150	158	10,781	<b>55,080</b>
<b>4</b>	48,350	2,193	527	97	162	8,675	<b>60,004</b>
<b>5</b>	51,650	2,294	581	123	224	9,353	<b>64,225</b>
<b>6</b>	53,816	7,084	483	249	240	13,413	<b>75,285</b>
<b>7</b>	47,358	1,278	423	56	167	6,566	<b>55,848</b>
<b>8</b>	45,678	1,367	437	49	185	7,071	<b>54,787</b>
<b>Totals</b>	358,508	29,032	3,657	1,042	1,490	77,704	<b>471,433</b>
<b>Percentage By Party</b>	<b>76.05%</b>	<b>6.16%</b>	<b>.78%</b>	<b>.22%</b>	<b>.32%</b>	<b>16.48%</b>	<b>100.00%</b>

DISTRICT OF COLUMBIA BOARD OF ELECTIONS MONTHLY REPORT OF  
**VOTER REGISTRATION STATISTICS AND REGISTRATION TRANSACTIONS**  
AS OF THE END OF MARCH 31, 2018

COVERING CITY WIDE TOTALS BY:  
**WARD, PRECINCT AND PARTY**

ONE JUDICIARY SQUARE  
441 4<sup>TH</sup> STREET, NW SUITE 250N  
WASHINGTON, DC 20001  
(202) 727-2525  
<http://www.dcboe.org>



**D.C. BOARD OF ELECTIONS**  
**MONTHLY REPORT OF VOTER REGISTRATION STATISTICS**  
**WARD 1 REGISTRATION SUMMARY**  
**As Of MARCH 31, 2018**

PRECINCT	DEM	REP	STG	LIB	OTH	N-P	TOTALS
20	1,574	32	10	3	6	272	1,897
22	3,671	379	28	13	13	960	5,064
23	2,856	213	42	11	14	767	3,903
24	2,608	243	26	15	13	776	3,681
25	3,730	433	43	18	14	1,082	5,320
35	3,500	217	51	13	10	827	4,618
36	4,116	242	61	9	21	986	5,435
37	3,460	163	46	10	19	831	4,529
38	2,823	132	45	15	14	741	3,770
39	4,074	197	67	10	15	924	5,287
40	3,767	177	81	10	19	972	5,026
41	3,504	204	71	7	17	1,009	4,812
42	1,770	83	26	4	10	457	2,350
43	1,764	70	26	5	7	366	2,238
137	1,109	93	7	5	4	245	1,463
<b>TOTALS</b>	<b>44,326</b>	<b>2,878</b>	<b>630</b>	<b>148</b>	<b>196</b>	<b>11,215</b>	<b>59,393</b>

**D.C. BOARD OF ELECTIONS  
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS  
WARD 2 REGISTRATION SUMMARY  
As Of MARCH 31, 2018**

<b>PRECINCT</b>	<b>DEM</b>	<b>REP</b>	<b>STG</b>	<b>LIB</b>	<b>OTH</b>	<b>N-P</b>	<b>TOTALS</b>
<b>2</b>	898	169	7	9	10	540	<b>1,633</b>
<b>3</b>	1,603	370	17	8	9	638	<b>2,645</b>
<b>4</b>	1,879	487	7	11	11	722	<b>3,117</b>
<b>5</b>	2,057	595	11	16	12	758	<b>3,449</b>
<b>6</b>	2,294	830	19	16	15	1,249	<b>4,423</b>
<b>13</b>	1,285	224	4	2	5	413	<b>1,933</b>
<b>14</b>	2,815	466	26	18	9	957	<b>4,291</b>
<b>15</b>	2,934	392	28	18	14	871	<b>4,257</b>
<b>16</b>	3,362	421	28	22	19	941	<b>4,793</b>
<b>17</b>	4,696	620	29	20	18	1,448	<b>6,831</b>
<b>129</b>	2,327	416	12	7	13	882	<b>3,657</b>
<b>141</b>	2,348	296	17	12	13	645	<b>3,331</b>
<b>143</b>	1,477	372	15	11	10	566	<b>2,451</b>
<b>TOTALS</b>	<b>29,975</b>	<b>5,658</b>	<b>220</b>	<b>170</b>	<b>158</b>	<b>10,630</b>	<b>46,811</b>

**D.C. BOARD OF ELECTIONS  
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS  
WARD 3 REGISTRATION SUMMARY  
As Of MARCH 31, 2018**

<b>PRECINCT</b>	<b>DEM</b>	<b>REP</b>	<b>STG</b>	<b>LIB</b>	<b>OTH</b>	<b>N-P</b>	<b>TOTALS</b>
<b>7</b>	1,248	392	15	4	7	548	<b>2,214</b>
<b>8</b>	2,389	626	28	6	10	766	<b>3,825</b>
<b>9</b>	1,156	488	7	8	9	487	<b>2,155</b>
<b>10</b>	1,835	411	20	7	10	679	<b>2,962</b>
<b>11</b>	3,293	834	43	31	21	1,201	<b>5,423</b>
<b>12</b>	481	181	0	5	4	201	<b>872</b>
<b>26</b>	2,820	327	20	8	8	817	<b>4,000</b>
<b>27</b>	2,412	242	22	8	2	553	<b>3,239</b>
<b>28</b>	2,463	461	39	12	13	758	<b>3,746</b>
<b>29</b>	1,308	219	11	8	8	388	<b>1,942</b>
<b>30</b>	1,263	203	11	4	6	298	<b>1,785</b>
<b>31</b>	2,394	298	17	9	12	565	<b>3,295</b>
<b>32</b>	2,678	286	26	7	11	562	<b>3,570</b>
<b>33</b>	2,863	276	24	3	6	650	<b>3,822</b>
<b>34</b>	3,682	420	38	13	10	1,072	<b>5,235</b>
<b>50</b>	2,098	280	16	5	7	493	<b>2,899</b>
<b>136</b>	847	84	7	1	3	262	<b>1,204</b>
<b>138</b>	2,125	252	12	11	11	481	<b>2,892</b>
<b>TOTALS</b>	<b>37,355</b>	<b>6,280</b>	<b>356</b>	<b>150</b>	<b>158</b>	<b>10,781</b>	<b>55,080</b>

**D.C. BOARD OF ELECTIONS  
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS  
WARD 4 REGISTRATION SUMMARY  
As Of MARCH 31, 2018**

PRECINCT	DEM	REP	STG	LIB	OTH	N-P	TOTALS
45	2,260	65	34	9	8	367	2,743
46	2,768	97	32	7	13	484	3,401
47	3,370	136	44	9	14	734	4,307
48	2,765	127	29	6	7	535	3,469
49	897	44	13	2	5	197	1,158
51	3,284	495	20	7	10	608	4,424
52	1,235	144	9	2	5	226	1,621
53	1,224	73	20	1	3	240	1,561
54	2,321	96	24	4	5	433	2,883
55	2,401	77	15	1	11	412	2,917
56	3,083	95	36	9	13	624	3,860
57	2,430	66	34	6	11	464	3,011
58	2,245	61	19	5	4	340	2,674
59	2,578	83	28	7	7	406	3,109
60	2,148	67	24	5	10	592	2,846
61	1,563	54	16	1	7	286	1,927
62	3,099	132	22	2	4	379	3,638
63	3,636	135	59	2	18	642	4,492
64	2,333	62	21	6	5	351	2,778
65	2,710	84	28	6	2	355	3,185
<b>Totals</b>	<b>48,350</b>	<b>2,193</b>	<b>527</b>	<b>97</b>	<b>162</b>	<b>8,675</b>	<b>60,004</b>

**D.C. BOARD OF ELECTIONS  
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS  
WARD 5 REGISTRATION SUMMARY  
As Of MARCH 31, 2018**

PRECINCT	DEM	REP	STG	LIB	OTH	N-P	TOTALS
19	4,362	189	65	13	15	950	5,594
44	2,777	234	27	8	19	638	3,703
66	4,430	93	45	4	15	587	5,174
67	2,801	98	24	4	9	419	3,355
68	1,894	159	21	8	6	389	2,477
69	2,068	71	19	1	10	287	2,456
70	1,433	74	24	0	5	224	1,760
71	2,389	70	24	5	9	341	2,838
72	4,262	136	38	8	23	720	5,187
73	1,939	90	23	6	8	350	2,416
74	4,640	251	59	11	21	984	5,966
75	3,846	215	45	19	22	826	4,973
76	1,602	92	21	6	6	366	2,093
77	2,859	120	25	3	13	516	3,536
78	2,898	92	45	9	12	478	3,534
79	2,026	73	24	3	11	366	2,503
135	3,016	178	35	12	15	608	3,864
139	2,408	59	17	3	5	304	2,796
<b>TOTALS</b>	<b>51,650</b>	<b>2,294</b>	<b>581</b>	<b>123</b>	<b>224</b>	<b>9,353</b>	<b>64,225</b>



**D.C. BOARD OF ELECTIONS**  
**MONTHLY REPORT OF VOTER REGISTRATION STATISTICS**  
**WARD 6 REGISTRATION SUMMARY**  
**As Of MARCH 31, 2018**

<b>PRECINCT</b>	<b>DEM</b>	<b>REP</b>	<b>STG</b>	<b>LIB</b>	<b>OTH</b>	<b>N-P</b>	<b>TOTALS</b>
<b>1</b>	4,355	564	46	26	17	1,199	<b>6,207</b>
<b>18</b>	4,716	360	46	16	22	1,072	<b>6,232</b>
<b>21</b>	1,170	57	8	7	1	244	<b>1,487</b>
<b>81</b>	4,534	370	45	14	18	921	<b>5,902</b>
<b>82</b>	2,496	247	28	9	7	579	<b>3,366</b>
<b>83</b>	5,252	734	41	30	25	1,409	<b>7,491</b>
<b>84</b>	1,944	407	18	5	10	535	<b>2,919</b>
<b>85</b>	2,621	485	18	12	8	726	<b>3,870</b>
<b>86</b>	2,178	248	22	10	8	441	<b>2,907</b>
<b>87</b>	2,625	287	16	3	16	581	<b>3,528</b>
<b>88</b>	2,085	291	19	7	5	479	<b>2,886</b>
<b>89</b>	2,506	617	19	17	10	763	<b>3,932</b>
<b>90</b>	1,558	233	12	6	11	453	<b>2,273</b>
<b>91</b>	3,992	403	32	16	19	922	<b>5,384</b>
<b>127</b>	4,136	314	45	21	18	861	<b>5,395</b>
<b>128</b>	2,410	205	25	10	11	597	<b>3,258</b>
<b>130</b>	772	297	7	1	4	271	<b>1,352</b>
<b>131</b>	2,873	763	20	26	22	910	<b>4,614</b>
<b>142</b>	1,593	202	16	13	8	450	<b>2,282</b>
<b>TOTALS</b>	<b>53,816</b>	<b>7,084</b>	<b>483</b>	<b>249</b>	<b>240</b>	<b>13,413</b>	<b>75,285</b>

**D.C. BOARD OF ELECTIONS**  
**MONTHLY REPORT OF VOTER REGISTRATION STATISTICS**  
**WARD 7 REGISTRATION SUMMARY**  
**As Of MARCH 31, 2018**

PRECINCT	DEM	REP	STG	LIB	OTH	N-P	TOTALS
80	1,422	82	21	4	1	260	1,790
92	1,578	35	13	1	5	232	1,864
93	1,563	42	18	2	7	229	1,861
94	1,958	58	18	0	6	265	2,305
95	1,662	46	13	1	2	264	1,988
96	2,350	60	14	0	13	340	2,777
97	1,397	46	14	1	6	202	1,666
98	1,885	41	21	4	8	251	2,210
99	1,491	52	17	5	8	261	1,834
100	2,380	48	15	2	8	286	2,739
101	1,569	28	14	4	5	173	1,793
102	2,312	53	19	1	13	292	2,690
103	3,414	78	40	3	10	487	4,032
104	3,073	83	32	2	20	446	3,656
105	2,385	70	19	5	8	376	2,863
106	2,797	59	20	1	11	386	3,274
107	1,747	60	14	1	7	230	2,059
108	1,059	28	6	0	2	126	1,221
109	960	40	4	0	1	103	1,108
110	3,685	98	23	8	9	420	4,243
111	2,422	60	32	3	6	375	2,898
113	2,200	55	20	4	6	265	2,550
132	2,049	56	16	4	5	297	2,427
<b>TOTALS</b>	<b>47,358</b>	<b>1,278</b>	<b>423</b>	<b>56</b>	<b>167</b>	<b>6,566</b>	<b>55,848</b>

**D.C. BOARD OF ELECTIONS**  
**MONTHLY REPORT OF VOTER REGISTRATION STATISTICS**  
**WARD 8 REGISTRATION SUMMARY**  
**As Of MARCH 31, 2018**

PRECINCT	DEM	REP	STG	LIB	OTH	N-P	TOTALS
112	2,199	59	16	1	10	309	2,594
114	3,488	139	35	4	22	581	4,269
115	2,801	65	26	4	11	595	3,502
116	4,105	99	43	4	14	619	4,884
117	2,078	46	19	3	10	330	2,486
118	2,734	75	31	3	13	389	3,245
119	2,681	109	29	3	13	445	3,280
120	1,907	36	15	2	3	240	2,203
121	3,370	77	27	3	5	458	3,940
122	1,797	46	24	0	9	247	2,123
123	2,324	167	25	11	19	393	2,939
124	2,588	69	23	1	8	359	3,048
125	4,459	103	36	3	15	694	5,310
126	3,826	131	46	6	18	694	4,721
133	1,297	43	9	0	1	170	1,520
134	2,196	48	24	0	6	283	2,557
140	1,828	55	9	1	8	265	2,166
<b>TOTALS</b>	<b>45,678</b>	<b>1,367</b>	<b>437</b>	<b>49</b>	<b>185</b>	<b>7,071</b>	<b>54,787</b>

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

*For voter registration activity between 2/28/2018 and 3/31/2018*

<b>NEW REGISTRATIONS</b>	<b>DEM</b>	<b>REP</b>	<b>STG</b>	<b>LIB</b>	<b>OTH</b>	<b>N-P</b>	<b>TOTAL</b>
<b>Beginning Totals</b>	<b>356,803</b>	<b>28,959</b>	<b>3,604</b>	<b>1,027</b>	<b>1,446</b>	<b>77,183</b>	<b>469,022</b>
Board of Elections Over the Counter	32	4	0	0	0	7	<b>43</b>
Board of Elections by Mail	59	2	0	0	0	20	<b>81</b>
Board of Elections Online Registration	473	17	6	2	13	114	<b>625</b>
Department of Motor Vehicle	1,289	89	51	0	21	445	<b>1,895</b>
Department of Disability Services	0	0	0	0	0	1	<b>1</b>
Office of Aging	0	0	0	0	0	0	<b>0</b>
Federal Postcard Application	0	0	0	0	0	0	<b>0</b>
Department of Parks and Recreation	0	0	0	0	0	0	<b>0</b>
Nursing Home Program	0	0	0	0	0	0	<b>0</b>
Dept. of Youth Rehabilitative Services	0	0	0	0	0	0	<b>0</b>
Department of Corrections	6	1	0	0	0	2	<b>9</b>
Department of Human Services	16	2	0	1	0	6	<b>25</b>
Special / Provisional	0	0	0	0	0	0	<b>0</b>
All Other Sources	303	21	1	3	1	112	<b>441</b>
<b>+Total New Registrations</b>	<b>2,177</b>	<b>136</b>	<b>58</b>	<b>6</b>	<b>35</b>	<b>706</b>	<b>3,118</b>

<b>ACTIVATIONS</b>	<b>DEM</b>	<b>REP</b>	<b>STG</b>	<b>LIB</b>	<b>OTH</b>	<b>N-P</b>	<b>TOTAL</b>
Reinstated from Inactive Status	352	16	4	1	4	75	<b>452</b>
Administrative Corrections	3	1	0	0	0	33	<b>37</b>
<b>+TOTAL ACTIVATIONS</b>	<b>355</b>	<b>17</b>	<b>4</b>	<b>1</b>	<b>4</b>	<b>108</b>	<b>489</b>

<b>DEACTIVATIONS</b>	<b>DEM</b>	<b>REP</b>	<b>STG</b>	<b>LIB</b>	<b>OTH</b>	<b>N-P</b>	<b>TOTAL</b>
Changed to Inactive Status	168	12	2	0	1	34	<b>217</b>
Moved Out of District (Deleted)	0	0	0	0	0	0	<b>0</b>
Felon (Deleted)	26	0	0	0	0	7	<b>33</b>
Deceased (Deleted)	476	22	2	0	0	55	<b>555</b>
Administrative Corrections	432	16	2	3	4	21	<b>478</b>
<b>-TOTAL DEACTIVATIONS</b>	<b>1,102</b>	<b>50</b>	<b>6</b>	<b>3</b>	<b>5</b>	<b>117</b>	<b>1,283</b>

<b>AFFILIATION CHANGES</b>	<b>DEM</b>	<b>REP</b>	<b>STG</b>	<b>LIB</b>	<b>OTH</b>	<b>N-P</b>
+ Changed To Party	480	56	19	20	23	232
- Changed From Party	-205	-86	-22	-9	-13	-408
<b>ENDING TOTALS</b>	<b>358,508</b>	<b>29,032</b>	<b>3,657</b>	<b>1,042</b>	<b>1,490</b>	<b>77,704</b>

## DISTRICT OF COLUMBIA BOARD OF ELECTIONS

## Public Notice of Proposed Polling Place Relocation

---

The Board of Elections hereby gives public notice, in accordance with D.C. Official Code § 1-309.10, of proposed action taken at its April 4, 2018 meeting in relocating Precinct #8, Ward 3 Polling Place.

The public is advised that the proposed voting area for Precinct #8 will be changed from:

**Palisades Recreation Center  
5200 Sherier Place, N.W.  
“Gymnasium”**

and moved to:

**Palisades Neighborhood Library  
4901 V Street, N.W.  
“Multi-Purpose Room”**

The relocation was proposed because the Board learned that the facility would not be available for use on the dates requested due to scheduled renovation of the facility.

**Please note that the relocation will be effective beginning with the upcoming June 19, 2018, Mayoral Primary Election.** If you have any comments on this matter, please contact Mr. Arlin Budoo at 727-5704 **no later than Monday, April 30, 2018** so that they may be considered before official notice is given to registered voters in the precinct. The Board will take final action on this matter at its regular board meeting scheduled for 10:30 a.m. Wednesday, May 2, 2018. The Board will individually notify all registered voters in the precinct of this change, subsequent to the Board’s final action.

For further information, members of the public may contact the Board of Elections at 727-2525.

## DISTRICT OF COLUMBIA BOARD OF ELECTIONS

## Public Notice of Proposed Polling Place Relocation

---

The Board of Elections hereby gives public notice, in accordance with D.C. Official Code § 1-309.10, of proposed action taken at its April 4, 2018 meeting in relocating Precinct #29, Ward 3 Polling Place.

The public is advised that the proposed voting area for Precinct #29 will be changed from:

**Second District Police Station  
3320 Idaho Avenue, N.W.  
“Community Room”**

and moved to:

**Washington Hebrew Congregation  
3935 McComb Street, N.W.  
“Multi-Purpose Room”**

The relocation was proposed because the Board learned that the facility would not be available for use on the dates requested due to scheduled renovation of the facility.

**Please note that the relocation will be effective beginning with the upcoming June 19, 2018, Mayoral Primary Election.** If you have any comments on this matter, please contact Mr. Arlin Budo at 727-5704 **no later than Monday, April 30, 2018** so that they may be considered before official notice is given to registered voters in the precinct. The Board will take final action on this matter at its regular board meeting scheduled for 10:30 a.m. Wednesday, May 2, 2018. The Board will individually notify all registered voters in the precinct of this change, subsequent to the Board’s final action.

For further information, members of the public may contact the Board of Elections at 727-2525.

**DEPARTMENT OF ENERGY AND ENVIRONMENT**

**PUBLIC NOTICE**

Notice is hereby given that, pursuant to 20 DCMR §210, the Air Quality Division (AQD) of the Department of Energy and Environment (DOEE), located at 1200 First Street NE, 5<sup>th</sup> Floor, Washington, DC, intends to issue an air quality permit (No. 6208) to the United States Government Publishing Office (GPO) to operate a Presstek 52DI non-heatset sheet-fed offset lithographic printing press at 732 North Capitol Street NW, Washington DC 20401. The contact person for the applicant is Lonny E. Beal, CSP, Safety and Occupational Health Manager, at (202) 512-0537.

The proposed overall emission limits for the equipment are as follows:

- a. No visible emissions shall be emitted from this equipment. [20 DCMR 201 and 20 DCMR 606.1]
- b. An emission into the atmosphere of odorous or other air pollutants from any source in any quantity and of any characteristic, and duration which is, or is likely to be injurious to the public health or welfare, or which interferes with the reasonable enjoyment of life or property is prohibited [20 DCMR 903.1]

It should be noted that emissions are primarily minimized from this type of equipment by operational limitations and procedures set forth in the permit, rather than from explicit emission limits.

Maximum potential emissions from the unit is expected to be as follows:

<b>Pollutant</b>	<b>Estimated Maximum Annual Emissions (tons/yr)</b>
Volatile Organic Compounds (VOC)	0.079

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

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

Comments on the draft permit and any request for a public hearing should be addressed to:

Stephen S. Ours  
Chief, Permitting Branch  
Air Quality Division  
Department of Energy and Environment  
1200 First Street NE, 5<sup>th</sup> Floor  
Washington, DC 20002  
[Stephen.Ours@dc.gov](mailto:Stephen.Ours@dc.gov)

**No comments or hearing requests submitted after May 21, 2018 will be accepted.**

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



**DEPARTMENT OF ENERGY AND ENVIRONMENT****PUBLIC NOTICE**

Notice is hereby given that, pursuant to 20 DCMR § 210, the Air Quality Division (AQD) of the Department of Energy and Environment (DOEE), located at 1200 First Street NE, 5<sup>th</sup> Floor, Washington, DC, intends to issue an air quality permit (No. 6506-R1) to the U.S. General Services Administration operate an 800 kWe emergency generator set powered by a 1,252 hp diesel-fired engine at 400 Maryland Avenue SW, Washington DC. The contact person for facility is Calvert M. Jones, Supervisory Building Engineer, at (202) 205-2279. The applicant's mailing address is 400 Maryland Avenue SW Washington, DC 20024.

Emissions:

Maximum emissions from the 800 kW emergency generator set, assuming 500 hours per year of operation, are expected to be as follows:

	<b>Maximum Annual Emissions</b>
<b>Pollutant</b>	<b>(tons/yr)</b>
Total Particulate Matter (PM Total)	0.22
Sulfur Dioxide (SO <sub>2</sub> )	0.0038
Nitrogen Oxides (NO <sub>x</sub> )	7.51
Volatile Organic Compounds (VOC)	0.22
Carbon Monoxide (CO)	1.72

The proposed emission limits for the equipment are as follows:

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

*Note that 20 DCMR 606 is subject to an EPA-issued call for a State Implementation Plan (SIP) revision (known as a "SIP call") requiring the District to revise 20 DCMR 606. See "State Implementation Plans: Response to Petition for Rulemaking; Restatement and Update of EPA's SSM Policy Applicable to SIPs; Findings of Substantial Inadequacy; and SIP Calls To Amend Provisions Applying to Excess Emissions During Periods of Startup, Shutdown and Malfunction", 80 Fed. Reg. 33840 (June 12, 2015). It is likely that this federal action will result in changes to the requirements of 20 DCMR 606. Any such changes, once finalized in the DCMR, will supersede the language of Condition II(a) as stated above.*

- b. An emission into the atmosphere of odorous or other air pollutants from any source in any quantity and of any characteristic, and duration which is, or is likely to be injurious to the public health or welfare, or which interferes with the reasonable enjoyment of life or property is prohibited. [20 DCMR 903.1]

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

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

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

Stephen S. Ours  
Chief, Permitting Branch  
Air Quality Division  
Department of Energy and Environment  
1200 First Street NE, 5<sup>th</sup> Floor  
Washington, DC 20002  
[Stephen.Ours@dc.gov](mailto:Stephen.Ours@dc.gov)

**No comments or hearing requests submitted after May 21, 2018 will be accepted.**

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

**KINGSMAN ACADEMY PUBLIC CHARTER SCHOOL****REQUEST FOR QUALIFICATIONS****Owner's Representative Services**

Kingsman Academy Public Charter School invites all interested parties to submit proposals to provide owner's representative and construction management services for a selective renovation project and possible addition. Proposals are due no later than 4:00 PM on Monday, April 30, 2018. For the full request, email [rfp@kingsmanacademy.org](mailto:rfp@kingsmanacademy.org). **No phone calls please.**

**KIPP DC PUBLIC CHARTER SCHOOLS****NOTICE OF INTENT TO ENTER SOLE SOURCE CONTRACT****Vision Services**

KIPP DC intends to enter into a sole source contract with Columbia Lighthouse for the Blind. The decision to sole source is due to the fact that Columbia Lighthouse is the exclusive provider of assessments and instructional services for students with visual impairments in the DC Metro area. The cost of the contract will be approximately \$51,267.

**MAYA ANGELOU PUBLIC CHARTER SCHOOL****NOTICE OF INTENT TO ENTER SOLE SOURCE CONTRACT****Edgenuity, Inc.**

Maya Angelou Public Charter School intends to sole source a digital education solution with Edgenuity, Inc. in the amount of \$47,000. Currently Edgenuity, Inc serves as a primary resource to teachers for daily classroom instruction and has shown to be effective with our students. This sole source contract is necessary as Edgenuity, Inc. is the single source vendor in the United States for Edgenuity, Inc.'s Virtual Curriculum Solutions.

**THE NOT-FOR-PROFIT HOSPITAL CORPORATION  
BOARD OF DIRECTORS  
NOTICE OF PUBLIC MEETING**

**LARUBY Z. MAY, BOARD CHAIR**

The monthly Governing Board meeting of the Board of Directors of the Not-For-Profit Hospital Corporation, an independent instrumentality of the District of Columbia Government, will convene at **9:00 a.m. on Wednesday, April 25, 2018**. The meeting will be held at the United Medical Center, 1310 Southern Ave., SE, Washington, DC 20032 in the Conference Room. Notice of a location, time change, or intent to have a closed meeting will be published in the D.C. Register, posted in the Hospital, and/or posted on the Not-For-Profit Hospital Corporation's website ([www.united-medicalcenter.com](http://www.united-medicalcenter.com)).

**DRAFT AGENDA**

- I. CALL TO ORDER**
- II. DETERMINATION OF A QUORUM**
- III. APPROVAL OF AGENDA**
- IV. READING AND APPROVAL OF MINUTES**  
March 28, 2018
- V. CONSENT AGENDA**
  - A. Dr. Dennis Haghghat, Chief Medical Officer
  - B. Dr. Mina Yacoub, Medical Chief of Staff
- VII. EXECUTIVE MANAGEMENT REPORT**  
Chief Executive Officer
- VIII. COMMITTEE REPORTS**
  - Patient Safety and Quality Committee
  - Finance Committee
  - Strategic Committee
- IX. PUBLIC COMMENT**
- X. OTHER BUSINESS**
  - A. Old Business
  - B. New Business
- XI. ANNOUNCEMENTS**

***NOTICE OF INTENT TO CLOSE.*** The NFPHC Board hereby gives notice that it may close the meeting and move to executive session to discuss collective bargaining agreements, personnel, and discipline matters. D.C. Official Code §§2 -575(b)(2)(4A)(5),(9),(10),(11),(14).

## PUBLIC SERVICE COMMISSION OF THE DISTRICT OF COLUMBIA

NOTICE OF PROPOSED TARIFFGT2017-02: IN THE MATTER OF THE APPLICATION OF WASHINGTON GAS LIGHT COMPANY FOR AUTHORITY TO ADD RATE SCHEDULE NO. 7; andFORMAL CASE NO. 1137: IN THE MATTER OF THE APPLICATION OF WASHINGTON GAS LIGHT COMPANY FOR AUTHORITY TO INCREASE RATES AND CHARGES FOR GAS SERVICE

1. The Public Service Commission of the District of Columbia (“Commission”) hereby gives notice, pursuant to Section 34-802 District of Columbia Code (“D.C. Code”) and in accordance with Section 2-505 of the D.C. Code<sup>1</sup> and 15 District of Columbia Municipal Regulations (“DCMR”) Chapter 35,<sup>2</sup> of its intent to act upon the Application of Washington Gas Light Company (“WGL” or “Company”) in not less than 30 days from the date of publication of this Notice of Proposed Tariff (“NOPT”) in the *D.C. Register*.

2. Pursuant to Commission directives in *Formal Case No. 1137*, WGL filed its High Load Factor Rate Proposal requesting authority to add Rate Schedule No. 7 for Delivery Service for Combined Heat and Power/Distributed Generation Facilities.<sup>3</sup> WGL is proposing a new high load factor rate proposal (*i.e.*, Commercial & Industrial (“C&I”)) with a Unified Rate of Return (“UROR”) equal to or greater than 1.0 at a fixed rate rather than negotiated rates.<sup>4</sup>

3. In computing the rate, “the Company used its filed cost of service study, updated to reflect adjustments required by Order No. 18712, and then added the hypothetical high load factor CHP/DG delivery service class. To design the rate the Company assumed that the CHP/DG class had one customer, with maximum demands of 1,000 therms, and a 100% winter load factor.”<sup>5</sup>

4. Washington Gas proposes to revise or add the following tariff pages of P.S.C. of D.C. No. 3:

**NATURAL GAS TARIFF, P.S.C. of D.C. No. 3**  
**Eighteenth Revised Page No. 1**

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<sup>1</sup> D.C. Code § 34-802 (2001 Ed.) and D.C. Code § 2-505 (2001 Ed.).

<sup>2</sup> 15 DCMR § 3500 *et seq.* (October 13, 2000) provides an expedited review process for amending tariffs.

<sup>3</sup> *Formal Case No. 1137, In the Matter of the Application of Washington Gas Light Company for Authority to Increase Existing Rates and Charges for Gas Service (“Formal Case No.1137”)*, Washington Gas Light Company’s High Load Factor Rate Proposal, filed May 2, 2017 (“Proposal”).

<sup>4</sup> *Formal Case No. 1137*, Order No. 18712, issued March 3, 2016, at ¶¶ 445 and 463.

<sup>5</sup> Proposal at 2.

**Superseding Seventeenth Revised Page No. 1****Original Page No. 27Y****Original Page No. 27Z****Original Page No. 27AA****Original Page No. 27AB**

5. WGL's proposed tariff pages may be reviewed at the Office of the Commission Secretary, Public Service Commission of the District of Columbia, 1325 G Street, N.W., Suite 800, Washington, D.C. 20005, between the hours of 9:00 a.m. and 5:30 p.m., Monday through Friday as well as on the Commission's website at [www.dcpsc.org](http://www.dcpsc.org). Once at the website, open the "eDocket System" tab, click on "Search Current Dockets" and input "GT2017-02" in the "Select Case Number" field, and then select Item # 1. Copies of the tariff pages and attachments are available, upon request, at a per page reproduction fee.

6. Comments on the High Load Factor Rate Proposal - Rate Schedule No. 7 must be made in writing to Brinda Westbrook-Sedgwick, at the above address, at [psc-commissionsecretary@psc.dc.gov](mailto:psc-commissionsecretary@psc.dc.gov) or by clicking on the following link: <http://edocket.dcpsc.org/comments/submitpubliccomments.asp>. Comments must be received within thirty (30) days of the date of publication of this NOPT in the *D.C. Register*. Once the comment period expires, the Commission will take final action. Persons with questions concerning this NOPT should call (202) 626-5150.



**OFFICE OF THE SECRETARY OF THE DISTRICT OF COLUMBIA**  
**RECOMMENDATIONS FOR APPOINTMENTS AS NOTARIES PUBLIC**

Notice is hereby given that the following named persons have been recommended for appointment as Notaries Public in and for the District of Columbia, effective on or after May 15, 2018.

Comments on these potential appointments should be submitted, in writing, to the Office of Notary Commissions and Authentications, 441 4<sup>th</sup> Street, NW, Suite 810 South, Washington, D.C. 20001 within seven (7) days of the publication of this notice in the *D.C. Register* on April 13, 2018. Additional copies of this list are available at the above address or the website of the Office of the Secretary at [www.os.dc.gov](http://www.os.dc.gov).

**D.C. Office of the Secretary  
Recommendations for Appointments as DC Notaries Public**

**Effective: May 15, 2018**

**Page 2**

Adams	Sherry R.	Catholic Charities 924 G Street, NW	20001
Allan	Natanya Holland	Cochran Allan 5335 Wisconsin Avenue, NW, Suite 640	20815
Archibald	Stacie	Self (Dual) 717 Brandywine Street, SE, # 303	20032
Ayoola	Teniola A.	Battino & Sokolow, PLLC 1213 33rd Street, NW	20007
Ballard	Mason	MCN Build, Inc. 1214 28th Street, NW	20007
Banks	Shanova	Sterne, Kessler, Goldstein & Fox, PLLC 1100 New York Avenue, NW	20005
Banks	Teesa	Family Solutions USA, Inc. 1325 G Street, NW, Suite 500	20005
Beahm	Melissa K.	Brennan Title Company 5100 Wisconsin Avenue, NW, Suite 515	20016
Beale	Hilda Morgan	Sterne, Kessler, Goldstein & Fox, PLLC 1100 New York Avenue, NW	20005
Bell	Cheryl	United States Capitol Police Department 119 D Street, NW	20510
Bennett Jackson	Dana R.	Sterne, Kessler, Goldstein & Fox, PLLC 1100 New York Avenue, NW	20005
Bishop	Ethan John	R Street Institute 1212 New York Avenue, NW	20005
Bishop	Paula Marie	Lewis Baach Kaufmann Middlemiss, PLLC 1899 Pennsylvania Avenue, NW, Suite 600	20006
Bocca	Maria Julia	Inter-American Investment Corporation 1350 New York Avenue, NW	20577

**D.C. Office of the Secretary  
Recommendations for Appointments as DC Notaries Public**

**Effective: May 15, 2018**

**Page 3**

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Bomgardner	Lauren	The Literacy Lab 1003 K Street, NW	20001
Bourgeois	Jerome	TD Bank 1753 Connecticut Avenue, NW	20009
Bowers	Judy A.	DOT- Maritime Administration 1200 New Jersey Avenue, SE	20590
Boykins	Patricia A.	PJ' s Beauty Salon 2410 Martin Luther King Jr Avenue, SW	20020
Brown	Erin	McGlinnchey Stafford 1275 Pennsylvania Avenue, NW, Suite 420	20004
Bryant	Kimberly Olivia	John Marshall Bank 1401 H Street, NW	20005
Buso	Danielle K.	Sterne, Kessler, Goldstein & Fox, PLLC 1100 New York Avenue, NW	20005
Caputo	Celia	Promontory Financial Group, LLC 801 17th Street, NW, Suite 1100	20006
Chandler	Jordan	The Literacy Lab 1003 K Street, NW, Suite 500	20001
Cobbs	Toni M.	Self 5449 B Street, SE	20019
Cole	Bridget	Self 2705 Unicorn Lane, NW	20015
Cruz	Estivin	Bank of America 3100 14th Street, NW, Suite 101	20010
Datoff	Vivian	Datz Foundation 4545 42nd Street, NW, Suite 302	20016
Davis	Shakinah	Hughes Hubbard & Reed, LLP 1775 I Street, NW	20006

**D.C. Office of the Secretary  
Recommendations for Appointments as DC Notaries Public****Effective: May 15, 2018  
Page 4**

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Dawkins	Karen	US Department of Agriculture 1400 Independence Avenue, SW	20250
De Mayo	Hillary	TTR Sotheby's International Realty 1515 14th Street, NW	20005
Dearing	Randall Scott	The Mandy and David Team/Compass Real Estate 1313 14th Street, NW	20005
Dempsey	Jeffrey P.	United States Senate 127 Hart Senate Office Building	20510
DeVinney	Sheri A.	Medical Device Manufacturers Association- MDMA 1333 H Street, NW, Suite 400 West	20005
Dindino	Rhonda	RCM of Washington, Inc. 64 New York Avenue, NE, Suite 100	20002
Douglass	Earle	Paul Strauss and Associates 1020 16th Street, NW, 5th Floor	20036
Edwards	Theresa L.	Wilkinson Barker Knauer, LLP 1800 M Street, NW, Suite 800N	20036
Evans	Sarah	TD Bank 801 17th Street, NW	20006
Faison-Ball	Patricia FL	Self 2407 17th Street, NE	20018
Fernandez	Maria Eugenia	The Literacy Lab 1003 K Street, NW	20001
Fillebrown	Megan	America's Essential Hospitals 401 Ninth Street, NW, Suite 900	20004
Finney	Heather M.	Thurgood Marshall College Fund 901 F Street, NW, Suite 300	20004
Flanagan	Conor Patrick	Neal R. Gross & Company, Inc 1323 Rhode Island Avenue, NW	20005

**D.C. Office of the Secretary  
Recommendations for Appointments as DC Notaries Public**

**Effective: May 15, 2018  
Page 5**

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Flores-Ayala	Ricky	The UPS Store 1380 Monroe Street, NW	20010
Flynn	June E.	CSSI, Inc 425 3rd Street, SW, Suite 700	20024
Frazier	Kathy Jo R.	The American Institute of Architects 1735 New York Avenue, NE, Suite 100	20006
Gambrell	Stacey	Porzio Bromberg & Newman, PC 1200 New Hampshire Avenue, NW, Suite 710	20036
Garabetian	Marale G.	Kalbian Hagerty, LLP 888 17th Street, NW, Suite 1000	20006
Garrett	Janice M.	Self 3343 C Street, SE, Apartment 4	20019
Gauthier	Deborah B.	Hunt Reporting Company 1315 W Street, NW, Suite 347	20009
Ghanim	Habib	USA Halal Chamber of Commerce, Inc. 1712 Eye Street, NW, Suite 602	20006
Gonzales	Edgar Josue	BB&T 1909 K Street, NW	20006
Gooding	Renesha	Loring Consulting Engineers, Inc 1130 Connecticut Avenue, NW, Suite 750	20036
Guevara-Lopez	Jonathan B.	The UPS Store 1380 Monroe Street, NW	20010
Harris	Deborah M.	Hughes Hubbard & Reed, LLP 1775 I Street, NW, Suite 600	20006
Harrison	Krystine M.	Kelley Drye & Waren 3050 K Street, NW, Suite 400	20007
Haynes	Vicki S. R.	Solidarity Center 1130 Connecticut Avenue, NW, 8th Floor	20036

**D.C. Office of the Secretary  
Recommendations for Appointments as DC Notaries Public**

**Effective: May 15, 2018**

**Page 6**

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Hill	Cynthia A.	Self 3425 Summit Court, NE	20018
Hubbard	Ellen Kapri	The UPS Store 2500 Calvert Street, NW	20008
Johnson	Mario	Self 308 Seaton Place, NE	20002
Jones	Deborah Elaine Ellis	U.S. House of Representatives  386 Ford House Office Building, SW	20515
Jordan	Brittany	Antonoplos & Associates 1725 DeSales Street, NW, Suite 600	20036
Knoll	Daniel Joseph	Department of Veterans Affairs 810 Vermont Avenue, NW	20420
Lazaro	Mary Ellen	Bonner Kiernan Trebach & Crociata, LLP 1233 20th Street, NW, 8th Floor	20036
Levieille	Nicky A.	Citibank 1360 Brentwood Road, NE	20018
Lewis	Yolonda Michele	Allied Universal Security Services 1400 I Street, NW	20005
Makris	Stacy L.	District of Columbia Office of Human Rights 441 4th Street, NW, Suite 570N	20001
Malone	Holly Marie	Forest Glen Corporation 2200 Pennsylvania Avenue, NW, Suite 800W	20037
Marfo	Irene	Bank Fund Staff Federal Credit Union 1725 I Street, NW	20006
Mathis	Michelle	DC Department of Insurance, Securities and Banking 1050 1st Street, NE, Suite 801	20002
Mboutchom	Elizabeth U.	Limno Tech 1015 18th Street, NW, Suite 900	20036

**D.C. Office of the Secretary  
Recommendations for Appointments as DC Notaries Public**

**Effective: May 15, 2018  
Page 7**

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McCarthy	Vicki	International Union of Bricklayers & Allied Craftworkers 620 F Street, NW	20004
McFadden	Regina S.	International Union of Bricklayers & Allied Craftworkers 620 F Street, NW	20004
Meirose	Sarah K.	Ford Motor Company 801 Pennsylvania Avenue, NW, Suite 400	20004
Mendez	Laura B.	Gould Property Company 1725 DeSales Street, NW, Suite 900	20036
Merrill	Tiffany	John I. Hass 5185 MacArthur Boulevard, NW	20016
Miller	Kristine Renee	Wenderoth, Lind & Ponack, LLP 1030 15th Street, NW, Suite 400 East	20005
Mines	Kendra S.	Dynamic Wellness 401 H Street, NE	20002
Miranda	Nancy	Self 2750 14th Street, NW, #205	20009
Moore	Alva C.	Wiley Rein 1776 K Street, NW	20006
Moore	Kierstan L.	District of Columbia Housing Authority - Office of General Counsel 1133 North Capitol Street, NE, Suite 210	20002
Mouneimne	Sawsan	TD Bank 1753 Connecticut Avenue, NW	20009
Narayanan	Om C.	Family Research Council 801 G Street, NW	20001
Nasse	Kenneth	American Bus Association 111 K Street, NE, 9th Floor	20002

**D.C. Office of the Secretary  
Recommendations for Appointments as DC Notaries Public**

**Effective: May 15, 2018  
Page 8**

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Ndayirorere	Chrisa	Bank Fund Staff Federal Credit Union 1725 I Street, NW	20006
Ona	T. Francis	The American Institute of Architects 1735 New York Avenue, NW	20006
Osman	Mazin	TD Bank 801 17th Street, NW	20006
Otcovsky	Anika	EastBanc, Inc. 3307 M Street, NW, #400	20007
Parker	James Lofland	Taurus Renovation & Construction 1341 H Street, NE	20002
Payne	Jacquelyn	First Washington Mortgage 2233 Wisconsin Avenue, NW	20007
Phillips	Lisa G.	The Ferguson Group, LLC 1901 Pennsylvania Avenue, NW, Suite 700	20006
Ponder	Laureen	Duane Morris, LLP 505 9th Street, NW, Suite 1000	20005
Price	J. Neal	The Cohen Group 500 8th Street, NW, Suite 200	20004
Quick	Khadijah M.	District of Columbia Courts 500 Indiana Avenue, NW, Suite 5420	20001
Rababeh	Ali	TD Bank 1753 Connecticut Avenue, NW	20009
Rainge	Kennisha L.	Executive Office of the Mayor 1350 Pennsylvania Avenue, NW	20004
Rentas	Merasi	Wenderoth, Lind & Ponack, LLP 1030 15th Street, NW, Suite 400 East	20005
Richardson	Cathy A.	F.A.C.E.S, LLC 20 Chesapeake Street, SE, Suite 7	20032
Ricks	Inga L.	The George Washington University Hospital 900 23rd Street, NW	20037



**D.C. Office of the Secretary  
Recommendations for Appointments as DC Notaries Public****Effective: May 15, 2018  
Page 9**

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Roberts	Rachel Marie	American College of Obstetricians and Gynecologists 409 12th Street, SW	20024
Robles	Martha	Beauvoir School 3500 Woodley Road, NW	20016
Rohrhofer	Morgan	Wilkinson Walsh + Eskovitz, LLP 2001 M Street, NW, 10th Floor	20036
Rosario	Elizabeth	Consumer Financial Protection Bureau 1700 G Street, NW	20552
Ruble	Nelson S.	SB Works 2316 Rhode Island Avenue, NE	20018
Seals	William	DC Office of Human Rights 441 4th Street, NW, Suite 570N	20001
Sharp	Terry D.	BHHS PenFed Realty 705 North Carolina Avenue, SE	20003
Simmons	Nicole R.	The Literacy Lab 1003 K Street, NW, Suite 500	20001
Skinner	Tonyia A.	Sterne, Kessler, Goldstein & Fox, PLLC 1100 New York Avenue, NW	20005
Smith	Andressa	Bank of America 3 Dupont Circle, NW	20036
Smith	Cynthia L.	World Wildlife Fund, Inc. 1250 24th Street, NW	20037
Stephens	Annemarie	Self 1432 R Street, NW, Suite 400	20009
Stern	Benjamin	Zenetex 2001 L Street, NW	20036
Stokes III	Clement A.	Self 913 Evarts Street, NE	20018

**D.C. Office of the Secretary  
Recommendations for Appointments as DC Notaries Public****Effective: May 15, 2018  
Page 10**

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Stonestreet	Rachel Rebecca	Planet Depos 1100 Connecticut Avenue, NW, Suite 950	20036
Striggles	Gloria S.	MedStar Georgetown University Hospital 2233 Wisconsin Avenue, NW, Suite 500	20007
Thompson	Lakeyia L	Neighborworks American 999 North Capitol Street, NE, SI 900	20002
Todd	Ta Tanya C.	LADDERS & Things DC,LLC 2825 V Street, NE	20018
Torchinsky	Joyce Evelyn	Torchinsky Hebrew Funeral Home 254 Carroll Street, NW	20012
Torry	Marriett	Wells Fargo Advisors 1300 I Street, NW, 11th floor	20005
White	Jacqueline W.	Events DC (Washington Convention Center) 801 Mount Vernon Place, NW	20001
Williams	Kelli T.	Logan Title, LLC 631 Pennsylvania Avenue, SE	20003
Wilson	Karen L.	Greater Washington Urban League, Inc. 2901- 14th Street, NW	20009
Wilson	Kathleen S.	CRC Salomon 1775 I Street, NW, Suite 1150	20006
Wise	Kelly L.	SOS Children's Villages- USA, Inc. 1620 I Street, NW, Suite 900	20006
Yardeny	Caitlin	Ron Transatlantic Advisors, LLC 601 13th Street, NW, 11th Floor South	20005

## DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

## BOARD OF DIRECTORS

## NOTICE OF PUBLIC MEETING

The Board of Directors of the District of Columbia Water and Sewer Authority (DC Water) will be holding a meeting on Thursday, May 3, 2018 at 9:30 a.m. The meeting will be held in the Board Room (4<sup>th</sup> floor) at 5000 Overlook Avenue, S.W., Washington, D.C. 20032. Below is the draft agenda for this meeting. A final agenda will be posted to DC Water’s website at [www.dewater.com](http://www.dewater.com).

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

## DRAFT AGENDA

- |  |                       |
|--|-----------------------|
| 1. <b>Call to Order</b>                              | Board Chairman        |
| 2. <b>Roll Call</b>                                  | Board Secretary       |
| 3. <b>Approval of April 5, 2018 Meeting Minutes</b>  | Board Chairman        |
| 4. <b>Committee Reports</b>                          | Committee Chairperson |
| 5. <b>General Manager’s Report</b>                   | General Manager       |
| 6. <b>Action Items</b><br>Joint-Use<br>Non Joint-Use | Board Chairman        |
| 7. <b>Other Business</b>                             | Board Chairman        |
| 8. <b>Adjournment</b>                                | Board Chairman        |

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

**Application No. 13902-A of McDonald’s Corporation**, pursuant to 11 DCMR Subtitle Y § 703, for a modification of consequence to the conditions of BZA Order No. 13902 regarding parking requirements, to permit a fast food restaurant in the C-2-C District at premises 1916 M Street N.W. (Square 117, Lot 82).

The original application (No. 13902) was pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Sub-section 7205.3 to permit required off-street parking spaces serving a restaurant to be located elsewhere than on the site where the structure is located for a proposed addition and conversion of an office building to be used as a restaurant in a C-3-C District, at premises 1916 M Street, N.W. (Square 117, Lot 862).<sup>1</sup>

<b>HEARING DATE</b> (Case No. 13902):	January 26, 1983
<b>DECISION DATE</b> (Case No. 13902):	February 2, 1983
<b>ORDER ISSUANCE DATE</b> (Case No. 13902):	May 23, 1983
<b>MODIFICATON DECISION DATE:</b>	April 4, 2018

**SUMMARY ORDER ON REQUEST FOR MODIFICATION OF CONSEQUENCE**

**BACKGROUND**

On February 2, 1983, in Application No. 13902, the Board of Zoning Adjustment (“Board” or “BZA”) approved the request by McDonald’s Corporation (the “Applicant”) for a special exception pursuant to §§ 7205.3 and 8207.2 of the 1958 Zoning Regulations, to permit the required accessory off-street parking spaces serving the Applicant’s restaurant to be located elsewhere than on the site where the structure is located in a C-3-C District, at premises 1916 M Street, N.W. (Square 117, Lot 862). In that approval, the Board granted special exception relief to provide, off-site, the three accessory parking spaces that were required by the 1958 Zoning Regulations for the Applicant’s employees. The Board issued Order No. 13902 on May 23, 1983. The approval in Case No. 13902 was subject to three conditions:

1. Three parking spaces located in the parking garage of the building at 1911 M Street, N.W. shall be reserved for the exclusive use of the customers and

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<sup>1</sup> The original application was filed under the Zoning Regulations (Title 11, DCMR) which were then in effect (the “1958 Zoning Regulations”) but which were repealed on September 6, 2016 and replaced with new text of Title 11, DCMR (the “2016 Regulations”). Also, all of the zone district names have been changed in the 2016 Zoning Regulations. In this case, the Lot No. also changed some time after Order No. 13902 was issued. Other than the description of the original application and its caption, the other references in this Order to provisions contained in Title 11 DCMR are to the 2016 Regulations. The repeal of the 1958 Regulations and change of zone district name has no effect on the validity of the Board’s decision in Application No. 13902 or the validity of this order.

employees of McDonald’s restaurant and shall be available and accessible for McDonald’s use at all times that the restaurant is open.

2. A sign indicating that the existence and location of a limited number of accessory parking spaces shall be conspicuously displayed in the window of the McDonald’s restaurant.
3. The certificate of occupancy for the restaurant use shall be issued for a period of time not to exceed the term of the lease for the accessory parking space.

(Exhibit 3.)

### **MOTION FOR MODIFICATION OF CONSEQUENCE**

On February 19, 2018, the Applicant submitted a request for a modification of consequence to the eliminate the conditions approved by the Board in Order No. 13902 (the “Order”). (Exhibits 1-6.) Pursuant to 11 DCMR Subtitle Y § 703, the Applicant is requesting that the Order be modified or extinguished to permit the Applicant to operate under the 2016 Zoning Regulations, which do not require accessory parking spaces in the D zones.

In the Order, the Board approved relief for three accessory parking spaces that were required under the then applicable Zoning Regulations to be located off site from the lot on which the restaurant was located, subject to three conditions. (Exhibit 3.) A special exception from §§ 7205.3 and 8207.2 of the 1958 Zoning Regulations (11 DCMR) was proposed and approved by the Board, with the support of the Office of Planning (“OP”) for conditional approval. The affected Advisory Neighborhood Commission (“ANC”), ANC 2B made no recommendation at that time.

As noted, the original application was filed under the Zoning Regulations (Title 11, DCMR) which were then in effect (the “1958 Zoning Regulations”) but which were repealed on September 6, 2016 and replaced with new text of Title 11, DCMR (the “2016 Regulations”). When the Board approved the zoning relief in 1983, the accessory parking spaces were required for the Applicant’s employees. The Applicant no longer intends to provide any off-site parking spaces and requests the Board’s approval to eliminate the conditions in the Order, for the reason that the accessory parking spaces are not required for the use under the 2016 Zoning Regulations. (Exhibit 1.)

#### *The Merits of the Request for Modification of Consequence*

The Applicant’s request complies with 11 DCMR Subtitle Y § 703.4, which defines a modification of consequence as a “proposed change to a condition cited by the Board in the final order, or a redesign or relocation of architectural elements and open spaces from the final design approved by the Board.”

In the application herein, the Applicant is requesting a modification of consequence to the Order as the Applicant is requesting that the Order be modified or extinguished to allow the Applicant to operate under the 2016 Zoning Regulations whereby the accessory parking spaces that were the subject of the Board's approval in Case No. 13902 would no longer be required. With this modification, the Applicant now seeks the Board's approval in having its accessory parking requirement be governed by the 2016 Zoning Regulations, which do not require accessory parking in this location.

Pursuant to Subtitle Y §§ 703.8-703.9, the request for a modification of consequence shall be served on all other parties to the original application and those parties are allowed to submit comments within 10 days after the request has been filed with the Office of Zoning and served on all parties. The Applicant provided proper and timely notice of the request for modification of consequence to Advisory Neighborhood Commission ("ANC") 2B, the only other party to Application No. 13902. (Exhibit 7.) ANC 2B submitted a report dated March 19, 2018, in support of the Applicant's request for a modification to the Order. The ANC's report stated that at a duly noticed, properly scheduled public meeting on March 14, 2018, at which a quorum was in attendance, the ANC voted 6-0-0 to recommend approval of the Applicant's request for modification of its original approval. (Exhibit 9.)

The Applicant also served its request on the Office of Planning ("OP"). OP submitted a report dated March 23, 2018, recommending approval of the requested modification. OP noted that the modification would be consistent with the intent of the 2016 Zoning Regulations for the Downtown zones and encouraged the Applicant to continue to pay for its employees' transit benefits. (Exhibit 10.)

As directed by 11 DCMR Subtitle Y § 703.4, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case for a modification of consequence. Based upon the record before the Board and having given great weight to the ANC and OP reports filed in this case, the Board concludes that in seeking a modification of consequence to the special exception relief approved in Case No. 13902 the Applicant has met its burden of proof under 11 DCMR Subtitle Y § 703, that the proposed modification has not changed any material facts upon which the Board based its decision on the underlying application that would undermine its approval.

As noted, the only parties to the case were the ANC and the Applicant. Accordingly, a decision by the Board to grant request would not be adverse to any party and therefore an order containing full finding of facts and conclusions of law need not be issued pursuant to D.C. Official Code § 2-509(c) (2012 Repl.). Therefore, pursuant to 11 DCMR Subtitle Y § 101.9, the Board has determined to waive the requirement of 11 DCMR Subtitle Y § 604.3, that the order of the Board be accompanied by findings of fact and conclusions of law. The waiver will not prejudice the rights of any party and is appropriate in this case.

It is therefore **ORDERED** that this application for modification of consequence of the Board's approval in Application No. 13902 is hereby **GRANTED, ELIMINATING ALL CONDITIONS**.

BZA APPLICATION NO. 13902-A

PAGE NO. 3

In all other respects, Order No. 13902 remains unchanged.

**VOTE ON ORIGINAL APPLICATION ON FEBRUARY 2, 1983: 4-0**

(Carrie L. Thornhill, Walter B. Lewis, William F. McIntosh, and Charles R. Norris to GRANT;  
Douglas J. Patton not voting.)

**VOTE ON MODIFICATION OF CONSEQUENCE ON APRIL 4, 2018: 4-0-1**

(Anthony J. Hood, Carlton E. Hart, Lorna L. John, and Lesylleé M. White to APPROVE;  
Frederick L. Hill, 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:** April 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.

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

**Application No. 19684 of C&S Development, LLC**, as amended<sup>1</sup>, pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception pursuant to the inclusionary zoning dimensional modifications of Subtitle C § 1002.2, to subdivide the existing lot into three new lots and construct three flats in the RF-1 Zone at premises 2610 4th Street N.E. (Square 3551, Lot 801).

**HEARING DATES:** February 7, February 28, and March 28, 2018<sup>2</sup>  
**DECISION DATE:** April 4, 2018

**SUMMARY ORDER**

**SELF-CERTIFIED**

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2. (Exhibits 13 (original) and 50 (revised).) In granting the certified relief, the Board of Zoning Adjustment ("Board" or "BZA") made no finding that the relief is either necessary or sufficient. Instead, the Board expects the Zoning Administrator to undertake a thorough and independent review of the building permit and certificate of occupancy applications filed for this project and to deny any application for which additional or different zoning relief is needed.

The Board provided proper and timely notice of the public hearing on this application by publication in the *D.C. Register* and by mail to Advisory Neighborhood Commission ("ANC") 5E and to owners of property located within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 5E, which is automatically a party to this application. The ANC did not submit a report or participate in the hearing. The Applicant's agent testified on March 28, 2018 that although they had been in contact with the ANC, the ANC had removed or postponed the case from its docket multiple times.

The Office of Planning ("OP") submitted a report dated February 16, 2018, in which it recommended approval with conditions of the request for special exception of the Inclusionary Zoning ("IZ") dimensional modifications to minimum lot width under Subtitle C § 1002.2, but denial of the request for rear addition relief under Subtitle E § 205.5. In response to OP's recommendation, the Applicant revised the plans and amended the application to withdraw the request for rear addition relief, making OP's objections moot.

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<sup>1</sup> The original request included a request for special exception relief for rear addition under Subtitle E § 205.5 (Self-Certification, Exhibit 13), but that relief was withdrawn. (Revised Self-Certification, Exhibit 50.)

<sup>2</sup> This case was originally scheduled for a public hearing on February 7, 2018. That hearing was postponed at the Applicant's request to February 28 and March 28, 2018 in order to allow the Applicant to attend the ANC 5E March meeting. (Exhibit 37.) The Office of Planning supported the request to postpone. (Exhibit 32.) The case was heard on March 28, 2018 and scheduled for decision on April 4, 2018 to allow the Applicant to submit an amended application and revised plans.



The District Department of Transportation (“DDOT”) submitted a timely report indicating that it had no objection to the grant of the application. (Exhibit 30.)

Two letters of support for the application from adjacent neighbors were submitted to the record. (Exhibits 36 and 40.)

A letter in opposition to the application from an Edgewood resident was submitted to the record. (Exhibit 29.)

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 pursuant to the inclusionary zoning dimensional modifications of Subtitle C § 1002.2, to subdivide the existing lot into three new lots and construct three flats in the RF-1 Zone. No parties appeared at the public hearing in opposition to this application. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

The Board is required to give great weight to the recommendation of the Office of Planning (D.C. Official Code § 6-623.04 (2001).) Great weight means acknowledgement of the issues and concerns of the Office of Planning. As noted in this Order, OP recommended approval of the recommended approval with conditions of the request for special exception of the IZ dimensional modifications to minimum lot width under Subtitle C § 1002.2, but denial of the request for rear addition relief under Subtitle E § 205.5. In response to OP’s recommendation, the Applicant revised the plans and amended the application to withdraw the request for rear addition relief, rendering OP’s objections moot.

The Board is also required to give great weight to issues and concerns raised by the affected ANC (D.C. Official Code § 1-309.10(d).) ANC 5E did not submit a report or otherwise participate in the case. Thus, there was nothing to which to give great weight.

Based upon the record before the Board and having given great weight to the OP report, the Board concludes that the Applicant has met the burden of proof, pursuant to 11 DCMR Subtitle X § 901.2, and Subtitle C § 1002.2, 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 REVISED PLANS AT EXHIBITS 46-47.**

**VOTE:**           **4-0-1** (Carlton E. Hart, Lesylleé M. White, Lorna L. John, and Robert E. Miller (by absentee ballot), to APPROVE; Frederick L. Hill, 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:** April 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.

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

**BZA APPLICATION NO. 19684**

**PAGE NO. 3**

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. 19709 of Focus Works, LLC**, pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception under Subtitle D §§ 306.4 and 5201 from the rear addition requirements of Subtitle D § 306.3, and pursuant to Subtitle X, Chapter 10, for a use variance from the nonconforming use requirements of Subtitle C § 204.1, to construct a rear addition to an existing four-unit apartment house in the R-3 Zone at premises 411 Mellon Street, S.E. (Square 5996, Lot 52).

**HEARING DATE:** April 4, 2018

**DECISION DATE:** April 4, 2018

**SUMMARY ORDER**

**SELF-CERTIFICATION**

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR Subtitle Y § 300.6.<sup>1</sup> (Exhibit 14.) 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") 8C and to owners of property located within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 8C, which is automatically a party to this application. The ANC did not submit a report related to the application. The ANC 8C Chairperson testified on her own behalf at the public hearing, expressing support of the application.

The Office of Planning ("OP") submitted a timely report recommending approval of the application. (Exhibit 38.)

The District Department of Transportation ("DDOT") submitted a timely report indicating that it had no objection to the grant of the application. (Exhibit 37.)

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<sup>1</sup> The initial application was accompanied by a memorandum, dated August 9, 2018, from the Zoning Administrator ("ZA"), certifying the required relief. (Exhibit 8.) The ZA indicated that the application would require use variance (Subtitle C § 204.1), area variance (Subtitle D § 304.1), and special exception relief (Subtitle D § 306.4). However, prior to public notice of the application, the Applicant submitted a revised Burden of Proof statement (Exhibits 11, 15) and a self-certification form (Exhibit 14) eliminating the area variance relief from the request. Therefore, the zoning relief requested in this case was self-certified for relief noted in the caption.

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 a use variance from the nonconforming use requirements of Subtitle C § 204.1, to construct a rear addition to an existing four-unit apartment house in the R-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 averse to any party.

Based upon the record before the Board, and having given great weight to the OP report filed in this case, the Board concludes that in seeking a variance from 11 DCMR Subtitle C § 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 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.

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 Subtitle D §§ 306.4 and 5201 from the rear addition requirements of Subtitle D § 306.3. 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 report, the Board concludes that the Applicant has met the burden of proof, pursuant to 11 DCMR Subtitle X § 901.2, and Subtitle D §§ 306.4, 5201, and 306.3, that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board further concludes that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map.

Pursuant to 11 DCMR Subtitle Y § 101.9, the Board has determined to waive the requirement of 11 DCMR Subtitle Y § 604.3, that the order of the Board be accompanied by findings of fact and conclusions of law. The waiver will not prejudice the rights of any party and is appropriate in this case.

It is therefore **ORDERED** that this application is hereby **GRANTED AND, PURSUANT TO SUBTITLE Y § 604.10, SUBJECT TO THE APPROVED PLANS AT EXHIBIT 6 – ARCHITECTURAL PLANS AND ELEVATIONS.**

**VOTE: 4-0-1** (Carlton E. Hart, Lorna L. John, Lesylleé M. White, and Anthony J. Hood to APPROVE; Frederick L. Hill 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:** April 9, 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.

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

BZA APPLICATION NO. 19709

PAGE NO. 3

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. 19715 of Joseph McNamara and Meg Booth**, pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception under Subtitle E § 5201 from the side yard requirements of Subtitle E § 307.4 to construct a third-story and rear addition to an existing one-family dwelling in the RF-1 Zone at premises 1612 E Street, S.E. (Square 1090, Lot 804).<sup>1</sup>

**HEARING DATE:** April 4, 2018

**DECISION DATE:** April 4, 2018

**SUMMARY ORDER**

**SELF-CERTIFICATION**

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR Subtitle Y § 300.6. (Exhibit 8.) In granting the certified relief, the Board of Zoning Adjustment ("Board" or "BZA") made no finding that the relief is either necessary or sufficient. Instead, the Board expects the Zoning Administrator to undertake a thorough and independent review of the building permit and certificate of occupancy applications filed for this project and to deny any application for which additional or different zoning relief is needed.

The Board provided proper and timely notice of the public hearing on this application by publication in the *D.C. Register* and by mail to Advisory Neighborhood Commission ("ANC") 6B and to owners of property located within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 6B, which is automatically a party to this application. The ANC submitted a report recommending approval of the application. The ANC's report indicated that at a regularly scheduled, properly noticed public meeting on March 13, 2018, at which a quorum was present, the ANC voted 5-0-1 to support the application, raising no issues or concerns. (Exhibit 45.) The ANC noted the support from the neighbors at 1614 E Street, S.E. as well as the opposition of the owner abutting the property at 1610 E Street, S.E.

The Office of Planning ("OP") submitted a timely report recommending approval of the application. (Exhibit 40.)

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<sup>1</sup> The application was originally filed as an expedited review case (Exhibit 2), and it was scheduled for decision at the Public Meeting of March 28, 2018. However, a letter from the adjacent neighbor at 1610 E Street, S.E., dated March 11, 2018 (Exhibit 37) was filed into the record requesting that the application be removed from the Expedited Review Calendar, a request which the Applicant opposed. (Exhibit 42.) The removal request was administratively granted by the Board's Chairman and a hearing was scheduled for April 4, 2018. (See Memo to File dated March 22, 2018, Exhibit 43.)



The District Department of Transportation (“DDOT”) submitted a timely report indicating that it had no objection to the grant of the application. (Exhibit 39.)

Three letters of support were submitted by neighbors at 1603, 1614, and 1616 E Street, S.E. (Exhibits 35, 34, and 36 respectively.)

The adjacent neighbor at 1610 E Street, S.E. submitted a letter in opposition to the application (Exhibit 31), and testified in opposition to the application at the hearing.

As directed by 11 DCMR Subtitle X § 901.3, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to Subtitle X § 901.2, for a special exception under Subtitle E § 5201 from the side yard requirements of Subtitle E § 307.4 to construct a third-story and rear addition to an existing one-family dwelling 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 this application. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board and having given great weight to the OP and ANC reports, the Board concludes that the Applicant has met the burden of proof, pursuant to 11 DCMR Subtitle X § 901.2, and Subtitle E §§ 5201 and 307.4, that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board further concludes that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map.

Pursuant to 11 DCMR Subtitle Y § 101.9, the Board has determined to waive the requirement of 11 DCMR Subtitle Y § 604.3, that the order of the Board be accompanied by findings of fact and conclusions of law. The waiver will not prejudice the rights of any party and is appropriate in this case.

It is therefore **ORDERED** that this application is hereby **GRANTED AND, PURSUANT TO SUBTITLE Y § 604.10, SUBJECT TO THE APPROVED PLANS AT EXHIBIT 14 - ARCHITECTURAL PLANS AND ELEVATIONS.**

**VOTE: 4-0-1** (Carlton E. Hart, Leslylé M. White, Lorna L. John, and Anthony J. Hood to APPROVE; Frederick L. Hill not participating, 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:** April 10, 2018

BZA APPLICATION NO. 19715  
PAGE NO. 2

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

PURSUANT TO 11 DCMR SUBTITLE Y § 702.1, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSE OF SECURING A BUILDING PERMIT, OR THE APPLICANT FILES A REQUEST FOR A TIME EXTENSION PURSUANT TO SUBTITLE Y § 705 PRIOR TO THE EXPIRATION OF THE TWO-YEAR PERIOD AND THE REQUEST IS GRANTED. PURSUANT TO SUBTITLE Y § 703.14, NO OTHER ACTION, INCLUDING THE FILING OR GRANTING OF AN APPLICATION FOR A MODIFICATION PURSUANT TO SUBTITLE Y §§ 703 OR 704, SHALL TOLL OR EXTEND THE TIME PERIOD.

PURSUANT TO 11 DCMR SUBTITLE Y § 604, APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT.

IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE § 2-1401.01 *ET SEQ.* (ACT), THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, GENETIC INFORMATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.

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

**Application No. 19725 of 1169 Neal Street, LLC**, pursuant to 11 DCMR Subtitle X, Chapter 10, for an area variance from the side yard requirements of Subtitle E § 307.1, to construct a new flat in the RF-1 zone at premises 1169 Neal Street N.E. (Square 4065, Lot 801).

**HEARING DATE:** April 4, 2018

**DECISION DATE:** April 4, 2018

**SUMMARY ORDER**

**SELF-CERTIFICATION**

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR Subtitle Y § 300.6. (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") 5D and to owners of property located within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 5D, 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 13, 2018, at which a quorum was present, the ANC voted 6-0-1 to support the application. (Exhibit 47.)

The Office of Planning ("OP") submitted a timely report, dated March 16, 2018, in support of the application. (Exhibit 42.) The District Department of Transportation ("DDOT") submitted a timely report, dated March 15, 2018, expressing no objection to the approval of the application. (Exhibit 41.)

Five neighbors submitted letters in support of the application. (Exhibits 31-35.) There was a letter in opposition from Melina Afzal, a neighbor residing at 1212 Montello Avenue, N.E.

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 side yard requirements of Subtitle E § 307.1, to construct a new 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 a variance from 11 DCMR Subtitle E § 307.1, the Applicant has met the burden of proof under 11 DCMR Subtitle X § 1002.1, that there exists an exceptional or extraordinary situation or condition related to the property that creates a practical difficulty for the owner in complying with the Zoning Regulations, and that the relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map.

Pursuant to 11 DCMR Subtitle Y § 101.9, the Board has determined to waive the requirement of 11 DCMR Subtitle Y § 604.3, that the order of the Board be accompanied by findings of fact and conclusions of law. The waiver will not prejudice the rights of any party and is appropriate in this case.

It is therefore **ORDERED** that this application is hereby **GRANTED AND, PURSUANT TO SUBTITLE Y § 604.10, SUBJECT TO THE APPROVED PLANS AT EXHIBIT 12.**

**VOTE:** 4-0-1 (Carlton E. Hart, Lorna L. John, Lesylleé M. White, and Anthony J. Hood to APPROVE; Frederick L. Hill 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:** April 11, 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. 19725**

**PAGE NO. 2**

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.

**District of Columbia REGISTER – April 20, 2018 – Vol. 65 - No. 16 004278 – 004599**