



***District of Columbia***

**REGISTER**

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**HIGHLIGHTS**

- D.C. Council schedules a public hearing on Bill 22-777, Pathways to District Government Careers Act of 2018
- D.C. Council schedules a public hearing on Bill 22-0805, Veterans Cyber Academy Pilot Program Act of 2018 and Bill 22-0806, Veterans Emergency Food Program Act of 2018
- D.C. Council schedules a public oversight roundtable on the “Department of Corrections and Unauthorized Inmate Releases”
- D.C. Board of Elections establishes rules governing the use of electronic petitions
- Board of Elections publishes final polling place relocations for Precinct 8, Ward 3 and Precinct 29, Ward 3
- Office of the State Superintendent of Education announces funding availability for the DC School Garden Grant
- Office of the State Superintendent of Education announces funding availability for the SAT and ACT Preparation Expansion Grant for School Year 2018-2019
- D.C. Water and Sewer Authority updates the Fire Protection Service Fee

# DISTRICT OF COLUMBIA REGISTER

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MAYOR

VICTOR L. REID, ESQ.  
ADMINISTRATOR

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AN ACT

**D.C. ACT 22-345**

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

**MAY 9, 2018**

To amend the Telehealth Reimbursement Act of 2013 to expand the scope of reimbursable telehealth services covered by Medicaid, to clarify that all categories of Medicaid recipients are eligible for telehealth services, to establish eligibility and prior authorization requirements for remote patient monitoring services, to require operational standards and establish conditions of payment for remote patient monitoring services, to establish fees for remote patient monitoring services, to establish facility fees for telehealth services, to require the Mayor to seek the approval of the Centers for Medicare and Medicaid Services for any amendments to the District’s Medicaid State Plan necessary to implement the act, and to require the Department of Health Care Finance to issue rules.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Telehealth Medicaid Expansion Amendment Act of 2018”.

Sec. 2. The Telehealth Reimbursement Act of 2013, effective October 17, 2013 (D.C. Law 20-26; D.C. Official Code § 31-3861 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 31–3861) is amended to read as follows:

“Sec. 2. Definitions.

“For the purposes of this act, the term:

“(1) “Asynchronous store and forward” means the transmission of a patient’s medical information via a telecommunications system from an originating site to a provider at a distant site.

“(2) “Department” means the Department of Health Care Finance

“(3) “Department of Behavioral Health certified provider” shall have the same meaning as the term “core services agency” as provided in section 102(3) of the Department of Mental Health Establishment Amendment Act of 2001, effective December 18, 2001 (D.C. Law 14-56; D.C. Official Code § 7-1131.02(3)).

“(4) “Distant site” means a site where a provider is located while delivering health care services to a patient through telehealth, and shall include a:

“(A) Hospital, nursing facility, federally qualified health center, or clinic;

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“(B) Physician or nurse practitioner group;  
“(C) Physician or nurse practitioner office;  
“(D) District of Columbia public school or District of Columbia public charter school;

“(E) Department of Behavioral Health certified provider, home care agency, or hospice; or

“(F) Other locations as determined by the Director of the Department through rules issued pursuant to section 4e.

“(5) “Facility fee” means the reimbursement issued by the Department to an originating site for health care services delivered through telehealth.

“(6) “Federally qualified health center” shall have the same meaning as provided in section 1861(aa)(4) of the Social Security Act, approved August 14, 1935 (79 Stat. 313; 42 U.S.C. § 1395x(aa)(4)).

“(7) “Health benefits plan” shall have the same meaning as provided in section 2(4) of the Prompt Pay Act of 2002, effective July 23, 2002 (D.C. Law 14-176; D.C. Official Code § 31-3131(4)).

“(8) “Health insurer” shall have the same meaning as provided in section 2(5) of the Prompt Pay Act of 2002, effective July 23, 2002 (D.C. Law 14-176; D.C. Official Code § 31-3131(5)).

“(9) “Home care agency” shall have the same meaning as provided in section 2(a)(7) of the Health-Care and Community Residence Facility, Hospice and Home Care Licensure Act of 1983, effective February 24, 1984 (D.C. Law 5-48; D.C. Official Code § 44-501(a)(7)).

“(10) “Hospice” shall have the same meaning as provided in section 2(a)(6) of the Health-Care and Community Residence Facility, Hospice and Home Care Licensure Act of 1983, effective February 24, 1984 (D.C. Law 5-48; D.C. Official Code § 44-501(a)(6)).

“(11) “Hospital” shall have the same meaning as provided in section 2(a)(1) of the Health-Care and Community Residence Facility, Hospice and Home Care Licensure Act of 1983, effective February 24, 1984 (D.C. Law 5-48; D.C. Official Code § 44-501(a)(1)).

“(12) “Medication adherence management services” means the monitoring of a patient’s conformance with a provider’s medication plan with respect to timing, dosing, and frequency of medication-taking through telehealth.

“(13) “Nursing home” shall have the same meaning as provided in section 2(a)(3) of the Health-Care and Community Residence Facility, Hospice and Home Care Licensure Act of 1983, effective February 24, 1984 (D.C. Law 5-48; D.C. Official Code § 44-501(a)(3)).

“(14) “Originating site” means a site where a patient is located at the time health care services are delivered through telehealth, and shall include a:

- “(A) Hospital, nursing home, federally qualified health center, or clinic;
- “(B) Physician or nurse practitioner group;
- “(C) Physician or nurse practitioner office;

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“(D) District of Columbia public school or District of Columbia public charter school;

“(E) Department of Behavioral Health certified provider, home care agency, hospice, or university health center;

“(F) Patient’s home; or

“(G) Other locations as determined by the Director of the Department through rules issued pursuant to section 4e.

“(15) “Provider” shall have the same meaning as provided in section 2(7) of the Prompt Pay Act of 2002, effective July 23, 2002 (D.C. Law 14-176; D.C. Official Code § 31-3131(7)).

“(16) “Remote patient monitoring services” means the collection and transmission of personal health information and medical data from a patient at an originating site to a provider at a distant site for use in the treatment and management of chronic medical conditions.

“(17) “Synchronous interaction” means a real-time interaction between a patient at an originating site and a provider at a distant site.

“(18) “Telehealth” means the delivery of health care services, including services provided via synchronous interaction and asynchronous store-and-forward, through the use of interactive audio, video, or other electronic media used for the purpose of diagnosis, consultation, remote patient monitoring, or treatment. The term “telehealth” shall not include services delivered through audio-only telephones, electronic mail messages, or facsimile transmissions.

(b) Section 4 (D.C. Official Code § 31–3863) is amended as follows:

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

(2) The newly designated subsection (a) is amended to read as follows:

“(a) Medicaid shall cover and reimburse for health care services delivered through telehealth if:

“(1) The health care services are covered when delivered in person; or

“(2) The health care services are covered under the District’s Medicaid State Plan and any implementing regulations, including:

“(A) Evaluation, consultation, and management;

“(B) Behavioral health care services, including psychiatric evaluation and treatment, psychotherapies, substance abuse assessment, and counseling;

“(C) Diagnostic, therapeutic, interpretative, and rehabilitation services;

“(D) Medication adherence management services;

“(E) Remote patient monitoring, subject to prior authorization by the Department; and

“(F) Any other service as authorized by the Director of the Department through rules issued pursuant to section 4e.”.

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

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“(b) Reimbursements issued to a provider at a distant site for professional services shall not be shared with a referring provider at an originating site.

“(c) To be eligible for Medicaid reimbursement pursuant to this act, a telehealth provider shall utilize the reimbursement codes designated for telehealth by the Department.

“(d) All Medicaid recipients, including individuals who receive services on either a fee for service basis or through a health benefit plan provided by a health insurer under contract with the Department shall be eligible to receive health care services delivered through telehealth, pursuant to this act.”

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

“Sec. 4a. Remote patient monitoring service providers; payment.

“(a) A provider engaged in the provision of remote patient monitoring services delivered through telehealth shall establish protocols governing the:

“(1) Authentication and authorization of patients;

“(2) Process for monitoring, tracking, and responding to changes in a patient’s clinical condition;

“(3) Acceptable and unacceptable parameters for a patient’s clinical condition;

“(4) Response of monitoring staff to abnormal parameters of a patient’s vital signs, symptoms, or lab results;

“(5) Process for notifying the patient’s provider of significant changes in the patient’s clinical condition;

“(6) Prevention of unauthorized access to the provider’s information-technology systems;

“(7) Provider’s compliance with the security and privacy requirements of the Health Insurance Portability and Accountability Act of 1996, approved August 21, 1996 (110 Stat. 1936; 42 U.S.C. § 1320d *et seq.*);

“(8) Storage, maintenance, and transmission of patient information;

“(9) Synchronization and verification of patient data, as appropriate; and

“(10) Notification of the patient’s discharge from remote patient monitoring services.

“(b) To receive payment for remote patient monitoring services delivered through telehealth, a provider shall:

“(1) Assess and monitor a patient’s clinical data, including appropriate vital signs, pain levels, other biometric measures specified in the plan of care, and the patient’s response to prior changes in the plan of care;

“(2) Assess changes, if any, in the condition of the patient observed during the course of remote patient monitoring that may indicate the need for a change in the plan of care; and

“(3) Develop and implement a patient plan addressing:

“(A) Management and evaluation of the plan of care, including changes in visit frequency or addition of other health care services;

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“(B) Coordination of care regarding telehealth findings; and

“(C) Coordination and referral to other providers, as needed.

“(c) The equipment used by a provider to deliver remote patient monitoring services through telehealth shall:

“(1) Be maintained in good repair and kept free from safety hazards;

“(2) Be newly purchased or, if previously used, sanitized before installation in the patient’s home;

“(3) Accommodate non-English language options; and

“(4) Provide technical and clinical support services to the patient user.

“Sec. 4b. Right to synchronous interaction.

“(a) A patient receiving asynchronous store and forward health care services delivered through telehealth shall have the right to interact with a provider via synchronous interaction.

“(b) Providers shall give notice of the right described in subsection (a) of this section to a patient at the time the asynchronous store and forward health care services are delivered through telehealth.

“(c) If, for any reason, the provider is unable to provide a patient with a synchronous interaction within 30 days of the patient’s request for such, the provider shall not be reimbursed for any asynchronous store and forward health care services delivered through telehealth that were previously provided to the patient.

“Sec. 4c. Facility fees.

“(a) For health care services delivered through telehealth during the period between October 1, 2018, and October 1, 2019, an originating site shall receive a payment from the Department equivalent to the lesser of the reimbursement paid by the Department to a provider or the originating site facility fee of \$25.

“(b) Beginning October 2, 2019, the facility fee for the originating site shall be determined in accordance with the Medicare Economic Index, as determined by the United States Centers for Medicaid and Medicaid Services.

“(c) A distant site provider shall not bill for or receive payment for facility fees associated with health care services delivered through telehealth.

“(d) A provider of remote patient monitoring services shall not be eligible to receive facility fees.

“Sec. 4d. Federal authorization.

“By January 1, 2019, the Mayor shall seek the approval of the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services for any amendments to the Medicaid State Plan necessary to implement this act.

“Sec. 4e. Rules.

Within 180 days after the effective date of the Telehealth Medicaid Expansion Amendment Act of 2018, passed on 2nd reading on April 10, 2018 (Enrolled version of Bill 22-233), the Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act,

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approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), shall issue rules to implement the provisions of this act.”.

Sec. 3. 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. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

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

\_\_\_\_\_  
UNSIGNED  
Mayor  
District of Columbia  
May 7, 2018

**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****PROPOSED RESOLUTIONS**

PR22-854      University of the District of Columbia, Multiyear License Agreement Contract No. GF-2018-C-0031, between UDC-TV and Ambrose Video Publishing, Inc. Approval Resolution of 2018

Intro. 5-9-18 by Chairman Mendelson at the request of the University of the District of Columbia and Retained by the Council with comments from the Committee of the Whole

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PR22-855      Board of Massage Therapy Johanna Brooks Confirmation Resolution of 2018

Intro. 5-10-18 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Health

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PR22-856      Board of Pharmacy Benjamin E. Miles Confirmation Resolution of 2018

Intro. 5-11-18 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Health

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PR22-857      Board of Medicine Christopher Raczynski Confirmation Resolution of 2018

Intro. 5-11-18 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Health

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

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

**ANNOUNCES A PUBLIC HEARING ON**

**BILL 22-0472, THE “PROTECTION FROM SEXUAL EXTORTION AMENDMENT ACT OF 2017”**

**BILL 22-0628, THE “REVISED SYNTHETICS ABATEMENT AND FULL ENFORCEMENT DRUG CONTROL AMENDMENT ACT OF 2017”**

**Wednesday, July 11, 2018, 9:30 a.m.**  
**Room 123, John A. Wilson Building**  
**1350 Pennsylvania Avenue, N.W.**  
**Washington, D.C. 20004**

On Wednesday, July 11, 2018, Councilmember Charles Allen, Chairperson of the Committee on the Judiciary and Public Safety, will hold a public hearing on Bill 22-0472, the “Protection from Sexual Extortion Amendment Act of 2017”, and Bill 22-0628, the “Revised Synthetics Abatement and Full Enforcement Drug Control Amendment Act of 2017”. The hearing will take place in Room 123 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., at 9:30 a.m.

The stated purpose of Bill 22-0472, the “Protection from Sexual Extortion Amendment Act of 2017”, is to expand the definition of criminal extortion to encompass conduct such as sexual extortion.

The stated purpose of Bill 22-0628, the “Revised Synthetics Abatement and Full Enforcement Drug Control Amendment Act of 2017”, is to amend the District of Columbia Uniform Controlled Substances Act of 1981 to add certain classes and substances to the list of Schedule I controlled substances.

The Committee invites the public to testify or to submit written testimony. Anyone wishing to testify at the hearing should contact the Committee via email at [judiciary@dccouncil.us](mailto:judiciary@dccouncil.us) or at (202) 724-7808, and provide their name, telephone number, organizational affiliation, and title (if any), by **close of business Friday, July 6**. Representatives of organizations will be allowed a



maximum of five minutes for oral testimony, and individuals will be allowed a maximum of three minutes. Witnesses should bring **twenty double-sided copies** of their written testimony and, if possible, also submit a copy of their testimony electronically in advance to [judiciary@dccouncil.us](mailto:judiciary@dccouncil.us).

For witnesses who are unable to testify at the hearing, written statements will be made part of the official record. Copies of written statements should be submitted to the Committee at [judiciary@dccouncil.us](mailto:judiciary@dccouncil.us). **The record will close at the end of the business day on July 25.**

COUNCIL OF THE DISTRICT OF COLUMBIA  
COMMITTEE ON LABOR AND WORKFORCE DEVELOPMENT  
NOTICE OF PUBLIC HEARING

1350 Pennsylvania Avenue, NW, Washington, DC 20004

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**CHAIRPERSON ELISSA SILVERMAN  
COMMITTEE ON LABOR AND WORKFORCE DEVELOPMENT**

**ANNOUNCES A PUBLIC HEARING ON**

**B22-777, the “Pathways to District Government Careers Act of 2018”**

**Wednesday, June 6, 2018, 10:00 a.m.  
Hearing Room 123, John A. Wilson Building  
1350 Pennsylvania Avenue, NW  
Washington, DC 20004**

Councilmember Elissa Silverman, Chair of the Committee on Labor and Workforce Development, announces a public hearing on B22-777, the “Pathways to District Government Careers Act of 2018.” The hearing will be held at 10:00 a.m. on Wednesday, June 6, 2018, in Room 123 of the John A. Wilson Building.

The purpose of B22-0777 is to establish apprenticeships in District government employment, to provide District high school graduates with priority in applications to and interviews for entry-level job openings with District government, and to establish partnerships between the District of Columbia Department of Human Resources and District public high schools to promote pathways to District government employment.

Those who wish to testify before the Committee are asked to contact Ms. Charnisa Royster at [labor@dccouncil.us](mailto:labor@dccouncil.us) or (202) 724-7772 by 5:00 p.m. on Monday, June 4, 2018, to provide their name, address, telephone number, organizational affiliation and title (if any), as well as the language of oral interpretation, if any, they require. Those wishing to testify are encouraged, but not required, to submit 15 copies of written testimony. Those representing organizations will have five minutes to present their testimony, and other individuals will have three minutes to present their testimony; less time will be allowed if there are a large number of witnesses.

If a witness is unable to testify at the hearing, written statements are encouraged and will be made a part of the official record. Written statements should be submitted by email to Ms. Royster at [labor@dccouncil.us](mailto:labor@dccouncil.us) or mailed to the Committee on Labor and Workforce Development, Council of the District of Columbia, Suite 115 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004. The record will close at 5:00 p.m. on Wednesday, June 20, 2018.

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

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

**ANNOUNCES A PUBLIC HEARING ON**

**BILL 22-0780, THE “INTRAFAMILY OFFENSES AND ANTI-STALKING ORDERS  
AMENDMENT ACT OF 2018”**

**PROPOSED RESOLUTION 22-0838, THE “DISTRICT OF COLUMBIA BOARD OF  
ELECTIONS MICHAEL BENNETT CONFIRMATION RESOLUTION OF 2018”**

**Thursday, June 21, 2018, 9:30 a.m.  
Room 123, John A. Wilson Building  
1350 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004**

On Thursday, June 21, 2018, Councilmember Charles Allen, Chairperson of the Committee on the Judiciary and Public Safety, will hold a public hearing on Bill 22-0780, the “Intrafamily Offenses and Anti-Stalking Orders Amendment Act of 2018”, and Proposed Resolution 22-0838, the “District of Columbia Board of Elections Michael Bennett Confirmation Resolution of 2018”. The hearing will take place in Room 123 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., at 9:30 a.m.

The stated purpose of Bill 22-0780, the “Intrafamily Offenses and Anti-Stalking Orders Amendment Act of 2018”, is to amend Title 16 of the District of Columbia Official Code to make civil protection orders only available to intimate partners, household members, family members, and victims of sexual assault and abuse or sex trafficking; make the inclusion of animal abuse consistent; expand the ability of minors ages 12 to 16 to file civil protection orders; allow the court to extend temporary protection orders in increments up to 28 days for good cause or for a longer period with the consent of the parties; clarify the relief available for firearms and animal protections; modify the duration of civil protection orders; establish a dedicated unit in the Metropolitan Police Department to serve process in civil protection order cases; and create new anti-stalking orders.

The stated purpose of Proposed Resolution 22-0838 is to reappoint Michael Bennett as the Chair of the Board of Elections for a term to end July 7, 2021.

The Committee invites the public to testify or to submit written testimony. Anyone wishing to testify at the hearing should contact the Committee via email at [judiciary@dccouncil.us](mailto:judiciary@dccouncil.us) or at (202) 724-7808, and provide their name, telephone number, organizational affiliation, and title (if any), by **close of business Monday, June 18**. Representatives of organizations will be allowed a maximum of five minutes for oral testimony, and individuals will be allowed a maximum of three minutes. Witnesses should bring **twenty double-sided copies** of their written testimony and, if possible, also submit a copy of their testimony electronically in advance to [judiciary@dccouncil.us](mailto:judiciary@dccouncil.us).

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

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

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

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

on

**B22-0805 - Veterans Cyber Academy Pilot Program Act of 2018  
B22-0806 - Veterans Emergency Food Program Act of 2018**

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

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Councilmember Brandon T. Todd announces the scheduling of a public hearing by the Committee on Government Operations on *B22-805, the “Veterans Cyber Academy Pilot Program Act of 2018”* and *B22-806, the “Veterans Emergency Food Program Act of 2018”*. The public hearing is scheduled for Wednesday, July 11, 2018 at 11:00 a.m. in Room 412 of the John A. Wilson Building, 1350 Pennsylvania Ave., NW, Washington, DC 20004.

**B22-805** establishes a pilot program within the Office of the Chief Technology Officer for veterans to acquire skills, knowledge, and experience necessary to enter the cybersecurity field.

**B22-806** establishes a Veterans Emergency Food Program through the Mayor’s Office of Veterans Affairs to provide veterans and their families who are in a short-term crisis with access to food.

Individuals and representatives of organizations who wish to testify at the public hearing are asked to contact Faye Caldwell of the Committee on Government Operations at (202) 724-6663 or by email at [fcaldwell@dccouncil.us](mailto:fcaldwell@dccouncil.us) and provide their name(s), address, telephone number, email address, and organizational affiliation, if any, by close of business Tuesday, July 10, 2018. Each witness is requested to bring 20 copies of his/her written testimony. Representatives of organizations and government agencies will be limited to 5 minutes in order to permit each witness an opportunity to be heard. Individual witnesses will be limited to 3 minutes.

If you are unable to testify at the public hearing, written statements are encouraged and will be made a part of the official record. The official record will remain open until close of business

Wednesday, July 25, 2018. Copies of written statements should be submitted to the Committee on Government Operations, Council of the District of Columbia, Suite 117 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004.

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

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

**ANNOUNCES A PUBLIC OVERSIGHT ROUNDTABLE ON**

**THE DEPARTMENT OF CORRECTIONS AND UNAUTHORIZED INMATE RELEASES**

**Thursday, June 28, 2018, 2:30 p.m.**  
**Room 123, John A. Wilson Building**  
**1350 Pennsylvania Avenue, N.W.**  
**Washington, D.C. 20004**

On Thursday, June 28, 2018, Councilmember Charles Allen, Chairperson of the Committee on the Judiciary and Public Safety, will hold a public oversight roundtable on the Department of Corrections (“DOC”) and recent reports of unauthorized releases of inmates in DOC custody.

On May 8, 2018, the *Washington Post* reported on a “spate of unauthorized early releases of inmates” who were also facing federal charges. The article chronicles a case involving an inmate awaiting federal trial who was about to be released from custody despite a court order stating that he posed a risk to the public. The article further reports that at least five other inmates have been mistakenly released by DOC since June 1, 2017.

The Committee will explore the circumstances surrounding these releases, including DOC’s release procedures, recordkeeping, and overlapping responsibilities with the United States Marshals Service. The roundtable will take place in Room 123 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., at 2:30 p.m., or immediately following the Committee’s roundtable that morning, whichever is later.

The Committee will only hear from government witnesses at the roundtable. Public witnesses are encouraged to submit written testimony to the Committee to include in the official record, and an opportunity for oral testimony will be scheduled for a later date. Copies of written statements should be submitted to the Committee at [judiciary@dccouncil.us](mailto:judiciary@dccouncil.us). **The record will close at the end of the business day on July 12, 2018.**

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

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**NOTICE OF PUBLIC ROUNDTABLE ON**

**The Clean Rivers Impervious Area Charge**

May 22, 2018 at 10:00 a.m.  
in Room 500 of the John A. Wilson Building  
1350 Pennsylvania Avenue, NW, Washington, DC 20004

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On May 22, 2018, Councilmember Mary M. Cheh, Chairperson of the Committee on Transportation and the Environment, will hold a public roundtable on how the District can assist DC Water and Sewer Authority (DC Water) ratepayers with the Clean Rivers Impervious Area Charge. The hearing will begin at 10:00 a.m. in Room 500 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W.

Many residents, religious institutions, and non-profits in the District are increasingly burdened by the Clean Rivers Impervious Area Charge (CRIAC), a charge that appears on DC Water bills and is used to fund the \$2.7 billion federally-mandated Clean Rivers Project. The purpose of this roundtable is to hear from ratepayers about how they are affected by the CRIAC and to consider proposals to address the burden of the CRIAC on ratepayers in the District.

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

If you are unable to testify in person, written statements are encouraged and will be made a part of the official record. Copies of written statements should be submitted to Ms. Benjamin at the following address: Committee on Transportation and the Environment, John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Suite 108, Washington, D.C. 20004. Statements may also be e-mailed to [abenjamin@dccouncil.us](mailto:abenjamin@dccouncil.us) or faxed to (202) 724-8118. The record will close at the end of the business day on June 5, 2018.



**Council of the District of Columbia**  
**COMMITTEE ON BUSINESS AND ECONOMIC DEVELOPMENT**  
1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004

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**COUNCILMEMBER KENYAN R. MCDUFFIE, CHAIRPERSON**  
**COMMITTEE ON BUSINESS AND ECONOMIC DEVELOPMENT**

**ANNOUNCES A PUBLIC ROUNDTABLE ON**

**PR22-0805 – THE “COMMISSION ON FASHION ARTS AND EVENTS LE’GREG O. HARRISON CONFIRMATION RESOLUTION OF 2018”;**

**PR22-0806 – THE “COMMISSION ON FASHION ARTS AND EVENTS KRISTOPHER JOHNSON-HOYLE CONFIRMATION RESOLUTION OF 2018”;** AND

**PR22-0807 – THE “COMMISSION ON FASHION ARTS AND EVENTS LANAYSHA B. JACKSON CONFIRMATION RESOLUTION OF 2018”**

**Thursday, May 24, 2018, 10:00 a.m.**  
**Room 120, John A. Wilson Building**  
**1350 Pennsylvania Avenue, N.W.**

On Thursday, May 24, 2018 Councilmember Kenyan R. McDuffie, Chairperson of the Committee on Business and Economic Development, will hold a public roundtable on PR22-0805, the “Commission on Fashion Arts and Events Le’Greg O. Harrison Confirmation Resolution of 2018”; PR22-0806, the “Commission on Fashion Arts and Events Kristopher Johnson-Hoyle Confirmation Resolution of 2018”; and PR22-0807, the Commission on Fashion Arts and Events Lanaysha B. Jackson Confirmation Resolution of 2018”. The stated purpose of PR22-0805 is to appoint Le’Greg O. Harrison to the Commission on Fashion Arts and Events. The stated purpose of PR22-806 is to appoint Kristopher Johnson-Hoyle to the Commission on Fashion Arts and Events. The stated purpose of PR22-807 is to appoint Lanaysha B. Jackson to the Commission on Fashion Arts and Events.

The Committee invites the public to testify or to submit written testimony. Anyone wishing to testify at the hearing should contact the Committee on Business and Economic Development via email at [cautrey@dccouncil.us](mailto:cautrey@dccouncil.us) or at (202) 724-8053, and provide their name, telephone number, organizational affiliation, and title (if any), by **close of business on Monday, May 21<sup>st</sup>**.

Representatives of organizations will be allowed a maximum of five minutes for oral testimony, and individuals will be allowed a maximum of three minutes. Witnesses are encouraged to bring **ten single-sided copies** of their written testimony and, if possible, also submit a copy of their testimony electronically in advance to [cautrey@dccouncil.us](mailto:cautrey@dccouncil.us).

For witnesses who are unable to testify at the hearing, written statements will be made part of the official record. Copies of written statements should be submitted to the Committee on Business and Economic Development at [cautrey@dccouncil.us](mailto:cautrey@dccouncil.us) or to Nyasha Smith, Secretary to the Council, 1350 Pennsylvania Avenue, N.W., Suite 5, Washington, D.C. 20004. **The record will close at the end of the business day on Tuesday, May 29<sup>th</sup>.**

<b>COUNCIL OF THE DISTRICT OF COLUMBIA</b> <b>EXCEPTED SERVICE APPOINTMENTS AS OF APRIL 30, 2018</b>
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**NOTICE OF EXCEPTED SERVICE EMPLOYEES**

D.C. Code § 1-609.03(c) requires that a list of all new appointees to Excepted Service positions established under the provisions of § 1-609.03(a) be published in the D.C. Register. In accordance with the foregoing, the following information is hereby published for the following positions.

McClure, Brian	Senior Legislative Assistant	7	Excepted Service - Reg Appt
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<b>COUNCIL OF THE DISTRICT OF COLUMBIA</b>			
<b>NAME</b>	<b>POSITION TITLE</b>	<b>GRADE</b>	<b>TYPE OF APPOINTMENT</b>
McNair, Jonathan	Special Assistant	6	Excepted Service - Reg Appt

**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 22-90:** FY 2018 Grant Budget Modifications of April 23, 2018

RECEIVED: 14 day review begins May 10, 2018

**GBM 22-91:** FY 2018 Grant Budget Modifications of May 2, 2018

RECEIVED: 14 day review begins May 11, 2018

**GBM 22-92:** FY 2018 Grant Budget Modifications of May 3, 2018

RECEIVED: 14 day review begins May 14, 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. 22-125** Request to reprogram \$500,000 of Fiscal Year 2018 Local Funds budget authority from the Washington Metropolitan Area Transit Authority (WMATA) to the District Department of Transportation (DDOT) was filed in the Office of the Secretary on May 9, 2018. This reprogramming is needed to support the DC Circulator bus system, which is transitioning from WMATA management to DDOT management in FY 2018.

RECEIVED: 14 day review begins May 10, 2018

**Reprog. 22-126** Request to reprogram \$300,000 of Fiscal Year 2018 Local funds budget authority within the Office of the Deputy Mayor for Education (DME) was filed in the Office of the Secretary on May 9, 2018. This reprogramming is needed to align the budget for the Out of School Time Grants.

RECEIVED: 14 day review begins May 10, 2018

**Reprog. 22-127**

Request to reprogram \$2,461,000 of Pay-As-You-Go (Paygo) Capital funds budget authority and allotment from the Department of General Services (DGS) to the Reverse Pay-As-You-Go (Paygo) Capital project and subsequently to the Local funds budget of DGS was filed in the Office of the Secretary on May 9, 2018. This reprogramming is needed to pay for activities that are not eligible for capital funding as follows: \$290,000 for contract and procurement staffing, \$290,000 for compliance monitoring services, \$351,000 for consulting services to support the project management office (PMO), \$30,000 to relocate Metropolitan Police Department (MPD) staff vehicles from the construction site at the 3<sup>rd</sup> MPD precinct, \$800,000 to support energy and sustainability projects, and \$700,000 for unscheduled or unplanned non-capital request for items such as building and decorative exterior walls.

RECEIVED: 14 day review begins May 10, 2018

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

Placard Posting Date: May 18, 2018  
Protest Petition Deadline: July 2, 2018  
Roll Call Hearing Date: July 16, 2018  
Protest Hearing Date: September 12, 2018

License No.: ABRA-109920  
Licensee: Collins Restaurant Group, LLC  
Trade Name: Arosto Pizza  
License Class: Retailer's Class "C" Restaurant  
Address: 705 7<sup>th</sup> Street, N.W.  
Contact: Stephen J. O'Brien: (202) 625-7700

WARD 2

ANC 2C

SMD 2C01

Notice is hereby given that this licensee has applied for a new license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the **Roll Call Hearing date on July 16, 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 September 12, 2018 at 1:30 p.m.**

**NATURE OF OPERATION**

New Class "C" family-owned and operated restaurant that will serve pizza; offering over 15 signature pizzas, fresh salads, and world-class sandwiches served on bread that is baked to order in a stone hearth pizza oven. The restaurant will have 40 seats and a capacity of 99 inside, along with a Summer Garden with 30 seats. Total Occupancy Load of 129.

**PROPOSED HOURS OF OPERATION AND HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION (INDOORS)**

Sunday – Thursday, 10am – 2am

Friday – Saturday, 10am – 3am

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

Sunday – Thursday, 10am – 11pm

Friday – Saturday, 10am – 12am

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

Placard Posting Date: May 18, 2018  
Protest Petition Deadline: July 2, 2018  
Roll Call Hearing Date: July 16, 2018  
Protest Hearing Date: September 12, 2018

License No.: ABRA-109883  
Licensee: Chelsea Corporation  
Trade Name: Chelsea Vietnamese Food (Carry out and Restaurant)  
License Class: Retailer's Class "C" Restaurant  
Address: 1413 Park Road, N.W.  
Contact: Phuong Nguyen: (202) 758-2415

WARD 1

ANC 1A

SMD 1A05

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 July 16, 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 September 12, 2018 at 4:30 p.m.**

**NATURE OF OPERATION**

A new Class "C" family-owned Vietnamese food restaurant, serving authentic Vietnamese food, including pho. The restaurant will offer sit-down service including alcoholic beverages, as well as carry-out options for food only. The restaurant will have 60 seats, and a Total Occupancy Load of 67. Licensee is requesting an Entertainment Endorsement to provide live entertainment.

**PROPOSED HOURS OF OPERATION, ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION, AND LIVE ENTERTAINMENT**

Sunday – Saturday, 10am – 12am



## ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

## NOTICE OF PUBLIC HEARING

Placard Posting Date: May 18, 2018  
Protest Petition Deadline: July 2, 2018  
Roll Call Hearing Date: July 16, 2018  
Protest Hearing Date: September 12, 2018

License No.: ABRA-109929  
Licensee: FC 2112 Penn, LLC  
Trade Name: Flower Child  
License Class: Retailer's Class "D" Restaurant  
Address: 2112 Pennsylvania Avenue, N.W.  
Contact: Stephen J. O'Brien, Esq.: 202-625-7700

WARD 2

ANC 2A

SMD 2A07

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 July 16, 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 **September 12, 2018 at 4:30 p.m.**

**NATURE OF OPERATION**

New Class D Restaurant serving fast casual cuisine. Seating Capacity of 140. Total Occupancy Load of 165. Sidewalk Cafe with 40 seats.

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

Sunday through Saturday 8am – 10:30pm

## ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

## NOTICE OF PUBLIC HEARING

**\*\*RESCIND**

Placard Posting Date: May 4, 2018  
Protest Petition Deadline: June 18, 2018  
Roll Call Hearing Date: July 2, 2018  
Protest Hearing Date: August 15, 2018

License No.: ABRA-109484  
Licensee: Rafsun & Rafi, LLC  
Trade Name: Liquor Factory  
License Class: Class "B" Beer & Wine Retailer  
Address: 3109 Georgia Avenue, N.W.  
Contact: Z.I. Russell: 646-533-1350

WARD 1

ANC 1A

SMD 1A10

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 July 2, 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 15, 2018 at 1:30 p.m.**

**NATURE OF OPERATION**

A new Retailer Class B Beer and Wine store.

**HOURS OF OPERATION AND ALCOHOLIC BEVERAGE SALES**

Sunday through Saturday 10am – 12am

## ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

## NOTICE OF PUBLIC HEARING

Placard Posting Date: May 18, 2018  
Protest Petition Deadline: July 2, 2018  
Roll Call Hearing Date: July 16, 2018  
Protest Hearing Date: September 12, 2018

License No.: ABRA-109912  
Licensee: North 2112 Penn, LLC  
Trade Name: North Italia  
License Class: Retailer's Class "C" Restaurant  
Address: 2112 Pennsylvania Ave, N.W.  
Contact: Stephen J. O'Brien: (202) 625-7700

WARD 2

ANC 2A

SMD 2A07

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 July 16, 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 **September 12, 2018 at 4:30 p.m.**

**NATURE OF OPERATION**

New Class "C" Restaurant offering casual Italian dining. Total Occupancy Load of 260 with seating for 190 patrons and a Sidewalk Café for 40 patrons.

**HOURS OF OPERATION INSIDE PREMISES**

Sunday through Saturday 10am to 1am

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

Sunday through Saturday 10am to 12am

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

Sunday through Saturday 10am to 12am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date: May 18, 2018
Protest Petition Deadline: July 2, 2018
Roll Call Hearing Date: July 16, 2018
Protest Hearing Date: September 12, 2018

License No: ABRA-108370
Licensee: Moran Foods, LLC
Trade Name: Save-A-Lot, LTD Store #8044
License Class: Retailer’s Class “B” Full- Service Grocery
Address: 514 Rhode Island Avenue, N.E.
Contact: LaDonna Gordon: (314) 592-9100

WARD 5 ANC 5E SMD 5E02

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 July 16, 2018 at 10 a.m., 4th Floor, 2000 14th Street, N.W., Washington, DC 20009. Petition and/or request to appear before the Board must be filed on or before the Petition Date. The Protest Hearing date is scheduled on September 12, 2018 at 1:30 p.m.

NATURE OF OPERATION

New Retailer’s Class B Full-Service Grocery Store selling beer and wine.

PROPOSED HOURS OF OPERATION AND ALCOHOLIC BEVERAGE SALES

Sunday, 9am – 8pm
Monday – Saturday, 9am – 9pm

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

Placard Posting Date: May 18, 2018  
Protest Petition Deadline: July 2, 2018  
Roll Call Hearing Date: July 16, 2018  
Protest Hearing Date: September 12, 2018

License No.: ABRA-109844  
Licensee: Seoul Spice 2, LLC  
Trade Name: Seoul Spice  
License Class: Retailer's Class "D" Restaurant  
Address: 4600 Wisconsin Ave, N.W.  
Contact: Danielle Wilt, Agent: (717) 515-9882

WARD 3

ANC 3E

SMD 3E03

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 July 16, 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 September 12, 2018 at 1:30 p.m.**

**NATURE OF OPERATION**

New Class "D" Restaurant, serving Korean-American cuisine with 80 seats and a Total Occupancy Load of 88.

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

Sunday – Saturday 11am – 10pm

## DC DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

## NOTICE OF PUBLIC HEARING

Notice is hereby given that, pursuant to the requirements of D.C. Official Code Section 42-3171.03 (a)(1), the District of Columbia Department of Housing and Community Development (DHCD) has scheduled a public hearing on Thursday, June 14, 2018 at 6:00 p.m. at DHCD 1<sup>st</sup> Floor Conference Room, 1800 Martin Luther King Jr. Avenue SE, Washington, DC 20020, to consider the proposed disposition of the properties noted below.

SSL	Property Address	Property Type	Ward	Zoning	Historic District	Neighborhood
0615,0075	14 Florida Ave, NW	Vacant Lot	5	C-2-A	No	Old City 2
0615,0152	16 Florida Ave, NW	Vacant Lot	5	C-2-A	No	Old City 2
0615,0151	4 Q Street, NW	Vacant Lot	5	C-2-A	No	Old City 2
0615,0149	6 Q Street NW	Vacant Lot	5	C-2-A	No	Old City 2
0615,0150	8 Q Street NW	Vacant Lot	5	C-2-A	No	Old City 2
0615,0148	10 Q Street NW	Building	5	C-2-A	No	Old City 2
0615,0148	12 Q Street NW	Vacant Lot	5	R-4	No	Old City 2
0615,0825	14 Q Street NW	Vacant Lot	5	R-4	No	Old City 2

The above property was included in a round of Solicitation for Offer issued by DHCD to the general public on June 1, 2016. The above property was awarded to Mi Casa through a competitive selection process.

A project summary of Mi Casa's proposal will be posted on the DHCD website.

The public hearing is being conducted in order to ensure that all citizens: (1) are informed about the selling of the properties identified above to the named buyer; and (2) have the opportunity to present publicly their views concerning such sale.

If you would like to present oral testimony, you are encouraged to register in advance either by emailing Chantese Rogers at [Chantese.Rogers@dc.gov](mailto:Chantese.Rogers@dc.gov), or by calling 202-478-1355. Please provide your name, address, telephone number, and organization affiliation, if any.

Telecommunications Device for the Deaf (TDD) relay service is available by calling (800) 201-7165. A sign language interpreter and language translation services are available upon request by calling Pamela Hillsman at 202-442-7251. If you require language translation, please specify which language (Spanish, Vietnamese, Chinese- Mandarin/Cantonese, Amharic, or French). Language translation services will be provided to pre-registered persons only. Deadline for requiring services of an interpreter is seven days prior to the hearing. Bilingual staff will provide services on an availability basis to walk-ins without registration.

Written statements may be submitted at the hearing, or until 4:45 p.m., Friday, June 15, 2018, and should be addressed to: Polly Donaldson, Director, DC Department of Housing and Community Development, ATTN: PADD, 1800 Martin Luther King Jr., Avenue SE, Washington, D.C. 20020.

**DISTRICT OF COLUMBIA PUBLIC CHARTER SCHOOL BOARD****NOTIFICATION OF NEW SCHOOL LOCATIONS**

The District of Columbia Public Charter School Board (DC PCSB) hereby gives notice of Community College Prep Public Charter School (CC Prep PCS)'s request to operate at a second facility. CC Prep PCS is currently in its fifth year of operation serving adult students at a single campus with two separate facilities. Effective for SY 2018-2019 and beyond, the school plans to operate at two additional facilities located at 1) Hope Village, 2844 Langston Pl. SE, and 2) Department of Employment Services – Infrastructure Academy, 2330 Pomeroy Road SE. If approved, this amendment will allow the school to pursue additional community partnerships and serve more adult students in the District.

A public hearing will be held on May 21, 2018 at 6:30 p.m.; a vote will be held on June 18, 2018. The public is encouraged to comment on this proposal. Comments must be submitted on or before 4 p.m. on May 31, 2018.

**How to Submit Public Comment:**

1. Submit written comment one of the following ways:
  - a. E-mail: [public.comment@dcpsb.org](mailto:public.comment@dcpsb.org)
  - b. Postal mail: Attn: Public Comment, \*DC Public Charter School Board, 3333 14<sup>th</sup> ST. NW., Suite 210, Washington, DC 20010
  - c. Hand Delivery/Courier\*: Same as postal address above
2. Sign up to testify in-person at the public hearing on May 21, 2018 to [public.comment@dcpsb.org](mailto:public.comment@dcpsb.org) no later than 4 p.m. on May 21, 2018. Each person testifying is given two minutes to present testimony.

**DISTRICT OF COLUMBIA PUBLIC CHARTER SCHOOL BOARD****NOTIFICATION OF NEW SCHOOL LOCATION**

The District of Columbia Public Charter School Board (DC PCSB) hereby gives notice of Elsie Whitlow Stokes Public Charter School (E.W. Stokes PCS) request to add a new location.

On June 19, 2017, DC PCSB approved the school to open a second PK3-5 campus in Ward 7 beginning in SY 2018-2019. At that time, E.W. Stokes PCS had not identified a location for its second campus, but the school recently informed DC PCSB that it plans to co-locate with Maya Angelou PCS – Evans HS at 5600 East Capitol Street NE in Ward 7, beginning next school year. In year-1, E.W. Stokes PCS plans to enroll up to 140 students in grades PK3-K at the proposed site, and it will continue adding a grade each year until the second campus reaches capacity with grades PK3-5 in SY 2023-2024. Given E.W. Stokes PCS is already approved to operate a second campus in Ward 7, this request only pertains to the school's request for approval to co-locate with Maya Angelou PCS on East Capitol Street NE.

A public hearing will be held on June 18, 2018 at 6:30 p.m.; a vote will be held on July 23, 2018. The public is encouraged to comment on this proposal. Comments must be submitted on or before 4 p.m. on June 14, 2018.

**How to Submit Public Comment:**

1. Submit written comment one of the following ways:
  - a. E-mail: [public.comment@dcpsb.org](mailto:public.comment@dcpsb.org)
  - b. Postal mail: Attn: Public Comment, \*DC Public Charter School Board, 3333 14<sup>th</sup> ST. NW., Suite 210, Washington, DC 20010
  - c. Hand Delivery/Courier\*: Same as postal address above
2. Sign up to testify in-person at the public hearing on June 18, 2018 to [public.comment@dcpsb.org](mailto:public.comment@dcpsb.org) no later than 4 p.m. on Thursday, June 14, 2018. Each person testifying is given two minutes to present testimony.



**DISTRICT OF COLUMBIA PUBLIC CHARTER SCHOOL BOARD****NOTIFICATION OF NEW SCHOOL LOCATION**

The District of Columbia Public Charter School Board (DC PCSB) hereby gives notice of The Children’s Guild DC Public Charter School (Children’s Guild PCS)’s request operate at a second facility. Children’s Guild PCS is currently in its third year of operation serving students in grades K-8 at a single campus located in Ward 5. The school’s existing facility is located at 2146 24th Place, NE. Effective for school year 2018-2019 and beyond, Children’s Guild PCS requests to operate at a second facility in Ward 5 located at 2135 Queens Chapel Rd NE. The proposed new location is approximately 0.3 miles away, or a 6-minute walk, from the school’s primary facility on 24th Place NE. If approved, Children’s Guild PCS plans to use the proposed facility part-time to conduct its physical education and recreational programming.

A public hearing will be held on May 21, 2018 at 6:30 p.m.; a vote will be held on June 18, 2018. The public is encouraged to comment on this proposal. Comments must be submitted on or before 4 p.m. on May 31, 2018.

**How to Submit Public Comment:**

1. Submit written comment one of the following ways:
  - a. E-mail: [public.comment@dcpsb.org](mailto:public.comment@dcpsb.org)
  - b. Postal mail: Attn: Public Comment, \*DC Public Charter School Board, 3333 14<sup>th</sup> ST. NW., Suite 210, Washington, DC 20010
  - c. Hand Delivery/Courier\*: Same as postal address above
2. Sign up to testify in-person at the public hearing on May 21, 2018 to [public.comment@dcpsb.org](mailto:public.comment@dcpsb.org) no later than 4 p.m. on May 31, 2018. Each person testifying is given two minutes to present testimony.

**BOARD OF ZONING ADJUSTMENT  
PUBLIC HEARING NOTICE  
WEDNESDAY, JUNE 27, 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 THREE**

19760  
ANC 3B      **Application of Rhode Island Condos LLC**, pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception under the new residential development requirements of Subtitle U § 421, and pursuant to Subtitle X, Chapter 10, for a variance from the penthouse requirements of Subtitle C § 1500.3(b), to expand the existing three-unit apartment house to an eight-unit apartment house in the RA-1 Zone at premises 4017 Davis Place N.W. (Square 1807, Lot 32).

**WARD FIVE**

19763  
ANC 5D      **Application of Sharon and Cheng Xu**, pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception under Subtitle E §§ 206.2 and 5203.3 from the upper floor addition requirements of Subtitle E § 206.1, to construct a third-story addition to an existing two-story, four-unit apartment house in the RF-1 Zone at premises 1210 19th Street N.E. (Square 4445, Lot 824).

**WARD THREE**

19764  
ANC 3E      **Application of 4926 Wisconsin Avenue LLC**, pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception under Subtitle C § 710.3 from the parking location restrictions of Subtitle C § 710, to permit the continued use of the property as a parking lot (last approved under BZA Order No. 18207) in the R-2 Zone at premises 4926 Wisconsin Avenue N.W. (Rear). (Square 1671, Lot 30).

**WARD FIVE**

19780  
ANC 5E      **Application of 79 81 U Street LLC**, pursuant to 11 DCMR Subtitle X, Chapter 10, for a variance from the side yard requirements of Subtitle E § 307.3, to construct two new flats in the RF-1 Zone at premises 79-81 U Street N.W. (Square 3117, Lots 69 and 68).

BZA PUBLIC HEARING NOTICE

JUNE 27, 2018

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WARD SEVEN

19787            **Application of 2604 29th Street LLC**, pursuant to 11 DCMR Subtitle X, ANC 7B            Chapter 9, for a special exception under the inclusionary zoning requirements of Subtitle C § 1001.2(e)(3), to construct a rear addition to the existing flat and convert it into a 12-unit apartment house in the RA-1 Zone at premises 2604 29th Street S.E. (Square 5643, Lot 18).

**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.

*\*Note that party status is not permitted in Foreign Missions cases.*

**Do you need assistance to participate?**

Amharic

ለመከተሉ ዕርዳታ ያስፈልግዎታል?

የተለየ እርዳታ ካስፈለገዎት ወይም የቋንቋ እርዳታ አገልግሎቶች (ትርጉም ወይም ማስተርጓሚ)

ካስፈለገዎት እባክዎን ከሰብሳቢ ወይም ከሌሎች ቀናት በፊት ዚ ሂልን በስልክ ቁጥር (202) 727-

0312 ወይም በኢሜል [Zelalem.Hill@dc.gov](mailto:Zelalem.Hill@dc.gov) ይገናኙ። እነኝህ አገልግሎቶች የሚሰጡበት በነጻ ነው።

Chinese

您需要有人帮助参加活动吗?

## BZA PUBLIC HEARING NOTICE

JUNE 27, 2018

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如果您需要特殊便利设施或语言协助服务（翻译或口译），请在见面之前提前五天与 Zee Hill 联系，电话号码 (202) 727-0312，电子邮件 [Zelalem.Hill@dc.gov](mailto:Zelalem.Hill@dc.gov)。这些是免费提供的服务。

French

Avez-vous besoin d'assistance pour pouvoir participer ? Si vous avez besoin d'aménagements spéciaux ou d'une aide linguistique (traduction ou interprétation), veuillez contacter Zee Hill au (202) 727-0312 ou à [Zelalem.Hill@dc.gov](mailto:Zelalem.Hill@dc.gov) cinq jours avant la réunion. Ces services vous seront fournis gratuitement.

Korean

참여하시는데 도움이 필요하세요?

특별한 편의를 제공해 드려야 하거나, 언어 지원 서비스(번역 또는 통역)가 필요하시면, 회의 5일 전에 Zee Hill 씨께 (202) 727-0312로 전화 하시거나 [Zelalem.Hill@dc.gov](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.

**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**

## DISTRICT OF COLUMBIA BOARD OF ELECTIONS

NOTICE OF FINAL RULEMAKING

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

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

A Notice of Emergency and Proposed Rulemaking with respect to these amendments was published in the *D.C. Register* on March 16, 2018, at 65 DCR 2736. No written comments on the proposed rules were received during the public comment period, and no substantive changes have been made to the regulations as proposed. The Board adopted these amendments as final at a regular meeting on Wednesday, May 2, 2018.

These final rules will become effective upon publication of this notice in the *D.C. Register*.

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

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

**1002 PETITION FORM**

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

- (a) Numbered lines for twenty (20) names, designed so that each signer may personally affix the date signed and his or her signature, printed name, residence address (giving street and number) and election ward;

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

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

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

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

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

- 1002.5 If the proposer chooses a paper petition form, the proposer shall reproduce the petition form at his or her own expense. Each reproduced petition sheet shall be printed in its entirety on white paper of good writing quality of the same size as the original petition form prepared by the Board and shall be double-sided.
- 1002.6 Each circulator circulating an electronic petition shall register his or her device in-person at the Board’s office. The circulator shall provide a unique and valid email address for account registration and device authentication. No circulator shall have a registered account for electronic petition circulation unless his or her device has been authenticated.

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

**1005 FILING PETITIONS**

- 1005.1 Before the petition is submitted, any petition pages circulated in an electronic format shall be printed at the Board’s office and signed by the individual circulator who collected the signatures.
- 1005.2 All pages of an initiative petition shall be submitted for filing no later than 5:00 p.m. on the one hundred and eightieth (180th) calendar day following the date upon which the Board provided the original petition form. All pages of a referendum petition shall be submitted for filing no later than 5:00 p.m. on the last business day before the act, or any part of the act, which is the subject of the referendum has become law. A petition, or any sheet comprising the petition, that is not timely submitted shall not be accepted for filing.
- 1005.3 All timely submitted petitions shall be received by the Executive Director or his or her designee. When a petition is offered for filing, the Executive Director shall:
- (a) Count the petition pages and issue a receipt for the total number of petition pages submitted;
  - (b) Shall serially number the pages and obliterate any blank lines appearing on each petition page; and
  - (c) Prepare an initial total count, broken down by ward, of the signatures submitted pursuant to the rules of this section.
- 1005.4 A signature shall not be accepted, and shall not be included in the Executive Director’s initial total count, if it:

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

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

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

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

**Chapter 11, RECALL OF ELECTED OFFICIALS, of Title 3 DCMR, ELECTIONS AND ETHICS, is amended as follows:**

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

**1102 PETITION FORM**

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

- (a) Numbered lines for twenty (20) names, designed so that each signer may personally affix the date signed and his or her signature, printed name, residence address (giving street and number) and election ward;



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

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

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

1102.3 No petition sheets may be circulated prior to the Board's provision of the original petition form.

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

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

**1105 FILING PETITIONS**

- 1105.1 Before the petition is submitted, any petition pages circulated in an electronic format shall be printed at the Board's office and signed by the individual circulator who collected the signatures.
- 1105.2 Where the elected official sought to be recalled is an elected official other than an Advisory Neighborhood Commissioner, all pages of a recall petition shall be submitted for filing no later than 5:00 p.m. on the one hundred and eightieth (180th) calendar day following the date upon which the Board provided the original petition form. Where the elected official sought to be recalled is an Advisory Neighborhood Commissioner, all pages of a recall petition shall be submitted for filing no later than 5:00 p.m. on the sixtieth (60th) calendar day following the date upon which the Board provided the original petition form. A petition, or any sheet comprising the petition, that is not timely submitted shall not be accepted for filing
- 1105.3 All timely submitted petitions shall be received by the Executive Director or his or her designee. When a petition is offered for filing, the Executive Director shall:
- (a) Count the petition pages and issue a receipt for the total number of petition pages submitted;

- (b) Serially number the pages and obliterate any blank lines appearing on each petition page; and
- (c) Prepare an initial total count, broken down by ward, of the signatures submitted.

1105.4 A signature shall not be accepted, and shall not be included in the Executive Director's initial total count, if it:

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

1105.5 If the initial total count indicates that the petition contains the signatures of at least ten percent (10%) of the registered qualified electors residing in the political subdivision from which the elected official sought to be recalled is elected, the Executive Director shall accept the petition, post the petition for public inspection and challenge, and proceed with registration verification of petition signers in accordance with the rules of this chapter. If the petition does not contain the signatures of at least ten percent (10%) of the registered qualified electors residing in the political subdivision from which the elected official sought to be recalled is elected, the Executive Director refuse to accept the petition and shall notify the proposer(s) in writing of the refusal

1105.6 Within ten (10) days after the refusal, the proposer(s) of a refused petition may, pursuant to D.C. Code § 1-1001.(l) (2016 Repl.), petition the Superior Court of the District of Columbia for a writ in the nature of mandamus to compel the Board to accept the petition.

**Chapter 14, CANDIDATE NOMINATIONS: POLITICAL PARTY PRIMARIES FOR PRESIDENTIAL PREFERENCE AND CONVENTION DELEGATES, of Title 3 DCMR, ELECTIONS AND ETHICS, is amended as follows:**

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

**1402 PETITION FORM**

- 1402.1 A nominating petition form shall be separately prepared and issued by the Executive Director or his or her designee for each candidate for presidential nominee.
- 1402.2 The first page of the petition shall contain the following information:
- (a) The full name and state of residence of the candidate for presidential nominee, or if the petition is used to nominate an uncommitted delegation pursuant to party plan, the word "uncommitted" shall be placed on the petition in the space provided for the presidential candidate's name and state of residence;
  - (b) The name of the political party with which the candidate for presidential nominee, or uncommitted delegation, is affiliated;
  - (c) The name, address, voter registration number, and office sought by each candidate for convention delegate or alternate, if the party plan provides that convention delegates and alternates are to be listed on the ballot or on a separate reference sheet provided to the voter with the ballot; and
  - (d) A statement that all of the signatories to the petition shall be of the same political party as the nominee.
- 1402.3 The second page of the of the petition shall include a circulator's affidavit, providing space for the circulator of a nominating petition to record his or her name, address, and telephone number. By signing the affidavit, the circulator swears under oath or affirms that he or she:
- (a) Is a qualified petition circulator;
  - (b) Personally circulated the petition sheet;
  - (c) Personally witnessed the signing of each signature on the petition sheet; and

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

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

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

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

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

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

**1405 FILING PETITIONS**

1405.1 Before the nominating petition is filed:

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

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

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

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

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

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

**Chapter 15, CANDIDATE NOMINATIONS: ELECTORS OF PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES, of Title 3 DCMR, ELECTIONS AND ETHICS, is amended as follows:**

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

**1502 PETITION FORM**

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



- 1502.4 A candidate shall be permitted to choose a paper and/or electronic nominating petition form. Unless specified, the laws and rules concerning the circulation of petitions, including, but not limited to, the qualifications of circulators, the validity of signatures, and challenges to petitions, shall apply regardless of the format of the petition.
- 1502.5 No nominating petition, whether in paper or electronic format, shall be issued to any person other than the candidate whose name appears on the first page of the petition, unless the Board receives written notice from the candidate which authorizes the Board to release petitions in his or her name. The authorization shall include the following:
- (a) Candidate's name;
  - (b) Office which the candidate seeks and political party; and
  - (c) Candidate's signature.
- 1502.6 Each circulator circulating an electronic petition shall register his or her device in-person at the Board's office. The circulator shall provide a unique and valid email address for account registration and device authentication. No circulator shall have a registered account for electronic petition circulation unless his or her device has been authenticated.

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

**1505 FILING PETITIONS**

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

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

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

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

**Chapter 16, CANDIDATE NOMINATION: DELEGATE TO THE U.S. HOUSE OF REPRESENTATIVES, MAYOR, CHAIRMAN AND MEMBERS OF THE COUNCIL OF THE DISTRICT OF COLUMBIA, ATTORNEY GENERAL, U.S. SENATOR, U.S. REPRESENTATIVE, MEMBERS OF THE STATE BOARD OF EDUCATION, AND ADVISORY NEIGHBORHOOD COMMISSIONER, of Title 3 DCMR, ELECTIONS AND ETHICS, is amended as follows:**

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

**1602 PETITION FORM**

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

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

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

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

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

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

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

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

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

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

**1605 FILING PETITIONS**

1605.1 Before the nominating petition is filed:

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

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

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

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

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

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

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

**Chapter 17, CANDIDATES: MEMBERS AND OFFICIALS OF LOCAL COMMITTEES OF POLITICAL PARTIES AND NATIONAL COMMITTEE PERSONS, of Title 3 DCMR, ELECTIONS AND ETHICS, is amended as follows:**

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

**1702 PETITION FORM**

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

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

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

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

**1705 FILING PETITIONS**

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



All petitions and supplements shall be received by the Executive Director or his or her designee if filed on or before the petition-filing deadline.

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

- 1705.9 The hearing shall be conducted in accordance with the procedures provided in the District of Columbia Administrative Procedure Act, (D.C. Official Code §§ 2-501 *et seq.* (2016 Repl.)), and may be heard by a one-member panel (D.C. Official Code § 1-1001.05 (g) (2016 Repl.)).
- 1705.10 Any appeal from a decision of a one-member panel to the full Board shall be taken in the manner prescribed by D.C. Official Code § 1-1001.05 (g) (2016 Repl.); however, in no case shall the time allowed for the appeal exceed fourteen (14) calendar days from the date of decision of the one-member panel.

## DEPARTMENT OF HEALTH

NOTICE OF FINAL RULEMAKING

The Director of the Department of Health (Department), pursuant to § 302(14) of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1203.02(14) (2016 Repl.)), Mayor's Order 98-140, dated August 20, 1998, and the LGBTQ Cultural Competency Continuing Education Amendment Act of 2016, effective April 6, 2016 (D.C. Law 21-95; 63 DCR 6502, published on April 29, 2016), hereby gives notice of the adoption of the following amendment to Section 4906 (Continuing Education Requirements) of Chapter 49 (Physician Assistants) of Title 17 (Business, Occupations, and Professionals) of the District of Columbia Municipal Regulations (DCMR).

The rulemaking is necessary to update the District of Columbia Municipal Regulations pertinent to the Board of Medicine in order to reflect additional continuing education requirements imposed by the LGBTQ Cultural Competency Continuing Education Amendment Act of 2016 for physician assistants. This rulemaking will enhance professionalism within the community and operate in support of the health and welfare of the public.

This rulemaking was published in the *D.C. Register* on March 9, 2018 at 65 DCR 002467. The Department did not receive any comments in response to the notice. No changes have been made to the rulemaking. These rules were adopted as final on April 17, 2018 and will be effective upon publication of this notice in the *D.C. Register*.

**Chapter 49, PHYSICIAN ASSISTANTS, of Title 17 DCMR, BUSINESS, OCCUPATIONS, AND PROFESSIONALS, is amended as follows:**

**Section 4906, CONTINUING EDUCATION REQUIREMENTS, is amended as follows:**

**Subsection 4906.4 is amended to read as follows:**

4906.4 An applicant for renewal of a license to practice as a physician assistant shall submit proof pursuant to § 4906.7 of having completed during the two-year (2) period preceding the date the license expires approved continuing medical education as follows:

- (a) Forty (40) hours of credit in continuing medical education meeting the requirements of Category 1, as specified in § 4907.2;
- (b) Sixty (60) hours of credit in continuing medical education meeting the requirements of either Category 1 or Category 2, as specified in § 4907.2 or § 4907.3; and

- (c) Beginning with the renewal period ending December 31, 2018, two (2) hours of credit in Category 1 or Category 1-equivalent continuing medical education coursework focusing on cultural competence or appropriate clinical treatment specifically for individuals who are lesbian, gay, bisexual, transgender, gender nonconforming, queer, or questioning their sexual orientation or gender identity and expression (LGBTQ), which shall meet the requirements of § 4906.8, and which shall count towards the hours required under paragraph (b). Category I-equivalent hours shall be acceptable so long as they have been prescribed by the American Academy of Family Physicians or another entity approved by the Board.

**Subsection 4906.5 is amended to read as follows:**

4906.5 An applicant for reactivation of an inactive license or reinstatement of a license to practice as a physician assistant shall submit proof pursuant to § 4906.7 of having completed during the two-year (2) period immediately preceding the date of application approved continuing medical education as follows:

- (a) Forty (40) hours of credit in continuing medical education meeting the requirements of Category 1;
- (b) Sixty (60) hours of credit in continuing medical education meeting the requirements of either Category 1 or Category 2; and
- (c) Beginning with the renewal period ending December 31, 2018, two (2) hours of credit in Category 1 or Category 1-equivalent continuing medical education coursework focusing on cultural competence or appropriate clinical treatment specifically for individuals who are lesbian, gay, bisexual, transgender, gender nonconforming, queer, or questioning their sexual orientation or gender identity and expression (LGBTQ), which shall meet the requirements of § 4906.8, and which shall count towards the hours required under paragraph (b). Category I-equivalent hours shall be acceptable so long as they have been prescribed by the American Academy of Family Physicians or another entity approved by the Board.

**Subsection 4906.6 is amended to read as follows:**

4906.6 A physician assistant who is required to obtain continuing medical education credits pursuant to § 4906.4 or 4906.5 may, in lieu of meeting the requirements of those sections, furnish proof satisfactory to the Board that the physician assistant holds a current valid certificate from the

NCCPA that entitles the physician assistant (under the by-laws of the NCCPA) to use the designation "Physician Assistant-Certified" or "PA-C." Nothing in this subsection shall waive the requirement of §§ 4906.4(c) and 4906.5(c).

**A new subsection 4906.8 is added to read as follows:**

- 4906.8 Continuing medical education hours that are completed, pursuant to § 4906.4(c), in cultural competence and appropriate clinical treatment specifically for individuals who are LGBTQ shall, at a minimum, provide information and skills to enable a physician assistant to care effectively and respectfully for patients who identify as LGBTQ, which may include:
- (a) Specialized clinical training relevant to patients who identify as LGBTQ, including training on how to use cultural information and terminology to establish clinical relationships;
  - (b) Training that improves the understanding and application, in a clinical setting, of relevant data concerning health disparities and risk factors for patients who identify as LGBTQ;
  - (c) Training that outlines the legal obligations associated with treating patients who identify as LGBTQ;
  - (d) Best practices for collecting, storing, using, and keeping confidential, information regarding sexual orientation and gender identity;
  - (e) Best practices for training support staff regarding the treatment of patients who identify as LGBTQ and their families;
  - (f) Training that improves the understanding of the intersections between systems of oppression and discrimination and improves the recognition that those who identify as LGBTQ may experience these systems in varying degrees of intensity; and
  - (g) Training that addresses underlying cultural biases aimed at improving the provision of nondiscriminatory care for patients who identify as LGBTQ.

## OFFICE OF LOTTERY AND CHARITABLE GAMES

NOTICE OF FINAL RULEMAKING

The Executive Director of the Office of Lottery and Charitable Games, pursuant to the authority set forth in Section 424a of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 790, Pub. L. 93-198; D.C. Official Code § 1-204.24(a) (2016 Repl.)), as amended by the 2005 District of Columbia Omnibus Authorization Act, approved October 16, 2006 (Pub. L. No. 109-356, § 201, 120 Stat. 2019; D.C. Official Code §§ 1-204.24a(c)(6) (2014 Repl.)) and section 4 of the Law to Legalize Lotteries, Daily Numbers Games, and Bingo and Raffles for Charitable Purposes in the District of Columbia, effective March 10, 1981 (D.C. Law 3-172; D.C. Official Code §§ 3-1306(a) and 3-1321 (2016 Repl.)), hereby gives notice of the amendments to Chapters 9 (Description of On-Line Games) and 99 (Definitions) of Title 30 (Lottery and Charitable Games) of the District of Columbia Municipal Regulations (DCMR).

The purpose of this rulemaking is to implement the Agency's The Lucky One® game.

A Notice of Proposed Rulemaking was published in the *D.C. Register* on March 9, 2018 at 65 DCR 2472. No public comments were received for the proposed rulemaking. However, after further Agency consideration of the proposed rulemaking, the Agency made non-substantive changes in this final rulemaking to clarify the application of the rules. The changes made in the final rulemaking do not substantially change the intent, meaning, or application of the proposed rules as published with the Notice of Proposed Rulemaking, or impose new obligations or requirements on the players of this new game. Rather, the changes serve to clarify application of the rules, and correct language or grammatical errors.

The Lucky One® game is scheduled to launch on May 20, 2018. This rulemaking was adopted as final on May 9, 2018 and will become effective on May 20, 2018.

**Chapter 9, DESCRIPTION OF ON-LINE GAMES, of Title 30 DCMR, LOTTERY AND CHARITABLE GAMES, is amended as follows:**

**Section 911, DESCRIPTION OF THE D.C. QUICK CASH GAME, is repealed and replaced with the following:**

**911 DESCRIPTION OF THE LUCKY ONE®**

911.1 The Agency may offer a one (1) digit keno style monitor game using a fixed payout known as The Lucky One®.

911.2 For each The Lucky One® drawing, one (1) winning number is chosen out of a field of thirty-six (36) numbers that are selected by a random number generator. The winning number is displayed at the end of each The Lucky One® drawing on the player monitor.

- 911.3 The Lucky One® players will have the option of selecting a single number, multiple numbers, high/low and/or odd/even.
- 911.4 The bet(s) that a player selects for each The Lucky One® drawing are printed on The Lucky One® Ticket, along with the date(s) of the drawing(s) the type of bet(s), the number of plays, the identifying number for each such drawing, the price of The Lucky One® Ticket, a retailer number, a serial number, and a bar code.
- 911.5 The Lucky One® drawings will occur every four (4) minutes during the following periods:
- (a) 12:02 a.m. to 1:58 a.m.
  - (b) 6:06 a.m. to 11:58 p.m.
  - (c) Other The Lucky One® drawing times and intervals may be designated by the Executive Director and made available to agents and the public in game instructions issued pursuant to Chapter 8 of this Title.
- 911.6 A player may wager on three (3) different bet types in a single The Lucky One® game:
- (a) LUCKY NUMBER – The player selects one (1) number up to ten (10) numbers from the range of 1-36. The Quick Pick option is only available for single number wagers. Minimum bet per play is one dollar (\$1). The maximum bet per play is fifty dollars (\$50). The wager options are \$1, \$2, \$5, \$10, \$20, \$25, \$30, \$50. Example: Player selects numbers 1 and 13, wager \$10. Total cost will be 2 plays X \$10 = \$20.
  - (b) HIGH/LOW – The player selects if the number drawn will be High or Low or uses the Quick Pick option. Low numbers are 1-18 (one through eighteen); High numbers are 19-36 (nineteen through thirty-six). Minimum bet per play is one dollar (\$1). The maximum bet per play is \$50. The wager options are \$1, \$2, \$5, \$10, \$20, \$25, \$30, \$50.
  - (c) ODD/EVEN – The player selects if the number drawn will be Odd or Even or uses the Quick Pick option. Minimum bet per play is one dollar (\$1). The maximum bet per play is \$50. The wager options are \$1, \$2, \$5, \$10, \$20, \$25, \$30, \$50. Odd and Even numbers are defined as follows:
    - (1) Odd numbers: one (1), three (3), five (5), seven (7), nine (9), eleven (11), thirteen (13), fifteen (15), seventeen (17), nineteen (19), twenty-one (21), twenty-three (23), twenty-five (25), twenty-seven (27), twenty-nine (29), thirty-one (31), thirty-three (33), and

thirty-five (35).

- (2) Even numbers: two (2), four (4), six (6), eight (8), ten (10), twelve (12), fourteen (14), sixteen (16), eighteen (18), twenty (20), twenty-two (22), twenty-four (24), twenty-six (26), twenty-eight (28), thirty (30), thirty-two (32), thirty-four (34), and thirty-six (36).

- 911.7 A player selects up to twenty (20) consecutive The Lucky One® draws for each The Lucky One® game on a single The Lucky One® Ticket.
- 911.8 A ticket which is printed in error for The Lucky One® game may be cancelled only on the date purchased and prior to the next drawing. The tickets shall be voided only by the issuing agent and at the terminal that printed the ticket. The player may request a refund or a replacement ticket. If for any reason the terminal that issued the ticket is inoperable prior to the next drawing, the player's sole recourse shall be a refund of the ticket price.
- 911.9 Each ticket may contain multiple bet types, and wager amounts for each bet type can vary by bet type. Example: \$5 wager on the Lucky Number, \$2 on Odd and \$20 on High.
- 911.10 The minimum The Lucky One® ticket price for a consecutive drawing is two dollars (\$2), \$1 x 2 consecutive drawings or \$2. The maximum The Lucky One® ticket price for consecutive drawings may not exceed two hundred eight dollars (\$208.00). A selection slip indicating a price greater than two hundred eight dollars (\$208.00) shall be rejected automatically by the terminal.
- 911.11 If a player has games remaining on a The Lucky One® ticket at the close of daily The Lucky One® operations, the remaining games shall be played and drawn at the start of operations the next day.

**Section 912, PRIZE STRUCTURE FOR THE D.C. QUICK CASH GAME, is repealed and replaced with the following:**

**912 THE LUCKY ONE® PRIZE STRUCTURE, PROBABILITY AND VALIDATION**

- 912.1 Overall odds of winning and prizes are determined by the number and type of bet selected for each draw.



912.2 The Lucky One® is a set payout game which pays prizes based on a one-dollar (\$1) bet shall be as follows:

Wager Types	Selections	How to Win	Example Player Selects	Example Number Drawn	\$1 Bet Pays	Odds of Winning
Lucky Number	Any number from 1-36	Player must match number drawn	Player selects the number 2	2	\$24	1:36
Odd/Even	Odd or Even	Player must match if the number drawn is odd or even	Player selects odd	1	\$1.50	1:2
High/Low	High or Low	Player must match if the number drawn is high or low	Player selects high	30	\$1.50	1:2

912.3 The Lucky One® shall have a two million dollar (\$2,000,000) prize liability limit paid out in any single draw.

912.4 In the event of multiple winners in a single drawing, in which the total payout for that drawing would exceed two million dollars (\$2,000,000), each ticket would be awarded a proportional share of the two million dollar (\$2,000,000) jackpot prize cap by dividing each ticket’s winning jackpot prize total by the total of all winning prizes to determine each ticket’s proportional share of the two million dollar (\$2,000,000) prize cap.

912.5 The Executive Director may adopt other prize structures that shall be effective upon the issuance of instructions to the public.

912.6 If a player validates a winning The Lucky One® Ticket and a portion of The Lucky One® Ticket has draw(s) remaining, a The Lucky One® Exchange Ticket will be reissued to the player at no additional cost. The Lucky One® Exchange Ticket shall contain the exact The Lucky One® game play and future drawing date(s) appearing on the validated The Lucky One® Ticket it is replacing and shall have all other characteristics of a The Lucky One® Ticket except as otherwise stated in these rules. The Lucky One® Exchange Ticket shall not contain a ticket price.

912.7 The Lucky One® Exchange Ticket is valid beginning with the next draw through the last draw on the original The Lucky One® Ticket.

**Chapter 99, DEFINITIONS, is amended as follows:**

**Section 9900, DEFINITIONS, is amended by adding the following terms and definitions:**

**The Lucky One® Ticket** – a terminal generated bearer instrument that is produced when playing The Lucky One® game. The Lucky One® Ticket is the only form of proof of a The Lucky One® wager.

**The Lucky One® Exchange Ticket** - a terminal generated ticket to replace a consecutive The Lucky One® Ticket that is validated before the last game on The Lucky One® Ticket.

## DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

NOTICE OF FINAL RULEMAKING

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

At its regularly scheduled meeting on May 3, 2018, the Board adopted Resolution #18-35 to amend Subsection 112.11 (Fees). The purpose of this Resolution is to approve the amendments to the System Availability Fee (SAF) regulations to:

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

Pursuant to Board Resolution #18-29, dated March 1, 2018, DC Water's Notice of Proposed Rulemaking was published in the District of Columbia Register (*D.C. Register* or DCR) at 65 DCR 2724 on March 16, 2018. On April 24, 2018, the DC Retail Water and Sewer Rates Committee met to consider the comments offered during the public comment period and recommendations from DC Water's General Manager.

On March 3, 2018, the Board, through Resolution #18-35, after consideration of all of the comments received, the report from the DC Retail Water and Sewer Rates Committee, recommendations from DC Water's General Manager, voted to amend the DCMR to address the impacts of the SAF regulations on projects with significant affordable housing components and other issues as noted above. No changes were made to the proposed regulations. These rules were adopted as final on May 3, 2018 by resolution, and will become effective upon publication of this notice in the *D.C. Register*.

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

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

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

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

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

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

SAF Meter Size (inches)	Water System Availability Fee	Sewer System Availability Fee	Total System Availability Fee
1" or smaller	\$ 1,282	\$ 3,173	\$ 4,455
1"x1.25"	\$ 2,047	\$ 5,066	\$ 7,113
1.5"	\$ 5,491	\$ 13,591	\$ 19,082
2"	\$ 11,125	\$ 27,536	\$ 38,661
3"	\$ 32,500	\$ 80,442	\$ 112,942
4"	\$ 83,388	\$ 206,394	\$ 289,782
6"	\$ 229,246	\$ 567,408	\$ 796,654
8"	\$ 229,246	\$ 567,408	\$ 796,654
8"x2"	\$ 229,246	\$ 567,408	\$ 796,654
8"x4"x1"	\$ 229,246	\$ 567,408	\$ 796,654
10"	\$ 229,246	\$ 567,408	\$ 796,654
12"	\$ 229,246	\$ 567,408	\$ 796,654
16"	\$ 229,246	\$ 567,408	\$ 796,654

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

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

- (g) Properties under renovation or redevelopment shall not receive a SAF Credit for the DC Water account(s) that have been inactive for more than twenty-four (24) months prior to DC Water’s issuance of the Certificate of Approval.
- (h) For any new premise, building or structure that includes one or more affordable housing unit (AHU), DC Water shall also provide an AHU Credit equal to:
  - (1) AHU Credit - Three Thousand Nine Hundred Forty-Four dollars (\$3,944) for each AHU in a metered residential structure of three (3) or less units (e.g., single-family structure, townhouse, condominium, cooperative housing association unit, or apartment).
  - (2) % AHU Credit or % Net AHU Credit - The percentage of affordable housing units credit (% AHU credit) or percentage of additional AHU credit (% Net AHU Credit) in a metered multi-family residential structure of four or more housing units (condominium, cooperative housing association, or apartment) determined as follows: % AHU (or % Net AHU) equals the number of AHUs (or Net AHU) divided by total number of residential units (RU) times one hundred (100) times the SAF:

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

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

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

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

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

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

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

- (k) Projects that request AHU or Net AHU Credits shall submit one or more of the following documents:
- (1) Land Disposition Development Agreement;
  - (2) Zoning Commission Order;
  - (3) Planned Unit Development Covenant;
  - (4) Certificate of Inclusionary Zoning; or
  - (5) Letter from the District financing agency that establishes the number of AHU in the property.
- (l) If the Net System Availability Fee (less AHU Credit or Net AHU Credit) is zero or less, no System Availability Fee shall be charged.
- (m) If the Net System Availability Fee (less AHU Credit or Net AHU Credit) is greater than zero, DC Water shall assess the System Availability Fee.
- (n) DC Water may request documentation to confirm the number of proposed affordable housing units that were actually constructed. If the number of constructed AHUs is less than the proposed AHUs, DC Water shall bill the property owner the amount of the AHU Credit or Net AHU Credit for the unconstructed AHUs.

- (o) For DCRA Construction Permit applicants, payment of the System Availability Fee shall be a condition for DC Water's issuance of the Certificate of Approval.
- (p) DCRA Construction Permit applicants that submitted plans and specifications to DC Water prior to the effective date of these regulations, shall not be subject to the System Availability Fee provided:
  - (1) The DC Water Engineering Review fee(s) has been paid;
  - (2) The plans, specifications and other information necessary to meet the requirements listed in DC Water Project Submission Checklist has been accepted for review by DC Water in support of a DCRA Building Permit for the project, without substantial revisions that result in the change in the peak water demand that changes the size or number of meter connections for the project;
  - (3) The DCRA Building Permit for the premise, building, or structure requiring water and sewer service is submitted to DCRA and accepted for review by DCRA within one calendar year after the effective date of these regulations; and
  - (4) DC Water issues the Certificate of Approval within one calendar year after the effective date of these regulations, unless DC Water's review is delayed due to a force majeure event that closes DC Water's offices for one or more days one week before June 1, 2019.
- (q) For federal facilities, payment of the System Availability Fee shall be a condition of DC Water's issuance of the Certificate of Approval.
- (r) Before June 1, 2021, the property owner may request to pay the System Availability Fee in four equal installments, with the final payment due no later than one calendar year after the execution date of a Payment Plan Agreement. Execution of a Payment Plan Agreement and payment of the first installment payment, shall be a condition of DC Water's issuance of the Certificate of Approval. Any overdue payments under the Payment Plan Agreement shall be treated as an overdue bill for water and sewer service charges as set forth in D.C. Official Code § 34-2407.02.
- (s) In the case that the DCRA Construction Permit is not issued or is revoked or the project is not constructed, upon written request from the property owner, DC Water shall issue the property owner a refund of the System Availability Fee.

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

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

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



## DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

NOTICE OF FINAL RULEMAKING

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

At its regularly scheduled meeting on May 3, 2018, the Board adopted Resolution #18-38 to amend Section 4103 (Fire Protection Service Fee). The purpose of this Resolution is to approve the amendments to the Fire Protection Service Fee for FY 2018 through FY 2021.

Pursuant to Board Resolution #18-28, dated March 1, 2018, DC Water's Notice of Proposed Rulemaking was published in the District of Columbia Register (*D.C. Register* or DCR) at 65 DCR 2734 on March 16, 2018. On April 24, 2018, the DC Retail Water and Sewer Rates Committee met to consider the comments offered during the public comment period and recommendations from DC Water's General Manager.

On March 3, 2018, the Board, through Resolution #18-38, after consideration of all of the comments received, the report from the DC Retail Water and Sewer Rates Committee, recommendations from DC Water's General Manager, voted to amend the DCMR to revise the Fire Protection Service Fee for FY 2018 through FY 2021. No changes were made to the proposed regulations. These rules were adopted as final on May 3, 2018 by resolution, and will become effective upon publication of this notice in the *D.C. Register*.

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

**4103 FIRE PROTECTION SERVICE FEE**

4103.1 The charge to the District of Columbia for fire protection service, including, but not limited to the delivery of water flows for firefighting as well as maintaining and upgrading public fire hydrants in the District of Columbia, (plus the cost of fire hydrant inspections performed by the DC Fire and Emergency Medical Services) shall be Ten Million Seven Hundred Ninety Six Thousand Dollars (\$10,796,000) for fiscal year (FY) 2018 and Twelve Million Five Hundred Twenty Seven Thousand Dollars (\$12,527,000) per fiscal year for FY 2019, FY 2020, and FY 2021.

- 4103.2 The fee may be examined every three years to determine if the fee is sufficient to recoup the actual costs for providing this service.
- 4103.3 In the event the actual costs are not being recouped, the District of Columbia shall pay the difference and the fee will be appropriately adjusted pursuant to the rulemaking process.
- 4103.4 In the event the costs paid by the District of Columbia exceed DC Water's actual costs, the fee shall be adjusted pursuant to the rulemaking process.

## DEPARTMENT OF ENERGY AND ENVIRONMENT

NOTICE OF PROPOSED RULEMAKING

## District Restricted Use Pesticides

The Director of the Department of Energy and Environment (Department), in accordance with the authority set forth in Section 107 of the District Department of the Environment Establishment Act of 2005, effective February 15, 2006 (D.C. Law 16-51; D.C. Official Code § 8-151.07 (2012 Repl. & 2017 Supp.)); Section 12(a) of the Pesticide Operations Act of 1977, effective April 18, 1978 (D.C. Law 2-70; D.C. Official Code § 8-411(a) (2012 Repl. & 2017 Supp.)); Section 3(c) of the Pesticide Education and Control Amendment Act of 2012, effective October 23, 2012 (D.C. Law 19-191; D.C. Official Code § 8-432(c) (2017 Supp.)); and Mayor's Order 98-47, dated April 15, 1998, as amended by Mayor's Order 2006-61, dated June 14, 2006, hereby gives notice of the intent to adopt the following amendments to Chapter 22 (Pesticide Control — General Rules) and Chapter 25 (Pesticide Control — Administration and Enforcement) of Title 20 (Environment) of the District of Columbia Municipal Regulations (DCMR), in no less than forty five (45) days from the date of publication of this notice in the *D.C. Register*.

This proposed rulemaking adds several chemicals to the District restricted-use pesticide list pursuant to a recent amendment to Section 3 of the Pesticide Education and Control Amendment Act of 2012 (PECA 2012), effective October 23, 2012 (D.C. Law 19-191; to be codified at D.C. Official Code § 8-432), which broadened the Department's authority, allowing it to adopt additional restricted-use pesticides based on "the findings of state, national, or international government bodies or non-governmental organizations that publish lists of chemicals that are known or likely to be hazardous to human health or the environment." Council amended Section 3 of PECA 2012 to facilitate the adoption of additional District restricted-use pesticides. Accordingly, with this notice the Department proposes to add several chemicals as District restricted-use pesticides. In addition, the amendments to PECA 2012 removed the legal designation of a "non-essential pesticide." Therefore, the Department proposes to amend existing regulations to remove references to non-essential pesticides.

First, to protect human health and the environment, the Department is proposing to add several chemicals recognized by the state of California as restricted-use. Prior to restricting a pesticide due to its impacts on human health or the environment, California's Department of Pesticide Regulation performs extensive scientific and toxicological assessments. *See, e.g.*, 29-Z Cal. Regulatory Notice Reg. 1045 (July 22, 2005),

<https://www.oal.ca.gov/wp-content/uploads/sites/28/2017/05/29z-2005.pdf> (proposing Sulfuryl Fluoride as a "restricted material"); *Risk Characterization Documents*, CAL. DEP'T OF PESTICIDE REGULATION, [http://cdpr.ca.gov/docs/whs/active\\_ingredient/sulfuryl-fluoride.htm](http://cdpr.ca.gov/docs/whs/active_ingredient/sulfuryl-fluoride.htm) (last accessed Nov. 15, 2017). California's findings on the following pesticides can be found on its website at [http://cdpr.ca.gov/docs/whs/active\\_ingredient/index.htm](http://cdpr.ca.gov/docs/whs/active_ingredient/index.htm), and clicking the name of each pesticide: methyl iodide, mevinphos (phosdrin), molinate (ordram), magnesium phosphide,\* phosphine gas,\* propanil (3,4-dichloropropionanilide), sulfuranyl fluoride, and tribufos (DEF,

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\* Magnesium phosphide and phosphine gas are discussed in the phosphine page.

folex). The Department is also proposing to add the following restricted-use pesticides based on California Department of Pesticide Regulation findings: brodifacoum,<sup>†</sup> bromadiolone,<sup>†</sup> difenacoum,<sup>†</sup> and difethialone,<sup>†</sup>

Additionally, the Department proposes to restrict the use of neonicotinoid pesticides to protect human health and the environment, using the below-cited Maryland and European Union neonicotinoid regulations and studies as a basis for the restriction:

- MD. CODE ANN., AGRIC. § 5-2A-01 *et seq.* (West 2017);
- MD. DEP’T OF LEGIS. SERVS., POLLINATOR HEALTH AND THE USE OF NEONICOTINOIDS IN MARYLAND (2015);
  - <http://mgaleg.maryland.gov/pubs/legislegal/2015-pollinator-health.pdf>;
- *Pesticides and Bees*, EUR. COMM’N (last accessed Nov. 15, 2017),
  - [https://ec.europa.eu/food/animals/live\\_animals/bees/pesticides\\_en](https://ec.europa.eu/food/animals/live_animals/bees/pesticides_en);
- Commission Implementing Regulation (EU) 2013 O.J. (L 139) No 485,
  - <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2013:139:0012:0026:EN:PDF>;

The Department proposes that these chemicals will become District restricted-use pesticides on October 1, 2020, to allow sufficient time to incorporate the changes into Departmental databases and records, to allow for outreach with product registrants, and to provide the Department with time to review labels in renewal applications. The Department will engage in a thorough and rigorous label review of renewal applications, after the rule is finalized but prior to October 1, 2020, to verify whether products are a District restricted-use pesticide.

To correspond with adding District restricted-use pesticides that are not recognized by the U.S. EPA as restricted use, the Department proposes a change to the definition of “restricted-use pesticide” in 20 DCMR § 2299.1 to explicitly include “*District* restricted-use pesticides” to make clear that all the restrictions that apply to “restricted-use pesticides” also apply to “District restricted-use pesticides.” This means that, among other requirements, District restricted-use pesticides shall only be sold by a licensed dealer (20 DCMR § 2403.1) and shall only be purchased and used by a licensed person (20 DCMR § 2300.3). This proposed change is meant to effectuate Council’s intent with the amendments to PECA 2012—that pesticide application should be restricted beyond existing law and regulation.

**Chapter 22, PESTICIDE CONTROL — GENERAL RULES, of Title 20 DCMR, ENVIRONMENT, is amended as follows:**

**Section 2205, CLASSIFICATION OF PESTICIDES, is amended as follows:**

Subsection 2205.1 is amended by striking the phrase “or non-essential”.

Subsection 2205.2 is amended by striking the phrase “or non-essential”.

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<sup>†</sup> Information on brodifacoum, bromadiolone, difenacoum, and difethialone can be found at <http://www.cdpr.ca.gov/docs/legbills/rulepkgs/13-002/statement.pdf>.

Subsection 2205.3 is amended by striking the phrase “or non-essential”.

Subsection 2205.4 is amended by striking the phrase “or non-essential”.

Subsection 2205.6 is repealed.

**Section 2206, DISTRICT RESTRICTED-USE PESTICIDES, is amended by amending paragraph § 2206.1(b) and adding new paragraphs § 2206.1(c) and § 2206.1(d) to read as follows:**

(b) Beginning on October 1, 2020, certain other pesticides:

Brodifacoum

Bromadiolone

Difenacoum

Difethialone

Magnesium Phosphide

Methyl Iodide

Mevinphos (Phosdrin)

Molinate (Ordram)

Phosphine Gas

Propanil (3,4-dichloropropionanilide)

Sulfuryl Fluoride

Tribufos (DEF, Folex)

(c) Beginning on October 1, 2020, the following neonicotinoid pesticides that contain a chemical belonging to the neonicotinoid class of chemicals, including:

(1) Clothianidin,

(2) Dinotefuran,

- (3) Imidacloprid,
  - (4) Nithiazine,
  - (5) Thiacloprid,
  - (6) Thiamethoxam, and
  - (7) Any other chemical designated by the Department as belonging to the neonicotinoid class of chemicals.
- (d) Paragraph (c) does not apply to:
- (1) Pet care products used to mitigate fleas, mites, ticks, heartworms, or other animals that are harmful to the health of a domesticated animal;
  - (2) Personal care products used to mitigate lice and bedbugs;
  - (3) Indoor pest control products used to mitigate insects indoors, including ant bait; and
  - (4) Veterinarians using neonicotinoids in their practice.

**Section 2207, NON-ESSENTIAL PESTICIDES, is repealed.**

**Section 2209, PROHIBITED AND RESTRICTED USES: EXEMPTIONS, is amended as follows:**

Subsection 2209.4 is repealed.

Subsection 2209.5 is repealed.

**Section 2299, DEFINITIONS, is amended by amending Subsection 2299.1 as follows:**

**By striking the definition of “non-essential.”**

**By amending the definitions of “Restricted-use pesticides” to read as follows:**

**“Restricted-use pesticides - any pesticides or pesticide use classified by the EPA Administrator for restricted use; or any District restricted-used pesticide.”**

**Chapter 25, PESTICIDE CONTROL — ADMINISTRATION AND ENFORCEMENT, of Title 20 DCMR, ENVIRONMENT, is amended as follows:**

**Section 2516, RECORDKEEPING AND REPORTING REQUIREMENTS, is amended by amending the text in paragraph § 2516.1(j) to read as follows:**

(j) Whether the pesticide used is a restricted-use pesticide;

The proposed rules are available for viewing at: <http://doee.dc.gov>.

All persons desiring to comment on the proposed regulations should file comments in writing no later than forty-five (45) days after the publication of this notice in the *D.C. Register*. Comments should identify the commenter and be clearly marked “DOEE RUP Proposed Rule Comments.” Comments may be (1) mailed or hand-delivered to DOEE, 1200 First Street N.E., 5<sup>th</sup> Floor, Washington, D.C. 20002, Attention: DOEE Pesticide Regulations, or (2) sent by e-mail to [mary.begin@dc.gov](mailto:mary.begin@dc.gov), with the subject indicated as “DOEE RUP Proposed Rule Comments.”

## THE DISTRICT OF COLUMBIA HOUSING AUTHORITY

NOTICE OF PROPOSED RULEMAKING**Smoke-Free Public Housing**

The Board of Commissioners of the District of Columbia Housing Authority (DCHA) hereby gives notice, pursuant to the District of Columbia Housing Authority Act of 1999, effective May 9, 2000 (D.C. Law 13-105; D.C. Official Code § 6-203 (2012 Repl.)), of its intent to adopt the following proposed amendments to Chapter 61 (Public Housing: Admission and Recertification) of Title 14 (Housing) of the District of Columbia Municipal Regulations (DCMR), in not less than thirty (30) days from the date of publication of this notice in the *D.C. Register*.

The purpose of the proposed amendments is to achieve compliance with the Department of Housing and Urban Development's mandate contained in 24 C.F.R. § 965.651 *et seq.* and to minimize the risk of fire, reduce maintenance costs, and eliminate the adverse health effects associated with second and thirdhand smoke.

**Chapter 61, PUBLIC HOUSING: ADMISSION AND RECERTIFICATION, Title 14 DCMR, HOUSING, is amended as follows:**

**A new Section 6128, PUBLIC HOUSING: SMOKE-FREE POLICY, is created to read as follows:**

**6128 PUBLIC HOUSING: SMOKE-FREE POLICY**

6128.01 Purpose. In accordance with the Department of Housing and Urban Development's mandate contained in 24 C.F.R. § 965.651 *et seq.*, the purpose of this section is to minimize the risk of fire, reduce maintenance costs, and eliminate the adverse health effects associated with second and thirdhand smoke.

6128.02 Applicability.

(a) This section applies to public housing assisted units as defined in D.C. Code § 6-201(41), except for dwelling units in redeveloped properties as defined in § 6113.1.

(b) This section applies to all residents, guests, visitors, service personnel and employees.

6128.03 Definitions.

(a) The term "smoking" means inhaling, exhaling, breathing, carrying, or possessing any lighted cigar, cigarette, pipe, or other tobacco product or similar lighted product in any manner or in any form.



- (b) For purposes of this section “public housing” means low-income housing, and all necessary appurtenances (*e.g.*, community facilities, public housing offices, day care centers, and laundry rooms) thereto, assisted under U.S. Housing Act of 1937 (the 1937 Act), other than assistance under Section 8 of the 1937 Act.

6128.04 Smoke-Free Public Housing. Smoking is prohibited within:

- (a) All interior common areas, including but not limited to community rooms, community bathrooms, lobbies, hallways, laundry rooms, stairways, offices, and elevators;
- (b) All living units; and
- (c) All outdoor areas on public housing grounds.

6128.05 Designated Smoking Areas. The DCHA may designate Smoking Areas on public housing grounds provided that the Smoking Area is not within 25 feet of public housing or administrative office buildings in which public housing is located.

6128.06 The DCHA is not a guarantor of a smoke-free environment. The DCHA is not required to take steps in response to smoking unless it has actual knowledge of the smoking and the identity of the responsible resident.

6128.07 Lease Violation. Residents are responsible for the actions of their household, their guests, and visitors. Repeated failures to adhere to conditions in section 6128.04 will constitute both a material non-compliance with the lease agreement and a serious violation of the Lease Agreement. In addition, resident will be responsible for all costs to remove smoke odor or residue upon any violation of this section.

Interested persons are encouraged to submit comments regarding this Proposed Rulemaking to DCHA's Office of General Counsel, Attention: Edward Kane, Deputy General Counsel. Copies of this Proposed Rulemaking can be obtained at [www.dcregs.gov](http://www.dcregs.gov), or by contacting the Office of the General Counsel, 1133 North Capitol Street, NE, Suite 210, Washington, DC 20002-7599 or via telephone at (202) 535-2835. All communications on this subject matter must refer to the above referenced title and must include the phrase "Comment to Proposed Rulemaking" in the subject line. There are two methods of submitting Public Comments:

1. Submission of comments by mail: Comments may be submitted by mail to the Office of the General Counsel, Attn: Edward Kane, Deputy General Counsel, 1133 North Capitol Street, NE, Suite 210, Washington, DC 20002-7599.
2. Electronic Submission of comments: Comments may be submitted electronically by submitting comments to DCHA at: [PublicationComments@dchousing.org](mailto:PublicationComments@dchousing.org).
3. No facsimile will be accepted.

Comments are due: June 17, 2018

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF PUBLIC HEARINGS  
CALENDAR

WEDNESDAY, MAY 23, 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,

**Protest Hearing (Status), Case # 18-PRO-00020, Kenzo, LLC t/a TBD, 1400-1404 Wisconsin Ave NW, License #108987, Retailer CR , ANC 2E, New Application** **9:30 AM**

**Show Cause Hearing (Status), Case # 18-CMP-00034, Yohannes A. Woldemichael, t/a Capitol Fine Wine and Spirits, 415 H Street NE, License #82981, Retailer A, ANC 6C** **9:30 AM**  
**Failure to Superintend in Person, No ABC Manager on Duty**

**Show Cause Hearing (Status), Case # 18-CMP-00029, PFM Restaurants LLC, Patrick Morrogh, t/a District Anchor, 1900 M Street NW, License #100517 Retailer CN, ANC 2B**  
**Operating After Hours, Interfered in an Investigation, Permitted the Consumption of Alcohol Beverages on the Licensed Premises Beyond Authorized Hours** **9:30 AM**

**Show Cause Hearing (Status), Case # 17-CMP-00571, Imm on H, LLC, t/a Imm on H, 1360 H Street NE, License #99569, Retailer CR, ANC 6A** **9:30 AM**  
**Substantial Change Without Board Approval (increase in occupancy)**

Board's Calendar

May 23, 2018

**Show Cause Hearing (Status), Case # 17-CMP-00701**, Bravo Lounge, LLC,  
t/a Bravo Lounge, 2917 Georgia Ave NW, License #92509, Retailer CT ,  
ANC 1B

**Failed to Keep Records Including Invoices and Delivery Slips**

**9:30 AM**

**Show Cause Hearing (Status), Case # 18-CMP-00031**, Vinnakota-Chon, Inc.  
t/a Lax Wine & Spirits, 3035 Naylor Road SE, License #82054, Retailer A  
ANC 8B

**Stored Alcoholic Beverages off Premises Without Board Approval,  
Substantial Change Without Board Approval (Expansion to Basement)**

**9:30 AM**

**Show Cause Hearing (Status), Case # 17-CC-00077**, Xaing Fong  
Corporation, t/a North Sea Carry-out Restaurant, 2479 18th Street NW  
License #73973, Retailer B, ANC 1C

**Sale to Minor, Failed to Require Production of Valid Identification,  
Failure to Superintend in Person, No ABC Manager on Duty, Failed to  
Apply for a Transfer of Ownership, Failed to Fill Out the Appropriate  
Forms for a Transfer of Ownership**

**9:30 AM**

**Show Cause Hearing (Status), Case # 17-CC-00113**, Prospect Dining, LLC,  
t/a Chinese Disco, 3251 Prospect Street NW, License #78058, Retailer CR  
ANC 2E

**Sale to Minor, Failed to Take Steps Necessary to Ascertain Legal Drinking  
Age**

**9:30 AM**

**Show Cause Hearing \***, Case # 17-CC-00066, Prospect Dining, LLC, t/a  
Chinese Disco, 3251 Prospect Street NW, License #78058, Retailer CR  
ANC 2E

**Sale to Minor**

**10:30 AM**

**Fact Finding Hearing \***, Case # 18-CMP-00067, Techno Excess, LLC, t/a  
Ababa Ethiopian Restaurant, 2106 18th Street NW, License #103289,  
Retailer CR, ANC 1C

**Sale of Alcoholic Beverages Without a License, Permitting/Maintaining a  
Nuisance, Knowingly Permitting the Illegal Sale or Use of a Controlled  
Substance, Allowed the Establishment to be Used for an Unlawful Purpose,  
Interference With an ABRA Investigation**

**1:30 PM**

Board's Calendar

May 23, 2018

**Protest Hearing \***, Case # **18-PRO-00012**, Shaw Howard Deli, LLC,  
t/a Shaw Howard Deli, 1911 7th Street NW, License #95169  
Retailer B, ANC 1B, **Licene Renewal**

**1:30 PM**

*This hearing is cancelled due to the submission of a Settlement Agreement for the Board's review and consideration.*

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**Protest Hearing \***, 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 (Increase of Occupancy on the Summer Garden from 40 to 140, with seating for 100)**

**\*The Board will hold a closed meeting for purposes of deliberating these hearings pursuant to DC Official Code §2-574(b)(13).**

**4:30 PM**

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

**NOTICE OF MEETING  
INVESTIGATIVE AGENDA**

**WEDNESDAY, MAY 23, 2018  
2000 14<sup>TH</sup> STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

**On Wednesday, May 23, 2018 at 4:00 pm., the Alcoholic Beverage Control Board will hold a closed meeting regarding the matters identified below. In accordance with Section 405(b) of the Open Meetings Amendment Act of 2010, the meeting will be closed “to plan, discuss, or hear reports concerning ongoing or planned investigations of alleged criminal or civil misconduct or violations of law or regulations.”**

1. Case# 18-CC-00040, Yes Organic Market, 2125 14<sup>th</sup> Street N.W., Retailer B, License # ABRA-079023

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2. Case# 18-MGR-00008, ABC Manager, Nathan Young, License # ABRA-099744

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3. Case# 18-AUD-00030, Sonoma, 223 Pennsylvania Avenue S.E., Retailer CR, License # ABRA-072017

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4. Case# 18- CMP-00082, The Embassy Row Hotel, 2015, Massachusetts Avenue N.W., Retailer CH, License # ABRA-093645

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5. Case# 18-CMP-00100, Betty’s Gojo, 7616 Georgia Avenue N.W., Retailer CR, License # ABRA-102500

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6. Case# 18-CC-00031, Safeway, 1601 Maryland Avenue N.E., Retailer B, License # ABRA-097703

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7. Case# 18-251-00109, Eye Bar/Garden of Eden, 1716 I Street N.W., Retailer CN, License # ABRA-083133

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8. Case# 18-251-00084, The Green Island Café/Heaven & Hell, 2327 18<sup>th</sup> Street N.W., Retailer CT, License # ABRA-074503

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9. Case# 18-CMP-00098, Scion Restaurant, 2100 P Street N.W., Retailer CR, License # ABRA-082174

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10. Case# 18-CMP-00101, The Bullpen, 25 M Street S.E., Retailer CT, License # ABRA-086735

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11. Case# 18-CC-00041, Lena Market, 1206 Underwood Street N.W., Retailer B, License # ABRA-082376

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12. Case# 18-CC-00038, FB Liquors, 1905 9<sup>th</sup> Street N.W., Retailer A, License # ABRA-105842

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13. Case# 18-CC-00039, Universal Liquors, 2018 Florinda Avenue N.W., Retailer A, License # ABRA-072213

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14. Case# 18-MGR-00006, ABC Manager, Leon Burroughs, License # ABRA-104551

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15. Case# 18-CMP-00103, Chi-Cha Lounge, 1624 U Street N.W., Retailer CT, License # ABRA-026519

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16. Case# 18-CC-00042, Chat's Liquors, 503 8<sup>th</sup> Street S.E., Retailer A, License # ABRA-000200

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17. Case# 18-CC-00051, Bua Restaurant & Bar, 1635 P Street N.W., Retailer CR, License # ABRA-012993

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18. Case# 18-CC-00050, Nazca Restaurant/Mochica Restaurant, 1633 P Street N.W., Retailer CR, License # ABRA-100279

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19. Case# 18-CC-00052, Dupont Italian Kitchen, 1637 17<sup>th</sup> Street N.W., Retailer CR, License # ABRA-008949

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

**NOTICE OF MEETING  
LICENSING AGENDA**

**WEDNESDAY, MAY 23, 2018 AT 1:00 PM  
2000 14<sup>TH</sup> STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

1. Review Application for Safekeeping of License – Original Request. ANC 5D. SMD 5D06. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No conflict with Settlement Agreement. *Staples Beer & Wine Grocery LLC*, 1364 Florida Avenue NE, Retailer A Liquor Store, License No. 096294.

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2. Review Request for Change of Hours to commence the sale of alcoholic beverages 2 hours earlier. *Approved Hours of Operation*: Sunday-Saturday 12am to 12pm (24-Hour Operations). *Approved Hours of Alcoholic Beverage Sales and Consumption*: Sunday-Thursday 12pm to 2am, Friday-Saturday 12pm to 3am. *Approved Hours of Live Entertainment*: Sunday-Thursday 6pm to 2am, Friday-Saturday 6pm to 3am. *Proposed Hours of Alcoholic Beverage Sales and Consumption*: Sunday-Thursday 10am to 2am, Friday-Saturday 10am-3am. ANC 5D. SMD 5D01. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. *Gallaudet University Conference Center*, 800 Florida Avenue NE, Retailer CH, License No. 060796.

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3. Review Request to expand to the second floor of the license premises, adding 49 more seats, and resulting in an increase in the Total Occupancy Load from 16 to 65. ANC 1B. SMD 1B02. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No conflict with Settlement Agreement. *Unity*, 1936 9<sup>th</sup> Street NW, Retailer CT, License No. 109064.

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4. Review Application for Tasting Permit. ANC 2D. SMD 2D02. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. *Open Door Market*, 2160 California Street NW, Retailer B, License No. 109402.

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**\*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.**



**BASIS DC PUBLIC CHARTER SCHOOL****INVITATION FOR BID****Food Service Management Services**

BASIS DC, A Public Charter School is advertising the opportunity to bid on the delivery of breakfast, lunch, snack and/or CACFP supper meals to children enrolled at the school for the 2018-2019 school year with a possible extension of (4) one year renewals. All meals must meet at a minimum, but are not restricted to, the USDA National School Breakfast, Lunch, Afterschool Snack, and At Risk Supper meal pattern requirements. Additional specifications outlined in the Invitation for Bid (IFB) such as; student data, days of service, meal quality, etc. may be obtained beginning on **May 18, 2018** from **Portia Cameron at 202-393-5437 or [portia.cameron@basised.com](mailto:portia.cameron@basised.com)**

Proposals will be accepted at 410 8<sup>th</sup> street NW, Washington, DC 20004 on **June 14, 2018**, no later than **3:00 p.m.**

**All bids not addressing all areas as outlined in the IFB will not be considered.**

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

**WEDNESDAY, JUNE 6, 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.ccrdc.dc.gov](http://www.ccrdc.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, June 6, 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 to:
  - (A) First Draft of Report #18, *Solicitation and Renunciation* (3-14-18);
  - (B) First Draft of Report #19, *Homicide* (3-14-18);
  - (C) First Draft of Report #20, *Abuse & Neglect of Children, Elderly, and Vulnerable Adults* (3-14-18).
- III. Discussion of Draft Reports and Memoranda Currently Under Advisory Group Review:
  - (A) First Draft of Report #21, *Kidnapping and Related Offenses*;
  - (B) First Draft of Report #22, *Accomplice Liability and Related Provisions*.
- IV. Adjournment.

## OFFICE OF DISABILITY RIGHTS

DC COMMISSION ON PERSONS WITH DISABILITIES (DCCPD)  
COMMISSION MEETING

Friday, May 25th, 2018 @ 10:00am-11:15am

**\*All Commission Meetings are available and open to the public to attend****Location:** 441 4<sup>th</sup> Street NW, 11<sup>th</sup> Floor Conference Center**Call-In Number:** (866) 628-2987**Passcode:** 8488992

All reasonable accommodation requests must be made at least (5) business days prior to the scheduled meeting date. Please contact [Julia Wolhandler](#)

**AGENDA:**

- 10:00 a.m. Welcome / Call to Order – Jarvis Grindstaff
- 10:05 a.m. Commissioner Roll- Call – Jarvis Grindstaff / Kamilah Martin-Proctor
- 10:10 a.m. Approval of April 2018 Commission Meeting Minutes (Formal Vote)
- 10:20 a.m. Review tentative D.C.C.P.D. Calendar dates for 2018 events and potential leads
- 10:30 a.m. New Discussions
- 10:45 a.m. Status Check-In
- October 2018 Mayor’s Disability Awareness Expo
  - August Resume Workshop - Hope Fuller
  - Deaf Awareness Rally Partnership: promoting education, employment and communication - Commissioner Jarvis Grindstaff
  - Suicide Awareness – Coming Out of the Dark - Terrance Hunter
  - Bullying Awareness Speaking Out - Gerard ‘Gerry’ Counihan
- 11:00 a.m. 2018 White Papers and Reports Review & Leads (under the strategic plan)
- Bike Barrier Guidance - Jarvis Grindstaff
  - Emergency Management and Preparedness guidance - Dr. Denise Decker
    - Pervious paper written was the Snowzilla RE: guidance during snow emergencies
  - Transportation
  - Health Care Survey
  - Working with our ANC’s Partners - Gerald ‘Gerry’ Counihan and Terrance Hunter
  - Best Outreach Practices: Flyers, Libraries, Grocery Stores, Eventbrite - Lead: To Be Determined
  - Usher Syndrome awareness - Jarvis Grindstaff

11:10 a.m. Review Draft DCCPD Handbook

11:15 a.m. Review any Motions for Discussion and Consideration – Kamilah Martin-Proctor

- As we move into 2018, I would like the commission to consider having our meeting dates posted to the following, social network sites (Pending approval by O.D.R) as possible outreach avenues in an effort to further connect out to the community to the ODR Facebook - Eventbrite and to have a meeting flyer created that can be distributed to the community.

11:20 a.m. Public Comment

11:30 a.m. Adjourn – Jarvis Grindstaff

## OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION (OSSE)

## NOTICE OF FUNDING AVAILABILITY (NOFA)

## DC SCHOOL GARDEN GRANT (SGG)

## Request for Applications (RFA) Release Date: June 1, 2018

**Background:** The Office of the State Superintendent of Education (OSSE) Division of Health and Wellness is soliciting applications for the District of Columbia School Garden Grant, as authorized by the Healthy Schools Act of 2010 (HSA) (D.C. Law 18-209; D.C. Official Code § 38-821.01 *et seq.*). The purpose of this grant is to:

- 1) Increase the number of students that engage in school gardens programs.
- 2) Increase the number of classroom teachers that are including garden-based teaching into their teaching practice.
- 3) Increase the number of schools with garden programs.
- 4) Institutionalize school garden programs to ensure staying power.

To achieve this, the focus of the grant is to fund staff that oversees all aspects of the school garden program including instruction, program management, and garden care.

**Eligibility:** OSSE will accept applications from public schools (i.e., schools within the District of Columbia Public Schools), public charter schools and school CBOs that support school garden programs. Public schools and public charter schools must have completed the 2017-18 school year school health profile, required by Section 602 of the HSA (D.C. Law 18-209; D.C. Official Code § 38-826.02). For more information about the school health profile, please contact [Avani Dhamsania](#).

*Applying Public schools and public charter schools*

Public schools and public charter schools may submit one application for each school campus. DCPS schools must apply through its Office of Federal Programs and Grants. For more information, please contact the Grant Administration Team directly at [ofpg.grants@dc.gov](mailto:ofpg.grants@dc.gov) with your intent to apply by June 17, 2018. Public schools and public charter schools must partner with a CBO that supports school garden programs focuses on school garden projects. A [Service Provider List](#) is available, this list includes organizations that have partnered with schools to support garden programs. Applying schools may choose to collaborate with any organization however, evidence supporting that the organization has the experience and capacity to support the project must be provided. A letter of commitment regarding the partnership is required from each organization.

*Applying CBOs*

A CBO may submit up to three applications, each application must encompass a minimum of one and a maximum of four school campuses. Applying CBOs must have experience supporting

school garden programs. A letter of commitment regarding the partnership is required from each school.

**Award Period:** The grant period is two years beginning on Oct. 1, 2018 and ending on Sept. 30, 2020.

**Available Funding for Award:** The total amount of funding available for this award period is \$245,000. Eligible schools and organizations may apply for an award amount of up to \$35,000 per school.

The application will be available on June 1, 2018 at <http://grants.osse.dc.gov> . To receive more information or for a copy of this RFA, please contact:

Sam Ullery  
School Garden Specialist  
Division of Health and Wellness  
Office of the State Superintendent of Education  
1050 First Street, NE  
Washington, DC 20002  
Desk: (202) 741-6485  
Email: [Sam.Ullery@dc.gov](mailto:Sam.Ullery@dc.gov)

## OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION

## NOTICE OF FUNDING AVAILABILITY (NOFA)

## SAT AND ACT PREPARATION EXPANSION GRANT SCHOOL YEAR 2018-19

**Request for Application (RFA) Release Date: June 1, 2018, 12 p.m.**

As authorized by Section 3(b) of the State Education Office Establishment Act of 2000 (D.C. Law 13-176; D.C. Official Code 38-2602(b), as amended by the Postsecondary and Career Grant-Making Authority Amendment Act of 2017, the Office of the State Superintendent of Education (OSSE) - Division of Postsecondary and Career Education, is soliciting grant applications for the District of Columbia SAT and ACT Preparation Expansion Grant 2018-19. The goal of the SAT and ACT Preparation Expansion Grant is to increase the number of District high school students receiving high quality test preparation services in school year 2018-19. Additionally, OSSE seeks to understand which type or types of SAT and ACT preparation programs have the greatest positive impact on student scores for the greatest number of District students as well as which type or types of SAT and ACT preparation programs may be most effective for specific student populations. The grant is supported through local funds as part of a strategic citywide effort to ensure all District students are college and career ready.

**Eligibility:** OSSE will make these grants available through a competitive process. Eligible applicants include SAT and ACT preparation companies, in partnership with District of Columbia local education agencies (LEAs), who shall provide professional development and planning services between August 1, 2018 and September 30, 2018 (FY18):

- *Teacher/leadership professional development:* OSSE will fund professional development and training programs for teachers, administrators, and counselors at partner LEAs and schools. Professional development and planning should be directly connected to planned school year programs (program option 1 or program option 2, as detailed below).
- *School Year Planning:* OSSE will fund planning and preparation time by test preparation companies, for SAT and ACT related programs that will take place during school year 2018-19. Planning and preparation time should include collaboration with partner LEAs. Planning can include purchase of supplies and materials for 2018-19 planned programs.

Additionally, between October 1, 2018 and June 30, 2019 (FY 19), partnerships shall provide one or more of three specific SAT or ACT preparation program options:

- *Option 1: Curriculum Integration:* OSSE will fund programs that train academic subject area teachers to integrate SAT or ACT strategies and content into pre-existing classroom curriculum.
- *Option 2: LEA-provided SAT or ACT Test Preparation Course:* OSSE will fund programs that support school-employed staff to teach a standalone SAT or ACT course or courses as part of the school day.

- *Option 3: Company-provided SAT or ACT Preparation Course:* OSSE will fund programs that provide an external instructor or instructors directly from the test preparation company to teach a standalone SAT or ACT preparation and strategy course for students. Applicants interested in option three must provide a funding match of 1:1. This match can come from either the LEA or the test prep company.

SAT and ACT preparation companies may choose to apply for as many options as they see fit in partnership with one or more LEAs. Eligible applicants shall offer the SAT or ACT preparation course during the school day and for credit (at least ½ credit).

LEAs are not eligible for this funding, however eligible applicants must secure partnerships with the LEAs with which they intend to work and will be required to verify these partnerships through a signed Partnership Agreement that details the parameters of the partnership and demonstrates each partner's role in the planning and implementation of programs and services. Any qualified test preparation company may serve as the lead applicant for funding and will be fully responsible for fiscal management of funds awarded by OSSE.

OSSE will be holding information session to answer questions about the RFA and grant competition. Please see the full RFA for a detailed timeline of events.

**Length of Award:** The FY18 grant award period is from August 1, 2018 – September 30, 2018. The FY19 grant award period is October 1, 2018 – June 30, 2019.

**Available Funding for Award:** The total funding available for the FY18 award period is \$35,000. The total funding available for the FY19 award period is \$200,000. Eligible applicants may apply for any amount up to the full amount but may be awarded amounts less than requested.

An external review panel or panels will be convened to review, score, and rank each application. The review panel(s) will be composed of neutral, qualified, professional individuals selected for their expertise, knowledge or related experiences. The application will be scored against a rubric and each application will have multiple reviewers to ensure accurate scoring. Upon completion of its review, the panel(s) shall make recommendations for awards based on the scoring rubric(s). OSSE's Division of Postsecondary and Career Education will make all final award decisions.

For additional information regarding this grant competition, please contact:

Nicoisa Jones  
Program Manager, Advanced and Rigorous Coursework  
Division of Postsecondary and Career Education  
1050 First Street NE, Fifth Floor, Washington, DC 20002  
Phone: (202) 899-6103  
Email: [Nicoisa.Jones@dc.gov](mailto:Nicoisa.Jones@dc.gov)

The RFA will be available on [www.osse.dc.gov/sat-preparation-grant](http://www.osse.dc.gov/sat-preparation-grant). Applications will be submitted through the [Enterprise Grants Management System](#).



DISTRICT OF COLUMBIA  
BOARD OF ELECTIONS

**Certification of Filling a Vacancy  
In Advisory Neighborhood Commission**

Pursuant to D.C. Official Code §1-309.06(d)(6)(D), If there is only one person qualified to fill the vacancy within the affected single-member district, the vacancy shall be deemed filled by the qualified person, the Board hereby certifies that the vacancy has been filled in the following single-member district by the individual listed below:

Beverly Schwartz  
Single-Member District 2B08

**DISTRICT OF COLUMBIA BOARD OF ELECTIONS****Final Notice of Polling Place Relocation**

---

The Board of Elections hereby gives public notice, in accordance with D.C. Official Code § 1-309.10, of final action taken at its May 2, 2018 meeting in relocating Precinct #8, Ward 3 Polling Place.

The public is advised that the 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”**

**Please note that the relocation will be effective beginning with the upcoming June 19, 2018, Mayoral Primary Election.** The Board will individually notify all registered voters in the precinct of this change.

For further information, members of the public may contact the Board of Elections at 727-2525.

**DISTRICT OF COLUMBIA BOARD OF ELECTIONS****Final Notice of Polling Place Relocation**

---

The Board of Elections hereby gives public notice, in accordance with D.C. Official Code § 1-309.10, of final action taken at its May 2, 2018 meeting in relocating Precinct #29, Ward 3 Polling Place.

The public is advised that the 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”**

**Please note that the relocation will be effective beginning with the upcoming June 19, 2018, Mayoral Primary Election.** The Board will individually notify all registered voters in the precinct of this change.

For further information, members of the public may contact the Board of Elections at 727-2525.

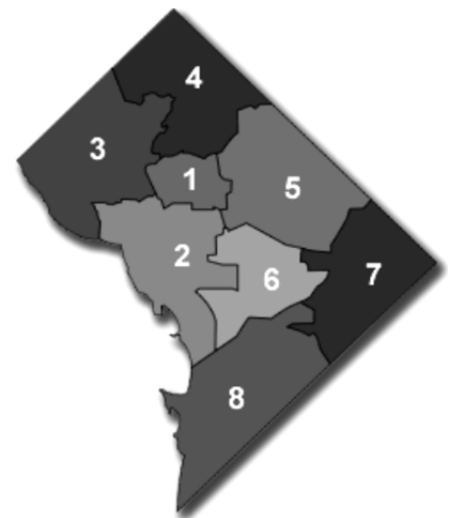
**D.C. BOARD OF ELECTIONS  
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS  
CITYWIDE REGISTRATION SUMMARY  
As Of April 30, 2018**

<b>WARD</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>	44,583	2,894	634	149	197	11,282	<b>59,739</b>
<b>2</b>	30,070	5,670	231	173	166	10,677	<b>46,987</b>
<b>3</b>	37,491	6,269	361	148	155	10,839	<b>55,263</b>
<b>4</b>	48,507	2,204	523	99	164	8,711	<b>60,208</b>
<b>5</b>	51,885	2,308	587	126	227	9,409	<b>64,542</b>
<b>6</b>	54,103	7,126	504	251	245	13,500	<b>75,729</b>
<b>7</b>	47,580	1,291	426	57	168	6,619	<b>56,141</b>
<b>8</b>	45,888	1,374	441	49	188	7,141	<b>55,081</b>
<b>Totals</b>	360,107	29,136	3,707	1,052	1,510	78,178	<b>473,690</b>
<b>Percentage By Party</b>	<b>76.02%</b>	<b>6.15%</b>	<b>.78%</b>	<b>.22%</b>	<b>.32%</b>	<b>16.50%</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 APRIL 30, 2018**

COVERING CITY WIDE TOTALS BY:  
**WARD, PRECINCT AND PARTY**

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



**D.C. BOARD OF ELECTIONS**  
**MONTHLY REPORT OF VOTER REGISTRATION STATISTICS**  
**WARD 1 REGISTRATION SUMMARY**  
**As Of April 30, 2018**

PRECINCT	DEM	REP	STG	LIB	OTH	N-P	TOTALS
20	1,577	31	10	3	6	273	1,900
22	3,696	384	29	12	13	972	5,106
23	2,859	215	41	11	13	774	3,913
24	2,627	247	26	15	14	778	3,707
25	3,748	430	43	18	14	1,091	5,344
35	3,523	221	51	13	9	835	4,652
36	4,144	244	60	10	20	995	5,473
37	3,482	161	46	10	19	830	4,548
38	2,845	132	45	15	15	747	3,799
39	4,084	197	68	11	15	926	5,301
40	3,793	180	82	10	18	972	5,055
41	3,535	204	73	7	18	1,012	4,849
42	1,773	84	26	4	11	459	2,357
43	1,784	70	27	5	7	368	2,261
137	1,113	94	7	5	5	250	1,474
<b>TOTALS</b>	<b>44,583</b>	<b>2,894</b>	<b>634</b>	<b>149</b>	<b>197</b>	<b>11,282</b>	<b>59,739</b>

**D.C. BOARD OF ELECTIONS  
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS  
WARD 2 REGISTRATION SUMMARY  
As Of April 30, 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>	894	167	7	9	10	543	<b>1,630</b>
<b>3</b>	1,608	368	17	8	10	643	<b>2,654</b>
<b>4</b>	1,900	491	8	12	12	728	<b>3,151</b>
<b>5</b>	2,058	599	11	15	13	763	<b>3,459</b>
<b>6</b>	2,308	824	19	16	16	1,254	<b>4,437</b>
<b>13</b>	1,280	227	4	2	6	412	<b>1,931</b>
<b>14</b>	2,819	464	27	19	9	960	<b>4,298</b>
<b>15</b>	2,944	393	31	18	14	872	<b>4,272</b>
<b>16</b>	3,367	426	30	23	19	946	<b>4,811</b>
<b>17</b>	4,699	623	30	20	18	1,450	<b>6,840</b>
<b>129</b>	2,339	415	12	8	15	891	<b>3,680</b>
<b>141</b>	2,358	301	17	12	14	649	<b>3,351</b>
<b>143</b>	1,496	372	18	11	10	566	<b>2,473</b>
<b>TOTALS</b>	<b>30,070</b>	<b>5,670</b>	<b>231</b>	<b>173</b>	<b>166</b>	<b>10,677</b>	<b>46,987</b>

**D.C. BOARD OF ELECTIONS**  
**MONTHLY REPORT OF VOTER REGISTRATION STATISTICS**  
**WARD 3 REGISTRATION SUMMARY**  
**As Of April 30, 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>	1,245	391	15	4	6	547	<b>2,208</b>
<b>8</b>	2,391	627	28	6	10	774	<b>3,836</b>
<b>9</b>	1,169	487	7	8	9	488	<b>2,168</b>
<b>10</b>	1,845	410	20	7	10	684	<b>2,976</b>
<b>11</b>	3,302	832	44	30	22	1,209	<b>5,439</b>
<b>12</b>	482	179	0	5	4	203	<b>873</b>
<b>26</b>	2,829	327	20	8	7	820	<b>4,011</b>
<b>27</b>	2,420	241	22	8	2	554	<b>3,247</b>
<b>28</b>	2,465	457	40	12	11	761	<b>3,746</b>
<b>29</b>	1,312	218	12	7	9	389	<b>1,947</b>
<b>30</b>	1,264	201	11	4	6	301	<b>1,787</b>
<b>31</b>	2,408	301	17	9	12	566	<b>3,313</b>
<b>32</b>	2,685	290	27	7	11	564	<b>3,584</b>
<b>33</b>	2,875	273	25	3	6	649	<b>3,831</b>
<b>34</b>	3,722	421	37	13	10	1,080	<b>5,283</b>
<b>50</b>	2,111	280	16	5	7	498	<b>2,917</b>
<b>136</b>	844	81	8	1	3	264	<b>1,201</b>
<b>138</b>	2,122	253	12	11	10	488	<b>2,896</b>
<b>TOTALS</b>	<b>37,491</b>	<b>6,269</b>	<b>361</b>	<b>148</b>	<b>155</b>	<b>10,839</b>	<b>55,263</b>

**D.C. BOARD OF ELECTIONS**  
**MONTHLY REPORT OF VOTER REGISTRATION STATISTICS**  
**WARD 4 REGISTRATION SUMMARY**  
**As Of April 30, 2018**

PRECINCT	DEM	REP	STG	LIB	OTH	N-P	TOTALS
45	2,266	63	34	9	9	371	2,752
46	2,769	97	32	7	13	484	3,402
47	3,384	134	44	9	14	737	4,322
48	2,764	127	29	6	7	540	3,473
49	904	44	12	2	5	196	1,163
51	3,308	506	21	8	10	608	4,461
52	1,235	143	9	2	5	226	1,620
53	1,223	74	20	1	3	241	1,562
54	2,322	95	24	4	5	439	2,889
55	2,408	78	14	1	12	412	2,925
56	3,090	95	36	9	14	628	3,872
57	2,437	69	33	6	10	469	3,024
58	2,253	60	19	5	4	341	2,682
59	2,584	82	28	7	7	405	3,113
60	2,153	66	24	5	10	593	2,851
61	1,575	56	16	1	7	287	1,942
62	3,108	129	21	2	4	381	3,645
63	3,662	137	58	3	18	646	4,524
64	2,344	64	21	6	5	353	2,793
65	2,718	85	28	6	2	354	3,193
<b>Totals</b>	<b>48,507</b>	<b>2,204</b>	<b>523</b>	<b>99</b>	<b>164</b>	<b>8,711</b>	<b>60,208</b>



**D.C. BOARD OF ELECTIONS**  
**MONTHLY REPORT OF VOTER REGISTRATION STATISTICS**  
**WARD 5 REGISTRATION SUMMARY**  
**As Of April 30, 2018**

PRECINCT	DEM	REP	STG	LIB	OTH	N-P	TOTALS
19	4,373	192	65	13	15	945	5,603
44	2,801	235	28	9	18	640	3,731
66	4,451	94	46	4	16	591	5,202
67	2,807	98	24	4	10	428	3,371
68	1,901	156	21	9	6	394	2,487
69	2,070	71	19	1	10	292	2,463
70	1,433	73	24	0	4	231	1,765
71	2,402	71	24	5	9	343	2,854
72	4,284	134	38	8	24	725	5,213
73	1,942	91	23	6	8	353	2,423
74	4,666	254	60	11	20	995	6,006
75	3,855	218	46	20	21	823	4,983
76	1,624	91	21	6	6	372	2,120
77	2,884	122	27	4	13	517	3,567
78	2,913	94	44	9	12	480	3,552
79	2,039	73	25	3	12	367	2,519
135	3,014	180	35	11	18	608	3,866
139	2,426	61	17	3	5	305	2,817
<b>TOTALS</b>	<b>51,885</b>	<b>2,308</b>	<b>587</b>	<b>126</b>	<b>227</b>	<b>9,409</b>	<b>64,542</b>

**D.C. BOARD OF ELECTIONS**  
**MONTHLY REPORT OF VOTER REGISTRATION STATISTICS**  
**WARD 6 REGISTRATION SUMMARY**  
**As Of April 30, 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>	4,348	564	45	26	17	1,212	<b>6,212</b>
<b>18</b>	4,739	363	48	15	22	1,078	<b>6,265</b>
<b>21</b>	1,172	58	8	7	2	245	<b>1,492</b>
<b>81</b>	4,550	373	47	14	17	929	<b>5,930</b>
<b>82</b>	2,504	247	27	9	8	582	<b>3,377</b>
<b>83</b>	5,293	735	43	30	27	1,424	<b>7,552</b>
<b>84</b>	1,937	404	19	5	11	534	<b>2,910</b>
<b>85</b>	2,630	491	21	13	7	729	<b>3,891</b>
<b>86</b>	2,183	245	22	10	8	440	<b>2,908</b>
<b>87</b>	2,636	290	17	3	16	585	<b>3,547</b>
<b>88</b>	2,094	292	19	7	6	478	<b>2,896</b>
<b>89</b>	2,523	617	20	17	11	767	<b>3,955</b>
<b>90</b>	1,568	233	14	6	11	453	<b>2,285</b>
<b>91</b>	4,015	407	32	16	19	925	<b>5,414</b>
<b>127</b>	4,160	314	45	21	18	864	<b>5,422</b>
<b>128</b>	2,420	211	27	11	11	598	<b>3,278</b>
<b>130</b>	779	300	8	1	4	270	<b>1,362</b>
<b>131</b>	2,931	773	27	27	22	928	<b>4,708</b>
<b>142</b>	1,621	209	15	13	8	459	<b>2,325</b>
<b>TOTALS</b>	<b>54,103</b>	<b>7,126</b>	<b>504</b>	<b>251</b>	<b>245</b>	<b>13,500</b>	<b>75,729</b>

**D.C. BOARD OF ELECTIONS**  
**MONTHLY REPORT OF VOTER REGISTRATION STATISTICS**  
**WARD 7 REGISTRATION SUMMARY**  
**As Of April 30, 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>80</b>	1,431	83	21	4	1	260	<b>1,800</b>
<b>92</b>	1,585	34	12	1	5	232	<b>1,869</b>
<b>93</b>	1,576	41	18	2	7	232	<b>1,876</b>
<b>94</b>	1,966	58	18	0	5	270	<b>2,317</b>
<b>95</b>	1,674	46	12	1	2	267	<b>2,002</b>
<b>96</b>	2,352	62	14	0	13	345	<b>2,786</b>
<b>97</b>	1,397	47	14	1	6	203	<b>1,668</b>
<b>98</b>	1,898	41	21	4	8	256	<b>2,228</b>
<b>99</b>	1,504	51	18	5	8	261	<b>1,847</b>
<b>100</b>	2,397	51	14	2	9	288	<b>2,761</b>
<b>101</b>	1,577	28	14	4	5	177	<b>1,805</b>
<b>102</b>	2,322	53	20	1	13	296	<b>2,705</b>
<b>103</b>	3,440	79	41	3	10	489	<b>4,062</b>
<b>104</b>	3,092	87	32	2	20	449	<b>3,682</b>
<b>105</b>	2,400	71	19	5	8	378	<b>2,881</b>
<b>106</b>	2,806	60	21	1	11	384	<b>3,283</b>
<b>107</b>	1,750	62	14	1	7	230	<b>2,064</b>
<b>108</b>	1,062	28	6	0	2	127	<b>1,225</b>
<b>109</b>	961	40	4	0	1	103	<b>1,109</b>
<b>110</b>	3,697	97	23	9	9	426	<b>4,261</b>
<b>111</b>	2,431	62	33	3	6	379	<b>2,914</b>
<b>113</b>	2,212	55	21	4	6	269	<b>2,567</b>
<b>132</b>	2,050	55	16	4	6	298	<b>2,429</b>
<b>TOTALS</b>	<b>47,580</b>	<b>1,291</b>	<b>426</b>	<b>57</b>	<b>168</b>	<b>6,619</b>	<b>56,141</b>

**D.C. BOARD OF ELECTIONS**  
**MONTHLY REPORT OF VOTER REGISTRATION STATISTICS**  
**WARD 8 REGISTRATION SUMMARY**  
**As Of April 30, 2018**

PRECINCT	DEM	REP	STG	LIB	OTH	N-P	TOTALS
112	2,208	60	16	0	10	313	2,607
114	3,534	140	37	4	22	593	4,330
115	2,823	67	26	4	11	598	3,529
116	4,108	99	41	4	15	625	4,892
117	2,083	46	20	3	10	327	2,489
118	2,735	75	31	3	13	392	3,249
119	2,695	108	29	3	14	448	3,297
120	1,918	36	15	2	3	247	2,221
121	3,385	77	27	3	7	459	3,958
122	1,801	46	24	1	9	250	2,131
123	2,337	170	25	11	19	396	2,958
124	2,606	70	23	1	8	363	3,071
125	4,483	102	37	3	15	703	5,343
126	3,848	133	47	6	17	699	4,750
133	1,299	43	9	0	1	173	1,525
134	2,199	48	25	0	6	285	2,563
140	1,826	54	9	1	8	270	2,168
<b>TOTALS</b>	<b>45,888</b>	<b>1,374</b>	<b>441</b>	<b>49</b>	<b>188</b>	<b>7,141</b>	<b>55,081</b>

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

*For voter registration activity between 3/31/2018 and 4/30/2018*

<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>358,508</b>	<b>29,032</b>	<b>3,657</b>	<b>1,042</b>	<b>1,490</b>	<b>77,704</b>	<b>471,433</b>
Board of Elections Over the Counter	28	1	0	0	0	11	40
Board of Elections by Mail	132	15	5	0	1	44	197
Board of Elections Online Registration	123	10	1	1	3	38	176
Department of Motor Vehicle	1,162	105	73	0	23	491	1,854
Department of Disability Services	6	1	0	0	0	3	10
Office of Aging	1	0	0	0	0	0	1
Federal Postcard Application	0	0	0	0	0	0	0
Department of Parks and Recreation	0	0	0	0	0	0	0
Nursing Home Program	15	5	0	0	0	5	25
Dept. of Youth Rehabilitative Services	0	0	0	0	0	0	0
Department of Corrections	3	0	0	0	0	1	4
Department of Human Services	8	3	0	0	0	3	14
Special / Provisional	0	0	0	0	0	0	0
All Other Sources	135	4	0	1	0	41	181
<b>+Total New Registrations</b>	<b>1,613</b>	<b>144</b>	<b>79</b>	<b>2</b>	<b>27</b>	<b>637</b>	<b>2,502</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	329	23	3	0	1	72	428
Administrative Corrections	2	1	0	1	0	14	18
<b>+TOTAL ACTIVATIONS</b>	<b>331</b>	<b>24</b>	<b>3</b>	<b>1</b>	<b>1</b>	<b>86</b>	<b>446</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	3	0	0	0	0	0	3
Moved Out of District (Deleted)	0	0	0	0	0	0	0
Felon (Deleted)	24	0	2	0	0	8	34
Deceased (Deleted)	88	4	0	0	1	7	100
Administrative Corrections	520	58	12	3	10	24	625
<b>-TOTAL DEACTIVATIONS</b>	<b>635</b>	<b>62</b>	<b>14</b>	<b>3</b>	<b>11</b>	<b>39</b>	<b>762</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	487	87	22	16	22	234
- Changed From Party	-197	-89	-40	-8	-19	-444
<b>ENDING TOTALS</b>	<b>360,107</b>	<b>29,136</b>	<b>3,707</b>	<b>1,052</b>	<b>1,510</b>	<b>78,178</b>

**FRIENDSHIP PUBLIC CHARTER SCHOOL****NOTICE OF INTENT TO ENTER SOLE SOURCE CONTRACTS****College Board**

Friendship Public Charter School intends to enter into sole source contracts with College Board for Advanced Placement (AP), SAT, PSAT, publications, software and materials. The estimated yearly cost is approximately \$60,000. The decision to sole source is due to the fact that these College Board is the sole provider of advanced placement publications and software which includes tangible and intangible related services and materials. The contract term shall be automatically renewed for the same period unless either party, 60 days before expiration, gives notice to the other of its desire to end the agreement. All questions should be addressed to: [ProcurementInquiry@friendshipschools.org](mailto:ProcurementInquiry@friendshipschools.org), before June 5, 2018.

**DEPARTMENT OF HEALTH****PUBLIC NOTICE**

The District of Columbia Board of Social Work (“Board”) hereby gives notice of a change of its regular meeting, pursuant to § 405 of the District of Columbia Health Occupation Revision Act of 1985, D.C. Official Code § 3-1204.05 (b)) (2016 Repl.).

The Board meets on the fourth Monday of each month. However, due to the Memorial Day Holiday, there will be no meeting on Monday, May 28, 2018. Additionally, due to schedule conflict, the Board’s next meeting scheduled for Monday, June 25, 2018, is being rescheduled to Monday, June 4, 2018 from 10:00 AM to 1:00 PM. The meeting will be open to the public from 10:00 AM until 10:30 AM to discuss various agenda items and any comments and/or concerns from the public. In accordance with Section 405(b) of the Open Meetings Act of 2010, D.C. Official Code § 2-574(b), the meeting will be closed from 10:30 AM to 1:00 PM to plan, discuss, or hear reports concerning licensing issues, ongoing or planned investigations of practice complaints, and or violations of law or regulations.

The meeting will be held at 899 North Capitol Street, NE, Second Floor, Washington, DC 20002. Visit the Department of Health’s Events webpage at [www.doh.dc.gov/events](http://www.doh.dc.gov/events) to view the agenda.

## DEPARTMENT OF HEALTH

PUBLIC NOTICE

The District of Columbia Board of Veterinary Medicine (“Board”) hereby gives notice of a cancellation of its regular meeting, pursuant to § 405 of the District of Columbia Health Occupation Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1204.05 (b)) (2016 Repl.)

The Board’s upcoming meeting, scheduled for Thursday, May 17, 2018 from 9:30 AM to 12:30 PM is cancelled due to scheduling conflict. The Board will resume its regular monthly meeting on Thursday, June 21, 2018. The meeting will be open to the public from 9:30 am until 10:00 am to discuss various agenda items and any comments and/or concerns from the public. In accordance with section 405(b) of the Open Meetings Amendment Act of 2010, D.C. Official Code § 2-575(b), the meeting will be closed from 10:00 am to 12:30 pm to plan, discuss, or hear reports concerning licensing issues, ongoing or planned investigations of practice complaints, and or violations of law or regulations.

The Board’s scheduled meetings for the remainder of 2018 will be on the following dates:

July 19, 2018  
September 20, 2018  
October 18, 2018  
November 15, 2018

There will be no meeting in August 2018.

All meetings will be held at 899 North Capitol Street, NE, Second Floor, Washington, DC 20002. Visit the Department of Health Events link at <http://doh.dc.gov/events> for additional information.



**MAYA ANGELOU PUBLIC CHARTER SCHOOL****NOTICE OF INTENT TO ENTER SOLE SOURCE CONTRACT****Home Builders Institute (HBI)**

Maya Angelou Public Charter School intends to sole source a construction trades program with Home Builders Institute (HBI) in the amount of ~\$150,000. Currently, HBI serves as a primary construction vocational program and has shown to be effective with our students. This sole source contract is necessary to maintain continuity of education among Young Adult Learning Center students.

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

**NOTICE OF MEETINGS**

The Office of the Deputy Mayor for Planning and Economic Development will convene meetings of the DC Government Interagency Working Group on Autonomous Vehicles.

The meetings will be held at the date, time, and location as follows:

- Dates:** Thursday, May 24, 2018  
Thursday, June 28, 2018  
Thursday, July 26, 2018  
Thursday, August 23, 2018  
Thursday, September 27, 2018  
Thursday, October 25, 2018  
Thursday, November 29, 2018  
Thursday, December 27, 2018
- Time:** 3:30 p.m. – 4:30 p.m.
- Location:** 1350 Pennsylvania Avenue, NW  
Suite 317  
Washington, DC, 20004
- Agenda:** Draft agenda items:  
1. Introductions  
2. Agency Updates  
Items will be updated as needed and posted here:  
<https://dmped.dc.gov/page/autonomous-vehicles-task-force>
- Contact:** Marie Whittaker, [marie.whittaker@dc.gov](mailto:marie.whittaker@dc.gov)  
202.741.2140

**DISTRICT OF COLUMBIA SENTENCING COMMISSION****NOTICE OF PUBLIC MEETING**

The Commission meeting will be held on Tuesday, May 22, 2018 at 5:00 p.m. The meeting will be held at 441 4<sup>th</sup> Street, N.W. Suite 430S Washington, DC 20001. Below is the planned agenda for the meeting. The final agenda will be posted on the agency's website at <http://sentencing.dc.gov>

For additional information, please contact: Mia Hebb, Staff Assistant, at (202) 727-8822 or email [mia.hebb@dc.gov](mailto:mia.hebb@dc.gov)

**Meeting Agenda**

1. Review and Approval of the Minutes from the April 10, 2018 - Meeting - Action Item, Judge Lee.
2. Introduction of Moss Group – Facilitators Selected for Focus Groups-Informational Item, Barb Tombs-Souvey.
3. Overview of Sentencing Guidelines Survey Results – Informational Item, Taylor Tarnalicki and Barb Tombs-Souvey.
4. Proposed Changes to 2018 Sentencing Guideline Manual – Action Item, Linden Fry.
5. Continued Discussion of Double Counting Issue – Action Item, Judge Lee and Linden Fry.
6. Results from Prioritization of Criminal History Related Issues, Informational Item – Barb Tombs-Souvey.
7. Schedule Next Meeting – June 19, 2018.
8. Adjourn.

**THE GOODWILL EXCEL CENTER, PUBLIC CHARTER SCHOOL**  
**REQUEST FOR PROPOSALS**

**Unarmed Security Guard Services**

The Goodwill Excel Center, Public Charter School (GEC) is seeking bids for an unarmed security guard service for its adult public charter high school in Washington D.C. Essential functions and requirements are outlined in the Scope of Work section of the Request for Proposal, available at <https://www.dcgoodwill.org/excel-center/open-rfps/>. The deadline to respond to the RFP is June 1, 2018 at 5pm. Contact – Josh Wallish, General Counsel, 2200 South Dakota Ave NE, Washington, DC 20018, (202) 719-1235, [josh.wallish@dcgoodwill.org](mailto:josh.wallish@dcgoodwill.org).

## THURGOOD MARSHALL ACADEMY PUBLIC CHARTER HIGH SCHOOL

## REQUEST FOR PROPOSALS

## “Chrome” Devices &amp; Related Software

Thurgood Marshall Academy—a nonprofit, college-preparatory, public charter high school—seeks vendors to provide either or both of the following:

- 1) “Chrome Books” or similar **laptop** devices, as well as **software and licenses** (additional specifications in full RFP)—**quantity 180**
- 2) “Chrome Boxes” or similar **desktop** devices, as well as **software, licenses, keyboards, and mice but excluding monitors** (additional specifications in full RFP)—**quantity 20**

The **full RFP** is available on the **Employment Opportunities** page under the About tab of [www.thurgoodmarshallacademy.org](http://www.thurgoodmarshallacademy.org). Alternatively, e-mail a request for the full RFP to [dschlossman@tmapchs.org](mailto:dschlossman@tmapchs.org) no later than 5 pm on Tuesday, May 29, 2018.

**Contact:** For further information regarding the RFP contact **David Schlossman, 202-276-4722, dschlossman@tmapchs.org**. Further information about Thurgood Marshall Academy—including our nondiscrimination policy—may be found at [www.thurgoodmarshallacademy.org](http://www.thurgoodmarshallacademy.org).

**Deadline & Submission:** Submit bids—including signed contract and contact information—via email to [dschlossman@tmapchs.org](mailto:dschlossman@tmapchs.org) no later than **5 pm, Washington, DC, time on Wednesday, May 30, 2018**.

**WASHINGTON GLOBAL PUBLIC CHARTER SCHOOL****NOTICE OF INTENT TO ENTER A SOLE SOURCE CONTRACT****Student Assessment Services**

Washington Global Public Charter School intends to enter into a sole source contract with The Achievement Network for student assessment services to help identify and close gaps in student learning for the upcoming school year 2018-2019.

- Washington Global Public Charter School constitutes the sole source for The Achievement Network for student assessment services that will lead to student achievement.
- For further information regarding this notice, contact [bids@washingtonglobal.org](mailto:bids@washingtonglobal.org) no later than **4:00 pm Tuesday, May 29, 2018**.

**WASHINGTON GLOBAL PUBLIC CHARTER SCHOOL**  
**REQUEST FOR PROPOSALS**

Washington Global Public Charter School in accordance with section 2204(c) of the District of Columbia School Reform Act of 1995 solicits proposals for the following services:

- Janitorial Services

**Proposal Submission**

A Portable Document Format (pdf) election version of your proposal must be received by the school no later than **4:00 p.m. EST on Tuesday, May 29, 2018** unless otherwise stated in associated RFP's. Proposals should be emailed to [bids@washingtonglobal.org](mailto:bids@washingtonglobal.org).

No phone call submission or late responses please. Interviews, samples, demonstrations will be scheduled at our request after the review of the proposals only.

**WASHINGTON YU YING PUBLIC CHARTER SCHOOL****REQUEST FOR PROPOSALS****Janitorial Supplies**

**RFP for Janitorial Supplies:** Yu Ying is requesting proposals for a vendor to supply janitorial supplies for our 44,000 square-foot elementary school that serves students in grades PK3-5th grade.

We desire green seal products that are a safe choice around children. These include cleaning and disinfecting supplies for classrooms, bathrooms and common areas. We also require paper products for bathrooms and stripping and waxing materials for VCT flooring and finish concrete floors.

**Deadline for submissions is close of business May 30, 2018. Please e-mail proposals and supporting documents to [RFP@washingtoneyu.org](mailto:RFP@washingtoneyu.org). Please specify “RFP for Janitorial Supplies” in the subject line.**



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

**Application No. 19680 of Quentin Ventures, LLC**, pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception under Subtitle E § 5201 from the rear addition requirements of Subtitle E § 205.4, to construct a rear addition and convert the existing one-family dwelling to a flat in the RF-1 Zone at premises 1948 2nd Street N.W. (Square 3088, Lot 50).

**HEARING DATES:** January 31, 2018 and February 21, 2018<sup>1</sup>

**DECISION DATE:** February 21, 2018

**DECISION AND ORDER**

Quentin Ventures, LLC (the “Applicant”) filed an application with the Board of Zoning Adjustment (the “Board” or “BZA”) on November 30, 2017, for a special exception under Subtitle E § 5201 from the rear addition requirements of Subtitle E § 205.4, to construct a rear addition and convert the existing one-family dwelling to a flat in the RF-1 Zone at premises 1948 2nd Street N.W. (Square 3088, Lot 50) (the “Subject Property”). For the reasons explained below, the Board voted to approve the application.

**PRELIMINARY MATTERS**

Self-Certification. The zoning relief requested in this case was self-certified, pursuant to Subtitle Y § 300.6. (Exhibit 3.) In granting the certified relief, the Board 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.

Notice of Application and Notice of Hearing. By memoranda dated December 18, 2017, the Office of Zoning (“OZ”) sent notice of the filing of the application to the D.C. Office of Planning (“OP”), the D.C. Department of Transportation (“DDOT”), Advisory Neighborhood Commission (“ANC”) 1B, the ANC within which the Property is located, Single Member District 1B01 representative, ANC 5E, the adjacent ANC, and the Councilmember for Ward 1, the at-large Councilmembers and the Council Chair. (Exhibits 14-24.) A public hearing was scheduled for January 31, 2018. Pursuant to 11-Y DCMR § 402.1(a), the Office of Zoning published notice of the hearing on the application in the D.C. Register. (64 DCR 012672.) On December 18, 2017, OZ sent notice of the public hearing to the Applicant and all owners of property within 200 feet of the Property. (Exhibits 25-26.)

Applicant’s Motion to Postpone. The Applicant filed the instant application on November 30, 2017, and the public hearing was originally scheduled for January 31, 2018. At the request of

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<sup>1</sup> The Board postponed the hearing on January 31, 2018 to that of February 21, 2018 at the Applicant’s request to allow time for the Applicant to present the case to the ANC.

ANC 1B, the Applicant filed a motion to postpone the public hearing to allow for the Applicant to meet with the ANC 1B Zoning, Preservation and Development Committee (“ZPD Committee”) prior to appearing before the ANC at its regular meeting on February 1, 2018. The Board granted the motion and the public hearing was rescheduled to February 21, 2018.

Request for Party Status. There were no requests for party status.

OP Report. In its memoranda dated February 9, 2018, the Office of Planning recommended approval of the requested relief. The OP report states that the applicable criteria for special exception relief pursuant to Subtitle E §§ 5201 and 205.4 was met by the application, noting that “[t]he proposed addition should not unduly impact the light and air of the neighboring properties. The proposed addition’s size and design would be almost identical to the adjacent house to the south’s rear addition. Therefore, it should not have an undue impact on that property’s light and air. The adjacent neighbor to the north’s lighting may be impacted but this impact should not be undue.” (Exhibit 40.) Further, at the public hearing on February 21, 2018, OP testified that the proposed addition does not represent a significant change to the visual character of the neighborhood, given the renovations made to other properties in the block which extended as far as or further than the Applicant’s proposal. (Tr., 65-70.)

DDOT Report. By memoranda dated January 17, 2018, DDOT indicated that it had no objection to the approval of the application, noting that the proposal will have no adverse impacts on travel conditions of the District’s transportation network. (Exhibit 33.)

ANC Report. ANC 1B, the ANC in which the Subject Property is sited and which is an automatic party to this proceeding, submitted a report regarding the application. The ANC report, dated February 6, 2018, indicated that at a duly noticed and scheduled public meeting on February 1, 2017, at which a quorum was present, the ANC voted 10-0-1 to recommend denial, but stated no specific issues or concerns it had with the application. (Exhibit 39.)

ANC 5E is the abutting ANC and because the property is on the boundary with the abutting ANC, ANC 5E was served and is also an automatic party, pursuant to Subtitle Y § 403.5. ANC 5E neither submitted a report nor participated in the case.

Persons in Support/Opposition. The Board received two letters in support of the application from the two neighbors to the north, one from Gwendolyn Ford who owns 1950 2<sup>nd</sup> Street, N.W., the property immediately to the north of the Subject Property, and the other from Martin Hardy who resides at 1952 2<sup>nd</sup> Street, N.W., two houses away from the Subject Property. In her letter, Ms. Ford, the owner of 1950 2<sup>nd</sup> Street, N.W., indicated that she and the Applicant had conversed about his plans to extend the rear of his property at 1948 2<sup>nd</sup> Street, N.W. and that she supported his plans to “maximize the usable space of his property.” Ms. Ford added that she considered “Larry’s plans to add off-street parking to be a helpful benefit for the neighborhood.” (Exhibit 37.) In his letter of support, Mr. Hardy noted that “[t]he proposed addition is similar to a number of already existing rear additions in the same block, and is consistent with the zoning regulations

on Lot Occupancy.” (Exhibit 36.) Mr. Hardy also testified in support of the application at the hearing. (Transcript of February 21, 2018 (“Tr.”), p. 88-90.)

Testimony was given at the public hearing by Mr. Reginald Duckett, who resides at 1940 2<sup>nd</sup> Street, N.W. Mr. Duckett initially testified that he would oppose an addition going further back than the neighboring residence at 1946 2<sup>nd</sup> Street, N.W. However, after the Applicant clarified that the addition would only extend as far as his current home at 1946 2<sup>nd</sup> Street, N.W., Mr. Duckett testified that he was supportive of the application. (Tr., p. 85-88.)

An email in opposition to the application from Cheryl L. Robinson-Haili, who resides at 1960 2<sup>nd</sup> Street, N.W., was submitted to the record. (Exhibit 34.)

## **FINDINGS OF FACT**

### **The Property and the Surrounding Neighborhood**

1. The property is located at premises 1948 2<sup>nd</sup> Street, N.W. (Square 3088, Lot 50) (the “Subject Property”) in the LeDroit Park neighborhood<sup>2</sup>. (Exhibit 9.)
2. The Subject Property is in the RF-1 zone. The surrounding neighborhood is predominantly one-family row dwellings. (Exhibit 9.)
3. The 1900-block on the west side of 2<sup>nd</sup> Street, N.W. is characterized by exceptionally long and narrow lots, originally improved by row dwellings only 30 feet deep.
4. The Subject Property is currently improved with a two-story single family row dwelling erected in 1914 and has 31% lot occupancy. (Exhibit 9.)
5. The existing dwelling on the Subject Property is 23.8 feet in height and sited on a narrow lot 17.25 feet wide and 144.50 feet deep, containing a land area of approximately 2,494 square feet. (Exhibit 9.)
6. The Subject Property abuts a 15-foot public alley, leading south to an exit to 2<sup>nd</sup> Street, N.W. and north to an exit on 3<sup>rd</sup> Street, N.W. (Exhibit 9.)

### **Project Description**

7. The Applicant intends to convert the one-family dwelling at the Subject Property to a two-unit flat by adding a two-story rear addition to the existing building. (Exhibit 9; Tr., p. 52-54.)

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<sup>2</sup> The Subject Property is in an Historic District and the project will be subject to Historic Preservation Review Board review. (Exhibit 40.)

8. With the proposed addition, the resulting lot occupancy for the Subject Property would be 58.2% and the rear yard setback would be 42 feet.
9. The proposed addition will extend 18 feet beyond the rear wall of the existing structure on the Subject Property.
10. The addition will be flush with the rear wall of the adjacent structure to the south and will extend 23 feet beyond the rear wall of the adjacent property to the north, 1950 2<sup>nd</sup> Street, N.W. (Exhibit 9; Tr., p. 52-54.)
11. The proposed addition would be built on the common party wall and there would not be any windows in the portion of the addition extending beyond the rear yard of the adjacent property to the north. (Exhibit 9; Tr., p. 52-54.)
12. The Applicant also proposed to construct an accessory garage at the public alley with off-street parking for one automobile. (Exhibit 9.)
13. The Applicant will make cosmetic improvements to the street façade and existing stairs, but will not alter the main architectural elements original to the dwelling. (Exhibit 9.)

### **Zoning Relief**

14. Pursuant to Subtitle E § 205.4, “a rear wall of an attached or semi-detached building shall not be constructed to extend farther than ten feet (10 ft.) beyond the farthest rear wall of any adjoining principal residential building on any adjacent property.”
15. The proposed rear addition will extend 23 feet beyond the rear wall of the adjacent property to the north, therefore zoning relief from Subtitle E § 205.4 is required.
16. This relief is available as a special exception pursuant to Subtitle E § 205.5, as evaluated against the criteria of Subtitle E §§ 5201.3 through 5201.6. (11-E DCMR § 205.5.)
17. In the RF-1 Zone, up to two dwelling units may be located within the principal structure or one each in the principal structure and an accessory structure by right. (11-E DCMR § 302.1.) The proposed conversion of the one-family dwelling to a flat therefore does not require zoning relief.
18. The proposed accessory garage structure complies with the zoning regulations and does not require zoning relief.

**Impact of the Proposal**

19. The Applicant provided axonometric renderings of the existing conditions and the proposed addition in the context of the adjacent properties on either side of the Subject Property.
20. The Applicant is also the owner of the adjacent property to the south at 1946 2<sup>nd</sup> Street, N.W. on which a nearly identical addition had been constructed prior to the adoption of the rear addition limitation in Subtitle E § 205.4. (Tr., p. 50-51; Exhibit 37.)
21. As the size and design of the proposed rear addition on the Subject Property would be almost identical to the rear addition constructed to the adjacent structure to the south, the proposed addition would not impact the light and air available to 1946 2<sup>nd</sup> Street, N.W., nor would it affect the privacy of use or enjoyment of that property.
22. The proposed addition may have an impact on the light and air available to the adjacent property to the north, but the impacts would not be undue, as the 42-foot rear yard provided would allow for adequate air flow to both adjacent neighbors.
23. There would be no windows in the portion of the rear addition extending beyond the rear yard of the adjacent property to the north, therefore the privacy of that adjacent neighbor would not be compromised.
24. The two immediate neighbors to the north at 1950 2<sup>nd</sup> Street, N.W. and 1952 2<sup>nd</sup> Street, N.W. submitted letters in support the proposed addition. (Exhibits 37 and 36.)
25. The proposed rear addition would not be visible from the street frontage on 2<sup>nd</sup> Street, N.W. The proposed cosmetic improvements to the street façade would be in keeping with the design of adjacent row dwellings.
26. The accessory garage structure and the second-floor of the rear addition would be visible from the public alley to the rear of the property, but would not visually intrude on the character of the public alley.
27. Photographic evidence shows that several of the other row dwellings on the block on which the Subject Property is located have been extended into the rear of their properties in a similar manner to what the Applicant has proposed. Of the 17 east-facing properties on the block, six properties, not including the Subject Property, have an extended footprint. (Exhibit 37.)

**Report of Advisory Neighborhood Commission 1B**

28. The record reflects that ANC 1B opposed the application, as evidenced by Exhibit 39, which reflects the result of a duly noticed public meeting of ANC 1B on February 1,

2018, at which a quorum was present. While ANC 1B plainly opposed the application, its report contained no rationale for its opposition.

29. Patrick Nelson, the person designated by the ANC to present the ANC report and Anita Norman, the SMD Commissioner for ANC 1B01 in which the Subject Property is located, testified regarding the ANC’s report. Mr. Nelson, who is the Chair of the ZPD Committee, stated that the ZPD Committee wanted the Applicant to provide a rationale or explanation for why the addition was necessary or to modify its plans. (Tr., p. 70-83.)

## CONCLUSIONS OF LAW

The Applicant requests a special exception under Subtitle E § 5201 from the rear addition requirements of Subtitle E § 205.4, to construct a rear addition and convert the existing one-family dwelling to a flat in the RF-1 Zone at premises 1948 2<sup>nd</sup> Street N.W. (Square 3088, Lot 50). The Board is authorized under § 8 of the Zoning Act, D.C. Official Code § 6-641.07(g)(2) (2001) to grant special exceptions, as provided in the Zoning Regulations, where, in the judgment of the Board, the special exception will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps and will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Zoning Map, subject to specific conditions. (11-X DCMR § 901.2.)

In addition to meeting the general special exception standard, the Applicant must satisfy the “specific conditions” of Subtitle E § 5201 to be granted special exception relief. Specifically, an applicant must show that: (a) the light and air available to neighboring properties shall not be unduly affected; (b) the privacy of use and enjoyment of neighboring properties shall not be unduly compromised; and (c) the addition or accessory structure, together with the original building, as viewed from the street, alley, and other public way, shall not substantially visually intrude upon the character, scale, and pattern of houses along the subject street frontage. (Subtitle E § 5201.3.) In order to demonstrate compliance with paragraphs (a), (b) and (c), an applicant must provide graphical representations such as plans, photographs, or elevation and section drawings sufficient to represent the relationship of the proposed addition or accessory structure to adjacent buildings and views from public ways. (Subtitle E § 5201.3(d).) Finally, the Board may approve lot occupancy of all new and existing structures on the lot up to a maximum of 70%. (Subtitle E § 5201.3(e).)

Based on the findings of fact, the Board concludes that the request for special exception relief satisfies the requirements of Subtitle E § 5201. The Board finds that the Applicant has provided sufficient plans, photographs, and elevations to meet the requirement of Subtitle E § 5201.3(d), and finds that the addition would increase the lot occupancy to 58.2%; therefore, the requirement of Subtitle E § 5201.3(e) is met. The Board will address the criteria of Subtitle E § 5201.3 (a), (b), and (c) in turn.

First, the Board finds that the Applicant has met the burden of proof by demonstrating that the light and air available to neighboring properties shall not be unduly affected. The adjacent property to the south at 1946 2nd Street, N.W., also owned by the Applicant, has a nearly identical rear addition. The proposed rear addition would extend no further than the adjacent property to the south; therefore, the Board finds that it would not impact the light and air available to 1946 2nd Street, N.W. The proposed addition may have an impact on the light and air available to the adjacent property to the north, as it would extend 23 feet beyond the rear wall of that structure; however, the impacts would not be undue. Even with the rear addition, the Subject Property will provide a 42-foot rear yard to allow for substantial amounts of light and adequate air flow to adjacent neighbors. Further, in the case record and during the hearing, the adjacent property owner to the north at 1950 2nd Street, N.W. raised no objections to the proposed rear addition related to light or air impacts.

The Board finds that the privacy of use and enjoyment of neighboring properties shall not be unduly compromised by the rear addition. The proposed addition would be built on the common party wall and there would not be any windows in the portion of the addition extending beyond the rear yard of the adjacent property to the north. Again, as the proposed addition will be substantially similar to the rear addition to the property to the south at 1946 2nd Street, N.W., there will be no impact on the privacy or use of that adjacent property, also owned by the Applicant. As there will be no windows over the rear yard of the property at 1950 2nd Street, N.W., the rear addition will not impact the privacy available to that adjacent neighbor. As with the light and air impacts, the adjacent property owner to the north at 1950 2nd Street, N.W. was supportive of the proposed addition and raised no concerns related to the use or enjoyment of her property.

Finally, the Board finds that the addition or accessory structure, together with the original building, as viewed from the street, alley, and other public way, shall not substantially visually intrude upon the character, scale, and pattern of houses along the subject street frontage. The proposed rear addition would not be visible from the street frontage on 2nd Street, N.W. Though the Applicant also proposes cosmetic improvements to the street façade, the Board finds that those improvements would be in keeping with the design of adjacent row dwellings and would not visually intrude upon the character or pattern of houses on the block. The proposed accessory garage structure and the second-floor of the proposed rear addition would be visible from the public alley to the rear of the property, but the Board finds that those elements of the proposal would not visually intrude on the character of the alley. Evidence provided by the Applicant supports the finding that various row dwellings on the block on which the Subject Property is located have similar rear additions.

For these same reasons, the Board concludes that the request for special exception relief meets the general special exception standards in Subtitle X § 901.2. The Board specifically finds that granting special exception in this case would be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps as required by Subtitle X § 901.2(a). The proposed project would allow the Applicant to convert a one-family dwelling into a flat, which is consistent with the character of the RF-1 Zone. Further, the Board finds that the proposed

addition would not adversely affect the use of neighboring properties, as required by Subtitle X § 901.2(b). As discussed in the analysis of the special exception standard of Subtitle E § 5201, the proposed addition would not have an adverse impact on light and air available to adjacent properties, privacy of use and enjoyment of adjacent properties, or the visual character of the street frontage or public alley.

The Board concludes that the Applicant has met its burden of proof for the special exception requested.

### **Great Weight to ANC and OP**

Section 13 of the Advisory Neighborhood Commissions Act of 1975, effective March 26, 1976 (D.C. Law 1-21; D.C. Official Code § 1-309.10(d)(A)) (2014 ed.) requires that the Board's written orders give "great weight" to the issues and concerns raised in the written recommendations of the affected ANC. To give "great weight" the Board must articulate with particularity and precision the reasons why the ANC does or does not offer persuasive advice under the circumstances and make specific findings and conclusions with respect to each of the ANC's issues and concerns. In *Metropole v. Board of Zoning Adjustment*, 141 A.3d 1079 (2016), the D.C. Court of Appeals made clear that the statute does not require the BZA to give "great weight" to the ANC's recommendation, but only to the issues and concerns raised by the ANC in reaching its decision, as communicated in its written report.

The Board concludes that it has accorded ANC 1B's views the consideration it is due. In this case, while it is true that ANC 1B voted to oppose the application, the ANC failed to articulate any issue or concern in its report. As ANC 1B did not articulate any issue or concern in its written report, there was nothing to which to give "great weight" and the Board is not obliged to accord "great weight" to ANC 1B's recommendation and hereby declines to do so.

The Board is also required under D.C. Official Code § 6-623.04(2001) to give "great weight" to OP recommendations. For reasons stated in this Decision and Order, the Board finds OP's recommendation to approve the relief requested to be persuasive.

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 E §§ 5201 and 205.4, that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board further concludes that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map.

It is therefore **ORDERED** that this application is hereby **GRANTED AND, PURSUANT TO SUBTITLE Y § 604.10, SUBJECT TO THE APPROVED PLANS AT EXHIBIT 8.**

**VOTE:**           **5-0-0** (Frederick L. Hill, Carlton E. Hart, Lesylleé M. White, Lorna L. John, and

**BZA APPLICATION NO. 19680**

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Peter G. May to APPROVE.)

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

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

**FINAL DATE OF ORDER:** May 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 DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.

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

**Application No. 19718 of Revie Dow, LLC**, pursuant to 11 DCMR Subtitle X, Chapter 10, for an area variance from the lot area requirements of Subtitle E § 201.4, to add two units to an existing four-unit apartment house in the RF-1 Zone at premises 1800 5th Street N.W. (Square 475, Lot 46).

**HEARING DATE:** May 2, 2018  
**DECISION DATE:** May 2, 2018

**SUMMARY ORDER**

**REVIEW BY THE ZONING ADMINISTRATOR**

The application was accompanied by a memorandum, dated September 6, 2017, from the Zoning Administrator, certifying the required relief. (Exhibit 10.)

The Board of Zoning Adjustment (“Board”) provided proper and timely notice of the public hearing on this application by publication in the *D.C. Register* and by mail to Advisory Neighborhood Commission (“ANC”) 6E and to owners of property located within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 6E, which is automatically a party to this application. The ANC submitted a report recommending approval of the application. The ANC’s report indicated that at a regularly scheduled, properly noticed public meeting on March 6, 2018, at which a quorum was present, the ANC voted 5-0-0 to support the application. (Exhibit 33.) In addition, Advisory Neighborhood Commissioner Anthony Brown of 6E02 testified in support of the application.

The Office of Planning (“OP”) submitted a timely report dated April 20, 2018, in support of the application. (Exhibit 35.) The District Department of Transportation (“DDOT”) submitted a timely report, dated April 11, 2018, expressing no objection to the approval of the application. (Exhibit 34.)

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 lot area requirements of Subtitle E § 201.4, to add two units to an existing four-unit apartment house in the RF-1 Zone. The only parties to the case were the ANC and the Applicant. No parties appeared at the public hearing in opposition to the application. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board, and having given great weight to the ANC and OP reports filed in this case, the Board concludes that in seeking a variance from 11 DCMR Subtitle E § 201.4, the Applicant has met the burden of proof under 11 DCMR Subtitle X § 1002.1, that there exists an exceptional or extraordinary situation or condition related to the property that creates a practical difficulty for the owner in complying with the Zoning Regulations, and that the relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map.

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 9.**

**VOTE:**       **4-0-1** (Carlton E. Hart, Peter A. Shapiro, Lesylleé M. White, and Lorna L. John to APPROVE; Frederick L. Hall, 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:** May 3, 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

**BZA APPLICATION NO. 19718**

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FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT.

IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE § 2-1401.01 *ET SEQ.* (ACT), THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, GENETIC INFORMATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.

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

**Application No. 19730 of Sons of Italy Foundation**, pursuant to 11 DCMR Subtitle X, Chapter 9 for a special exception under the non-profit use provisions of Subtitle U § 203.1(n), and pursuant to 11 DCMR Subtitle X, Chapter 10, for an area variance from the gross floor area requirements of Subtitle U § 203.1(n)(2), to continue a non-profit office use in the RF-3 District at premises 219 E Street N.E. (Square 755, Lot 32).

**HEARING DATES:** April 11, 2018 and May 2, 2018<sup>1</sup>  
**DECISION DATE:** May 2, 2018

**SUMMARY ORDER**

**SELF-CERTIFICATION**

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR Subtitle Y § 300.6. (Exhibit 6.) 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") 6C and to owners of property located within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 6C, which is automatically a party to this application. The ANC submitted a report and a representative of the ANC testified at the hearing, recommending approval of the application with two conditions which were agreed to by the Applicant (Exhibit 52), and adopted by the BZA in this order. The ANC's report indicated that at a regularly scheduled, properly noticed public meeting on April 11, 2018, at which a quorum was present, the ANC voted 6-0-0 to support the application. (Exhibit 56.)

The Office of Planning ("OP") submitted a timely report recommending approval of the application. (Exhibit 53.) The Architect of the Capitol submitted a report dated April 23, 2018 indicating that it has no objections to the application with the conditions requested by the ANC. (Exhibit 55.) The District Department of Transportation ("DDOT") submitted a timely report indicating that it had no objection to the grant of the application. (Exhibit 50.)

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<sup>1</sup> The hearing was postponed from April 11, 2018 to May 2, 2018 at the Applicant's unopposed request. (See Exhibits 30 and 41.)

The Capitol Hill Restoration Society and The Heritage Foundation both filed letters in support of the application. (Exhibits 15 and 51 respectively.) Fifteen letters of support also were submitted by neighbors. (Exhibits 31-38, 42-45, and 47-49.)

#### Variance Relief

As directed by 11 DCMR Subtitle X § 1002.2, the Board required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to Subtitle X § 1002.1 for an area variance from the gross floor area requirements of Subtitle U § 203.1(n)(2), to continue a non-profit office use in the RF-3 Zone. The only parties to the case were the ANC and the Applicant. No parties appeared at the public hearing in opposition to the application. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board, and having given great weight to the ANC and OP reports filed in this case, the Board concludes that in seeking an area variance from 11 DCMR Subtitle U § 203.1(n)(2), the Applicant has met the burden of proof under 11 DCMR Subtitle X § 1002.1, that there exists an exceptional or extraordinary situation or condition related to the property that creates a practical difficulty for the owner in complying with the Zoning Regulations, and that the relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map.

#### Special Exception Relief

As directed by 11 DCMR Subtitle X § 901.3, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to Subtitle X § 901.2, for a special exception under the non-profit use provisions of Subtitle U § 203.1(n). 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 U § 203.1(n), 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 13 – ARCHITECTURAL PLANS AND ELEVATIONS - AND WITH THE FOLLOWING CONDITIONS:**

1. The Applicant shall allow a maximum of five employees on site.
2. The Applicant shall be prohibited from holding events onsite for outside guests.

**VOTE: 4-0-1** (Carlton E. Hart, Lesylleé M. White, Lorna L. John, and Peter A. Shapiro 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:** May 4, 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.

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PURSUANT TO 11 DCMR SUBTITLE A § 303, THE PERSON WHO OWNS, CONTROLS, OCCUPIES, MAINTAINS, OR USES THE SUBJECT PROPERTY, OR ANY PART THERETO, SHALL COMPLY WITH THE CONDITIONS IN THIS ORDER, AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT. FAILURE TO ABIDE BY THE CONDITIONS IN THIS ORDER, IN WHOLE OR IN PART SHALL BE GROUNDS FOR THE REVOCATION OF ANY BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY ISSUED PURSUANT TO THIS ORDER.

IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE § 2-1401.01 *ET SEQ.* (ACT), THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, GENETIC INFORMATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.



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