

The graphic on the left side of the page is a stylized representation of the District of Columbia flag. It features two vertical white bars at the top and bottom, flanking two vertical red bars in the center. To the left of the red bars are three red stars arranged vertically.
District of Columbia**REGISTER**

HIGHLIGHTS

- D.C. Council enacts Act 22-473, Office of and Commission on Nightlife and Culture Establishment Act of 2018
- D.C. Council schedules a public hearing on “The District’s Snow Removal Operations Plan for Winter 2018 – 2019”
- D.C. Council gives abbreviated notice of its intention to take action on Bill 22-1009, Salary Adjustment Amendment Act of 2018 during a public hearing on November 7, 2018
- Office of Contracting and Procurement updates regulations governing patents, copyrights, and proprietary information for contracting officers
- Department of Human Services announces funding availability for the Short-term Family Housing Health Services
- D.C. Public Schools schedules a public hearing on the 2020 Fiscal Year Budget
- Department of Small and Local Business Development announces funding availability for the Ward 7 and 8 Microbusiness Dream Grants
- Office of the State Superintendent of Education announces funding availability for the Fiscal Year 2019 DC Special Education Teacher Preparation Grant
- D.C. Water and Sewer Authority schedules an open house to discuss the Environmental Assessment (EA) for DC Water’s Proposed Potomac River Tunnel Project

DISTRICT OF COLUMBIA REGISTER

Publication Authority and Policy

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

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ADMINISTRATOR

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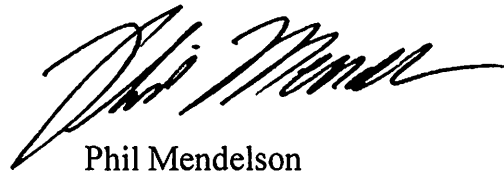
NOTICE

D.C. LAW 22-161

"Golden Triangle Business Improvement District Amendment Act of 2018"

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 22-761 on first and second readings June 5, 2018, and June 26, 2018, respectively. Following the signature of the Mayor on July 19, 2018, pursuant to Section 404(e) of the Charter, the bill became Act 22-413 and was published in the July 27, 2018 edition of the D.C. Register (Vol. 65, page 7680). Act 22-413 was transmitted to Congress on August 28, 2018 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 22-413 is now D.C. Law 22-161, effective October 11, 2018.



Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

August	28, 29, 30, 31
September	4, 5, 6, 7, 10, 11, 12, 13, 14, 17, 18, 19, 20, 21, 24, 25, 26, 27, 28
October	1, 2, 3, 4, 5, 9, 10

COUNCIL OF THE DISTRICT OF COLUMBIA

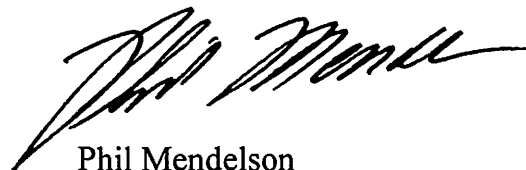
NOTICE

D.C. LAW 22-162

"Community Violence Intervention Fund Temporary Amendment Act of 2018"

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 22-826 on first and second readings June 5, 2018, and June 26, 2018, respectively, pursuant to Section 404(e) of the Charter, the bill became Act 22-424 and was published in the July 27, 2018 edition of the D.C. Register (Vol. 65, page 7707). Act 22-424 was transmitted to Congress on August 28, 2018 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 22-424 is now D.C. Law 22-162, effective October 11, 2018.



Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

August	28, 29, 30, 31
September	4, 5, 6, 7, 10, 11, 12, 13, 14, 17, 18, 19, 20, 21, 24, 25, 26, 27, 28
October	1, 2, 3, 4, 5, 9, 10

ENROLLED ORIGINAL

AN ACT

D.C. ACT 22-473

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

OCTOBER 18, 2018

To establish an Office of Nightlife and Culture within the executive branch to serve as an intermediary between nightlife establishments, residents, and the District government, and to establish a Commission on Nightlife and Culture to advise the Mayor, Council, and Office of Nightlife and Culture on common issues and trends relating to the nightlife establishments.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Office of and Commission on Nightlife and Culture Establishment Act of 2018”.

Sec. 2. Definitions.

For the purposes of this act, the term:

- (1) “Commission” means the Commission on Nightlife and Culture established in section 5(a).
- (2) “Creative industry” means the music, performing arts, and visual arts industries.
- (3) “Creative space” means an area open to the public for encouraging work in and the exhibiting of creative industries.
- (4) “Director” means the Director of the Office of Nightlife and Culture.
- (5) “Member” means a member of the Commission.
- (6) “Nightlife establishment” means an establishment that is open to the public for entertainment or leisure and conducts business between the hours of 5 p.m. and 2 a.m. during weekdays and anytime during weekends. The term “nightlife establishment” includes bars, entertainment venues, clubs, theatres, sports, recreation and entertainment venues, art galleries, and restaurants.
- (7) “Office” means the Office of Nightlife and Culture established in section 3(a).
- (8) “Workplace conditions” means the physical conditions and mental demands that affect workers in nightlife establishments.

Sec. 3. Establishment of the Office of Nightlife and Culture.

(a) Pursuant to section 404(b) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 787; D.C. Official Code § 1-204.04(b)), the Council establishes an Office of Nightlife and Culture within the executive branch of the District government. The

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purpose of the Office shall be to serve as an intermediary between nightlife establishments, residents living near such establishments, and the District government.

(b) The Office shall be headed by a Director appointed by the Mayor with the advice and consent of the Council pursuant to section 2(a) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(a)). The Director shall be a fulltime position, for which annual compensation shall be fixed in accordance with Title X-A of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective June 10, 1998 (D.C. Law 12-124; D.C. Official Code § 1-610.51 *et seq.*). The Director shall have such staff as is appropriated in an approved budget.

Sec. 4. Duties of the Director.

The Director shall:

- (1) Serve as a liaison to nightlife establishments regarding District government policies and procedures, and, in that capacity:
 - (A) Provide information and assistance to nightlife establishments about existing District policies and procedures for responding to complaints; and
 - (B) Serve as a point of contact for nightlife establishments to help such establishments connect with District government agencies on matters of concern, including consumer complaints, problems with District government agencies, and obtaining relevant licenses, permits, or approvals;
- (2) Advise and assist the Mayor, Council, and District government agencies with functions affecting nightlife establishments;
- (3) Review information obtained from District government agencies on complaints against and citations issued to nightlife establishments and develop recommendations to address recurring problems or trends;
- (4) Serve as the intermediary when any issues arise between the District government, Advisory Neighborhood Commissioners, residents, and nightlife establishments;
- (5) Obtain and provide to the Department of Employment Services information relating to the workplace conditions of nightlife establishments;
- (6) Identify practices that promote the safety and security of nightlife establishments' patrons and workers and nearby residents, and provide information to nightlife establishments on how to implement such practices;
- (7) Provide information to nightlife establishments on training programs for preventing sexual harassment and assault in the workplace;
- (8) Provide input to the District Department of Transportation, the Department of For-Hire Vehicles, and the Office of Planning in furthering the development of accessible and safe nighttime transportation options;
- (9) Provide input to the Office of Planning for the creation and preservation of creative spaces in the District;

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(10) Attend Commission meetings and provide updates to the Commission on the Office’s activities, and consult with the Commission on policies that affect the creative industry, including nightlife establishments and residents living near such establishments;

(11) Beginning in 2020, submit to the Mayor, Chairman of the Council, and Commission, by March 1 each year, a report detailing actions undertaken by the Office during the previous calendar year (or, in the case of the 2020 report, from the Office’s establishment) and providing any recommendations the Director has pursuant to this section; and

(12) Perform other duties, consistent with the purpose of the Office, as the Commission may request.

Sec. 5. Commission on Nightlife and Culture.

(a) There is established a Commission on Nightlife and Culture, which shall advise the Mayor, Council, Office, and public on ways to improve laws and policies that impact nightlife establishments and residents living near such establishments by examining the following issues affecting areas with high concentrations of nightlife establishments:

- (1) Common complaints;
- (2) Public safety and traffic concerns;
- (3) Community development concerns;
- (4) Economic impact;
- (5) The availability and responsiveness of the Office and relevant agencies to the concerns brought by nightlife establishments and residents; and
- (6) Any other issues the Commission considers relevant.

(b)(1) The Commission shall consist of the following 8 ex officio members, or their designees:

- (A) The Deputy Mayor for Planning and Economic Development;
- (B) The Director of the Department of Consumer and Regulatory Affairs;
- (C) The Director of the Department of Small and Local Business

Development;

- (D) The Director of the Alcoholic Beverage Regulation Administration;
- (E) The Executive Director of the Commission on the Arts and

Humanities;

- (F) The President of Destination DC;
- (G) The President of Events DC; and
- (H) The President of the Washington, DC Economic Partnership.

(2) The Commission shall consist of 7 members appointed by the Mayor with the advice and consent of the Council pursuant to section 2(f) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(f)). Members appointed pursuant to this paragraph shall meet the following requirements:

(A) One member shall be an owner of a business holding an on-premises retailer’s license pursuant to D.C. Official Code § 25-113;

ENROLLED ORIGINAL

(B) One member shall be a person sitting on the board of directors of a Business Improvement District, as defined in section 3(7) of the Business Improvement Districts Amendment Act of 1997, effective October 8, 1997 (D.C. Law 12-26; D.C. Official Code § 2-1215.02(7));

(C) One member shall be a dean, director, or equivalent position focused on student life at a District-based college or university where at least 50% of undergraduate students live in college- or university-owned, operated, or affiliated housing;

(D) One member shall be a representative of an organization that advocates for preventing sexual harassment and assault;

(E) One member shall be a District-based musician or producer working in the music industry;

(F) One member shall be a District-based artist or director in the performing arts; and

(G) One member shall be a District-based visual artist.

(c)(1) Members appointed pursuant to subsection (b)(2) of this section shall serve terms of 3 years, except that of the initial members, 4 shall be appointed for a term of 3 years and 3 shall be appointed for a term of 2 years. Members may be reappointed but shall not serve more than 2 consecutive full terms, including members serving in the initial 2-year term. Terms for the initial Commission members shall begin on the date that a majority of the members are sworn in, which shall become the anniversary date for all subsequent appointments.

(2) If a member appointed pursuant to subsection (b)(2) of this section leaves the Commission, the Mayor shall appoint, with the advice and consent of the Council, a successor to fill the unexpired portion of the term in accordance with section 2(f) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(f)).

(3) The Mayor may remove, after notice and hearing, any member appointed pursuant to subsection (b)(2) of this section for neglect of duty, incompetence, misconduct, or malfeasance in office.

(d) The Mayor shall appoint the Chairperson of the Commission from among the members.

(e) All members shall serve without compensation. Expenses incurred by the Commission or by its individual members, when authorized by the Chairperson, shall become an obligation to the extent of appropriated District and federal funds designated for that purpose.

(f) The Commission shall meet at least once every 3 months. The meetings shall be held in a space provided by the District government and shall be open to the public. A quorum to transact business shall consist of a majority of the members.

(g) The Commission shall adopt rules of procedure consistent with this section.

ENROLLED ORIGINAL

Sec. 6. Rules.

The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue rules to implement the provisions of this act.

Sec. 7. Section 2(f) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(f)), is amended as follows:

(a) Paragraph (63) is amended by striking the word "and".

(b) Paragraph (64) is amended by striking the period and inserting the phrase "; and" in its place.

(c) A new paragraph (65) is added to read as follows:

"(65) The Commission on Nightlife and Culture established pursuant to section 5(a) of the Office of and Commission on Nightlife and Culture Establishment Act of 2018, passed on 2nd reading on October 2, 2018 (Enrolled version of Bill 22-508)."

Sec. 8. 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. 9. 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

Mayor
District of Columbia

APPROVED
October 18, 2018

ENROLLED ORIGINAL

A RESOLUTION

22-552

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 10, 2018

To confirm the reappointment of Dr. Brian Crane to the Historic Preservation Review Board.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Historic Preservation Review Board Brian Crane Confirmation Resolution of 2018”.

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

Dr. Brian Crane
913 Hughes Street, N.W.
Washington, D.C. 20037
(Ward 2)

as an archeologist member of the Historic Preservation Review Board, established by Mayor’s Order 83-119, issued May 6, 1983 (30 DCR 3031), in accordance with section 4 of the Historic Landmark and Historic District Protection Act of 1978, effective March 3, 1979 (D.C. Law 2-144; D.C. Official Code § 6-1103), for a term to end July 21, 2020.

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-620

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

October 16, 2018

To declare the existence of an emergency, due to congressional review, with respect to the need to amend the Rental Housing Act of 1985 to prohibit the execution of residential evictions during precipitation, to establish the eviction procedure and requirements that a housing provider shall meet before, during, and immediately after a residential eviction, and to establish standards for the handling of an evicted tenant's personal property; and to clarify, in an eviction not subject to the Rental Housing Act of 1985, the legal status of an evicted tenant's remaining personal property and a landlord's civil liability for such property.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Eviction Procedure Reform Congressional Review Emergency Declaration Resolution of 2018".

Sec. 2. (a) On July 10, 2018, the Council passed the Eviction Procedure Reform Emergency Amendment Act of 2018, effective July 26, 2018 (D.C. Act 22-426; 65 DCR 7985) ("Emergency Act").

(b) On September 18, 2018, the Council passed a temporary version of the Emergency Act, the Eviction Procedure Reform Temporary Amendment Act of 2018, enacted on October 10, 2018 (D.C. Act 22-463; 65 DCR 11372) ("Temporary Act"), which has been transmitted to Congress for the mandatory 30-day review period.

(c) The Emergency Act expired as of October 7, 2018. However, the congressional-review period for the Temporary Act is not expected to conclude until December 15, 2018. Therefore, a congressional review emergency act is necessary to prevent a gap in the law.

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-628

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

October 16, 2018

To declare the existence of an emergency with respect to the need to approve Modification No. 2 to Contract No. DCPL- 2018-C-0034A with Baker & Taylor to provide books, materials, and selected services and to authorize payment for the goods and services received and to be received under that contract.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Modification No. 2 to Contract No. DCPL-2018-C-0034A with Baker & Taylor Approval and Payment Authorization Emergency Declaration Resolution of 2018”.

Sec. 2 (a) There exists a need to approve Modification No. 2 to Contract No. DCPL-2018-C-0034A with Baker & Taylor to provide books, materials, and selected services and to authorize payment for the goods and services received and to be received under Modification No. 2 in the amount of \$1,300,000.

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

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modification No. 2 to Contract No. DCPL-2018-C-0034A with Baker & Taylor Approval and Payment Authorization Emergency Act of 2018 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-629

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

October 16, 2018

To declare the existence of an emergency with respect to the need to retroactively approve Modification No. 2 to Contract No. DCPL- 2018-C-0034C with Ingram Library Services, LLC to provide books, materials, and selected services and to authorize payment for the goods and services received and to be received under that contract.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Modification No. 2 to Contract No. DCPL-2018-C-0034C with Ingram Library Services, LLC Approval and Payment Authorization Emergency Declaration Resolution of 2018”.

Sec. 2 (a) There exists a need to approve Modification No. 2 to Contract No. DCPL-2018-C-0034C with Ingram Library Services, LLC to provide books, materials, and selected services and to authorize payment for the goods and services received and to be received under Modification No. 2.

(b) By Modification No. 2, dated October 1, 2018, the District of Columbia Public Library exercised option year one of Contract No. DCPL-2018-C-0034C in the amount of \$1,300,000 and extended the term of the contract period through September 30, 2019.

(c) Council approval is necessary because this modification increases the contract by more than \$1 million during a 12-month period and exercised an option year extending the contract period of performance through September 30, 2019.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modification No. 2 to Contract No. DCPL-2018-C-0034C with Ingram Library Services, LLC Approval and Payment Authorization Emergency Act of 2018 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-630

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

October 16, 2018

To declare the existence of the emergency with respect to the need to amend the Health Services Planning Program Re-establishment Act of 1996 to clarify that the State Health Planning and Development Agency currently has the authority to approve or disapprove the proposed closure or termination of services of a health care facility; and to amend the Health-Care and Community Residence Facility Hospice and Home Care Licensure Act of 1983 to authorize the Director of the Department of Health to issue a provisional license in the specified circumstance.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Clarification of Hospital Closure Procedure Emergency Declaration Resolution of 2018”.

Sec. 2.(a) There exists an immediate need to clarify the health care facility (“HCF”) and health service closure process to ensure:

- (1) That healthcare is equitably available for all District residents;
- (2) Continuity of care for vulnerable patients;
- (3) Hospital closures do not disproportionately affect people of color, individuals living with disabilities, the infirm, the elderly, or economically underserved residents;
- (4) The orderly transition of patient care;
- (5) Hospital closures do not pose substantial risks to health outcomes; and
- (6) That the authority of the State Health Planning and Development Agency (“SHPDA”) under the Health Services Planning Program Reestablishment Act of 1996, effective April 9, 1997 (D.C. Law 11-191; D.C. Official Code 44-401 *et seq.*) (“Law 11-191”) is clarified so that it is clear that Law 11-191 currently provides SHPDA with the authority to approve or disapprove a proposed permanent closure or termination of service of a HCF or health service.

(b) Expeditious action is also necessary to authorize the Director of the Department of Health to issue a provisional license when an HCF or health service does not obtain SHPDA’S approval, as required by section 7 of Law 11-191, before the expiration of the HCF’s or health service’s license.

ENROLLED ORIGINAL

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Clarification of Hospital Closure Procedure Emergency Amendment Act of 2018 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-631

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

October 16, 2018

To declare the existence of an emergency with respect to the need to approve Modification Nos. 11 and 12 to exercise option year 4 of Contract No. CW25390 with Precision Truck Repair, Inc. to provide preventative school bus maintenance and repair services and to authorize payment for the goods and services received and to be received under the contract

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Modifications to Contract No. CW25390 with Precision Truck Repair, Inc. Approval and Payment Authorization Emergency Declaration Resolution of 2018”.

Sec. 2. (a) There exists a need to approve Modification Nos. 11 and 12 to Contract No. CW25390 with Precision Truck Repair, Inc. to provide preventative school bus maintenance and repair services and to authorize payment for the goods and services received and to be received under Modification Nos. 11 and 12.

(b) By Modification No. 11, dated May 22, 2018, the Office of Contracting and Procurement, on behalf of the Office of the State Superintendent of Education, exercised partial Option Year Four of Contract No. CW25390 with Precision Truck Repair, Inc. to provide preventative school bus maintenance and repair services for the period from June 1, 2018, through October 31, 2018, in the not-to-exceed amount of \$475,000.

(c) Modification No. 12 is now necessary to exercise the remainder of option year 4 for the period from November 1, 2018, through May 31, 2019, in the not-to-exceed amount of \$625,000, which will make the total contract not-to-exceed amount for option year 4 \$1,100,000.

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

(e) Approval is necessary to allow the continuation of these vital services. Without this approval, Precision Truck Repair, Inc. cannot be paid for goods and services provided in excess of \$1 million for the contract period beginning June 1, 2018, through May 31, 2019.

ENROLLED ORIGINAL

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modifications to Contract No. CW25390 with Precision Truck Repair, Inc. Approval and Payment Authorization Emergency Act of 2018 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-632

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

October 16, 2018

To declare the existence of an emergency with respect to the need to amend the Prevention of Child Abuse and Neglect Act of 1977 to provide the Office of the State Superintendent of Education access to substantiated reports from the Child Protection Register to conduct federally required suitability determinations of care givers in child development facilities.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Prevention of Child Abuse and Neglect Act Emergency Declaration Resolution of 2018".

Sec. 2. (a) There exists an immediate need to amend the Prevention of Child Abuse and Neglect Act of 1977, effective September 23, 1977 (D.C. Law 2-22; D.C. Official Code § 4-1302.01 *et seq.*) ("the Act"), to provide the Office of the State Superintendent of Education ("OSSE") access to substantiated reports from the Child Protection Register to conduct federally required suitability determinations of staff, caregivers, and volunteers in child development facilities.

(b) The Child Care and Development Block Grant Act of 1990, approved November 5, 1990 (104 Stat. 1388; 42 U.S.C. § 9858 *et seq.*) ("CCDBG Act"), a recently reauthorized federal law, and its implementing regulations (45 CFR § 98.43(b)), require that all child development staff members (including prospective staff members) of all licensed, regulated, or registered child development facilities have a comprehensive background check, unless they are related to all children in their care. The federal government requires the lead agency in each state, which is OSSE in the District of Columbia, to complete a comprehensive criminal background check for all child development staff that includes a check of the state-based child abuse and neglect registry and database.

(c) The District's state-based child abuse and neglect registry and database is the Child Protection Register, established pursuant to the Act. However, currently, District law only provides access to substantiated reports from the Child Protection Register to chief executive officers or directors of day care centers, schools, or any public or private organizations working directly with children, for the purpose of making employment decisions regarding employees and volunteers or prospective employees and volunteers.

ENROLLED ORIGINAL

(d) In order for the District to comply with CCDBG Act's requirement that OSSE, the lead agency determining suitability for all child development facility staff and volunteers, determines suitability for employment within 45 days, the District must expand access to substantiated reports from the Child Protection Register to OSSE. This will create a more seamless and coordinated system for verifying "suitability for employment" of the more than 5,500 child development staff who work in the District's child development facilities.

(e) Therefore, an immediate need exists to ensure child development facility operators are not delayed in hiring staff. Without a suitability determination, a child development staff member is not allowed to be left alone with children. This greatly impacts the business operations for District child development providers and has the potential to negatively impact the District's current effort to expand by 1,000 the number of infant and toddler slots at child development facilities over the next 3 years, which will include an additional 300-400 staff requiring background checks.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Prevention of Child Abuse and Neglect Emergency Amendment Act of 2018 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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

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

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

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

B22-1007 Abatement and Condemnation of Nuisance Properties Amendment Act of 2018

Intro. 10-12-18 by Chairman Mendelson at the request of the Office of the Attorney General and referred to the Committee of the Whole

B22-1008 Charter School Property Tax Clarification Amendment Act of 2018

Intro. 10-12-18 by Councilmember Evans and referred to the Committee on Finance and Revenue

B22-1009 Salary Adjustment Amendment Act of 2018

Intro. 10-12-18 by Councilmember Evans and referred to the Committee on Government Operations

B22-1010 Autonomous Vehicle Amendment Act of 2018

Intro. 10-15-18 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Transportation and the Environment

- B22-1011 Nursing Facility Quality of Care Fund Amendment Act of 2018
Intro. 10-12-18 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Health
-
- B22-1012 Eviction Record Sealing Authority Amendment Act of 2018
Intro. 10-16-18 by Councilmembers Cheh and Bonds and referred sequentially to the Committee on Housing and Neighborhood Revitalization and the Committee on Judiciary and Public Safety
-
- B22-1013 Care for LGBTQ Seniors and Seniors with HIV Amendment Act of 2018
Intro. 10-16-18 by Councilmembers Cheh and Bonds and referred to the Committee on Judiciary and Public Safety with comments from the Committee on Housing and Neighborhood Revitalization
-
- B22-1014 Limitations on Products Containing Polycyclic Aromatic Hydrocarbons Amendment Act of 2018
Intro. 10-16-18 by Councilmembers Cheh and Bonds and referred to the Committee on Transportation and the Environment
-
- B22-1015 Special Education Rights for Youth Defendants Amendment Act of 2018
Intro. 10-16-18 by Councilmembers Grosso, Nadeau, R. White, Gray, Evans, Allen, Cheh, McDuffie, and T. White and referred to the Committee on Judiciary and Public Safety
-
- B22-1016 Health Impact Assessment Program Establishment Act of 2018
Intro. 10-16-18 by Councilmembers Grosso, Nadeau, Gray, and Todd and referred to the Committee on Health
-
- B22-1017 Student Loan Authority Establishment Act of 2018
Intro. 10-16-18 by Councilmembers Silverman, Cheh, Nadeau, Grosso, Bonds, Allen, and T. White and referred sequentially to the Committee on Education and the Committee on Finance and Revenue
-

B22-1022 Health Insurance Marketplace Improvement Amendment Act of 2018
Intro. 10-15-18 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Business and Economic Development

B22-1023 Affordable Housing Protection Act of 2018
Intro. 10-15-18 by Councilmember Evans and referred to the Committee of the Whole

PROPOSED RESOLUTIONS

PR22-1042 Homeland Security Commission Edward Pearson Confirmation Resolution of 2018
Intro. 10-10-18 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Judiciary and Public Safety

PR22-1043 Homeland Security Commission Joanna Turner Confirmation Resolution of 2018
Intro. 10-10-18 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Judiciary and Public Safety

PR22-1044 Homeland Security Commission Brian Baker Confirmation Resolution of 2018
Intro. 10-10-18 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Judiciary and Public Safety

PR22-1045 Corrections Information Council Charlie Whitaker Confirmation Resolution of 2018
Intro. 10-10-18 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Judiciary and Public Safety

PR22-1046 Board of Dentistry Wesley Thomas Confirmation Resolution of 2018
Intro. 10-11-18 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Health

PR22-1047 Amended Compensation Agreement between the District of Columbia and the Office of the Attorney General and the American Federation of Government Employees, Local 1403, AFL-CIO (Compensation Unit 33) Approval Resolution of 2018

Intro. 10-12-18 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Labor and Workforce Development

PR22-1048 Collective Bargaining Agreement between the District of Columbia Government Metropolitan Police Department and the D.C. Police Union (Fraternal Order of Police/Metropolitan Police Department (FOP/MPD) Labor Committee (Compensation Unit 3) Approval Resolution of 2018

Intro. 10-15-18 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Labor and Workforce Development

PR22-1049 Public Employee Relations Board Douglas Warshof Confirmation Resolution of 2018

Intro. 10-15-18 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Labor and Workforce Development

PR22-1050 Statewide Health Coordinating Council Karl Von Batten Confirmation Resolution of 2018

Intro. 10-15-18 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Health

PR22-1051 Statewide Health Coordinating Council Emily Swartz Confirmation Resolution of 2018

Intro. 10-15-18 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Health

PR22-1052 Statewide Health Coordinating Council Stephen Neuman Confirmation Resolution of 2018

Intro. 10-15-18 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Health

PR22-1053 Office of Employee Appeals Clarence Labor Confirmation Resolution of 2018
Intro. 10-15-18 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Labor and Workforce Development

PR22-1054 Fiscal Year 2020 Budget Submission Requirements Resolution of 2018
Intro. 10-16-18 by Chairman Mendelson and Retained by the Council

PR22-1056 Board of Industrial Trades Keith Jones Confirmation Resolution of 2018
Intro. 10-15-18 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Business and Economic Development

PR22-1057 Board of Industrial Trades Robert Louis Smith Confirmation Resolution of 2018
Intro. 10-15-18 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Business and Economic Development

PR22-1058 Board of Industrial Trades Michael Dalton Confirmation Resolution of 2018
Intro. 10-15-18 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Business and Economic Development

PR22-1059 Real Property Tax Appeals Commission Richard Wilson Confirmation Resolution of 2018
Intro. 10-15-18 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Finance and Revenue

PR22-1060 Board of Physical Therapy Ana Quinones Confirmation Resolution of 2018
Intro. 10-15-18 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Health

PR22-1061 Health Benefit Exchange Authority Executive Board Khalid Pitts Confirmation Resolution of 2018
Intro. 10-15-18 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Health

PR22-1063 Board of Medicine Vikisha Fripp Confirmation Resolution of 2018
Intro. 10-16-18 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Health

PR22-1064 Board of Medicine Jeffrey Smith Confirmation Resolution of 2018
Intro. 10-16-18 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Health

PR22-1065 Board of Psychology Louis Ferguson Confirmation Resolution of 2018
Intro. 10-16-18 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Health

PR22-1066 Board of Optometry Dr. LaMia Jones Confirmation Resolution of 2018
Intro. 10-16-18 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Health

PR22-1067 Board of Dietetics and Nutrition Annina Burns Confirmation Resolution of 2018
Intro. 10-16-18 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Health

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

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

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

ANNOUNCES A PUBLIC HEARING ON:

Bill 22-121, the “Disabled Veterans Homestead Exemption Act of 2017”

Bill 22-918, the “Local Jobs and Tax Incentive Amendment Act of 2018”

Bill 22-986, the “Rhode Island Avenue (RIA) Tax Increment Financing Act of 2018”

Bill 22-987, the “Reunion Square Tax Increment Financing Act of 2018”

Wednesday, November 14, 2018

10:00 a.m.

Room 412- John A. Wilson Building

1350 Pennsylvania Avenue, NW, Washington, D.C. 20004

Councilmember Jack Evans, Chairman of the Committee on Finance and Revenue, announces a public hearing to be held on Wednesday, November 14, 2018 at 10:00 a.m. in Room 412, of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004.

Bill 22-121, the “Disabled Veterans Homestead Exemption Act of 2017” would amend section 47-850 of the District of Columbia Official Code to provide that a veteran who is classified as having a total and permanent disability or is paid 100% disability rating level as a result of unemployability would be exempt from a portion of the property taxes assessed on his or her primary residence.

Bill 22-918, the “Local Jobs and Tax Incentive Amendment Act of 2018” would amend Chapter 46 of Title 47 of the District of Columbia Official Code to provide an abatement of real property taxes on real property leased by EAB Global Inc.

Bill 22-986, the “Rhode Island Avenue (RIA) Tax Increment Financing Act of 2018” would authorize the issuance of up to \$56 million in tax increment financing bonds to support certain infrastructure and site costs for a portion of the land located existing Brookland Manor apartment complex and the former Brentwood Village Shopping Center along Rhode Island Ave, N.W.

B22-987, the “Reunion Square Tax Increment Financing Act of 2018” would authorize the issuance of up to \$60.8 million in tax increment financing bonds to support infrastructure costs and site development at Reunion Square, located to the east of Martin Luther King, Jr. Avenue, SE to the north of Chicago Street, SE, to the west of Railroad Avenue, SE and the south of W Street, SE, near the Anacostia Metrorail Station.

The Committee invites the public to testify at the hearing. Those who wish to testify should contact Sarina Loy, Committee Assistant at (202) 724-8058 or sloy@dccouncil.us, and provide your name, organizational affiliation (if any), and title with the organization by 10:00 a.m. on Tuesday, November 13, 2018. Witnesses should bring 15 copies of their written testimony to the hearing. The Committee allows individuals 3 minutes to provide oral testimony in order to permit each witness an opportunity to be heard. Additional written statements are encouraged and will be made part of the official record. Written statements may be submitted by e-mail to sloy@dccouncil.us or mailed to: Council of the District of Columbia, 1350 Pennsylvania Ave., N.W., Suite 114, Washington D.C. 20004.

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

1350 Pennsylvania Avenue, NW, Washington, DC 20004

CHAIRMAN PHIL MENDELSON
COMMITTEE OF THE WHOLE
ANNOUNCES A PUBLIC HEARING

on

Bill 22-879, Crowdy Court Designation Act of 2018
Bill 22-880, Adelaide Alley Designation Act of 2018
Bill 22-953, Anthony Bowen Way Designation Act of 2018
Bill 22-965, Hidden Figures Way Designation Act of 2018

on

Wednesday, November 14, 2018
3:30 p.m., Hearing Room 412, John A. Wilson Building
1350 Pennsylvania Avenue, NW
Washington, DC 20004

Council Chairman Phil Mendelson announces a public hearing before the Committee of the Whole on Bill 22-879, the “Crowdy Court Designation Act of 2018,” Bill 22-880, the “Adelaide Alley Designation Act of 2018,” Bill 22-953, the “Anthony Bowen Way Designation Act of 2018,” and Bill 22-965, the “Hidden Figures Way Designation Act of 2018.” The hearing will be held at **3:30 p.m. on Wednesday, November 14, 2018** in **Hearing Room 412** of the John A. Wilson Building.

The stated purpose of **Bill 22-879** is to officially designate the portion of the public alley system within Square 514, bounded by 5th Street, N.W., M Street, N.W., 4th Street, N.W., and New York Avenue, N.W. in Ward 6, as Crowdy Court. The stated purpose of **Bill 22-880** is to officially designate the interior section of the public alley system within Square 1090, bounded by 16th Street, S.E., D Street, S.E., 17th Street, S.E., and E Street, S.E. in Ward 6, as Adelaide Alley. The stated purpose of **Bill 22-953** is to symbolically designate the 1300 block of W Street, N.W., in Ward 1, as Anthony Bowen Way. The stated purpose of **Bill 22-965** is to symbolically designate the 300 block of E Street, S.W., in Ward 6, as Hidden Figures Way to honor the African-American women who contributed to NASA's mission despite racial adversity. An official designation typically involves the designation of postal addresses and the primary entrance for residences or offices. A symbolic designation is for ceremonial purposes and shall be in addition to and subordinate to any name that is an official name.

Those who wish to testify are asked to email the Committee of the Whole at cow@dccouncil.us, or call Evan Cash at (202) 724-7002, and to provide your name, address, telephone number, organizational affiliation and title (if any) by close of business **Monday, November 12, 2018**. Persons wishing to testify are encouraged, but not required, to submit 15 copies of written testimony. If submitted by the close of business on November 12, 2018 the testimony will be distributed to Councilmembers before the hearing. Witnesses should limit their testimony to four minutes; less time will be allowed if there are a large number of witnesses. Copies of the legislation can be obtained through the Legislative Services Division of the Secretary of the Council’s office or on <http://lims.dccouncil.us>. Hearing materials, including a draft witness list, can be accessed 24 hours in advance of the hearing at <http://www.chairmanmendelson.com/circulation>.

If you are unable to testify at the hearing, written statements are encouraged and will be made a part of the official record. Written statements should be submitted to the Committee of the Whole, Council of the District of Columbia, Suite 410 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004. The record will close at 5:00 p.m. on November 28, 2018.

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

NOTICE OF PUBLIC HEARING ON

**The District's Snow Removal Operations Plan for Winter 2018 - 2019
and
B22-752, Warnings Before Citations Amendment Act of 2018**
Friday, November 16th, 2018, at 12:00 PM
in Room 500 of the John A. Wilson Building
1350 Pennsylvania Avenue, NW, Washington, DC 20004

On Friday, November 16, 2018, Councilmember Mary M. Cheh, Chairperson of the Committee on Transportation and the Environment, will hold a public hearing on the District's Snow Removal Operations Plan for Winter 2018 - 2019 and B22-752, the Warnings Before Citations Amendment Act of 2018. The hearing will begin at 12:00 PM in Room 500 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W.

The purpose of the hearing is to examine the Department of Public Works' readiness for the coming snow season and ability to coordinate with other entities. The Department of Public Works has primary responsibility for the District's snow removal operations. Efficient operations require the participation and coordination of many government agencies and hundreds of employees. The Committee will also hear testimony regarding B22-752, the Warnings Before Citations Amendment Act of 2018, would require DPW to issue a warning to residents at least 7 days before issuing a citation for a violation of laws related to solid waste collection.

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

If you are unable to testify in person, written statements are encouraged and will be made a part of the official record. Copies of written statements should be submitted to Ms. Benjamin at the following address: Committee on Transportation and the Environment, John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Suite 108, Washington, D.C. 20004. Statements may also be e-mailed to abenjamin@dccouncil.us or faxed to (202) 724-8118. The record will close at the end of the business day on November 30, 2018.

**COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE ON HEALTH
NOTICE OF PUBLIC OVERSIGHT HEARING
1350 PENNSYLVANIA AVE., N.W., WASHINGTON, D.C. 20004**

RECONVENED

**COUNCILMEMBER VINCENT C. GRAY, CHAIRPERSON
THE COMMITTEE ON HEALTH**

ANNOUNCES A PUBLIC OVERSIGHT HEARING ON

**“THE DEPARTMENT OF HEALTH’S ROLE IN APPROVING PROVIDENCE HOSPITAL’S
PROPOSED ELIMINATION OF ACUTE CARE SERVICES AND THE IMPACT ON THE
DISTRICT’S EMERGENCY HEALTH CARE SYSTEM”**

**FRIDAY, NOVEMBER 2, 2018
10:00 A.M., ROOM 412, JOHN A. WILSON BUILDING
1350 PENNSYLVANIA AVENUE, N.W.
WASHINGTON, D.C. 20004**

Councilmember Vincent C. Gray, Chairperson of the Committee on Health, announces the reconvening of a public oversight hearing on the Department of Health’s role in approving Providence Hospital’s proposed elimination of acute care services and the impact on the District’s emergency health care system. The hearing will be held on Friday, November 2, 2018, at 10:00 a.m., in Room 412 of the John A. Wilson Building.

The hearing was initially convened on Wednesday, October 10, 2018. That proceeding was recessed until November 2, 2018, to hear from leadership of Ascension, the owner and operator of Providence Hospital. The committee will examine Providence Hospital’s proposed elimination of acute care services and the impact on the District’s emergency health care system. Topics to be discussed include: the Department of Health’s role in this process through the State Health Planning and Development Agency (SHPDA)/Certificate of Need (CON) and the Health Systems Plan, Ascension’s decision to replace nine of Providence Health System’s twelve board members, the impact of the potential closure on the District’s hospital acute care capacity, the timeline for any potential closure, the potential impact on UMC of a Providence closure, and the timeline of building a new hospital (in relation to the Health Systems Plan and CON process).

The Committee invites anyone from the public who did not testify on October 10th to testify at the reconvened hearing. Those who wish to testify should contact Malcolm Cameron, Committee Legislative Analyst at (202) 654-6179 or mcameron@dccouncil.us, and provide your name, organizational affiliation (if any), and title with the organization, preferably by 5:00 p.m. on Wednesday, October 31, 2018.

Witnesses should bring 15 copies of their written testimony to the hearing. The Committee allows individuals 3 minutes to provide oral testimony in order to permit each witness an opportunity to be heard. Additional written statements are encouraged and will be made part of the official record. Written statements may be submitted by e-mail to mcameron@dccouncil.us or mailed to: Council of the District of Columbia, 1350 Pennsylvania Ave., N.W., Suite 113, Washington D.C. 20004.

COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE ON LABOR AND WORKFORCE DEVELOPMENT
NOTICE OF PUBLIC ROUNDTABLE
1350 Pennsylvania Avenue, NW, Washington, DC 20004

COUNCILMEMBER ROBERT WHITE
COMMITTEE ON LABOR AND WORKFORCE DEVELOPMENT

ANNOUNCES A PUBLIC ROUNDTABLE

on

PR22-0978, "Office of Employee Appeals Peter Rosenstein Resolution of 2018"

Monday, November 19, 2018, 3:00 p.m.
Hearing Room 120, John A. Wilson Building
1350 Pennsylvania Avenue, NW
Washington, DC 20004

Councilmember Robert White, Temporary Chairperson of the Committee on Labor and Workforce Development¹, announces a public roundtable before the Committee on **PR22-0978, Office of Employee Appeals Peter Rosenstein Resolution of 2018**. This resolution would confirm the appointment of Peter Rosenstein as a member of the Office of Employee Appeals, replacing Sherry Price DeBerry, for a term to end April 6, 2024. The roundtable will be held at 3:00 p.m. on Monday, November 19, 2018, in Room 120 of the John A. Wilson Building.

Those who wish to testify before the Committee are asked to contact Ms. Charnisa Royster at labor@dccouncil.us or (202) 724-7772 by close of business Thursday, November 15, 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 you are unable to testify at the roundtable, written statements are encouraged and will be made a part of the official record. Written statements should be submitted by email to Ms. Royster at labor@dccouncil.us or mailed to the Committee on Labor and Workforce Development, Council of the District of Columbia, Suite 115 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004. The record will close at 5:00 p.m. on November 30, 2018.

¹ Pursuant to the Rules of Organization and Procedure for the Committee on Labor and Workforce Development, Rule 301, Chairperson Elissa Silverman recuses herself from consideration of PR22-978, "Office of Employee Appeals Peter Rosenstein Resolution of 2018 and designates Councilmember Robert White to act as temporary Chairperson of the Committee on Labor and Workforce Development for the purpose of consideration of this resolution.

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

**COUNCILMEMBER DAVID GROSSO
COMMITTEE ON EDUCATION
ANNOUNCES A PUBLIC ROUNDTABLE**

on

**The District of Columbia Public Schools' Plans for Shaw
Junior High School Campus and Benjamin Banneker Academic High School**

on

**Thursday, November 15, 2018
10:00 a.m., Hearing Room 500, John A. Wilson Building
1350 Pennsylvania Avenue, NW
Washington, DC 20004**

Councilmember David Grosso announces the scheduling of a public roundtable on The District of Columbia Public Schools' Plans for Shaw Junior High School Campus and Benjamin Banneker Academic High School. The roundtable will be held at 10:00 a.m. on Thursday, November 15, 2018 in Hearing Room 500 of the John A. Wilson Building.

The purpose of this roundtable is to hear testimony from the Office of the Deputy Mayor for Education and the District of Columbia Public Schools on plans to relocate the Shaw Junior High School campus to Benjamin Banneker Academic High School.

The Committee invites the public to testify or submit written testimony. Those who wish to testify may sign-up online at <http://bit.do/educationhearings> or call the Committee on Education at (202) 724-8061 by 5:00 p.m. Tuesday, November 13, 2018. Persons wishing to testify are encouraged to bring 10-15 copies of their written testimony.

If you are unable to testify at the roundtable, written statements are encouraged and will be made a part of the official record. Written statements should be submitted by email to Ashley Strange, Committee Assistant, at astrange@dccouncil.us, or by post to the Committee on Education, Council of the District of Columbia, Suite 116 of the John A. Wilson Building, 1350 Pennsylvania Avenue, NW, Washington, D.C. 20004. The record will close at 5:00 p.m. on Thursday, November 29, 2018.

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

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

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

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

GBM 22-106: FY 2018 Grant Budget Modifications of September 26, 2018

RECEIVED: 14-day review begins October 18, 2018

GBM 22-107: FY 2018 Grant Budget Modifications of October 3, 2018

RECEIVED: 14-day review begins October 18, 2018

GBM 22-108: FY 2018 Grant Budget Modifications of October 11, 2018

RECEIVED: 14-day review begins October 22, 2018

COUNCIL OF THE DISTRICT OF COLUMBIA
1350 Pennsylvania Avenue, NW
Washington, DC 20004

ABBREVIATED NOTICE OF INTENT TO CONSIDER LEGISLATION

The Council of the District of Columbia hereby gives notice of its intention to take action in less than fifteen days on Bill 22-1009, the “Salary Adjustment Amendment Act of 2018” to allow a hearing on the bill on November 7, 2018. The abbreviated notice is necessary to provide timely notice to the public.

COUNCIL OF THE DISTRICT OF COLUMBIA
1350 Pennsylvania Avenue, NW
Washington, DC 20004

ABBREVIATED NOTICE OF INTENT TO CONSIDER LEGISLATION

The Council of the District of Columbia hereby gives notice of its intention to take action in less than fifteen days on Bill 22-1014, the “Limitations on Products Containing Polycyclic Aromatic Hydrocarbons Amendment Act of 2018”, to allow a hearing on the bill on November 9, 2018. The abbreviated notice is necessary to provide timely notice to the public.

COUNCIL OF THE DISTRICT OF COLUMBIA
Notice of Reprogramming Requests

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

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

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

Reprog. 22-167 Request to reprogram \$29,640,378 of Fiscal Year 2018 Local funds budget authority within the District of Columbia Public Schools (DCPS) was filed in the Office of the Secretary on October 19, 2018. This reprogramming is needed to ensure that individual school budgets can accommodate personal services costs related to the Washington Teachers Union (WTU) contract.

RECEIVED: 14 day review begins October 22, 2018

Reprog. 22-168 Request to reprogram \$5,300,000 of Fiscal Year 2018 Special Purpose Revenue funds budget authority from the Office of the Chief Financial Officer (OCFO) to the Department of Housing and Community Development (DHCD) was filed in the Office of the Secretary on October 22, 2018. This reprogramming is needed to facilitate the repayment of Contingency Reserve funding provided to the Home Purchase Assistance Program to meet additional demand.

RECEIVED: 14 day review begins October 23, 2018

Reprog. 22-169 Request to reprogram \$3,598,270 of Fiscal Year 2018 Enterprise and Other Funds – Dedicated Tax funds budget authority within the Housing Production Trust Fund (HPTF) was filed in the Office of the Secretary on October 22, 2018. This reprogramming is needed to support the increased amount allowable under the administrative cap.

RECEIVED: 14 day review begins October 23, 2018

Reprog. 22-170 Request to reprogram \$317,236 of Fiscal Year 2018 Special Purpose Revenue funds budget authority within the District of Columbia Public Schools (DCPS) was filed in the Office of the Secretary on October 23, 2018. This reprogramming is needed to ensure that DCPS' budget authority can support its revenue collections for custodial, security, and cafeteria services.

RECEIVED: 14 day review begins October 24, 2018

Reprog. 22-171 Request to reprogram \$1,157,769 of Fiscal Year 2018 Special Purpose Revenue funds budget authority from the Department of Energy and Environment (DOEE) to the Department of Public Works (DPW) was filed in the Office of the Secretary on October 23, 2018. This reprogramming ensures that DPW can support solid waste management and disposal operations as revenue collections in the Solid Waste Disposal Fee (6082) and Clean City (6591) funds and program expenditures were greater than anticipated.

RECEIVED: 14 day review begins October 24, 2018

Reprog. 22-172 Request to reprogram \$528,688 of Fiscal Year 2018 Local funds budget authority within the Department of Small and Local Business Development (DSLBD) was filed in the Office of the Secretary on October 23, 2018. This reprogramming is needed to align the personal services budget with actual expenditures.

RECEIVED: 14 day review begins October 24, 2018

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

Placard Posting Date: October 26, 2018
Protest Petition Deadline: December 10, 2018
Roll Call Hearing Date: December 24, 2018
Protest Hearing Date: February 13, 2019

License No.: ABRA-111655
Licensee: Greenleaf Buzzard, LLC
Trade Name: Buzzard Point Fish House
License Class: Retailer's Class "C" Restaurant
Address: 2100 2nd Street, S.W.
Contact: Andrew J. Kline, Esq.: (202) 686-7600

WARD 6

ANC 6D

SMD 6D05

Notice is hereby given that this licensee has applied for a new license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the **Roll Call Hearing date on December 24, 2018 at 10 a.m., 4th Floor, 2000 14th Street, N.W., Washington, DC 20009**. Petitions and/or requests to appear before the ABC Board must be filed on or before the Petition Deadline. The **Protest Hearing date** is scheduled on **February 13, 2019 at 1:30 p.m.**

NATURE OF OPERATION

New Class C Restaurant. Seating Capacity of 300 inside, Total Occupancy Load of 750. Three Summer Gardens: the first one with 250 seats will be a sun deck next to the water; the second one with 150 seats will be on a 50 yard long pier; and the third one with 50 seats will be on a deck on the second floor. The License will include an Entertainment Endorsement to provide live entertainment both indoors and outdoors, with Dancing and Cover Charge.

HOURS OF OPERATION INSIDE OF THE PREMISES AND FOR THE OUTDOOR SUMMER GARDENS

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

HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE AND CONSUMPTION INSIDE OF THE PREMISES AND FOR THE OUTDOOR SUMMER GARDENS

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

HOURS OF LIVE ENTERTAINMENT INSIDE OF THE PREMISES AND FOR THE OUTDOOR SUMMER GARDENS

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

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date: October 26, 2018
Protest Petition Deadline: December 10, 2018
Roll Call Hearing Date: December 24, 2018

License No.: ABRA-111076
Licensee: CTE, LLC
Trade Name: Duffy's Irish Pub
License Class: Retailer's Class "C" Tavern
Address: 1016 H Street, N.E.
Contact: Casey Callister: (202) 462-9464

WARD 6 ANC 6A SMD 6A01

Notice is hereby given that this licensee has requested Substantial Changes to their license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the Roll Call Hearing date on December 24, 2018 at 10 a.m., 4th Floor, 2000 14th Street, N.W., Washington, DC 20009. Petitions and/or requests to appear before the ABC Board must be filed on or before the Petition Deadline.

NATURE OF SUBSTANTIAL CHANGES

Applicant requests a Change of Hours for inside the premises and Summer Garden. Applicant requests an Entertainment Endorsement with Cover Charge to provide live entertainment inside and outside.

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

Sunday through Thursday 10am - 1am, Friday and Saturday 10am - 2am

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

Sunday through Thursday 10am - 10pm, Friday and Saturday 10am - 11pm

PROPOSED HOURS OF OPERATION/ ALCOHOLIC BEVERAGE SALES, SERVICE AND CONSUMPTION FOR INSIDE PREMISE

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

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

Sunday through Thursday 8am - 11:30pm, Friday and Saturday 8am - 12:30am

PROPOSED HOURS OF LIVE ENTERTAINMENT INSIDE PREMISES

Sunday through Saturday 9am - 1am

PROPOSED HOURS OF LIVE ENTERTAINMENT OUTSIDE IN SUMMER GARDEN

Sunday through Saturday 9am - 9pm

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date: October 26, 2018
Protest Petition Deadline: December 10, 2018
Roll Call Hearing Date: December 24, 2018

License No.: ABRA-107806
Licensee: MZ Market, Inc.
Trade Name: MZ Market
License Class: Retailer’s Class “B” Grocery
Address: 547 42nd Street, N.E.
Contact: Jeff Jackson: (202) 251-1566

WARD 7

ANC 7D

SMD 7D06

Notice is hereby given that this licensee has requested a Substantial Change to their license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the **Roll Call Hearing date on December 24, 2018 at 10 a.m., 4th Floor, 2000 14th Street, N.W., Washington, DC 20009**. Petitions and/or requests to appear before the ABC Board must be filed on or before the Petition Deadline.

NATURE OF SUBSTANTIAL CHANGE

Applicant requests a Class Change from a Retailer Class “B” Grocery to a Retailer Class “A” Liquor Store.

CURRENT HOURS OF OPERATION

Sunday through Saturday 12am – 12am (24 Hour Operations)

CURRENT HOURS OF ALCOHOLIC BEVERAGE SALES

Sunday through Saturday 8am – 12am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date: October 26, 2018
Protest Petition Deadline: December 10, 2018
Roll Call Hearing Date: December 24, 2018
Protest Hearing Date: February 13, 2019

License No.: ABRA-111687
Licensee: Taqueria, LLC
Trade Name: Taqueria Distrito Federal
License Class: Retailer's Class "C" Tavern
Address: 805 Kennedy Street, N.W.
Contact: Jeff Jackson: (202) 251-1566

WARD 4 ANC 4D SMD 4D01

Notice is hereby given that this licensee has applied for a new license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the Roll Call Hearing date on December 24, 2018 at 10 a.m., 4th Floor, 2000 14th Street, N.W., Washington, DC 20009. Petitions and/or requests to appear before the ABC Board must be filed on or before the Petition Deadline. The Protest Hearing date is scheduled on February 13, 2019 at 4:30 p.m.

NATURE OF OPERATION

A new Tavern serving fine Mexican cuisine. Seating Capacity of 18 inside. Total Occupancy Load of 18. Sidewalk Café with 10 seats.

HOURS OF OPERATION INSIDE OF THE PREMISES

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

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

Sunday through Thursday 11am – 1:30am Friday and Saturday 11am – 2:30am

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

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

DEPARTMENT OF ENERGY AND ENVIRONMENT

NOTICE OF PUBLIC HEARING AND PUBLIC COMMENT PERIOD

Ozone Emissions Statements Certification Corrections

Notice is hereby given that a public hearing will be held on Monday, November 26, 2018, at 5:30 p.m. in Room 574 at 1200 First Street NE, 5th Floor, in Washington, D.C. 20002. This hearing provides interested parties an opportunity to comment on a proposed revision to the District of Columbia's (District) State Implementation Plan (SIP), codified at 40 CFR Part 52, Subpart J, in accordance with the final rule titled *Implementation of the 2008 NAAQS for Ozone: State Implementation Plan Requirements* (80 Fed. Reg. 12264, March 6, 2015).

This SIP revision consists of corrections to the District's SIP regarding 20 DCMR §§ 500.4 – 500.9. EPA approved 20 DCMR §§ 500.4 – 500.5, 500.6, and 500.7 as part of the District's SIP on January 26, 1995 (60 Fed. Reg. 5134), October 27, 1999 (64 Fed. Reg. 57777), and May 26, 1995 (60 Fed. Reg. 27944), respectively. Pursuant to the Documents Act in D.C. Official Code § 2-601 et seq. and Title III of the DC Administrative Procedures Act (APA) § 2-551 et seq., the Council granted the Administrator of the Office of Documents and Administrative Issuances (ODAI) editorial control of the DCMR to make minor changes to the DCMR in order to conform to their style guide without going through any official legal rulemaking process. Under this authority, it appears that the Administrator of ODAI made numbering and minor stylistic changes to 20 DCMR 500 after EPA's approval. Therefore, the 1997 official version of 20 DCMR 500 contained changes in numbering and other minor stylistic changes that were not reflected in the District's SIP. The District must amend its SIP to include the correct and current citations for 20 DCMR §§ 500.4 – 500.9. These citations include the Emissions Statements Certification requirement as well as reporting requirements related to the transfer of gasoline products, which are also approved in the District's SIP.

The District was designated as a nonattainment area for the 2008 ozone National Ambient Air Quality Standard (NAAQS) after promulgation of the revised standards to 0.075 parts per million (ppm). As a nonattainment area, § 182(a)(3)(B) of the federal Clean Air Act (CAA) requires the District to address its emissions statements requirements. The District proposed to certify that the existing emissions statements program in 20 DCMR §§ 500.9 covering the nonattainment area for the 2008 ozone NAAQS is at least as stringent as the requirements in § 182(a)(3)(B) of the CAA (65 DCR 3048). However, the Environmental Protection Agency (EPA) cannot approve the emissions statements certification until the outdated citations to 20 DCMR §§ 500.4 – 500.7 currently in the District's approved SIP are corrected to reflect the numbering and other minor stylistic changes that occurred in 1997.

The District proposes to request that, under the authority of D.C. Official Code §§ 8-101.05-101.06 and Mayor's Order 2006-61 (June 14, 2006), and in accordance with the requirements of 40 CFR Part 51 (Requirements for Preparation, Adoption, and Submittal of Implementation Plans), EPA approve, as a SIP revision, the aforementioned corrected edits. Once the District has addressed any comments received during this public comment period and its related hearing, the District proposes to submit the current versions of the published regulations in 20 DCMR §§

500.4 – 500.9 to EPA for approval as a revision to its SIP pursuant to the provisions of § 107 of the CAA.

Copies of the proposed revision are available for public review during normal business hours at the offices of DOEE, 1200 First Street NE, 5th Floor, Washington, DC 20002, and on-line at <https://doee.dc.gov/>.

Interested parties wishing to testify at this hearing are asked to submit in writing their names, addresses, telephone numbers and affiliation, if any, to Ms. Alexis Tinsley at the DOEE address above or at alexis.tinsley@dc.gov by 4:30 p.m. on November 26, 2018. Interested parties may also submit written comments to Mr. Joseph Jakuta, Monitoring and Assessment Branch, Air Quality Division, DOEE, at the same address or by email at joseph.jakuta@dc.gov. Questions about this SIP revision should be directed to Mr. Rama S. Tangirala by phone at (202) 535-2989 or email rama.tangirala@dc.gov, or Mr. Jakuta at (202) 535-2988 or joseph.jakuta@dc.gov.

The public comment period closes at the conclusion of public hearing on November 26, 2018 and no comments will be accepted after November 26, 2018.

**DISTRICT OF COLUMBIA PUBLIC CHARTER SCHOOL BOARD
NOTIFICATION OF CHARTER AMENDMENT**

The District of Columbia Public Charter School Board (DC PCSB) announces an opportunity for the public to submit comment on a request submitted by Lee Montessori Public Charter School (Lee Montessori PCS) on October 5, 2018 for a charter amendment to increase its enrollment ceiling and replicate its educational program.

Lee Montessori PCS is currently in its fifth year of operation serving students in grades prekindergarten-3 (PK3) through 5 at a single location in Ward 5, and it will add sixth grade next school year to serve PK3-6. Effective for SY 2019-2020 and beyond, the school requests approval to increase its enrollment ceiling from 297 to 697 so it may replicate its Montessori program to operate a second campus in either Ward 7 or 8. While the school has not yet identified a facility for the proposed second campus, if approved, Lee Montessori PCS will return to DC PCSB later to obtain approval for a new site to locate the proposed campus.

A public hearing will be held on November 19, 2018 at 6:30 p.m.; a vote will be held on December 17, 2018. The public is encouraged to comment on this proposal. Comments must be submitted on or before 4 p.m. on November 19, 2018.

How to Submit Public Comment:

1. Submit written comment one of the following ways:
 - a. E-mail: public.comment@dcpcsb.org
 - b. Postal mail: Attn: Public Comment, *DC Public Charter School Board, 3333 14th 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 November 19, 2018 to public.comment@dcpcsb.org no later than 4 p.m. on November 16, 2018. Each person testifying is given two minutes to present testimony.

**DISTRICT OF COLUMBIA PUBLIC CHARTER SCHOOL BOARD
NOTIFICATION OF CHARTER REVIEWS/RENEWALS**

SUMMARY: The District of Columbia Public Charter School Board (DC PCSB) announces an opportunity for the public to submit comments on the DC public charter schools listed below, which are up for a charter review or renewal on Monday, November 19, 2018. Pending DC PCSB staff's analysis, the Board may elect to do one of the following for each school: 1) Continue the school's charter without conditions, 2) Conditionally continue the school's charter by imposing annual or interim targets it must meet, or 3) Commence charter revocation proceedings.

1. City Arts & Prep Public Charter School: City Arts & Prep PCS is up for its 15-year charter renewal. The school currently operates a single campus in Ward 5 where it serves students in grades prekindergarten-3 (PK3) through 8. Its mission is to "prepare students for success in high school and beyond by providing an academically rigorous learning environment enriched by a diverse performing arts program."
2. Democracy Prep Congress Heights Public Charter School: Democracy Prep PCS is up for its 5-Year charter review. The school currently operates a single campus in Ward 8 where it serves students in grades PK3- through 8. Its mission is to "educate responsible citizen-scholars for success in the college of their choice and a life of active citizenship."
3. Harmony DC Public Charter School: Harmony DC PCS is up for its 5-Year charter review. The school currently operates a single campus in Ward 5 where it serves students in grades Kindergarten through 5. Its mission is to "prepare students for higher learning in a safe, caring, and collaborative atmosphere through a quality learner-centered educational program with a strong emphasis on science, technology, engineering, and mathematics."
4. Ideal Academy Public Charter School: Ideal Academy PCS is up for its 20-Year charter review. The school currently operates a single campus in Ward 4 where it serves students in grades PK3-8. Its mission is to "empower all students to excel in academics, body, and character, enabling them to become competent and contributing global citizens."

Pursuant to the School Reform Act, D.C. Code 38-1802 et seq., the DC Public Charter School Board (DC PCSB) is required to review each DC charter school's performance at least once every five years, and if a school wants to continue operating beyond its original 15-year charter it must apply to DC PCSB in its fifteenth year of operation to renew its charter for another 15-year term.

How to Submit Public Comment:

1. Submit written comment one of the following ways:
 - a. E-mail: public.comment@dcpcsb.org
 - b. Postal mail: Attn: Public Comment, *DC Public Charter School Board, 3333 14th 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 November 19, 2018 to public.comment@dcpsb.org no later than 4 p.m. on November 16, 2018. Each person testifying is given two minutes to present testimony.

DISTRICT OF COLUMBIA PUBLIC SCHOOLS**PUBLIC HEARING NOTICE****FISCAL YEAR 2020 BUDGET**

Wednesday, November 7, 2018; 6:00PM – 8:00PM
Phelps Architecture, Construction and Engineering High School
704 26th St NE, Washington, DC 20002

The District of Columbia Public Schools (DCPS) will convene a public budget hearing on Wednesday, November 7, 2018 from 6:00PM – 8:00PM at Phelps Architecture, Construction and Engineering High School on 704 26th St NE, Washington, DC 20002. The purpose of the hearing is to gather feedback from the public about the upcoming Fiscal Year 2020 (School Year 2019-2020) budget.

Members of the public are invited to provide testimony at the hearing. Individuals or groups wishing to testify should register online at <http://bit.ly/DCPS2018BudgetHearing>. Testimony will be limited to three minutes during the hearing. Witnesses should bring five (5) copies of their documentation, including a written copy of their testimony and any supplemental information. All documents will be included as part of the official record.

The registration deadline is 3:00PM on Monday, November 5, 2018. If an individual or group is unable to register online, please contact the School Funding Team at (202) 297-2048.

The official record of this hearing will be transmitted to the Mayor and Council of the District of Columbia pursuant to DC Official Code § 38-917(1).

Interpretation services are available upon request. Please include any requests for interpretation services during the registration process.

Any additional questions or concerns should be directed to the School Funding Team at 202-297-1048 or dcps.schoolfunding@dc.gov.

**BOARD OF ZONING ADJUSTMENT
PUBLIC HEARING NOTICE
WEDNESDAY, DECEMBER 19, 2018
441 4TH STREET, N.W.
JERRILY R. KRESS MEMORIAL HEARING ROOM, SUITE 220-SOUTH
WASHINGTON, D.C. 20001**

TO CONSIDER THE FOLLOWING: The Board of Zoning Adjustment will adhere to the following schedule, but reserves the right to hear items on the agenda out of turn.

TIME: 9:30 A.M.

WARD FIVE

19200B **Application of Jemal's Pappas Tomato's, LLC**, pursuant to 11 DCMR Subtitle
ANC 5D Y § 704, for a modification of significance to the plans and relief approved by
BZA Orders No. 19200 and 19200A to include special exceptions under Subtitle
U § 802.1(d) from the use provisions of Subtitle U § 802, under Subtitle C §
703.2 from the minimum parking requirements of Subtitle C § 701.5, under the
penthouse use provisions of Subtitle C § 1500.3(c), and under Subtitle J § 210.1
from the rear yard requirements of Subtitle J § 205.2; and a use variance from the
use provision Subtitle U § 802.1(d)(3), to expand an existing mixed use
building in the PDR-1 Zone at premises 1401 Okie Street N.E. (Square 4093, Lot
22).

WARD FIVE

19887 **Application of Marjorie Hutchinson**, pursuant to 11 DCMR Subtitle X, Chapter
ANC 5E 10, for a use variance from the use provisions of Subtitle U § 301, to permit the
conversion of an existing nonconforming non-residential use to a restaurant in the
RF-1 Zone at premises 1724 North Capitol Street N.W. (Square 3105, Lot 72).

WARD TWO

19894 **Application of 2020 M Street LLC and 2030 M Street LLC**, pursuant to 11
ANC 2A DCMR Subtitle X, Chapter 9, for special exceptions under Subtitle C §§ 1304.2
and 1312 from the roof-mounted antenna setback and height requirements of
Subtitle C § 1304.1(a) and (b), to locate three antennas on the roof of a to-be-
constructed 11-story office building in the D-5 Zone at premises 2050 M Street
N.W. (Square 100, Lot 122).

BZA PUBLIC HEARING NOTICE

DECEMBER 19, 2018

PAGE NO. 2

PLEASE NOTE:

Failure of an applicant or appellant to appear at the public hearing will subject the application or appeal to dismissal at the discretion of the Board.

Failure of an applicant or appellant to be adequately prepared to present the application or appeal to the Board, and address the required standards of proof for the application or appeal, may subject the application or appeal to postponement, dismissal or denial. The public hearing in these cases will be conducted in accordance with the provisions of Subtitles X and Y of the District of Columbia Municipal Regulations, Title 11. Pursuant to Subtitle Y, Chapter 2 of the Regulations, the Board will impose time limits on the testimony of all individuals. Individuals and organizations interested in any application may testify at the public hearing or submit written comments to the Board.

Except for the affected ANC, any person who desires to participate as a party in this case must clearly demonstrate that the person’s interests would likely be more significantly, distinctly, or uniquely affected by the proposed zoning action than other persons in the general public. **Persons seeking party status shall file with the Board, not less than 14 days prior to the date set for the hearing, a Form 140 – Party Status Application Form.*** This form may be obtained from the Office of Zoning at the address stated below or downloaded from the Office of Zoning’s website at: www.dcoz.dc.gov. All requests and comments should be submitted to the Board through the Director, Office of Zoning, 441 4th Street, NW, Suite 210, Washington, D.C. 20001. Please include the case number on all correspondence.

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

Do you need assistance to participate?

Amharic

ለመሳተፍ ዕርዳታ ያስፈልግዎታል?

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

ካስፈለገዎት እባክዎን ከስብሰባው አምስት ቀናት በፊት ዚ ሂልን በስልክ ቁጥር (202) 727-

0312 ወይም በኢሜል Zelalem.Hill@dc.gov ይገናኙ። እነኚህ አገልግሎቶች የሚሰጡት በነጻ ነው።

Chinese

您需要有人帮助参加活动吗?

如果您需要特殊便利设施或语言协助服务（翻译或口译），请在见面之前提前五天与 Zee Hill 联系，电话号码 (202) 727-0312，电子邮件

Zelalem.Hill@dc.gov。这些是免费提供的服务。

French

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

BZA PUBLIC HEARING NOTICE
DECEMBER 19, 2018
PAGE NO. 3

Korean

참여하시는데 도움이 필요하세요?

특별한 편의를 제공해 드려야 하거나, 언어 지원 서비스(번역 또는 통역)가 필요하시면, 회의 5일 전에 Zee Hill 씨께 (202) 727-0312로 전화 하시거나 Zelalem.Hill@dc.gov 로 이메일을 주시기 바랍니다. 이와 같은 서비스는 무료로 제공됩니다.

Spanish

¿Necesita ayuda para participar?

Si tiene necesidades especiales o si necesita servicios de ayuda en su idioma (de traducción o interpretación), por favor comuníquese con Zee Hill llamando al (202) 727-0312 o escribiendo a Zelalem.Hill@dc.gov cinco días antes de la sesión. Estos servicios serán proporcionados sin costo alguno.

Vietnamese

Quý vị có cần trợ giúp gì để tham gia không?

Nếu quý vị cần thu xếp đặc biệt hoặc trợ giúp về ngôn ngữ (biên dịch hoặc thông dịch) xin vui lòng liên hệ với Zee Hill tại (202) 727-0312 hoặc Zelalem.Hill@dc.gov trước năm ngày. Các dịch vụ này hoàn toàn miễn phí.

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**

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF PUBLIC HEARING**

TIME AND PLACE: **Monday, December 10, 2018, @ 6:30 p.m.**
Jerrily R. Kress Memorial Hearing Room
441 4th Street, N.W., Suite 220-S
Washington, D.C. 20001

FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:

CASE NO. 08-34H (Jewish Historical Society of Greater Washington - Second-Stage Planned Unit Development @ 575 3rd Street, N.W. [Square 568, Lots 863, 864, and a perpetual easement to Lot 7000])

THIS CASE IS OF INTEREST TO ANC 2C

On December 27, 2017, the Office of Zoning received an application from Jewish Historical Society of Greater Washington (“Applicant”). The Applicant is requesting review and approval of a second-stage planned unit development (“PUD”) pursuant to Subtitle X, Chapter 3 and Subtitle Z, Chapter 3 for the relocation of an existing historic synagogue building to 3rd Street, N.W. and F Street, N.W. as well as the construction of additional facilities for a museum and office space. This application was authorized by Z.C. Case No. 08-34, which established the first-stage PUD approval for the subject property (“First-Stage PUD”) which also granted a PUD-related map amendment to the C-4 Zone District.

The property that is the subject of this application consists of approximately 12,267 square feet, and comprises a portion of what was referred to as the “South Block” in the First-Stage PUD approval. The synagogue will be relocated to the corner of 3rd Street, N.W. and F Street, N.W. Immediately to the east of the property will be an office building that is part of the larger Capitol Crossing PUD. The property will border F Street, N.W. to the north and 3rd Street, N.W. to the west. An entrance to a shared underground parking garage and an existing office and commercial building will border the property immediately to the south. The Applicant is seeking special exception relief from the required penthouse setback.

On February 16, 2018, the District Office of Planning filed a report recommending that the Zoning Commission set the application down for public hearing. On February 26, 2018, the Zoning Commission voted to set the application down for public hearing. On August 22, 2018, the Applicant filed its pre-hearing application.

This public hearing will be conducted in accordance with the contested case provisions of the 2016 Zoning Regulations, Subtitle Z, Chapter 4. The application is vested under the substantive provisions of the 1958 Zoning Regulations.

How to participate as a witness.

Interested persons or representatives of organizations may be heard at the public hearing. The Commission also requests that all witnesses prepare their testimony in writing, submit the written testimony prior to giving statements, and limit oral presentations to summaries of the most

important points. The applicable time limits for oral testimony are described below. Written statements, in lieu of personal appearances or oral presentation, may be submitted for inclusion in the record.

How to participate as a party.

Any person who desires to participate as a party in this case must so request and must comply with the provisions of Subtitle Z § 404.1.

A party has the right to cross-examine witnesses, to submit proposed findings of fact and conclusions of law, to receive a copy of the written decision of the Zoning Commission, and to exercise the other rights of parties as specified in the Zoning Regulations. If you are still unsure of what it means to participate as a party and would like more information on this, please contact the Office of Zoning at dcoz@dc.gov or at (202) 727-6311.

Except for an affected ANC, any person who desires to participate as a party in this case must clearly demonstrate that the person’s interests would likely be more significantly, distinctly, or uniquely affected by the proposed zoning action than other persons in the general public. Persons seeking party status **shall file with the Commission, not less than 14 days prior to the date set for the hearing, or 14 days prior to a scheduled public meeting if seeking advanced party status consideration, a Form 140 – Party Status Application, a copy of which may be downloaded from the Office of Zoning’s website at: <http://dcoz.dc.gov/services/app.shtm>.** This form may also be obtained from the Office of Zoning at the address stated below.

Subtitle Z § 406.2 provides that the written report of an affected ANC shall be given great weight if received at any time prior to the date of a Commission meeting to consider final action, including any continuation thereof on the application, and sets forth the information that the report must contain. Pursuant to Subtitle Z § 406.3, if an ANC wishes to participate in the hearing, it must file a written report at least seven days in advance of the public hearing and provide the name of the person who is authorized by the ANC to represent it at the hearing.

All individuals, organizations, or associations wishing to testify in this case are encouraged to inform the Office of Zoning their intent to testify prior to the hearing date. This can be done by mail sent to the address stated below, e-mail (donna.hanousek@dc.gov), or by calling (202) 727-0789.

The following maximum time limits for oral testimony shall be adhered to and no time may be ceded:

- | | | |
|----|----------------------------------|-------------------------|
| 1. | Applicant and parties in support | 60 minutes collectively |
| 2. | Parties in opposition | 60 minutes collectively |
| 3. | Organizations | 5 minutes each |
| 4. | Individuals | 3 minutes each |

Pursuant to Subtitle Z § 408.4, the Commission may increase or decrease the time allowed above, in which case, the presiding officer shall ensure reasonable balance in the allocation of time between proponents and opponents.

Written statements, in lieu of oral testimony, may be submitted for inclusion in the record. The public is encouraged to submit written testimony through the Interactive Zoning Information System (IZIS) at <http://app.dcoz.dc.gov/Login.aspx>; however, written statements may also be submitted by mail to 441 4th Street, N.W., Suite 200-S, Washington, DC 20001; by e-mail to zcsubmissions@dc.gov; or by fax to (202) 727-6072. Please include the case number on your submission. **FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.**

ANTHONY J. HOOD, ROBERT E. MILLER, PETER G. MAY, PETER SHAPIRO, AND MICHAEL G. TURNBULL ----- ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY SARA A. BARDIN, DIRECTOR, AND BY SHARON S. SCHELLIN, SECRETARY TO THE ZONING COMMISSION.

Do you need assistance to participate? If you need special accommodations or need language assistance services (translation or interpretation), please contact Zee Hill at (202) 727-0312 or Zelalem.Hill@dc.gov five days in advance of the meeting. These services will be provided free of charge.

¿Necesita ayuda para participar? Si tiene necesidades especiales o si necesita servicios de ayuda en su idioma (de traducción o interpretación), por favor comuníquese con Zee Hill llamando al (202) 727-0312 o escribiendo a Zelalem.Hill@dc.gov cinco días antes de la sesión. Estos servicios serán proporcionados sin costo alguno.

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Quý vị có cần trợ giúp gì để tham gia không? Nếu quý vị cần thu xếp đặc biệt hoặc trợ giúp về ngôn ngữ (biên dịch hoặc thông dịch) xin vui lòng liên hệ với Zee Hill tại (202) 727-0312 hoặc Zelalem.Hill@dc.gov trước năm ngày. Các dịch vụ này hoàn toàn miễn phí.

ለሚተፍ ዕርዳታ ያስፈልግዎታል? የተለየ እርዳታ ካስፈለገዎት ወይም የቋንቋ እርዳታ አገልግሎቶች (ትርጉም ወይም ማስተርጎም) ካስፈለገዎት እባክዎን ከስብሰባው አጭነት ቀናት በፊት ዚ ሂልን በስልክ ቁጥር (202) 727-0312 ወይም በኢሜል Zelalem.Hill@dc.gov ይገናኙ። እነኝህ አገልግሎቶች የሚጠኑ በነጻ ነው።

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF PUBLIC HEARING**

TIME AND PLACE: **Thursday, December 13, 2018, @ 6:30 p.m.**
Jerrily R. Kress Memorial Hearing Room
441 4th Street, N.W., Suite 220
Washington, D.C. 20001

FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:

Z.C. Case No. 18-10 (High Street, LLC - Map Amendment @ Square 5799, Lot 976 [2352-2360 High Street, S.E.]

THIS CASE IS OF INTEREST TO ANC 8A

On June 27, 2018, the Office of Zoning received a petition from High Street, LLC (“Petitioner”) requesting approval of a Zoning Map amendment to rezone property located at 2352-2360 High Street, S.E. (Square 5799, Lot 976) (“Property”), from the R-3 zone to the RA-2 zone. On September 7, 2018, the Office of Planning submitted a report in support of setting down the petition for a public hearing. At its public meeting of September 17, 2018, the Zoning Commission voted to set down the petition for a public hearing. The Petitioner submitted its prehearing statement on September 21, 2018.

The Property consists of approximately 34,934 square feet of land area and is bounded by a public alley to the east, single family detached homes and a public alley to the south, High Street, S.E. to the west, and a single family detached home to the north. The Property is presently zoned R-3 and is designated as Moderate-Density Residential on the Comprehensive Plan Future Land Use Map.

The Petitioner seeks a Zoning Map amendment to rezone the Property from the R-3 zone to the RA-2 zone. The purposes of the RA zones are to (i) permit flexibility of design by permitting all types of urban residential development if they conform to the height, density, and area requirements established for these districts; and (ii) permit the construction of those institutional and semi-public buildings that would be compatible with adjoining residential uses and that are excluded from the more restrictive residential zones. The maximum density in the RA-2 zone is 1.8 FAR (2.16 as an Inclusionary Zoning development) and the maximum permitted building height is 50 feet with no limit on the number of stories.

The Zoning Commission has determined that this public hearing will be conducted in accordance with the rulemaking case provisions of the Zoning Commission’s Rules of Practice and Procedure, 11-Z DCMR, Chapter 5.

How to participate as a witness.

Interested persons or representatives of organizations may be heard at the public hearing. The Commission also requests that all witnesses prepare their testimony in writing, submit the written testimony prior to giving statements, and limit oral presentations to summaries of the most important points. The applicable time limits for oral testimony are described below. Written

statements, in lieu of personal appearances or oral presentation, may be submitted for inclusion in the record.

Time limits.

All individuals, organizations, or associations wishing to testify in this case are encouraged to inform the Office of Zoning of their intent to testify prior to the hearing date. This can be done by mail sent to the address stated below, e-mail (donna.hanousek@dc.gov), or by calling (202)727-0789.

The following maximum time limits for oral testimony shall be adhered to and no time may be ceded:

- | | | |
|----|---------------|----------------|
| 1. | Organizations | 5 minutes each |
| 2. | Individuals | 3 minutes each |

Written statements, in lieu of oral testimony, may be submitted for inclusion in the record. The public is encouraged to submit written testimony through the Interactive Zoning Information System (IZIS) at <https://app.dcoz.dc.gov/Login.aspx>; however, written statements may also be submitted by mail to 441 4th Street, N.W., Suite 200-S, Washington, DC 20001; by e-mail to zcsubmissions@dc.gov; or by fax to (202) 727-6072. Please include the case number on your submission.

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

ANTHONY J. HOOD, ROBERT E. MILLER, PETER A. SHAPIRO, PETER G. MAY, AND MICHAEL G. TURNBULL ----- ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY SARA A. BARDIN, DIRECTOR, AND BY SHARON S. SCHELLIN, SECRETARY TO THE ZONING COMMISSION.

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Quý vị có cần trợ giúp gì để tham gia không? Nếu quý vị cần thu xếp đặc biệt hoặc trợ giúp về ngôn ngữ (biên dịch hoặc thông dịch) xin vui lòng liên hệ với Zee Hill tại (202) 727-0312 hoặc Zelalem.Hill@dc.gov trước năm ngày. Các dịch vụ này hoàn toàn miễn phí.

ለመተቻ ዕርዳታ ያስፈልግዎታል? የተለየ እርዳታ ካስፈለገዎት ወይም የቋንቋ እርዳታ አገልግሎቶች (ትርጉም ወይም ማስተርጎም) ካስፈለገዎት እባክዎን ከስብሰባው አጭነት ቀናት በፊት ዚ ሂልን በስልክ ቁጥር (202) 727-0312 ወይም በኢሜል Zelalem.Hill@dc.gov ይገናኙ። እነኚህ አገልግሎቶች የሚጠኑ በነጻ ነው።

OFFICE OF CONTRACTING AND PROCUREMENT

NOTICE OF FINAL RULEMAKING

The Chief Procurement Officer (CPO) of the District of Columbia, pursuant to the authority set forth in Sections 204 and 1106 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code §§ 2-352.04 and 2-361.06 (2016 Repl.)) (the “Act”), hereby gives notice of the adoption of amendments to amend Chapter 31 (Patents, Copyrights, and Proprietary Information) of Title 27 (Contracts and Procurement) of the District of Columbia Municipal Regulations (DCMR).

This rulemaking updates Chapter 31 and implements the provisions in the Act that apply to patents, copyrights, proprietary information, and the standards governing their administration. The current Chapter 31 contained regulations that were outdated and inconsistent with the Act. Accordingly, contracting officers, contractors, subcontractors and other stakeholders lacked clear guidance on the acquisition of rights in, or title to, patents, copyrights, and proprietary information. By aligning Chapter 31 to the provisions of the Act, this rulemaking will result in more consistent, transparent procurements.

A Notice of Proposed Rulemaking was published in the *D.C. Register* on January 26, 2018, at 65 DCR 681–688. No comments were received and no changes have been made to the text of the rules as proposed.

These amendments shall be effective upon the date of publication of this notice in the *D.C. Register*.

Chapter 31, PATENTS, COPYRIGHTS, AND PROPRIETARY INFORMATION, of Title 27 DCMR, CONTRACTS AND PROCUREMENT, is amended as follows:

Section 3100, GENERAL PROVISIONS, is amended to read as follows:

3100 GENERAL PROVISIONS

- 3100.1 The District shall honor rights in patents, copyrights, and proprietary information. Contracting officers shall comply with the requirements of applicable federal laws and regulations, in addition to the requirements of this chapter, in acquiring or using these rights.
- 3100.2 A contractor shall obtain written permission from the lawful owner(s) of patented or copyrighted materials before including all or part of any patented or copyrighted material in any item to be delivered under a contract, unless permission is not required under the fair use or other applicable provisions of federal law or regulations.

- 3100.3 The District shall not unreasonably restrict the commercial use, outside of the performance of the contract with the District, of inventions made while performing District contracts.
- 3100.4 The District shall limit its demands for rights in patents, copyrights, and proprietary information resulting from private developments to those reasonable for present and future use by the District.

Section 3101, NOTICE AND ASSISTANCE, is amended to read as follows:

3101 NOTICE AND ASSISTANCE

- 3101.1 A contractor shall notify the contracting officer of all claims of patent or copyright infringement or misappropriation of proprietary information that come to the contractor’s attention in connection with performing a District contract.
- 3101.2 A contractor shall, upon request, assist the District with any evidence and information in its possession in connection with any claim or lawsuit against the District due to any alleged patent or copyright infringement or misappropriation of proprietary information arising out of or resulting from the performance of a contract.

Section 3102, INDEMNIFICATION, is amended to read as follows:

3102 INDEMNIFICATION

- 3102.1 The contracting officer shall not include in any solicitation or contract any provision by which the District expressly agrees to indemnify the contractor against liability for patent or copyright infringement or misappropriation of proprietary information.
- 3102.2 The contracting officer shall include a clause in all solicitations and contracts that requires a contractor to indemnify the District against infringement of rights in patents, copyrights, or proprietary information and to reimburse the District for any liability incurred as the result of an infringement of rights in patents, copyrights, or proprietary information.
- 3102.3 If it is in the best interests of the District to exempt one (1) or more specific United States patents from a patent indemnity clause, the contracting officer may grant the exemption upon written approval of the Director.

Section 3105, LICENSING AND ROYALTY INFORMATION, is amended to read as follows:

3105 LICENSING AND ROYALTY INFORMATION

- 3105.1 Upon the request of the contracting officer, a contractor or a prospective contractor shall furnish to the contracting officer licensing and royalty information and reports sufficient to determine whether royalties or licenses anticipated or actually paid under District contracts are excessive, improper, or inconsistent with any District rights in particular inventions, patents, patent applications, copyrights, or proprietary information.
- 3105.2 If the contracting officer determines that the District has paid or will pay royalties under an existing or prospective contract that are inconsistent with the District's rights, are excessive, or are otherwise improper, and if it is in the best interests of the District, the contracting officer shall obtain a refund or negotiate for a reduction of royalties.

Section 3106, PATENT RIGHTS UNDER DISTRICT CONTRACTS, is amended to read as follows:

3106 PATENT RIGHTS UNDER DISTRICT CONTRACTS

- 3106.1 If the contract permits the contractor to retain title to an invention, and the contractor elects to retain title, the District shall have at least a nonexclusive, non-transferable, irrevocable, paid-up license to use or have used, for or on behalf of the District, any invention made in the performance of work under a District contract. The District may have additional rights to sublicense the invention if provided in the contract.
- 3106.2 The District shall have the right to receive title to any invention made in the performance of a contract unless the contract provides otherwise. If the contract extends a limited right to the contractor to acquire patent rights, the District shall have the right nevertheless to receive title to an invention in the following circumstances:
- (a) If the contractor does not disclose the invention within the time specified in the contract;
 - (b) In any instance where the contractor does not elect to retain rights or fails to elect to retain rights to the invention within the time specified in the contract;
 - (c) In any instance where the contractor has not filed a patent application within the time specified in the contract;
 - (d) In any instance where the contractor decides not to continue prosecution of a patent application, pay maintenance fees, or defend in a re-examination or opposition proceeding on the patent; and
 - (e) In any instance where the contractor no longer desires to retain title.

- 3106.3 If the contract gives a limited right to the contractor to acquire patent rights, the contractor may request greater rights to an invention within the period specified in the contract. The contracting officer may grant a request for greater rights if the contracting officer determines that the grant of greater rights is in the best interests of the District. In making the determination, the contracting officer shall consider the following objectives:
- (a) Ensuring that inventions are used in a manner that will promote full and open competition and free enterprise; and
 - (b) Ensuring that the District obtains sufficient rights in District-supported inventions to meet the needs of the District and protect the public against nonuse or unreasonable use of inventions.
- 3106.4 If the contract permits the contractor to retain title to an invention and the contractor elects not to retain title, the District may, after consultation with the contractor, grant a request for retention of rights by the inventor.
- 3106.5 If a District employee is a co-inventor of an invention made under a contract and the District acquires all or part of the rights to the invention, the Director may take any of the following actions that are consistent with the best interests of the District:
- (a) Assign all or part of the District's rights to its employee while retaining for the District any rights set forth in § 3106.2 of this chapter;
 - (b) Assign all or part of the District's rights to the contractor for reasonable consideration, after negotiation by the contracting officer of a reasonable consideration;
 - (c) If the contractor is a nonprofit organization or is a certified business enterprise, assign all or part of the District's rights without consideration; or
 - (d) Retain the District's rights.

Section 3107, PATENT RIGHTS PROCEDURES, is amended to read as follows:

3107 PATENT RIGHTS PROCEDURES

- 3107.1 A contract may require the contractor to do any or all of the following:
- (a) Provide periodic reports (but not more frequently than annually) listing all inventions required to be disclosed during the period covered by each report;

- (b) Provide a report prior to the closeout of the contract listing all inventions or stating that there were none;
- (c) Provide, upon request, the patent application filing date, serial number and title, a copy of the patent application, and patent number and issue date for any subject invention in any country in which the contractor has applied for patents; and
- (d) Furnish the District an irrevocable power to inspect and make copies of the patent application file.

3107.2 The contractor shall submit to the contracting officer a document confirming all rights to which the District is entitled, and shall furnish to the contracting officer an irrevocable power to inspect and make copies of the patent application file six (6) months after filing each patent application or within six (6) months after submitting the invention disclosure if the application has been previously filed.

3107.3 If the contracting officer determines in writing that it is in the best interests of the District, the contracting officer may modify, waive, or omit any of the rights set forth in § 3106.2 of this chapter. The modification, waiver, or omission shall be in writing and shall be accompanied by a written statement of facts justifying the determination. The statement of facts shall include the following:

- (a) A description of the extent to which the District's rights are to be modified, waived, or omitted;
- (b) The facts and justification for the modification, waiver, or omission; and
- (c) A statement explaining how the interests of the District will be better served by the modification, waiver, or omission.

3107.4 The contractor shall establish and maintain effective procedures to ensure that its patent rights obligations are met, that subject inventions are timely identified and disclosed, and that patent applications are filed when required.

3107.5 Contractors shall submit all reports required by the contracting officer in accordance with the contract.

3107.6 The contracting officer shall establish follow-up procedures to protect the District's interests and to ensure that subject inventions are identified and disclosed; that, when required, patent applications are filed; and that the District's rights are established and protected.

Section 3110, RIGHTS TO COPYRIGHTED MATERIAL AND PROPRIETARY INFORMATION, is amended to read as follows:

3110 RIGHTS TO COPYRIGHTED MATERIAL AND PROPRIETARY INFORMATION

3110.1 A contracting officer may acquire title to, or obtain or limit access to, copyrighted materials, materials subject to copyright protection, and proprietary information developed under or used in the performance of contracts.

3110.2 Unless specifically authorized by the contracting officer, access to copyrighted materials, materials subject to copyright protection, and proprietary information developed under or used in the performance of contracts shall be limited to District employees who are directly involved with the performance of the contract or who otherwise need access in order to properly perform their duties in connection with the contract or the items or services provided under the contract.

Section 3111, PROPRIETARY OR CONFIDENTIAL INFORMATION IN BIDS AND PROPOSALS, is amended to read as follows:

3111 PROPRIETARY OR CONFIDENTIAL INFORMATION IN BIDS AND PROPOSALS

3111.1 In accordance with § 417 of the Procurement Practices Reform Act of 2010, D.C. Official Code § 2-354.17, a bidder or offeror shall designate information contained in a response to the invitation for bids or request for proposals as proprietary or confidential by specifically identifying that information in writing in the bid or proposal.

3111.2 A bidder or offeror including proprietary or confidential information in its bid or offer shall conspicuously display the following information on the first page of the bid or offer if the bidder or offeror does not want the proprietary or confidential information disclosed to the public for any purpose or used by the District except within the procurement process:

- (a) That the bid or offer includes proprietary or confidential information that shall not be disclosed outside the District government without prior written notice and shall not be duplicated, used, or disclosed, in whole or in part, for any purpose other than the procurement process;
- (b) That if a contract is awarded to the bidder or offeror, the District shall have the right to duplicate, use, or disclose the proprietary or confidential information to the extent provided in the contract;

- (c) That this restriction does not limit the District's right to use the proprietary or confidential information if it is obtained from another source without restriction; and
- (d) That the bidder or offeror has conspicuously identified the proprietary or confidential information within each page subject to the restriction.

3111.3 In addition to the requirements of § 3111.2 of this chapter, the bidder or offeror shall conspicuously mark each separate sheet containing proprietary or confidential information with a notation to the effect that use or disclosure of proprietary or confidential information contained and specifically designated in the sheet is subject to the restriction set forth on the first page of the bid or offer.

3111.4 The bidder or offeror shall not designate as confidential or proprietary the name of the bidder or offeror, the bid or proposal price, or any information that is not actually proprietary or confidential.

Section 3199, DEFINITIONS, is amended to read as follows:

3199 DEFINITIONS

3199.1 When used in this chapter, the following terms and phrases shall have the meanings ascribed:

Confidential information – any information which is available to an employee of the District of Columbia only because of the employee's status as an employee of the District of Columbia and is not a matter of public knowledge or available to the public upon request.

Data – recorded information, regardless of form or the media on which it may be recorded, including technical data and computer software. Data does not include information incidental to contract administration, such as financial, administrative, cost or pricing, or management information.

Director – the Director of the Office of Contracting and Procurement or the District of Columbia Chief Procurement Officer.

Invention – any device, process, design, or other discovery that is or may be patentable or otherwise protectable under Title 35 of U.S. Code.

Made – the conception or the first actual reduction to practice of an invention.

Nonprofit organization – a domestic university or an organization of higher education or an organization of the type described in Section 501(c)(3) of the Internal Revenue Code of 1954 (26 USC § 501(c)) and exempt from

taxation under 26 USC § 501(a), or any domestic nonprofit scientific or educational institution.

Royalties – payments for the use of a patented invention, copyrighted material, or other proprietary information or data under a license granted by the owner.

Proprietary information – information, including trade secrets, data, formulas, patterns, compilations, programs, devices, methods, techniques, or processes, which have the following characteristics:

- (a) The information derives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by, other persons who can obtain economic value from its disclosure or use; or
- (b) The information is the subject of efforts that are reasonable under the circumstances to maintain its secrecy.

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA

NOTICE OF FINAL RULEMAKING**AND****Z.C. ORDER NO. 08-06P****Z.C. Case No. 08-06P****(Text Amendment – 11 DCMR)****(Minor Modification to Z.C. Order 08-06A to Clarify Language, Make Language Consistent Within Existing Text and Between Subtitles and Chapters, and Correct Typographical Errors and Number Citations)****September 17, 2018**

The Zoning Commission for the District of Columbia (Commission), pursuant to its authority under § 1 of the Zoning Act of 1938, approved June 20, 1938 (52 Stat. 797, as amended; D.C. Official Code § 6-641.01 (2012 Repl.)), hereby gives notice of its adoption of amendments to Subtitle C (General Rules), Subtitle J (Production, Distribution, and Repair (PDR) Zones), Subtitle K (Special Purpose Zones), Subtitle U (Use Permissions), Subtitle X (General Procedures) and Subtitle Y (Board of Zoning Adjustment Rules of Practice and Procedure) of Title 11 (Zoning Regulations of 2016) of the District of Columbia Municipal Regulations (DCMR) to make minor modifications to amendments made by Z.C. Order No. 08-06A (Order). The Order, which took the form of a Notice of Final Rulemaking, adopted comprehensive amendments to the Zoning Regulations that became effective on September 6, 2016.

Generally, the minor modifications clarify language, make language consistent within existing text and between subtitles and chapters, correct spelling and typographical errors, and correct number citations to make references consistent throughout the regulations. The only minor modification of a more substantive nature is the clarification language for Subtitle X § 303.2. The current text of that provision could be read as permitting the aggregation of floor area ratio (FAR) within a PUD site only if multiple zones were included. The new language aligns with the corresponding provision in the Zoning Regulations of 1958, which allowed FAR to be aggregated across a PUD site, but indicated how to compute the FAR if more than one zone was included.

A Notice of Proposed Rulemaking was published in the *D.C. Register* on August 3, 2018, at 65 DCR 008045. In response the Commission received no comments.

The Commission therefore took final action at a public meeting on September 17, 2018 to adopt the amendments as proposed.

The amendments shall become effective upon publication of this notice in the *D.C. Register*.

Title 11 DCMR, ZONING REGULATIONS OF 2016, is amended as follows:

Chapter 7, VEHICLE PARKING, of Subtitle C, GENERAL RULES, is amended as follows:

Subparagraph (b)(1) of § 710.2 of § 710, LOCATION RESTRICTIONS, is amended as follows:

- 710.2 Vehicle parking spaces shall be located:
- ...¹
- (b) On an open area of the lot, except:
- (1) Between a building restriction and a front lot line;
- ...

Chapter 4, SPECIAL EXCEPTION, of Subtitle J, PRODUCTION, DISTRIBUTION, AND REPAIR (PDR) ZONES, is amended as follows:

Subsection 400.1 of § 400, GENERAL PROVISIONS, is amended as follows:

- 400.1 Exceptions to the development standards of this subtitle shall be permitted as a special exception if approved by the Board of Zoning Adjustment under Subtitle X, Chapter 9.

Subtitle K, SPECIAL PURPOSE ZONES, is amended as follows:

Chapter 3, UNION STATION NORTH ZONE-USN, is amended as follows:

Subsection 305.2 of § 305, HEIGHT (USN), is amended as follows:

- 305.2 The measurement of building height shall be taken from the elevation of the sidewalk on H Street at the middle of the front of the building, to the highest point of the roof or parapet rather than from grade as would otherwise be required by Subtitle B, Chapter 3.

Chapter 5, CAPITOL GATEWAY ZONES-CG -1 THROUGH CG-7, is amended as follows:

Subsection 505.10 of § 505, DEVELOPMENT STANDARDS (CG-5), is amended as follows:

- 505.10 In the case of an alteration affecting the amount of light and ventilation required in an existing building in an R, RF, or RA zone by other municipal law or

¹ The use of this and other ellipses indicate that other provisions exist in the subsection being amended and that the omission of the provisions does not signify an intent to repeal

regulation, no legally required window shall be permitted to open onto a court that does not comply with the dimensions given in Subtitle K § 505.9.

Paragraph (c) of § 509.1 of § 509, USE REQUIREMENTS FOR DESIGNATED STREETS (CG), is amended as follows:

- 509.1 Preferred use requirements shall apply only to the following designated streets:
 ...
 (a) First Street, S.E.

Paragraph (b) of § 510.1 of § 510, DESIGN REQUIREMENTS FOR DESIGNATED STREETS (CG), is amended as follows:

- 510.1 The following design requirements shall apply to the portion of a building or structure with frontage on designated streets as noted:
 ...
 (b) South Capitol Street:
 - (1) Each new building or structure located on South Capitol Street shall be set back for its entire height and frontage not less than fifteen feet (15 ft.), with the exception of a:
 - (A) Buildings within Square 651; and
 - (B) Replacement of an existing row dwelling; or
 - (C) Vertical addition to an existing row dwelling, not extending out into the South Capitol Street right-of-way and not exceeding fifty percent (50%) of the gross floor area of the original row dwelling;
 - (2) A minimum of sixty percent (60%) of the street-wall shall be constructed on the setback line, with the exception of:
 - (A) Buildings within Square 651 where a minimum of sixty percent (60%) of the street-wall shall be constructed to the South Capitol Street property line; and
- ...

Paragraph (d) of § 512.3 of § 512, ZONING COMMISSION REVIEW OF BUILDINGS, STRUCTURES, AND USES (CG), is amended as follows:

- 512.3 In addition to proving that the proposed use, building, or structure meets the standards set forth in Subtitle X and the relevant provisions of this chapter, an

applicant requesting approval under this section shall prove that the proposed building or structure, including the sitting, architectural design, site plan, landscaping, sidewalk treatment, and operation, will:

...

- (b) Help achieve the objectives of the Capitol Gateway defined in Subtitle K § 500.1,

...

Subtitle U, USE PERMISSIONS, is amended as follows:

Chapter 2, USE PERMISSIONS RESIDENTIAL HOUSE (R) ZONES, is amended as follows:

Subsection 251.6 of § 251, HOME OCCUPATION USES (R), is amended as follows:

251.6 A home occupation that is neither permitted nor prohibited in this chapter may be permitted as a special exception by the Board of Zoning Adjustment under Subtitle X, subject to the following conditions:

...

Chapter 3, USE PERMISSIONS RESIDENTIAL FLATS (RF) ZONES, is amended as follows:

Subsection 320.2 of § 320, SPECIAL EXCEPTION USES (RF), is amended as follows:

320.2 Conversion of an existing residential building existing on the lot prior to May 12, 1958, to an apartment house shall be permitted as a special exception in an RF-1, RF-2, or RF-3 zone if approved by the Board of Zoning Adjustment under Subtitle X, Chapter 9, subject to the following conditions:

...

Chapter 7, USE PERMISSIONS MIXED-USE UPTOWN ARTS (ARTS) AND DOWNTOWN (D) ZONES, is amended as follows:

Subsection 700.2 of § 700, MATTER-OF-RIGHT USES (ARTS AND D), is amended as follows:

700.2 In the ARTS-1 and ARTS-2 zones, the arts uses of this chapter shall be permitted as a matter of right in addition to the MU-Use Group E standards of Subtitle U, Chapter 5, subject to the limitations and conditions of this chapter.

Subtitle X, GENERAL PROCEDURES, is amended as follows:

Chapter 1, CAMPUS PLANS, SCHOOL PLANS, AND MEDICAL CAMPUS PLANS, is amended as follows:

Subsection 101.1 of § 101, CAMPUS PLANS, is amended as follows:

101.1 Education use by a college or university shall be permitted as a special exception subject to review and approval by the Zoning Commission under Subtitle X, Chapter 9 after its determination that the use meets the applicable standards and conditions of this chapter.

Chapter 3, PLANNED UNIT DEVELOPMENTS, is amended as follows:

Subsection 303.2 of § 303, PLANNED UNIT DEVELOPMENT FLEXIBILITY, is amended as follows:

303.2 The FAR of all buildings shall not exceed the aggregate of the FARs as permitted in the zone or zones included within the PUD boundary, as that may be increased by X § 303.3.

Paragraph (i) of § 305.5 of § 305, PLANNED UNIT DEVELOPMENT PUBLIC BENEFITS, is amended as follows:

305.5 Public benefits of the proposed PUD may be exhibited and documented in any of the following or additional categories:

...

- (i) Social services and facilities for the duration of the PUD, including, but not limited to, space dedicated for a day care or elderly care facility. The day care must be available to the general public and open during normal business hours at least five (5) days each week and fifty (50) weeks each calendar year. The space for each child shall be based on the requirement outlined in the Child Development Facilities Regulations;

...

Chapter 6, DESIGN REVIEW, of Subtitle X, GENERAL PROCEDURES, is amended as follows:

Subsections 601.1 and 601.2 of § 601, APPLICABILITY, are amended as follows:

601.1 Except for Subtitle I, this chapter applies to any instance when the Zoning Regulations require Zoning Commission review of any building, structure, or use other than a campus plan. Such a review shall hereinafter be referred to as a "Non-Voluntary Design Review."

601.2 As to all zones, this chapter also applies when a property owner voluntarily seeks design review development, which shall hereinafter be referred to as a “Voluntary Design Review.”

Subsection 604.1 of § 604, DESIGN REVIEW STANDARDS, is amended as follows:

604.1 The Zoning Commission will evaluate and approve or disapprove a design review application subject to this chapter according to the standards of this section and for Non-Voluntary Design Reviews subject to this chapter according to the standards stated in the provisions that require Zoning Commission review.

Chapter 10, VARIANCES, of Subtitle X, GENERAL PROCEDURES, is amended as follows:

Paragraph (f) of § 1001.3 of § 1001, VARIANCE TYPES, is amended as follows:

1001.3 Examples of area variances are requests to deviate from:

...

- (f) Preconditions to the establishment of a matter-of-right use including, but not limited to, the minimum land area requirement of Subtitle U § 301.2(c) applicable to the conversion of a building to an apartment house as permitted by Subtitle U § 301.2; provided, that the waiver would not cause the proposed use to meet the definition of a more intense use.

Section 301, CHANCERY APPLICATION REQUIREMENTS, of Chapter 3, APPLICATION REQUIREMENTS, of Subtitle Y, BOARD OF ZONING ADJUSTMENT RULES OF PRACTICE AND PROCEDURE, is amended as follows:

Paragraph (c) of § 301.6 is amended as follows:

301.6 If the application is for a location in a low- to medium-density residence zone, a written statement by the applicant attesting to:

...

- (c) A copy of each certificate of occupancy referenced in Subtitle Y § 301.6(b).

Subsection 301.10 is amended as follows:

301.10 Except as provided in Subtitle Y § 301.13, all statements, information, briefs, reports (including reports and statements of experts and other witnesses), plans, photographs, or other exhibits that the applicant may wish to offer in evidence at the public hearing shall be filed at the time of filing the application.

On June 25, 2018, upon the motion of Chairman Hood, as seconded by Commissioner Turnbull, the Zoning Commission **AUTHORIZED IMMEDIATE PUBLICATION OF THE PROPOSED RULEMAKING** for the petition at by a vote of **5-0-0** (Anthony J. Hood, Robert E. Miller, Peter A. Shapiro, Peter G. May (by absentee ballot), and Michael G. Turnbull to approve).

On September 17, 2018, upon the motion of Chairman Hood, as seconded by Vice Chairman Miller, the Zoning Commission took **FINAL ACTION** to **APPROVE** the petition at its public meeting by a vote of **4-0-1** (Anthony J. Hood, Robert E. Miller, Michael G. Turnbull, and Peter G. May to approve; Peter A. Shapiro, not present, not voting).

In accordance with the provisions of 11-Z DCMR § 604.9, this Order shall become final and effective upon publication in the *DC Register*; that is on October 25, 2018.

BY THE ORDER OF THE D.C. ZONING COMMISSION

A majority of the Commission members approved the issuance of this Order.

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA

NOTICE OF FINAL RULEMAKING**AND****Z.C. ORDER NO. 08-06Q****Z.C. Case No. 08-06Q****(Office of Planning – Minor Modification to Z.C. Order No. 08-06A re: Subtitle B § 304.3
(Rules of Measurement) and Subtitle I § 200 (Density – Floor Area Ratio))****September 17, 2018**

The Zoning Commission for the District of Columbia, (Commission) pursuant to its authority under § 1 of the Zoning Act of 1938, approved June 20, 1938 (52 Stat. 797, as amended; D.C. Official Code § 6-641.01 (2012 Repl.)), hereby gives notice of the permanent adoption of minor modifications previously adopted on an emergency basis to amendments made by Z.C. Order No. 08-06A (Order). The Order, which took the form of a Notice of Final Rulemaking, adopted comprehensive amendments to the Zoning Regulations that became effective on September 6, 2016.

The minor modifications exclude all lodging use gross floor area (GFA) from the calculation of residential floor area ratio (FAR) in the Downtown (D) zones, as was the rule in the former Downtown Development Overlay Zone under the Zoning Regulations of 1958. Under both the 1958 and 2016 regulations, the creation of new housing downtown was and is among the key objectives. Lodging uses, such as hotels, are transient uses; therefore, allowing lodging to use housing incentives (such as unlimited FAR) generates less housing. The exclusion of hotel GFA from residential FAR was inadvertently not carried over in the Zoning Regulations of 2016 for the new D zones. With the adoption of these minor modifications, lodging uses will again need to purchase development rights, now known as “Credits,” from residential developments to reduce applicable minimum residential requirements and exceed maximum non-residential FAR limits in the D zones. Because these amendments represent the continuation of a decades-long policy, rather than the initiation of a new one, they can be adopted without a hearing or referral to the National Capital Planning Commission.

Although the amendments are minor, their immediate adoption was needed to require the owner of an impending hotel project to purchase credits to compensate for the hotel’s lack of housing in light of its excess commercial FAR. The Commission adopted these emergency rules at its public meeting held on June 25, 2018, at which time the amendments became effective. A Notice of Emergency and Proposed Rulemaking was published in the *D.C. Register* on July 13, 2018, at 65 DCR 007414. In response, the Commission received no comments. The Commission took final rulemaking action to adopt these amendments at a public meeting on September 17, 2018 making no change to the text as proposed.

The amendments shall become final upon publication of this notice in the *D.C. Register* and the emergency rules will expire upon the publication of this notice.

Title 11 DCMR, ZONING REGULATIONS OF 2016, is amended as follows:

Chapter 3, GENERAL RULES OF MEASUREMENT, of 11-B DCMR, DEFINITIONS, RULES OF MEASUREMENT, AND USE CATEGORIES, is amended as follows:

Subsection 304.2 of § 304, RULES OF MEASUREMENT FOR GROSS FLOOR AREA (GFA), is amended as follows:

304.2 Except as provided in Subtitle I § 200.1, non-residential floor area shall be the total GFA of a building not dedicated to one (1) of the following uses:

- (a) Residential;
- (b) Community-based institutional facility;
- (c) Emergency shelter;
- (d) Lodging use with less than thirty (30) rooms;
- (e) Guest rooms and service areas of a lodging use with thirty (30) or more rooms; or
- (f) Education uses that are operated or chartered by the District government.

Chapter 2, GENERAL DEVELOPMENT STANDARDS FOR DOWNTOWN (D) ZONES, of Subtitle I, DOWNTOWN (D) ZONES, is amended as follows:

Subsection 200.1 of § 200, DENSITY - FLOOR AREA RATIO (FAR), is amended as follows:

200.1 Gross floor area shall be measured as specified in Subtitle B § 304, except that all GFA in a Lodging Use including guest rooms and service areas shall be counted as non-residential GFA.

On June 25, 2018, upon the motion of Commissioner Turnbull, as seconded by Vice Chairman Miller, the Zoning Commission took **EMERGENCY ACTION** and **AUTHORIZED IMMEDIATE PUBLICATION OF THE PROPOSED RULEMAKING** for the petition at by a vote of **4-0-1** (Anthony J. Hood, Robert E. Miller, Peter G. May, and Michael G. Turnbull to approve; Peter A. Shapiro, not present, not voting).

On September 17, 2018, upon the motion of Chairman Hood, as seconded by Vice Chairman Miller, the Zoning Commission took **FINAL ACTION** to **APPROVE** the petition at its public meeting by a vote of **4-0-1** (Anthony J. Hood, Robert E. Miller, Michael G. Turnbull, and Peter G. May to approve; Peter A. Shapiro, not present, not voting).

In accordance with the provisions of 11-Z DCMR § 604.9, this Order shall become final and effective upon publication in the *DC Register*; that is on October 26, 2018.

BY THE ORDER OF THE D.C. ZONING COMMISSION

A majority of the Commission members approved the issuance of this Order.

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA**NOTICE OF FINAL RULEMAKING****AND****Z.C. ORDER NO. 18-04****Z.C. Case No. 18-04****Office of Planning****(Text Amendment to Title 11 [Zoning Regulations of 2016],****Subtitle A §§ 209.2 & 301.3 to Permit the Construction of****Playing Fields and Accessory Structures at Robert F. Kennedy Memorial Stadium)****September 17, 2018**

The Zoning Commission for the District of Columbia (Commission), pursuant to its authority under § 1 of the Zoning Act of 1938, approved June 20, 1938 (52 Stat. 797, as amended; D.C. Official Code § 6-641.01 (2012 Repl.)), hereby gives notice of the adoption of amendments to Subtitle A (Authority and Applicability), of Title 11 (Zoning Regulations of 2016) of the District of Columbia Municipal Regulations (DCMR).

The text amendments permit the matter of right construction and use of three (3) athletic playing fields and six (6) associated accessory structures without each structure being on separate lots of record located on unzoned land next to the Robert F. Kennedy Memorial Stadium. The amendments also provide for an unenclosed pavilion structure adjacent to the fields if approved by the Commission through the design review procedures of Subtitle Z, Chapter 6. The six (6) matter-of-right accessory structures consist of a visitor building, a storage building, a restroom facility and three (3) shade structures.

A Notice of Proposed Rulemaking was published in the *D.C. Register* on July 13, 2018, at 65 DCR 7408; however, the proposed rule did not include a reference to the three (3) shade structures.

In response, the Commission received no comments.

The amendments were referred to the National Capital Planning Commission (NCPC) pursuant to § 492 of the Home Rule Act. The NCPC Executive Director, through a delegated action dated August 30, 2018, found that the proposed text amendments would not have an adverse effect on federal interests nor be inconsistent with the Comprehensive Plan for the National Capital. The delegated action went on to note that the proposed text was slightly inconsistent with the final site and building development plans before NCPC. The proposed text amendment would allow three (3) accessory structures and one (1) pavilion, while the final site and building plans also proposed a fourth (4th) accessory structure, that being a shade structure.

At its September 17, 2018 public meeting, the Commission asked the Office Planning to respond to the NCPC Director's report. The Office of Planning stated that the need for a shade structure was identified in the time between the public hearing when the Commission authorized the publication of the notice of proposed rulemaking and the time that plans were sent to NCPC for its review, and as a result, an accessory shade structure was not identified in the notice of

proposed rulemaking. The Commission requested that the Office of Planning provide it with revised text to permit the shade structure.

The Office of Planning submitted a supplemental report dated September 18, 2018 that revised the proposed text to permit three (3) shade structures in addition to the three (3) accessory structures proposed, such that building permits for a total of six (6) accessory structure that could be constructed and used by right.

The Commission again considered whether to adopt the amendments at a public meeting on October 1, 2018, and asked the Office of Planning to explain why it was proposing text that would permit up to three (3) shade structures when only one was depicted in the plans before NCPC. The Office of Planning responded that it did so to permit one shade structure for each playing field.

The Commission then voted to adopt the amendments, including the change to the proposed text to increase the number of accessory structures from the three (3) described in the notice of proposed rulemaking to six (6).

The Commission determined that publication of a new notice of proposed rulemaking is not required because the proposed text is not being “substantially altered from the text published with the notice of proposed rulemaking.” (1 DCMR § 310.5.) The only substantive alterations to the proposed text are the addition of a subparagraph to permit the three (3) shade structures by right and a nonmaterial reference to those the shade structures in an existing subparagraph. The potential need for shade structures at each playing field could have been anticipated by the public and therefore their addition flows from the proposed rule and is consistent with its original intent. The other changes are “re-wording to correct errors in format or style,” as permitted by 1 DCMR § 310.6(B); namely the deletion of an “s” in subparagraph 209.2(c)(i) to correct a grammatical error, and the insertion of a closed parenthesis in subsection 301.3 to correct a grammatical error.

The amendments shall become effective upon publication of this notice in the *D.C. Register*.

The following amendments to Title 11 DCMR are adopted.

Title 11 DCMR, ZONING REGULATIONS OF 2016, is amended as follows:

Subtitle A, AUTHORITY AND APPLICABILITY, is amended as follows:

Subsection 209.2, of § 209, RESTRICTIONS ON UNZONED LAND, of Chapter 2, ADMINISTRATIVE AND ZONING REGULATIONS is amended by adding a new paragraph (c) s follows:

209.2 Nothing in this chapter shall prevent the following:

- (a) Minor repairs and alterations to buildings and structures for which no building permit is required under the D.C. Construction Code Supplements;

- (b) A caretaker from residing on property formerly owned by the Government of the United States, or property in the Central Area formerly owned by the government of the District of Columbia, for which zoning has not been designated, for the purpose of maintaining and preventing the deterioration of the premises; or
- (c) Installation and use of playing fields and associated accessory structures to support such fields on the unzoned property comprising and abutting the Robert F. Kennedy Memorial Stadium, more specifically known as Parcel 149, Lots 65 and 66, subject to the following:
 - (i) Three (3) accessory structures shall be permitted: a visitor building, a storage building, and restroom facilities. Each permitted accessory structure shall not exceed a maximum height of twenty feet (20 ft.) and one (1) story, and a maximum gross floor area of one thousand square feet (1,000 sq. ft.);
 - (ii) Three (3) shade structures shall be permitted, provided that any individual shade structure shall not exceed a maximum height of twenty feet (20 ft.) and one (1) story, and a maximum gross floor area of six hundred and fifty square feet (650 sq. ft.); and
 - (iii) In addition to the three accessory structures listed in subparagraph 209.2(c)(i), and the shade structures listed in subparagraph 209.2(c)(ii), an unenclosed pavilion shall be permitted and used provided the Zoning Commission finds that said structure, as designed, meets the standards of Subtitle X, Chapter 6 other than § 604.8. The pavilion shall be either covered or uncovered, and have no greater than a six thousand square feet (6,000 sq. ft.) footprint. If covered, a canopy no greater than thirty feet (30 ft.) in height may be installed.

Subsection 301.3, of § 301, BUILDING PERMITS, of Chapter 3, ADMINISTRATION AND ENFORCEMENT, is amended to by adding a new (g) as follows:

- 301.3 Except as provided in the building lot control regulations for Residence Districts in Subtitle C and § 5 of An Act to amend an Act of Congress approved March 2, 1893, entitled “An Act to provide a permanent system of highways in that part of the District of Columbia lying outside of cities,” and for other purposes, approved June 28, 1898 (30 Stat. 519, 520, as amended; D.C. Official Code § 9-101.05), a building permit shall not be issued for the proposed erection, construction, or conversion of any principal structure, or for any addition to any principal structure, unless the land for the proposed erection, construction, or conversion has been divided so that each structure will be on a separate lot of record; except a building permit may be issued for:

- (a) Buildings and structures related to a fixed right-of-way mass transit system approved by the Council of the District of Columbia;
- (b) Boathouse, yacht club, or marina that fronts on a public body of water, is otherwise surrounded by public park land, and is zoned MU-11;
- (c) Any combination of commercial occupancies separated in their entirety, erected, or maintained in a single ownership shall be considered as one (1) structure;
- (d) Trapeze school and aerial performing arts center to be constructed pursuant to Subtitle K;
- (e) A structure in the USN zone to be constructed on an air rights lot that is not a lot of record;
- (f) Buildings and structures approved as part of a campus or private school plan or medical campus plan; and
- (g) Playing fields and associated accessory structures to support such fields and, if permitted by the Zoning Commission, an unenclosed pavilion, on the unzoned property comprising and abutting the Robert F. Kennedy Memorial Stadium, subject to Subtitle A § 209.2(c).

On June 28, 2018, upon the motion of Vice Chairman Miller, as seconded by Commissioner Turnbull, the Zoning Commission took **PROPOSED ACTION** to **APPROVE** the petition at the conclusion of the public hearing by a vote of **3-0-2** (Anthony J. Hood, Robert E. Miller, and Michael G. Turnbull to approve; Peter A. Shapiro and Peter G. May, not present, not voting).

On October 1, 2018, upon the motion of Commissioner May as seconded by Vice Chairman Miller, the Zoning Commission took **FINAL ACTION** to **APPROVE** the petition at its public meeting by a vote of **5-0-0** (Anthony J. Hood, Robert E. Miller, Peter A. Shapiro, Michael G. Turnbull, and Peter G. May to approve).

In accordance with the provisions of 11-Z DCMR § 604.9, this Order shall become final and effective upon publication in the *DC Register*; that is on October 26, 2018.

BY THE ORDER OF THE D.C. ZONING COMMISSION

A majority of the Commission members approved the issuance of this Order.

DEPARTMENT OF HEALTH

NOTICE OF PROPOSED RULEMAKING

The Director of the Department of Health, pursuant to the authority set forth in § 302(14) of the District of Columbia Health Occupations Revision Act of 1985 (“the Act”), effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1203.02(14) (2016 Repl.)), and Mayor’s Order 98-140, dated August 20, 1998, hereby gives notice of the intent to take proposed rulemaking action by adopting the following amendments to Chapter 76 (Respiratory Therapy) of Title 17 (Business, Occupations, and Professionals) of the District of Columbia Municipal Regulations (DCMR) in not less than thirty (30) days from date of publication of this notice in the *D.C. Register*.

The purpose of this rulemaking is to update the regulations governing the practice of respiratory care, which has not been updated since 1990. The revisions will clarify the scope of the practice, including the use of communication technology to aid in patient care, and require licensees to maintain a national credential, which is the accepted standard throughout the country.

Chapter 76, RESPIRATORY THERAPY, of 17 DCMR, BUSINESS, OCCUPATIONS, AND PROFESSIONALS, is amended as follows:**Section 7600, GENERAL PROVISIONS, is amended to read as follows:****7600 GENERAL PROVISIONS**

- 7600.1 This chapter applies to persons authorized to practice respiratory therapy in the District including applicants for or holders of a license issued in accordance with this chapter.
- 7600.2 Chapters 40 (Health Occupations: General Rules) and 41 (Health Occupations: Administrative Procedures) of this title supplement this chapter.

Section 7601, TERM OF LICENSE, is amended to read as follows:**7601 TERM OF LICENSE**

- 7601.1 Except as provided in § 7601.3, a license issued pursuant to this chapter shall be effective for not more than two years and shall expire at 12:00 Midnight on January 31st of each odd-numbered year.
- 7601.2 If the Director changes the renewal system pursuant to § 4006.3 of Chapter 40 of this title, a license issued pursuant to this chapter shall expire at 12:00 midnight of the last day of the month of the birth date of the holder of the license, or other date established by the Director.

7601.3 Notwithstanding § 7601.1, a new license issued within the ninety (90) day period prior to the expiration of a licensure term may be issued for a period covering the remainder of the licensure term and the subsequent term.

Section 7602, EDUCATIONAL REQUIREMENTS, is amended to read as follows:

7602 EDUCATIONAL REQUIREMENTS

7602.1 Except as provided in § 7605, each applicant for a license to practice respiratory therapy shall submit proof, satisfactory to the Board, that the applicant has successfully completed an educational program in the practice of respiratory care that has been accredited by the Commission on Accreditation for Respiratory Care (CoARC) or its successor organization.

Section 7604, NATIONAL EXAMINATION, is amended to read as follows:

7604 NATIONAL EXAMINATION

7604.1 In addition to satisfying the educational requirement set forth in § 7602, an applicant shall receive a passing score on the Therapist Multiple-Choice Examination for Certified Respiratory Therapist (CRT) or for Registered Respiratory Therapist (RRT), developed and administered by the National Board for Respiratory Care (NBRC). The passing score for the purposes of these rules shall be the passing score determined by the NBRC.

7604.2 Each applicant for a license by examination shall submit to the Board a completed application and the applicant’s CRT or RRT examination results, which shall be certified or validated by the NBRC.

7604.3 An applicant for a license by examination who took and passed an NBRC examination required pursuant to § 7604.1 more than five (5) years prior to the date of the application shall be required to take and pass the examination again unless the applicant has continuously maintained valid credential as a Certified Respiratory Therapist (CRT) or Registered Respiratory Therapist (RRT) and such credential was obtained after July 1, 2002.

Section 7605, LICENSURE BY ENDORSEMENT, is amended to read as follows:

7605 LICENSURE BY ENDORSEMENT

7605.1 The Board may issue a license to practice respiratory therapy by endorsement to an applicant who:

- (a) Is currently licensed to practice respiratory care in another state according to standards that were the substantial equivalent to the District’s at the time of the licensing;

- (b) Has continually remained in good standing under the laws of another state with standards that the Board determines to be comparable to the requirements of the Act and this chapter;
- (c) Possesses a valid and current certification as a Certified Respiratory Therapist (CRT) or Registered Respiratory Therapist (RRT), issued by the National Board for Respiratory Care (NBRC); and
- (c) Meets the other applicable requirements of D.C. Official Code § 3-1205.03.

Section 7606, RENEWAL, REACTIVATION, OR REINSTATEMENT OF A LICENSE; CONTINUING EDUCATION REQUIREMENTS, is amended to read as follows:

7606 RENEWAL, REACTIVATION, OR REINSTATEMENT OF A LICENSE; CONTINUING EDUCATION REQUIREMENTS

- 7606.1 Except as provided in § 7606.2, all applicants for the renewal, reactivation, or reinstatement of a license to practice respiratory therapy in the District shall demonstrate successful completion of approved continuing education units (“CEUs”) in accordance with this section.
- 7606.2 This section does not apply to applicants for an initial license, nor to applicants for the first renewal of a license after the initial grant.
- 7606.3 To qualify for reactivation of a license to practice respiratory therapy, a person in inactive status, as defined in § 511 of the Act (D.C. Official Code § 3-1205.11), shall possess a valid and active credential as a Certified Respiratory Therapist (CRT) or Registered Respiratory Therapist (RRT).
- 7606.4 To qualify for reinstatement of a license, an applicant shall submit proof of the following:
- (a) Having successfully completed eight (8) approved CEUs for each year that the license remains expired and two (2) of the required CEUs shall be in ethics; and
 - (b) A current and valid credential as a Certified Respiratory Therapist (CRT) or Registered Respiratory Therapist (RRT), issued by the National Board for Respiratory Care (NBRC).
- 7606.5 To qualify for the renewal of a license, an applicant shall have completed sixteen (16) CEUs of approved continuing education programs or activities during the two (2) year period preceding the date the license expires, which shall include:
- (a) Three (3) CEUs of ethics, for an applicant seeking to renew his or her license on or before January 31, 2019; or

- (b) Two (2) CEUs of ethics and two (2) CEUs of LGBTQ continuing education, for an applicant seeking to renew his or her license after January 31, 2019.

7606.6 A CEU shall be valid only if it is part of a program or activity approved by the Board in accordance with § 7607.

7606.7 The Board may conduct a random audit of active licensees to determine compliance with the continuing education requirements and the requirement for continuously valid credential pursuant to § 7611. A licensee who is selected for audit shall submit satisfactory proof of continuing education compliance and possession of valid and active CRT or RRT credential within thirty (30) days of receiving the notice of the audit.

Section 7607, APPROVED CONTINUING EDUCATION PROGRAMS AND ACTIVITIES, is amended to read as follows:

7607 APPROVED CONTINUING EDUCATION PROGRAMS AND ACTIVITIES

7607.1 The Board may grant CEU credit for continuing education programs or activities that it deems to contribute to the growth or maintenance of competency in the practice of respiratory therapy and meets other applicable requirements of this section.

7607.2 The Board may grant CEU credit to an instructor or speaker at a seminar, workshop, or program that is approved by one of the organizations listed in § 7607.4 of this chapter for both preparation and presentation time, subject to the following restrictions:

- (a) The maximum CEU credit granted for preparation time is equal to the presentation time;
- (b) The maximum CEU credit that may be granted pursuant to this subsection is fifty percent (50%) of a requestor's CEU requirement;
- (c) If a requestor has previously received CEU credit in connection with a particular presentation, the Board shall not grant CEU credit for a subsequent presentation unless it involves either a different subject or substantial additional research concerning the same subject; and
- (d) The presentation shall have been presented during the period for which credit is claimed.

7607.3 The Board may grant CEU credit for authoring and publishing an article in a professional, peer-reviewed journal, a book or a chapter in a book, or a book

review in a professional, peer-reviewed journal or bulletin provided that the article, book or chapter was published during the period for which credit is claimed.

7607.4 The Board shall grant CEU credit for a continuing respiratory care education seminar, workshop, or program administered, sponsored, or approved by:

- (a) The American Association of Respiratory Care (AARC);
- (b) The Maryland/District of Columbia Society for Respiratory Care;
- (c) A health care facility accredited by The Joint Commission;
- (d) A college or university approved by an accrediting body recognized by the Council for Higher Education Accreditation or the Secretary of the United States Department of Education; or
- (e) Any of the following organizations provided that the training is related to respiratory care services:
 - (1) American Medical Association;
 - (2) American Thoracic Society;
 - (3) American Association of Cardiovascular and Pulmonary Rehabilitation;
 - (4) American Heart Association;
 - (5) American Nurses Association;
 - (6) American College of Chest Physicians;
 - (7) American Society of Anesthesiologists;
 - (8) American Academy of Sleep Medicine;
 - (9) The Accreditation Council for Continuing Medical Education (ACCME);
 - (10) The American College of Cardiology; or
 - (11) The American Lung Association.

7607.5 The Board shall not grant CEU credit for basic life support courses or training, or for CPR courses or training.

Section 7608, PRACTICE OF RESPIRATORY CARE BY STUDENTS OR APPLICANTS, is amended to read as follows:

7608 PRACTICE OF RESPIRATORY CARE BY STUDENTS OR APPLICANTS

7608.1 This section applies to:

- (a) A student enrolled in an approved school or college as a candidate for a degree or a certificate in respiratory therapy; or
- (b) An applicant whose first application for a license to practice respiratory therapy in the District has been submitted to the Board and a decision on the application is pending.

7608.2 A student may practice respiratory therapy only in accordance with the following provisions:

- (a) A student may practice only in a hospital, nursing home, health facility, or health education center operated by the District or federal government, or at a health care facility that the student's school or college determines to be appropriate for this purpose;
- (b) A student shall be supervised at all times by a respiratory therapist licensed in the District who shall be present on site and available to supervise and oversee the student at all times;
- (c) The supervisor shall be fully responsible for the supervised student's practice and may be subject to disciplinary action for any act or omission by the student that constitutes a violation of the Act or this chapter;
- (d) A student may not receive payment or compensation of any nature either directly or indirectly for his or her practice of respiratory therapy; and
- (e) A student shall be subject to each of the applicable provisions of the Act and this chapter.

7608.3 An applicant referenced in § 7608.1(b) may practice respiratory therapy only in accordance with the following provisions:

- (a) An applicant may practice only under general supervision of a respiratory therapist licensed in the District who shall be fully responsible for the supervised applicant's practice and may be subject to disciplinary action for any act or omission by the applicant that constitutes a violation of the Act or this chapter;

- (b) An applicant may not begin practicing respiratory therapy unless he or she has received express, written authorization from the Board, which may not be issued until the Board has satisfactorily reviewed the result of the applicant's criminal background check as provided by the Federal Bureau of Investigation, provided, however, that such temporary authorization to practice shall not limit the Board's authority to take any appropriate action based on the applicant's full criminal background check;
- (c) An applicant's authorization to practice under this section shall not exceed ninety (90) days; provided, however, that the Board may grant an extension of this authorization for good cause;
- (d) An applicant may be paid a salary or compensation for the hours worked; and
- (e) An applicant shall be subject to each of the applicable provisions of the Act and this chapter.

7608.4 If the Board finds that a student or applicant referenced in § 7608.1(b) has violated the Act or this chapter, the Board may, in addition to any other disciplinary action permitted by the Act including denial of application, revoke, suspend, or restrict the authorization for the student or applicant to practice respiratory therapy.

Section 7609, STANDARDS OF CONDUCT AND ETHICS, is amended to read as follows:

7609 STANDARDS OF CONDUCT AND ETHICS

7609.1 A respiratory therapist shall:

- (a) Practice medically acceptable methods of treatment;
- (b) Present his or her skills, training, scope of practice, certification, professional affiliations, or other qualifications in a manner that is not false or misleading;
- (c) Practice only within the scope of his or her competence, qualifications, and any authority under the law;
- (d) Continually strive to enhance the knowledge and skill set required to render quality respiratory care to each patient;
- (e) Promptly report to the Board any information relating to the incompetent, unsafe, illegal, or unethical practice of respiratory therapy or any violation of the Act or this chapter;

- (f) Uphold the dignity and honor of the profession and abide by its ethical principles;
- (g) Cooperate with other health care professionals;
- (h) Provide all services in a manner that respects the dignity of the patient, regardless of the patient’s social or economic status, personal attributes, or health problems;
- (i) Refuse any gift or offer of gift from a patient, or friend or relative of a patient, for respiratory care provided to the patient; and
- (j) Abide by the National Clinical Practice Guidelines published by the American Association of Respiratory Care (AARC) and any subsequent guidelines published by the AARC.

7609.2 A respiratory therapist may utilize communication technology in standard patient care assessment and monitoring provided that the patient has provided written and informed consent specific to this manner of service and that the therapist has determined the following:

- (a) This manner of service does not affect the quality of the service;
- (b) The technology being used is fully secured and has been determined to safeguard the patient’s confidentiality and privacy;
- (c) The patient is sufficiently knowledgeable or familiar with the technology such that there would not be any difficulty or barrier to its effective utilization;
- (d) This manner of service promotes continuity of care; and
- (e) The patient is physically in the District at the time of the service.

Section 7610, SCOPE OF PRACTICE, is added to read as follows:

7610 SCOPE OF PRACTICE

7610.1 A respiratory therapist may practice only in a collaborative agreement with a licensed physician, a nurse practitioner, or a licensed physician assistant under supervision of a licensed physician.

7610.2 The practice of respiratory care includes any of the following:

- (a) Direct and indirect respiratory care services that are safe, aseptic, preventive, and restorative to the patient;

- (b) The practice of the principles, techniques, and theories derived from cardiopulmonary medicine;
- (c) Evaluation and treatment of individuals whose cardiopulmonary functions have been threatened or impaired by developmental defects, the aging process, physical injury, disease, or actual or anticipated dysfunction of the cardiopulmonary system;
- (d) Observation and monitoring of physical signs and symptoms, general behavior, and general physical response to respiratory care procedures, and determination of whether initiation, modification, or discontinuation of the treatment regimen is warranted;
- (e) The transcription and implementation of a written or oral order, or both, pertaining to the practice of respiratory care;
- (f) Evaluation techniques including cardiopulmonary functional assessments, gas exchange, the need and effectiveness of therapeutic modalities and procedures, and assessment and evaluation of the need for extended care and home care procedures, therapy, and equipment;
- (g) Professional application of techniques, equipment, and procedures involved in the administration of respiratory care such as:
 - (1) Therapeutic and diagnostic gases (excluding general anesthesia);
 - (2) Prescribed medications for inhalation or direct tracheal instillation;
 - (3) Nonsurgical intubation, maintenance, and extubation of artificial airways;
 - (4) Advanced cardiopulmonary measures;
 - (5) Chest needle decompression;
 - (6) Cardiopulmonary rehabilitation;
 - (7) Mechanical ventilation or physiological life support systems;
 - (8) Collection of body fluids and blood samples for evaluation and analysis, including collection by intraosseous access;
 - (9) Insertion of diagnostic arterial access lines, including large bore intravenous access; or
 - (10) Collection and analysis of exhaled respiratory gases;

- (h) The clinical supervision of licensed respiratory therapists, respiratory care departments, or the provision of any respiratory care services;
- (i) The respiratory care clinical instruction or oversight of respiratory care students, while performing respiratory care procedures as part of their clinical curriculum; or
- (j) The teaching or instructing of others in the discipline of respiratory care and therapy.

Section 7611, MAINTENANCE OF VALID NATIONAL CERTIFICATION, is added to read as follows:

7611 MAINTENANCE OF VALID NATIONAL CERTIFICATION

7611.1 Beginning with the licensure term starting on February 1, 2021, a licensed respiratory therapist shall continuously maintain a valid national certification by the National Board of Respiratory Care (NBRC).

Section 7699, DEFINITIONS, is amended to read as follows:

7699 DEFINITIONS

7699.1 As used in this chapter, the following terms shall have the meanings ascribed:

Act – the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code §§ 3-1201.01 *et seq.*)

Board – the Board of Respiratory Care, established by § 214 of the Act (D.C. Official Code § 3-1202.14).

Continuing education unit (CEU) – at least fifty (50) minutes of education, learning, or presentation time.

CRT – credential as a Certified Respiratory Therapist or achieving a passing score on the Therapist Multiple-Choice Examination for Certified Respiratory Therapist, developed and administered by the National Board for Respiratory Care (NBRC).

Director – the Director of the Department of Health or his or her designee.

LGBTQ continuing education – continuing education focusing on patients or clients who identify as lesbian, gay, bisexual, transgender, gender nonconforming, queer, or question their sexual orientation or gender identity and expression (“LGBTQ”) and meeting the requirements of § 510(b)(5) of the Act (D.C. Official Code § 3-1205.10(b)(5)).

Licensed respiratory therapist – a respiratory therapist licensed pursuant to this chapter.

Licensure term – a two-year period between February 1st of each odd-numbered year and January 31st of the next odd-numbered year during which a license issued pursuant to this chapter is valid in accordance with § 7601.

Nurse Practitioner – a licensed registered nurse holding a certificate issued in accordance with Chapter 59 of Title 17 of the District of Columbia Municipal Regulations.

RRT – credential as a Registered Respiratory Therapist or achieving a passing score on the Therapist Multiple-Choice Examination for Registered Respiratory Therapist, developed and administered by the National Board for Respiratory Care (NBRC).

The Joint Commission – the nationally-recognized, independent, not-for-profit organization founded in 1951 that accredits and certifies health care organizations and programs in the United States.

7699.2 The definitions of § 4099 of Chapter 40 of this title are incorporated by reference into and are applicable to this chapter.

All persons desiring to comment on the subject of this proposed rulemaking should file comments in writing not later than thirty (30) days after the date of the publication of this notice in the *D.C. Register*. Comments should be sent to the Department of Health, Office of the General Counsel, 899 North Capitol Street, N.E., 6th Floor, Washington, D.C. 20002, or by email to Angli.Black@dc.gov. Copies of the proposed rules may be obtained from the Department at the same address or by calling 202-442-5977 during the hours of 9:00 AM to 5:00 PM, Monday through Friday, excluding holidays.

PUBLIC SERVICE COMMISSION OF THE DISTRICT OF COLUMBIA

NOTICE OF THIRD PROPOSED RULEMAKINGRM27-2014-01, IN THE MATTER OF THE COMMISSION'S INVESTIGATION INTO THE RULES GOVERNING LOCAL EXCHANGE CARRIER QUALITY OF SERVICE STANDARDS FOR THE DISTRICT

1. The Public Service Commission of the District of Columbia ("Commission") hereby gives notice pursuant to Sections 34-802, 2-505, and 34-2002(g) of the District of Columbia Code¹ of its intent to amend Chapter 27, "Regulation of Telecommunications Service Providers" of Title 15 (Public Utilities and Cable Television) of the District of Columbia Municipal Regulations ("DCMR"), in not less than 30 days from the date of publication of this Notice of Proposed Rulemaking ("NOPR") in the *D.C. Register*.

2. The proposed amendments to section 2720 of Title 15 of the DCMR update the retail quality of service measures that are applicable to telecommunications service providers that have more than 10,000 access lines. The substantive changes are to subsection 2720.2, to change the time clock for measuring installation commitments met and to subsections 2720.6 and 2720.7, which list services included or excluded from measurement under the rules. This NOPR revises the Notices of Proposed Rulemaking published on July 11, 2014² and November 17, 2017.³

Chapter 27, REGULATION OF TELECOMMUNICATIONS SERVICE PROVIDERS of Title 15 DCMR, PUBLIC UTILITIES AND CABLE TELEVISION, is amended as follows:**2720 RETAIL QUALITY OF SERVICE MEASURES**

2720.1 All telecommunications service providers having more than ten thousand (10,000) access lines shall comply with and report on the following retail quality of service measures.

2720.2 Installation Commitments Met measure – This measure evaluates the percentage of times that a telecommunications service provider completed the installation of the customer's local exchange service by the installation date. The installation date for business and residential customers is the close of business on the fifth business day following the date that the request for the installation was made or the customer-requested date, whichever is later. The following requirements apply:

¹ D.C. Code §§ 34-802, 2-505 and 34-2002 (g) (2001).

² 61 *D.C. Reg.* 7057-7062 (July 11, 2014).

³ 64 *D.C. Reg.* 11936-11941 (November 17, 2017).

- (a) The standard for this measure is ninety-five percent (95%) completion by the installation date per month;
- (b) Results for this measure shall be calculated by dividing the number of installation dates met by the total number of installation date commitments made. Results shall be stated as a percentage rounded to the hundredth decimal place using traditional mathematical rounding;
- (c) Data collected for this measure shall be aggregated and disaggregated into residential and business customer categories and reported by those categories; and
- (d) If the installation date is missed due to customer fault, then it shall not be included in the sample to be measured. Customer fault means that access to the customer premises is unavailable during the five day window or installation at the customer's premise cannot be done because the premises is unsafe or if the customer requests a different installation date from the telecommunications service provider before the installation date.

2720.3 Trouble Reports Per One hundred (100) Lines measure – This measure evaluates the number of access lines per one hundred (100) access lines for which a customer reports a trouble. The following requirements apply:

- (a) If a customer has multiple access lines and more than one (1) access line experiences a network service problem, then each access line shall be counted separately;
- (b) The standard for this measure is four (4) troubles per one hundred (100) lines;
- (c) Results for this measure shall be calculated by dividing the number of initial trouble reports by the total number of access lines. This figure is then multiplied by one hundred (100). Results shall be reported to the hundredth decimal place, rounded using traditional mathematical rounding principles; and

2720.4 Out-of-service Clearing Time measure – This measure evaluates the percentage of customer troubles that are classified as out-of-service problems that are cleared within twenty-four (24) hours. The following requirements apply:

- (a) For purposes of starting the twenty-four (24) hour time clock to calculate the time period:
 - (1) If an outage report is received during normal business hours, then the time clock begins when the outage report is received by the telecommunications service provider;

- (2) If an outage report is received outside of normal business hours, then the time clock begins at the beginning of the day on the next business day;
 - (3) If the telecommunications service provider is unable to gain access to the customer premises to repair the out-of-service condition, then the twenty-four (24) hour time clock is stopped until the provider can gain access to the property; and
 - (4) Each telecommunications service provider shall establish its normal business hours in its customer bills and on a page that is readily accessible to consumers on its website.
- (b) The standard for this measure shall be eighty percent (80%) clearance within twenty-four (24) hours;
 - (c) Results for this measure shall be calculated by dividing the number of out-of-service reports cleared within twenty-four (24) hours by the total number of out-of-service reports received. The result shall be reported as a percentage rounded to the hundredth decimal place using traditional mathematical rounding; and
 - (d) Data collected for this measure shall be disaggregated into residential and business customer categories and reported by those categories.
- 2720.5 Data for all measures shall be collected and reported on a District of Columbia-wide basis.
- 2720.6 Included services – The measures shall apply to the following services:
- (a) Residential access lines;
 - (b) Business single line and Centrex lines; or
 - (c) Voice-grade PBX trunks.
- 2720.7 Exceptions - The measures shall not apply to the following services:
- (a) UNE-P;
 - (b) UNE-L;
 - (c) DS1;
 - (d) DS0;

- (e) DS3;
- (f) EEL;
- (g) Resold services;
- (h) Dedicated non-switched services;
- (i) Wide area telephone service;
- (j) Integrated service digital network services;
- (k) The special service portion of PBX service;
- (l) Broadband services;
- (m) Voice mail and customer premises equipment;
- (n) Inside wire;
- (o) Payphone equipment and service;
- (p) VoIP services; or
- (q) Failures caused by collocation or interconnection problems.

2720.8

Reporting - Each telecommunications service provider shall collect and retain accurate data demonstrating their compliance with the measures in this chapter. Data is to be collected on a monthly basis in a format established by Commission order and these rules. The following applies to the data telecommunication service providers are required to provide:

- (a) Each telecommunications service provider shall submit its monthly reports to the Commission on a quarterly basis, with the months of January, February, and March being submitted on April 30; the months of April, May, and June being submitted on July 30; the months of July, August, and September being submitted on October 30; and the months of October, November, and December being submitted on January 30 of the next year;
- (b) If a telecommunications service provider fails a measure in a quarterly report, the provider shall file an explanation for the failure and a plan to remedy the failure. If the failure was due to data clustering, customer error, or unforeseeable events, then the telecommunications service provider may request a waiver of the performance standard. The request

for a waiver shall contain a detailed explanation of the reasons for granting such a waiver; and

- (c) Each telecommunications service provider shall retain its reporting data for three (3) years in the event that the records are audited by the Commission.

3. All persons interested in commenting on the subject matter of this proposed rulemaking action may submit written comments and reply comments, not later than 30 and 45 days, respectively, after publication of this notice in the *D.C. Register* with Brinda Sedgwick-Westbrook, Commission Secretary, Public Service Commission of the District of Columbia, 1325 G Street, N.W., Suite 800, Washington, D.C. 20005 or at the Commission's website at https://edocket.dcpsec.org/public/public_comments. Copies of the proposed rules may be obtained by visiting the Commission's website at www.dcpsec.org or at cost, by contacting the Commission Secretary at the address provided above. Persons with questions concerning this NOPR should call (202) 626-5150 or psc-commissionsecretary@dc.gov.

PUBLIC SERVICE COMMISSION OF THE DISTRICT OF COLUMBIA

PUBLIC NOTICE
(REVISED COMMENT PERIOD)**RM27-2016-02, IN THE MATTER OF THE COMMISSION'S INVESTIGATION INTO THE RULES GOVERNING LOCAL EXCHANGE CARRIER QUALITY OF SERVICE STANDARDS FOR THE DISTRICT**

1. By this Public Notice, the Public Service Commission of the District of Columbia (“Commission”) informs interested persons of an extension of time to file comments and reply comments in response to a Notice of Second Proposed Rulemaking (“NOPR”) published in this proceeding on October 5, 2018, in the *D.C. Register*.¹ The proposed amendments to Sections 2704, 2705, 2706, and 2708 update these sections to require that all telecommunications service providers, not just competitive local exchange carriers, that are withdrawing certification and regulated local exchange services comply with the requirements of Sections 2704, 2705, 2706, or 2708. The proposed amendments also add a new Section 2707 to include notice requirements for telecommunications service providers that are abandoning copper facilities in the District of Columbia. Section 2708 is clarified to apply only to relinquishments of certifications where the telecommunications service provider has never offered regulated telecommunications service to customers. The proposed amendments renumber the current Section 2707, Reports, to Section 2710 and make amendments to the reporting requirements. Finally, definitions are added to Section 2799, the Definitions section. The rules in this Notice of Proposed Rulemaking differ in some respects from those included in the Notice of Proposed Rulemaking published April 15, 2016.²

2. Through this Public Notice, the Commission extends the comment period from November 5, 2018, to December 12, 2018. The reply comment period is also extended from November 19, 2018, to January 14, 2019.

3. All persons interested in commenting on the subject matter of this proposed rulemaking action may submit written comments and reply comments with Brinda Westbrook-Sedgwick, Commission Secretary, Public Service Commission of the District of Columbia, 1325 G Street, N.W., Suite 800, Washington, D.C. 20005 or at the Commission’s website at https://edocket.dcpssc.org/public/public_comments. Copies of the proposed rules may be obtained by visiting the Commission’s website at www.dcpssc.org or at cost, by contacting the Commission Secretary at the address provided above. Persons with questions concerning this NOPR should call (202) 626-5150 or psc-commissionsecretary@dc.gov.

¹ 65 *D.C. Reg.* 11031-11050 (October 5, 2018).

² 63 *D.C. Reg.* 5773-5785 (April 15, 2016).

PUBLIC SERVICE COMMISSION OF THE DISTRICT OF COLUMBIA

NOTICE OF PROPOSED RULEMAKINGRM28-2018-01, IN THE MATTER OF THE COMMISSION'S INVESTIGATION INTO THE RULES REGARDING UNIVERSAL SERVICE

1. The Public Service Commission of the District of Columbia (Commission) hereby gives notice pursuant to Sections 34-802, 2-505, and 34-2003 of the District of Columbia Code¹ of its intent to amend Chapter 28 (Universal Service) of Title 15 (Public Utilities and Cable Television) of the District of Columbia Municipal Regulations (DCMR), in not less than 30 days from the date of publication of this Notice of Proposed Rulemaking (NOPR) in the *D.C. Register*.

2. The proposed amendments change statutory references in subsections 2801.2 and 2808.2 as well as one definition in 2899. Subsection 2806.1 is revised to indicate that a Public Notice will be published instead of a Notice of Proposed Rulemaking for an eligible telecommunications carrier application. Subsection 2808.2 is amended to grant the District of Columbia Universal Service Trust Fund Administrator the authority to approve reimbursement of expenses for promoting the services in this Chapter, while Subsection 2816.6 is added to permit entities that expend funds to promote the services in this Chapter to seek reimbursement for these expenditures. Subsection 2819.1 is revised to indicate that the Commission or the Telecommunications Relay Service (TRS) provider will prepare the TRS recertification report that is filed every five years with the Federal Communications Commission. Subsection 2819.4 is modified to provide that TRS Advisory Board meetings will occur when necessary. Since the definitions have all been moved to Section 2899, the definitions in Section 2823 are deleted. Subsections 2808.1 and 2819.2 contain technical amendments.

Chapter 28, UNIVERSAL SERVICE of Title 15 DCMR, PUBLIC UTILITIES AND CABLE TELEVISION, is amended as follows:**2801 APPLICABILITY**

2801.2 This chapter shall be applicable to all local exchange carriers (LEC) and Voice over Internet Protocol (VoIP) service providers. However, providers of mobile service are exempt from regulation under this chapter pursuant to D.C. Official Code § 34-2006(b).

2806 ELIGIBILITY TO RECEIVE UNIVERSAL SERVICE FUNDING

2806.1 Upon request by a local exchange carrier, and after notice and comment, the Commission shall consider designation of the requesting carrier as an ETC to

¹ D.C. Code §§ 34-802; 2-505, 34-2003 (2018 Supp.).

receive funding from the DC USTF under the District of Columbia Telecommunications Competition Act of 1996, 47 U.S.C. § 214(e) and the FCC rules implementing 47 U.S.C. § 214(e). Interested parties may file comments within thirty (30) days after publication in the *D.C. Register* of the Commission’s Public Notice and reply comments within forty-five (45) days of publication.

2808 SELECTION AND DUTIES OF THE DC USTF ADMINISTRATOR

2808.1 The DC USTF Administrator will be selected through a competitive bidding process as provided for in 15 DCMR §§ 2200, *et seq.*

2808.2 The Administrator shall:

...

(k) Protect the proprietary nature of information reported to the DC USTF administrator in conjunction with the Commission while recognizing that the DC USTF Administrator is subject to the Freedom of Information Act (FOIA), D.C. Official Code §§ 2-531 to 2-539;

...

(p) Disperse funds to the entity responsible for certifying Lifeline customers to reimburse for the costs of managing the certification program and the entity responsible for promoting services funded by the DC USTF; and

2816 REQUEST FOR DC USTF FUNDING

2816.6 Any entity responsible for promoting universal service may request funding from the DC USTF consistent with Commission orders approving these expenses.

2819 TELECOMMUNICATIONS RELAY SERVICE

2819.1 Provision of TRS in the District shall be administered by the Fund Administrator.

(a) The Fund Administrator shall monitor service levels to ensure that minimum service requirements specified in this chapter are satisfied.

(b) The Fund Administrator shall attempt to resolve any complaints regarding TRS in a reasonable timeframe. If unable to do so, the Fund Administrator shall refer the complaint to the Commission.

(c) The Commission or the TRS provider shall draft the Application for Recertification to be submitted to the FCC every five (5) years, submitting the draft for review by the Commission no later than six (6) months prior to expiration of the current certification.

2819.2 The Commission shall select the TRS provider through a competitive bidding process.

2819.4 The Board shall meet as necessary and provide input to the Fund Administrator and to the TRS provider regarding operation of TRS in the District.

Section 2823, DEFINITIONS, is deleted.

2899 DEFINITIONS

2899.1 When used in this chapter, the following terms and phrases shall have the following meanings:

District of Columbia Universal Service Trust Fund or DC USTF or Fund - the fund established and required to be implemented by the Commission pursuant to D.C. Code § 34-2003 (2018 Supp.)

3. All persons interested in commenting on the subject matter of this proposed rulemaking action may submit written comments not later than 30 days after publication of this notice in the *D.C. Register* with Brinda Westbrook-Sedgwick, Commission Secretary, Public Service Commission of the District of Columbia, 1325 G Street, N.W., Suite 800, Washington, D.C. 20005 or at the Commission's website at https://edocket.dcpsec.org/public/public_comments. Copies of the proposed rules may be obtained by visiting the Commission's website at www.dcpsec.org or at cost, by contacting the Commission Secretary at the address provided above. Persons with questions concerning this NOPR should call (202) 626-5150 or psc-commissionsecretary@dc.gov.

DISTRICT DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED RULEMAKING

The Director of the District Department of Transportation (“DDOT”), pursuant to the authority set forth in Sections 3(b), 5(a)(3)(E), 6(b), and 7 of the Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code §§ 50-921.02(b), 50-921.04(a)(3)(E), 50-921.05(b), and 50-921.06 (2014 Repl. & 2017 Supp.)), Section 604 of the Fiscal Year 1997 Budget Support Act of 1996, effective April 9, 1997 (D.C. Law 11-198, D.C. Official Code § 10-1141.04 (2017 Repl.)); and Mayor’s Order 2018-075, dated October 2, 2018, hereby gives notice of the intent to adopt the following rulemaking to amend Chapter 33 (Public Right-Of-Way Occupancy Permits) of Title 24 (Public Space and Safety) of the District of Columbia Municipal Regulations (DCMR).

The proposed rulemaking would amend Title 24 to establish a public right-of-way occupancy permit program to manage the dockless vehicle operating companies and establish permit fees for dockless vehicle operating companies who operate in the public right-of-way.

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

Chapter 33, PUBLIC RIGHT-OF-WAY OCCUPANCY PERMITS, of Title 24 DCMR, PUBLIC SPACE AND SAFETY, is amended as follows:

A new Section 3314 is added to read as follows:

3314 DOCKLESS SHARING VEHICLE

3314.1 No person shall use the public right-of-way to offer dockless sharing vehicles for rental in the public right-of-way without a permit issued by the Director.

3314.2 The Director shall issue a public right-of-way occupancy permit for a publicly accessible dockless vehicle sharing system only to a dockless vehicle operating company with a basic business license to operate in the District.

3314.3 The Director shall charge permit fees and assess a bond, cash deposit, or other security acceptable for the use of the public right-of-way to each dockless vehicle operating company that offers dockless vehicles for rental in the public right-of-way. Permit fees and performance bonds shall be assessed as follows:

(a) Prior to January 1, 2019:

(1) A non-refundable application fee of fifty dollars (\$50) per permit;

(2) A technology fee of twenty-five dollars (\$25) per permit;

- (3) A permit fee of two thousand dollars (\$2,000) per month; and
- (4) A five thousand dollar (\$5,000) refundable bond, cash deposit, or other security acceptable to the Director securing the faithful performance of the obligations of the dockless vehicle operating company under any public right-of-way occupancy permit issued pursuant to this section and the compliance with all terms and conditions of this section. If the Applicant chooses to maintain a bond with the Department, the bond shall be continuously valid for one year at any point in time during the length of the permit.

(b) Effective January 1, 2019:

- (1) An application fee of fifty dollars (\$50) per permit;
- (2) A technology fee of twenty-five dollars (\$25) per permit;
- (3) A fee of two hundred and fifty dollars (\$250) for the initial permit to operate in the public right-of-way occupancy permit;
- (4) A fee of one hundred dollars (\$100) for each annual renewal of the permit to operate in the public right-of-way;
- (5) According to the month during which the dockless sharing vehicle will enter into operation in the District, a per vehicle fee of:

Month of First Operation	Per Vehicle Fee
January	\$60
February	\$55
March	\$50
April	\$45
May	\$40
June	\$35
July	\$30
August	\$25
September	\$20
October	\$15
November	\$10
December	\$5

- (6) A ten thousand dollar (\$10,000) refundable bond or other security acceptable to the Director, to be retained by the Department in the event the dockless operating company fails to remove from the public right-of-way vehicles that are unsafe, unpermitted, or

abandoned, or if the District of Columbia must remove, relocate, impound, or store dockless vehicles due to improper parking, safety hazards, or any other violation of these regulations or the terms and conditions of the Public Right-of-Way Occupancy Permit.

3314.4 The dockless vehicle operating company shall submit to the Director for approval a traffic management plan that addresses safe accommodation for pedestrians and bicyclists before the issuance of a permit.

3314.5 A public right-of-way occupancy permit issued pursuant to this section shall be subject to the following conditions, in addition to such other conditions as may be imposed by law, regulation, or the Director:

- (a) The dockless vehicle operating company shall indemnify the District against all liabilities associated with the use of the public right-of-way for dockless vehicle-sharing operations;
- (b) The dockless vehicle operator shall ensure that each dockless sharing vehicle in its fleet has a clearly displayed unique identifier;
- (c) The dockless vehicle operating company shall balance its fleet of dockless sharing vehicles by having at least six (6) vehicles in each ward by 6:00 a.m. each day;
- (d) The dockless vehicle operating company shall equip each dockless vehicle with on-board GPS technology that does not obtain spatial information by relying on a customer's smart phone;
- (e) The dockless vehicle operating company shall equip each dockless bicycle in its fleet with a locking mechanism that locks to a fixed object separate from the vehicle;
- (f) The dockless vehicle operating company shall provide the Department with data to help evaluate the impact of the operator's publicly accessible dockless vehicle sharing system and the District's Publicly Accessible Dockless Vehicle Sharing Program.
- (g) The dockless vehicle operating company shall provide a publicly accessible application program interface, clearly posted on the company's website that provides, at minimum, the current location of any dockless vehicles available for rental at all times;
- (h) The dockless vehicle operating company shall electronically report to the Department, the origin, destination, route traveled, and vehicle type for

each trip completed, and any anonymous ridership data requested by the Department for each dockless sharing vehicle, on a monthly basis;

- (i) The dockless vehicle operating company shall provide a toll-free telephone number and website address on each dockless vehicle stating how a member of the public may report an incorrectly parked dockless vehicle; and
- (j) The dockless vehicle operating company shall make dockless vehicles available to all members of the public who comply with the dockless vehicle operating company's terms and conditions for use.

3314.6 The permit may be renewed annually.

3314.7 In any case where a dockless vehicle operating company is not meeting its obligations under any public right-of-way occupancy permit issued pursuant to this section or is not in compliance with the terms and conditions of this section, the Director may order the dockless vehicle operating company to commence corrective measures within four (4) hours from the time stated on the order and complete such measures within six (6) hours, or as otherwise established by the Director. The order shall be in writing and sent by electronic transmission to the Dockless vehicle operating company. All work ordered shall commence and be completed within the required time period unless the work cannot be performed because of unforeseen circumstances, provided that the dockless vehicle operating company notify the Director of such circumstances in writing.

3314.8 If the Dockless vehicle operating company should fail, neglect, or refuse to comply with an order issued pursuant to subsections 3314.7, the Director may correct, temporarily repair, or permanently restore the Public Right-of-Way in such manner as the Director deems appropriate.

3314.9 The Director may make deductions from the balance of Dockless vehicle operating company's deposit(s) to recover all costs due pursuant to subsection 3314.8. The Director shall provide written notice to the Dockless vehicle operating company prior to making a deduction stating the reasons for and the amount of the deduction and advising the Dockless vehicle operating company that any objection must be submitted, in writing, no later than seven (7) days after the date of the written notice. Any decision adverse to a Dockless vehicle operating company shall be in writing and shall set forth the reasons for denying the objection and shall be sent to the Dockless vehicle operating company three (3) days before a deduction is made.

Section 3399, DEFINITIONS, Subsection 3399.1, is amended as follows:

The following definitions are added after the definition of the term "Director":

Docking station – a fixed structure that includes an electromechanical device or other device that locks a bicycle to the structure.

Dockless bicycle - a bicycle or motorized bicycle that is available to the public for rental through a rental system that does not include the installation of docking stations in the public right-of-way.

Dockless electric scooter –a motorized standing scooter with tandem wheels that is available to the public for rental through a rental system that does not include the installation of docking stations in the public right-of-way .

Dockless sharing vehicle - means a dockless bicycle or dockless electric scooter that is available to rent in the public right-of-way through a rental system that does not include the installation of docking stations in the public right-of-way. The term “dockless sharing vehicle” does not include a motor vehicle, motorcycle, low-speed vehicle, or a motor-driven cycle, as defined in 18 DCMR 9901, or an all-terrain vehicle as defined in D.C. Official Code § 50-2201.02(2).

Dockless vehicle operating company – a company that provides rental of bicycles, motorized bicycles, or electric scooters from the public right-of-way for short-term one-way trips without the installation of any infrastructure within the public right-of-way.

The following definition is added after the definition of the term “Public Transit Agency”:

Publicly accessible dockless vehicle sharing system - a system that provides for the rental of dockless vehicles from the public right-of-way for short-term one-way trips without the installation of any infrastructure within the public right-of-way.

All persons interested in commenting on the subject matter in this proposed rulemaking may file comments in writing, not later than thirty (30) days after the publication of this notice in the *D.C. Register*, with Dan Emerine, Manager, Policy and Legislative Affairs Division, Office of the Director, District Department of Transportation, 55 M Street, S.E., 7th Floor, Washington D.C. 20003. An interested person may also send comments electronically to publicspace.policy@dc.gov. Copies of this proposed rulemaking are available, at cost, by writing to the above address, and are also available electronically, at no cost, on the District Department of Transportation’s website at www.ddot.dc.gov.

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2018-084
October 19, 2018

SUBJECT: Appointment — Advisory Committee on Clinical Laboratory Practitioners

ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(2) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2) (2016 Repl.), and in accordance with section 208 of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986, D.C. Law 6-99; D.C. Official Code § 3-1202.08 (2016 Repl.), it is hereby **ORDERED** that:

1. **DONALD KARCHER** is appointed as a pathologist certified by the American Board of Pathology or the American Board of Osteopathic Pathology member of the Advisory Committee on Clinical Laboratory Practitioners, filling a vacant seat, for a term to end November 20, 2020.
2. **EFFECTIVE DATE:** This Order shall become effective immediately.



MURIEL BOWSER
MAYOR

ATTEST: 

LAUREN C. VAUGHAN
SECRETARY OF THE DISTRICT OF COLUMBIA

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

Mayor's Order 2018-085
October 22, 2018

SUBJECT: Establishment – Unmanned Aircraft System Working Group

ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as the Mayor of the District of Columbia by sections 422(3) and (11) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 792, Pub. L. 93-198, D.C. Official Code § 1-204.22(3) and (11) (2016 Repl.), it is hereby **ORDERED** that:

I. ESTABLISHMENT

There is established an Unmanned Aircraft System Working Group (**UASWG**) for the District of Columbia.

II. PURPOSE

The purpose of the UASWG is to research, evaluate, and develop recommendations on the operation, use, and regulation of unmanned aircraft systems within the District of Columbia. The UASWG shall consider commercial and private uses of unmanned aircraft systems, landowner and privacy rights, as well as general rules and regulations for safe operation of unmanned aircraft systems, and prepare comprehensive recommendations for the safe and lawful operation of unmanned aircraft systems in the District.

III. MEMBERSHIP AND PROCEDURE

- A. The UASWG is comprised of the Directors, or their designees, of the following agencies:
1. Homeland Security and Emergency Management Agency (HSEMA), which shall chair the UASWG;
 2. Department of Consumer and Regulatory Affairs (DCRA);
 3. Department of Energy and Environment (DOEE);
 4. Department of General Services (DGS);
 5. Department of Health (DC Health);
 6. Department of Human Services (DHS);
 7. Department of Public Works (DPW);
 8. Department of Transportation (DDOT);
 9. Executive Office of the Mayor (EOM);
 10. Fire and Emergency Medical Services Department (FEMS);

- 11. Metropolitan Police Department (MPD);
- 12. Office of Risk Management (ORM);
- 13. Office of the Chief Technology Officer (OCTO);
- 14. Office of the City Administrator (OCA); and
- 15. Office of Unified Communications (OUC).

B. The UASWG shall meet at least quarterly.

IV. ADMINISTRATION


A. HSEMA shall provide administrative, clerical, and technical support needed by the UASWG to carry out the provisions of this Order.

B. Subject to existing law, each agency shall cooperate with the UASWG and provide, in a timely manner, any information which the UASWG requests to carry out the provisions of this Order.

C. The UASWG may establish such advisory groups, committees, or subcommittees, consisting of members or nonmembers of the UASWG, as it deems necessary to carry out the purpose of this Order and further a participatory process.

V. RESCISSION OF PRIOR ORDERS: This Order supersedes all previous Mayor's Orders to the extent of any inconsistency therein.

VI. EFFECTIVE DATE: This Order shall become effective immediately.



 MURIEL BOWSER
 MAYOR

ATTEST: 

 LAUREN C. VAUGHAN
 SECRETARY OF THE DISTRICT OF COLUMBIA

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF PUBLIC HEARINGS
CALENDAR

WEDNESDAY, OCTOBER 31, 2018
2000 14TH STREET, N.W., SUITE 400S
WASHINGTON, D.C. 20009

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

Protest Status (Hearing) **9:30 AM**
Case # 18-PRO-00071; Pax Liquor, Inc., t/a Pax Spirits, 4944 South Dakota
Ave NE, License #110690, Retailer A, ANC 5A
Application for a New License

Protest Status (Hearing) **9:30 AM**
Case # 18-PRO-00068; MHG Navy Yard, LLC, t/a Circa at Navy Yard/El Bebe
99 M Street SE, License #109955, Retailer CR, ANC 6D
Application for a New License

Show Cause Hearing (Status) **9:30 AM**
Case # 18-251-00098; Kiss, LLC, t/a Kiss Tavern, 637 T Street NW, License
#104710, Retailer CT, ANC 1B
Violation of Settlement Agreement (Two Counts)

Show Cause Hearing (Status) **9:30 AM**
Case # 18-251-00114, Kiss, LLC, t/a Kiss Tavern, 637 T Street NW, License
#104710, Retailer CT, ANC 1B
Violation of Settlement Agreement

Show Cause Hearing* **10:00 AM**
Case # 18-CIT-00105; Chaia Georgetown, LLC, t/a Chaia, LLC, 3207 Grace
Street NW, License #99787, Retailer DR, ANC 2E
No ABC Manager on Duty

Show Cause Hearing* **11:00 AM**
Case # 18-251-00066; F&A, Inc., t/a Anacostia Market, 1303 Good Hope Road
SE, License #86470, Retailer B, ANC 8A
No ABC Manager on Duty (Two Counts)

Board's Calendar
October 31, 2018

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

Show Cause Hearing* 1:30 PM

Case # 18-CC-00027; 14th & V, Inc., t/a Busboys and Poets, 1390 V Street NW
License #71220, Retailer CR, ANC 1B

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

Show Cause Hearing* 1:30 PM

Case # 18-CC-00071; 14th & V, Inc., t/a Busboys and Poets, 1390 V Street NW
License #71220, Retailer CR, ANC 1B

Sale to Minor Violation

Protest Hearing* 1:30 PM

Case # 18-PRO-00048; TM Liquors, Inc., t/a Big Ben Liquors, 1300 North
Capitol Street NW, License #60652, Retailer A, ANC 5E

Application to Renew the License

Show Cause Hearing* 2:30 PM

Case # 18-CMP-00120; Yohannes A. Woldemichael, t/a Capitol Fine Wine and
Spirits, 415 H Street NE, License #82981, Retailer A, ANC 6A

No ABC Manager on Duty, Operating on an Expired License

Show Cause Hearing* 3:30 PM

Case # 18-CMP-00092; Kiss, LLC, t/a Kiss Tavern, 637 T Street NW
License #104710, Retailer CT, ANC 1B

**Failed to Comply wit Board Order No. 2017-603 and No. 2017-151,
Operating After Board Approved Hours, Violation of Settlement
Agreement**

Protest Hearing* 4:30 PM

Case # 18-PRO-00053; Pako, LLC, t/a Kovaks Liquors, 1237 Mount Olivet
Road NE, License #106551, Retailer A, ANC 5D

**Substantial Change (Request to Change Hours of Operation and Sales,
Service and Consumption)**

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

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

**NOTICE OF MEETING
CANCELLATION AGENDA**

**WEDNESDAY, OCTOBER 31, 2018
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

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

ABRA-105514 – Imm Thai on Georgia – Retail – C – Restaurant – 5832 Georgia Avenue NW
[Licensee did not pay Safekeeping fee within 30 days.]

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF MEETING
LICENSING AGENDA

WEDNESDAY, OCTOBER 31, 2018 AT 1:00 PM
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

1. Review Application for Safekeeping of License – Original Request. ANC 2E. SMD 2E06. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. *Liberte*, 2917 M Street NW, Retailer CR, License No. 109013.

2. Review Application for Safekeeping of License – Original Request. ANC 2E. SMD 2E06. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. *Liberte*, 2915 M Street NW, Retailer CR, License No. 109012.

3. Review Application for Sidewalk Café with 42 seats. *Proposed Hours of Operation and Alcoholic Beverage Sales and Consumption for Sidewalk Café*: Sunday-Saturday 10am to 11pm. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No conflict with Settlement Agreement. *El Don Restaurant*, 4403 14th Street NW, Retailer CR, License No. 088757

***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.**

DC MAYOR'S OFFICE ON ASIAN AND PACIFIC ISLANDER AFFAIRS**DC MAYOR'S COMMISSION ON ASIAN AND
PACIFIC ISLANDER AFFAIRS****NOTICE OF REGULAR MEETING**

The DC Mayor's Commission on Asian and Pacific Islander Affairs will be holding its regular meeting on **October 17, 2018** at 6:30 pm.

The meeting will be held at the MOAPIA office at One Judiciary Square, 441 4th Street NW, Suite 721N, Washington, DC 20001. The location is closest to the Judiciary Square metro station on the red line of the Metro. All commission meetings are open to the public. If you have any questions about the commission or its meetings, please contact oapia@dc.gov.

The DC Commission on Asian and Pacific Islander Affairs convenes meetings to discuss current issues affecting the DC Asian American and Pacific Islander (AAPI) community.

MEETING AGENDA

**DC Commission on Asian and Pacific Islander Affairs Monthly Meeting
Wednesday, October 17, 2018, 6:30 pm**

Meeting Location: 441 4th St NW, Room 721 North Washington, DC

Call to Order

Introduction of Commissioners

Quorum

Approval of Agenda

Approval of September 19, 2018 Meeting Minutes

Executive Reports and Business Items

- 1. Director’s Report, Director Do, MOAPIA.
- 2. Staff Report, Ngoc Trinh, MOAPIA.

Diwali Hindu Light Festival Celebration

Tuesday, November 13, at 6:30 pm, Freer Gallery, 1100 Independence Ave SW.

State of Chinatown

- 1. WEWORK ABRA-110948 Retailer’s Class “C” Tavern 777 6th St NW A Tavern with shared professional office space, food, non-alcoholic beverages, beer and wine with Entertainment Endorsement. Hours of Operation: Monday-Saturday 11am – 9pm.
- 2. DDOT Parking meter adjustment, 6th rate adjustment, in Penn Quarter/Chinatown.

Committee on Education Hearing

DC Council will hold a Public Roundtable, PR2201033, “Deputy Mayor for Education Paul Kihn Confirmation Resolution of 2018”, Thursday, November 8, 2018, 10 am, John Wilson Building, 1350 Pennsylvania Ave NW, Room 412, Those who wish to testify may sign up

<http://bit.do/educationhearings>

or call: 202.724.8061 by 5 pm Tuesday, November 6, 2018.

Meeting Adjournment

Next Month:

Diwali Celebration

Tuesday, November 13, 2018, 6:30 pm

Freer Gallery

1100 Independence Ave SW

Washington DC

Questions:

John Tinpe Chairman, John.Tinpe@dcbc.dc.gov

Ben Takai, Vice Chair & Secretary BenTakai@dcbc.dc.gov

Ngoc Trinh, MAOPIA Ngoc.Trinh@dc.gov

www.apia.dc.gov

CARLOS ROSARIO PUBLIC CHARTER SCHOOL**REQUEST FOR PROPOSALS****Market Study of Potential Students**

The Carlos Rosario Public Charter School is looking to solicit bids for a market study that will help us better assess where potential students are, how we can reach them more effectively, and to develop innovative new programs that support these learners. Please email your proposal to Mandy Toomey at mtoomey@carlosrosario.org no later than 12:00p.m./noon EST on October 31, 2018. Your proposal must include a cost proposal. All costs associated with the delivery of the project should be present in a flat rate, fee for service format.

CHILD AND FAMILY SERVICES AGENCY
MAYOR'S ADVISORY COMMITTEE ON CHILD ABUSE AND NEGLECT
2019 MONTHLY MEETING SCHEDULE

This notice outlines the schedule of the regular meetings of the Board of Commissioners of the Mayor's Advisory Committee on Child Abuse and Neglect (MACCAN). The meetings are held in open session and the public is invited to attend.

The March 26, 2019 meeting will be held at East River Family Strengthening Collaborative (ERFSC), 3917 Minnesota Ave, NE, Washington, DC 20019. The September 24, 2019 meeting will be held at Far Southeast Family Strengthening Collaborative (FSFSC), 2041 Martin Luther King, Jr. Ave. SE, Washington, DC 20020.

All other meetings will be held at The District of Columbia Child and Family Services Agency (CFSA), 200 I Street SE, Washington, DC, 20003.

For further information, please contact CFSA at 202-724-7100.

DATE	TIME	ROOM NUMBER
Tuesday, January 22, 2019	10:00 AM	Room 1001B
Tuesday, March 26, 2019	2:00 PM	ERFSC
Tuesday, May 28, 2019	10:00 AM	Room 2203B
Tuesday, July 23, 2019	10:00 AM	Room 2203B
Tuesday, September 24, 2019	2:00 PM	FSFSC
Tuesday, December 10, 2019	10:00 AM	Room 22203B

D.C. BILINGUAL PUBLIC CHARTER SCHOOL**REQUEST FOR PROPOSALS**

D.C. Bilingual Public Charter School in accordance with section 2204(c) of the District of Columbia School Reform Act of 1995 solicits proposals for vendors to provide the following services for SY18/19:

- Special Education Teacher Services

Proposal Submission

A Portable Document Format (pdf) election version of your proposal must be received by the school no later than **4:00 p.m. EST on Monday, November 5, 2018**. Proposals should be emailed to bids@dcbilingual.org

For inquiries please contact – Jenna Umansky, Director of Student Support, DC Bilingual, jumansky@dcbilingual.org, 202-791-0782 Ext.2261

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

OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION

NOTICE OF FUNDING AVAILABILITY

FISCAL YEAR 2019

DC SPECIAL EDUCATION TEACHER PREPARATION GRANT

Request for Application (RFA) Release Date: Friday, Nov. 16, 2018 (12:00 noon EST)

The Office of the State Superintendent of Education (OSSE) is soliciting grant applications for the Special Education Teacher Preparation Grant, as defined in the “Special Education Teacher Training Emergency Act of 2018,” enacted August 30, 2018 (D.C. Act 22-434). The purpose of this grant is to support a teacher preparation program that provides robust training for special education teachers related to standards-based content and cultivating teacher and student well-being, including social-emotional competence, and that will create a robust pipeline of highly effective special education teachers to work in District of Columbia public schools and public charter schools. Through the establishment of the Special Education Teacher Preparation grant, the aim is to strengthen the instructional practices and provision of social-emotional supports of teachers of students with disabilities.

Eligibility: OSSE will make this grant available through a competitive process. An eligible entity must be an OSSE approved educator preparation program that provides special education training. A list of OSSE-approved educator preparation programs may be found here: [OSSE Approved Educator Preparation Programs](#). Applicants must be able to provide a coordinated sequence of courses which address special education teachers using standards-based content, grounded in research- and evidence-based interventions that will increase academic performance and increase appropriate classroom and schoolwide behaviors for 3rd through 12th grade students with disabilities in the District.

Local educational agencies (LEAs) are not eligible for this funding.

Length of Award: The grant award period ends on September 30, 2019.

Available Funding for Award: The total funding available for this award period is \$350,000. OSSE will award only one grant under this competition.

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 Teaching and Learning will make all final award decisions.

For additional information regarding this grant competition, please contact:

La' Shawndra C. Scroggins, Ph.D.
Director, Teaching and Learning
Division of Teaching and Learning
Office of the State Superintendent of Education
1050 First Street NE, Fifth Floor
Washington, DC 20002
(202) 741-0264
LaShawndra.Scroggins@dc.gov

The RFA will be made available at noon on Friday, Nov. 16, 2018. Applications are due no later than 3pm on Monday, Dec. 17, 2018. OSSE expects to announce the award by Friday, Dec. 21, 2018. OSSE will host a pre-application webinar Thursday, Nov. 29, 2018 for those interested in learning more about the grant. Educator preparation programs intending to apply must submit a completed Notice of Intent to Apply form in the application (ATTACHMENT A) by Friday, Nov. 23, 2018. The RFA will be posted on the OSSE website and the application can be found on OSSE's Enterprise Grants Management System (EGMS) at www.grants.osse.dc.gov.

DEPARTMENT OF HEALTH (DC Health)

NOTICE OF FUNDING AVAILABILITY (NOFA)

Community Health Administration (CHA)

RFA#: CHA_IPAE 11.02.18

Improving Pediatric Asthma Outcomes Expansion

Amended

This notice supersedes the notice published in DC Register on September 28, 2018 Vol 65/39 Part 1

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

General Information:

Funding Opportunity Title:	Improving Pediatric Asthma Outcomes Expansion
Funding Opportunity Number:	FO-CHA-PG-00004-013
Program RFA ID#:	CHA_IPAE 11.02.18
Opportunity Category:	Competitive
DOH Administrative Unit:	Community Health Administration
DOH Program Bureau	Cancer and Chronic Disease Prevention
Program Contact	LaVerne Jones (202) 442-9151
Program Description:	Funding under this RFA will support data-driven clinical interventions and innovative health system and community linked interventions to reduce ED visits and improve asthma management among District children, age 2-18 years. Using a quality improvement framework, the foundation of the asthma care QI initiative will be data monitoring and reporting; health system, community and health department engagement; and, continuous evaluation of interventions. Reporting of clinical quality measures, which are indicators of healthcare processes and outcomes, will be required in order to identify opportunities for health system and community enhancement through evidence-informed or promising innovative interventions. The goal is to institutionalize the best practices identified through this collaborative to improve asthma-related health outcomes among children in the District of Columbia.

Eligible Applicants	Organizations/entities that serve as health systems for District of Columbia residents, such as private health care practices, hospitals, health care clinics/centers, and Managed Care Organizations (MCOs), professional organizations, and academic institutions with a College of Pharmacy, are eligible to apply for grant funds under this RFA.
Anticipated # of Awards:	2
Anticipated Amount Available:	\$140,000
Floor Award Amount:	\$50,000
Ceiling Award Amount:	\$90,000

(1) Funding Authorization

Legislative Authorization	301(A) and 317(K)(2) of the Public Health Service Act, 42 USC Section 241(A) and 247B(K)(2), as amended
Associated CFDA#	93.991
Associated Federal Award ID#	1NB01OT009228-01-00
Cost Sharing / Match Required?	No
RFA Release Date:	November 2, 2018
Pre-Application Meeting (Date)	November 8, 2018
Pre-Application Meeting (Time)	1:30pm – 3:00pm
Pre-Application Meeting Location	899 N. Capitol St. NE Third Floor, Room # 306 Washington, DC, 20002
Conference Call Access	To register go to: https://dcnet.webex.com/dcnet/k2/j.php?MTID=te37465d456a2b553dc0cd7f9beb1b926
Letter of Intent Due date:	Not applicable
Application Deadline Date:	December 3, 2018
Application Deadline Time:	6:00 pm
Links to Additional Information about this Funding Opportunity	DC Grants Clearinghouse http://opgs.dc.gov/page/opgs-district-grants-clearinghouse DC Health EGMS https://dcdoh.force.com/GO_ApplicantLogin2

Notes:

1. DC Health reserves the right to issue addenda and/or amendments subsequent to the issuance of the NOFA or RFA, or to rescind the NOFA or RFA.
2. Awards are contingent upon the availability of funds.
3. Individuals are not eligible for DC Health grant funding.
4. Applicants must have a DUNS #, Tax ID#, be registered in the federal Systems for Award Management (SAM) and the DC Health Enterprise Grants Management System (EGMS)
5. Contact the program manager assigned to this funding opportunity for additional information.

DEPARTMENT OF HEALTH (DC Health)

NOTICE OF FUNDING AVAILABILITY (NOFA)

Community Health Administration (CHA)

RFA#: CHA_MCOP 10.12.18

Multi-Component Obesity Prevention in Targeted Settings

Amended

This notice supersedes the notice published in DC Register on September 28, 2018 Vol 65/39 Part 1

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

General Information:

Funding Opportunity Title:	Multi-Component Obesity Prevention in Targeted Settings
Funding Opportunity Number:	FO-CHA-PG-00004-014
Program RFA ID#:	CHA_MCOP 10.12.18
Opportunity Category:	Competitive
DOH Administrative Unit:	Community Health Administration
DOH Program Bureau	Cancer and Chronic Disease Prevention
Program Contact:	LaVerne Jones (202) 442-9151
Program Description:	Funding under this RFA will support place-based multi-component obesity prevention efforts through implementation of programs, organizational policies, and guidelines in three intervention areas: a) increase access to healthy food and beverages b) increase physical activity access and outreach c) increase referrals and access to evidence-based lifestyle change programs. Projects should focus on District adults aged 18 and older who are overweight and/or at risk for diabetes or heart disease. In addition, applicants should be able to demonstrate ability to reach priority populations including women of child-bearing age, residents aged 45-54 years old, low-income residents, African American residents, and residents of Wards 7 and 8. The goal of this RFA is to support a culture of health and wellness through a systems change approach to increasing access to healthier food options, opportunities for physical activity, as well as utilization of lifestyle change programs through the places where District residents work, play or pray.

Eligible Applicants	Eligible applicants include: Public or private institutions of higher education Nonprofit organizations Not-for-profit organizations Small Businesses State Government Agencies Public Housing Authorities Healthcare Organizations
Anticipated # of Awards:	3-6
Anticipated Amount Available:	\$320,000
Floor Award Amount:	\$50,000
Ceiling Award Amount:	\$100,000

(1) Funding Authorization

Legislative Authorization	301(A) and 317(K)(2) of the Public Health Service Act, 42 USC Section 241(A) and 247B(K)(2), as amended
Associated CFDA#	93.991
Associated Federal Award ID#	1NB01OT009228-01-00
Cost Sharing / Match Required?	No
RFA Release Date:	October 26, 2018
Pre-Application Meeting (Date)	November 1, 2018
Pre-Application Meeting (Time)	1:30pm – 3:00pm
Pre-Application Meeting Location	899 N. Capitol St. NE Third Floor, #306 Washington, DC 20002
Conference Call Access	To register go to: https://dcnet.webex.com/dcnet/k2/j.php?MTID=taaf707138ccbf6a206183460ad60ab2e
Letter of Intent Due date:	Not applicable
Application Deadline Date:	November 29, 2018
Application Deadline Time:	6:00 pm
Links to Additional Information about this Funding Opportunity	DC Grants Clearinghouse http://opgs.dc.gov/page/opgs-district-grants-clearinghouse DC Health EGMS https://dcdoh.force.com/GOApplicantLogin2

Notes:

1. DC Health reserves the right to issue addenda and/or amendments subsequent to the issuance of the NOFA or RFA, or to rescind the NOFA or RFA.
2. Awards are contingent upon the availability of funds.
3. Individuals are not eligible for DC Health grant funding.
4. Applicants must have a DUNS #, Tax ID#, be registered in the federal Systems for Award Management (SAM) and the DC Health Enterprise Grants Management System (EGMS)
5. Contact the program manager assigned to this funding opportunity for additional information.

**THE DISTRICT OF COLUMBIA
DEPARTMENT OF HUMAN SERVICES
FAMILY SERVICES ADMINISTRATION
COMMUNITY SERVICES BLOCK GRANT**

NOTICE OF FUNDING AVAILABILITY (NOFA)

Short-term Family Housing Health Services

The District of Columbia (District) Department of Human Services (DHS) Family Services Administration (FSA) **Community Services Block Grant (CSBG)** hereinafter referred to as “DHS/FSA/CSBG” is soliciting detailed proposals from established private not-for-profit and or faith-based organizations within the District for a funding award to offer high quality medical screenings and connections to medical services for residents residing at Short-term Family Housing (STFH) programs owned by the District and operated through contracts with Service Providers.

Organizations shall provide services and resources related to the needs of low-income individuals and families. These services should have a measurable and potentially major impact on the causes of homelessness in the District and may help individuals and families to achieve economic security. This solicitation is made pursuant to the Community Services Block Grant Act (CSBG Act) of 1998, as amended (42 U.S.C. §9901(2)(E)).

Target Population

Low-income individuals and families that reside in the following STFH program locations:

The Kennedy
5505 5th Street, NW, Washington, DC
Onsite Provider/Operator: The National Center for Children and Families.

The Horizon,
5004 D Street, SE, Washington, DC
Onsite Provider/Operator: Life Deeds.

Location
4225 6th Street, SE, Washington, DC
Onsite Provider/Operator: Community of Hope.

Services shall be provided to all families residing in STFH programs regardless of their ability to pay, insurance status or immigration status. When possible, providers should maximize their revenue and expand services by billing Medicaid for billable services.

Applicants will need to provide a letter of support/partnership from the STFH onsite provider/operator for the specific site.

Eligibility

Private not-for-profit and or faith-based organizations that meet the following eligibility requirements at the time of application may apply:

- organization with a 501(c)(3) tax-exempt status; or evidence of a fiscal agent relationship with a 501(c)(3) organization;
- The organization's principal place of business is located in the District
- The organization is currently registered in good standing with the District Department of Consumer & Regulatory Affairs, the District Office of Tax and Revenue, and the United States Department of Treasury's Internal Revenue Services (IRS).

Program Scope:	Specific details on the program scope will be listed in the RFA;
Release Date of RFA:	Monday, October 29, 2018
Total Estimated Available Funding	Up to \$250,000.00
Total Estimated Number of Awards:	Up to two (2) awards
Pre-Application Conference	Friday, November 9, 2018 2:00 pm. Department of Human Services 64 New York Avenue, NE, 6 th Floor NoMa Conference Room 661-C Washington, DC 20002
Deadline for Submission:	Friday, November 23, 2018

Applications may be obtained from the District Grants Clearinghouse website at the following link: www.opgs.dc.gov. Applications may also be obtained from Ms. Priscilla Burnett, Program Monitor for the DHS FSA Community Service Block Grant Program at 64 New York Avenue, NE, Washington, DC 6th floor. Please call: (202) 671-4398 if you have any questions or require additional information.

INGENUITY PREP PUBLIC CHARTER SCHOOL

REQUEST FOR PROPOSALS

Ingenuity Prep PCS requests proposals for the following:

- **Executive Personnel Search Services**

Full RFP document available by request. Proposals shall be submitted no later than 5:00 PM on Tuesday, November 6, 2018. Contact: bids@ingenuityprep.org

KIPP DC PUBLIC CHARTER SCHOOLS**REQUEST FOR PROPOSALS****Legal Services**

KIPP DC is soliciting proposals from qualified vendors for Legal Services. The RFP can be found on KIPP DC's website at www.kippdc.org/procurement. Proposals should be uploaded to the website no later than 1:00 PM EST, on November 6, 2018. Questions can be addressed to kate.williams@kippdc.org.

LEE MONTESSORI PUBLIC CHARTER SCHOOL**REQUEST FOR PROPOSALS**

Lee Montessori Public Charter School, an approved 501(c)3 organization, requests proposals for the following school related services:

1. Association Montessori International approved Montessori Primary Classroom Materials
2. Association Montessori International approved Montessori Elementary Classroom Materials
3. Classroom Furniture
4. Computers/Tablets for staff
5. Computers/Tablets for students
6. Data Analysis and Management
7. Financial Management and Analysis, including bookkeeping
8. Information Technology Maintenance / Support Services
9. Office Furniture
10. Special Education Contracted Services

Lee Montessori Public Charter School is seeking qualified professionals for the above services. Applications must include references, resumes exhibiting experience in said field, and estimated fees. Please email proposals to procurement@leemontessori.org and include the service in the heading. Proposals must be submitted as PDF or Microsoft Word documents and will be accepted until 5pm, October 31, 2018.

DISTRICT OF COLUMBIA PUBLIC CHARTER SCHOOL BOARD**NOTIFICATION OF 2019 BOARD MEETINGS**

The District of Columbia Public Charter School Board (“DC PCSB”) hereby gives notice, of DC PCSB’s intent to hold a public meeting at 6:30pm on the following dates:

Monday, January 28, 2019

Monday, February 25, 2019

Monday, March 18, 2019

Monday, April 15, 2019

Monday, May 20, 2019

Monday, June 17, 2019

Monday, July 15, 2019

Monday, August 19, 2019 (tentative)

Monday, September 16, 2019

Monday, October 21, 2019

Monday, November 18, 2019

Monday, December 16, 2019

For questions, please call 202-328-2660. An agenda for each meeting will be posted 48 business hours in advance of the meetings on www.dcpsb.org. The location for all meetings is currently to be determined.

OFFICE OF THE SECRETARY OF THE DISTRICT OF COLUMBIA
RECOMMENDATIONS FOR APPOINTMENTS AS NOTARIES PUBLIC

Notice is hereby given that the following named persons have been recommended for appointment as Notaries Public in and for the District of Columbia, effective on or after December 1, 2018.

Comments on these potential appointments should be submitted, in writing, to the Office of Notary Commissions and Authentications, 441 4th Street, NW, Suite 810 South, Washington, D.C. 20001 within seven (7) days of the publication of this notice in the *D.C. Register* on October 26, 2018. Additional copies of this list are available at the above address or the website of the Office of the Secretary at www.os.dc.gov.

D.C. Office of the Secretary **Effective: December 1, 2018**
Recommendations for Appointments as DC Notaries Public **Page 2**

Alexis	Jeaninn	Alderson Court Reporting 2020 K Street, NW, Suite 700	20006
Ammerman	Harris S.	Harris S. Ammerman, Attorney at Law 1115 Massachusetts Avenue, NW	20005
Aparisio-Corbin	Anna	PNC Bank 1348 4th Street, NE	20002
Auberger	Marcia A.	Self (Dual) 507 7th Street, SE	20003
Ballali	Albina	Securport, LLC 1000 Potomac Street, NW	20007
Bender	Rhodessa	Amsterdam & Partners, LLP 601 13th Street, NW	20005
Bennett	Rebecca	Orchard Global Asset Management 2900 K Street, NW, Suite 506	20007
Benton	Faith L.	United Planning Organization 301 Rhode Island Avenue, NW	20001
Brown	Chondra	Department of Employment Services 4058 Minnesota Avenue, NE	20019
Bullock	Brian Richard	Carr Workplaces 1717 K Street, NW, Suite 900	20006
Capers	Theresa	District of Columbia Department of Corrections 1901 D Street, SE	20003
Castillo	Tracy N.	Gray, Plant, Mooty, Mooty & Bennett, PA 600 New Hampshire Avenue, NW, Suite 700	20037
Clark	Cecilia	Bank of America 4301 49th Street, NW	20016
De Leon	Victor Emmanuel D.	Bank of America 2001 Pennsylvania Avenue, NW	20006

D.C. Office of the Secretary **Effective: December 1, 2018**
Recommendations for Appointments as DC Notaries Public **Page 3**

DeVille	Marcia A.	HQ United States Army Corps of Engineers 441 G Street, NW (GAO Building)	20314
Dwarkani	Vandana	Bank of America 4201 Connecticut Avenue, NW	20008
Dykstra	Cory	Crowe, LLP 1455 Pennsylvania Avenue, NW, Suite 700	20004
Elizondo	Mallory	American Humane Association 1400 16th Street, NW, Suite 360	20036
Flores Jimenez	Jessica Stephanie	Wells Fargo 3325 14th Street, NW	20010
Geletka	Althea	Office of the Attorney General 441 4th Street, NW, Suite 603	20001
Ghebreyohannes	Hiwot	Colonial Parking, Inc 1050 Thomas Jefferson Street, NW, #100	20007
Green	James Virgil	Self (Dual) 5001 13th Street, NE	20017
Gwanvalla	Augusta Mbongue	PNC Bank 1348 4th Street, NE	20002
Hallman	Datasha	Bank of America 2001 Pennsylvania Avenue, NW	20006
Harris	Carla M.	Self (Dual) 208 36th Street, SE	20019
Harry	Ingrid A.	TD Bank 1030 15th Street, NW	20005
Hawkes-Breslow	Jamie Lynn	Allied Universal 1400 I Street, NW, Unit 600	20005
Hawkins	Wanda	Self 2017 Rosedale Street, NE	20002

D.C. Office of the Secretary
Recommendations for Appointments as DC Notaries Public

Effective: December 1, 2018

Page 4

Heath	Taylor L.	Whitfield Bryson & Mason, LLP 5101 Wisconsin Avenue, NW, Suite 305	20016
Hedges	Wendy M.	Manna, Inc. 6856 Eastern Avenue, NW, Suite 100	20012
Hendrix	Abby	MV+A Architects 1200 G Street, NW	20005
Hodges	William	Bank Fund Staff Federal Credit Union 1725 I Street, NW	20006
Howell	Sharon	Self 447 Lebaum Street, SE	20032
Huddleston	Natalie	Pierce Atwood, LLP 1875 K Street, NW, Suite 700	20006
Huvelle	Anastasia	MoloLamken, LLP 600 New Hampshire Avenue, NW, Suite 660	20037
Johnson	Monique	CNN 820 First Street, NE	20002
Kajubi	Caroline T.	Colonial Parking, Inc 1050 Thomas Jefferson Street, NW, #100	20007
Kass Esq.	Brian L.	Kass Legal Group, PLLC 4301 Connecticut Avenue, NW, Suite 434	20008
Kim	Jason J.	Ginnie Mae 425 3rd Street, SW	20024
Kronenwetter	Mary	M & T Bank 1899 L Street, NW	20036
Lambert	Samantha	PN Hoffman 760 Maine Avenue, SW	20024
Littlejohn	LaShaune R.	Capitol Hill Village 725 8th Street, SE	20003

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Lockard	Bruce L.	Grunfield Desiderio Lebowitz Silverman Klestadt 1201 New York Avenue, Suite 650	20005
Long	Jeanette	District of Columbia Public Defender Service 633 Indiana Avenue, NW	20001
Mack	Isabelle G.	Self 50 Bates Street, NW	20001
Malik	Arjun P.	Civil Rights Corps 910 17th Street, NW, Suite 200	20006
Manfull	Mary Ellen	Institute for State Effectiveness 1050 30th Street, NW	20007
Martinez	Rosa	District of Columbia Department of Health 899 North Capitol Street, NE	20002
Martinez	Griselda	Manna, Inc 6856 Eastern Avenue, NW, Suite 100	20012
McCready	Devon T.	Neal R. Gross and Company, Inc 1323 Rhode Island Avenue, NW	20005
McNeil	Daughn M.	Elsie Whitlow Stokes Community Freedom Public Charter Schools 3700 Oakview Terrace, NE	20017
Mebrahtu	Liah	TAJA Investments, LLC 1803 2nd Street, NW	20001
Miles	Lauretta M.	Bethel Christian Fellowship 2220 Martin Luther King Jr Avenue, SE	20020
Mukasa	Samuel M.	Colonial Parking, Inc 1050 Thomas Jefferson Street, NW, #100	20007
Nyandebo	Saa E.	TD Bank 1753 Connecticut Avenue, NW	20009
Oladimegi	Olubusola	McGlinchey Stafford, PLLC 1275 Pennsylvania Avenue, NW	20004

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Jackson	Carlotta	Self 306 Atlantic Street, SE, #5	20032
Kinder	Meredith P.	Caplin & Drysdale Chartered 1 Thomas Circle, NW, Suite 1100	20005
Oldenburg	Sebastiaan J.	Bank of America 5201 Wisconsin Avenue, NW	20015
Palmer	Willa	Bank Fund Staff Federal Credit Union 1725 I Street, NW	20006
Peacos	Jami L.	Webster, Chamberlain, & Bean 1747 Pennsylvania Avenue, NW, Suite 1000	20006
Pereira	Stephen F.	United States Department of Transportation 1200 New Jersey Avenue, SE, Room 56-310	20590
Pickering	Scott D.	Planet Depos 1100 Connecticut Avenue, NW, Suite 950	20036
Pierce	Rosalyn	United States Institute of Peace 2301 Constitution Avenue, NW	20037
Pitt	John T.	Curtis, Mallet-Prevost, Colt & Mosle, LLp 1717 Pennsylvania Avenue, NW	20006
Price	Rebecca A.	Witt O'Brien's, LLC 1201 15th Street, NW, Suite 600	20005
Rosen	Daniel	Neal R. Gross and Company, Inc. 1323 Rhode Island Avenue, NW	20005
Santulli	Emma	Carr Workplaces 1717 K Street, NW, Suite 900	20006
Sanzotta	Cynthia	The Law Offices of Kenneth R. Feinberg, PC 1455 Pennsylvania Avenue, NW, Suite 390	20004
Sawyer	Lee A.	Regan Zambri Long, PLLC 1919 M Street, NW, Suite 350	20036

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Saxon	Christopher R.	W. H. Bacon Funeral Home 3447 14th Street, NW	20010
Smith	Joan M.	Cadeaux, Taglieri & Notarius, PC 1100 Connecticut Avenue, NW, Suite 800	20036
Sorto	Hada Iveth	Wells Fargo Bank 5100 Wisconsin Avenue, NW	20016
Stevenson	Deborah R.	Self 304 Longfellow Street, NW	20011
Stevic	Jadranka	Bank Fund Staff Federal Credit Union 1725 I Street, NW	20006
Stewart	Roseal	TD Bank 901 7th Street, NW	20001
Tari	Soheila M.	CIBC Private Wealth Management 1201 F Street, NW, Suite 900	20004
Terry	Jody F.	Fiduciary Trust International 1133 Connecticut Avenue, NW, Suite 410	20036
Tolliver	Kei Shionoiri	Kei S. Tolliver Law, LLC 2001 L Street, NW, Suite 750	20036
Tyler	Sheila J.	Self 1110 46th Street, NE	20019
Villanueva	Sheryn	Potomac Elevator Company 5125 MacArthur Boulevard, NW, Suite 41	20016
Walker-Wright	Gwendolyn	Buckley Sandler 1250 24th Street, NW	20037
Walls	Martha M.	Self 1225 Missouri Avenue, NW, Apt. #1	20011
Waugh	Octavia L.	Bianchi Funeral Service, LLC 814 Upsher Street, NE	20011

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Williams	Marita M.	Self 1389 Rittenhouse Street, NW	20011
Woods	Jovanna	SunTrust Bank 5000 Connecticut Avenue, NW	20008
Wynn	Rashieda K.	Bank Fund Staff Federal Credit Union 1725 I Street, NW	20006

SHINING STARS MONTESSORI ACADEMY PUBLIC CHARTER SCHOOL**REQUEST FOR PROPOSALS**

Shining Stars Montessori Academy Public Charter School solicits proposals for the following:

- Special Education and Therapeutic Services Providers and Services
- Special Education Assessment (to include Adaptive and Assistive technologies)
- Speech and Language Pathology Services
- General Contractor
- Institutional Advancement (to include PR/Communications and Fundraising)
- Montessori and General Academic Support Services (to include Curriculum Development, Assessment Support, Data Analysis, Professional Development and Training)
- Real Property Support

Full RFP available by request. Proposals shall be emailed as PDF documents no later than 5:00 PM on Tuesday, November 6, 2018. Contact: procurement@shiningstarspcs.org

DEPARTMENT OF SMALL AND LOCAL BUSINESS DEVELOPMENT**NOTICE OF FUNDING AVAILABILITY (NOFA)****Ward 7 and 8 Microbusiness Dream Grants**

The Department of Small and Local Business Development (DSLBD) is excited to announce that we will be soliciting applications for the Fall 2018 **Ward 7 and 8 Microbusiness Dream Grants starting November 1, 2018.**

The grants are to provide business development support to the growth of microbusinesses with fewer than five (5) employees located in Ward 7 or 8 for which residents of those Wards comprise 50% or more of the ownership of the business.

DSLBD intends to award up to ten (15) grants, of up \$10,000 each, from the \$125,000 in total available funding for fall 2018.

How do I apply?

For additional guidance please see the Request for Applications (RFA) on the DSLBD website that will be released on or before November 1, 2018: <http://dslbd.dc.gov/service/current-solicitations-opportunities>.

Deadline

The deadline to apply online is **January 11, 2019 at 2:00 p.m.** Applications will only be accepted through the online application system.

Who can apply?

New or existing microbusinesses with fewer than five (5) full time employees located in Ward 7 or 8 for which residents of the comprise 50% or more of the ownership of the business are eligible. See the Request for Applications for additional eligibility requirements.

How can the funds be used?

The grants can support provide startup or expansion efforts for expenses made by the business October 1, 2018 through September 30, 2019. Examples of allowable and disallowed uses are detailed in the RFA linked to above.

How will awardees be selected?

Grant recipients will be selected through a competitive application process. All applications from eligible applicants received on or before the deadline will be forwarded to an independent review panel to be evaluated, scored, and ranked based on the following criteria:

1. Capacity and Experience of the Applicant (25 points)
2. Strength of the Business Plan (25 points)
3. Financial Viability of Applicant (25 points)
4. Creativity and Innovation (25 points)

A program team will review the recommendations. The Director of DLSBD will make the final determination of grant awards. Grantees will be selected by March 1, 2019.

Questions?

We encourage interested applicants to attend an *Application Information Session*. Please refer to the RFA for the most accurate information about the date, time and location of this meeting.

Questions may be sent to Kate Mereand at the Department of Small and Local Business Development at Katherine.Mereand-Sinha@dc.gov. All questions must be submitted in writing.

Reservations

DSLBD reserves the right to issue addenda and/or amendments subsequent to the issuance of this Notice of Funding Availability (NOFA) or RFA, or to rescind the NOFA or RFA at any time.

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

NOTICE OF AVAILABILITY

**ENVIRONMENTAL ASSESSMENT (EA) FOR DC WATER'S PROPOSED
POTOMAC RIVER TUNNEL PROJECT
OPEN FOR PUBLIC COMMENT
WASHINGTON, DC**

The National Park Service (NPS) and the District of Columbia Water and Sewer Authority (DC Water) are seeking public comments on an Environmental Assessment (EA) prepared pursuant to the National Environmental Policy Act (NEPA) for the proposed Potomac River Tunnel, a major component of DC Water's Combined Sewer System Long Term Control Plan, also known as the DC Clean Rivers Project. The project would provide control for combined sewer overflow (CSO) outfalls along the Potomac River in Washington, DC. The project is needed to reduce CSOs that contribute to water quality impairment of the Potomac River and ultimately the Chesapeake Bay; and to comply with the 2005 Federal Consent Decree entered into by DC Water, the District of Columbia, the US Environmental Protection Agency, and the US Department of Justice, as amended January 2016. The proposed controls are estimated to reduce CSOs to the Potomac River by 93% by volume and limit their frequency from approximately 74 events to 4 events in a year of average rainfall.

The NPS and DC Water are releasing the Potomac River Tunnel EA for a public review and comment period **from October 25 to November 30, 2018**. To view or download the EA, or to submit comments online, please visit the NPS project webpage at <http://parkplanning.nps.gov/PotomacRiverTunnel>. A hard copy of the EA can also be found at the following District libraries:

Southwest Library, 900 Wesley Place SW
West End Library, 2301 L Street NW
Georgetown Library, 3260 R Street NW
Palisades Library, 4901 V Street NW

Comments may also be submitted in writing to:

ATTN: Potomac River Tunnel EA
DC Clean Rivers Project
Blue Plains Advanced Wastewater Treatment Plant
5000 Overlook Avenue, SW
Washington, DC 20032

Please postmark your correspondence by November 30, 2018 for consideration.

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY**NOTICE OF OPEN HOUSE****ENVIRONMENTAL ASSESSMENT (EA) FOR DC WATER'S PROPOSED
POTOMAC RIVER TUNNEL PROJECT****Wednesday, November 14, 2018****6:00 p.m. - 8:00 p.m.****West End Library
2301 L Street NW
Washington, DC 20037**

The National Park Service (NPS) and the District of Columbia Water and Sewer Authority (DC Water) have prepared an Environmental Assessment (EA) pursuant to the National Environmental Policy Act (NEPA) for the proposed Potomac River Tunnel, a major component of DC Water's Combined Sewer System Long Term Control Plan, also known as the DC Clean Rivers Project. The project would provide control for combined sewer overflow (CSO) outfalls along the Potomac River in Washington, DC. The project is needed to reduce CSOs that contribute to water quality impairment of the Potomac River and ultimately the Chesapeake Bay; and to comply with the 2005 Federal Consent Decree entered into by DC Water, the District of Columbia, the US Environmental Protection Agency, and the US Department of Justice, as amended January 2016. The proposed controls are estimated to reduce CSOs to the Potomac River by 93% by volume and limit their frequency from approximately 74 events to 4 events in a year of average rainfall.

The ongoing participation of the public is very important to the success of the Potomac River Tunnel project. DC Water invites you to attend an Open House to learn more about the project, the EA, ask questions, and discuss the project with NPS and DC Water staff. For more information or for individuals requiring special assistance at the meeting please contact DC Clean Rivers Project Public Outreach at (202) 787-4717 or by email at dccleanrivers@dcwater.com.

To view or download the EA, please visit the NPS project webpage at <http://parkplanning.nps.gov/PotomacRiverTunnel>. To learn more about the DC Clean Rivers Project, or the Potomac River Tunnel, please visit <https://www.dewater.com/cleanrivers> or <https://www.dewater.com/projects/potomac-river-tunnel-project>.

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

Application No. 19679 of MYS Land Investment, LLC, as amended,¹ pursuant to 11 DCMR Subtitle X, Chapter 10, for area variances from the lot width and lot area requirements of Subtitle E § 201.1 and from the side yard requirements of Subtitle E § 307.3 to construct a new semi-detached building with a principal dwelling unit in the RF-1 Zone at premises 4932 Nannie Helen Burroughs Avenue, N.E. (Square 5179, Lot 92).

HEARING DATES: February 7 and February 14, 2018²
DECISION DATE: February 14, 2018

DECISION AND ORDER

This self-certified application was submitted on November 27, 2017 by MYS Land Investment, LLC, the owner of the property that is the subject of the application (the “Applicant”). The application, as subsequently amended, requested variances from the lot width and lot area requirements of Subtitle E § 201.1, and from the side yard requirements of Subtitle E § 307.3 to construct a new semi-detached building with a principal dwelling unit in the RF-1 Zone at premises 4932 Nannie Helen Burroughs Avenue, N.E. (Square 5179, Lot 92). Following a public hearing, the Board of Zoning Adjustment (the “Board”) voted to grant the application.

PRELIMINARY MATTERS

Notice of Application and Notice of Hearing. By memoranda dated December 21, 2017, the Office of Zoning provided notice of the application to the Office of Planning (“OP”); the District Department of Transportation (“DDOT”); the Councilmember for Ward 7, as well as the Chairman and the four at-large members of the D.C. Council; Advisory Neighborhood Commission (“ANC”) 7C, the ANC in which the subject property is located; and Single Member District ANC 7C01. Pursuant to 11 DCMR Subtitle Y § 402.1, on December 21, 2017, the Office of Zoning mailed letters providing notice of the hearing to the Applicant, the Councilmember for Ward 7, ANC 7C, and the owners of all property within 200 feet of the Subject Property. Notice was published in the *District of Columbia Register* on December 22, 2017. (64 DCR 12937.)

¹ The caption has been modified to reflect a change in the relief initially requested. Side yard relief was originally cited as Subtitle E § 307.1 (Self-certification, Exhibit 3), but was corrected to cite Subtitle E § 307.3. (Revised self-certification, Exhibit 32.) Also, the phrase “one-family dwelling” was changed to “attached building with a dwelling unit” to reflect the terminology used in the Zoning Regulations of 2016.

² The public hearing for this application was originally scheduled for February 7, 2018, but was postponed to February 14, 2018 at the request of Advisory Neighborhood Commission (“ANC”) 7C.

Party Status. The Applicant and ANC 7C were automatically parties in this proceeding. No other requests for party status were submitted for this application.

OP Report. By memorandum dated January 26, 2018, the Office of Planning recommended approval of the zoning relief requested by the Applicant. (Exhibit 36.)

DDOT Report. By memorandum dated January 24, 2018, the District Department of Transportation indicated no objection to approval of the application. (Exhibit 34.)

ANC Report. By resolution dated February 13, 2018, ANC 7C indicated that, at a properly noticed public meeting on February 8, 2018 with a quorum present, the ANC voted 3-0-1 to oppose the variance request. (Exhibit 39.) In its resolution, ANC 7C recommended “that the applicant work with the District (DMPED & Office of Planning) to redevelop the area for best and highest use of the land (higher density/commercial) considering that Deanwood Hills, The Strand and Deanwood Town Center and Providence Place are all higher density mixed use commercial/residential site in close proximity.” (Exhibit 39.) For that reason, the ANC indicated that it opposed the request for variance relief in order to construct a single dwelling unit on the site.

FINDINGS OF FACT

1. The property is located at 4932 Nannie Helen Burroughs Avenue, N.E. (Square 5179, Lot 92) (Square 1818, Lot 849) (the “Subject Property”) and is zoned RF-1.
2. The Subject Property is one of six consecutive lots on the row that were subdivided in 2017. It is the westernmost lot of the six. Unlike the Subject Property, the other lots that were part of the subdivision (the “East lots”) are rectangular in shape, each measuring 19.4 feet wide and 100 feet deep. (Exhibit 6.)
3. The Subject Property is designated as being Moderate Density Residential on the Comprehensive Plan Future Land Use Map (“FLUM”). This designation is used to define the District’s row house neighborhoods, as well as its low-rise garden apartment complexes. The designation also applies to areas characterized by a mix of single family homes, 2-4-unit buildings, row houses, and low-rise apartment buildings. (*See* Framework Element page 2-33.)
4. The Subject Property is a hexagonal lot, shaped like a panhandle. It is narrowest at street frontage, widens at a sharp angle in the middle of the lot, then narrows slightly as the lot extends further back. (Exhibit 6.) There are no other similarly shaped lots in Square 5179, and a majority of the square is comprised of standard rectangular lots.

5. The Subject Property's western lot line abuts two small, nonconforming tax lots (the "West lots"), as well as a portion of an alley that runs parallel to 49th Place N.E. and 50th Street N.E. (Exhibit 6.)
6. The West lots are unusually small compared to the other lots in Square 5179. One of the West lots, Lot 807, is improved with a one-story detached commercial structure. (Exhibit 33 and 36.) The existing structure is square-shaped, and its front façade is situated at an angle from the lot line at street frontage. (Exhibits 6-8.) The structure appears to be constructed on the west lot line, but does not extend to the east lot line, which it shares with the Subject Property. (Exhibit 6.)
7. The Applicant offered to purchase the West lots, but was ultimately unable to gain ownership of those properties. (Exhibit 33.)
8. The Applicant proposes to construct six attached buildings, each with a principal dwelling unit, of the same design and dimensions on the Subject Property and the East lots. The five buildings on the East lots can be constructed as a matter of right. (BZA Hearing Transcript ("Tr.") for February 14, 2018 at 173.)
9. Pursuant to 11-U DCMR § 301.1, any use permitted in the R Zones under Subtitle U §§ 201 and 202 is permitted as a matter of right in an RF Zone. Subtitle U § 201.1(a)(3) permits a principal dwelling unit as a matter of right, which "may be in either a detached, semi-detached, or an attached building."
10. Under Subtitle B § 100.2 of the Zoning Regulations, an attached building is defined as a "building that abuts or shares walls on both side lot lines with other buildings on adjoining lots." A semi-detached building is defined as a "building that abuts or shares one (1) wall, on a side lot line, with another building on an adjoining lot and where the remaining sides of the building are surrounded by open areas or street lot lines." (Subtitle B § 100.2.)
11. The proposed building on the Subject Property will attach to the building on the east, but because the proposed structure will not attach to a common division wall on the west, it is a semi-detached building as defined by the Zoning Regulations.
12. Although Subtitle B identifies a principal dwelling unit as a use and allows for such a use to be either detached, semi-detached, or an attached *building*, the development standards applicable to the RF Zone conflates the terms and refers to detached, semi-detached, or an attached *dwelling*. To be consistent with this nomenclature, this Order will hereinafter refer to the proposed structure as a "semi-detached dwelling."
13. For an attached dwelling in the RF-1 Zone, the required lot area is 1,800 square feet and the minimum lot width is 18 feet, pursuant to Subtitle E § 201.1. For a semi-detached

dwelling in the RF-1 Zone, the minimum required lot area increases to 3,000 square feet and the minimum lot width increases to 30 feet, under Subtitle E § 201.1.

14. The Subject Property has an area of 2,731 square feet. The lot is 19.4 feet wide at street frontage and is 32.05 feet wide at the rear lot line. (Exhibit 6.) Because the Subject Property does not meet the requirements for lot area and width for a semi-detached dwelling, it requires area variance relief from Subtitle E § 201.1.
15. Because the Applicant is unable to gain ownership of the West lots, the Subject Property cannot be combined with those adjacent lots in order to create a lot that would meet the area and width requirements. (Exhibit 33.)
16. Based on the existing dimensions of the Subject Property, the Applicant is unable to construct any residential structure on the lot that would conform to the requirements of Subtitle E § 201.1. The Applicant's inability to construct any residential development on this property amounts to a practical difficulty in this case.
17. Pursuant to Subtitle E § 307.3, a semi-detached dwelling in the RF-1 Zone is required to provide a five-foot side yard on the side of the structure that is not attached. The proposed structure on the Subject Property will be constructed from lot line to lot line, providing no side yard. Therefore, an area variance is required from Subtitle E § 307.3.
18. As the Applicant was unable to obtain ownership of the West lots, there are two alternative designs for the proposed dwelling that would allow for a side yard to be provided, but both options are unnecessarily burdensome on the Applicant.
19. The Applicant's first option is to reduce the width of the proposed dwelling to 14.4 feet. This would create a practical difficulty for the Applicant, in that the dwelling on the Subject Property would be narrower than the otherwise identical five dwellings on the row, disrupting the pattern of row dwellings from the street frontage.
20. The Applicant's second option to meet the side yard requirement is to shift the dwelling toward the rear of the lot. OP found that this alternative design also creates an unnecessary burden on the Applicant, as it would result in a front yard that is out of character with the block and would "interfere with the design of the remainder of the row of houses, including the provision of a common division wall with the row house to be constructed on the adjoining lot to the east." (Exhibit 36.)
21. The proposal to construct a one-family, semi-detached dwelling is consistent with the purpose and intent of the RF-1 Zone. As provided in Subtitle E § 300.1, the "purpose of the RF-1 Zone is to provide for areas predominantly developed with attached row houses on small lots within which no more than two (2) dwelling units are permitted."

22. Granting the requested variances would allow for a vacant lot to be put to productive use and would allow for the development of a family-sized dwelling with four bedrooms. (Exhibit 33.)
23. The proposed dwelling would be consistent with the row of dwellings being constructed on the East lots and would provide a rear yard that would allow for light and air between the adjacent properties. (Exhibit 36.)
24. Granting the requested variances allows for the proposed dwelling to be constructed from lot line to lot line, which would allow for the future development of a row dwelling on the West lots, which would complete a row of attached dwellings between 50th Street and the public alley. (Exhibit 36.) Potential future development of this kind would be consistent with the intent of the RF-1 Zone. (*See* 11-E DCMR § 300.1.)

CONCLUSIONS OF LAW AND OPINION

The Applicant seeks area variances from the lot width and lot area requirements of Subtitle E § 201.1 and from the side yard requirements of Subtitle E § 307.3. The Board is authorized to grant variances from the strict application of the Zoning Regulations where “by reason of exceptional narrowness, shallowness, or shape of a specific piece of property . . . or by reason of exceptional topographical conditions or other extraordinary or exceptional situation or condition of a specific piece of property,” the strict application of any zoning regulation “would result in peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the owner of the property. . . .” D.C. Official Code 6-641.07(g)(3) (2008 Supp.); (11-X DCMR § 1002.)

A showing of “practical difficulties” must be made for an area variance, while the more difficult showing of “undue hardship” must be made for a use variance. *Palmer v. Board of Zoning Adjustment*, 287 A.2d 535 (D.C. 1972). The Applicant in this case is requesting area variances and therefore is required to show that the strict application of the zoning regulations would result in “practical difficulties.” *French v. District of Columbia Bd. of Zoning Adjustment*, 658 A.2d 1023, 1035 (D.C. 1995), quoting *Roumel v. District of Columbia Bd. of Zoning Adjustment*, 417 A.2d 405, 408 (D.C. 1980). A showing of practical difficulty requires “[t]he applicant [to] demonstrate that ... compliance with the area restriction would be unnecessarily burdensome.” *Metropole Condominium Ass’n v. District of Columbia Bd. of Zoning Adjustment*, 141 A.3d 1079, 1084 (D.C. 2016), quoting *Fleishman v. District of Columbia Bd. of Zoning Adjustment*, 27 A.3d 554, 561-62 (D.C. 2011).

Lastly, the Applicant must demonstrate 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. (11-X DCMR § 1002.)

Based on the above findings of fact, the Board concludes that the Applicant has satisfied the burden of proof and that the application should be granted.

Exceptional Condition

The Board finds that the unique shape of the lot – coupled with the abutting, nonconforming tax lots and the adjacent nonconforming, commercial structure – creates an exceptional condition on the Subject Property. The Subject Property is a hexagonal lot. From its street frontage on Nannie Helen Burroughs Avenue, N.E., it appears to have the same dimensions as the five standard lots to the east, but the middle of the property widens such that a portion of the Subject Property's west lot line abuts the public alley between 49th Place, N.E. and 50th Street, N.E. There are no other similarly shaped lots in Square 5179, and a majority of the square is comprised of standard rectangular lots.

To the east of the Subject Property are five standard rectangular lots (the “East lots”) that were subdivided, along with the Subject Property, in 2017. To the west are two nonconforming tax lots (the “West lots”). The Applicant proposes to develop the East lots with matter-of-right row dwellings, but was unable to obtain ownership of the West lots that were not a part of the subdivision.

The abutting West lots and the adjacent commercial structure contribute to the exceptional condition of the Subject Property as well. The West lots are unusually small compared to the other lots in Square 5179 and are developed with a one-story, detached commercial structure. The existing, nonconforming structure on the West lots is situated at an angle from the lot line at street frontage. The structure appears to be constructed on the west lot line, but does not extend to the east lot line, which it shares with the Subject Property. The Board concludes that the unusual shape of the Subject Property, in conjunction with the West lots and the existing nonconforming structure on those lots, creates an exceptional circumstance for the Applicant in this case.

Practical Difficulties

Based on the exceptional condition of the Subject Property described above, the Board determined that complying with the Zoning Regulations would create a practical difficulty for the Applicant in developing the lot. On the Subject Property, the Applicant proposes to construct a row dwelling of the same design and dimensions as the five dwellings to be constructed on the East lots as a matter of right. Although the Applicant proposes to construct the dwelling from lot line to lot line of the Subject Property, as a result of the orientation of the structure on the West lots, the proposed row dwelling would not attach to a common division wall on the west. Thus, the proposed row dwelling is attached on only the east side, which results in a semi-detached building as defined by Subtitle B § 100.2 of the Zoning Regulations.

For a semi-detached dwelling, compared to an attached dwelling, the minimum required lot area

increases from 1,800 square feet to 3,000 square feet, and the minimum lot width increases from 18 feet to 30 feet, pursuant to Subtitle E § 201. The Subject Property does not comply with those requirements, as it has an area of 2,731 square feet and a width of 19.4 feet. Though the Subject Property would comply with the lot area and width requirements for an attached dwelling, the Applicant is unable to acquire ownership of the West lots in order to subdivide those properties in a way that would allow for a zoning-compliant row dwelling on the Subject Property. Given the existing dimensions of the Subject Property, the Applicant would be unable to construct any residential structure on the lot that would conform to the requirements of Subtitle E § 201.1. The Board concludes that this amounts to a practical difficulty with regard to lot area and lot width.

In addition, because the proposed structure is a semi-detached dwelling, a five-foot wide side yard on the west side is required under Subtitle E § 307.3. In order for the proposed project to comply with the side yard requirement, the Applicant would have to reduce the maximum width of the proposed dwelling to 14.4 feet. This would create a practical difficulty for the Applicant, in that the dwelling on the Subject Property would be narrower than the otherwise identical five dwellings on the row, disrupting the pattern of row dwellings from the street frontage. In the alternative, in order to meet the side yard requirement, the Applicant could shift the dwelling toward the rear of the lot. The Board credits OP's finding that this alternative design also creates an unnecessary burden on the Applicant, as it would result in a front yard that is out of character with the block and would "interfere with the design of the remainder of the row of houses, including the provision of a common division wall with the row house to be constructed on the adjoining lot to the east." (Exhibit 36.) For these reasons, the Board finds that the exceptional condition of the Subject Property creates a practical difficulty with regard to meeting the side yard requirement of the Zoning Regulations.

No Substantial Detriment or Impairment

The Board finds that approval of the requested variance relief would not result in a substantial detriment to the public good or cause any impairment of the zone plan. The Board concurs with OP, which found that the "granting of the requested variance would allow for the construction of a larger sized dwelling, a use permitted as a matter-of-right within the RF-1 on the subject property and otherwise consistent with the dwellings expected to be built on the lots to the east." (Exhibit 36.) The Board determined that granting the requested variance would not result in a substantial detriment to the public good, as the relief would allow for a vacant lot to be improved with a family-sized dwelling with four bedrooms. The proposed dwelling would be consistent with the row of dwellings being constructed and would provide a rear yard that would allow for light and air between the adjacent properties.

The Applicant's proposal to construct a semi-detached dwelling with one dwelling unit is consistent with the purpose and intent of the RF-1 Zone. As provided in Subtitle E § 300.1, the "purpose of the RF-1 zone is to provide for areas predominantly developed with attached row houses on small lots within which no more than two (2) dwelling units are permitted." Further, constructing the dwelling from lot line to lot line allows for the future development of a row

dwelling on the West lots, which would complete a row of attached residences between 50th Street, N.E. and the public alley. Based on these factors, the Board concludes that the proposed development would not result in substantial detriment to the public good or cause any impairment of the zone plan.

Great Weight

The Board is required to give “great weight” to the recommendation of the Office of Planning. (D.C. Official Code § 6-623.04 (2012 Repl.)) For the reasons discussed above, the Board concurs with OP’s recommendation that the application be approved in this case. (Exhibit 36.)

The Board is also required to give “great weight” to the issues and concerns raised by the affected ANC. Section 13(d) of the Advisory Neighborhood Commissions Act of 1975, effective March 26, 1976 (D.C. Law 1-21; D.C. Official Code § 1-309.10(d)(3)(A) (2012 Repl.)) The “great weight” requirement, however, extends only to “issues and concerns that are ‘legally relevant.’” *Concerned Citizens of Brentwood v. D.C. Bd. of Zoning Adjustment*, 634 A.2d 1234, 1241 (D.C. 1993) quoting *Bakers Local 118 v. D.C. Bd. of Zoning Adjustment*, 437 A.2d 176, 179 (D.C. 1981). In other words, the expressed concern must be relevant to the legal question that is before the Board. The question before the Board here is whether the Applicant has met the three-prong test to be granted variance relief to allow the construction of the proposed semi-detached dwelling.

In this case, ANC 7C recommended denial of the application, indicating that it would instead prefer that the Applicant work with District agencies to redevelop the area for a higher density or commercial use of the land, based on nearby higher-density, mixed-use commercial/residential sites. (Exhibit 39.) Though the ANC expressed a preference for a different kind of development, the ANC’s written report did not discuss whether or how it believed the proposed one-family dwelling on the Subject Property would detrimentally affect the surrounding neighborhood or the existing zone plan. The Board considered the issue raised by the ANC, but concluded it was not legally relevant to the Board’s evaluation of the variance standard in this case. *See Concerned Citizens of Brentwood*, 634 A.2d at 1241 (D.C. 1993) (Affirming the Board’s decision that an ANC’s concern as to whether a variance was required was not “legally relevant” to the criteria for variance relief before the Board and, thus, not entitled to “great weight”). As the issue raised by the ANC is not legally relevant to the question before the Board, it is not entitled to “great weight.”

Nonetheless, as required by the third prong of the variance test, the Board considered whether granting the proposed area variances would have a negative impact on the public good or impair the zone plan, as represented in the Zoning Map and Regulations. The Board found that the proposed semi-detached dwelling was compatible with the intent and purpose of the RF-1 Zone and that the proposed dwelling was in keeping with the matter of right attached residential buildings being constructed on the East lots. Though the ANC notes that it would prefer higher

density or commercial use, those uses are not consistent with the FLUM's Moderate Density Residential designation for the Subject Property.

Based on the findings of fact and conclusion of law, the Board concludes that the Applicant has satisfied the burden of proof with respect to the request for area variances from the lot width and lot area requirements of Subtitle E § 201.1 and from the side yard requirements of Subtitle E § 307.3 to construct a new one-family dwelling in the RF-1 Zone at premises 4932 Nannie Helen Burroughs Avenue, N.E. (Square 5179, Lot 92). Accordingly, it is **ORDERED** that the application is **GRANTED AND, PURSUANT TO SUBTITLE Y § 604.10, SUBJECT TO THE APPROVED PLANS AT EXHIBITS 10 – 14 – ARCHITECTURAL PLAN 1ST FLOOR, 2ND FLOOR, 3RD FLOOR, ARCHITECTURAL ELEVATION, AND SITE PLAN – 4932 N.H.B. AVE. NE.**

VOTE: 5-0-0 (Frederick L. Hill, Lesylleé M. White, Lorna L. John, Carlton E. Hart, and Anthony J. Hood voting to APPROVE.)

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

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

FINAL DATE OF ORDER: October 12, 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

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THERE TO) 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.

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF FINAL RULEMAKING
AND**

Z.C. ORDER NO. 08-06P

Z.C. Case No. 08-06P

(Text Amendment – 11 DCMR)

**(Minor Modification to Z.C. Order 08-06A to Clarify Language, Make Language
Consistent Within Existing Text and Between Subtitles and Chapters, and Correct
Typographical Errors and Number Citations)**

September 17, 2018

The full text of this Zoning Commission Order is published in the “Final Rulemaking” section of this edition of the *D.C. Register*.

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF FINAL RULEMAKING
AND**

Z.C. ORDER NO. 08-06Q

Z.C. Case No. 08-06Q

**(Office of Planning – Minor Modification to Z.C. Order No. 08-06A re: Subtitle B § 304.3
(Rules of Measurement) and Subtitle I § 200 (Density – Floor Area Ratio))**

September 17, 2018

The full text of this Zoning Commission Order is published in the “Final Rulemaking” section of this edition of the *D.C. Register*.

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF FINAL RULEMAKING
AND**

Z.C. ORDER NO. 18-04

Z.C. Case No. 18-04

Office of Planning

**(Text Amendment to Title 11 [Zoning Regulations of 2016],
Subtitle A §§ 209.2 & 301.3 to Permit the Construction of Playing Fields
and Accessory Structures at Robert F. Kennedy Memorial Stadium)
September 17, 2018**

The full text of this Zoning Commission Order is published in the “Final Rulemaking” section of this edition of the *D.C. Register*.

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