

District of Columbia

REGISTER

HIGHLIGHTS

- D.C. Council confirms Kimberly A. Bassett as Secretary of the District of Columbia
- D.C. Council schedules a public oversight roundtable on the “District of Columbia’s Office of Inspector General Report, Department of Consumer and Regulatory Affairs: Civil Infractions Program Lacked a Strong Internal Control Environment”
- Department of Behavioral Health announces funding availability for expanding access to Opioid Use Disorder (OUD) treatment and improving coordination of care
- Department of Consumer and Regulatory Affairs updates the fire and life safety regulations for child development homes
- Department of Housing and Community Development schedules a public hearing on the proposed disposition of properties in Wards 1, 4, 5, 7, and 8
- Metropolitan Police Department releases the 2018 First Amendment Activities Report
- Office of the State Superintendent of Education establishes guidelines for designating a school or a specialized program as an “Alternative Program”

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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ROOM 520S – 441 4th STREET, ONE JUDICIARY SQUARE - WASHINGTON, D.C. 20001 - (202) 727-5090

MURIEL E. BOWSER
MAYOR

VICTOR L. REID, ESQ.
ADMINISTRATOR

CONTENTS

ACTIONS OF THE COUNCIL OF THE DISTRICT OF COLUMBIA

D.C. LAWS

L23-6 Randall School Museum and Housing Development
Real Property Tax Abatement Amendment Act of 2019 007059

L23-7 Small and Certified Business Enterprise Development
and Assistance Temporary Amendment Act of 2019..... 007060

RESOLUTIONS

Res 23-105 Department of For-Hire Vehicles David Do Confirmation
Resolution of 2019 007061

Res 23-106 Commission on Fashion Arts and Events Emilia Ferrara
Confirmation Resolution of 2019..... 007062

Res 23-107 Director of the Department of Parks and Recreation
Delano Hunter Confirmation Resolution of 2019 007063

Res 23-114 Commission on Human Rights Mark Herzog Confirmation
Resolution of 2019 007064

Res 23-115 Executive Director of the Office on Asian and Pacific
Islander Affairs Ben de Guzman Confirmation
Resolution of 2019 007065

Res 23-116 Secretary of the District of Columbia Kimberly Bassett
Confirmation Resolution of 2019..... 007066

Res 23-117 Director of the Department of Public Works
Christopher Geldart Confirmation Resolution of 2019 007067

Res 23-118 Green Finance Authority Board Brandi Colander
Confirmation Resolution of 2019..... 007068

Res 23-119 Green Finance Authority Board Hannah Hawkins
Confirmation Resolution of 2019..... 007069

Res 23-120 Green Finance Authority Board Edward Hubbard
Confirmation Resolution of 2019..... 007070

Res 23-121 Board of Directors of the Washington Metropolitan
Area Transit Authority Principal Member
Corbett Price Reappointment Resolution of 2019..... 007071

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

RESOLUTIONS CONT'D

Res 23-122 Howard Tubman Quad Revenue Bonds Project Approval
Resolution of 2019007072 - 007081

Res 23-123 Shaed School Revenue Bonds
Project Approval Resolution of 2019007082 - 007090

Res 23-124 KIPP D.C. Public Charter Schools Revenue Bonds
Project Approval Resolution of 2019007091 - 007098

Res 23-125 Contract No. DCCB-2019-C-0008 Approval and Payment
Authorization Emergency Declaration Resolution of 2019007099 - 007100

Res 23-126 Modification Nos. 14 and 15 to Contract No.
DCAM-15-NC-0085B Approval and Payment
Authorization Emergency Declaration Resolution
of 2019 007101

Res 23-127 Modification Nos. 15 and 16 to Contract No.
DCAM-15-NC-0085A Approval and Payment
Authorization Emergency Declaration Resolution
of 2019007102 - 007103

Res 23-128 Modifications to Contract No. CW47741 Approval
and Payment Authorization Emergency Declaration
Resolution of 2019007104 - 007105

Res 23-129 Modifications to Contract No. DCKA-2012-C-0110
Approval and Payment Authorization Emergency
Declaration Resolution of 2019..... 007106

Res 23-130 Contract No. CFOPD-15-C-064A Extension Approval
and Payment Authorization Emergency Declaration
Resolution of 2019 007107

Res 23-131 Contract No. CFOPD-19-C-036 Approval and Payment
Authorization Emergency Declaration Resolution of 2019 007108

Res 23-132 Contract No. CFOPD-14-C-031 Extension Approval
Emergency Declaration Resolution of 2019 007109

Res 23-133 Contract No. CFOPD-14-C-031 Extension Emergency
Approval Resolution of 2019 007110

BILLS INTRODUCED AND PROPOSED RESOLUTIONS

Notice of Intent to Act on New Legislation -
Bills B23-316 through B23-328 and Proposed
Resolutions PR23-351 through PR23-355007111 - 007114

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

COUNCIL HEARINGS

Notice of Public Hearings -

B23-0073 Attorney General Civil Rights Enforcement Clarification
Amendment Act of 2019 (Cancelled)..... 007115

B23-232 Autonomous Vehicles Testing Program
Amendment Act of 2019 007116

B23-248 Autonomous Vehicle Amendment Act of 2019 007116

Notice of Public Oversight Roundtables -

District of Columbia’s Office of Inspector General Report, Department of
Consumer and Regulatory Affairs: Civil Infractions Program Lacked a
Strong Internal Control Environment..... 007117

Notice of Public Roundtables -

PR23-0221 Public Charter School Board Saba Bireda
Confirmation Resolution of 2019 (Joint).....007118 - 007119

PR23-0222 Public Charter School Board Ricarda Ganjam
Confirmation Resolution of 2019 (Joint).....007118 - 007119

PR23-0342 Public Charter School Board James Sandman
Confirmation Resolution of 2019 (Joint).....007118 - 007119

PR23-0300 Alcoholic Beverage Regulation Control Board
Donovan W. Anderson Confirmation Resolution
of 2019007120 - 007121

PR23-0301 Alcoholic Beverage Regulation Control Board
Bobby Cato, Jr. Confirmation Resolution of 2019007120 - 007121

PR23-0344 Alcoholic Beverage Regulation Control Board
Rafi Aliya Crocket Confirmation Resolution of 2019007120 - 007121

PR 23-334 Board of Industrial Trades Tanya
Lewis Confirmation Resolution of 2019 007122

OTHER COUNCIL ACTIONS

Notice of Grant Budget Modifications -

GBM 23-38 FY 2019 Grant Budget Modifications of
May 7, 2019..... 007123

GBM 23-39 FY 2019 Grant Budget Modifications of
May 13, 2019..... 007123

GBM 23-40 FY 2019 Grant Budget Modifications of
May 20, 2019..... 007123

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

OTHER COUNCIL ACTIONS CONT'D

Notice of Reprogramming Request -

23-17	Request to reprogram \$1,500,000 of Fiscal Year 2019 Local funds budget authority within the Board of Elections (BOE)	007124
-------	---	--------

ACTIONS OF THE EXECUTIVE BRANCH AND INDEPENDENT AGENCIES

PUBLIC HEARINGS

Alcoholic Beverage Regulation Administration -

Ali Pacha DC - ANC 5D - New	007125
Hay Adams Hotel - ANC 2B - Renewal - READVERTISEMENT	007126
Hay Adams Hotel - ANC 2B - Renewal - RESCIND.....	007127
Howard Theatre - ANC 1B - Renewal - READVERTISEMENT	007128
Howard Theatre - ANC 1B - Renewal - RESCIND.....	007129
La Morenita - ANC 1A - Renewal - READVERTISEMENT	007130
La Morenita - ANC 1A - Renewal - RESCIND.....	007131
Licht Cafe - ANC 2B - New.....	007132
On the Rocks - ANC 6A - Change of Hours.....	007133
Prather's on the Alley - ANC 6E - Renewal - READVERTISEMENT	007134
Reren II - ANC 2E - New.....	007135
Sandlot Southwest - ANC 6D - New - CORRECTION.....	007136
Sandlot Southwest - ANC 6D - New - RESCIND	007137
Seven Seas Restaurant - ANC 4B - Substantial Changes	007138
TBD (Hine Restaurants LLC) - ANC 6B - New	007139
The Red Boat - ANC 6C - New	007140
Uptown Market - ANC 3F - New (Class B).....	007141
Uptown Market - ANC 3F - New (Class C).....	007142

Housing and Community Development, Department of -

Notice of Public Hearing - Proposed Disposition of Properties - Property Acquisition and Disposition Division Auction in Wards 1, 4, 5, 7, and 8 - July 16, 2019.....	007143
---	--------

Zoning Adjustment, Board of - July 24, 2019 - Public Hearings

20036	Mariela Licha Salomon - ANC 3D.....	007144 - 007147
20063	Siri Fiske - ANC 1D.....	007144 - 007147
20071	Charles Weil and Leigh McCue-Weil - ANC 3D	007144 - 007147
20072	Marybeth and Ken DeGrave - ANC 5E	007144 - 007147
20073	Oxbridge Development QOZB at Fourth Street NE LLC - ANC 5E	007144 - 007147
20074	Stanton Rd SE LLC - ANC 8A	007144 - 007147
20075	CTF Georgetown Hotel LLC - ANC 2E	007144 - 007147
20078	Sig LLC - ANC 8A	007144 - 007147

ACTIONS OF THE EXECUTIVE BRANCH AND INDEPENDENT AGENCIES CONT'D

PUBLIC HEARINGS CONT'D

Zoning Adjustment, Board of - July 31, 2019 - Public Hearings

20019	Christina Fisher - ANC 6B.....	007148 - 007151
20044	Madison Heights LLC - ANC 4C	007148 - 007151
20062	Mid City Builders LLC - ANC 6A.....	007148 - 007151
20077	Richard J. Hamilton III - ANC 1C	007148 - 007151
20079	Kennedy 9 LLC - ANC 4C	007148 - 007151
20080	Anna-Louisa Yon and Edwin Darilek - ANC 6B.....	007148 - 007151
20081	Scott Phillips - ANC 2E	007148 - 007151
19459	Andrew Phillips - ANC 2F.....	007148 - 007151

FINAL RULEMAKING

Consumer and Regulatory Affairs, Department of -

Amend 12 DCMR (Construction Codes Supplement of 2013),

Subtitle A (Building Code Supplement of 2013),

Ch. 1 (Administration and Enforcement),

Sec. 101 (General),

Sec. 102 (Applicability);

Ch. 3 (Use and Occupancy Classification),

Sec. 308 (Institutional Group I)007152 - 007156

Subtitle B (Residential Code Supplement of 2013),

Appendix M (Home Day Care),

Sec. M101(General),

Sec. M103 (Means of Egress).....007152 - 007156

Subtitle F (Plumbing Code Supplement of 2013),

Ch. 11 (Storm Drainage),

Sec. 1115 (Rainwater Collection and Distribution Systems)007152 - 007156

Subtitle H (Fire Code Supplement of 2013),

Ch. 3 (General Requirements),

Sec. 319 (Day Care Facilities in Dwelling Units);

Appendix K (Home Day Care),

Sec. K101 (General) and

Sec. K103 (Means of Egress)007152 - 007156

to update the provisions for child development homes007152 - 007156

Contracting and Procurement, Office of -

Amend 27 (Contracts and Procurement),

Ch. 16 (Procurement by Competitive Sealed Proposals),

to repeal and replace Sec. 1611 (Reserved) with

Sec. 1611 (Prices for Services Provided Under the

District’s Medicaid Managed Care Program),

to establish prices the Department of Health Care Finance (DHCF)

shall pay to the District of Columbia’s Medicaid Managed Care

Organization (MCO) contractors007157 - 007158

ACTIONS OF THE EXECUTIVE BRANCH AND INDEPENDENT AGENCIES CONT'D

FINAL RULEMAKING CONT'D

Documents and Administrative Issuances, Office of -
 Errata notice to amend 5 DCMR (Education),
 Subtitle E (Original Title 5),
 Chapter 22 (Grades, Promotion, and Graduation),
 Sec. 2201 (Promotion), to correct eligibility requirements
 to be classified as an eleventh grade student in alignment
 with state graduation regulations 007159 - 007160

Education, Office of the State Superintendent of -
 Amend 5 DCMR (Education),
 Subtitle A (Office of the State Superintendent of Education),
 to add Ch. 75 (Alternative Program),
 Sections 7500 - 7506 and Sec. 7599 (Definitions),
 to establish eligibility criteria and application process for a
 school or specialized program within a school to be designated
 as an alternative program007161 - 007169

Tax and Revenue, Office of -
 Amend 9 DCMR (Taxation and Assessments),
 Ch. 3 (Real Property Taxes),
 Sec. 316 (Real Property Tax Sale Redemption and
 Tax Deed Issuance Rules),
 to clarify the circumstances under which a tax sale
 certificate can be canceled007170

University of the District of Columbia -
 Amend 8 DCMR (Higher Education),
 Subtitle B (University of the District of Columbia),
 Ch. 4 (Budget and Finance),
 Sec. 411 (Business Enterprises and Sales of Products
 and Services), to allow the University to establish
 business enterprises, including the sales of products and
 services to the public 007171

PROPOSED RULEMAKING

Contracting and Procurement, Office of -
 Amend 27 DCMR (Contracts and Procurement),
 to add Ch. 30 (Inherently Governmental Functions),
 Sections 3000 – 3006 and Sec. 3099 (Defintions),
 to establish standards for awarding a contract for
 services associated with an inherently governmental
 function; Second Proposed Rulemaking to incorporate
 review changes from Proposed Rulemaking published on
 June 30, 2017 at 64 DCR 6120007172 - 007178

ACTIONS OF THE EXECUTIVE BRANCH AND INDEPENDENT AGENCIES CONT'D

PROPOSED RULEMAKING CONT'D

Health, Department of (DC Health) -
Amend 17 DCMR (Business, Occupations, and Professionals),
Ch. 67 (Physical Therapy),
Sec. 6706 (Continuing Education Requirements) and
Sec. 6799 (Definitions), to update the public health
education requirements for physical therapists.....007179 - 007181

Health, Department of (DC Health) -
Amend 17 DCMR (Business, Occupations, and Professionals),
Ch. 82 (Physical Therapy Assistants),
Sec. 8206 (Continuing Education Requirements) and
Sec. 8299 (Definitions), to update the public health
education requirements for physical therapy assistants.....007182 - 007183

Health, Department of (DC Health) -
Amend 17 DCMR (Business, Occupations, and Professionals),
Ch. 113 (Assisted Living Administrators),
Sections 11300 – 11311 and Sec. 11399 (Definitions),
to license, regulate and update the public health education
requirements for the profession of assisted living administrators..... 007184 - 007193

Lottery and Charitable Games, Office of -
Amend 30 DCMR (Lottery and Charitable Games),
Ch. 20 [Reserved], and to rename
Ch. 21 (Contract Administration and Management) to
Ch. 21 (Privately Operated Sports Wagering),
Sections 2100 – 2198 and Sec. 2699 (Definitions),
Ch. 22 [Reserved],
Ch. 23 [Reserved],
Ch. 24 [Reserved], and
Ch. 25 [Reserved], to implement provisions of the Sports
Wagering Lottery Amendment Act of 2018 007194 - 007283

NOTICES, OPINIONS, AND ORDERS
MAYOR’S ORDERS

2019-054 Appointments – Mayor's Advisory Commission
on Caribbean Community Affairs (Shermica Farquahart,
Shurland Oliver, and Simone Williams)..... 007284

2019-055 Appointment – Assistant City Administrator for I
nternal Services (Joseph Melder) 007285

2019-056 Appointment – Secretary of State of the District
of Columbia (Kimberly A. Bassett)..... 007286

ACTIONS OF THE EXECUTIVE BRANCH AND INDEPENDENT AGENCIES CONT'D

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

AppleTree Public Charter School -
 Request for Proposals - Available Modular Units -
 10k Square Feet of Modular Units Available..... 007287

Behavioral Health, Department of -
 Notice of Funding Availability - DC Peer Operated
 Centers (POC) Supporting Individuals with Opioid
 Use Disorders and Providing Awareness about Opioid
 Misuse - RFA No. RM0 POC OUD 061419.....007288 - 007290

Center City Public Charter Schools -
 Notice of Intent to Award Sole Source Contract -
 Apple for Macintosh Computers 007291

Education, Office of the State Superintendent of -
 Notice of Funding Availability - Fiscal Year 2020 -
 DC Environmental Literacy Advancement Grant (ELAG).....007292 - 007293

Elections, Board of -
 Certification of Filling ANC/SMD Vacancy in
 6C06 (Drew Courtney)..... 007294

Energy and Environment, Department of -
 Intent to Issue Air Quality Permit -
 #7258 Kiewit Infrastructure Co.,
 1 Washington Blvd SE007295 - 007296

For-Hire Vehicles, Department of -
 Notice of For-Hire Vehicles Advisory Council Meeting -
 June 18, 2019 007297

Health, Department of (DC Health) -
 Board of Medicine Meeting - June 26, 2019..... 007298

Interagency Council on Homelessness, DC -
 Full Council Meeting - June 11, 2019..... 007299

KIPP DC Public Charter Schools -
 Request for Proposals -
 Tax and Payroll Consulting Services 007300
 X-Ray Bag Scanners 007300
 Food Service Management Company Services..... 007300

ACTIONS OF THE EXECUTIVE BRANCH AND INDEPENDENT AGENCIES CONT'D

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

Police Department, Metropolitan -
 Notice of Publication of the 2018 First Amendment
 Activities Report007301 - 007302

Public Service Commission -
 Notice of Proposed Tariff - Electric Tariff 2019-02 - Proposal
 of the Potomac Electric Power Company to Amend its General
 Terms and Conditions Tariff, P.S.C.-D.C. No. 1007303 - 007304

Notice of Proposed Tariff - Gas Tariff 00-2 - Washington Gas
 Light Company’s Rights-of-Way Surcharge General Regulations
 Tariff, P.S.C.-D.C. No. 3.....007305 - 007306

Public Notice - Revised Comment Period - Formal Case No. 1115 -
 Washington Gas Light Company’s Request for Approval of a Revised
 Accelerated Pipe Replacement Plan.....007307 - 007308

Secretary, Office of the -
 Recommendations for Appointments as DC Notaries Public -
 Effective July 15, 2019007309 - 007317

Transportation, District Department of -
 Major Crash Review Task Force - Updated 2019 Meeting Schedule007318 - 007320

Two Rivers Public Charter School -
 Request for Proposals - Retirement Plan Services 007321

Washington Convention and Sports Authority (t/a Events DC) -
 Notice of Location Change for Public Meeting -
 June 13, 2019 007322

Water and Sewer Authority, DC -
 DC Retail Water and Sewer Rates Committee Meeting -
 June 25, 2019 007323
 Finance and Budget Committee Meeting - June 27, 2019 007324
 General Manager's Performance Review Committee Meeting -
 June 17, 2019 007325

Zoning Adjustment, Board of - Cases -
 19971 GRID Alternatives Mid-Atlantic for the District of
 Columbia - ANC 8D - Order007326 - 007328
 20013 Simon Chan - ANC 5C - Order.....007329 - 007331
 20018 Mount Sinai Baptist Church - ANC 5E - Order.....007332 - 007334
 20023 Matthew Oppenheim - ANC 6E & ANC 2F - Order007335 - 007337

ACTIONS OF THE EXECUTIVE BRANCH AND INDEPENDENT AGENCIES CONT'D

NOTICES, OPINIONS, AND ORDERS CONT'D

BOARDS, COMMISSIONS, AND AGENCIES CONT'D

Zoning Adjustment, Board of - July 31, 2019 - Public Meeting Notice

20049	Clementine Thomas and Sasaun Vasfi - ANC 3D.....	007338 - 007340
20076	Athos Pashiardis - ANC 5E	007338 - 007340
20084	Korey Marable - ANC 7E.....	007338 - 007340

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 23-6

**"Randall School Museum and Housing Development Real Property Tax Abatement
Amendment Act of 2019"**

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 23-21 on first and second readings March 5, 2019, and April 2, 2019, respectively. Following the signature of the Mayor on April 10, 2019, pursuant to Section 404(e) of the Charter, the bill became Act 23-38 and was published in the April 19, 2019 edition of the D.C. Register (Vol. 66, page 4944). Act 23-38 was transmitted to Congress on April 22, 2019 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 23-38 is now D.C. Law 23-6, effective June 4, 2019.



Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

April	22, 23, 24, 25, 26, 29, 30
May	1, 2, 3, 6, 7, 8, 9, 10, 13, 14, 15, 16, 17, 20, 21, 22, 23, 24, 28, 29, 30, 31
June	3

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 23-7

"Small and Certified Business Enterprise Development and Assistance Temporary Amendment Act of 2019"

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 23-100 on first and second readings March 5, 2019, and April 2, 2019, respectively. Following the signature of the Mayor on April 15, 2019, pursuant to Section 404(e) of the Charter, the bill became Act 23-39 and was published in the April 26, 2019 edition of the D.C. Register (Vol. 66, page 5250). Act 23-39 was transmitted to Congress on April 22, 2019 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 23-39 is now D.C. Law 23-7, effective June 4, 2019.



Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

April	22, 23, 24, 25, 26, 29, 30
May	1, 2, 3, 6, 7, 8, 9, 10, 13, 14, 15, 16, 17, 20, 21, 22, 23, 24, 28, 29, 30, 31
June	3

ENROLLED ORIGINAL

A RESOLUTION

23-105

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 4, 2019

To confirm the appointment of Mr. David Do as the Director of the Department of For-Hire Vehicles.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Department of For-Hire Vehicles David Do Confirmation Resolution of 2019”.

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

Mr. David Do
(Ward 5)

as the Director of the Department of For-Hire Vehicles, established by section 5 of the Department of For-Hire Vehicles Establishment Act of 1985, effective March 25, 1986 (D.C. Law 6-97; D.C. Official Code § 50-301.04), to serve at the pleasure of the Mayor.

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

23-106

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 4, 2019

To confirm the appointment of Ms. Emilia Ferrara to the Commission on Fashion Arts and Events.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Commission on Fashion Arts and Events Emilia Ferrara Confirmation Resolution of 2019”.

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

Ms. Emilia Ferrara
(Ward 2)

as a member of the Commission on Fashion Arts and Events, established by section 2 of the Commission on Fashion Arts and Events Establishment Act of 2008, effective April 15, 2008 (D.C. Law 17-148; D.C. Official Code § 3-651), succeeding Jacqueline Rodgers-Hart, for a term to end April 15, 2023.

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

23-107

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 4, 2019

To confirm the appointment of Mr. Delano Hunter as Director of the Department of Parks and Recreation.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Director of the Department of Parks and Recreation Delano Hunter Confirmation Resolution of 2019”.

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

Mr. Delano Hunter
(Ward 5)

as Director of the Department of Parks and Recreation, in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), to serve at the pleasure of the Mayor of the District of Columbia.

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

23-114

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 4, 2019

To confirm the reappointment of Mr. Mark Herzog to the Commission on Human Rights.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Commission on Human Rights Mark Herzog Confirmation Resolution of 2019”.

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

Mr. Mark Herzog
(Ward 3)

as a member of the Commission on Human Rights, established by section 401 of the Human Rights Act of 1977, effective December 7, 2004 (D.C. Law 15-216; D.C. Official Code § 2-1404.01), and in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), for a term to end December 31, 2021.

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

23-115

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 4, 2019

To confirm the appointment of Mr. Ben de Guzman as the Executive Director of the Office on Asian and Pacific Islander Affairs.

RESOLVED, BY COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Executive Director of the Office on Asian and Pacific Islander Affairs Ben de Guzman Confirmation Resolution of 2019”.

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

Mr. Ben de Guzman
(Ward 1)

as the Executive Director of the Office on Asian and Pacific Islander Affairs, established by section 304 of the Office on Asian and Pacific Islander Affairs Establishment Act of 2001, effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 2-1373), and in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), to serve at the pleasure of the Mayor.

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

23-116

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 4, 2019

To confirm the appointment of Ms. Kimberly Bassett as the Secretary of the District of Columbia.

RESOLVED, BY COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Secretary of the District of Columbia Kimberly Bassett Confirmation Resolution of 2019”.

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

Ms. Kimberly Bassett
(Ward 3)

as Secretary of the District of Columbia, in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), to serve at the pleasure of the Mayor.

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

23-117

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 4, 2019

To confirm the appointment of Mr. Christopher Geldart as the Director of the Department of Public Works.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Director of the Department of Public Works Christopher Geldart Confirmation Resolution of 2019”.

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

Mr. Christopher Geldart
(Ward 6)

as the Director of the Department of Public Works, established by Reorganization Plan No. 4 of 1983, effective March 1, 1984 (part D of subchapter VI of Chapter 15 of Title 1 of the D.C. Official Code), and in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), to serve at the pleasure of the Mayor.

Sec. 3. The Council 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

23-118

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 4, 2019

To confirm the appointment of Ms. Brandi Colander as a member of the Green Finance Authority Board.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Green Finance Authority Board Brandi Colander Confirmation Resolution of 2019”.

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

Ms. Brandi Colander
(Ward 7)

as a member with financial, project development, or legal expertise in clean energy, clean infrastructure, clean transportation, stormwater management, or green infrastructure of the Green Finance Authority Board, established by section 201 of the Green Finance Authority Establishment Act of 2018, effective August 22, 2018 (D.C. Law 22-155; D.C. Official Code § 8-173.21), for a 3-year term.

Sec. 3. The Council 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

23-119

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 4, 2019

To confirm the appointment of Ms. Hannah Hawkins as a member of the Green Finance Authority Board.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Green Finance Authority Board Hannah Hawkins Confirmation Resolution of 2019”.

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

Ms. Hannah Hawkins
(Ward 2)

as a member with financial, project development, or legal expertise in clean energy, clean infrastructure, clean transportation, stormwater management, or green infrastructure of the Green Finance Authority Board, established by section 201 of the Green Finance Authority Establishment Act of 2018, effective August 22, 2018 (D.C. Law 22-155; D.C. Official Code § 8-173.21), for a 2-year term.

Sec. 3. The Council 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

23-120

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 4, 2019

To confirm the appointment of Mr. Edward Hubbard as a member of the Green Finance Authority Board.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Green Finance Authority Board Edward Hubbard Confirmation Resolution of 2019”.

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

Mr. Edward Hubbard
(Ward 4)

as a member with financial, project development, or legal expertise in clean energy, clean infrastructure, clean transportation, stormwater management, or green infrastructure of the Green Finance Authority Board, established by section 201 of the Green Finance Authority Establishment Act of 2018, effective August 22, 2018 (D.C. Law 22-155; D.C. Official Code § 8-173.21), for a 3-year term.

Sec. 3. The Council 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

23-121

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 4, 2019

To reappoint Mr. Corbett A. Price as a principal member of the Board of Directors of the Washington Metropolitan Area Transit Authority.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Board of Directors of the Washington Metropolitan Area Transit Authority Principal Member Corbett Price Reappointment Resolution of 2019”.

Sec. 2. The Council of the District of Columbia reappoints:

Mr. Corbett A. Price
(Ward 3)

as a principal member representing the District of Columbia on the Board of Directors of the Washington Metropolitan Area Transit Authority, in accordance with the Washington Metropolitan Area Transit Authority Compact, approved November 6, 1966 (80 Stat. 1324; D.C. Official Code § 9-1107.01), and section 2 of the Washington Metropolitan Area Transit Authority Board of Directors Act of 2012, effective April 27, 2013 (D.C. Law 19-286; D.C. Official Code § 9-1108.11), for a term to end June 30, 2023.

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

23-122

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 4, 2019

To authorize and provide for the issuance, sale, and delivery in an aggregate principal amount not to exceed \$69.82 million of District of Columbia revenue bonds in one or more series and to authorize and provide for the loan of the proceeds of such bonds to assist Provident Group – Tubman Quad Properties Inc., in the financing, refinancing, or reimbursing of costs associated with an authorized project pursuant to section 490 of the District of Columbia Home Rule Act.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Howard Tubman Quad Revenue Bonds Project Approval Resolution of 2019”.

Sec. 2. Definitions.

For the purposes of this resolution, the term:

(1) “Authorized Delegate” means the Mayor or the Deputy Mayor for Planning and Economic Development, or any officer or employee of the Executive Office of the Mayor to whom the Mayor has delegated or to whom the foregoing individuals have subdelegated any of the Mayor’s functions under this resolution pursuant to section 422(6) of the Home Rule Act.

(2) “Bond Counsel” means a firm or firms of attorneys designated as bond counsel from time to time by the Mayor.

(3) “Bonds” means the District of Columbia revenue bonds, notes, or other obligations (including refunding bonds, notes, and other obligations), in one or more series, authorized to be issued pursuant to this resolution.

(4) “Borrower” means the owner of the assets financed, refinanced, or reimbursed with proceeds from the Bonds, which shall be Provident Group – Tubman Quad Properties Inc., a nonprofit corporation organized and existing under the laws of the District of Columbia, which is exempt from federal income taxes under 26 U.S.C § 501(a) as an organization described in 26 U.S.C. § 501(c)(3), and which is liable for the repayment of the Bonds.

(5) “Chairman” means the Chairman of the Council of the District of Columbia.

(6) “Closing Documents” means all documents and agreements, other than Financing Documents, that may be necessary and appropriate to issue, sell, and deliver the

ENROLLED ORIGINAL

Bonds and to make the Loan, and includes agreements, certificates, letters, opinions, forms, receipts, and other similar instruments.

(7) "District" means the District of Columbia.

(8) "Financing Documents" means the documents, other than Closing Documents, that relate to the financing or refinancing of transactions to be effected through the issuance, sale, and delivery of the Bonds and the making of the Loan, including any offering document, and any required supplements to any such documents.

(9) "Home Rule Act" means the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*).

(10) "Issuance Costs" means all fees, costs, charges, and expenses paid or incurred in connection with the authorization, preparation, printing, issuance, sale, and delivery of the Bonds and the making of the Loan, including, but not limited to, underwriting, legal, accounting, rating agency, and all other fees, costs, charges, and expenses incurred in connection with the development and implementation of the Financing Documents, the Closing Documents, and those other documents necessary or appropriate in connection with the authorization, preparation, printing, issuance, sale, marketing, and delivery of the Bonds and the making of the Loan, together with financing fees, costs, and expenses, including program fees and administrative fees charged by the District, fees paid to financial institutions and insurance companies, initial letter of credit fees (if any), and compensation to financial advisors and other persons (other than full-time employees of the District) and entities performing services on behalf of or as agents for the District.

(11) "Loan" means the District's lending of proceeds from the sale, in one or more series, of the Bonds to the Borrower.

(12) "Main Campus" means the property, which has an official mailing address of 2400 6th Street, N.W., Washington, D.C. 20059, within the boundaries as follows: beginning at Georgia Avenue and Gresham Place, the boundary line runs east to the western edge of 511 Gresham Place, north to Hobart Place, and continues east to 5th Street. Here it turns south continuing along 5th Street, past 4th Street and Howard Place to the northern edge of a quadrangle of dormitories located on 4th Street and runs behind the dorms until it reaches Bryant Street. The boundary line continues west to 4th Street then runs south to W Street and then west to the church at 5th and W Streets. It continues south along the church property to the alley paralleling V Street. From this point it runs east to 4th Street. After running south on 4th Street, to Oakdale Street, it runs west to vacant lots that face 4th Street and then south along the rear of those properties to the middle of the block. At mid-block, it turns west to 5th Street and then south past Elm Street to the alley beyond the Howard University Hospital site. It turns west for approximately 160 feet and then south to U Street. Here it turns west down U Street to Bohrer Street. At this intersection, it continues northwest to Georgia Avenue. The boundary line continues north on Georgia Avenue to V Street. Here it turns west and runs to 8th Street. It continues north on 8th Street for approximately 520 feet, and then westward across 9th Street to Florida Avenue. The boundary follows Florida Avenue, N.W. to Sherman Avenue and Barry

ENROLLED ORIGINAL

Place. Here it turns east again and runs out Barry Place to Georgia Avenue. The boundary line then runs north to Gresham Place. The term “Main Campus” includes, within the boundaries, the following satellite properties, the:

“(A) John Burr Gymnasium at 6th and Girard Streets, N.W.;

“(B) School of Business at 2600 6th Street, N.W.;

“(C) Alain Locke Hall at 2500 4th Street, N.W.;

“(D) Power Plant at 2240 6th Street, N.W.; and

“(E) Howard University Hospital at 2041 Georgia Avenue, N.W.

(13) “Project” means the financing, refinancing, or reimbursing of all or a portion of the Borrower’s costs of:

(A) The acquisition from Howard University of long term leasehold interests in certain student dormitories known as Crandall Hall, Truth Hall, Wheatley Hall, Frazier Hall, and Baldwin Hall, which comprise the Harriet Tubman Quadrangle on the Howard University’s campus, located at 2455 Fourth Street, N.W. and 2350 Fourth Street, N.W., Washington D.C., 20059, and comprising approximately 294,813 square feet (“Quad”), and the costs of modernizing, furnishing, equipping, financing, licensing, operating, and maintaining the Quad;

(B) The use of the acquisition price by Howard University to finance the costs of:

(i) A portion of its capital plan with respect to the facilities on its Main Campus (including improvements to Howard University Hospital), including, but not limited to, heating, air conditioning, and sprinkler/fire systems, modernization of classrooms, upgrading laboratories for research, roof replacement and repairs, renovation of buildings for safety and access, installation of modern instructional and clinical equipment, and the equipping of classrooms, teaching laboratories and other building learning spaces with enhanced multi-media technology, improved information systems, fiber optic wiring, camera surveillance and entry access systems;

(ii) Redeveloping the Robert and Mary Church Terrell House, located at 326 T Street, N.W., Washington, D.C., 20001, and comprising approximately 1,618 square feet; and

(iii) Redeveloping the Walter E. Washington House, located at 408-410 T Street, N.W., Washington, D.C., 20001, and comprising approximately 5,218 square feet;

(C) Funding certain working capital costs, to the extent financeable;

(D) Funding any credit enhancement costs, liquidity costs, or debt service reserve fund; and

(E) Paying Issuance Costs and other related costs to the extent permissible.

Sec. 3. Findings.

The Council finds that:

ENROLLED ORIGINAL

(1) Section 490 of the Home Rule Act provides that the Council may by resolution authorize the issuance of District revenue bonds, notes, or other obligations (including refunding bonds, notes, or other obligations) to borrow money to finance, refinance, or reimburse costs, and to assist in the financing, refinancing, or reimbursing of, the costs of undertakings in certain areas designated in section 490 and may effect the financing, refinancing, or reimbursement by loans made directly or indirectly to any individual or legal entity, by the purchase of any mortgage, note, or other security, or by the purchase, lease, or sale of any property.

(2) The Borrower has requested the District to issue, sell, and deliver revenue bonds, in one or more series pursuant to a plan of finance, in an aggregate principal amount not to exceed \$69.82 million, and to make the Loan for the purpose of financing, refinancing, or reimbursing costs of the Project.

(3) The Project is located in the District and will contribute to the health, education, safety, or welfare of, or the creation or preservation of jobs for, residents of the District, or to economic development of the District.

(4) The Project is an undertaking in the area of a facility used in connection with educational purposes as set forth within the meaning of section 490 of the Home Rule Act.

(5) The authorization, issuance, sale, and delivery of the Bonds and the Loan to the Borrower are desirable, are in the public interest, will promote the purpose and intent of section 490 of the Home Rule Act, and will assist the Project.

Sec. 4. Bond authorization.

(a) The Mayor is authorized pursuant to the Home Rule Act and this resolution to assist in financing, refinancing or reimbursing the costs of the Project by:

(1) The issuance, sale, and delivery of the Bonds, in one or more series, in an aggregate principal amount not to exceed \$69.82 million; and

(2) The making of the Loan.

(b) The Mayor is authorized to make the Loan to the Borrower for the purpose of financing, refinancing, or reimbursing the costs of the Project and establishing any fund with respect to the Bonds as required by the Financing Documents.

(c) The Mayor may charge a program fee to the Borrower, including, but not limited to, an amount sufficient to cover costs and expenses incurred by the District in connection with the issuance, sale, and delivery of each series of the Bonds, the District's participation in the monitoring of the use of the Bond proceeds and compliance with any public benefit agreements with the District, and maintaining official records of each bond transaction, and assisting in the redemption, repurchase, and remarketing of the Bonds.

Sec. 5. Bond details.

(a) The Mayor and each Authorized Delegate is authorized to take any action reasonably necessary or appropriate in accordance with this resolution in connection with the preparation,

ENROLLED ORIGINAL

execution, issuance, sale, delivery, security for, and payment of the Bonds of each series, including, but not limited to, determinations of:

- (1) The final form, content, designation, and terms of the Bonds, including a determination that the Bonds may be issued in certificated or book-entry form;
- (2) The principal amount of the Bonds to be issued and denominations of the Bonds;
- (3) The rate or rates of interest or the method for determining the rate or rates of interest on the Bonds;
- (4) The date or dates of issuance, sale, and delivery of, and the payment of interest on, the Bonds, and the maturity date or dates of the Bonds;
- (5) The terms under which the Bonds may be paid, optionally or mandatorily redeemed, accelerated, tendered, called, or put for redemption, repurchase, or remarketing before their respective stated maturities;
- (6) Provisions for the registration, transfer, and exchange of the Bonds and the replacement of mutilated, lost, stolen, or destroyed Bonds;
- (7) The creation of any reserve fund, sinking fund, or other fund with respect to the Bonds;
- (8) The time and place of payment of the Bonds;
- (9) Procedures for monitoring the use of the proceeds received from the sale of the Bonds to ensure that the proceeds are properly applied to the Project and used to accomplish the purposes of the Home Rule Act and this resolution;
- (10) Actions necessary to qualify the Bonds under blue sky laws of any jurisdiction where the Bonds are marketed; and
- (11) The terms and types of credit enhancement under which the Bonds may be secured.

(b) The Bonds shall contain a legend, which shall provide that the Bonds are special obligations of the District, are without recourse to the District, are not a pledge of, and do not involve the faith and credit or the taxing power of the District, do not constitute a debt of the District, and do not constitute lending of the public credit for private undertakings as prohibited in section 602(a)(2) of the Home Rule Act.

(c) The Bonds shall be executed in the name of the District and on its behalf by the manual or facsimile signature of the Mayor, and attested by the Secretary of the District of Columbia by the Secretary of the District of Columbia's manual or facsimile signature. The Mayor's execution and delivery of the Bonds shall constitute conclusive evidence of the Mayor's approval, on behalf of the District, of the final form and content of the Bonds.

(d) The official seal of the District, or a facsimile of it, shall be impressed, printed, or otherwise reproduced on the Bonds.

(e) The Bonds of any series may be issued in accordance with the terms of a trust instrument to be entered into by the District and a trustee to be selected by the Borrower subject

ENROLLED ORIGINAL

to the approval of the Mayor, and may be subject to the terms of one or more agreements entered into by the Mayor pursuant to section 490(a)(4) of the Home Rule Act.

(f) The Bonds may be issued at any time or from time to time in one or more issues and in one or more series.

Sec. 6. Sale of the Bonds.

(a) The Bonds of any series may be sold at negotiated or competitive sale at, above, or below par, to one or more persons or entities, and upon terms that the Mayor considers to be in the best interest of the District.

(b) The Mayor or an Authorized Delegate may execute, in connection with each sale of the Bonds, offering documents on behalf of the District, may deem final any such offering document on behalf of the District for purposes of compliance with federal laws and regulations governing such matters and may authorize the distribution of the documents in connection with the sale of the Bonds.

(c) The Mayor is authorized to deliver the executed and sealed Bonds, on behalf of the District, for authentication, and, after the Bonds have been authenticated, to deliver the Bonds to the original purchasers of the Bonds upon payment of the purchase price.

(d) The Bonds shall not be issued until the Mayor receives an approving opinion from Bond Counsel as to the validity of the Bonds of such series and, if the interest on the Bonds is expected to be exempt from federal income taxation, the treatment of the interest on the Bonds for purposes of federal income taxation.

Sec. 7. Payment and security.

(a) The principal of, premium, if any, and interest on, the Bonds shall be payable solely from proceeds received from the sale of the Bonds, income realized from the temporary investment of those proceeds, receipts and revenues realized by the District from the Loan, income realized from the temporary investment of those receipts and revenues prior to payment to the Bond owners, other moneys that, as provided in the Financing Documents, may be made available to the District for the payment of the Bonds, and other sources of payment (other than from the District), all as provided for in the Financing Documents.

(b) Payment of the Bonds shall be secured as provided in the Financing Documents and by an assignment by the District for the benefit of the Bond owners of certain of its rights under the Financing Documents and Closing Documents, including a security interest in certain collateral, if any, to the trustee for the Bonds pursuant to the Financing Documents.

(c) The trustee is authorized to deposit, invest, and disburse the proceeds received from the sale of the Bonds pursuant to the Financing Documents.

Sec. 8. Financing and Closing Documents.

(a) The Mayor is authorized to prescribe the final form and content of all Financing Documents and all Closing Documents to which the District is a party that may be necessary or

ENROLLED ORIGINAL

appropriate to issue, sell, and deliver the Bonds and to make the Loan to the Borrower. Each of the Financing Documents and each of the Closing Documents to which the District is not a party shall be approved, as to form and content, by the Mayor.

(b) The Mayor is authorized to execute, in the name of the District and on its behalf, the Financing Documents and any Closing Documents to which the District is a party by the Mayor's manual or facsimile signature.

(c) If required, the official seal of the District, or a facsimile of it, shall be impressed, printed, or otherwise reproduced on the Financing Documents and the Closing Documents to which the District is a party.

(d) The Mayor's execution and delivery of the Financing Documents and the Closing Documents to which the District is a party shall constitute conclusive evidence of the Mayor's approval, on behalf of the District, of the final form and content of the executed Financing Documents and the executed Closing Documents.

(e) The Mayor is authorized to deliver the executed and sealed Financing Documents and Closing Documents, on behalf of the District, prior to or simultaneously with the issuance, sale, and delivery of the Bonds, and to ensure the due performance of the obligations of the District contained in the executed, sealed, and delivered Financing Documents and Closing Documents.

Sec. 9. Authorized delegation of authority.

To the extent permitted by District and federal laws, the Mayor may delegate to any Authorized Delegate the performance of any function authorized to be performed by the Mayor under this resolution.

Sec. 10. Limited liability.

(a) The Bonds shall be special obligations of the District. The Bonds shall be without recourse to the District. The Bonds shall not be general obligations of the District, shall not be a pledge of, or involve the faith and credit or the taxing power of, the District, shall not constitute a debt of the District, and shall not constitute lending of the public credit for private undertakings as prohibited in section 602(a)(2) of the Home Rule Act.

(b) The Bonds shall not give rise to any pecuniary liability of the District and the District shall have no obligation with respect to the purchase of the Bonds.

(c) Nothing contained in the Bonds, in the Financing Documents, or in the Closing Documents shall create an obligation on the part of the District to make payments with respect to the Bonds from sources other than those listed for that purpose in section 7.

(d) The District shall have no liability for the payment of any Issuance Costs or for any transaction or event to be effected by the Financing Documents.

(e) All covenants, obligations, and agreements of the District contained in this resolution, the Bonds, and the executed, sealed, and delivered Financing Documents and Closing Documents to which the District is a party, shall be considered to be the covenants, obligations, and agreements of the District to the fullest extent authorized by law, and each of those

ENROLLED ORIGINAL

covenants, obligations, and agreements shall be binding upon the District, subject to the limitations set forth in this resolution.

(f) No person, including, but not limited to, the Borrower and any Bond owner, shall have any claims against the District or any of its elected or appointed officials, officers, employees, or agents for monetary damages suffered as a result of the failure of the District or any of its elected or appointed officials, officers, employees, or agents to perform any covenant, undertaking, or obligation under this resolution, the Bonds, the Financing Documents, or the Closing Documents, or as a result of the incorrectness of any representation in or omission from the Financing Documents or the Closing Documents, unless the District or its elected or appointed officials, officers, employees, or agents have acted in a willful and fraudulent manner.

Sec. 11. District officials.

(a) Except as otherwise provided in section 10(f), the elected or appointed officials, officers, employees, or agents of the District shall not be liable personally for the payment of the Bonds or be subject to any personal liability by reason of the issuance, sale, or delivery of the Bonds, or for any representations, warranties, covenants, obligations, or agreements of the District contained in this resolution, the Bonds, the Financing Documents, or the Closing Documents.

(b) The signature, countersignature, facsimile signature, or facsimile countersignature of any official appearing on the Bonds, the Financing Documents, or the Closing Documents shall be valid and sufficient for all purposes notwithstanding the fact that the individual signatory ceases to hold that office before delivery of the Bonds, the Financing Documents, or the Closing Documents.

Sec.12. Maintenance of documents.

Copies of the specimen Bonds and of the final Financing Documents and Closing Documents shall be filed in the Office of the Secretary of the District of Columbia.

Sec.13. Information reporting.

Within 3 days after the Mayor's receipt of the transcript of proceedings relating to the issuance of the Bonds, the Mayor shall transmit a copy of the transcript to the Secretary to the Council.

Sec. 14. Disclaimer.

(a) The issuance of Bonds is in the discretion of the District. Nothing contained in this resolution, the Bonds, the Financing Documents, or the Closing Documents shall be construed as obligating the District to issue any Bonds for the benefit of the Borrower or to participate in or assist the Borrower in any way with financing, refinancing, or reimbursing the costs of the Project. The Borrower shall have no claims for damages or for any other legal or equitable relief

ENROLLED ORIGINAL

against the District, its elected or appointed officials, officers, employees, or agents as a consequence of any failure to issue any Bonds for the benefit of the Borrower.

(b) The District reserves the right to issue the Bonds in the order or priority it determines in its sole and absolute discretion. The District gives no assurance and makes no representations that any portion of any limited amount of bonds or other obligations, the interest on which is excludable from gross income for federal income tax purposes, will be reserved or will be available at the time of the proposed issuance of the Bonds.

(c) The District, by adopting this resolution or by taking any other action in connection with financing, refinancing, or reimbursing costs of the Project, does not provide any assurance that the Project is viable or sound, that the Borrower is financially sound, or that amounts owing on the Bonds or pursuant to the Loan will be paid. Neither the Borrower, any purchaser of the Bonds, nor any other person shall rely upon the District with respect to these matters.

Sec. 15. Expiration.

If any Bonds are not issued, sold, and delivered to the original purchaser within 3 years of the date of this resolution, the authorization provided in this resolution with respect to the issuance, sale, and delivery of the Bonds shall expire.

Sec. 16. Severability.

If any particular provision of this resolution or the application thereof to any person or circumstance is held invalid, the remainder of this resolution and the application of such provision to other persons or circumstances shall not be affected thereby. If any action or inaction contemplated under this resolution is determined to be contrary to the requirements of applicable law, such action or inaction shall not be necessary for the purpose of issuing of the Bonds, and the validity of the Bonds shall not be adversely affected.

Sec. 17. Compliance with public approval requirement.

This approval shall constitute the approval of the Council as required in section 147(f) of the Internal Revenue Code of 1986, as amended, approved October 22, 1986 (100 Stat. 2635; 26 U.S.C. § 147(f)), and section 490(k) of the Home Rule Act, for the Project to be financed, refinanced, or reimbursed with the proceeds of the Bonds. This resolution approving the issuance of the Bonds for the Project has been adopted by the Council after a public hearing held at least 14 days after publication of notice in a newspaper of general circulation in the District.

Sec. 18. Transmittal.

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

ENROLLED ORIGINAL

Sec. 19. 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. 20. Effective date.

This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

23-123

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 4, 2019

To authorize and provide for the issuance, sale, and delivery in an aggregate principal amount not to exceed \$17 million of District of Columbia revenue bonds in one or more series and to authorize and provide for the loan of the proceeds of such bonds to assist Inspired Teaching Demonstration Public Charter School, Inc., and Shaed School, LLC, in the financing, refinancing, or reimbursing of costs associated with an authorized project pursuant to section 490 of the District of Columbia Home Rule Act.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Shaed School Revenue Bonds Project Approval Resolution of 2019”.

Sec. 2. Definitions.

For the purposes of this resolution, the term:

(1) “Authorized Delegate” means the Mayor or the Deputy Mayor for Planning and Economic Development, or any officer or employee of the Executive Office of the Mayor to whom the Mayor has delegated or to whom the foregoing individuals have subdelegated any of the Mayor’s functions under this resolution pursuant to section 422(6) of the Home Rule Act.

(2) “Bond Counsel” means a firm or firms of attorneys designated as bond counsel from time to time by the Mayor.

(3) “Bonds” means the District of Columbia revenue bonds, notes, or other obligations (including refunding bonds, notes, and other obligations), in one or more series, authorized to be issued pursuant to this resolution.

(4) “Borrower” means the owner of the assets financed, refinanced, or reimbursed with proceeds from the Bonds, which shall be Inspired Teaching Demonstration Public Charter School, Inc., and Shaed School, LLC, which are exempt from federal income taxes under 26 U.S.C § 501(a) as organizations described in 26 U.S.C. § 501(c)(3) and which are liable for the repayment of the Bonds.

(5) “Chairman” means the Chairman of the Council of the District of Columbia.

(6) “Closing Documents” means all documents and agreements, other than Financing Documents, that may be necessary and appropriate to issue, sell, and deliver the

ENROLLED ORIGINAL

Bonds and to make the Loan, and includes agreements, certificates, letters, opinions, forms, receipts, and other similar instruments.

(7) "District" means the District of Columbia.

(8) "Financing Documents" means the documents, other than Closing Documents, that relate to the financing or refinancing of transactions to be effected through the issuance, sale, and delivery of the Bonds and the making of the Loan, including any offering document, and any required supplements to any such documents.

(9) "Home Rule Act" means the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*).

(10) "Issuance Costs" means all fees, costs, charges, and expenses paid or incurred in connection with the authorization, preparation, printing, issuance, sale, and delivery of the Bonds and the making of the Loan, including, but not limited to, underwriting, legal, accounting, rating agency, and all other fees, costs, charges, and expenses incurred in connection with the development and implementation of the Financing Documents, the Closing Documents, and those other documents necessary or appropriate in connection with the authorization, preparation, printing, issuance, sale, marketing, and delivery of the Bonds and the making of the Loan, together with financing fees, costs, and expenses, including program fees and administrative fees charged by the District, fees paid to financial institutions and insurance companies, initial letter of credit fees (if any), and compensation to financial advisors and other persons (other than full-time employees of the District) and entities performing services on behalf of or as agents for the District.

(11) "Loan" means the District's lending of proceeds from the sale, in one or more series, of the Bonds to the Borrower.

(12) "Project" means the financing, refinancing or reimbursing of all or a portion of the Borrower's costs of:

(A) Refinancing of certain indebtedness, and repayment of contributed capital, the proceeds of which were used to acquire, finance, or refinance the costs of leasehold improvements to the Borrower's charter school facility located at 200 Douglas Street, N.E., Washington, D.C. 20002 ("Facility");

(B) Financing or refinancing the costs of the build-out of the basement and possibly other floors at the Facility;

(C) Funding any credit enhancement costs, liquidity costs, or debt service reserve fund relating to the Bonds; and

(D) Paying cost of issuance and other related costs to the extent permissible relating to the Bonds.

Sec. 3. Findings.

ENROLLED ORIGINAL

The Council finds that:

(1) Section 490 of the Home Rule Act provides that the Council may, by resolution, authorize the issuance of District revenue bonds, notes, or other obligations (including refunding bonds, notes, or other obligations) to borrow money to finance, refinance, or reimburse costs, and to assist in the financing, refinancing, or reimbursing of, the costs of undertakings in certain areas designated in section 490 and may effect the financing, refinancing, or reimbursement by loans made directly or indirectly to any individual or legal entity, by the purchase of any mortgage, note, or other security, or by the purchase, lease, or sale of any property.

(2) The Borrower has requested the District to issue, sell, and deliver revenue bonds, in one or more series pursuant to a plan of finance, in an aggregate principal amount not to exceed \$17 million, and to make the Loan for the purpose of financing, refinancing, or reimbursing costs of the Project.

(3) The Project is located in the District and will contribute to the health, education, safety, or welfare of, or the creation or preservation of jobs for, residents of the District, or to economic development of the District.

(4) The Project is an undertaking in the areas of elementary and secondary school facilities, within the meaning of section 490 of the Home Rule Act.

(5) The authorization, issuance, sale, and delivery of the Bonds and the Loan to the Borrower are desirable, are in the public interest, will promote the purpose and intent of section 490 of the Home Rule Act, and will assist the Project.

Sec. 4. Bond authorization.

(a) The Mayor is authorized pursuant to the Home Rule Act and this resolution to assist in financing, refinancing, or reimbursing the costs of the Project by:

(1) The issuance, sale, and delivery of the Bonds, in one or more series, in an aggregate principal amount not to exceed \$17 million; and

(2) The making of the Loan.

(b) The Mayor is authorized to make the Loan to the Borrower for the purpose of financing, refinancing, or reimbursing the costs of the Project and establishing any fund with respect to the Bonds as required by the Financing Documents.

(c) The Mayor may charge a program fee to the Borrower, including, but not limited to, an amount sufficient to cover costs and expenses incurred by the District in connection with the issuance, sale, and delivery of each series of the Bonds, the District's participation in the monitoring of the use of the Bond proceeds and compliance with any public benefit agreements with the District, and maintaining official records of each bond transaction, and assisting in the redemption, repurchase, and remarketing of the Bonds.

Sec. 5. Bond details.

ENROLLED ORIGINAL

(a) The Mayor and each Authorized Delegate is authorized to take any action reasonably necessary or appropriate in accordance with this resolution in connection with the preparation, execution, issuance, sale, delivery, security for, and payment of the Bonds of each series, including, but not limited to, determinations of:

- (1) The final form, content, designation, and terms of the Bonds, including a determination that the Bonds may be issued in certificated or book-entry form;
- (2) The principal amount of the Bonds to be issued and denominations of the Bonds;
- (3) The rate or rates of interest or the method for determining the rate or rates of interest on the Bonds;
- (4) The date or dates of issuance, sale, and delivery of, and the payment of interest on, the Bonds, and the maturity date or dates of the Bonds;
- (5) The terms under which the Bonds may be paid, optionally or mandatorily redeemed, accelerated, tendered, called, or put for redemption, repurchase, or remarketing before their respective stated maturities;
- (6) Provisions for the registration, transfer, and exchange of the Bonds and the replacement of mutilated, lost, stolen, or destroyed Bonds;
- (7) The creation of any reserve fund, sinking fund, or other fund with respect to the Bonds;
- (8) The time and place of payment of the Bonds;
- (9) Procedures for monitoring the use of the proceeds received from the sale of the Bonds to ensure that the proceeds are properly applied to the Project and used to accomplish the purposes of the Home Rule Act and this resolution;
- (10) Actions necessary to qualify the Bonds under blue sky laws of any jurisdiction where the Bonds are marketed; and
- (11) The terms and types of credit enhancement under which the Bonds may be secured.

(b) The Bonds shall contain a legend, which shall provide that the Bonds are special obligations of the District, are without recourse to the District, are not a pledge of, and do not involve the faith and credit or the taxing power of the District, do not constitute a debt of the District, and do not constitute lending of the public credit for private undertakings as prohibited in section 602(a)(2) of the Home Rule Act.

(c) The Bonds shall be executed in the name of the District and on its behalf by the manual or facsimile signature of the Mayor, and attested by the Secretary of the District of Columbia by the Secretary of the District of Columbia's manual or facsimile signature. The Mayor's execution and delivery of the Bonds shall constitute conclusive evidence of the Mayor's approval, on behalf of the District, of the final form and content of the Bonds.

(d) The official seal of the District, or a facsimile of it, shall be impressed, printed, or otherwise reproduced on the Bonds.

ENROLLED ORIGINAL

(e) The Bonds of any series may be issued in accordance with the terms of a trust instrument to be entered into by the District and a trustee to be selected by the Borrower subject to the approval of the Mayor, and may be subject to the terms of one or more agreements entered into by the Mayor pursuant to section 490(a)(4) of the Home Rule Act.

(f) The Bonds may be issued at any time or from time to time in one or more issues and in one or more series.

Sec. 6. Sale of the Bonds.

(a) The Bonds of any series may be sold at negotiated or competitive sale at, above, or below par, to one or more persons or entities, and upon terms that the Mayor considers to be in the best interest of the District.

(b) The Mayor or an Authorized Delegate may execute, in connection with each sale of the Bonds, offering documents on behalf of the District, may deem final any such offering document on behalf of the District for purposes of compliance with federal laws and regulations governing such matters and may authorize the distribution of the documents in connection with the sale of the Bonds.

(c) The Mayor is authorized to deliver the executed and sealed Bonds, on behalf of the District, for authentication, and, after the Bonds have been authenticated, to deliver the Bonds to the original purchasers of the Bonds upon payment of the purchase price.

(d) The Bonds shall not be issued until the Mayor receives an approving opinion from Bond Counsel as to the validity of the Bonds of such series and, if the interest on the Bonds is expected to be exempt from federal income taxation, the treatment of the interest on the Bonds for purposes of federal income taxation.

Sec. 7. Payment and security.

(a) The principal of, premium, if any, and interest on, the Bonds shall be payable solely from proceeds received from the sale of the Bonds, income realized from the temporary investment of those proceeds, receipts and revenues realized by the District from the Loan, income realized from the temporary investment of those receipts and revenues prior to payment to the Bond owners, other moneys that, as provided in the Financing Documents, may be made available to the District for the payment of the Bonds, and other sources of payment (other than from the District), all as provided for in the Financing Documents.

(b) Payment of the Bonds shall be secured as provided in the Financing Documents and by an assignment by the District for the benefit of the Bond owners of certain of its rights under the Financing Documents and Closing Documents, including a security interest in certain collateral, if any, to the trustee for the Bonds pursuant to the Financing Documents.

(c) The trustee is authorized to deposit, invest, and disburse the proceeds received from the sale of the Bonds pursuant to the Financing Documents.

Sec. 8. Financing and Closing Documents.

ENROLLED ORIGINAL

(a) The Mayor is authorized to prescribe the final form and content of all Financing Documents and all Closing Documents to which the District is a party that may be necessary or appropriate to issue, sell, and deliver the Bonds and to make the Loan to the Borrower. Each of the Financing Documents and each of the Closing Documents to which the District is not a party shall be approved, as to form and content, by the Mayor.

(b) The Mayor is authorized to execute, in the name of the District and on its behalf, the Financing Documents and any Closing Documents to which the District is a party by the Mayor's manual or facsimile signature.

(c) If required, the official seal of the District, or a facsimile of it, shall be impressed, printed, or otherwise reproduced on the Financing Documents and the Closing Documents to which the District is a party.

(d) The Mayor's execution and delivery of the Financing Documents and the Closing Documents to which the District is a party shall constitute conclusive evidence of the Mayor's approval, on behalf of the District, of the final form and content of the executed Financing Documents and the executed Closing Documents.

(e) The Mayor is authorized to deliver the executed and sealed Financing Documents and Closing Documents, on behalf of the District, prior to or simultaneously with the issuance, sale, and delivery of the Bonds, and to ensure the due performance of the obligations of the District contained in the executed, sealed, and delivered Financing Documents and Closing Documents.

Sec. 9. Authorized delegation of authority.

To the extent permitted by District and federal laws, the Mayor may delegate to any Authorized Delegate the performance of any function authorized to be performed by the Mayor under this resolution.

Sec. 10. Limited liability.

(a) The Bonds shall be special obligations of the District. The Bonds shall be without recourse to the District. The Bonds shall not be general obligations of the District, shall not be a pledge of, or involve the faith and credit or the taxing power of, the District, shall not constitute a debt of the District, and shall not constitute lending of the public credit for private undertakings as prohibited in section 602(a)(2) of the Home Rule Act.

(b) The Bonds shall not give rise to any pecuniary liability of the District and the District shall have no obligation with respect to the purchase of the Bonds.

(c) Nothing contained in the Bonds, in the Financing Documents, or in the Closing Documents shall create an obligation on the part of the District to make payments with respect to the Bonds from sources other than those listed for that purpose in section 7.

(d) The District shall have no liability for the payment of any Issuance Costs or for any transaction or event to be effected by the Financing Documents.

(e) All covenants, obligations, and agreements of the District contained in this resolution, the Bonds, and the executed, sealed, and delivered Financing Documents and Closing

ENROLLED ORIGINAL

Documents to which the District is a party, shall be considered to be the covenants, obligations, and agreements of the District to the fullest extent authorized by law, and each of those covenants, obligations, and agreements shall be binding upon the District, subject to the limitations set forth in this resolution.

(f) No person, including, but not limited to, the Borrower and any Bond owner, shall have any claims against the District or any of its elected or appointed officials, officers, employees, or agents for monetary damages suffered as a result of the failure of the District or any of its elected or appointed officials, officers, employees, or agents to perform any covenant, undertaking, or obligation under this resolution, the Bonds, the Financing Documents, or the Closing Documents, or as a result of the incorrectness of any representation in or omission from the Financing Documents or the Closing Documents, unless the District or its elected or appointed officials, officers, employees, or agents have acted in a willful and fraudulent manner.

Sec. 11. District officials.

(a) Except as otherwise provided in section 10(f), the elected or appointed officials, officers, employees, or agents of the District shall not be liable personally for the payment of the Bonds or be subject to any personal liability by reason of the issuance, sale, or delivery of the Bonds, or for any representations, warranties, covenants, obligations, or agreements of the District contained in this resolution, the Bonds, the Financing Documents, or the Closing Documents.

(b) The signature, countersignature, facsimile signature, or facsimile countersignature of any official appearing on the Bonds, the Financing Documents, or the Closing Documents shall be valid and sufficient for all purposes notwithstanding the fact that the individual signatory ceases to hold that office before delivery of the Bonds, the Financing Documents, or the Closing Documents.

Sec.12. Maintenance of documents.

Copies of the specimen Bonds and of the final Financing Documents and Closing Documents shall be filed in the Office of the Secretary of the District of Columbia.

Sec.13. Information reporting.

Within 3 days after the Mayor's receipt of the transcript of proceedings relating to the issuance of the Bonds, the Mayor shall transmit a copy of the transcript to the Secretary to the Council.

Sec. 14. Disclaimer.

(a) The issuance of Bonds is in the discretion of the District. Nothing contained in this resolution, the Bonds, the Financing Documents, or the Closing Documents shall be construed as

ENROLLED ORIGINAL

obligating the District to issue any Bonds for the benefit of the Borrower or to participate in or assist the Borrower in any way with financing, refinancing, or reimbursing the costs of the Project. The Borrower shall have no claims for damages or for any other legal or equitable relief against the District, its elected or appointed officials, officers, employees, or agents as a consequence of any failure to issue any Bonds for the benefit of the Borrower.

(b) The District reserves the right to issue the Bonds in the order or priority it determines in its sole and absolute discretion. The District gives no assurance and makes no representations that any portion of any limited amount of bonds or other obligations, the interest on which is excludable from gross income for federal income tax purposes, will be reserved or will be available at the time of the proposed issuance of the Bonds.

(c) The District, by adopting this resolution or by taking any other action in connection with financing, refinancing, or reimbursing costs of the Project, does not provide any assurance that the Project is viable or sound, that the Borrower is financially sound, or that amounts owing on the Bonds or pursuant to the Loan will be paid. Neither the Borrower, any purchaser of the Bonds, nor any other person shall rely upon the District with respect to these matters.

Sec. 15. Expiration.

If any Bonds are not issued, sold, and delivered to the original purchaser within 3 years of the date of this resolution, the authorization provided in this resolution with respect to the issuance, sale, and delivery of the Bonds shall expire.

Sec. 16. Severability.

If any particular provision of this resolution or the application thereof to any person or circumstance is held invalid, the remainder of this resolution and the application of such provision to other persons or circumstances shall not be affected thereby. If any action or inaction contemplated under this resolution is determined to be contrary to the requirements of applicable law, such action or inaction shall not be necessary for the purpose of issuing of the Bonds, and the validity of the Bonds shall not be adversely affected.

Sec. 17. Compliance with public approval requirement.

This approval shall constitute the approval of the Council as required in section 147(f) of the Internal Revenue Code of 1986, as amended, approved October 22, 1986 (100 Stat. 2635; 26 U.S.C. § 147(f)), and section 490(k) of the Home Rule Act, for the Project to be financed, refinanced, or reimbursed with the proceeds of the Bonds. This resolution approving the issuance of the Bonds for the Project has been adopted by the Council after a public hearing held at least 14 days after publication of notice in a newspaper of general circulation in the District.

Sec. 18. Transmittal.

ENROLLED ORIGINAL

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

Sec. 19. 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. 20. Effective date.

This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

23-124

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 4, 2019

To authorize and provide for the issuance, sale, and delivery in an aggregate principal amount not to exceed \$65 million of District of Columbia revenue bonds in one or more series and to authorize and provide for the loan of the proceeds of such bonds to assist KIPP D.C. Public Charter Schools, formerly known as KIPP DC, in the financing, refinancing, or reimbursing of costs associated with an authorized project pursuant to section 490 of the District of Columbia Home Rule Act.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “KIPP D.C. Public Charter Schools Revenue Bonds Project Approval Resolution of 2019”.

Sec. 2. Definitions.

For the purposes of this resolution, the term:

(1) “Authorized Delegate” means the Mayor or the Deputy Mayor for Planning and Economic Development, or any officer or employee of the Executive Office of the Mayor to whom the Mayor has delegated or to whom the foregoing individuals have subdelegated any of the Mayor’s functions under this resolution pursuant to section 422(6) of the Home Rule Act.

(2) “Bond Counsel” means a firm or firms of attorneys designated as bond counsel from time to time by the Mayor.

(3) “Bonds” means the District of Columbia revenue bonds, notes, or other obligations (including refunding bonds, notes, and other obligations), in one or more series, authorized to be issued pursuant to this resolution.

(4) “Borrower” means the owner of the assets financed, refinanced, or reimbursed with proceeds from the Bonds, which shall be KIPP D.C. Public Charter Schools, formerly known as KIPP DC, a nonprofit corporation organized under the laws of the District of Columbia, which is exempt from federal income taxes under 26 U.S.C § 501(a) as an organization described in 26 U.S.C. § 501(c)(3) and which is liable for the repayment of the Bonds.

(5) “Chairman” means the Chairman of the Council of the District of Columbia.

(6) “Closing Documents” means all documents and agreements, other than Financing Documents, that may be necessary and appropriate to issue, sell, and deliver the Bonds and to make the Loan, and includes agreements, certificates, letters, opinions, forms, receipts, and other similar instruments.

ENROLLED ORIGINAL

(7) "District" means the District of Columbia.

(8) "Financing Documents" means the documents, other than Closing Documents, that relate to the financing or refinancing of transactions to be effected through the issuance, sale, and delivery of the Bonds and the making of the Loan, including any offering document, and any required supplements to any such documents.

(9) "Home Rule Act" means the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*).

(10) "Issuance Costs" means all fees, costs, charges, and expenses paid or incurred in connection with the authorization, preparation, printing, issuance, sale, and delivery of the Bonds and the making of the Loan, including, but not limited to, underwriting, legal, accounting, rating agency, and all other fees, costs, charges, and expenses incurred in connection with the development and implementation of the Financing Documents, the Closing Documents, and those other documents necessary or appropriate in connection with the authorization, preparation, printing, issuance, sale, marketing, and delivery of the Bonds and the making of the Loan, together with financing fees, costs, and expenses, including program fees and administrative fees charged by the District, fees paid to financial institutions and insurance companies, initial letter of credit fees (if any), and compensation to financial advisors and other persons (other than full-time employees of the District) and entities performing services on behalf of or as agents for the District.

(11) "Loan" means the District's lending of proceeds from the sale, in one or more series, of the Bonds to the Borrower.

(12) "Project" means the financing, refinancing, or reimbursing of all or a portion of the Borrower's costs of:

(A) The refinancing of certain existing indebtedness, the proceeds of which were used to finance or refinance the costs of the acquisition and construction of certain leasehold improvements at facilities located at 3301 Wheeler Road, S.E., Washington, D.C. ("Wheeler Facility");

(B) The acquisition, development, and construction, in one or more phases, of an expansion of the Borrower's existing public charter school facilities located at the Wheeler Facility and at 4801 Benning Road S.E., and 4837 Benning Road S.E., Washington D.C. ("Benning Facilities" and together with the Wheeler Facility, the "KIPP DC Facilities");

(C) The purchase of certain equipment and furnishings for the KIPP DC Facilities relating to the Bonds, together with other property, real and personal, functionally related and subordinate thereto;

(D) Funding certain working capital costs, to the extent financeable relating to the Bonds;

(E) Funding any credit enhancement costs, liquidity costs, or debt service reserve fund relating to the Bonds; and

(F) Paying cost of issuance and other related costs to the extent permissible relating to the Bonds.

Sec. 3. Findings.

ENROLLED ORIGINAL

The Council finds that:

(1) Section 490 of the Home Rule Act provides that the Council may, by resolution, authorize the issuance of District revenue bonds, notes, or other obligations (including refunding bonds, notes, or other obligations) to borrow money to finance, refinance, or reimburse costs, and to assist in the financing, refinancing, or reimbursing of, the costs of undertakings in certain areas designated in section 490 and may effect the financing, refinancing, or reimbursement by loans made directly or indirectly to any individual or legal entity, by the purchase of any mortgage, note, or other security, or by the purchase, lease, or sale of any property.

(2) The Borrower has requested the District to issue, sell, and deliver revenue bonds, in one or more series pursuant to a plan of finance, in an aggregate principal amount not to exceed \$65 million, and to make the Loan for the purpose of financing, refinancing, or reimbursing costs of the Project.

(3) The Project is located in the District and will contribute to the health, education, safety, or welfare of, or the creation or preservation of jobs for, residents of the District, or to economic development of the District.

(4) The Project is an undertaking in the area of elementary and secondary school facilities, within the meaning of section 490 of the Home Rule Act.

(5) The authorization, issuance, sale, and delivery of the Bonds and the Loan to the Borrower are desirable, are in the public interest, will promote the purpose and intent of section 490 of the Home Rule Act, and will assist the Project.

Sec. 4. Bond authorization.

(a) The Mayor is authorized pursuant to the Home Rule Act and this resolution to assist in financing, refinancing, or reimbursing the costs of the Project by:

(1) The issuance, sale, and delivery of the Bonds, in one or more series, in an aggregate principal amount not to exceed \$65 million; and

(2) The making of the Loan.

(b) The Mayor is authorized to make the Loan to the Borrower for the purpose of financing, refinancing, or reimbursing the costs of the Project and establishing any fund with respect to the Bonds as required by the Financing Documents.

(c) The Mayor may charge a program fee to the Borrower, including, but not limited to, an amount sufficient to cover costs and expenses incurred by the District in connection with the issuance, sale, and delivery of each series of the Bonds, the District's participation in the monitoring of the use of the Bond proceeds and compliance with any public benefit agreements with the District, and maintaining official records of each bond transaction, and assisting in the redemption, repurchase, and remarketing of the Bonds.

Sec. 5. Bond details.

(a) The Mayor and each Authorized Delegate is authorized to take any action reasonably necessary or appropriate in accordance with this resolution in connection with the preparation, execution, issuance, sale, delivery, security for, and payment of the Bonds of each series, including, but not limited to, determinations of:

ENROLLED ORIGINAL

- (1) The final form, content, designation, and terms of the Bonds, including a determination that the Bonds may be issued in certificated or book-entry form;
 - (2) The principal amount of the Bonds to be issued and denominations of the Bonds;
 - (3) The rate or rates of interest or the method for determining the rate or rates of interest on the Bonds;
 - (4) The date or dates of issuance, sale, and delivery of, and the payment of interest on, the Bonds, and the maturity date or dates of the Bonds;
 - (5) The terms under which the Bonds may be paid, optionally or mandatorily redeemed, accelerated, tendered, called, or put for redemption, repurchase, or remarketing before their respective stated maturities;
 - (6) Provisions for the registration, transfer, and exchange of the Bonds and the replacement of mutilated, lost, stolen, or destroyed Bonds;
 - (7) The creation of any reserve fund, sinking fund, or other fund with respect to the Bonds;
 - (8) The time and place of payment of the Bonds;
 - (9) Procedures for monitoring the use of the proceeds received from the sale of the Bonds to ensure that the proceeds are properly applied to the Project and used to accomplish the purposes of the Home Rule Act and this resolution;
 - (10) Actions necessary to qualify the Bonds under blue sky laws of any jurisdiction where the Bonds are marketed; and
 - (11) The terms and types of credit enhancement under which the Bonds may be secured.
- (b) The Bonds shall contain a legend, which shall provide that the Bonds are special obligations of the District, are without recourse to the District, are not a pledge of, and do not involve the faith and credit or the taxing power of the District, do not constitute a debt of the District, and do not constitute lending of the public credit for private undertakings as prohibited in section 602(a)(2) of the Home Rule Act.
- (c) The Bonds shall be executed in the name of the District and on its behalf by the manual or facsimile signature of the Mayor, and attested by the Secretary of the District of Columbia by the Secretary of the District of Columbia's manual or facsimile signature. The Mayor's execution and delivery of the Bonds shall constitute conclusive evidence of the Mayor's approval, on behalf of the District, of the final form and content of the Bonds.
- (d) The official seal of the District, or a facsimile of it, shall be impressed, printed, or otherwise reproduced on the Bonds.
- (e) The Bonds of any series may be issued in accordance with the terms of a trust instrument to be entered into by the District and a trustee to be selected by the Borrower subject to the approval of the Mayor, and may be subject to the terms of one or more agreements entered into by the Mayor pursuant to section 490(a)(4) of the Home Rule Act.
- (f) The Bonds may be issued at any time or from time to time in one or more issues and in one or more series.

ENROLLED ORIGINAL**Sec. 6. Sale of the Bonds.**

(a) The Bonds of any series may be sold at negotiated or competitive sale at, above, or below par, to one or more persons or entities, and upon terms that the Mayor considers to be in the best interest of the District.

(b) The Mayor or an Authorized Delegate may execute, in connection with each sale of the Bonds, offering documents on behalf of the District, may deem final any such offering document on behalf of the District for purposes of compliance with federal laws and regulations governing such matters and may authorize the distribution of the documents in connection with the sale of the Bonds.

(c) The Mayor is authorized to deliver the executed and sealed Bonds, on behalf of the District, for authentication, and, after the Bonds have been authenticated, to deliver the Bonds to the original purchasers of the Bonds upon payment of the purchase price.

(d) The Bonds shall not be issued until the Mayor receives an approving opinion from Bond Counsel as to the validity of the Bonds of such series and, if the interest on the Bonds is expected to be exempt from federal income taxation, the treatment of the interest on the Bonds for purposes of federal income taxation.

Sec. 7. Payment and security.

(a) The principal of, premium, if any, and interest on, the Bonds shall be payable solely from proceeds received from the sale of the Bonds, income realized from the temporary investment of those proceeds, receipts and revenues realized by the District from the Loan, income realized from the temporary investment of those receipts and revenues prior to payment to the Bond owners, other moneys that, as provided in the Financing Documents, may be made available to the District for the payment of the Bonds, and other sources of payment (other than from the District), all as provided for in the Financing Documents.

(b) Payment of the Bonds shall be secured as provided in the Financing Documents and by an assignment by the District for the benefit of the Bond owners of certain of its rights under the Financing Documents and Closing Documents, including a security interest in certain collateral, if any, to the trustee for the Bonds pursuant to the Financing Documents.

(c) The trustee is authorized to deposit, invest, and disburse the proceeds received from the sale of the Bonds pursuant to the Financing Documents.

Sec. 8. Financing and Closing Documents.

(a) The Mayor is authorized to prescribe the final form and content of all Financing Documents and all Closing Documents to which the District is a party that may be necessary or appropriate to issue, sell, and deliver the Bonds and to make the Loan to the Borrower. Each of the Financing Documents and each of the Closing Documents to which the District is not a party shall be approved, as to form and content, by the Mayor.

(b) The Mayor is authorized to execute, in the name of the District and on its behalf, the Financing Documents and any Closing Documents to which the District is a party by the Mayor's manual or facsimile signature.

ENROLLED ORIGINAL

(c) If required, the official seal of the District, or a facsimile of it, shall be impressed, printed, or otherwise reproduced on the Financing Documents and the Closing Documents to which the District is a party.

(d) The Mayor's execution and delivery of the Financing Documents and the Closing Documents to which the District is a party shall constitute conclusive evidence of the Mayor's approval, on behalf of the District, of the final form and content of the executed Financing Documents and the executed Closing Documents.

(e) The Mayor is authorized to deliver the executed and sealed Financing Documents and Closing Documents, on behalf of the District, prior to or simultaneously with the issuance, sale, and delivery of the Bonds, and to ensure the due performance of the obligations of the District contained in the executed, sealed, and delivered Financing Documents and Closing Documents.

Sec. 9. Authorized delegation of authority.

To the extent permitted by District and federal laws, the Mayor may delegate to any Authorized Delegate the performance of any function authorized to be performed by the Mayor under this resolution.

Sec. 10. Limited liability.

(a) The Bonds shall be special obligations of the District. The Bonds shall be without recourse to the District. The Bonds shall not be general obligations of the District, shall not be a pledge of, or involve the faith and credit or the taxing power of, the District, shall not constitute a debt of the District, and shall not constitute lending of the public credit for private undertakings as prohibited in section 602(a)(2) of the Home Rule Act.

(b) The Bonds shall not give rise to any pecuniary liability of the District and the District shall have no obligation with respect to the purchase of the Bonds.

(c) Nothing contained in the Bonds, in the Financing Documents, or in the Closing Documents shall create an obligation on the part of the District to make payments with respect to the Bonds from sources other than those listed for that purpose in section 7.

(d) The District shall have no liability for the payment of any Issuance Costs or for any transaction or event to be effected by the Financing Documents.

(e) All covenants, obligations, and agreements of the District contained in this resolution, the Bonds, and the executed, sealed, and delivered Financing Documents and Closing Documents to which the District is a party, shall be considered to be the covenants, obligations, and agreements of the District to the fullest extent authorized by law, and each of those covenants, obligations, and agreements shall be binding upon the District, subject to the limitations set forth in this resolution.

(f) No person, including, but not limited to, the Borrower and any Bond owner, shall have any claims against the District or any of its elected or appointed officials, officers, employees, or agents for monetary damages suffered as a result of the failure of the District or any of its elected or appointed officials, officers, employees, or agents to perform any covenant, undertaking, or obligation under this resolution, the Bonds, the Financing Documents, or the Closing Documents, or as a result of the incorrectness of any representation in or omission from the

ENROLLED ORIGINAL

Financing Documents or the Closing Documents, unless the District or its elected or appointed officials, officers, employees, or agents have acted in a willful and fraudulent manner.

Sec. 11. District officials.

(a) Except as otherwise provided in section 10(f), the elected or appointed officials, officers, employees, or agents of the District shall not be liable personally for the payment of the Bonds or be subject to any personal liability by reason of the issuance, sale, or delivery of the Bonds, or for any representations, warranties, covenants, obligations, or agreements of the District contained in this resolution, the Bonds, the Financing Documents, or the Closing Documents.

(b) The signature, countersignature, facsimile signature, or facsimile countersignature of any official appearing on the Bonds, the Financing Documents, or the Closing Documents shall be valid and sufficient for all purposes notwithstanding the fact that the individual signatory ceases to hold that office before delivery of the Bonds, the Financing Documents, or the Closing Documents.

Sec.12. Maintenance of documents.

Copies of the specimen Bonds and of the final Financing Documents and Closing Documents shall be filed in the Office of the Secretary of the District of Columbia.

Sec.13. Information reporting.

Within 3 days after the Mayor's receipt of the transcript of proceedings relating to the issuance of the Bonds, the Mayor shall transmit a copy of the transcript to the Secretary to the Council.

Sec. 14. Disclaimer.

(a) The issuance of Bonds is in the discretion of the District. Nothing contained in this resolution, the Bonds, the Financing Documents, or the Closing Documents shall be construed as obligating the District to issue any Bonds for the benefit of the Borrower or to participate in or assist the Borrower in any way with financing, refinancing, or reimbursing the costs of the Project. The Borrower shall have no claims for damages or for any other legal or equitable relief against the District, its elected or appointed officials, officers, employees, or agents as a consequence of any failure to issue any Bonds for the benefit of the Borrower.

(b) The District reserves the right to issue the Bonds in the order or priority it determines in its sole and absolute discretion. The District gives no assurance and makes no representations that any portion of any limited amount of bonds or other obligations, the interest on which is excludable from gross income for federal income tax purposes, will be reserved or will be available at the time of the proposed issuance of the Bonds.

(c) The District, by adopting this resolution or by taking any other action in connection with financing, refinancing, or reimbursing costs of the Project, does not provide any assurance that the Project is viable or sound, that the Borrower is financially sound, or that amounts owing

ENROLLED ORIGINAL

on the Bonds or pursuant to the Loan will be paid. Neither the Borrower, any purchaser of the Bonds, nor any other person shall rely upon the District with respect to these matters.

Sec. 15. Expiration.

If any Bonds are not issued, sold, and delivered to the original purchaser within 3 years of the date of this resolution, the authorization provided in this resolution with respect to the issuance, sale, and delivery of the Bonds shall expire.

Sec. 16. Severability.

If any particular provision of this resolution or the application thereof to any person or circumstance is held invalid, the remainder of this resolution and the application of such provision to other persons or circumstances shall not be affected thereby. If any action or inaction contemplated under this resolution is determined to be contrary to the requirements of applicable law, such action or inaction shall not be necessary for the purpose of issuing of the Bonds, and the validity of the Bonds shall not be adversely affected.

Sec. 17. Compliance with public approval requirement.

This approval shall constitute the approval of the Council as required in section 147(f) of the Internal Revenue Code of 1986, as amended, approved October 22, 1986 (100 Stat. 2635; 26 U.S.C. § 147(f)), and section 490(k) of the Home Rule Act, for the Project to be financed, refinanced, or reimbursed with the proceeds of the Bonds. This resolution approving the issuance of the Bonds for the Project has been adopted by the Council after a public hearing held at least 7 days after publication of notice in a newspaper of general circulation in the District.

Sec. 18. Transmittal.

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

Sec. 19. 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. 20. Effective date.

This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

23-125

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 3, 2019

To declare the existence of an emergency with respect to the need to approve multiyear Contract No. DCCB-2019-C-0008 with May Firm/EKM Association on PCBs to provide outside legal counsel in support of the Office of the Attorney General's investigations and potential litigation against Monsanto, Solutia Inc., Pharmacia LLC, and/or any other subsidiary, affiliate, or successor-in-interest responsible for the former manufacture and sale of polychlorinated biphenyls, for recoupment of costs and damages under common law or statutory theories of cost recovery associated with the investigation and remediation of polychlorinated biphenyls in or on lands or waters owned, controlled, or held in trust by the District, or for which the District is or may be held responsible by an agency of the federal government, any other governmental entity, including a state or municipality, or third parties, 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 "Contract No. DCCB-2019-C-0008 Approval and Payment Authorization Emergency Declaration Resolution of 2019".

Sec. 2. (a) There exists a need to approve Contract No. DCCB-2019-C-0008 with May Firm/EKM Association on PCBs to obtain outside legal counsel in support of the Office of the Attorney General's ("OAG's") investigations and potential litigation against Monsanto, Solutia Inc., Pharmacia LLC, and any other subsidiary, affiliate, or successor-in-interest responsible for the former manufacture and sale of polychlorinated biphenyls ("PCBs") ("Monsanto"). Litigation would be for the recoupment of costs and damages under common law or statutory theories of cost recovery associated with the investigation and remediation of PCBs in or on lands or waters owned, controlled, or held in trust by the District, or for which the District is or may be held responsible by an agency of the federal government, any other governmental entity, including a state or municipality, or third parties, and to authorize payment for the goods and services received and to be received under the contract.

(b) Council approval is necessary to allow OAG to obtain the services of outside legal counsel to assist in its investigation and potential litigation against Monsanto. Contract No. DCCB-2019-C-0008 is a multiyear contract, which has a 5-year base period calculated from the date of the

ENROLLED ORIGINAL

contract's award.

(c) Council approval is also necessary because the contract could require the payment of more than \$1 million during a 12-month period. The contract is a contingency fee contract with costs and fees calculated as a percentage of any monetary recovery obtained by the May Firm/EKM Association on PCBs on behalf of the District, payable only upon the District's receipt of such a recovery. The maximum amount payable to the May Firm/EKM Association on PCBs is \$26 million.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Contract No. DCCB-2019-C-0008 Approval and Payment Authorization Emergency Act of 2019 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

23-126

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 4, 2019

To declare the existence of an emergency with respect to the need to approve Modification Nos. 14 and 15 to Contract No. DCAM-15-NC-0085B with National Service Contractors, Inc., to provide grounds maintenance services, and to authorize payment in the not-to-exceed amount of \$1,307,703.69 for the goods and services received and to be received under the modifications.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Modification Nos. 14 and 15 to Contract No. DCAM-15-NC-0085B Approval and Payment Authorization Emergency Declaration Resolution of 2019”.

Sec. 2. (a) There exists an immediate need to approve Modification Nos. 14 and 15 to Contract No. DCAM-15-CS-0085B with National Service Contractors, Inc., to provide grounds maintenance services, and to authorize payment in the not-to-exceed amount of \$1,307,703.69 for the goods and services received and to be received under the modifications.

(b) On April 19, 2019, via Modification No. 14, the Department of General Services partially exercised Option Year 4 of the contract, extending its term from April 20, 2019, through July 31, 2019, and authorizing a not-to-exceed amount of \$539,136.63 for Option Year 4. Proposed Modification No. 15 would exercise the remainder of Option Year 4, extending the term of the contract from August 1, 2019, through April 19, 2020, and increasing not-to-exceed amount of Option Year 4 by \$778,567.06 to \$1,307,703.69.

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

(d) Approval of Modification Nos. 14 and 15 is necessary to allow for the continuation of essential grounds maintenance services at various District of Columbia facilities, and to compensate the contractor for services provided and to be provided during Option Year 4.

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 Nos. 14 and 15 to Contract No. DCAM-15-NC-0085B Approval and Payment Authorization Emergency Act of 2019 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

23-127

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 4, 2019

To declare the existence of an emergency with respect to the need to approve Modification Nos. 15 and 16 to Contract No. DCAM-15-NC-0085A with Community Bridge, Inc., and to authorize payment in the not-to-exceed amount of \$2,421,287.07 for the goods and services received and to be received under the modifications.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Modification Nos. 15 and 16 to Contract No. DCAM-15-NC-0085A Approval and Payment Authorization Emergency Declaration Resolution of 2019”.

Sec. 2. (a) There exists an immediate need to approve Modification Nos. 15 and 16 to DCAM-15-0085A with Community Bridge, Inc., (“contract”) to provide grounds maintenance services, and to authorize payment in the not-to-exceed amount of \$2,421,287.07 for the goods and services received and to be received under the modifications.

(b) On April 19, 2019, via Modification No. 15, the Department of General Services partially exercised Option Year 4 of the contract, extending its the term from April 20, 2019, through July 31, 2019, and authorizing an amount not-to-exceed \$977,610.19 for Option Year 4. Proposed Modification No. 16 would exercise the remainder of Option Year 4, extending the term of the Contract from August 1, 2019, through April 19, 2020, and increasing the not-to-exceed amount of Option Year 4 by \$1,443,676.88 to a total not-to-exceed amount of \$2,421,287.07.

(c) Modification Nos. 15 and 16 will increase the not-to-exceed amount of Option Year 4 by more than \$1,000,000 during a 12-month period. Therefore, Council approval of Modification Nos. 15 and 16 is required pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51).

(d) Council approval of Modification Nos. 15 and 16 is necessary to allow for the continuation of essential grounds maintenance services at various District of Columbia facilities and to compensate the contractor for services provided and to be provided during Option Year 4.

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

ENROLLED ORIGINAL

“Modification Nos. 15 and 16 to Contract No. DCAM-15-NC-0085A Approval and Payment Authorization Emergency Act of 2019” be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

23-128

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 4, 2019

To declare the existence of an emergency with respect to the need to approve Modification Nos. 3 and 4 to Contract No. CW47741 with AmerisourceBergen Drug Corporation to supply pharmaceuticals for the District of Columbia AIDS Drug Assistance Program and STD and TB health and wellness clinical program, and to authorize payment in the amount of \$15,000,000 for the goods and services received and to be received under the modifications.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Modifications to Contract No. CW47741 Approval and Payment Authorization Emergency Declaration Resolution of 2019”.

Sec. 2. (a) There exists a need to approve Modification Nos. 3 and 4 to Contract No. CW47741 with AmerisourceBergen Drug Corporation to supply pharmaceuticals for the District of Columbia AIDS Drug Assistance Program and STD and TB health and wellness clinical program, and to authorize payment in the amount of \$15,000,000 for the goods and services received and to be received under the modifications.

(b) On November 30, 2018, the Office of Contracting and Procurement, on behalf of the Department of Health, exercised option year 2 of Contract No. CW47741 in the not-to-exceed amount of \$5,000,000.

(c) By Modification No. 3, dated February 27, 2019, the Office of Contracting and Procurement increased the not-to-exceed amount for option year 2 of Contract No. CW47741 from \$5,000,000 to \$5,750,000.

(d) Modification No. 4 is now necessary to increase the not-to-exceed amount for option year 2 of Contract No. CW47741 to \$15,000,000.

(e) Council approval is required by section 451(b) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51(b)), because the modifications increase the contract by more than \$1,000,000 during a 12-month period.

(f) Approval is necessary to allow the continuation of these vital services. Without this approval, AmerisourceBergen Drug Corporation cannot be paid for the goods and services provided in excess of \$1,000,000 for the period from December 2, 2018, through December 1, 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. CW47741 Approval and Payment Authorization Emergency Act of 2019 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

23-129

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 4, 2019

To declare the existence of an emergency with respect to the need to approve Modification Nos. 24 and 26 to Contract No. DCKA-2012-C-0110 with Outfront Media VW Communications, LLC, for advertising for the Capital Bikeshare Program, and to authorize payment for the goods and services received and to be received under the modifications.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Modifications to Contract No. DCKA-2012-C-0110 Approval and Payment Authorization Emergency Declaration Resolution of 2019”.

Sec. 2. (a) There exists a need to approve Modification Nos. 24 and 26 to Contract No. DCKA-2012-C-0110 with Outfront Media VW Communications, LLC, for advertising for the Capital Bikeshare Program, and to authorize payment for the goods and services received and to be received under the modifications.

(b) By Modification No. 24, the Office of Contracting and Procurement, on behalf of the District Department of Transportation, partially-exercised Option Period One for the period April 8, 2019, through June 7, 2019, in the not-to-exceed amount of \$725,000.

(c) Modification No. 25 was an administrative modification.

(d) Modification No. 26 is now necessary to exercise the remainder of Option Period One for the period April 8, 2019, through April 7, 2024, in the total not-to-exceed amount of \$7.25 million.

(e) Council approval is necessary to allow the District to receive and continue to receive the benefit of the vital services that Outfront Media VW Communications, LLC, provides under Contract No. DCKA-2012-C-0110.

Sec 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modifications to Contract No. DCKA-2012-C-0110 Approval and Payment Authorization Emergency Act of 2019 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

23-130

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 4, 2019

To declare the existence of an emergency with respect to the need to approve Task Order 14 of Contract No. CFOPD-15-C-046A with Bert Smith & Company to continue to provide auditing services for Medicaid healthcare providers to the Office of the Chief Financial Officer on behalf of the Department of Healthcare Finance, and to authorize payment for the 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 “Contract No. CFOPD-15-C-064A Extension Approval and Payment Authorization Emergency Declaration Resolution of 2019”.

Sec. 2. (a) There exists an immediate need to approve Task Order 14 of Contract No. CFOPD-15-C-064A with Bert Smith & Company to continue to provide auditing services for Medicaid healthcare providers to the Office of the Chief Financial Officer on behalf of the Department of Healthcare Finance, and to authorize payment for the services received and to be received under the contract.

(b) On November 5, 2018, the Office of the Chief Financial Officer executed Task Order 12 under Contract No. CFOPD-15-C-064A in the amount of \$964,824. On March 15, 2019, the amount of Task Order 12 was reduced to \$656,322.

(c) On March 15, 2019, the Office of the Chief Financial Officer executed Task Order 13 under Contract No. CFOPD-15-C-064A in the amount of \$122,570.

(d) Proposed Task Order 14 is in the amount of \$375,158.

(e) Council approval is necessary because proposed Task Order 14 increases the overall expenditures under Contract No. CFOPD-15-C-064A to more than \$1 million during a 12-month period, and to allow the continuation of these vital services and to allow Bert Smith & Company to continue to perform under the contract.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Contract No. CFOPD-15-C-064A Extension Approval and Payment Authorization Emergency Act of 2019 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

23-131

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 4, 2019

To declare the existence of an emergency with respect to the need to approve the award of Contract No. CFOPD-19-C-036 with Fast Enterprises, LLC, to provide services for a Modernized Real Property Tax System on behalf of the Office of the Chief Financial Officer, Office of Tax and Revenue, and to authorize payment for the services to be received under the contract.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Contract No. CFOPD-19-C-036 Approval and Payment Authorization Emergency Declaration Resolution of 2019”.

Sec. 2. (a) There exists an immediate need to approve the award of Contract No. CFOPD-19-C-036 with Fast Enterprises, LLC, to provide services for a Modernized Real Property Tax System for the Office of the Chief Financial Officer, Office of Tax and Revenue, and to authorize payment for the services to be received under the contract.

(b) The proposed award will provide a Modernized Real Property Tax System for the District of Columbia. The contract has a base period of 2 years, with 5 one year options. The option periods cover ongoing maintenance support and hosting only.

(c) Council approval is necessary because the proposed award is for a multiyear term. Council approval is necessary on an emergency basis to enable this tax system to be in use before the next tax season.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Contract No. CFOPD-19-C-036 Approval and Payment Authorization Emergency Act of 2019 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

23-132

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 4, 2019

To declare the existence of an emergency with respect to the need to approve Modification No. 13 of Contract No. CFOPD-14-C-031 with Fast Enterprises, LLC, to continue to provide upgraded maintenance and support, hosting services, and additional resources for the Modernized Integrated Tax System for the Office of the Chief Financial Officer, Office of Tax and Revenue.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Contract No. CFOPD-14-C-031 Extension Approval Emergency Declaration Resolution of 2019”.

Sec. 2. (a) There exists an immediate need to approve the 2 one-year options (“option periods”) of Contract No. CFOPD-14-C-031 with Fast Enterprises, LLC, to continue to provide upgraded maintenance and support, hosting services, and additional resources for the Office of the Chief Financial Officer, Office of Tax and Revenue.

(b) The Office of the Chief Financial Officer, at its sole discretion, may extend the period of this contract for the option periods in the not-to-exceed amount of \$12,674,467.

(f) Council approval is necessary because proposed Modification No.13 exercises the option periods that result in the multiyear extension of the contract, an expenditure in excess of \$1 million, and allows the continuation of these vital services to be performed by Fast Enterprises, LLC.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Contract No. CFOPD-14-C-031 Extension Emergency Approval Resolution of 2019 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

23-133

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 4, 2019

To approve, on an emergency basis, Modification No. 13 of Contract No. CFOPD-14-C-031 with Fast Enterprises, LLC, to provide upgraded maintenance and support, continuing hosting services, and additional resources for the Modernized Integrated Tax System for the Office of the Chief Financial Officer, Office of Tax and Revenue.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Contract No. CFOPD-14-C-031 Extension Emergency Approval Resolution of 2019”.

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and section 202 of the District of Columbia Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves the multiyear exercise of the 2 one-year option periods of Contract No. CFOPD-14-C-031 for upgraded maintenance and support, continuing hosting services, and additional resources for the Modernized Integrated Tax System for the Office of the Chief Financial Officer, Office of Tax and Revenue for the period from July 2, 2019, through July 1, 2021, in the not-to-exceed amount of \$12,674,467.

Sec. 3. 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**

- | | |
|---------|---|
| B23-316 | Tax Revision Commission Reestablishment Amendment Act of 2019

Intro. 6-4-19 by Councilmembers Cheh, Todd, R. White, Evans, Allen, Bonds, Nadeau, and Grosso and referred to the Committee of the Whole |
| <hr/> | |
| B23-317 | Go-Go Official Music of the District of Columbia Designation Act of 2019

Intro. 6-4-19 by Councilmembers McDuffie, Nadeau, Bonds, Evans, Cheh, Silverman, Allen, Grosso, Todd, R. White, T. White, Gray, and Chairman Mendelson and referred to the Committee of the Whole |
| <hr/> | |
| B23-318 | Community Safety and Health Amendment Act of 2019

Intro. 6-4-19 by Councilmembers Grosso, Nadeau, R. White, and Bonds and referred to the Committee on Judiciary and Public Safety |
| <hr/> | |
| B23-319 | Vote by Mail Amendment Act of 2019

Intro. 6-4-19 by Councilmembers Nadeau, Cheh, Grosso, McDuffie, Allen, R. White, Bonds, and Evans and referred to the Committee on Judiciary and Public Safety |
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- B23-320 Special Police Officer Oversight Amendment Act of 2019
- Intro. 6-4-19 by Councilmembers Allen, Cheh, Gray, McDuffie, Silverman, T. White, Bonds, Evans, Grosso, Nadeau, Todd, R. White, and Chairman Mendelson and referred to the Committee on Judiciary and Public Safety
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- B23-321 Small Business Cybersecurity Tax Credit Act of 2019
- Intro. 6-4-19 by Councilmembers Todd, T. White, R. White, and Bonds and referred to the Committee on Finance and Revenue with comments from the Committee on Business and Economic Development
-
- B23-322 Window Blind Safety Notification Act of 2019
- Intro. 6-4-19 by Councilmembers Todd, Bonds, R. White, and Cheh and referred to the Committee on Health
-
- B23-323 DC Circulator Equity Act of 2019
- Intro. 6-4-19 by Councilmember Todd and referred to the Committee on Transportation and the Environment
-
- B23-324 Restore the Vote Amendment Act of 2019
- Intro. 6-4-19 by Councilmembers R. White, Evans, McDuffie, Grosso, Nadeau, Gray, Allen, Cheh, Bonds, Silverman, Todd, T. White, and Chairman Mendelson and referred to the Committee on Judiciary and Public Safety
-
- B23-325 Dementia Training for Direct Care Workers Act of 2019
- Intro. 6-4-19 by Councilmembers Gray, Todd, Bonds, and Evans and referred to the Committee on Health
-
- B23-326 Postpartum Coverage Act of 2019
- Intro. 6-4-19 by Councilmembers Gray, Evans, Grosso, Nadeau, Allen, R. White, Bonds, and Todd and referred to the Committee on Health
-

B23-327 James E. Bunn Amphitheater Designation Act of 2019
Intro. 6-4-19 by Councilmembers T. White, Evans, McDuffie, Todd,
Silverman, Bonds, Grosso, Gray, and R. White and referred to the Committee
of the Whole

B23-328 Closing of a Public Alley in Square 5017, S.O. 16-24507, Act of 2019
Intro. 6-6-19 by Councilmember Gray and referred to the Committee of the
Whole

PROPOSED RESOLUTIONS

PR23-351 Sense of the Council Urging the Federal Government to End its Embargo
Against Cuba Resolution of 2019
Intro. 6-4-19 by Councilmembers Grosso, Cheh, Nadeau, and R. White and
referred to the Committee of the Whole

PR23-352 Not-For-Profit Hospital Corporation Board of Directors Wayne Turnage
Confirmation Resolution of 2019
Intro. 6-4-19 by Chairman Mendelson at the request of the Mayor and referred
to the Committee on Health

PR23-353 Not-For-Profit Hospital Corporation Board Directors Robert Bobb
Confirmation Resolution of 2019
Intro. 6-4-19 by Chairman Mendelson at the request of the Mayor and referred
to the Committee on Health

PR23-354 Historic Preservation Review Board Chris Landis Confirmation Resolution of
2019
Intro. 6-4-19 by Chairman Mendelson at the request of the Mayor and referred
to the Committee of the Whole

PR23-355 Historic Preservation Review Board Linda Greene Confirmation Resolution of
2019

Intro. 6-4-19 by Chairman Mendelson at the request of the Mayor and referred
to the Committee of the Whole

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

CANCELLED

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

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

on

**B23-0073 - Attorney General Civil Rights Enforcement Clarification Amendment
Act of 2019**

Monday, July 8, 2019, 11:00 A.M.
John A. Wilson Building, Room 123
1350 Pennsylvania Avenue, N.W.
Washington, DC 20004

Councilmember Brandon T. Todd announces the scheduling of a public hearing by the Committee on Government Operations on *B23-0073, the Attorney General Civil Rights Enforcement Clarification Amendment Act of 2019*. The public hearing is scheduled for Monday, July 8, 2019 at 11:00 a.m. in Room 123 of the John A. Wilson Building, 1350 Pennsylvania Ave., NW, Washington, DC 20004.

B23-0073 authorizes the Attorney General to bring civil actions under the Human Rights Act. It clarifies that the aggrieved party in a fair housing action, may retain his or her own counsel and it also clarifies when the Attorney General may seek to withdraw from representing the aggrieved party while continuing to represent the District of Columbia's interests.

Individuals and representatives of organizations who wish to testify at the public hearing are asked to contact Manny Geraldo of the Committee on Government Operations at (202) 724-6663 or by email at GovernmentOperations@dccouncil.us and provide their name(s), address, telephone number, email address, and organizational affiliation, if any, by close of business Friday, July 5, 2019. Each witness is requested to bring 10 copies of his/her written testimony. Representatives of organizations and government agencies will be limited to 5 minutes in order to permit each witness an opportunity to be heard. Individual witnesses will be limited to 3 minutes.

If you are unable to testify at the public hearing, written statements are encouraged and will be made a part of the official record. The official record will remain open until close of business Monday, July 22, 2019. Copies of written statements should be submitted to the Committee on Government Operations, Council of the District of Columbia, Suite 117 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004.

The public hearing on B23-0073, the "Attorney General Civil Rights Enforcement Clarification Amendment Act of 2019" is cancelled.

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

NOTICE OF PUBLIC HEARING ON

**B23-232, the Autonomous Vehicles Testing Program Amendment Act of 2019, and
B23-248, the Autonomous Vehicle Amendment Act of 2019**

July 2, 2019, at 11:00 AM
in Room 500 of the John A. Wilson Building
1350 Pennsylvania Avenue, NW, Washington, DC 20004

On Tuesday, July 2, 2019, Councilmember Mary M. Cheh, Chairperson of the Committee on Transportation and the Environment, will hold a public hearing on B23-232, the Autonomous Vehicles Testing Program Amendment Act of 2019, and B23-248, the Autonomous Vehicle Amendment Act of 2019. The hearing will begin at 11:00 AM in Room 500 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W.

B23-232 would create a framework for the testing of autonomous vehicles in the District through a testing permit program at the District Department of Transportation. B23-248 would regulate the registration, licensure, insurance, and liability requirements to operate an autonomous vehicle in the District.

The Committee invites the public to testify or to submit written testimony, which will be made a part of the official record. Anyone wishing to testify should contact Ms. Aukima Benjamin, Staff Assistant to the Committee on Transportation and the Environment, at (202) 724-8062 or via e-mail at abenjamin@dccouncil.us. 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 July 16, 2019.

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

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

on

District of Columbia's Office of Inspector General Report
"Department of Consumer and Regulatory Affairs: Civil Infractions
Program Lacked a Strong Internal Control Environment"

on

Tuesday, June 25, 2019, 3:00 p.m.
Room 412, John A. Wilson Building
1350 Pennsylvania Avenue, NW

Council Chairman Phil Mendelson announces a public oversight roundtable before the Committee of the Whole on the District of Columbia's Office of Inspector General Report, "Department of Consumer and Regulatory Affairs: Civil Infractions Program Lacked a Strong Internal Control Environment." The roundtable will be held at **3:00 p.m. on June 25, 2019, in Room 412** of the John A. Wilson Building.

The Office of Inspector General (OIG) issued a report last month that found that the Department of Consumer and Regulatory Affairs (DCRA) does not have policies or procedures in place related to the issuance and tracking of Notices of Infraction (NOI) and that DCRA lacks processes to carry out requirements defined in D.C. Municipal Regulations, such as assessing interest on unpaid NOIs. The report also found that DCRA had no written procedure in place for the transfer of unpaid NOIs to the Office of the Chief Financial Officer's Central Collection Unit (CCU). The OIG estimates that this has resulted in approximately \$6 million in uncollected debts and fines. The OIG report can be accessed at <https://bit.ly/2KGvVV0>.

Those who wish to testify are asked to email the Committee of the Whole at cow@dccouncil.us, or call Blaine Stum, Legislative Policy Advisor at (202) 724-8092, and to provide your name, address, telephone number, organizational affiliation and title (if any) by close of business **Friday, June 21, 2019**. Persons wishing to testify are encouraged, but not required, to submit 15 copies of written testimony. If submitted by the close of business on June 21, 2019, the testimony will be distributed to Councilmembers before the roundtable. Witnesses should limit their testimony to four minutes; less time will be allowed if there are a large number of witnesses. Roundtable materials, including a draft witness list, can be accessed 24 hours in advance of the roundtable at <http://www.chairmanmendelson.com/circulation>.

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 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 July 9, 2019.

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

**CHAIRMAN PHIL MENDELSON
COMMITTEE OF THE WHOLE
&
COUNCILMEMBER DAVID GROSSO
COMMITTEE ON EDUCATION
ANNOUNCE A JOINT PUBLIC ROUNDTABLE**

on

PR23-0221, the “Public Charter School Board Saba Bireda Confirmation Resolution of 2019,”

PR23-0222, the “Public Charter School Board Ricarda Ganjam Confirmation Resolution of 2019,”

and

PR23-0342, the “Public Charter School Board James Sandman Confirmation Resolution of 2019”

On

**Thursday, June 27, 2019
10:00 A.M., Hearing Room 412, John A. Wilson Building
1350 Pennsylvania Avenue, NW
Washington, DC 20004**

Chairman Phil Mendelson and Councilmember David Grosso announce the scheduling of a joint public roundtable of the Committee of the Whole and the Committee on Education on PR23-0221, the “Public Charter School Board Saba Bireda Confirmation Resolution of 2019,” PR23-0222, the “Public Charter School Board Ricarda Ganjam Confirmation Resolution of 2019,” and PR23-0342, the “Public Charter School Board James Sandman Confirmation Resolution of 2019”. The roundtable will be held on Thursday, June 27, 2019 at 10:00am in room 412 of the John A. Wilson Building.

The stated purpose of PR23-0221 is to confirm the reappointment of Saba Bireda as a member of the Public Charter School Board in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), and pursuant to section 2214 of the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321; D.C. Official Code § 38-1802.14).

The stated purpose of PR23-0222 is to confirm the reappointment of Ricarda Ganjam as a member of the Public Charter School Board in accordance with section 2 of the Confirmation

Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), and pursuant to section 2214 of the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321; D.C. Official Code § 38-1802.14).

The Stated purpose of PR23-0342 is to confirm the appointment of James Sandman as a member of the Public Charter School Board, replacing Donald Soifer, in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), and pursuant to section 2214 of the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321; D.C. Official Code § 38-1802.14).

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 5:00pm on Tuesday, June 25, 2019. Persons wishing to testify are encouraged, but not required, to submit 10-15 copies of written testimony. Witnesses appearing on his or her own behalf should limit their testimony to three minutes; witnesses representing organizations should limit their testimony to five minutes.

If you are unable to testify at the roundtable, written statements are encouraged and will be made a part of the official record. Written statements should be submitted by email to Ashley Strange, astrange@dccouncil.us, or by post to the Committee on Education, Council of the District of Columbia, Suite 116 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Washington, DC 20004. The record will close at 5:00 p.m. on Monday, July 1, 2019.

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

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

ANNOUNCES A PUBLIC ROUNDTABLE ON

PR23-0300 – THE “ALCOHOLIC BEVERAGE REGULATION CONTROL BOARD DONOVAN W. ANDERSON CONFIRMATION RESOLUTION OF 2019”

PR23-0301 – THE “ALCOHOLIC BEVERAGE REGULATION CONTROL BOARD BOBBY CATO, JR. CONFIRMATION RESOLUTION OF 2019”

PR23-0344 – THE “ALCOHOLIC BEVERAGE REGULATION CONTROL BOARD RAFI ALIYA CROCKET CONFIRMATION RESOLUTION OF 2019”

**Wednesday, June 19, 2019, 10:30 a.m.
Room 120, John A. Wilson Building
1350 Pennsylvania Avenue, N.W.
Washington, D.C. 20004**

On Wednesday, June 19, 2019, Councilmember Kenyan R. McDuffie, Chairperson of the Committee on Business and Economic Development, will hold a public roundtable on Proposed Resolution 23-0300, the “Alcoholic Beverage Regulation Control Board Donovan W. Anderson Confirmation Resolution of 2019,” Proposed Resolution 23-0301, the “Alcoholic Beverage Regulation Control Board Bobby Cato, Jr. Confirmation Resolution of 2019,” and Proposed Resolution 23-0344, the “Alcoholic Beverage Regulation Control Board Rafi Aliya Crocket Confirmation Resolution of 2019.”

The stated purpose of PR23-0300, PR23-0301, and PR23-0344 is to confirm the appointments of Mr. Donovan W. Anderson, Mr. Bobby Cato, Jr. and Ms. Rafi Aliya Crocket as public members of the Alcoholic Beverage Control Board. The Alcoholic Beverage Control Board is an independent body that meets weekly to adjudicate, administer, and enforce alcoholic beverage laws in the District.

The Committee invites the public to testify or to submit written testimony. Anyone wishing to testify at the roundtable should contact the Committee on Business and Economic Development

via email at oagwai@dccouncil.us or at (202) 724-8078, and provide their name, telephone number, organizational affiliation, and title (if any), by **close of business Monday, June 17th**. Representatives of organizations will be allowed a maximum of five minutes for oral testimony, and individuals will be allowed a maximum of three minutes. Witnesses are encouraged to bring **twenty single-sided copies** of their written testimony and, if possible, also submit a copy of their testimony electronically in advance to oagwai@dccouncil.us.

For witnesses who are unable to testify at the roundtable, written statements will be made part of the official record. Copies of written statements should be submitted to the Committee on Business and Economic Development at oagwai@dccouncil.us or to Nyasha Smith, Secretary to the Council, 1350 Pennsylvania Avenue, N.W., Suite 5, Washington, D.C. 20004. **The record will close at the end of the business day on July 3rd**.

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

CHAIRMAN PHIL MENDELSON
COMMITTEE OF THE WHOLE
ANNOUNCES A PUBLIC ROUNDTABLE

on

PR 23-334, Board of Industrial Trades Tanya Lewis Confirmation Resolution of 2019

on

**Tuesday, June 25, 2019
2:00 p.m., Room 412, John A. Wilson Building
1350 Pennsylvania Avenue, NW
Washington, DC 20004**

Council Chairman Phil Mendelson announces the scheduling of a public roundtable of the Committee of Whole on PR 23-334, appointing Tanya Lewis to the Board of Industrial Trades. The roundtable will be held on **Tuesday, June 25, 2019 at 2:00 p.m. in Room 412** of the John A. Wilson Building, 1350 Pennsylvania Avenue, NW.

The stated purpose of PR 23-334 is to appoint Ms. Lewis to the Board for a term to end on June 26, 2021. The purpose of the Board is to protect the public health, safety, and welfare of citizens of the District by ensuring that individuals engaged in trades such as plumbing and electrical work have the specialized skills and training required to perform such services. The purpose of this roundtable is to receive testimony from public witnesses as to the fitness of Ms. Lewis for the Board.

Those who wish to testify are asked to email the Committee of the Whole at cow@dccouncil.us, or call Blaine Stum, Legislative Policy Advisor at (202) 724-8092, and to provide your name, address, telephone number, organizational affiliation and title (if any) by close of business **Friday, June 21, 2019**. Persons wishing to testify are encouraged, but not required, to submit 15 copies of written testimony. If submitted by the close of business on **Friday, June 21, 2019**, the testimony will be distributed to Councilmembers before the roundtable. 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>. Roundtable materials, including a draft witness list, can be accessed 24 hours in advance of the roundtable at <http://www.chairmanmendelson.com/circulation>.

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 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 **Friday, July 5, 2019**.

**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 23-38: FY 2019 Grant Budget Modifications of May 7, 2019

RECEIVED: 14-day review begins June 10, 2019

GBM 23-39: FY 2019 Grant Budget Modifications of May 13, 2019

RECEIVED: 14-day review begins June 10, 2019

GBM 23-40: FY 2019 Grant Budget Modifications of May 20, 2019

RECEIVED: 14-day review begins June 10, 2019

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. 23-17: Request to reprogram \$1,500,000 of Fiscal Year 2019 Local funds budget authority within the Board of Elections (BOE) was filed in the Office of the Secretary on June 5, 2019. This reprogramming is needed to address a non-personal services spending pressure within the agency.

RECEIVED: 14-day review begins June 6, 2019

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

Placard Posting Date: June 14, 2019
Protest Petition Deadline: July 29, 2019
Roll Call Hearing Date: August 12, 2019
Protest Hearing Date: October 9, 2019

License No.: ABRA-113916
Licensee: SAS Group LLC
Trade Name: Ali Pacha DC
License Class: Retailer's Class "C" Restaurant
Address: 1280 4th Street, N.E.
Contact: Sean T. Morris: (301) 654 - 6570

WARD 5

ANC 5D

SMD 5D01

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 August 12, 2019 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 **October 9, 2019 at 1:30 p.m.**

NATURE OF OPERATION

A new Retailer's Class C Restaurant with a seating capacity of 48 and Total Occupancy Load of 48.

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

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

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON

***READVERTISED

6/14/2019

Notice is hereby given that:

License Number: ABRA-075078

License Class/Type: C Hotel

Applicant: Hay Adams Holdings, Llc

Trade Name: Hay Adams Hotel

ANC: 2B05

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

800 16TH ST NW, Washington, DC 20006

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

7/29/2019

A HEARING WILL BE HELD ON:

8/12/2019

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

ENDORSEMENT(S): Dancing Entertainment Summer Garden

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	24 hours -	11 am - 2 am	11 am - 12:30 am
Monday:	24 hours -	8 am - 2 am	6:30 pm - 12:30 am
Tuesday:	24 hours -	8 am - 2 am	6:30 pm - 12:30 am
Wednesday:	24 hours -	8 am - 2 am	6:30 pm - 12:30 am
Thursday:	24 hours -	8 am - 2 am	6:30 pm - 12:30 am
Friday:	24 hours -	8 am - 3 am	6:30 pm - 12:30 am
Saturday:	24 hours -	8 am - 3 am	6:30 pm - 12:30 am

Hours of Summer Garden Operation

Hours of Sales Summer Garden

Sunday:	24 hours -	11 am - 2 am
Monday:	24 hours -	8 am - 2 am
Tuesday:	24 hours -	8 am - 2 am
Wednesday:	24 hours -	8 am - 2 am
Thursday:	24 hours -	8 am - 2 am
Friday:	24 hours -	8 am - 3 am
Saturday:	24 hours -	8 am - 3 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON

***RESCIND

4/12/2019

Notice is hereby given that: License

Number: ABRA-075078 Applicant: Hay

License Class/Type: C Hotel

Adams Holdings, Llc Trade Name: Hay

Adams Hotel ANC: 2B05

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

800 16TH ST NW, Washington, DC 20006

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

5/28/2019

A HEARING WILL BE HELD ON:

6/10/2019

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

ENDORSEMENT(S): Dancing Entertainment Summer Garden

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	24 hours -	11 am - 2 am	11 am - 12:30 am
Monday:	24 hours -	8 am - 2 am	6:30 pm - 12:30 am
Tuesday:	24 hours -	8 am - 2 am	6:30 pm - 12:30 am
Wednesday:	24 hours -	8 am - 2 am	6:30 pm - 12:30 am
Thursday:	24 hours -	8 am - 2 am	6:30 pm - 12:30 am
Friday:	24 hours -	8 am - 3 am	6:30 pm - 12:30 am
Saturday:	24 hours -	8 am - 3 am	6:30 pm - 12:30 am

Hours of Summer Garden Operation

Hours of Sales Summer Garden

Sunday:	24 hours -	11 am - 2 am
Monday:	24 hours -	8 am - 2 am
Tuesday:	24 hours -	8 am - 2 am
Wednesday:	24 hours -	8 am - 2 am
Thursday:	24 hours -	8 am - 2 am
Friday:	24 hours -	8 am - 3 am
Saturday:	24 hours -	8 am - 3 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
READVERTISED 6/14/2019**

Notice is hereby given that:

License Number: ABRA-088646

License Class/Type: C Multipurpose

Applicant: Howard Theatre Entertainment LLC

Trade Name: Howard Theatre

ANC: 1B01

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

620 T ST NW, WASHINGTON, DC 20001

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

7/29/2019

A HEARING WILL BE HELD ON:

8/12/2019

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

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	10am - 2am	10am - 2am	6pm - 2am
Monday:	11am - 2am	11am - 2am	6pm - 2am
Tuesday:	11am - 2am	11am - 2am	6pm - 2am
Wednesday:	11am - 2am	11am - 2am	6pm - 2am
Thursday:	11am - 2am	11am - 2am	6pm - 2am
Friday:	11am - 3am	11am - 3am	6pm - 3am
Saturday:	10am - 3am	10am - 3am	6pm - 3am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON

***RESCIND

4/19/2019

Notice is hereby given that:

License Number: ABRA-088646

License Class/Type: C Multipurpose

Applicant: Howard Theatre Entertainment LLC

Trade Name: Howard Theatre

ANC: 1B01

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

620 T ST NW, WASHINGTON, DC 20001

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

6/3/2019

A HEARING WILL BE HELD ON:

6/17/2019

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

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	10am - 2am	10am - 2am	6pm - 2am
Monday:	11am - 2am	11am - 2am	6pm - 2am
Tuesday:	11am - 2am	11am - 2am	6pm - 2am
Wednesday:	11am - 2am	11am - 2am	6pm - 2am
Thursday:	11am - 2am	11am - 2am	6pm - 2am
Friday:	11am - 3am	11am - 3am	6pm - 3am
Saturday:	10am - 3am	10am - 3am	6pm - 3am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON

***READVERTISEMENT

6/14/2019

Notice is hereby given that:

License Number: ABRA-086595

License Class/Type: C Restaurant

Applicant: La Morenita Restaurant, LLC

Trade Name: La Morenita

ANC: 1A08

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

3539 Georgia AVE NW, WASHINGTON, DC 20010

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

7/29/2019

A HEARING WILL BE HELD ON:

8/12/2019

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

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	7 am - 2 am	12 pm - 1:30 am	-
Monday:	7 am - 2 am	11 am - 1:30 am	-
Tuesday:	7 am - 2 am	11 am - 1:30 am	-
Wednesday:	7 am - 2 am	11 am - 1:30 am	-
Thursday:	7 am - 2 am	11 am - 1:30 am	-
Friday:	7 am - 3 am	11 am - 2:30 am	-
Saturday:	7 am - 3 am	11 am - 2:30 am	-

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

ON

****RESCIND****3/15/2019**

Notice is hereby given that: License

Number: ABRA-086595

License Class/Type: C Restaurant

Applicant: La Morenita Restaurant, LLC

Trade Name: La Morenita

ANC: 1A08

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

3539 Georgia AVE NW, WASHINGTON, DC 20010

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

4/29/2019

A HEARING WILL BE HELD ON:

5/13/2019

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

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	7 am - 2 am	12 pm - 1:30 am	-
Monday:	7 am - 2 am	11 am - 1:30 am	-
Tuesday:	7 am - 2 am	11 am - 1:30 am	-
Wednesday:	7 am - 2 am	11 am - 1:30 am	-
Thursday:	7 am - 2 am	11 am - 1:30 am	-
Friday:	7 am - 3 am	11 am - 2:30 am	-
Saturday:	7 am - 3 am	11 am - 2:30 am	-

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date: June 14, 2019
 Protest Petition Deadline: July 29, 2019
 Roll Call Hearing Date: August 12, 2019
 Protest Hearing Date: October 9, 2019

License No.: ABRA-113980
 Licensee: Light Industries, LLC
 Trade Name: Licht Cafe
 License Class: Retailer's Class "C" Tavern
 Address: 1520 U Street NW
 Contact: Spencer W. Hurd, Managing Member: (202) 650-8696

WARD 2

ANC 2B

SMD 2B09

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 August 12, 2019 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 **October 9, 2019 at 1:30 p.m.**

NATURE OF OPERATION

New Class "C" Tavern with light fare such as appetizers, salads, sandwiches, desserts, coffee, and drinks. Total Occupancy Load of 80 with seating for 40 patrons.

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

Sunday 11am – 11pm, Monday through Thursday 4pm – 11pm, Friday 4pm – 1am
 Saturday 11am – 1am

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

Sunday 11am – 11pm, Monday through Thursday 4pm – 11pm, Friday 4pm – 1am
 Saturday 11am – 1am

HOURS OF LIVE ENTERTAINMENT (INSIDE PREMISES)

Sunday 11am – 11pm, Monday through Thursday 6pm – 9pm, Friday 4pm – 11pm
 Saturday 11am – 11pm

HOURS OF LIVE ENTERTAINMENT (SUMMER GARDEN)

Saturday and Sunday 11am – 11pm

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

Placard Posting Date: June 7, 2019
Protest Petition Deadline: July 22, 2019
Roll Call Hearing Date: August 5, 2019

License No.: ABRA-106695
Licensee: On the Rocks, LLC
Trade Name: On the Rocks
License Class: Retailer's Class "C" Tavern
Address: 1242 H Street, N.E.
Contact: Lance Steglich, Owner: (202) 816-1598

WARD 6

ANC 6A

SMD 6A01

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 August 5, 2019 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

Request to change hours of operation, alcoholic beverage sales and service, and live entertainment inside premises only.

CURRENT HOURS OF OPERATION INSIDE PREMISES

Sunday through Thursday 12 pm - 2 am, Friday & Saturday 12 pm - 3 am

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

Sunday through Thursday 12 pm - 1 am, Friday & Saturday 12 pm - 2 am

CURRENT HOURS OF LIVE ENTERTAINMENT INSIDE PREMISES

Sunday through Saturday 7 pm - 12 am

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

Sunday through Thursday 9 am - 2 am, Friday & Saturday 9 am - 3 am

PROPOSED HOURS OF LIVE ENTERTAINMENT INSIDE PREMISES

Sunday 11 am - 2 am, Monday through Thursday 12 pm - 2 am, Friday & Saturday 11 am - 3 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON

***READVERTISEMENT

6/14/2019

Notice is hereby given that:

License Number: ABRA-108886

License Class/Type: C Restaurant

Applicant: Rhythm & Eats, LLC

Trade Name: Prather's on the Alley

ANC: 6E05

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

455 I ST NW, WASHINGTON, DC 20001

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

7/29/2019

A HEARING WILL BE HELD ON:

8/12/2019

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

ENDORSEMENT(S): Sidewalk Cafe

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	8 am - 1 am	8 am - 1 am	-
Monday:	8 am - 1 am	8 am - 1 am	-
Tuesday:	8 am - 1 am	8 am - 1 am	-
Wednesday:	8 am - 1 am	8 am - 1 am	-
Thursday:	8 am - 1 am	8 am - 1 am	-
Friday:	8 am - 2 am	8 am - 2 am	-
Saturday:	8 am - 2 am	8 am - 2 am	-

Hours Of Sidewalk Cafe Operation

Hours Of Sales Sidewalk Cafe

Sunday:	8 am - 11 pm	8 am - 11 pm
Monday:	8 am - 11 pm	8 am - 11 pm
Tuesday:	8 am - 11 pm	8 am - 11 pm
Wednesday:	8 am - 11 pm	8 am - 11 pm
Thursday:	8 am - 11 pm	8 am - 11 pm
Friday:	8 am - 11 pm	8 am - 11 pm
Saturday:	8 am - 11 pm	8 am - 11 pm

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date: June 14, 2019
Protest Petition Deadline: July 29, 2019
Roll Call Hearing Date: August 12, 2019
Protest Hearing Date: October 9, 2019

License No.: ABRA-114006
Licensee: First Brothers, LLC
Trade Name: Reren II
License Class: Retailer's Class "C" Restaurant
Address: 1073 Wisconsin Ave NW
Contact: Jeff Jackson, Agent: (202) 251-1566

WARD 2

ANC 2E

SMD 2E05

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 August 12, 2019 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 October 9, 2019 at 1:30 p.m.

NATURE OF OPERATION

New Retailer Class "C" Restaurant serving Ramen noodle cuisine. Total Occupancy Load of 70 with seating for 60 patrons.

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

Sunday through Thursday 10 am - 2 am
Friday and Saturday 10am - 3am

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

****CORRECTION**

Placard Posting Date: June 7, 2019
Protest Petition Deadline: July 22, 2019
Roll Call Hearing Date: August 5, 2019
Protest Hearing Date: October 2, 2019

License No.: ABRA-113601
Licensee: Sandlot (The), LLC
Trade Name: Sandlot Southwest
License Class: Retailer's Class "C" Tavern
Address: 1800 – 1802 Half Street, S.W.
Contact: Ian Callender: (202) 554-3960

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 August 5, 2019 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 **October 2, 2019 at 1:30 p.m.**

NATURE OF OPERATION

A new C Tavern ** Outdoor Cultural Arts Facility with a Seating Capacity of 150, Standing Room Summer Garden of 350 and a Total Occupancy Load of 500. An Entertainment Endorsement will be provided for the Outdoor Summer Garden **.

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

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

HOURS OF LIVE ENTERTAINMENT **FOR THE OUTDOOR SUMMER GARDEN

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

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
NOTICE OF PUBLIC HEARING

****RESCIND**

Placard Posting Date: June 7, 2019
Protest Petition Deadline: July 22, 2019
Roll Call Hearing Date: August 5, 2019
Protest Hearing Date: October 2, 2019

License No.: ABRA-113601
Licensee: Sandlot (The), LLC
Trade Name: Sandlot Southwest
License Class: Retailer’s Class “C” Tavern
Address: 1800 – 1802 Half Street, S.W.
Contact: Ian Callender: (202) 554-3960

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 August 5, 2019 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 **October 2, 2019 at 1:30 p.m.**

NATURE OF OPERATION

A new C Tavern and outdoor cultural arts facility with a Seating Capacity of 150, Total Occupancy Load of 500 and a Summer Garden with 350 seats. An Entertainment Endorsement will be provided on the inside of the premises and for the Outdoor Summer Garden.

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

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

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

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

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

Placard Posting Date: June 14, 2019
Protest Petition Deadline: July 29, 2019
Roll Call Hearing Date: August 12, 2019

License No.: ABRA-000654
Licensee: Seven Seas Restaurant, Inc.
Trade Name: Seven Seas Restaurant
License Class: Retailer's Class "C" Restaurant
Address: 5915 Georgia Avenue, N.W.
Contact: Ulysses Romero: (202) 560-5402

WARD 4

ANC 4B

SMD 4B04

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 August 12, 2019 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 Sidewalk Café Endorsement with 6 seats and a Summer Garden Endorsement with 6 seats. Applicant also requests a Change of Hours, to add an Entertainment Endorsement with Dancing and Cover Charge inside only.

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

Sunday through Saturday 11:30am – 11:30pm

PROPOSED HOURS OF OPERATION FOR INSIDE PREMISES

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

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

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

PROPOSED HOURS OF OPERATION FOR THE OUTDOOR SIDEWALK CAFÉ & SUMMER GARDEN

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

PROPOSED HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION FOR THE OUTDOOR SIDEWALK CAFÉ & SUMMER GARDEN

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

PROPOSED HOURS OF LIVE ENTERTAINMENT FOR INSIDE PREMISES

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

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

Placard Posting Date: June 14, 2019
Protest Petition Deadline: July 29, 2019
Roll Call Hearing Date: August 12, 2019
Protest Hearing Date: October 9, 2019

License No.: ABRA-113525
Licensee: Hine Restaurants LLC
Trade Name: TBD
License Class: Retailer's Class "C" Restaurant
Address: 300 7th Street, S.E.
Contact: Sidon Yohannes, Esq.: (202) 686-7600

WARD 6

ANC 6B

SMD 6B02

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 August 12, 2019 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 **October 9, 2019 at 1:30 p.m.**

NATURE OF OPERATION

A new Retailer's Class C Restaurant with a seating capacity of 230 and Total Occupancy Load of 400. Summer Garden with 150 seats.

HOURS OF OPERATION FOR INSIDE PREMISES AND OUTSIDE IN SUMMER GARDEN

Sunday through Thursday 7am – 12am, Friday and Saturday 7am – 2am

HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION FOR INSIDE PREMISES AND OUTSIDE IN SUMMER GARDEN

Sunday through Thursday 8am – 12am, Friday and Saturday 8am – 2am

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

Placard Posting Date: June 14, 2019
Protest Petition Deadline: July 29, 2019
Roll Call Hearing Date: August 12, 2019
Protest Hearing Date: October 9, 2019

License No.: ABRA-113892
Licensee: The Red Boat 500 H Street, LLC
Trade Name: The Red Boat
License Class: Retailer's Class "C" Restaurant
Address: 500 H Street, N.E.
Contact: Vivian Nguyen: (202) 246-0402

WARD 6

ANC 6C

SMD 6C05

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 August 12, 2019 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 **October 9, 2019 at 1:30 p.m.**

NATURE OF OPERATION

A new restaurant serving Asian fusion cuisine. Seating Capacity of 28 and Total Occupancy Load of 68. The Restaurant will include a Sidewalk Café with a Total Occupancy Load of 40.

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

Sunday through Thursday 11am – 9pm, Friday and Saturday 11am – 11pm

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

Placard Posting Date: June 14, 2019
Protest Petition Deadline: July 29, 2019
Roll Call Hearing Date: August 12, 2019
Protest Hearing Date: October 9, 2019

License No.: ABRA-113371
Licensee: UpMarket Van Ness, LLC
Trade Name: Uptown Market
License Class: Retailer's Class "B" Grocery
Address: 4465 Connecticut Avenue, N.W.
Contact: Francis J. McDonald, Agent: (860) 961-7601

WARD 3

ANC 3F

SMD 3F04

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 August 12, 2019 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 **October 9, 2019 at 1:30 p.m.**

NATURE OF OPERATION

New Retailer's Class "B" Full Service Grocery store. Tasting Permit Endorsement.

HOURS OF OPERATION

Sunday through Saturday 6 am – 12am

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

Sunday through Saturday 7 am – 12am

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

Placard Posting Date: June 14, 2019
Protest Petition Deadline: July 29, 2019
Roll Call Hearing Date: August 12, 2019
Protest Hearing Date: October 9, 2019

License No.: ABRA-113404
Licensee: UpMarket Van Ness, LLC
Trade Name: Uptown Market
License Class: Retailer's Class "C" Restaurant
Address: 4465 Connecticut Avenue, N.W.
Contact: Francis J. McDonald, Agent: (860) 961-7601

WARD 3

ANC 3F

SMD 3F04

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 August 12, 2019 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 **October 9, 2019 at 1:30 p.m.**

NATURE OF OPERATION

New Retailer's Class "C" Restaurant serving beer, wine, limited cocktails to complement individual meals of meat, seafood, vegetables, and starches. Sidewalk Café Endorsement with 32 seats. Total Occupancy Load is 100 with seating for 54 patrons.

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

Sunday through Thursday 8am – 2am

Friday and Saturday 8am – 3am

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

Sunday through Thursday 8am – 2am

Friday and Saturday 8am – 3am

DC DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

NOTICE OF PUBLIC HEARING

Notice is hereby given that, pursuant to the requirements of D.C. Official Code § 42-3171.03(a)(1), the District of Columbia Department of Housing and Community Development (“District” or “DHCD”) has scheduled a public hearing on Tuesday, July 16, 2019, at 6 p.m. The hearing will occur at the DHCD - 1st Floor Housing Resource Center located at **1800 Martin Luther King Jr. Avenue SE, Washington, DC 20020**, to consider the proposed disposition of the properties noted below.

SSL	Property Site	Property Type	Ward	Zoning	Neighborhood
2853 0053	1132 Columbia Road NW	SF	1	RF-1	Columbia Heights
2693 0018	1422 Shepherd Street NW	SF	4	RF-1	Columbia Heights
3788 0008	635 Emerson Street NE	SF	5	R-2	Brookland
4296 0041	25 th Place NE	Lot	5	R-1-B	Woodridge
3127 0141	36 Channing Street NW	SF	5	RF-1	LeDroit Park
3121 0057	160 Adams Street NE	SF	5	RF-1	LeDroit Park
5160 0039	1227 47 th Place NE	SF	7	R-2	Deanwood
5299 0018	5308 E Street SE	SF	7	R-3	Marshall Heights
6239 0060	62 Forrester Street SW	MF	8	R-2	Bellevue

In May 2019, the District offered the properties listed above for sale, through the competitive process of an auction, conducted by Alex Cooper Auctioneers, Inc., for the purpose of eliminating or reducing blight by providing for the disposition and development of affordable units to households with an annual income at or below 120% Median Family Income.

If you would like to present oral testimony, you are encouraged to register in advance either by emailing DHCD’s Property Acquisition and Disposition Division at padd.sfo@dc.gov, or by calling (202) 478-1355. Please provide your name, address, telephone number, and organizational affiliation, if any.

Telecommunications Device for the Deaf (TDD) relay service is available by calling (800) 201-7165. Sign language interpretation and language translation services are available upon request by calling Pamela Hillsman at (202) 442-7251. If you require language translation, please specify which language (Spanish, Vietnamese, Chinese-Mandarin/Cantonese, Amharic, or French). Language translation services will be provided to pre-registered persons only. The deadline for requiring interpretation services is seven days prior to the hearing. Bilingual staff will provide services as available to unregistered attendees.

Written statements may be submitted at the hearing, or until 4:45 p.m., Tuesday, July 16, 2019, either by emailing DHCD’s Property Acquisition and Disposition Division at padd.sfo@dc.gov or mailing the statement to: Polly Donaldson, Director, DC Department of Housing and Community Development, ATTN: PADD Auction Public Hearing, 1800 Martin Luther King Jr., Avenue SE, Washington, DC 20020.

**BOARD OF ZONING ADJUSTMENT
PUBLIC HEARING NOTICE
WEDNESDAY, JULY 24, 2019
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 THREE

20036
ANC 3D **Application of Mariela Licha Salomon**, pursuant to 11 DCMR Subtitle X, Chapter 9, for special exceptions under Subtitle D § 5201 from the side yard requirements of Subtitle D § 206.7, and from the nonconforming structure requirements of Subtitle C § 202.2, to construct a two-story rear addition to an existing principal dwelling unit in the R-1-B Zone at premises 4844 Reservoir Road N.W. (Square 1387, Lot 74).

WARD ONE

20063
ANC 1D **Application of Siri Fiske**, pursuant to 11 DCMR Subtitle X, Chapter 9, for special exceptions under Subtitle E § 5201 from the lot occupancy requirements of Subtitle E § 304.1, the rear yard requirements of Subtitle E § 306.1, and the nonconforming structure requirements of Subtitle C § 202.2, to construct a rear addition to an existing, attached principal dwelling unit in the RF-1 Zone at premises 1210 T Street N.W. (Square 275, Lot 46).

WARD THREE

20071
ANC 3D **Application of Charles Weil and Leigh McCue-Weil**, pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception under Subtitle D § 5201 from the lot occupancy requirements of Subtitle D § 304.1 to construct a side yard addition to an existing, detached principal dwelling unit in the R-1-B Zone at premises 5405 Sherier Place N.W. (Square 1443, Lot 43).

WARD FIVE

20072
ANC 5E **Appeal of Marybeth and Ken DeGrave**, pursuant to 11 DCMR Subtitle Y § 302, from the decision made on March 11, 2019 by the Zoning Administrator, Department of Consumer and Regulatory Affairs, to issue building permit B1903685 (revising building permit B1803293) to construct a new three-story addition to an existing, attached principal dwelling unit in the RF-1 Zone at premises 2202 1st Street N.W. (Square 3122, Lot 24).

BZA PUBLIC HEARING NOTICE

JULY 24, 2019

PAGE NO. 2

WARD FIVE

20073
ANC 5E **Application of Oxbridge Development QOZB at Fourth Street NE LLC**, pursuant to 11 DCMR Subtitle X, Chapter 9, for special exceptions from the retaining wall requirements of Subtitle C § 1401.7, under the inclusionary zoning provisions of Subtitle C § 1001.2(e)(3), and from the lot width requirements of Subtitle E § 201.1, to raze an existing detached principal dwelling unit, and subdivide the lot to construct three new, attached flats in the RF-1 Zone at premises 2637 4th Street N.E. (Square 3634, Lot 803).

WARD EIGHT

20074
ANC 8A **Application of Stanton Rd SE LLC**, pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception under the new residential development requirements of Subtitle U § 421.1, to construct a new, three-story, 22-unit apartment building in the RA-1 Zone at premises 2604-2610 Stanton Road, S.E. (Square 5869, Lot 84).

WARD TWO

20075
ANC 2E **Application of CTF Georgetown Hotel LLC**, pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception under Subtitle C § 703.2 from the minimum parking requirements of Subtitle C § 701.5, to renovate an existing hotel in the MU-12 Zone at premises 1050 31st Street N.W. (Square 1189, Lot 90).

WARD EIGHT

20078
ANC 8A **Application of Sig LLC**, pursuant to 11 DCMR Subtitle X, Chapter 9, for special exceptions under the theoretical lot subdivision requirements of Subtitle C § 305, and under the inclusionary zoning minimum lot width requirements of Subtitle C § 1002.2, and pursuant to Subtitle X, Chapter 10, for area variances from the front setback requirements of Subtitle B § 315.1(c) and Subtitle E § 305.1, and the height and story requirements of Subtitle E § 303.2, to raze an existing detached principal dwelling unit, to create six new theoretical lots, and to construct six new flats in the RF-1 Zone at premises 1256-1258 Talbert Street, S.E. (Square 5805, Lot 824)

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

BZA PUBLIC HEARING NOTICE

JULY 24, 2019

PAGE NO. 3

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

ለመነተፍ ዕርዳታ ያስፈልግዎታል?

የተለየ እርዳታ ካስፈለገዎት ወይም የቋንቋ እርዳታ አገልግሎቶች (ትርጉም ወይም መነተር ጎም) ካስፈለገዎት እባክዎን ከስብሰባው አምስት ቀናት በፊት ዚ ሂልን በስልክ ቁጥር (202) 727-0312 ወይም በኢሜል Zelalem.Hill@dc.gov ይገናኙ። እነኝህ 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.

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

BZA PUBLIC HEARING NOTICE

JULY 24, 2019

PAGE NO. 4

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**

**BOARD OF ZONING ADJUSTMENT
PUBLIC HEARING NOTICE
WEDNESDAY, JULY 31, 2019
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 SIX

20019 **Application of Christina Fisher**, pursuant to 11 DCMR Subtitle X, Chapter 9, ANC 6B for special exceptions under Subtitle E §§ 205.5 and 5201, from the rear yard requirements of Subtitle E § 205.4, the lot occupancy requirements of Subtitle E § 304.1, and the non-conforming structure requirements of Subtitle C § 202.2, to construct a two-story, rear addition, and to convert an existing attached principal dwelling into a flat in the RF-1 Zone at premises 530 11th Street, S.E. (Square 994, Lot 816).

WARD FOUR

20044 **Application of Madison Heights LLC**, pursuant to 11 DCMR Subtitle X, ANC 4C Chapter 9, for a special exception under the inclusionary zoning requirements of Subtitle C § 1001.2(e)(3), to convert an existing detached principal dwelling into an 8-unit apartment house in the RA-1 Zone at premises 1214 Madison St N.W. (Square 2934, Lot 35).

WARD SIX

20062 **Application of Mid City Builders LLC**, pursuant to 11 DCMR Subtitle ANC 6A X, Chapter 9, for special exceptions under the penthouse requirements of Subtitle C § 1500.4, and under Subtitle C § 1504 from the penthouse setback requirements of Subtitle C § 1502.1(c)(1)(a), to construct a new three-story flat with a cellar level, roof deck and a rooftop access penthouse in the RF-1 Zone at premises 802 10th Street N.E. (Square 933, Lot 47).

WARD ONE

20077 **Application of Richard J. Hamilton III**, pursuant to 11 DCMR Subtitle ANC 1C X, Chapter 9, for a special exception under Subtitle E § 5201 from the lot occupancy requirements of Subtitle E § 304.1, to construct a three-story rear addition to an existing principal dwelling unit in the RF-1 Zone at premises 1831 Ontario Place N.W. (Square 2584, Lot 825).

BZA PUBLIC HEARING NOTICE

JULY 31, 2019

PAGE NO. 2

WARD FOUR20079
ANC 4C

Application of Kennedy 9 LLC, pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception under Subtitle E §§ 205.5 and 5201 from the rear yard requirements of Subtitle E § 205.4, to construct a flat in the RF-1 Zone at premises 5413 9th Street N.W. (Square 2994, Lot 26).

WARD SIX20080
ANC 6B

Application of Anna-Louisa Yon and Edwin Darilek, pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception under Subtitle E §§ 205.5 and 5201 from the rear yard requirements of Subtitle E § 205.4, to construct a two-story rear addition to an existing, attached principal dwelling unit in the RF-3 Zone at premises 323 5th Street S.E. (Square 820, Lot 30).

WARD TWO20081
ANC 2E

Application of Scott Phillips, pursuant to 11 DCMR Subtitle X, Chapter 9, for special exceptions under Subtitle D § 5201, from the lot occupancy requirements of D § 1204.1, and from the nonconforming structure requirements of C § 202.2, to construct a rear addition to an existing attached principal dwelling unit in the R-20 Zone at premises 1511 33rd Street N.W. (Square 1255, Lot 814).

WARD TWO**THIS CASE HAS BEEN POSTPONED FROM THE HEARING OF APRIL 12, 2017 TO THE HEARING OF MAY 31, 2017 AT THE APPLICANT'S REQUEST:**19459
ANC 2F

Application of Andrew Phillips, pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception under the penthouse requirements of Subtitle C § 1500.3(b), to permit roof access for the upper unit of an existing flat in the RF-1 Zone at premises 930 P Street N.W. (Square 366, Lot 817).

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.

BZA PUBLIC HEARING NOTICE

JULY 31, 2019

PAGE NO. 3

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

ለሙከራ ዕርዳታ ያስፈልግዎታል?

የተለየ እርዳታ ካስፈለገዎት ወይም የቋንቋ እርዳታ አገልግሎቶች (ትርጉም ወይም ሙከራተር ጎም)

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

0312 ወይም በኢሜል Zelalem.Hill@dc.gov ይገናኙ። እነኝህ 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.

Korean

참여하시는데 도움이 필요하세요?

BZA PUBLIC HEARING NOTICE

JULY 31, 2019

PAGE NO. 4

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
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SARA A. BARDIN, DIRECTOR, OFFICE OF ZONING

**DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
CONSTRUCTION CODES COORDINATING BOARD**

NOTICE OF FINAL RULEMAKING

The Chairperson of the Construction Codes Coordinating Board (Chairperson), pursuant to the authority set forth in Section 10 of the Construction Codes Approval and Amendments Act of 1986 (Act), effective March 21, 1987 (D.C. Law 6-216; D.C. Official Code § 6-1409 (2018 Repl.)) and Mayor's Order 2009-22, dated February 25, 2009, hereby adopts the following amendments to Title 12 (D.C. Construction Codes Supplement of 2013) of the District of Columbia Municipal Regulations (DCMR).

This rulemaking revises provisions in the 2013 District of Columbia Building Code, the 2013 District of Columbia Residential Code and the 2013 District of Columbia Fire Code to ensure that the fire and life safety regulations for child development homes and expanded child development homes in the District of Columbia apply to those facilities that are operated in dwelling units located within buildings containing one or two dwelling units which are not within the scope of the 2013 District of Columbia Residential Code. Additionally, this rulemaking revises a provision in the 2013 District of Columbia Plumbing Code to comply with the terms of a District of Columbia commitment to the federal Environmental Protection Agency, in connection with a long-term control plan consent decree, to identify and repeal regulations and guidelines that might impede the development of green infrastructure in the District of Columbia. Lastly, this rulemaking revises provisions in the 2013 District of Columbia Building Code to clarify that applications vested under a prior edition of the Construction Codes (pursuant to Section 123, 12-A DCMR) have the same rights as issued permits.

A Notice of Fifth Emergency rulemaking was adopted on April 5, 2019 and published on May 31, 2019 at 66 DCR 6684. A Notice of Fourth Emergency rulemaking was adopted on December 6, 2018 and published on February 1, 2019 at 66 DCR 1508. A Notice of Third Emergency rulemaking was adopted on August 8, 2018 and published on October 5, 2018 at 65 DCR 11058. A Notice of Second Emergency rulemaking was adopted on April 11, 2018 and published on July 27, 2018 at 65 DCR 7870. The Notice of Emergency and Proposed rulemaking was adopted on October 18, 2017 and published on January 5, 2018 at 65 DCR 61. No comments were received.

Pursuant to Section 10(a) of the Act, a proposed resolution approving emergency and proposed amendments was submitted to the Council of the District of Columbia, on October 1, 2018 for a forty-five (45) day period of review. The 45-day period of review having expired on December 7, 2018 with no Council action to approve or disapprove the proposed resolution, the proposed amendments are deemed approved.

No substantive changes were made to the final rulemaking. These rules were adopted as final by the Chairperson on April 18, 2019 and will become effective upon publication in the *D.C. Register*.

Title 12-A DCMR, BUILDING CODE SUPPLEMENT OF 2013, is amended as follows:

Chapter 1, ADMINISTRATION AND ENFORCEMENT, is amended as follows:

Section 101, GENERAL, is amended as follows:

Insert a new Section 101.2.5 in the 2013 District of Columbia Building Code to read as follows:

101.2.5 Home Day Care in Group R-3 Buildings. Day care homes in Group R-3 *dwelling*s shall comply with Appendix M of the *Residential Code* or meet the corresponding provisions of the *Building Code*.

Amend Section 101.3.3.1 in the 2013 District of Columbia Building Code to read as follows:

101.3.3.1 Home Day Care. Appendix M of the *Residential Code* shall apply to home day care in detached one- and two-family *dwelling*s or townhouses within the scope of the *Residential Code* or in R-3 *dwelling*s, including Child Development Homes where oversight is provided by the Office of the State Superintendent of Education or a successor agency.

Section 102, APPLICABILITY, is amended as follows:

Revise Section 102.6 of the 2013 District of Columbia Building Code to read as follows:

102.6 Continuation of Legal Use and Occupancy. The legal use and occupancy of any *structure* existing on the effective date of the *Construction Codes*, ~~or~~ for which a permit has already been *approved*, or, pursuant to Section 123, an application vested under a prior edition of the *Construction Codes*, shall be permitted to continue without change.

Exceptions:

1. Provisions of the *Building Code*, the *Property Maintenance Code*, or the *Fire Code* that are specifically required to be applied retroactively.
2. Provisions of the *Construction Codes* deemed necessary by the *code official*, as defined in Section 103.1 of the *Building Code*, for the general safety, health and welfare of the occupants and the public.

Chapter 3, USE AND OCCUPANCY CLASSIFICATION, is amended as follows:

Section 308, INSTITUTIONAL GROUP I, is amended as follows:

Amend Section 308.6.3 in the 2013 District of Columbia Building Code to read as follows:

308.6.3 Five or fewer persons receiving care. A facility having five or fewer persons receiving *custodial care* in a facility other than a *dwelling unit* within the scope of Section 308.6.4 shall be classified as part of the primary occupancy.

Strike Section 308.6.4 in the 2013 District of Columbia Building Code in its entirety and insert new Section 308.6.4 in its place to read as follows:

308.6.4 Persons receiving custodial care in a dwelling unit. A facility providing custodial care in a *dwelling unit* within either (1) a detached one- or two-family *dwelling* or townhouse within the scope of the *Residential Code* or (2) an R-3 *dwelling*, shall comply with Appendix M of the *Residential Code*.

Title 12-B DCMR, RESIDENTIAL CODE SUPPLEMENT OF 2013, is amended as follows:

Appendix M, HOME DAY CARE, is amended as follows:

Section M101, GENERAL, is amended as follows:

Amend Section M101.1, Appendix M, of the 2013 District of Columbia Residential Code, to read as follows:

M101.1 General.

This appendix shall apply to day care facilities (a) operated within detached one- and two-family *dwelling units* and townhouses within the scope of the *Residential Code* and in *dwelling units* within R-3 *dwelling units*, and (b) occupied by persons of any age who receive custodial care (i) for less than 24 hours per day (ii) provided by individuals other than parents or guardians or relatives by blood, marriage, or adoption (iii) in a place other than the home of the person cared for. Appendix M does not apply to the following:

1. Day care facilities that are classified as Group E or Group I-4 under the *Building Code*.
2. Adult day care where any of the clients is incapable of self-preservation, unless such persons are cared for in rooms located on a *level of exit discharge* serving such rooms and each room has an exit door directly to the exterior.
3. A child day care facility within a *dwelling unit* that is located in a multi-family building classified as an R-2 occupancy.

Section M103, MEANS OF EGRESS, is amended as follows:

Strike Section M103.1.6, Appendix M of the 2013 District of Columbia Residential Code, in its

entirety, and insert new Section M103.1.6 in its place to read as follows:

M103.1.6 Dwellings with Three or More Stories. Home day care shall not be provided above the second story in *dwellings* with three or more stories.

Exception: The third story is allowed to be used for home day care where the *dwelling* is equipped throughout with an automatic sprinkler system in accordance with Section R313 and the third story is provided with a means of *exit access* and a means of escape in compliance with Section R310.

Title 12-H DCMR, FIRE CODE SUPPLEMENT OF 2013, is amended as follows:

Chapter 3, GENERAL REQUIREMENTS, is amended as follows:

Section 319, DAY CARE FACILITIES IN DWELLING UNITS, is amended as follows:

Amend Section 319.2 in the 2013 District of Columbia Fire Code to read as follows:

319.2 Day care homes in 1- or 2-family homes or townhouses. Day care facilities that are operated in *dwelling units* within existing detached one- and two-family *dwellings* and townhouses within the scope of the *Residential Code*, or within R-3 *dwellings*, shall comply with the fire safety provisions in Appendix K. Appendix K does not apply to the following:

1. Day care facilities that are classified as Group E or Group I-4 under the *Building Code*.
2. Adult day care where any of the clients are *incapable of self-preservation*, unless such persons are cared for in rooms located on a *level of exit discharge* serving such rooms and each room has an *exit* door directly to the exterior.

Appendix K, HOME DAY CARE, is amended as follows:

Section K101, GENERAL, is amended as follows:

Amend Section K101.1 of Appendix K in the 2013 District of Columbia Fire Code to read as follows:

K101.1 General.

This appendix shall apply to day care facilities (a) operated in *dwelling units* within existing detached one- and two-family *dwellings* and townhouses within the scope of the *Residential Code* or within R-3 *dwellings*, and (b) occupied by persons of any age who receive custodial care (i) for less than 24 hours per day (ii) provided by individuals other than parents or guardians or relatives by blood,

marriage, or adoption, and (iii) in a place other than the home of the person cared for. Appendix K does not apply to the following:

1. Day care facilities that are classified as Group E or Group I-4 under the *Building Code*.
2. Adult day care where any of the clients is *incapable of self-preservation*, unless such persons are cared for in rooms located on a *level of exit discharge* serving such rooms and each room has an *exit* door directly to the exterior.
3. A child day care facility within a *dwelling unit* that is located in a multi-family building classified as an R-2 occupancy.

Section K103, MEANS OF EGRESS, is amended as follows:

Strike Section K103.1.6, Appendix K of the 2013 District of Columbia Fire Code in its entirety and insert new Section K103.1.6 in its place to read as follows:

K103.1.6 Dwellings with three or more stories. Day care shall not be provided above the second story in *dwellings* with three or more stories.

Exception: The third story is allowed to be used for day care where the *dwelling* is equipped throughout with an automatic sprinkler system in accordance with Section R313 of the *Residential Code* or Section 903.2.8 of the *Fire Code*, as applicable, and the third story is provided with a means of *exit access* and a means of escape in compliance with Section R310 of the *Residential Code*.

Title 12-F DCMR, PLUMBING CODE SUPPLEMENT, is amended as follows:

Chapter 11, STORM DRAINAGE, is amended as follows:

Section 1115, RAINWATER COLLECTION AND DISTRIBUTION SYSTEMS, is amended as follows:

Amend Section 1115.11.1 of the 2013 District of Columbia Plumbing Code to read as follows:

1115.11.1 Collection surface. Rainwater shall be collected only from above-ground impervious roofing surfaces constructed from *approved* materials. Collection of water from vehicular parking, pedestrian, or other surfaces shall be prohibited except where the water is used exclusively for landscape irrigation or where water quality treatment measures that are adequate for any *non-potable* water end use have been approved.

OFFICE OF CONTRACTING AND PROCUREMENT**NOTICE OF FINAL RULEMAKING**

The Chief Procurement Officer of the District of Columbia (CPO), 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. & 2018 Supp.)) (Act), hereby gives notice of the adoption of this final rulemaking to add a new Section 1611 to Chapter 16 (Procurement by Competitive Sealed Proposals), of Title 27 (Contracts and Procurement), of the District of Columbia Municipal Regulations (DCMR).

This regulation establishes the prices the Department of Health Care Finance (DHCF) shall pay to the District of Columbia's Medicaid Managed Care Organization (MCO) contractors. DHCF is the single state agency responsible for managing the District's Medicaid Program, which provides healthcare coverage to low-income children, adults, elderly, and persons with disabilities. The Office of Contracting and Procurement (OCP), on behalf of DHCF, is in the process of procuring MCO contractors in FY2019. The MCO contractors will be paid monthly capitation rates that are consistent with the approved DHCF FY2019 budget. The rates were developed and certified at the lower bound of the actuarially sound range by the District's contracted actuary, in accordance with federal standards. The monthly capitation payments are for services to be rendered by the contractors under the District's Medicaid Managed Care Program for the period of October 1, 2018, through September 30, 2019.

A Notice of Emergency and Proposed Rulemaking was published in the *D.C. Register* on March 29, 2019, at 66 DCR 3897-99. No comments were received and no changes have been made to the proposed text of the rules.

On May 1, 2019, the CPO adopted these rules as final and they will become effective upon publication of this notice in the *D.C. Register*.

Chapter 16, PROCUREMENT BY COMPETITIVE SEALED PROPOSALS, of Title 27 DCMR, CONTRACTS AND PROCUREMENTS, is amended as follows:

Section 1611, [RESERVED], is repealed and replaced with the following:

1611 PRICES FOR SERVICES PROVIDED UNDER THE DISTRICT'S MEDICAID MANAGED CARE PROGRAM

1611.1 Notwithstanding the requirements of § 1612.1, for services provided under the District's Medicaid Managed Care Program, for the period of October 1, 2018, through September 30, 2019, the Director sets the following monthly capitation rates per person enrolled in a contractor's MCO to be paid to contractors selected through the solicitation, and no price evaluation factor will be required for procurement of these services:

CLIN	Rate Cohort	DHCF Actuarially Sound Lower Bound Rates
0001 DC Healthy Families Program (DCHFP)¹		
0001AA	Under 1 Year of Age	\$454.66
0001AB	Delivery Payment	\$10,025.57
0001AC	Birth Payment	\$6,714.27
0001AD	Children Ages 1 through 12 Years	\$196.55
0001AE	Females Ages 13 through 18 Years	\$275.74
0001AF	Males Ages 13 through 18 Years	\$215.73
0001AG	Females Ages 19 through 36 Years	\$313.27
0001AH	Males Ages 19 through 36 Years	\$228.08
0001AI	Females Ages 37 through 49 Years	\$523.64
0001AJ	Males Ages 37 through 49 Years	\$409.94
0001AK	Females Ages 50+ Years	\$707.34
0001AL	Males Ages 50+ Years	\$751.34
CLIN	Rate Cohort	DHCF Actuarially Sound Lower Bound Rates
0002 DC Healthcare Alliance Program		
0002AA	Females Ages 19 through 36 Years	\$234.72
0002AB	Males Ages 19 through 36 Years	\$186.45
0002AC	Females Ages 37 through 49 Years	\$374.22
0002AD	Males Ages 37 through 49 Years	\$336.57
0002AE	Females, Ages 50+ Years	\$723.97
0002AF	Males, Ages 50+ Years	\$828.98
CLIN	Rate Cohort	DHCF Actuarially Sound Lower Bound Rates
0003 271 Population²		
0003AA	Females Ages 19 through 36 Years	\$228.33
0003AB	Males Ages 19 through 36 Years	\$176.77
0003AC	Females Ages 37 through 49 Years	\$497.91
0003AD	Males Ages 37 through 49 Years	\$331.96
0003AE	Females Ages 50+ Years	\$694.63
0003AF	Males Ages 50+ Years	\$558.75

¹ Immigrant Children's Program services are included under the rate cohort for DCHFP.

² 271 Population (childless adults) are included within the DCHFP, but have a separate set of rates than the DCHFP rate cohort.

OFFICE OF DOCUMENTS AND ADMINISTRATIVE ISSUANCES

ERRATA NOTICE

The Administrator of the Office of Documents and Administrative Issuances (ODAI), pursuant to the authority set forth in Section 309 of the District of Columbia Administrative Procedure Act, approved October 21, 1968, as amended (82 Stat. 1203; D.C. Official Code § 2-559 (2016 Repl.)), hereby gives notice of a correction to the Notice of Final Rulemaking issued by the District of Columbia Public Schools and published in the *D.C. Register* on May 11, 2007 at 54 DCR 4382; as amended by the Focused Student Achievement Amendment Act of 2013, effective February 22, 2014 (D.C. Law 20-84; 61 DCR 178 (January 10, 2014)).

The final rulemaking amended, among others, Chapter 22 (Grades, Promotion, and Graduation) of Title 5 (Education), Subtitle E (Original Title 5), of the District of Columbia Municipal Regulations (DCMR).

In Subsection 2201.8 (a) of Section 2201 (Promotion), the rulemaking incorrectly stated that the course Algebra I must be completed in the ninth (9th) Grade. The Algebra I requirement should have been placed in § 2201.8(b) to align with state graduation requirements. This errata notice corrects the requirements by moving the Algebra I requirement from § 2201.8(a) to § 2201.8(b).

The corrections to the final rulemaking are made below (deletions are shown in ~~striketrough~~ text and additions are shown in underline).

Chapter 22, GRADES, PROMOTION, AND GRADUATION, of Title 5-E DCMR, ORIGINAL TITLE 5, is amended as follows:

Section 2201, PROMOTION, Subsections 2201.8(a) and (b), is amended as follows:

2201.8 Students may complete the high school graduation requirements over a three, four, or five year period, depending upon the time and support they need to complete graduation requirements as stated in their individualized graduation plan signed and verified by the counselor. The following guidelines shall apply for testing purposes where a grade definition is required:

- (a) Any student who earns six (6) Carnegie Units by completing content standards of the required courses including units in ninth (9th) grade English ~~and Algebra I~~, shall be eligible to be classified as a tenth (10th) grade student.
- (b) Any student who earns twelve (12) Carnegie Units by completing content standards of the required courses including tenth (10th) grade English and Algebra I, shall be eligible to be classified as an eleventh (11th) grade student.

- (c) Any student who earns eighteen (18) Carnegie Units by completing content standards of the required courses including eleventh (11th) grade English, shall be eligible to be classified as a twelfth (12th) grade student.

This Errata Notice's correction to the Notice of Final Rulemaking is non-substantive in nature and does not alter the intent, application, or purpose of the proposed rules. The rules are effective upon the original publication date of May 11, 2007.

Any questions or comments regarding this notice shall be addressed by mail to Victor L. Reid, Esq., Administrator, Office of Documents and Administrative Issuances, 441 4th Street, N.W., Suite 520 South, Washington, D.C. 20001, email at victor.reid@dc.gov, or via telephone at (202) 727-5090.

OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION

NOTICE OF FINAL RULEMAKING

The State Superintendent of Education, pursuant to the authority set forth in Section 102(1B) of the Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code § 38-2901(1B) (2012 Repl. & 2018 Supp.)); and Section 3(b)(16) of the State Education Office Establishment Act of 2000 (Act), effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2602(b)(16) (2012 Repl. & 2018 Supp.)), hereby gives notice of a new Chapter 75 (Alternative Program) to Subtitle A (Office of the State Superintendent of Education), Title 5 (Education) of the District of Columbia Municipal Regulations (DCMR).

The Office of the State Superintendent of Education (OSSE), pursuant to D.C. Official Code § 38-2901(1B), is responsible for establishing the criteria for determining whether District of Columbia Public Schools and public charter schools receive per pupil funding via the Uniform Per Student Funding Formula at the “Alternative Program” level. The purpose of this final rulemaking is to set forth the eligibility criteria for a school or specialized program within a school to be designated as an alternative program and establish the application process by which OSSE will determine that the eligibility criteria have been met.

A Notice of Proposed Rulemaking was published in the *D.C. Register* for a thirty (30) day public comment period on March 22, 2019, at 66 DCR 3335. The comment period official closed on April 22, 2019, with the State Superintendent having received comments from four stakeholder organizations. OSSE has not made any substantive changes in the Final Rulemaking but OSSE provides responses to the comments below.

Section 7501 (Alternative Program Designation) sets forth one (1)-year hold harmless language for programs currently with the alternative program designation, sets the maximum time period for the designation to three (3) years, and describes which students for which the LEAs shall receive funding at the alternative program level once designated.

OSSE received a few comments regarding the age of students that would receive funding being restricted to those that are between 13-24 years old. Specifically, commenters requested OSSE amend § 7501.4(a)-(b) to allow for students under the age of thirteen (13) and over the age of twenty-four (24) to receive this funding as there are students that do not meet the age requirement but identify with the factors set forth in § 7502.1(e). OSSE has considered the commenters’ recommendations; however, OSSE has decided to maintain § 7501.4 as proposed. First, it is OSSE’s understanding that the District’s current alternative programs do not serve students less than 13 years old, particularly because students that are under age 13 are below high school age, and not pursuing a secondary academic credential. OSSE recognizes that there are alternative programs in other parts of the country that are not restricted to those seeking a secondary credential; however, OSSE is proposing to target high school age students for alternative program designation funding, as per the current practice. OSSE will continue to research and examine how alternative programs serve those under 13 year of age, and looks forward to further engaging with stakeholders on this issue. Further, it is OSSE’s understanding

that the District's current alternative programs do not serve any students over 24 years old receiving full-time equivalent instruction. Programs serving students over 24 years old are enrolled in programs that meet the definition of adult education as set forth in D.C. Official Code § 38-2901(1) ("Services or instruction below the college level for adults who: (A) Lack sufficient mastery of basic educational skills to enable them to function effectively in society; (B) Do not have a certificate of graduation from a school providing secondary education and who have not achieved an equivalent level of education; or (C) Have limited ability in speaking, reading, writing, or understanding the English language and whose native language is a language other than English."). Similarly, one commenter requested OSSE to amend § 7501.4 to allow for students who have already received a secondary credential to receive the funding. OSSE did not make any changes based on this comment because students who already have a secondary credential, whether a traditional high school diploma or successful completion of the GED or NEDP, remain eligible for funding at the adult rate which allows for more flexibility in full-time/part-time enrollment status.

Additionally, commenters requested that OSSE amend § 7501.4 to allow for funding of the whole school, not just the students that meet the requirements in § 7501.4, particularly because adult students would only receive the adult rate which is significantly less than the alternative program rate. OSSE did not make any changes based on this comment as such changes would conflict with the framework for student-level funding set forth in D.C. Official Code §§ 38-2901 *et seq.* Furthermore, the adult rate is applied in instances when students already have a secondary credential, students who are over the age of 24, or students who are not enrolled full-time working towards a secondary credential.

Section 7502 (Eligibility Criteria for the Alternative Program Designation) describes the eligibility criteria that a school or program within a school must demonstrate and maintain, regarding both the program itself and the enrolled student population, in order to be designated as an alternative program. One commenter requested that OSSE consider expanding the criteria in § 7502.1(e). OSSE has carefully considered this comment; however, OSSE has elected not to incorporate the commenter's suggested changes. Prior to issuing the Notice of Proposed Rulemaking, OSSE conducted best practice research, reviewed peer-state practices and legislation, and convened a working group with key District stakeholders. In particular, OSSE explored other possible criteria with the working group and the proposed criteria were identified based on the recognition that these criteria would have to be verified by both students and LEAs and any other criteria would be potentially burdensome. Also, OSSE determined that any additional criteria discussed with stakeholders beyond the proposed criteria was redundant, as student eligibility was met using only the proposed criteria.

One commenter requested that OSSE align policies, funding, and accountability systems for the purposes of funding and evaluating alternative schools. While OSSE appreciates this comment, OSSE reiterates that an alternative program designated by OSSE pursuant to this chapter is not equivalent to, nor serves the same purpose, as an "alternative school" defined in accordance with "OSSE's Definition of Alternative Schools Policy" for the purposes of establishing a single state accountability system pursuant to Section 1105 in Title I of the Every Student Succeeds Act, effective Dec. 10, 2015 (129 Stat. 180; 20 USC § 6311). LEAs who meet and receive the

alternative program designation may fall under the single state accountability system or an accountability system developed in the future.

Section 7503 (Application for Alternative Program Designation) sets forth the process for OSSE to annually review new applications as well as how programs which are already designated must reapply. One commenter did not make a specific comment about the language of the regulation but instead requested clarification as to the transition time for implementation of this rulemaking. OSSE appreciates this comment and recognizes the concerns raised by the commenters. For LEAs with an existing alternative program designation, a new application will be due for the 2020-21 school year by August 30, 2019, and notification will be made by September 30, 2019. Once the alternative program designation is granted it will be in effect for three (3) years. For LEAs applying for the first time for the 2019-20 school year, the application is now available on OSSE’s website at <https://osse.dc.gov/page/grants-and-funding-0>. OSSE will accept applications on a rolling basis until June 24, 2019, and all applications will be reviewed within forty-five (45) days of receipt. Additional instructions concerning the application cycle for the 2019-20 school year are available in the Alternative Program Guidance on OSSE’s website at <https://osse.dc.gov/page/grants-and-funding-0>.

Finally, Section 7505 (Monitoring) provides OSSE with the authority to monitor schools or programs that are receiving this funding to ensure compliance with eligibility criteria. One commenter noted that that this section required more compliance than the at-risk supplemental weight. OSSE considered the commenters concern; however, OSSE has retained Section 7505 as proposed because such monitoring is necessary when providing programs with the stability provided through OSSE’s three (3)-year designation.

The final rules are being adopted in substantially the same form as proposed with minor changes to correct grammar, citations or references, and to clarify language consistent with the initial intent of the proposed rules. The changes do not substantially alter the intent, meaning, or application of the proposed rules or exceed the scope of the rules as published with the Notice of Proposed Rulemaking.

These rules were adopted as final on June 5, 2019, and will be effective upon publication of this notice in the *D.C. Register*.

A new Chapter 75 ALTERNATIVE PROGRAM, is added to Title 5-A DCMR, OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION, to read as follows:

CHAPTER 75 ALTERNATIVE PROGRAM

7500 GENERAL PROVISIONS

7500.1 The purpose of this chapter is to:

- (a) Set forth the eligibility criteria for a school or specialized program within a school to be designated as an alternative program and describe the

manner in which students enrolled in the alternative program are funded on a per pupil basis;

- (b) Establish the process for application for an alternative program designation; and
- (c) Set forth OSSE's authority to monitor compliance with and enforce this chapter.

7500.2 OSSE may publish policies, procedures, or guidance related to alternative programs. Any OSSE policies and procedures related to alternative programs shall be posted on the OSSE website.

7501 ALTERNATIVE PROGRAM DESIGNATION

7501.1 OSSE shall designate a school, or a specialized program within a school, as an alternative program for the purposes of a local education agency (LEA) receiving a per pupil allocation at the "Alternative Program" level, as set forth in D.C. Official Code § 38-2903, as follows:

- (a) For a school, or a specialized program within a school, that does not have a prior alternative program designation, as defined in this chapter, or that is applying for this designation for the first time, the designation pursuant to this chapter shall take effect for school year 2019-2020; and
- (b) For a school, or specialized program within a school, with a prior alternative program designation, as defined in this chapter, the prior designation shall be maintained for school year 2019-2020 and the designation pursuant to this chapter shall take effect for school year 2020-2021.

7501.2 The alternative program designation shall be valid for a period of three (3) years from the date the designation was issued by OSSE.

7501.3 Notwithstanding § 7501.2, a school, or specialized program within a school, that is in its first year of operation may be designated as an alternative program for a period of one year from the date the designation was issued by OSSE.

7501.4 An LEA shall receive per pupil funding at the "Alternative Program" level for students enrolled in a designated alternative program as follows:

- (a) An LEA shall receive this funding for each student enrolled in a designated alternative program receiving full-time equivalent instruction and between the ages of thirteen (13) to twenty-four (24);

- (b) An LEA shall not receive this funding for any student that is enrolled in a designated alternative program below the age of 13 or of the age of 25 years old or above; and
- (c) Notwithstanding §§ 7501.4(a)-(b), an LEA shall receive this funding for each student, regardless of age, enrolled in a designated alternative program that only serves students currently under the supervision of the Department of Youth Rehabilitation Services (DYRS) or only serves students who are in a long-term suspension or expulsion status from the student's last school of attendance due to a disciplinary infraction.

7502 ELIGIBILITY CRITERIA FOR ALTERNATIVE PROGRAM DESIGNATION

7502.1 To be a designated alternative program, the following criteria shall be satisfactorily demonstrated upon application and maintained throughout the designation period:

- (a) The school mission includes a focus on serving students meeting any of the criteria described in § 7502.1(e);
- (b) The school or specialized program within the school provides programming, including but not limited to, instruction, and academic and non-academic supports targeted to students meeting any of the criteria described in § 7502.1(e);
- (c) The school or specialized program within the school provides a full-time equivalent academic track culminating in the first-time completion of a secondary academic credential;
- (d) The students enrolled in the school, or in the specialized program within the school, include, but are not necessarily limited to, those who have reached the minimum age of thirteen (13) and who have not exceeded the maximum age of twenty-four (24);
- (e) Based on either the prior school year or an average of the previous two (2) school years, seventy-five percent (75%) of the students between the ages of thirteen (13) and twenty-four (24) enrolled in full-time equivalent instruction in the school, or specialized program within the school, identified as one or more of the following:
 - (1) At least one year older, or more, than the expected age for the grade in which the student is, or should be, enrolled;
 - (2) Qualifies for Temporary Assistance for Needy Families (TANF), as defined in the District of Columbia Public Assistance Act of

1982, effective April 6, 1982 (D.C. Law 4-101; D.C. Official Code §§ 4- 201.1 *et seq.*);

- (3) Qualifies for Supplemental Nutrition Assistance Program (SNAP), as defined in the Food Stamp Act Food Stamp Act of 1964, approved August 31, 1964 (78 Stat. 703; 7 USC § 2012(t));
- (4) Experiencing homelessness, as defined in 5-A DCMR § 5099;
- (5) Currently involved with or under the jurisdiction of the District of Columbia Child and Family Services Agency (CFSA);
- (6) The student has been expelled from their prior school;
- (7) The student has a history of being on short- or long-term suspension at the student's prior school(s); or
- (8) The student is under court supervision.

7502.2 To be designated as an alternative program during the first year of a school or specialized program's operation, §§ 7502.1(a)-(d), shall be satisfactorily demonstrated upon application and maintained throughout the one-year designation period.

7503 APPLICATION FOR ALTERNATIVE PROGRAM DESIGNATION

7503.1 To be eligible to receive per pupil funding at the "Alternative Program" level in Fiscal Year 2020 and beyond, an LEA shall apply on behalf of a school, or specialized program within the school, for the alternative program designation.

7503.2 An application for an alternative program designation shall proceed in the manner set forth in this chapter, including as follows:

- (a) An LEA shall apply for the alternative program designation on behalf of a school, or specialized program within the school, that is not already designated as an alternative program;
- (b) Applications shall be available on an annual basis;
- (c) Applications shall be in the format and shall contain the information set forth by OSSE; and
- (d) Upon receipt of a complete application, OSSE may request further documentation or records, as necessary, to evaluate an application. The applicant shall promptly comply with OSSE's request.

7503.3 A designated alternative program shall re-apply for the alternative program designation during the final year of the designation period to ensure continuity of funding at the at the “Alternative Program” level for the next school year.

7504 ANNUAL ESTIMATE FOR PER PUPIL FUNDING

7504.1 Once designated as an alternative program, the school or specialized program within a school, shall submit an annual estimate of the number and age of students that are projected to be enrolled in the alternative program in the next school year.

7504.2 Projections for the number and age of students that will receive per pupil funding at the “Alternative Program” level in the following school year(s) shall be determined in a manner consistent with D.C. Official Code § 38-2906.

7505 MONITORING

7505.1 OSSE may monitor designated alternative programs at any time during the funding period to verify its continued eligibility. OSSE’s monitoring may include, but is not limited to, scheduled and unscheduled visits to the school or specialized program, review of student records, and review of any relevant records.

7505.2 An alternative program shall cooperate with any monitoring conducted by OSSE or any audit conducted by the Office of the Chief Financial Officer pursuant to this section, and failure to do so may result in loss of alternative program designation.

7505.3 An alternative program shall comply with the following:

- (a) Notwithstanding any other requirements set forth by federal or local law or regulation, retain any records related to the eligibility of the school or specialized program for alternative program designation, to the application process for alternative program designation, and to the criteria of individual students , for as long as the school is receiving the per pupil funding at the “Alternative Program” level and for ten (10) years after such funding ends; and
- (b) Promptly comply with all OSSE data and records requests related to its alternative program designation.

7506 DENIAL OF APPLICATION OR TERMINATION OF DESIGNATION

7506.1 If OSSE determines that the school or specialized program’s application does not sufficiently demonstrate eligibility requirements, OSSE may deny the application.

- 7506.2 If OSSE determines that the alternative program no longer meets the requirements set forth in §§ 7502.1(a)-(d), OSSE may terminate the alternative program designation. Termination shall not be effective until the following fiscal year.
- 7506.3 OSSE shall provide the school or specialized program with written notice of denial or termination, and if applicable, required remedial action. The notice shall provide the reason for denial or termination, the specific remedial action, if applicable, and the effective date of the termination, if applicable.
- 7506.4 A school or specialized program may request review of a decision by OSSE to deny the application or terminate the designation. A request for review shall be submitted in writing to OSSE within ten (10) calendar days of the date the recipient received notice of denial or termination. The written request for review shall include the following:
- (a) A concise statement of facts regarding each specified reason for the termination or required remedial action;
 - (b) The specific basis for contesting each reason; and
 - (c) Two (2) copies of all documentary evidence supporting the recipient's positions.
- 7506.5 Review of the school or specialized program's request shall be performed by an OSSE employee designated by the State Superintendent of Education and such person shall not have participated in the decision to designate the school or program within a school as an alternative program, deny the application, or the decision to terminate the designation and its related funding. The decision of the reviewer shall be OSSE's final administrative decision.

7599 DEFINITIONS

- 7599.1 When used in this chapter, the following terms and phrases shall have the meanings ascribed:

Alternative Program – An entire school or specialized program within a school that is offering instruction and academic and non-academic supports to students who meet the criteria set forth in this chapter.

Full-time equivalent – Shall have the same meaning as set forth in D.C. Official Code § 38-2901(6)(A).

Local Education Agency – Pursuant to 20 USCS § 7801(30)(A), a public board of education or other public authority legally constituted within a State for either administrative control or direction of, or to perform a service function for, public elementary schools or secondary schools in a city,

county, township, school district, or other political subdivision of a State, or of or for a combination of school districts or counties that is recognized in a State as an administrative agency for its public elementary schools or secondary schools.

Office of the State Superintendent of Education or OSSE – The state level agency established by the State Education Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code §§ 38-2601 *et seq.*).

Prior alternative program designation – a school, or specialized program within a school that was designated as an Alternative Program by OSSE for Fiscal Year 2019 to receive per pupil funding at the “Alternative Program” level.

School - A public charter school authorized to operate by a chartering authority in the District of Columbia or a school within the District of Columbia Public Schools system

Secondary Academic Credential – High school diploma, GED or certificate of IEP completion.

OFFICE OF TAX AND REVENUE

NOTICE OF FINAL RULEMAKING

The Deputy Chief Financial Officer of the District of Columbia Office of Tax and Revenue (OTR), of the Office of the Chief Financial Officer, pursuant to the authority set forth in D.C. Official Code § 47-1335 (2015 Repl.), Section 201(a) of the 2005 District of Columbia Omnibus Authorization Act, approved October 16, 2006 (120 Stat. 2019, Pub. L. 109-356; D.C. Official Code § 1-204.24d (2016 Repl.)), and the Office of the Chief Financial Officer Financial Management and Control Order No. 00-5, effective June 7, 2000, hereby gives notice of the adoption of amendments to Chapter 3 (Real Property Taxes) of Title 9 (Taxation and Assessments) of the District of Columbia Municipal Regulations (DCMR).

The purpose of this rulemaking is to amend Section 316 (Real Property Tax Sale Redemption and Tax Deed Issuance Rules) to clarify the circumstances under which a tax sale certificate can be canceled.

The rulemaking was published as a proposed rulemaking in the *D.C. Register* on May 3, 2019 at 66 DCR 5708. No comments were received and there has been no change to the rule as proposed. This rule was adopted as final on June 3, 2019 and will be effective upon publication in the *D.C. Register*.

Chapter 3, REAL PROPERTY TAXES, of Title 9 DCMR, TAXATION AND ASSESSMENTS, is amended as follows:

Subparagraph (b)(3), of Subsection 316.11, of Section 316, REAL PROPERTY TAX SALE REDEMPTION AND TAX DEED ISSUANCE RULES, is amended by striking the words “Class 1”.

316.11

...

(b) ...

- (3) The amount of tax sold was less than two thousand, five hundred dollars (\$2,500) for improved properties;

UNIVERSITY OF THE DISTRICT OF COLUMBIA

NOTICE OF FINAL RULEMAKING

The Board of Trustees of the University of the District of Columbia, pursuant to the authority set forth under the District of Columbia Public Postsecondary Education Reorganization Act Amendments (Act), effective January 2, 1976 (D.C. Law 1-36; D.C. Official Code §§ 38-1202.01(a); 38-1202.06(13) (2012 Repl.)) hereby gives notice of to the adoption of amendments to Chapter 4 (Budget and Finance) of Subtitle B (University of the District of Columbia) of Title 8 (Higher Education) of the District of Columbia Municipal Regulations (DCMR).

The purpose of the amendment is to permit the University to establish business enterprises, including the sales of products and services to the public.

The substance of the rules adopted herein was published in the *D.C. Register* on March 15, 2019 at 66 DCR 003082 – 003083, for a period of public comment of not less than thirty (30) days, in accordance with D.C. Official Code § 2-505(a)(2016 Repl.).

No public comment was received by the Board within the public comment period. The rule was adopted by the Board as final on June 4, 2019, and will become effective upon publication of this notice in the *D.C. Register*.

Chapter 4, BUDGET AND FINANCE, of Title 8-B DCMR, UNIVERSITY OF THE DISTRICT OF COLUMBIA, is amended as follows:

Section 411, BUSINESS ENTERPRISES AND SALES OF PRODUCTS AND SERVICES, is amended as follows:

- 411.1 The University may engage in any trade or business, including sales to the public.
- 411.2 Income generated from any trade or business, regularly carried on by the University that is not substantially related to the University's educational activities may be taxable.
- 411.3 A University business enterprise may be operated as an auxiliary enterprise, subject to negotiated agreements with the University, if applicable, but shall in all cases be under the direct management, control, and supervision of the Chief Operating Officer of the University.
- 411.4 The University shall identify and report unrelated business income on its annual tax returns and remit any tax due, in compliance with federal, state, and local tax laws and regulations.
- 411.5 The Chief Operating Officer of the University shall ensure the University's compliance with sales tax regulations by collecting, accounting for, reporting and remitting the required sales tax in a timely manner, for all taxable sales and rentals.

OFFICE OF CONTRACTING AND PROCUREMENT**NOTICE OF SECOND PROPOSED 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 intent to adopt the following rulemaking to add a new Chapter 30 (Inherently Governmental Functions) to Title 27 (Contracts and Procurement) of the District of Columbia Municipal Regulations (DCMR).

This rulemaking implements Sections 3(a)(1), 3(a)(2), and 3(f), of the Procurement Integrity Transparency, and Accountability Amendment Act of 2015 (PITAAA), effective October 8, 2016 (D.C. Law 21-158; D.C. Official Code §§ 2-351.04(34A), (37B), and 2-352.05a (2016 Repl.)) that prohibits contracting for services that are inherently governmental functions, and establishes standards procedures for acquiring services closely associated with an inherently governmental function. This rulemaking is necessary to provide legal certainty to contracting officers, programmatic staff, and other stakeholders regarding District procurement.

An initial notice of proposed rulemaking was published for a thirty (30)-day comment period on June 30, 2017 at 64 DCR 6120–6125. OCP received written comments on July 17, 2017 from Council Chairman Phil Mendelson. Chairman Mendelson opined that draft Sections 3001 and 3002 should be revised so as to contain more specificity as to what are inherently governmental functions, and functions closely associated with an inherently governmental function, respectively. Furthermore, Chairman Mendelson recommended that proposed Subsection 3001.2 be deleted or revised as there was substantive disagreement over the classification of functions.

OCP has incorporated Chairman Mendelson’s comments into the proposed rules and is issuing this notice of second proposed rulemaking, accordingly. Specifically, OCP has specified that the following are inherently governmental functions: approving budgetary policy; performing adjudicatory functions other than those relating to arbitration or other methods of alternative dispute resolution; controlling criminal prosecutions; directing the conduct of criminal investigations; approve final agency responses to Freedom of Information Act requests including the determination to either withhold or release documents or approve agency responses to administrative appeals of Freedom of Information Act requests; and command public safety, fire, emergency response, and homeland security employees.

Further, the list of functions closely associated with inherently governmental functions has been modified to include the following: supporting acquisition planning; supporting government reorganization activities; evaluating contract proposals, participating as a technical advisor to a source selection board, or serving as a nonvoting member of a source selection board; and developing, but not approving, statements of work.

The CPO gives notice of intent to take final rulemaking action in not less than thirty (30) days from the date of publication of this notice in the *D.C. Register*.

Chapter 30, INHERENTLY GOVERNMENTAL FUNCTIONS, is added to Title 27 DCMR, CONTRACTS AND PROCUREMENT, to read as follows:

CHAPTER 30 INHERENTLY GOVERNMENTAL FUNCTIONS

3000 GENERAL PROVISIONS

3001 INHERENTLY GOVERNMENTAL FUNCTIONS

3002 FUNCTIONS CLOSELY ASSOCIATED WITH AN INHERENTLY GOVERNMENTAL FUNCTION

3003 WAIVER

3004 [RESERVED]

3005 [RESERVED]

3006 [RESERVED]

3099 DEFINITIONS

3000 GENERAL PROVISIONS

3000.1 The contracting officer shall not award a contract or otherwise obligate the District for any service that is an inherently governmental function.

3000.2 The contracting officer may award a contract for the performance of a function closely associated with an inherently governmental only if the head of a using agency benefited by the performance of the contract:

- (a) Finds that appropriate District government employees cannot reasonably perform the function at issue;
- (b) Ensures that appropriate District government employees supervise contractor performance of the contract and perform all inherently governmental functions associated with the contract; and
- (c) Addresses any organizational conflict of interest of the contractor in the performance of the functions closely associated with an inherently governmental function under the contract.

3001 INHERENTLY GOVERNMENTAL FUNCTIONS

3001.1 An inherently governmental function involves, among other things, the interpretation and execution of the laws of the District to:

- (a) Bind the District to take or not to take some action by contract, policy, regulation, authorization, order, or otherwise;
- (b) Appoint, direct, or control officials or employees of the District;
- (c) Approve District government policy, including budget policy;

- (d) Approve the final selection or non-selection of individuals for District government employment;
- (e) Approve position descriptions or performance standards of District government employees;
- (f) Exert ultimate control over the acquisition, use, or disposition of the property, real or personal, tangible or intangible, of the District, including the control, or disbursement of, appropriated and other District funds;
- (g) With respect to contracts to procure goods or services for the District:
 - (1) Determine what supplies or services are to be acquired by the District, and at what prices; provided, that the Director or his or her designee may give a contractor authority to acquire supplies for the District at prices within specified ranges or quantities and subject to other reasonable conditions considered appropriate;
 - (2) Participate as a voting member on any source-selection board, unless the contractor has:
 - (A) Been retained by the District for its specific technical expertise; and
 - (B) No conflict of interest exists with regard to the contract or vendors under consideration by the source-selection board.
 - (3) Approve any contractual documents, including documents defining requirements, incentive plans, and evaluation criteria;
 - (4) Award contracts;
 - (5) Administer contracts, including ordering changes in contract performance or contract quantities, taking action based on evaluations of contractor performance, and accepting or rejecting contractor products or services;
 - (6) Terminate contracts;
 - (7) Determine whether contract costs are reasonable, allocable, or allowable; or
 - (8) Evaluate a contractor's performance when the evaluation is to be used to determine whether payment should be made to the contractor and in what amount.

- (h) Make a final adjudication in a civil or criminal proceeding or perform adjudicatory functions other than those relating to arbitration or other methods of alternative dispute resolution;
- (i) Control criminal prosecutions;
- (j) Direct the conduct of criminal investigations;
- (k) Approve final agency responses to Freedom of Information Act requests including the determination to either withhold or release documents or approve agency responses to administrative appeals of Freedom of Information Act requests;
- (l) Collect, control, and disburse fees, royalties, fines, taxes, and other public funds, unless authorized by law; and
- (m) Command public safety, fire, emergency response, and homeland security employees.

3001.2

Inherently governmental functions do not normally include, among other things, services that involve or relate to:

- (a) Gathering information for or providing advice, opinions, recommendations, or ideas to District government employees or officials;
- (b) Budget analyses, including activities such as workload modeling, fact finding, efficiency studies, and cost analyses;
- (c) Conducting analyses or feasibility studies, or providing strategy options to be used by agency personnel in developing policy;
- (d) Providing research, analysis, draft language, or administrative support to District employees on regulations;
- (e) Supporting contract management;
- (f) Supporting agency responses to Freedom of Information Act requests, provided that such support is primarily technical or administrative in nature and does not involve making final decisions about document release or production;
- (g) Providing information regarding agency policies or regulations, such as attending conferences on behalf of an agency, conducting community relations campaigns, or conducting agency training courses;

- (h) Providing alternative dispute resolution services such as arbitration or mediation;
- (i) Inspection services;
- (j) Providing legal advice and interpretations of regulations and statutes to District officials, provided that District or an instrumentality thereof retains final decision-making authority on all dispositive matters;
- (k) Representing the District as outside litigation counsel, bond counsel, or disclosure counsel, or in any legal proceedings, provided that District or an instrumentality thereof retains final decision-making authority on all dispositive matters;
- (l) Special non-law enforcement, security activities that do not directly involve criminal investigations, such as prisoner detention or transport and non-military national security details;
- (m) Routine voucher and invoice examination; and
- (n) Functions that are primarily ministerial and internal in nature, such as building security, mail operations, operation of cafeterias, housekeeping, facilities operations and maintenance, warehouse operations, motor vehicle fleet management operations, or other routine electrical or mechanical services.

3002 FUNCTIONS CLOSELY ASSOCIATED WITH AN INHERENTLY GOVERNMENTAL FUNCTION

3002.1 Functions closely associated with inherently governmental functions include services that involve or relate to:

- (a) The evaluation of another contractor's performance when the evaluation is not to be used to determine whether payment should be made to the contractor and in what amount;
- (b) The use of or access to confidential information or proprietary information;
- (c) Supporting acquisition planning;
- (d) Supporting government reorganization activities;
- (e) Evaluating contract proposals, participating as a technical advisor to a source selection board, or serving as a nonvoting member of a source selection board; and

(f) Developing, but not approving, statements of work.

3003 WAIVER

3003.1 The Director may waive compliance with any of the requirements of this chapter for any contract in effect on October 8, 2016, and for any option period exercised under such contract, so long as the option period was provided for in the contract as of October 8, 2016.

3003.2 Notwithstanding § 3003.1 of this chapter, the requirements of this chapter shall apply to any contract or option period in effect on October 8, 2021.

3004 [RESERVED]

3005 [RESERVED]

3006 [RESERVED]

3099 DEFINITIONS

3099.1 The following terms used in this chapter shall have the following 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.

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

Function closely associated with an inherently governmental function – means a function that is not an inherently governmental function, but is similar to an inherently governmental function because of the nature of the function, the manner in which the contractor performs the function, or the manner in which the government administers the contractor’s performance of the function, as determined by application of the criteria set forth under D.C. Official Code § 2-352.05a.

Inherently governmental function – means a function that is so intimately related to the public interest as to require performance by District government employees, as determined by application of the criteria set forth under D.C. Official Code § 2-352.05a.

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.

Using agency – any subordinate or independent agency, department, board, commission, employee, or instrumentality of the District government that utilizes any supplies, services, or construction procured pursuant to the Act and subject to the regulations promulgated thereunder.

All persons desiring to comment on the subject matter of this proposed rulemaking should submit comments, in writing, to the Chief Procurement Officer, 441 4th Street N.W., 700 South, Washington, D.C. 20001. Comments may be sent by email to OCPRulemaking@dc.gov or may be submitted by postal mail or hand delivery to the address above. Comments must be received no later than thirty (30) days after the date of publication of this notice in the *D.C. Register*. A copy of this proposed rulemaking may be obtained at the same address.

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 (“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 amend Chapter 67 (Physical 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 require physical therapists seeking to renew, reactivate, or reinstate the license to complete continuing education in public health priorities as determined and amended from time to time by the Director.

Chapter 67, PHYSICAL THERAPY, of Title 17 DCMR, BUSINESS, OCCUPATIONS, AND PROFESSIONALS, is amended as follows:

Section 6706, CONTINUING EDUCATION REQUIREMENTS, is amended as follows:

Subsection 6706.4 is amended to read as follows:

- 6706.4 To qualify for the renewal of a license, an applicant shall have completed forty (40) hours of approved continuing education during the two (2) years’ period preceding the date the license expires, which shall include:
- (a) No more than twenty (20) hours of approved continuing education credits earned through internet courses;
 - (b) Ten percent (10%) of the total required continuing education shall be in the subjects determined by the Director as public health priorities of the District, which shall be duly published every five (5) years or as deemed appropriate; and
 - (c) Two (2) hours of LGBTQ continuing education.

Subsection 6706.5 is amended to read as follows:

- 6706.5 The Board may periodically conduct a random audit to determine licensees’ compliance with the continuing education. A licensee who is selected to participate in the Board’s continuing education audit shall, within thirty (30) days after receiving notice of the selection, submit proof pursuant to § 6706.9 of having completed the required approved continuing education credits during the two (2)-year period immediately preceding the date the license expires.

Subsection 6706.6 is amended to read as follows:

6706.6 To qualify for the reactivation of a license, a person in inactive status, within the meaning of § 511 of the Act (D.C. Official Code § 3-1205.11 (2016 Repl.)) who does not possess a valid, active license to practice physical therapy in any jurisdiction of the United States shall submit proof pursuant to § 6706.9 of having completed the following within the two (2) year period preceding the date of the application for reactivation of that applicant's license:

- (a) Twenty (20) hours of approved continuing education meeting the requirement of § 6707.1 for each year that the license remains inactive up to a maximum of one hundred (100) hours, provided further that ten percent (10%) of the total required continuing education shall be in the subjects determined by the Director as public health priorities of the District, which shall be duly published every five (5) years or as deemed appropriate; and
- (b) Two (2) hours of LGBTQ continuing education.

Subsection 6706.8 is amended to read as follows:

6706.8 To qualify for the reinstatement of a license, an applicant shall submit proof pursuant to § 6706.9 of having completed, no more than two (2) years before the date of the reinstatement application:

- (a) Twenty (20) hours of approved continuing education meeting the requirement of § 6707.1 for each year that the license was not valid, provided further that ten percent (10%) of the total required continuing education shall be in the subjects determined by the Director as public health priorities of the District, which shall be duly published every five (5) years or as deemed appropriate; and
- (b) Two (2) hours of LGTBQ continuing education.

Section 6799, DEFINITIONS, is amended as follows:**Subsection 6799.1 is amended as follows:****The following definition is added before the definition of "Intramuscular manual therapy":**

Director – The Director of the Department of Health, or the Director's designee.

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 during the hours of 9:00 AM to 5:00 PM, Monday through Friday, excluding holidays by contacting Angli Black, Paralegal Specialist, at (202) 442-5977 or Angli.Black@dc.gov.

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 (“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 amend Chapter 82 (Physical Therapy Assistants) 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 require physical therapy assistants seeking to renew, reactivate, or reinstate the license to complete continuing education in public health priorities as determined and amended from time to time by the Director.

Chapter 82, PHYSICAL THERAPY ASSISTANTS, of Title 17 DCMR, BUSINESS, OCCUPATIONS, AND PROFESSIONALS, is amended as follows:

Section 8206, CONTINUING EDUCATION REQUIREMENTS, is amended as follows:

Subsection 8206.4 is amended to read as follows:

8206.4 To qualify for the renewal of a license, an applicant shall have completed, during the two (2)-year period preceding the date the license expires, thirty (30) hours of approved continuing education credit, two (2) of which shall be LGBTQ continuing education, and ten percent (10%) of the total hours required shall be in the subjects determined by the Director as public health priorities of the District, which shall be duly published every five (5) years or as deemed appropriate.

Subsection 8206.6 is amended to read as follows:

8206.6 To qualify for the reactivation of a license, a person in inactive status within the meaning of Section 511 of the Act (D.C. Official Code § 3-1205.11) who does not possess a valid, active physical therapy assistant license in any jurisdiction of the United States shall submit proof of having completed, within one (1) year prior to the submission of the reactivation application, fifteen (15) hours of approved continuing education for each year that the applicant was in inactive status up to a maximum of seventy-five (75) hours, with ten percent (10%) of the total required being in the subjects determined by the Director as public health priorities of the District, plus two (2) hours of LGBTQ continuing education.

Subsection 8206.8 is amended to read as follows:

8206.8 To qualify for the reinstatement of a license, an applicant shall submit proof of having completed, no more than two (2) years before the date of the

reinstatement application, fifteen (15) hours of approved continuing education credit for each year that the applicant was not licensed in the District, with ten percent (10%) of the total required being in the subjects determined by the Director as public health priorities of the District, plus two (2) hours of LGBTQ continuing education.

Section 8299, DEFINITIONS, is amended as follows:

Subsection 8299.1 is amended as follows:

The following definition is added before the definition of “LGBTQ continuing education”:

Director – The Director of the Department of Health, or the Director’s designee.

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 during the hours of 9:00 AM to 5:00 PM, Monday through Friday, excluding holidays by contacting Angli Black, Paralegal Specialist, at (202) 442-5977 or Angli.Black@dc.gov.

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 (“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 promulgate Chapter 113 (Assisted Living Administrators) 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 license and regulate the profession of assisted living administrators in accordance with § 205(b) of the Act, D.C. Official Code § 3-1202.05(b). The proposed rules will set the qualification requirements for licensure, practice standards, and continuing education requirements, which also include the Department of Health’s public health priority mandate.

Chapter 113, ASSISTED LIVING ADMINISTRATORS, is added to Title 17 DCMR, BUSINESS, OCCUPATIONS, AND PROFESSIONALS, to read as follows:

CHAPTER 113 ASSISTED LIVING ADMINISTRATORS

- 11300 GENERAL PROVISIONS**
- 11301 TERM OF LICENSE**
- 11302 QUALIFICATIONS**
- 11303 NATIONAL EXAMINATION**
- 11304 KNOWLEDGE OF THE DISTRICT OF COLUMBIA ASSISTED LIVING ADMINISTRATION JURISPRUDENCE**
- 11305 WAIVER OF EDUCATIONAL AND NATIONAL EXAMINATION REQUIREMENTS**
- 11306 LICENSURE BY ENDORSEMENT**
- 11307 CONTINUING EDUCATION REQUIREMENTS**
- 11308 APPROVED CONTINUING EDUCATION PROGRAMS AND ACTIVITIES**
- 11309 CONTINUING EDUCATION CREDITS**
- 11310 STANDARDS OF PRACTICE**
- 11311 TEMPORARY AUTHORIZATION FOR AN UNLICENSED PERSON TO PRACTICE AS AN ASSISTED LIVING ADMINISTRATOR**
- 11399 DEFINITIONS**

- 11300 GENERAL PROVISIONS**
- 11300.1 This chapter applies to persons authorized to practice as assisted living administrators and persons applying for or holding a license to practice as assisted living administrators.

11300.2 Chapters 40 (Health Occupations: General Rules) and 41 (Health Occupations: Administrative Procedures) of this title shall supplement this chapter.

11301 TERM OF LICENSE

11301.1 Subject to § 11301.2, a license issued pursuant to this chapter shall expire at 12:00 midnight of June 30 of each even-numbered year.

11301.2 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 birthdate of the holder of the license, or other date established by the Director.

11302 QUALIFICATIONS

11302.1 Except as otherwise provided in this chapter, an applicant may qualify for a license to practice as an assisted living administrator if the applicant meets one of the following requirements:

- (a) The applicant possesses a bachelor's or higher degree from a long term care administration program accredited by the National Association of Long Term Care Administrator Boards (NAB);
- (b) The applicant possesses a bachelor's or higher degree in assisted living administration, gerontology, health care management, or public health from a post-secondary institution accredited by an accrediting agency recognized by the U.S. Department of Education, other than NAB and has completed three hundred and twenty (320) hours of practicum or relevant work experience in an assisted living facility or nursing home;
- (c) The applicant possesses a bachelor's or higher degree in health related field such as nursing, medicine, or similar health occupations from a post-secondary institution accredited by an accrediting agency recognized by the U.S. Department of Education and has completed four hundred and eighty (480) hours of practicum or relevant work experience in an assisted living facility or nursing home; or
- (d) The applicant possesses a bachelor's or higher degree in any field other than health from a post-secondary institution accredited by an accrediting agency recognized by the U.S. Department of Education and has completed all of the following:
 - (1) Fifteen (15) semester hours of relevant courses covering core domains as enumerated in § 11302.2;

- (2) Eighty (80) hours of board-approved assisted living administrator training program consisting of education and training in the core domains as enumerated in § 11302.2; and
- (3) Four hundred and eighty (480) hours of practicum or relevant work experience in an assisted living facility or nursing home.

11302.2 Relevant courses of education, practicum, relevant work experience, or training in assisted living administration required pursuant to §§ 11302.1(b), (c), or (d) shall consist of education and training deemed by the Board to sufficiently prepare and enable a person to supervise the operation of an assisted living residence pursuant to the requirements § 10116 of Title 22-B of the District of Columbia Municipal Regulations (DCMR) and include the following core domains:

- (a) Customer care, supports, and services;
- (b) Human resources;
- (c) Finance;
- (d) Environment; and
- (e) Management and leadership.

11302.3 An applicant who possesses a current and valid license in good standing as a nursing home administrator in the District shall be deemed to qualify for a license as an assisted living administrator.

11302.4 Notwithstanding the requirements of §§ 11302 and 11303, an applicant who possesses a current and valid Health Services Executive (HSE) credential offered by the National Association of Long Term Care Administrator Boards (NAB) shall be deemed to qualify for a license as an assisted living administrator.

11303 NATIONAL EXAMINATION

11303.1 Except as otherwise provided in this chapter, an applicant seeking to qualify for a license pursuant to § 11302.1 shall take and pass the National Association of Long Term Care Administrator Boards (NAB) National Residential Care/Assisted Living Administrators Line of Service Examination (“RC/AL” or “RCAL”).

11304 KNOWLEDGE OF THE DISTRICT OF COLUMBIA ASSISTED LIVING ADMINISTRATION JURISPRUDENCE

11304.1 An applicant for an assisted living administrator license shall demonstrate to the Board’s satisfaction that he or she possesses competent knowledge and understanding of the laws and rules pertaining to assisted living administration in

the District. The Board may adopt or implement a District of Columbia Assisted Living Administration Jurisprudence Examination or other methods such as mandatory educational sessions to ensure that an applicant meets the requirement of this section.

11305 WAIVER OF EDUCATIONAL AND NATIONAL EXAMINATION REQUIREMENTS

11305.1 Notwithstanding the requirements of §§ 11302.1 and 11303.1, an applicant may be granted an assisted living administrator license if at the time of the application:

- (a) The applicant is currently employed as an assisted living administrator in the District;
- (b) The applicant has worked as an assisted living administrator for at least one (1) year; and
- (c) The applicant submits the application for licensure no later than twelve (12) months from the effective date of this chapter.

11305.2 For the purposes of § 11305.1(a), an applicant who is on approved leave of absence from his or her employment is deemed to be currently employed.

11306 LICENSURE BY ENDORSEMENT

11306.1 Notwithstanding the requirements of § 11302, an applicant may qualify for a license by endorsement if:

- (a) The applicant is currently licensed as an assisted living administrator in another U.S. jurisdiction and meets the following requirements:
 - (1) Being in good standing with no history of discipline or sanction by an assisted living administrator licensing board in any jurisdiction;
 - (2) Having had two (2) years of work experience as an assisted living administrator within the previous four (4) years before the date of the application; and
 - (3) Meeting the requirement of §§ 11303 and 11304; or
- (b) The applicant is currently employed as an assisted living administrator in a U.S. jurisdiction in which an assisted living administrator license is not required and meets the following requirements:

- (1) Having never been subject to any discipline or sanction by any authority with jurisdiction over residential care or assisted living facility;
- (2) Having had two (2) years of work experience as an assisted living administrator within the previous four (4) years before the date of the application; and
- (3) Meeting the requirements of §§ 11303 and 11304.

11307 CONTINUING EDUCATION REQUIREMENTS

11307.1 This section applies to applicants for the renewal, reactivation, or reinstatement of a license but does not apply to applicants for an initial license or for the first renewal of a license after the initial grant.

11307.2 A continuing education credit shall be valid only if it is part of a program or activity approved by the Board in accordance with § 11308.

11307.3 To qualify for the renewal of a license, an applicant shall have completed, during the two (2)-year period preceding the date the license expires, forty (40) hours of approved continuing education credit, which shall include:

- (a) Two (2) hours of LGBTQ continuing education;
- (b) One or more of the following topics:
 - (1) Creating a resident-centered environment;
 - (2) Behavior management and cognitive impairment;
 - (3) District of Columbia laws and regulations pertaining to assisted living residences;
 - (4) Finances and operation;
 - (5) Resident abuse/misappropriation and prevention; or
 - (6) Any other topic relevant to the practice of assisted living administration; and
- (c) Ten percent (10%) of the total required continuing education shall be in the subjects determined by the Director as public health priorities of the District, which shall be duly published every five (5) years or as deemed appropriate.

- 11307.4 To qualify for the reactivation of a license, a person in inactive status within the meaning of § 511 of the Act (D.C. Official Code § 3-1205.11 (2016 Repl.)) who seeks to reactivate his or her license not more than five (5) years after the start of the inactive status shall submit proof of having completed twenty (20) hours of approved continuing education credit meeting the requirements of § 11307.3 for each year that the applicant was not actively licensed, up to a maximum of one hundred (100) hours. At least twenty (20) hours of the continuing education credit shall have been completed in the one (1)-year period prior to the submission of the application.
- 11307.5 To qualify for the reactivation of a license, a person in inactive status within the meaning of § 511 of the Act (D.C. Official Code § 3-1205.11 (2016 Repl.)) who seeks to reactivate his or her license more than five (5) years after the start of the inactive status shall, during a period not more than two (2) years prior to the submission of the application, take and complete eighty (80) hours of Board-approved assisted living administrator training program consisting of education and training meeting the requirement of § 11302.2 and twenty (20) hours of approved continuing education.
- 11307.6 To qualify for the reinstatement of a license, an applicant shall submit proof of having completed twenty (20) hours of approved continuing education credit meeting the requirements of § 11307.3 for each year that the applicant was not licensed, up to a maximum of one hundred (100) hours. At least twenty (20) hours of the continuing education credit shall have been completed in the one (1)-year period prior to the application date.
- 11307.7 A renewal applicant may be required to attest to his or her compliance with the continuing education requirement under § 11307.3.
- 11307.8 The Board may periodically conduct a random audit of its licensees to determine compliance with the continuing education requirement. A licensee selected for audit shall submit proof of his or her continuing education compliance within the allotted time period, which shall not be less than thirty (30) days.
- 11307.9 Satisfactory proof of completion of the required continuing education shall include verifiable evidence of the attendance or completion of a program or activity and that such program or activity is approved or approvable by the Board in accordance with §§ 11308 and 11309.

11308 APPROVED CONTINUING EDUCATION PROGRAMS AND ACTIVITIES

- 11308.1 The Board may approve a continuing education program or activity that the Board has determined to:
- (a) Contribute to the growth of professional competence in the practice of assisted living administration;

- (b) Be current in its subject matter;
- (c) Meet professional quality and standards; and
- (d) Meet the other applicable requirements of this section.

11308.2 The Board may approve the following types of continuing education programs or activities:

- (a) An undergraduate or graduate course given at an accredited college or university;
- (b) A seminar or workshop;
- (c) An educational program given at a conference;
- (d) In-service trainings;
- (e) Service as a supervisor to a person seeking to accrue practicum or relevant work experience described in §§ 11302.1(b), (c), or (d)(3);
- (f) Authoring or co-authoring a published book related to assisted living facility or administration; or
- (g) Authoring or co-authoring an article, book review, or abstract in a professional journal or bulletin.

11308.3 A program or activity approved or sponsored by the following organization or entity shall qualify for the continuing education approval of the Board:

- (a) National Association of Long Term Care Administrator Boards (NAB);
- (b) A state board regulating nursing home administration, assisted living administration, or long-term care administration; or
- (c) A state board regulating any health professions so long as the approved program or activity is relevant to the practice of assisted living administration.

11308.4 A sponsor or administrator of a program or activity seeking continuing education approval from the Board shall submit materials and documentation establishing that the program or activity meets the requirements of this section at least thirty (30) days prior to the implementation of the program or activity.

11308.5 A person seeking continuing education credits shall have the burden of verifying whether a program or activity is approved by the Board pursuant to this section prior to attending the program.

11309 CONTINUING EDUCATION CREDITS

11309.1 The Board may grant one (1) credit hour of continuing education for each fifty (50) minutes of approved educational activities.

11309.2 For approved undergraduate or graduate courses, each semester hour of credit shall constitute fifteen (15) hours of continuing education credit, and each quarter hour of credit shall constitute ten (10) hours of continuing education credit.

11309.3 The Board may grant continuing education credits to a requestor who serves as an instructor or speaker at an approved program for preparation and presentation time, subject to the following restrictions:

- (a) The maximum amount of credits that may be granted for preparation time shall be equal to the amount of the associated presentation time;
- (b) If a requestor has previously received credit in connection with a particular presentation, the Board may grant credit for the presentation time only for the subsequent presentation unless it involves either a different subject or substantial additional research concerning the same subject; and
- (c) The presentation shall have been completed during the period for which credit is claimed.

11309.4 The Board may grant continuing education credits under §§ 11308.2(f) or (g) only if the requestor proves to the satisfaction of the Board that the work has been published or accepted for publication during the period for which credit is claimed.

11309.5 The Board may in its discretion grant up to twenty (20) hours of continuing education credits under § 11308.2(e).

11310 STANDARDS OF PRACTICE

11310.1 An assisted living administrator shall have full responsibility for operation of and services provided in an assisted living residence, including, but not limited to, resident care and services, personnel, finances, and the assisted living residence physical premises.

11310.2 An assisted living administrator shall comply with and be held responsible for ensuring that the assisted living residence is in full compliance with the Assisted Living Residence Regulatory Act of 2000, effective June 24, 2000 (D.C. Law 13-

127; D.C. Official Code §§ 44-101.01 *et seq.*), including all supplementing rules and regulations.

11311 TEMPORARY AUTHORIZATION FOR AN UNLICENSED PERSON TO PRACTICE AS AN ASSISTED LIVING ADMINISTRATOR

11311.1 It shall not be deemed unlicensed practice of assisted living administration where a person is designated by a licensed assisted living administrator to temporarily assume the administrator's responsibilities in accordance with the relevant provisions of § 10116 of Chapter 101 of Title 22-B DCMR.

11311.2 A person seeking to accrue practicum or work experience required to qualify for a license in accordance with the relevant provisions of § 11302.1 may practice under the following conditions:

- (a) The person has been found to possess the required education in accordance with the relevant provisions of § 11302.1;
- (b) The person shall practice under the supervision of a licensed assisted living administrator at all times; and
- (c) The Board has granted authorization for the person to engage in such practice.

11311.3 Authorization to practice pursuant to § 11311.2 shall not exceed four (4) months.

11311.4 An assisted living administrator who has designated another person to assume his or her duties in accordance with § 11311.1 or is supervising a person in the practice of assisted living administration in accordance with § 11311.2 shall be fully responsible for the action and performance of the designated person or supervisee.

11399 DEFINITIONS

11399.1 As used in this chapter, the following terms 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 *et seq.* (2016 Repl.)).

Assisted Living Administrator – a person licensed or otherwise authorized to practice as an assisted living administrator.

Board - the Board of Long-Term Care Administration, established by § 205 of the Act (D.C. Official Code § 3-1202.05 (2016 Repl.)).

Director – the Director of the Department of Health, or the Director's 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”) meeting the requirements of Section 510(b)(5) of the Act (D.C. Official Code § 3-1205.10(b)(5) (2016 Repl.)).

Licensee – a person licensed to practice assisted living administration in accordance with this chapter.

Requestor – a person seeking continuing education credits in accordance with this chapter.

11399.2 The definitions in § 4099 of Chapter 40 of this title are incorporated by reference into and apply 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 during the hours of 9:00 AM to 5:00 PM, Monday through Friday, excluding holidays by contacting Angli Black, Paralegal Specialist, at (202) 442-5977 or Angli.Black@dc.gov.

THE OFFICE OF LOTTERY AND CHARITABLE GAMES

NOTICE OF PROPOSED RULEMAKING

The Executive Director of the Office of Lottery and Gaming, pursuant to the authority set forth in Section 4 of the Law to Legalize Lotteries, Daily Numbers Games, and Bingo and Raffles for Charitable Purposes in the District of Columbia, effective March 10, 1981 (D.C. Law 3-172; D.C. Official Code §§ 36-601.06(a) and 36-621.02 (2012 Repl.)), and Office of the Chief Financial Officer Management Control Order No. 96-22, effective September 24, 1996, hereby gives notice of her intent to repeal Chapters 20 (Lottery Board Procurement), 22 (Procurement By Competitive Sealed Bidding), 23 (Procurement By Competitive Sealed Proposals), 24 (Sole Source and Emergency Procurements), and 25 (Small Purchases) of Title 30 (Lottery and Charitable Games) of the District of Columbia Municipal Regulations (DCMR), and to amend Chapter 21 (Contract Administration and Management) of Title 30 DCMR.

The proposed rulemaking is to implement provisions of the Sports Wagering Lottery Amendment Act of 2018, effective May 3, 2019 (D.C. Law 22-312; 66 DCR 1402 (February 1, 2019)).

The Executive Director also gives notice of her intent to take final rulemaking action to adopt these proposed rules, in not less than thirty (30) days from the date of publication of this notice in the *D.C. Register*.

Title 30 DCMR, LOTTERY AND CHARITABLE GAMES, is amended as follows:

CHAPTER 20 [RESERVED]

Chapter 21, CONTRACT ADMINISTRATION AND MANAGEMENT, is amended to read as follows:

CHAPTER 21 PRIVATELY OPERATED SPORTS WAGERING

- 2100 SCOPE OF CHAPTER**
- 2101 CLASS A SPORTS WAGERING OPERATOR LICENSE REQUIREMENTS**
- 2102 CLASS B SPORTS WAGERING OPERATOR LICENSE REQUIREMENTS**
- 2103 MANAGEMENT SERVICES PROVIDER LICENSE REQUIREMENTS**
- 2104 SUPPLIER LICENSE REQUIREMENTS**
- 2105 OCCUPATIONAL LICENSE REQUIREMENTS**
- 2106 PROVISIONAL SPORTS WAGERING LICENSES**
- 2107 LICENSE PROHIBITIONS**
- 2108 DUTIES OF OPERATORS AND MANAGEMENT SERVICES PROVIDERS**

- 2109 ADDITIONAL DUTIES OF OPERATORS AND MANAGEMENT SERVICES PROVIDERS
- 2110 POSTING
- 2111 IDENTIFICATION BADGES
- 2112 SPORTS WAGERING MANAGER
- 2113 REPORTING
- 2114 SELF- LIMITING PROGRAM
- 2115 INTERNAL CONTROLS
- 2116 HOUSE RULES
- 2117 RESERVE REQUIREMENTS
- 2118 ANONYMOUS WAGERS AND PAYOUTS GREATER THAN \$10,000
- 2119 SPORTS WAGERING SYSTEM REQUIREMENTS
- 2120 INTERNET AND MOBILE APPLICATION SPORTS WAGERING
- 2121 REMOTE SPORTS WAGERING SYSTEMS
- 2122 SPORTS WAGERING ACCOUNT REQUIREMENTS
- 2123 FINANCIAL AUDIT REQUIREMENTS
- 2124 OPERATIONS PROCESS AND PROCEDURE AUDIT REQUIREMENTS
- 2125 TECHNICAL SECURITY CONTROL AUDIT REQUIREMENTS
- 2126 PLAYER SPORTS WAGERS
- 2127 PROHIBITED SPORTS EVENTS
- 2128 RESPONSIBLE GAMING PLAN
- 2129 SELF-EXCLUSION PROGRAM
- 2130 ADVERTISING
- 2131 ENFORCEMENT AND PENALTIES
- 2132 TAXATION OF SPORTS WAGERING
- 2133 SPORTS WAGERING CBE REQUIREMENTS AND SMALL BUSINESS DEVELOPMENT PROGRAM
- 2134 SPORTS WAGERING ADMINISTRATIVE HEARINGS
- 2135-2198 [RESERVED]
- 2199 DEFINITIONS

2100 SCOPE OF CHAPTER

2100.1 The purpose of this chapter is to implement the Sports Wagering Lottery Amendment Act of 2018, effective May 3, 2019 (D.C. Law 22-312; 66 DCR 1402 (February 1, 2019)) (Act).

2101 CLASS A SPORTS WAGERING OPERATOR LICENSE REQUIREMENTS

2101.1 An individual, group of individuals or entity may apply to the Office for a Class A Operator License, the application for which shall be on a form or platform provided by the Office. Applications shall be made under oath in a form prescribed by the Office.

- 2101.2 The Office may issue a Class A Operator License to an Applicant whose Sports Wagering Facility will be located within any of the following designated facilities:
- (a) Capital One Arena (601 F Street, N.W., and described as Lot 0047, Square 0455).
 - (b) Audi Field (100 Potomac Avenue, S.W., and described as Lot 0027, Square 0665).
 - (c) Nationals Park (1500 South Capitol Street, S.E., and described as Lot 0016, Square 0705).
 - (d) St. Elizabeths East Entertainment and Sports Arena (St. Elizabeths Campus, 1100 Oak Drive, S.E., and described as Lots 0837 and 0838, Square 5868S).
- 2101.3 The Office may require the following information in conjunction with an application for a Class A Operator License:
- (a) The Applicant's legal name and form of business entity;
 - (b) The mailing address of the Applicant and, if a corporation, the name of the state in which it is incorporated and the location of its principal place of business;
 - (c) The names, addresses, employer identification or social security numbers and dates of birth of its directors, officers, partners, owners, and key personnel;
 - (d) The names, addresses, employer identification or social security numbers and dates of birth, as applicable, of each individual, group of individuals or entity associated with a corporate Applicant, including a corporate holding company, parent company, or subsidiary company of the Applicant that has the ability to control the activities of the corporate Applicant or elect a majority of the board of directors of that corporation, excluding any bank or other licensed lending institution that holds a mortgage or other lien acquired in the ordinary course of business;
 - (e) The names, addresses, employer identification or social security numbers and dates of birth, as applicable, of each individual, group of individuals or entity associated with a non-corporate Applicant that directly or indirectly holds a five percent (5%) or greater beneficial or proprietary interest in the Applicant's business operation, or that the Office otherwise determines has the ability to control the Applicant;

- (f) Information regarding the Applicant or any persons identified in subsections (c) through (e) who are eligible to hold a Sports Wagering Operator's License, including disclosure of the following information:
 - (1) Whether the Applicant or any persons identified in subsections (c) through (e) have been convicted of an offense other than a traffic violation;
 - (2) Whether the Applicant or any persons identified in subsections (c) through (e) have been subject to any disciplinary action, past or pending, by any administrative, governmental, or regulatory body;
 - (3) Whether the Applicant or any persons identified in subsections (c) through (e) have been charged with a violation of any statute, rule, regulation, or ordinance of any administrative, regulatory, or other governmental body; or
 - (4) Whether the Applicant or any persons identified in subsections (c) through (e) have been in default of paying any taxes, fees, or other obligations owed to the District of Columbia, any local governmental entity, or the federal government.
- (g) A report of the Applicant's or any person identified in subsections (c) through (e)'s financial activities, including evidence of financial stability, such as bank statements, business and personal income and disbursement schedules, tax returns, or other documentation satisfactory to the Office that demonstrates that the Applicant has sufficient business ability and experience to establish and maintain a successful sports wagering business;
- (h) A description of the proposed internal controls and security systems to be used in conducting sports wagering or processing sports wagering transactions;
- (i) The number of employees expected to be employed at the proposed Sports Wagering Facility;
- (j) The estimated tax revenue to be generated by the Sports Wagering Facility;
- (k) The estimated economic benefit to the District of Columbia of the proposed Sports Wagering Facility. The estimate shall include, but not be limited to, the following:
 - (1) Projected amount of gross revenue on an annual basis;

- (2) Estimated new capital investment for the project;
 - (3) Scientific or market research performed by the Applicant or its contractors; and
 - (4) Other such information as may be requested by the Office;
- (l) The location of the proposed Sports Wagering Facility;
 - (m) A copy of the Applicant's license to conduct business in the District of Columbia;
 - (n) Proof of good standing pursuant to D.C. Official Code § 29-102.08 and a certification that the Citywide Clean Hands Database indicates that the proposed Licensee is current with its District taxes;
 - (o) A list of jurisdictions where the Applicant has applied for a sports wagering or gambling license;
 - (p) A list of jurisdictions where the Applicant has been issued a sports wagering or gambling license;
 - (q) A list of jurisdictions where the Applicant has had any sports wagering or gambling license suspended or revoked;
 - (r) Criminal history and background information of the Applicant or any person identified in subsections (c) through (e) as required by the Office;
 - (s) Documentation indicating whether the Applicant has entered into a labor peace agreement with each labor organization that is actively engaged in representing or attempting to represent employees in the gaming, hospitality, or food and beverage industries in the District. If the Applicant has not entered into a labor peace agreement as referenced in this paragraph, the Applicant shall provide information showing that it is engaged in good faith negotiations to enter into a labor peace agreement or information showing why it was unable to enter in a labor peace agreement;
 - (t) Information demonstrating whether the Applicant is a Small Business Enterprise; and
 - (u) Any other information the Executive Director considers necessary and appropriate to determine competency, honesty and integrity.

- 2101.4 The Applicant shall notify the Office of any changes to their application within ten (10) days of the change.
- 2101.5 As a condition of licensure, a Class A Operator shall be bonded, in such amounts and in such manner as determined by the Office, and agree, in writing, to indemnify and to save harmless the District of Columbia against any and all actions, claims, and demands of whatever kind or nature that the District of Columbia may incur by reason of or in consequence of issuing an Operator License to the Licensee.
- 2101.6 Upon a showing of good cause, the Executive Director may grant a waiver of information that must be provided in conjunction with the application for a Class A Operator License.
- 2101.7 A Class A Operator License shall be issued for five (5) years and require a non-refundable application fee of five hundred thousand dollars (\$500,000), which shall be submitted with the application; provided, that when an Applicant for a Class A Operator License partners in a joint venture with a Certified Business Enterprise majority interest, it shall submit a non-refundable application fee of one hundred twenty-five thousand dollars (\$125,000) at the time of the initial application.
- 2101.8 A Class A Operator License may be renewed for five (5)-year periods; provided, that the Licensee has continued to comply with all statutory and regulatory requirements and pays upon submission of a renewal application a two hundred fifty thousand dollar (\$250,000) renewal fee. The application for renewal shall include a report of Certified Business Enterprise participation, including Certified Business Enterprise joint ventures, which the Office shall assess and consider verified Certified Business Enterprise participation in the decision to approve a renewal.
- 2101.9 Each Class A Operator License is limited to a single Sports Wagering Facility.
- 2101.10 A Class A Operator may provide Sports Wagering Equipment, software, systems, data or services for the location which it has obtained a license without having to obtain a separate Suppliers License. If a Class A Operator purchases, leases or otherwise obtains Sports Wagering Equipment from a third party, it must do so from a licensed Supplier.
- 2101.11 A Class A Operator License is non-transferable.
- 2101.12 The Office shall not issue a Class A Operator License unless it is satisfied that the Applicant meets the requirements for a Class A Operator License and is a suitable and qualified person to be licensed to conduct or participate in conducting all aspects of Class A Sports Wagering.

- 2101.13 An Applicant for a Class A Operator License shall establish their suitability for a license by clear and convincing evidence.
- 2101.14 In determining whether an Applicant is suitable and to approve an application for a Class A Operator License, the Executive Director shall consider the following factors relating to the Applicant:
- (a) Whether the Applicant is proposing a sports wagering operation that will have a positive impact through increased revenues on the District and its residents;
 - (b) Whether the Applicant possesses adequate funds or has secured adequate financing to commence and maintain a sports wagering operation;
 - (c) Whether the Applicant has the financial stability, integrity, and responsibility to conduct a sports wagering operation;
 - (d) Whether the Applicant has sufficient business ability and experience to create and maintain a successful sports wagering operation;
 - (e) Whether the Applicant has proposed adequate measures for internal and external security, including a surveillance system or protocol;
 - (f) Whether the Applicant has satisfied the sports wagering license requirements;
 - (g) Whether the Applicant has demonstrated that its proposed sports wagering operation will be conducted in accordance with the Act and all other applicable District and federal laws;
 - (h) Whether the Applicant has been convicted of a disqualifying offense, as established by this chapter;
 - (i) Whether the Applicant is a Small Business Enterprise or Certified Business Enterprise;
 - (j) Whether the Applicant has entered into a labor peace agreement with each labor organization that is actively engaged in representing or attempting to represent employees in the gaming, hospitality, or food and beverage industries in the District. The labor peace agreement shall be a written agreement between the Applicant and the labor organization that contains, at a minimum, a provision protecting the District's revenues by prohibiting the labor organization or its members from engaging in any picketing, work stoppage, boycott, or other economic interference with the Applicant's sports wagering operations during any effort by the labor organization to organize employees for purposes of collective bargaining

representation and apply to a sports wagering operation conducted at a Class A Sports Wagering Facility approved by the Office, whether conducted directly by the Applicant or by a Management Services Provider under a management services agreement with the Applicant;

- (k) The past and present compliance of the Applicant and its affiliates or affiliated companies with gaming-related licensing requirements in the District or any other jurisdiction, including whether the Applicant has a history of non-compliance with the gaming licensing requirements of any jurisdiction;
- (l) If the Applicant has been charged with, convicted, pleaded guilty, or forfeited bail concerning any criminal offense under the laws of any jurisdiction, not including a traffic offense;
- (m) If the Applicant has filed, or had filed against it a proceeding for bankruptcy or has ever been involved in any formal process to adjust, defer, suspend, or otherwise work out the payment of any debt;
- (n) If the Applicant has been served with a complaint or other notice filed with any public body regarding a payment of any tax required under any law in any jurisdiction, where the Applicant has been in breach for one or more years;
- (o) If the Applicant is or has been a defendant in litigation involving its business practices that would call into question its suitability to be licensed;
- (p) If awarding a license would undermine the public’s confidence in the gaming industry in the District; and
- (q) If the Applicant meets other prescribed standards for the issuance of a license.

2101.15 An Applicant may apply for up to but no more than two (2) sports wagering licenses unless the Applicant enters into a joint venture or other contractual agreement whereby a majority interest is owned by a Certified Business Enterprise for any additional licenses.

2102 CLASS B SPORTS WAGERING OPERATOR LICENSE REQUIREMENTS

2102.1 An individual, group of individuals or entity may apply to the Office for a Class B Operator License, the application for which shall be on a form or platform provided by the Office. Applications shall be made under oath in the prescribed form prescribed by the Office.

- 2102.2 The Office shall not issue a Class B Operator License to an Applicant whose Sports Wagering Facility will be located within a Class A Sports Wagering Facility or within a two (2) block radius of any of the designated Class A Sports Wagering Facilities.
- 2102.3 The Office may require the following information in conjunction with an application for a Class B Operator License:
- (a) The Applicant's legal name and form of business entity.
 - (b) The mailing address of the Applicant and, if a corporation, the name of the state in which it is incorporated and the location of its principal place of business.
 - (c) The names, addresses, employer identification or social security numbers and dates of birth of its directors, officers, partners, owners and key personnel.
 - (d) The names, addresses, employer identification or social security numbers and dates of birth, as applicable, of each individual, group of individuals or entity associated with a corporate Applicant, including a corporate holding company, parent company, or subsidiary company of the Applicant that has the ability to control the activities of the corporate Applicant or elect a majority of the board of directors of that corporation, excluding any bank or other licensed lending institution that holds a mortgage or other lien acquired in the ordinary course of business.
 - (e) The names, addresses, employer identification or social security numbers and dates of birth, as applicable, of each individual, group of individuals or entity associated with a non-corporate Applicant that directly or indirectly holds a five percent (5%) or greater beneficial or proprietary interest in the Applicant's business operation, or that the Office otherwise determines has the ability to control the Applicant.
 - (f) Information regarding the Applicant or any persons identified in subsections (c) through (e) are eligible to hold a Sports Wagering Operator's License, including disclosure of the following information:
 - (1) Whether the Applicant or any persons identified in subsections (c) through (e) have been convicted of an offense other than a traffic violation;
 - (2) Whether the Applicant or any persons identified in subsections (c) through (e) have been subject to any disciplinary action, past or pending, by any administrative, governmental, or regulatory body;

- (3) Whether the Applicant or any persons identified in subsections (c) through (e) have been charged with a violation of any statute, rule, regulation, or ordinance of any administrative, regulatory, or other governmental body; or
- (4) Whether the Applicant or any persons identified in subsections (c) through (e) have been in default of paying any taxes, fees, or other obligations owed to the District of Columbia, any local governmental entity, or the federal government;
- (g) A report of the Applicant's or any person identified in subsections (c) through (e)'s financial activities, including evidence of financial stability, such as bank statements, business and personal income and disbursement schedules, tax returns, or other documentation satisfactory to the Office that demonstrates that the Applicant has sufficient business ability and experience to establish and maintain a successful sports wagering business;
- (h) A certification indicating whether the Applicant or any persons identified in subsections (c) through (e) have been directly employed by an illegal or offshore Sports Wagering Operator that serviced the United States or otherwise accepted black market wagers from individuals located in the United States;
- (i) A description of the proposed internal controls and security systems to be used in conducting sports wagering or processing sports wagering transactions;
- (j) The number of employees expected to be employed at the proposed Sports Wagering Facility;
- (k) The estimated tax revenue to be generated by the Sports Wagering Facility;
- (l) The location of the proposed Sports Wagering Facility;
- (m) A copy of the Applicant's license to conduct business in the District of Columbia;
- (n) Proof of good standing pursuant to D.C. Official Code § 29-102.08 and a certification that the Citywide Clean Hands Database indicates that the proposed Licensee is current with its District taxes;
- (o) A list of jurisdictions where the Applicant has applied for a sports wagering or gambling license;

- (p) A list of jurisdictions where the Applicant has been issued a sports wagering or gambling license;
- (q) A list of jurisdictions where the Applicant has had any sports wagering or gambling license suspended or revoked;
- (r) Criminal history and background information of the Applicant or any person identified in subsections (c) through (e) as required by the Office;
- (s) Information demonstrating whether the Applicant is a Small Business Enterprise;
- (t) The estimated economic benefit to the District of Columbia of the proposed Class B Sports Wagering Facility. The estimate shall include, but not be limited to the following:
 - (1) Projected gross revenue on an annual basis;
 - (2) Estimated new capital investment for the project; and
 - (3) Scientific or market research performed by the Applicant or its contractors; and
- (u) Any other information the Executive Director considers necessary and appropriate to determine the competency, honesty, quality, economic impact and integrity of the proposed operation.

2102.4 The Applicant shall notify the Office of any changes to their application within ten (10) days of the change.

2102.5 As a condition of licensure, a Class B Operator shall be bonded, in such amounts and in such manner as determined by the Office, and agree, in writing, to indemnify and to save harmless the District of Columbia against any and all actions, claims, and demands of whatever kind or nature that the District of Columbia may incur by reason of or in consequence of issuing an Operator License to the Licensee.

2102.6 A Class B Operator License shall be issued for five (5) years and require a non-refundable application fee of one hundred thousand dollars (\$100,000), which shall be submitted with the application; provided, that when an Applicant for a Class B Operator License partners with a joint venture with a Certified Business Enterprise majority interest, it shall submit a non-refundable application fee of twenty-five thousand dollars (\$25,000) at the time of the initial application.

- 2102.7 A Class B Operator License may be renewed for five (5)-year periods; provided, that the Licensee has continued to comply with all statutory and regulatory requirements and pays upon submission of a renewal application a fifty thousand dollar (\$50,000) renewal fee. The application for renewal shall include a report of Certified Business Enterprise participation, including Certified Business Enterprise joint ventures, which the Office shall assess and consider verified Certified Business Enterprise participation in the decision to approve the renewal.
- 2102.8 Each Class B Operator License is limited to a single Sports Wagering Facility.
- 2102.9 A Class B Operator may provide Sports Wagering Equipment, software, systems, data or services for the location which it has obtained a license without having to obtain a separate Suppliers License. If a Class B Operator purchases, leases or otherwise obtains Sports Wagering Equipment from a third party, it must do so from a licensed Supplier.
- 2102.10 A Class B Operator License is non-transferable.
- 2102.11 The Office shall not issue a Class B Operator License unless it is satisfied that the Applicant meets the requirements for a Class B Operator License and is a suitable and qualified person to be licensed to conduct or participate in conducting all aspects of Class B Sports Wagering.
- 2102.12 An Applicant for a Class B Operator License shall establish their suitability for a license by clear and convincing evidence.
- 2102.13 In determining whether an Applicant is suitable and to approve an application for a Class B Operator License, the Executive Director shall consider the following factors relating to the Applicant:
- (a) Whether the Applicant is proposing a sports wagering operation that will have a positive impact on the District and its residents through increased revenues and improving the quality and marketability of sports wagering entertainment within the District;
 - (b) Whether the Applicant possesses adequate funds or has secured adequate financing to commence and maintain a sports wagering operation;
 - (c) Whether the Applicant has the financial stability, integrity, and responsibility to conduct a sports wagering operation;
 - (d) Whether the Applicant has sufficient business ability and experience to create and maintain a successful sports wagering operation;
 - (e) Whether the Applicant has proposed adequate measures for internal and external security, including a surveillance system or protocol;

- (f) Whether the Applicant has satisfied the sports wagering license requirements;
- (g) Whether the Applicant has demonstrated that its proposed sports wagering operation will be conducted in accordance with this title and all other applicable District and federal laws;
- (h) Whether the Applicant has been convicted of a disqualifying offense, as established by this chapter;
- (i) Whether the Applicant is a Small Business Enterprise;
- (j) The past and present compliance of the Applicant and its affiliates or affiliated companies with gaming-related licensing requirements in the District or any other jurisdiction, including whether the Applicant has a history of non-compliance with the gaming licensing requirements of any jurisdiction;
- (k) If the Applicant has been charged with, convicted, pleaded guilty, or forfeited bail concerning any criminal offense under the laws of any jurisdiction, not including a traffic offense;
- (l) If the Applicant has filed, or had filed against it a proceeding for bankruptcy or has ever been involved in any formal process to adjust, defer, suspend, or otherwise work out the payment of any debt;
- (m) If the Applicant has been served with a complaint or other notice filed with any public body regarding a payment of any tax required under any law in any jurisdiction, where the Applicant has been in breach for one or more years;
- (n) If the Applicant is or has been a defendant in litigation involving its business practices that would call into question its suitability to be licensed;
- (o) If awarding a license would undermine the public's confidence in the gaming industry in the District; and
- (p) If the Applicant meets other prescribed standards for the issuance of a license.

2102.14 An Applicant may apply for up to but no more than two (2) sports wagering licenses unless the Applicant agrees to subcontract with a joint venture or subcontract with a Certified Business Enterprise for any additional licenses.

2103 MANAGEMENT SERVICES PROVIDER LICENSE REQUIREMENTS

- 2103.1 An individual, group of individuals or entity may apply to the Office for a Management Services Provider License, the application for which shall be on a form provided by the Office.
- 2103.2 An Operator may enter into a management services contract that permits an individual, group of individuals or entity other than the licensed operator to conduct sports wagering on the premises.
- 2103.3 The management services contract shall be in writing and must be approved by the Office.
- 2103.4 The Office may require the following information in conjunction with an application for a Management Services Provider License:
- (a) The Applicant's legal name and form of business entity;
 - (b) The mailing address of the Applicant and, if a corporation, the name of the state in which it is incorporated and the location of its principal place of business;
 - (c) The names, addresses, employer identification or social security numbers and dates of birth of its directors, officers, partners, owners and key personnel;
 - (d) The names, addresses, employer identification or social security numbers and dates of birth, as applicable, of each individual, group of individuals or entity associated with a corporate Applicant, including a corporate holding company, parent company, or subsidiary company of the Applicant that has the ability to control the activities of the corporate Applicant or elect a majority of the board of directors of that corporation, excluding any bank or other licensed lending institution that holds a mortgage or other lien acquired in the ordinary course of business;
 - (e) The names, addresses, employer identification or social security numbers and dates of birth, as applicable, of each individual, group of individuals or entity associated with a non-corporate Applicant that directly or indirectly holds a five percent (5%) or greater beneficial or proprietary interest in the Applicant's business operation, or that the Office otherwise determines has the ability to control the Applicant.;
 - (f) Information regarding the Applicant or any persons identified in subsections (c) through (e) are eligible to hold a Management Services Provider License, including disclosure of the following information:

- (1) Whether the Applicant or any persons identified in subsections (c) through (e) have been convicted of an offense other than a traffic violation;
 - (2) Whether the Applicant or any persons identified in subsections (c) through (e) have been subject to any disciplinary action, past or pending, by any administrative, governmental, or regulatory body;
 - (3) Whether the Applicant or any persons identified in subsections (c) through (e) have been charged with a violation of any statute, rule, regulation, or ordinance of any administrative, regulatory, or other governmental body; or
 - (4) Whether the Applicant or any persons identified in subsections (c) through (e) have been in default of paying any taxes, fees, or other obligations owed to the District of Columbia, any local governmental entity, or the federal government;
- (g) A report of the Applicant's or any person identified in subsections (c) through (e)'s financial activities, including evidence of financial stability, such as bank statements, business and personal income and disbursement schedules, tax returns, or other documentation satisfactory to the Office that demonstrates that the Applicant has sufficient business ability and experience to establish and maintain a successful sports wagering business;
- (h) A certification indicating whether the Applicant or any persons identified in subsections (c) through (e) have been directly employed by an illegal or offshore Sports Wagering Operator that serviced the United States or otherwise accepted black market wagers from individuals located in the United States;
- (i) A description of the proposed internal controls and security systems to be used in conducting sports wagering or processing sports wagering transactions;
- (j) The number of employees expected to be employed at the proposed Sports Wagering Facility;
- (k) The location of the proposed Sports Wagering Facility;
- (l) A copy of the Applicant's license to conduct business in the District of Columbia;

- (m) Proof of good standing pursuant to D.C. Official Code § 29-102.08 and a certification that the Citywide Clean Hands Database indicates that the proposed Licensee is current with its District taxes;
- (n) A list of jurisdictions where the Applicant has applied for a sports wagering or gambling license;
- (o) A list of jurisdictions where the Applicant has been issued a sports wagering or gambling license;
- (p) A list of jurisdictions where the Applicant has had any sports wagering or gambling license suspended or revoked;
- (q) Criminal history and background information of the Applicant or any person identified in subsections (c) through (e) as required by the Office;
- (r) A copy of the contract or proposed contract between the Management Services Provider and the Operator;
- (s) Information demonstrating whether the Applicant is a Small Business Enterprise; and
- (t) Any other information the Executive Director considers necessary and appropriate to determine competency, honesty and integrity.

2103.5 The Applicant shall notify the Office of any changes to their application within ten (10) days of the change.

2103.6 A Management Services Provider License shall be issued for a one (1)-year period and require a non-refundable application fee of ten thousand dollars (\$10,000), which shall be submitted with the application.

2103.7 A Management Services Provider License may be renewed annually; provided, that the Licensee has continued to comply with all statutory and regulatory requirements and pays upon submission of a renewal application a two thousand dollar (\$2,000) renewal fee.

2103.8 Each Management Services Provider License is limited to a single Sports Wagering Facility.

2103.9 A Management Services Provider may provide Sports Wagering Equipment, software, systems, data or services for the location which it has obtained a license without having to obtain a separate Suppliers License. If a Management Services Provider purchases, leases or otherwise obtains Sports Wagering Equipment from a third party, it must do so from a licensed Supplier.

- 2103.10 The duties and responsibilities of a Management Services Provider under a management services contract shall not be assigned, delegated, subcontracted, or transferred to a third party without the prior approval of the Office.
- 2103.11 The Office shall not issue a Management Services Provider License unless it is satisfied that the Applicant meets the requirements for a Management Services Provider License and is a suitable and qualified person to be licensed to conduct or participate in conducting all aspects of Sports Wagering pursuant to its management services contract that has been approved by the Office.
- 2103.12 An Applicant for a Management Services Provider License shall establish their suitability for a license by clear and convincing evidence.
- 2103.13 In determining whether an Applicant is suitable and to approve an application for a Management Services Provider License, the Executive Director shall consider the following factors, when applicable, relating to the Applicant:
- (a) Whether the Applicant is Management Services Provider Licensee is capable of operating a Sports Wagering Facility that will have a positive impact on the District and its residents through increased revenues and improving the quality and marketability of sports wagering entertainment within the District;
 - (b) Whether the Applicant possesses adequate funds or has secured adequate financing to operate a Sports Wagering Facility in conformity with the regulations and standards promulgated by the Office;
 - (c) Whether the Applicant has the financial stability, integrity, and responsibility to conduct a sports wagering operation.
 - (d) Whether the Applicant has sufficient business ability and experience to operate and maintain a successful sports wagering operation;
 - (e) Whether the Applicant has proposed adequate measures for internal and external security, including a surveillance system or protocol;
 - (f) Whether the Applicant has satisfied the Management Services Provider License requirements;
 - (g) Whether the Applicant has demonstrated that its proposed sports wagering operation will be conducted in accordance with the Act and all other applicable District and federal laws;
 - (h) Whether the Applicant has been convicted of a disqualifying offense, as established by regulation by this chapter;

- (i) Whether the Applicant is a Small Business Enterprise;
- (j) The past and present compliance of the Applicant and its affiliates or affiliated companies with gaming-related licensing requirements in the District or any other jurisdiction, including whether the Applicant has a history of non-compliance with the gaming licensing requirements of any jurisdiction;
- (k) If the Applicant has been charged with, convicted, pleaded guilty, or forfeited bail concerning any criminal offense under the laws of any jurisdiction, not including a traffic offense;
- (l) If the Applicant has filed, or had filed against it a proceeding for bankruptcy or has ever been involved in any formal process to adjust, defer, suspend, or otherwise work out the payment of any debt;
- (m) If the Applicant has been served with a complaint or other notice filed with any public body regarding a payment of any tax required under any law in any jurisdiction, where the Applicant has been in breach for one or more years;
- (n) If the Applicant is or has been a defendant in litigation involving its business practices that would call into question its suitability to be licensed;
- (o) If awarding a license would undermine the public's confidence in the gaming industry in the District; and
- (p) If the Applicant meets other prescribed standards for the issuance of a license.

2103.14 An Applicant may apply for up to but no more than two (2) Management Services Provider Licenses, unless, the Applicant enters into a joint venture or other contractual agreement whereby a majority interest is owned by a Certified Business Enterprise for any additional licenses.

2103.15 A Management Services Provider shall prominently display in the Sports Wagering Facility the Management Services Provider License issued by the Office.

2104 SUPPLIER LICENSE REQUIREMENTS

2104.1 An individual, group of individuals or entity may apply to the Office for a Supplier License, the application for which shall be on a form provided by the Office.

- 2104.2 An individual, group of individuals or entity that seeks to sell or lease sports wagering equipment, software, systems, data or services relating to the conducting of sports wagering, as determined by the Office, shall obtain a Supplier License from the Office.
- 2104.3 An individual, group of individuals or entity that provides odds on sporting events to Operators or Management Services Providers when such information is not available to the public electronically in real time, must be licensed as a Supplier.
- 2104.4 The Office may require the following information in conjunction with an application for a Supplier License:
- (a) The Applicant's legal name and form of business entity;
 - (b) The mailing address of the Applicant and, if a corporation, the name of the state in which it is incorporated and the location of its principal place of business;
 - (c) The names, addresses, employer identification or social security numbers and dates of birth of its directors, officers, partners, owners, and key personnel;
 - (d) The names, addresses, employer identification or social security numbers and dates of birth, as applicable, of each individual, group of individuals or entity associated with a corporate Applicant, including a corporate holding company, parent company, or subsidiary company of the Applicant that has the ability to control the activities of the corporate Applicant or elect a majority of the board of directors of that corporation, excluding any bank or other licensed lending institution that holds a mortgage or other lien acquired in the ordinary course of business;
 - (e) The names, addresses, employer identification or social security numbers and dates of birth, as applicable, of each individual, group of individuals or entity associated with a non-corporate Applicant that directly or indirectly holds a five percent (5%) or greater beneficial or proprietary interest in the Applicant's business operation, or that the Office otherwise determines has the ability to control the Applicant;
 - (f) Information regarding the Applicant or any persons identified in subsections (c) through (e) are eligible to hold a Supplier License, including disclosure of the following information:
 - (1) Whether the Applicant or any persons identified in subsections (c) through (e) have been convicted of an offense other than a traffic violation;

- (2) Whether the Applicant or any persons identified in subsections (c) through (e) have been subject to any disciplinary action, past or pending, by any administrative, governmental, or regulatory body;
 - (3) Whether the Applicant or any persons identified in subsections (c) through (e) have been charged with a violation of any statute, rule, regulation, or ordinance of any administrative, regulatory, or other governmental body; or
 - (4) Whether the Applicant or any persons identified in subsections (c) through (e) have been in default of paying any taxes, fees, or other obligations owed to the District of Columbia, any local governmental entity, or the federal government;
- (g) A report of the Applicant's or any person identified in subsections (c) through (e)'s financial activities, including evidence of financial stability, such as bank statements, business and personal income and disbursement schedules, tax returns, or other documentation satisfactory to the Office that demonstrates that the Applicant has sufficient business ability and experience to establish and maintain a successful sports wagering business;
- (h) A certification indicating whether the Applicant or any persons identified in sections (c) through (e) have been directly employed by an illegal or offshore Sports Wagering Operator that serviced the United States or otherwise accepted black market wagers from individuals located in the United States;
- (i) A copy of the Applicant's license to conduct business in the District of Columbia;
- (j) Proof of good standing pursuant to D.C. Official Code § 29-102.08 and a certification that the Citywide Clean Hands Database indicates that the proposed Licensee is current with its District taxes;
- (k) A list of jurisdictions where the Applicant has applied for a sports wagering or gambling license.
- (l) A list of jurisdictions where the Applicant has been issued a sports wagering or gambling license.
- (m) A list of jurisdictions where the Applicant has had any sports wagering or gambling license suspended or revoked.
- (n) Criminal history and background information of the Applicant or any person identified in subsections (c) through (e) as required by the Office;

- (o) A list of sports wagering equipment, systems, or other gaming items necessary to conduct sports wagering that may be offered for sale or lease; and
- (p) Any other information the Executive Director considers necessary and appropriate to determine competency, honesty and integrity.

2104.5 The Applicant shall notify the Office of any changes to their application within ten (10) days of the change.

2104.6 A Supplier License shall be issued for a one (1)-year period and require a non-refundable application fee of ten thousand dollars (\$10,000), which shall be submitted with the application.

2104.7 A Supplier License may be renewed annually; provided, that the Licensee has continued to comply with all statutory and regulatory requirements and pays upon submission of a renewal application a two thousand dollar (\$2,000) renewal fee.

2104.8 A Supplier License is non-transferable. The duties and responsibilities of a Supplier shall not be assigned, delegated, subcontracted, or transferred to a third party without the prior approval of the Office.

2104.9 The Office shall not issue a Supplier License unless it is satisfied that the Applicant meets the requirements for a Supplier License and is a suitable and qualified person to be licensed as a Supplier.

2104.10 An Applicant for a Supplier License shall establish their suitability for a license by clear and convincing evidence.

2105 OCCUPATIONAL LICENSE REQUIREMENTS

2105.1 All persons employed to be engaged in activities related to sports wagering shall be required to be licensed by the Office and, when employed, shall maintain a valid Occupational License and be employed in the capacity reported to the Office.

2105.2 An Occupational License is required for the following individuals:

- (a) An individual who is employed by a Sports Wagering Operator and whose work duties are directly related to or involved in sports wagering operations;
- (b) An individual who works in a restricted area of the Sports Wagering Facility; and

- (c) An individual who is a Sports Wagering Operations Manager, a general manager or department manager having oversight or operational responsibility for operations of the Sports Wagering Facility.
- 2105.3 The Office may license different levels of Occupational Licenses.
- 2105.4 An Occupational Licensee may perform any work duties or activities included within the level of Occupational License held by the Licensee and included in any lower level of Occupational License. A license may entitle the person to work at more than one location if such an arrangement has been approved by the Office.
- 2105.5 The Office shall not process an application for an Occupational License unless the application includes a written statement from a Sports Wagering Operator that the Applicant has been or will be hired by the Sports Wagering Operator, subject to satisfactory completion of any training required by the Office and upon receiving the appropriate Occupational License application fee.
- 2105.6 The Applicant shall notify the Office of any changes to their application within ten (10) days of the change.
- 2105.7 The Office may exempt any person from the occupational licensing requirements of this title if the Office determines that the person is regulated by another governmental agency or that licensing is not considered necessary to protect the public interest or accomplish the policies and purposes of the Act.
- 2105.8 A holder of an Occupational License shall submit a renewal application by September 30 of each year and pay a renewal fee of one hundred dollars (\$100), which may be paid on behalf of the licensed employee by the employer.
- 2105.9 Each holder of an Occupational License shall carry the license and have some indicia of licensure prominently displayed on his or her person when present in a Sports Wagering Facility at all times, in accordance with the rules of the Office.
- 2105.10 An Applicant for an Occupational License under this section shall submit an application, as required by the Office, and pay a nonrefundable fee of \$100, which may be paid on behalf of the Applicant by the prospective employer.
- 2105.11 The Office shall not issue an Occupational License unless it is satisfied that the Applicant meets the requirements for such license and is a suitable and qualified person to be licensed for the operational position they are proposing to hold.
- 2105.12 An Applicant for an Occupational License shall establish their suitability for a license by clear and convincing evidence

2106 PROVISIONAL SPORTS WAGERING LICENSES

2106.1 The Office may issue Provisional Sports Wagering Licenses to Operators, Management Service Providers and Suppliers.

2106.2 An Applicant for a Provisional Sports Wagering Licenses shall provide the Office with the following documents and information and complete the following steps:

- (a) Provide proof of current licensure for sports wagering from an Office approved jurisdiction;
- (b) Provide a copy of the application, including all amendments and updates, submitted to obtain its sports wagering license from an Office approved jurisdiction;
- (c) Begin the Office's sports wagering license application process;
- (d) Complete all forms required by the Office;
- (e) Obtain a Basic Business License;
- (f) Provide proof of good standing pursuant to D.C. Official Code § 29-102.08 and a certification that the Citywide Clean Hands Database indicates that the Applicant is current with its District taxes;
- (g) Comply with the Certified Business Entity requirements for licensure contained in the Act;
- (h) For a provisional Class A Operator's license, provide documentation indicating whether the Applicant has entered into a labor peace agreement with each labor organization that is actively engaged in representing or attempting to represent employees in the gaming, hospitality, or food and beverage industries in the District. If the Applicant has not entered into a labor peace agreement as referenced in this paragraph, the Applicant shall provide information showing that it is engaged in good faith negotiations to enter into a labor peace agreement or information showing why it was unable to enter in a labor peace agreement
- (i) Provide any additional information or documentation required by the Office; and
- (j) Pay the non-refundable application fee.

2106.3 An Applicant for a Provisional Sports Wagering License shall agree in writing to the following conditions:

- (a) The Provisional Sports Wagering License does not create a right or privilege to continue sports wagering operations if the Applicant's application for a standard sports wagering license is rejected by the Office.
- (b) The Office may rescind the Applicant's Provisional Sports Wagering License at any time, with or without notice to the Applicant, if:
- (c) The Office is informed that the suitability of the Applicant may be at issue; and
- (d) The Applicant fails to cooperate with the Office in the Office's investigation into the qualifications and suitability of the Applicant for a standard sports wagering license.

2106.4 A Provisional Sports Wagering License shall be valid for a period of up to six (6) months. The Executive Director may extend the Provisional Sports Wagering License period upon a showing of good cause.

2106.5 While operating under a Provisional Sports Wagering License, the licensee shall adhere to all applicable requirements contained in the Act and this chapter.

2106.6 The Applicant must complete the Office's full sports wagering licensing applications and meet all requirements prior to being issued a standard sports wagering license.

2106.7 The initial standard license term of the Applicant shall be reduced by the number of days the Applicant held a Provisional Sports Wagering License.

2106.8 A Provisional Sports Wagering License shall expire immediately if the Applicant's application for a standard sports wagering license is denied.

2107 LICENSE PROHIBITIONS

2107.1 The Office shall deny, suspend, or revoke a license if evidence satisfactory to the Office exists that the Applicant or Licensee committed any of the following disqualifying offenses:

- (a) The Applicant or Licensee knowingly made a false statement of a material fact to the Office;
- (b) The Applicant or Licensee has been suspended from operating a gambling game, gaming device, or gaming operation, or had a license revoked by any governmental authority responsible for the regulation of gaming activities;

- (c) The Applicant or Licensee has been convicted of a felony and has not received a pardon or has not been released from parole or probation for at least five (5) years;
- (d) The Applicant or Licensee has been convicted of a gambling-related offense, or a theft or fraud offense; or
- (e) The Applicant or Licensee is a company or individual who has been directly employed by any illegal or offshore book that serviced the United States or otherwise accepted black market wagers from individuals located in the United States.

2107.2 The Office may deny, suspend, or revoke an Applicant's or Licensee's Sports Wagering License under the following circumstances:

- (a) If the Applicant or Licensee has not demonstrated by clear and convincing evidence to the satisfaction of the Office financial responsibility sufficient to adequately meet the requirements of the proposed enterprise;
- (b) If the Applicant or Licensee is not the true owner of the business or is not the sole owner and has not disclosed on the application the existence or identity of other persons who have an ownership interest in the business; or
- (c) if the Applicant or Licensee is a corporation that sells more than five percent (5%) of its voting stock, more than five percent (5%) of the voting stock of a corporation that controls the Applicant or Licensee, sells the Applicant's or Licensee's assets, other than those bought and sold in the ordinary course of business, or an interest in the assets, to an individual, group of individuals, or entity not already determined by the Office to have met the qualifications of a Licensee, or is a non-corporate entity where an individual, group of individuals, or entity not already determined by the Office to have met the qualifications of a Licensee pursuant to this title holds more than a ten percent (10%) interest in the non-corporate entity.

2107.3 The Office may deny, suspend, or revoke an Applicant's or Licensee's Sports Wagering License if they, or any person required to be qualified under this chapter as a condition of a sports wagering license, has been convicted of any offense in any jurisdiction which equate to the following crimes:

- (a) All crimes of the first degree;
- (b) Attempt to commit an offense which is listed in this subsection;
- (c) Conspiracy to commit an offense which is listed in this subsection;

- (d) Manslaughter;
- (e) Vehicular homicide which constitutes a crime of the second degree;
- (f) Aggravated assault which constitutes a crime of the second or third degree;
- (g) Kidnapping;
- (h) Sexual offenses which constitute crimes of the second or third degree;
- (i) Robberies;
- (j) Crimes involving arson and related offenses;
- (k) Causing or risking widespread injury or damage;
- (l) Burglary which constitutes a crime of the second degree;
- (m) Theft and related offenses which constitute crimes of the second or third degree;
- (n) Forgery and fraudulent practices which constitute crimes of the second or third degree;
- (o) Endangering the welfare of a child;
- (p) Bribery and corrupt influence;
- (q) Perjury and other falsification in official matters which constitute crimes of the second, third or fourth degree;
- (r) Misconduct in office and abuse in office which constitutes a crime of the second degree;
- (s) Manufacturing, distributing or dispensing a controlled dangerous substance or a controlled dangerous substance analog which constitutes a crime of the second or third degree;
- (t) Employing a juvenile in a drug distribution scheme;
- (u) Distributing, dispensing or possessing a controlled dangerous substance or a controlled substance analog on or within one thousand feet (1,000 ft.) of school property or bus;

- (v) Distributing, dispensing or possessing a controlled dangerous substance or a controlled substance analog in proximity to public housing facilities, parks or buildings;
- (w) Distribution, possession or manufacture of imitation controlled dangerous substances;
- (x) Acquisition of controlled dangerous substances by fraud;
- (y) Gambling offenses which constitute crimes of the third or fourth degree;
- (z) Possession of a gambling device;
- (aa) Any second-degree racketeering crime;
- (bb) Swindling and cheating;
- (cc) Use of device to gain an advantage at a sports wagering, lottery or casino game;
- (dd) Unlawful use of bogus chips or gaming billets, marked cards, dice, cheating devices, unlawful coins;
- (ee) Cheating games and devices in a licensed casino;
- (ff) Unlawful possession of device, equipment or other material illegally manufactured, distributed, sold or delivered; or
- (gg) Any other offense under present District or federal law which indicates that licensure of the Applicant would be detrimental to the policy of the Act and to sports wagering operations; provided, however, that the automatic disqualification provisions of this subsection shall not apply with regard to any conviction which did not occur within the ten (10)-year period immediately preceding application for licensure and which the Applicant demonstrates by clear and convincing evidence does not justify automatic disqualification pursuant to this subsection and any conviction which has been the subject of a judicial order of expungement or sealing;
- (hh) Current prosecution or pending charges in any jurisdiction of the Applicant or Licensee or of any person who is required to be qualified under the Act as a condition of a sports wagering license, for any of the offenses enumerated in this chapter; provided, however, that at the request of the Applicant or the person charged, the Office shall defer decision upon such application during the pendency of such charge;

- (ii) The pursuit by the Applicant or Licensee or any person who is required to be qualified under the Act as a condition of a sports wagering license of economic gain in an occupational manner or context which is in violation of the criminal or civil public policies of the District, if such pursuit creates a reasonable belief that the participation of such person in sports wagering operations would be detrimental to the policies of the Act or to legalized gaming in the District of Columbia. For purposes of this section, occupational manner or context shall be defined as the systematic planning, administration, management, or execution of an activity for financial gain;
- (jj) The identification of the Applicant or Licensee or any person who is required to be qualified under the Act as a condition of a Sports Wagering License as a career offender or a member of a career offender cartel or an associate of a career offender or career offender cartel in such a manner which creates a reasonable belief that the association is of such a nature as to be detrimental to the policy of this chapter and to gaming operations. For purposes of this section, career offender shall be defined as any person whose behavior is pursued in an occupational manner or context for the purpose of economic gain, utilizing such methods as are deemed criminal violations of the public policy of the District of Columbia. A career offender cartel shall be defined as any group of persons who operate together as career offenders;
- (kk) The commission by the Applicant or Licensee or any person who is required to be qualified under the Act as a condition of a Sports Wagering License of any act or acts which would constitute any offense under this chapter, even if such conduct has not been or may not be prosecuted under the criminal laws of the District of Columbia or any other jurisdiction or has been prosecuted under the criminal laws of the District of Columbia or any other jurisdiction and such prosecution has been terminated in a manner other than with a conviction;
- (ll) Willful defiance by the Applicant or Licensee or any person who is required to be qualified under the Act of any legislative investigatory body or other official investigatory body of any state or of the United States when such body is engaged in the investigation of crimes relating to gaming, official corruption, or organized crime activity;
- (mm) Failure by the Applicant or Licensee or any person required to be qualified under the Act as a condition of a Sports Wagering License to make required payments in accordance with a child support order; and
- (nn) Failure by the Applicant or Licensee or any person required to be qualified under the Act as a condition of a sports wagering license to repay any other debt owed to the District of Columbia; unless such Applicant

provides proof to the Office's satisfaction of payment of or arrangement to pay any such debts prior to licensure.

2108 DUTIES OF OPERATORS AND MANAGEMENT SERVICES PROVIDERS

2108.1 Operators and Management Services Providers shall, in accordance with Section 307 of the Act:

- (a) Employ a monitoring system utilizing software to identify irregularities in volume or odds and swings that could signal suspicious activities that should require further investigation, and immediately reports such findings to the Office;
- (b) Develop system requirements and specifications for internal controls according to industry standards and implement the requirements and specifications as required by the Office;
- (c) Immediately reporting to the Office facts or circumstances related to the operation of a sports wagering Licensee that may constitute a violation of District or federal law, including suspicious sports wagering over any threshold set by the Operator;
- (d) Provide a secure location within the District, or a location approved by the Office in accordance with this title and all other applicable District and federal laws for the placement, operation, and play of sports wagering equipment;
- (e) Employ the use of licensed security officers if required to do so by the Office.
- (f) Prevent an individual, group of individuals or entity from tampering with or interfering with the operation of sports wagering or sports wagering equipment;
- (g) Ensure that sports wagering occurs only within the specific designated areas in which sports wagering may take place, using Office-approved mobile applications, websites, other digital platforms, or sports wagering devices that utilize communications technology to accept only wagers originating within the District.
- (h) Ensure that sports wagering conducted through the use of a Self-Service Betting Terminal or Sports Wagering Facility booth located in the Sports Wagering Facility or other window locations as approved by the Office, is conducted within the sight and control of designated employees of the

licensed Operator or Management Services Provider and under continuous observation by security equipment, as required by the Office;

- (i) Maintain a sufficient cash supply and other supplies within the boundaries of the District;
- (j) Maintain daily records showing the Gross Sports Wagering Receipts and adjusted gross sports wagering receipts of the operator; and
- (k) Timely file with the Office records or reports required by this chapter;

2108.2 Operators and Management Services Providers shall not knowingly allow, and shall take reasonable steps to prevent, the circumvention of reporting requirements through a player making a structured wager, including multiple wagers or a series of wagers that are designed to accomplish indirectly that which could not be accomplished directly. A wager or wagers need not exceed the dollar thresholds at any single operator in any single day in order to constitute prohibited structuring. No Operator or Management Services Provider shall encourage or instruct the player to structure or attempt to structure wagers. This section does not prohibit an Operator or Management Services Provider from informing a player of the regulatory requirements imposed upon the Operator or Management Services Provider, including the definition of structured wagers. An Operator or Management Services Provider shall not knowingly assist a player in structuring or attempting to structure wagers.

2108.3 Operators and Management Service Providers shall investigate each player complaint and provide a response to the player within ten (10) calendar days. For complaints that cannot be resolved to the satisfaction of the player, related to player accounts, settlement of wagers or illegal activity, a copy of the complaint and Licensee's response, including all relevant documentation, shall be provided to the Office.

2108.4 To conduct sports wagering transactions on premises, a Sports Wagering Facility shall have a cashier's cage that has been approved for the operation by the Office. Sports wagering transactions shall be conducted from a Sports Wagering Facility booth located in the Sports Wagering Facility or other window locations as approved by the Office, Self-Service Betting Terminals in locations as approved by the Office or through the use of Office approved mobile applications, websites, other digital platforms, or devices within the Sports Wagering Facility.

2108.5 The Sports Wagering Facility shall be designed to promote optimum security of the facility and shall include the installation and maintenance of security and surveillance equipment, including closed-circuit television equipment, according to specifications approved by the Office. The Office shall have direct access to the system and its transmissions. Operators and Management Services Providers shall

submit a surveillance plan for Office approval prior to accepting wagers. Any changes to the surveillance plan must be approved by the Office.

2108.6 Sports Wagering Facilities and locations with sports wagering equipment are subject to compliance inspections by the Office at all times. Authorized office employees shall be granted access to all portions of the Sports Wagering Facility or any location where sports wagering equipment is stored at all times for the purposes of conducting compliance inspections or enforcement actions.

2108.7 Operators and Management Service Providers shall not accept sports wagers on a prohibited sports event.

2109 ADDITIONAL DUTIES OF OPERATORS AND MANAGEMENT SERVICES PROVIDERS

2109.1 In addition to the requirements set forth in § 2108, Operators and Management Services Providers shall:

- (a) Ensure that its employees and agents conduct sports wagering operations in a manner that does not pose a threat to the public health, safety, and welfare of District residents;
- (b) Verify that persons seeking to participate in sports wagering are at least eighteen (18) years of age by requiring that they present a valid government-issued identification document, including a driver's license, passport, or military ID, that includes the person's name and date of birth;
- (c) Prohibit any person under the age of eighteen (18) to collect winnings from sports wagering;
- (d) Prevent intoxicated or impaired persons from participating in sports wagering or entering the approved designated areas for sports wagering on the licensed premises;
- (e) Prohibit an employee or agent who is serving alcoholic beverages to customers from taking sports wagers on the same day;
- (f) Ensure that all approved designated areas for sports wagering on the licensed premises are monitored by designated staff and Office-approved security systems that are operational, regularly maintained, and are capable of storing footage for a minimum of thirty (30) days. Any security footage shall be made available to the Office, and the Metropolitan Police Department upon request; and

- (g) Immediately notify security if a person who is under the age of eighteen (18) or is intoxicated or impaired knowingly engages in sports wagering on the licensed premises.

2110 POSTING

2110.1 The following shall be conspicuously posted at the sports wagering facility:

- (a) The Sports Wagering Operator license;
- (b) The Management Services Provider License;
- (c) The name of the Sports Wagering Manager on duty;
- (d) A sign that shall include the statement that is similar to “It is unlawful for any individual who is under 18 years of age or is noticeably intoxicated or impaired to engage in sports wagering.”; and
- (e) A sign which shall contain information preventing, treating, and monitoring compulsive gambling, as well as the toll-free number a person can call for help.

2110.2 Online sports wagering websites and mobile applications shall display the following:

- (a) Notice that shall include the statement that is similar to “It is unlawful for any individual who is under 18 years of age or is noticeably intoxicated or impaired to engage in sports wagering.”; and
- (b) Responsible gaming logo or information to direct players to the site's Office-approved responsible gaming page, which shall include, at a minimum:
 - (i) Prominent display of the toll-free helpline number and messaging approved by the Office;
 - (ii) A direct link to the responsible gambling resources approved by the Office that is dedicated to helping persons with potential gambling problems;
 - (iii) A clear statement of the online Operator's policy and commitment to responsible gaming;
 - (iv) Information governing self-imposed responsible gaming limits and the ability for the player to establish those limits; and

- (v) Any other information about available programs to prevent, treat, or monitor compulsive or problem gambling.

2111 IDENTIFICATION BADGES

- 2111.1 The Office shall issue identification badges to Licensees and employees, officers and directors of Licensees.
- 2111.2 The identification badges shall be in the form prescribed by the Office.
- 2111.3 The identification badge shall be worn by the Licensee or employee, officer or director of the Licensee in a clearly visible location above the waist, while the Licensee or Licensee's employee, officer or director is present within the Sports Wagering Facility or any facility that houses sports wagering equipment.

2112 SPORTS WAGERING MANAGER

- 2112.1 Each Sports Wagering Facility shall have a Sports Wagering Manager present within the Sports Wagering Facility at all times when sports wagering is taking place.
- 2112.2 The name of the Sports Wagering Manager on duty shall be prominently displayed within the Sports Wagering Facility.

2113 REPORTING

- 2113.1 The Sports Wagering Operator shall submit a monthly report to the Office that includes the following information:
 - (a) The total amount of sports wagers received from Sports Wagering;
 - (b) The total amount of prizes awarded for sports betting;
 - (c) The total amount of Gross Sports Wagering Revenue (GGR) received by the Operator;
 - (d) The total number of authorized sports bettors that requested to exclude themselves from sports wagering; and
 - (e) Any additional information the Office considers necessary.
- 2113.2 Reports shall be submitted on forms and in a manner required by the Office.

2114 SELF-LIMITING PROGRAM

- 2114.1 Operators and Management Services Providers shall implement a system to allow individuals to set limits with the Operator or Management Services Provider, including responsible gaming limits set forth below. Any decrease to these limits shall be effective no later than the player's next log in. Any increase to these limits shall become effective only after the time period of the previous limit has expired and the player reaffirms the requested increase.
- (a) A deposit limit, which shall be offered on a daily, weekly and monthly basis and shall specify the maximum amount of money a player may deposit into his or her sports wagering account during a particular period of time;
 - (b) A spending limit, which shall be offered on a daily, weekly and monthly basis and shall specify the maximum amount of player funds that may be put at risk during a particular period of time; and
 - (c) A time-based limit, which shall be offered on a daily basis and shall specify the maximum amount of time, measured hourly from the player's log in to log off, a player may spend playing on a sports wagering system.
- 2114.2 Operators and Management Services Providers shall take reasonable steps to prevent individuals from overriding their self-imposed limits, including, at the request of the individual, sharing the requested limitations with the Office for the sole purpose of disseminating the request to other operators.
- 2114.3 Operators and Management Services Providers shall prohibit an individual from wagering over the limit they have set or from sports wagering if they are on a list provided by the Office of the individuals who have requested to be excluded from sports wagering.
- 2114.4 Operators and Management Services Providers shall implement and maintain reasonable security procedures and practices that are appropriate to the nature of the personal information of individuals who place a wager with the Operator from unauthorized access, use, modification or disclosure.
- 2114.5 Operators and Management Services Providers shall establish procedures to evaluate requests made by third parties to exclude an individual from sports wagering, including requests to exclude an individual from placing sports wagers when the requestor provides documentary evidence of sole or joint financial responsibility for the source of funds deposited with an Operator by the individual or a court order requiring the individual to pay unmet child support obligations.
- 2114.6 Operators and Management Services Providers shall establish a system to exclude from sports wagering individuals who are on the Office's self-exclusion list.

- 2114.7 Operators shall submit a monthly report to the Office that includes the total number of authorized sports bettors that requested to exclude themselves from sports wagering.
- 2114.8 Operators and Management Service Providers shall establish reasonable procedures designed at a minimum to prevent entry of a self-excluded person into the sportsbook area of a Sports Wagering Facility.
- 2114.9 Any person may request placement on the list of self-excluded persons, and the person during any period of voluntary exclusion may not collect any winnings or recover any losses resulting from any sports wagering or lottery gaming activity.
- 2114.10 Unless the suspension was a result of a player's self-exclusion, the Operator or Management Services Provider shall notify the sports wagering account holder via email, certified or registered mail, or other method approved by the Office, whenever his or her Account has been closed or placed in a suspended mode. Such notification shall include the restrictions placed on the Account and any further course of action needed to remove the restriction.
- 2114.11 Operators and Management Service Providers shall abide by all requirements issued by the Office pertaining to training employees about compulsive and problem gambling.,

2115 INTERNAL CONTROLS

- 2115.1 Operators and Management Services Providers shall file with the Office internal controls for all aspects of sports wagering operations prior to commencing operations.
- 2115.2 As determined by the Office, prior to commencing sports wagering, a Sports Wagering Operator or Management Services Provider shall submit to the Office for approval internal controls for all aspects of sports wagering (*i.e.*, retail sportsbook operations, in venue mobile sportsbook operations and remote sportsbook wagering operations) prior to implementation and any time a change is made thereafter.
- 2115.3 The internal controls shall address the following items regarding the sports wagering system, at a minimum:
- (a) User access controls for all sports wagering personnel;
 - (b) Segregation of duties;
 - (c) Automated and manual risk management procedures;

- (d) Procedures for identifying and reporting fraud and suspicious conduct;
- (e) Procedures for identifying and preventing persons who are under eighteen (18) years of age from engaging in sports wagering;
- (f) Procedures to prevent wagering by players prohibited from wagering;
- (g) Procedures for identifying and preventing intoxicated and impaired persons from engaging in sports wagering;
- (h) Description of anti-money laundering (AML) compliance standards;
- (i) Description of all types of wagers available to be offered by the system; and
- (j) Description of all integrated third-party systems.

2115.4 The internal controls shall detail the reconciliation of assets and documents contained in a Sports Wagering Facility Ticket Writer's drawer, Self Service Terminal, and mobile sports wagering.

2116 HOUSE RULES

2116.1 Operators and Management Services Providers shall adopt comprehensive House Rules which shall be submitted to the Office for approval before the commencement of operations.

2116.2 At a minimum, the House Rules shall address the following items:

- (a) A method for the calculation and payment of winning wagers;
- (b) The effect of schedule changes;
- (c) The method of notifying players of odds or proposition changes;
- (d) Acceptance of wagers at terms other than those posted;
- (e) Expiration of any winning ticket one hundred and eighty (180) days after the date of the event;
- (f) The method of contacting the Operator or Management Services Provider for questions and complaints;
- (g) A description of prohibited sports participants;
- (h) The method of funding a sports wager; and

(i) A description of all types of wagers that may be accepted.

2116.3 House Rules shall include a provision prohibiting the stacking of bets to avoid federal currency transactional reporting thresholds.

2116.4 House Rules shall place players on notice that wagers are subject to Anti-Money Laundering standards, including Currency Transaction Reports and Suspicious Activity Reports.

2116.5 Minimum and maximum sports wagers referenced in House Rules must not fall outside of the limits set by the Office.

2116.6 House Rules shall be conspicuously displayed in the Sports Wagering Facility, posted on the Operator's or Management Services Provider's websites and mobile applications.

2116.7 Copies of the House Rules shall be made readily available, upon request, to players, the Office, and the Metropolitan Police Department.

2117 RESERVE REQUIREMENTS

2117.1 Operators and Management Services Providers shall establish a cash reserve of not less than the greater of twenty-five thousand dollars (\$25,000) or the sum of the following amounts:

(a) Amounts held by the Operator for player accounts;

(b) Aggregate amounts accepted by the Operator as wagers on sports wagering events whose outcomes have not been determined; and

(c) Amounts owed but unpaid by the operator on winning wagers through the period established by the Operator for honoring winning wagers.

2117.2 Operators and Management Services Providers shall calculate their reserve requirements each day. In the event an Operator determines that their reserve is not sufficient to cover the calculated requirement, the Operator must, within twenty-four (24) hours, notify the Office of this fact and must also indicate the steps the Operator has taken to remedy the deficiency.

2118 ANONYMOUS WAGERS AND PAYOUTS GREATER THAN \$10,000

2118.1 The requirements of this section only apply for wagers and payouts not associated with a player account.

- 2118.2 Prior to accepting any wager in excess of ten thousand dollars (\$10,000) or making a payout in excess of \$10,000 on a winning wager, an Operator or Management Services Provider shall obtain and record the following information:
- (a) The player's legal name;
 - (b) The player's date of birth;
 - (c) The player's residential address (a post office box is not acceptable);
 - (d) The player's social security number or equivalent for a foreign player such as a passport or taxpayer identification number; and
 - (e) The document number from one of the following valid identification credentials collected from the player to verify their identity:
 - (1) Driver's license;
 - (2) Passport;
 - (3) Non-resident alien identification card;
 - (4) Other reliable government-issued identification credentials; or
 - (5) Other picture identification credential normally acceptable as a means of identification when cashing checks.
- 2118.3 Subsequent to accepting a wager in excess of \$10,000 or making a payout in excess of \$10,000 on a winning wager the Operator or Management Services Provider shall record or maintain records that include:
- (a) The time and date of the wager or payout;
 - (b) The amount of the wager or payout;
 - (c) The player's legal name;
 - (d) The sports wagering facility ticket writer number or other identification of the location where the wager or payout occurred; and
 - (e) The name and signature of the employees accepting or approving the wager and payout on the wager.
- 2118.4 Operators and Management Services Providers shall monitor all wagers to ensure players are not circumventing the identification requirements above.

2119 SPORTS WAGERING SYSTEM REQUIREMENTS

- 2119.1 Prior to operating sports wagering or online sports wagering pursuant to the Act, all equipment and software used in conjunction with its operation shall be submitted to an Office approved independent testing laboratory or a testing laboratory operated in an accredited jurisdiction approved by the Office.
- 2119.2 All equipment and software used in conjunction with operating sports wagering or online sports wagering must meet as a minimum testing requirement, the standards set forth in the latest version of the GLI-33 Standards for Event Wagering Systems or other generally accepted standards approved by the Office.
- 2119.3 The sports wagering system Supplier shall pay all costs of testing, certification, and approval under this chapter including, but not limited to, all costs associated with:
- (a) Equipment and technical services required by an independent certified testing laboratory to conduct the testing and certification process;
 - (b) Operational audits; and
 - (c) Implementation testing.
- 2119.4 A sports wagering system submitted to the Office for approval shall contain a description of the system's risk management framework, including but not limited to, the following items:
- (a) User access controls for all sports wagering personnel;
 - (b) Information regarding segregation of duties;
 - (c) Information regarding automated risk management procedures;
 - (d) Information regarding fraud detection;
 - (e) Information regarding controls ensuring regulatory compliance;
 - (f) A description of anti-money laundering (AML) compliance standards;
 - (g) A description of all software applications that comprise the system;
 - (h) A description of all types of wagers available to be offered by the system;
 - (i) A description of all integrated third-party systems; and
 - (j) A description of the method to prevent past posting.

- 2119.5 A sports wagering system shall maintain all transactional betting data for a period of five (5) years.
- 2119.6 A sports wagering system shall record the following information for each wager made:
- (a) Description of event;
 - (b) Event number;
 - (c) Wager selection;
 - (d) Type of wager;
 - (e) Amount of wager;
 - (f) Date and time of wager;
 - (g) Unique wager identifier; and
 - (h) An indication of when the ticket expires.
- 2119.7 The following additional requirements are for all tickets generated by a cashier or at a Self Service Betting Terminal:
- (a) Name and address of the party issuing the ticket;
 - (b) A barcode or similar symbol or marking as approved by the Office, corresponding to the unique wager identifier;
 - (c) The method of redeeming winning ticket by mail, any ticket of six hundred dollars (\$600) or more must be redeemed in person; and
 - (d) Identification of the cashier or Self Service Betting Terminal generating the ticket.
- 2119.8 If the sports wagering system issues and redeems a sports wagering voucher, the system shall be capable of recording the following information for each voucher:
- (a) The amount of the voucher
 - (b) The date, time and location of issuance;
 - (c) The unique voucher identifier;

- (d) The expiration date of the voucher; and
 - (e) The date, time and location of redemption, if applicable.
- 2119.9 Sports wagering vouchers issued by a sports wagering system shall contain the following information:
- (a) The date, time and location of issuance;
 - (b) The amount of the voucher;
 - (c) A unique voucher identifier;
 - (d) The expiration date of the voucher;
 - (e) The name of the Operator or Management Services Provider.
- 2119.10 A sports wagering system that offers in-play wagering shall be capable of the following:
- (a) The accurate and timely update of odds for in-play wagers;
 - (b) The ability to notify the player of any change in odds after a wager is attempted;
 - (c) The ability for the player to confirm the wager after notification of the odds change; and
 - (d) The ability to freeze or suspend the offering of wagers when necessary.
- 2119.11 A sports wagering system shall be configured to perform the following functions:
- (a) Creating wagers;
 - (b) Settling wagers;
 - (c) Voiding wagers;
 - (d) Cancelling wagers; and
 - (e) Preventing the acceptance of wagers from players prohibited from wagering.
- 2119.12 When a sports wager is voided or cancelled, the system shall clearly indicate that the ticket is voided or cancelled, render it nonredeemable and make an entry in

the system indicating the void or cancellation and identity of the cashier or automated process.

- 2119.13 A sports wagering system shall prevent past posting of wagers and the voiding or cancellation of wagers after the outcome of an event is known.
- 2119.14 In the event a player has a pending wager and then self-excludes, the wager shall be cancelled, and the funds returned to the player according to the Licensee's internal controls.
- 2119.15 A sports wagering system shall, at least once every twenty-four (24) hours, perform a self-authentication process on all software used to offer, record and process wagers to ensure there have been no unauthorized modifications. In the event of an authentication failure, at a minimum, the system shall immediately notify the Operator's or Management Services Provider's Information Systems Officer and the Office within twenty-four (24) hours. The results of all self-authentication attempts shall be recorded by the system and maintained for a period of not less than ninety (90) days.
- 2119.16 Operators and Management Services Providers shall provide the Office access to wagering transaction and related data as deemed necessary by and in a manner approved by the Office.
- 2119.17 A sports wagering system shall be capable of maintaining the following:
- (a) A description of the event;
 - (b) The event number;
 - (c) The wager selection;
 - (d) The type of wager;
 - (e) The amount of wager;
 - (f) The amount of potential payout;
 - (g) The date and time of wager;
 - (h) The identity of the cashier accepting the wager if applicable;
 - (i) The unique ticket identifier;
 - (j) The expiration date of the ticket;
 - (k) The player name, if known;

- (l) The date, time, amount, and description of the settlement;
 - (m) The location where wager was made;
 - (n) The location of redemption; and
 - (o) The identity of cashier settling the wager if applicable.
- 2119.18 For all lost tickets that are redeemed, a sports wagering system shall record and maintain the following information:
- (a) The date and time of redemption;
 - (b) The employee responsible for redeeming the ticket;
 - (c) The name of the player redeeming the wager;
 - (d) The unique ticket identifier; and
 - (e) The location of the redemption.
- 2119.19 Sports wagering systems shall provide a mechanism for the Office to query and export, in a format required by the Office, all sports system data.
- 2119.20 Sports wagering systems shall be designed to ensure the integrity and confidentiality of all communications and ensure the proper identification of the sender and receiver of all communications. If communications are performed across a public or third-party network, the system shall either encrypt the data packets or utilize a secure communications protocol to ensure the integrity and confidentiality of the transmission.
- 2119.21 Operators and Management Services Providers shall set up test accounts to be used to test each of the various components and operations of the sports wagering system in accordance with internal controls approved by the Office.
- 2119.22 Additional system specifications and sports wagering system logging requirements may be specified by the Office through the issuance of technical bulletins.
- 2119.23 The sports wagering system shall generate those reports necessary to record gross sports wagering revenue (GGR), wagering liability, ticket redemption, and such other information relating to sports betting as deemed necessary by the Office. Such reports shall distinguish by type and status where applicable.
- 2119.24 Reports for Sports Wagering Systems:

- (a) Sports wagering systems shall be designed to generate the reports required by this section or otherwise required by the Office in a format approved by the Office.
- (b) All required reports shall be generated by the sports wagering system, even if the period specified contains no data to be presented. The report generated shall indicate all required information and contain an indication of “No Activity” or similar message if no data appears for the period specified.
- (c) All data required by this rule must be available in report image formats as well as database type formats as approved by the Office.
- (d) Sports wagering systems shall, at a minimum, generate the daily reports for each gaming day in order to calculate the taxable revenue or to ensure the integrity of operations related to operating an online sports wagering.

2119.25 Operators and Management Services Providers shall determine the daily win amount by comparing a win report from the sports wagering system to the reconciliation of the sports wagering drawers. Operators and Management Services Providers shall be required to report sports wagering revenue as the higher amount unless otherwise authorized by the Office.

2120 INTERNET AND MOBILE APPLICATION SPORTS WAGERING

2120.1 Operators and Management Services Providers may conduct sports wagering over the internet or through the use of mobile applications or other digital platforms; provided that the sports wagering transaction is initiated and received, or otherwise made, exclusively within the physical confines of the single approved Sports Wagering Facility, or otherwise as authorized by law, and must comply with all applicable District and federal laws and regulations.

2120.2 Operators and Management Services Providers shall have in place technical and operational measures to prevent sports wagering by those who are underage.

2120.3 Operators and Management Services Providers shall utilize a Geolocation System to reasonably detect the physical location of a player attempting to access the online sports wagering system; and to monitor and block unauthorized attempts to access the online sports wagering system.

2120.4 The Geolocation System shall, at a minimum:

- (a) The Geolocation System shall ensure that any player is continually located within the permitted boundary and shall be equipped to dynamically

monitor the player's location and block unauthorized attempts to access the online sports wagering system;

- (b) The Geolocation System shall trigger periodic geolocation interval checks to ensure the player remains in the area where the Operator or Management Services Provider is licensed to accept wagers;
- (c) Geolocation Systems shall not rely upon IP addresses to determine location when a mobile internet connection is being used to place a wager;
- (d) Geolocation Systems shall detect and block non-secure devices that have been jailbroken and rooted devices; and
- (e) Shall keep their Geolocation Systems up to date, including integrating the latest solutions in real time that can detect the use of remote desktop software, rootkits, virtualization, or any other programs identified by the Office having the ability to circumvent geolocation measures.

2120.5 Operators and Management Services Providers shall provide the Office at least every ninety (90) days, evidence that the Geolocation system is updated to the latest solution.

2120.6 The integrity of the Geolocation System shall be reviewed regularly by the Operator or Management Services Provider to ensure it detects and mitigates existing and emerging location fraud risks.

2120.7 The Office shall approve technical specifications for Geolocation Systems and any specific requirements related to geolocation and may also issue such requirements in the form of technical bulletins.

2120.8 Mobile applications are limited to one skin for each license.

2121 REMOTE SPORTS WAGERING SYSTEMS

2121.1 Each Remote Sports Wagering System that provides content to another sports wagering system shall conform to the following requirements:

- (a) Maintain internal controls for all aspects of sports wagering operations prior to implementation and any time a change is made thereafter. The internal controls shall include detailed procedures for system security, operations, and accounting;
- (b) Maintain internal controls approved by the Office that address compliance with all online sports wagering system requirements;

- (c) Employ personnel responsible for duties of an Information Technology Department, ensuring the operation and integrity of the sports betting and reviewing all reports of suspicious behavior as determined and approved by the Office;
- (d) Perform an annual system integrity and security assessment conducted by an independent professional selected by the Licensee, subject to the approval of the Office;
- (e) The independent professional's report on the assessment shall be submitted to the Office; and
- (f) Provide the Office with physical and logical access to the remote sports wagering system to review and collect all data contained therein.

2121.2 A Remote Sports Wagering System shall only offer to an Operator's and Management Services Provider's wagers on sporting events approved by the Office and shall notify the applicable Operators and Management Services Providers and the Office when a game is disabled, regardless of the reason.

2121.3 A Remote Sports Wagering System shall only void wagers via a procedure agreed upon between the Remote Sports Wagering System and affected Operators and Management Services Providers or after being notified by the Operator or the Management Services Provider that a wager must be voided.

2121.4 Each Remote Sports Wagering System shall respond to the Operator and Management Services Provider for any issue received related to a player or other wagering issue with a resolution within three calendar days.

2121.5 Any feature that allows a user to manually input or override any wager transaction shall be submitted to the Office for approval prior to use.

2121.6 Each Remote Sports Wagering System shall monitor for and immediately report to the appropriate Operators and Management Services Providers and the Office, any malfunction or security incident that adversely affects the integrity of critical data or system functionality.

2122 SPORTS WAGERING ACCOUNT REQUIREMENTS

2122.1 Online sports wagering shall only be engaged in by players who have established a sports wagering account.

2122.2 Nothing in this section shall be interpreted to prohibit Operators or Management Services Provider from accepting anonymous wagers at Sports Wagering Facility Ticket Writers or a Self-Service Betting Terminal.

- 2122.3 The information obtained to initially create a sports wagering account is recorded and maintained. The information includes, but is not limited to:
- (a) The player's legal name;
 - (b) The player's date of birth;
 - (c) The player's residential address (a post office box is not acceptable); and
 - (d) The player's social security number (SSN) or equivalent for a foreign player such as a passport or taxpayer identification number. The player may enter only the last four digits of a SSN if the other factors are sufficient to determine the entire nine-digit SSN within four minutes, if that cannot be done, entry of the nine-digit SSN is required.
- 2122.4 Operators and Management Services Providers shall:
- (a) Verify the player's identity, including that the player is of the legal age of eighteen (18) years of age or older, not self-excluded or otherwise prohibited from participating in Sports Wagering; and
 - (b) Record the document number of the government-issued identification credentials examined, or other methodology for remote, multi-sourced authentication, which may include third-party and governmental databases, as approved by the Office.
- 2122.5 Operators and Management Services Providers shall have an age verification process as a part of its registration process which may include requiring the use of a reputable independent third party that is common in the business of verifying an individual's personal identity information.
- 2122.6 Operators and Management Services Providers shall record the player's acceptance of the terms and conditions and privacy policy and acknowledgment that the information they provided is accurate and that they are prohibited from allowing any other person to access or use their sports wagering account.
- 2122.7 Operators and Management Services Providers shall notify the player of the establishment of the Sports Wagering Account by email or first-class mail.
- 2122.8 Once a Sports Wagering Account is created, a secure personal identification for the player authorized to use the Sports Wagering Account shall be established that is reasonably designed to prevent the unauthorized access to, or use of, the Sports Wagering Account by any individual other than the player for whom the Sports Wagering Account is established.
- 2122.9 A player shall have only one (1) Sports Wagering Account for each License.

- 2122.10 A Sports Wagering Account may be funded using:
- (a) Cash deposits made directly with the Licensee;
 - (b) Personal checks, cashier's checks, wire transfer and money order deposits made directly or mailed to the Licensee;
 - (c) Debits from the player's debit card or credit card;
 - (d) Transfers from another account verified to be controlled by the player through the Automated Clearing House (ACH deposit) or another mechanism designed to facilitate electronic commerce transactions;
 - (e) Cash complimentary, promotional credit, or bonus credit;
 - (f) Winnings;
 - (g) Adjustments made by the Licensee with documented notification to the player;
 - (h) A transaction at a Self-Service Betting Terminal; or
 - (i) Any other means approved by the Office.
- 2122.11 A failed ACH deposit attempt shall not be considered fraudulent if the player has successfully deposited funds via an ACH transfer on a previous occasion with no outstanding chargebacks. Otherwise, the Operator or Management Services Provider shall:
- (a) Temporarily block the player's Account for investigation of fraud after five-consecutive failed ACH deposit attempts within a ten-minute time period. If there is no evidence of fraud, the block may be vacated; and
 - (b) Suspend the player's Account after five additional consecutive-failed ACH deposit attempts within a ten-minute period.
- 2122.12 Prior to any withdrawal, if a player used a credit or debit card to fund a Sports Wagering Account, any remaining balance in the account up to the amount of the deposit shall be refunded to the player's credit or debit card account used to fund the sports wagering account provided that a credit or debit card issuer permits the return of a withdrawal from a sports wagering account funded by the credit or debit card of the issuer.
- 2122.13 Funds may be withdrawn from a player's Sports Wagering Account as follows:

- (a) Wagers;
- (b) Cash withdrawal made directly with the Licensee;
- (c) Personal check, cashier's check, wire transfer and money order by the Licensee made payable to the player and issued directly or delivered to the player's address on file in a manner approved by the Office;
- (d) Credits to the player's debit card or credit card;
- (e) Transfers to another account verified to be controlled by the player through the automated clearing house (ACH withdrawal) or another mechanism designed to facilitate electronic commerce transactions;
- (f) Adjustments made by the Licensee with documented notification to the player;
- (g) A transaction at a Self-Service Betting Terminal; or
- (h) Any other means approved by the Office.

2122.14 A player's request for withdrawal of funds (*i.e.*, deposited and cleared funds and funds won) is completed within a reasonable timeframe unless there is a pending unresolved player dispute or investigation. Funds for withdrawal may be withheld from withdrawal until the funding transaction clears or the chargeback period ends. Promotional credits or bonus credits with conditions may not be withdrawn unless all conditions are met.

2122.15 All adjustments to player Accounts for amounts of five hundred dollars (\$500.00) or under shall be periodically reviewed by supervisory personnel as set forth in the Licensee's internal controls. All other adjustments shall be authorized by supervisory personnel prior to being entered.

2122.16 Operators shall not allow the transfer of funds or credits between players.

2122.17 Operators shall provide an account statement with details to a player on demand, which shall include account activity for at least the six (6) months preceding twenty-four (24) hours prior to the request. In addition, Operators and Management Services Providers shall, upon request, be capable of providing to a player a summary statement of all player activity during the past year.

2122.18 Operators shall maintain a bank account within the District, separate from all other operating accounts to ensure the security of funds held in sports wagering accounts. The balance maintained in this account shall be greater than or equal to the sum of the daily ending cashable balance of all sports wagering accounts, funds on wagers, and pending withdrawals. Operators and Management Services

Providers shall have unfettered access to all player Sports Wagering Account and transaction data to ensure the amount held in its independent account is sufficient.

- 2122.19 Operators shall periodically re-verify a player's identification upon reasonable suspicion that the player's identification has been compromised.
- 2122.20 Operators shall offer a readily-accessible method for a player to close his or her account. Any balance remaining in a player's Sports Wagering Account closed by a player shall be refunded pursuant to the Licensee's internal controls.
- 2122.21 Sports wagering systems shall employ a mechanism that can detect and prevent any player-initiated wagering or withdrawal activity that would result in a negative balance of a sports wagering account.
- 2122.22 A player's sports wagering account shall be disabled after three failed log-in attempts and require multi-factor authentication to recover or reset a password or username.
- 2122.23 A mechanism shall be employed that places a sports wagering account in a suspended mode:
- (a) When requested by the player for a specified period of time, which shall not be less than seventy-two (72) hours (self-exclusion);
 - (b) When required by the Office; or
 - (c) Upon a determination that a player is a prohibited Sports Wagering Participant;
 - (d) When initiated by an Operator or Management Services Provider that has evidence that indicates:
 - (1) Illegal activity;
 - (2) A negative account balance;
 - (3) After failed ACH deposit attempts;
 - (4) A violation of the terms and conditions has taken place on a player's sports wagering account.
- 2122.24 When a Sports Wagering Account is in a suspended mode, the player shall be prevented from:
- (a) Wagering;

- (b) Depositing funds;
- (c) Withdrawing funds, unless the reason for the suspended mode would not prohibit a withdrawal;
- (d) Making changes to their sports wagering account; and
- (e) Removing of the sports wagering account from the system.

2122.25 A suspended Account may be restored;

- (a) Upon expiration of the time period established by the player;
- (b) When permission is granted by the Office;
- (c) When the player is no longer a prohibited sports wagering participant; or
- (d) When the Operator or Management Services Provider has lifted the suspended status.

2123 FINANCIAL AUDIT REQUIREMENTS

2123.1 Upon application for an Operator or Management Services Provider License, and annually thereafter, each Operator or Management Services Provider shall submit to the Office an audit of the financial transactions and condition of the Licensee's total Sports Wagering Operations prepared by a Certified Public Accountant in accordance with generally accepted accounting principles and applicable District and federal law.

2123.2 Operators and Management Services Providers shall establish and maintain books, records, and documents (including electronic storage media) in accordance with generally accepted accounting principles and practices which sufficiently and properly reflect all revenues and expenditures of funds associated with sports wagering.

2123.3 Operators and Management Services Providers shall retain all records, financial records, supporting documents, statistical records, and any other documents (including electronic storage media) pertinent to their Sports Wagering Operations for a minimum period of five (5) years.

2123.4 Books and records subject to this chapter shall be subject to inspection, review, or audit by the Office or other authorized District of Columbia governmental officials.

2124 OPERATIONS PROCESS AND PROCEDURE AUDIT REQUIREMENTS

2124.1 Operators and Management Services Providers, prior to commencing sports betting operations, and by June 1 each subsequent year, shall have their control systems audited by an independent licensed audit agent approved by the Office. Sports Wagering Operators and Management Services Providers are responsible for forwarding the results of this audit to the Office.

2124.2 In reviewing the operations conducted by the Licensee, the audit shall consider the operational aspects of this chapter, including those set forth in these rules and the appendices of the GLI-33 Standards for Event Wagering Systems or other generally accepted standards approved by the Office, in addition to the following:

- (a) Any changes to the control system and operating environment since the previous review;
- (b) The effectiveness of the Operator's or Management Services Provider's control systems to ensure compliance with all statutory and Office requirements.
- (c) The Operator's or Management Services Provider's compliance with its control systems.
- (d) Any other objectives established by the Office.

2125 TECHNICAL SECURITY CONTROL AUDIT REQUIREMENTS

2125.1 By June 1 of each year after being licensed, Operators and Management Services Providers must complete an annual security audit by an independent licensed auditor approved by the Office. Sports Wagering Operators and Management Services Providers are responsible for forwarding the results of this audit to the Office.

2125.2 Newly-licensed Operators and Management Services Providers shall submit a security audit within six (6) months of being licensed. This is irrespective of whether they are actively participating in sports wagering or not.

2125.3 This audit includes, but is not limited to, an information security system (ISS) assessment:

- (a) Review of the operational processes that are critical to compliance;
- (b) penetration testing focused on the external and internal infrastructure;
- (c) The applications transferring, storing or processing player credentials or sensitive information; and

(d) Any other objectives established by the Office.

2125.4 Compliance with these standards is to ensure that Operators and Management Services Providers have appropriate security controls in place so that players are not exposed to unnecessary risks when choosing to participate in sports wagering.

2126 PLAYER SPORTS WAGERS

2126.1 An Operator or Management Services Provider shall not accept any wager on a sports event unless it has received prior approval from the Office.

2126.2 If an Operator or Management Services Provider would like to offer a new category of wagering event they must submit a request to the Office on a form specified by the Office.

2126.3 The request must be submitted to the Office at least fourteen (14) days in advance of the proposed date of accepting wagers on such category of a wagering event.

2126.4 The Office reserves the right to prohibit the acceptance of wagers and may order the cancellation of wagers and require refunds on any event for which wagering would be contrary to the public policies of the District of Columbia.

2126.5 An Operator or Management Services Provider shall only accept wagers on sports events and other events for which:

- (a) The outcome can be verified;
- (b) The outcome can be generated by a reliable and independent process;
- (c) The outcome is not be affected by any wager placed; and
- (d) The event is conducted in conformity with all applicable laws.

2126.6 Sports wagers shall only be made using:

- (a) Cash;
- (b) Cash equivalent;
- (c) Credit or debit card, online purchases only;
- (d) Promotional funds;
- (e) Sports wagering vouchers; and

(f) Any other means approved the Office.

2126.7 A request for approval to accept wagers on any new category of wagering event shall be made by an Operator or Management Services Provider on such forms approved by the Office, and shall include:

(a) A full description of the event and the manner in which wagers would be placed and winning wagers would be determined;

(b) A full description of any technology which would be utilized to offer the event;

(c) Information or documentation which demonstrates that:

(1) The event could be adequately supervised;

(2) The outcome of the event would be verifiable;

(3) The outcome of the event would be generated by a reliable and independent process;

(4) The outcome of the event would be unlikely to be affected by any wager placed;

(5) The event could be conducted in compliance with any applicable laws; and

(6) The granting of the request for approval would be consistent with the public policy of the District.

(d) Such additional or supplemental information as the Office may require

2126.8 A Sports Wagering Operator or Management Services Provider may, in its discretion, accept a Layoff Wager from another Sports Wagering Operator or Management Services Provider. A Sports Wagering Operator or Management Services Provider placing a Layoff Wager shall disclose its identity to the other licensed Sports Wagering Operator accepting the wager.

2126.9 Players shall not place, nor shall Operators and Management Services Providers accept prohibited sports wagers.

2126.10 The Executive Director shall set the minimum and maximum sports wagers in the District.

- 2126.11 Any winning ticket shall be deemed expired and ineligible for payment one hundred eighty (180) days from the date of the last event that forms the basis of such wager.
- 2126.12 An Operator or Management Services Provider shall be prohibited from wagering through its own sports wagering facility and shall employ reasonable methods to prohibit:
- (a) A director, officer, owner, or employee of the Operator or Management Services Provider, and any relative living in the same household as the aforementioned individuals from placing a wager;
 - (b) An athlete, coach, referee, team owner, employee of a sports governing body or its member teams, and player and referee union personnel from wagering on a sporting event overseen by their sports governing body;
 - (c) An individual, group of individuals or entity with access to non-public confidential information held by the operator from placing wagers; or
 - (d) An individual, group of individuals or entity from placing a wager as an agent or proxy for others.
- 2126.13 In determining which individual, group of individuals or entity is to be excluded from placing a wager, an Operator or Management Services Provider shall use publicly available information and any lists of such individuals, group of individuals or entities that the Sports Governing Body may provide to the Office, and which the Office, or sports governing body, has provided to the Operator or Management Services Provider.

2127 PROHIBITED SPORTS EVENTS

- 2127.1 No wagers may be accepted or paid by any Sports Wagering Operator Licensee in any of the following instances:
- (a) Any collegiate sports or athletic event in which any District of Columbia based college or university team participates regardless of where the event takes place;
 - (b) All high school sports events, including high school electronic sports events and high school competitive video game events; and
 - (c) Any amateur sport or athletic event with the exception of:
 - (1) Olympic sporting or athletic events sanctioned by the International Olympic Committee where the participants are age eighteen (18) or older, subject to limitation by the Office;

- (2) International team sports events in which persons under age 18 make up a minority of the participants;
 - (3) Collegiate sporting or athletic events occurring outside the District that do not involve a District of Columbia college or university;
 - (4) The other games of a collegiate sports or athletic tournament in which a District of Columbia college or university team is a participant; and
 - (5) Any games of a collegiate tournament that occur outside the District of Columbia even though some of the individual games or events are held in the District of Columbia.
- (d) Any collegiate sport or athletic event which the Operator Licensee knows or reasonably should know, is being placed by, or on behalf of a coach or participant in that collegiate event;
 - (e) An event broadcast on television or other media that is ostensibly a contest with in-person judges or that may incorporate fan judging but that is more suitably described as entertainment; and
 - (f) Any event or athletic sporting event unless approved by the Office.

2128**RESPONSIBLE GAMING PLAN**

2128.1

Operators and Management Services Providers shall submit a Responsible Gaming Plan to the Office at the time of first application. The plan must be approved by the Office prior to the commencement of gaming activity. The Plan shall include, at a minimum, the following:

- (a) The goals of the plan, procedures and deadlines for implementation of the plan;
- (b) The identification of the individual(s) who will be responsible for the implementation and maintenance of the plan;
- (c) Procedures for compliance with the office's self-exclusion program set forth in this chapter;
- (d) Procedures for implementation of a self-limitation program, allowing gamblers to set budgets for time and money expended on gambling activity offered by the licensee; and

- (e) The applicant's plans for creating and disseminating promotional material to educate patrons about compulsive and problem gambling and to inform them about treatment services available to compulsive and problem gamblers and their families. The Applicant shall provide examples of the materials to be used as part of its plan, including signs, brochures and other material and a description of how the material will be disseminated. The Licensee shall, at a minimum, implement the following communications:
- (1) Display signage and written materials, in conspicuous places in their Sports Wagering Facility, and on their websites and mobile applications information on the availability of problem gambling treatment or counseling, procedures for self-exclusion, and promotion of a problem gambling hotline;
 - (2) Provide information on all print, billboard, sign, online, or broadcast advertisements, information about available programs to prevent, treat, or monitor compulsive or problem gambling, procedures for self-exclusion, and promotion of a problem gambling hotline;
 - (3) Post in every designated area approved for sports wagering, on their websites and mobile applications, a statement approved by the Office referring customers to a toll-free helpline and other information as may be required by the Office;
- (f) Procedures to prohibit an Operator, Management Services Provider, or any of their directors, officers, owners, and employees from extending credit to an individual, group of individuals or entity that places wagers with the Operator Management Services Provider or seeks to place wagers with the Operator or Management Services Provider;
- (g) Procedures to prohibit an individual, group of individuals or entity that places wagers with the Operator or Management Services Provider from establishing more than one active account with the Operator;
- (h) Procedures to permit an individual, group of individuals or entity that places wagers with the Operator or Management Services Provider to terminate their Account at any time and for any reason and without penalty;
- (i) Details of the Applicant's plan for responsible gaming training for its employees;
- (j) The duties and responsibilities of the key employees and gaming employees designated to implement or participate in the plan;

- (k) Procedures to prevent underage gambling;
- (l) Procedures to prevent intoxicated or impaired patrons from gambling;
- (m) Procedures to allow patrons to block their bank card(s) from being used at an automated teller or other banking machines located on or adjacent to the Sports Wagering Facility;
- (n) An estimation of the cost of development, implementation and administration of the Responsible Gaming Plan; and
- (o) Other policies and procedures as determined by the Office to prevent problem gambling and encourage responsible gambling.

2128.2 Operators and Management Services Providers shall resubmit their Responsible Gaming Plan for approval within ten (10) days of any changes to the plan and at license renewal.

2128.3 All sports wagering websites and mobile applications must include a description of the possible repercussions for an underage player who circumvents or attempts to circumvent controls to prevent underage play, such as immediate stoppage of play, account closure, and confiscation of winnings.

2129 SELF-EXCLUSION PROGRAM

2129.1 The Self-Excluded Program shall consist of those persons who have complied with the applicable provisions of this section and have been placed on such list by the Office. The voluntary Self-Exclusion Program is established for the purpose of allowing persons who wish to refrain from sports wagering and other types of gambling offered by the Office, to notify the Office that they will accept responsibility for refraining from engaging in sports wagering and other gambling activities offered by the Office and its Licensees. Each person seeking placement in the voluntary Self-Exclusion Program acknowledges that it is his or her responsibility to refrain from engaging in sports wagering and other gambling activities under the jurisdiction of the Office.

2129.2 An individual may request to have their name placed in the voluntary Self-Exclusion Program by completing the application and following the procedure outlined in the Office's website or printed material available from the Office, at designated locations on and off the premises of licensed sports wagering establishments as determined by the Office.

2129.3 An application for placement on the voluntary Self-Exclusion List may only be accepted, and an intake performed, by a designated agent approved by the Office.

- 2129.4 Failure to provide any information or to execute any forms deemed necessary by the Office may result in a denial of a request for placement in the Self-Exclusion Program.
- 2129.5 Self-Exclusion List application forms may include a request to waive the liability of the Office and its agents, a sports wagering Licensees and its agents, the District and any person licensed pursuant to the Act, or other such persons as deemed necessary by the Office, for any damages that may arise out of any act or omission related to placement in the Self-Exclusion Program.
- 2129.6 Upon the filing of an application for placement in the Self-Exclusion Program, the Office may file a Notice of Placement in the Self-Exclusion Program and such application and notice may be disclosed to Sports Wagering Operator Licensees, Management Services Providers and their agents and employees, as approved by the Office.
- 2129.7 Upon submission of an application, a designated agent shall review with the Applicant the contents and statements contained in the application. If the application is complete, the designated agent shall sign the application indicating that the review has been performed and the application has been accepted.
- 2129.8 A designated agent may not sign an application if (a) any required information is not provided or (b) they are of the belief that the applicant is not capable of understanding the responsibilities and consequences of being placed on the Self-Exclusion List.
- 2129.9 The designated agent shall forward the signed application for voluntary Self-Exclusion to the Office within forty-eight (48) hours of completion in a manner directed by the Office.
- 2129.10 Upon receipt of an application, the Office, or its designee, shall review it for completeness. If the application meets all requirements of this chapter, the application shall be approved, and the individual's name shall be added to the voluntary Self-Exclusion list. If the application is incomplete, the Office, or its designee, may deny the application and make efforts to contact the applicant advising them of such.
- 2129.11 If the Licensee of the Office utilizes an internal management system to track individuals on the Self-Exclusion List, they shall update that system at least every seventy-two (72) hours with names of individuals being added or removed from the Self-Exclusion List.
- 2129.12 The Office, or its designee, shall add to the list of voluntarily self-excluded persons the name of any individual provided from a gaming jurisdiction outside of the District, with which the Office has entered into an interstate compact, upon a determination that the individual voluntarily requested that their name be added to

the list of the referring jurisdiction and that they were notified, either directly or by operation of law, that their name may be placed on similar lists in other jurisdictions.

2129.13 A person does not have to admit they are a problem gambler when placing themselves in the Self-Exclusion Program.

2129.14 If the applicant has elected to seek services available within the District, the Office, or its designee, shall contact the designated coordinating organization for the provision of requested services. The Executive Director shall determine the information and forms to be required of a person seeking placement on the Self-Exclusion List. Such information shall include, but not be limited to, the following:

- (a) Name, home address, email address, telephone number, date of birth, and social security number of the applicant;
- (b) A passport-style photo of the applicant without headwear;
- (c) A statement from the applicant that one or more of the following apply:
 - (1) They identify as a “problem gambler,” meaning an individual who believes their gambling behavior is currently, or may in the future without intervention, cause problems in their life or on the lives of their family, friends, or co-workers;
 - (2) They feel that their gambling behavior is currently causing problems in their life or may, without intervention, cause problems in their life; or
 - (3) There is some other reason why they wish to add their name to the list.
- (d) Election of the duration of the exclusion in accordance with Subsection 2127.03 of this chapter;
- (e) An acknowledgment by the applicant that the individual will not be participating in sports wagering or any other form of gambling offered by the Office and that it is their sole responsibility to refrain from doing so;
- (f) An acknowledgment by the applicant that the applicant shall not collect any winnings or recover any losses resulting from any gambling activity under the jurisdiction of the Office for the duration of the exclusion period;

- (g) An acknowledgment by the applicant that the individual will forfeit all rewards or points earned through any player reward or another promotional program they engage in sports wagering while on the self-exclusion list;
- (h) An offer by the Office or the designated agent completing the self-exclusion application to assist the applicant to access information about gambling disorders, self-guided help or counseling services with a clinician approved by the District of Columbia Department of Behavioral Health;
- (i) An acknowledgment of understanding by the applicant that by placing their name on the Self-Exclusion List, the prohibitions identified in § 2127 apply to all sports wagering or gambling activities offered by the Office or its Licensees or affiliates, whether within the District or another jurisdiction, and that the Office may share the list with other domestic or international gaming jurisdictions resulting in placement on those lists;
- (j) An acknowledgment by the applicant that the individual is submitting the application freely, knowingly, and voluntarily;
- (k) A statement that the individual is not under the influence of a substance or suffering from a mental health condition that would impair their ability to make an informed decision;
- (l) An acknowledgment by the applicant that if they knowingly violate their agreement to refrain participating in any gambling activity offered by the Office or its Licensees or affiliates during the exclusion period, the applicant shall notify the Office of such violation within twenty-four (24) hours of such gambling activity; and releasing the District, the Office and all affiliated employees, entities and persons licensed by the Office and their affiliates, from any claims associated with their breach of the agreement;
- (m) An affidavit verifying that the applicant wishes to be placed on the Self-Exclusion List, that the Office is specifically authorized and requested to release all contents of the person's application to persons who, in the sole discretion of the Office, are necessary to implement the policies and procedures contained in this chapter. Such persons shall be subject to terms of confidentiality prescribed by the Office, which shall be contained in the application. Such persons shall include, but not be limited to the following:
 - (1) Employees or contractors of the Office involved in the administration, supervision or activities related to the administration or supervision of this chapter;

- (2) Licensees of the Office or their affiliates, agents and employees;
- (3) Designated agents; and
- (4) Law enforcement personnel involved in the administration, supervision or investigation of activities contained in this chapter.

(n) An acknowledgment by the applicant that once their name is placed on the Self-Exclusion List they may be refused entry or ejected from areas specifically devoted to sports wagering or other forms of gambling under the jurisdiction of the Office by a person licensed by the Office, an agent of the Office, or law enforcement personnel.

2129.15 The Office may provide procedures permitting online self-exclusion if it determines that the goals, objectives and protections of the in-person self-exclusion process can be accomplished online. The Office may require any Licensee offering mobile or online sports wagering to offer self-exclusion and self-limitation options to customers as a condition of its license. The full cost of such self-exclusion and self-limitation system shall be the responsibility of the Licensee.

2129.16 As part of the request for self-exclusion, the individual must select the duration for which they wish to be excluded. An individual may select any of the following time periods as a minimum length of exclusion:

- (a) One (1) year;
- (b) Eighteen (18) months;
- (c) Three (3) years;
- (d) Five (5) years; or
- (e) Lifetime (an individual may only select the lifetime duration if their name has previously appeared on the Self-Exclusion List for at least six (6) months).

2129.17 An individual on the Self-Exclusion List may not apply to decrease the duration of exclusion. An individual who is on the list may submit a request to increase the minimum length of exclusion.

2129.18 Upon expiration of the selected duration of exclusion, individuals may request that their name be removed from the list or petition for exclusion for a new duration. Individuals shall remain on the list after the expiration of the selected

duration of exclusion until such time as they submit a petition for removal and it is approved by the Office or its designee.

- 2129.19 At any time after the expiration of the selected duration of exclusion, an individual may request that their name be removed from the voluntary Self-Exclusion List by submitting a petition for removal on a form approved by the Office. The petition shall include confirmation from a designated agent that the individual completed an exit session. Any petition for removal received by the Office prior to the expiration of the duration of the selected exclusion period shall be denied.
- 2129.20 The Office shall approve a completed petition for removal. An individual who has selected a lifetime duration may not submit a petition for the removal of their name from the list. An incomplete application, including one that fails to demonstrate completion of an exit session shall be denied until such time as the application is completed.
- 2129.21 To be eligible for removal from the Self-Exclusion List the petitioner shall participate in an exit session with a designated agent. The exit session shall include a review of the risks and responsibilities of gambling, budget setting and a review of problem gambling resources should the petitioner wish to seek them. Upon completion of the exit session, the designated agent shall sign the individual's petition for removal from the list attesting to the fact that the exit session was conducted.
- 2129.22 Upon approval of a petition for removal from the Self-Exclusion List, a written notice of removal from the list shall be forwarded by the Office, or its designee, to each gaming Licensee and to the petitioner. Notice may be forwarded to the petitioner by email or first-class mail to the email address or home address provided by the petitioner in the petition. The petitioner shall be deemed to be removed from the voluntary Self-Exclusion List when the notice is sent by the Office or its designee.
- 2129.23 If a petitioner does not meet the eligibility requirements for removal from the list, the petition shall be denied. The petitioner shall be notified of the denial by email or first-class mail to the email address or home address provided by the petitioner in the petition. In the event of a denial of a petition, the individual shall remain on the voluntary Self-Exclusion List until such time as the eligibility requirements have been satisfied.
- 2129.24 An individual whose name has been removed from the Self-Exclusion List may reapply for placement on the list at any time by submitting an application in accordance with this chapter;
- 2129.25 An individual whose name was added to the Self-Exclusion List in the District in accordance with this chapter shall be removed from the list upon receipt of

written notice from the referring jurisdiction that the individual's name has been removed from that jurisdiction's list.

- 2129.26 The Office shall maintain an up-to-date database of the Self-Exclusion List. Licensees designated by the Office shall be afforded access to the voluntary Self-Exclusion List. The Self-Exclusion List may only be accessed by individuals authorized in accordance with the Licensee's approved system of internal controls. All information contained in approved applications for voluntary exclusion may be disclosed to a designated Licensee.
- 2129.27 The Office's list of self-excluded persons shall be kept confidential. Except as required by this chapter, Sports Wagering Operators and Management Services Providers shall not disclose the names included in the Self-Exclusion Program.
- 2129.28 The self-exclusion list shall not be publicly disclosed by a Licensee, agent, affiliate or other person authorized to access the list. However, a Licensee may share the list with other designated Licensees in the District or its affiliates in other jurisdictions for the purpose of assisting in the proper administration of responsible gaming programs operated by affiliated sports wagering or lottery retailer establishments.
- 2129.29 The Office may disclose de-identified information from the Self-Exclusion List to one or more research entities selected by the Office for the purpose of evaluating the effectiveness and ensuring the proper administration of the self-exclusion program.
- 2129.30 Any person placed on the Self-Exclusion List pursuant to this chapter is deemed ineligible to place a wager at any Sports Wagering Facility or licensed Lottery retailer under the jurisdiction of the Office. Persons on the voluntary Self-Exclusion List shall not be entitled to recover losses resulting from their gambling activity since the wager was void from its beginning.
- 2129.31 Sports Wagering Licensees and Lottery retailers shall have the following responsibilities relative to the administration of the voluntary Self-Exclusion Program:
- (a) Verify that any person seeking to place a sports wager or enter the designated sports wagering area is on the self-exclusion list;
 - (b) To refuse to accept a wager or to allow the purchase of any gambling product approved by the Office to any individual that the Licensee or retailer has identified as being on the Self-Exclusion List or a person such Licensee or retailer suspects of being on the voluntary Self-Exclusion List;

- (c) To promptly notify the Office, or its designee, if an individual on the Self-Exclusion List attempts to place or is discovered to have placed a sports wager or purchased or attempted to purchase a lottery product;
- (d) Remove self-excluded persons from player loyalty or reward card programs and targeted print, online or other forms of advertising or promotions;
- (e) Refrain from marketing to individuals on the Self-Exclusion List;
- (f) Deny access to complimentary services or items, check cashing privileges, player reward programs, and other similar benefits to persons on the list;
- (g) Deny a person on the self-exclusion list from any winnings derived from gambling. Winnings derived from gambling shall include, but not be limited to, such things as proceeds derived from a sports wagering or from the purchase of any gambling product approved by the Office. Where reasonably possible, the Licensee or retailer shall confiscate from the individual in a lawful manner, or shall notify an Office agent who shall confiscate, or shall refuse to pay any such winnings derived from gambling or any money or thing of value that the individual has converted or attempted to convert into a gambling instrument whether actually wagered or not. A wagering instrument shall include, but not be limited to, tickets, vouchers, prizes, non-complimentary pay vouchers, electronic credits on a mobile wagering system or any other implement of value representing a prize won from gambling. The monetary value of the confiscated winnings and wagering instrument shall be paid to the Office within forty-five (45) days;
- (h) If an individual on the Self-Exclusion List wishes to contest the forfeiture of winnings or things of value, the individual may request a hearing in writing with the Office within fifteen (15) days of the date of the forfeiture. The request shall identify the reason why the winnings or things of value should not be forfeited. A hearing shall be conducted to determine whether the subject funds were properly forfeited in accordance with this chapter;
- (i) In cooperation with the Office, and where reasonably possible, the Licensee or retailer shall determine the amount wagered and lost by an individual who is prohibited from gambling. The monetary value of the losses shall be paid to the Office within forty-five (45) days; and
- (j) A Sports Wagering Licensee shall submit a written policy for compliance with the voluntary Self-Exclusion Program for Office approval with its license application. The Office shall review the plan for compliance with

this chapter. If approved, the plan shall be implemented and followed by the Licensee.

2129.32 Programs and policies created by this chapter are intended to prevent problem gambling, treat problem gamblers and promote responsible gaming. The sole remedy for failure to comply with this chapter shall be disciplinary actions imposed by the Office. The Office, its Licensees and retailers, or employees thereof will not be liable for damages in any civil action, which is based on the following:

- (a) Compliance or noncompliance with this chapter or a plan adopted pursuant to this chapter;
- (b) An action or failure to take action under this chapter or a plan adopted under this chapter;
- (c) Failure to withhold gambling privileges from an individual; or
- (d) Permitting an individual to gamble.

2130 ADVERTISING

2130.1 Operators and Management Services Providers shall not advertise sports wagering in any area prohibited by federal law.

2130.2 Operators and Management Services Providers shall ensure that all advertising, public relations activities and marketing campaigns do not:

- (a) Contain false or misleading information;
- (b) Fail to disclose conditions or limiting factors associated with the advertisement;
- (c) Use a font, type size, location, lighting, illustration, graphic depiction or color obscuring conditions or limiting factors associated with the advertisement;
- (d) Consist of indecent or offensive graphics or audio, or both;
- (e) Target players which have been excluded from play;
- (f) Target, either via content or placement, those under the legal age of betting;
- (g) Target moderate and high-risk groups;

- (h) Encourage players to chase their losses or re-invest their winnings; or
- (i) Suggest that betting is a means of solving financial problems.

2130.3 Advertisements, public relations activities and marketing campaigns shall meet the following requirements:

- (a) Provide information on compulsive gambling treatment or counseling, procedures for self-exclusion, and promotion of a problem gambling hotline;
- (b) Be socially responsible;
- (c) Give a balanced message with regard to winning and losing;
- (d) Include language demonstrating the Operator is licensed by the Office of Lottery and Gaming.

2130.4 As directed by the Office, Operators and Management Services Providers shall delete or modify any advertisement which does not conform to the requirements of this chapter or is necessary for the immediate preservation of the public peace, health safety, and welfare of District residents.

2130.5 Class B Operators shall not place or caused to be placed, physical advertising within a two (2) block radius of any of the designated Class A Sports Wagering Facilities.

2131 ENFORCEMENT AND PENALTIES

2131.1 The Office shall have the authority to revoke Sports Wagering Licenses for any violation of the Act, this chapter or any other applicable District or federal law or regulation.

2131.2 The Office shall have the authority to suspend Sports Wagering Licenses for a period not to exceed three hundred sixty-five (365) days for any violation of the Act, this chapter, or any other applicable District or federal law or regulation.

2131.3 If a Sports Wagering License is revoked, the Licensee is ineligible to apply for a new Sports Wagering License for a minimum of three (3) years.

2131.4 The Office shall have the authority to impose a fine of not more than fifty thousand dollars (\$50,000) for any violation of the Act, this chapter, or any other applicable District or federal laws or regulation.

2131.5 Any person, firm, partnership, association, organization, or corporation who has been fined, or whose application has been denied, or whose license has been

revoked, or suspended pursuant to this section shall have a right to a hearing before the Office and, in the event of its affirmation of such fine, denial, revocation or suspension, the right to appeal such fine, denial, revocation or suspension to the Superior Court of the District of Columbia.

2132 TAXATION OF SPORTS WAGERING

2132.1 On or before the 20th calendar day of each month, each Sports Wagering Operator in the District of Columbia shall:

- (a) File a return, on forms and in the manner prescribed by the Chief Financial Officer, with the Chief Financial Officer indicating the amount of its gross sports wagering revenue, including revenues remitted by registered sports governing bodies, for the preceding calendar month; and
- (b) Pay to the District of Columbia Treasurer ten percent (10%) of the gross sports wagering revenue from the preceding calendar month.
- (c) All funds owed to the District under the Act shall be held in trust within the boundaries of the District for the District by an Operator until the funds are paid to the District of Columbia Treasurer. An Operator shall establish a separate bank account into which Gross Sports Wagering Revenue shall be deposited and maintained until such time as the funds are paid to the District of Columbia Treasurer.

2132.2 When the tax imposed on Sports Wagering has become due and payable and has not been paid, that tax may be collected using any of the provisions set forth in Chapter 44 of Title 47 of the D.C. Official Code.

2132.3 Interest shall be assessed on underpayments of the tax on Sports Wagering at the rate set forth in D.C. Official Code § 47-4201 and on overpayments under D.C. Official Code § 47-4202. The provisions of D.C. Official Code § 47-4222 shall apply, as applicable.

2132.4 All of the penalties, as applicable, set forth in Chapter 42 of Title 47 shall apply to the tax imposed on Sports Wagering.

2133 SPORTS WAGERING CBE REQUIREMENTS AND SMALL BUSINESS DEVELOPMENT PROGRAM

2133.1 (a) An applicant for an initial Sports Wagering Operator or MSP License or renewal of a Sports Wagering Operator or MSP License shall submit for approval by the Director of the Department of Small and Local Business Development (“DSLBD”), a CBE plan (“CBE Plan”) that demonstrates that at least thirty-five percent (35%) of the expenses included in the applicant’s operating budget will be contracted or subcontracted with one

(1) or more CBEs (“CBE Minimum Expenditure”) and that such contracts or subcontracts will be for commercially useful functions related to sports wagering.

(b) The CBE Plan shall include:

(1) An itemized Operating Budget that includes a detailed breakdown of all estimated revenues and expenses generated from the operations of a Sports Wagering facility, or where wagering occurs in connection with a Sports Wagering license. The Operating Budget shall include:

(A) Detailed line items setting forth the expenditures needed to carry out the desired operating plan;

(B) A list of each function associated with the Operating Budget, the dollar amount of the expenditures associated with each function; a designation of whether the function will be self-performed or carried out by a contractor; and, if the function will be carried out by a contractor, a designation of whether the contractor is a CBE; and

(C) For each contract that will be carried out by a CBE:

(i) The name and address of the CBE contractor;

(ii) The certification number of the CBE contractor;

(iii) The scope of work to be performed by the CBE contractor, which shall be for a commercially useful function related to sports wagering;

(iv) The price to be paid by the Applicant to the CBE contractor; and

(v) The length of the contract with the CBE contractor.

(2) A CBE capacity building plan that includes:

(A) A detailed description of how the Applicant will operate and manage Sports Wagering activities for each year of the licensing period, increase contracting with CBEs for both professional and non-professional services,

(B) A detailed description of how the Applicant will develop the capacity of SBEs and SBE-eligible firms to become

Sports Wagering Operators (“Operator”) and Management Service Providers (“MSP”),

- (C) A detailed description of how the Applicant will develop the capacity of SBEs and SBE-eligible firms to become equity partners in the various Sports Wagering licensed operations;
- (3) A written justification for any portion of the Operating Budget the Applicant seeks to exclude from the thirty-five percent (35%) CBE contracting requirement; and
- (4) A copy of the auditor’s report submitted to the Office pursuant to Section 307(a) of the Act.
- (c) When reviewing the Operating Budget, DSLBD may exclude from the thirty-five percent (35%) CBE contracting requirement, expenditures related to internally generated costs such as employee insurance; employee benefits; interest; income taxes; property taxes; lease payments; bank fees; fines, claims, dues, and utilities.
- (d) When evaluating a CBE plan, DSLBD shall consider whether the Applicant has demonstrated good faith efforts to increase CBE participation in the areas related to Sports Wagering.
- 2133.2 Each contract that is utilized to meet the CBE Minimum Expenditure shall include a requirement that the CBE perform at least thirty-five percent (35%) of the contracting effort with its own organization and resources.
- 2133.3 An applicant that is a CBE or a certified joint venture shall not be required to comply with the CBE Minimum Expenditure requirement, provided the CBE or certified joint venture performs at least fifty percent (50%) of its contracting effort with its own organization and resources and, if it contracts, thirty-five percent (35%) of the contracted effort shall be with certified business enterprises.
- 2133.4 (a) Upon receipt of the CBE Plan from the Office, the Director of DSLBD shall conduct a preliminary review of the submission for compliance with the requirements of the Act and this chapter and:
- (1) If the CBE Plan submission is complete, accept the CBE Plan for review by DSLBD; or
- (2) If the CBE Plan submission is incomplete or additional information is needed by DSLBD, return the CBE Plan to the Applicant with a notice indicating the need for additional actions or materials in order for the submission to be accepted for review.

- (b) If the applicant receives a notice from DSLBD under paragraph (a)(2) of this subsection, the applicant shall submit to DSLBD, no later than five (5) days after receipt of the DSLBD notice, information sufficient to complete the submission for DSLBD's review of the CBE Plan. If the CBE Plan remains incomplete after the five (5)-day submission period, the CBE Plan shall be denied.

2133.5 The Director of DSLBD, or the Director of DSLBD's designee, may hold interviews or discussions with an applicant or applicant's representative(s) as part of the CBE Plan review process.

2133.6 In addition to the information supplied in the applicant's CBE Plan submission, the Director of DSLBD may require an applicant to supply or provide access to additional information and documents relevant to DSLBD's review of the applicant's CBE Plan.

2133.7 Upon completion of DSLBD's review of a CBE Plan, the Director of DSLBD shall provide the applicant and the Office in writing DSLBD's approval or denial of the CBE Plan, and if the CBE Plan is approved, certify the CBE Minimum Expenditure. DSLBD shall deny the CBE Plan if the applicant fails to demonstrate compliance with relevant requirements of the Act or this chapter.

2133.8 In accordance with the Act, the CBE Act, and these regulations, an Applicant may seek the Director of DSLBD's approval to waive the CBE Minimum Expenditure requirement, or any portion of the CBE Minimum Expenditure requirement, if the Applicant can demonstrate that there is insufficient market capacity for the goods or services that comprise the Sports Wagering Operation, and such lack of capacity leaves the Applicant commercially incapable of achieving the CBE Minimum Expenditure requirement.

2133.9 An Applicant seeking a waiver of the CBE Minimum Expenditure requirement shall submit, through the Office, a request for approval of a waiver by the Director of DSLBD ("Waiver Application"). The waiver request shall include a written justification ("Waiver Justification") that includes:

- (a) The number of certified business enterprises, if any, qualified to perform the elements of work that comprise the Sports Wagering Operation;
- (b) A summary of the market research or outreach conducted to analyze the relevant market;
- (c) Consideration given to alternate methods for acquiring the work to be contracted to make the work more amenable to be performed by CBE;

- (d) An itemized Operating Budget and operation plan in the same manner prescribed in Subsection 2132.1 of this chapter; and
 - (e) A copy of the auditor's report submitted to the Office pursuant to Section 307(a) of the Act.
- 2133.10 (a) Upon receipt of the Waiver Application, the Director of DSLBD shall conduct a review of the submission for compliance with the requirements of the Act and this chapter and:
- (1) If the Waiver Application is complete, accept the Waiver Application for review by DSLBD; or
 - (2) If the Waiver Application is incomplete or additional information is needed by DSLBD, return the Waiver Application to the Applicant with a notice indicating the need for additional actions or materials in order for the Waiver Application to be accepted for review.
- (b) If the Applicant receives a notice from DSLBD under paragraph (a)(2) of this subsection, the Applicant shall submit to DSLBD, no later than three (3) days after receipt of the DSLBD notice, information sufficient to complete the Waiver Application for DSLBD review. If the Waiver Application remains incomplete after the three (3)-day submission period, the waiver request shall be denied.
- 2133.11 The Director of DSLBD, or the Director of DSLBD's designee, may hold interviews or discussions with an Applicant or Applicant's representative(s) as part of the waiver review process.
- 2133.12 In addition to the information supplied in the applicant's Waiver Justification, DSLBD may require an applicant to supply or provide access to additional information and documents relevant to DSLBD's review and determination of the applicant's waiver request.
- 2133.13 Upon receipt of a complete Waiver Application, the Director of DSLBD shall post the waiver request on DSLBD's website for ten (10) days to provide the public notice of the waiver request.
- 2133.14 Upon completion of DSLBD's review of a Waiver Application, the Director of DSLBD shall approve or deny the waiver request in writing, with notices sent to both the Office and the Applicant. If the Director of DSLBD neither approves or denies the waiver request within thirty (30) days after the submission of a complete Waiver Application, the waiver request shall be deemed approved.
- 2133.15 An applicant for certification as a joint venture shall:

- (a) Submit an executed copy of the applicant's joint venture agreement, which must:
- (1) Specify in reasonable detail the purpose of the joint venture and the location the joint venture will apply for a Sports Wagering Operator or MSP License;
 - (2) Identify the parties to the joint venture and define their respective obligations, rights, and responsibilities, including the management structure, control of the joint venture, financial contributions, service and labor contributions, revenue or fees for services or labor, and distribution of profits;
 - (3) Demonstrate that the majority owner(s) of the joint venture is/are a CBE;
 - (4) Demonstrate that the majority CBE owner and/or managing CBE member of the joint venture maintains the Resident-Owned Business (ROB), Disadvantaged Business Enterprise (DBE), or Small Business Enterprise (SBE) certification category;
 - (5) Provide for the establishment and administration of a separate bank account in the name of the joint venture into which all funds received will be deposited and through which all expenses will be paid, and which requires all withdrawals and deposits to be approved by the CBE member;
 - (6) Contain a provision indicating that the CBE's interest in the joint venture shall not be reduced or diluted;
 - (7) Contain a provision indicating that the CBE's financial risk is commensurate with its percentage interest in the joint venture;
 - (8) Contain a provision indicating that the joint venture agreement is the controlling agreement between the parties regarding interest, ownership, control, responsibilities, duties, and functions of the parties and the joint venture agreement shall prevail if there is any conflict between the joint venture agreement and any other agreement between the parties;
 - (9) Specify the responsibilities of the parties in at least the areas of negotiations with the owners, subcontract negotiation, and contract and subcontract performance; and

- (10) Indicate the level at which the CBE will perform services of the joint venture, receive profits of the joint venture, provide labor hours required of the joint venture, and perform other work for the joint venture (which level must be approved by DSLBD as part of the application process and which level may not be less than the percentage of the CBE's ownership interest in the joint venture).
- (b) Submit all other agreements between the joint venture parties, concerning the joint venture;
- (c) Submit additional information that:
 - (1) Demonstrates that each participant in the joint venture has the competence and expertise necessary to perform the type of work in connection with which the joint venture wishes to be certified;
 - (2) Demonstrates the joint venture has created a separate for-profit entity and registered with the Department of Consumer and Regulatory Affairs (DCRA);
 - (3) Includes any other agreements between the parties regarding the operations of the joint venture; and
 - (4) Includes the most current audited or reviewed financial statement for the non-CBE participant(s); and
- (d) Include certifications that:
 - (1) All agreements between the joint venture parties, concerning the joint venture, have been provided with the application and if any additional such agreement is later entered into by the joint venture parties, the Applicant will provide the agreement to DSLBD within five (5) business days after it is executed by the joint venture parties;
 - (2) The joint venture will permit DSLBD to enter and conduct onsite inspections and re-inspection of the joint venture's business premises;
 - (3) The joint venture will make its records available to DSLBD at any time deemed appropriate by DSLBD; and
 - (4) The information in the application is true, correct, and complete.

2133.16

The joint venture shall permit DSLBD to enter and conduct onsite inspections and re-inspections of the joint venture's business premises.

- 2133.17 DSLBD shall deny certification of any joint venture whose joint venture agreement lacks any of the provisions in § 2132.15.
- 2133.18 The joint venture shall make its records available to DSLBD at any time deemed appropriate by DSLBD.
- 2133.19 If the application for certification of a joint venture is incomplete or additional information is needed by DSLBD, DSLBD shall notify the applicant indicating the need for additional actions or materials in order to complete the application, and the joint venture shall complete the additional actions and provide the additional materials within three (3) calendar days of DSLBD's notification.
- 2133.20 The joint venture shall notify DSLBD in writing within five (5) days of the receipt of a Sports Wagering Operator or MSP License.
- 2133.21 The joint venture shall notify DSLBD in writing if its application for a Sports Wagering Operator or MSP License is denied by the Office or if it is no longer pursuing a Sports Wagering Operator or MSP License.
- 2133.22 DSLBD may revoke the certification of a joint venture for failure to comply with the Act and these regulations.
- 2133.23 Each Operator and MSP shall comply with the reporting requirements of the Act and the CBE Act. Pursuant to D.C. Official Code § 2-218.46(i), each Operator and MSP shall provide a quarterly report that includes, for each contract that is part of the Operator or MSP's plan to meet the CBE Minimum Expenditure requirement:
- (a) The price to be paid by the Operator or MSP to the contractor or subcontractor under the contract;
 - (b) A description of the goods procured or the services subcontracted for;
 - (c) The amount paid by the Operator or MSP to the contractor or subcontractor under the contract; and
 - (d) A copy of the fully executed contract or subcontract, if the fully executed contract or subcontract was not provided in a prior quarterly report.
- 2133.24 DSLBD may also require an Operator or MSP to demonstrate compliance with relevant requirements of the Act, the CBE Act, this chapter, and other laws of the District of Columbia. In furtherance of such demonstration, the Operator and/or MSP shall:

- (a) Permit DSLBD to enter onto and conduct an on-site inspection of the Operator's or MSP's business premises;
- (b) Provide DSLBD, during the on-site inspection, with immediate access to any records or area of the premises that DSLBD deems necessary to review to determine whether the Operator or MSP is in compliance with relevant requirements of the Act, the CBE Act, this chapter, and other laws of the District of Columbia; and
- (c) Provide any other information DSLBD deems necessary to evidence compliance with relevant requirements of the Act, the CBE Act, this chapter, and other laws of the District of Columbia.

2133.25 Each Operator and MSP shall promptly report to DSLBD any material changes that may affect the CBE Plan, including but not limited to:

- (a) A change in ownership of a CBE included in the CBE Plan;
- (b) A change in the address of a CBE included in the CBE Plan;
- (c) The expiration of CBE certification of a contractor included in the CBE Plan;
- (d) Removal of a CBE contractor from the CBE Plan;
- (e) Addition of a CBE contractor to the CBE Plan;
- (f) A change to the CBE capacity building plan; and
- (g) A change to the Operating Budget.

2133.26 If the Operating Budget of an Operator or MSP increases or decreases by an amount greater than five percent (5%) of the amount of the Operating Budget submitted to DSLBD, the Operator or MSP shall within ten (10) business days submit to DSLBD a copy of the revised Operating Budget. DSLBD shall review the revised Operating Budget and determine if a modification to the CBE Minimum Expenditure is required.

2133.27 Each Operator and MSP shall meet with DSLBD within ten (10) days after receiving a license from the Office.

2133.28 Thereafter, the Operator and/or MSP shall meet on an annual basis with DSLBD to provide an update of the CBE Plan for utilization of certified business enterprises. The Operator and/or MSP will inform DSLBD of any issues that might negatively impact the CBE performance or the CBE goal.

- 2133.29 The applicant shall use print advertising, internet notices, pre-bid and pre-proposal conferences and the resources of DSLBD, including DSLBD's website (<http://dslbd.dc.gov>) and other resources to identify individuals or businesses that could qualify as CBEs and is encouraged to refer any such individuals or businesses to DSLBD's Certification unit to apply for certification. The applicant may identify individuals or businesses that could qualify as CBEs and is encouraged to refer any such firms to DSLBD's Certification unit to apply for certification.
- 2133.30 If DSLBD determines that an Operator or MSP has failed to comply with an applicable CBE requirement, the Operator or MSP must develop and implement a corrective action plan, approved by DSLBD, that demonstrates how the Operator or MSP will comply with the CBE requirements in the future.
- 2133.31 If DSLBD determines, in accordance with the procedures set forth in this section that an Operator or MSP has violated Subsection 2132.23 of this chapter, DSLBD may:
- (a) Assess a civil penalty of not more than five thousand dollars (\$5,000) for the first offense;
 - (b) Assess a civil penalty of not more than fifteen thousand dollars (\$15,000) for the second offense;
 - (c) Assess a civil penalty of not more than twenty-five thousand dollars (\$25,000) for the third and each subsequent offense; and
 - (d) Refer the matter to the Office, which may revoke or suspend the Operator's or MSP's license under §§ 314 (a)(2) and (a)(3) of the Act.
- 2133.32 In addition to other penalties assessed, if DSLBD determines that an Operator or MSP has failed to use good faith efforts to meet contracting requirements in accordance with Section 305(g) of the Act and Subsection 2132.1 of this chapter, DSLBD may assess a civil penalty equal to ten percent (10%) of the dollar volume of the Operator or MSP's Operating Budget.
- 2134 SPORTS WAGERING ADMINISTRATIVE HEARINGS**
- 2134.1 An individual, group of individuals or entity that has been fined, whose application has been denied, or whose license has been revoked, or suspended pursuant shall have a right to a hearing before the Office and, in the event of its affirmation of the fine, denial, revocation, or suspension, whichever applies, the right to appeal the decision of the Office to the Superior Court of the District of Columbia

- 2134.2 A request for a hearing shall be filed with the Office of the General Counsel within fifteen (15) business days after the receipt of written notice of a fine or written notice denying, suspending, or revoking a sports wagering license.
- 2134.3 Each request for a hearing shall contain the following information:
- (a) The name, address and telephone number of the person filing the request;
 - (b) The name, address and telephone number of the licensees' representatives if any; and
 - (c) A clear and concise statement of facts refuting the allegations of the Office;
- 2134.4 The General Counsel shall designate a Hearing Examiner to conduct the hearing and make proposed findings of fact and conclusions of law.
- 2134.5 Any person filing a request for a hearing may be represented by counsel or any other person as a representative.
- 2134.6 On the first occasion of appearance, persons who appear in a representative capacity shall file a written notice of appearance.
- 2134.7 The notice of appearance shall state the person's name, local address, and local telephone number.
- 2134.8 The written notice of appearance shall be part of the record.
- 2134.9 Where these Rules do not address a procedural issue, the Hearing Examiner may be guided by the District of Columbia Superior Court Rules of Civil Procedure to decide the issue.
- 2134.10 Decorum and good order shall be maintained at all times during any hearing.
- 2134.11 Any person who refuses to comply with a reasonable order may be excluded from the hearing by the person conducting the hearing.
- 2134.12 The Office will provide oral or sign language interpretation services upon request for persons seeking information or participating in a hearing. The Hearing Examiner may order the use of such services at a hearing.
- 2134.13 A person who needs language interpretation services for a hearing shall request them as early as possible to avoid delay.
- 2134.14 Upon request by a party with impaired vision, the Office will provide official documents in Braille or a large print within a reasonable time.

- 2134.15 An interpreter at a hearing shall swear or affirm under penalty of perjury to interpret accurately, completely, and impartially.
- 2134.16 In any action, the parties or their representatives shall appear before the Hearing Examiner on a date set by the Hearing Examiner for a conference to consider the following:
- (a) Whether a hearing is necessary;
 - (b) Simplification of the issues;
 - (c) The possibility of obtaining the admission and stipulation of facts and documents which will avoid unnecessary proof; and
 - (d) Any other matters which may aid in the disposition of the action.
- 2134.17 The Hearing Examiner shall enter an order that recites the action taken at the conference. The order, when entered, shall control the subsequent course of the action.
- 2134.18 In computing any period of time under this title, unless otherwise stated, time shall be computed in calendar days with the following exceptions:
- (a) If the day of the act, event, or default after which the time period ends is a Saturday, Sunday, or legal holiday, the period shall run until the next day which is not a Saturday, Sunday, or legal holiday; and
 - (b) When the time period is five (5) days or less, intermediate Saturdays, Sundays, and legal holidays shall be excluded from the computation of time.
- 2134.19 Where good cause is shown and upon a written request, the Hearing Examiner may order an extension of time if made prior to the expiration of the period prescribed.
- 2134.20 The Hearing Examiner shall have the power to administer oaths, to take testimony under oath, subpoena witnesses and require the production of records, papers, and documents relevant to the inquiry.
- 2134.21 A subpoena for the appearance of witnesses and production of documents at a hearing shall only be issued by the Hearing Examiner.
- 2134.22 A party may request a subpoena in writing or the Hearing Examiner may issue a subpoena without a party's request.

- 2134.23 Any request that the Hearing Examiner issue a subpoena should include a copy of the proposed subpoena and shall state the relevance of the requested testimony or documents. Subpoenas and forms to request a subpoena are available on the Office's website.
- 2134.24 Unless otherwise provided by law or order of the Hearing Examiner, any request or a subpoena shall be filed no later than five calendar days prior to the hearing.
- 2134.25 It is the responsibility of the requesting party to serve a subpoena in a timely fashion. Any person, including a party, who is at least eighteen (18) years of age, may serve a subpoena.
- 2134.26 Service of a subpoena for a witness to appear at a hearing shall be made by personally delivering the subpoena to the witness. Unless otherwise ordered by the Hearing Examiner, service shall be made at least four (calendar days before the hearing.
- 2134.27 A subpoena for the production of documents at a hearing shall be directed to either an individual, a corporation, the Government, or another entity.
- 2134.28 A subpoena for the production of documents at a hearing shall be served by any of the following means:
- (a) Handing it to the person or to a representative of the person or entity;
 - (b) Leaving it at a person's office with a responsible adult, or if no one is available, leaving it in a conspicuous place in the office;
 - (c) Leaving it with a responsible adult at an entity's office that is connected to the case;
 - (d) Mailing it to the last known address of the person;
 - (e) Mailing it to the last known address of an entity's office connected to the case; or
 - (f) Delivering it by any other means, including electronic means, if consented to in writing by the person or entity served, or as ordered by the Hearing Examiner.
- 2134.29 A person or entity ordered to produce documents at a hearing:
- (a) Need not appear in person at the hearing unless ordered by the Hearing Examiner to do so;

- (b) Shall produce the documents as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the subpoena; and
 - (c) Shall expressly make any claims of privilege or protection with a description of the documents not produced that is sufficient to enable the requesting party to contest the claim.

- 2134.30 A subpoena may be served at any place within the District of Columbia, or at any place outside the District of Columbia that is within twenty-five (25) miles of the place of the hearing.

- 2134.31 To prove service of a subpoena, a party shall file a written statement or shall provide in-court testimony describing the date and manner of service, and names of the persons served.

- 2134.32 The Hearing Examiner may quash or modify a subpoena if it:
 - (a) Does not meet the requirements of this chapter;
 - (b) Was improperly served;
 - (c) Fails to allow a reasonable time for compliance;
 - (d) Requires a person who is not a party or an officer of a party to travel to a hearing more than twenty-five (25) miles from where that person resides, is employed, or regularly transacts business, except that such a person may be ordered to appear by telephone;
 - (e) Requires disclosure of a privileged or other protected information; or
 - (f) Subjects a person or entity to undue burden or expense.

- 2134.33 If a person or entity disobeys a subpoena, the Hearing Examiner may order compliance with the subpoena. If a person subject to the order fails to comply, the Hearing Examiner may impose monetary sanctions. In addition, a party may apply to the Superior Court of the District of Columbia for an order to show cause why that person should not be held in civil contempt.

- 2134.34 Except upon order of the Hearing Examiner, a hearing scheduled before the Hearing Examiner may not be delayed by motion for a continuance unless the motion is made at least one (1) day prior to the scheduled hearing date and, in the opinion of the Hearing Examiner, sets forth good and sufficient cause for the continuance.

- 2134.35 If a party to any proceeding under this chapter without sufficient reason fails to appear at the time and place set for the hearing, the Hearing Examiner may proceed to hear the matter on the record.
- 2134.36 Hearings shall be recorded and transcribed under the direction of the Hearing Examiner.
- 2134.37 Upon payment of reasonable cost, a transcript of the proceeding shall be supplied to interested parties.
- 2134.38 Within a reasonable time after the close of a proceeding, the Hearing Examiner shall render a proposed written decision, accompanied by findings of fact, conclusions of law, and recommendations to the Executive Director.
- 2134.39 The Executive Director may change a finding of fact or conclusion of law made by the Hearing Examiner or may vacate or modify an order issued by the Hearing Examiner only if the Executive Director determines:
- (a) That the Hearing Examiner did not properly apply or interpret applicable law, office rules, written policies, or prior administrative decisions;
 - (b) That a prior administrative decision on which the Hearing Examiner relied is incorrect or should be changed; or
 - (c) That a technical error in a finding of fact should be changed.
- 2134.40 If the Executive Director makes a change to a finding of fact or conclusion of law or vacates or modifies an order of the Hearing Examiner, the Executive Director must state in writing the specific reason and the legal basis for the change.
- 2134.41 If the recommendation of the Hearing Examiner is adverse to the person who filed the request for a hearing, the person may file exceptions and present arguments to the Executive Director. The Executive Director shall make all final decisions on issuance of fines or the denial, revocation or suspension of licenses.
- 2134.42 The Executive Director shall issue a final order accompanied by findings of fact and conclusions of law.
- 2134.43 Findings of fact shall consist of a concise statement conclusions on each contested issue of fact and shall be based solely upon evidence contained in the record.
- 2134.44 Findings of fact and conclusions of law shall be supported by and in accordance with reliable, probative, and substantial evidence.

- 2134.45 At any time, the Hearing Examiner or the Clerk, in consultation with the Hearing Examiner, may correct clerical, typographical, numerical, or technical mistakes in the record and errors from oversight or omission.
- 2134.46 The Hearing Examiner may order that notice of such corrections be given to the parties.
- 2134.47 If a party has filed a request for appellate review, such mistakes may be corrected before the record is transmitted to the reviewing court, and thereafter may be corrected with leave of the reviewing court.
- 2134.48 Any person whose license is revoked, suspended, or assessed a penalty by the final decision of the Office following a hearing shall have the right to appeal the decision to the Superior Court of the District of Columbia within the time fixed by rule of the Court.

2135-2198 [RESERVED]

2199 DEFINITIONS

2199.1 The following definitions shall apply to this chapter:

“**Act**” means the Sports Wagering Lottery Amendment Act of 2018, effective May 3, 2019 (D.C. Law 22-312; 66 DCR 1402 (February 1, 2019)).

“**Applicant**” means an individual, group of individuals or entity who applies for a Sports Wagering license in the District of Columbia.

“**Authentication process**” means a method used to verify the validity of software.

“**Cancelled wager**” means a wager that has been cancelled due to any issue with an event that prevents its completion.

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

“**CBE plan**” means the plan required by Applicants for Sports Wagering licenses pursuant to Section 305(g) of the Act.

“**CBE plan application date**” means the date on which an application is received by the Department of Small and Local Business Development (DSLBD).

“**Certified business enterprise**” or “**CBE**” shall have the same meaning as provided in Section 2302(1D) of the CBE act.

“**CFO**” means the Chief Financial Officer of the District of Columbia.

“**Class A operator**” means a licensed operator who is authorized to conduct sports wagering in the District of Columbia at one (1) of the following locations: Capital One Arena (601 F Street, N.W., and described as Lot 0047, Square 0455), Audi Field (100 Potomac Avenue, S.W., and described as Lot 0027, Square 0665); Nationals Park (1500 South Capitol Street, S.E., and described as Lot 0016, Square 0705); or St. Elizabeths East Entertainment and Sports Arena (St. Elizabeth’s Campus, 1100 Oak Drive, S.E., and described as Lots 0837 and 0838, Square 5868S).

“**Class B operator**” means a licensed operator who is authorized to conduct sports wagering in the District of Columbia and who is prohibited from operating sports wagering within a two block radius of the following locations: Capital One Arena (601 F Street, N.W., and described as Lot 0047, Square 0455), Audi Field (100 Potomac Avenue, S.W., and described as Lot 0027, Square 0665); Nationals Park (1500 South Capitol Street, S.E., and described as Lot 0016, Square 0705); or St. Elizabeths East Entertainment and Sports Arena (St. Elizabeth’s Campus, 1100 Oak Drive, S.E., and described as Lots 0837 and 0838, Square 5868S).

“**Commercially useful function**” shall have the same meaning as provided in Section 2302(1G) of the CBE act.

“**Days**” means calendar days.

“**Designated Facilities**” means a District establishment where sports wagering Class A operators may operate a Sports Wagering Facility, including at the following locations: Capital One Arena (601 F Street, NW, and described as Lot 0047, Square 0455), Audi Field (100 Potomac Avenue, SW, and described as Lot 0027, Square 0665), Nationals Park (1500 South Capitol Street, SE, and described as Lot 0016, Square 0705), and St. Elizabeths East Entertainment and Sports Arena (St. Elizabeth Campus, 1100 Oak Drive, SE, and described as Lots 0837 and 0838, Square 5868S).

“**Disadvantaged business enterprise**” or “**DBE**” shall have the same meaning as provided in Section 2302(5) of the CBE act.

“**Dormant account**” means an online sports wagering account which has had no player-initiated activity for a period of one (1) year.

“**DSLBD**” means the Department of Small and Local Business Development.

“**Event number**” means a set of alpha or numeric characters that correspond to a sports event or an event ancillary to a sports event.

“Executive Director” means the Executive Director of the Office of Lottery and Gaming.

“Fiscal year” means October 1 of each year through September 30 of the following year.

“General Counsel” means the General Counsel of the Office of the Chief Financial Officer.

“Good Faith Efforts” means the fulfillment of the CBE identification, outreach, and awareness requirements set forth in §§ 2132.01, 2132.09, and 2132.29.

“Gross sports wagering revenue” means the total of cash or cash equivalent received from sports wagering minus the total of: Cash or cash equivalents paid to purchase annuities to fund prizes payable to players as a result of sports wagering; cash or cash equivalents paid to purchase annuities to fund prizes payable to players over a period of time as a result of sports wagering; and the actual cost paid by the license holder for any personal property distributed to a player as a result of sports wagering, excluding travel expenses, food, refreshments, lodging, or services.

“Holding Company” means any person, other than an individual, that directly or indirectly owns, has the power or right to vote or control, or holds with the power to vote more than five percent (5%) of the stock, equity interest, or other voting security of a person that holds, or has applied for, a Sports Wagering Operator License, Management Services Provider License or Supplier License or directly or indirectly owns, any power, right, or security through any interest in a subsidiary or successive subsidiaries, regardless of how many subsidiaries may intervene between the holding company and the holder or Applicant for a Sports Wagering Operator License, Management Services Provider License, or a Supplier License.

“Indirect interest” means an interest, claim, right, legal share, or other financial stake in a person that is determined by the Office to exist by virtue of a financial or other interest in another person.”

“Individual” means any natural person.

“Integrity monitoring system” means a system of policies and procedures approved by the Office through which an online Sports Wagering Operator receives and sends reports from Sports Wagering Operators to assist in identifying suspicious activity.

“Intermediary company” means any corporation, firm, partnership, trust, limited liability company, or other form of business entity that is a holding

company of a person that has applied for or holds the Sports Wagering Operator License or a Supplier License or is a direct-line subsidiary of any holding company of a person that has applied for or holds a Sports Wagering Operator License, Management Services Provider License, or a Supplier License.

“Layoff wager” means a wager placed by a Sports Wagering Operator or Management Services Provider with another Sports Wagering Operator or Management Services Provider for the purpose of offsetting player wagers made pursuant to this chapter.

“Licensee” means an individual, group of individuals or entity that holds a Sports Wagering License in the District of Columbia.

“Majority interest” means more than fifty percent (50%) of the total combined voting power of all classes of stock of the joint venture business enterprise or more than fifty (50%) of the total value of the joint venture business enterprise, a financial contribution to the enterprise of more than fifty percent (50%), or more than fifty 50% of the total interest in the capital, profits, and loss, or beneficial interest in the joint venture business enterprise.

“Management services provider” or **“MSP”** means an independent entity affiliated with a licensed Sports Wagering Operator and licensed and approved by the Office to offer sports wagering activities in a Sports Wagering Facility or through online or mobile sports wagering. The player accounts, or sports wagering accounts, of such intermediaries, shall be owned by the licensed Sports Wagering Operator.

“Mobile applications and other digital platforms” mean any mobile application or interactive platform approved by the Office for the operation of online sports wagering.

“Multi-factor authentication” means a type of strong authentication that uses two (2) of the following to verify a player's identity including, information known only to the player, such as a password, pattern or answers to challenge questions, an item possessed by a player such as an electronic token, physical token or an identification card, or a player's biometric data, such as fingerprints or facial or voice recognition.

“Office” means the Office of Lottery and Gaming.

“Online sports wagering system” means all hardware, software, and communications that comprise a type of sports wagering system for the purpose of offering online sports wagering.

“Online sports wagering” means a sports wagering operation in which wagers on sports events are made through computers or mobile application on mobile devices or other approved interactive devices accepted through a sports wagering system approved by the Office to operate online sports wagering.

“Operating Budget” means a detailed description of all estimated revenues and expenses generated from the operations of a Sports Wagering facility, or where wagering occurs in connection with a Sports Wagering license.

“Operator license” means a Sports Wagering Operator License issued by the Office that authorizes the operation of sports wagering, including sports wagering conducted over the internet or through mobile applications or other digital platforms that are initiated and received, or otherwise made, exclusively within the physical confines of the single approved Sports Wagering Facility or as authorized by law.

“Operator” means an individual, group of individuals or entity that holds a Sports Wagering Operator License issued by the Office.

“Pending wager account” means the account maintained by a server-based gaming system that holds the total balance of all wagers pending disposition and all other funds attributable to future events.

“Prohibited sports wagering participant” means any individual under the age of eighteen (18), or who is prohibited pursuant to any self-exclusion or Sports Wagering Facility exclusion list, any individual whose participation may undermine the integrity of the wagering or the sports event or for other good cause, including but not limited to, any individual placing a wager as an agent or a proxy, and any employee of the Office, a Sports Wagering Operator, Management Services Provider or Supplier.

“Provisional sports wagering license” means a temporary license issued to an Operator, Management Services Provider or Supplier.

“Remote sports wagering system” or “RGS” means hardware and software used to provide an online sports wagering or authorized games to players in conjunction with an online sports wagering system. An RGS may be a standalone system or integrated within another part of the online sports wagering system.

“Resident-owned business” or “ROB” shall have the same meaning as provided in Section 2302(15) of the CBE act.

“Secure transaction file” means a file that contains data, which cannot be modified without detection.

“**Skin**” means a graphic file used to change the appearance of the user interface to a program or for a mobile application or digital platform.

“**Small Business Enterprise**” or “**SBE**” shall have the same meaning as provided in Section 2302(16) of the CBE act.

“**Sports League governing body**” means the governing body for a sports league that is registered with the Office, including, if registered, Major League Baseball, Major League Soccer, National Basketball Association, National Football League, National Hockey League, and the Women’s National Basketball Association.

“**Sports Wagering Account**” means an account established by a Sports Wagering Operator or Management Services Provider for an individual player to engage in online or mobile sports wagering.

“**Sports Wagering Equipment**” means any mechanical, electronic or other device, mechanism, or equipment, and related supplies used or consumed in the operation of sports wagering at a licensed Sports Wagering Facility including, but not limited to, a self-service terminal or kiosk installed to accept sports wagers.

“**Sports Wagering Event**” means a sporting event as determined by the Office Executive Director as a sporting event on which a wager may be authorized by the Office of Gaming.

“**Sports Wagering Facility**” means the premises approved under a sports wagering license on which a sports wagering operator may offer sports wagering. A Sports Wagering Facility may be a building or a set of buildings, subsection or subdivision of a single building or structure, or a room or set of rooms within a building or structure.

“**Sports Wagering Manager**” means a key employee of the Sports Wagering Operator, or a qualified employee of a licensed Management Services Provider that is operating under a contract with a Sports Wagering Operator, responsible for the operations of sports wagering and final approval of all odds established on any wager made pursuant to this chapter.

“**Sports Wagering Operator License**” or “**Operator License**” means the license issued by the Office that authorizes the operation of sports wagering, including sports wagering conducted over the internet or through mobile applications or other digital platforms that is initiated and received, or otherwise made, exclusively within the physical confines of

the single approved Sports Wagering Facility or as otherwise authorized by law.

“Sports Wagering Operator” or “Operator” means an individual, group of individuals or entity that holds a Sports Wagering Operator License issued by the Office.

“Sports Wagering Supplier License” or “Supplier” means an individual, group of individuals or entity that seeks to sell or lease sports wagering equipment, software, systems, data or services relating to the conducting of sports wagering, by an Operator or Management Services Provider, as determined by the Office.

“Sports wagering system” means all equipment and software used in conjunction with the operation of a Sports Wagering Facility or online or mobile sports wagering.

“Sports wagering ticket” means a printed record issued or an electronic record maintained by the sports wagering system that evidences a sports wager.

“Suspicious betting activity” means any unusual betting activity which cannot be explained and is indicative of match-fixing, the manipulation of an event, misuse of inside information, or other prohibited activity.

“Unusual betting activity” means abnormal wagering activity exhibited by players and deemed by a Sports Wagering Operator, the Office or another governing body as a potential indicator of suspicious activity. Unusual wagering activity may include the size of a player’s wager or increased wagering volume on a particular event or wager type.

“Voided wager” means a wager voided by a ticket writer with supervisor approval for a specified event.

“Wager” or “bet” means accepting wagers and or bets on sporting events or portions of sporting events, or on the individual performance statistics of athletes in a sport, in a sporting event or combination of sporting events, by any system or method of wagering, including, but not limited to, in-person or over the internet through websites and on mobile devices. The term includes, but is not limited to, single-game bets, teaser bets, parlays, over-under, money line wagering, exchange wagering, in-game wagering, in-play bets, proposition bets, and straight bets. The term wager does not include any activity governed by securities laws of the United States or the District of Columbia, a contract of indemnity or guarantee, a contract for insurance, or participation in any game or contest in which the participants do not stake or risk anything of value other than personal efforts of the participants playing the game or contest or obtaining access to the internet,

or points or credits that the sponsor of the game or contest provides to participants free of charge, and that can be used or redeemed only for participation in games or contests offered by the sponsor.

CHAPTER 22 [RESERVED]

CHAPTER 23 [RESERVED]

CHAPTER 24 [RESERVED]

CHAPTER 25 [RESERVED]

Persons desiring to comment on the subject matter of this proposed rulemaking should file comments, in writing, no later than thirty (30) days after the date of publication of this notice in the *D.C. Register*. Comments should be filed with Antar Johnson, Senior Counsel, Office Lottery and Gaming, 2235 Shannon Place S.E., Washington, D.C. 20020, or e-mailed to SWRules@dc.gov. Copies of the proposed rules may be obtained between 8:30 a.m. and 5:00 p.m. at the address stated above. Questions may be directed to (202) 645-8026.

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2019-054
June 10, 2019

SUBJECT: Appointments — Mayor's Advisory Commission on Caribbean
Community Affairs

ORIGINATING AGENCY: Office of the Mayor

By the authority vested in me as Mayor of the District of Columbia by section 422(2) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2) (2016 Repl.), and in accordance with Mayor's Order 2012-127, dated August 15, 2012, and Mayor's Order 2017-182, dated August 8, 2017, it is hereby **ORDERED** that:

1. **SHERMICA FARQUAHART**, is appointed as a member of the Mayor's Advisory Commission on Caribbean Community Affairs, replacing Valerie LaCarte, for the remainder of an unexpired term to end August 15, 2020.
2. **SHURLAND OLIVER**, is appointed as a member of the Mayor's Advisory Commission on Caribbean Community Affairs, replacing Larissa Etwaroo Bako, for the remainder of an unexpired term to end August 15, 2021.
3. **SIMONE WILLIAMS** is appointed as Vice-Chair of the Mayor's Advisory Commission on Caribbean Community Affairs, to serve at the pleasure of the Mayor.
4. **EFFECTIVE DATE:** This Order shall become effective immediately.



MURIEL BOWSER
MAYOR

ATTEST: 

KIMBERLY A. BASSETT
ACTING SECRETARY OF STATE OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2019-055
June 10, 2019

SUBJECT: Appointment — Assistant City Administrator for Internal Services

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.), it is hereby **ORDERED** that:

1. **JOSEPH MELDER**, is appointed Assistant City Administrator for Internal Services, and shall serve in that capacity at the pleasure of the Mayor.
2. **EFFECTIVE DATE:** This Order shall be effective *nunc pro tunc* to March 17, 2019.



 MURIEL BOWSER
 MAYOR

ATTEST: 

 KIMBERLY A. BASSETT
 ACTING SECRETARY OF STATE OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

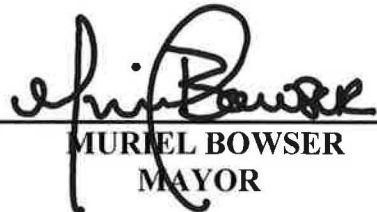
Mayor's Order 2019-056
June 12, 2019

SUBJECT: Appointment – Secretary of State of the District of Columbia

ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(2) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat.790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2) (2016 Repl.), in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979, D.C. Law 2-142; D.C. Official Code §1-523.01 (2016 Repl. and 2018 Supp.), pursuant to the Secretary of the District of Columbia Kimberly Bassett Confirmation Resolution of 2019, effective June 4, 2019, 2019, R23-0116, and in accordance to Mayor's Order 2019-029, dated May 6, 2019, it is hereby **ORDERED** that:

1. **KIMBERLY A. BASSETT** is appointed Secretary of State of the District of Columbia, and shall serve in that capacity at the pleasure of the Mayor.
2. This Order supersedes Mayor's Order 2019-015, dated March 25, 2019.
3. **EFFECTIVE DATE:** This Order shall be effective *nunc pro tunc* to June 4, 2019.



 MURIEL BOWSER
 MAYOR

ATTEST: 

 KIMBERLY A. BASSETT
 SECRETARY OF STATE OF THE DISTRICT OF COLUMBIA

APPLETREE PUBLIC CHARTER SCHOOL**REQUEST FOR PROPOSALS****Available Modular Units****10k Square Feet of Modular Units Available**

AppleTree is seeking bids for an organization or company to dismantle, sell, remove or take ownership of eight modular units, totaling 10k square feet. The Units are approximately five years old and were used as a five-classroom school. Please contact Dwight Crawford for details. The deadline for responding is June 24 at 5pm. Contact Dwight Crawford, COO, 1801 Mississippi Avenue SE, Washington, DC 20020, or e-mail at dwight.crawford@appletreepcs.org.

DEPARTMENT OF BEHAVIORAL HEALTH**NOTICE OF FUNDING AVAILABILITY****RFA No. RM0 POC OUD 061419****DC Peer Operated Centers (POC) Supporting Individuals with Opioid Use Disorders and Providing Awareness about Opioid Misuse****Purpose/Description of Project**

Live. Long. DC is a part of the District's response strategy to reduce opioid-related deaths by 50% by 2020. The Department of Behavioral Health (DBH) is seeking to use District of Columbia Opioid Response Grant (DCOR) funds to expand peer recovery supportive services in an effort to increase access to Opioid Use Disorder (OUD) treatment and improve care coordination through Peer Operated Centers (POC). Peer-to-peer recovery support services are critical to address the needs of those with serious and persistent mental illness and chronic substance use and addiction. Supports such as pro-social activities, recovery coaching, job readiness, self-help and support groups, faith-based support, and educational information for individuals with OUD, and prevention activities for individuals at-risk of OUD promote a comprehensive person-centered approach. Furthermore, aggressive peer-led outreach and engagement to current behavioral health providers (mental health and substance use), shelters and other places persons with OUD congregate complement existing resources in the community.

DBH is committed to the development of POC(s) for consumers of behavioral health services who reside in the District of Columbia. A POC is a network of non-clinical services developed and mobilized to help attain and sustain long-term recovery for consumers and families impacted by behavioral health treatment. Activities will provide an environment that will promote a lifetime of wellness for consumers, families and the community. DBH believes those who have "lived experience" in the mental health and substance use system play an integral role in the design, development, and implementation of behavioral health services. By providing infrastructure, recovery capital and other referral resources within the District, the recovery and resilience-oriented systems will expand the role of Certified Peer Specialist and Recovery Coaches from an expert model to a partnership/consultation model in which everyone's perspective, experience and expertise is welcomed and considered.

This solicitation will include two application opportunities:

COMPETITION #1 – OUD – Focused Peer Operated Centers

COMPETITION #2 – OUD – Focused Special Population Peer Operated Centers

Eligibility Requirements

All applicants (Competition #1 and Competition #2) must:

1. Be a legally-authorized entity within the District of Columbia.
2. Have at least one POC located physically within the District of Columbia.
3. Have a leadership team with lived experience in the behavioral health system.

Implementation Requirements for Competition #1

1. Have programming in which peers can support one another in formal and informal ways and provide opportunities for identified support for a minimum of 6 months.
2. Establish respectful and collaborative relationships with behavioral health agencies, including medication-assisted treatment (MAT) providers/prescribers, and the service structures of local recovery agencies (i.e. establish Memoranda of Agreement with behavioral health providers regarding referrals and enrollment of individuals in need of care).
3. Have a team of Certified Peer Specialists and Recovery Coaches with experience navigating the behavioral health system. This team should have diverse lived experiences and educational backgrounds.
4. Have administrative processes (i.e. intake, referral, daily sign-in procedures, evaluation process, data tracking, etc.).
5. Have experience providing and tracking assertive linkages to services and supports for individuals with OUD or prevention activities with individuals at-risk of OUD (i.e. provide documentation that the individuals has been enrolled in services).
6. Hire Peer Outreach Coordinator(s) to plan, coordinate, and execute all outreach activities.

Implementation Requirements for Competition #2

1. Have programming in which peers can support one another in formal and informal ways and provide opportunities for identified support for a minimum of 6 months.
2. Have a team of Certified Peer Specialists and Recovery Coaches with experience navigating the behavioral health system. This team should have diverse lived experiences and educational backgrounds.
3. Have administrative process (such as, intake, referral, daily sign-in procedures, evaluation process, data tracking, etc.)
4. Have experience providing and tracking assertive linkages to services and supports for individuals with OUD or prevention activities with individuals at-risk of OUD (i.e. provide documentation that the individuals has been enrolled in services).
5. Clearly identify returning citizens community, LGBTQ community, and/or immigrant community as populations of focus. Establish programming specific to the populations identified.
6. Establish respectful and collaborative relationships with behavioral health agencies, including medication-assisted treatment (MAT) providers/prescribers, and the service structures of local recovery agencies (i.e. establish Memoranda of Agreement with

behavioral health providers regarding referrals and enrollment of individuals in need of care).

7. Hire Peer Outreach Coordinator(s) to plan, coordinate, and execute all outreach activities.

Length of Award

The grant awards for Competition #1 and #2 will be made from the date of award through September 29, 2019. The grant may be continued for one (1) additional year based on documented project success and availability of funding.

Available Funding

Competition #1

Approximately \$210,000 is available to fund three (3) grant awards. Each grant award is \$70,000. Grants will be awarded by DBH utilizing funds provided by the Department of Health and Human Services (DHHS), Substance Abuse and Mental Health Services Administration (SAMHSA), State Opioid Response Grant, CFDA #93.788. The grant award is contingent upon available funding.

Competition #2

Approximately \$210,000 is available to fund three (3) grant awards. Each grant award is \$70,000. Grants will be awarded by DBH utilizing funds provided by the Department of Health and Human Services (DHHS), Substance Abuse and Mental Health Services Administration (SAMHSA), State Opioid Response Grant, CFDA #93.788. The grant award is contingent upon available funding.

Request for Application (RFA) Release

The RFA will be released June 14, 2019. The RFA will be posted on the DBH website, www.dbh.dc.gov under Opportunities, and on the website of the Office of Partnerships and Grants, www.opgs.dc.gov under the District Grants Clearinghouse. A copy of the RFA may be obtained from the DBH Community and Family Affairs Administration, located at 64 New York Avenue, NE, Washington, DC 20002, 3rd Floor, from Terri Harrison during the hours of 8:15 a.m. – 4:45 p.m. beginning June 14, 2019.

Pre-Application Conference

A pre-application conference will be held at DBH, 64 New York Avenue, NE, Washington, DC, 20002, 2nd Floor, DBH Training Room 242 on June 18, 2019 from 2:00 p.m. – 4:00 p.m. For more information, please contact Terri Harrison on (202) 673-4377.

Deadline for Application

The deadline for submission is July 15, 2019 at 4:45 p.m. ET.

CENTER CITY PUBLIC CHARTER SCHOOLS
NOTICE OF INTENT TO AWARD SOLE SOURCE CONTRACT

Apple for Macintosh Computers

Center City Public Charter Schools intends to award a Sole Source Contract to Apple for the following:

Macintosh Computers

To obtain copies of full NOIs, please visit our website:
www.centercitypcs.org/contact/requests-for-proposal. The full NOIs contain justification for the award.

Contact Person

Scott Burns
sburns@centercitypcs.org

OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION**NOTICE OF FUNDING AVAILABILITY (NOFA)****FISCAL YEAR 2020****DC Environmental Literacy Advancement Grant (ELAG)****Announcement Date: July 1, 2019****Request for Applications (RFA) Release Date: July 15, 2019 (12:00 PM EST)**

The Office of the State Superintendent of Education (OSSE), Division of Health and Wellness, is soliciting applications for the District of Columbia Environmental Literacy Advancement Grant pursuant to the Environmental Literacy Program Amendment Act of 2016, amending the Healthy Schools Act of 2010 (D.C. Law 18-209; D.C. Code § 38-825.02). The Act establishes an environmental literacy program within OSSE to promote environmental literacy in DC public schools and requires OSSE to establish an Environmental Literacy Leadership Cadre, comprised of teachers from DC public elementary schools, which shall be responsible for implementing the DC Environmental Literacy Plan in accordance with OSSE guidance. The purpose of the grant is to increase the capacity of nonprofit and community-based organizations (CBOs) to provide environmental education programs to District elementary schools represented in the 2019-21 Environmental Literacy Leadership Cadre and alumni schools.

Eligibility and Selection Criteria: OSSE will make this grant available through a competitive process. Eligible applicants must be nonprofits or CBOs with 501(c)(3) status.

Applications will be scored on the following selection criteria: project vision and implementation plan, curriculum integration plan, student and community involvement plan, and cost effectiveness of budget.

Length of Award: The grant period begins Oct. 1, 2019 and ends on Sept. 30, 2021, contingent upon funding availability and the grantee's satisfactory implementation of the proposed program. Applicants must re-apply for the second year of funding.

Available Funding for Award: For the 2020 fiscal year, the total amount of anticipated funding will range from \$150,000 to \$280,000. For the 2021 fiscal year, the total amount of anticipated funding will be up to \$280,000. OSSE anticipates awarding no more than seven awards. Grant funds shall only be used to support activities authorized by the RFA, relevant statutes, and included in the applicant's submission.

Application Process: To ensure an equal opportunity for all applicants, OSSE requests that applicants submit questions regarding the RFA electronically to Grace Manubay, Grace.Manubay@dc.gov, by Aug. 21, 2019, at 4:30 p.m. Answers to submitted questions will be made available by Sept. 6, 2019, at 4:30 p.m. Questions submitted after this deadline date will

not receive responses. Responses to questions will be published on the FAQ page here: <http://osse.dc.gov/service/environmental-literacy-program-elp>.

Applicants are **highly encouraged to** attend a pre-application conference at OSSE on July 31, 2019, at 2 p.m. in Conference Room 622. This will provide the opportunity to meet other interested organizations and identify potential partners.

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 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 Health and Wellness will make all final award decisions. Applications must be submitted no later than September 16, 2019 at 3pm. OSSE anticipates that it will award grants by October 1, 2019; however, this date may change.

For additional information regarding this grant competition, please contact:

Grace Manubay
Environmental Literacy Coordinator
Division of Health and Wellness
Office of the State Superintendent of Education
Grace.Manubay@dc.gov

The RFA and all supporting documents will be available on <http://grants.osse.dc.gov> or by contacting Grace Manubay at Grace.Manubay@dc.gov.

DISTRICT OF COLUMBIA
BOARD OF ELECTIONS

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

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

Drew Courtney
Single-Member District **6C06**

DEPARTMENT OF ENERGY AND ENVIRONMENT

PUBLIC NOTICE

Notice is hereby given that, pursuant to 20 DCMR § 210, the Air Quality Division (AQD) of the Department of Energy and Environment (DDOE), located at 1200 First Street NE, 5th Floor, Washington, DC, intends to issue permit No. 7258 to Kiewit Infrastructure Co., to construct and operate a 194 kWe non-emergency generator set powered by a 323 hp diesel-fired engine, to be located at 1 Washington Blvd SE, Washington DC 20024 (located south of Memorial Circle, near the base of the Arlington Memorial Bridge). The contact person for the applicant is Donnie Arant, Project Manager, at (602) 568-6883 or Donnie.arant@kiewit.com.

The proposed emission limits are as follows:

- a. Emissions from this unit shall not exceed those in the following table as tested pursuant to the applicable test methods in 40 CFR 1039, Subpart F [40 CFR Subpart IIII, 40 CFR 60.4204(b), 40 CFR 60.4201(a), 40 CFR 1039.101(b) - Table 1-Tier 4]:

Emission Standard Type	Pollutant Emission Limits (g/kW-hr)			
	NOx	CO	NMHC	PM
Transient and Steady State	0.40	3.5	0.19	0.02
Not-to-Exceed	0.60	4.4	0.29	0.03

- b. Visible emissions shall not be emitted into the outdoor atmosphere from this generator, except that discharges not exceeding forty percent (40%) opacity (unaveraged) shall be permitted for two (2) minutes in any sixty (60) minute period and for an aggregate of twelve (12) minutes in any twenty-four hour (24 hr.) period during start-up, cleaning, adjustment of combustion controls, or malfunction of the equipment [20 DCMR 606.1].
- c. In addition to Condition II(b) exhaust opacity, measured and calculated as set forth in 40 CFR 1039.105(b) and 1039.501(c), shall not exceed:
 - 1. 20 percent during the acceleration mode;
 - 2. 15 percent during the lugging mode; and
 - 3. 40 percent during the peaks in either the acceleration or lugging modes. *Note that this condition is streamlined with the requirements of 20 DCMR 606.1.*
- d. The Permittee shall comply with the requirements for crankcase emissions, adjustable parameters, prohibited controls, and defeat devices specified in 40 CFR 1039.115.
- e. An emission into the atmosphere of odorous or other air pollutants from any source in any quantity and of any characteristic, and duration which is, or is likely to be injurious to the public health or welfare, or which interferes with the reasonable enjoyment of life or property is prohibited. [20 DCMR 903.1]

The estimated maximum potential emissions from the generator set are as follows:

Pollutant	Potential Emissions (tons per year)
Total Particulate Matter (PM Total)	0.04
Oxides of Sulfur (SO _x)	0.02
Oxides of Nitrogen (NO _x)	0.14
Volatile Organic Compounds (VOC)	0.04
Carbon Monoxide (CO)	0.02

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

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

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

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

No comments or hearing requests submitted after July 15, 2019 will be accepted.

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

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF FOR-HIRE VEHICLES**

NOTICE OF FOR-HIRE VEHICLES ADVISORY COUNCIL MEETING

The For-Hire Vehicle Advisory Council will hold a meeting on Tuesday, June 18, 2019 at 10:00 am. The meeting will be held at the Department of For-Hire Vehicles, 2235 Shannon Place, SE, Washington, DC 20020, inside the Hearing Room, Suite 2032. Visitors to the building must show identification and pass through the metal detector. Allow ample time to find street parking or to use the pay-to-park lot adjacent to the building.

The final agenda will be posted no later than seven (7) days before the For-Hire Vehicle Advisory Council Meeting on the DFHV website at www.dfhv.dc.gov.

Members of the public are invited to participate in the Public Comment Period. You may present a statement to the Council on any issue of concern; the Council generally does not answer questions. Statements are limited to five (5) minutes for registered speakers. Time and agenda permitting, nonregistered speakers may be allowed two (2) minutes to address the Council. To register, please call 202-645-6002 no later than 3:00 p.m. on June 17, 2019. Registered speakers will be called first, in the order of registration. **Registered speakers must provide ten (10) printed copies of their typewritten statements to the Advisory Council Recorder no later than the time they are called to the podium.**

DRAFT AGENDA

- I. Call to Order
- II. Advisory Council Communication
- III. Advisory Council Action Items
- IV. Department of For-Hire Vehicles staff reports
- V. Government Communications and Presentations
- VI. Public Comment Period
- VII. Adjournment

**DEPARTMENT OF HEALTH (DC HEALTH)
HEALTH PROFESSIONAL LICENSING ADMINISTRATION**

NOTICE OF MEETING

Board of Medicine
June 26, 2019

On JUNE 26, 2019 at 8:30 am, the Board of Medicine will hold a meeting to consider and discuss a range of matters impacting competency and safety in the practice of medicine.

The meeting will be open to the public from 8:30 am to 10:30 am to discuss various agenda items and any comments and/or concerns from the public.

In accordance with Section 405(b) of the Open Meetings Amendment Act of 2010, the meeting will then move to Closed Session from 10:30 am until 4:45 pm to plan, discuss, or hear reports concerning licensing issues, ongoing or planned investigations of practice complaints, and or violations of law or regulations.

The meeting location is 899 North Capitol Street NE, 2nd Floor, Washington, DC 20002.

Meeting times and/or locations are subject to change – please visit the Board of Medicine website www.doh.dc.gov/bomed and select BoMed Calendars and Agendas to view the agenda and any changes that may have occurred.

Executive Director for the Board – Frank B. Meyers, JD

INTERAGENCY COUNCIL ON HOMELESSNESS**NOTICE OF PUBLIC MEETING****Full Council**

The DC Interagency Council on Homelessness (ICH) will be holding a meeting on Tuesday, June 11, 2019 at 2:00 pm. The meeting will be held at One Judiciary Square (Room: Old Council Chambers, Address: 441 4th Street NW, Washington, DC 20001).

Below is the draft agenda for this meeting. For additional information, including updates on location, please visit the ICH calendar online at <http://ich.dc.gov/events>. You can also contact the ICH info line at (202) 724-1338 or ich.dmhhs@dc.gov.

Meeting Details

Date: Tuesday, June 11, 2019

Time: 12:30 – 1:30 pm Pre-Meeting for advocates, agencies, consumers and providers

2 – 3:30 pm Full Council

Location: One Judiciary Square – Old Council Chambers
441 4th Street NW, Washington DC 20001

Updates will be available online <http://ich.dc.gov/events>

Draft Agenda

- I. Welcome and Opening Remarks
- II. Public Comments
- III. Mayor's Order Re: Affordable Housing
- IV. PIT and PIT+
- V. Other Updates
- VI. Public Comments (*Time Permitting*)
- VII. Adjournment

KIPP DC PUBLIC CHARTER SCHOOLS**REQUEST FOR PROPOSALS****Tax and Payroll Consulting Services**

KIPP DC is soliciting proposals from qualified vendors for a Tax and Payroll Consulting 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 5:00 PM EST, on June 28, 2019. Questions can be addressed to eugene.han@kippdc.org.

X-Ray Bag Scanners

KIPP DC is soliciting proposals from qualified vendors for X-Ray Bag Scanners. 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 5:00 PM EST, on June 25, 2019. Questions can be addressed to kevin.mehm@kippdc.org.

Food Service Management Company Services

KIPP DC is advertising the opportunity to bid on the management of breakfast, lunch, snack and/or CACFP supper meals to children enrolled at the schools for the 2019-20 school year with a possible extension of (4) one year renewals. All meals must meet at a minimum, but are not restricted to, the USDA National School Breakfast, Lunch, Afterschool Snack and At Risk Supper meal pattern requirements. Additional specifications outlined in the RFP such as; student data, days of service, meal quality, etc. may be obtained beginning on June 14, 2019 from Dionna Day at 202-223-4505 or dionna.day@kippdc.org:

Proposals will be accepted at 2600 Virginia Ave. NW, Ste. 900 Washington, DC 20037 on July 8, 2019, not later than 3pm.

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

METROPOLITAN POLICE DEPARTMENT
FIRST AMENDMENT ACTIVITIES REPORT

Calendar Year 2018

Policy

It is the policy of the Metropolitan Police Department (MPD) that investigations involving unlawful activity conform to the guarantees of the Constitution and that care is exercised in the conduct of those investigations so as to protect constitutional rights. MPD does not conduct investigations on activities protected by the First Amendment. The Department's members may not investigate, prosecute, disrupt, interfere with, harass, or discriminate against any person engaged in First Amendment activity for the purpose of punishing, retaliating, preventing, or hindering the person from exercising his or her First Amendment rights.

MPD investigates only those matters supported by a legitimate law enforcement purpose. To prevent criminal activity conducted under the guise of First Amendment activities and criminal acts of civil disobedience threatening public safety or the security of the city, MPD must, at times, initiate investigations in advance of unlawful conduct. Such investigations occur if there is reasonable suspicion to believe that persons, groups, or organizations are planning or engaged in criminal activity and the First Amendment activities are relevant to the criminal investigation.

The Department is compliant with section 208(a) of the *Police Investigations Concerning First Amendment Activities Act of 2004*, effective April 13, 2005 (D.C. Law 15-352, D.C. Official Code §§ 5-333.01 *et seq.*), governing investigations and preliminary inquiries involving First Amendment activities. MPD practices the appropriate maintenance, dissemination, and purging of records, files, and information from such investigations and preliminary inquiries. The Department is committed to fair, unbiased, and constitutional policing.

Police Investigations Concerning First Amendment Activities
Page2

In Brief

The following information is provided in compliance with the *Police Investigations Concerning First Amendment Activities Act of 2004*.

Reporting Requirements	2018
The number of investigations authorized	0
The number of authorizations for investigation sought but denied	0
The number of requests from outside agencies	0
The number of arrests, prosecutions, or other law enforcement actions taken as a result of such investigations	0
Any violations of the regulations issued pursuant to this subchapter, and the actions taken as a result of the violations, including whether any officer was disciplined	0

Evaluation

During calendar year 2018, MPD did not receive any information indicating that an unlawful act had been, was being, or was to be committed during a First Amendment activity. Therefore, no investigations were opened, nor were there any requests to open an investigation that were denied.

The MPD will continue its policy that investigations involving any criminal activity conform to the guarantees of the Constitution and that care is exercised in the conduct of those investigations so as to protect constitutional rights.

Please contact Peter Newsham, Chief of Police, at 202-727-4218 or peter.newsham@dc.gov to discuss any questions you have regarding this report.

PUBLIC SERVICE COMMISSION OF THE DISTRICT OF COLUMBIA

NOTICE OF PROPOSED TARIFFELECTRIC TARIFF 2019-02, IN THE MATTER OF THE PROPOSAL OF THE POTOMAC ELECTRIC POWER COMPANY TO AMEND ITS GENERAL TERMS AND CONDITIONS TARIFF, P.S.C.-D.C. No. 1

1. The Public Service Commission of the District of Columbia (Commission) hereby gives notice, pursuant to Section 34-802 of the District of Columbia Official Code and in accordance with Section 2-505 of the District of Columbia Code,¹ of its intent to act upon the joint filing of the Potomac Electric Power Company's (Pepco or Company) and the Office of the People's Counsel (OPC) proposing to amend Pepco's General Terms and Conditions Tariff in not less than 30 days from the date of publication of this updated Notice of Proposed Tariff (NOPT) in the *D.C. Register*. This NOPT supersedes the previous NOPT published in the *D.C. Register* on May 17, 2019.²

2. On June 5, 2019, Pepco and OPC filed an updated Tariff Amendment requesting Commission approval of a revision to Section 10(e)(1) of the General Terms and Conditions of Pepco's Tariff. The original February 8, 2019, tariff filing proposed to add a reference to Section 10(e) of the Tariff to clarify that a customer is responsible for costs associated with work performed by Pepco in order for the customer to repair certain customer-owned equipment. The proposed updated language in the current filing adds that Pepco will provide a cost estimate to the customer in reference to this work.³ Pepco's proposal will amend the following tariff page:

ELECTRICITY TARIFF, P.S.C.-D.C. No. 1
(Previous) Original Page No. 39
(Proposed) First Revised Page No. 39.1

The updated Tariff Amendment states:

When a Customer requests that the Company deenergize the Customer's service connection to enable the repair, replacement, alteration, or modification of customer-owned components of an existing service connection, the Customer will be solely responsible for the costs associated with the provision of such service by the Company. The

¹ D.C. Code §§ 2-505 (2016 Repl.) and 34-802 (2012 Repl.).

² 66 *D.C. Reg.* 006261-006262 (May 17, 2019).

³ *Electric Tariff 2019-02, In the Matter of the Joint Motion of Potomac Electric Power Company and the Office of the People's Counsel for the District of Columbia to Amend Pepco's General Terms and Conditions for Furnishing Electric Service in the District of Columbia*, The Joint Motion of the Potomac Electric Power Company and the Office of the People's Counsel for the District of Columbia to Amend Pepco's General Terms and Conditions for Furnishing Electric Services in the District of Columbia, filed June 5, 2019 ("updated Tariff Amendment").

Company shall provide the Customer an estimate of the costs of providing the service to deenergize the Customer's service connection.⁴

3. Any person interested in commenting on the subject matter of this proposed Tariff Amendment may submit written comments not later than 30 days after publication of this notice in the *D.C. Register* to Brinda Westbrook-Sedgwick, Commission Secretary, Public Service Commission of the District of Columbia, 1325 G Street, N.W., Suite 800, Washington, D.C. 20005 or electronically on the Commission's website at https://edocket.dcpSC.org/public/public_comments. Copies of the proposed Tariff Amendment may be obtained by visiting the Commission's website at www.dcpSC.org or at cost, by contacting the Commission Secretary at the address provided above. Persons with questions concerning this NOPT should call (202) 626-5150 or send an email to psc-commissionsecretary@dc.gov. After the comment period has expired, the Commission will take final action on the Tariff Amendment.

⁴ Tariff Amendment at Proposed First Revised Page No. 39.1.

PUBLIC SERVICE COMMISSION OF THE DISTRICT OF COLUMBIA

NOTICE OF PROPOSED TARIFFGAS TARIFF 00-2, IN THE MATTER OF WASHINGTON GAS LIGHT COMPANY'S RIGHTS-OF-WAY SURCHARGE GENERAL REGULATIONS TARIFF, P.S.C.-D.C. No. 3

1. The Public Service Commission of the District of Columbia (Commission) hereby gives notice, pursuant to D.C. Code § 34-802 and in accordance with D.C. Code § 2-505,¹ of its intent to act upon the proposed Rights-of-Way (ROW) Surcharge Update of Washington Gas Light Company (WGL or Company)² in not less than thirty (30) days after the date of publication of this Notice of Proposed Tariff (NOPT) in the *D.C. Register*.

2. The ROW Surcharge contains two components, the ROW Current Factor and the ROW Reconciliation Factor. On May 22, 2019, pursuant to D.C. Code § 10-1141.06,³ WGL filed a Surcharge Update to revise the ROW Reconciliation Factor.⁴ In the Surcharge Update, WGL sets forth the process to be used to recover from its customers the D.C. ROW fees paid by WGL to the District of Columbia government in accordance with the following tariff page:

GENERAL SERVICES TARIFF, P.S.C.-D.C. No. 3**Section 22****3rd Revised Page 56**

3. WGL's Surcharge Update indicates the ROW Current Factor is 0.0326 with the ROW Reconciliation Factor of 0.0013 for the period of June 2019 through May 2020, which yields a Net Factor of 0.0313.⁵ In addition, WGL expresses its intent to collect the ROW fee surcharge beginning with the June 2019 billing cycle.⁶ The Company has a statutory right to implement its filed surcharges. However, if the

¹ D.C. Code §§ 2-505 (2016 Repl.) and 34-802 (2012 Repl.).

² *GT00-2, In the Matter of Washington Gas Light Company's Rights-of-Way Surcharge General Regulations Tariff, P.S.C.-D.C. No. 3* ("GT00-2"), Rights-of-Way Fee Surcharge Filing of Washington Gas Light Company ("Surcharge Update"), filed May 22, 2019.

³ D.C. Code § 10-1141.06 (2001 Ed.) states that "[e]ach public utility company regulated by the Public Service Commission shall recover from its utility customers all lease payments which it pays to the District of Columbia pursuant to this title through a surcharge mechanism applied to each unit of sale and the surcharge amount shall be separately stated on each customer's monthly billing statement."

⁴ *GT00-2, Surcharge Update* at 1.

⁵ *GT00-2, Surcharge Update* at 1.

⁶ *GT00-2, Surcharge Update* at 1.

Commission discovers any inaccuracies in the calculation of the proposed surcharge, WGL could be subject to reconciliation of the surcharges.

4. Any person interested in commenting on the subject matter of this proposed tariff may submit written comments not later than 30 days after publication of this notice in the *D.C. Register* to Brinda Westbrook-Sedgwick, Commission Secretary, Public Service Commission of the District of Columbia, 1325 G Street, N.W., Suite 800, Washington, D.C. 20005 or electronically on the Commission's website at https://edocket.dcpssc.org/public/public_comments. Copies of the proposed tariff 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 NOPT should call (202) 626-5150 or send an email to psc-commissionsecretary@dc.gov. After the comment period has expired, the Commission will take final action on the Surcharge Update.

PUBLIC SERVICE COMMISSION OF THE DISTRICT OF COLUMBIA

PUBLIC NOTICEREVISED COMMENT PERIODFORMAL CASE NO. 1115, IN THE MATTER OF WASHINGTON GAS LIGHT COMPANY'S REQUEST FOR APPROVAL OF A REVISED ACCELERATED PIPE REPLACEMENT PLAN

1. By this Public Notice, the Public Service Commission of the District of Columbia ("Commission") extends the time to file comments and reply comments on the Liberty Consulting Group's ("Liberty") Final Report Management Audit of Washington Gas Light Company's ("WGL") Accelerated Pipe Replacement Plan ("PIPES 1 Plan") that was filed on April 19, 2019.¹ The deadline for comments is extended an additional 60 days. Comments and replies are due by August 8, 2019, and August 23, 2019, respectively.

2. The initial Public Notice was published in the *D.C. Register* on May 10, 2019.² On May 31, 2019, the Office of the People's Counsel filed an Amended Motion requesting that the Commission extend the comment period on the Liberty Final Audit Report of WGL's PIPES 1 Plan an additional 60 days to August 8, 2019, and August 23, 2019, respectively.³

3. All parties who have signed a confidentiality agreement⁴ and are interested in commenting on the confidential version of the Final Audit Report as well as other persons interested in commenting on the public version of the Final Audit Report may submit written comments and reply comments no later than August 8, 2019, and August 23, 2019, respectively. Comments are to be addressed to Brinda Westbrook-Sedgwick, Commission Secretary, Public Service Commission of the District of Columbia, 1325 G Street, NW, Suite 800, Washington, DC 20005. Copies of the Final Audit Report may be obtained by visiting the Commission's website at www.dcpsc.org. Once at the website, open the "eDocket" tab, click on "Search database" and input "FC 1115" as the case number and "282" as the item number for the public version of the Final Audit Report. Copies may also be purchased at cost by contacting the Commission Secretary at (202) 626-5150 or PSC-CommissionSecretary@dc.gov.

¹ *Formal Case No. 1115, In the Matter of Washington Gas Light Company's Request for Approval of a Revised Accelerated Pipe Replacement Plan, ("Formal Case No. 1115")*, Liberty Final Report Management Audit of PROJECTpipes, filed April 19, 2019 ("Final Audit Report").

² 66 *D.C. Reg.* 006067-006068 (May 10, 2019).

³ *Formal Case No. 1115, In the Matter of Washington Gas Light Company's Request for Approval of a Revised Accelerated Pipe Replacement Plan ("Formal Case No. 1115")*, Amended Motion for Enlargement of Time of the Office of the People's Counsel for the District of Columbia to Respond to Liberty Consulting Group's Management Audit Report ("OPC's Motion"), filed May 31, 2019.

⁴ See 15 DCMR § 150 *et. seq.* (Confidential and Proprietary Information) (1992).

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 July 15, 2019.

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 June 14, 2019. 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
Recommendations for Appointments as DC Notaries PublicEffective: July 15, 2019
Page 2 of 10

Adebiyi	Folake	Chase 2200 Martin Luther King Jr. Avenue, SE	20020
Anderson	Tija	United States Department of Justice 1100 L Street, NW	20005
Andrews	Mark	End Citizens United 100 M Street, SE, Suite 350	20003
Arnold	Mia R.	United Nations Foundation 1750 Pennsylvania Avenue, NW, Suite 300	20006
Baez-Almeida	Yolanda	National American Indian Housing Council 122 C Street, NW	20001
Bailey	Nicole V.	Williams, Adley & Company-DC, LLP 1030 15th Street, NW, Suite 350	20005
Barnes-Walker	Roman	Mayer Brown, LLP 1999 K Street, NW	20006
Bashir	Sadia	Bank of America, NA 2001 Pennsylvania Avenue, NW, Front 1	20006
Beaty Boisseau	Robin	BT-B Paralegal Services, LLC 1629 K Street, NW, Suite 300	20006
Berry	Sheena	GroundBreaking Signatures 505 O Street, NW, Unit 1	20001
Biedemariam	Amanuel	Select Concierge, LLC 1629 K Street, NW, Suite 300	20006
Biggerstaff	Philip	Mandarin Oriental Hotel 1330 Maryland Avenue, SW	20024
Bobo	Anna M.	Columbus Property Management 901 New Jersey Avenue, NW	20001
Bogdanovich	Michelle	American Chemical Society	

D.C. Office of the Secretary
Recommendations for Appointments as DC Notaries PublicEffective: July 15, 2019
Page 3 of 10

		1155 16th Street, NW	20036
Boone	Jessika	District of Columbia Office of Risk Management 441 4th Street, NW, Suite 800	20001
Brinkley	Veda	Horning Brothers 3333 14th Street, Suite 300 NW	20010
Brooks	Lonnee T.	United States Department of Justice 1100 L Street, NW	20005
Brown	Marie-Claire	Self (Dual) 704 10th Street, NE	20904
Butler	Grace	Inspire Rehabilitation and Health Center 2131 O Street, NW	20037
Caliga	Alexandru	Planet Depos 1100 Connecticut Avenue, NW, Suite 950	20036
Cardenas	Anna M.	NIH Federal Credit Union 2200 Pennsylvania Avenue, NW, Suite E160	20037
Carmon	Brittany Nicole	Self 701 2nd Street, NE, #824	20002
Castle	Phyllis	Equal Employment Opportunity Commission 131 M Street, NE	20507
Cheung	Kathy C.	Y & C International, LTD 506 I Street, NW, Suite 1	20001
Chichester	Melba	Self (Dual) 1304 45th Place, SE	20019
Childs	Tia L.	Self 5222 Dix Street, NE	20019
Clarke	Marsha Lee	National Transportation Safety Board 490 L'Enfant Plaza East, SW	20594
Coffer	Robin M.	Self	

D.C. Office of the Secretary
Recommendations for Appointments as DC Notaries PublicEffective: July 15, 2019
Page 4 of 10

		638 Jefferson Street, NE	20011
Cook	TaVon D.	Office of Tax and Revenue 1101 4th Street, SW, #550W	20024
Cunningham	April M.	Foley & Lardner, LLC 3000 K Street, NW, Suite 600	20007
Cyprain	Monica L.	Self 2607 Hamlin Street, NE	20018
de Castro	Jocelyn Pearl	DC Commission on the Arts and Humanities 200 Eye Street, SE, Suite 1400	20003
DeBlasio	Stephen Sean	Bianco Law Offices, PLLC t/a RJB Law 1402 Meridian Place, NW	20010
DeCosta	Gloria J.	G W Medical Faculty Associates 2120 L Street, NW	20037
Dugan	Catherine Ann	Department of Veterans Affairs 810 Vermont Avenue, NW	20420
Eaton	Marsha	Self (Dual) 3935 9th Street, NE, #3	20017
Elberry	Ashraf	Self 4904 Georgia Avenue, NW	20011
Emamali	Towana J.	Wilmer Cutler Pickering Hale and Dorr, LLP 1875 Pennsylvania Avenue, NW	20006
Epps	Shirley	Self 1327 Emerson Street, NW	20011
Felter	David S.	Capitol Process Services, Inc 1827 18th Street, NW	20009
Fernandez	Christopher Brian	Planet Depos 1100 Connecticut Avenue, NW, Suite 950	20036
Fortner	Catherine Elizabeth	Planet Depos 1100 Connecticut Avenue, NW, Suite 950	20018

D.C. Office of the Secretary
Recommendations for Appointments as DC Notaries PublicEffective: July 15, 2019
Page 5 of 10

Fowler	Ericka	District of Columbia Housing Authority 1133 North Capitol Street, NE	20002
Franco Gomez	Nilton A.	Nest DC 87 Florida Avenue, NE	20001
Fraser	Sophia	Cumulus Media 4400 Jenifer Street, NW, Suite 400	20015
Galicia	Reynard C.	Allen & Overy, LLP 1101 New York Avenue, NW	20005
Glymph-Addison	Genie	DC Child and Family Service Agency 200 I Street, SE	20003
Gonzales	Glenda G.	Morgan Stanley 1747 Pennsylvania Avenue, NW, Suite 900	20006
Grey	Tasja	District Legal Services 1615 New Hampshire Avenue, NW	20009
Hart-Griffin	Brian Renardo	J P Morgan Chase 601 Pennsylvania Avenue, NW	20004
Hinson	Domonique R.	Self (Dual) 12 16th Street, NE	20002
Hollingsworth	David A.	U.S. Department of Justice 555 4th Street, NW, Room 6922	20001
Holton	Maurice D.	District of Columbia Housing Authority 133 North Capitol Street, NE	20002
Ingraham	Carroll E.	Legal Counsel for the Elderly 611 E Street, NW	20049
Johnson	Dennis Keith	United States House of Representatives H-154 The Capital	20515
Johnson	Tritina	Ungerman IP PLLC 2305 Calvert Street, N.W.	20008
Jones	Cleopatra	Self	

D.C. Office of the Secretary
Recommendations for Appointments as DC Notaries PublicEffective: July 15, 2019
Page 6 of 10

		40 R Street, NE	20002
Jones	Daryl D.	DC First Title 601 Pennsylvania Avenue, NW, Suite 900	20004
Kennedy	William	HUD Federal Credit Union 451 7th Street, SW, Room 3241	20410
King	Tionne	Hilton Grand Vacations 1250 22nd Street	20037
Kissel	Sarah Beth	American Immigration Lawyers Association 1331 G Street, NW	20005
Klopf	Emily Michele	Astra Capital Management 900 16th Street, NW, Suite 450	20006
Koch	Kimberly	National Association of Conservation Districts 509 Capitol Court, NE	20002
Kuczera	Reiss	Self 210 16th Street, SE	20003
Kupferschmidt	Carrie E.	American Beverage Association 1275 Pennsylvania Avenue, NW	20004
Lindsey	Vanesha	District of Columbia Housing Authority 1133 North Capitol Street, NE	20002
Lopez-Rodriguez	Jada	District of Columbia Housing Authority 1133 North Capitol Street, NE	20002
Luong	Christine M.	Vedder Price, P.C. 1401 I Street, NW, Suite 1100	20005
Lynch	Nicole S.	Hogan Lovells US, LP 555 13th Street, NW	20004
Mamboyo	Juan Fernando Balquin	Planet Depos 1100 Connecticut Avenue, NW, Suite 950	20036
Mangue	Pedro Ndong Nvono	PATHS International 1140 3rd Street, NE, # 2008	20002

D.C. Office of the Secretary
Recommendations for Appointments as DC Notaries PublicEffective: July 15, 2019
Page 7 of 10

Martin	Alicia Y.	Council of Insurance Agents & Brokers 701 Pennsylvania Avenue, NW	20004
McCoy	Lawanda	District of Columbia Housing Authority 1133 North Capitol Street, NE	20002
McCreary	Tracie D.	Self 5531 Chillum Place, NE	20011
McDuffus	Mary Ann	Mayer Brown 1999 K Street, NW	20006
Mendoza	Fabiola A.	Elite Documents Services 1325 G Street, NW, Suite 500	20005
Michael	Elissa K.	Endocrine Society 2055 L Street, NW, Suite 600	20036
Mistry	Bhavin	Northridge Capital, LLC 1101 30th Street NW, Suite 150	20007
Monroe	Rebecca	Olender Reporting 1100 Connecticut Avenue, NW, Suite 810	20036
Mullooly	Margaret	Arcadia Power 1121 4th Street, NW	20005
Myers	Dartasha	District of Columbia Housing Authority 1133 North Capitol Street, NE	20002
Nguyen	Nhi	Department of Veterans Affairs 810 Vermont Avenue, NW, Suite 1027I	20420
Nguyen	Tram K.	Ashcraft & Gerel, LLP 1825 K Street, NW, Suite 700	20006
Norton	Lori Marie	Allen & Overy , LLP 1101 New York Avenue, NW	20005
Onuegbu	Martin	Planet Depos 1100 Connecticut Avenue, NW, Suite 950	20036

D.C. Office of the Secretary
Recommendations for Appointments as DC Notaries PublicEffective: July 15, 2019
Page 8 of 10

Paige	Anna	Self 3411 Hayes Street, NE	20019
Pannell	Donna J.	District of Columbia Housing Authority 1133 North Capitol Street, NE	20002
Pawela	Michael A.	Planet Depos 1100 Connecticut Avenue, NW, Suite 950	20036
Pitts	Karl	State Department Federal Credit Union 4th & P Street, SW, Building 41	20024
Quinonez	Simon J.	Citibank 5001 Wisconsin Avenue, NW	20016
Ratana	Arden C.	United States Department of Justice 450 5th Street, NW	20001
Richardson	Joyce	MedStar Georgetown University Hospital 3800 Reservoir Road, NW	20007
Richey	Patricia A.	Office of Tax and Revenue 1101 4th Street, SW	20024
Rickard	Martha	Self (Dual) 627 10th Street, NE, # B	20002
Rowe	Natalie L.	McKinsey & Company, Inc 1200 19th Street, NW	20036
Scott	Marcia E.	Self 1316 Allison Street, NE	20017
Sherrill	Nancy G.	EFG Real Estate 1428 U Street, NW, 2nd Floor	20009
Smith	Robin A.	Self (Dual) 3232 Park Place, NW	20010
Smith	Ronald W.	Municipal Securities Rulemaking Board 1300 I Street, NW, Suite 1000	20005
Solomon	Michelle	Self	

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

Effective: July 15, 2019
 Page 9 of 10

		1101 New Hampshire Avenue, NW, #407	20037
Sotero- Albuquerque	Carmen L.	Carmen Sotero-Albuquerque Travel Agent 1444 W Street, NW, #205	20009
Speer	Margaret	Bonner Group 455 Massachusetts Avenue, NW, Suite 640	20001
Steptoe	Carolyn Cecelia	Self (Dual) 6101 16th Street, NW, #604	20011
Stocker	Eve Marie	United States Department of Labor 200 Constitution Avenue, NW, Room S-440	20210
Stroman, Jr.	Terrance D.	District of Columbia Housing Authority 1133 North Capitol Street, NE	20002
Swanhorst	Suzanne J.	Institute of Makers of Explosives 1212 New York Avenue, NW, Suite 650	20005
Terault	Stephanie	Arup 1120 Connecticut Avenue, NW, Suite 1110	20036
Townsend	Audrey L.	District of Columbia Office of Risk Management 441 4th Street, Suite 800 South	20001
Trotta	Jessica C.	Webster, Chamberlain & Bean, LLP 1747 Pennsylvania Avenue, NW, Suite 1000	20006
Tune	Alexis L.	Office of Inspector General Federal Housing Finance Agency 400 7th Street, SW	20219
Wallace	Danielle	Bank Fund Staff Federal Credit Union 1725 I Street NW	20006
Wang	Keily Abouye	Wells Fargo 1700 Pennsylvania Avenue, NW	20006

D.C. Office of the Secretary
Recommendations for Appointments as DC Notaries PublicEffective: July 15, 2019
Page 10 of 10

Waring-Brown	Shakira	Battino & Sokolow, PLLC 1213 33rd Street, NW	20007
Waters	Toni N.	Ashcraft & Gerel 1825 K Street, NW, Suite 700	20006
Watkins	Sherri L.	Self 129 58th Street, SE	20019
Wellington	William	Self 3186 Berry Road, NE	20018
Williams	Angela B.	United States Department of Justice 450 5th Street, NW	20001
Woodard	Avery E.	Perkins Coie, LLP 700 13th Street, NW, Suite 600	20005
Younger	James	Battino & Sokolow, PLLC 1213 33rd Street, NW	20007
Zatkowski	Jennifer	Fidelity National Title Insurance Company 1620 L Street, NW, 4th Floor	20036

DISTRICT DEPARTMENT OF TRANSPORTATION

Updated Meeting Notice:
Major Crash Review Task Force

The Major Crash Review Task Force will hold the following meetings in the remainder of 2019:

Date	Time	Location	Room Number
June 26, 2019	2:30 PM – 5:30 PM	55 M St. SE Washington, DC 20003	404
July 31, 2019	2:30 PM – 5:30 PM	55 M St. SE Washington, DC 20003	404
August 28, 2019	2:30 PM – 5:30 PM	55 M St. SE Washington, DC 20003	404
September 25, 2019	2:30 PM – 5:30 PM	55 M St. SE Washington, DC 20003	404
October 30, 2019	2:30 PM – 5:30 PM	55 M St. SE Washington, DC 20003	404
November 20, 2019	2:30 PM – 5:30 PM	55 M St. SE Washington, DC 20003	404
December 18, 2019	2:30 PM – 5:30 PM	55 M St. SE Washington, DC 20003	404

Each meeting will take place at 55 M St. SE, Washington, DC 20003, on the 4th floor, in the room listed above. The location is nearest to the Navy Yard-Ballpark Metro station on the Metrorail green line. The initial and concluding portions of the meeting are open to the public. Due to the sensitive nature of personal information discussed during the detailed review of major crashes, the crash review portion of the meeting is not open to the public. The draft agenda for meetings is available below. If you have any questions about the task force or its meetings, please contact vision.zero@dc.gov via e-mail or 202-673-6813 via phone.

Draft Agenda

Public Portion of Meeting

- I. Welcome and Introductions
- II. Confirm any new Voting Members or Alternate Members
 - a. Vote on any new non-voting members
 - b. Sign non-disclosure agreements
- III. Approval of meeting minutes

Closed Portion of Meeting

- IV. Review of Major Crashes

Public Portion of Meeting

- V. New Business
- VI. Adjournment

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重要通知

本文件包含重要資訊。如果您需要用（中文）接受幫助或者對本通知有疑問，請電洽 202-673-6813。請告訴客戶服務部代表您所說的語言，會免費向您提供口譯員服務。謝謝！

AVIS IMPORTANT

Ce document contient des informations importantes. Si vous avez besoin d'aide en Français ou si vous avez des questions au sujet du présent avis, veuillez appeler le 202-673-6813. Dites au représentant de service quelle langue vous parlez et l'assistance d'un interprète vous sera fournie gratuitement. Merci.

안내

이 안내문은 중요한 내용을 담고 있습니다. 한국어로 언어 지원이 필요하시거나 질문이 있으실 경우 202-673-6813 로 연락을 주십시오. 필요하신 경우, 고객 서비스 담당원에게 지원 받고자 하는 언어를 알려주시면, 무료로 통역 서비스가 제공됩니다. 감사합니다.

AVISO IMPORTANTE

Este documento contiene información importante. Si necesita ayuda en Español o si tiene alguna pregunta sobre este aviso, por favor llame al 202-673-6813. Infórmele al representante de atención al cliente el idioma que habla para que le proporcione un intérprete sin costo para usted. Gracias.

THÔNG BÁO QUAN TRỌNG

Tài liệu này có nhiều thông tin quan trọng. Nếu quý vị cần giúp đỡ về tiếng Việt, hoặc có thắc mắc về thông báo này, xin gọi 202-673-6813. Nói với người trả lời điện thoại là quý vị muốn nói chuyện bằng tiếng Việt để chúng tôi thu xếp có thông dịch viên đến giúp quý vị mà không tốn đồng nào. Xin cảm ơn.

TWO RIVERS PUBLIC CHARTER SCHOOL**REQUEST FOR PROPOSALS****Retirement Plan Services**

Two Rivers PCS is soliciting companies to provide (1) retirement plan management and (2) retirement plan brokerage services. To request a copy of either RFP, email Mary Gornick at procurement@tworiverspcs.org. Proposals are due by June 25, 2019.

**WASHINGTON CONVENTION AND SPORTS AUTHORITY
(T/A EVENTS DC)**

NOTICE OF LOCATION CHANGE FOR PUBLIC MEETING

The Board of Directors of the Washington Convention and Sports Authority (t/a Events DC), in accordance with the District of Columbia Self-Government and Governmental Reorganization Act of 1973, D.C. Official Code §1-207.42 (2006 Repl., 2011 Supp.), and the District of Columbia Administrative Procedure Act of 1968, as amended by the Open Meetings Amendment Act of 2010, D.C. Official Code §2-576(5) (2011 Repl., 2011 Supp.), hereby gives notice that the location of a previously announced meeting scheduled for June 13, 2019, has changed.

The meeting will take place in Room 103A of the Walter E. Washington Convention Center, 801 Mt. Vernon Place, N.W., Washington, D.C., 20001, starting at 10 a.m. The Board's agenda includes reports from its Standing Committees.

For additional information, please contact:

Sean Sands
Chief of Staff
Washington Convention and Sports Authority
t/a Events DC

(202) 249-3012
sean.sands@eventsdc.com

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

BOARD OF DIRECTORS

NOTICE OF PUBLIC MEETING

District of Columbia Retail Water and Sewer Rates Committee

The Board of Directors of the District of Columbia Water and Sewer Authority (DC Water) District of Columbia Retail Water and Sewer Rates Committee will be holding a meeting on Tuesday, June 25, 2019 at 9:30 a.m. The meeting will be held in the Board Room (2nd floor) at 125 O Street, S.E. (1385 Canal Street, S.E.), Washington, D.C. 20003 Below is the draft agenda for this meeting. A final agenda will be posted to DC Water’s website at www.dcwater.com.

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

DRAFT AGENDA

- | | | |
|----|---------------------|--|
| 1. | Call to Order | Committee Chairperson |
| 2. | Monthly Updates | Executive VP,
Finance & Procurement |
| 3. | Committee Work Plan | Executive VP,
Finance & Procurement |
| 4. | Other Business | Executive VP,
Finance & Procurement |
| 5. | Adjournment | Committee Chairperson |

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

BOARD OF DIRECTORS

NOTICE OF PUBLIC MEETING

Finance and Budget Committee

The Board of Directors of the District of Columbia Water and Sewer Authority (DC Water) Finance and Budget Committee will be holding a meeting on Thursday, June 27, 2019 at 11:00 a.m. The meeting will be held in the Board Room (2nd floor) at 125 O Street, S.E. (1385 Canal Street, S.E.), Washington, D.C. 20003. Below is the draft agenda for this meeting. A final agenda will be posted to DC Water’s website at www.dewater.com.

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

DRAFT AGENDA

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|----|--|-----------------------|
| 1. | Call to Order | Committee Chairperson |
| 2. | May 2019 Financial Report | Committee Chairperson |
| 3. | Agenda for July 2019 Committee Meeting | Committee Chairperson |
| 4. | Adjournment | Committee Chairperson |

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

BOARD OF DIRECTORS

NOTICE OF PUBLIC MEETING

General Manager’s Performance Review Committee

The Board of Directors of the District of Columbia Water and Sewer Authority (DC Water) General Manager’s Performance Review Committee will be holding a meeting on Monday, June 17, at 9:00 a.m. The meeting will be held in the Office of the Secretary’s Conference Room (2nd Floor) at 125 O Street, S.E. (1385 Canal Street, S.E.), Washington, D.C. 20003. Below is the draft agenda for this meeting. A final agenda will be posted to DC Water’s website at www.dewater.com.

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

DRAFT AGENDA

- | | |
|----------------------|-----------------------|
| 1. Call to Order | Committee Chairperson |
| 2. Executive Session | Committee Chairperson |
| 3. Adjournment | Committee Chairperson |

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

Application No. 19971 of GRID Alternatives Mid-Atlantic for the District of Columbia, pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception under the use provisions of Subtitle U §§ 420.1(a) and 203.1(p), to permit the installation of a community solar facility in the RA-1 Zone at premises South Capitol Street, S.E. (Square 6274, Lots 800, 801, 802).

HEARING DATES: April 10 and May 22, 2019

DECISION DATE: June 5, 2019

SUMMARY ORDER

Relief Requested. The application was accompanied by a memorandum from the Zoning Administrator, certifying the required relief. (Exhibit 2.)

Notice of the Application and Public Hearing. The Board of Zoning Adjustment ("Board" or "BZA") referred the application to the appropriate agencies and provided proper and timely notice of the public hearing in accordance with Subtitle Y § 402.1.

Parties. The parties to this case were the Applicant and Advisory Neighborhood Commission ("ANC") 8D.

ANC Report. The ANC's report indicated that at a regularly scheduled, properly noticed public meeting on May 23, 2019, at which a quorum was present, the ANC voted 4-0-3 to support the application. (Exhibit 42.)

OP Report. The Office of Planning submitted a report recommending approval of the application. (Exhibit 34.)

DDOT Report. The District Department of Transportation submitted a report indicating that it had no objection to the application, on the condition that the Applicant close the existing curb cut and restore the curb and tree box on South Capitol Street, S.E. (Exhibit 33.)

Special Exception Relief

The Applicant seeks relief under Subtitle X § 901.2, for a special exception under the use provisions of Subtitle U §§ 420.1(a) and 203.1(p), to permit the installation of a community solar facility in the RA-1 Zone

Based upon the record before the Board, and having given great weight to the appropriate reports and recommendations filed in this case, the Board concludes that the Applicant has met the burden of proof that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map and that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map. The Board further concludes that, pursuant to Subtitle X § 901.2(c), any other specified conditions for special exception relief have been met.

Pursuant to 11 DCMR Subtitle Y § 604.3, the order of the Board may be in summary form and need not be accompanied by findings of fact and conclusions of law where granting an application when there was no party in opposition.

It is therefore **ORDERED** that this application is hereby **GRANTED AND, PURSUANT TO SUBTITLE Y § 604.10, SUBJECT TO THE APPROVED PLANS AT EXHIBIT 10 AND SUBJECT TO THE FOLLOWING CONDITION:**

1. The Applicant shall close the existing curb cut and restore the curb and tree box on South Capitol Street, S.E.

VOTE: 5-0-0 (Frederick L. Hill, Carlton E. Hart, Lesylleé M. White, Lorna L. John, and Peter A. Shapiro (by absentee vote) to APPROVE).

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

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

FINAL DATE OF ORDER: June 6, 2019

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

PURSUANT TO 11 DCMR SUBTITLE Y § 702.1, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSE OF SECURING A BUILDING PERMIT, OR THE APPLICANT FILES A REQUEST FOR A TIME EXTENSION PURSUANT TO SUBTITLE Y § 705 PRIOR TO THE EXPIRATION OF THE TWO-YEAR PERIOD AND THE REQUEST IS GRANTED. PURSUANT TO SUBTITLE Y § 703.14, NO OTHER ACTION, INCLUDING THE FILING OR GRANTING OF AN APPLICATION FOR A MODIFICATION PURSUANT TO SUBTITLE Y §§ 703 OR 704, SHALL TOLL OR EXTEND THE TIME PERIOD.

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

BZA APPLICATION NO. 19971

PAGE NO. 2

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

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

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

Application No. 20013 of Simon Chan, pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception under Subtitle U § 802.1(a), to permit an animal boarding use in the PDR-4 Zone at premises 1025 Brentwood Road N.E. (Parcel 143/108).

HEARING DATE: May 22, 2019
DECISION DATE: May 22, 2019

SUMMARY ORDER

SELF-CERTIFICATION

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR Subtitle Y § 300.6. (Exhibit 7.) In granting the certified relief, the Board of Zoning Adjustment ("Board" or "BZA") made no finding that the relief is either necessary or sufficient. Instead, the Board expects the Zoning Administrator to undertake a thorough and independent review of the building permit and certificate of occupancy applications filed for this project and to deny any application for which additional or different zoning relief is needed.

The Board provided proper and timely notice of the public hearing on this application by publication in the *D.C. Register* and by mail to Advisory Neighborhood Commission ("ANC") 5C and to owners of property located within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 5C, which is automatically a party to this application. The ANC did not submit a written report to the record, but the ANC Commissioner for single-member district 5C05 testified at the public hearing on May 22, 2019. Pursuant to Subtitle Y § 406.4, the Board provided the ANC the opportunity to submit written documentation supporting the testimony within seven days. The ANC did not make any submissions to the record within that time.

The Office of Planning ("OP") submitted a timely report recommending approval of the application. (Exhibit 29.) The District Department of Transportation ("DDOT") submitted a timely report indicating that it had no objection to the application. (Exhibit 30.)

As directed by 11 DCMR Subtitle X § 901.3, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to Subtitle X § 901.2, for special exception under Subtitle U § 802.1(a), to permit an animal boarding use in the PDR-4 Zone.

Based upon the record before the Board and having given great weight to the OP report, the Board concludes that the Applicant has met the burden of proof that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map and that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map. The Board further concludes that any other specified conditions for special exception relief have been met, pursuant to Subtitle X § 901.2(c).

No parties appeared at the public hearing in opposition to this application. Accordingly, a decision by the Board to grant this application would not be adverse to any party. Pursuant to 11 DCMR Subtitle Y § 604.3, the order of the Board may be in summary form and need not be accompanied by findings of fact and conclusions of law where granting an application when there was no party in opposition.

It is therefore **ORDERED** that this application is hereby **GRANTED AND, PURSUANT TO SUBTITLE Y § 604.10, SUBJECT TO THE APPROVED PLANS AT EXHIBIT 37.**

VOTE: 5-0-0 (Frederick L. Hill, Lesylleé M. White, Lorna L. John, Carlton E. Hart, and Peter A. Shapiro to APPROVE)

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

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

FINAL DATE OF ORDER: May 31, 2019

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

PURSUANT TO 11 DCMR SUBTITLE Y § 702.1, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSE OF SECURING A BUILDING PERMIT, OR THE APPLICANT FILES A REQUEST FOR A TIME EXTENSION PURSUANT TO SUBTITLE Y § 705 PRIOR TO THE EXPIRATION OF THE TWO-YEAR PERIOD AND THE REQUEST IS GRANTED. PURSUANT TO SUBTITLE Y § 703.14, NO OTHER ACTION, INCLUDING THE FILING OR GRANTING OF AN APPLICATION FOR A MODIFICATION PURSUANT TO SUBTITLE Y §§ 703 OR 704, SHALL TOLL OR EXTEND THE TIME PERIOD.

PURSUANT TO 11 DCMR SUBTITLE Y § 604, APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR

BZA APPLICATION NO. 20013

PAGE NO. 2

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

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

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

Application No. 20018 of Mount Sinai Baptist Church, pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception under the use permissions of Subtitle U § 320.1(b), to operate a community service center on two floors of an existing building in the RF-1 Zone at premises 1646 3rd Street N.W. (Square 520, Lot 109).

HEARING DATE: June 5, 2019

DECISION DATE: June 5, 2019

SUMMARY ORDER

Relief Requested. The zoning relief requested in this case was self-certified, pursuant to 11 DCMR Subtitle Y § 300.6. (Exhibit 4.)

Notice of the Application and Public Hearing. The Board of Zoning Adjustment ("Board" or "BZA") referred the application to the appropriate agencies and provided proper and timely notice of the public hearing in accordance with Subtitle Y § 402.1.

Parties. The parties to this case were the Applicant and Advisory Neighborhood Commission ("ANC") 5E.

ANC Report. The ANC's report indicated that at a regularly scheduled, properly noticed public meeting on May 21, 2019 at which a quorum was present, the ANC voted 6-0-0 to support the application. (Exhibit 32.)

OP Report. The Office of Planning submitted a report in support of the application. (Exhibit 29.)

DDOT Report. The District Department of Transportation submitted a report expressing no objection to the approval of the application. (Exhibit 30.)

Persons in Support. The president of the Bates Area Civic Association, Kyle Thomas, filed a letter in support of the application. (Exhibit 31.)

Special Exception Relief

The Applicant seeks relief under Subtitle X § 901.2, for a special exception under the use permissions of Subtitle U § 320.1(b), to operate a community service center on two floors of an existing building in the RF-1 Zone.

Based upon the record before the Board, and having given great weight to the appropriate reports and recommendations filed in this case, the Board concludes that the Applicant has met the burden of proof that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map and that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map. The Board further concludes that, pursuant to Subtitle X § 901.2(c), any other specified conditions for special exception relief have been met.

Pursuant to 11 DCMR Subtitle Y § 604.3, the order of the Board may be in summary form and need not be accompanied by findings of fact and conclusions of law where granting an application when there was no party in opposition.

It is therefore **ORDERED** that this application is hereby **GRANTED AND, PURSUANT TO SUBTITLE Y § 604.10, SUBJECT TO THE APPROVED PLANS¹ AT EXHIBIT 6.**

VOTE: **5-0-0** (Frederick L. Hill, Lesylleé M. White, Lorna L. John, Carlton E. Hart, and Michael G. Turnbull to APPROVE.)

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

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

FINAL DATE OF ORDER: June 6, 2019

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.

¹ In granting the certified relief, the Board made no finding that the relief is either necessary or sufficient. Instead, the Board expects the Zoning Administrator to undertake a thorough and independent review of the building permit and certificate of occupancy applications filed for this project and to deny any application for which additional or different zoning relief is needed.

PURSUANT TO 11 DCMR SUBTITLE Y § 604, APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT.

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

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

Application No. 20023 of Matthew Oppenheim, pursuant to 11 DCMR Subtitle X, Chapter 9, for special exceptions under Subtitle E § 5201 from the lot occupancy requirements of Subtitle E § 304.1, the minimum rear yard setback requirements of Subtitle E § 306.1, and from the nonconforming structure requirements of Subtitle C § 202.2, to enclose an existing second-story rear porch, and to convert an existing flat to a semi-detached principal dwelling unit in the RF-1 Zone at premises 1005 P Street N.W. (Square 337, Lot 30).

HEARING DATE: June 5, 2019

DECISION DATE: June 5, 2019

SUMMARY ORDER

Relief Requested. The zoning relief requested in this case was self-certified, pursuant to 11 DCMR Subtitle Y § 300.6. (Exhibit 16 (Revised); Exhibit 7 (Original).)

Notice of the Application and Public Hearing. The Board of Zoning Adjustment ("Board" or "BZA") referred the application to the appropriate agencies and provided proper and timely notice of the public hearing in accordance with Subtitle Y § 402.1.

Parties. The parties to this case were the Applicant, Advisory Neighborhood Commission ("ANC") 6E, and ANC 2F.

ANC Report. The ANCs did not submit written reports to the record. Under Subtitle Y § 406.2, the Board must give "great weight" to the issues and concerns raised in the written reports of the affected ANCs. Absent the ANC's written reports, the Board has no issues or concerns to which it can afford "great weight" for this application.

OP Report. The Office of Planning submitted a report recommending approval of the application. (Exhibit 41.)

DDOT Report. The District Department of Transportation submitted a report indicating that it had no objection to the application. (Exhibit 42.)

Persons in Support. One letter was submitted from a neighbor in support of the application. (Exhibit 35.)

Special Exception Relief

The Applicant seeks relief under Subtitle X § 901.2, for special exceptions under Subtitle E § 5201 from the lot occupancy requirements of Subtitle E § 304.1, the minimum rear yard setback requirements of Subtitle E § 306.1, and from the nonconforming structure requirements of

Subtitle C § 202.2, to enclose an existing second-story rear porch, and to convert an existing flat to a semi-detached principal dwelling unit in the RF-1 Zone.

Based upon the record before the Board, and having given great weight to the appropriate reports and recommendations filed in this case, the Board concludes that the Applicant has met the burden of proof that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map and that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map. The Board further concludes that, pursuant to Subtitle X § 901.2(c), any other specified conditions for special exception relief have been met.

Pursuant to 11 DCMR Subtitle Y § 604.3, the order of the Board may be in summary form and need not be accompanied by findings of fact and conclusions of law where granting an application when there was no party in opposition.

It is therefore **ORDERED** that this application is hereby **GRANTED AND, PURSUANT TO SUBTITLE Y § 604.10, SUBJECT TO THE APPROVED PLANS¹ AT EXHIBIT 11.**

VOTE: **5-0-0** (Frederick L. Hill, Carlton E. Hart, Lesylleé M. White, Lorna L. John, and Michael G. Turnbull to APPROVE).

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

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

FINAL DATE OF ORDER: June 6, 2019

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

¹ In granting the certified relief, the Board made no finding that the relief is either necessary or sufficient. Instead, the Board expects the Zoning Administrator to undertake a thorough and independent review of the building permit and certificate of occupancy applications filed for this project and to deny any application for which additional or different zoning relief is needed.

THE FILING OR GRANTING OF AN APPLICATION FOR A MODIFICATION PURSUANT TO SUBTITLE Y §§ 703 OR 704, SHALL TOLL OR EXTEND THE TIME PERIOD.

PURSUANT TO 11 DCMR SUBTITLE Y § 604, APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT.

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

**BOARD OF ZONING ADJUSTMENT
PUBLIC MEETING NOTICE
WEDNESDAY, JULY 31, 2019
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.

FOR EXPEDITED REVIEW

WARD FIVE

20049 **Application of Clementine Thomas and Sasaun Vasfi**, pursuant to 11
ANC 3D DCMR Subtitle X, Chapter 9, for a special exception under Subtitle D §
5201 from the rear yard setback requirements of Subtitle D § 1306.1, to
construct a rear addition to an existing, detached principal dwelling in the
R-21 Zone at premises 5011 Garfield Street N.W. (Square 1426, Lot 864).

WARD TWO

20076 **Application of Athos Pashiardis**, pursuant to 11 DCMR Subtitle X,
ANC 5E Chapter 9, for special exceptions under Subtitle E §§ 205.5 and 5201 from
the rear yard requirements of Subtitle E § 205.4, under Subtitle E § 5201
from the lot occupancy requirements of Subtitle E § 304.1, and from the
nonconforming structure requirements of Subtitle C § 202.2, to construct a
two-story rear addition in the RF-1 Zone at premises 122 V St. N.W.
(Square 3116, Lot 30).

20084 **Application of Korey Marable**, pursuant to 11 DCMR Subtitle X,
ANC 7E Chapter 9, for a special exception under Subtitle D §§ 306.4 and 5201 from
the rear addition requirements of Subtitle D § 306.3, to construct a second
story addition to an existing, semi-detached principal dwelling unit in the
R-2 Zone at premises 4672 A Street S.E. (Square 5349, Lot 30).

PLEASE NOTE:

Failure of an applicant to supply a complete application to the Board, and address the required standards of proof for the application, may subject the application or appeal to postponement, dismissal or denial. The public meeting in these cases will be conducted in accordance with the provisions of Subtitles X and Y of the District of Columbia

BZA PUBLIC MEETING NOTICE

JULY 31, 2019

PAGE NO. 2

Municipal Regulations, Title 11. Individuals and organizations interested in any application may submit written comments to the Board.

An applicant is not required to attend for the decision, but it is recommended so that they may offer clarifications should the Board have questions about the case.

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.

The application will remain on the Expedited Review Calendar unless a request for party status is filed in opposition, or if a request to remove the application from the agenda is made by: (1) a Board member; (2) OP; (3) an affected ANC or affected Single Member District; (4) the Councilmember representing the area in which the property is located, or representing an area located within two-hundred feet of the property; or (5) an owner or occupant of any property located within 200 feet of the property.

The removal of the application from the Expedited Review Calendar will be announced as a preliminary matter on the scheduled decision date and then rescheduled for a public hearing on a later date. Notice of the rescheduled hearing will be posted on the Office of Zoning website calendar at <http://dcoz.dc.gov/bza/calendar.shtm> and on a revised public hearing notice in the OZ office. If an applicant fails to appear at the public hearing, this application may be dismissed.

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

Do you need assistance to participate?

Amharic

ለመታዘት ዕርዳታ ያስፈልግዎታል?

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

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

0312 ወይም በኢሜል Zelalem.Hill@dc.gov ይገናኙ። እነኝህ አገልግሎቶች የሚሰጡበት በነጻ ነው።

Chinese

您需要有人帮助参加活动吗?

BZA PUBLIC MEETING NOTICE

JULY 31, 2019

PAGE NO. 3

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.

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**

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