

District of Columbia

REGISTER

HIGHLIGHTS

- D.C. Council passes Law 23-16, Fiscal Year 2020 Budget Support Act of 2019
- D.C. Council passes Law 23-20, Power Line Undergrounding Program Certified Business Enterprise Utilization Act of 2019
- D.C. Council schedules public oversight roundtables on “Access to the Public Field at Jelleff Recreation Center” and the “Implementation of Law 21-264, The Universal Paid Leave Amendment Act of 2016”
- D.C. Council schedules a public roundtable on “Safe Passage and Other Issues Facing District of Columbia Youth Prek3-12”
- Office of the Attorney General announces funding availability for the FY2020 Cure the Streets Violence Reduction Program
- Department of Energy and Environment solicits proposals for projects that improve water quality by reducing sanitary sewage from vessels
- Board of Ethics and Government Accountability releases an advisory opinion on contact with the District Government after employment separation
- Department of Motor Vehicles allows vehicle owners to designate a beneficiary of the vehicle title with the Department
- Office of the State Superintendent of Education announces availability of the FY 2020 Cafeteria Staff Training Grant

DISTRICT OF COLUMBIA REGISTER

Publication Authority and Policy

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

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DISTRICT OF COLUMBIA OFFICE OF DOCUMENTS AND ADMINISTRATIVE ISSUANCES

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MURIEL E. BOWSER
MAYOR

VICTOR L. REID, ESQ.
ADMINISTRATOR

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COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 23-16

“Fiscal Year 2020 Budget Support 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 23-209 on first and second readings May 14, 2019, and June 18, 2019, respectively. Following the signature of the Mayor on July 22, 2019, pursuant to Section 404(e) of the Charter, the bill became Act 23-92 and was published in the July 26, 2019 edition of the D.C. Register (Vol. 66, page 8621). Act 23-92 was transmitted to Congress on July 30, 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 23-92 is now D.C. Law 23-16, effective September 11, 2019.



Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

July	30, 31
August	1, 2, 5, 6, 7, 8, 9, 12, 13, 14, 15, 16, 19, 20, 21, 22, 23, 26, 27, 28, 29, 30
September	3, 4, 5, 6, 9, 10

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 23-17

"Firearms Safety Omnibus Clarification 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 23-287 on first and readings May 7, 2019, and June 25, 2019, respectively. Following the signature of the Mayor on July 22, 2019, pursuant to Section 404(e) of the Charter, the bill became Act 23-93 and was published in the July 26, 2019 edition of the D.C. Register (Vol. 66, page 8741). Act 23-93 was transmitted to Congress on July 30, 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 23-93 is now D.C. Law 23-17, effective September 11, 2019.



Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

July	30, 31
August	1, 2, 5, 6, 7, 8, 9, 12, 13, 14, 15, 16, 19, 20, 21, 22, 23, 26, 27, 28, 29, 30
September	3, 4, 5, 6, 9, 10

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 23-18

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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 23-116 on first and second readings June 25, 2019, and July 9, 2019, respectively. Following the signature of the Mayor on July 24, 2019, pursuant to Section 404(e) of the Charter, the bill became Act 23-95 and was published in the August 2, 2019 edition of the D.C. Register (Vol. 66, page 9722). Act 23-95 was transmitted to Congress on July 30, 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 23-95 is now D.C. Law 23-18, effective September 11, 2019.



Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

July	30, 31
August	1, 2, 5, 6, 7, 8, 9, 12, 13, 14, 15, 16, 19, 20, 21, 22, 23, 26, 27, 28, 29, 30
September	3, 4, 5, 6, 9, 10

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 23-19

"Closing of a Portion of South Dakota Avenue, N.E., Adjacent to Squares 3760 and 3766, S.O. 18-40261, 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 23-12 on first and second readings June 4, 2019, and July 9, 2019, respectively. Following the signature of the Mayor on July 24, 2019, pursuant to Section 404(e) of the Charter, the bill became Act 23-94 and was published in the August 2, 2019 edition of the D.C. Register (Vol. 66, page 9720). Act 23-94 was transmitted to Congress on July 30, 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 23-94 is now D.C. Law 23-19, effective September 11, 2019.



Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

July	30, 31
August	1, 2, 5, 6, 7, 8, 9, 12, 13, 14, 15, 16, 19, 20, 21, 22, 23, 26, 27, 28, 29, 30
September	3, 4, 5, 6, 9, 10

COUNCIL OF THE DISTRICT OF COLUMBIA

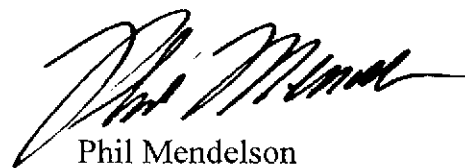
NOTICE

D.C. LAW 23-20

"Power Line Undergrounding Program Certified Business Enterprise Utilization 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 23-135 on first and second readings June 25, 2019, and July 9, 2019, respectively. Following the signature of the Mayor on July 24, 2019, pursuant to Section 404(e) of the Charter, the bill became Act 23-96 and was published in the August 2, 2019 edition of the D.C. Register (Vol. 66, page 9724). Act 23-96 was transmitted to Congress on July 30, 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 23-96 is now D.C. Law 23-20, effective September 11, 2019.



Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

July	30, 31
August	1, 2, 5, 6, 7, 8, 9, 12, 13, 14, 15, 16, 19, 20, 21, 22, 23, 26, 27, 28, 29, 30
September	3, 4, 5, 6, 9, 10

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 23-21

"Children's Hospital Research and Innovation Campus Phase 1 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 23-330 on first and second readings June 18, 2019, and July 9, 2019, respectively. Following the signature of the Mayor on July 24, 2019, pursuant to Section 404(e) of the Charter, the bill became Act 23-97 and was published in the August 2, 2019 edition of the D.C. Register (Vol. 66, page 9726). Act 23-97 was transmitted to Congress on July 30, 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 23-97 is now D.C. Law 23-21, effective September 11, 2019.



Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

July	30, 31
August	1, 2, 5, 6, 7, 8, 9, 12, 13, 14, 15, 16, 19, 20, 21, 22, 23, 26, 27, 28, 29, 30
September	3, 4, 5, 6, 9, 10

COUNCIL OF THE DISTRICT OF COLUMBIA


NOTICE

D.C. LAW 23-22

"St. Elizabeths East Redevelopment Support 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 23-348 on first and second readings June 25, 2019, and July 9, 2019, respectively. Following the signature of the Mayor on July 24, 2019, pursuant to Section 404(e) of the Charter, the bill became Act 23-98 and was published in the August 2, 2019 edition of the D.C. Register (Vol. 66, page 9728). Act 23-98 was transmitted to Congress on July 30, 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 23-98 is now D.C. Law 23-22, effective September 11, 2019.


Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

- July 30, 31
- August 1, 2, 5, 6, 7, 8, 9, 12, 13, 14, 15, 16, 19, 20, 21, 22, 23, 26, 27, 28, 29, 30
- September 3, 4, 5, 6, 9, 10

COUNCIL OF THE DISTRICT OF COLUMBIA

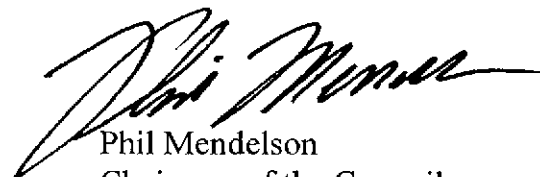
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D.C. LAW 23-23

"Department of Health Functions Clarification 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 23-356 on first and second readings June 25, 2019, and July 9, 2019, respectively. Following the signature of the Mayor on July 24, 2019, pursuant to Section 404(e) of the Charter, the bill became Act 23-99 and was published in the August 2, 2019 edition of the D.C. Register (Vol. 66, page 9730). Act 23-99 was transmitted to Congress on July 30, 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 23-99 is now D.C. Law 23-23, effective September 11, 2019.


Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

July	30, 31
August	1, 2, 5, 6, 7, 8, 9, 12, 13, 14, 15, 16, 19, 20, 21, 22, 23, 26, 27, 28, 29, 30
September	3, 4, 5, 6, 9, 10

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 23-24

"Mypheduh Films DBA Sankofa Video and Books Real Property Tax Exemption 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 23-75 on first and second readings June 25, 2019, and July 9, 2019, respectively. Following the signature of the Mayor on July 24, 2019, pursuant to Section 404(e) of the Charter, the bill became Act 23-107 and was published in the August 2, 2019 edition of the D.C. Register (Vol. 66, page 9759). Act 23-107 was transmitted to Congress on July 30, 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 23-107 is now D.C. Law 23-24, effective September 11, 2019.



Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

July	30, 31
August	1, 2, 5, 6, 7, 8, 9, 12, 13, 14, 15, 16, 19, 20, 21, 22, 23, 26, 27, 28, 29, 30
September	3, 4, 5, 6, 9, 10

ENROLLED ORIGINAL

A RESOLUTION

23-197

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 17, 2019

To declare the existence of an emergency, due to congressional review, with respect to the need to amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to prohibit the District of Columbia government from discriminating, in employment, against an individual for participation in a medical marijuana program; and to amend the Department of Corrections Employee Mandatory Drug and Alcohol Testing Act of 1996 to do the same.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Medical Marijuana Program Patient Employment Protection Congressional Review Emergency Declaration Resolution of 2019”.

Sec. 2. (a) On June 18, 2019, the Council passed the Medical Marijuana Program Patient Employment Protection Emergency Amendment Act of 2019, enacted on July 8, 2019 (D.C. Act 23-77; 66 DCR 8089) (“emergency act”), which is set to expire on October 6, 2019.

(b) On July 9, 2019, the Council passed the Medical Marijuana Program Patient Employment Protection Temporary Amendment Act of 2019, on final reading, enacted on September 5, 2019, (D.C. Act 23-114) (“temporary act”), which has been transmitted to Congress for the required 30-day review period.

(c) This congressional review emergency legislation is necessary to prevent a gap in the law between the expiration of the emergency act and the anticipated effective date of the temporary act.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Medical Marijuana Program Patient Employment Protection Congressional Review Emergency Amendment Act of 2019 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

23-209

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 17, 2019

To confirm the appointment of Nicholas Majett to the Contract Appeals Board.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Contract Appeals Board Nicholas Majett Confirmation Resolution of 2019”.

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

Nicholas Majett
24th Place
Hyattsville, MD 20783

as a member of the Contract Appeals Board, established pursuant to section 1001(a)(1) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-360.01(a)(1)), replacing Maxine McBean, for a term to end July 28, 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

23-211

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 17, 2019

To declare the existence of an emergency with respect to the need to approve the borrowing of funds by the District through the issuance and sale of income tax secured revenue bonds and notes and general obligation bonds and notes in an aggregate principal amount not to exceed \$1,578,000,000.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Fiscal Year 2020 Income Tax Secured Revenue Bond, General Obligation Bond and General Obligation and Income Tax Secured Bond Anticipation Note Issuance Authorization Emergency Declaration Resolution of 2019”.

Sec. 2. Emergency legislation is necessary to ensure that the District can issue bonds in a timely manner and take advantage of favorable market conditions to provide funding for or to reimburse the District for funds already expended on Fiscal Year 2020 capital projects approved and undertaken pursuant to the District’s Fiscal Year 2020 Budget and Financial Plan.

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 Fiscal Year 2020 Income Tax Secured Revenue Bond, General Obligation Bond and General Obligation and Income Tax Secured Bond Anticipation Note Issuance Authorization Emergency Approval Resolution of 2019 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

23-212

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 17, 2019

To approve, on an emergency basis, the borrowing of funds by the District through the issuance and sale of income tax secured revenue bonds and notes and general obligation bonds and notes in an aggregate principal amount not to exceed \$1,578,000,000, and to approve the execution and delivery of documents connected to the issuance, sale, and delivery of the bonds or notes.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Fiscal Year 2020 Income Tax Secured Revenue Bond, General Obligation Bond and General Obligation and Income Tax Secured Bond Anticipation Note Issuance Authorization Emergency Approval Resolution of 2019".

Sec. 2. (a) Pursuant to and in accordance with D.C. Official Code § 47-335.01, the General Obligation Bonds and Bond Anticipation Notes for Fiscal Years 1999-2004 Authorization Act of 1999, effective July 29, 1999 (D.C. Law 13-22; D.C. Official Code § 1-204.61, note); the General Obligation Bonds and Bond Anticipation Notes for Fiscal Years 2002-2007 Authorization Act of 2002, effective March 25, 2003 (D.C. Law 14-214; D.C. Official Code § 1-204.61, note); the General Obligation Bonds and Bond Anticipation Notes for Fiscal Years 2007-2012 Authorization Act of 2006, effective March 6, 2007 (D.C. Law 16-212; D.C. Official Code § 1-204.61, note), the General Obligation Bonds and Bond Anticipation Notes for Fiscal Years 2013-2018 Authorization Act of 2012, effective March 19, 2013 (D.C. Law 19-231), the General Obligation Bonds and Bond Anticipation Notes for Fiscal Years 2018-2023 Authorization Act of 2017, effective March 29, 2018 (D.C. Law 22-80), and any successor acts thereto ("Bond Acts"), and Subchapter II-D of the District of Columbia Official Code (§ 47-340.26 *et seq.*) ("Income Tax Bond Act"), the Council approves the issuance and sale of: (1) Income tax secured revenue bonds and general obligation bonds in an aggregate principal amount not to exceed \$1,578,000,000, when aggregated with the principal amount of any bond anticipation notes pursuant to paragraph (2) of this subsection, to fund the following capital projects, as that term is defined in the Income Tax Bond Act or the Bond Acts, plus all costs and expenses authorized by the Income Tax Bond Act or the Bond Acts, including, but not limited to, reimbursing amounts temporarily advanced from the General Fund of the District of Columbia, any enterprise fund, or other fund or account of the District, and all costs and expenses of issuing

ENROLLED ORIGINAL

and delivering the bonds, including, but not limited to, underwriting, rating agency fees, legal fees, accounting fees, financial advisory fees, bond insurance and other credit enhancements, liquidity enhancements, printing costs and expenses, capitalized interest, establishment of debt service or other reserve funds related to the bonds, the payment of costs of contracts described in the Income Tax Bond Act or the Bond Acts, and the payments of other debt program related costs as provided in the related agreements:

ENROLLED ORIGINAL

Project Category	Total Borrowing Plan \$
Building Systems Assessments and Improvements	21,235,113
Correctional Facilities	24,387,500
Equipment	28,829,893
Fire/EMS Stations	13,470,000
Fleet	66,223,427
General Support Facilities	53,703,711
Health Care Facilities	59,665,242
Homeless Shelters	54,489,400
Information Systems	154,536,826
Local and Regional Transportation	331,543,570
Major Sports Facilities	1,458,000
Parks, Playgrounds, Athletic Fields	22,510,050
Police Stations	4,620,000
Public Libraries	40,225,000
Recreational Centers and Pools	83,258,327
Redevelopment	26,338,789
Regulatory Compliance and Restoration	32,028,000
School Facilities	366,529,352
Senior Centers	2,500,000
University Facilities	47,000,000
WMATA CIP Contribution	141,000,000
Youth Rehabilitation Facilities	2,447,800
Total	1,578,000,000

ENROLLED ORIGINAL

(2) Income tax secured federally tax-exempt and taxable bond anticipation notes or general obligation secured federally tax-exempt and taxable bond anticipation notes in an aggregate principal amount that when combined with amounts issued pursuant to paragraph (1) of this subsection, shall not exceed \$1,578,000,000, to fund the initial costs of capital projects, as those projects are, from time to time, included in the District's annual Budget and Financial Plan and defined in the Income Tax Bond Act or the Bond Acts, plus all costs and expenses authorized by the Income Tax Bond Act or the Bond Acts, including, but not limited to, reimbursing amounts temporarily advanced from the General Fund of the District of Columbia, any enterprise fund, or other fund or account of the District, and all costs and expenses of issuing and delivering the commercial paper, including, but not limited to, underwriting, rating agency fees, legal fees, accounting fees, financial advisory fees, bond insurance and other credit enhancements, liquidity enhancements, printing costs and expenses, capitalized interest, establishment of debt service or other reserve funds related to the commercial paper, the payment of costs of contracts described in the Income Tax Bond Act or the Bond Acts, and the payments of other debt program related costs as provided in the related agreements.

(b) The capital projects referenced in subsections (a)(1) and (2) of this section have been authorized pursuant to section 446 of the District of Columbia Home Rule Act, approved December 24, 1973 (Pub. L. No. 93-198; 87 Stat. 801; D.C. Official Code § 1-204.46); the Continuing Appropriations Act, 2014, approved October 17, 2013 (Pub. L. No. 113-46; 127 Stat 558); the Consolidated Appropriations Act, 2014, approved January 17, 2014 (Pub. L. No. 113-76; 128 Stat 5); the Continuing Appropriations Resolution, 2015, approved September 19, 2014 (Pub. L. No. 113-164; 128 Stat 1867); Joint Resolution Making further continuing appropriations for fiscal year 2015, and for other purposes, approved December 12, 2014 (Pub. L. No. 113-202; 128 Stat. 2069); Joint Resolution Making further continuing appropriations for fiscal year 2015, and for other purposes, approved December 13, 2014 (Pub. L. No. 113-203, 128 Stat. 2070); the Consolidated and Further Continuing Appropriations Act, 2015, approved December 16, 2014 (Pub. L. No. 113-235; 128 Stat. 2130); the Continuing Appropriations Act, 2016, approved September 30, 2015 (Pub. L. No. 114-53; 129 Stat. 502); the Further Continuing Appropriations Act, 2016, approved December 11, 2015 (Pub. L. No. 114-96; 129 Stat. 2193); the Joint Resolution Making further continuing appropriations for fiscal year 2016, and for other purposes, approved December 16, 2015 (Pub. L. No. 114-100; 129 Stat. 2202); the Consolidated Appropriations Act, 2016, approved December 18, 2015 (Pub. L. No. 114-113; 129 Stat. 2242); the Fiscal Year 2017 Local Budget Act of 2016, effective July 29, 2016 (D.C. Law 21-142); the Continuing Appropriations Act, 2017, as amended, approved September 29, 2016 (Pub. L. No. 114-223; 130 Stat. 857); the Consolidated Appropriations Act, 2017, approved May 5, 2017 (Pub. L. No. 115-31; 131 Stat. 135); the Fiscal Year 2018 Local Budget Act of 2017, effective August 29, 2017 (D.C. Law 22-16); the Continuing Appropriations Act, 2018, as amended, approved September 8, 2017 (Pub. L. No. 115-56; 131 Stat. 1129); the Consolidated Appropriations Act, 2018, approved March 23, 2018 (Pub. L. No. 115-141; 132 Stat. 348); the Fiscal Year 2019 Local Budget Act of 2018, effective August 29, 2018 (D.C. Law 22-158);

ENROLLED ORIGINAL

7346), the Consolidated Appropriations Act, 2019, approved February 15, 2019 (Pub. L. No. 116-6; 133 Stat. 13), and the Fiscal Year 2020 Local Budget Act of 2019, effective August 31, 2019 (D.C. Law 23-11; 66 DCR8242), and are capital projects for which the District of Columbia is authorized to incur indebtedness under the Bond Acts and the Income Tax Bond Act.

(c) The Chief Financial Officer is further authorized to determine whether income tax secured revenue bonds, general obligation bonds, or bond anticipation notes or other notes authorized by the Income Tax Bond Act or the Bond Acts, will be issued to finance or refinance the capital projects described in subsection (a) of this section. If notes are issued to finance the capital projects described in subsection (a) of this section, the Chief Financial Officer shall determine when and whether income tax secured revenue bonds or general obligation bonds will be issued to refund or refinance the outstanding notes in accordance with the Income Tax Bond Act, the Bond Acts and other applicable laws.

Sec. 3. If the funds allocated to any agency pursuant to this resolution exceed the amount required by that agency to complete any authorized capital project listed in section 2 for that agency, the excess funds shall be made available to finance other capital projects approved by a prior or subsequent Council bond issuance resolution or act.

Sec. 4. Pursuant to sections 7 and 8 of the Bond Acts, section 2 of the Income Tax Bond Act, and other applicable law, the Council approves the execution and delivery by the Mayor, or the Chief Financial Officer, on behalf of the District, of any agreement, document, contract, and instrument (including any amendment of or supplement to any such agreement, document, contract, or instrument) in connection with the issuance, sale, and delivery of District of Columbia general obligation bonds or notes or income tax secured revenue bonds or notes pursuant to the Bond Acts or the Income Tax Bond Act.

Sec. 5. Transmittal.

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

Sec. 6. Fiscal impact statement.

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

Sec. 7. Effective date.

This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

23-213

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 17, 2019

To declare the existence of an emergency with respect to the need to amend the Commission on the Arts and Humanities Independence and Funding Restructuring Amendment Act of 2019 to include an applicability date provision.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Commission on the Arts and Humanities Budget Subtitle Technical Emergency Declaration Resolution of 2019”.

Sec. 2. (a) On June 25, 2019, the Council passed the Fiscal Year 2020 Budget Support Emergency Act of 2019, effective July 22, 2019 (D.C. Act 23-91; 66 DCR 8497) (“D.C. Act 23-91”).

(b) D.C. Act 23-91 included a subtitle entitled the Commission on the Arts and Humanities Independence and Funding Restructuring Emergency Amendment Act of 2019 (“CAH subtitle”). The CAH subtitle established the Commission on the Arts and Humanities as an independent agency of the District government and restructured the grantmaking programs at the agency.

(c) The CAH subtitle included an applicability provision that provided that the CAH subtitle would apply as of the effective date of D.C. Act 23-91, which was July 22, 2019.

(d) The Council passed the introduced version of D.C. Act 23-91 on June 25, 2019 with the applicability provision included, but the enrolled version of D.C. Act 23-91 that was signed by the Mayor inadvertently left out the applicability provision.

(e) The underlying legislation adds the applicability provision to the Fiscal Year 2020 Budget Support Act of 2019, effective September 11, 2019 (D.C. Law 23-16; 66 DCR 8621) and provides that the permanent version of the CAH subtitle will apply retroactively as of July 22, 2019.

(f) This technical amendment is necessary to clarify that the Commission on the Arts and Humanities began operating as an independent agency of the District government on July 22, 2019, which is what was voted on when the Council approved the CAH subtitle.

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 Commission on the Arts and Humanities Budget Subtitle Technical Emergency Amendment Act of 2019 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

23-214

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 17, 2019

To declare the existence of an emergency with respect to the need to amend Title I of the District of Columbia Education Research Practice Partnership Establishment and Audit Act of 2018 to make technical and clarifying changes.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Education Research Practice Partnership Technical Emergency Declaration Resolution of 2019”.

Sec. 2. (a) There exists an immediate need to make technical and clarifying changes to Title I of the District of Columbia Education Research Practice Partnership Establishment and Audit Act of 2018, effective March 28, 2019 (D.C. Law 22-268; D.C. Official Code § 38-785.01 *et seq.*) (“D.C. Law 22-268”), as the Executive branch is currently taking steps to establish the Research Practice Partnership (“RPP”), and the changes to be made to D.C. Law 22-268 affect those implementation efforts.

(b) D.C. Law 22-268 was approved on first reading on December 4, 2018, and on second reading on December 18, 2019. However, changes were made during the enrollment process. Of greatest urgency is that the Council’s time to review the Notice of Invitation was inadvertently shortened.

(c) D.C. Law 22-268 requires the Executive to put out a Notice of Invitation (“Notice”) to various entities interested in being a part of the District’s RPP, and it requires the Executive to transmit a copy of the proposed Notice to the Council for a 45-day period of review before issuing the Notice. This review period is supposed to be exclusive of weekends, legal holidays, and days of Council recess, but this is not included in the current law. To ensure that the Council has adequate time to review the proposed Notice once it is transmitted to the Council for review, a change is necessary. Given that the Executive is expected to transmit the Notice shortly after the Council return from its summer recess on September 16, 2019, it is imperative that this amendment be made now.

(d) Three other substantives changes were made inadvertently during the enrollment process. These changes need to be corrected, and doing so now promotes fidelity to the Council’s intent.

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 Education Research Practice Partnership Technical Emergency Amendment Act of 2019 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

23-215

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 17, 2019

To declare the existence of an emergency with respect to the need to amend the Legalization of Marijuana for Medical Treatment Initiative of 1999 to permit the administration of medical marijuana in a non-smokable form to a qualifying patient at the patient's school of enrollment; and to amend the Student Access to Treatment Act of 2007 to require District public and public charter schools to allow a student who is a qualifying patient to administer medical marijuana at school in certain cases..

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Student Medical Marijuana Patient Fairness Emergency Declaration Resolution of 2019".

Sec. 2. (a) The Legalization of Marijuana for Medical Treatment Initiative of 1999 effective July 27, 2010 (D.C. Law 18-210; D.C. Official Code § 7-1671.01 *et seq.*) ("Medical Marijuana Act"), established a medical marijuana program in the District. Pursuant to the Medical Marijuana Act, the Department of Health can register qualifying patients to receive access to medical marijuana without fear of government sanction, to the extent possible without a change in federal laws.

(b) Since passage of the Medical Marijuana Act, the Council and Executive have endeavored to improve access to medical marijuana for patients with the enactment of multiple bills and regulations including the Medical Marijuana Relocation Emergency Amendment Act of 2018, the Medical Marijuana Certified Business Enterprise Preference Emergency Amendment Act of 2018, and the Medical Marijuana Reciprocity Amendment Act of 2016.

(c) In response to pressure from the Council and constituents, the Department of Health, in 2014, expanded access to medical marijuana for minors due to its unique efficacy in certain cases, including epilepsy.

(d) A student and the student's family should not have to choose between taking an effective medication and being at school.

(e) Several other states have enacted laws allowing the administration of medical marijuana to students while at school, whether by parent or guardian or school official, including Colorado and Washington.

ENROLLED ORIGINAL

(f) A student medical marijuana patient should not be treated any differently for the purposes of accessing medication than any other student patient.

(g) Therefore, there exists an immediate need to amend existing law to allow for administration of medical marijuana at school in certain cases.

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 Student Medical Marijuana Patient Fairness Emergency Amendment Act of 2019 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

23-216

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 17, 2019

To declare the existence of an emergency with respect to the need to symbolically designate the alley located in Square 965, between 10th Street, N.E., 11th Street, N.E., and Constitution Avenue, N.E., in Ward 6, as Al and Mary Arrighi Way.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Al and Mary Arrighi Way Designation Emergency Declaration Resolution of 2019”.

Sec. 2. (a) Al Arrighi was born in Pawtucket, Rhode Island but spent most of his adult life in the District of Columbia. He taught in District of Columbia Public Schools and also had a 30-year career with the Department of Defense working on education policy for the armed services.

(b) Mr. Arrighi was probably best known for his commitment to his Capitol Hill neighborhood where he was sometimes referred to as the Mayor of the 100 block of 10th Street, N.E. Mr. Arrighi died on December 20, 1998, and the Council subsequently acted to symbolically name the alley in the square where his home stood as “Al Arrighi Way”.

(c) After her husband’s passing, Mary Arrighi carried on her and Al’s leadership in the community. She continued to greet new arrivals on the block and organize neighborhood gatherings.

(d) Mary Arrighi was also born in Pawtucket, Rhode Island. She and Al met while she was a teenager and they were married in 1966. Before coming to the District, Mary studied nights to complete her bachelor’s degree and then earned her master’s degree in public policy, all while raising 2 children and working at the University of New Hampshire.

(e) Mary Arrighi passed away on September 1, 2017. Shortly thereafter, many of her and Al’s neighbors who had been the beneficiaries of her continued leadership in the neighborhood petitioned the Council to add her name to the symbolic designation of the alley named for her late husband.

(f) District law prohibits the naming of a public right of way after a person who is alive or who has been deceased for less than 2 years. Two years have passed since Mrs. Arrighi’s death, and the Arrighis’ neighbors are eager to honor their combined contributions to the community.

ENROLLED ORIGINAL

(g) On September 17, 2019, the Council approved, on first reading, the symbolic naming of the alley located in Square 965, between 10th Street, N.E., 11th Street, N.E., and Constitution Avenue, N.E., in Ward 6, as Al and Mary Arrighi Way, but it will take several months before the permanent naming legislation will become effective.

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 Al and Mary Arrighi Way Designation Emergency Act of 2019 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

23-217

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 17, 2019

To declare the existence of an emergency with respect to the need to amend the Student Access to Treatment Act of 2007 to permit students to possess and self-administer sunscreen at the school in which the student is currently enrolled, at school-sponsored activities, and while on school-sponsored transportation without a medication action plan, and to permit staff to administer sunscreen to a student at the school in which the student is currently enrolled, at school-sponsored activities, and while on school-sponsored transportation without a medication action plan.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “School Sunscreen Safety Emergency Declaration Resolution of 2019”.

Sec. 2. (a) Under District law, students may only possess and self-administer medication while at the school in which the student is currently enrolled, at school-sponsored activities, and while on school-sponsored transportation if their parent or guardian has submitted a valid medication action plan to the school that is signed by a licensed health practitioner.

(b) Requiring students to have a medication action plan for any medicine taken at school protects students’ health and ensures that school staff have clear guidance on how to administer student medication. However, under Department of Health (“DOH”) regulations, the District’s definition of “medication” is so broad that it includes over-the-counter products, including sunscreen and other similar products that protect users from UV radiation.

(c) Due to the time and effort of securing a valid medication action plan signed by a licensed health practitioner, many families never submit this documentation to their child’s school in relation to sunscreen usage. As a result, these children are restricted from accessing sunscreen when engaging in outdoor activities at school, needlessly putting them at increased risk of exposure to UV radiation, sunburn, and ultimately, skin cancer.

(d) DOH has the authority to promulgate regulations that would permit students to possess and self-administer sunscreen products while at school without a signed medication action plan. However, DOH has not taken action on this front since the permanent legislation

ENROLLED ORIGINAL

was first introduced on January 9, 2018, or its reintroduction on January 22, 2019. In that time, the Council has received several reports of students being restricted from accessing sunscreen while at school or school-related functions.

(e) On August 26, 2019, students across the District returned to school for the first day of School Year 2019-2020. Weather reports suggest that the months of September and October will include a number of sunny, cloudless days with warm weather, meaning students are likely to be spending time outdoors and in the sun during gym class, recess, and for other school activities. As a result, students without a valid medication action plan will be put at risk of long-term harm whenever outdoors during the school day.

(f) Immediate legislative action is necessary to ensure that students can access sunscreen products without a valid medication action plan during the first months of the school year.

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 School Sunscreen Safety Emergency Amendment Act of 2019 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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

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

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

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

- | | |
|---------|--|
| B23-429 | Surprise Billing Patient Protection Act of 2019

Intro. 9-17-19 by Councilmembers Cheh, Todd, Allen, Evans, Silverman, Nadeau, Bonds, and Chairman Mendelson and referred to the Committee on Business and Economic Development |
| <hr/> | |
| B23-430 | Access to Biosimilars Amendment Act of 2019

Intro. 9-17-19 by Councilmembers Cheh, Todd, Bonds, Allen, Nadeau, Silverman, Gray, and Evans and referred to the Committee on Health |
| <hr/> | |
| B23-431 | Educator Expense Tax Credit Amendment Act of 2019

Intro. 9-17-19 by Councilmembers Cheh, Grosso, Nadeau, Gray, Todd, Evans, Allen, and R. White and referred to the Committee on Business and Economic Development with comments from the Committee on Education and the Committee of the Whole |
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- B23-432 Protecting Local Area Commercial Enterprises Amendment Act of 2019
Intro. 9-17-19 by Councilmembers McDuffie, Bonds, Allen, Nadeau, Todd,
and R. White and referred to the Committee on Business and Economic
Development with comments from the Committee on Facilities and
Procurement
-
- B23-433 Rental Housing Act Extension Amendment Act of 2019
Intro. 9-17-19 by Councilmembers Bonds, Nadeau, Allen, Gray, R. White,
McDuffie, Todd, Cheh, Silverman, Evans, T. White, and Chairman Mendelson
and referred to the Committee on Housing and Neighborhood Revitalization
-
- B23-434 Strengthening Reproductive Health Protections Amendment Act of 2019
Intro. 9-17-19 by Councilmembers Grosso, Nadeau, Bonds, Cheh, Todd, Allen,
and Silverman and referred to the Committee on Government Operations
-
- B23-435 Tony Hunter and Bella Evangelista Panic Defense Prohibition Act of 2019
Intro. 9-17-19 by Councilmembers Grosso, Allen, Cheh, Silverman, Nadeau, R.
White, and Todd and referred to the Committee on Judiciary and Public Safety
-
- B23-436 First Source Community Accountability Amendment Act of 2019
Intro. 9-17-19 by Councilmembers Silverman, Nadeau, Todd, Bonds, Cheh, R.
White, T. White, and Chairman Mendelson and referred to the Committee on
Labor and Workforce Development
-
- B23-437 Child Safety and Well-Being Ombudsperson Establishment Act of 2019
Intro. 9-17-19 by Councilmembers Nadeau, R. White, Allen, Todd, Grosso,
Cheh, and Silverman and referred to the Committee on Human Services
-
- B23-438 Small and Local Business Assistance Amendment Act of 2019
Intro. 9-17-19 by Councilmembers Allen, Todd, R. White, Nadeau, McDuffie,
Evans, and T. White and referred to the Committee on Business and Economic
Development
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- B23-439 Longtime Resident Business Preservation Amendment Act of 2019
Intro. 9-17-19 by Councilmembers Allen, Todd, Nadeau, Cheh, Bonds, McDuffie, Evans, R. White, and T. White and referred to the Committee on Business and Economic Development
-
- B23-440 Removing Barriers to Occupational Licensing for Returning Citizens Amendment Act of 2019
Intro. 9-17-19 by Councilmembers Allen, Grosso, Nadeau, Bonds, Cheh, McDuffie, and R. White and referred sequentially to the Committee on Judiciary and Public Safety and the Committee of the Whole (section 3) and then to the Committee of the Whole with comments from the Committee on Facilities and Procurement
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- B23-441 Reading Equity Acceleration Declaration Act of 2019
Intro. 9-17-19 by Councilmembers Todd, Evans, Nadeau, and Cheh and referred sequentially to the Committee on Education and the Committee of the Whole
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- B23-442 Domestic Workers Protection Act of 2019
Intro. 9-17-19 by Councilmembers Todd, Bonds, R. White, Grosso, Nadeau, and Cheh and referred to the Committee on Labor and Workforce Development with comments from the Committee on Government Operations
-
- B23-443 Moving the Office on Returning Citizen Affairs Amendment Act of 2019
Intro. 9-17-19 by Councilmembers R. White, Silverman, Allen, Bonds, Grosso, and T. White and referred sequentially to the Committee on Facilities and Procurement and the Committee on Judiciary and Public Safety
-
- B23-444 Sexual Harassment Data Collection and Reporting Act of 2019
Intro. 9-17-19 by Councilmembers R. White, Bonds, Nadeau, Todd, T. White, Cheh, Grosso, Allen, and Gray and referred to the Committee on Government Operations
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B23-445 Appraisal Management Company Regulation Act of 2019

Intro. 9-17-19 by Chairman Mendelson and referred to the Committee on Business and Economic Development with comments from the Committee on Housing and Neighborhood Revitalization

B23-448 Attorney General Grant-Making Amendment Act of 2019

Intro. 9-18-19 by Chairman Mendelson at the request of the Attorney General and referred to the Committee on Judiciary and Public Safety

PROPOSED RESOLUTIONS

PR23-457 District of Columbia Body Art Establishment Infractions Approval Resolution of 2019

Intro. 9-23-19 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Health

COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE OF THE WHOLE AND
COMMITTEE ON EDUCATION
NOTICE OF JOINT PUBLIC HEARING

1350 Pennsylvania Avenue, NW, Washington, DC 20004

REVISED

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

on

B23-0049, the “Classroom Innovation Grant Program Act of 2019,”

B23-0244, the “Financial Literacy Education in Schools Amendment Act of 2019.”

And

B23-0196, the “District of Columbia Public Schools Student Technology Equity Act of 2019”

on

**Wednesday, November 6, 2019
10:00 A.M., Hearing Room 500, 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 hearing of the Committee of the Whole and the Committee on Education on B23-0049, the “Classroom Innovation Grant Program Act of 2019,” B23-0244, the “Financial Literacy Education in Schools Amendment Act of 2019.” and B23-0196, the “District of Columbia Public Schools Student Technology Equity Act of 2019.” The hearing will be held on Wednesday, November 6, 2019 at 10:00 A.M in room 500 of the John A. Wilson Building.

The stated purpose of B23-0049 is to establish a classroom innovation grant program to provide funding to District of Columbia public and public charter elementary schools to allow classroom teachers to utilize technology to enhance students' learning experience.

The stated purpose of B23-0196 is to require the Mayor to convene a steering committee to develop and publish a Comprehensive Student Technology Equity Plan for DC Public Schools every two years.

The purpose of B23-0244 is to establish a financial literacy education program. It requires that the Office of the State Superintendent of Education develop a financial literacy course to be piloted in all DC public high schools no later than the 2020-2021 school year.

Those who wish to testify may sign-up online at bit.do/EducationHearings or call the Committee on Education at (202) 724-8061 by 5:00pm on Monday November 4, 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 hearing, written statements are encouraged and will be made a part of the official record. Statements should be submitted by email to Ashley Strange, Committee Assistant, at astrange@dccouncil.us, or by post to the Committee on Education, Council of the District of Columbia, Suite 116 of the John A. Wilson Building, 1350 Pennsylvania Avenue, NW, Washington, D.C. 20004. The record will close at 5:00 p.m. on Wednesday November 20, 2019.

This revised notice reflects the removal of B23-0094, the “Organ, Eye, and Tissue Donation Education Amendment Act of 2019” and B23-0150, “Dyslexia and Other Reading Disabilities Screening and Prevention Pilot Program Act of 2019” and the addition of B23-0244, the “Financial Literacy Education in Schools Amendment Act of 2019.”

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

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

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

on

B23-0130 - District of Columbia Office of Resilience Establishment Act of 2019

**B23-0147 - Office on Deaf and Hard of Hearing Establishment Amendment Act of
2019**

**Tuesday, October 15, 2019, 10:00 A.M.
John A. Wilson Building, Room 412
1350 Pennsylvania Avenue, N.W.
Washington, DC 20004**

Councilmember Brandon T. Todd announces the scheduling of a public hearing by the Committee on Government Operations on *B23-0130, the District of Columbia Office of Resilience Establishment Act of 2019* and *B23-0147, the Office on Deaf and Hard of Hearing Establishment Amendment Act of 2019*. The public hearing is scheduled for Tuesday, October 15, 2019 at 10:00 a.m. in Room 412 of the John A. Wilson Building, 1350 Pennsylvania Ave., NW, Washington, DC 20004.

B23-0130 establishes an Office of Resilience within the City Administrator's Office to develop and report on the implementation of policies, programs and actions with respect to Urban Resilience.

B23-0147 establishes the Office on Deaf and Hard of Hearing and allows the Mayor to appoint the Director of the office.

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, October 11, 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 Tuesday, October 29, 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.

**Council of the District of Columbia
COMMITTEE ON RECREATION AND YOUTH AFFAIRS
NOTICE OF PUBLIC HEARING
1350 Pennsylvania Avenue, NW, Washington, DC 20004**

**COUNCILMEMBER TRAYON WHITE SR., CHAIRPERSON
COMMITTEE ON RECREATION AND YOUTH AFFAIRS**

ANNOUNCES A PUBLIC HEARING ON

**B23-0291, THE “DETAINED YOUTH ACCESS TO THE JUVENILE
SERVICES PROGRAM AMENDMENT ACT OF 2019”**

**Thursday, October 17, 2019, 11:00 a.m.
Room 120, John A. Wilson Building
1350 Pennsylvania Ave., N.W.
Washington, D.C. 20004**

On Thursday, October 17, 2019 Councilmember Trayon White Sr., Chairperson of the Committee on Recreation and Youth Affairs, will hold a public hearing to consider B23-0291, the “Detained Youth Access to the Juvenile Services Program Amendment Act of 2019”. The public hearing will be held in Room 120 of the John A. Wilson Building, 1350 Pennsylvania Ave., at 11:00 a.m.

The Committee invites the public to testify or to submit written testimony, which will be made part of the official record. Anyone wishing to testify at the public hearing should contact Veronica Holmes, Legislative Counsel, at (202) 442-4109, or via email at RYA@dccouncil.us, and provide their name, address, telephone number, organizational affiliation, and title (if any) by close of business Tuesday, October 15, 2019. Representatives of organizations will be allowed a maximum of five (5) minutes for oral testimony, and individuals will be allowed a maximum of three (3) minutes. Witnesses should bring ten copies of their written testimony and, if possible, also submit a copy of their testimony electronically to RYA@dccouncil.us.

If you are unable to testify at the hearing, written statements are encouraged and will be made part of the official record. Copies of written statements should be submitted either to the Committee on Recreation and Youth Affairs or to Nyasha Smith, Secretary to the Council, 1350 Pennsylvania Avenue, N.W., Suite 5, Washington D.C. 20004. The record will close at 5:00 p.m. on Friday, October 25, 2019.

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

REVISED AND ABBREVIATED

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

ANNOUNCES A PUBLIC HEARING ON

B23-0403, “MLK GATEWAY REAL PROPERTY TAX ABATEMENT
AMENDMENT ACT OF 2019”

Monday, September 30, 2019, 10:00 a.m.
Room 123, John A. Wilson Building
1350 Pennsylvania Avenue, N.W.
Washington, D.C. 20004

On Monday, September 30, 2019 Councilmember Kenyan R. McDuffie, Chairperson of the Committee on Business and Economic Development will hold a public hearing to consider Bill 23-0403, the “MLK Gateway Real Property Tax Abatement Amendment Act of 2019.” The stated purpose of Bill 23-0403 is to provide real property tax, recordation and transfer tax abatements at 1201-1215 Good Hope Road, S.E., which includes a portion of the MLK Gateway Development Project. The real property tax abatement would last for up to 15 years, cannot exceed \$3 million in total, and it is conditioned on approved ownership.

The Committee invites the public to testify or to submit written testimony. Anyone wishing to testify at the hearing should contact the Committee on Business and Economic Development via email at cautrey@dccouncil.us or at (202) 724-8053, and provide their name, telephone number, organizational affiliation, and title (if any), by **close of business Friday, September 27th**. 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 **five single-sided copies** of their written testimony and, if possible, also submit a copy of their testimony electronically in advance to cautrey@dccouncil.us. *Please note that this notice has been revised and abbreviated to remove Bill 23-0349, the “St. Elizabeths East Redevelopment Support Amendment Act of 2019” due to temporary legislation that will allow the associated project to move forward without need for a permanent bill.*

For witnesses who are unable to testify at the hearing, written statements will be made part of the official record. Copies of written statements should be submitted to the Committee on Business and Economic Development at cautrey@dccouncil.us or to Nyasha Smith, Secretary to the Council, 1350 Pennsylvania Avenue, N.W., Suite 5, Washington, D.C. 20004. **The record will close at the end of the business day on Tuesday, October 1, 2019.**

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

REVISED

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

ANNOUNCES A PUBLIC HEARING ON

**HATE CRIMES IN THE DISTRICT OF COLUMBIA AND THE FAILURE TO PROSECUTE
BY THE OFFICE OF THE UNITED STATES ATTORNEY**

**BILL 23-0409, THE “SEXUAL ORIENTATION AND GENDER IDENTITY
PANIC DEFENSE PROHIBITION ACT OF 2019”**

AND

**BILL 23-0435, THE “TONY HUNTER AND BELLA EVANGELISTA
PANIC DEFENSE PROHIBITION ACT OF 2019”**

**Wednesday, October 23, 2019, 10:00 a.m.
Room 412, John A. Wilson Building
1350 Pennsylvania Avenue, N.W.
Washington, D.C. 20004**

On Wednesday, October 23, 2019, Councilmember Charles Allen, Chairperson of the Committee on the Judiciary and Public Safety, will convene a public hearing to discuss “Hate Crimes in the District of Columbia and the Failure to Prosecute by the Office of the United States Attorney”; Bill 23-0409, the “Sexual Orientation and Gender Identity Panic Defense Prohibition Act of 2019”; and Bill 23-0435, the “Tony Hunter and Bella Evangelista Panic Defense Prohibition Act of 2019”. The hearing will take place in Room 412 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., at 10:00 a.m. *Please note that this hearing notice has been revised to include the two bills.*

On August 21, 2019, the *Washington Post* published an article revealing that “hate-crime prosecutions and convictions are at their lowest point in at least a decade.” Although there were 204 bias-motivated crimes reported in the District in 2018, the U.S. Attorney’s Office for the District of Columbia (“USAO”) prosecuted only three cases as hate crimes. Similarly, in 2017, of the 178 reported hate crimes, the USAO charged only two cases as such, and both were ultimately dismissed. The USAO’s failure to prosecute bias-motivated crimes is especially problematic given that reported hate crimes in the District have nearly doubled since 2016. This

hearing will be an opportunity to explore the prevalence of hate crimes in the District, the effect hate crimes have on vulnerable or marginalized communities, the District government's response, and the reasons underlying the USAO's lack of prosecutions.

The hearing will also consider two related bills. The stated purpose of B23-0409, the "Sexual Orientation and Gender Identity Panic Defense Prohibition Act of 2019", is to limit criminal defenses and authorization for the use of force relating to a victim's sexual orientation or gender identity. The stated purpose of B23-0435, the "Tony Hunter and Bella Evangelista Panic Defense Prohibition Act of 2019", is to curtail the availability and effectiveness of defenses that seek to partially or completely excuse crimes such as murder and assault on the grounds that the victim's sexual orientation, gender identity, or other inherent identity, is to blame for the defendant's violent action, and to require an anti-bias jury instruction in criminal trials if requested by the prosecutor or defendant.

The Committee invites the public to testify or to submit written testimony. Anyone wishing to testify at the hearing should contact the Committee via email at judiciary@dccouncil.us and provide their name, telephone number, organizational affiliation, and title (if any), by **close of business Wednesday, October 16**. Representatives of organizations will be allowed a maximum of five minutes for oral testimony, and individuals will be allowed a maximum of three minutes. Witnesses should bring **twenty copies** of their written testimony and, if possible, also submit a copy of their testimony electronically in advance to judiciary@dccouncil.us.

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

**Council of the District of Columbia
COMMITTEE ON RECREATION AND YOUTH AFFAIRS
NOTICE OF PUBLIC OVERSIGHT ROUNDTABLE
1350 Pennsylvania Avenue, NW, Washington, DC 20004**

**COUNCILMEMBER TRAYON WHITE SR., CHAIRPERSON
COMMITTEE ON RECREATION AND YOUTH AFFAIRS**

ANNOUNCES A PUBLIC OVERSIGHT ROUNDTABLE ON

ACCESS TO THE PUBLIC FIELD AT JELLEFF RECREATION CENTER

**Monday, October 7, 2019, 11:00 a.m.
Room 500, John A. Wilson Building
1350 Pennsylvania Ave., N.W.
Washington, D.C. 20004**

On Monday, October 7, 2019 Councilmember Trayon White Sr., Chairperson of the Committee on Recreation and Youth Affairs, will hold a public oversight roundtable on access to the public field located at the Jelleff Recreation Center. The oversight roundtable will be held in Room 500 of the John A. Wilson Building, 1350 Pennsylvania Ave., at 11:00 a.m.

The purpose of the roundtable is to conduct oversight regarding the Department of Parks and Recreation's approval of a contract that provides access to the Jelleff Recreation Center for the Maret School during afterschool hours for ten years. There has been significant community need for additional field access by the recreation center, neighboring public schools, and the community at large. Community stakeholders provided considerable input expressing their desire for the Department of Parks and Recreation to not renew the use agreement with the Maret School.

The Committee invites the public to testify or to submit written testimony, which will be made part of the official record. Anyone wishing to testify at the public oversight roundtable should contact Nathan Fleming, Committee Director, at (202) 727-7903, or via email at RYA@dccouncil.us, and provide their name, address, telephone number, organizational affiliation, and title (if any) by close of business Friday, October 4, 2019. Representatives of organizations will be allowed a maximum of five (5) minutes for oral testimony, and individuals will be allowed a maximum of three (3) minutes. Witnesses should bring ten copies of their written testimony and, if possible, also submit a copy of their testimony electronically to RYA@dccouncil.us.

If you are unable to testify at the roundtable, written statements are encouraged and will be made part of the official record. Copies of written statements should be submitted either to the Committee on Recreation and Youth Affairs or to Nyasha Smith, Secretary to the Council, 1350 Pennsylvania Avenue, N.W., Suite 5, Washington D.C. 20004. The record will close at 5:00 p.m. on Friday, October 18, 2019.

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

REVISED

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

ANNOUNCES A PUBLIC OVERSIGHT ROUNDTABLE ON

**FIVE YEARS OF THE METROPOLITAN POLICE DEPARTMENT'S
BODY-WORN CAMERA PROGRAM: REFLECTIONS AND NEXT STEPS**

**Monday, October 21, 2019, 10:30 a.m.
Room 412, John A. Wilson Building
1350 Pennsylvania Avenue, N.W.
Washington, D.C. 20004**

On Monday, October 21, 2019, Councilmember Charles Allen, Chairperson of the Committee on the Judiciary and Public Safety, will convene a public oversight roundtable to discuss “Five Years of the Metropolitan Police Department’s Body-Worn Camera Program: Reflections and Next Steps”. The roundtable will take place in Room 412 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., at 10:30 a.m. *Note that this roundtable was originally scheduled for September 26.*

In October 2014, the Metropolitan Police Department (“MPD”) launched Phase I of its body-worn camera program with a 400-camera model selection pilot. Phase II was launched in June 2015, in which another 400-camera expansion formed the basis for a research study on their impact on such issues as resident complaints and the use of force. Concurrently, the Council passed D.C. Law 21-83, the Body-Worn Camera Program Amendment Act of 2015, which prioritized public and civilian oversight agency access to video footage, with protections for personal privacy; established retention requirements; allowed public records requests; required program analysis; and mandated regular reporting by MPD. At the time, the Committee on the Judiciary noted that body-worn cameras can serve several purposes: (1) fostering accountability and enhancing performance by law enforcement; (2) improving police-community relations; (3) promoting the fair administration of justice; (4) creating more accurate and transparent records of law enforcement’s interactions with the public; (5) improving evidence collection; and (6) discouraging and defending against erroneous complaints against law enforcement officials.

Subsequent to the law’s passage, in 2016, MPD expanded its deployment to 2,800 cameras for officers and sergeants in public contact positions in all districts and other specialized units – at the time, the largest deployment of body-worn cameras in the country. As of December 2018, more than 3,100 cameras were deployed.

This public oversight roundtable will review the existing law, regulations, and MPD policies governing the body-worn camera program; MPD's biannual reports; the release of and access to video footage over the past five years; subsequent developments in other jurisdictions; and any recommendations for the program from the public, subject-matter experts, and government agencies. More broadly, the Committee will consider whether the goals underlying the procurement and deployment of body-worn cameras noted above have been advanced, and if so, how.

The Committee invites the public to testify or to submit written testimony. Anyone wishing to testify at the roundtable should contact the Committee via email at judiciary@dccouncil.us and provide their name, telephone number, organizational affiliation, and title (if any), by **close of business Wednesday, October 16**. Representatives of organizations will be allowed a maximum of five minutes for oral testimony, and individuals will be allowed a maximum of three minutes. Witnesses should bring **twenty copies** of their written testimony and, if possible, also submit a copy of their testimony electronically in advance to judiciary@dccouncil.us.

For witnesses who are unable to testify at the roundtable, written statements will be made part of the official record. Copies of written statements should be submitted to the Committee at judiciary@dccouncil.us. **The record will close at the end of the business day on Monday, November 4.**

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

CHAIRPERSON ELISSA SILVERMAN
COMMITTEE ON LABOR AND WORKFORCE DEVELOPMENT

ANNOUNCES A PUBLIC OVERSIGHT ROUNDTABLE ON

Implementation of Law 21-264, The Universal Paid Leave Amendment Act of 2016

Wednesday, October 16, 2019, 10:00 a.m.
Hearing Room 500, John A. Wilson Building
1350 Pennsylvania Avenue, NW
Washington, DC 20004

Councilmember Elissa Silverman, Chairperson of the Committee on Labor and Workforce Development, announces a public oversight roundtable before the Committee on implementation of the Universal Paid Leave Amendment Act of 2016 (L21-264). The law establishes a paid leave system to provide partial wage replacement for District residents in need of leave from work due to serious family illness, personal medical needs, or to care for a new child. The Committee has held roundtables or hearings to examine the status of implementation of UPLA in each quarter since Fall 2017.

At this roundtable, the committee will review the quarterly report submitted by DOES for FY2019 Quarter 4, pursuant to D.C. Official Code §32-541.04(h) and (i), in addition to other elements of implementation. Notably, the system to collect employer contributions which will fund paid leave benefits began operation as of July 1, 2019, with first quarter payments due by July 31, 2019; second-quarter payments are due October 31, 2019. Additionally, DOES has released proposed regulations governing the benefits system and is working with the Office of Contracting and Procurement to secure a contractor to build the IT system for the provision of benefits. The roundtable will be held at 10 a.m. on Wednesday, October 16, 2019, in Room 500 of the John A. Wilson Building.

Those who wish to testify before the Committee are asked to contact Ms. Charnisa Royster at labor@dccouncil.us or (202) 724-7772 by 5:00 p.m. on Friday, October 11, 2019, to provide their name, address, telephone number, organizational affiliation and title (if any), as well as the language of oral interpretation, if any, they require. Witnesses who anticipate needing language interpretation, including American Sign Language (ASL) interpretation, are requested to inform this office of the need as soon as possible but no later than Monday, October 7, 2019 at 5:00 pm. Those wishing to testify are encouraged, but not required, to submit 15 copies of written testimony. Those representing organizations will have five minutes to present their testimony, and other individuals will have three minutes to present their testimony; less time will be allowed if there are a large number of witnesses.

If you are unable to testify at the roundtable, written statements will be made a part of the official record. Written statements should be submitted by email to Ms. Royster at labor@dccouncil.us or mailed to the Committee on Labor and Workforce Development, Council of the District of Columbia, Suite 115 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004. The record will close at 5:00 p.m. on Wednesday, October 30, 2019.

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

NOTICE OF PUBLIC ROUNDTABLE ON

**PR23-0123, the Food Policy Council Emil Reyes Confirmation Resolution of 2019;
and
PR23-0377, the Food Policy Council Beverley Wheeler Confirmation Resolution of
2019**

Thursday, October 10, 2019, at 11:30 a.m.
in Room 120 of the John A. Wilson Building
1350 Pennsylvania Avenue, NW, Washington, DC 20004

On Thursday, October 10, 2019, Councilmember Mary M. Cheh, Chairperson of the Committee on Transportation and the Environment, will hold a public roundtable on PR23-0123, the Food Policy Council Emil Reyes Confirmation Resolution of 2019; and PR23-0377, the Food Policy Council Beverley Wheeler Confirmation Resolution of 2019.

PR23-123 would confirm Emil Reyes as a member of the Food Policy Council. PR23-377 would confirm Beverley Wheeler as a member of the Food Policy Council. The roundtable will begin at 11:30 a.m. in Room 120 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W.

The Committee invites the public to testify or to submit written testimony, which will be made a part of the official Hearing 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 October 24, 2019.

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

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

on

PR23-0447, the “Board of Library Trustees Antonio Williams Confirmation Resolution of 2019”

on

**Monday, October 7, 2019
3:00 P.M., Hearing Room 123, John A. Wilson Building
1350 Pennsylvania Avenue, NW
Washington, DC 20004**

Councilmember David Grosso announces the scheduling of a public roundtable of the Committee on Education on PR23-0447, the “Board of Library Trustees Antonio Williams Confirmation Resolution of 2019.” The roundtable will be held on Monday October 7, 2019, at 3:00 p.m., room 123 of the John A. Wilson Building.

The stated purpose of PR23-0447 is to confirm the Mayoral appointment of Antonio Williams as a member of the Board of Library Trustees, replacing Faith Hubbard, for the remainder of the expired term to end January 5, 2020 and a new term to end January 5, 2025, 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 4 of an Act To establish and provide for the maintenance of a free public library and reading room in the District of Columbia, approved June 3, 1896 (29 Stat. 244; D.C. Official Code § 39-104).

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 Thursday, October 3, 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 are encouraged and will be made a part of the official record. Statements should be submitted by email to Ashley Strange, Committee Assistant, at astrange@dccouncil.us, or by post to the Committee on Education, Council of the District of Columbia, Suite 116 of the John A. Wilson Building, 1350 Pennsylvania Avenue, NW, Washington, D.C. 20004. The record will close at 5:00 p.m. on Monday, October 21, 2019.

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

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

On

**Safe Passage and Other Issues Facing
District of Columbia Youth Prek3-12**

on

**Tuesday October 29, 2019
4:00 P.M., Hearing Room 500, John A. Wilson Building
1350 Pennsylvania Avenue, NW
Washington, DC 20004**

Councilmember David Grosso announces the scheduling of a public roundtable of the Committee on Education on student related issues with a focus on Prek3 through 12th grade. The roundtable will be held at 4:00 p.m. on Tuesday October 29, 2019 in Hearing Room 500 of the John A. Wilson Building.

The purpose of this roundtable is to hear testimony from District of Columbia students regarding safe passage and other issues that impact their lives as they make their way through the public education system. Students are encouraged to share their experiences with safe passage, along with experiences related to academics, violence, school dress code, school discipline, and other topics not listed.

Youth, aged 21 and younger, who wish to testify can sign up online at <http://bit.do/educationhearings> or call the Committee on Education at (202) 724-8061 by 5:00pm Friday October 25, 2019. Persons wishing to testify are encouraged to bring 10 copies of their written testimony. Individuals can also email Ashley Strange, Committee Assistant, astrange@dccouncil.us, and provide their name, age, telephone number, school (if applicable), current grade (if applicable), organizational affiliation and title (if any). Each person should limit their testimony to four minutes in order to permit each witness an opportunity to testify.

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, 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 Tuesday, November 12, 2019.

COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE ON HOUSING AND NEIGHBORHOOD REVITALIZATION
NOTICE OF PUBLIC ROUNDTABLE
1350 Pennsylvania Avenue, NW, Washington, DC 20004

COUNCILMEMBER ANITA BONDS, CHAIRPERSON
COMMITTEE ON HOUSING AND NEIGHBORHOOD REVITALIZATION

ANNOUNCES A PUBLIC ROUNDTABLE

on the matter of

The Single-Family Residential Rehabilitation Program

on

Friday, October 4, 2019, at 10:30 AM
1350 Pennsylvania Ave. NW
Washington, DC 20004
Room 500

On Friday, October 4, 2019, Councilmember Anita Bonds will hold a public roundtable to discuss the Department of Housing and Community Development's administration of the Single-Family Residential Rehabilitation Program. This program is administered by the Residential and Community Services Division to provide financial assistance to low-income homeowners for home repairs, to alleviate D.C. building code violations and assist homeowners in repairing physical threats to health and safety, and modify or eliminate barriers to accessibility for persons with mobility or other physical impairments. This program also seeks to allow the District's senior population to age in place.

Those who wish to testify are requested to telephone the Committee on Housing and Neighborhood Revitalization, at (202) 724-8198, or email jtrimboli@dccouncil.us, and provide their name, address, telephone number, organizational affiliation and title (if any), by close of business on October 3, 2019. Persons wishing to testify are encouraged to **submit 15 copies of written testimony**. Oral testimony will be limited to three minutes.

If you are unable to testify at the public roundtable, written statements are encouraged and will be made a part of the official record. Written statements should be submitted to the Committee on Housing and Neighborhood Revitalization, John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Suite G6, Washington, D.C. 20004. The record will close at 5:00 p.m. on October 18, 2019.

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date: September 27, 2019
Protest Petition Deadline: November 12, 2019
Roll Call Hearing Date: November 25, 2019

License No.: ABRA-109347
Licensee: Abunai Poke, LLC
Trade Name: Abunai Poke Restaurant
License Class: Retailer's Class "D" Restaurant
Address: 1920 L Street, N.W., Ste 120
Contact: Akina Harada, Managing Member: (202) 838-9718

WARD 2

ANC 2B

SMD 2B06

Notice is hereby given that this licensee has requested a Substantial Change to their license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the Roll Call Hearing date on November 25, 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 OPERATION

Licensee is applying to add Sports Wagering to their operations. Establishment will have two sports wagering betting machines on the premises.

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

Saturday and Sunday 11am - 6pm
Monday - Friday 10:30am - 8pm

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
9/27/2019

Notice is hereby given that:

License Number: ABRA-016642

License Class/Type: C Tavern

Applicant: PMF, Inc.

Trade Name: The Improvisation

ANC: 2B06

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

1140 CONNECTICUT AVE NW, Washington, DC 20036

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
11/12/2019

A HEARING WILL BE
11/25/2019

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

ENDORSEMENT(S): Cover Charge Entertainment

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	6 pm - 1 am	6 pm - 1 am	6 pm - 1 am
Monday:	6 pm - 1 am	6 pm - 1 am	6 pm - 1 am
Tuesday:	6 pm - 1 am	6 pm - 1 am	6 pm - 1 am
Wednesday:	6 pm - 1 am	6 pm - 1 am	6 pm - 1 am
Thursday:	6 pm - 1 am	6 pm - 1 am	6 pm - 1 am
Friday:	6 pm - 1 am	6 pm - 1 am	6 pm - 1 am
Saturday:	6 pm - 1 am	6 pm - 1 am	6 pm - 1 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
9/27/2019

Notice is hereby given that:

License Number: ABRA-025542

License Class/Type: C Nightclub

Applicant: Trade Center Management Associates, LLC

Trade Name: The International Trade Center/Air

ANC: 2C01

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

1300 PENNSYLVANIA AVE NW, Washington, DC 20004

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
11/12/2019

A HEARING WILL BE
11/25/2019

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

ENDORSEMENT(S): Summer Garden

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	7 am - 2 am	10 am - 2 am	-
Monday:	7 am - 2 am	8 am - 2 am	-
Tuesday:	7 am - 2 am	8 am - 2 am	-
Wednesday:	7 am - 2 am	8 am - 2 am	-
Thursday:	7 am - 2 am	8 am - 2 am	-
Friday:	7 am - 3 am	8 am - 3 am	-
Saturday:	7 am - 3 am	8 am - 3 am	-

	Hours of Summer Garden	Hours of Sales Summer Garden
Sunday	10 am - 2 am	10 am - 2 am
Monda	8 am - 2 am	8 am - 2 am
Tuesda	8 am - 2 am	8 am - 2 am
Wednesday:	8 am - 2 am	8 am - 2 am
Thursday:	8 am - 2 am	8 am - 2 am
Friday:	8 am - 3 am	8 am - 3 am
Saturday:	8 am - 3 am	8 am - 3 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
9/27/2019

Notice is hereby given that:

License Number: ABRA-076076

License Class/Type: C Tavern

Applicant: Red Derby, LLC

Trade Name: Red Derby

ANC: 4C04

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

3718 14TH ST NW, WASHINGTON, DC 20010

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
11/12/2019

A HEARING WILL BE
11/25/2019

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

ENDORSEMENT(S): Sidewalk Cafe Summer Garden

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

	Hours Of Sidewalk Cafe	Hours of Summer Garden Operation
Sunday	11 am - 12 am	11 am - 2 am
Monda	11 am - 12 am	11 am - 2 am
Tuesda	11 am - 12 am	11 am - 2 am
Wednesday:	11 am - 12 am	11 am - 2 am
Thursday:	11 am - 12 am	11 am - 2 am
Friday:	11 am - 12 am	11 am - 3 am
Saturday:	11 am - 12 am	11 am - 3 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
9/27/2019

Notice is hereby given that:

License Number: ABRA-019007

License Class/Type: C Tavern

Applicant: Atomic Billards Corporation

Trade Name: Atomic Billiards

ANC: 3C04

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

3427 CONNECTICUT AVE NW, WASHINGTON, DC 20008

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
11/12/2019

A HEARING WILL BE
11/25/2019

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

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	8am - 2am	8am - 2am	-
Monday:	8am - 2am	8am - 2am	-
Tuesday:	8am - 2am	8am - 2am	-
Wednesday:	8am - 2am	8am - 2am	-
Thursday:	8am - 2am	8am - 2am	-
Friday:	8am - 3am	8am - 3am	-
Saturday:	8am - 3am	8am - 3am	-

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
9/27/2019

Notice is hereby given that:

License Number: ABRA-083420

License Class/Type: C Tavern

Applicant: Green Zebra, LLC

Trade Name: Lost Society

ANC: 1B12

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

2001 14TH ST NW, WASHINGTON, DC 20009

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
11/12/2019

A HEARING WILL BE
11/25/2019

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

ENDORSEMENT(S): Cover Charge Dancing Entertainment Summer Garden

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	10 am - 2 am	10 am - 2 am	10 am - 2 am
Monday:	8 am - 2 am	8 am - 2 am	8 am - 2 am
Tuesday:	8 am - 2 am	8 am - 2 am	8 am - 2 am
Wednesday:	8 am - 2 am	8 am - 2 am	8 am - 2 am
Thursday:	8 am - 2 am	8 am - 2 am	8 am - 2 am
Friday:	8 am - 3 am	8 am - 3 am	8 am - 3 am
Saturday:	8 am - 3 am	8 am - 3 am	8 am - 3 am

	Hours of Summer Garden	Hours of Sales Summer Garden
Sunday	10 am - 2 am	10 am - 2 am
Monda	8 am - 2 am	8 am - 2 am
Tuesda	8 am - 2 am	8 am - 2 am
Wednesday:	8 am - 2 am	8 am - 2 am
Thursday:	8 am - 2 am	8 am - 2 am
Friday:	8 am - 3 am	8 am - 3 am
Saturday:	8 am - 3 am	8 am - 3 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
9/27/2019

Notice is hereby given that:

License Number: ABRA-099955

License Class/Type: C Tavern

Applicant: 734 NW LLC

Trade Name: SAX

ANC: 2C01

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

734 11th ST NW, Washington, DC 20001

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
11/12/2019

A HEARING WILL BE
11/25/2019

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

ENDORSEMENT(S): Cover Charge Dancing Entertainment

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	11am - 2am	11am - 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:	11am - 3am	11am - 3am	6pm - 3am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
9/27/2019

Notice is hereby given that:

License Number: ABRA-079786

License Class/Type: C Tavern

Applicant: 1306 G Street Investors, LLC

Trade Name: Astro Beer Hall

ANC: 2C01

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

1310 G ST NW, Washington, DC 20005

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
11/12/2019

A HEARING WILL BE
11/25/2019

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

ENDORSEMENT(S): Cover Charge Entertainment Sidewalk Cafe

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	8 am - 2 am	8 am - 2 am	11 am - 2 am
Monday:	8 am - 2 am	8 am - 2 am	11 am - 2 am
Tuesday:	8 am - 2 am	8 am - 2 am	11 am - 2 am
Wednesday:	8 am - 2 am	8 am - 2 am	11 am - 2 am
Thursday:	8 am - 2 am	8 am - 2 am	11 am - 2 am
Friday:	8 am - 3 am	8 am - 3 am	11 am - 3 am
Saturday:	8 am - 3 am	8 am - 3 am	11 am - 3 am

	Hours Of Sidewalk Cafe	Hours Of Sales Sidewalk Cafe
Sunday	8 am - 12 am	8 am - 12 am
Monda	8 am - 12 am	8 am - 12 am
Tuesda	8 am - 12 am	8 am - 12 am
Wednesday:	8 am - 12 am	8 am - 12 am
Thursday:	8 am - 12 am	8 am - 12 am
Friday:	8 am - 12 am	8 am - 12 am
Saturday:	8 am - 12 am	8 am - 12 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
9/27/2019

Notice is hereby given that:

License Number: ABRA-099229

License Class/Type: C Tavern

Applicant: In Stereo LLC

Trade Name: Trade

ANC: 2F02

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

1410 14TH ST NW, WASHINGTON, DC 20005

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
11/12/2019

A HEARING WILL BE
11/25/2019

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

ENDORSEMENT(S): Cover Charge Dancing Entertainment Summer Garden

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	11am - 1:45am	11am - 1:45am	6pm - 1:45am
Monday:	11am - 1:45am	11am - 1:45am	6pm - 1:45am
Tuesday:	11am - 1:45am	11am - 1:45am	6pm - 1:45am
Wednesday:	11am - 1:45am	11am - 1:45am	6pm - 1:45am
Thursday:	11am - 1:45am	11am - 1:45am	6pm - 1:45am
Friday:	11am - 2:45am	11am - 2:45am	6pm - 2:45am
Saturday:	11am - 2:45am	11am - 2:45am	6pm - 2:45am

	Hours of Summer Garden	Hours of Sales Summer Garden
Sunday	11am - 1:45am	11am - 1:45am
Monda	11am - 1:45am	11am - 1:45am
Tuesda	11am - 1:45am	11am - 1:45am
Wednesday:	11am - 1:45am	11am - 1:45am
Thursday:	11am - 1:45am	11am - 1:45am
Friday:	11am - 2:45am	11am - 2:45am
Saturday:	11am - 2:45am	11am - 2:45am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
9/27/2019

Notice is hereby given that:

License Number: ABRA-098173

License Class/Type: C Tavern

Applicant: Proust Partners Limited Company

Trade Name: Wunder Garten

ANC: 6C06

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

131 M ST NE, WASHINGTON, DC 20002

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
11/12/2019

A HEARING WILL BE
11/25/2019

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

ENDORSEMENT(S): Cover Charge Dancing Entertainment

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	10 am - 12 am	10 am - 12 am	10 am - 12 am
Monday:	4 pm - 12 am	4 pm - 12 am	4 pm - 12 am
Tuesday:	4 pm - 12 am	4 pm - 12 am	4 pm - 12 am
Wednesday:	4 pm - 12 am	4 pm - 12 am	4 pm - 12 am
Thursday:	4 pm - 12 am	4 pm - 12 am	4 pm - 12 am
Friday:	12 pm - 1 am	12 pm - 1 am	12 pm - 1 am
Saturday:	10 am - 1 am	10 am - 1 am	10 am - 1 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
9/27/2019

Notice is hereby given that:

License Number: ABRA-060138

License Class/Type: C Tavern

Applicant: Cafe Dupont, LLC

Trade Name: Cafe Citron

ANC: 2B07

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

1343 CONNECTICUT AVE NW, Washington, DC 20036

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
11/12/2019

A HEARING WILL BE
11/25/2019

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

ENDORSEMENT(S): Dancing Entertainment

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

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
9/27/2019

Notice is hereby given that:

License Number: ABRA-092701

License Class/Type: C Tavern

Applicant: Baba's Cooking School, LLC

Trade Name: EatsPlace

ANC: 1A08

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

3607 GEORGIA AVE NW, WASHINGTON, DC 20010

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
11/12/2019

A HEARING WILL BE
11/25/2019

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

ENDORSEMENT(S): Summer Garden

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	7 am - 2 am	10 am - 2 am	6 pm - 2 am
Monday:	7 am - 2 am	9 am - 2 am	6 pm - 2 am
Tuesday:	7 am - 2 am	9 am - 2 am	6 pm - 2 am
Wednesday:	7 am - 2 am	9 am - 2 am	6 pm - 2 am
Thursday:	7 am - 2 am	9 am - 2 am	6 pm - 2 am
Friday:	7 am - 3 am	9 am - 3 am	6 pm - 3 am
Saturday:	7 am - 3 am	9 am - 3 am	6 pm - 3 am

	Hours of Summer Garden	Hours of Sales Summer Garden
Sunday	10 am - 2 am	10 am - 2 am
Monda	10 am - 2 am	10 am - 2 am
Tuesda	10 am - 2 am	10 am - 2 am
Wednesday:	10 am - 2 am	10 am - 2 am
Thursday:	10 am - 2 am	10 am - 2 am
Friday:	10 am - 3 am	10 am - 3 am
Saturday:	10 am - 3 am	10 am - 3 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
9/27/2019

Notice is hereby given that:

License Number: ABRA-077708

License Class/Type: C Tavern

Applicant: L Wisdom Corporation

Trade Name: Wisdom

ANC: 6B06

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

1432 PENNSYLVANIA AVE SE, WASHINGTON, DC 20003

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
11/12/2019

A HEARING WILL BE
11/25/2019

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

ENDORSEMENT(S): Entertainment Sidewalk Cafe

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	11 am - 2 am	11 am - 2 am	-
Monday:	11 am - 2 am	11 am - 2 am	-
Tuesday:	11 am - 2 am	11 am - 2 am	-
Wednesday:	11 am - 2 am	11 am - 2 am	-
Thursday:	11 am - 2 am	11 am - 2 am	-
Friday:	11 am - 3 am	11 am - 3 am	10 pm - 2:30 am
Saturday:	11 am - 3 am	11 am - 3 am	10 pm - 2:30 am

	Hours Of Sidewalk Cafe	Hours Of Sales Sidewalk Cafe
Sunday	11 am - 11 pm	11 am - 11 pm
Monda	11 am - 11 pm	11 am - 11 pm
Tuesda	11 am - 11 pm	11 am - 11 pm
Wednesday:	11 am - 11 pm	11 am - 11 pm
Thursday:	11 am - 11 pm	11 am - 11 pm
Friday:	11 am - 11 pm	11 am - 11 pm
Saturday:	11 am - 11 pm	11 am - 11 pm

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
9/27/2019

Notice is hereby given that:

License Number: ABRA-090830

License Class/Type: C Tavern

Applicant: TOP SHELF GROUP LLC

Trade Name: Gryphon DC, The

ANC: 2B07

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

1337 CONNECTICUT AVE NW, WASHINGTON, DC 20036

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
11/12/2019

A HEARING WILL BE
11/25/2019

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

ENDORSEMENT(S): Dancing Entertainment Summer Garden

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	10 am - 3 am	10 am - 2 am	6 pm - 2 am
Monday:	10 am - 3 am	10 am - 2 am	6 pm - 2 am
Tuesday:	10 am - 3 am	10 am - 2 am	6pm - 2 am
Wednesday:	10 am - 3 am	10 am - 2 am	6 pm - 2 am
Thursday:	10 am - 3 am	10 am - 2 am	6 pm - 2 am
Friday:	10 am - 4 am	10 am - 3 am	6 pm - 3 am
Saturday:	10 am - 4 am	10 am - 3 am	6 pm - 3 am

	Hours of Summer Garden	Hours of Sales Summer Garden
Sunday	10 am - 2 am	10 am - 2 am
Monda	10 am - 2 am	10 am - 2 am
Tuesda	10 am - 2 am	10 am - 2 am
Wednesday:	10 am - 2 am	10 am - 2 am
Thursday:	10 am - 2 am	10 am - 2 am
Friday:	10 am - 3 am	10 am - 3 am
Saturday:	10 am - 3 am	10 am - 3 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
9/27/2019

Notice is hereby given that:

License Number: ABRA-084689

License Class/Type: C Tavern

Applicant: Modern Dining Concepts, LLC

Trade Name: The Haymaker

ANC: 6A01

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

1015 H ST NE, WASHINGTON, DC 20002

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
11/12/2019

A HEARING WILL BE
11/25/2019

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

ENDORSEMENT(S): Entertainment

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	8 am - 3:30 am	10 am - 1:30 am	6 pm - 12 am
Monday:	8 am - 3:30 am	10 am - 1:30 am	6 pm - 12 am
Tuesday:	8 am - 3:30 am	10 am - 1:30 am	6 pm - 12 am
Wednesday:	8 am - 3:30 am	10 am - 1:30 am	6 pm - 12 am
Thursday:	8 am - 3:30 am	10 am - 1:30 am	6 pm - 12 am
Friday:	8 am - 3:30 am	10 am - 2:30 am	6 pm - 12 am
Saturday:	8 am - 3:30 am	10 am - 2:30 am	6 pm - 12 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
9/27/2019

Notice is hereby given that:

License Number: ABRA-095047

License Class/Type: C Tavern

Applicant: Fair and Balanced, LLC

Trade Name: Elife

ANC: 4B01

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

341 Cedar ST NW, WASHINGTON, DC 20012

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
11/12/2019

A HEARING WILL BE
11/25/2019

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

ENDORSEMENT(S): Cover Charge Entertainment

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	10 am - 12 am	10 am - 12 am	6 pm - 11 pm
Monday:	10 am - 12 am	10 am - 12 am	6 pm - 11 pm
Tuesday:	10 am - 12 am	10 am - 12 am	6 pm - 11 pm
Wednesday:	10 am - 12 am	10 am - 12 am	6 pm - 11 pm
Thursday:	10 am - 12 am	10 am - 12 am	6 pm - 11 pm
Friday:	10 am - 12 am	10 am - 12 am	6 pm - 11 pm
Saturday:	10 am - 12 am	10 am - 12 am	6 pm - 11 pm

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
9/27/2019

Notice is hereby given that:

License Number: ABRA-101456

License Class/Type: C Tavern

Applicant: Hecht MRG LLC

Trade Name: Ari's Diner

ANC: 5D01

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

2003 FENWICK ST NE, WASHINGTON, DC 20002

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
11/12/2019

A HEARING WILL BE
11/25/2019

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

ENDORSEMENT(S): Cover Charge Dancing Entertainment

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	6 am - 2 am	8 am - 2 am	10 am - 2 am
Monday:	6 am - 2 am	8 am - 2 am	5 pm - 2 am
Tuesday:	6 am - 2 am	8 am - 2 am	5 pm - 2 am
Wednesday:	6 am - 2 am	8 am - 2 am	5 pm - 2 am
Thursday:	6 am - 2 am	8 am - 2 am	5 pm - 2 am
Friday:	6 am - 3 am	8 am - 3 am	5 pm - 3 am
Saturday:	6 am - 3 am	8 am - 3 am	5 pm - 3 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
9/27/2019

Notice is hereby given that:

License Number: ABRA-060457

License Class/Type: C Tavern

Applicant: Lounge 201 LLC

Trade Name: The State Room

ANC: 6C02

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

201 D ST NE, Washington, DC 20002

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
11/12/2019

A HEARING WILL BE
11/25/2019

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

ENDORSEMENT(S): Cover Charge Dancing Entertainment

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	6:30 am - 2 am	11:30 am - 2 am	4 pm - 2 am
Monday:	6:30 am - 2 am	11:30 am - 2 am	4 pm - 2 am
Tuesday:	6:30 am - 2 am	11:30 am - 2 am	4 pm - 2 am
Wednesday:	6:30 am - 2 am	11:30 am - 2 am	4 pm - 2 am
Thursday:	6:30 am - 2 am	11:30 am - 2 am	4 pm - 2 am
Friday:	6:30 am - 2:30 am	11:30 am - 2:30 am	4 pm - 2:30 am
Saturday:	6:30 am - 2:30 am	11:30 am - 2:30 am	4 pm - 2:30 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
9/27/2019

Notice is hereby given that:

License Number: ABRA-075284

License Class/Type: C Tavern

Applicant: Axis Bar & Grill, LLC

Trade Name: Sudhouse

ANC: 1B12

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

1340 U ST NW, Washington, DC 20009

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
11/12/2019

A HEARING WILL BE
11/25/2019

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

ENDORSEMENT(S): Entertainment Summer Garden

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	11 am - 2 am	11 am - 2 am	6 pm - 1:30 am
Monday:	11 am - 2 am	11 am - 2 am	6 pm - 1:30 am
Tuesday:	11 am - 2 am	11 am - 2 am	6 pm - 1:30 am
Wednesday:	11 am - 2 am	11 am - 2 am	6 pm - 1:30 am
Thursday:	11 am - 2 am	11 am - 2 am	6 pm - 1:30 am
Friday:	11 am - 3 am	11 am - 3 am	6 pm - 2 am
Saturday:	11 am - 3 am	11 am - 3 am	6 pm - 2 am

	Hours of Summer Garden	Hours of Sales Summer Garden
Sunday	11:00 am - 2:00 am	11:00 am - 2:00 am
Monda	11:30 am - 2:00 am	11:30 am - 2:00 am
Tuesda	11:30 am - 2:00 am	11:30 am - 2: 00 am
Wednesday:	11:30 am - 2:00 am	11:30 am - 2:00 am
Thursday:	11:30 am - 2:00 am	11:30 am - 2:00 am
Friday:	11:30 am - 3:00 am	11:30 am - 3:00 am
Saturday:	11:30 am - 3:00 am	11:30 am - 3:00 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
9/27/2019

Notice is hereby given that:

License Number: ABRA-020234

License Class/Type: C Tavern

Applicant: Planet F, Inc.

Trade Name: Lucky Bar

ANC: 2B05

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

1221 CONNECTICUT AVE NW, Washington, DC 20036

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
11/12/2019

A HEARING WILL BE
11/25/2019

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

ENDORSEMENT(S): Entertainment Sidewalk Cafe

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	7 am - 2 am	8 am - 2 am	9 pm - 2 am
Monday:	7 am - 2 am	8 am - 2 am	9 pm - 2 am
Tuesday:	7 am - 2 am	8 am - 2 am	n/a -
Wednesday:	7 am - 2 am	8 am - 2 am	6 pm - 2 am
Thursday:	7 am - 2 am	8 am - 2 am	6 pm - 2 am
Friday:	7 am - 3 am	8 am - 3 am	6 pm - 3 am
Saturday:	7 am - 3 am	8 am - 3 am	9 pm - 3 am

	Hours Of Sidewalk Cafe	Hours Of Sales Sidewalk Cafe
Sunday	11 am - 2 am	11 am - 2 am
Monda	11 am - 2 am	11 am - 2 am
Tuesda	11 am - 2 am	11 am - 2 am
Wednesday:	11 am - 2 am	11 am - 2 am
Thursday:	11 am - 2 am	11 am - 2 am
Friday:	11 am - 3 am	11 am - 3 am
Saturday:	10 am - 3 am	10 am - 3 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
9/27/2019

Notice is hereby given that:

License Number: ABRA-108928

License Class/Type: C Tavern

Applicant: Mission Group Dos, LLC

Trade Name: Mission Navy Yard

ANC: 6D02

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

1221 Van ST SE, UNIT #130/230, WASHINGTON 20003

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
11/12/2019

A HEARING WILL BE
11/25/2019

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

ENDORSEMENT(S): Dancing Entertainment Sidewalk Cafe Summer Garden

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	9 am - 2 am	9am - 2am	2pm - 2am
Monday:	9 am - 2 am	9am - 2am	5pm - 2am
Tuesday:	9 am - 2 am	9am - 2am	5pm - 2am
Wednesday:	9am - 2am	9am - 2am	5pm - 2am
Thursday:	9am - 2am	9am - 2am	5pm - 2am
Friday:	9am - 3am	9am - 3am	2pm - 3am
Saturday:	9am - 3am	9am - 3am	2pm - 3am

	Hours Of Sidewalk Cafe	Hours of Summer Garden Operation
Sunday	9am - 2am	9am - 2am
Monda	9am - 2am	9am - 2am
Tuesda	9am - 2am	9am - 2am
Wednesday:	9am - 2am	9am - 2am
Thursday:	9am - 2am	9am - 2am
Friday:	9am - 3am	9am - 3am
Saturday:	9am - 3am	9am - 3am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
9/27/2019

Notice is hereby given that:

License Number: ABRA-088106

License Class/Type: C Tavern

Applicant: The Board Room DC, LLC

Trade Name: Board Room

ANC: 2B01

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

1737 CONNECTICUT AVE NW, WASHINGTON, DC 20009

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
11/12/2019

A HEARING WILL BE
11/25/2019

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

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	8 am - 2 am	8 am - 2 am	-
Monday:	8 am - 2 am	8 am - 2 am	-
Tuesday:	8 am - 2 am	8 am - 2 am	-
Wednesday:	8 am - 2 am	8 am - 2 am	-
Thursday:	8 am - 2 am	8 am - 2 am	-
Friday:	8 am - 3 am	8 am - 3 am	-
Saturday:	8 am - 3 am	8 am - 3 am	-

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
9/27/2019

Notice is hereby given that:

License Number: ABRA-107123

License Class/Type: C Tavern

Applicant: Eleana, LLC

Trade Name: Secret Lounge

ANC: 1B02

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

1928 9th ST NW, WASHINGTON, DC 20001

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
11/12/2019

A HEARING WILL BE
11/25/2019

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

ENDORSEMENT(S): Cover Charge Dancing Entertainment

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	7 am - 2 am	11 am - 2 am	7 am - 2 am
Monday:	7 am - 2 am	11 am - 2 am	7 am - 2 am
Tuesday:	7 am - 2 am	11 am - 2 am	7 am - 2 am
Wednesday:	7 am - 2 am	11 am - 2 am	7 am - 2 am
Thursday:	7 am - 2 am	11 am - 2 am	7 am - 2 am
Friday:	7 am - 3 am	10 am - 3 am	7 am - 3 am
Saturday:	7 am - 3 am	10 am - 3 am	7 am - 3 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
9/27/2019

Notice is hereby given that:

License Number: ABRA-090214

License Class/Type: C Tavern

Applicant: HHLP DC Convention Center Lessee LLC

Trade Name: Hampton Inn - DC Convention Center

ANC: 6E05

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

901 6th ST NW, WASHINGTON, DC 20001

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
11/12/2019

A HEARING WILL BE
11/25/2019

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

ENDORSEMENT(S): Sidewalk Cafe

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	6 am - 2 am	8 am - 2 am	-
Monday:	6 am - 2 am	8 am - 2 am	-
Tuesday:	6 am - 2 am	8 am - 2 am	-
Wednesday:	6 am - 2 am	8 am - 2 am	-
Thursday:	6 am - 2 am	8 am - 2 am	-
Friday:	6 am - 3 am	8 am - 3 am	-
Saturday:	6 am - 3 am	8 am - 3 am	-

	Hours Of Sidewalk Cafe	Hours Of Sales Sidewalk Cafe
Sunday	7 am - 12 am	8 am - 12 am
Monda	7 am - 12 am	8 am - 12 am
Tuesda	7 am - 12 am	8 am - 12 am
Wednesday:	7 am - 12 am	8 am - 12 am
Thursday:	7 am - 12 am	8 am - 12 am
Friday:	7 am - 12 am	8 am - 12 am
Saturday:	7 am - 12 am	8 am - 12 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
9/27/2019

Notice is hereby given that:

License Number: ABRA-005864

License Class/Type: C Tavern

Applicant: Murray C Warren Inc

Trade Name: Raven Grill

ANC: 1D04

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

3125 MT PLEASANT ST NW, Washington, DC 20010

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
11/12/2019

A HEARING WILL BE
11/25/2019

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

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

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
9/27/2019

Notice is hereby given that:

License Number: ABRA-093572

License Class/Type: C Tavern

Applicant: Kat, LLC

Trade Name: Cloud Restaurant & Lounge

ANC: 1B02

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

1919 9TH ST NW, WASHINGTON, DC 20001

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
11/12/2019

A HEARING WILL BE
11/25/2019

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

ENDORSEMENT(S): Cover Charge Dancing Entertainment

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

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
9/27/2019

Notice is hereby given that:

License Number: ABRA-088787

License Class/Type: C Tavern

Applicant: Family, LLC

Trade Name: MK Lounge & Restaurant

ANC: 1B02

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

1930 9TH ST NW, WASHINGTON, DC 20001

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
11/12/2019

A HEARING WILL BE
11/25/2019

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

ENDORSEMENT(S): Cover Charge Dancing Entertainment

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

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
9/27/2019

Notice is hereby given that:

License Number: ABRA-105482

License Class/Type: C Tavern

Applicant: Dio, LLC

Trade Name: Dio Wine Bar

ANC: 6A01

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

904 H ST NE, WASHINGTON, DC 20002

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
11/12/2019

A HEARING WILL BE
11/25/2019

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

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	3 pm - 10 pm	3 pm - 9 pm	-
Monday:	5 pm - 12 am	5 pm - 11 pm	-
Tuesday:	5 pm - 1 am	5 pm - 12 am	-
Wednesday:	5 pm - 1 am	5 pm - 12 am	-
Thursday:	5 pm - 1 am	5 pm - 12 am	-
Friday:	5 pm - 2 am	5 pm - 1 am	-
Saturday:	4 pm - 2 am	4 pm - 1 am	-

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
9/27/2019

Notice is hereby given that:

License Number: ABRA-094801

License Class/Type: C Tavern

Applicant: MRG 600 F LLC

Trade Name: Denson

ANC: 2C01

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

600 F ST NW, WASHINGTON, DC 20004

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
11/12/2019

A HEARING WILL BE
11/25/2019

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

ENDORSEMENT(S): Cover Charge Entertainment

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

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
9/27/2019

Notice is hereby given that:

License Number: ABRA-090823

License Class/Type: C Tavern

Applicant: Brilliant LLC

Trade Name: Flash

ANC: 1B01

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

645 FLORIDA AVE NW, WASHINGTON, DC 20001

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
11/12/2019

A HEARING WILL BE
11/25/2019

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

ENDORSEMENT(S): Cover Charge Dancing Entertainment Sidewalk Cafe Summer

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	24HOURS - 24HOU	10 am - 2 am	24HOURS - 24HOU
Monday:	24HOURS - 2HOUR	8 am - 2 am	24HOURS - 24HOU
Tuesday:	24HOURS - 24HOU	8 am - 2 am	24HOURS - 24HOU
Wednesday:	24HOURS - 24HOU	8 am - 2 am	24HOURS - 24HOU
Thursday:	24HOURS - 24HOU	8 am - 2 am	24HOURS - 24HOU
Friday:	24HOURS - 24HOU	8 am - 3 am	24HOURS - 24HOU
Saturday:	24HOURS - 24HOU	8 am - 3 am	24HOURS - 24HOU

	Hours Of Sidewalk Cafe	Hours of Summer Garden Operation
Sunday	12pm - 2 am	8 am - 2 am
Monda	12 pm - 2 am	8 am - 2 am
Tuesda	12 pm - 2 am	8 am - 2 am
Wednesday:	12 pm - 2 am	8 am - 2 am
Thursday:	12 pm - 2 am	8 am - 2 am
Friday:	12 pm - 3 am	8 am - 3 am
Saturday:	12 pm - 3 am	8 am - 3 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
9/27/2019

Notice is hereby given that:

License Number: ABRA-112081

License Class/Type: C Tavern

Applicant: Washington Hospitality Venture, LLC

Trade Name: Bombay Street Food

ANC: 1A05

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

1413 PARK RD NW, WASHINGTON, DC 20010

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
11/12/2019

A HEARING WILL BE
11/25/2019

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

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

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
9/27/2019

Notice is hereby given that:

License Number: ABRA-060477

License Class/Type: C Nightclub

Applicant: Aqua NYA LLC

Trade Name: Aqua Restaurant

ANC: 5C04

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

1818 NEW YORK AVE NE, #A, Washington, DC 20002

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
11/12/2019

A HEARING WILL BE
11/25/2019

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

ENDORSEMENT(S): Dancing Entertainment Summer Garden

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

	Hours of Summer Garden	Hours of Sales Summer
Sunday	10 am - 2 am	10 am - 2 am
Monda	10 am - 2 am	10 am - 2 am
Tuesda	10 am - 2 am	10 am - 2 am
Wednesday:	10 am - 2 am	10 am - 2 am
Thursday:	10 am - 2 am	10 am - 2 am
Friday:	10 am - 3 am	10 am - 3 am
Saturday:	10 am - 3 am	10 am - 3 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
9/27/2019

Notice is hereby given that:

License Number: ABRA-111687

License Class/Type: C Tavern

Applicant: Taqueria, LLC

Trade Name: Taqueria Distrito Federal

ANC: 4D01

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

805 KENNEDY ST NW, WASHINGTON, DC 20011

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
11/12/2019

A HEARING WILL BE
11/25/2019

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

ENDORSEMENT(S): Sidewalk Cafe

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	8 am - 2 am	11 am - 1:30 am	-
Monday:	8 am - 2 am	11 am - 1:30 am	-
Tuesday:	8 am - 2 am	11 am - 1:30 am	-
Wednesday:	8 am - 2 am	11 am - 1:30 am	-
Thursday:	8 am - 2 am	11 am - 1:30 am	-
Friday:	8 am - 3 am	11 am - 2:30 am	-
Saturday:	8 am - 3 am	11 am - 2:30 am	-

	Hours Of Sidewalk Cafe	Hours Of Sales Sidewalk Cafe
Sunday	11 am - 10 pm	11 am - 10 pm
Monday	11 am - 10 pm	11 am - 10 pm
Tuesday	11 am - 10 pm	11 am - 10 pm
Wednesday:	11 am - 10 pm	11 am - 10 pm
Thursday:	11 am - 10 pm	11 am - 10 pm
Friday:	11 am - 11 pm	11 am - 11 pm
Saturday:	11 am - 11 pm	11 am - 11 pm

FOR FURTHER INFORMATION CALL: (202) 442-4423

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

Placard Posting Date: September 27, 2019
Protest Petition Deadline: November 12, 2019
Roll Call Hearing Date: November 25, 2019

License No.: ABRA-115150
Licensee: Donahue, LLC
Trade Name: Donahue
License Class: Retailer's Class "C" Tavern
Address: 1338 Wisconsin Avenue, N.W.
Contact: Stephen J. O'Brien: (202) 625-7700

WARD 2

ANC 2E

SMD 2E03

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 November 25, 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

Applicant requests to Transfer license without Sale and change the hours for inside the premises and Summer Garden. Applicant also requests to add 135 additional seats, resulting in an increase in Total Occupancy Load from 85 to 220. Summer Garden will have 20 seats.

CURRENT HOURS OF OPERATION INSIDE PREMISES

Sunday through Thursday, 8am – 1:30am
Friday and Saturday, 8am – 2:30am

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

Sunday 11am – 1:30am, Monday through Wednesday, 5pm – 1:30am, Thursday 11am – 1:30am,
Friday and Saturday, 11am – 2:30am

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

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

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

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

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date: September 27, 2019
Protest Petition Deadline: November 12, 2019
Roll Call Hearing Date: November 25, 2019

License No.: ABRA-087362
Licensee: Zeni, LLC
Trade Name: Habesha Market & Carry-Out Restaurant
License Class: Retailer's Class "D" Restaurant
Address: 1919 9th Street, N.W.
Contact: Jeff Jackson: (202) 251-1566

WARD 1 ANC 1B SMD 1B02

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 November 25, 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

Applicant requests a Class Change from a Retailer Class "D" Restaurant to a Retailer Class "D" Tavern.

CURRENT HOURS OF OPERATION

Sunday through Saturday 8am - 5am

CURRENT HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE AND CONSUMPTION

Sunday 10am - 2am, Monday through Thursday 8am - 2am, Friday and Saturday 8am - 3am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
9/6/2019

****CORRECTION**

Notice is hereby given that:

License Number: ABRA-112301

License Class/Type: C Restaurant

Applicant: Residents DC LLC

Trade Name: Residents

ANC: 2B07

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

1317 Connecticut AVE NW, WASHINGTON, DC 20036

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
10/21/2019

A HEARING WILL BE
11/4/2019

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

ENDORSEMENT(S): Cover Charge Dancing Entertainment Summer Garden

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

*****Hours of Summer Garden**

*****Hours of Sales Summer Garden**

Sunday	10am - 11pm	10am - 11pm
Monda	10am - 11pm	10am - 11pm
Tuesda	10am - 11pm	10am - 11pm
Wednesday:	10am - 11pm	10am - 11pm
Thursday:	10am - 11pm	10am - 11pm
Friday:	10am - 12am	10am - 12am
Saturday:	10am - 12am	10am - 12am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
9/6/2019

****RESCIND**

Notice is hereby given that:

License Number: ABRA-112301

License Class/Type: C Restaurant

Applicant: Residents DC LLC

Trade Name: Residents

ANC: 2B07

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

1317 Connecticut AVE NW, WASHINGTON, DC 20036

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
10/21/2019

A HEARING WILL BE
11/4/2019

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

ENDORSEMENT(S): Cover Charge Dancing Entertainment Summer Garden

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

****Hours of Summer Garden**

****Hours of Sales Summer Garden**

Sunday	10am - 2am	10am - 2am
Monda	10am - 2am	10am - 2am
Tuesda	10am - 2am	10am - 2am
Wednesday:	10am - 2am	10am - 2am
Thursday:	10am - 2am	10am - 2am
Friday:	10am - 3am	10am - 3am
Saturday:	10am - 3am	10am - 3am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date: September 27, 2019
Protest Petition Deadline: November 12, 2019
Roll Call Hearing Date: November 25, 2019

License No.: ABRA-109064
Licensee: FD, LLC
Trade Name: Unity
License Class: Retailer's Class "C" Tavern
Address: 1936 9th Street, N.W.
Contact: David E. Fox, Esq.: (202) 276-3050

WARD 1 ANC 1B SMD 1B02

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 November 25, 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

Applicant requests to increase Total Occupancy Load from 65 to 205.

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

Sunday through Thursday 11am - 2am
Friday and Saturday 11am - 3am

HOURS OF LIVE ENTERTAINMENT

Sunday through Thursday 6pm - 2am
Friday and Saturday 10pm - 3am

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

The District of Columbia Public Charter School Board (DC PCSB) announces an opportunity for the public to submit comment on an amendment request submitted by AppleTree Early Learning Public Charter School (AppleTree PCS) on September 13, 2019, to relocate its Southwest campus to a new location in Ward 6, effective for school year (SY) 2020-21.

AppleTree PCS is a local education agency (LEA) currently in its fifteenth year of operation educating students in grades prekindergarten-3 (PK3) and PK4 at six campuses in Wards 1, 6, 7, and 8. For SY 2019-20, AppleTree PCS has elected to postpone operation of its Southwest campus until its new facility is ready. Effective for SY 2020-21, AppleTree PCS Southwest will reopen and relocate to a new facility at 475 School Street SW in Ward 6. The school will co-locate at this site with Richard Wright PCS, and the school's sublease for this location will be for a 15-year term. Also, effective for SY 2022-23 and beyond, AppleTree Southwest will open a second site at Waterfront Station, located at 1000 4th Street SW. The lease for this second location will be for a 17-year term.

A public hearing will be held on October 28, 2019 and a vote will be held on November 18, 2019 at 6:30 p.m.

How to Submit Public Comment:

1. Submit written comment one of the following ways:
 - a. E-mail: public.comment@dcpcsb.org
 - b. Postal mail: Attn: Public Comment, *DC Public Charter School Board, 3333 14th ST. NW., Suite 210, Washington, DC 20010
 - c. Hand Delivery/Courier*: Same as postal address above
2. Sign up to testify in-person at the public hearing on October 28, 2019 by emailing a request to public.comment@dcpcsb.org by no later than 4 p.m. on Friday, October 25.

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

The District of Columbia Public Charter School Board (DC PCSB) announces an opportunity for the public to submit comment on a letter of intent, submitted by KIPP DC Public Charter School (KIPP DC PCS) to apply for an amendment request to expand the grade levels offered at KIPP DC Honor Academy PCS.

KIPP DC PCS is a local education agency (LEA) currently in its nineteenth year of operation educating students in grades prekindergarten-3 (PK3) through twelve at eighteen campuses in Wards 5, 6, 7, and 8. Currently, KIPP DC Honor Academy PCS educates students in grades 4-8 at its campus in Ward 8. However, effective for SY 2020-21 and beyond, the LEA seeks to apply for an amendment to expand the grades offered at this campus to include PK3-3. The school's rationale for this request is to: 1) increase students' opportunity to attend a quality charter school, 2) expand the grade bands offered at Honor Academy to provide more convenience to families, and 3) enable younger siblings of students attending the campus to attend the same school.

A public hearing will be held on October 28, 2019 and a vote will be held on November 18, 2019 at 6:30 p.m.

How to Submit Public Comment:

1. Submit written comment one of the following ways:
 - a. E-mail: public.comment@dcpsb.org
 - b. Postal mail: Attn: Public Comment, *DC Public Charter School Board, 3333 14th ST. NW., Suite 210, Washington, DC 20010
 - c. Hand Delivery/Courier*: Same as postal address above
2. Sign up to testify in-person at the public hearing on October 28, 2019, by emailing a request to public.comment@dcpsb.org by no later than 4 p.m. on Thursday, October 24, 2019.

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

The District of Columbia Public Charter School Board (DC PCSB) announces an opportunity for the public to submit comment on an amendment request submitted by The Family Place Public Charter School (The Family Place PCS) on September 12, 2019, to increase its enrollment ceiling by 5%, effective for school year (SY) 2019-20 through SY 2022-23.

The Family Place PCS is in its second year of operation educating 130 adult students at a single campus in Ward 1. The mission of the school is to “improve the literacy and workplace skills of low income limited English proficient adults in the District so that they and their family are self-sustaining, employable and engaged in their community.” Due to increased demand for the school’s program, The Family Place PCS requests a 5% enrollment ceiling increase, from its current maximum ceiling of 175 students by SY 2022-23, to a new maximum enrollment ceiling of 183 students, which is an increase of 8 additional students.

A public hearing will be held on October 28, 2019 and a vote will be held on November 18, 2019 at 6:30 p.m.

How to Submit Public Comment:

1. Submit written comment one of the following ways:
 - a. E-mail: public.comment@dcpcsb.org
 - b. Postal mail: Attn: Public Comment, *DC Public Charter School Board, 3333 14th ST. NW., Suite 210, Washington, DC 20010
 - c. Hand Delivery/Courier*: Same as postal address above
2. Sign up to testify in-person at the public hearing on October 28, 2019, by emailing a request to public.comment@dcpcsb.org by no later than 4 p.m. on Thursday, October 24, 2019.

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS

NOTICE OF FINAL RULEMAKING

The Director of the Department of Consumer and Regulatory Affairs, pursuant to the authority set forth in the Second Omnibus Regulatory Reform Amendment Act of 1999, effective April 20, 1999 (D.C. Law 12-261; D.C. Official Code § 47-2853.10(a)(12) (2015 Repl.)), and Mayor's Order 2000-70, dated May 2, 2000, hereby gives notice of the adoption of the following amendment of Chapters 18 (Reserved), 19 (Reserved) and 35 (Licensing Fees) of Title 17 (Business, Occupations, and Professionals) of the District of Columbia Municipal Regulations (DCMR).

In accordance with the Regulation of Landscape Architecture and Professional Design Firms Amendment Act of 2016, effective April 7, 2017 (D.C. Law 21-249; D.C. Official Code §§ 47-2853.116 *et seq.* (2019 Supp.)), this rulemaking establishes professional license regulations to govern the licensure of professional design firms and landscape architects seeking to operate in the District of Columbia. Specifically, this rulemaking outlines processes for applicants, sets eligibility requirements for those seeking licensure, creates practice standards for licensees, and implements continuing education requirements for licensed landscape architects seeking to renew or reinstate a license in the District.

A Notice of Proposed Rulemaking was published in the *D.C. Register* on January 25, 2019, at 66 DCR 1205. Two comments were received in response, one from the American Society of Landscape Architects (ASLA), and another from the Potomac Chapter of ASLA. The comments were fairly identical and suggested some reorganization of the chapter, as well as some clarification concerning education, examination and continuing education requirements. The Board of Architecture, Interior Design, and Landscape Architecture and DCRA considered these comments and, in light of the comments, certain clarifying revisions and a minor correction have been made to address concerns raised by ASLA. An additional correction, which was outside the scope of ASLA's comments, was made to clarify the requirements for renewal of a license. However, these changes do not substantially alter the intent, meaning, or application of the proposed rules as published with the notice of proposed rulemaking, or impose new obligations or requirements on licensees or applicants.

In Sections 1902 and 1903, the phrase "four-year" was deleted wherever it appeared in order to clarify that any properly accredited baccalaureate degree would be acceptable to meet the education requirement for licensure. The proposed language of Subsection 1904.1 was amended to include any predecessor examination administered by the Council of Landscape Architectural Registration Boards. To correct an error, the word "expired" was deleted from Subsection 1907.2. Finally, to remedy an oversight, the word "landscape" was inserted in front of the word "architect" in Subsection 1910.9.

These rules were adopted as final on July 10, 2019 and shall become effective on the date of publication of this notice in the *D.C. Register*.

Title 17 DCMR, BUSINESS, OCCUPATIONS, AND PROFESSIONALS, is amended as follows:

Chapter 18, [RESERVED], is renamed PROFESSIONAL DESIGN FIRMS, and amended to read as follows:

1800 APPLICABILITY

1800.1 This chapter applies to applicants for licenses and licensed professional design firms.

1800.2 Chapters 19 (Landscape Architects), 32 (Interior Designers), 33 (General Rules: Funeral Directors, Veterinarians, Interior Designers and Real Estate Appraisers), and 34 (Architects) of this title supplement this chapter.

1801 APPLICATION FOR A LICENSE AS A PROFESSIONAL DESIGN FIRM

1801.1 Each applicant for a license as a Professional Design Firm in the District of Columbia shall duly file with the Board an application on a form prescribed and provided by the Board.

1801.2 Each application shall be sworn to or affirmed before a notary public, or if applicable, by electronic signature or other authentication methods as authorized by the Council of the District of Columbia or the Mayor.

1801.3 The proper fees and all required documents shall accompany the application at the time of filing.

1801.4 An authorized agent of the applicant shall provide the following:

- (a) Proof that the applicant exists and is properly organized under applicable District and federal law;
- (b) Proof that at least one (1) partner, officer, shareholder, member, or manager is an architect, interior designer, or landscape architect who is licensed and in good standing in the District of Columbia. Acceptable proof of ownership may include, but is not limited to, the following:
 - (1) Stock certificates;
 - (2) Corporate registration documents;
 - (3) Articles of organization;
 - (4) Partnership agreements; or

(5) Tax forms.

(c) If the applicant is a corporation, the names and street addresses of each of its directors and principal officers, and a copy of the certificate of incorporation; and

(d) If the applicant is a partnership, the names and street addresses of each of the general partners.

1801.5 To be eligible for licensure, each applicant shall designate at least one (1) member who is licensed and in good standing as an architect, interior designer, or landscape architect in the District of Columbia to assume responsible charge of all professional design services solicited or provided by the firm in accordance with D.C. Official Code § 47-2853.66(a).

1802 ISSUANCE AND DISPLAY OF LICENSE

1802.1 The Director shall issue a license to a firm, franchise, partnership, association, or corporation if the Board determines that it is in compliance with D.C. Official Code § 47-2853.65 and this chapter.

1802.2 The Director shall issue a license only for the person or persons named as applicants in the application. The license is not assignable or transferable, or valid for use by any person other than that designated on the license.

1802.3 A licensee shall display its license in a conspicuous place on its premises and make the license available for inspection by the Department upon request.

1803 TERM OF LICENSE

1803.1 All licenses issued prior to April 30, 2021, pursuant to this chapter, shall be valid from the date of issuance until April 30, 2021. All licenses issued thereafter shall be valid from the date of issuance until April 30 of each odd-numbered year.

1803.2 The Director may change the license cycle for administrative convenience.

1803.3 If the Director changes the license cycle, the term of a license that is in effect on the date of the Director’s determination to change the cycle may, at the Board's discretion, be extended up to three (3) years in order to permit an orderly transition. Any extension of the license term implemented under this section shall only be made upon approval by the Board.

1804 REQUIRED NOTIFICATIONS

1804.1 A licensee shall notify the Board of the admission or withdrawal of a member or shareholder within thirty (30) days of the occurrence.

- 1804.2 The notice required by § 1804.1 shall:
 - (a) Be signed by a registered partner, officer, shareholder, member, or manager of the professional design firm;
 - (b) State the date of the admission or withdrawal; and
 - (c) State whether the licensee intends to continue operating as a professional design firm, and if so, include the name, license number, street address, of any new partner, officer, shareholder, member, or manager.

1804.3 A licensee shall notify the Board of the termination of the business relationship between the licensee and any member who was designated to assume responsible charge of all professional design services solicited or provided by the firm within ten (10) business days of the occurrence.

- 1804.4 The notice required by § 1804.3 shall:
 - (a) Be signed by a registered partner, officer, shareholder, member, or manager of the professional design firm;
 - (b) State the date of the termination; and
 - (c) State whether the licensee intends to continue operating as a professional design firm, and if so, include the name and license number of any new responsible member.

1805 STANDARDS OF PRACTICE

1805.1 In the provision of professional design services, a professional design firm shall be subject to the applicable rules of professional conduct and any standards of practice established in Chapters 19 (Landscape Architects), 32 (Interior Designers), and 34 (Architects) of this title.

1805.2 All architecture services solicited or provided by a professional design firm shall be under the responsible charge of a supervising architect who is licensed in the District.

1805.3 All interior design services solicited or provided by a professional design firm shall be under the responsible charge of a supervising architect or interior designer who is licensed in the District

1805.4 All landscape architecture services solicited or provided by a professional design firm shall be under the responsible charge of a supervising landscape architect who is licensed in the District.

1805.5 No person shall sign and stamp a professional design document on behalf of a professional design firm except an architect, interior designer, or landscape architect licensed in the District.

1899 DEFINITIONS

1899.1 When used in this chapter, the words and phrases set forth in this section shall have the following meanings:

Act - The Non-Health Related Occupations and Professions Licensure Act of 1998, effective April 20, 1999 (D.C. Law 12-261; D.C. Official Code §§ 47-2853.01 *et seq.*).

Applicant – A person who has submitted an application for licensure as a professional design firm to the Board.

Board – The Board of Architecture, Interior Design, and Landscape Architecture as established by the Act.

Department - Unless otherwise defined, the Department of Consumer and Regulatory Affairs.

Director - The Director of the Department of Consumer and Regulatory Affairs.

Professional design document – Any drawing, specification, report, request for information, construction and administration document, or contract that in any way calls for the professional services of an architect, interior designer, or landscape architect.

Professional design firm – Any firm, franchise, partnership, association, or corporation that is licensed to solicit or provide architecture, interior design, or landscape architecture services in the District.

Professional design services – Architecture, interior design, or landscape architecture services provided in the District.

Responsible charge – Direct control and personal supervision by a licensed architect, interior designer, or landscape architect of the corresponding professional design service. The degree of control necessary shall be such that the licensed architect, interior designer, or landscape architect personally makes design decisions or reviews and approves proposed decisions prior to their implementation, including consideration of alternatives, whenever technical decisions are to be made, and judges the qualifications of technical specialists and the validity and applicability of their recommendations before such recommendations are incorporated in

the work.

Chapter 19, [RESERVED], is renamed, LANDSCAPE ARCHITECTS, and amended to read as follows:

1900 APPLICABILITY

1900.1 This chapter applies to applicants for landscape architect licenses and licensed landscape architects.

1900.2 Chapter 33 (General Rules: Funeral Directors, Veterinarians, Interior Designers and Real Estate Appraisers) of this title supplements this chapter.

1901 APPLICATIONS FOR LICENSURE

1901.1 Each applicant for a license as a landscape architect in the District of Columbia shall duly file with the Board an application on a form prescribed and provided by the Board.

1901.2 Each application shall be sworn to or affirmed before a notary public, or if applicable, by electronic signature or other authentication methods as authorized by the Council of the District of Columbia or the Mayor.

1901.3 The proper fees and all required documents shall accompany the application at the time of filing.

1901.4 Each applicant shall provide the following:

- (a) A copy of his or her official government-issued photo identification card, such as a driver's license or permanent resident card, as proof that the applicant is at least eighteen (18) years of age;
- (b) Two (2) recent passport-type photographs of the applicant's face measuring two inches by two inches (2 in. x 2 in.);
- (c) A business or a home address, which cannot be a post office box number;
- (d) Proof of having completed the education and experience requirements specified by the Board. The Board may accept:
 - (1) Verified records compiled by the Council of Landscape Architectural Registration Boards (CLARB) as sufficient documentation; or

(2) A certification by CLARB that the applicant has met the minimum standards of education, examination, experience and professional conduct established by CLARB;

(e) If an applicant is applying by reciprocity or endorsement, proof of his or her current licensure as a landscape architect in another jurisdiction with requirements that are substantially equivalent to those of the District; and

(f) Proof that the applicant has met any other requirements established by the Board to ensure the applicant is qualified to engage in the practice of landscape architecture.

1901.5 If an applicant has been convicted of a criminal offense, other than a minor traffic violation, the applicant shall provide the following:

(a) Copies of the relevant court records which describe the nature of the conviction;

(b) A written statement from the applicant explaining the circumstances surrounding the conviction; and

(c) Any information regarding the applicant’s rehabilitation and good conduct.

1902 QUALIFICATIONS FOR LICENSURE

1902.1 To be eligible for licensure as a landscape architect, an applicant:

(a) Shall be at least eighteen (18) years of age;

(b) Shall be of good moral character;

(c) Shall not have been convicted of an offense that bears directly on the applicant’s fitness to be licensed, as determined by the Board in accordance with the guidelines set forth in 17 DCMR § 3312 and the Act;

(d) Except as otherwise provided in this chapter, shall pass the Landscape Architect Registration Examination (L.A.R.E.) administered by the Council of Landscape Architectural Registration Boards (CLARB);

(e) Shall have obtained or completed the following education in landscape architecture:

(1) A baccalaureate degree in landscape architecture from a program accredited by the Landscape Architectural Accreditation Board

(LAAB) or the Canadian Society of Landscape Architects Accreditation Council (CSLAAC); or

- (2) A degree or combined coursework that is deemed by the Board to be substantially equivalent to programs that are accredited by LAAB. A transcript evaluation prepared and submitted by a provider approved by the Board shall serve as the Board's guide for assessment; and
- (f) Shall have obtained three (3) or more years of work experience indicating that he or she is competent to practice landscape architecture. An applicant's work experience must be verified by one or more individuals who:
- (1) At the time the experience was gained, held a license as a landscape architect in the District or another jurisdiction;
 - (2) Have obtained personal knowledge of the applicant sufficient to issue judgments concerning the applicant's experience, ability, character, or reputation;
 - (3) Are not related to the applicant; and
 - (4) Are not currently members of the Board.

1903 EXAMINATION REQUIREMENTS

- 1903.1 If an applicant holds a baccalaureate degree in landscape architecture from a program accredited by the Landscape Architectural Accreditation Board (LAAB) or the Canadian Society of Landscape Architects Accreditation Council (CSLAAC), he or she shall be deemed eligible to sit for the L.A.R.E. without prior application to the Board. Such applicants must apply directly to the Council of Landscape Architectural Registration Boards (CLARB) to sit for the examination, and may apply to the Board for licensure after having passed the examination in accordance with § 1903 of this chapter.
- 1903.2 If an applicant does not hold a baccalaureate degree in landscape architecture from a program accredited by LAAB or CSLAAC, he or she may not register or sit for the L.A.R.E. until the Board has established that the applicant is qualified to take the examination.
- 1903.3 To be eligible to sit for the examination, an applicant who requires prior approval in accordance with § 1903.2 must have attained a degree, or completed combined coursework, that is deemed by the Board to be substantially equivalent to programs that are accredited by LAAB, and shall submit with the application a

transcript evaluation that has been prepared and submitted by a provider approved by the Board which shall serve as the Board's guide for assessment.

1904 LICENSURE BY CERTIFICATION, RECIPROCITY OR ENDORSEMENT

1904.1 The Board shall waive the examination requirement for an applicant when the applicant holds a current and valid certification issued by the Council of Landscape Architectural Registration Boards (CLARB), or other proof of having previously passed the L.A.R.E, or a predecessor examination, in accordance with the CLARB standards in effect at the time the applicant took the examination.

1904.2 An applicant for a license by reciprocity or endorsement shall furnish proof satisfactory to the Board that the following requirements are met:

- (a) The applicant is licensed and in good standing as a landscape architect in a jurisdiction of the United States with requirements that are substantially equivalent to the requirements of the Act and this chapter;
- (b) The jurisdiction in which the applicant is licensed admits landscape architects licensed by the District of Columbia in like manner; and
- (c) The applicant has paid the required fees to the District.

1905 ISSUANCE AND DISPLAY OF LICENSE

1905.1 The Director shall issue a license to any applicant who has met the requirements of the Act and this chapter.

1905.2 The Director shall issue a license only for the individual named as applicant in the application. The license is not assignable or transferable, or valid for use by any individual other than that designated on the license.

1905.3 A licensee shall display his or her license conspicuously at the licensee’s principal place of business or employment.

1906 TERM OF LICENSE

1906.1 All licenses issued prior to April 30, 2021, pursuant to this chapter, shall be valid until April 30, 2021. All licenses issued thereafter shall be valid from the date of issuance until April 30 of each odd-numbered year.

1906.2 The Director may change the license cycle for administrative convenience.

1906.3 If the Director changes the license cycle, the term of a license that is in effect on the date of the Director’s determination to change the cycle may, at the Board's

discretion, be extended up to three (3) years in order to permit an orderly transition. Any extension of the license term implemented under this section shall only be made upon approval by the Board.

1907 CONTINUING EDUCATION REQUIREMENTS FOR RENEWAL OR REINSTATEMENT OF A LICENSE

1907.1 This section shall apply to all applicants for the renewal or reinstatement of a license to practice landscape architecture, except those applicants seeking first renewal of a license granted by examination or certification.

1907.2 An applicant for renewal of a license shall submit proof pursuant to this section of having completed twenty-four (24) hours of credit in approved continuing education programs during the term of the license. At least eighteen (18) of these hours shall be in health, safety, and welfare subjects.

1907.3 An applicant for reinstatement of an expired license or renewal of an inactive license shall submit proof pursuant to this section of having completed twenty-four (24) hours of credit in approved continuing education programs, and an additional six (6) hours of credit for each year the license was expired or inactive, up to a maximum of thirty-six (36) hours. At least seventy-five percent (75%) of these hours shall be in health, safety, and welfare subjects. To be creditable, courses shall not have been completed more than two (2) years prior to the date of application.

1907.4 An applicant under this section shall prove completion of required continuing education credits by submitting with the renewal or reinstatement application the following information with respect to each program:

- (a) The name and address of the sponsor of the program;
- (b) The name of the program, its location, a description of the subject matter covered, and the names of the instructors;
- (c) The dates on which the applicant attended the program;
- (d) The hours of credit claimed; and
- (e) A certificate of successful completion from the sponsor or provider.

1907.5 A continuing education credit shall be valid only if it is part of a program approved by the Board in accordance with § 1908 of this chapter. Licensees are responsible for ensuring that continuing education courses taken to satisfy the Board's renewal or reinstatement requirements are approved by the Board.

- 1907.6 An applicant for the renewal of a license who fails to submit proof of having completed the continuing education requirements by or before the expiration date may renew the license within sixty (60) days after expiration by submitting proof of course completion and by paying the required late fee. Upon renewal, the Board shall deem the applicant to have possessed a valid license during the period between the expiration of the license and its renewal.
- 1907.7 If an applicant for the renewal of a license fails to submit proof of completion of continuing education requirements within sixty (60) days after the expiration of the applicant's license, the license shall be deemed to have lapsed on the date of expiration, and the applicant shall be required to apply for reinstatement of the expired license pursuant to § 3308 of this title.
- 1907.8 The Board may grant an extension of the sixty (60) day period to renew after expiration if the applicant's failure to submit proof of completion of continuing education requirements was for good cause. For purposes of this subsection, "good cause" includes proof of the following during the term of the license:
- (a) Serious and protracted illness of the applicant, who submits a doctor's statement verifying the illness;
 - (b) The death or serious and protracted illness of a member of the applicant's immediate family, which death or illness resulted in the applicant's inability to complete the continuing education requirements within the specified time. For the purposes of this subsection, the term "immediate family" means the applicant's spouse and any parent, brother, sister, or child of the applicant and the spouse of any such parent, brother, sister, or child; or
 - (c) Active military service.
- 1907.9 An extension granted under this section shall not relieve an applicant from complying with the continuing education requirements.

1908 APPROVED CONTINUING EDUCATION PROGRAMS

- 1908.1 The Board, in its sole discretion, may approve continuing education programs that contribute to the growth of an applicant in professional competence in the practice of landscape architecture and which meet the other requirements of this section.
- 1908.2 To qualify for approval by the Board, a continuing education program shall be:
- (a) Prepared, offered, administered, or accepted by an entity approved by the Council of Landscape Architectural Registration Boards (CLARB); or

- (b) Administered in accordance with the current edition of the CLARB Uniform Continuing Education Standards, as determined by the Board.

1908.3 A continuing education program or activity shall be deemed approved by the Board if the offering is provided or sponsored by one of the following:

- (a) Landscape Architecture Continuing Education System (LA CES);
- (b) American Society of Landscape Architects (ASLA);
- (c) CLARB;
- (d) A licensing board of another jurisdiction that regulates the practice of landscape architecture;
- (e) National Society of Professional Engineers;
- (f) American Institute of Architects;
- (g) Federal or state agencies offering training in landscape architecture; and
- (h) Accredited colleges and universities offering training in landscape architecture.

1909 REQUIRED NOTIFICATIONS

1909.1 A licensee shall notify the Board in writing within thirty (30) days of any name change, or any change of business, email, or residence address.

1909.2 A licensee shall inform the Board in writing within thirty (30) days of pleading guilty or *nolo contendere*, or being convicted or found guilty of any felony.

1909.3 A licensee shall inform the Board in writing within thirty (30) days of the suspension, revocation, or surrender of his or her license as a landscape architect in any other jurisdiction.

1910 RULES OF PROFESSIONAL CONDUCT

1910.1 In engaging in the practice of landscape architecture, a licensee shall act with reasonable care and competence, and shall apply the technical knowledge and skill that are ordinarily applied by licensed landscape architects of good standing practicing in the same locality.

1910.2 In designing a project, a licensee shall take into account all applicable federal, state, and municipal building laws and regulations. While a licensee may rely on the advice of other professionals (*e.g.*, attorneys, engineers, and other qualified

persons) as to the intent and meaning of such regulations, once having obtained such advice, a licensed landscape architect shall not knowingly design a project in violation of such laws and regulations.

- 1910.3 A licensed landscape architect shall undertake to perform professional services only when he or she, together with those whom the licensee may engage as consultants, is qualified by education, training, and experience in the specific technical areas involved.
- 1910.4 A licensed landscape architect shall not accept compensation for his or her services from more than one party on a project unless the circumstances are fully disclosed in writing and agreed to by all interested parties.
- 1910.5 A licensee shall fully disclose in writing to his or her client or employer any business association or direct or indirect financial interest which is substantial enough to influence his or her judgment in connection with the performance of professional services.
- 1910.6 When making public statements concerning the practice of landscape architecture, a licensee shall disclose when he or she is being compensated for making such statements.
- 1910.7 If in the course of his or her work on a project, a licensed landscape architect becomes aware of a decision made by his or her employer or client, against such licensee's advice, which will result in a violation of any applicable federal, state, or municipal building laws or regulations, and which will, in the licensee's judgment, materially and adversely affect the safety to the public of the finished project, the licensed landscape architect shall:
- (a) Report the decision to the local building inspector or other public official charged with enforcement of the applicable federal, state, or municipal building laws and regulations; and
 - (b) Refuse to consent to the decision.
- 1910.8 A licensed landscape architect shall not willfully make a materially false statement or willfully fail to disclose a material fact requested in connection with his or her application for a license or renewal or reinstatement of a license.
- 1910.9 A licensed landscape architect shall not assist in the application for licensure of an individual known by the licensed landscape architect to be unqualified with respect to education, training, experience, or character.
- 1910.10 A licensed landscape architect shall not sign or seal technical submissions unless they were prepared by the licensee or under his or her responsible charge; provided, however, that a licensee may sign and seal those portions of any

technical submissions that were prepared under the responsible charge of another licensed landscape architect if he or she has reviewed such portions and has coordinated their preparation.

- 1910.11 A licensed landscape architect shall not, in the conduct of his or her practice, knowingly violate any municipal, state, or federal criminal law.
- 1910.12 A licensed landscape architect shall neither offer nor make any payment or gift to a government official (whether elected or appointed) with the intent to influence the official's judgment in connection with a prospective or existing project in which the licensee is interested.
- 1910.13 A licensee possessing knowledge of a violation of the provisions set forth in §§ 1909.1 through 1909.12 by another licensed landscape architect shall report such knowledge to the Board.

1911 SEALS

- 1911.1 Each licensed landscape architect shall procure a seal, which shall contain the following information:
- (a) District of Columbia;
 - (b) Licensee's name;
 - (c) License number;
 - (d) The words "Landscape Architect"; and
 - (e) Any other information requested by the Board.
- 1911.2 The seal shall be evidence of the authenticity of a document and shall be imprinted on all technical submissions, as follows:
- (a) Each design and each drawing;
 - (b) On the cover and index pages identifying each set of specifications; and
 - (c) On the cover page (and index, if applicable) of all other technical submissions.
- 1911.3 The seal appearing on any technical submission shall be prima facie evidence that the technical submission was prepared by or under the responsible charge of the named licensee appearing on the seal.
- 1911.4 No licensed landscape architect shall affix or permit to be affixed his or her seal

or signature to any technical submission which depicts work which he or she is not competent to perform.

1911.5 No licensed landscape architect shall affix his or her seal or signature to any technical submission, or any portion thereof, that was not prepared by him or her or under his or her responsible charge, provided that a licensee may sign or seal technical submissions prepared by another licensed landscape architect if he or she has reviewed, approved, or modified and adopted the work under his or her responsible charge.

1911.6 Computer-generated seals not signed with a digital signature may be used to authenticate technical submissions provided a manual signature is placed adjacent to or across the seal and the date is written below it. Technical submissions which do not require certification may be transmitted electronically but shall have the generated seal, if any, removed before transmitting and shall have the following inserted in lieu of the signature and date:

“This document was originally issued and sealed by (name of licensee), L.A.#_____ on (date of sealing). This document should not be considered a certified document.”

1911.7 Technical submissions that are signed using a digital signature, as defined in this chapter, shall contain the following:

- (a) An authentication procedure that includes the following elements:
 - (1) A unique signature;
 - (2) Capability to verify the source;
 - (3) Sole control by the person using it; and
 - (4) A link to the document in such a manner that the digital signature is invalidated if any data in the document is changed; and
- (b) A list of the hardware, software, and parameters used to prepare the document(s).

1999 DEFINITIONS

1999.1 When used in this chapter, the words and phrases set forth in this section shall have the following meanings:

Act - The Non-Health Related Occupations and Professions Licensure Act of 1998, effective April 20, 1999 (D.C. Law 12-261; D.C. Official Code §§ 47-2853.01 *et seq.* (2015 Repl.)).

Applicant – A person who has submitted an application for licensure as a landscape architect to the Board.

Board – The Board of Architecture, Interior Design, and Landscape Architecture as established by the Act.

CLARB – The Council of Landscape Architectural Registration Boards.

Department - Unless otherwise defined, the Department of Consumer and Regulatory Affairs.

Digital Signature - An electronic authentication process attached to or logically associated with an electronic document utilizing technology that meets the National Institute of Standards and Technology (NIST) standards for security and privacy to provide the same degree of assurance and certainty as the traditional "paper and ink" method of signatures.

Director - The Director of the Department of Consumer and Regulatory Affairs.

LAAB – The Landscape Architectural Accreditation Board.

L.A.R.E. – The current Landscape Architect Registration Examination prepared by CLARB.

Licensed landscape architect or Licensee– A person licensed to practice landscape architecture under this chapter and the Act.

Manual signature – The handwritten name of a person applied to a document that identifies the person, serves as a means of authentication of the contents of the document, and provides responsibility for the creation of the document and accountability for the contents of the document.

Practice of landscape architecture – Rendering or offering to render services, including consultation, evaluation, planning, and preparation of studies, designs, specifications, and other technical submissions, in connection with the development of land areas where, and to the extent that the dominant purpose of such services is preservation, enhancement, or determination of proper land uses, natural land features, ground cover and planting, naturalistic and aesthetic values, the settings, approaches or environment for structures or other improvements, grading and drainage and the consideration and determination of inherent problems of the land relating to the erosion, wear and tear, blight or other hazards, and the administration of contracts relative to projects principally directed at the functional and aesthetic use of land, and the location and arrangement of such tangible objects and features as are incidental and necessary to carry

out the purposes outlined herein. However, the term does not include the design of structures or facilities with separate and self-contained purposes such as are ordinarily included in the practice of engineering or architecture or the making of land surveys or final land plats for official approval or recording.

Responsible charge – Direct control and personal supervision by a licensed landscape architect of the professional services provided in the practice of landscape architecture. The degree of control necessary shall be such that the licensee personally makes design decisions or reviews and approves proposed decisions prior to their implementation, including consideration of alternatives, whenever technical decisions are to be made, and judges the qualifications of technical specialists and the validity and applicability of their recommendations before such recommendations are incorporated in the work.

Seal - A symbol, image, or list of information that may be found in the form of a rubber stamp, embossed seal, computer-generated data, or other form.

Technical submissions – Studies, designs, drawings, specifications, and any other technical documentation prepared in the course of the practice of landscape architecture.

Chapter 35, LICENSING FEES, is amended as follows:

Section 3500, FEES, is amended by adding new paragraphs (w) and (x) to the end of Subsection 3500.2 to read as follows:

(w) PROFESSIONAL DESIGN FIRM:

Application	\$65.00	
License	\$120.00	(up to 2 years)
Renewal	\$155.00	(up to 2 years)
Late Renewal Fee	\$50.00	
Examination/Re-examination	See § 3500.3	
Reinstated License	\$155.00	(up to 2 years)
Inactive Status	\$155.00	
Duplicate License	\$30.00	
Verification of Records	\$30.00	

(x) LANDSCAPE ARCHITECTS:

Application	\$65.00	
License	\$120.00	(up to 2 years)
Renewal	\$155.00	(up to 2 years)
Late Renewal Fee	\$50.00	
Examination/Re-examination	See § 3500.3	
Reinstated License	\$155.00	(up to 2 years)

Inactive Status	\$155.00
Duplicate License	\$30.00
Verification of Records	\$30.00

DEPARTMENT OF HEALTH

NOTICE OF FINAL RULEMAKING

The Director of the Department of Health (“Department”), pursuant to § 302(14) of the District of Columbia Health Occupations Revision Act of 1985 (“Health Occupations Revision Act”), effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1203.02(14) (2016 Repl.)), the LGBTQ Cultural Competency Continuing Education Amendment Act of 2016, effective April 6, 2016 (D.C. Law 21-95; 63 DCR 2203 (February 26, 2019)), and Mayor’s Order 98-140, dated August 20, 1998, hereby gives notice of the adoption of the following amendments to Chapter 64 (Optometry) of Title 17 (Business, Occupations, and Professionals) of the District of Columbia Municipal Regulations (DCMR).

The purpose of this rulemaking is to amend the continuing education requirements for optometrists to include continuing education in public health priorities as determined and amended from time to time by the Director.

These amendments were published as Notice of Proposed Rulemaking in the *D.C. Register* on July 19, 2019, at 66 DCR 008385. No comments were submitted in response to this Notice of Proposed Rulemaking during the thirty (30)-day comment period and no changes have been made to the rulemaking. The Director adopted these rules as final on August 22, 2019 and they will become effective upon its publication in the *D.C. Register*.

Chapter 64, OPTOMETRY of Title 17 DCMR, BUSINESS, OCCUPATIONS, AND PROFESSIONALS, is amended as follows:

Section 6406, CONTINUING EDUCATION REQUIREMENTS, is amended as follows:

Subsection 6406.4 is amended to read as follows:

6406.4 An applicant for renewal of a license expiring on March 31, 2020 and all subsequent licensure terms shall submit proof of having completed thirty-eight (38) hours of approved continuing education credit during the two (2) year period preceding the date the license expires, which shall include two (2) hours of approved continuing education credit in cultural competence and appropriate clinical treatment specifically for individuals who are lesbian, gay, bisexual, transgender, gender nonconforming, queer, or questioning their sexual orientation or gender identity and expression. Additionally, at least 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, those subjects shall be identified and published every five (5) years or less frequently as deemed appropriate by the Board of Health. Such proof of completion of continuing education credit shall be submitted within thirty (30) days after it is requested by the Board of Health.

Section 6418, CONTINUING COMPETENCY, is amended as follows:

Subsection 6418.1 is amended to read as follows:

6418.1 An optometrist who has met the requirements for licensure and has satisfied the requirement of completing thirty-eight (38) hours of approved continuing education credit pursuant to 17 DCMR § 6406.4 is deemed competent to practice the profession of optometry.

DEPARTMENT OF HEALTH

NOTICE OF FINAL RULEMAKING

The Director of the Department of Health (“Department”), pursuant to § 302(14) of the District of Columbia Health Occupations Revision Act of 1985 (“Health Occupations Revision 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 adoption of the following amendments to Chapter 68 (Podiatry) of Title 17 (Business, Occupations, and Professionals) of the District of Columbia Municipal Regulations (DCMR).

The purpose of the rulemaking is to set forth amendments regarding educational, licensure, examination, and continuing education requirements to bring the D.C. Board of Podiatry up to date with current standards and best practices in the regulation of the podiatric profession. Consistent with the aim of the Health Occupations Revision Act, this rulemaking will enhance professionalism within the community and operate in support of the health and welfare of the public.

These amendments were published as Notice of Proposed Rulemaking in the *D.C. Register* on July 5, 2019, at 66 DCR 007973. No comments were submitted in response to this Notice of Proposed Rulemaking during the 30-day comment period and no changes have been made to the rulemaking. The Director adopted these rules as final on August 22, 2019 and they will become effective upon its publication in the *D.C. Register*.

Chapter 68, PODIATRY, of Title 17 DCMR, BUSINESS, OCCUPATIONS, AND PROFESSIONALS, is amended as follows:

Subsections 6802.1 and 6802.2 of Section 6802, EDUCATIONAL REQUIREMENTS, are amended to read as follows:

- 6802.1 Except as otherwise provided for in this subtitle, an applicant for licensure must possess a Doctor of Podiatric Medicine degree (DPM) awarded by a podiatry school or college accredited by the Council on Podiatric Medical Education (CPME) in the year the applicant graduated. An official transcript shall serve as satisfactory proof of being awarded a degree of Doctor of Podiatric Medicine.
- 6802.2 Except as otherwise provided in this regulation, an applicant who submits an application for a license shall complete two (2) years of post-graduate clinical training in a residency program approved by CPME, or its successor, and approved by the Board in order to be eligible for the examination. The Board may waive this requirement at the request of an applicant who has practiced podiatry in another state for at least five (5) years immediately before applying for a license in the District.

Subsection 6804.1 of Section 6804, NATIONAL EXAMINATION, is amended to read as follows:

6804.1 To qualify for a license by examination, an applicant shall pass Parts One (1), Two (2), and Three (3) of the National Board of Podiatric Medical Examiners exam, or exams approved by the Board.

Section 6806, CONTINUING EDUCATION REQUIREMENTS, is amended to read as follows:

6806.1 Subject to § 6806.2, this section shall apply to applicants for the renewal, reactivation, or reinstatement of a license.

6806.2 This section shall not apply to applicants for an initial license by examination, reciprocity, or endorsement, nor shall it apply to applicants for the first renewal of a license granted by examination.

6806.3 A continuing education credit shall be valid only if it is part of a program or activity approved by the Board in accordance with § 6807.

6806.4 An applicant for renewal of a license expiring on March 31, 2020, and all subsequent licensure terms shall submit proof pursuant to § 6806.7 of having completed fifty (50) hours of approved continuing medical education (CME) during the two (2) year period preceding the date the license expires. At least ten percent (10%) of the total required CME shall be in the subjects determined by the Director as public health priorities of the District every five (5) years or less frequently as deemed appropriate by the Director with notice of the subject matter published in the *D.C. Register*. The Board shall disseminate the identified subjects to its licensees when determined by the Director via electronic communication and through publication on its website. Twenty-five (25) CME credits must be directly related to the practice of podiatric medicine. Two (2) hours of CME are required in cultural competence and appropriate clinical treatment specifically for individuals who are lesbian, gay, bisexual, transgender, gender non-conforming, queer, or questioning their sexual orientation or gender identity and expression. The CME credits may include the cardiopulmonary resuscitation (CPR) certification (as required in § 6811) or CME offerings through attendance at professional or scientific meetings of local, state, regional, national, or international professional or scientific organizations. Thirty (30) CME credits may be completed online. Proof of successful completion shall be submitted within thirty (30) days after it is requested by the Board.

6806.5 To qualify for a license, a person in inactive status within the meaning of § 511 of the Health Occupations Revisions Act, D.C. Official Code § 3-1205.11 (2016 Repl.), who submits an application to reactivate a license shall submit proof pursuant to § 6806.7 of having completed fifteen (15) hours of approved

continuing education credit for each license year that the applicant was in inactive status, up to a maximum of seventy-five (75) hours.

- 6806.6 To qualify for a license, an applicant for reinstatement of a license shall submit proof pursuant to § 6806.7 of having completed twenty-five (25) hours of approved continuing education credit for each year that the applicant was not licensed, up to a maximum of one hundred twenty-five (125) hours.
- 6806.7 An applicant under this section shall prove completion of required continuing education credits by submitting with the application the following information with respect to each program:
- (a) The name of the program, its location, a description of the subject matter covered, and the names of the instructors;
 - (b) The dates on which the applicant attended the program;
 - (c) The hours of credit claimed; and
 - (d) Verification by the sponsor of completion, by signature or stamp.
- 6806.8 An applicant for renewal of a license who fails to submit proof of having completed continuing education requirements by the date the license expires may renew the license up to sixty (60) days after expiration by submitting proof pursuant to § 6807 and by paying the required additional late fee.
- 6806.9 Upon submitting proof of paying the late fee, the applicant shall be deemed to have possessed a valid license during the period between the expiration of the license and the submission of the required documentation and payment of the late fee.
- 6806.10 If an applicant for renewal of a license fails to submit proof of completion of continuing education requirements or pay the late fee within sixty (60) days after the expiration of applicant's license, the license shall be considered to have lapsed on the date of expiration.
- 6806.11 The Board may, in its discretion, grant an extension of the sixty (60) day period to renew after expiration if the applicant's failure to submit proof of completion was for good cause and proof of documentation. For the purposes of this section, "good cause" includes the following:
- (a) Serious and protracted illness of the applicant; or
 - (b) The death or serious and protracted illness of a member of the applicant's immediate family; or

(c) Any other appropriate circumstances at the discretion of the Board.

6806.12 The Board shall conduct a random audit of ten (10) percent of licensees to determine compliance with the continuing education requirements. The licensees shall submit proof of compliance with the continuing education requirements within thirty (30) days after it is requested by the Board.

Section 6807, APPROVED CONTINUING EDUCATION PROGRAMS AND ACTIVITIES, is amended to read as follows:

6807.1 The Board may, in its discretion, approve continuing education programs or activities that directly or indirectly correlate to podiatric medicine and surgery that contribute to the growth of a licensee in professional competence in the practice of podiatry which meet the other requirements of this section.

6807.2 The Board may approve the following types of continuing education programs, if the program meets the requirements of § 6807.3:

(a) A seminar or workshop;

(b) A program offered at professional or scientific meetings of local, state, regional, national, or international professional or scientific organizations; and

(c) In-service training.

6807.3 To be considered for approval by the Board, a continuing education program shall:

(a) Be current in its professional subject matter as it relates to podiatric medicine;

(b) Be developed and taught by qualified individuals; and

(c) Meet one of the following requirements:

(1) Be pre-approved by the CPME or other accrediting body in the field of podiatric medicine; or

(2) Be submitted by the program sponsor to the Board for approval no fewer than sixty (60) days before the date of presentation.

6807.4 The Board shall issue an updated list of approved continuing education programs annually.

6807.5 An applicant shall have the burden of reviewing the Board’s updated list of approved continuing medical education programs, and verifying whether a program is approved by the Board pursuant to this section prior to attending the program.

6807.6 In accordance with § 6807.1, credit shall be given for business or information technology courses that relate to the practice of medicine and surgery. No more than ten credits will be accepted by the Board derived from practice management courses that correlate to the practice of medicine.

Subsections 6810.1(c) and 6810.1(g) of Section 6810, PODIATRIST’S PROFILE, are amended to read as follows:

6810.1

...

(c) The names and dates of specialty Board qualification or certification, if any, as approved by the American Board of Foot and Ankle Surgery, the American Board of Podiatric Medicine, the American College of Foot and Ankle Surgeons, and the American Board of Multiple Specialties in Podiatry;

...

(g) Appointments, if applicable, within the past ten (10) years to medical school or podiatric school faculties with the years of service and academic rank;

Subsection 6812.4 of Section 6812, HEALTH CARE RECORDS, is amended to read as follows:

6812.4 A podiatrist shall release, within twenty-one (21) business days after receipt of a request, a copy of a patient's health care records when the request is made by:

- (a) The patient; or
- (b) The legal representative or guardian of a patient or person authorized to have access to the patient's record under a health care power of attorney.

DEPARTMENT OF MOTOR VEHICLES

NOTICE OF FINAL RULEMAKING

The Director of the Department of Motor Vehicles (“Director”), pursuant to the authority set forth in Sections 1825 and 1826 of the Department of Motor Vehicles Establishment Act of 1998, effective March 26, 1999 (D.C. Law 12-175; D.C. Official Code §§ 50-904 and 50-905 (2014 Repl.)); Sections 6, 7, and 8a of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1121, 1125; D.C. Official Code §§ 50-2201.03, 50-1401.01, and 50-1401.03 (2014 Repl.)); and Mayor’s Order 2016-077, dated May 2, 2016, hereby gives notice of the adoption of the following amendment to Chapter 1 (Issuance of Driver Licenses) of Title 18 (Vehicles and Traffic) of the District of Columbia Municipal Regulations (“DCMR”).

The rule will allow third party vendors to administer the knowledge test for a learner permit in lieu of testing by Department of Motor Vehicles employees.

Notice of Proposed Rulemaking was published in the *D.C. Register* on June 21, 2019 at 66 DCR 007456. No comments were received. No changes were made to the text of the proposed rules. The final rules will become effective on the date of publication of this notice in the *D.C. Register*.

Title 18 DCMR, VEHICLES AND TRAFFIC, is amended as follows:

Chapter 1, ISSUANCE OF DRIVER LICENSES, amends the title of the chapter to read as follows:

**CHAPTER 1 ISSUANCE OF LEARNER PERMITS, PROVISIONAL PERMITS,
OR DRIVER LICENSES**

Section 113, THIRD PARTY TESTING, is amended as follows:

A new Subsection 113.2 is added to read as follows:

113.2

- (a) The Director may authorize a third-party vendor to administer the knowledge test under terms and conditions as set forth by the Director.
- (b) Notwithstanding §§ 103.1 and 103.8(a), the Department shall not collect a fee when a third-party vendor administers the knowledge test.

DEPARTMENT OF MOTOR VEHICLES

NOTICE OF FINAL RULEMAKING

The Director of the Department of Motor Vehicles (“Director”), pursuant to the authority set forth in Sections 1825 and 1826 of the Department of Motor Vehicles Establishment Act of 1998, effective March 26, 1999 (D.C. Law 12-175; D.C. Official Code §§ 50-904 and 50-905 (2014 Repl.)), Section 6 of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1121; D.C. Official Code §§ 50-2201.03 (2014 Repl.)), Section 2 of Title IV of the District of Columbia Revenue Act of 1937, approved August 17, 1937 (50 Stat. 680; D.C. Official Code § 50-1501.02 (2014 Repl.)), and Mayor’s Order 2016-077, dated May 2, 2016, hereby gives notice of the adoption of the following amendment to Chapter 4 (Motor Vehicle Title and Registration) of Title 18 (Vehicles and Traffic) of the District of Columbia Municipal Regulations (“DCMR”).

The rulemaking will allow for a vehicle owner to designate a beneficiary of the vehicle title with the Department.

Notice of Proposed Rulemaking was published in the *D.C. Register* on July 5, 2019 at 66 DCR 007978. No comments were received. No changes were made to the text of the proposed rules. The final rules will become effective on the date of publication of this notice in the *D.C. Register*.

Title 18 DCMR, VEHICLES AND TRAFFIC, is amended as follows:

Chapter 4, MOTOR VEHICLE TITLE AND REGISTRATION, is amended as follows:

Section 402, TRANSFER OF CERTIFICATES OF TITLE, is amended as follows:

Subsection 402.2 is amended to read as follows:

402.2

- (a) An application for title by any person acquiring a vehicle which is titled in the name of a deceased person shall be accompanied by an assignment of ownership executed by the decedent's personal representative and an authenticated copy of the letters testamentary or administration issued to the representative by an appropriate court. If the vehicle is the subject of a small estate order and is a scheduled asset in the order, the person in whose name the probate court vests title in the vehicle may make the assignment. An authenticated copy of the small estate order shall accompany the application for a new certificate.
- (b) If the deceased has assigned a beneficiary or beneficiaries, as indicated in the Department’s database to a vehicle titled in the District, then the surviving beneficiary or beneficiaries may transfer the vehicle to themselves without having to file a probate action. The deceased’s

assignment, as indicated in the Department's database shall supersede any other document executed by the decedent reflecting a different beneficiary or beneficiaries, including, but not limited to, a will or trust. The interest of the surviving beneficiary or beneficiaries shall remain subject to the rights of all lien holders and to any contract of sale, lease, assignment, or security interest to which the owner was subject during his or her lifetime.

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

NOTICE OF PROPOSED RULEMAKING

The Alcoholic Beverage Control Board (Board), pursuant to the authority set forth in Omnibus Alcoholic Beverage Amendment Act of 2004, effective September 30, 2004 (D.C. Law 15-187; D.C. Official Code § 25-211 (2012 Repl. & 2019 Supp.)) and D.C. Official Code §§ 25-351, *et seq.* (2012 Repl.), hereby gives notice of the intent to amend Chapter 3 (Limitations on Licenses) of Title 23 (Alcoholic Beverages) of the District of Columbia Municipal Regulations (DCMR), by amending Section 307 (West Dupont Circle Moratorium Zone).

The proposed rulemaking would (1) maintain the cap of zero (0) for retailer's licenses, class CN and DN, within six hundred feet (600 ft.) in all directions from 21st and P Streets, N.W. and (2) create an exemption from the moratorium zone for the "Dupont Underground"; a District-owned former streetcar station located below Square 114E Lot 0800 and below the right of way of Dupont Circle, N.W. and Connecticut Avenue, N.W. and surrounding streets.

BACKGROUND

The West Dupont Circle Moratorium Zone (WDMZ) has been in effect since 1994. The original WDMZ prohibited the issuance of all alcohol retailer licenses, including restaurants, taverns, and nightclubs. The only exception to this prohibition was for hotel licenses.

The Board has amended the regulation several times since its initial adoption. Most recently, the Board amended the moratorium in 2016 by removing the cap on retailer's licenses, classes A, B, CT, DT, CX, and DX; but retained the cap on nightclub licenses (CN and DN). The 2016 moratorium was effective for three (3) years.

The 2016 moratorium is set to expire on October 27, 2019. In advance of the expiration of the moratorium, Advisory Neighborhood Commission 2B (ANC 2B) submitted a resolution to the Board on June 19, 2019, requesting that it extend the current moratorium for an additional three (3) years. Specifically, ANC 2B requested that the Board maintain the existing cap of zero (0) on nightclub licenses located within six hundred feet (600 ft.) of 21st and P Streets, N.W. The one modification to the moratorium that ANC 2B seeks is an exemption from the moratorium for the area known as the "Dupont Underground"; a District-owned former streetcar station located below Square 114E Lot 0800 and below the right of way of Dupont Circle, N.W. and Connecticut Avenue, N.W. and surrounding streets.

In response to ANC 2B's resolution, the Board scheduled a Public Hearing for July 24, 2019, for purposes of receiving comments from the public on the future of the WDMZ. Notice of the hearing was published in the *D.C. Register* at 66 DCR 7920 (July 5, 2019) and on ABRA's website (www.abra.dc.gov). In addition to accepting oral comments at the hearing, the Board also allowed interested parties to submit written comments until August 2, 2019.

TESTIMONY RECEIVED IN RESPONSE TO AND/OR AT THE PUBLIC HEARING

The Board received written and oral testimony from individuals and groups concerning the WDMZ. Below is a summary of the testimony received:

Daniel Warwick, Chairperson, ANC 2B

Daniel Warwick, Chairperson of ANC 2B, testified on behalf of the ANC. Commissioner Warwick testified that since the ABC Board created the moratorium 20 years ago, the community had undergone significant changes. He testified that there were fewer late night establishments (*e.g.*, taverns and nightclubs) in the area, particularly along P Street, N.W. This, he explained, has resulted in fewer disturbances to neighboring residents.

Commissioner Warwick testified that since 2013, the ANC has sought to loosen the restrictions of the moratorium in West Dupont after having determined that they were no longer necessary to combat certain problematic behaviors and circumstances that were no longer a concern for residents. In 2016, Commissioner Warwick testified that ANC 2B sought to remove the remaining caps on all retail licenses except for nightclubs which the community was still concerned about.

Despite the continued growth of retail development in West Dupont, the ANC believes the moratorium is still necessary because it provides the community with an additional layer of protection against nightclubs that they otherwise would not have. According to Commissioner Warwick, noise remains a concern for many residents in West Dupont, especially along P Street, N.W., where there are retailers, restaurants, and residences. The ANC is concerned that noise problems would be exacerbated if the moratorium was lifted and nightclubs were permitted to open and operate in the area.

Notwithstanding ANC 2B's desire to maintain the cap on nightclubs, Commissioner Warwick testified that the ANC recognizes that nightclubs are desirable in certain parts of the District and that the Dupont Circle area, generally, is an attractive location for many people living or visiting the District. Thus, the ANC is amenable to allowing nightclubs as long as they are restricted to the area under Dupont Circle (*e.g.*, "Dupont Underground"). The ANC believes locating nightclubs in the "Dupont Underground" would have less of an impact on residents. Commissioner Warwick further stated that the ANC has spoken to several District agencies, including the Department of Zoning, about the space, and thus, they are confident that it would be the best location for a nightclub should one open in the area.

Glenn Engelmann, President, Dupont Circle Citizens Association

Glenn Engelmann, President of the Dupont Circle Citizens Association, also testified in support of the moratorium. He spoke more specifically, in support of the ANC's resolution to continue the moratorium as it relates to nightclub licenses and he also supported the exception for the "Dupont Underground". Similar to Commissioner Warwick, Mr. Engelmann acknowledged the improvements that have been made in the West Dupont area over the last twenty (20) years.

Notwithstanding the improvements in the area, Mr. Engelmann noted that the community suffers from limited parking; particularly along P Street, N.W. where there are a number of restaurants, retail shops, and hotels. He noted that P Street, N.W. is a narrow street; thus, presenting pedestrian and parking challenges for the community.

Mr. Engelmann also agreed with the ANC's position to create an exception to the moratorium to allow nightclub licenses in the "Dupont Underground". According to Mr. Engelmann, allowing a nightclub to operate in this space, which would not be as burdensome for neighbors, and could be a good use of an otherwise underutilized space.

Board's Decision

The Board carefully considered ANC 2B's resolution as well as the comments and testimony it received from the public concerning the WDMZ. In reaching its decision, the Board gave great weight to the recommendations of ANC 2B as required by Section 13(d)(3) of the Advisory Neighborhood Councils Act of 1975, effective March 26, 1979 (D.C. Law 1-21; D.C. Official Code § 1-309.10(d)(3) (2016 Repl.)), and D.C. Official Code § 25-609. After evaluating all of the testimony and comments, the Board finds that ANC 2B's resolution is appropriate under at least two appropriateness standards, as required by D.C. Official Code § 25-352(a)(4).

Whether to impose any moratorium is not a decision the Board takes lightly. The Board recognizes the impact that a moratorium can have on future business and residential development. The District of Columbia (District) has a robust economy and the Board wants to encourage the economy's growth. Economic development, however, must be balanced with the safety and welfare of the city's residents. Whenever the Board considers an application for an alcohol license or a moratorium request, it must consider the peace, order, and quiet of the community and how, if at all, the community will be affected, including any potential effects on residential parking needs and vehicular and pedestrian safety.

The West Dupont Moratorium Zone has been in effect for over twenty (20) years. The Board created the moratorium to address taverns and nightclubs that were having a negative impact on residents in the area. As previously mentioned, the initial moratorium prohibited the issuance of all alcohol retail licenses, excluding hotel licenses. Since 2000, however, the Board has lifted some of the restrictions of the moratorium. For example, in 2016, when the Board last renewed the moratorium, the only cap it imposed was on nightclub licenses.

Despite economic improvements in certain neighborhoods, the Board recognizes that protections provided by the moratorium may still be necessary. Dupont Circle is still an attractive place for alcohol establishments, particularly nightclubs and taverns. Yet, similar to many areas in the city, noise from alcohol-licensed establishments is still an ongoing concern and it presents health and welfare concerns for those who live nearby.

Similarly, parking is also a challenge in the area. Mr. Engelmann testified to the parking challenges along narrow P Street, N.W. As with most parts in the city, there is an insufficient number of public parking options available in West Dupont. As such, persons fraternizing at the

alcohol-licensed establishments are frequently parking in the nearby residential areas. This in turn, prevents those who live in the area from being able to park near their homes. The moratorium can help address this problem by preventing nightclubs, with larger occupancy loads, from locating in the area.

Notwithstanding the Board's intention to maintain the cap on nightclub licenses within six hundred feet (600 ft.) of 21st and P Streets, N.W., the Board agrees with the ANC's request that an exemption be made for the "Dupont Underground", located below Square 114E Lot 0800 and below the right of way of Dupont Circle, N.W. and Connecticut Avenue, N.W. and surrounding streets from the moratorium zone.

Recently, the Board approved a CX retailer's license for the east platform of the Dupont Station located at 19 Dupont Circle, N.W., which is within the boundaries of the "Dupont Circle". Prior to issuing the permanent license in April 2019, the Board had approved several temporary licenses. Since granting the permanent license, and during the pendency of the temporary licenses, the ABC Board did not receive any complaints from the community or the ANC concerning the "Dupont Underground's" operations and it does not foresee any problems should a nightclub open and operate in the "Dupont Underground" in West Dupont Circle (*e.g.*, the west platform of the "Dupont Moratorium"). The Board is confident that it can readily address any concerns that might arise with the "Dupont Underground's" operations. For this reason, the Board exempts the "Dupont Underground" from this West Dupont Circle Moratorium Zone.

Although the Board has agreed to exempt the area known as the "Dupont Underground" from the moratorium it does so with the understanding that there are concerns. As Board Member James N. Short stated during the hearing, there are numerous safety concerns that need to be addressed before a nightclub can operate safely in this area. For example, the limited means of ingress and egress will be problematic should an emergency arise such as a fire; requiring persons to evacuate quickly. There needs to be more than one or two ways in and out of the space given its potential occupancy load of four hundred (400) persons. Likewise, should a power outage take place, public safety personnel will need a means of restoring and/or maintaining power. The Board fully expects that these safety concerns and any others that may be identified by safety personnel will be addressed before a nightclub license is issued for this space.

For the aforementioned reasons, the Board gives notice, that on August 7, 2019, it adopted the West Dupont Circle Moratorium Zone Notice of Proposed Rulemaking by a vote of five (5) to zero (0). The Board gives notice of intent to take final rulemaking action in not less than thirty (30) days after publication of this notice in the *D.C. Register*. In accordance with D.C. Official Code § 25-211(b), these proposed rules will be transmitted to the Council for the District of Columbia (Council) for a ninety (90)-day period of review. The Board will not adopt the rules as final prior to the expiration of the ninety (90)-day review period, unless approved by Council resolution.

Chapter 3, LIMITATIONS ON LICENSES, of Title 23 DCMR, ALCOHOLIC BEVERAGES, is amended by amending Section 307, WEST DUPONT CIRCLE MORATORIUM ZONE, in its entirety to read as follows:

307 WEST DUPONT CIRCLE MORATORIUM ZONE

- 307.1 A limit shall exist on the number of retailer's licenses issued in the area that extends approximately six hundred feet (600 ft.) in all directions from the intersection of 21st and P Streets, N.W., Washington, D.C., as follows: Class CN or DN - Zero (0). This area shall be known as the West Dupont Circle Moratorium Zone.
- 307.2 The West Dupont Circle Moratorium Zone is more specifically described as the area bounded by a line beginning at 22nd Street and Florida Avenue, N.W.; continuing north on Florida Avenue, N.W., to R Street, N.W.; continuing east on R Street, N.W., to 21st Street, N.W.; continuing south on 21st Street, N.W., to Hillyer Place, N.W.; continuing east on Hillyer Place, N.W., to 20th Street, N.W.; continuing south on 20th Street, N.W., to Q Street, N.W.; continuing east on Q Street, N.W., to Connecticut Avenue, N.W.; continuing southeast on Connecticut Avenue, N.W., to Dupont Circle; continuing southwest around Dupont Circle to New Hampshire Avenue, N.W.; continuing southwest on New Hampshire Avenue, N.W., to N Street, N.W.; continuing west on N Street, N.W., to 22nd Street, N.W.; and continuing north on 22nd Street, N.W., to Florida Avenue, N.W. (the starting point).
- 307.3 Square 114E Lot 0800 and below the right of way of Dupont Circle, N.W. and Connecticut Avenue, N.W. shall be exempt from the West Dupont Circle Moratorium Zone.
- 307.4 All hotels, whether present or future, shall be exempt from the West Dupont Circle Moratorium Zone. The 1500 block of Connecticut Avenue, N.W., shall be exempt from the West Dupont Circle Moratorium Zone. Establishments located in, or to be located in, the New Hampshire side of One Dupont Circle, N.W., shall be exempt from the West Dupont Circle Moratorium Zone.
- 307.5 Nothing in this section shall prohibit the Board from approving the transfer of ownership of a retailer's license Class A, B, CR, CT, CX, DR, DT, or DX located within the West Dupont Circle Moratorium Zone, subject to the requirements of the Act and this title.
- 307.6 Nothing in this section shall prohibit the Board from approving the transfer of a license from a location within the West Dupont Circle Moratorium Zone to a new location within the West Dupont Circle Moratorium Zone.

- 307.7 A CN/DN license holder outside the West Dupont Circle Moratorium Zone shall not be permitted to transfer its license to a location within the West Dupont Circle Moratorium Zone.
- 307.8 Subject to the limitation set forth in Subsection 307.9, nothing in this section shall prohibit the filing of a license application or a valid protest of any transfer or change of license class.
- 307.9 No licensee in the West Dupont Circle Moratorium Zone shall be permitted to request a change of license class to CN, or DN.
- 307.10 A current holder of a retailer's license Class A, B, C, or D within the West Dupont Moratorium Zone shall not be permitted to apply to the Board for expansion of service or sale of alcoholic beverages into any adjoining or adjacent space, property, or lot, unless:
- (a) The prior owner or occupant has held within the last five (5) years a retailer's license Class A, B, C, or D; or
 - (b) The applicant is a Class CR or DR licensee and the prior owner or occupant has held during the last three (3) years, and continues to hold at the time of application, a valid restaurant license from the Department of Consumer and Regulatory Affairs.
- 307.11 The number of substantial change applications approved by the Board for expansion of service or sale of alcoholic beverages into an adjoining or adjacent space, property, or lot, as allowed under Subsection 307.9, shall not exceed three (3) during the three (3) year period of the West Dupont Circle Moratorium Zone.
- 307.12 Nothing in this section shall prohibit holders of a retailer's license Class C or D from applying for outdoor seating in public space.
- 307.13 This section shall expire three (3) years after the date of publication of the notice of final rulemaking.

Copies of the proposed rulemaking can be obtained by contacting Martha Jenkins, General Counsel, Alcoholic Beverage Regulation Administration, 2000 14th Street, N.W., 4th Floor, Washington, D.C. 20009. All persons desiring to comment on the proposed rulemaking must submit their written comments, not later than thirty (30) days after the date of the publication of this notice in the *D.C. Register*, to the above address or via email to martha.jenkins@dc.gov.

DEPARTMENT OF HEALTH

NOTICE OF PROPOSED RULEMAKING

The Director of the Department of Health (“Department”), pursuant to the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1203.02(14) (2016 Repl.)), and Mayor’s Order 98-140, dated August 20, 1998, hereby gives notice of her intent to adopt the following amendments to Chapter 47 (Acupuncture) of Title 17 (Business, Occupations, and Professionals) of the District of Columbia Municipal Regulations (DCMR), in not less than thirty (30) days from the date of publication of this notice in the *D.C. Register*.

The rulemaking is necessary to update Sections 4710 (Continuing Professional Education Requirements) and 4799 (Definitions) of the District of Columbia Municipal Regulations pertinent to the Board of Medicine in order to amend the requirement for Continuing Education for licensed acupuncturists. Consistent with the aim of the Health Occupations Revision Act, this rulemaking will enhance professionalism within the community and operate in support of the health and welfare of the public.

Chapter 47, ACUPUNCTURE, of Title 17 DCMR, BUSINESS, OCCUPATIONS, AND PROFESSIONALS, is amended as follows:

Section 4710, CONTINUING PROFESSIONAL EDUCATION REQUIREMENTS, is amended as follows:

Subsection 4710.1 is amended to read as follows:

4710.1 In order to renew a license, an acupuncturist shall confirm on the renewal application that he or she has completed at least thirty (30) hours of continuing education. At least 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 every five (5) years or less frequently as deemed appropriate by the Director with notice of the subject matter published in the *D.C. Register*. The Board shall disseminate the identified subjects to its licensees when determined by the Director via electronic communication and through publication on its website. The continuing education shall be conducted through any of the following continuing education methods:

- (a) Successfully completing a continuing education course that has been approved by NCCAOM or by boards or committees regulating acupuncture in other states;
- (b) Successfully completing up to fifteen (15) hours of a distance learning course approved by NCCAOM; or

- (c) Successfully completing continuing education courses or programs that are pre-approved by the Board.

Section 4799, DEFINITIONS, is amended as follows:

Subsection 4799.1 is amended as follows:

The following definition is added before the definition of “Electroacupuncture”:

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

All persons desiring to comment on the subject matter of this proposed rulemaking action shall submit written comments, not later than thirty (30) days after the date of publication of this notice in the *D.C. Register*, to Phillip Husband, General Counsel, Department of Health, Office of the General Counsel, 899 North Capitol Street, N.E., 6th Floor, Washington, D.C. 20002. Copies of the proposed rules may be obtained between the hours of 8:00 a.m. and 4:00 p.m. at the address listed above, or by contacting Angli Black, Paralegal Specialist, at Angli.Black@dc.gov, (202) 442-5977

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED RULEMAKING

The Director of the Department of Human Services (Department), pursuant to the authority set forth in Sections 7(e) and 31 of the Homeless Services Reform Act of 2005 (HSRA), effective October 22, 2005 (D.C. Law 16-35; D.C. Official Code §§ 4-753.01(e) and 4-756.02 (2019 Repl.)), Mayor’s Order 2006-20, dated February 13, 2006, and Mayor’s Order 2006-115, dated August 30, 2006, hereby gives notice of the Department’s intent to adopt the following Chapter 75 of Title 29 (Public Welfare) of the District of Columbia Municipal Regulations (DCMR), entitled “Emergency Rental Assistance Program,” in not less than thirty (30) days from the date of the publication of this notice in the *D.C. Register*.

The purpose of these proposed rules is to update the existing Chapter 75, which was adopted via a final rulemaking published at 54 DCR 12622 on December 28, 2007. Chapter 75 established the District of Columbia’s Emergency Rental Assistance Program (ERAP), which provides District residents with financial assistance to help them remain housed. Emergency rental assistance may include assistance with security deposits, rental arrearages, and first month’s rent, in accordance with the individual’s or family’s approved budget plan.

In accordance with Section 31 of the HSRA, these proposed rules are being transmitted to the Council of the District of Columbia (Council).

Amend Chapter 75 to Title 29 DCMR, PUBLIC WELFARE, to read as follows:

CHAPTER 75 EMERGENCY RENTAL ASSISTANCE PROGRAM

Secs.	
7500	PURPOSE AND SCOPE
7501	APPLICATION PROCESS
7502	APPLICANT UNIT
7503	ELIGIBILITY CRITERIA
7504	COMPUTATION OF PAYMENT
7505	EMERGENCY RENTAL ASSISTANCE PAYMENT
7506	EMERGENCY ASSISTANCE—RENT ARREARAGES
7507	EMERGENCY ASSISTANCE – SECURITY OR DAMAGE DEPOSIT
7508	EMERGENCY ASSISTANCE – FIRST MONTH’S RENT
7509	MULTIPLE REQUESTS FOR ASSISTANCE
7510	RIGHT TO A FAIR HEARING AND ADMINISTRATIVE REVIEW
7599	DEFINITIONS

7500 PURPOSE AND SCOPE

7500.1 The Emergency Rental Assistance Program (Program) is designed to provide crisis intervention for District residents for the purpose of preventing homelessness. Program assistance may include financial assistance for rental

expenses, such as security deposits, rental arrearages, and first month's rent, as well as case management to address the circumstances which led to the need for emergency assistance.

- 7500.2 The provisions of this chapter shall provide the application process, eligibility criteria, benefit and payment levels, and appeal procedures for the Program.
- 7500.3 Nothing in these rules shall be interpreted to mean that Program assistance is an entitlement. This Program shall be subject to annual appropriations and the availability of funds.
- 7500.4 The Department of Human Services (Department) may execute contracts, grants, and agreements as necessary to carry out the Program.

7501 APPLICATION PROCESS

- 7501.1 Each application shall be in writing on a form prescribed by the Department and signed by the applicant under penalty of perjury.
- 7501.2 An authorized representative may apply on behalf of the applicant, if the applicant provides a written and signed statement stating why the applicant cannot apply in person and the name and address of the person authorized to act on the applicant's behalf.
- 7501.3 The Department shall provide application forms and the provider of services shall accept applications from each applicant who requests assistance.
- 7501.4 At the time of application, each applicant shall be provided with a clear, concise, written notice containing the applicant's rights and responsibilities and the provider's responsibilities with respect to the Program.
- 7501.5 As a condition of eligibility of receipt of funds, each applicant shall sign a document acknowledging receipt of the notice of the applicant's rights and responsibilities and the provider's responsibilities and a release form authorizing the provider to obtain or verify information necessary to process the application.
- 7501.6 If, pursuant to 7503.2, the provider determines that case management is necessary to ensure that the applicant addresses the circumstances which led to the need for emergency rental assistance, the applicant, as a condition of eligibility, shall agree to participate in such case management prior to receiving assistance.
- 7501.7 Each applicant shall cooperate fully in establishing his or her eligibility, the nature of the emergency, and the extent of the need. This shall include providing documentation or collateral proof of:
- (a) Household composition;

- (b) Income and assets;
- (c) Household expenses; and
- (d) Facts and circumstances surrounding rental arrearages.

7501.8 The provider shall give to each applicant a written request specifying any information needed to complete the application, and the provider shall discuss with the applicant how to obtain the information. The application is complete when all required information is furnished.

7501.9 If requested by an applicant with a disability, or the authorized representative of an applicant with a disability, the provider shall assist the applicant or authorized representative with any aspect of the application process necessary to ensure that the applicant has an equal opportunity to submit an application.

7501.10 The provider may use documents, telephone conversations, personal and collateral interviews, reports, correspondence, and conferences to verify applicant information. The provider must verify documents submitted by the applicant in order to avoid misrepresentation. An applicant shall be denied emergency rental assistance if the provider determines that the applicant submitted misrepresentative information, documents, or statements in support of the application, including statements made to the provider or other organizations (*e.g.*, the Department, the District of Columbia Housing Authority, or other Continuum of Care providers) during the application process.

7501.11 The provider shall complete the eligibility and assistance determination in as short a time as possible, and must complete the determination within ten (10) calendar days unless there are delays caused by:

- (a) The applicant's failure to supply information to document facts stated in the completed application without which eligibility cannot be determined;
- (b) The inability to contact the applicant;
- (c) Evidence of misrepresentation regarding supporting materials in the application;
- (d) Refusal of a vendor to accept payments;
- (e) Delay by a third party from whom the provider has requested information and over whom the provider has no control; or
- (f) Any other delay in receipt of information or documentation necessary to complete the application over which the provider has no control.

- 7501.12 If the emergency is expected to occur in less than ten (10) calendar days following the date of application, the provider shall take all reasonable steps to process the application in an expedited manner in time to resolve the emergency.
- 7501.13 If an applicant is determined eligible for emergency rental assistance, the provider shall give to the applicant a Notice of Eligibility and Assistance Determination. This notice shall include:
- (a) A clear statement of the eligibility determination;
 - (b) A clear and detailed statement of the amount of the emergency rental assistance for which the applicant unit has been determined eligible and the computation of assistance pursuant to Section 7504;
 - (c) Any information needed from the recipient to authorize the provider to proceed with the disbursement of the emergency rental assistance grant to the appropriate vendors as necessary to alleviate the emergency; and
 - (d) A clear and detailed statement of the client's right to appeal the eligibility or assistance determination through fair hearing and administrative review proceedings pursuant to Section 7510, including the appropriate procedures and deadlines to request a fair hearing and the applicant's procedural rights during the appeal process.
- 7501.14 If an applicant is determined ineligible, the provider shall give to the applicant a Notice of Denial of Eligibility. This notice shall include:
- (a) A clear statement of the denial of eligibility;
 - (b) A clear and detailed statement of the factual basis for the denial;
 - (c) A reference to the regulation or policy pursuant to which denial was made; and
 - (d) A clear and complete statement of the client's right to appeal the determination or denial through fair hearing and administrative review proceedings pursuant to section 7510, including the appropriate procedures and deadlines to request a fair hearing and the applicant's procedural rights during the appeal process.
- 7501.15 An application shall be considered abandoned if the applicant has not obtained and provided to the provider the required information for eligibility and assistance determination within forty-five (45) days of the original application.

7502 APPLICANT UNIT

- 7502.1 The applicant unit shall be composed of each individual who lives in the same household and whose needs, assets, and income are combined to determine eligibility.
- 7502.2 The applicant unit may include any combination of persons, including:
- (a) Persons related by full or half blood;
 - (b) Persons related by legal adoption;
 - (c) Persons related by marriage or domestic partnership, including stepchildren and unmarried parents of a common child who live together; or
 - (d) Persons with legal responsibility for an unrelated minor child, or an unrelated adult with a disability.
- 7502.3 A person temporarily away from home due to employment, hospitalization, vacation, or a visit shall be considered to be living in the household. A minor child who is away at school is considered to be living in the household if he or she returns to the home on occasional weekends, holidays and during the summer vacations.
- 7502.4 An applicant unit may be composed of a single individual, if that individual meets one or more of the eligibility criteria in Subsection 7503.1(b), as well as other eligibility criteria.
- 7502.5 Separate applicant units shall be established, but processed concurrently, if the requested payment is the joint legal responsibility of non-related household members. Assistance may be authorized only for the applicant unit's prorated share of the amount necessary to resolve the emergency.
- 7502.6 The name of a non-household member on a rental lease shall have no effect on eligibility, except that:
- (a) The applicant shall document that he or she is responsible for the payment; and
 - (b) Both the applicant and the landlord shall agree to change the lease to reflect only the applicant's name.

7503 ELIGIBILITY CRITERIA

7503.1 In addition to the general Continuum of Care eligibility requirements set forth by Section 8 of the Homeless Services Reform Act of 2005, effective October 22, 2005 (D.C. Law 16-35, D.C. Official Code § 4-753.02), each individual in the applicant unit shall meet the following additional eligibility criteria:

- (a) Be presented with an emergency as defined in Section 7599; and
- (b) Be an individual adult or be part of a family with at least one family member who is:
 - (1) A minor child;
 - (2) Age sixty (60) years or older; or
 - (3) A person with a disability who is receiving federal Supplemental Security Income (SSI) or federal Social Security Disability Insurance (SSDI);
- (c) Demonstrate that he or she has no other available resources for resolving the emergency, including resources actually available from a community resource, but excluding those exempted in Subsection 7503.15; and
- (d) Demonstrate that the provision of emergency rental assistance services will substantially, if not entirely, alleviate the emergency during the thirty (30) day period immediately following the authorization of payment. If the permissible assistance payment does not entirely eliminate the emergency, the applicant shall provide reliable, convincing information that the remaining necessary amount is actually available from another source or that the landlord will accept a partial payment or longer-term repayment plan, which is within the applicant's financial means to execute. Failure to demonstrate that the emergency can be resolved shall result in a denial of eligibility for emergency rental assistance.

7503.2 An applicant will be expected to participate in case management services if the provider determines that the circumstances leading to the emergency remain unresolved. The provider may refer an applicant to the Homeless Prevention Program if the applicant has applied for Program assistance in each of the prior two (2) years.

7503.3 An applicant shall be living in the District of Columbia at the time of application.

7503.4 The applicant shall be considered to be living in the District if he or she:

- (a) Is maintaining a home in the District as his or her principal residence; or

- (b) Is homeless, physically present in the District, and not a resident of another state.

7503.5 An adult applicant shall be denied emergency rental assistance if the emergency is the result of his or her refusal without good cause, as defined in Subsection 7503.7, to accept employment or training for employment.

7503.6 An applicant shall be considered to have refused employment or training if the applicant:

- (a) Voluntarily quit employment or a training program within three (3) months prior to application; or
- (b) Rejected an employment or a bona fide training program opportunity within the three (3) months prior to the application.

7503.7 “Good Cause” reasons for voluntarily quitting a job or not participating in an employment training program include:

- (a) Wages are below the minimum wage;
- (b) The applicant is physically or mentally unable to perform the work or gain access to the worksite;
- (c) Working conditions violate health, safety, or worker’s compensation regulations and present a substantial risk to health or safety;
- (d) The employer discriminated against the applicant based on race, color, religion, national original, 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 in violation of the Human Rights Act of 1977, effective December 13, 1977 (D.C. Law 2-38; D.C. Official Code §§ 2-1401.01 *et seq.*);
- (e) The requirements of the job would be contrary to his or her religious beliefs;
- (f) A household emergency (including domestic violence) prevented the applicant from maintaining employment or participating in an employment training program;
- (g) The resignation is recognized by the employer as retirement;

- (h) Child care, which is necessary for the adult applicant to accept work or training, is not available; or
- (i) The applicant could not maintain work or participate in a training program because it was necessary for the applicant to take care of a family member who is either ill or has a disability.

7503.8 The applicant unit's combined net income, as specified in Subsection 7503.10, in the thirty (30) day period immediately preceding the date of application, and non-excluded assets, as specified in Subsection 7503.13, on the date of application, must not exceed forty percent (40%) Area Median Income (AMI) for the District of Columbia for the specified household size.

7503.9 The following shall not be counted in calculating income available to the applicant unit in the budget month:

- (a) Discontinued income, unless actually available in the budget month;
- (b) Any income in-kind including, but not limited to, Food Stamps, Women, Infants, and Children Program (WIC), school lunches, homemaker services, and benefits received under the Older Americans Act;
- (c) Deductions from earnings which are limited to actual amounts deducted by the employer for federal income tax, D.C. Income Tax, Social Security, Civil Service Retirement, life insurance, health insurance and any other deduction which is mandatory. Garnishments from wages are not considered mandatory deductions and will be counted in the determination of available income;
- (d) Payments for children in foster care;
- (e) Vendor payments made by the federal or District governments on behalf of the applicant directly to a vendor, except that any Department administered Rental Vendor Payments made on behalf of a Temporary Aid for Needy Families (TANF) client will be counted as income;
- (f) Value of Low Income Energy Assistance;
- (g) Earnings of persons fourteen (14) years of age and under;
- (h) Earnings from the first eighty (80) hours of employment per month of students ages fifteen (15) years or older and enrolled in secondary school;
- (i) Summer earnings of a student who was enrolled in school when school was dismissed for the summer vacation, but has not yet graduated from high school, regardless of the number of hours employed;

- (j) Work incentive payments, training stipends, or allowances to facilitate employment;
- (k) Income from any source which is used to pay court ordered child support in the budget month to another household; and
- (l) Expenses related to self-employment which may be reasonably associated with the cost of producing income, such that only net income from the self-employment is considered as available to the applicant.

7503.10 All income of an applicant unit that is not specifically exempted in Subsection 7503.9 shall be considered in calculating the income of the applicant unit in the budget month.

7503.11 The following shall be considered in calculating the income of the applicant in the budget month:

- (a) The net amount of ongoing income received during the budget month including:
 - (1) Income from a boarder;
 - (2) Earned income;
 - (3) TANF grant;
 - (4) Interim Disability Assistance grant;
 - (5) General Assistance for Children grant;
 - (6) Child support payments received;
 - (7) Social Security retirement, survivors or disability insurance benefits;
 - (8) Alimony;
 - (9) Veterans Administration benefits;
 - (10) Worker's compensation benefits, unemployment benefits and other governmental unemployment benefits;
 - (11) Payments from private sick and accident insurance plans;
 - (12) Pensions;

(13) Retirement benefits;

(14) Strike benefits; and

(15) Military allotments;

(b) The value of a rental vendor payment made to a vendor under the TANF program on behalf of the applicant;

(c) The net amount of discontinued, sporadic, or lump sum income, if it is received in the budget month or has been received in an earlier month and is still available to the applicant;

(d) The net amount of any proceeds from lottery winnings, cash gifts, or loans, except that need-based educational loans are exempt;

(e) The income of a recipient of Supplemental Security Income; and

(f) Any federal or state income tax refund received during any period before or during the budget month.

7503.12 The equity value of all assets, unless specifically exempt under Subsection 7503.15, shall be added to the applicant’s income to determine the total amount of resources available to the applicant in the budget month.

7503.13 The following assets and resources shall be considered income available to the applicant in the budget month:

(a) The equity in all real property except the home and surrounding land in which the applicant lives;

(b) The equity in any interest in recreational vehicles, including, but not limited to, boats, campers, trailers, motorcycles not exempted under Subsection 7503.15(c), snowmobiles, or aircraft;

(c) The equity of any interest in machinery, livestock, or other property or items that are not used for employment or self-employment;

(d) The loan value available to the applicant in insurance plans or the cash or loan value available to the applicant pursuant to an agreement in an escrow or trust fund;

(e) The cash value of an Individual Retirement Account or another deferred compensation plan, or pension funds that have been distributed from a plan and are actually available to an applicant;

- (f) The actual value of cash including, but not limited to, a checking account, a savings account, a certificate of deposit, stocks, and bonds;
- (g) The actual cash value of a non-exempt asset that was converted to cash in the thirty (30) days prior to the date of application; and
- (h) The equity value of non-exempt assets which are sold, transferred, or traded for less than fair market value within the twelve (12) months prior to the date of application, when there is reason to believe that the action was taken for the purpose of becoming eligible for Emergency Rental Assistance.

7503.14 The value of an asset jointly owned by the applicant and any person who is not a member of the applicant unit shall be prorated according to the number of owners, unless the applicant can demonstrate a different division based on legal ownership.

7503.15 The following resources or assets shall not be considered in calculating income available in the budget month:

- (a) The home and surrounding land in which the applicant lives. Surrounding land does not include adjoining lots separately taxed and zoned;
- (b) All household furnishings and all personal belongings;
- (c) The value of motor vehicles used for transportation;
- (d) Tools, machinery and other property used for employment or self-employment, whether or not in the home;
- (e) Taxi, truck or similar vehicle necessary for employment or self-employment;
- (f) Cash or money in bank accounts that was obtained from a need-based loan made to an applicant for school related expenses;
- (g) Pre-paid burial plans or cemetery plots; and
- (h) Money on hand which is specifically earmarked for contribution towards the resolution of the emergency.

7504 COMPUTATION OF PAYMENT

7504.1 The amount of assistance an eligible applicant may receive is based on the following factors:

- (a) The amount necessary to resolve the emergency;
- (b) The applicant unit's existing liquid assets;
- (c) The applicant unit's income expected to be received in the thirty (30) days following the date of application;
- (d) The applicant unit's anticipated expenses for basic necessities and fixed monthly payments, except for child support payments the income for which is excluded under Subsection 7503.9(k), in the thirty (30) days following the date of application;
- (e) The willingness of the landlord to accept partial payment from the provider, and the remainder from the applicant within thirty (30) days after the first payment; and
- (f) The applicable maximum allowable payment as provided in these rules.

7504.2 The following sequential calculation shall be used to determine the amount of emergency rental assistance:

- (a) The applicant unit's income certain to be received within thirty (30) days following the date of application shall be determined. If there is a live Writ of Restitution or the landlord will not accept partial payment, only the income certain to be received until the expected occurrence of the emergency shall be considered;
- (b) The applicant unit's anticipated expenses for basic necessities and fixed monthly expenses in the thirty (30) days following the date of application shall be determined;
- (c) The anticipated expenses shall be subtracted from the anticipated income;
- (d) Any surplus resulting from the calculation in paragraph (c) shall be added to any liquid assets to determine the applicant's contribution; and
- (e) The applicant's contribution shall be subtracted from the amount necessary to resolve the emergency.

7504.3 The emergency rental assistance payment shall be equal to the amount computed under Subsection 7504.2, subject to the applicable maximum limits for emergency rental assistance as stated in these rules.

7505 EMERGENCY RENTAL ASSISTANCE PAYMENT

- 7505.1 Emergency rental assistance shall be available for the categories of assistance specified in Sections 7506, 7507 and 7508.
- 7505.2 The Program shall not be obligated to provide a monetary amount for a requested service if a less costly alternative is available.
- 7505.3 The provider shall make payment of the assistance benefit directly to the vendor.
- 7505.4 Only in those rare circumstances where payment is required by the landlord or other controlling government authority, including but not limited to a court or federal marshals, to be in cash may the emergency rental assistance benefit be in the form of cash. In all other cases, the emergency rental assistance benefit shall be in the form of non-cash direct vendor payments.

7506 EMERGENCY ASSISTANCE—RENT ARREARAGES

- 7506.1 Assistance may be authorized to pay rent arrearage, late fees, and associated court fees if each of the following conditions are met:
- (a) Eviction is imminent and documented by a Landlord and Tenant Court summons or referral, Writ of Restitution, Notice to Vacate, or correspondence from the landlord or his or her agent documenting that the applicant is a tenant and has a current rent arrearage of at least thirty (30) days past due;
 - (b) The arrearage must be the applicant's arrearage. If the lease or rental agreement is not in the applicant's name, he or she must provide documentation that he or she is responsible for the arrearage. Both the applicant and the landlord must agree to change the lease to the applicant's name;
 - (c) Arrearage for any period caused by a rent strike may be paid only if the applicant first applies any rent funds held in escrow to the arrearage and the applicant agrees to resume regular payment of rent;
 - (d) The arrearage that will be paid with Emergency Rental Assistance funds may not exceed five (5) months. For an applicant whose rent is subsidized, the calculation used shall be for the applicant's portion of the rent; and
 - (e) The total assistance payment may not exceed four thousand two hundred fifty dollars (\$4,250).

7506.2 Notwithstanding the requirements in Subsection 7506.1, certain requirements may be waived with respect to the total maximum payment and the number of months of the arrearage which may be paid for with emergency rental assistance funds, if extraordinary circumstances exist.

7506.3 The requirements in Subsection 7506.1 may be waived up to the maximums specified in Subsection 7506.4, if one (1) or more of the following mitigating factors are determined to exist:

- (a) The applicant unit consists of seven (7) or more members and reasonable alternatives to the existing housing arrangement are not available; or
- (b) A member of the applicant unit has a physical or mental disability, a medically documented incapacity, or extended illness to the extent that loss of existing housing would pose a serious threat to the health or safety of the family member.

7506.4 If the requirements specified in Subsection 7506.3 are met:

- (a) The total maximum emergency rental assistance payment may be increased from four thousand two hundred fifty dollars (\$4,250) to six thousand dollars (\$6,000); and
- (b) The arrearage that may be paid with emergency rental assistance funds may exceed five (5) months, if the total amount does not exceed the total maximum amount specified in paragraph (a) of this subsection.
- (c) An applicant whose rent is subsidized and whose applicant unit includes a member with a disability as described in Subsection 7506.3(b) may not receive an emergency rental assistance payment in any amount over the total of five (5) months of the applicant’s portion of the rent.

7507 EMERGENCY ASSISTANCE – SECURITY OR DAMAGE DEPOSIT

7507.1 A security or damage deposit shall only be authorized if the landlord does not waive the deposit and one of the following circumstances is present:

- (a) The applicant unit is or will become homeless if assistance is not provided; or
- (b) The purpose of the assistance is to reunite a child less than eighteen (18) years of age with his or her family or prevent separation from his or her family. Prevention of family separation shall be broadly interpreted to include situations where the family is currently homeless or are residents of a family shelter facility, a family is forced to move to another dwelling due to overcrowded conditions, the condemned nature of the current

housing, or the forced sale of the current dwelling, and there are no other means, other than through the provision of this assistance, whereby new housing could be secured.

7507.2 The maximum emergency assistance payment for a security or damage deposit shall be the actual amount of the deposit, which may not exceed more than the cost of one (1) month’s unsubsidized rent, as specified by the landlord up to one-thousand two hundred dollars(\$1,200).

7507.3 Any applicant coming directly from a transitional housing program that requires an escrow account for purposes of obtaining permanent housing, shall demonstrate why they do not have sufficient resources available for security deposit and first month’s rent.

7507.4 The security or damage deposit payment shall be made directly to the landlord.

7507.5 Where the emergency was a result of eviction or displacement from a residence in the District of Columbia, assistance under Sections 7507 and 7508 may be used for relocating to another jurisdiction within the greater Washington area as defined by the boundaries of the District of Columbia and its contiguous counties in the states of Maryland and Virginia.

7508 EMERGENCY ASSISTANCE – FIRST MONTH’S RENT

7508.1 Assistance may be authorized for the first month’s rent if the applicant is:

- (a) Eligible for a security deposit payment as specified in Section 7507; and
- (b) The first month’s rent must be paid in conjunction with the security deposit in order for the applicant to assume tenancy, and the applicant has no other means of paying for the first month’s rent at the time it is required.

7508.2 The maximum emergency assistance payment for first month’s rent under this section shall not exceed the lesser of either the actual amount of one (1) month’s unsubsidized rent, as specified by the landlord, or one thousand two hundred dollars (\$1,200.00).

7509 MULTIPLE REQUESTS FOR ASSISTANCE

7509.1 Assistance payments under the Program shall be made only once in any twelve (12) month period from the date of application.

7510 RIGHT TO A FAIR HEARING AND ADMINISTRATIVE REVIEW

- 7510.1 Each applicant who is aggrieved by any action or inaction of the provider related to receipt of benefits under the Program shall be entitled to a fair hearing in accordance with the hearing provisions of Section 26 of the Homeless Services Reform Act of 2005, effective October 22, 2005 (D.C. Law 16-35, D.C. Official Code § 4-754.41).
- 7510.2 The applicant shall have ninety (90) calendar days following the receipt of the notice described in Subsection 7501.13 or Subsection 7501.14, to request a fair hearing.
- 7510.3 Upon receipt of a fair hearing request, the Department shall offer the appellant or his or her authorized representative an opportunity for an administrative review in accordance with Section 27 of the Homeless Services Reform Act of 2005, effective October 22, 2005 (D.C. Law 16-35; D.C. Official Code § 4-754.42), except that if eviction is imminent, the Department shall take all reasonable steps to provide an expedited administrative review to maximize resolution of the appeal in time to resolve the emergency and prevent the eviction.

7599 DEFINITIONS

- 7599.1 Except as set for below in Subsection 7599.2, the terms in this chapter shall have the definitions set forth in Section 2 of the Act.
- 7599.2 For the purposes of this chapter, the following terms shall have the meaning ascribed:

Act – the Homeless Services Reform Act of 2005, effective October 22, 2005 (D.C. Law 16-35; D.C. Official Code §§ 4-751.01 *et seq.*).

Applicant Unit – The individual who is applying for emergency assistance for his or her own needs or the needs of those with whom he or she lives, and those persons described in Section 7502 of these rules.

Authorized Representative – An individual who is at least eighteen (18) years of age, who is acting responsibly on behalf of the applicant, and has sufficient knowledge of the circumstances of the applicant to provide or obtain necessary information about the applicant, or a person who has legal authorization to act on behalf of the applicant.

Budget Month – The thirty (30) day period immediately prior to the day of application.

Case Management - A service that engages individuals and families, and provides assistance in: identifying barriers, needs and strengths;

developing goals; identifying resources and support; and connecting individuals and families with the needed resources, housing and economic security supports, and supportive services to achieve identified goals.

Director – The Director of the Department of Human Services.

Emergency – A situation in which immediate action is necessary to avoid homelessness or eviction, to re-establish a home, or prevent displacement from a home.

Equity – Current market value of property less any lien indebtedness on the property and less reasonable expenses necessary to liquidate the property.

Household – A group of individuals living in the same dwelling.

Household Member with a Disability – A member of the applicant unit who is disabled, as documented by medical evidence provided by a qualified professional or by participation in a program which conditions its eligibility on the documentation of disability.

Income from a Boarder – Any money paid to the applicant by a person living in the same household as the applicant, but who is not related to the applicant.

Joint Legal Responsibility – The individual household members are named on the deed (as tenants in common or joint tenants), or rental lease.

Minor child – A child, including by adoption, younger than eighteen (18) years of age.

Program – The Emergency Rental Assistance Program.

Rental Payment – A regular payment made by a tenant to an owner or landlord for the right to occupy or use property.

SSI – The Supplemental Security Income for the Aged, Blind, and Disabled cash assistance program authorized by Title XVI of the Social Security Act of 1935, as amended (42 USC §§ 1381 to 1383f).

Security Deposit (also Damage Deposit) – A sum of money paid in advance that is required by the owner or landlord for leasing property as security against the tenant's failure to fulfill the lease or security to cover damage to the rental premises.

TANF – Temporary Assistance for Needy Families.

Vendor – Provider of a service or product, including but not limited to landlords.

Verification – Documentation or collateral proof used to confirm the validity of an applicant's circumstances.

All persons who desire to comment on these proposed rules should submit their comments in writing to the Department of Human Services, 64 New York Avenue, N.E., 6th Floor, Washington, D.C. 20002, Attn: Allison Tucker, or by email to Allison.tucker@dc.gov. All comments must be received by the Department of Human Services not later than thirty (30) days after publication of this notice in the *D.C. Register*. Copies of these rules and related information may be obtained by writing to the above address, or by calling the Department of Human Services at (202) 671-4200.

DEPARTMENT OF HUMAN SERVICES

NOTICE OF SECOND PROPOSED RULEMAKING

The Director of the District of Columbia (“District”) Department of Human Services (“Department”), pursuant to the authority set forth in Sections 31 and 31c of the Homeless Services Reform Act of 2005 (“HSRA” or “Act”), effective October 22, 2005 (D.C. Law 16-35; D.C. Official Code §§ 4-756.02 and 4-756.05 (2016 Repl.)), and Mayor’s Order 2006-20, dated February 13, 2006, gives notice of the Department’s intent to adopt the following new Chapter 79 (Flexible Rent Subsidy Pilot Program) of Title 29 (Public Welfare) of the District of Columbia Municipal Regulations (DCMR).

The Flexible Rent Subsidy Pilot Program, which subsequently shall be referred to as the DC Flex Program (and “Program” throughout this rule), is a four-year pilot program that provides financial assistance to households to support their ability to pay monthly rental expenses, especially during periods of income volatility, in order to promote long-term housing stability. Training on budgeting and money management will be offered to households enrolled in the Program. The purpose of the new chapter is to establish rules to administer the Program.

These rules were first published as emergency and proposed in the *D.C. Register* on April 27, 2018, at 65 DCR 4663, were adopted on January 24, 2018, and became effective on that date. Emergency rules were subsequently published on June 1, 2018, at 65 DCR 6057; December 28, 2018, at 65 DCR 14135; March 8, 2019, at 66 DCR 2779; and July 19, 2019, at 66 DCR 8389.

This rulemaking reflects changes to Program requirements in response to 1) public comments received after publication of the original proposed rulemaking and 2) the Department’s experience with the initial stages of implementing the Program under emergency rulemaking. The objectives and policy goals of the Program remain unchanged. The most noteworthy changes reflected in this rulemaking are as follows:

§ 7903.9

In response to public comments regarding household requirements to participate in the selection process of the Program lottery, this rulemaking clarifies such requirements and the notices associated with various lottery outcomes. Households selected for the Program have fifteen (15) days from receiving a notice of a conditional Program slot to respond to the Department.

§ 7903.11

Public comment suggested revising provisions regarding Program Notices. The names, descriptions, and requirements of Program Notices have been revised to more accurately reflect their purposes and to ensure alignment with HSRA requirements.

§ 7904.11

Added discretion for the Director to extend a household’s deadline to respond to Program notices for good cause.

§ 7905.12

Public comments recommended clarifying which funds are available to a household, and for which purposes, at the end of Program assistance. This section has been revised to clarify that any funds left in either the escrow account or checking account at the end of a household's Program assistance may be used for rent.

§ 7905.18

Public comments called for the addition of a dispute resolution process given the Program's novel and complex structure. This rulemaking requires the Provider, as directed under the HSRA, to establish a dispute resolution process for complaints regarding Program administration.

§ 7906.3

As originally designed, Program recertification standards included a "good standing" requirement as well as a prohibition against a household using any other government-funded rental assistance during the Program assistance period. The Department, in response to policy analysis of early participant data, has revised these standards by 1) replacing the "good standing" requirement with a narrower, more specific requirement that a household "does not face a housing emergency in which immediate action is necessary to avoid homelessness or eviction," and 2) allowing Program participants to use emergency rental assistance available to other District tenants, while requiring that Program participants exhaust Program funds before resorting to other forms of rental assistance. These changes also align with public comments regarding the recertification standards.

In addition, this section has been revised to align Program income requirements at recertification with the "at risk of homelessness" standard in the HSRA.

§ 7908.2

Public comments cautioned that termination grounds other than those stated in D.C. Official Code § 4-754.36 would not be proper grounds for Program termination under the HSRA unless they are properly established in Program Rules. The Program termination language has been revised to reflect this requirement.

§ 7908.4

In response to a question raised in public comments, this section was added to clarify that a household loses access to any remaining Program funds upon termination from the Program.

In addition to the issues discussed above, the Department received public comments regarding Program design. These issues did not require revisions in this rulemaking:

- With respect to the requirement at § 7901.4(c)(3) that a client must be a lease holder at the time of application, the Department reiterates its policy decision to limit Program assistance to households that are current leaseholders when Program assistance begins.

- Section 7905.17 authorizes specific housing inspection requirements to be implemented via Program Rules. This is sufficient to ensure habitability standards are met.
- The Department has not revised Program eligibility criteria. Given that this is a pilot program with limited scope, the information gathered may aid in future program design efforts for District households struggling to avoid homelessness.

The Department Director gives notice of the intent to take final rulemaking action to adopt these proposed rules in not less than thirty (30) days after the date of publication of this notice in the *D.C. Register*. In accordance with Section 31 of the HSRA, these proposed rules are being transmitted to the Council of the District of Columbia (Council).

Add the following new Chapter 79, FLEXIBLE RENT SUBSIDY PILOT PROGRAM, to Title 29 DCMR, PUBLIC WELFARE, to read as follows:

CHAPTER 79 FLEXIBLE RENT SUBSIDY PILOT PROGRAM

7900 SCOPE

- 7900.1 The purpose of the Flexible Rent Subsidy Pilot Program, which subsequently shall be referred to as the DC Flex Program (and “Program” throughout this rule), is to support households that are at risk of experiencing homelessness to achieve stability in permanent housing. The Program provides financial assistance to each enrolled head of household in the instances where there is a gap between the total monthly rent expenses and the household’s funds available for rent. The financial assistance is payable only to the households, with the exception noted in § 7905.11(b).
- 7900.2 The Department shall be responsible for the implementation of this chapter, which shall apply to all financial assistance provided through the Department pursuant to the Program.
- 7900.3 The Program shall operate for four (4) years, beginning in Fiscal Year 2018.
- 7900.4 One person per household is eligible to enroll his or her household in the Program. This person shall be considered the head of household.
- 7900.5 The provisions of this chapter describe eligibility criteria; the application process; assistance determination; description of assistance provided and how it is administered; recertification requirements; and appeal procedures for the Program.

7900.6 Nothing in these rules shall be interpreted to mean that Program assistance is an entitlement. This Program shall be subject to annual appropriations and the availability of funds.

7900.7 The Department may execute contracts, grants, and other agreements as necessary to carry out the Program.

7901 ELIGIBILITY CRITERIA

7901.1 Only one person who is twenty-one (21) years old or older at the time of application per household is eligible to enroll his or her household in the Program. This person shall be considered the head of household.

7901.2 A household is composed of individuals who live in the same physical housing unit as the applying head of household, and shall include:

- (a) Persons related by blood or legal adoption with legal responsibility for minor children in the household;
- (b) Persons related by marriage or domestic partnership (as defined by section 2(4) of the Health Care Benefits Expansion Act of 1992, effective June 11, 1992 (D.C. Law 9-114; D.C. Official Code § 32-701(4)), including stepchildren and unmarried parents of a common child who live together;
- (c) Persons with a legal responsibility for an unrelated minor child or an unrelated adult with a disability; and
- (d) Any person not included by § 7901.2(a)-(c), regardless of blood relationship, age, or marriage, whose history and statements reasonably demonstrate that the individuals intend to remain together in the same household and whose income contributes to total household expenses.

7901.3 An otherwise eligible person temporarily away from the housing unit due to employment, school, hospitalization, incarceration, legal proceedings or vacation shall be considered to be living in the household. A minor child who is away at school is considered to be living in the household if he or she returns to the housing unit on occasional weekends, holidays, school breaks, or during summer vacations.

7901.4 To establish initial eligibility for the Program, a household must:

- (a) Reside in the District of Columbia, as defined by Section 2(32) of the Homeless Services Reform Act of 2005, effective October 22, 2005 (D.C. Law 16-35; D.C. Official Code § 4-751.01(32)), at the time of application;

- (b) Demonstrate risk of homelessness as evidenced by:
 - (1) Previous application for at least one emergency or temporary government-funded housing or rental assistance program administered by the District, including the Emergency Rental Assistance Program, the Homelessness Prevention Program, or the Family Re-Housing and Stabilization Program, within the last forty-eight (48) months; and
 - (2) Having a total annual income less than or equal to thirty percent (30%) of the Median Family Income for the District, which is a periodic calculation provided by the United States Department of Housing and Urban Development; and
- (c) Be headed by a person that is twenty-one (21) years old or older at the time of application, and who meets the following requirements:
 - (1) Has physical custody of one or more minor children;
 - (2) Is currently employed or has recent history of employment; and
 - (3) Is the lease holder for a rental unit.

7901.5 The applicant may be enrolled in a government-funded rental assistance program administered by the District at the time of application. However, if selected for the Program, no household member may be enrolled in both the Program and another District or federal government-funded rental assistance program at the same time. Enrollment in the Program shall not preclude receipt of shelter or rental assistance after participation in the Program has ended.

7902 HOUSEHOLD OUTREACH

7902.1 The Department will conduct outreach to households with an estimated high likelihood of meeting the eligibility criteria listed in § 7901, to inform these households about the Program and to determine potentially eligible households' interest in Program enrollment.

7902.2 Households that receive information about the Program shall be identified by the Department through administrative data contained in applications completed by households seeking or enrolled in government-funded housing or government-funded emergency rental assistance programs administered by the District.

- 7902.3 The Department will conduct outreach via the US Postal Service, telephone, email, SMS text messages, or other communication means determined by the Department.
- 7902.4 Outreach communications will invite households interested in Program enrollment to submit an application as described in § 7903 to the Department via a web-based portal, US Postal Service, or in person at a physical site determined by the Department.
- 7902.5 Outreach communication shall contain or provide a hyperlink to a description of the Program, the application and enrollment process, responsibilities of the Department and the Provider used to manage the Program, and Program participation requirements, including each applicant's involvement in budget and financial management activities.

7903 APPLICATION AND SELECTION PROCESS

- 7903.1 Each household interested in enrolling in the Program shall complete an application form provided by the Department that is signed by the head of household. An authorized representative may apply on behalf of the applying household if the applying head of household provides a written and signed statement stating why he or she cannot personally complete the form and the name and address of the person authorized to act on his or her behalf.
- 7903.2 If the applicant has a disability or the authorized representative of the applicant with a disability requests assistance to complete the application, the Department shall assist such applicant or authorized representative with the application process to ensure that the applicant has an equal opportunity to submit an application.
- 7903.3 The Director of the Department will determine the number of applications that will be accepted for the Program, which is contingent on available funding. If at any point the Department receives additional funding for the program, the Department may reopen the application process at that time for new applications.
- 7903.4 Household enrollment shall follow a two-step process. The first step shall require the applying person to complete and submit a web-based or paper application to the Department as notification of his or her household's enrollment interest and self-reported eligibility in order to be selected. The second step shall require selected households to submit documentation to the Department that enables the Department or its designee to verify information on the household's application and Program eligibility criteria included in § 7901 of this chapter.

- 7903.5 The application will include questions that require the applicant to attest to the Program eligibility criteria listed in § 7901, and may also request the applicant to provide the following:
- (a) Identifying information;
 - (b) Contact information;
 - (c) Household composition;
 - (d) Current income;
 - (e) Current monthly rent expense;
 - (f) Address of current rental unit;
 - (g) Consent to release information; and
 - (h) Any additional information deemed necessary by the Department.
- 7903.6 Due to limited Program availability during the pilot period, the Department will administer one or more assignment lotteries to determine which applying households are offered one of the available Program slots using the method described in § 7903.5, § 7903.7, and § 7903.8.
- 7903.7 The results of the Program's pilot period will be evaluated to understand its effectiveness in supporting households' long term housing stability. To increase the probability that the Program will be successful if expanded to enroll more households, the lottery will be structured so that the characteristics identified on the applications of the group of households offered a Program slot are similar to the characteristics identified on the application of all households that applied for the Program.
- 7903.8 After the lottery is completed, the Department will offer available Program slots to households selected by the lottery. The Department will notify selected households via the US Postal Service, telephone, email or another communication mode determined by the Department. These Program slots are conditional, and are only official after the household responds to the Department's notice of the conditional offer and successfully completes the Program eligibility process described in § 7904. If a household fails to respond within the given timeframe, or after verification the household does not meet eligibility requirements for the Program, an additional household will be selected based on the method described in § 7903.10, until all slots have been filled.

- 7903.9 Each household selected for the Program will have fifteen (15) calendar days from the date of notice to respond to the Department via telephone, email or another communication mode determined by the Department. Each household's response to the Department shall convey whether the household:
- (a) Accepts the conditional Program slot offer and intends to complete the Program eligibility process; or
 - (b) Declines the conditional Program slot offer.
- 7903.10 Any household that declines the offer for the Program slot, fails to provide a response to the Department within fifteen (15) calendar days of Program selection notice, or fails to meet the Program eligibility process described in § 7904, will lose their spot on the lottery result list, and the next household on the list will be offered the slot, until all slots have been filled.
- 7903.11 Any household that submits an application for Program enrollment will receive one or more of the following notices, as applicable:
- (a) DC Flex Program: Notice of Ineligibility to Enter Lottery;
 - (b) DC Flex Program Lottery Results: Conditional Offer of Enrollment;
 - (c) DC Flex Program Lottery Results: Household Not Selected;
 - (d) DC Flex Program: Notice of Enrollment in the Program;
 - (e) DC Flex Program Enrollment: Unable to Verify Eligibility; and
 - (f) DC Flex Program Enrollment: Notice of Termination.
- 7903.12 Any household that submits an application for Program enrollment, but is not enrolled as a result of the processes described in §§ 7903.5 – 7903.10 will receive oral and written notice via US Postal Service. Written notice shall be one or more of the notices listed in § 7903.11, as applicable, which shall include:
- (a) A clear statement of the client's application status, eligibility status, or termination from the Program;
 - (b) A clear and detailed statement of the factual basis for the action described in the notice, including the date or dates on which the basis or bases for the denial occurred;

- (c) A reference to the statute, regulation, policy, or Program Rule pursuant to which the denial is being implemented;
- (d) A clear and complete statement of the client's right to appeal the action through fair hearing and administrative review proceedings pursuant to § 7910, or the client's right to reconsideration pursuant to rules established by the Provider in accordance with Section 18 of the HSRA (D.C. Official Code § 4-754.32), including the appropriate deadlines for instituting the appeal or reconsideration; and
- (e) A statement of the client's right, if any, to continuation of benefits pending the outcome of any appeal, pursuant to § 7910.3.

7903.13 Any household that submits an application for Program enrollment and successfully completes the application and eligibility verification processes described in §§ 7903.5 – 7903.10 and § 7904, shall receive the type of written notice from the Department listed at § 7903.11(d). This notice shall include the information listed in § 7904.9.

7903.14 Any household that submits an application for Program enrollment, is enrolled in the Program, but is terminated from Program enrollment, as described in § 7908.2, shall receive the type of written notice from the Department listed at § 7903.11(f). This notice shall include the information listed in § 7908.3.

7904 ELIGIBILITY VERIFICATION AND PROGRAM ENROLLMENT

7904.1 From each household offered a Program slot, the Department shall request documentation that will enable the Department to verify eligibility for the Program. The Department will contact each household through the US Postal Service, email, telephone or other means determined by the Department.

7904.2 Documentation that the Department shall use to verify eligibility for the Program may include, but is not limited to:

- (a) Birth certificates;
- (b) District identification;
- (c) Child custody reports;
- (d) Copy of a current, valid lease agreement specifying the landlord's name and contact information, and the head of household's name;

- (e) Pay stubs for the most immediate past two (2) months prior to Program application; and
- (f) Earned Income Tax Credit filing for most immediate tax-year prior to Program application.

7904.3 In addition to documents listed in § 7904.2, the Department may use in-person interviews and third party information to verify Program eligibility.

7904.4 Each head of household offered a Program slot shall also sign and submit to the Department a release form, either personally or through an authorized representative, which authorizes the Department to obtain or verify information necessary to confirm Program eligibility.

7904.5 If further information is needed from the household to verify Program eligibility, the Department shall request additional information by telephone, email or US Postal Service. This request shall specify the information needed to complete the household's eligibility verification and the timeframe in which the additional documentation must be provided to the Department.

7904.6 The Department will notify the household once all requested documentation needed to verify eligibility has been received.

7904.7 If a household has not obtained and provided to the Department the requested information needed to verify eligibility for the Program within thirty (30) calendar days of the date of the Conditional Offer of Enrollment, as listed in § 7903.11(b), the household will lose its spot on the list and a new household will be offered the subsidy, as described in section § 7903.10.

7904.8 The Department shall determine the eligibility in as short a time as feasible, but not later than ten (10) business days after receipt of all requested information by the Department.

7904.9 If a household successfully completes the application and eligibility verification processes described in § 7903 and this section, the Department shall give to the applicant, directly or through an authorized representative, a written notice entitled "DC Flex Program: Notice of Enrollment in the Program", as listed in § 7903.11(d), which shall state:

- (a) That the applicant is determined eligible and is enrolled in the Program;
- (b) That receipt of Program assistance is conditioned upon the head of household's participation in all required Program activities as may be

described in the Program Rules established in accordance with section 18 of the HSRA (D.C. Official Code § 4-754.32);

- (c) The length of time for which the Program's subsidy will be provided, per the applicant's successful compliance with the Program recertification criteria set forth in § 7906; and
- (d) Name and contact information for the Provider that the Department will use to administer the Program.

7904.10 Upon a household's enrollment in the Program, the Department will facilitate the household's transition from any other District or federal government rental assistance program to ensure the household's compliance with the eligibility requirement set forth in § 7901.5.

7904.11 At the discretion of the Director, a household may receive an extension on the timeline described in the application and eligibility verification process requirements described in § 7903.9, § 7903.10 or § 7904.7, for a demonstrated reason of good cause. For the purposes of this subsection, "good cause" means:

- (a) Serious illness or injury of household member or immediate family member;
- (b) Death of household member or immediate family member;
- (c) Incarceration or detention of household member; or
- (d) Other crisis, emergency, or unavoidable circumstances that prevented the timely completion of the eligibility verification process.

7905 PROGRAM ADMINISTRATION

7905.1 The Department shall issue a competitive grant solicitation to select a Provider for the Program.

7905.2 The Department will determine what percentage of the annual allotment shall be dedicated to the Provider's allowable administrative fees, as described in § 7905.3, and the remaining total that shall be used for household financial assistance.

7905.3 The percentage of the annual allotment dedicated for the Provider's allowable administrative fees shall be used to pay for costs that are associated with the general operation of the Program and that cannot be attributed to any one enrolled household. These administrative fees may include:

- (a) Staff salaries and fringe benefits;
- (b) Overhead expenses, which may include, but are not limited to, supplies and IT equipment;
- (c) Local travel for duties associated with program administration/oversight; and
- (d) Other expenses agreed upon by the Department and Provider, consistent with District and federal law.

7905.4 The Department will refer households enrolled in the Program to the Provider.

7905.5 The Provider shall make available at least one in-person budgeting or financial management training for enrolled households within the first three (3) months of each household's enrollment into the Program, and monitor the enrolled households' participation in this training and others, if provided. If the Provider does not administer its own such training, the Provider may secure this type of training from another entity and coordinate the enrolled household's participation in this training. The Provider shall also make financial coaching or consultation opportunities available to clients in a manner approved by the Department.

7905.6 The Provider shall use the available granted funds to set up an escrow account and checking account for each enrolled household. The escrow account shall be solely administered by the Provider on behalf of the head of household. The checking account shall be a joint account administered by the Provider and head of household.

7905.7 The Provider shall assist the head of household to secure checks or a debit card linked to the checking account in the name of the head of household.

7905.8 The Provider will receive seven thousand two hundred dollars (\$7,200) per year for each household enrolled in the Program. A year shall be defined as a twelve (12) month cycle, with the first month of the year dependent on the household's enrollment in the program. Based on the availability of funds, the Department reserves the right to adjust, by rule, the amount of funding provided to each enrolled household.

7905.9 Upon a household's enrollment into the Program, the Provider shall transfer seven thousand two hundred dollars (\$7,200), or a different amount established by rule pursuant to § 7905.8, into an escrow account it has established and will solely administer on behalf of that head of household. The Provider shall then transfer funds from the escrow account into the household's checking account each month

so that funds available to the household equal the total cost for one month’s rent amount, per terms of the household’s lease.

7905.10 Each month, the head of household can access the full amount available in the checking account (if needed), or a lesser amount needed to bridge any gap between their monthly income available for rent and their actual monthly rent expenses. A head of household may choose not to use any of the available funds. Any amount not used in one month rolls over and is available for future use throughout the year.

7905.11 If a household meets the Program Recertification requirements described in § 7906, does not owe rental arrears on their unit, and has Program funds remaining at the end of the Program year, the household may:

- (a) Apply all of the remaining funds for use in the next annual Program year cycle, or
- (b) Withdraw up to five hundred dollars (\$500) of the remaining funds for other household expenses and apply the remaining funds for use in the next annual Program year cycle.

7905.12 If the household has funds remaining, in either the escrow account administered on behalf of the household or the household’s checking account or both, at the end of the Program pilot period and does not owe rental arrears on their unit, the household may use the funds to pay for rent.

7905.13 Table 1 below provides an example of the process described in §§ 7905.9 – 7905.12.

At the beginning of the Program, Year 1, an annual total lump sum of seven thousand two hundred dollars (\$7,200) is deposited into the escrow account for Household X. The monthly rent total for Household X is \$1,600. Over the twelve (12) month year, the Provider transfers funds from the escrow account as necessary to maintain a balance of \$1,600 in the joint checking account held with Household X. Household X’s monthly income fluctuates, and in some months there is not enough money to pay the total rent amount. In the months when Household X’s available income is less than the total rent amount of \$1,600, the Household uses funds available in its checking account. At the end of Year 1, Household X has a remaining balance of four hundred dollars (\$400).

Table 1: Year 1- Monthly Rent Amount = \$1,600

	Savings (Escrow) Balance	Amount of Program Subsidy Transferred to Checking	Amount Accessible by Household via	Amount of Program Subsidy Used by Household	Amount Paid by Household	Amount Remaining in Checking Account at End of

		Account	Checking Account			Month
Month 1	\$7,200	\$1,600	\$1,600	\$1,000	\$600	\$600
Month 2	\$5,600	\$1,000	\$1,600	\$1,000	\$600	\$600
Month 3	\$4,600	\$1,000	\$1,600	\$500	\$1,100	\$1,100
Month 4	\$3,600	\$500	\$1,600	\$300	\$1,300	\$1,300
Month 5	\$3,100	\$300	\$1,600	\$0	\$1,600	\$1,600
Month 6	\$2,800	\$0	\$1,600	\$0	\$1,600	\$1,600
Month 7	\$2,800	\$0	\$1,600	\$600	\$1,000	\$1,000
Month 8	\$2,800	\$600	\$1,600	\$400	\$1,200	\$1,200
Month 9	\$2,200	\$400	\$1,600	\$400	\$1,200	\$1,200
Month 10	\$1,800	\$400	\$1,600	\$800	\$800	\$800
Month 11	\$1,400	\$800	\$1,600	\$1,600	\$0	\$0
Month 12	\$600	\$600	\$600	\$200	\$1,400	\$400

7905.14 Table 2 below provides a continuance of the example shown in Table 1. Household X does not owe rental arrears on their unit and decides to add the remaining four hundred dollars (\$400) from Year 1 to the total amount deposited into Household X’s escrow account for the following year, Year 2. The addition of the four hundred dollars (\$400) from Year 1 is reflected in the escrow balance of Year 2, Month 1. The Year 2 starting balance equals the seven thousand two hundred dollars (\$7,200) of the annual Program assistance, plus the four hundred dollars (\$400) carried over from Year 1.

Table 2: Year 2- Monthly Rent Amount = \$1,600

	Savings (Escrow) Balance	Amount of Program Subsidy Transferred to Checking Account	Amount Accessible by Household via Checking Account	Amount of Program Subsidy Used by Household	Amount Paid by Household	Amount Remaining in Checking Account at End of Month
Month 1	\$7,600*	\$1,600	\$1,600	\$400	\$1,200	\$1,200
Month 2	\$6,000	\$400	\$1,600	\$400	\$1,200	\$1,200
Month 3	\$5,600	\$400	\$1,600	\$400	\$1,200	\$1,200
Month 4	\$5,200	\$400	\$1,600	\$0	\$1,600	\$1,600
Month 5	\$4,800	\$0	\$1,600	\$0	\$1,600	\$1,600
Month 6	\$4,800	\$0	\$1,600	\$1,600	\$0	\$0
Month 7	\$4,800	\$1,600	\$1,600	\$1,600	\$0	\$0
Month 8	\$3,200	\$1,600	\$1,600	\$1,200	\$400	\$400
Month 9	\$1,600	\$1,200	\$1,600	\$600	\$1,000	\$1,000
Month 10	\$400	\$400	\$1,400	\$400	\$1,200	\$1,000
Month 11	\$0	\$0	\$1,000	\$800	\$800	\$200
Month 12	\$0	\$0	\$200	\$200	\$1,400	\$0

7905.15 With the exception of end of year funds, the only eligible payee on the account will be the landlord of the unit the household lives in. The Provider will be

responsible for monitoring account activity to ensure the head of household is using checking account funds to pay the landlord on record.

7905.16 The landlord must have a business license and a Certificate of Occupancy for the household's unit that is in good standing.

7905.17 The household's rental unit may be subject to required inspections as part of the requirement to be legally licensed and registered in the jurisdiction. The Department may offer or require additional inspections as part of the Program.

7905.18 The Provider shall establish a dispute resolution process for complaints households may raise related to the administration of the Program. This process shall be described in Program Rules.

7906 RECERTIFICATION REQUIREMENTS

7906.1 To remain eligible for the Program, each enrolled household shall complete a recertification process annually.

7906.2 A household shall remain eligible for the Program if the household continues to meet requirements set forth in §§ 7901.1 - 7901.3 and continues to be eligible for services under the Continuum of Care.

7906.3 Additionally, the household shall meet the following to remain eligible for the Program:

- (a) Has a total annual income less than or equal to the recertification income limit, based on the United States Department of Housing and Urban Development's Median Family Income Limits for the Washington DC Metropolitan Region, to be published by DHS not less than annually. The recertification limit shall not be less than forty percent (40%) of Family Median Income;
- (b) Is headed by a person that is twenty-one (21) years old or older, and who meets the following requirements:
 - (1) Has physical custody of one or more minor children, or one or more youth that continues to reside in the household;
 - (2) Is currently employed or has recent history of employment; and
 - (3) Is the lease holder for a rental unit; and as the lease holder, does not face a housing emergency in which immediate action is necessary to avoid homelessness or eviction.

- (c) Has not accessed any non-Program source of emergency, temporary, or permanent government-funded rental assistance:
- (1) Before exhausting its annual allotment of Program funds and any remaining Program funds from the previous year; or
 - (2) More than once during the previous year.

7906.4 The Provider shall conduct a recertification assessment of each household to confirm the household meets the Program's recertification standards.

7906.5 If a household does not meet the recertification requirements set forth in this section, the Provider shall provide oral notice to the household. Additionally, the Provider shall provide written notice described in § 7903.11(f) to the household, via email or US Postal Service, at least fifteen (15) days before the effective date of the termination. This notice will specify the recertification requirements the household did not meet during its recertification assessment.

7907 RELOCATION

7907.1 At any point during the Program, a household may choose to relocate to a new unit that better meets the household's needs. The household shall be responsible for updating the Provider and providing appropriate documentation of the new lease agreement. The Provider shall not approve the payment of funds to a new landlord until it has received appropriate documentation of the new lease.

7908 TERMINATION FROM PROGRAM

7908.1 Termination pursuant to this section refers to a termination of Program assistance only and does not provide the Provider or the Department with any authority to interfere with a household's tenancy rights under the lease agreement as governed by Title 14 of the District of Columbia Municipal Regulations.

7908.2 The Provider shall adopt Program Rules to provide additional guidance on the DC Flex Program. In accordance with the DC Flex Program Rules, which shall be signed by households at the time of Program enrollment, the Department or Provider may terminate Program assistance to a household, in compliance with Section 22 of the Act (D.C. Official Code § 4-754.36).

7908.3 If a household is terminated from the Program, the Provider shall provide oral notice to the household. Additionally, the Provider shall give to the household, personally or through an authorized representative, a written Notice of Termination at least fifteen (15) days before the effective date of the termination, which shall state:

- (a) The household is being terminated;
- (b) The effective date of the termination;
- (c) The reason or reasons for the termination, including the date or dates on which the basis or bases for the termination occurred;
- (d) The statute, regulation, or program rule under which the termination is being made;
- (e) That the household has a right to appeal the termination through a fair hearing and administrative review, including deadlines for requesting an appeal; and
- (f) That the household has a right to continuation of Program assistance pending the outcome of any fair hearing requested within fifteen (15) days of receipt of written notice of a termination, as described in § 7910.

7908.4 A household that is terminated from the Program will immediately lose access to any and all Program funds remaining in the escrow and checking account, subject to the right to continuation of Program assistance as described in § 7910.3.

7909 SUMMARY OF PROVIDER RESPONSIBILITIES

7909.1 The Provider is responsible for the following:

- (a) Establishing an escrow and checking account for each household enrolled in the Program;
- (b) Delivering directly, or coordinating with another entity to offer periodic budgeting or financial literacy training to each household and monitor the household's participation in these trainings;
- (c) Monitoring each household's monthly payment activity;
- (d) Providing each household with general referrals and reminders about resources available within the community;
- (e) Reviewing the eligibility of each household to ensure that the household remains eligible per the recertification standards outlined in § 7906;
- (f) If applicable, updating the name of each household's landlord when a household moves to a new housing unit, or the landlord on a lease changes;

- (g) Assisting the Department with program evaluation activities, including reasonable data collection, providing administrative records, and making staff available for interviews;
- (h) Submitting to the Department quarterly reports, at the individual household level and aggregate level, that include information listed in § 7908.2 and § 7908.3; and
- (i) Other tasks agreed upon by the Department and Provider.

7909.2 The Provider shall submit to the Department a formal quarterly report that may include, but is not limited to, the following for each enrolled household:

- (a) Frequency in which each household accessed the full monthly rent limit;
- (b) Average amount of funds accessed from each household’s checking account each month; and
- (c) Participation in budget or financial planning classes.

7909.3 The Provider shall submit to the Department a formal quarterly report that shall include, but is not limited to, the following for the cohort of enrolled households:

- (a) Payment activity of the households for the current quarter;
- (b) Trend analysis that shows the payment activities of the households over the previous quarter(s), where applicable;
- (c) Average and median amounts of the Program subsidy used by the households monthly;
- (d) Addresses of participating households and other descriptive statistics identified or requested by the Department; and
- (e) Household attrition from the Program.

7909.4 The Provider shall submit reports to the Department via a method determined by the Department.

7910 FAIR HEARING AND ADMINISTRATIVE REVIEW

7910.1 An applying household or participating Program household shall have ninety (90) calendar days following the receipt of a written notice described in §§ 7903.11(a), (c), (e), or (f) to request a fair hearing, in accordance with the hearing provisions

in Section 26 of the HSRA (D.C. Official Code § 4-754.41), for the action that is the subject of the written notice.

7910.2 Upon receipt of a fair hearing request, the Department shall offer the petitioner household or its authorized representative an opportunity for an administrative review in accordance with Section 27 of the HSRA (D.C. Official Code § 4-754.42), except that if an eviction is imminent, the Department shall take all reasonable steps to provide an expedited administrative review to maximize resolution of the appeal.

7910.3 In accordance with Section 9(a) of the HSRA (D.C. Official Code § 4-754.11(a)(18)), any household that requests a fair hearing within fifteen (15) days of receipt of written notice of a termination pursuant to § 7908 shall have the right to the continuation of Program benefits pending a final decision from the fair hearing proceedings.

7999 DEFINITIONS

7999.1 The terms and definitions in 29 DCMR § 2599 are incorporated by reference in this chapter.

7999.2 For the purposes of this chapter, the following additional terms shall have the meanings ascribed:

Authorized representative – an individual who is at least eighteen (18) years of age, who is acting responsibly on behalf of the applicant, and has sufficient knowledge of the applicant’s circumstances to provide or obtain necessary information about the applicant, or a person who has legal authorization to act on behalf of the applicant.

Provider – an organization that receives Flexible Rent Subsidy Pilot Program funds and is authorized to administer the Program’s services.

Government-funded rental assistance program – a program administered or funded by federal, state, or local government that provides rental assistance for the purpose of reducing the tenant’s rent or assisting with back rent.

Median Family Income - the periodic calculation provided by the United States Department of Housing and Urban Development, adjusted for family size without regard to any further adjustments made by the United States Department of Housing and Urban Development for the purposes of the programs it administers. This calculation is used to determine a household’s eligibility for the Program.

Minor – a child under eighteen (18) years of age.

All persons who desire to comment on these proposed rules should submit their comments in writing to the Department of Human Services, 64 New York Avenue, N.E., 6th Floor, Washington, D.C. 20002, Attn: Dena Hasan, or by email to Dena.Hasan@dc.gov. All comments must be received by the Department of Human Services not later than thirty (30) days after publication of this notice in the *D.C. Register*. Copies of these rules and related information may be obtained by writing to the above address, or by calling the Department of Human Services at (202) 671-4200.

DISTRICT DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED RULEMAKING

The Director of the District Department of Transportation (DDOT), pursuant to the authority in Sections 3(b) and 5(a)(3)(Q), (R), (S), and (T) of the Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code §§ 50-921.02(b) and 50-921.04(a)(3)(Q), (R), (S) and (T) (2014 Repl.)), Section 105(a)(1) of the District of Columbia Traffic Adjudication Act of 1978, effective September 12, 1978 (D.C. Law 2-104; D.C. Official Code § 50-2301.05(a)(1) (2014 Repl.)), and Mayor's Order 2019-60, dated June, 20, 2019, hereby gives notice of this proposed action to adopt rules that amend Chapters 24 (Stopping, Standing, Parking, and Other Non-Moving Violations), 26 (Civil Fines For Moving And Non-Moving Infractions), 40 (Traffic Signs And Restrictions At Specific Locations), and 99 (Definitions) of Title 18 (Vehicles and Traffic) of the District of Columbia Municipal Regulations (DCMR).

The proposed regulations will: (1) revise and add definitions to related terms identified in this rulemaking; (2) correct errors in, and provide clarification of, provisions related to the designation of parking meter zones and general parking provisions; (3) update references to multi-space meters and pay-and-display parking meters; (4) add a new reference and operating provisions for pay-by-space parking meters and pay-by-cell only zones; (5) remove references to Normal Demand Parking Meter Zones and Premium Demand Parking Meter Zones; (6) add a new reference and criteria for meter operation hours; (7) update parking meter rates to reflect changes made by Council of the District of Columbia in Section 19 of the Fiscal Year 2016 Budget Support Clarification Temporary Amendment Act of 2015; (8) add new references for bus parking zones; and (9) update citations to violations in Chapter 26 of Title 18 DCMR.

This rulemaking shall be submitted to the Council of the District of Columbia for a forty-five (45) day review period, excluding Saturdays, Sundays, legal holidays, and days of Council recess. Pursuant to D.C. Official Code § 50-2301.05(a)(1), the rulemaking shall be deemed approved if the Council takes no action within the forty-five (45)-day period.

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

Title 18 DCMR, VEHICLES AND TRAFFIC, is amended as follows:

Chapter 24, STOPPING, STANDING, PARKING, AND OTHER NON-MOVING VIOLATIONS, is amended as follows:

Section 2404, PARKING METERS AND PARKING METER ZONES, is amended to read as follows:

2404 PARKING METERS AND PARKING METER ZONES

2404.1 No vehicle shall park in a parking meter zone at any time when such parking is

otherwise prohibited.

- 2404.2 Except as provided in §§ 2406.12 and 2406.18, no person shall park any vehicle or allow any vehicle registered in his or her name to be parked overtime or beyond the lawful period of time indicated on the meter or by the signs applicable to the parking meter space or zone.
- 2404.3 No person shall park any vehicle or allow any vehicle registered in his or her name to be parked so that the vehicle is not within the area between the designated signs or other marking(s) delimiting the parking meter space or zone.
- 2404.4 No person shall stop, stand, or park a vehicle exceeding twenty feet (20 ft.) in length in a parking meter zone, except as provided in §§ 2402.6, 2404.12, 2428.8 and 2429.8.
- 2404.5 Immediately after parking a vehicle, the operator shall pay for the amount of parking time desired and, if a receipt is issued, place the receipt on the passenger side of the dashboard of the vehicle so that it is clearly visible through the windshield of the vehicle. The space may then be used by the vehicle during the parking limit indicated by the parking meter zone signs or on the parking meter for the amount of time that is confirmed through the receipt issued or the pay-by-cell system, as applicable.
- 2404.6 No person shall purchase more time than allowed for parking a vehicle in a parking meter space or zone as indicated by the signs in the zone, pay-by-cell system, or on the parking meter.
- 2404.7 Except as provided in §§ 2404.9, 2406.12, and 2406.18, a vehicle shall be considered illegally parked in a parking meter zone if:
- (a) No parking payment has been made at the meter or through the pay-by-cell system;
 - (b) The amount of time paid for a parking meter space at a parking meter or using pay-by-cell has lapsed;
 - (c) The vehicle does not display a parking meter receipt in the manner required by § 2404.5;
 - (d) The vehicle has been parked in the parking meter zone longer than the parking limit indicated by the signs or on the meters for that parking meter zone;
 - (e) The vehicle is oversized for the parking meter zone, pursuant to § 2404.4;
 - (f) The vehicle is not a tour bus and is parked in a bus parking zone; or

- (g) The vehicle is not a motorcycle and is parked in a space designated for motorcycle parking only.

2404.8 An operator may park a vehicle in a parking meter space:

- (a) Without depositing payment at a parking meter space:
 - (1) At times when the signs and meters in the parking meter zone indicates payment is not required;
 - (2) With unexpired time displayed on the meter, until such time has lapsed;
 - (3) If a vehicle identified by license plate as being owned, rented, or leased by the federal or District government is being used on official government business and is parked in a parking meter space; or
 - (4) If the vehicle is a tour bus parked in a bus parking zone only while actively engaged in loading and unloading of passengers.
- (b) In the same pay-by-cell parking meter zone until the time confirmed by the operator's paid, active pay-by-cell session has lapsed;
- (c) That is served by a pay-by-space parking meter until the time confirmed by the operator's paid, active pay-by-space session for the parking meter space has lapsed, provided, the operator's vehicle remains in the designated space for which payment was made;
- (d) That is served by a pay-and-display parking meter in the same zone until the time on the receipt, displayed in accordance with § 2404.5, has lapsed; or
- (e) That is served by a pay-by-plate parking meter until the time confirmed by the operator's paid, active pay-by-plate session has lapsed; provided the operator's vehicle remains in the parking meter zone for which payment was made.

2404.9 An operator may park in a parking meter space where the corresponding parking meter is broken if the operator pays for the amount of parking time desired at an adjacent, functioning multi-space parking meter, or through the pay-by-cell system.

2404.10 The rate for each parking meter space shall be posted on the meter serving the space or any pay-by-cell application authorized to collect meter payment in the

District.

- 2404.11 Except as otherwise provided, all civil infractions and their respective fines set forth in § 2404 shall apply to the provisions in § 2424.
- 2404.12 Notwithstanding § 2404.4, a tour bus may park outside a loading zone if it occupies no more than three (3) metered spaces or no more than sixty feet (60 ft.) within a designated bus parking zone serviced by a parking meter or pay-by-cell system.
- 2404.13 The Director shall designate, by the posting of signs or by the placement of meters with signage, the street segments that are subject to payment for parking.
- 2404.14 The Director shall establish objective criteria to create parking meter zones, set parking meter time limits, and determine parking meter operation hours. These criteria shall consider the need to promote:
- (a) Short term parking access near commercial, cultural, educational, entertainment, medical, recreational and transportation facilities;
 - (b) Turnover of parking occupancy;
 - (c) Equitable availability; and
 - (d) Efficient use of public parking spaces.
- 2404.15 The Director shall provide written notice to the affected Advisory Neighborhood Commission (“ANC”) and publish a notice of intent (NOI) on DDOT’s website, of all proposed modifications to parking meter zone designations at least thirty (30) days before implementation.
- 2404.16 The rates for parking meters shall be as follows:
- (a) Fifty cents (\$0.50) for thirteen (13) minutes for automobile size spaces;
 - (b) Twenty-five cents (\$0.25) per hour for motorcycle size spaces;
 - (c) One dollar and fifty cents (\$1.50) for thirteen (13) minutes for bus size spaces; and
 - (d) Performance Parking Zone rates, as established pursuant to § 2424.

Section 2406, PARKING PROHIBITED BY POSTED SIGN is amended as follows:

Subsection 2406.15 is repealed.

Section 2427, STREETS EXEMPTED FROM PARKING METER FEE MORATORIUM, is repealed in its entirety and reserved.

Section 2428, COMMERCIAL PERMIT PARKING; ANNUAL PASS, is amended as follows:

Subsection 2428.8 is amended to read as follows:

2428.8 Notwithstanding § 2404.4, a commercial motor vehicle may park outside a loading zone between the hours of 10:00 a.m. and 2:00 p.m. with a valid annual pass if it occupies no more than two (2) metered spaces or no more than forty feet (40 ft.) within a parking zone serviced by a parking meter, multi-space parking meter, or pay-by-cell system.

Section 2429, COMMERCIAL PERMIT PARKING; DAY PASS, is amended as follows:

Subsection 2429.8 is amended to read as follows:

2429.8 Notwithstanding § 2404.4, a commercial motor vehicle may park outside a loading zone between the hours of 10:00 a.m. and 2:00 p.m. with a valid day pass if it occupies no more than two (2) metered spaces or no more than forty feet (40 ft.) within a parking zone serviced by a parking meter, multi-space parking meter, or pay-by-cell system.

Chapter 26, CIVIL FINES FOR MOVING AND NON-MOVING INFRACTIONS, is amended as follows:

Section 2601, PARKING AND OTHER NON-MOVING INFRACTIONS, is amended as follows:

Subsection 2601.1 is amended as follows:

The following infractions are inserted after Bus lane, unauthorized vehicle parked in [§ 2405.1(j)] and before Bus stand or zone [§ 2409.3]:

Bus parked within a public space curbside area not designated as a bus parking zone [§ 2404.12] \$250.00

Bus Parking Zone, unauthorized vehicle in [§ 2404.7(f)] \$100.00

The rows regarding meter infractions are amended to read as follows:

Meter Infractions (includes fines associated with the Performance Parking Zone [§ 2404.15, § 2424.12])	Fine	In Performance Parking Zones [§ 2404.15, § 2424.12]	During Events in a Performance Parking Zone [§ 2424.12]
Depositing additional payment to extend time beyond applicable limit [§ 2404.6, § 2424.12]	\$ 20.00	\$ 20.00	\$ 40.00
Expiration time indicated on the parking meter receipt displayed on the vehicle, on the meter, or pay-by-phone session has lapsed [§ 2404.7(b), § 2424.12]	\$ 30.00	\$ 30.00	\$ 60.00
Failure to deposit payment [§ 2404.7(a), § 2424.12]	\$ 30.00	\$ 30.00	\$ 60.00
Failure of a bus operator to provide payment for use of a designated bus parking zone [§2404.5, § 2404.13]	\$100.00	\$100.00	\$100.00
Failure to properly display pay-and-display parking meter receipt [§ 2404.7(c), § 2424.12]	\$ 30.00	\$ 30.00	\$ 60.00
Illegally parked [§ 2404.7, § 2424.12]	\$ 30.00	\$ 30.00	\$ 60.00
Not parked in parking meter space [§ 2404.3, § 2424.12]	\$ 25.00	\$ 25.00	\$ 60.00
Overtime parking in a parking meter space or zone [§ 2404.2, § 2424.12]	\$ 30.00	\$ 30.00	\$ 60.00
Overtime parking in a commercial loading zone [§ 2402.3(c), § 2424.12]	\$ 50.00	\$ 50.00	\$100.00
Oversized vehicle in a metered space [§ 2404.4, § 2424.12]	\$ 25.00	\$ 25.00	\$ 50.00
Parking in a parking meter space that differs from the pay-by-space session or single space meter [§ 2404.8(a), (b), (c), § 2404.10(d), § 2424.12]	\$ 30.00	\$ 30.00	\$ 60.00
Parking in a space within a pay-by-phone zone	\$ 30.00	\$ 30.00	\$ 60.00

that does not correspond to the pay-by-phone session [§ 2404.8 (d), § 2424.12]			
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A new fine is added after “Vendors stand, on [24 DCMR 501]” to read as follows:

WMATA property, parking, leaving unattended, or storing a vehicle in violation of posted parking restrictions at a parking facility on [DC Code § 50-2637]	\$30.00
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Chapter 40, TRAFFIC SIGNS AND RESTRICTIONS AT SPECIFIC LOCATIONS, is amended as follows:

Section 4023, PARKING METER ZONES, is repealed.

Chapter 99, DEFINITIONS, Section 9901, DEFINITIONS, is amended as follows:

Subsection 9901.1 is amended as follows:

The following definitions are added after the definition of “Bicycle”:

Block – the two (2) opposite sides of a street between two (2) consecutive street intersections.

Block Face - one (1) side of a block.

Broken Meter – a meter that is physically or programmatically unable to operate and register payment.

The following definition is added after the definition of “Bus lane”:

Bus Parking Zone – a designated and marked off section of a public roadway within the marked boundaries of which a tour bus may be parked and the use of which is regulated through parking meter zone payment.

The definition of “Director” is amended to read as follows:

Director - the Director of the Department of Motor Vehicles, the Director of the Department of Public Works, or the Director of the Department of Transportation, as applicable.

The definition of “Loading Zone” is amended to read as follows:

Loading Zone - on street parking space set aside for commercial motor vehicles used or maintained for transporting freight, merchandise, or other

commercial loads or property.

The definition of “Multi-Space Parking Meter” is amended to read as follows:

Multi-Space Parking Meter - a parking meter that serves more than one (1) parking meter space.

The definition of “Parking Meter” is amended to read as follows:

Parking Meter - a mechanical or electronic device located upon a sidewalk or public parking adjacent to one or more places regularly designated as a parking meter space, which measures and displays the amount of time remaining for lawful parking or which issues a receipt indicating the time at which lawful parking will expire.

The following definition is added after the definition of “Parking Meter Rate Schedule”:

Parking Meter Space - a section of a public roadway, with or without marked boundaries, within which a vehicle may be temporarily parked and allowed to remain for such period of time as indicated on a parking sign, parking meter, or on a receipt issued by a parking meter serving that parking meter space.

The following definition is added after the definition of “Parking Meter”

Parking Meter Time Limit – the maximum time that any vehicle can remain parked in a parking meter zone.

The definition of “Parking Meter Zone” is amended to read as follows:

Parking Meter Zone – a block face of roadway regulated in whole or in part by parking meters or pay-by-cell technology.

The following definitions are added after the definition of “Passenger Vehicle”:

Pay-and-Display Parking Meter - a multi-space parking meter that issues receipts that indicate the duration of authorized parking.

Pay-by-Cell System – a parking meter payment system that accepts electronic payment from customers who call the provider’s telephone number, enable the provider’s mobile application, or enable the provider’s electronic website to indicate the duration of parking and to remit payment.

Pay-by-Space Parking Meter - a multi-space parking meter that indicates the duration of parking on the meter for a specific, designated parking meter space.

Pay-by-Plate Parking Meter - a multi-space parking meter that indicates the duration of parking on the meter for a specific, designated motor vehicle identified by their license plate.

The following definition is added after the definition of “Public Vehicle for Hire”:

Rate – charge per unit of time on a parking meter.

The definition of “Single-Space Parking Meter” is amended to read as follows:

Single-Space Parking Meter - a parking meter that serves no more than one (1) parking meter space.

The following definition is added after the definition of “Ticket”:

Tour Bus – a bus transporting passengers for sightseeing purposes either on day trips or as part of a multi-day itinerary. This includes school buses transporting passengers for a field trip and excludes buses providing commuter, intercity, transit, or shuttle services.

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

UNIVERSITY OF THE DISTRICT OF COLUMBIA

NOTICE OF PROPOSED 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 effective January 2, 1976 (D.C. Law 1-36; D.C. Official Code §§ 38-1202.01(a); 38-1202.06(13) (2019 Repl.)) hereby gives notice of its intent to amend 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), in not less than thirty (30) days from the date of publication of this notice in the *D.C. Register*.

The purpose of the proposed rule is to allow the University in certain situations approved by the President, to reimburse reasonable travel expenses for candidates traveling to the University for final, pre-employment interviews in order to strengthen the University's competitive position in pursuit of talented candidates.

The Board of Trustees will take final action to adopt these amendments to the University Rules in not less than thirty (30) days from the date of 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 by adding a new Section 446 as follows:

446 TRAVEL FOR FINAL PRE-EMPLOYMENT INTERVIEWS

- 446.1 The University may reimburse an applicant for reasonable travel expenses incurred incidental to final pre-employment interviews for specifically designated positions, approved by the President.
- 446.2 Reasonable travel expenses will be reimbursed in accordance with the University's travel policies and procedures.

All persons desiring to comment on the subject matter of the proposed rulemaking should file comments in writing not later than 30 days after the date of publication of this notice in the *D.C. Register*.

Comments should be filed with the Office of General Counsel, Building 39, Room 301-Q, University of the District of Columbia, 4200 Connecticut Avenue, N.W., Washington, D.C. 20008.

Comments may also be submitted by email to OfficeofGC@udc.edu. Individuals wishing to comment by email must include the phrase "Comment to Proposed Rulemaking: Travel Reimbursement for Pre-Employment Interviews" in the subject line.

DEPARTMENT OF HEALTH

NOTICE OF EMERGENCY AND PROPOSED RULEMAKING

The Director of the Department of Health, pursuant to Sections 6 and 14 of the Legalization of Marijuana for Medical Treatment Initiative of 1999 (Act), effective July 27, 2010 (D.C. Law 18-210; D.C. Official Code §§ 7-1671.05 & 7-1671.13 (2018 Repl.)); Section 4902(d) of the Department of Health Functions Clarification Act of 2001, effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 7-731(d) (2018 Repl.)); and Mayor's Order 2011-71, dated April 13, 2011, hereby gives notice of the adoption, on an emergency basis, of the following amendments to Chapter 5 (Qualifying Patients) of Title 22 (Health), Subtitle C (Medical Marijuana), of the District of Columbia Municipal Regulations (DCMR).

This rulemaking will enable patients to prove D.C. residency through the use of a Real ID driver license issued by the District of Columbia Department of Motor Vehicles in lieu of two other forms of acceptable identification. This emergency action is necessary to address the needs of patients suffering from medical conditions which may benefit from the use of medical marijuana by streamlining the application process.

This emergency rule was adopted on August 14, 2019 and became effective immediately on that date. The emergency rule will expire one hundred twenty (120) days from the date of adoption, December 12, 2019, or upon publication of a Notice of Final Rulemaking in the *D.C. Register*, whichever occurs first.

The Director of the Department of Health also gives notice of her intent to adopt this rule, in final, in not less than thirty (30) days from the date of publication of this notice in the *D.C. Register*, and upon completion of the thirty (30) day Council period of review if the Council does not act earlier to adopt a resolution approving the rules.

Chapter 5, QUALIFYING PATIENTS, of Title 22-C DCMR, MEDICAL MARIJUANA, is amended as follows:**Subsection 501.2 of Section 501, RESIDENCY, is amended to read as follows:**

- 501.2 In proving bona fide District residency, an applicant shall submit:
- (a) A non-expired Real ID driver license issued by the District of Columbia Department of Motor Vehicles; or
 - (b) At least two (2) of the following items:
 - (1) Proof of payment of District of Columbia personal income tax, in the name of the applicant, for the tax period closest in time to the application date;
 - (2) A property deed for a District of Columbia residence showing the

- applicant as an owner or co-owner;
- (3) A valid unexpired lease or rental agreement in the name of the applicant on a District of Columbia residential property;
 - (4) A pay stub issued less than forty-five (45) days prior to the application date which shows evidence of the applicant's withholding of District income tax;
 - (5) A voter registration card with an address in the District of Columbia;
 - (6) Current official documentation of financial assistance received by the applicant from the District Government including, but not limited to Temporary Assistance for Needy Families (TANF), Medicaid, the State Child Health Insurance Program (SCHIP), Supplemental Security Income (SSI), housing assistance, or other governmental programs;
 - (7) A current motor vehicle registration in the name of the applicant evidencing District residency;
 - (8) A valid unexpired District motor vehicle operator's permit or other official non-driver identification in the name of the applicant;
 - (9) Utility bills (excluding telephone bills) from a period within the two (2) months immediately preceding the application date in the name of the applicant on a District of Columbia residential address; or
 - (10) Any other reasonable form of verification deemed by the Director or the Director's agent to demonstrate proof of current residency.

All persons desiring to comment on the subject matter of this proposed rulemaking action shall submit written comments, not later than thirty (30) days after the date of publication of this notice in the *D.C. Register*, to Phillip Husband, General Counsel, Department of Health, Office of the General Counsel, 899 North Capitol Street, N.E., 6th Floor, Washington, D.C. 20002. Copies of the proposed rules may be obtained between the hours of 8:00 a.m. and 4:00 p.m. at the address listed above, or by contacting Angli Black, Paralegal Specialist, at Angli.Black@dc.gov, (202) 442-5977.

DISTRICT DEPARTMENT OF TRANSPORTATION

NOTICE OF EMERGENCY AND PROPOSED RULEMAKING

The Director of the District Department of Transportation (“DDOT”), pursuant to the authority set forth in Sections 3(b), 5(a)(3)(E), 6(b), and 7 of the Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code §§ 50-921.02(b), 50-921.04(a)(3)(E), 50-921.05(b), and 50-921.06 (2014 Repl. & 2019 Supp.)); Section 604 of the Fiscal Year 1997 Budget Support Act of 1996, effective April 9, 1997 (D.C. Law 11-198, D.C. Official Code § 10-1141.04 (2013 Repl.)); and Mayor’s Order 18-075, dated October 2, 2018, hereby gives notice of the intent to adopt the following rulemaking to amend Chapter 24 (Stopping, Standing, Parking, and Other Non-Moving Violations) of Title 18 (Vehicles and Traffic), and Chapter 33 (Public Right-of-Way Occupancy Permits) of Title 24 (Public Space and Safety) of the District of Columbia Municipal Regulations (DCMR).

The emergency rulemaking amends Title 24 to require a shared motor-driven cycle company to obtain a public right-of-way occupancy permit prior to operating in the public right-of-way. The emergency rulemaking also amends Title 18 to prohibit parking of shared motor-driven cycles on public sidewalks. Lastly, the emergency rulemaking defines a shared motor driven cycle company and a shared motor-driven cycle.

The emergency rulemaking is necessitated by an immediate need to preserve public safety as existing regulations do not address the sidewalk parking and safety concerns related to a fleet of shared motor-driven cycles. The District is expecting a large number of shared motor driven cycles to be inserted into the public very soon and having such a large number of these shared motor driven cycles parked on the sidewalk would cause an immediate safety concern to pedestrians. In addition, in order to preserve the public welfare, motor-driven cycle sharing companies will need to receive a permit from the District Department of Transportation in order to operate in the District. The permit will provide a core set of requirements to ensure the companies are operating in a safe manner and in the best interest of all District residents.

This emergency rule was adopted on August 14, 2019 and became effective immediately. This emergency rule will remain in effect until December 12, 2019, one hundred twenty (120) days from the date it was adopted.

The Director also gives notice of intent to take final rulemaking action to adopt these amendments in not less than thirty (30) days after the date of publication of this notice in the *D.C. Register*.

Chapter 24, STOPPING, STANDING, PARKING, AND OTHER NON-MOVING VIOLATIONS, of Title 18 DCMR, VEHICLES AND TRAFFIC, is amended as follows:

Section 2405, STOPPING, STANDING, OR PARKING PROHIBITED: NO SIGN REQUIRED, is amended as follows:

Subsection 2405.1 (h) is amended as follows:

- (h) On the sidewalk; provided, that a motor-driven cycle may be parked on the sidewalk if it:
 - (1) Is not a shared motor-driven cycle;
 - (2) Is outside of the Central Business District, as defined by Subsection 9901.1 of Title 18 of the District of Columbia Municipal Regulations (18 DCMR § 9901.1);
 - (3) Is not attached to any tree, tree box, or planting area; and
 - (4) Does not block the path of pedestrians and maintains an ADA compliant clearance from any other obstruction, as defined in Section 4.3 of the ADA Accessibility Guidelines;

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

A new Section 3316 is added as follows:

3316 MOTOR-DRIVEN CYCLE SHARING

- 3316.1 No person shall use the public right-of-way to offer a shared motor-driven cycle for rental in the public right-of-way without a permit issued by the Director.
- 3316.2 The Director shall issue a Right-of-Way Occupancy Permit only to a shared motor-driven cycle company with a basic business license to operate in the District.

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

The following definitions are added after the definition of the term “Publicly accessible dockless vehicle sharing system”:

Shared motor-driven cycle company – a company that provides for the rental of shared motor-driven cycles from the public right-of-way for short-term one-way trips.

Shared motor-driven cycle - a motor-driven cycle that is available to rent in the public right-of-way for short-term one-way trips through a rental system that is available to the public.

All persons interested in commenting on the subject matter in this proposed rulemaking may file comments in writing, not later than thirty (30) days after the publication of this notice in the *D.C.*

Register, with Faye Dastgheib, Policy and Legislative Affairs Division, Office of the Director, District Department of Transportation, 55 M Street, S.E., 7th Floor, Washington, D.C. 20003. An interested person may also send comments electronically to publicspace.policy@dc.gov. Copies of this proposed rulemaking are available, at cost, by writing to the above address, and are also available electronically, at no cost, on the District Department of Transportation's website at www.ddot.dc.gov.

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2019-084
September 18, 2019

SUBJECT: Appointments — Lactation Commission


ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(2) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2) (2016 Repl.), and in accordance with Mayor's Order 2017-177, dated July 28, 2017, it is hereby **ORDERED** that:

1. The following persons are appointed to the Lactation Commission for a term to end April 30, 2019, and a new term to end April 30, 2022:
 - a. **STEPHANIE SIESWERDA** is appointed as a social service or community outreach expert member, replacing Gina Caruso.
 - b. **CHRISTINA STOWERS** is appointed as a consumer member, filling a vacant seat.
2. **EFFECTIVE DATE:** Section 1a shall be effective *nunc pro tunc* to February 23, 2018, and Section 1b shall be effective *nunc pro tunc* to November 14, 2017.



MURIEL BOWSER
MAYOR

ATTEST: 

 KIMBERLY A. BASSETT
 SECRETARY OF STATE OF THE DISTRICT OF COLUMBIA

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF PUBLIC HEARINGS
CALENDAR

WEDNESDAY, OCTOBER 2, 2019
2000 14TH STREET, N.W., SUITE 400S
WASHINGTON, D.C. 20009

Donovan W. Anderson, Chairperson

Members: James Short, Bobby Cato, Rema Wahabzadah, Rafi A. Crockett

Protest Hearing (Status) Case # 19-PRO-00097; Nicolas Hospitality, Inc., t/a Mama 'San, 2001 11th Street NW, License #114205, Retailer CT, ANC 1B Application for a New License	9:30 AM
Show Cause Hearing (Status) Case # 18-CMP-00112; Desperado Pizza, LLC, t/a Desperados Pizza, 1342 U Street NW, License #84731, Retailer CT, ANC 1B Operating After Hours	9:30 AM
Show Cause Hearing (Status) Case # 19-CMP-00071; PQ Spring Valley, Inc., t/a Le Pain Quotidien, 4872 Massachusetts Ave NW, License #80772, Retailer DR, ANC 3D No ABC Manger on Duty	9:30 AM
Show Cause Hearing (Status) Case # 19-CMP-00061; Café Europa, LLC, t/a Le Desales, 1725 Desales Street NW, License #60754, Retailer CR, ANC 2B No ABC Manager on Duty	9:30 AM
Show Cause Hearing (Status) Case # 19-CMP-00076; The Elroy Bar, LLC, t/a The Elroy, 1423 H Street NE License #96771, Retailer CT, ANC 6A Failed to Obtain a Summer Garden Endorsement	9:30 AM
Fact Finding Hearing* Case # 19-251-00108; Toppromo, Inc., t/a Ultrabar/Chroma, 911 F Street NW License #74767, Retailer CN, ANC 2C Assault with a Deadly Weapon	10:00 AM

Board's Calendar
October 2, 2019

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

Protest Hearing*

1:30 PM

Case # 19-PRO-00039; Black's 14th Street NW, LLC, t/a Pearl Dive Oyster Palace/Black Jack, 1612 14th Street NW, License #85382, Retailer CR, ANC 2F
Application to Renew the License

Protest Hearing*

4:30 PM

Case # 19-PRO-00051; E and K, Inc., t/a Champion Kitchen, 7730 Georgia Ave NW, License #103055, Retailer CR, ANC 4A
Application to Renew the License

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

**This meeting is governed by the Open Meetings Act. Please address any questions or complaints arising under this meeting to the Office of Open Government at opengovoffice@dc.gov.*

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF MEETING
INVESTIGATIVE AGENDA

WEDNESDAY, OCTOBER 2, 2019
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

On Wednesday, October 2, 2019 at 4:00 pm., the Alcoholic Beverage Control Board will hold a closed meeting regarding the matters identified below. In accordance with Section 405(b) of the Open Meetings Amendment Act of 2010, the meeting will be closed “to plan, discuss, or hear reports concerning ongoing or planned investigations of alleged criminal or civil misconduct or violations of law or regulations.” “This meeting is governed by the Open Meetings Act. Please address any questions or complaints arising under this meeting to the Office of Open Government at opengovoffice@dc.gov.”

1. Case# 19-CMP-00134, Billy Goat Tavern & Grill, 500 New Jersey Avenue N.W., Retailer CT, License # ABRA-070520

2. Case# 19-CC-00128, Barrel House Liquors, 1339 14th Street N.W., Retailer A, License # ABRA-023984

3. Case# 19-CMP-00123, Hawthorne, 1336 U Street N.W., Retailer CT, License # ABRA-099603

4. Case# 19-CMP-00133, Farmers & Distillers, 600 Massachusetts Avenue N.W., Retailer CR, License # ABRA-100647

5. Case# 19-CMP-00138, Gordon Biersch Brewery Restaurant, 100 M Street S.E., Retailer CR, License # ABRA-090968

6. Case# 19-CMP-00126, Hill Prince, 1337 H Street N.E., Retailer CT, License # ABRA-104782

7. Case# 19-CMP-00144, Bobby's Burger Palace, 2121 K Street N.W., Retailer CR, License # ABRA-087084

8. Case# 19-CMP-00142, Windows Café & Market, 101 Rhode Island Avenue N.W., Retailer B, License # ABRA-060506

9. Case# 19-CC-00130, Brightwood Liquors, 5916 Georgia Avenue N.W., Retailer A, License # ABRA-072074

10. Case# 19-CMP-00147, Le Pain Quotidien, 666 Pennsylvania Avenue S.E., Retailer DR, License # ABRA-080832

11. Case# 19-AUD-00084, Le Desales, 1725 De Sales Street N.W., Retailer CR, License # ABRA-060754

12. Case# 19-AUD-00081, Guapo's Restaurant, 4515 Wisconsin Avenue N.W., Retailer CR, License \$ ABRA-016332

13. Case# 19-AUD-00082, La Lomita Dos, 308 Pennsylvania Avenue S.E., Retailer CR, License # ABRA-015387

14. Case# 19-AUD-00086, The Blaguard, 2003 18th Street N.W., Retailer CR, License # ABRA-086012

15. Case# 19-AUD-00083, Laliguras Indian & Nepali Bistro, 4221 Connecticut Avenue N.W., Retailer CR, License # ABRA-095042

16. Case# 19-AUD-00085, Po Boy Jim, 709 H Street N.W., Retailer CR, License # ABRA-087903

17. Case# 19-AUD-00078, Fuel Pizza & Wings, 6000 F Street N.W., Retailer CR, License # ABRA-088727

18. Case# 19-AUD-00080, Fuel Pizza & Wings 1606 K Street N.W., Retailer CR, License # ABRA-088452

19. Case# 19-CC-00129, Lost Society, 2001 14th Street N.W., Retailer CT, License # ABRA-083420

20. Case# 19-CMP-00129, Pearl Street Warehouse, 33 Pearl Street S.W., Retailer CT, License # ABRA-105098

21. Case# 19-CMP-090284, Iron Gate, 1734 N Street N.W., Retailer CR, License # ABRA-090284

22. Case# 19-CMP-00128, All Purpose, 79 Potomac Avenue S.E., Retailer CR, License # ABRA-103856

23. Case# 19-CMP-00131, Busboys & Poets, 625 Monroe Street N.E., Retailer CR, License # ABRA-094546

24. Case# 19-CMP-00127, Dew Drop Inn, 2801 8th Street N.E., Retailer CT, License # ABRA-097569

25. Case# 19-CMP-00132, Brookland Pint, 716 Monroe Street N.E., Retailer CT, License # ABRA-093948

26. Case# 19-AUD-00087, Trio Rest & Fox Hounds Lounge, 1537 17th Street N.W., Retailer CR, License # ABRA-000168

27. Case# 19-CMP-00139, Nellie's Restaurant & Sports Bar, 900 U Street N.W., Retailer CT, License # ABRA-075240

28. Case# 19-CMP-00124, Golden Paradise Restaurant, 3903-3905 14th Street N.W., Retailer CR, License # ABRA-098205

29. Case# 18-251-00106, Café Citron, 1343 Connecticut Avenue N.W., Retailer CT, License # ABRA-060138

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF MEETING
LICENSING AGENDA

WEDNESDAY, OCTOBER 2, 2019 AT 1:00 PM
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

1. Review Application for Safekeeping of License – Original Request. ANC 6B. SMD 6B04. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No conflict with Settlement Agreement. *Orchid*, 520 8th Street SE, Retailer CT, License No. 107079.

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

3. Review Request to Extend Safekeeping of License – Ninth Request. Original Safekeeping Date: Pre-1998. ANC 2A. SMD 2A04. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. *1720 Club*, 2600 Virginia Avenue NW, Retailer CN, License No. 015251.

4. Review Request to Extend Safekeeping of License – Second Request. Original Safekeeping Date: 10/17/2018. ANC 4D. SMD 4D01. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No conflict with Settlement Agreement. *Macombo Lounge*, 5335 Georgia Avenue NW, Retailer CN, License No. 000771.

5. Review Request to Extend Safekeeping of License – Second Request. Original Safekeeping Date: 9/12/2018. ANC 5D. SMD 5D06. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. *Capital Fringe*, 1358 Florida Avenue NE, Retailer CX Multipurpose Facility, License No. 097815.

6. Review Request to Extend Safekeeping of License – First Request. Original Safekeeping Date: 5/22/2019. ANC 2A. SMD 2A06. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. *Meiwah Restaurant*, 1200 New Hampshire Avenue NW, Retailer CR, License No. 071154.
-
7. Review Application for Change of Hours of Operation of the Sidewalk Café to operate on Mondays. *Current Hours of Operation and Alcoholic Beverage Sales and Consumption for Sidewalk Café*: Sunday 12pm-9:30pm, Monday CLOSED, Tuesday-Thursday 11am-9:30pm, Friday-Saturday 11am-10pm. *Proposed Hours of Operation and Alcoholic Beverage Sales and Consumption for Sidewalk Café*: Sunday 12pm-9:30pm, Monday-Thursday 11am-9:30pm, Friday-Saturday 11am-10pm. ANC 3G. SMD 3G06. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No conflict with Settlement Agreement. *The Avenue*, 5540 Connecticut Avenue NW, Retailer CR, License No. 101007.
-
8. Review Request to store alcoholic beverage inventory off-site at 2648 Connecticut Avenue NW, basement. ANC 3C. SMD 3C01. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. *Sherry's Wine & Spirits*, 2627 Connecticut Avenue NW, Retailer A Liquor Store, License No. 086022.
-
9. Review Letter from Heidi Arnold of the American Heart Association requesting a Nonprofit Corporation Auction Permit to auction off items containing alcoholic beverages, such as wine donations, at the Heart's Delight fundraiser to be held on May 1, 2020 from 6:30pm to 11:00pm at the Andrew W. Mellon Auditorium, 1301 Constitution Avenue NW, and on May 2, 2020 from 4:00pm to 11:00pm at the Ritz-Carlton West End, 1150 22nd Street NW. License No. 19-AUCTION-00001.
-

***In accordance with D.C. Official Code §2-547(b) of the Open Meetings Amendment Act, this portion of the meeting will be closed for deliberation and to consult with an attorney to obtain legal advice. The Board's vote will be held in an open session, and the public is permitted to attend. This meeting is governed by the Open Meetings Act. Please address any questions or complaints arising under this meeting to the Office of Open Government at opengovoffice@dc.gov.**

OFFICE OF THE ATTORNEY GENERAL

NOTICE OF FUNDING AVAILABILITY

FY2020 Cure the Streets Violence Reduction Program
Community-Based Host Site Selection**Grant Identification No.: OAG-RJD-340919**

The Office of the Attorney General (OAG) invites the submission of applications from community-based organizations to be host sites for four new Cure the Streets Sites.

Purpose: In the summer of 2018, in response to an uptick in homicides in the District, Attorney General Karl Racine launched the Cure the Streets (CTS) pilot project in two sites of the District. The Cure the Streets pilot project is based on the Cure Violence public health approach to violence reduction used in over 100 sites across the world. The Cure Violence model of violence reduction has been proved to reduce shootings and homicides in sites when implemented with fidelity to the model.

Background Information: The Office of Attorney General (OAG) invites the submission of applications for Cure the Streets Violence Reduction Program Community-Based Host Site Selection. Pursuant to the Attorney General Limited Grant-Making Authority Emergency Act 2018, effective June 27, 2018 (D.C. Act 22-391; 65 DCR 7144); and from the Omnibus Public Safety and Justice Amendment Act of 2019, effective May 10, 2019 (D.C. Law 22-313; D.C. Official Code §1-301.88f)

Award: OAG will award up **\$3,700,000.00 total** in grants.

Eligible Applicants:

Eligible applicants are limited to: public agencies; private nonprofits organizations. Including faith-and community-based organizations; and colleges or universities.

Applicants may develop collaborations or partnerships to carry out the goals and objectives of the RFA, preferably with District-based organizations with substantial experience working with and serving target communities chosen for Cure the Street sites.

Period of Performance: date of execution through September 30, 2020.

Contact Name: Grant Administrator, LaToyia Hampton **Email:**
latoyia.hampton1@dc.gov **Phone:** 202.251.107

Deadline for Application Submission: All grant applications are due October 3, 2019 by 12PM EST, and must be submitted by email with all relevant attachments to OAG's email site: OAG.BusinessOpportunities@dc.gov. Subject Line must contact Grant ID number. Hard copies of the application will not be accepted.

OFFICE OF THE CHIEF FINANCIAL OFFICER
Office of Revenue Analysis

**THE MOST RECENT FEDERAL DATA ON MEDIAN FAMILY INCOME
 BY HOUSEHOLD SIZE FOR THE DISTRICT OF COLUMBIA
 AS OF SEPTEMBER 2017**

In accord with the Truth in Affordability Reporting D.C. Code §42-2151.02

District of Columbia Median Household Income By Household Size 2017		
Household Size	Estimate	Margin of Error
1-person households	\$52,677	+/- \$1,549
2-person households	\$110,156	+/- \$2,349
3-person households	\$100,573	+/- \$4,998
4-person households	\$113,991	+/- \$9,908
5-person households	\$99,299	+/- \$7,603
6-person households	\$98,814	+/- \$16,792
7 -or -more -person households	\$90,481	+/- \$11,934
All Households	\$77,649	+/- \$1,075

Source: U.S. Census Bureau, 2013-2017 American Community Survey 5-Year Estimates

Notes: The American Community Survey (ACS) is an ongoing survey by the U.S. Census Bureau. It regularly gathers information previously contained only in the long form of the decennial census, such as ancestry, educational attainment, income, language proficiency, migration, disability, employment, and housing characteristics. It is the largest household survey that the Census Bureau administers. On the national level, the survey is sent to more than 295,000 addresses monthly (or 3.5 million per year). For the District of Columbia in 2017, the survey was sent to 7,379 households with 4,362 surveys being officially finalized. The 2014-2018 ACS 5-year estimates will be released on Thursday, December 19, 2019.

The 5-year estimates have larger samples and smaller margins of error than the 1-year estimates. However, they are less current because the larger samples include data that were collected in earlier years. The main advantage of using multiyear estimates is the increased statistical reliability.

OFFICE OF THE DEPUTY MAYOR FOR EDUCATION
NOTICE OF PUBLIC MEETING
COMMISSION ON OUT OF SCHOOL TIME GRANTS AND YOUTH
OUTCOMES

Commission on Out of School Time Grants and Youth Outcomes (OST Commission) Public Meeting
Washington, DC – The Commission on Out of School Time Grants and Youth Outcomes will hold a public meeting on Thursday, October 10, 2019 from 7:00 pm to 8:30 pm at One Judiciary Square, 441 4th Street NW, Room 1107 South. The OST Commission will hear updates from the Office of Out of School Time Grants and Youth Outcomes and nominate, elect officers, and discuss the upcoming meeting dates. Finally, the Commission will hear updates from the OST Commission’s committees.

Individuals and representatives of organizations who wish to comment at a public meeting are asked to notify the OST Office in advance by phone at (202) 481-3932 or by email at learn24@dc.gov. Individuals should furnish their names, addresses, telephone numbers, and organizational affiliation, if any, and if available, submit one electronic copy of their testimony by the close of business on Tuesday, October 8th at 5:00 pm.

Below is the draft agenda for the meeting.

- I. Call to Order
- II. Public Comment
- III. Announcement of a Quorum
- IV. Approval of the Agenda
- V. Approval of Minutes
- VI. Updates: Office of Out of School Time Grants and Youth Outcomes
- VII. Officer Nomination and Election
- VIII. Discussion on Meeting Dates for FY20
- IX. Committee Update
- X. Adjournment

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

Date: October 10, 2019
Time: 7:00 p.m. – 8:30 p.m.
Location: One Judiciary Square
Room 1107 South
441 4th Street, NW
Washington, DC 20001
Contact: Debra Eichenbaum
Grants Management Specialist
Office of Out of School Time Grants and Youth Outcomes
Office of the Deputy Mayor for Education
(202) 478-5913
Debra.eichenbaum@dc.gov

OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION

NOTICE OF FUNDING AVAILABILITY

FY 2020 CAFETERIA STAFF TRAINING GRANT

Request for Application Release Date: Tuesday, October 15, 2019 9:00 AM

The Healthy Schools Act (HSA) of 2010 (D.C. Law 18-209, as amended; D.C. Official Code § 38- 821.01 et seq.) allows OSSE to make grants available through either a competitive or formula grant process to public schools, public charter schools, or other organizations to provide training sessions for school cafeteria workers and food service vendors on knowledge, training, and tools they need to plan, prepare, and purchase healthy products to create nutritious, safe, and enjoyable school meals.

The Healthy, Hunger-Free Kids Act of 2010 (HHFKA), Public Law 111-296, required significant changes in the Child Nutrition Programs to prevent and reduce childhood obesity, give eligible children access to nutrition benefits, and enhance the ability of nutrition professionals to operate the National School Lunch Program (NSLP) and School Breakfast Program (SBP) efficiently. Section 306 of the HHFKA amended section 7 of the Child Nutrition Act of 1966 (CNA) (42 U.S.C. 1776) by adding paragraph (g), “Professional Standards for School Food Service.” This provision is intended to ensure that school nutrition professionals that manage and operate the NSLP and SBP have adequate knowledge and training to meet program requirements. OSSE has identified USDA school meals professional standards that meet the purpose of this grant and have identified them as allowable training areas within the RFA.

Eligibility and Selection Criteria: Eligible applicants are DCPS, DC public charter schools, and DC non-profit private schools who participate in the NSLP, and other organizations that support National School Lunch Program including: food service vendors, food service management companies, and training organizations with experience training schools.

Applications will be scored on the following selection criteria: project vision and implementation, project justification, budget justification, benefit to students with disabilities, and trainer qualifications. Further, OSSE will provide a competitive preference in reviewing FY2020 Cafeteria Staff Training Grant applications based on the number of schools served through the grant and the number of 1 or 2 STAR schools served through the grant.

Length of the Award: All funds must be obligated by September 30, 2020

Available Funding for Award: There is a total of \$100,000 available for this award with a possible range of awards of \$2,500 to \$100,000. The estimated number of awards is one to five awards.

Determinations regarding the number of competitive grant awards will be based on the quality and number of applications received and available funding. Successful applicants may be

awarded amounts less than requested. Grant funds shall only be used to support activities authorized by the relevant statutes and included in the applicant's submission.

Application Process: An external review panel or panels will be convened to review, score, and rank each application for a competitive grant. The review panel(s) will be composed of external neutral, qualified, professional individuals selected for their expertise, knowledge or related experiences. Each application will be scored against a rubric and applications 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). The State Superintendent or her designee will make all final award decisions. Applications must be submitted by December 6, 2019 at 3:00 p.m. Awards will be announced by January 31, 2020.

Pre-Application Question Period: To ensure an equal opportunity for all applicants, OSSE requests that applicants submit questions regarding the RFA electronically to Elysia DiCamillo by 3:00 p.m. on November 1, 2019. To ensure a fair process, questions submitted after November 1, 2019 will not receive responses. Responses to questions will be published by November 13, 2019.

Applicants are strongly encouraged to participate in the following webinar information session. A recording of the information session will be made available on the OSSE website.

- Pre-application webinar: October 24, 2019 10:00 – 11:00 am. Register [here](#)

To receive more information or for a copy of this RFA, please contact:

Elysia DiCamillo
Office of the State Superintendent of Education
1050 First Street, NE, 6th Floor
Washington, D.C. 20002
Telephone: (202) 403-4556
Email: Elysia.DiCamillo@dc.gov

The RFA for the competitive grant program as well as the instructions for completing the grant application will be available on OSSE's website at www.osse.dc.gov. All applications will be submitted through the Enterprise Grants Management System (EGMS) at grants.osse.dc.gov.

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

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

VACANT: 5A04

Petition Circulation Period: **Monday, September 30, 2019 thru Monday, October 21, 2019**
Petition Challenge Period: **Thursday, October 24, 2019 thru Wednesday, Oct. 30, 2019**

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

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

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

DEPARTMENT OF ENERGY AND ENVIRONMENT**PUBLIC NOTICE**

Notice is hereby given that, pursuant to 20 DCMR § 210, the Air Quality Division (AQD) of the Department of Energy and Environment (DDOE), located at 1200 First Street NE, 5th Floor, Washington, DC, intends to issue permit No. 7261 to Schuster Concrete Ready Mix, LLC to operate a Model 150 Transit Mix (dry batch) portable concrete plant (electric line powered) with associated 2.78 MMBTU/hr No. 2 fuel oil fired hot water heater at 3900 Wisconsin Avenue NW, Washington DC 20016. The contact person for the facility is Mike Johannes, Manager, at (410) 977-5086. The applicant's mailing address is 3713 Crondall Lane, Owings Mills, MD 21117.

Emissions:

Maximum emissions from the equipment, producing 100,000 cubic yard per year, and including the 2.78 MMBTU/hr hot water tank, are expected to be as follows:

	Maximum Annual Emissions
Pollutant	(tons/yr)
Particulate Matter (PM) (Total)	2.42
Sulfur Oxides (SO _x)	0.28
Nitrogen Oxides (NO _x)	0.23
Volatile Organic Compounds (VOC)	0.04
Carbon Monoxide (CO)	0.35

The proposed overall emission limits for the equipment are as follows:

- a. Emissions of dust shall be minimized in accordance with the requirements of 20 DCMR 605 and the "Operational Limitations" of this permit.
- b. The emission of fugitive dust from any material handling, screening, crushing, grinding, conveying, mixing, or other industrial-type operation or process is prohibited. [20 DCMR 605.2]
- c. The discharge of particulate matter into the atmosphere from any process shall not exceed three hundredths (0.03) grains per dry standard cubic foot of the exhaust. [20 DCMR 603.1]
- d. The discharge of TSP from the concrete batch plant shall not exceed 40 pounds per hour. [20 DCMR 603.1 and Appendix 6-1]
- e. Visible emissions shall not be emitted from these units except that discharges not exceeding 40% opacity (unaveraged) shall be permitted for two (2) minutes in any sixty (60) minutes period and for an aggregate of twelve (12) minutes in any twenty-four (24) hours period during start-up, cleaning, adjustment of combustion controls, or malfunction of the equipment. [20 DCMR 606.1]

- f. An emission into the atmosphere of odorous or other air pollutants from any source in any quantity and of any characteristic, and duration which is, or is likely to be injurious to the public health or welfare, or which interferes with the reasonable enjoyment of life or property is prohibited. [20 DCMR 903.1]

The permit application and 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 October 28, 2019 will be accepted.

For more information, please contact Stephen S. Ours at (202) 535-1747.

DEPARTMENT OF ENERGY AND ENVIRONMENT**NOTICE OF FILING OF A REQUEST FOR A
VOLUNTARY CLEANUP CERTIFICATE OF COMPLETION**

**2219 Town Center Drive, SE
Case No. VCP2015-033A**

Pursuant to § 601(b) of the Brownfield Revitalization Amendment Act of 2000, D.C. Law 13-312, D.C. Official Code § 8-631 *et seq.*, as amended April 8, 2011, D.C. Law 18-369 (herein referred to as the “Act”), the Voluntary Cleanup Program (VCP) in the Department of Energy and Environment (DOEE), Land Remediation and Development Branch (LRDB), is informing the public that it has received a Site Completion Report and a request for a Certificate of Completion to support a Voluntary Cleanup Program (VCP) project at real property addressed as 2219 Town Center Drive, SE, consisting of square 8533 and lots 0819, 0821. The applicants are Skyland Block 2 Residential, LLC and Skyland Block 2 Retail, LLC, 405 Greensboro Drive, 8th Floor, McLean, Virginia, 22102.

The application identified the presence of petroleum and chlorinated solvents in soil and groundwater. The applicant intends to re-develop the property into a multi-story mixed use building with a sub-grade parking garage, retail, and three levels of multifamily housing apartments above the retail. A revised Cleanup Action Plan (CAP) for this site was approved by the Program on July 6, 2017. Based on the cleanup oversight and review of the Site Completion Report, the Voluntary Cleanup Program may issue a Certificate of Completion.

Pursuant to § 601(b) of the Act, this notice will also be mailed to the Advisory Neighborhood Commission (ANC-8B02) for the area in which the property is located. The Site Completion Report is available for public review at the following location:

Voluntary Cleanup Program
Department of Energy and Environment (DOEE)
1200 First Street NE, Fifth Floor
Washington, DC 20002

Interested parties may also request a copy of the Site Completion Report and related documents for a charge to cover the cost of copying by contacting the Voluntary Cleanup Program at the above address, calling (202) 535-2600, or by e-mailing kokeb.tarekegn@dc.gov.

Written comments on the proposed issuance of a Certificate of Completion must be received by the VCP at the address listed above within twenty one (21) days from the date of this publication. DOEE is required to consider all public comments it receives before acting on request for a Certificate of Completion.

Please refer to Case No. VCP2015-33A in any correspondence related to this notice

DEPARTMENT OF ENERGY AND ENVIRONMENT**NOTICE OF FILING OF A REQUEST FOR A
VOLUNTARY CLEANUP CERTIFICATE OF COMPLETION**

**713, 735, 785 Lamont Street; 724, 726 Morton Street; and 3320 Georgia Avenue NW
Case No. VCP2016--039**

Pursuant to § 601(b) of the Brownfield Revitalization Amendment Act of 2000, D.C. Law 13-312, D.C. Official Code §§ 8-631 *et seq.*, as amended April 8, 2011, D.C. Law 18-369 (herein referred to as the “Act”), the Voluntary Cleanup Program (VCP) in the Department of Energy and Environment (DOEE), Land Remediation and Development Branch (LRDB), is informing the public that it has received a Site Completion Report and a request for a Certificate of Completion to support a Voluntary Cleanup Program (VCP) project at real property addressed as 713, 735, 785 Lamont Street; 724, 726 Morton Street; and 3320 Georgia Avenue NW, consisting of square 2893 and lots 116, 117, 118, 36, 37, and 56. The applicant is Arcadia Holladay LLC, 3400 Idaho Avenue NW, Suite 500, Washington, DC 20016.

The application identifies the presence of dry cleaning solvents and petroleum hydrocarbons in soil and groundwater. The applicant intends to redevelop the property into multi-story residential multi-family buildings. A Cleanup Action Plan (CAP) for this site was approved by the Program on July 20, 2016. Based on the cleanup oversight and review of the Site Completion Report, the Voluntary Cleanup Program may issue a Certificate of Completion.

Pursuant to § 601(b) of the Act, this notice will also be mailed to the Advisory Neighborhood Commission (ANC-1A) for the area in which the property is located. The Site Completion Report is available for public review at the following location:

Voluntary Cleanup Program
Department of Energy and Environment (DOEE)
1200 First Street, NE, Fifth Floor
Washington, DC 20002

Interested parties may also request a copy of the Site Completion Report and related documents for a charge to cover the cost of copying by contacting the Voluntary Cleanup Program at the above address, calling (202) 535-2600, or by e-mailing kokeb.tarekegn@dc.gov.

Written comments on the proposed issuance of a Certificate of Completion must be received by the VCP at the address listed above within twenty one (21) days from the date of this publication. DOEE is required to consider all public comments it receives before acting on request for a Certificate of Completion.

Please refer to Case No. VCP2016-039 in any correspondence related to this notice.

**DEPARTMENT OF ENERGY AND ENVIRONMENT
NOTICE OF FUNDING AVAILABILITY**

Clean Vessel Act Request for Partners

The Department of Energy and Environment (the Department) seeks eligible entities to propose projects that promote improved water quality and increased compliance with the District of Columbia's ordinance prohibiting discharge of sanitary sewage from vessels, D.C. Official Code § 8-103.06 (m). The amount available for the project is approximately \$1,500,000.

Beginning 9/27/2019, the full text of the Request for Applications (RFA) will be available on the Department's website. A person may obtain a copy of this RFA by any of the following means:

Download from the Department's website, www.doe.dc.gov. Select the *Resources* tab. Cursor over the pull-down list and select *Grants and Funding*. On the new page, cursor down to this RFA. Click on *Read More* and download this RFA and related information from the *Attachments* section.

Email a request to fwdrfa.grants@dc.gov with "Request copy of RFA 2019-1930-FWD" in the subject line.

Pick up a copy in person from the Department's reception desk, located at 1200 First Street NE, 5th Floor, Washington, DC 20002. To make an appointment, call Joanne Goodwin at (202) 365-8967 and mention this RFA by name.

Write DOEE at 1200 First Street NE, 5th Floor, Washington, DC 20002, "Attn: Joanne Goodwin RE:2019-1930-FWD" on the outside of the envelope.

The deadline for application submissions is 10/29/2019, at 4:30 p.m. Five hard copies must be submitted to the above address and a complete electronic copy must be e-mailed to fwdrfa.grants@dc.gov.

Eligibility: All the checked institutions below may apply for these grants:

- Nonprofit organizations, including those with IRS 501(c)(3) or 501(c)(4) determinations;
- Faith-based organizations;
- Government agencies
- Universities/educational institutions; and
- Private Enterprises.

For additional information regarding this RFA, write to: fwdrfa.grants@dc.gov.

DEPARTMENT OF ENERGY AND ENVIRONMENT
NOTICE OF PUBLICATION FOR PUBLIC COMMENT

Pepco Benning Road Facility: Draft Final Remedial Investigation Report

Notice is hereby given that the Department of Energy and Environment (the Department) is soliciting comments from the public on Pepco Benning Road Facility (Site) Draft Final Remedial Investigation (RI) Report. The Study Area for the RI consists of a “Landside Investigation Area” focused on the Site itself and a “Waterside Investigation Area” focused on the shoreline and sediments in the segment of the Anacostia River (River) adjacent to and immediately downstream of the Site. The purpose of the Benning Road Facility RI is to: (a) characterize environmental conditions within the Study Area, (b) investigate whether and to what extent past or current conditions at the Site have caused or contributed to contamination of the River, (c) assess current and potential risk to human health and the environment posed by conditions within the Study Area.

A person may obtain a copy of the Draft Final RI Report by any of the following means:

Download from the Department’s website, at <https://doee.dc.gov/page/pepco-benning-road-facility-plans-and-deliverables>;

Visit the following local libraries where copies of the Draft Final RI Report will be available for review during normal business hours:

- Francis A. Gregory (3660 Alabama Avenue, SE)
- Deanwood Public Library (1350 49th Street, NE)
- Dorothy Height/Benning Library (3935 Benning Rd, NE)
- Anacostia Library (1800 Good Hope Road, SE)

The Department is committed to considering fully and carefully all public comments received on the Draft Final RI Report prior to finalizing and issuing the Final RI Report. Interested persons may submit written comments on the Draft Final RI Report, which must include the person’s name; telephone number; affiliation, if any; mailing address; a statement outlining their concerns; and any facts underscoring those concerns. **All comments must be submitted no later than forty-five (45) days from the date of this notice’s publication in the *D.C. Register*.** To help with responding to comments, the Department suggests submitting comments using the electronic comment form, which can be accessed at the above webpage.

Comments should be clearly marked “Pepco Benning Road Facility Remedial Investigation Report Comments” and either:

- 1) E-mailed to DOEE.pepcoproject@dc.gov,
- 2) Mailed or hand-delivered to the Department of Energy and Environment, Apurva Patil, 1200 First Street NE, 5th Floor, Washington, DC 20002, or

- 3) If reviewing at a library location, a comment form may be submitted to a representative at the library.

The Department will consider all timely received comments before finalizing the RI Report. All comments will be treated as public documents and will be made available for public viewing on the Department's website. When the Department identifies a comment containing copyrighted material, the Department will provide a reference to that material on the website. If a comment is sent by e-mail, the e-mail address will be automatically captured and included as part of the comment that is placed in the public record and made available on the Department's website. If the Department cannot read a comment due to technical difficulties, and the e-mail address contains an error, the Department may not be able to contact the commenter for clarification and may not be able to consider the comment.

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ETHICS AND GOVERNMENT ACCOUNTABILITY**

Office of Government Ethics

**Advisory Opinion – Redacted – Post Employment – Prohibited from
contacting the District Government for one year after separation**

September 4, 2019

██████████
████████████████████

Dear ██████████:

This opinion responds to your request for advice on how the post-employment rules apply to you as a former District government employee. Specifically, you asked for guidance on whether you are prohibited from contacting the Department of General Services (“DGS”), which you do not consider to be your former agency, during the one-year period following your departure from the District government. After reviewing the information that you have provided, we conclude that you are prohibited from contacting both DGS and the Office of the City Administrator (“OCA”) for one year after your separation from District government employment.

Background

Based on your communications with our office, we understand the background in this matter to be as follows: You worked for the District as a Project Manager. In October 2017, you became employed with the Office of Public and Private Partnerships (“OP3”), which was an office with the OCA. While at OP3, you mainly ran procurement on the renovation of a District property. On March 7, 2019, OP3 was restructured and dissolved. At that time, you were “verbally requested to report to DGS to assist with gathering technical information for a project.” You were also advised that your primary renovation project was being “paused” while a decision was made about continuing.

Although you were never provided a formal detail letter from OCA for your DGS assignment, you complied with the request and reported to DGS on March 11, 2019. While working at DGS, the agency Chief Operating Officer (COO) was assigned as your daily point of contact, and you were physically located at DGS where you interacted with DGS staff. You claim to have not been “involved substantively” in any projects at DGS. You also state that you were on vacation for five (5) out of the twelve (12) weeks that you were detailed at DGS. Your correspondence does not describe what, if any, substantive job duties you performed for OCA after being reassigned from OP3. When you decided to leave District government employment, you gave notice to both your DGS point of contact, the COO, and the Chief of Staff for OCA. Your official last day of District government service was May 31, 2019.

You now work for a private sector entity and seek advice from our office regarding whether you may contact DGS on behalf of your new employer during the one-year period following separation from District government.

Applicable Standards and Discussion

As a previous District government employee, Chapter 18 of Title 6B of the District of Columbia Municipal Regulations – also referred to as the District Personnel Manual (“DPM”) – and the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011 (“Ethics Act”), effective April 27, 2012, District Law 19-124, District Official Code § 1-1161.01 *et seq.*, are implicated by your inquiry. Although you believe that contacts with DGS within the one-year cooling-off period would not violate the DPM or the Ethics Act, this opinion analyzes all of the post-employment rules implicated by your inquiry. Please bear in mind that any examples listed herein are listed for reference and do not represent an exhaustive list of possible restrictions of the DPM and Ethics Act.

Post-Employment Restrictions

All District government employees are subject to certain post-employment rules when they separate from District government employment.¹ As explained below, these restrictions are intended to prevent former District employees from leveraging their previous employment with the District to gain an unfair advantage when dealing with the District government upon joining the private sector.² These rules are not meant to prevent former District employees from working in the private sector after leaving government, nor are they meant to be so restrictive as to make following them impossible. Rather, the post-employment rules set forth varying restrictions upon the ways in which a former employee may or may not interact with his or her prior government agency.

The District Personnel Manual identifies the post-employment restrictions that apply to District employees and requires that District employees comply with the provisions of the federal post-employment restrictions, codified at 18 U.S.C. § 207, and its implementing regulations set forth in the Code of Federal Regulations.³ There are three main post-employment restrictions: (1) a permanent restriction, (2) a two-year restriction, and (3) a one-year restriction. Although the one-year cooling-off period is primarily at issue here, this opinion will address how each of these restrictions applies to you.

Permanent Prohibition: A former government employee who *participated personally and substantially in a particular government matter involving a specific party* shall be **permanently prohibited** from knowingly acting as an attorney, agent, or representative in any formal or informal appearance before an agency and that former employee shall be permanently prohibited from making any oral or written communication to an agency with the intent to influence that agency on behalf of another person.⁴ A “particular

¹ See 6B DCMR § 1811, *et seq.* (hereinafter DPM)

² DPM §1811.11.

³ DPM § 1811.1 (“District employees shall comply with the provisions of 18 U.S.C. 207 and implementing regulations set forth at 5 C.F.R. Part 2641, Subparts A and B.”).

⁴ See DPM §§ 1811.3 and 1811.4 (emphasis added).

government matter involving a specific party” includes “any judicial or other proceeding, application, request for a ruling or other determination, contract, claim, controversy, investigation, charge, accusation, arrest, or other particular matter in which the District government is a party or has a direct and substantial interest, and which has application to one (1) or more specifically identified persons or entities.”⁵ “Participated personally and substantially” means taking any action as an employee through decision, approval, disapproval, recommendation, the rendering of advice, investigation or other such action.⁶

Essentially, this means that if you personally and substantially worked on any particular projects, initiatives, cases, requests etc., that involved specific parties during your time as a Government employee, you are permanently banned from switching sides to work on those particular matters on behalf of a new employer, even if the specific parties you previously worked with are not associated with the employer. This restriction applies to all particular matters that you worked on at OP3, OCA, and DGS.

Two-year Prohibitions: A former government employee who previously *had official responsibility for a matter* shall be **prohibited for two years** from knowingly acting as an attorney, agent, or representative, in any formal or informal action before the agency regarding that matter.⁷ Official responsibility is defined as “the direct administrative or operating authority, whether intermediate or final, and either exercisable alone or with others, personally or through subordinates, to approve, disapprove, or otherwise direct governmental action.”⁸ This includes any matter that was actually pending under the former employee’s responsibility within a period of one (1) year before the termination of such responsibility.⁹ The two-year period shall be measured from the date when the former employee’s responsibility for a particular matter ends (not necessarily your termination date).¹⁰ This means that you are prohibited for two years from the date of the termination of your official responsibility from appearing before the District on a matter for which you previously had official responsibility. This restriction applies to matters for which you had official responsibility at OP3, OCA, and DGS.

In addition, there is also a two-year **behind-the-scenes ban** which prohibits a former employee “for two (2) years from knowingly representing or aiding, counseling, advising, consulting, or assisting in representing any other person (except the District of Columbia) by personal appearance before an agency as to a particular government matter involving a specific party if the former employee participated personally and substantially in that matter as a government employee.”¹¹ This two-year period behind the scenes ban begins when an employee leaves District government. This means that for two years from the date of your separation from District government, you are prohibited from knowingly working behind the scenes to assist another who is representing anyone before an agency as to a particular government matter involving a specific party if you personally and substantially participated in that matter while you were a government employee. This restriction applies to any particular matters involving specific parties that you worked on at OP3, OCA, and DGS.

⁵See DPM §§ 1899.1. See 5 C.F.R. § 2641.201(h)(1) (defining particular matter broadly).

⁶5 C.F.R. § 2641.201(i).

⁷DPM § 1811.5 (emphasis added).

⁸DPM § 1899.1.

⁹See DPM § 1811.6.

¹⁰See DPM § 1811.7 (emphasis added).

¹¹See DPM § 1811.8.

One Year Prohibition: Finally, most relevant here, a former government employee shall be **prohibited for one (1) year** from *having any transactions with their former agency intended to influence the agency, in connection with any particular government matter pending before the agency or in which it has a direct and substantial interest, whether or not such matter involves a specific party.*¹² This is commonly referred to as a one-year cooling-off period. The one-year cooling-off period is unique in that it provides an explanation for its purpose. This restriction shall apply without regard to whether the former employee had participated in, or had responsibility for, the particular matter, and shall include matters which first arise after the employee leaves government service.¹³

You argue that the one-year cooling-off prohibition described above should not apply to your contacts with DGS. You contend that DGS should not be considered your former employing agency because you were detailed there for a brief time period. Specifically, you state that:

Within one month of beginning my detail I gave notice to the Chief Operating Officer (COO) that I would be accepting a position outside of the District. I did not have any substantive DGS assignments, was not involved substantively in projects, and spent 5 weeks of the total 12 weeks I was detailed out on vacation. I was not given a DGS position title during my very brief time there.

We conclude that despite your contentions, DGS, along with OCA, is your former employing agency. There is no language in the District Personnel Manual that limits the application of the one-year cooling-off period for minimal periods of employment. If the District intended to exclude employees who only serve at an agency for a short time from the one-year cooling-off period, the restriction could have been drafted to take effect only after an employee had served in a position for a certain amount of time (e.g., 30 days). Instead, a reading of the DPM makes clear that the District intended for the cooling-off period to apply broadly enough to cover employees who have no substantive involvement in matters. DPM § 1811.11 explicitly states that “the restriction shall apply without regard to *whether the former employee had participated* in, or had responsibility for, the particular matter, and *shall include matters which first arise after the employee leaves government service.*”¹⁴ Thus, even if you did no substantive work on a particular government matter while you were at DGS (as you contend), or if a matter arose after your departure, you are still prohibited from having any transactions with DGS intended to influence the agency on any particular government matters during your one-year cooling-off period.

DPM § 1811.11 suggests that the one-year cooling-off period is intended to prevent even the appearance that former District employees can use their influence in a manner that compromises the impartiality of their former agency (since it applies even if an employee did not actually participate in or have responsibility for a particular matter). As explained, the one-year cooling-off period was put in place to prevent employees from leveraging the familiarity and favor they may have accrued as District employees to benefit themselves or their subsequent employers after separating from the District.

¹² See DPM 1811.10 (emphasis added).

¹³ DPM § 1811.11

¹⁴ *Id.* (emphasis added).

Twelve weeks is enough time to develop proximity and familiarity with the agency's employees through your daily interactions in the workplace. In light of the DPM's clear language, we conclude that both DGS and OCA are your former employers for the purpose of your one-year cooling-off period.¹⁵

Furthermore, the post-employment rules do not require that they be applied to just one District government entity. Federal post-employment guidance outlines a special rule for detailees, which makes clear that an employee who is detailed may have post-employment restrictions for more than one agency. Under 18 U.S.C. § 207, a "person who is detailed from one department, agency, or other entity to another department, agency, or other entity shall, during the period such person is detailed, **be deemed to be an officer or employee of both departments, agencies or such entities.**"¹⁶

Consistent with federal guidance, we consider both OCA and DGS to be your former employing agencies. Thus, the one-year cooling-off period applies to contacts with both the OCA and DGS. Specifically, your one-year cooling-off period applies to the City Administrator's Office because you remained an employee of that office when OP3 was restructured, and it applies to DGS because you were detailed there, physically located at the agency for 12 weeks, and interacted with the staff until you left District employment. The conclusion that you were an employee of DGS for purposes of the post-employment rules is further bolstered by your admission that you served the COO of DGS with your notice when you decided to leave the District.

Any other conclusion is counterintuitive under the circumstances and would appear to contravene the very purpose of the one-year cooling-off period established in the DPM, which is to ensure that former District employees do not improperly use, or appear to use, their personal influence based on past governmental affiliations to facilitate the transaction of post-employment business.

Possible Permissible Contacts

Though the one-year cooling-off period may appear broad at first glance, federal regulations state that certain communications and appearances before the government are not made with the intent to influence, and thus could be permissible. These include communications and appearances made solely for the purpose of:

- (i) Making a routine request not involving a potential controversy, such as a request for publicly available documents or an inquiry as to the status of a matter;
- (ii) Making factual statements or asking factual questions in a context that involves neither an appreciable element of dispute nor an effort to seek discretionary Government action, such as conveying factual information regarding matters that are not potentially controversial during the regular course of performing a contract;

¹⁵ You concede that OCA is your former employer and you "do not plan to hve any contact with [your] former agency" during your one-year cooling-off period.

¹⁶ 18 U.S.C. § 207(g). (emphasis added).

(iii) Making a communication, at the initiation of the Government, concerning work performed or to be performed under a Government contract or grant, during a routine Government site visit to premises owned or occupied by a person other than the United States where the work is performed or would be performed, in the ordinary course of evaluation, administration, or performance of an actual or proposed contract or grant; or

(iv) Purely social contacts.¹⁷

Federal ethics guidance makes it clear that although an employee's contacts with their former agency that lack the intent to influence the agency are permissible, any contacts made with the intent to influence the agency, involving a potential controversy, or requiring a government employee to take action that might impact a matter currently before the agency, are strictly prohibited. This means that for one year following your departure from District government service you are prohibited from having *any* contact with your former offices in an attempt to influence those agencies' pending decisions about *any* matter, even if that matter did not exist when you were employed by the District.

Conclusion

Assuming your representations to be complete and accurate as to the pertinent facts, we conclude that you are prohibited from having any transactions with both the Office of City Administrator (OCA) and the Department of General Services (DGS) intended to influence those agencies for one year after your departure from District government employment as mandated by the post-employment rules. Although you were a direct report of OCA, you were assigned to DGS for 12 weeks; thus, there is an appearance that you created work relationships with DGS staff which could lead to the impermissible use of your personal influence due to your former government affiliation.

Aside from OCA and DGS, you are free to appear before other District agencies to work on projects that do not involve particular matters that you worked on at OP3, OCA and DGS. As stated above, you are prohibited for two years from representing another person or entity before the District on matters over which you had official responsibility, and you are prohibited for two years from providing behind the scenes assistance on any particular government matter involving a specific party if you participated personally and substantially in that matter (e.g., projects) as a government employee. Finally, you are permanently prohibited from switching sides to work on any particular matters involving specific parties in which you participated personally and substantially.¹⁸

I encourage you to contact BEGA should you have any uncertainty about a specific action you would like to take with regard to your new position and the post-employment restrictions.

Please be advised that this advice is provided to you pursuant to section 219 of the Ethics Act (D.C. Official Code § 1-1162.19), which empowers me to provide such guidance.

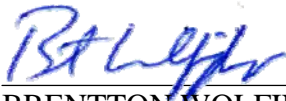
¹⁷ See 5 CFR § 2641.201(e)(2).

¹⁸ The post-employment prohibitions apply to work done at OP3, OCA and DGS.

Finally, you are advised that the Ethics Act requires this opinion to be published in the District of Columbia Register within 30 days of its issuance, but that identifying information will not be disclosed unless and until you consent to such disclosure in writing, should you wish to do so.

Please let me know if you have any questions or wish to discuss this matter further. I may be reached at 202-481-3411, or by email at brentton.wolfingbarger2@dc.gov.

Sincerely,



BRENTTON WOLFINGBARGER
Director of Government Ethics
Board of Ethics and Government Accountability

BW/RWF/ASM

**FRIENDSHIP PUBLIC CHARTER SCHOOL
REQUEST FOR PROPOSALS**

Friendship Public Charter School is seeking bids from prospective vendors to provide:

- Professional demolition services for the existing 21,000 sq. ft. warehouse portion of the building located at 6130 North Capital Street, NW, Washington DC 20011 also known as the Friendship Ideal Academy warehouse. The warehouse is to be demolished and removed. The remaining building is to be temporarily waterproofed and stabilized as a building pad in preparation for the construction of an addition. Temporary erosion and sediment control measures conforming to the District's Department of Energy and Environment standards and specifications must be enacted. The contract will also include construction-finishing work on the School building façade. Detailed project scope is provided in the RFP.
- Accounts Payable software and services that manages the entire payment processing function, improves tax compliance and provides reporting capabilities.

The competitive RFP can be found on FPCS website at:

<http://www.friendshipschools.org/procurement>. Proposals are due no later than **4:00 P.M., EST, Monday October 28, 2019**. Questions and Proposals should be submitted on-line at: Procurementinquiry@friendshipschools.org. Proposals can be submitted in person at 1400 1st Street NW, Suite 300, Washington, DC. 20001. All bids not addressing all areas as outlined in the RFP will not be considered. No proposals will be accepted after the deadline.

DEPARTMENT OF HEALTH CARE FINANCE

PUBLIC NOTICE

UPDATES TO THE MEDICAID NURSING FACILITIES PEER GROUP SPECIFIC FACTORS, FLOOR PERCENTAGES, AND THE BEHAVIORALLY COMPLEX AND BARIATRIC CARE RATES

The Department of Health Care Finance (DHCF), in accordance with the requirements set forth in District of Columbia Medicaid State Plan (State Plan) and Title 29 (Public Welfare) of the District of Columbia Municipal Regulations (DCMR) §§ 6502, 6512, and 6514, announces updates to the peer group factors, floor percentages and the behaviorally complex and bariatric care rates. The changes will become effective on October 1, 2019.

Routine and Support Factors

Pursuant to 29 DCMR § 6502 and reimbursement methodology outlined in Attachment 4.19D, Part I (REIMBURSEMENT PRINCIPLES AND METHODS FOR NURSING FACILITIES) – Section III.B (COMPUTATION OF PRICE AND FLOOR) of the State Plan, the following factors shall become effective October 1, 2019:

Peer Group One (All freestanding nursing facilities, with more than seventy-five Medicaid certified beds): **1.060**

Peer Group Two (All freestanding nursing facilities with seventy-five or fewer Medicaid certified beds): **1.325**

Peer Group Three (All hospital-based nursing facilities): **1.565**

Nursing and Resident Care Factors

Pursuant to 29 DCMR § 6502 and reimbursement methodology outlined in Attachment 4.19D, Part I (REIMBURSEMENT PRINCIPLES AND METHODS FOR NURSING FACILITIES) – Section III.C (COMPUTATION OF PRICE AND FLOOR) of the State Plan, the following factors shall become effective October 1, 2019:

Peer Group One (All freestanding nursing facilities, with more than seventy-five Medicaid certified beds): **1.088**

Peer Group Two (All freestanding nursing facilities with seventy-five or fewer Medicaid certified beds): **1.348**

Peer Group Three (All hospital-based nursing facilities): **1.223**

Floor Percentages

Pursuant to 29 DCMR § 6502 and reimbursement methodology outlined in Attachment 4.19D, Part I (REIMBURSEMENT PRINCIPLES AND METHODS FOR NURSING FACILITIES) –

Section III.D (COMPUTATION OF PRICE AND FLOOR) of the State Plan, the following floor percentages shall become effective October 1, 2019:

Fixed Percentage for Calculation of the Peer Group One and Peer Group Two Floor: **91%**

Fixed Percentage for Calculation of the Peer Group Three Floor: **88.5%**

Behaviorally Complex Care

Pursuant to 29 DCMR § 6512 and reimbursement methodology outlined in Attachment 4.19D, Part I (REIMBURSEMENT PRINCIPLES AND METHODS FOR NURSING FACILITIES) – Section XIII (BEHAVIORALLY COMPLEX REIMBURSEMENT) of the State Plan are listed below, the following rates shall become effective October 1, 2019:

Rate equals \$86.50

Bariatric Care

Pursuant to 29 DCMR § 6514 and reimbursement methodology outlined in Attachment 4.19D, Part I (REIMBURSEMENT PRINCIPLES AND METHODS FOR NURSING FACILITIES) – Section XV (BARIATRIC REIMBURSEMENT) of the State Plan, the following rates shall become effective October 1, 2019:

Rate equals \$43.50

If you have any questions, please contact Andrea Clark, Reimbursement Analyst, Office of Rates Reimbursement and Financial Analysis, Department of Health Care Finance, at 441 4th Street, Suite 900S, Washington, DC 20001, or email at andrea.clark@dc.gov or (202) 724-4096.

DEPARTMENT OF HEALTH

STATE HEALTH PLANNING AND DEVELOPMENT AGENCY

NOTICE OF INFORMATION HEARING

Pursuant to D.C. Official Code § 44-406(b)(4), the District of Columbia State Health Planning and Development Agency ("SHPDA") will hold an information hearing on the application of Capital Hospice d/b/a Capital Caring to Acquire Washington Home and Community Hospice, Inc. - Certificate of Need Registration No. 19-1-1. The hearing will be held on Friday, October 4, 2019 at 10:00 a.m., at 899 North Capitol Street, N.E., 6th Floor, Room 6002, Washington, D.C. 20002.

The hearing will include a presentation by the Applicant, describing its plans and addressing the certifications required pursuant to D.C. Official Code § 44-406(b)(1). The hearing also includes an opportunity for affected/interested persons to testify. Persons who wish to testify should contact the SHPDA at (202) 442-5875 before 4:45 p.m. on Thursday, October 3, 2019. Each member of the public who wishes to testify will be allowed a maximum of five (5) minutes. Written statements may be submitted to:

The State Health Planning and Development Agency
899 North Capitol Street, N.E.
Sixth Floor
Washington, D.C. 20002

Written statements must be received before the record closes at 4:45 p.m. on Friday, October 11, 2019. Persons who would like to review the Certificate of Need application or who have questions relative to the hearing may contact the SHPDA on (202) 442-5875.

KIPP DC PUBLIC CHARTER SCHOOLS**REQUEST FOR PROPOSALS****HVAC Retro-Commissioning Services**

KIPP DC is soliciting proposals from qualified vendors for HVAC Retro-Commissioning 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 October 17, 2019. Questions can be addressed to jason.ray@kippdc.org.

Multi-Campus Door Replacement Services

KIPP DC is soliciting proposals from qualified vendors for Multi-Campus Door Replacement 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 October 10, 2019. Questions can be addressed to jason.ray@kippdc.org

HVAC Preventative Maintenance

KIPP DC is soliciting proposals from qualified vendors for HVAC Preventative Maintenance. 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 October 10, 2019. Questions can be addressed to jason.ray@kippdc.org

PUBLIC SERVICE COMMISSION OF THE DISTRICT OF COLUMBIA

NOTICE OF PROPOSED ISSUANCE OF EVIDENCES OF INDEBTEDNESS**FORMAL CASE NO. 1158, IN THE MATTER OF THE APPLICATION OF WASHINGTON GAS LIGHT COMPANY FOR A CERTIFICATE OF AUTHORITY AUTHORIZING IT TO ISSUE DEBT SECURITIES**

1. The Public Service Commission of the District of Columbia (Commission) hereby gives notice pursuant to Sections 2-505, 34-502 and 34-503 of the District of Columbia Code,¹ that it intends, in not less than 30 days from the date of publication of this Notice in the *D.C. Register*, to take final action on the Application of Washington Gas Light Company (“WGL” or “Company”) for a certificate authorizing the Company to issue debt securities in an aggregate amount not to exceed \$600.0 million.²

2. In its Application, filed on August 26, 2019, WGL requests authority to issue debt securities in an aggregate amount not to exceed \$600.0 million from January 1, 2020, through December 31, 2022.³ The Company states that it plans to use the proceeds from the financing for four primary purposes: (1) for the refunding of maturing long-term debt; (2) for advance refunding of long-term debt as market conditions permit; (3) for general corporate purposes, including capital expenditures, acquisition of property, working capital requirements, and retirement of short-term debt; and (4) for the reimbursement of funds actually expended for any of those purposes.⁴ WGL also seeks expedited review of its Application under the Commission’s expedited review process in Chapter 35 of the Commission’s rules (15 DCMR §§ 3500-3505 (2000)).⁵

3. WGL’s Application and supporting documentation are on file with the Commission and may be reviewed at the Office of the Commission Secretary, 1325 G Street, N.W., Suite 800, Washington, D.C. 20005, between the hours of 9:00 a.m. and 5:30 p.m., Monday through Friday, or may be viewed on the Commission’s website by visiting www.dcpsc.org and, under the “eDocket System” tab, selecting “Search Current

¹ D.C. Code §§ 2-505; 34-502 and 503 (2001).

² *Formal Case No. 1158, In the Matter of the Application of Washington Gas Light Company for a Certificate of Authority Authorizing it to Issue Debt Securities*, Washington Gas Light Company’s Application for Authority to Issue Debt Securities, filed August 26, 2019 (“WGL’s Application”).

³ WGL’s Application at 2.

⁴ WGL’s Application at 2-3.

⁵ WGL’s Application at 1. 15 DCMR §§ 3500-3505 (2000). More specifically, Subsection 3501.1 of § 3501, Expedited Review Process, states “[a]n application for authority to issue or amend tariffs or issue stock or evidences of indebtedness that are payable in more than one year shall be approved by the Commission within thirty (30) days after the publication date in the D.C. Register, provided that: (1) no objection is filed within thirty (30) days after the publication date; and (2) the Commission does not order additional time for review of the application.”

Dockets” and typing “FC1158” in the field labeled “Case Number.” Copies of the Application are available, upon request, at a per-page reproduction fee.

4. Any person interested in commenting on the Application or objecting to the expedited handling of the Application shall file written comments or objections stating the reasons for the objections not later than 30 days after publication of this Notice in the *D.C. Register* addressed to Brinda Westbrook-Sedgwick, Commission Secretary, 1325 G Street, N.W., Suite 800, Washington, D.C. 20005. Any responses to comments or objections shall be filed within 35 days from the date of publication of this Notice in the *D.C. Register*. Once the comment period expires, the Commission will take final action. Persons with questions concerning this Application should call (202) 626-5150 or send an email to psc-commissionsecretary@dc.gov.

TWO RIVERS PUBLIC CHARTER SCHOOL**REQUEST FOR PROPOSALS****Temporary Staffing Services**

Two Rivers is seeking a staffing company or companies to recruit and place school staff. At this time, Two Rivers is in particular need of a full-time mental health professional counselor and Middle School Special Education Teacher. For a copy of the RFP, please email Liz Riddle at procurement@tworiverspcs.org.

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

BOARD OF DIRECTORS

NOTICE OF PUBLIC MEETING

Environmental Quality and Operations Committee

The Board of Directors of the District of Columbia Water and Sewer Authority (DC Water) Environmental Quality and Operations Committee will be holding a meeting on Thursday, October 17, 2019 at 9:30 a.m. The meeting will be held in the Board Room (2nd floor) at 1385 Canal Street, S.E. (use 125 O Street, S.E. for directions), 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 linda.manley@dcwater.com.

DRAFT AGENDA

- | | | |
|-----|--|---|
| 1. | Call to Order | Committee Chairperson |
| 2. | AWTP Status Updates
Ops | Vice-President, Wastewater |
| | 1. BPAWTP Performance | |
| 3. | Status Updates | Senior VP, Engineering |
| 4. | Project Status Updates | Director, Engineering &
Technical Services |
| 5. | Action Items
- Joint Use
- Non-Joint Use | Senior VP, Engineering |
| 6. | Water Quality Monitoring | Senior Director, Water Ops |
| 7. | Action Items | Senior VP, Engineering
Senior Director, Water Ops
Director, Customer Care |
| 8. | Emerging Items/Other Business | |
| 9. | Executive Session | |
| 10. | Adjournment | Committee Chairperson |

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

Application No. 20090 of Marc and Dale Lippman, as amended, pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception pursuant to Subtitle E § 5201 from the lot occupancy requirements of Subtitle E § 504.1, to construct a second story rear addition to an existing attached principal dwelling unit in the RF-3 Zone at premises 224 South Carolina Avenue, S.E. (Square 271, Lot 232).

HEARING DATE: September 11, 2019

DECISION DATE: September 11, 2019

SUMMARY ORDER

Relief Requested. The zoning relief requested in this case was self-certified, pursuant to 11 DCMR Subtitle Y § 300.6. (Exhibit 39A-B (Final Revised); Exhibit 13, 35-36 (Revised); Exhibit 10 (Original).)¹

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") 6B.

ANC Report. The ANC's report indicated that at a regularly scheduled, properly noticed public meeting on September 10, 2019, at which a quorum was present, the ANC voted 8-0-0 to support the application. (Exhibit 45.)

OP Report. The Office of Planning submitted a report recommending approval of the application. (Exhibit 40.)

DDOT Report. The District Department of Transportation submitted a report indicating that it had no objection to the application. (Exhibit 41.)

Persons in Support. One letter was submitted in support of the application (Exhibit 44.)

¹ The original application was amended to correct the relief, changing the request from a variance to a special exception pursuant to Subtitle E § 5201.

Special Exception Relief

The Applicant seeks relief under Subtitle X § 901.2, for a special exception pursuant to Subtitle E § 5201 from the lot occupancy requirements of Subtitle E § 504.1, to construct a second story rear addition to an existing attached principal dwelling unit in the RF-3 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 PLANS² AT EXHIBIT 3.**

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: September 12, 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

² 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.

SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSE OF SECURING A BUILDING PERMIT, OR THE APPLICANT FILES A REQUEST FOR A TIME EXTENSION PURSUANT TO SUBTITLE Y § 705 PRIOR TO THE EXPIRATION OF THE TWO-YEAR PERIOD AND THE REQUEST IS GRANTED. PURSUANT TO SUBTITLE Y § 703.14, NO OTHER ACTION, INCLUDING THE FILING OR GRANTING OF AN APPLICATION FOR A MODIFICATION PURSUANT TO SUBTITLE Y §§ 703 OR 704, SHALL TOLL OR EXTEND THE TIME PERIOD.

PURSUANT TO 11 DCMR SUBTITLE Y § 604, APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT.

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

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

Application No. 20093 of KPNR Investment, LLC, pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception under the residential conversion requirements of Subtitle U § 320.2, to construct a third-story and rear addition to the existing principal dwelling unit and convert it to a three-unit apartment house in the RF-1 Zone at premises 1330 Randolph Street N.W. (Square 2825, Lot 123).

HEARING DATE: September 11, 2019

DECISION DATE: September 11, 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") 4C.

ANC Report. The ANC's report indicated that at a regularly scheduled, properly noticed public meeting on July 10, 2019, at which a quorum was present, the ANC voted 9-0-1 to support the application, contingent on the Applicant's agreement to 17 conditions. (Exhibit 29.) The Board found that 14 of the proposed conditions were not sufficiently related to the zoning relief requested to be adopted as part of this order; however, the Board adopted the three conditions that it found to mitigate potential impacts of the relief requested in the application, pertaining to the landscaping, façade materials, and adjacent chimney. The Board notes that the Applicant has agreed to the ANC's remaining 14 conditions.

OP Report. The Office of Planning submitted a report recommending approval of the application. (Exhibit 32.)

DDOT Report. The District Department of Transportation submitted a report indicating that it had no objection to the application. (Exhibit 30.)

Special Exception Relief

The Applicant seeks relief under Subtitle X § 901.2, for a special exception under the residential conversion requirements of Subtitle U § 320.2, to construct a third-story and rear addition to the existing principal dwelling unit and convert it to a three-unit apartment house 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 31A, AND WITH THE FOLLOWING CONDITIONS:**

1. The Applicant shall incorporate additional landscaping in the front.
2. The Applicant shall incorporate alternative façade materials (e.g. cedar wood) rather than siding.
3. The Applicant shall repair and extend the existing chimney of the structure at 1328 Randolph Street, N.W. that is shared with the Property.

VOTE: 5-0-0 (Frederick L. Hill, Lorna L. John, Lesylleé M. White, 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: September 16, 2019

¹ Self-certification: 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 § 604.11, NO ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN (10) DAYS AFTER IT BECOMES FINAL PURSUANT TO SUBTITLE Y § 604.7.

PURSUANT TO 11 DCMR SUBTITLE Y § 702.1, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSE OF SECURING A BUILDING PERMIT, OR THE APPLICANT FILES A REQUEST FOR A TIME EXTENSION PURSUANT TO SUBTITLE Y § 705 PRIOR TO THE EXPIRATION OF THE TWO-YEAR PERIOD AND THE REQUEST IS GRANTED. PURSUANT TO SUBTITLE Y § 703.14, NO OTHER ACTION, INCLUDING THE FILING OR GRANTING OF AN APPLICATION FOR A MODIFICATION PURSUANT TO SUBTITLE Y §§ 703 OR 704, SHALL TOLL OR EXTEND THE TIME PERIOD.

PURSUANT TO 11 DCMR SUBTITLE Y § 604, APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT.

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

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

BZA APPLICATION NO. 20093

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

Application No. 20099 of Margaret and Mark McCrone pursuant to 11 DCMR Subtitle X, Chapter 10, for an area variance from the lot occupancy requirements of Subtitle D § 304.1, to construct a rear addition to an existing, attached principal dwelling unit in the R-3 Zone at premises 2103 Huidekoper Place, N.W. (Square 1301, Lot 1163).

HEARING DATE: September 11, 2019

DECISION DATE: September 11, 2019

SUMMARY ORDER

Relief Requested. The application was accompanied by a memorandum from the Zoning Administrator certifying the required relief. (Exhibit 30 (Updated); Exhibit 2 (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 and Advisory Neighborhood Commission ("ANC") 3B.

ANC Report. The ANC's report indicated that at a regularly scheduled, properly noticed public meeting on July 11, 2019, at which a quorum was present, the ANC voted 4-0-0 to support the application. (Exhibit 51.)

OP Report. The Office of Planning submitted a report, dated August 30, 2019, recommending approval of the application. (Exhibit 56.)

DDOT Report. The District Department of Transportation submitted a report, dated August 15, 2019, indicating that it had no objection to the application. (Exhibit 53.)

Persons in Support. The Board received seven letters from neighbors in support of the application. (Exhibits 45-49 and 54-55.)

Variance Relief

The Applicant seeks relief under Subtitle X § 1002.1 for an area variance from the lot occupancy requirements of Subtitle D § 304.1, to construct a rear addition to an existing, attached principal

dwelling unit in the R-3 Zone at premises 2103 Huidekoper Place, N.W. (Square 1301, Lot 1163).

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 under 11 DCMR Subtitle X § 1002.1, that there exists an exceptional or extraordinary situation or condition related to the property that creates a practical difficulty in complying with the Zoning Regulations, and that the relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map.

Pursuant to 11 DCMR Subtitle Y § 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 EXHIBITS 5, 25, AND 26.**

VOTE: 5-0-0 (Frederick L. Hill, Carlton E. Hart, Lorna L. John, Lesylleé M. White, 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: September 13, 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.

BZA APPLICATION NO. 20099

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PURSUANT TO 11 DCMR SUBTITLE Y § 604, APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT.

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

**BOARD OF ZONING ADJUSTMENT
PUBLIC MEETING NOTICE
WEDNESDAY, OCTOBER 16, 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

18770-C **Application of IMA PIZZA STORE 11, LLC**, pursuant to 11 DCMR
ANC 6B Subtitle Y § 703, for a modification of consequence to amend condition
 No. 1 in BZA Order No. 18770-B, to modify the time limit of the Order for
 an additional ten years, in an existing building in the MU-25 Zone at
 premises 405 8th Street, S.E. (Square 902, Lot 36).

WARD FIVE

19618-A **Application of Hillsdale College**, pursuant to 11 DCMR Subtitle Y §
ANC 5E 705.1, for a two-year time extension of BZA Order No. 19618 approving a
 special exception under Subtitle U § 601.1(c), to permit a one-family
 dwelling unit in an existing structure on an alley lot in the RF-3 Zone at
 premises 19 4th Street Rear N.E. (Square 816, Lot 18).

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 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**

BZA PUBLIC MEETING NOTICE

OCTONBER 16, 2019

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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

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የተለየ እርዳታ ካስፈለገዎት ወይም የቋንቋ እርዳታ አገልግሎቶች (ትርጉም ወይም ማስተርጓሚ) ካስፈለገዎት እባክዎን ከሰብሳቢው አዎንታዊ ቀናት በፊት ዚ ሂልን በስልክ ቁጥር (202) 727-0312 ወይም በኢሜል Zelalem.Hill@dc.gov ይገናኙ። እነዚህ 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?

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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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