

***District of Columbia***

**REGISTER**

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**HIGHLIGHTS**

- D.C. Council schedules a public hearing on Bill 23-0325, Dementia Training for Direct Care Workers Act of 2019
- D.C. Council schedules a public hearing on “The Future of Micromobility in the District”
- D.C. Council schedules public oversight hearings on the Department of Behavioral Health and The Not-For-Profit Hospital Corporation
- D.C. Council schedules public oversight roundtables on the Department of Employment Services' Workforce Development Programs and “Resident Safety on Public Housing Properties”
- Office of the Chief Financial Officer announces Statutory and Special Real Property Tax Rates for Tax Year 2020
- Office of the State Superintendent of Education announces funding for recruiting candidates for DC charter school teacher residency programs
- Office of the Secretary of State of the District of Columbia requests applications for the Grant to Promote District of Columbia Voting Rights and Statehood
- Office of Victim Services and Justice Grants announces availability of the Fiscal Year 2020 - Domestic Violence Strategic Plan Funding and the Incarceration Reduction Amendment `` Act (IRAA) Support Funding

# DISTRICT OF COLUMBIA REGISTER

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ADMINISTRATOR

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ENROLLED ORIGINAL

A RESOLUTION

23-204

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 17, 2019

To appoint Mr. Neal L. Downing to the Mayor’s Council on Physical Fitness, Health, and Nutrition.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Mayor’s Council on Physical Fitness, Health, and Nutrition Neal L. Downing Appointment Resolution of 2019”.

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

Mr. Neal L. Downing  
Otis Street, N.E.  
Washington, D.C. 20018  
(Ward 5)

as a member of the Mayor’s Council on Physical Fitness, Health, and Nutrition, established by section 2 of the Mayor’s Council on Physical Fitness, Health, and Nutrition Establishment Act of 2011, effective December 2, 2011 (D.C. Law 19-58; D.C. Official Code § 7-121), for a term to end 3 years after the effective date of this resolution.

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

Sec. 4. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

A RESOLUTION

23-205

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 17, 2019

To appoint Ms. Andrey Cracco to the Mayor’s Council on Physical Fitness, Health, and Nutrition.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Mayor’s Council on Physical Fitness, Health, and Nutrition Andrey Cracco Appointment Resolution of 2019”.

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

Ms. Andrey Cracco  
17<sup>th</sup> Street, N.E.  
Washington, D.C. 20002  
(Ward 6)

as a member of the Mayor’s Council on Physical Fitness, Health, and Nutrition, established by section 2 of the Mayor’s Council on Physical Fitness, Health, and Nutrition Establishment Act of 2011, effective December 2, 2011 (D.C. Law 19-58; D.C. Official Code § 7-121), for a term to end 3 years after the effective date of this resolution.

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

Sec. 4. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

A RESOLUTION

23-206

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 17, 2019

To appoint Ms. Katrina Owens to the Mayor’s Council on Physical Fitness, Health, and Nutrition.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Mayor’s Council on Physical Fitness, Health, and Nutrition Katrina Owens Appointment Resolution of 2019”.

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

Ms. Katrina Owens  
Quincy Street, N.W.  
Washington, D.C. 20011  
(Ward 4)

as a member of the Mayor’s Council on Physical Fitness, Health, and Nutrition, established by section 2 of the Mayor’s Council on Physical Fitness, Health, and Nutrition Establishment Act of 2011, effective December 2, 2011 (D.C. Law 19-58; D.C. Official Code § 7-121), for a term to end 3 years after the effective date of this resolution.

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

Sec. 4. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

A RESOLUTION

23-207

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 17, 2019

To appoint Ms. Mary C. Lord to the Mayor’s Council on Physical Fitness, Health, and Nutrition.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Mayor’s Council on Physical Fitness, Health, and Nutrition Mary C. Lord Appointment Resolution of 2019”.

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

Ms. Mary C. Lord  
Newport Place, N.W.  
Washington, D.C. 20037  
(Ward 2)

as a member of the Mayor’s Council on Physical Fitness, Health, and Nutrition, established by section 2 of the Mayor’s Council on Physical Fitness, Health, and Nutrition Establishment Act of 2011, effective December 2, 2011 (D.C. Law 19-58; D.C. Official Code § 7-121), for a term to end 3 years after the effective date of this resolution.

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

Sec. 4. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

A RESOLUTION

23-208

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 17, 2019

To appoint Ms. Rosalyn Overstreet Gonzalez to the Mayor’s Council on Physical Fitness, Health, and Nutrition.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Mayor’s Council on Physical Fitness, Health, and Nutrition Rosalyn Overstreet Gonzalez Appointment Resolution of 2019”.

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

Ms. Rosalyn Overstreet Gonzalez  
Clifton Street, N.W.  
Washington, D.C. 20009  
(Ward 1)

as a member of the Mayor’s Council on Physical Fitness, Health, and Nutrition, established by section 2 of the Mayor’s Council on Physical Fitness, Health, and Nutrition Establishment Act of 2011, effective December 2, 2011 (D.C. Law 19-58; D.C. Official Code § 7-121), for a term to end 3 years after the effective date of this resolution.

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

Sec. 4. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

## A RESOLUTION

23-210

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 17, 2019

To authorize the filing of a petition or petitions in the Superior Court of the District of Columbia to compel witnesses to provide testimony to O'Melveny & Myers LLP in the ongoing investigation into the conduct of Councilmember Jack Evans.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Subpoena Enforcement Resolution of 2019".

Sec. 2. The Council finds that:

(a) On July 9, 2019, the Council, through the Council Period 23 Rules and Investigation Authority Amendment Resolution of 2019, effective July 9, 2019 (Res. 23-175; 66 DCR 8288) ("Resolution 23-175"), authorized the law firm of O'Melveny & Myers LLP (the "Law Firm") to investigate whether the conduct of Councilmember Jack Evans related to his outside employment violated the Code of Conduct or the Council Rules ("investigation").

(b) Resolution 23-175 gave the Law Firm subpoena authority.

(c) Pursuant to Resolution 23-175, the Law Firm undertook to issue and serve subpoenas commanding witnesses to appear and provide testimony related to the investigation. Certain witnesses who have been served with a subpoena by the Law Firm, or whose counsel have accepted service on their behalf, have refused to appear for their noticed testimony or to negotiate a reasonable alternative date.

(d) The testimony of these witnesses and other witnesses who may refuse to cooperate going forward is necessary for the Law Firm to complete its investigation.

(e) These witnesses should be compelled to provide testimony on topics relevant to the investigation to the Law Firm.

Sec. 3. For the reasons set forth in section 2 and pursuant to section 413(b) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 789; D.C. Official Code § 1-204.13(b)), the Council authorizes its General Counsel to file a petition or petitions in the Superior Court of the District of Columbia to compel witnesses who have refused to obey subpoenas issued by the Law Firm, or otherwise not cooperated with the investigation, to appear and testify on topics relevant to the investigation, under penalty of contempt.

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

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

- |         |  |
|---------|--|
| B23-449 | Kappa Alpha Psi Way Designation Act of 2019<br><br>Intro. 9-24-19 by Councilmember Todd and referred to the Committee of the Whole   |
| B23-450 | Contract Appeals Board Consistency and Stability Act of 2019<br><br>Intro. 9-24-19 by Councilmember R. White and referred to the Committee on Facilities and Procurement   |
| B23-451 | Housing Production Trust Fund Income Targeting Accountability Act of 2019<br><br>Intro. 9-24-19 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Housing and Neighborhood Revitalization |
| B23-455 | Rev. Roy Settles Way Designation Act of 2019<br><br>Intro. 9-27-19 by Councilmember T. White and referred to the Committee of the Whole  |
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**PROPOSED RESOLUTIONS**

- PR23-461 District of Columbia Water and Sewer Authority Board of Directors  
Anthony Giancola Confirmation Resolution of 2019  
  
Intro. 9-27-19 by Chairman Mendelson at the request of the Mayor and referred  
to the Committee on Transportation and the Environment
- 
- PR23-462 District of Columbia Water and Sewer Authority Board of Directors  
Howard Gibbs Confirmation Resolution of 2019  
  
Intro. 9-27-19 by Chairman Mendelson at the request of the Mayor and referred  
to the Committee on Transportation and the Environment
- 
- PR23-463 District of Columbia Water and Sewer Authority Board of Directors Jed Ross  
Confirmation Resolution of 2019  
  
Intro. 9-27-19 by Chairman Mendelson at the request of the Mayor and referred  
to the Committee on Transportation and the Environment
- 
- PR23-464 District of Columbia Water and Sewer Authority Board of Directors Joe  
Leonard Confirmation Resolution of 2019  
  
Intro. 9-27-19 by Chairman Mendelson at the request of the Mayor and referred  
to the Committee on Transportation and the Environment
- 
- PR23-465 District of Columbia Water and Sewer Authority Board of Directors David  
Franco Confirmation Resolution of 2019  
  
Intro. 9-27-19 by Chairman Mendelson at the request of the Mayor and referred  
to the Committee on Transportation and the Environment
- 
- PR23-466 Food Policy Council Andre Towner Confirmation Resolution of 2019  
  
Intro. 9-27-19 by Chairman Mendelson at the request of the Mayor and referred  
to the Committee on Transportation and the Environment
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- PR23-468 Food Policy Council James Huang Confirmation Resolution of 2019  
  
Intro. 9-27-19 by Chairman Mendelson at the request of the Mayor and referred  
to the Committee on Transportation and the Environment
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PR23-469      Food Policy Council Kristy McCarron Confirmation Resolution of 2019  
Intro. 9-27-19 by Chairman Mendelson at the request of the Mayor and referred  
to the Committee on Transportation and the Environment

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PR23-470      Food Policy Council Winnie Huston Confirmation Resolution of 2019  
Intro. 9-27-19 by Chairman Mendelson at the request of the Mayor and referred  
to the Committee on Transportation and the Environment

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**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

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

on

B23-0094, the “Organ, Eye, and Tissue Donation Education Amendment Act of 2019,”

B23-0392, the “Students' Right to Home or Hospital Instruction Act of 2019,”

And

B23-0150, “Dyslexia and Other Reading Disabilities Screening and Prevention Pilot Program Act of 2019”

On

**Monday October 21, 2019  
11:00 A.M., Hearing Room 412, John A. Wilson Building  
1350 Pennsylvania Avenue, NW  
Washington, DC 20004**

Chairman Phil Mendelson and Councilmember David Grosso announce the scheduling of a joint public hearing of the Committee of the Whole and the Committee on Education on B23-0094, the “Organ, Eye, and Tissue Donation Education Amendment Act of 2019,” B23-0392, the “Students' Right to Home or Hospital Instruction Act of 2019,” and B23-0150, “Dyslexia and Other Reading Disabilities Screening and Prevention Pilot Program Act of 2019,” The hearing will be held on Monday October 21, 2019 at 11:00 A.M in room 412 of the John A. Wilson Building.

The stated purpose of B23-0094 is to require the District of Columbia Public Schools and Public Charter Schools provide education on the process of making an anatomical gift.

The stated purpose of B23-0392 is to require all District LEAs to adopt a home or hospital instruction program to students who have been or will be absent from their school of enrollment for 10 or more consecutive or cumulative school days due to a physical or psychological condition.

The stated purpose of B23-0150 is to establish a dyslexia screening and intervention pilot program for early elementary grades to be implemented by the State Superintendent of Education.

Those who wish to testify may sign-up online at [bit.do/EducationHearings](http://bit.do/EducationHearings) or call the Committee on Education at (202) 724-8061 by 5:00pm on Thursday October 17. 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](mailto: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 November 4, 2019.

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

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REVISED

**NOTICE OF PUBLIC HEARING ON**

**B23-242, the Bicycle Advisory Council Expansion Amendment Act of 2019;  
B23-257, the Mandatory Protected Cycling Lane Amendment Act of 2019;  
B23-288, the Vision Zero Enhancement Omnibus Amendment Act of 2019;  
B23-292, the Curb Extensions Act of 2019;  
B23-293, the Cyclist Safety Campaign Amendment Act of 2019;  
B23-412, the Ignition Interlock Program Amendment Act of 2019; and  
B23-415, the Vision Zero Distracted Driving Amendment Act of 2019**

October 24, 2019, at 11:30 AM  
in Room 500 of the John A. Wilson Building  
1350 Pennsylvania Avenue, NW, Washington, DC 20004

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On Thursday, October 24, 2019, Councilmember Mary M. Cheh, Chairperson of the Committee on Transportation and the Environment, will hold a public hearing on B23-242, the Bicycle Advisory Council Expansion Amendment Act of 2019; B23-257, the Mandatory Protected Cycling Lane Amendment Act of 2019; B23-288, the Vision Zero Enhancement Omnibus Amendment Act of 2019; B23-292, the Curb Extensions Act of 2019; B23-293, the Cyclist Safety Campaign Amendment Act of 2019; B23-412, the Ignition Interlock Program Amendment Act of 2019; and B23-415, the Vision Zero Distracted Driving Amendment Act of 2019. The hearing will begin at 11:30 AM in Room 500 of the John A. Wilson Building, 1350 Pennsylvania Avenue, NW.

B23-242 would add a representative from the Department of Public Works to the Bicycle Advisory Council. B23-257 would require the District Department of Transportation (DDOT) to construct a protected bicycle lane or cycle track on road segments included in the recommended bicycle network in the District of Columbia's Multimodal Long-Range Transportation Plan where DDOT is otherwise engaging in road reconstruction, major repair, or curb or gutter replacement. B23-288 would make several changes to increase pedestrian and cyclist safety, including requiring DDOT to install sidewalks on both sides of a street, to connect new sidewalks to existing sidewalks, and to mark unmarked crosswalks; prohibiting DDOT from issuing public space permits for certain projects unless the plans include installing new sidewalks, bicycle lanes, or marked crosswalks; requiring that DDOT issue reports on how projects or recommendations equitably increase transportation safety; requiring Council approval of the Multimodal Long-Range Transportation Plan; and allowing shorter notice for proposals to regulate traffic if the regulation will increase safety at high-risk intersections. B23-292 would require the installation of curb extensions to reduce pedestrian crossing distances when DDOT repaves roadways. B23-293 would require the Department of Motor Vehicles to quiz driver license applicants on bicycle safety and to

establish a public outreach campaign to raise awareness of automobile-bicycle accident injuries and fatalities. B23-412 would clarify the requirements for the ignition interlock program. B23-415 would strike the distracted driving provision relating to not issuing points unless it contributes to an accident.

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

If you are unable to testify in person, written statements are encouraged and will be made a part of the official record. Copies of written statements should be submitted to Ms. Benjamin at the following address: Committee on Transportation and the Environment, John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Suite 108, Washington, D.C. 20004. Statements may also be e-mailed to abenjamin@dccouncil.us or faxed to (202) 724-8118. The record will close at the end of the business day on November 7, 2019.

**This notice is revised to reflect that two additional bills, B23-412 and B23-415, have been added to the hearing.**

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

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

**ANNOUNCES A PUBLIC HEARING ON**

**BILL 23-0324, THE “RESTORE THE VOTE AMENDMENT ACT OF 2019”**

**Tuesday, October 29, 2019, 7:00 p.m.  
R.I.S.E. Demonstration Center  
2730 Martin Luther King, Jr. Avenue, S.E.  
Washington, D.C. 20032**

On Tuesday, October 29, 2019, Councilmember Charles Allen, Chairperson of the Committee on the Judiciary and Public Safety, will convene a public hearing to discuss Bill 23-0324, the “Restore the Vote Amendment Act of 2019”. The hearing will take place in Ward 8 at the R.I.S.E. Demonstration Center, 2730 Martin Luther King Jr. Avenue, S.E., from 7:00 to 8:30 p.m. *Please note that the Committee has also scheduled a public hearing on this bill on October 10, 2019, in Room 500 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., at 10:00 a.m.*

The stated purpose of B23-0324 is to amend the District of Columbia Election Code of 1955 to extend voting rights to residents currently incarcerated for felony convictions. This would include otherwise qualified residents convicted of a felony and pending transfer to the Bureau of Prisons, as well as those currently incarcerated in Federal Bureau of Prisons facilities throughout the country. The proposed applicability date would be January 1, 2021.

Currently, non-incarcerated District residents with criminal records are fully enfranchised, as well as residents currently incarcerated for misdemeanors or those incarcerated in the District and awaiting trial for a felony offense. District residents are not considered incarcerated if they have completed a court-ordered sentence of confinement and subsequently reside in a halfway house or other community supervision center, or if they are otherwise on court-ordered supervision. A Board of Elections voting guide for incarcerated and returning citizens is available here: [https://www.dcboe.org/getattachment/Data-Resources-Forms/Forms-and-Resources/ReturningCitizens\\_4-30-18.pdf.aspx?lang=en-US](https://www.dcboe.org/getattachment/Data-Resources-Forms/Forms-and-Resources/ReturningCitizens_4-30-18.pdf.aspx?lang=en-US).

The Committee invites the public to testify or to submit written testimony. Anyone wishing to testify at the hearing should contact the Committee via email at [judiciary@dccouncil.us](mailto:judiciary@dccouncil.us) and provide their name, telephone number, organizational affiliation, and title (if any), by **close of**



**business Friday, October 25.** 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](mailto:judiciary@dccouncil.us).

For witnesses who are unable to testify at the hearing, written statements will be made part of the official record. Copies of written statements should be submitted to the Committee at [judiciary@dccouncil.us](mailto:judiciary@dccouncil.us). **The record will close at the end of the business day on Tuesday, November 12.**

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

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

**ANNOUNCES A PUBLIC HEARING ON**

**BILL 23-0325, THE “DEMENTIA TRAINING FOR DIRECT CARE WORKERS ACT  
OF 2019”**

**FRIDAY, NOVEMBER 22, 2019  
11:00 A.M., ROOM 500, JOHN A. WILSON BUILDING  
1350 PENNSYLVANIA AVENUE, N.W.  
WASHINGTON, D.C. 20004**

Councilmember Vincent C. Gray, Chairperson of the Committee on Health, announces a Public Hearing on Bill 23-0325, the “Dementia Training for Direct Care Workers Act of 2019.” The hearing will be held on Friday, November 22, 2019, at 11:00 a.m., in Room 500 of the John A. Wilson Building.

Bill 23-0325 would require dementia training for direct care workers, which includes staff whose work involves extensive contact with residents or program participants of residential facilities or home-and community-based programs that provide supportive services.

The Committee invites the public to testify at the hearing. Those who wish to testify should contact Malcolm Cameron, Committee Legislative Analyst at (202) 654-6179 or [mcameron@dccouncil.us](mailto:mcameron@dccouncil.us), and provide your name, organizational affiliation (if any), and title with the organization, preferably by 5:00 p.m. on Wednesday, November 20, 2019. Witnesses should bring 15 copies of their written testimony to the hearing. The Committee allows individuals 3 minutes to provide oral testimony in order to permit each witness an opportunity to be heard. Additional written statements are encouraged and will be made part of the official record. Written statements may be submitted by e-mail to [mcameron@dccouncil.us](mailto:mcameron@dccouncil.us) or mailed to: Council of the District of Columbia, 1350 Pennsylvania Ave., N.W., Suite 113, Washington D.C. 20004.

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

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**NOTICE OF PUBLIC HEARING ON**

**The Future of Micromobility in the District  
and  
B23-359, The Electric Mobility Devices Amendment Act of 2019**  
November 4th, 2019, at 11:00 AM  
in Room 500 of the John A. Wilson Building  
1350 Pennsylvania Avenue, NW, Washington, DC 20004

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On Monday, November 4, 2019, Councilmember Mary M. Cheh, Chairperson of the Committee on Transportation and the Environment, will hold a public hearing on the future of micromobility in the District and B23-359, the Electric Mobility Devices Amendment Act of 2019. The hearing will begin at 11:00 AM in Room 500 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W.

As the use of electric scooters, e-bikes, mopeds, and other micromobility devices in the District continues to expand, new public infrastructure and changes to existing road design will become necessary to respond to that growing demand. The purpose of this hearing is to learn from the District Department of Transportation about how the agency intends to integrate micromobility into its existing plans for District infrastructure, and how DDOT anticipates its management of these devices and their manufacturers may change with expanding use. The Committee will also hear testimony on B23-359, the Electric Mobility Devices Amendment Act of 2019, legislation that would establish new rules and regulations for electric scooter and e-bike operators and users, aimed at ensuring these devices are used safely and efficiently in the District.

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

If you are unable to testify in person, written statements are encouraged and will be made a part of the official record. Copies of written statements should be submitted to Ms. Benjamin at the following address: Committee on Transportation and the Environment, John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Suite 108, Washington, D.C. 20004. Statements may also be e-mailed to [abenjamin@dccouncil.us](mailto:abenjamin@dccouncil.us) or faxed to (202) 724-8118. The record will close at the end of the business day on November 18, 2019.

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

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

**ANNOUNCES A PUBLIC OVERSIGHT HEARING ON**

**“THE DEPARTMENT OF BEHAVIORAL HEALTH”**

**WEDNESDAY, OCTOBER 23, 2019; 5:30 P.M.  
PENNSYLVANIA AVENUE BAPTIST CHURCH  
3000 PENNSYLVANIA AVE, SE  
WASHINGTON, DC 20020**

Councilmember Vincent C. Gray, Chairperson of the Committee on Health, announces a Public Oversight Hearing on “The Department of Behavioral Health”. The hearing will be held on Wednesday, October 23, 2019, at 5:30 p.m., in the Pennsylvania Avenue Baptist Church, located at 3000 Pennsylvania Avenue SE, Washington, DC 20020.

This public oversight hearing will examine all oversight issues associated with the Department of Behavioral Health, including, but not limited to: behavioral health issues that impact residents in Wards 7 and 8; State Opioid Response (SOR) grant and District Opioid Targeted Strategy (DOTS) grant spending and results; progress report on Live.Long.DC; expansion of school-based mental health services; behavioral health engagement on Minnesota Avenue, NE; allegations of patient abuse at St. Elizabeths Hospital; and the monitoring of the release of Hilman Jordan.

The Committee invites the public to testify at the hearing. Those who wish to testify should contact Malcolm Cameron, Committee Legislative Analyst at (202) 654-6179 or [mcameron@dccouncil.us](mailto:mcameron@dccouncil.us), and provide your name, organizational affiliation (if any), and title with the organization, preferably by 5:00 p.m. on Monday, October 21, 2019. Witnesses should bring 15 copies of their written testimony to the hearing.

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

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

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

**ANNOUNCES A PUBLIC OVERSIGHT HEARING ON**

**“THE NOT-FOR-PROFIT HOSPITAL CORPORATION”**

**FRIDAY, OCTOBER 25, 2019  
11:00 A.M., ROOM 412, JOHN A. WILSON BUILDING  
1350 PENNSYLVANIA AVENUE, N.W.  
WASHINGTON, D.C. 20004**

Councilmember Vincent C. Gray, Chairperson of the Committee on Health, announces a Public Oversight Hearing on “The Not-for-Profit Hospital Corporation”. The hearing will be held on Friday, October 25, 2019, at 11:00 a.m., in Room 412 of the John A. Wilson Building.

This public oversight hearing will continue to examine Mazars’ end-of-year results in implementing the Fiscal Year 2019 gap-closing plan that was discussed at both the Fiscal Year 2018-2019 performance oversight and the Fiscal Year 2020 budget oversight hearings. The hearing will also examine the performance of Mazars, the Board of Directors of the Not-for-Profit Hospital Corporation, and the Office of the Chief Financial Officer in preparing and approving an operating budget for Fiscal Year 2020 that supports an emergency department, behavioral health (psychiatric) services, and the inpatient, outpatient, and support services necessary to not exceed a recurring \$15 million annual operating subsidy from the District. Finally, the hearing will examine quality of patient care trends at UMC.

The Committee invites the public to testify at the hearing. Those who wish to testify should contact Malcolm Cameron, Committee Legislative Analyst at (202) 654-6179 or [mcameron@dccouncil.us](mailto:mcameron@dccouncil.us), and provide your name, organizational affiliation (if any), and title with the organization, preferably by 5:00 p.m. on Wednesday, October 23, 2019. Witnesses should bring 15 copies of their written testimony to the hearing. The Committee allows individuals 3 minutes to provide oral testimony in order to permit each witness an opportunity to be heard. Additional written statements are encouraged and will be made part of the official record. Written statements may be submitted by e-mail to [mcameron@dccouncil.us](mailto:mcameron@dccouncil.us) or mailed to: Council of the District of Columbia, 1350 Pennsylvania Ave., N.W., Suite 113, Washington D.C. 20004.

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

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

**ANNOUNCES A PUBLIC OVERSIGHT ROUNDTABLE ON**

**A Review of The Department of Employment Services' Workforce Development Programs:  
Local Adult Training and the DC Infrastructure Academy**

**Wednesday, October 30, 2019, 10:00 a.m.  
Hearing Room 412, John A. Wilson Building  
1350 Pennsylvania Avenue, NW  
Washington, DC 20004**

Councilmember Elissa Silverman, Chair of the Committee on Labor and Workforce Development, announces a public oversight roundtable on the Department of Employment Services' Local Adult Training and DC Infrastructure Academy workforce development programs. The roundtable will be held at 10:00 a.m. on Wednesday, October 30, 2019, in Room 412 of the John A. Wilson Building.

The purpose of this roundtable is to discuss and perform oversight of the Department of Employment Services' (DOES') Local Adult program, which uses local funds to support several job training initiatives as well as other support services for the Department, and the DC Infrastructure Academy, which offers job training in various infrastructure fields including solar, energy, and automotive. The Council intends to review these programs' performance to understand past program activities and to help inform its analysis for future budget decisions. In the Fiscal Year 2020 budget, the DC Council partly funded these programs on a one-year basis, placing most of the remaining funds for the three successive budget years in reserve. The Committee will review the programs' budgets as part of the FY2021 budget process. As stated in its FY2020 budget report, "The committee expects that by next year, the agency will be able to provide valid, clear data about the programs' services, outcomes, and successes at both the program and vendor-level." The Committee has requested specific data on program performance from the agency; the request is available at <http://www.elissasilverman.com/workforceroundtables> and the response will be posted when it is received. This roundtable will be the first of two public oversight roundtables in Fall 2019 on DOES' workforce development programs; the Committee will hold a roundtable on the DC Career Connections and Project Empowerment programs on Thursday, November 21.

Those who wish to testify before the Committee are asked to contact Ms. Charnisa Royster at [labor@dccouncil.us](mailto:labor@dccouncil.us) or (202) 724-7772 by 5:00 p.m. on Monday, October 28, 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 Wednesday, October 23, 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 a witness is unable to testify at the hearing, written statements are encouraged and will be made a part of the official record. Written statements should be submitted by email to Ms. Royster at [labor@dccouncil.us](mailto:labor@dccouncil.us) or mailed to the Committee on Labor and Workforce Development, Council of the District of Columbia, Suite 115 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004. The record will close at 5:00 p.m. on Thursday, November 14, 2019.

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

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

**ANNOUNCES A PUBLIC OVERSIGHT ROUNDTABLE ON**

**A Review of The Department of Employment Services' Workforce Development Programs:  
Project Empowerment and DC Career Connections**

**Thursday, November 21, 2019, 10:00 a.m.  
Hearing Room 500, John A. Wilson Building  
1350 Pennsylvania Avenue, NW  
Washington, DC 20004**

Councilmember Elissa Silverman, Chair of the Committee on Labor and Workforce Development, announces a public oversight roundtable on the Department of Employment Services' Project Empowerment and DC Career Connections workforce development programs. The roundtable will be held at 10:00 a.m. on Thursday, November 21, 2019, in Room 500 of the John A. Wilson Building.

The purpose of this roundtable is to discuss and perform oversight of the Department of Employment Services' (DOES') Project Empowerment program, which provides life skills training as well as occupational training or subsidized job placement for DC residents ages 22 to 54 with barriers to employment, and DC Career Connections, which provides services similar to Project Empowerment but does so for District residents ages 20 to 24 who live in targeted Police Service Areas. The Council intends to review these programs' performance to understand past program activities and to help inform its analysis for future budget decisions. In the Fiscal Year 2020 budget, the DC Council partly funded these programs on a one-year basis, placing most of the remaining funds for the three successive budget years in reserve. The Committee will review the programs' budgets as part of the FY2021 budget process. As stated in its FY2020 budget report, "The committee expects that by next year, the agency will be able to provide valid, clear data about the programs' services, outcomes, and successes at both the program and vendor-level." The Committee has requested specific data on program performance from the agency; the request is available at <http://www.elissasilverman.com/workforceroundtables> and the response will be posted when it is received. This roundtable will be the second of two public oversight roundtables in Fall 2019 on DOES' workforce development programs; the Committee will hold a roundtable on the Local Adult Training program and the DC Infrastructure Academy on Wednesday, October 30.

Those who wish to testify before the Committee are asked to contact Ms. Charnisa Royster at [labor@dccouncil.us](mailto:labor@dccouncil.us) or (202) 724-7772 by 5:00 p.m. on Tuesday, November 19, 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 Thursday, November 14, 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 a witness is unable to testify at the hearing, written statements are encouraged and will be made a part of the official record. Written statements should be submitted by email to Ms. Royster at [labor@dccouncil.us](mailto:labor@dccouncil.us) or mailed to the Committee on Labor and Workforce Development, Council of the District of Columbia, Suite 115 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004. The record will close at 5:00 p.m. on Friday, December 6, 2019.

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

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**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 21, 2019, 11:00 a.m.  
Room 500, John A. Wilson Building  
1350 Pennsylvania Ave., N.W.  
Washington, D.C. 20004**

On Monday, October 21, 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. *This will be a rescheduled public oversight roundtable from the original roundtable date of October 7, 2019. There was a scheduling conflict requiring a new public oversight roundtable date.*

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](mailto:RYA@dccouncil.us), and provide their name, address, telephone number, organizational affiliation, and title (if any) by close of business Friday, October 18, 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](mailto: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, November 1, 2019.

COUNCIL OF THE DISTRICT OF COLUMBIA  
**COMMITTEE ON FACILITIES AND PROCUREMENT**  
ROBERT C. WHITE, JR., CHAIR

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**NOTICE OF PUBLIC OVERSIGHT ROUNDTABLE**

**Advisory Neighborhood Commissions for Wards 1 & 2**

Thursday, October 24<sup>th</sup>, 2019, 6:00 PM  
Thurgood Marshall Center  
1816 12<sup>th</sup> Street, NW  
Washington, DC 20009

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On Thursday, October 24<sup>th</sup>, 2019, Councilmember Robert C. White Jr., Chair of the Committee on Facilities and Procurement, will hold a Public Oversight Roundtable on the Advisory Neighborhood Commissions for Wards 1 and 2. The Public Oversight Roundtable will take place at 6:00 PM at the Thurgood Marshall Center at 1816 12<sup>th</sup> Street, NW, Washington, DC 20009.

The purpose of the roundtable is to resume the earlier practice of conducting an annual oversight roundtable to consider the work of each Advisory Neighborhood Commission. Advisory Neighborhood Commissions are critical to representing the voices of District residents. This roundtable will provide an opportunity for a representative of each Commission to present the Commission's work on behalf of its community over the prior year, to share any challenges or barriers experienced by the Commission in representing its constituents, and to detail how the Commission invested its resources on behalf of the community.

The Committee invites the public to testify in person or to submit written testimony. Anyone wishing to testify should contact the Committee via e-mail at [facilities@dccouncil.us](mailto:facilities@dccouncil.us) or at (202) 741-8593, and provide their name, phone number or e-mail, organizational affiliation, and title (if any) by **close of business on Wednesday, October 23<sup>rd</sup>, 2019**. If you require translation or interpretation services, please notify the Committee at least one week prior to the date of the public roundtable.

All public witnesses will be allowed a maximum of four minutes for oral testimony, while the representative of each Advisory Neighborhood Commission will have ten minutes to testify. At the discretion of the Chair, the length of time provided for oral testimony may be reduced if there are a large number of witnesses. Witnesses are encouraged, but not required, to bring **twenty single-sided copies** of their testimony in writing and submit their written testimony electronically in advance to [facilities@dccouncil.us](mailto:facilities@dccouncil.us).

For witnesses who are unable to testify at the roundtable, written testimony will be made part of the official record. Copies of written testimony should be submitted to the Committee at [facilities@dccouncil.us](mailto:facilities@dccouncil.us) or to Nyasha Smith, Secretary of the Council, 1350 Pennsylvania Avenue, N.W., Suite 5, Washington, DC 20004. **The record will close at the close of business on Thursday, November 7<sup>th</sup>, 2019.**

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

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COUNCILMEMBER ANITA BONDS, CHAIRPERSON  
COMMITTEE ON HOUSING AND NEIGHBORHOOD REVITALIZATION

ANNOUNCES A PUBLIC OVERSIGHT ROUNDTABLE

on the matter of

**Resident Safety on Public Housing Properties**

*on*

Wednesday, October 16, 2019, at 2:00 PM  
1350 Pennsylvania Ave. NW  
Washington, DC 20004  
Room 120

On Wednesday, October 16, 2019, Councilmember Anita Bonds will hold a public oversight roundtable to discuss resident safety on public housing properties. Resident safety is maintained on public housing properties by the Housing Authority's own DCHA Police Department (DCHAPD). The roundtable will focus on the performance of the DCHAPD and its partnerships with other agencies and organizations as it maintains the safety of residents on and around public housing.

Those who wish to testify are requested to telephone the Committee on Housing and Neighborhood Revitalization, at (202) 724-8198, or email [housing@dccouncil.us](mailto:housing@dccouncil.us), and provide their name, address, telephone number, organizational affiliation and title (if any), by close of business on October 15, 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 30, 2019.

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

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

on

**Arts and Humanities Initiatives in DC Public and Public Charter Schools**

on

**Wednesday October 30, 2019  
10:00 A.M., Hearing Room 120, 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 Arts and Humanities Initiatives in DC Public and Public Charter Schools. The roundtable will be held at 10:00 a.m. on Wednesday October 30, 2019 in Hearing Room 120 of the John A. Wilson Building.

The stated purpose of this roundtable is to examine the state of Arts and Humanities education in District of Columbia Public Schools and Public Charter Schools, including policy application of CER22-523 the “Sense of the Council Arts and Humanities in Education Resolution of 2018,” equitable access to curriculum integration, experiential learning including in-school and out-of-school programming, funding adequacy, public/private collaboration, data collection and evaluation, and future milestones. The roundtable will also examine the District of Columbia’s unique national and local arts and humanities assets, and examine the collective impact of these resources in providing a comprehensive education for students in the District of Columbia public education system.

Those 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 Monday October 28, 2019. Persons wishing to testify are encouraged, but not required, to submit 10-15 copies of written testimony. Witnesses should limit their testimony to four minutes.

If you are unable to testify at the roundtable, written statements are encouraged and will be made a part of the official record. Written statements should be submitted by email to Ashley Strange, 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 Wednesday, November 13, 2019.

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date: October 4, 2019
Protest Petition Deadline: November 18, 2019
Roll Call Hearing Date: December 2, 2019
Protest Hearing Date: January 29, 2020

License No.: ABRA-115244
Licensee: ABC Pony, LLC
Trade Name: ABC Pony
License Class: Retailer's Class "C" Restaurant
Address: 2 I Street, S.E.
Contact: Sidon Yohannes, Esq.: (202) 686-7600

WARD 6

ANC 6D

SMD 6D07

Notice is hereby given that this licensee has applied for a new license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the Roll Call Hearing date on December 2, 2019 at 10 a.m., 4th Floor, 2000 14th Street, N.W., Washington, DC 20009. Petitions and/or requests to appear before the ABC Board must be filed on or before the Petition Deadline. The Protest Hearing date is scheduled on January 29, 2020 at 1:30 p.m.

NATURE OF OPERATION

New Class "C" Restaurant and café serving coffee and Italian-style foods. Applicant is applying for an Entertainment Endorsement. Total Occupancy Load of 80 with seating for 75 patrons inside premises.

HOURS OF OPERATION

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

HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION AND LIVE ENTERTAINMENT

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

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
10/4/2019

Notice is hereby given that:

License Number: ABRA-098733

License Class/Type: C Tavern

Applicant: Ghost Lounge LLC

Trade Name: Cloak & Dagger

ANC: 1B12

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

1359 U ST NW, Washington, DC 20009

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR  
11/18/2019

A HEARING WILL BE  
12/2/2019

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:	11:30 AM - 2:00 AM	11:30 AM - 2:00 AM	6:00 PM - 2:00 AM
Monday:	11:30 AM - 2:00 AM	11:30 AM - 2:00 AM	6:00 PM - 2:00 AM
Tuesday:	11:30 AM - 2:00 AM	11:30 AM - 2:00 AM	6:00 PM - 2:00 AM
Wednesday:	11:30 AM - 2:00 AM	11:30 AM - 2:00 AM	6:00 PM - 2:00 AM
Thursday:	11:30 AM - 2:00 AM	11:30 AM - 2:00 AM	6:00 PM - 2:00 AM
Friday:	11:30 AM - 3:00 AM	11:30 AM - 3:00 AM	6:00 PM - 3:00 AM
Saturday:	11:30 AM - 3:00 AM	11:30 AM - 3:00 AM	6:00 PM - 3:00 AM

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
10/4/2019

Notice is hereby given that:

License Number: ABRA-090509

License Class/Type: C Tavern

Applicant: JKM Incorporated

Trade Name: Lyman's

ANC: 4C04

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

3720 14TH ST NW, WASHINGTON, DC 20010

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR  
11/18/2019

A HEARING WILL BE  
12/2/2019

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:	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 Sidewalk Cafe	Hours Of Sales Sidewalk Cafe
Sunday	11 am - 12 am	11 am - 12 am
Monday:	11 am - 12 am	11 am - 12 am
Tuesday:	11 am - 12 am	11 am - 12 am
Wednesday:	11 am - 12 am	11 am - 12 am
Thursday:	11 am - 12 am	11 am - 12 am
Friday:	11 am - 12 am	11 am - 12 am
Saturday:	11 am - 12 am	11 am - 12 am

FOR FURTHER INFORMATION CALL: (202) 442-4423



ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
10/4/2019

Notice is hereby given that:

License Number: ABRA-096823

License Class/Type: C Tavern

Applicant: Florida Avenue Group, LLC

Trade Name: Takoda

ANC: 1B01

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

715 Florida AVE NW, WASHINGTON, DC 20001

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR  
11/18/2019

A HEARING WILL BE  
12/2/2019

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
Sunday:	7 am - 2 am	10 am - 2 am	6 pm - 2:00 am
Monday:	7 am - 2 am	8 am - 2 am	6 pm - 2 am
Tuesday:	7 am - 2 am	8 am - 2 am	6 pm - 2 am
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	6 pm - 3 am

	Hours of Summer Garden	Hours of Sales Summer Garden
Sunday	7am - 2am	10 am - 2 am
Monday:	7am - 2am	8 am - 2 am
Tuesday:	7am - 2am	8 am - 2 am
Wednesday:	7am - 2am	8 am - 2 am
Thursday:	7am - 2am	8 am - 2 am
Friday:	7am - 3am	8 am - 3 am
Saturday:	7am - 3am	8 am - 3 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
10/4/2019

Notice is hereby given that:

License Number: ABRA-105178

License Class/Type: C Tavern

Applicant: SKCG 50 M, LLC

Trade Name: Homewood Suites by Hilton Washington DC

ANC: 6D02

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

50 M ST SE, WASHINGTON, DC 20003

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR  
11/18/2019

A HEARING WILL BE  
12/2/2019

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:	24 hrs - 24 hrs	10 am - 11 pm	10 am - 10 pm
Monday:	24 hrs - 24 hrs	10 am - 11 pm	10 am - 10 pm
Tuesday:	24 hrs - 24 hrs	10 am - 11 pm	10 am - 10 pm
Wednesday:	24 hrs - 24 hrs	10 am - 11 pm	10 am - 10 pm
Thursday:	24 hrs - 24 hrs	10 am - 11 pm	10 am - 10 pm
Friday:	24 hrs - 24 hrs	10 am - 11 pm	10 am - 10 pm
Saturday:	24 hrs - 24 hrs	10 am - 11 pm	10 am - 10 pm

	Hours of Summer Garden	Hours of Sales Summer Garden
Sunday	6 am - 11 pm	10 am - 11 pm
Monday:	6 am - 11 pm	10 am - 11 pm
Tuesday:	6 am - 11 pm	10 am - 11 pm
Wednesday:	6 am - 11 pm	10 am - 11 pm
Thursday:	6 am - 11 pm	10 am - 11 pm
Friday:	6am - 11 pm	10 am - 11 pm
Saturday:	6 am - 11 pm	10 am - 11 pm

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
10/4/2019

Notice is hereby given that:

License Number: ABRA-109475

License Class/Type: C Tavern

Applicant: White Russian, LLC

Trade Name: The Eleanor DC

ANC: 5E03

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

100 FLORIDA AVE NE, WASHINGTON, DC 20002

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR  
11/18/2019

A HEARING WILL BE  
12/2/2019

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	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

	Hours of Summer Garden	Hours of Sales Summer Garden
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

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
10/4/2019

Notice is hereby given that:

License Number: ABRA-076260

License Class/Type: C Tavern

Applicant: Langston Bar & Grille, LLC

Trade Name: Langston Bar & Grille

ANC: 6A07

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

1831 BENNING RD NE, Washington, DC 20002

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR  
11/18/2019

A HEARING WILL BE  
12/2/2019

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:	11 am - 12 am	11 am - 12 am	-
Monday:	8 am - 2 am	11 am - 2 am	-
Tuesday:	8 am - 2 am	11 am - 2 am	-
Wednesday:	8 am - 2 am	11 am - 2 am	-
Thursday:	8 am - 2 am	11 am - 2 am	-
Friday:	8 am - 3 am	11 am - 3 am	-
Saturday:	11 am - 3 am	11 am - 3 am	-

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
10/4/2019

Notice is hereby given that:

License Number: ABRA-071086

License Class/Type: C Tavern

Applicant: MCHAP Inc.

Trade Name: The Saloon

ANC: 1B12

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

1205 U ST NW, WASHINGTON, DC 20009

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR  
11/18/2019

A HEARING WILL BE  
12/2/2019

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:	closed -	closed - closed	-
Monday:	closed -	closed - closed	-
Tuesday:	5 pm - 1 am	5 pm - 1 am	-
Wednesday:	5 pm - 1 am	5 pm - 1 am	-
Thursday:	5 pm - 1 am	5 pm - 1 am	-
Friday:	5 pm - 2 am	5 pm - 2 am	-
Saturday:	3 pm - 2 am	3 pm - 2 am	-

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
10/4/2019

Notice is hereby given that:

License Number: ABRA-077883

License Class/Type: C Tavern

Applicant: 1215 CT, LLC

Trade Name: Rosebar

ANC: 2B05

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

1215 CONNECTICUT AVE NW, Washington, DC 20036

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR  
11/18/2019

A HEARING WILL BE  
12/2/2019

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:	11 am - 3 am	11 am - 2 am	6 pm - 3 am
Monday:	11 am - 3 am	11 am - 2 am	6 pm - 3 am
Tuesday:	11 am - 3 am	11 am - 2 am	6 pm - 3 am
Wednesday:	11 am - 3 am	11 am - 2 am	6 pm - 3 am
Thursday:	11 am - 3 am	11 am - 2 am	6 pm - 3 am
Friday:	11 am - 4 am	11 am - 3 am	6 pm - 4 am
Saturday:	11 am - 4 am	11 am - 3 am	6 pm - 4 am

	Hours of Summer Garden	Hours of Sales Summer Garden
Sunday	11 am - 3 am	11 am - 2 am
Monday:	11 am - 3 am	11 am - 2 am
Tuesday:	11 am - 3 am	11 am - 2 am
Wednesday:	11 am - 3 am	11 am - 2 am
Thursday:	11 am - 3 am	11 am - 2 am
Friday:	11 am - 4 am	11 am - 3 am
Saturday:	11 am - 4 am	11 am - 3 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
10/4/2019

Notice is hereby given that:

License Number: ABRA-083695

License Class/Type: C Tavern

Applicant: Biergarten Haus, Inc.

Trade Name: Biergarten Haus

ANC: 6A06

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

1355 H ST NE, WASHINGTON, DC 20002

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR  
11/18/2019

A HEARING WILL BE  
12/2/2019

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:	8 am - 3 am	10 am - 2 am	10 am - 2 am
Monday:	8 am - 3 am	11 am - 2 am	11 am - 2 am
Tuesday:	8 am - 3 am	11 am - 2 am	11 am - 2 am
Wednesday:	8 am - 3 am	11 am - 2 am	11 am - 2 am
Thursday:	8 am - 3 am	11 am - 2 am	11 am - 2 am
Friday:	8 am - 4 am	11 am - 3 am	11 am - 3 am
Saturday:	8 am - 4 am	10 am - 3 am	10 am - 3 am

	Hours of Summer Garden	Hours of Sales Summer Garden
Sunday	9 am - 2 am	10 - 2 am
Monday:	9 am - 2 am	11 am - 2 am
Tuesday:	9 am - 2 am	11 am - 2 am
Wednesday:	9 am - 2 am	11 am - 2 am
Thursday:	9 am - 2 am	11 am - 2 am
Friday:	9 am - 3 am	11 am - 3 am
Saturday:	9 am - 3 am	10 am - 3 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
10/4/2019

Notice is hereby given that:

License Number: ABRA-086354

License Class/Type: C Tavern

Applicant: Second Home, LLC

Trade Name: Number Nine

ANC: 2F02

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

1435 P ST NW, WASHINGTON, DC 20005

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR  
11/18/2019

A HEARING WILL BE  
12/2/2019

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:	12 pm - 1:45 am	12 pm - 1:45 am	6 pm - 1:45 am
Monday:	12 pm - 1:45 am	12 pm - 1:45 am	6 pm - 1:45 am
Tuesday:	12 pm - 1:45 am	12 pm - 1:45 am	6 pm - 1:45 am
Wednesday:	12 pm - 1:45 am	12 pm - 1:45 am	6 pm - 1:45 am
Thursday:	12 pm - 1:45 am	12 pm - 1:45 am	6pm - 1:45 am
Friday:	12 pm - 2:45 am	12 pm - 2:45 am	6 pm - 2:45 am
Saturday:	12 pm - 2:45 am	12 pm - 2:45 am	6 pm - 2:45 am

	Hours Of Sidewalk Cafe	Hours Of Sales Sidewalk Cafe
Sunday	12 nm - 11 nm	12 pm - 11 pm
Monday:	12 pm - 11 pm	12 pm - 11 pm
Tuesday:	12 pm - 11 pm	12 pm - 11 pm
Wednesday:	12 pm - 11 pm	12 pm - 11 pm
Thursday:	12 pm - 11 pm	12 pm - 11 pm
Friday:	12 pm - 12 am	12 pm - 12 am
Saturday:	12 pm - 12 am	12 pm - 12 am

FOR FURTHER INFORMATION CALL: (202) 442-4423



ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
10/4/2019

Notice is hereby given that:

License Number: ABRA-109064

License Class/Type: C Tavern

Applicant: FD, LLC

Trade Name: Unity

ANC: 1B02

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

1936 9TH ST NW, WASHINGTON, DC 20001

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR  
11/18/2019

A HEARING WILL BE  
12/2/2019

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	6 pm - 2 am
Monday:	11 am - 2 am	11 am - 2 am	6 pm - 2 am
Tuesday:	11 am - 2 am	11 am - 2 am	6 pm - 2 am
Wednesday:	11 am - 2 am	11 am - 2 am	6 pm - 2 am
Thursday:	11 am - 2 am	11 am - 2 am	6 pm - 2 am
Friday:	11 am - 3 am	11 am - 3 am	10 pm - 3 am
Saturday:	11 am - 3 am	11 am - 3 am	10 pm - 3 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
10/4/2019

Notice is hereby given that:

License Number: ABRA-090582

License Class/Type: C Tavern

Applicant: Gypsy Sally's Acoustic Tavern, LLC

Trade Name: Gypsy Sally's

ANC: 2E05

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

3401 K ST NW, WASHINGTON, DC 20007

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR  
11/18/2019

A HEARING WILL BE  
12/2/2019

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:	7 am - 12 am	8 am - 12 am	6 pm - 12 am
Monday:	7 am - 12 am	8 am - 12 am	6 pm - 12 am
Tuesday:	7 am - 12 am	8 am - 12 am	6 pm - 12 am
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 - 2 am	8 am - 2 am	6 pm - 2 am
Saturday:	7 am - 2 am	8 am - 2 am	6 pm - 2 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
10/4/2019

Notice is hereby given that:

License Number: ABRA-000939

License Class/Type: C Tavern

Applicant: Jim Dolan's, Inc.

Trade Name: Kellys Irish Times

ANC: 6C02

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

14 F ST NW, Washington, DC 20001

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR  
11/18/2019

A HEARING WILL BE  
12/2/2019

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

ENDORSEMENT(S): Cover Charge Dancing Entertainment Sidewalk Cafe

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:	8 am - 2 am	8 am - 2 am	6 pm - 2 am
Tuesday:	8 am - 2 am	8 am - 2 am	6 pm - 2 am
Wednesday:	8 am - 2 am	8 am - 2 am	6 pm - 2 am
Thursday:	8 am - 2 am	8 am - 2 am	6 pm - 2 am
Friday:	8 am - 3 am	8 am - 3 am	6 pm - 3 am
Saturday:	8 am - 3 am	8 am - 3 am	6 pm - 3 am

	Hours Of Sidewalk Cafe	Hours Of Sales Sidewalk Cafe
Sunday	11 am - 2 am	11 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  
10/4/2019

Notice is hereby given that:

License Number: ABRA-081238

License Class/Type: C Tavern

Applicant: The Public Group, LLC

Trade Name: Public Bar

ANC: 2B06

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

1214 A 18TH ST NW, #A, Washington, DC 20036

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR  
11/18/2019

A HEARING WILL BE  
12/2/2019

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:	9 am - 2 am	10 am - 2 am	6 pm - 2 am
Monday:	9 am - 2 am	9 am - 2 am	6 pm - 2 am
Tuesday:	9 am - 2 am	9 am - 2 am	6 pm - 2 am
Wednesday:	9 am - 2 am	9 am - 2 am	6 pm - 2 am
Thursday:	9 am - 2 am	9 am - 2 am	6 pm - 2 am
Friday:	9 am - 5 am	9 am - 3 am	6 pm - 5 am
Saturday:	9 pm - 5 am	9 am - 3 am	6 pm - 5 am

	Hours of Summer Garden	Hours of Sales Summer Garden
Sunday	5 pm - 1:45 am	5 pm - 1:45 am
Monday:	5 pm - 1:45 am	5 pm - 1:45 am
Tuesday:	5 pm - 1:45 am	5 pm - 1:45 am
Wednesday:	5 pm - 1:45 am	5 pm - 1:45 am
Thursday:	5 pm - 1:45 am	5 pm - 1:45 am
Friday:	5 pm - 2:45 am	5 pm - 2:45 am
Saturday:	5 pm - 2:45 am	5 pm - 2:45 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
10/4/2019

Notice is hereby given that:

License Number: ABRA-114684

License Class/Type: C Tavern

Applicant: Mexican Restaurant, LLC

Trade Name: Bar Lorea

ANC: 1B12

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

2005 14TH ST NW, WASHINGTON, DC 20009

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR  
11/18/2019

A HEARING WILL BE  
12/2/2019

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	10 am - 2 am	6 pm - 2 am
Monday:	7 am - 2 am	8 am - 2 am	6 pm - 2 am
Tuesday:	7 am - 2 am	8 am - 2 am	6 pm - 2 am
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	6 pm - 3 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
10/4/2019

Notice is hereby given that:

License Number: ABRA-060298

License Class/Type: C Tavern

Applicant: Irish Channel, LLC

Trade Name: Irish Channel Restaurant

ANC: 2C03

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

500 H ST NW, #A, Washington, DC 20001

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR  
11/18/2019

A HEARING WILL BE  
12/2/2019

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:	6 am - 2 am	8am - 2 am	6pm - 1:30am
Monday:	6 am - 2 am	8 am - 2 am	6pm - 1:30am
Tuesday:	6 am - 2 am	8am - 2 am	6pm - 1:30am
Wednesday:	6 am - 2 am	8am - 2 am	6pm - 1:30am
Thursday:	6 am - 2 am	8am - 2 am	6pm - 1:30am
Friday:	6 am - 3 am	8am - 3 am	6pm - 2:30am
Saturday:	6 am - 3 am	8am - 3 am	6pm - 2:30am

	Hours Of Sidewalk Cafe	Hours Of Sales Sidewalk Cafe
Sunday	6 am - 1:30 am	8am - 1:30 am
Monday:	6 am - 1:30 am	6 am - 1:30 am
Tuesday:	6 am - 1:30 am	6 am - 1:30 am
Wednesday:	6 am - 1:30 am	6 am - 1:30 am
Thursday:	6 am - 1:30 am	6 am - 1:30 am
Friday:	6 am - 2:30 am.	6 am - 2:30 am.
Saturday:	6 am - 2:30 am.	6 pm - 2:30 am.

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
10/4/2019

Notice is hereby given that:

License Number: ABRA-001686

License Class/Type: C Nightclub

Applicant: Linda & A Inc

Trade Name: The House

ANC: 1A08

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

3530 GEORGIA AVE NW, Washington, DC 20010

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR  
11/18/2019

A HEARING WILL BE  
12/2/2019

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:	4 pm - 2 am	4 pm - 2 am	-
Monday:	4 pm - 2 am	4 pm - 2 am	-
Tuesday:	4 pm - 2 am	4 pm - 2 am	-
Wednesday:	4 pm - 2 am	4 pm - 2 am	-
Thursday:	4 pm - 2 am	4 pm - 2 am	-
Friday:	4 pm - 3 am	4 pm - 3 am	-
Saturday:	4 pm - 3 am	4 pm - 3 am	-

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
10/4/2019

Notice is hereby given that:

License Number: ABRA-095033

License Class/Type: C Tavern

Applicant: Mythology, LLC

Trade Name: Mythology, Lore & Dirty Water/ Beetle House DC

ANC: 6A01

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

816 H ST NE, WASHINGTON, DC 20002

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR  
11/18/2019

A HEARING WILL BE  
12/2/2019

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:	11 am - 2 am	11 am - 2 am	6 pm - 2 am
Monday:	11 am - 2 am	11 am - 2 am	6 pm - 2 am
Tuesday:	11 am - 2 am	11 am - 2 am	6 pm - 2 am
Wednesday:	11 am - 2 am	11 am - 2 am	6 pm - 2 am
Thursday:	11 am - 2 am	11 am - 2 am	6 pm - 2 am
Friday:	11 am - 3 am	11 am - 3 am	6 pm - 3 am
Saturday:	11 am - 3 am	11 am - 3 am	6 pm - 3 am

	Hours of Summer Garden	Hours of Sales Summer Garden
Sunday	11 am - 11 pm	11 am - 11 pm
Monday:	11 am - 11 pm	11 am - 11 pm
Tuesday:	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 - 12 am	11 am - 12 am
Saturday:	11 am - 12 am	11 am - 12 am

FOR FURTHER INFORMATION CALL: (202) 442-4423



ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
10/4/2019

Notice is hereby given that:

License Number: ABRA-103693

License Class/Type: C Tavern

Applicant: Capo, LLC

Trade Name: Capo

ANC: 1B01

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

715 Florida AVE NW, WASHINGTON, DC 20001

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR  
11/18/2019

A HEARING WILL BE  
12/2/2019

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	8 am - 2 am	7 am - 2 am
Monday:	7 am - 2 am	8 am - 2 am	7 am - 2 am
Tuesday:	7 am - 2 am	8 am - 2 am	7 am - 2 am
Wednesday:	7 am - 2 am	8 am - 2 am	7 am - 2 am
Thursday:	7 am - 2 am	8 am - 2 am	7 am - 2 am
Friday:	7 am - 3 am	8 am - 3 am	7 am - 3 am
Saturday:	7 am - 3 am	8 am - 3 am	7 am - 3 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
10/4/2019

Notice is hereby given that:

License Number: ABRA-112356

License Class/Type: C Tavern

Applicant: 700 Wine, LLC

Trade Name: The Eastern

ANC: 6B02

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

360 7th ST SE, WASHINGTON, DC

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR  
11/18/2019

A HEARING WILL BE  
12/2/2019

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:	9 am - 2 am	9 am - 2 am	-
Monday:	9 am - 2 am	9 am - 2 am	-
Tuesday:	9 am - 2 am	9 am - 2 am	-
Wednesday:	9 am - 2 am	9 am - 2 am	-
Thursday:	9 am - 2 am	9 am - 2 am	-
Friday:	9 am - 3 am	9 am - 3 am	-
Saturday:	9 am - 3 am	9 am - 3 am	-

	Hours Of Sidewalk Cafe	Hours Of Sales Sidewalk Cafe
Sunday	9 am - 11:30 pm	9 am - 11:30 pm
Monday:	9 am - 11:30 pm	9 am - 11:30 pm
Tuesday:	9 am - 11:30 pm	9 am - 11:30 pm
Wednesday:	9 am - 11:30 pm	9 am - 11:30 pm
Thursday:	9 am - 12 am	9 am - 12 am
Friday:	9 am - 1 am	9 am - 1 am
Saturday:	9 am - 1 am	9 am - 1 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
10/4/2019

Notice is hereby given that:

License Number: ABRA-105098

License Class/Type: C Tavern

Applicant: Hurricane Hospitality LLC

Trade Name: Pearl Street Warehouse

ANC: 6D04

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

33 Pearl ST SW, WASHINGTON, DC 20024

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR  
11/18/2019

A HEARING WILL BE  
12/2/2019

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:	7 am - 2 am	8 am - 2 am	6 pm - 1 am
Monday:	7 am - 2 am	8 am - 2 am	6 pm - 1 am
Tuesday:	7 am - 2 am	8 am - 2 am	6 pm - 1 am
Wednesday:	7 am - 2 am	8 am - 2 am	6 pm - 1 am
Thursday:	7 am - 2 am	8 am - 2 am	6 pm - 1 am
Friday:	7 am - 3 am	8 am - 3 am	6 pm - 2 am
Saturday:	7 am - 3 am	8 am - 3 am	6 pm - 2 am

	Hours of Summer Garden	Hours of Sales Summer Garden
Sunday	12 pm - 12 am	12 pm - 12 am
Monday:	3 pm - 12 am	3 pm - 12 am
Tuesday:	3 pm - 12 am	3 pm - 12 am
Wednesday:	3 pm - 12 am	3 pm - 12 am
Thursday:	3 pm - 12 am	3 pm - 12 am
Friday:	3 pm - 2 am	3 pm - 2 am
Saturday:	12 pm - 2 am	12 pm - 2 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
10/4/2019

Notice is hereby given that:

License Number: ABRA-071753

License Class/Type: C Tavern

Applicant: Kennedy Warren Club, LLC

Trade Name: Kennedy Warren Club LLC

ANC: 3C01

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

3133 CONNECTICUT AVE NW, Washington, DC 20008

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR  
11/18/2019

A HEARING WILL BE  
12/2/2019

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:	10 am - 11 pm	10 am - 10 pm	6 pm - 10 pm
Monday:	10 am - 11 pm	10 am - 10 pm	6 pm - 10 pm
Tuesday:	10 am - 11 pm	10 am - 10 pm	6 pm - 10 pm
Wednesday:	10 am - 11 pm	10 am - 10 pm	6 pm - 10 pm
Thursday:	10 am - 11 pm	10 am - 10 pm	6 pm - 10 pm
Friday:	10 am - 1 am	10 am - 12 am	6 pm - 11 pm
Saturday:	10 am - 1 am	10 am - 12 am	6 pm - 11 pm

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
10/4/2019

Notice is hereby given that:

License Number: ABRA-106162

License Class/Type: C Tavern

Applicant: Vinegar Hill Hospitality, LLC

Trade Name: Moreland's Tavern

ANC: 4A07

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

5501 14TH ST NW, WASHINGTON, DC 20011

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR  
11/18/2019

A HEARING WILL BE  
12/2/2019

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

ENDORSEMENT(S): Cover Charge Dancing Entertainment Sidewalk Cafe

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

	Hours Of Sidewalk Cafe	Hours Of Sales Sidewalk Cafe
Sunday	8 am - 11 pm	8 am - 11 pm
Monday:	8 am - 11 pm	8 am - 11 pm
Tuesday:	8 am - 11 pm	8 am - 11 pm
Wednesday:	8 am - 11 pm	8 am - 11 pm
Thursday:	8 am - 11 pm	8 am - 11 pm
Friday:	8 am - 11 pm	8 am - 11 pm
Saturday:	8 am - 11 pm	8 am - 11 pm

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
10/4/2019

Notice is hereby given that:

License Number: ABRA-024613

License Class/Type: C Nightclub

Applicant: Kelemewa Corporation

Trade Name: Pure Nightclub & Lounge

ANC: 1B12

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

1326 U ST NW, Washington, DC 20009

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR  
11/18/2019

A HEARING WILL BE  
12/2/2019

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:	9 am - 2 am	9 am - 2 am	-
Monday:	9 am - 2 am	9 am - 2 am	-
Tuesday:	9 am - 2 am	9 am - 2 am	-
Wednesday:	9 am - 2 am	9 am - 2 am	-
Thursday:	9 am - 2 am	9 am - 2 am	-
Friday:	9 am - 4 am	9 am - 3 am	-
Saturday:	9 am - 4 am	9 am - 3 am	-

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
10/4/2019

Notice is hereby given that:

License Number: ABRA-000559

License Class/Type: C Tavern

Applicant: Tune Inn Inc.

Trade Name: Tune Inn Restaurant

ANC: 6B01

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

331 PENNSYLVANIA AVE SE, WASHINGTON, DC 20003

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR  
11/18/2019

A HEARING WILL BE  
12/2/2019

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	10 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	-

	Hours Of Sidewalk Cafe	Hours Of Sales Sidewalk Cafe
Sunday	8 am - 2 am	10 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 - 2 am	8 am - 2 am
Saturday:	8 am - 2 am	8 am - 2 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
10/4/2019

Notice is hereby given that:

License Number: ABRA-094018

License Class/Type: C Tavern

Applicant: Carlson Restaurant Group, LLC

Trade Name: The Royal

ANC: 1B01

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

501 FLORIDA AVE NW, WASHINGTON, DC 20001

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR  
11/18/2019

A HEARING WILL BE  
12/2/2019

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:	7am - 2am	11am - 2am	-
Monday:	7am - 2am	11am - 2am	-
Tuesday:	7am - 2am	11am - 2am	-
Wednesday:	7am - 2am	11am - 2am	-
Thursday:	7am - 2am	11am - 2am	-
Friday:	7am - 3am	11am - 3am	-
Saturday:	7am - 3am	11am - 3am	-

	Hours Of Sidewalk Cafe	Hours Of Sales Sidewalk Cafe
Sunday	7AM - 11PM	11AM - 11PM
Monday:	7AM - 11PM	11AM - 11PM
Tuesday:	7AM - 11PM	11AM - 11PM
Wednesday:	7AM - 11PM	11AM - 11PM
Thursday:	7AM - 11PM	11AM - 11PM
Friday:	7AM - 12AM	11AM - 12AM
Saturday:	7AM - 12AM	11AM - 12AM

FOR FURTHER INFORMATION CALL: (202) 442-4423



ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
10/4/2019

Notice is hereby given that:

License Number: ABRA-024663

License Class/Type: C Tavern

Applicant: NHV Corporation

Trade Name: Haydee's Restaurant

ANC: 1D04

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

3102 MT PLEASANT ST NW, Washington, DC 20010

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR  
11/18/2019

A HEARING WILL BE  
12/2/2019

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

ENDORSEMENT(S): Cover Charge Dancing Entertainment Sidewalk Cafe

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	24hrs -	11:00 am - 2:00 am	6 pm - 2:00 am
Monday:	24hrs -	11:00 am - 2:00 am	6:00 pm - 2:00 am
Tuesday:	24hrs -	11:00 am - 2:00 am	6:00 pm - 2:00 am
Wednesday:	24hrs -	11:00 am - 2:00 am	6:00 pm - 2:00 am
Thursday:	24hrs -	11:00 am - 2:00 am	6:00 pm - 2:00 am
Friday:	24hrs -	11:00 am - 3:00 am	6:00 pm - 3:00 am
Saturday:	24hrs -	11:00 am - 3:00 am	6:00 pm - 3:00 am

	Hours Of Sidewalk Cafe	Hours Of Sales Sidewalk Cafe
Sunday	11:00 am - 2:00 am	11:00 am - 1:30 am
Monday:	11:00 am - 2:00 am	11:00 am - 1:30 am
Tuesday:	11:00 am - 2:00 am	11:00 am - 1:30 am
Wednesday:	11:00 am - 2:00 am	11:00 am - 1:30 am
Thursday:	11:00 am - 2:00 am	11:00 am - 1:30 am
Friday:	11:00 am - 3:00 am	11:00 am - 2:30 am
Saturday:	11:00 am - 3:00 am	11:00 am - 2:30 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
10/4/2019

Notice is hereby given that:

License Number: ABRA-088785

License Class/Type: C Tavern

Applicant: HGH 1610 LLC

Trade Name: Ghibellina/Sotto

ANC: 2F01

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

1610 14TH ST NW, WASHINGTON, DC 20009

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR  
11/18/2019

A HEARING WILL BE  
12/2/2019

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

ENDORSEMENT(S): Cover Charge Dancing Entertainment Sidewalk Cafe

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

	Hours Of Sidewalk Cafe	Hours Of Sales Sidewalk Cafe
Sunday	11am - 11pm	11am - 11pm
Monday:	11am - 11pm	11am - 11pm
Tuesday:	11am - 11pm	11am - 11pm
Wednesday:	11am - 11pm	11am - 11pm
Thursday:	11am - 11pm	11am - 11pm
Friday:	11am - 12am	11am - 12am
Saturday:	11am - 12am	11am - 12am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
10/4/2019

Notice is hereby given that:

License Number: ABRA-093303

License Class/Type: C Tavern

Applicant: Penthouse Navy Yard, LLC

Trade Name: Penthouse Pool and Lounge

ANC: 6D07

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

1212 4TH ST SE, WASHINGTON, DC 20003

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR  
11/18/2019

A HEARING WILL BE  
12/2/2019

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

ENDORSEMENT(S): Cover Charge Entertainment Summer Garden

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

	Hours of Summer Garden	Hours of Sales Summer Garden
Sunday	8am - 11pm/12am	8am - 11pm/12am
Monday:	8am - 11pm/12am	8am - 11p./12am
Tuesday:	8am - 11pm/12am	8am - 11pm/12am
Wednesday:	8am - 11pm/12am	8am - 11pm/12am
Thursday:	8am - 11pm/12am	8am - 11pm/12am
Friday:	8am - 1am/1am	8am - 1am/1am
Saturday:	8am - 1am/1am	8am - 1am/1am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
10/4/2019

Notice is hereby given that:

License Number: ABRA-081014

License Class/Type: C Tavern

Applicant: DTI Capital Hill, LLC

Trade Name: Cava Restaurant

ANC: 6B03

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

527 - 529 8TH ST SE, Washington, DC 20003

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR  
11/18/2019

A HEARING WILL BE  
12/2/2019

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 - 1:30 am	11 am - 1:30 am	-
Monday:	11 am - 1:30 am	11 am - 1:30 am	-
Tuesday:	11 am - 1:30 am	11 am - 1:30 am	-
Wednesday:	11 am - 1:30 am	11 am - 1:30 am	-
Thursday:	11 am - 1:30 am	11 am - 1:30 am	-
Friday:	11 am - 2:30 am	11 am - 2:30 am	-
Saturday:	11 am - 2:30 am	11 am - 2:30 am	-

	Hours Of Sidewalk Cafe	Hours of Summer Garden
Sunday	11 am - 1:30 am	11 am - 1:30 am
Monday:	11 am - 1:30 am	11 am - 1:30 am
Tuesday:	11 am - 1:30 am	11 am - 1:30 am
Wednesday:	11 am - 1:30 am	11 am - 1:30 am
Thursday:	11 am - 1:30 am	11 am - 1:30 am
Friday:	11 am - 2:30 am	11 am - 2:30 am
Saturday:	11 am - 2:30 am	11 am - 2:30 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
10/4/2019

Notice is hereby given that:

License Number: ABRA-106179

License Class/Type: C Tavern

Applicant: Penthouse at U Street, LLC

Trade Name: Penthouse Pool & Lounge

ANC: 2B08

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

1612 U ST NW, WASHINGTON, DC 20009

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR  
11/18/2019

A HEARING WILL BE  
12/2/2019

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:	10 am - 12 am	10 am - 12 am	6pm - 12am
Monday:	8 am - 12 am	8 am - 12 am	6 pm - 12 am
Tuesday:	8 am - 12 am	8 am - 12 am	6 pm - 12 am
Wednesday:	8 am - 12 am	8 am - 12 am	6 pm - 12 am
Thursday:	8 am - 12 am	8 am - 12 am	6 pm - 12 am
Friday:	8 am - 1 am	8 am - 1 am	6 pm - 1 am
Saturday:	8 am - 1 am	8 am - 1 am	6 pm - 1 am

	Hours of Summer Garden	Hours of Sales Summer Garden
Sunday	10 am - 12 am	10 am - 12 am
Monday:	8 am - 12 am	8 am - 12 am
Tuesday:	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 - 1 am	8 am - 1 am
Saturday:	8 am - 1 am	8 am - 1 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
10/4/2019

Notice is hereby given that:

License Number: ABRA-096176

License Class/Type: C Tavern

Applicant: Wet Dog LLC

Trade Name: Wet Dog Tavern

ANC: 1B02

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

2100 VERMONT AVE NW, WASHINGTON, DC 20001

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR  
11/18/2019

A HEARING WILL BE  
12/2/2019

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:	7 am - 2 am	8 am - 2 am	6 pm - 2 am
Monday:	7 am - 2 am	8 am - 2 am	6 pm - 2 am
Tuesday:	7 am - 2 am	8 am - 2 am	6 pm - 2 am
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	6 pm - 3 am

	Hours Of Sidewalk Cafe	Hours of Summer Garden
Sunday	11 am - 11 pm	7 am - 2 am
Monday:	11 am - 11 pm	7 am - 2 am
Tuesday:	11 am - 11 pm	7 am - 2am
Wednesday:	11 am - 11 pm	7 am - 2 am
Thursday:	11 am - 11 pm	7 am - 2 am
Friday:	11 am - 12 am	7 am - 3 am
Saturday:	11 am - 12 am	7 am - 3 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
10/4/2019

Notice is hereby given that:

License Number: ABRA-090397

License Class/Type: C Tavern

Applicant: Buffalo & Bergen LLC

Trade Name: Buffalo & Bergen

ANC: 5D01

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

1309 5TH ST NE, WASHINGTON, DC 20002

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR  
11/18/2019

A HEARING WILL BE  
12/2/2019

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	8am - 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	7 am - 2 am	8am - 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

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
10/4/2019

Notice is hereby given that:

License Number: ABRA-099805

License Class/Type: C Tavern

Applicant: 1831 M, LLC

Trade Name: 1831

ANC: 2B06

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

1831 M ST NW, WASHINGTON, DC 20036

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR  
11/18/2019

A HEARING WILL BE  
12/2/2019

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:	10 am - 5 am	10 am - 2 am	10 am - 2 am
Monday:	11 am - 5 am	11 am - 2 am	11 am - 2 am
Tuesday:	11 am - 5 am	11 am - 2 am	11 am - 2 am
Wednesday:	11 am - 5 am	11 am - 2 am	11 am - 2 am
Thursday:	11 am - 5 am	11 am - 2 am	11 am - 2 am
Friday:	11 am - 5 am	11 am - 3 am	11 am - 3 am
Saturday:	10 am - 5 am	10 am - 3 am	10 am - 3 am

	Hours Of Sidewalk Cafe	Hours Of Sales Sidewalk Cafe
Sunday	10 am - 12 am	10 am - 12 am
Monday:	11 am - 12 am	11 am - 12 am
Tuesday:	11 am - 12 am	11 am - 12 am
Wednesday:	11am - 12 am	11 am - 12 am
Thursday:	11 am - 12 am	11 am - 12 am
Friday:	11 am - 12 am	11 am - 12 am
Saturday:	10 am - 12 am	10 am - 12 am

FOR FURTHER INFORMATION CALL: (202) 442-4423



ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
10/4/2019

Notice is hereby given that:

License Number: ABRA-078663

License Class/Type: C Nightclub

Applicant: C J Enterprises, LTD

Trade Name: Ziegfeld's/Secrets

ANC: 6D05

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

1824 HALF ST SW, WASHINGTON, DC 20024

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR  
11/18/2019

A HEARING WILL BE  
12/2/2019

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:	3:00 PM - 2:00 AM	3:00 PM - 2:00 AM	-
Monday:	9:00 PM - 2:00 AM	9:00 PM - 2:00 AM	-
Tuesday:	9:00 PM - 2:00 AM	9:00 PM - 2:00 AM	-
Wednesday:	9:00 PM - 2:00 AM	9:00 PM - 2:00 AM	-
Thursday:	9:00 PM - 2:00 AM	9:00 PM - 2:00 AM	-
Friday:	9:00 PM - 3:00 AM	9:00 PM - 3:00 AM	-
Saturday:	9:00 PM - 3:00 AM	9:00 PM - 3:00 AM	-

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
10/4/2019

Notice is hereby given that:

License Number: ABRA-106785

License Class/Type: C Tavern

Applicant: Hope Lounge, LLC

Trade Name: Medusa Lounge

ANC: 1B03

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

2632 GEORGIA AVE NW, #2, WASHINGTON, DC 20001

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR  
11/18/2019

A HEARING WILL BE  
12/2/2019

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	11 am - 2 am
Monday:	6 am - 2 am	8 am - 2 am	11 am - 2 am
Tuesday:	6 am - 2 am	8 am - 2 am	11 am - 2 am
Wednesday:	6 am - 2 am	8 am - 2 am	11 am - 2 am
Thursday:	6 am - 2 am	8 am - 2 am	11 am - 2 am
Friday:	6 am - 3 am	8 am - 3 am	11 am - 3 am
Saturday:	6 am - 3 am	8 am - 3 am	11 am - 3 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
10/4/2019

Notice is hereby given that:

License Number: ABRA-106871

License Class/Type: C Tavern

Applicant: Cantina Bambina, LLC

Trade Name: Cantina Bambina

ANC: 6D04

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

960 Wharf ST SW, WASHINGTON, DC 20024

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR  
11/18/2019

A HEARING WILL BE  
12/2/2019

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:	8 am - 12 am	8 am - 12 am	12 pm - 10 pm
Monday:	8 am - 12 am	8 am - 12 am	12 pm - 10 pm
Tuesday:	8 am - 12 am	8 am - 12 am	12 pm - 10 pm
Wednesday:	8 am - 12 am	8 am - 12 am	12 pm - 10 pm
Thursday:	8 am - 12 am	8 am - 12 am	12 pm - 10 pm
Friday:	8 am - 1 am	8 am - 1 am	12 pm - 10 pm
Saturday:	8 am - 1 am	8 am - 1 am	12 pm - 10 pm

	Hours of Summer Garden	Hours of Sales Summer Garden
Sunday	8 am - 1 am	8 am - 1 am
Monday:	8 am - 1 am	8 am - 1 am
Tuesday:	8 am - 1 am	8 am - 1 am
Wednesday:	8 am - 1 am	8 am - 1 am
Thursday:	8 am - 1 am	8 am - 1 am
Friday:	8 am - 2 am	8 am - 2 am
Saturday:	8 am - 2 am	8 am - 2 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
10/4/2019

Notice is hereby given that:

License Number: ABRA-096522

License Class/Type: C Tavern

Applicant: SEB, INC.

Trade Name: Uncle Chip's

ANC: 5E05

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

1514 NORTH CAPITOL ST NW, WASHINGTON, DC 20002

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR  
11/18/2019

A HEARING WILL BE  
12/2/2019

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:	7 am - 2 am	8 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 Sidewalk Cafe	Hours Of Sales Sidewalk Cafe
Sunday	7 am - 12 am	8 am - 12 am
Monday:	7 am - 12 am	8 am - 12 am
Tuesday:	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  
10/4/2019

Notice is hereby given that:

License Number: ABRA-013377

License Class/Type: C Tavern

Applicant: Pizzeria Uno of Union Station, Inc.

Trade Name: Uno Chicago Grill

ANC: 6C04

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

50 MASSACHUSETTS AVE NE, #F, Washington, DC 20002

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR  
11/18/2019

A HEARING WILL BE  
12/2/2019

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:	11 am - 1 am	11 am - 1 am	-
Monday:	11 am - 1 am	11 am - 1 am	-
Tuesday:	11 am - 1 am	11 am - 1 am	-
Wednesday:	11 am - 1 am	11 am - 1 am	-
Thursday:	11 am - 1 am	11 am - 1 am	-
Friday:	11 am - 2 am	11 am - 2 am	-
Saturday:	11 am - 2 am	11 am - 2 am	-

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
10/4/2019

Notice is hereby given that:

License Number: ABRA-095632

License Class/Type: C Tavern

Applicant: NPB Group, LLC

Trade Name: Georgetown Piano Bar

ANC: 2E05

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

3287 M ST NW, Washington, DC 20007

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR  
11/18/2019

A HEARING WILL BE  
12/2/2019

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 - 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  
10/4/2019

Notice is hereby given that:

License Number: ABRA-098384

License Class/Type: D Tavern

Applicant: Dolci Gelati Cafe LLC

Trade Name: Dolci Gelati Cafe

ANC: 6E01

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

1420 8TH ST NW, WASHINGTON, DC 20001

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR  
11/18/2019

A HEARING WILL BE  
12/2/2019

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 - 10 pm	12 pm - 10 pm	6 pm - 10 pm
Monday:	10 am - 10 pm	12 pm - 10 pm	6 pm - 10 pm
Tuesday:	10 am - 10 pm	12 pm - 10 pm	6 pm - 10 pm
Wednesday:	10 am - 10 pm	12 pm - 10 pm	6 pm - 10 pm
Thursday:	10 am - 10 pm	12 pm - 10 pm	6 pm - 10 pm
Friday:	10 am - 10 pm	12 pm - 10 pm	6 pm - 10 pm
Saturday:	10 am - 10 pm	12 pm - 10 pm	6 pm - 10 pm

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
10/4/2019

Notice is hereby given that:

License Number: ABRA-104936

License Class/Type: C Tavern

Applicant: District Hardware, Inc

Trade Name: District Hardware and Bike

ANC: 6D04

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

730 Maine AVE SW, WASHINGTON, DC 20024

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR  
11/18/2019

A HEARING WILL BE  
12/2/2019

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:	8 am - 7 pm	11 am - 7 pm	-
Monday:	8 am - 9 pm	11 am - 9 pm	-
Tuesday:	8 am - 9 pm	11 am - 9 pm	-
Wednesday:	8 am - 9 pm	11 am - 9 pm	-
Thursday:	8 am - 10 pm	11 am - 10 pm	-
Friday:	8 am - 10 pm	11 am - 10 pm	-
Saturday:	8 am - 10 pm	11 am - 10 pm	-

	Hours of Summer Garden	Hours of Sales Summer Garden
Sunday	11 am - 7 pm	11 am - 7 pm
Monday:	12 pm - 8 pm	12 pm - 8 pm
Tuesday:	12 pm - 8 pm	12 pm - 8 pm
Wednesday:	12 pm - 8 pm	12 pm - 8 pm
Thursday:	12 pm - 8 pm	12 pm - 8 pm
Friday:	12 pm - 8 pm	12 pm - 8 pm
Saturday:	11 am - 8 pm	11 am - 8 pm

FOR FURTHER INFORMATION CALL: (202) 442-4423



ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
10/4/2019

Notice is hereby given that:

License Number: ABRA-071676

License Class/Type: C Tavern

Applicant: RPM Restaurant, LLC

Trade Name: Shelly's Back Room

ANC: 2C01

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

1331 F ST NW, Washington, DC 20005

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR  
11/18/2019

A HEARING WILL BE  
12/2/2019

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:	12 pm - 2 am	12 pm - 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 Sales Sidewalk Cafe
Sunday	12 nm - 12 am	12 pm - 12 am
Monday:	11 am - 12 am	11 am - 12 am
Tuesday:	11 am - 12 am	11 am - 12 am
Wednesday:	11 am - 12 am	11 am - 12 am
Thursday:	11 am - 12 am	11 am - 12 am
Friday:	11 am - 12 am	11 am - 12 am
Saturday:	11 am - 12 am	11 am - 12 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
10/4/2019

Notice is hereby given that:

License Number: ABRA-088179

License Class/Type: C Tavern

Applicant: All Souls, LLC

Trade Name: All Souls

ANC: 1B01

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

725 T ST NW, WASHINGTON, DC 20001

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR  
11/18/2019

A HEARING WILL BE  
12/2/2019

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:	10 am - 2 am	10 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:	10 am - 3 am	10 am - 3 am	-

	Hours Of Sidewalk Cafe	Hours Of Sales Sidewalk Cafe
Sunday	11 am - 11 nm	11 am - 11 pm
Monday:	6 pm - 11pm	6 pm - 11pm
Tuesday:	6 pm - 11pm	6 pm - 11pm
Wednesday:	6 pm - 11pm	6 pm - 11pm
Thursday:	6 pm - 11pm	6 pm - 11pm
Friday:	6 pm - 1 am	6 pm - 1 am
Saturday:	11 am - 1 am	11 am - 1 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
10/4/2019

Notice is hereby given that:

License Number: ABRA-113805

License Class/Type: C Tavern

Applicant: Eye Street Pubs, LLC

Trade Name: Blackfinn

ANC: 2B05

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

1620 I ST NW, WASHINGTON, DC 20006

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR  
11/18/2019

A HEARING WILL BE  
12/2/2019

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	6 pm - 2 am
Monday:	11 am - 2 am	11 am - 2 am	6 pm - 2 am
Tuesday:	11 am - 2 am	11 am - 2 am	6 pm - 2 am
Wednesday:	11 am - 2 am	11 am - 2 am	6 pm - 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

	Hours Of Sidewalk Cafe	Hours Of Sales Sidewalk Cafe
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

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
10/4/2019

Notice is hereby given that:

License Number: ABRA-100018

License Class/Type: C Tavern

Applicant: Madras Bar LLC

Trade Name: The Airedale

ANC: 1A04

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

3605 14TH ST NW, WASHINGTON, DC 20010

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR  
11/18/2019

A HEARING WILL BE  
12/2/2019

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:	8 am - 3 am	8 am - 3 am	6 pm - 12 am
Monday:	8 am - 3 am	8 am - 3 am	6 pm - 12 am
Tuesday:	8 am - 3 am	8 am - 3 am	6 pm - 12 am
Wednesday:	8 am - 3 am	8 am - 3 am	6 pm - 12 am
Thursday:	8 am - 3 am	8 am - 3 am	6 pm - 12 am
Friday:	8 am - 3 am	8 am - 3 am	6 pm - 3 am
Saturday:	8 am - 3 am	8 am - 3 am	6 pm - 3 am

	Hours Of Sidewalk Cafe	Hours of Summer Garden Operation
Sunday	8 am - 12 am	8 am - 12 am
Monday:	8 am - 12 am	8 am - 12 am
Tuesday:	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  
10/4/2019

Notice is hereby given that:

License Number: ABRA-024057

License Class/Type: C Tavern

Applicant: Walnut Brewery, Inc.

Trade Name: District Chophouse & Brewery

ANC: 2C01

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

509 7TH ST NW, Washington, DC 20004

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR  
11/18/2019

A HEARING WILL BE  
12/2/2019

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

ENDORSEMENT(S): Brewpub 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	-
Saturday:	11 am - 3 am	11 am - 3 am	-

	Hours Of Sidewalk Cafe	Hours Of Sales Sidewalk Cafe
Sunday	11 am - 1 am	11 am - 1 am
Monday:	11 am - 1 am	11 am - 1 am
Tuesday:	11 am - 1 am	11 am - 1 am
Wednesday:	11 am - 1 am	11 am - 1 am
Thursday:	11 am - 1 am	11 am - 1 am
Friday:	11 am - 1 am	11 am - 1 am
Saturday:	11 am - 1 am	11 am - 1 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
10/4/2019

Notice is hereby given that:

License Number: ABRA-111892

License Class/Type: C Nightclub

Applicant: LS Washington DC LLC

Trade Name: Lucky Strike

ANC: 2C01

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

701 7th ST NW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR  
11/18/2019

A HEARING WILL BE  
12/2/2019

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:	12 pm - 2 am	12 pm - 2 am	-
Monday:	12 pm - 2 am	12 pm - 2 am	-
Tuesday:	12 pm - 2 am	12 pm - 2 am	-
Wednesday:	12 pm - 2 am	12 pm - 2 am	-
Thursday:	12 pm - 2 am	12 pm - 2 am	-
Friday:	12 pm - 3 am	12 pm - 3 am	-
Saturday:	12 pm - 3 am	12 pm - 3 am	-

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
10/4/2019

Notice is hereby given that:

License Number: ABRA-001330

License Class/Type: C Tavern

Applicant: Dubliner Inc

Trade Name: The Dubliner

ANC: 6C02

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

4 F ST NW, Washington, DC 20001

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR  
11/18/2019

A HEARING WILL BE  
12/2/2019

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	7 am - 1:30 am
Monday:	7 am - 2 am	8 am - 2 am	7 am - 1:30 am
Tuesday:	7 am - 2 am	8 am - 2 am	7 am - 1:30 am
Wednesday:	7 am - 2 am	8 am - 2 am	7 am - 1:30 am
Thursday:	7 am - 2 am	7 am - 2 am	7 am - 1:30 am
Friday:	7 am - 3 am	8 am - 3 am	7 am - 2:30 am
Saturday:	7 am - 3 am	8 am - 3 am	7 am - 2:30 am

	Hours Of Sidewalk Cafe	Hours Of Sales Sidewalk Cafe
Sunday	11:30 am - 1:30 am	11:30 am - 1:30 am
Monday:	11:30 am - 1:30 am	11:30 am - 1:30 am
Tuesday:	11:30 am - 1:30 am	11:30 am - 1:30 am
Wednesday:	11:30 am - 1:30 am	11:30 am - 1:30 am
Thursday:	11:30 am - 1:30 am	11:30 am - 1:30 am
Friday:	11:30 am - 2:30 am	11:30 am - 2:30 am
Saturday:	11:30 am - 2:30 am	11:30 am - 2:30 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
10/4/2019

Notice is hereby given that:

License Number: ABRA-105592

License Class/Type: D Tavern

Applicant: Hotel Beverage Company, LLC

Trade Name: Hotel Beverage Company

ANC: 6D02

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

1233 First ST SE, WASHINGTON, DC 20003

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR  
11/18/2019

A HEARING WILL BE  
12/2/2019

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:	12 pm - 10 pm	-	-
Monday:	12 pm - 10 pm	5:30 pm - 9 pm	-
Tuesday:	12 pm - 10 pm	5:30 pm - 9 pm	-
Wednesday:	12 pm - 10 pm	5:30 pm - 9 pm	-
Thursday:	12 pm - 10 pm	-	-
Friday:	12 pm - 10 pm	-	-
Saturday:	12 pm - 10 pm	-	-

FOR FURTHER INFORMATION CALL: (202) 442-4423



ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
10/4/2019

Notice is hereby given that:

License Number: ABRA-106839

License Class/Type: C Tavern

Applicant: The Green Zone, LLC

Trade Name: The Green Zone

ANC: 1C03

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

2226 18TH ST NW, WASHINGTON, DC 20009

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR  
11/18/2019

A HEARING WILL BE  
12/2/2019

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:	10 am - 2 am	10 am - 2 am	9 pm - 2 am
Monday:	10 am - 2 am	10 am - 2 am	9 pm - 2 am
Tuesday:	10 am - 2 am	10 am - 2 am	9 pm - 2 am
Wednesday:	10 am - 2 am	10 am - 2 am	9 pm - 2 am
Thursday:	10 am - 2 am	10 am - 2 am	9 pm - 2 am
Friday:	10 am - 3 am	10 am - 3 am	9 pm - 3 am
Saturday:	10 am - 3 am	10 am - 3 am	9 pm - 3 am

	Hours Of Sidewalk Cafe	Hours Of Sales Sidewalk Cafe
Sunday	10 am - 12 am	10 am - 12 am
Monday:	10 am - 12 am	10 am - 12 am
Tuesday:	10 am - 12 am	10 am - 12 am
Wednesday:	10 am - 12 am	10 am - 12 am
Thursday:	10 am - 1 am	10 am - 1 am
Friday:	10 am - 1 am	10 am - 1 am
Saturday:	10 am - 1 am	10 am - 1 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
10/4/2019

Notice is hereby given that:

License Number: ABRA-107858

License Class/Type: C Tavern

Applicant: Spin DC , LLC

Trade Name: Spin

ANC: 2C01

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

1332 F ST NW, WASHINGTON, DC 20004

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR  
11/18/2019

A HEARING WILL BE  
12/2/2019

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:	11 am - 2 am	11 am - 2 am	7 pm - 12 am
Monday:	11 am - 2 am	11 am - 2 am	7 pm - 12 am
Tuesday:	11 am - 2 am	11 am - 2 am	7 pm - 12 am
Wednesday:	11 am - 2 am	11 am - 2 am	7 pm - 12 am
Thursday:	11 am - 2 am	11 am - 2 am	7 pm - 12 am
Friday:	11 am - 3 am	11 am - 3 am	7 pm - 12 am
Saturday:	11 am - 3 am	11 am - 3 am	7 pm - 12 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
10/4/2019

Notice is hereby given that:

License Number: ABRA-087045

License Class/Type: C Tavern

Applicant: Market Bars LLC

Trade Name: DC Reynolds

ANC: 1A08

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

3628 GEORGIA AVE NW, WASHINGTON, DC 20010

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR  
11/18/2019

A HEARING WILL BE  
12/2/2019

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

ENDORSEMENT(S): Cover Charge Entertainment Summer Garden

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

	Hours of Summer Garden	Hours of Sales Summer Garden
Sunday	10am - 2am	10am - 2am
Monday:	10am - 2am	10am - 2am
Tuesday:	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  
ON  
10/4/2019

Notice is hereby given that:

License Number: ABRA-089186

License Class/Type: C Tavern

Applicant: Spo-dee-o-dee, LLC

Trade Name: The Showtime

ANC: 5E07

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

113 RHODE ISLAND AVE NW, WASHINGTON, DC 20002

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR  
11/18/2019

A HEARING WILL BE  
12/2/2019

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:	3 pm - 2 am	3 pm - 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

	Hours Of Sidewalk Cafe	Hours Of Sales Sidewalk Cafe
Sunday	3 pm - 9:30 pm	3 pm - 9:30 pm
Monday:	10 am - 9 pm	10 am - 9 pm
Tuesday:	10 am - 9 pm	10 am - 9 pm
Wednesday:	10 am - 9 pm	10 am - 9 pm
Thursday:	10 am - 9 pm	10 am - 9 pm
Friday:	10 am - 10 pm	10 am - 10 pm
Saturday:	10 am - 10 pm	10 am - 10 pm

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
10/4/2019

Notice is hereby given that:

License Number: ABRA-091244

License Class/Type: C Tavern

Applicant: District Pub Group L.L.L.

Trade Name: Fainting Goat

ANC: 1B12

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

1330 U ST NW, WASHINGTON, DC 20009

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR  
11/18/2019

A HEARING WILL BE  
12/2/2019

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 - 2 am	8 am - 2 am	6 pm - 2 am
Monday:	8 am - 2 am	8 am - 2 am	6 pm - 2 am
Tuesday:	8 am - 2 am	8 am - 2 am	6 pm - 2 am
Wednesday:	8 am - 2 am	8 am - 2 am	6 pm - 2 am
Thursday:	8 am - 2 am	8 am - 2 am	6 pm - 2 am
Friday:	8 am - 3 am	8 am - 3 am	6 pm - 3 am
Saturday:	8 am - 3 am	8 am - 3 am	6 pm - 3 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
10/4/2019

Notice is hereby given that:

License Number: ABRA-103195

License Class/Type: C Tavern

Applicant: Noddle Dog Hospitality, LLC

Trade Name: Tiger Fork

ANC: 2F06

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

922 RR N ST NW, WASHINGTON, DC 20001

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR  
11/18/2019

A HEARING WILL BE  
12/2/2019

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 - 2 am	8 am - 2 am	11 am - 12 am
Monday:	8 am - 2 am	8 am - 2 am	12 pm - 12 am
Tuesday:	8 am - 2 am	8 am - 2 am	12 pm - 1 am
Wednesday:	8 am - 2 am	8 am - 2 am	12 pm - 1 am
Thursday:	8 am - 2 am	8 am - 2 am	12 pm - 1 am
Friday:	8 am - 3 am	8 am - 3 am	11 am - 2 am
Saturday:	8 am - 3 am	8 am - 3 am	11 am - 2 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
10/4/2019

Notice is hereby given that:

License Number: ABRA-114637

License Class/Type: C Tavern

Applicant: Ella Grace, LLC

Trade Name: Ella Grace

ANC: 6A06

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

1421 H ST NE, WASHINGTON, DC 20002

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR  
11/18/2019

A HEARING WILL BE  
12/2/2019

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:	11am - 2am	11am - 2am	-
Monday:	11am - 2am	11am - 2am	-
Tuesday:	11am - 2am	11am - 2am	-
Wednesday:	11am - 2am	11am - 2am	-
Thursday:	11am - 2am	11am - 2am	-
Friday:	11am - 2am	11am - 2am	-
Saturday:	11am - 2am	11am - 2am	-

	Hours of Summer Garden	Hours of Sales Summer Garden
Sunday	11am - 11pm	11am - 11pm
Monday:	11am - 11pm	11am - 11pm
Tuesday:	11am - 11pm	11am - 11pm
Wednesday:	11am - 11pm	11am - 11pm
Thursday:	11am - 11pm	11am - 11pm
Friday:	11am - 12am	11am - 12am
Saturday:	11am - 12am	11am - 12am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
10/4/2019

Notice is hereby given that:

License Number: ABRA-025996

License Class/Type: C Tavern

Applicant: Johanas, Inc

Trade Name: Johana's Restaurant

ANC: 4C02

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

4728 14TH ST NW, WASHINGTON, DC 20011

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR  
11/18/2019

A HEARING WILL BE  
12/2/2019

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	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

FOR FURTHER INFORMATION CALL: (202) 442-4423



ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
10/4/2019

Notice is hereby given that:

License Number: ABRA-060187

License Class/Type: C Nightclub

Applicant: Haydee Corporation

Trade Name: Haydee's 2000

ANC: 4B03

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

6303 GEORGIA AVE NW, Washington, DC 20011

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR  
11/18/2019

A HEARING WILL BE  
12/2/2019

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  
10/4/2019

Notice is hereby given that:

License Number: ABRA-009870

License Class/Type: C Tavern

Applicant: Pershing Associates A DC Limited Partnership

Trade Name: The Occidental

ANC: 2C01

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

1475 PENNSYLVANIA AVE NW, Washington, DC 20005

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR  
11/18/2019

A HEARING WILL BE  
12/2/2019

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	11 am - 3 pm
Monday:	11 am - 2 am	11 am - 2 am	5:30 pm - 9:30 pm
Tuesday:	11 am - 2 am	11 am - 2 am	5:30 pm - 9:30 pm
Wednesday:	11 am - 2 am	11 am - 2 am	5:30 pm - 9:30 pm
Thursday:	11 am - 2 am	11 am - 2 am	5:30 pm - 9:30 pm
Friday:	11 am - 2 am	11 am - 2 am	5:30 pm - 9:30 pm
Saturday:	11 am - 2 am	11 am - 2 am	5:30 pm - 9:30 pm

	Hours Of Sidewalk Cafe	Hours Of Sales Sidewalk Cafe
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 - 2 am	11 am - 2 am
Saturday:	11 am - 2 am	11 am - 2 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
10/4/2019

Notice is hereby given that:

License Number: ABRA-092773

License Class/Type: C Tavern

Applicant: Daci Enterprises, LLC

Trade Name: Dacha Beer Garden

ANC: 6E01

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

1600 - 1602 7TH ST NW, WASHINGTON, DC 20001

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR  
11/18/2019

A HEARING WILL BE  
12/2/2019

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

ENDORSEMENT(S): Entertainment Sidewalk Cafe Summer Garden

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	7am - 2 am	8am - 2 am	6pm - 10:30pm
Monday:	7am - 2 am	8am - 2 am	6pm - 10:30pm
Tuesday:	7am - 2 am	8am - 2 am	6pm - 10:30pm
Wednesday:	7am - 2 am	8am - 2 am	6pm - 10:30pm
Thursday:	7am - 2 am	8am - 2 am	6pm - 10:30pm
Friday:	7am - 3 am	8am - 3 am	6pm - 11:59pm
Saturday:	7am - 3 am	8am - 3 am	6pm - 11:59pm

	Hours Of Sidewalk Cafe	Hours of Summer Garden Operation
Sunday	7am - 10:30pm	7am - 10:30pm
Monday:	7am - 10:30pm	7am - 10:30pm
Tuesday:	7am - 10:30pm	7am - 10:30pm
Wednesday:	7am - 10:30pm	7am - 10:30pm
Thursday:	7am - 10:30pm	7am - 10:30pm
Friday:	7am - 11:59pm	7am - 11:59pm
Saturday:	7am - 11:59pm	7am - 11:59pm

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
10/4/2019

Notice is hereby given that:

License Number: ABRA-093203

License Class/Type: D Tavern

Applicant: The District Fishwife LLC

Trade Name: The District Fishwife

ANC: 5D01

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

1309 5TH ST NE, WASHINGTON, DC 20002

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR  
11/18/2019

A HEARING WILL BE  
12/2/2019

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:	8 am - 12 am	8 am - 12 am	-
Monday:	8 am - 12 am	8 am - 12 am	-
Tuesday:	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	-

	Hours of Summer Garden	Hours of Sales Summer Garden
Sunday	8 am - 12 am	8 am - 12 am
Monday:	8 am - 12 am	8 am - 12 am
Tuesday:	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  
10/4/2019

Notice is hereby given that:

License Number: ABRA-104228

License Class/Type: C Tavern

Applicant: 2335, LLC

Trade Name: Power Night Club/Lounge/Restaurant

ANC: 5C04

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

2335 BLADENSBURG RD NE, WASHINGTON, DC 20018

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR  
11/18/2019

A HEARING WILL BE  
12/2/2019

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:	2 pm - 2 am	2 pm - 2 am	6 pm - 2 am
Monday:	2 pm - 2 am	2 pm - 2 am	6 pm - 2 am
Tuesday:	2 pm - 2 am	2 pm - 2 am	6 pm - 2 am
Wednesday:	2 pm - 2 am	2 pm - 2 am	6 pm - 2 am
Thursday:	2 pm - 2 am	2 pm - 2 am	6 pm - 2 am
Friday:	2 pm - 3 am	2 pm - 3 am	6 pm - 3 am
Saturday:	2 pm - 3 am	2 pm - 3 am	6 pm - 3 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
10/4/2019

Notice is hereby given that:

License Number: ABRA-016838

License Class/Type: C Tavern

Applicant: Capitol City Brewing Company, LLC

Trade Name: Capitol City Brewing Company

ANC: 2C01

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

1100 NEW YORK AVE NW, #A, Washington, DC 20005

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR  
11/18/2019

A HEARING WILL BE  
12/2/2019

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:	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	-

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
10/4/2019

Notice is hereby given that:

License Number: ABRA-105738

License Class/Type: C Tavern

Applicant: Mixtape, LLC

Trade Name: Tyber Creek Wine Bar & Kitchen

ANC: 5E07

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

84 T ST NW, Washington, DC 20001

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR  
11/18/2019

A HEARING WILL BE  
12/2/2019

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:	10 am - 1 am	10 am - 1 am	6 pm - 10 pm
Monday:	10 am - 1 am	10 am - 1 am	6 pm - 10 pm
Tuesday:	10 am - 1 am	10 am - 1 am	6 pm - 10 pm
Wednesday:	10 am - 1 am	10 am - 1 am	6 pm - 10 pm
Thursday:	10 am - 1 am	10 am - 1 am	6 pm - 10 pm
Friday:	10 am - 2 am	10 am - 2 am	6 pm - 10 pm
Saturday:	10 am - 2 am	10 am - 2 am	6 pm - 10 pm

	Hours Of Sidewalk Cafe	Hours Of Sales Sidewalk Cafe
Sunday	10 am - 11 pm	10 am - 11 pm
Monday:	10 am - 11 pm	10 am - 11 pm
Tuesday:	10 am - 11 pm	10 am - 11 pm
Wednesday:	10 am - 11 pm	10 am - 11 pm
Thursday:	10 am - 11 pm	10 am - 11 pm
Friday:	10 am - 12 am	10 am - 12 am
Saturday:	10 am - 12 am	10 am - 12 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
10/4/2019

Notice is hereby given that:

License Number: ABRA-093795

License Class/Type: C Tavern

Applicant: Ivy City Tavern, Inc.

Trade Name: Ivy City Tavern

ANC: 5D01

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

1356 OKIE ST NE, WASHINGTON, DC 20002

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR  
11/18/2019

A HEARING WILL BE  
12/2/2019

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:	8 am - 2 am	8 am - 2 am	6 pm - 2 am
Monday:	8 am - 2 am	8 am - 2 am	6 pm - 2 am
Tuesday:	8 am - 2 am	8 am - 2 am	6 pm - 2 am
Wednesday:	8 am - 2 am	8 am - 2 am	6 pm - 2 am
Thursday:	8 am - 2 am	8 am - 2 am	6 pm - 2 am
Friday:	8 am - 3 am	8 am - 3 am	6 pm - 3 am
Saturday:	8 am - 3 am	8 am - 3 am	6 pm - 3 am

	Hours of Summer Garden	Hours of Sales Summer Garden
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  
10/4/2019

Notice is hereby given that:

License Number: ABRA-072633

License Class/Type: C Tavern

Applicant: 18th Amendment, LLC

Trade Name: Barrel

ANC: 6B02

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

613 PENNSYLVANIA AVE SE, Washington, DC 20003

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR  
11/18/2019

A HEARING WILL BE  
12/2/2019

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:	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

	Hours Of Sidewalk Cafe	Hours Of Sales Sidewalk Cafe
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  
10/4/2019

Notice is hereby given that:

License Number: ABRA-106040

License Class/Type: C Tavern

Applicant: DBGA, LLC

Trade Name: Dacha Navy Yard

ANC: 6D07

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

79 Potomac AVE SE, WASHINGTON, DC 20003

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR  
11/18/2019

A HEARING WILL BE  
12/2/2019

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

ENDORSEMENT(S): Entertainment Sidewalk Cafe Summer Garden

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

	Hours Of Sidewalk Cafe	Hours of Summer Garden Operation
Sunday	7 am - 11 pm	7 am - 11 nm
Monday:	7 am - 11 pm	7 am - 11 pm
Tuesday:	7 am - 11 pm	7 am - 11 pm
Wednesday:	7 am - 12 am	7 am - 12 am
Thursday:	7 am - 12 am	7 am - 12 am
Friday:	7 am - 2 am	7 am - 2 am
Saturday:	7 am - 2 am	7 am - 2 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

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

Placard Posting Date: October 4, 2019  
Protest Petition Deadline: November 18, 2019  
Roll Call Hearing Date: December 2, 2019  
Protest Hearing Date: January 29, 2020

License No.: ABRA-115103  
Licensee: Take Massive Action, LLC  
Trade Name: Mayahuel Cocina Mexicana  
License Class: Retailer's Class "C" Restaurant  
Address: 2609 24<sup>th</sup> Street, N.W.  
Contact: Jeff Jackson: (202) 251-1566

WARD 3

ANC 3C

SMD 3C02

Notice is hereby given that this licensee has applied for a new license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the **Roll Call Hearing date on December 2, 2019 at 10 a.m., 4th Floor, 2000 14<sup>th</sup> Street, N.W., Washington, DC 20009**. Petitions and/or requests to appear before the ABC Board must be filed on or before the Petition Deadline. The **Protest Hearing date** is scheduled on **January 29, 2020 at 4:30 p.m.**

**NATURE OF OPERATION**

A new class C Restaurant serving authentic Mexican cuisine. Seating Capacity of 120 and a Total Occupancy Load of 120. Sidewalk Café with 40 seats. The Restaurant will include an Entertainment Endorsement to provide live entertainment indoors only.

**HOURS OF OPERATION INSIDE OF THE PREMISES**

Sunday through Thursday 9am – 2am, Friday and Saturday 9am – 3am

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

Sunday through Thursday 10am – 2am, Friday and Saturday 10am – 3 am

**HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE AND CONSUMPTION FOR THE OUTDOOR SIDEWALK CAFE**

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

**HOURS OF LIVE ENTERTAINMENT INSIDE THE PREMISES ONLY**

Tuesday through Thursday 8pm – 12am, Friday and Saturday 9pm – 1am  
(No entertainment Sunday or Monday)

**MAYOR'S AGENT ON HISTORIC PRESERVATION  
NOTICE OF PUBLIC HEARING**

Public notice is hereby given that the Mayor's Agent will hold a public hearing on an application affecting property subject to the Historic Landmark and Historic District Protection Act of 1978. Interested parties may appear and testify on behalf of, or in opposition to, the application. The hearing will be held at 1100 4th Street SW, Suite E650.

Hearing Date: **Friday, November 15, 2019 at 9:30 a.m.**  
Case Number: H.P.A. 19-455  
Square/Lot: Square 2950, Lot 817  
Applicant: Deputy Mayor for Planning and Economic Development  
Type of Work: Raze Buildings 31 and 84

Affected Historic Property: Walter Reed Army Medical Center  
Affected ANC: 4A

The Applicant's claim is that the proposed raze of Buildings 31 and 84 is consistent with the purposes of the D.C. Historic Landmark and Historic District Protection Act and that the proposed demolition is necessary to construct a project of special merit.

The hearing will be conducted in accordance with the Rules of Procedure pursuant to the Historic Landmark and Historic District Protection Act (Title 10C DCMR Chapters 4 and 30), which are on file with the D.C. Historic Preservation Office and posted on the Office website under "Regulations."

Interested persons or parties are invited to participate in and offer testimony at this hearing. Any person wishing to testify in support of or opposition to the application may appear at the hearing and give evidence without filing in advance. However, any affected person who wishes to be recognized as a party to the case is required to file a request with the Mayor's Agent at least fifteen (15) days prior to the hearing. This request shall include the following information: 1) requesting party's name and address; 2) whether the party will appear as a proponent or opponent of the application; 3) if the party will appear through legal counsel, and if so, the name and address of legal counsel; and 4) a written statement setting forth the manner in which the party may be affected or aggrieved by action upon the application and the grounds upon which the party supports or opposes the application. Any requests for party status should be sent to the Mayor's Agent at [historic.preservation@dc.gov](mailto:historic.preservation@dc.gov) or 1100 4th Street SW, Suite E650, Washington, D.C. 20024. For further information, contact the Historic Preservation Office, at [historic.preservation@dc.gov](mailto:historic.preservation@dc.gov) or (202) 442-7600.

**DISTRICT OF COLUMBIA PUBLIC SCHOOLS****PUBLIC HEARING NOTICE****FISCAL YEAR 2021 BUDGET**

**Tuesday, October 29, 2019; 6:00PM – 8:00PM**  
**Maury Elementary School**  
**1250 Constitution Ave NE, Washington, DC 20002**

The District of Columbia Public Schools (DCPS) will convene a public budget hearing on Tuesday, October 29, 2019 from 6:00PM – 8:00PM at Maury Elementary School on 1250 Constitution Ave NE, Washington, DC 20002. The purpose of the hearing is to gather input from the public about the upcoming Fiscal Year 2021 (School Year 2020-2021) budget.

Members of the public are invited to provide testimony at the hearing. Individuals or groups wishing to testify should register online at <http://bit.ly/dcpsbudgethearing2019>. Testimony will be limited to three minutes during the hearing. Witnesses should bring five (5) copies of their documentation, including a written copy of their testimony and any supplemental information. All documents will be included as part of the official record.

The registration deadline is 3:00PM on Friday, October 25, 2019. If an individual or group is unable to register online, please contact the School Funding Team at (202) 297-2048.

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

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

Any additional questions or concerns should be directed to the School Funding Team at 202-297-1048 or [dcps.schoolfunding@k12.dc.gov](mailto:dcps.schoolfunding@k12.dc.gov).

**BOARD OF ZONING ADJUSTMENT  
(REVISED) PUBLIC HEARING NOTICE  
WEDNESDAY, NOVEMBER 20, 2019**

**441 4<sup>TH</sup> STREET, N.W.**

**JERRILY R. KRESS MEMORIAL HEARING ROOM, SUITE 220-SOUTH  
WASHINGTON, D.C. 20001**

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

**TIME: 9:30 A.M.**

**WARD ONE**

20142            **Application of 746 IRVING ST LLC**, pursuant to 11 DCMR Subtitle  
ANC 1A           X, Chapter 9, for a special exception under Subtitle E § 5201 from the  
rear yard requirements of Subtitle E § 205.5, to construct a two-story  
rear addition to an existing attached principal dwelling unit in the RF-1  
Zone at premises 746 Irving Street, N.W. (Square 2890, Lot 59).

**WARD SIX**

20145            **Application of Andrew and Courtney Briggs**, pursuant to 11 DCMR  
ANC 6B           Subtitle X, Chapter 9, for special exceptions under Subtitle E § 5201  
from the lot occupancy requirements of Subtitle E § 304.1 and from the  
rear yard requirements of Subtitle E § 306.1, to construct a two-story  
rear addition to an existing attached principal dwelling unit in the RF-1  
Zone at premises 717 Kentucky Avenue S.E. (Square 1077, Lot 0076).

**WARD TWO**

20146            **Application of Caesar Junker**, pursuant to 11 DCMR Subtitle X,  
ANC 2E           Chapter 10, for a variance from the use restrictions of Subtitle U §  
201.1, to convert an existing beauty shop use to an office use in an  
existing building in the R-20 Zone at premises 1510 31st Street, N.W.  
(Square 1270, Lot 57).

BZA PUBLIC HEARING NOTICE  
NOVEMBER 20, 2019  
PAGE NO. 2

**WARD SIX**

20147  
ANC 6B      **Application of Christopher Lobb and Paola Barbara**, pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception under Subtitle E § 5201 from the lot occupancy requirements of Subtitle E § 304.1, and from the nonconforming structures requirements of Subtitle C § 202.2 to build a one-story rear addition and a two-story side addition to an attached principal dwelling unit in the RF-1 Zone at premises 148 11th Street S.E. (Square 0989, Lot 026).

**WARD FIVE**

20148  
ANC 5E      **Application of John Coplen**, pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception under Subtitle E §§ 206.2 and 5203.3 from the roof top architectural elements of Subtitle E § 206.1(a), to expand the existing roof on an existing semi-detached, principal dwelling unit in the RF-1 Zone at premises 149 Rhode Island Avenue, N.E. (Square 3537, Lot 1).

**WARD SIX**

20149  
ANC 6B      **Application of George Ingram and Lynn Hart**, pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception under Subtitle E § 5201 from the lot occupancy requirements of Subtitle E § 304.1, to construct a two-story accessory structure at the rear of the existing detached principal dwelling unit in the RF-1 Zone at premises 138 11th Street S.E. (Square 989, Lot 31).

**WARD ONE**

20150  
ANC 1A      **Application of Arnetta and Leon Scales**, pursuant to 11 DCMR Subtitle X, Chapter 9, for special exceptions under Subtitle G § 1200 from the lot occupancy requirements of Subtitle G § 404.1 and from the side yard requirements of Subtitle G § 406.1, and under Subtitle § 1201 from the rear yard requirements of Subtitle G § 405.2, to construct a two-story addition to an existing two-story attached building in the MU-4 Zone at premises 3117 Georgia Avenue N.W. (Square 3041, Lot 127).

BZA PUBLIC HEARING NOTICE  
NOVEMBER 20, 2019  
PAGE NO. 3

PLEASE NOTE:

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

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

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

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

**Do you need assistance to participate?**

Amharic

ለመሳተፍ ዕርዳታ ያስፈልግዎታል?  
የተለየ እርዳታ ካስፈለገዎት ወይም የቋንቋ እርዳታ አገልግሎቶች (ትርጉም ወይም ማስተርጎም) ካስፈለገዎት እባክዎን ከስብሰባው አምስት ቀናት በፊት ዚ ሂልን በስልክ ቁጥር (202) 727-0312 ወይም በኢሜል [Zelalem.Hill@dc.gov](mailto:Zelalem.Hill@dc.gov) ይገናኙ። እነኚህ አገልግሎቶች የሚሰጡት በነጻ ነው።

Chinese

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

French

Avez-vous besoin d’assistance pour pouvoir participer ? Si vous avez besoin d’aménagements spéciaux ou d’une aide linguistique (traduction ou interprétation), veuillez contacter Zee Hill au



BZA PUBLIC HEARING NOTICE

NOVEMBER 20, 2019

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(202) 727-0312 ou à [Zelalem.Hill@dc.gov](mailto:Zelalem.Hill@dc.gov) cinq jours avant la réunion. Ces services vous seront fournis gratuitement.

Korean

참여하시는데 도움이 필요하세요?

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

Spanish

¿Necesita ayuda para participar?

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

Vietnamese

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

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

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

**FREDERICK L. HILL, CHAIRPERSON**  
**LESYLLEÉ M. WHITE, MEMBER**  
**LORNA L. JOHN, MEMBER**  
**CARLTON HART, VICE-CHAIRPERSON,**  
**NATIONAL CAPITAL PLANNING COMMISSION**  
**A PARTICIPATING MEMBER OF THE ZONING COMMISSION**  
**CLIFFORD W. MOY, SECRETARY TO THE BZA**  
**SARA A. BARDIN, DIRECTOR, OFFICE OF ZONING**

**BOARD OF ZONING ADJUSTMENT  
PUBLIC HEARING NOTICE  
WEDNESDAY, DECEMBER 4, 2019  
441 4<sup>TH</sup> STREET, N.W.  
JERRILY R. KRESS MEMORIAL HEARING ROOM, SUITE 220-SOUTH  
WASHINGTON, D.C. 20001**

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

**TIME: 9:30 A.M.**

**WARD ONE**

20136            **Application of Christopher Hall**, pursuant to 11 DCMR Subtitle X,  
ANC 1A           Chapter 9, for a special exception under Subtitle E §§ 205.5 and 5201  
from the rear addition requirements of Subtitle E § 205.4, to construct a  
rear one-story and basement addition in the RF-1 Zone at premises  
3549 Holmead Place N.W. (Square 2828, Lot 130).

**WARD SEVEN**

20151            **Application of District properties.com Inc.**, pursuant to 11 DCMR  
ANC 7C           Subtitle X, Chapter 9, for a special exception under Subtitle C § 703.2  
from the minimum parking requirements of Subtitle C § 701.5, to  
construct a semi-detached principal dwelling unit in the RA-1 Zone at  
premises 4945 Fitch Place N.W. (Square 5184, Lot 53).

**WARD THREE**

20152            **Application of Susanna Chu and Ariel David Adesnik**, pursuant to  
ANC 3E           11 DCMR Subtitle X, Chapter 9, for special exceptions under Subtitle  
D § 5201 from the side yard requirements of Subtitle D § 206.2 and  
from the rear yard requirements of Subtitle D § 306.1, to construct a  
one-story rear addition and a porch side addition to an existing  
detached principal dwelling unit in the R-1-B Zone at premises 4600  
45th Street N.W. (Square 1569, Lot 1).

BZA PUBLIC HEARING NOTICE  
DECEMBER 4, 2019  
PAGE NO. 2

**WARD ONE**

20153  
ANC 1C      **Application of Andy Grimmig and Sapna Mehta**, pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception from the accessory building restrictions of Subtitle U § 301.1(e), to replace an existing one-story detached accessory structure with a two-story detached accessory structure comprised of a garage on the first floor and a dwelling unit on the second floor in the RA-2 Zone at premises 2322 19th Street, N.W. (Square 2539, Lot 214).

**WARD FOUR**

20155  
ANC 4D      **Application of Paige Morimoto**, pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception from the maximum building area requirement of Subtitle D § 5006.1, to construct a second story addition to an existing accessory building to be used as a second dwelling unit in the R-3 Zone at premises 418 Ingraham Street, N.W. (Square 3257 Lot 70).

PLEASE NOTE:

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

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

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

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

BZA PUBLIC HEARING NOTICE  
DECEMBER 4, 2019  
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**Do you need assistance to participate?**

Amharic

ለመሳተፍ ዕርዳታ ያስፈልግዎታል?

የተለየ እርዳታ ካስፈለገዎት ወይም የቋንቋ እርዳታ አገልግሎቶች (ትርጉም ወይም ማስተርጎም) ካስፈለገዎት እባክዎን ከስብሰባው አምስት ቀናት በፊት ዚ ሂልን በስልክ ቁጥር (202) 727-0312 ወይም በኢሜል [Zelalem.Hill@dc.gov](mailto:Zelalem.Hill@dc.gov) ይገናኙ። እኝህ 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](mailto:Zelalem.Hill@dc.gov)。这些是免费提供的服务。

French

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

Korean

참여하시는데 도움이 필요하세요?

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

Spanish

¿Necesita ayuda para participar?

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

Vietnamese

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

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

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

**FREDERICK L. HILL, CHAIRPERSON  
LESYLLEÉ M. WHITE, MEMBER**

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**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**

## DEPARTMENT OF ENERGY AND ENVIRONMENT

NOTICE OF FINAL RULEMAKING**Clean Rivers Impervious Surface Area Charge Relief Programs and Determinations of Eligibility for Residential Customer Assistance Programs**

The Director of the Department of Energy and Environment (DOEE or the Department), pursuant to the authority set forth in the District Department of the Environment Establishment Act of 2005, effective February 15, 2006 (D.C. Law 16-51; D.C. Official Code §§ 8-151.01 *et seq.* (2013 Repl. & 2019 Supp.)); the District of Columbia Water and Sewer Authority Rate Increase Mitigation Amendment Act of 2018, effective October 30, 2018 (D.C. Law 22-168; D.C. Official § 34-2202.16b (2019 Supp.)); and Mayor's Order 2018 - 104, dated December 31, 2018, hereby gives notice of the adoption of the following final rule to add a new Chapter 37 (Customer Assistance Programs Eligibility Determinations) to Title 20 (Environment), and amend Chapter 5 (Water Quality and Pollution) of Title 21 (Water and Sanitation), of the District of Columbia Municipal Regulations (DCMR).

The rulemaking establishes eligibility criteria related to two new assistance programs for DC Water residential customers, referred to as the Customer Assistance Program II (CAP2) and the Customer Assistance Program III (CAP3) for which the Department will be providing funding. The CAP2 Program provides eligible customers with Department-funded benefits towards their Clean River Impervious Surface Area Charge (CRIAC), while DC Water will fund benefits towards their water and sewer charges. The eligibility criteria will be the same for both the Department and the DC Water funded parts of the program. The CAP3 program provides eligible customers with Department-funded benefits towards their CRIAC. CAP2 households (with incomes between 60% State Median Income and 80% Area Median Income) receive a credit of 50% of their CRIAC and a portion of their water and sewer fees and CAP3 households (with incomes between 80% Area Median Income and 100% Area Median Income) receive a credit of 75% of their CRIAC. On average, CAP2 participants will receive an approximate monthly discount of 40% on their overall water bill and CAP3 participants will receive an approximate average discount of 15% percent on their overall bill.

The rulemaking also establishes a Clean Rivers Impervious Surface Area Charge (CRIAC) nonprofit relief program for certain nonprofit organizations located within the District of Columbia. Under this program, nonprofit organizations that meet specified eligibility requirements, including financial hardship and implementation of stormwater mitigation activities, will be eligible to receive credits of up to 80% of their CRIAC charge.

The rules were originally adopted as emergency and proposed on January 2, 2019 and published in the *D.C. Register* on January 11, 2019 at 66 DCR 00526. After review and public comment certain changes were made. No changes were made to the two assistance programs for DC Water residential customers, referred to as the Customer Assistance Program II (CAP2) and the Customer Assistance Program III (CAP3), and as published in the second emergency rulemaking. DOEE published the Notice of Second Emergency and Proposed Rule in the June 21, 2019 issue of the *D.C. Register* at 66 DCR 007515.

DOEE received comments on expanding the eligibility criteria to certain nonprofits and to low-income tenants of rental buildings. DOEE has determined that eligibility for CRIAC relief should be limited to those nonprofit entities as originally proposed to ensure that, in light of the appropriations available for the program, meaningful relief is available for eligible organizations.

DOEE received a comment that relief should be used only for secular purposes. The awarded relief is applied directly to DC Water bills and DOEE has determined that this is a secular purpose.

DOEE also received a comment regarding establishing a standard accounting practice for establishing the significant financial hardship test required for eligibility. However, it is not DOEE’s intention to impose a standard accounting practice on institutions that are typically not required to file an IRS form 990, for the purposes of a rebate.

DOEE received a comment regarding the prioritization of outreach to the secular nonprofit community. Although the comment is outside the scope of the rulemaking, DOEE has made an active effort to provide outreach to both the secular and non-secular nonprofit communities through information sessions at DOEE and in each ward, town hall meetings, social media postings and at community meetings.

The final rule removes transitional eligibility language in Section 565(b)(1)(B) of the second proposed rulemaking since the need and applicability of the provision has expired. Additionally, the final rule clarifies the timeframe within which DOEE will accept and process applications for program participation.

Subsection 568.2 has been amended to reflect the fact that the relief available through the program is variable from fiscal year to fiscal year, based on numerous factors, including the availability of funds, the number of eligible organizations and any discount available through DC Water’s Clean Rivers Impervious Area Charge Incentive Program (IAC Incentive Program).

These rules shall become effective on the date of publication in the DC Register.

**Title 20 DCMR, ENVIRONMENT, is amended by adding a new Chapter 37 as follows:**

**CHAPTER 37            CUSTOMER ASSISTANCE PROGRAMS ELIGIBILITY DETERMINATIONS**

- 3700            CUSTOMER ASSISTANCE PROGRAMS**
- 3701            APPLICATION PROCESS**
- 3702            ELIGIBILITY**
- 3703            BENEFITS**
- 3704            DENIAL, REDUCTION, OR REVOCATION OF BENEFITS**
- 3705            ADMINISTRATIVE APPEALS**
- 3799            DEFINITIONS**

**3700 CUSTOMER ASSISTANCE PROGRAMS**

- 3700.1 This chapter sets forth the process and appeal procedures for the Department's determination of income eligibility for the CRIAC portion of DC Water's Customer Assistance Program (CAP) and Customer Assistance Program II (CAP2), and for the Department's Customer Assistance Program III (CAP3).
- 3700.2 This chapter also sets forth the Department's eligibility criteria for the CRIAC benefits under the CAP2 and CAP3 programs.

**3701 APPLICATION PROCESS**

- 3701.1 In order for the Department to determine the financial eligibility of an applicant to receive CAP, CAP2, or CAP3 benefits, a person shall file an application with the Department.
- 3701.2 The Department shall prescribe the form of the application to be filed, and provide either a paper or electronic application, which shall be signed by the applicant. The application shall state that the making of a false statement in the application, or the signing of the application with knowledge that facts stated in the application are not true, carries criminal penalties in accordance with Section 404 of the District of Columbia Theft and White Collar Crimes Act of 1982, effective December 1, 1982 (D.C. Law 4-164; D.C. Official Code § 22-2405).
- 3701.3 An authorized representative may apply on behalf of an applicant if the applicant provides:
- (a) A written and signed statement stating why the applicant cannot complete an application without a representative; and
  - (b) The name and address of the person authorized to act on the applicant's behalf.
- 3701.4 If requested by an applicant with a disability, or the representative of a person with a disability authorized pursuant to § 3701.3, the Department may assist the applicant or representative with the aspects of the application process necessary to ensure that the applicant with a disability has an equal opportunity to submit an application.
- 3701.5 The Department may also assist an applicant in the application process who is unable to apply for the benefit in person for a reason other than disability, including making a visit to an applicant's home, if:
- (a) The applicant is sixty-five (65) or older, infirm, or unable to travel; or



- (b) The applicant's residence is located in a building or complex of buildings that house many other likely applicants.

## **3702 ELIGIBILITY**

3702.1 In order to be eligible for a benefit, the applicant household shall:

- (a) Be financially eligible, by meeting the following annual income eligibility requirements:
  - (1) For participation in the CRIAC portion of CAP, the income requirements established at 21 DCMR § 4102.1 (a)(2), which are that the applicant's annual household income is below sixty percent (60%) of the State Median Income (SMI) for the District of Columbia;
  - (2) For participation in the CRIAC portion of CAP2, the income requirements established at 21 DCMR § 4102.2 (a)(2) for water and sewer bill benefits, which are that the applicant's annual household income is at or above sixty percent (60%) of the SMI for the District of Columbia and at or below eighty percent (80%) of the Area Median Income (AMI) for the District of Columbia not capped by the United States median low income limit (USLIL); and
  - (3) For participation in CAP3, the applicant's annual household income is above eighty percent (80%) of the AMI for the District of Columbia not capped by the USLIL and at or below one-hundred percent (100%) of the AMI for the District of Columbia; and
- (b) Be responsible for payment of DC Water's water and sewer services bill or the CRIAC; and
- (c) Reside in the District of Columbia.

3702.2 The applicant must be at least eighteen (18) years old or emancipated.

3702.3 A determination of financial eligibility shall be based on the adjusted gross income of the household, unless the applicant can provide sufficient evidence that the adjusted gross income is not an accurate representation of current income.

3702.4 As a condition of eligibility, each applicant shall sign a release, or provide electronic acknowledgement, authorizing the Department to obtain or verify information necessary to process the application or for reporting purposes.

3702.5 Each applicant shall cooperate fully in establishing his or her eligibility, the nature of the need, and the extent of the need, each of which shall include providing documentation or other proof of:

- (a) Household composition;
- (b) Income; and
- (c) Any additional information that the Department may require.

3702.6 The Department may obtain the information used in determining eligibility from:

- (a) A document;
- (b) A telephone conversation or interview for which notes are taken;
- (c) Data from another government agency or utility provider;
- (d) Internet data; and
- (e) Other relevant sources.

3702.7 The eligibility and benefit determination will be completed within thirty (30) days after the Department receives a completed application, or, in the event of an unexpected or extenuating circumstance that affects the Department, such as a natural disaster, as promptly thereafter as possible, except that the following shall toll the timeline:

- (a) An applicant's failure to supply information to document facts stated in an application;
- (b) An inability to contact an applicant after three (3) attempts;
- (c) Evidence of misrepresentation in an application;
- (d) A failure to respond by a third party from whom the Department has requested information and over whom the Department has no control; or
- (e) A delay in receipt of necessary information over which the Department has no control.

### **3703 BENEFITS**

3703.1 Benefits for CAP and CAP2 will be provided in accordance with the provisions of 21 DCMR § 4102.

- 3703.2 Households eligible for CAP3 shall receive seventy-five percent (75%) off of the monthly billed CRIAC, subject to the availability of funds.
- 3703.3 CAP3 benefits will be applied through a credit on the DC assessed water and sewer bill after the Department transfers funds to DC Water for this purpose.
- 3703.4 The benefits shall be applied for the entire fiscal year (October 1 – September 30) in which the application was submitted, based on the availability of funds.
- 3703.5 Nothing in this chapter shall be interpreted to mean that a CAP2 or CAP3 benefit provided to eligible households by the Department is an entitlement, continuing or otherwise.
- 3703.6 If the Department determines that remaining available funds may be insufficient to provide benefits during a fiscal year, the Department may:
- (a) Suspend the process of taking applications;
  - (b) Suspend the process of awarding benefits; or
  - (c) Revise the level of benefits established by § 3703.2 to provide lower amounts.

#### **3704 DENIAL, REDUCTION, OR REVOCATION OF BENEFITS**

- 3704.1 If an applicant is determined ineligible for the CAP, CAP2, or CAP3 program, the Department will provide to the applicant notice of ineligibility, to include:
- (a) A statement of the determination of ineligibility and an explanation of that determination;
  - (b) A statement of the action that the applicant must take, if any, to be found eligible; and
  - (c) Notice of the applicant's right to appeal the determination, as provided in § 3705.
- 3704.2 If the Department determines that a prior eligibility decision for the CAP, CAP2, or CAP3 program was based on material error, falsity, misrepresentation, concealment, omission, or fraud, the Department will:
- (a) Reopen the application;
  - (b) Inform the applicant of the Department's final action or intended action;
  - (c) Provide the applicant with a reasonable opportunity to respond; and

(d) Revise or revoke the determination of eligibility.

3704.3 The applicant shall not have a right to appeal a reduction, suspension, or revocation of the benefit based on a lack of available funding.

### **3705 ADMINISTRATIVE APPEALS**

3705.1 With respect to a matter governed by §§ 3701 to 3704 of this chapter, an applicant adversely affected or aggrieved by an action of the Department may file a written appeal to the Director of the Department, or the Director's designee, stating the basis of the appeal, and providing any information or material that would support a change to the Department's action. The appeal must be filed within thirty (30) calendar days after receipt of the notice of the action.

3705.2 The decision of the Director or the Director's designee upon appeal shall become the final action of the Department. An applicant may seek review of that decision with, and request a hearing before, the Office of Administrative Hearings (OAH) within thirty (30) days of the Department's action. Prehearing practice and the conduct of the hearing shall be in accordance with the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October 5, 1985 (D.C. Law 6-42; D.C. Official Code §§ 2-1801 *et seq.*) and the regulations set forth at Title 1, Chapter 28 of the District of Columbia Municipal Regulations.

### **3799 DEFINITIONS**

3799.1 When used in this chapter, the following words and phrases shall have the meanings ascribed:

**CAP** – DC Water's Customer Assistance Program that provides eligible single-family and individually-metered residential customers exemptions from their billed water and sewer service charges, Payment-in-Lieu of Taxes and Right-of-Way fees, and credits towards their billed CRIAC charges for applicants that the Department determines to be eligible in accordance with 21 DCMR § 4102.1.

**CAP2** – DC Water's and DOEE's expanded Customer Assistance Program that provides eligible single family and individually-metered residential customers exemptions from their billed water and sewer service charges and credits towards their billed CRIAC charges for applicants that the Department determines to be eligible in accordance with 21 DCMR § 4102.2.

**CAP3** – The Department's expanded Customer Assistance Program that provides eligible single-family and individually metered DC Water residential customers credits towards their billed water and sewer services and

CRIAC charges that the Department determines to be eligible in accordance with § 3702 of this chapter.

**DC Water** - the District of Columbia Water and Sewer Authority.

**Department** – the District of Columbia Department of Energy and Environment.

**Chapter 5, WATER QUALITY AND POLLUTION, of Title 21 DCMR, WATER AND SANITATION, is amended by adding Sections 564 to 570, and amending Section 599, DEFINITIONS, as follows:**

**564 CLEAN RIVERS IMPERVIOUS SURFACE AREA CHARGE RELIEF PROGRAM FOR NONPROFIT ORGANIZATIONS**

- 564.1 The provisions in this section and Sections 565 through 570 provide the eligibility criteria, payment guidance, and appeal procedures for the Clean Rivers Impervious Surface Area Charge (CRIAC) Relief Program for Nonprofit Organizations (CRIAC Nonprofit Relief Program).
- 564.2 The purpose of the CRIAC Nonprofit Relief Program is to assist nonprofit organizations in the District with payment of the DC Water CRIAC on eligible properties. The CRIAC is billed monthly for individual properties, defined by the unique Square, Suffix, and Lot, and calculated based on the number of equivalent residential units (ERUs), on certain properties.
- 564.3 Benefits will only be granted for the portion of a nonprofit’s property that meets the requirements of § 565.1 and 565.2, hereinafter referred to as “eligible ERU” or “eligible impervious area” in this chapter.
- 564.4 Benefits granted to a nonprofit organization by the CRIAC Nonprofit Relief Program may not exceed the amount of the CRIAC on the nonprofit organization’s water and sewer bill, when combined with any DC Water Clean Rivers Impervious Surface Area Charge Incentive Discount.
- 564.5 Benefits granted through the CRIAC Nonprofit Relief Program shall be applied as a credit on the water and sewer bill, provided that:
- (a) Nothing in this chapter shall be interpreted to mean that a benefit provided to a nonprofit organization through the CRIAC Nonprofit Relief Program is an entitlement, continuing or otherwise;
  - (b) Benefits provided by the Department under the CRIAC Nonprofit Relief Program are subject to the availability of funds; and

- (c) If the Department determines that remaining available funds may be insufficient to provide further benefits during a fiscal year, the Department may:
  - (1) Suspend the process of taking applications;
  - (2) Suspend the process of awarding benefits; or
  - (3) Lower the level of benefit established by section 568.3 as necessary based on the available funds.

**565 ELIGIBILITY CRITERIA FOR PROPERTIES OF NONPROFIT ORGANIZATIONS**

565.1 To be eligible for relief under the CRIAC Nonprofit Relief Program for the CRIAC assessed on a particular property, an organization shall, with respect to that property:

- (a) Have an active DC Water account and responsibility for paying DC Water's CRIAC; and
- (b) Meet at least one of the following conditions:
  - (1) Have obtained, from the District's Office of Tax and Revenue (OTR), a real property tax exemption, pursuant to:
    - (A) D.C. Official Code § 47-1002(12) (certain cemeteries);
    - (B) D.C. Official Code § 47-1002(13) and (14) (certain property of religious institutions); or
    - (C) D.C. Official Code § 47-1002(8) (certain charitable institutions); or
    - (D) D.C. Official Code § 47-1002(32) (certain continuing care retirement communities); or
  - (2) Maintain a current license, from the Department of Insurance, Securities, and Banking (DISB), as a continuing care retirement facility for a property that is exempt from District real property tax, pursuant to D.C. Official Code §§ 44-151.01 *et seq*; or
  - (3) Have obtained, from OTR, an exemption from possessory interest tax pursuant to D.C. Official Code § 47-1005.01 for a use described in D.C. Official Code §§ 47-1002(8), (12), (13), (14), and (32).

565.2 If a portion of the property has a use other than the eligible uses described in § 565.1, or is otherwise excluded from benefits under these rules, to determine the eligible impervious area or eligible ERUs for the remainder of the property, the Department may:

- (a) Use the percent of real property improvements for which OTR has granted real property tax exemption;
- (b) Use the DC Water-calculated amount of eligible ERUs, as available; or
- (c) Estimate the eligible ERUs, using at a minimum, aerial photography and other relevant information, as available.

565.3 In addition to § 565.1 above, for a property to be eligible for the CRIAC Nonprofit Relief Program, the nonprofit organization shall:

- (a) Show significant financial hardship in paying its CRIAC in accordance with § 565.4;
- (b) At the Department's request, allow the Department, or an organization approved by the Department, to visit the site of the nonprofit organization and recommend potential stormwater mitigation project(s) on the site;
- (c) Submit for the Department's approval, a written proposal to mitigate stormwater runoff through one of the following:
  - (1) Install and maintain on the site of the nonprofit organization a stormwater runoff mitigation project that meets the requirements of § 565.5;
  - (2) If a stormwater runoff mitigation project on the site of the nonprofit organization is infeasible, implement or have implemented an alternative, off-site stormwater runoff mitigation measure or activity in the District that meets the requirements of § 565.6;
  - (3) Maintain on the site of the nonprofit organization an existing stormwater mitigation project that meets the requirements of § 565.5; or
  - (4) For a major regulated project, as defined in § 599, maintain compliance with the Stormwater Management Performance Requirements in §§ 520 and 522;

- (d) For any project under paragraphs (c)(1) and (c)(2) of this subsection, complete, implement, or have implemented the stormwater mitigation project within one (1) year after receiving the Department's approval of the written proposal; and
- (e) Submit to the Department:
  - (1) A copy of the most recently submitted FP-161 Exempt Property Use Report; and
  - (2) If applicable, a copy of the most recent, active Permanent License as a Continuing Care Retirement Community, issued by DISB.

565.4 For eligible organizations, as determined by § 565.1(b), significant financial hardship, as referred to in § 565.3(a), shall be established as follows:

- (a) For an organization that is required to file a U.S. Department of the Treasury, Internal Revenue Service (IRS) form 990, or that has filed said form voluntarily, submit the most recent filed copy of the IRS Form 990, provided that it was filed within the last two completed tax years, and a signed declaration, executed under penalty of perjury, attesting that the annual CRIAC is at least one percent (1%) of the organization's annual revenue, less expenses, as reported on Part I, Line 19 of the IRS Form 990.
- (b) For an organization that, in the most recent completed fiscal year, was not required by the IRS to file, or has not voluntarily filed, an IRS form 990, submit a signed declaration and income statement, consistent with the requirements of an IRS Form 990, executed under penalty of perjury, prepared in accordance with standard accounting practices, documenting that the annual CRIAC is at least one percent (1 %) of the organization's annual revenue, less expenses.
  - (1) The Department will apply best practices, such as testing a subset of signed declarations, to help ensure that the submission and declaration process is valid.
  - (2) For the purposes of this provision, fiscal year is defined as twelve (12) consecutive months ending on the last day of any month used as an annual accounting period by the eligible organization for keeping records and reporting income and expenses.

565.5 For an on-site stormwater mitigation project to qualify under §§ 565.3(c)(1) or (c)(3), the organization must:

- (a) Plant, or have planted after May 1, 2009, one tree per eligible ERU on the property of the nonprofit organization for which the CRIAC benefit is sought; or



- (b) Manage ten percent (10%) of the eligible impervious area through the installation of BMPs that are eligible for a Stormwater Fee Discount as described in § 558.

565.6 For an off-site stormwater mitigation project to qualify under § 565.3(c)(2), the organization must:

- (a) Obtain and retire ten (10) Stormwater Retention Credits (SRCs) per eligible ERU, which may be SRCs obtained prior to the commencements of the CRIAC Nonprofit Relief Program; or
- (b) Elect to use a portion of their approved benefit, equal to the current market value of ten (10) SRCs per eligible ERU, to fund stormwater mitigation efforts elsewhere in the District. The Department shall use this funding through a Department program to provide stormwater mitigation on behalf of the organization.

565.7 An eligible nonprofit organization may implement a combination of the above stormwater mitigation options, including on-site and off-site, to receive benefits.

565.8 As a requirement of continued eligibility in the CRIAC Nonprofit Relief Program:

- (a) A nonprofit organization that met the requirements of § 565.3(c) in whole or in part through on-site stormwater mitigation must both meet the requirements of § 565.5 and:
  - (1) Properly maintain the tree(s), or maintain the qualifying BMP(s) so that it continues to function as designed and approved; and
  - (2) Allow the Department access to the property to inspect the tree or BMP; or
- (b) A nonprofit organization that met the requirements of § 565.3(c) in whole or in part through off-site stormwater mitigation must, as applicable:
  - (1) Retire ten (10) SRCs per eligible ERU annually; or
  - (2) Elect to use a portion of their approved benefit, equal to the current market value of ten (10) SRCs per eligible ERU, to fund stormwater mitigation efforts elsewhere in the District through a Department-approved program.

**566 INITIAL APPLICATION**

- 566.1 In order to obtain CRIAC benefits, a nonprofit organization must submit an application to the Department prior to September 1 of the fiscal year in which relief is sought.
- 566.2 A nonprofit organization applying for benefits will submit a separate application for any non-adjacent property.
- 566.3 The application shall be submitted on such forms, in hard copy or electronically, as the Department may designate.
- 566.4 The Department shall notify the applicant whether the funding request has been approved, denied, or if additional information is needed to make a determination. Incomplete applications shall be returned to the applicant.

**567 RENEWAL APPLICATION**

- 567.1 Renewal applications must be received by the Department prior to September 1 of the fiscal year in which relief is sought.
- 567.2 Upon receipt of a renewal application, the Department may perform an inspection to verify that the BMP or stormwater mitigation project remains eligible for the discount.
- 567.3 For a renewal applicant who had proposed a stormwater mitigation project, the applicant shall submit proof that the organization made a reasonable and good faith effort, as determined by the Department, to fulfill its proposal.

**568 APPROVAL; AMOUNT AND DURATION OF BENEFITS**

- 568.1 If the Department approves a CRIAC Nonprofit Relief Program application, the benefits shall be available for the entire fiscal year (October 1 – September 30) in which the application was submitted, based on the availability of funds, provided that the nonprofit remains eligible, as described in § 565.1 and 565.2.
- 568.2 The Department shall determine the benefits available under the CRIAC Nonprofit Relief Program, equivalent to a specific percentage of the organization's CRIAC, taking into account the following:
- (a) The availability of funds;
  - (b) The number of eligible organizations ; and
  - (c) Any Clean Rivers IAC Incentive Program discount associated with the Eligible ERUs.

568.3 The Department may calculate a retroactive benefit to account for the period from the start of the fiscal year in which the application or renewal application was received through the date of approval, which would be provided as a one-time credit on the nonprofit's water and sewer bill.

**569 DENIAL, REDUCTION, OR REVOCATION OF BENEFITS**

569.1 The Department may:

- (a) Deny an application for a benefit period based on an applicant's failure to meet the eligibility requirements of the CRIAC Nonprofit Relief Program, or deny an application in whole or in part based on lack of available funding;
- (b) Reduce or revoke a benefit for:
  - (1) A tree that the Department determines is unhealthy or dying;
  - (2) The failure of the BMP to retain the stormwater runoff volume for which the discount was approved, or
  - (3) The organization's failure to obtain SRCs; and
- (c) Require reimbursement of any portion of the benefits, based on the organization's:
  - (1) Submission of false or invalid documentation, including:
    - (A) Documents required to be filed under § 565.4 to establish financial hardship; and
    - (B) Other required application materials; or
  - (2) Failure to make a good faith effort to fulfill the stormwater mitigation project required in § 565.3(c) or § 565.5 that generated the CRIAC benefit.

569.2 The Department shall provide notice of a decision to the nonprofit organization, stating the basis for the decision and the organization's right to appeal the Department's decision, as provided in § 570.

569.3 If denial, reduction, or revocation is based on failure to maintain or fulfill the terms of a project as proposed, notice shall also include a statement of:

- (a) Each deficiency;
- (b) Corrective action necessary;
- (c) Deadline for completion of the corrective action, if any; and
- (d) The requirement, if any, for an inspection or re-inspection by the Department.

569.4 The Department may extend the period for corrective action for good cause shown.

569.5 The nonprofit organization shall not have a right to appeal a reduction, suspension, or revocation of CRIAC benefit that is based on a lack of available funding.

## **570 ADMINISTRATIVE APPEALS**

570.1 With respect to a matter governed by Sections 564 through 569 of this chapter, an organization adversely affected or aggrieved by an action of the Department may file a written appeal to the Director of the Department, or the Director's designee, stating the basis of the appeal, and providing any information or material that would support a change to the Department's action. The appeal must be filed within fifteen (15) calendar days after receipt of the notice of the action.

570.2 The decision of the Director or the Director's designee upon appeal shall become the final action of the Department. An organization may seek review of that decision with, and request a hearing before, the Office of Administrative Hearings (OAH) within thirty (30) days of the Department's action. Prehearing practice and the conduct of the hearing shall be in accordance with the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October 5, 1985 (D.C. Law 6-42; D.C. Official Code §§ 2-1801 *et seq.*) and the regulations set forth at Title 1, Chapter 28 of the District of Columbia Municipal Regulations.

### **Section 599, DEFINITIONS, Subsection 599.1, is amended by adding the following terms:**

**CRIAC** - DC Water's Clean Rivers Impervious Surface Area Charge or Clean Rivers Impervious Area Charge.

**Equivalent Residential Unit (ERU)** –A measure of impervious area based on one thousand (1,000) square feet of impervious surface area, taking account of a statistical median of residential properties. The number of ERUs is determined based on the amount of impervious area and the customer's classification as residential, multi-family, or non-residential.

## DEPARTMENT OF HEALTH CARE FINANCE

NOTICE OF FINAL RULEMAKING

The Director of the Department of Health Care Finance (DHCF or the Department), pursuant to the authority set forth in An Act to enable the District of Columbia (District) to receive federal financial assistance under Title XIX of the Social Security Act for a medical assistance program, and for other purposes approved December 27, 1967 (81 Stat.744; D.C. Official Code § 1-307.02 (2016 Repl. & 2019 Supp.)), and Section 6(6) of the Department of Health Care Finance Establishment Act of 2007, effective February 27, 2008 (D.C. Law 17-109; D.C. Official Code § 7-771.05(6) (2018 Repl.)), hereby gives notice of an amendment to Section 995 (Medicaid Physician and Specialty Services Rate Methodology) of Chapter 9 (Medicaid Program) of Title 29 (Public Welfare) of the District of Columbia Municipal Regulations (DCMR).

This rule provides DHCF the authority to make recurring quarterly supplemental payments for one fiscal year to Medicaid-enrolled physician groups, with at least five hundred (500) physicians that are members of the group, that contract with a public, general hospital located in economically underserved areas of the District to deliver inpatient, emergency department, and intensive care physician services to Medicaid beneficiaries. These supplemental payments will mitigate the Medicaid losses of eligible physician group practices that offer these critically important services to Medicaid beneficiaries. DHCF projects an increase in aggregate expenditures of approximately four and a half (\$4.5) million dollars in Fiscal Year (FY) 2019.

DHCF also amended the District's State Plan for Medical Assistance. These rules correspond to the State Plan Amendment (SPA), which was approved by the Centers for Medicare and Medicaid Services (CMS) on October 23, 2018.

A Notice of Emergency and Proposed Rulemaking was published in the *D.C. Register* on July 27, 2018 at 65 DCR 007889. No comments were received. DHCF revised this rulemaking to align with the language of the approved SPA. DHCF also made amendments to clarify how payments were derived and the timing of supplemental payments. A Notice of Second Emergency and Proposed Rulemaking was published in the *D.C. Register* on March 8, 2019 at 66 DCR 002796. DHCF received no comments and made no changes to this rulemaking.

This rulemaking was adopted as final on September 20, 2019, and shall become effective upon publication in the *D.C. Register*.

**Chapter 9, MEDICAID PROGRAM, of Title 29 DCMR, PUBLIC WELFARE, is amended as follows:**

**Section 995, MEDICAID PHYSICIAN AND SPECIALTY SERVICES RATE METHODOLOGY, is amended to read as follows:**

**Subsection 995.7 is amended to read as follows:**

995.7 The Department of Health Care Finance (DHCF) shall use both the facility and non-facility rates that are derived from the Medicare physician fee schedule, which is effective on January 1 of each calendar year. For FY 2018, the District uses the Medicare physician fee schedule effective January 1, 2018 through December 31, 2018. DHCF shall reimburse either the facility or non-facility rates in accordance with the place of service (facility or non-facility) noted on the provider submitted claims.

**Subsection 995.8 is amended to read as follows:**

995.8 For services rendered on or after October 1, 2018 through September 30, 2019, quarterly supplemental payments in the amount of one million and one hundred and twenty-five thousand dollars (\$1,125,000.00) shall be equally distributed among physician groups that meet the criteria described in Subsection 995.9.

**Subsection 995.9 is amended to read as follows:**

995.9 To receive a supplemental payment, a physician group shall meet all of the following conditions:

- (a) Be a group practice, consistent with the conditions set forth under 42 CFR § 411.352, and additionally have at least five hundred (500) physicians that are members of the group (whether employees or direct or indirect owners) as defined at 42 CFR § 411.351;
- (b) Be screened and enrolled with the Department of Health Care Finance (DHCF) in accordance with the requirements set forth under Chapter 94 of the District of Columbia Municipal Regulations (DCMR);
- (c) Contract with a public, general hospital, as defined under Section 2099 of Title 22-B DCMR, located in an economically underserved area of the District of Columbia to provide at least two (2) of the following services to Medicaid beneficiaries:
  - (1) Inpatient services, as described in Supplement 1 to Attachment 3.1A, section 1.B, page 2, and Supplement 1 to Attachment 3.1B, section 1.B, page 2 and defined in 42 CFR § 440.10;

- (2) Emergency hospital services, as described in Supplement 1 to Attachment 3.1A, section 24.E, page 28; Supplement 1 to Attachment 3.1B, section 24.E, page 27; and Attachment 4.19B, Part 1, section 20.a, page 11; or
- (3) Intensive care physician services, as authorized under Supplement 1 to Attachment 3.1A, section 5, pages 6b-7, and Supplement 1 to Attachment 3.1B, section 5, pages 5b-6.

**Subsection 995.10 is amended to read as follows:**

995.10 Quarterly payments made in accordance with Subsection 995.7 shall not exceed four and a half (\$4.5) million for Fiscal Year (FY) 2019.

**Subsection 995.11 is amended to read as follows:**

995.11 All payments shall be made quarterly, no later than thirty (30) days after the end of each quarter.

## DEPARTMENT OF HEALTH

NOTICE OF FINAL RULEMAKING

The Director of the Department of Health, pursuant to the authority set forth in § 302(14) of the District of Columbia Health Occupations Revision Act of 1985 (“Act”), effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1203.02(14) (2016 Repl.)), and Mayor’s Order 98-140, dated August 20, 1998, hereby gives notice of the adoption of amendments to Chapter 72 (Recreational Therapy) of Title 17 (Business, Occupations, and Professionals) of the District of Columbia Municipal Regulations (DCMR) .

The purpose of this rulemaking is to require recreational therapists seeking to renew, reactivate, or reinstate their registration to complete continuing education in public health priorities as determined and amended from time to time by the Director.

The rulemaking was published as a proposed rulemaking in the *D.C. Register* on June 21, 2019 at 66 DCR 7449. No comments were received and there has been no change to the rule as proposed. This rule was adopted as final on August 21, 2019 and will be effective upon publication in the *D.C. Register*.

**Chapter 72, RECREATIONAL THERAPY, of Title 17 DCMR, BUSINESS, OCCUPATIONS, AND PROFESSIONALS, is amended as follows:**

**Section 7205, CONTINUING EDUCATION REQUIREMENTS, is amended as follows:**

**Subsection 7205.3 is amended to read as follows:**

7205.3 An applicant for registration renewal shall complete a minimum of twenty (20) contact hours of approved continuing education in accordance with § 7206 and § 7207 during the two (2) year period preceding the date the registration expires. The required continuing education shall also include two (2) hours of LGBTQ continuing education and ten percent (10%) of the total required continuing education shall be in the subjects determined by the Director as public health priorities of the District, which shall be duly published every five (5) years or as deemed appropriate.

**Section 7209, REACTIVATION, is amended to read as follows:**

**7209 REACTIVATION**

7209.1 The requirements of this section shall apply to persons whose registration under this chapter has been placed in inactive status and who seek reactivation of their registration in accordance with § 511 of the Act, D.C. Official Code § 3-1205.11.

7209.2 An applicant for reactivation of a recreational therapy registration which has been inactive five (5) years or less who does not hold a registration or equivalent in any other jurisdiction shall submit proof pursuant to § 7205 of having completed ten (10) contact hours of approved continuing education programs for each year that



the applicant was not registered, up to a maximum of fifty (50) hours, two of which shall be LGBTQ continuing education and ten percent (10%) of which shall be in the subjects determined by the Director as public health priorities of the District, which shall be duly published every five (5) years or as deemed appropriate.

7209.3 A reactivation applicant whose registration has been inactive for more than 5 (five) years and who does not hold an active registration or equivalent in any other jurisdiction shall submit proof pursuant to § 7205 of having completed the following:

- (a) Ten (10) contact hours of approved continuing competence programs for each year that the applicant was not registered, up to a maximum of fifty (50) hours with ten percent (10%) of the total required continuing education in the subjects determined by the Director as public health priorities of the District, which shall be duly published every five (5) years or as deemed appropriate. Twenty (20) of the total contact hours required shall have been completed within two (2) years prior to the date the application is submitted and include two (2) hours of LGBTQ continuing education; and
- (b) One hundred sixty (160) hours of clinical training supervised by a registered recreational therapist within the two (2) months prior to the date the application is submitted.

7209.4 A reactivation applicant who holds an active registration or equivalent in any other jurisdiction shall not be required to submit proof of continuing education contact hours with the reactivation application.

**Section 7210, REINSTATEMENT, is amended as follows:**

**Subsection 7210.3 is amended to read as follows:**

7210.3 A reinstatement applicant may be eligible for reinstatement of his or her registration only if he or she holds a current, active certification as a Certified Therapeutic Recreation Specialist (CTRS) issued by the National Council for Therapeutic Recreation Certification (NCTRC) and submit satisfactory proof of ten (10) contact hours of approved continuing competence programs for each year that the applicant was not registered, up to a maximum of fifty (50) hours with ten percent (10%) of the total required continuing education in the subjects determined by the Director as public health priorities of the District, which shall be duly published every five (5) years or as deemed appropriate. Twenty (20) of the total contact hours required shall have been completed within two (2) years prior to the date the application is submitted and shall include two (2) hours of LGBTQ continuing education.

## DEPARTMENT OF HEALTH

NOTICE OF FINAL RULEMAKING

The Director of the Department of Health, pursuant to the authority set forth in § 302(14) of the District of Columbia Health Occupations Revision Act of 1985 (“Act”), effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1203.02(14) (2016 Repl.)), and Mayor’s Order 98-140, dated August 20, 1998, hereby gives notice of the final action to amend Chapter 82 (Physical Therapy Assistants) of Title 17 (Business, Occupations, and Professionals) of the District of Columbia Municipal Regulations (DCMR).

The purpose of this rulemaking is to require physical therapy assistants seeking to renew, reactivate, or reinstate the license to complete continuing education in public health priorities as determined and amended from time to time by the Director.

The rulemaking was published as a proposed rulemaking in the *D.C. Register* on June 14, 2019 at 66 DCR 7182. No comments were received and there has been no change to the rule as proposed. This rule was adopted as final on August 21, 2019 and will be effective upon publication in the *D.C. Register*.

**Chapter 82, PHYSICAL THERAPY ASSISTANTS, of Title 17 DCMR, BUSINESS, OCCUPATIONS, AND PROFESSIONALS, is amended as follows:**

**Section 8206, CONTINUING EDUCATION REQUIREMENTS, is amended as follows:**

**Subsection 8206.4 is amended to read as follows:**

8206.4 To qualify for the renewal of a license, an applicant shall have completed, during the two (2)-year period preceding the date the license expires, thirty (30) hours of approved continuing education credit, two (2) of which shall be LGBTQ continuing education, and ten percent (10%) of the total hours required shall be in the subjects determined by the Director as public health priorities of the District, which shall be duly published every five (5) years or as deemed appropriate.

**Subsection 8206.6 is amended to read as follows:**

8206.6 To qualify for the reactivation of a license, a person in inactive status within the meaning of section 511 of the Act (D.C. Official Code § 3-1205.11) who does not possess a valid, active physical therapy assistant license in any jurisdiction of the United States shall submit proof of having completed, within one (1) year prior to the submission of the reactivation application, fifteen (15) hours of approved continuing education for each year that the applicant was in inactive status up to a maximum of seventy-five (75) hours, with ten percent (10%) of the total required being in the subjects determined by the Director as public health priorities of the District, plus two (2) hours of LGBTQ continuing education.

**Subsection 8206.8 is amended to read as follows:**

8206.8 To qualify for the reinstatement of a license, an applicant shall submit proof of having completed, no more than two (2) years before the date of the reinstatement application, fifteen (15) hours of approved continuing education credit for each year that the applicant was not licensed in the District, with ten percent (10%) of the total required being in the subjects determined by the Director as public health priorities of the District, plus two (2) hours of LGBTQ continuing education.

**Section 8299, DEFINITIONS, is amended as follows:****Subsection 8299.1 is amended as follows:****The following definition is added before the definition of “LGBTQ continuing education”:**

**Director** – The Director of the Department of Health, or the Director’s designee.

## DEPARTMENT OF HEALTH

NOTICE OF FINAL RULEMAKING

The Director of the Department of Health, pursuant to the authority set forth in § 302(14) of the District of Columbia Health Occupations Revision Act of 1985 (“Act”), effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1203.02(14) (2016 Repl.)), and Mayor’s Order 98-140, dated August 20, 1998, hereby gives notice of the final action to amend Chapter 86 (Psychology Associate) of Title 17 (Business, Occupations, and Professionals) of the District of Columbia Municipal Regulations (DCMR).

The purpose of this rulemaking is to require psychology associates seeking to renew, reactivate, or reinstate the registration to complete continuing education in public health priorities as determined and amended from time to time by the Director. Additionally, the rulemaking will also remove the requirements that reactivation and reinstatement applicants re-take the jurisprudence examination if their registration has been inactive or expired more than two (2) years.

The rulemaking was published as a proposed rulemaking in the *D.C. Register* on June 21, 2019 at 66 DCR 7452. No comments were received and there has been no change to the rule as proposed. This rule was adopted as final on August 21, 2019 and will be effective upon publication in the *D.C. Register*.

**Chapter 86, PSYCHOLOGY ASSOCIATE, of Title 17 DCMR, BUSINESS, OCCUPATIONS, AND PROFESSIONALS, is amended as follows:**

**Section 8606, CONTINUING EDUCATION REQUIREMENTS, is amended as follows:**

**Subsection 8606.3 is amended to read as follows:**

8606.3 To qualify for the renewal of a registration, an applicant shall have completed thirty (30) hours of approved continuing education credits during the two (2)-year period preceding the date the registration expires, which shall also meet the following requirements:

- (a) At least fifteen (15) hours of approved continuing education shall be completed in live program(s);
- (b) Ten percent (10%) of the required continuing education shall be in the subjects determined by the Director as public health priorities of the District, which shall be duly published every five (5) years or as deemed appropriate; and
- (c) Three (3) hours shall be in ethics and two (2) hours shall be LGBTQ continuing education.

**Subsection 8606.4 is amended to read as follows:**

8606.4 An applicant in inactive status within the meaning of § 511 of the Act (D.C. Official Code § 3-1205.11) who submits an application to reactivate a registration shall submit proof of having completed thirty (30) hours of approved continuing education, including three (3) hours of ethics and two (2) hours of LGBTQ continuing education, provided further that ten percent (10%) of the total required continuing education shall be in the subjects determined by the Director as public health priorities of the District, which shall be duly published every five (5) years or as deemed appropriate.

**Subsection 8606.5 is amended to read as follows:**

8606.5 An applicant for reinstatement of a registration shall submit proof of having completed thirty (30) hours of approved continuing education, including three (3) hours of ethics and two (2) hours of LGBTQ continuing education, provided further that ten percent (10%) of the total required continuing education shall be in the subjects determined by the Director as public health priorities of the District, which shall be duly published every five (5) years or as deemed appropriate.

**Section 8699, DEFINITIONS, is amended as follows:****Subsection 8699.1 is amended as follows:****The following definition is added after the definition of “Direct Supervision”:**

**Director** – the Director of the Department of Health or the Director’s designee.

## DEPARTMENT OF HEALTH

NOTICE OF FINAL RULEMAKING

The Director of the Department of Health (Department), pursuant to § 302(4) of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1203.02(14) (2016 Repl.)), and Mayor's Order 98-140, dated August 20, 1998, hereby gives notice of the adoption of the following amendments to Chapter 106 (Trauma Technologists) of Title 17 (Business, Occupations, and Professionals) of the District of Columbia Municipal Regulations (DCMR).

The rulemaking is necessary to update Sections 10608 (Continuing Education Requirements) and 10699 (Definitions) of the District of Columbia Municipal Regulations pertinent to the Board of Medicine in order to amend the requirement for Continuing Education for trauma technologists. 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.

The Notice of Proposed Rulemaking was published in the *D.C. Register* on July 12, 2019 at 66 DCR 008192. No comments were received on the proposed rulemaking and no changes have been made to the proposed rule. The amendment was adopted as final on September 11, 2019 and shall become effective upon publication of this Notice of Final Rulemaking in the *D.C. Register*.

**Chapter 106, TRAUMA TECHNOLOGISTS, of Title 17 DCMR, BUSINESS, OCCUPATIONS, AND PROFESSIONALS, is amended as follows:**

**Section 10608, CONTINUING EDUCATION REQUIREMENTS, is amended as follows:**

**Subsection 10608.2 is amended to read as follows:**

10608.2 An applicant for renewal of a license to practice as a trauma technologist shall submit proof pursuant to § 10608.5 of having completed during the two (2)-year period preceding the date the license expires approved continuing education units (CEUs) constituting:

- (a) Fifty (50) hours of CEU credit as specified in § 10609.2;
- (b) Two (2) hours of CEU credit in cultural competence or appropriate clinical treatment specifically for individuals who are lesbian, gay, bisexual, transgender, gender nonconforming, queer, or questioning their sexual orientation or gender identity and expression (LGBTQ) that meets the requirement of § 10609.3, and which shall count towards the hours required under paragraph (a); and
- (c) At least ten percent (10%) of the total required continuing medical 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.

**Subsection 10608.4 is amended to read as follows:**

- 10608.4 An applicant for reactivation of an inactive license or reinstatement of a license to practice as a trauma technologist shall submit proof pursuant to § 10608.5 of having completed during the two (2)-year period immediately preceding the date of application fifty (50) hours of CEU credit as specified in § 10609.2 of which:
- (a) Two (2) hours of CEU credit are in cultural competence or appropriate clinical treatment specifically for individuals who are lesbian, gay, bisexual, transgender, gender nonconforming, queer, or questioning their sexual orientation or gender identity and expression (LGBTQ) that meets the requirement of § 10609.3; and
  - (b) At least ten percent (10%) of the total required continuing medical 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.

**Section 10699, DEFINITIONS, is amended as follows:**

**Subsection 10699.1 is amended as follows:**

**The following definition is added before the definition of “Immediately available”:**

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

## DEPARTMENT OF HEALTH

**NOTICE OF PROPOSED RULEMAKING**

The Director of the Department of Health (DC Health), pursuant to authority set forth in Sections 104 and 105 of the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985 (Civil Infractions Act), effective October 5, 1985 (D.C. Law 6-42; D.C. Official Code §§ 2-1801.04(a)(1) and 2-1801.05 (2016 Repl.)), Section 4902(a) of the Department of Health Functions Clarification Act of 2001 (Health Functions Act), effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 7-731(a)(13) and (b) (2018 Repl.)), Mayor's Order 2000-184, dated December 5, 2000, and Mayor's Order 2004-46(2) and (3)(u), dated March 22, 2004, hereby gives notice of intent to amend Chapter 36 (Department of Health (DOH) Infractions) of Title 16 (Consumers, Commercial Practices, and Civil Infractions) of the District of Columbia Municipal Regulations (DCMR).

These proposed rules would establish a new Section 3631 schedule of fines for Public Health Nuisances and Rodent Control in Title 16 DCMR to correspond with DC Health's Public Health Nuisances and Rodent Control Regulations in Subtitle I of Title 25 DCMR, which were published in the *D.C. Register* on July 5, 2019 at 66 DCR 007951.

The Director also gives notice of her intent to take final rulemaking action to adopt the proposed rules in not less than thirty (30) days from the date of publication of this notice in the *D.C. Register*. Further, pursuant to Section 104 of the Civil Infractions Act, the proposed rulemaking shall be submitted to the Council of the District of Columbia ("Council") for its approval or disapproval, in whole or in part, by resolution. The proposed rulemaking shall not become effective until approved by the Council, or thirty (30) days after submission if the Council has not disapproved the proposed rulemaking and a Notice of Final Rulemaking is published in the *D.C. Register*.

**Chapter 36, DEPARTMENT OF HEALTH (DOH) INFRACTIONS, of Title 16 DCMR, CONSUMERS, COMMERCIAL PRACTICES, AND CIVIL INFRACTIONS, is amended as follows:**

**Section 3631, RODENT CONTROL INFRACTIONS, is amended to read as follows:**

**3631 PUBLIC HEALTH NUISANCES AND RODENT CONTROL INFRACTIONS**

3631.1 Violations of any of the following provisions shall be a Class 3 Infraction:

- (a) Failing to submit required documentation to the Department in violation of 25-I DCMR § 207.4(a)(1) through (3);
- (b) Failing to comply with a Notice to Abate Violation or other directives issued by the Department to cleanup or remove environmental conditions on private property, residential and



commercial property as specified in 25-I DCMR §§ 204.1(b) and (c), and 204.2;

- (c) Failing to comply with a Notice to Abate Violation or other directives issued by the Department to cleanup or remove environmental conditions, or reduce or eliminate rodent activity or rodent harborage conditions on multi-residential properties, or apartment buildings consisting of four (4) or more units, or commercial properties as specified in 25-I DCMR §§ 206.1(b) and (c), and 206.2;
- (d) Failing to obtain Department of Health's Approval for the Issuance of a DCRA Raze Permit in violation of 25-I DCMR § 207.7;
- (e) Failing to maintain a record of all completed corrective actions in violation of 25-I DCMR § 207.8;
- (f) Failing to comply with directives issued by the Mayor or his or her designated agent for the demolition or removal of an insanitary or unsafe building, or part thereof, other than a fence or shed in violation of 25-I DCMR § 207.9; or
- (g) Failure of a property owner or his agent or representative and the lessee or occupant of any such vessel, premises, grounds, structure, or building, or part thereof, and every person having the care and management thereof to provide a Department representative access during hours of operation or other reasonable times as determined by the Department; or hindering, obstructing, or in any way interfering with any inspector or authorized Department personnel in the performance of his or her duty in violation of 25-I DCMR § 301.3.

3631.2 Violations of any of the following environmental conditions, organic decay, and nuisance odors shall be a Class 3 Infraction:

- (a) Failing to abate filth on their property in violation of 25-I DCMR §§ 200.1(a) and 203.1(a);
- (b) Failing to abate the contents of cesspools on their property in violation of 25-I DCMR §§ 200.1(b) and 203.1(a);
- (c) Failing to abate offal on their property in violation of 25-I DCMR §§ 200.1(c) and 203.1(a);
- (d) Failing to abate solid waste on their property in violation of 25-I DCMR §§ 200.1(d) and 203.1(a);

- (e) Failing to abate foul water on their property in violation of 25-I DCMR §§ 200.1(e) and 203.1(a);
- (f) Failing to abate refuse from factories, warehouses, or commercial operations on their property in violation of 25-I DCMR §§ 200.1(f) and 203.1(a);
- (g) Failing to abate construction and demolition waste on their property in violation of 25-I DCMR §§ 200.1(g) and 203.1(a);
- (h) Failing to abate ordure on their property in violation of 25-I DCMR §§ 200.1(h) and 203.1(a);
- (i) Failing to abate urine on their property in violation of 25-I DCMR §§ 200.1(i) and 203.1(a); or
- (j) Failing to compost decayed animal or vegetable matter in accordance with the Home Composting Incentives Amendment Act of 2018, effective July 17, 2018 (D.C. Law 22-146; D.C. Official Code § 8-1031.12b) in violation of 25-I DCMR §§ 200.1(j) and 203.1(a).

3631.3 The following rodent activity shall be a Class 3 Infraction:

- (a) Failing to inspect property for rodent activity in violation of 25-I DCMR §§ 201.3(a) and 203.1(b);
- (b) Failing to remove dead rodents, in violation of 25-I DCMR §§ 201.3(b) and 203.1(b); or
- (c) Failing to obtain a D.C. licensed and certified pest exterminator to treat rodent burrows on the property in violation of 25-I DCMR §§ 201.3(c) and 203.1(b).

3631.4 The following rodent harborage conditions shall be a Class 3 Infraction:

- (a) Failing to inspect property for conditions that could support rodent harborage before transferring or changing the property's occupancy in violation of 25-I DCMR § 202.1;
- (b) Failing to prevent grass or weed growth at eight inches (8") or higher on public or private property, in accordance with Section 908(a) of the Rodent Control Act of 2000, effective October 19, 2000 (D.C. Law 13-172; D.C. Official Code § 8-2103.05(a)), not including "critical areas" designated by the Department of Energy and Environment pursuant to Section 202 of the Fisheries and Wildlife

Omnibus Amendment Act of 2016, effective May 19, 2017 (D.C. Law 21-282; D.C. Official Code § 8-1731.02) (2018 Supp.) in violation of 25-I DCMR §§ 202.2(a) and 203.1(c);

- (c) Allowing spillage from outdoor receptacles or waste handling units such as collection vehicles to remain on the property in violation of 25-I DCMR §§ 202.2(b) and 203.1(c);
- (d) Accumulating trash, animal fecal matter, discarded items and furniture, boxes, tires, vehicles, or construction materials on the property in violation of 25-I DCMR §§ 202.2(c) and 203.1(c);
- (e) Accumulating trash, debris, discarded or unnecessary items on public property, such as tree beds, alleyways, or roadways in violation of 25-I DCMR §§ 202.2(d) and 203.1(c);
- (f) Accumulating trash, debris, discarded or unnecessary items on any part of private property, including porches, basement well areas, yard areas, or other exterior areas in violation of 25-I DCMR §§ 202.2(e) and 203.1(c);
- (g) Accumulating trash, debris, discarded or unnecessary items on any part of private property adjacent to public or private property, such as garages, driveways, or other exterior areas in violation of 25-I DCMR §§ 202.2(f) and 203.1(c);
- (h) Storing pet food or bird feed in containers that are not rodent-proof or leaving uneaten pet food or bird feed in a quantity that is more than necessary to sustain the life of the animal being fed in violation of 25-I DCMR §§ 202.2(g) and 203.1(c);
- (i) Placing refuse in plastic bags outside of container to store and dispose of solid waste other than yard waste in violation of 25-I DCMR §§ 202.2(h) and 203.1(c);
- (j) Improperly storing debris, solid waste, food waste, or grease receptacles outdoors in violation of 25-I DCMR §§ 202.2(i) and 203.1(c);
- (k) Storing debris, solid waste, food waste, or grease outdoors in residential receptacles that are accessible to rodents and other pests in violation of 25-I DCMR §§ 202.2(j) and 203.1(c);
- (l) Storing debris, solid waste, food waste, or grease in outdoor receptacles that are not rodent proof, as defined in section 9901 of

these regulations, due to damaged or improper construction in violation of 25-I DCMR §§ 202.2(k) and 203.1(c);

- (m) Storing debris, solid waste, food waste, or grease in outdoor receptacles that are not rodent proof, as defined in Section 9901 of these regulations, due to improper maintenance in violation of 25-I DCMR §§ 202.2(l) and 203.1(c);
- (n) Storing food waste or grease in outdoors receptacles that are not rodent proof, with tight fitting lids, doors, or covers, as defined in Section 9901 of these regulations in violation of 25-I DCMR §§ 202.2(m) and 203.1(c);
- (o) Storing food waste outdoors in receptacles that are not durable, cleanable, insect and rodent proof, leak proof, and nonabsorbent, as defined in Section 9901 of these regulations in violation of 25-I DCMR §§ 202.2(n) and 203.1(c);
- (p) Storing food waste outdoors in unprotected plastic bags and paper bags, or baled units that contain materials with food residue in violation of 25-I DCMR §§ 202.2(o) and 203.1(c);
- (q) Storing debris, solid waste, food waste, or grease outdoors in waste receptacles that do not have drain plugs in place in violation of 25-I DCMR §§ 202.2(p) and 203.1(c);
- (r) Maintaining an insufficient number of waste receptacles to properly store the amount of debris, solid waste, food waste, or grease being generated in violation of 25-I DCMR §§ 202.2(q) and 203.1(c);
- (s) Storing debris, solid waste, food waste, or grease on an outdoor surface that is not constructed of nonabsorbent material such as concrete or asphalt in violation of 25-I DCMR §§ 202.2(r) and 203.1(c);
- (t) Storing debris, solid waste, food waste, or grease on an outdoor surface that is not smooth, durable and sloped to drain in violation of 25-I DCMR §§ 202.2(s) and 203.1(c);
- (u) Using an outdoor storage or enclosure area that is not constructed of durable and cleanable materials to store debris, solid waste, food waste, or grease in violation of 25-I DCMR §§ 202.2(t) and 203.1(c);
- (v) Using an outdoor storage or enclosure area that lacks sufficient capacity to hold debris, solid waste, food waste, or grease being stored in violation of 25-I DCMR §§ 202.2(u) and 203.1(c);

- (w) Using an on-site compactor that is not installed flushed with the base pad under the unit that does not provide easy access to effectively clean around the unit in violation of 25-I DCMR §§ 202.2(v) and 203.1(c);
- (x) Storing discarded or unnecessary items in outdoor storage or enclosure areas in violation of 25-I DCMR §§ 202.2(w) and 203.1(c);
- (y) Soiled waste receptacles not cleaned on a regular basis to prevent the development of buildup of waste matter or from becoming an attractant to insects and rodents in violation of 25-I DCMR §§ 202.2(x) and 203.1(c); or
- (z) Not using regularly scheduled pickups to remove debris, solid waste, food waste, or grease from the property at a frequency that minimizes the development of objectionable odors and other conditions that attract or harbor insects and rodents in violation of 25-I DCMR §§ 202.2(y) and 203.1(c).

3631.5 Violations of any provision of the District's Public Health Nuisances and Rodent Control Regulations (Subtitle I, Title 25 DCMR), which is not cited elsewhere in this section, shall be a Class 4 infraction.

All persons wishing to comment on these proposed rules should submit written comments no later than thirty (30) days after the date of publication of this notice in the *D.C. Register*, to the Office of the General Counsel, Department of Health, 899 North Capitol Street, N.E., Room 6055, Washington, D.C. 20002. Copies of the proposed rules may be obtained from the above address, excluding weekends and holidays. You may also submit your comments to Angli Black (Paralegal Specialist) on (202) 442-5977 or email [Angli.Black@dc.gov](mailto:Angli.Black@dc.gov).

**D.C. DEPARTMENT OF HUMAN RESOURCES****NOTICE OF PROPOSED RULEMAKING**

The Director of the D.C. Department of Human Resources, with the concurrence of the City Administrator, pursuant to the authority under Mayor’s Order 2019-057, dated June 13, 2019, and in accordance with Title I of the Jobs for D.C. Residents Amendment Act of 2007, effective February 6, 2008 (D.C. Law 17-108; D.C. Official Code §§ 1-515.01 *et seq.* (2016 Repl.)) (“Jobs for D.C. Residents Act”) and Sections 404, 801(e), 859, 906, 957, and 1059 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978 (“CMPA”), effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code §§ 1-604.04, 1-608.01(e), 1-608.59, 1-609.06, 1-609.57, and 1-610.59 (2016 Repl. & 2019 Supp.)), hereby gives notice of the intent to adopt, in not less than thirty (30) days from publication of this notice in the *D.C. Register*, the following amendments to Chapter 3 (Residency), of Subtitle B (Government Personnel), Title 6 (Personnel), of the District of Columbia Municipal Regulations (“DCMR”).

The purpose of this rulemaking is to amend Chapter 3 in its entirety, implementing the provisions of the District Government Employee Residency Amendment Act of 2018, effective May 23, 2019 (D.C. Law 22-315; 66 DCR 1983 (February 15, 2019)), which rewrote Title I of the Jobs for D.C. Residents Act. The proposed rules would: (i) introduce a new residency requirement for “highly compensated employees;” (ii) clarify the requirements for proving residency; (iii) streamline residency verification and compliance audits; (iv) clarify the requirements for hardship waivers; and (v) introduce new annual reporting requirements.

**Chapter 3, RESIDENCY, of Title 6-B DCMR, GOVERNMENT PERSONNEL, is amended to read as follows:**

**300 POLICY AND APPLICABILITY**

- 300.1 The Government of the District of Columbia (“District government”) prioritizes the hiring of District residents into District government jobs to bolster the District’s economy and to facilitate a shared interest in the optimal functioning of the District government.
- 300.2 All the provisions of this chapter shall apply to subordinate agencies. Sections 301.1(c), 301.1(d), 304, 305, 309, and 399 shall also apply to independent agencies.
- 300.3 The residency requirements of this chapter shall not apply to appointments made prior to May 23, 2019, if residency was not a requirement for that appointment or if an existing residency waiver for that appointment is still in effect.

**301 JOBS REQUIRING RESIDENCY**

- 301.1 The following categories of District government employees are required to reside in the District within one hundred and eighty (180) after the employee’s first day

of work with the District government and to remain a resident of the District during their incumbency in an employment position subject to this requirement:

- (a) Employees in the Excepted, Executive, and Senior Executive Attorney Services;
- (b) Legal Service employees of the Council of the District of Columbia;
- (c) Employees hired or re-hired on or after May 23, 2019, in the Career, Management Supervisory, or Educational Service at an annual salary of one hundred fifty thousand dollars (\$150,000) or more; and
- (d) Agency heads.

301.2 An employee who is required to be a resident of the District pursuant to § 301.1 must prove District residency within one hundred eighty (180) days after his or her first day of work.

## **302 RESIDENCY PREFERENCE POINTS FOR COMPETITIVE JOBS**

302.1 Personnel authorities shall use a one hundred (100) point scale for all competitive hiring decisions for jobs in the Career, Educational, Legal, and Management Supervisory Services.

302.2 An applicant for employment in the Career, Educational, Legal, or Management Supervisory Service who resides in the District at the time of application may elect to receive ten (10) District residency preference points, which shall be in addition to any points the applicant receives under the one hundred (100) point scale required by § 302.1.

302.3 When assessment tools beyond the initial screening are used, such as writing samples or written examinations, applicants shall be scored on a new one hundred (100) point scale. Any residency hiring preference points applied during the initial screening phase shall be re-applied to the new one hundred (100) point scale.

302.4 An employee appointed to a position for which he or she elected District residency preference points shall agree in writing to remain a resident of the District for a period of seven (7) consecutive years from the effective date of the employee's appointment, regardless of subsequent promotion, reassignment, transfer, demotion, or any other internal movement within District government. The employee shall execute this written agreement no later than the first day of work for the District government.

302.5 An employee who is required to be a resident of the District pursuant to § 302.4 must prove District residency on or before his or her first day of work.

**303 PROOF OF RESIDENCY PRIOR TO APPOINTMENT**

- 303.1 Personnel authorities shall verify District residency for those employees subject to the District residency requirement under § 302.4 no later than the employee's first day of work.
- 303.2 Personnel authorities shall verify District residency for employees subject to the District residency requirement under § 301.2 no later than one hundred eighty (180) days after the employee's first day of work.
- 303.3 Residency shall be verified by:
- (a) Reviewing the appointee's non-expired driver's license or non-driver identification issued by the Department of Motor Vehicles ("DMV"); and
  - (b) Verifying that the appointee has elected the District for purposes of income tax withholding in the applicable human resources information system.
- 303.4 If an appointee who is required to be a District resident does not have a non-expired driver's license or non-driver identification issued by DMV as required by § 303.3(a), the appointee may provide substitute documentation that is satisfactory to the personnel authority. Substitute documentation shall include a combination of four (4) or more proofs of residency, such as:
- (a) Voter registration card;
  - (b) Motor vehicle registration;
  - (c) Certified deed or current lease or current rental agreement for real property for the employee's principal place of residence in the District;
  - (d) Cancelled checks or receipts for mortgage or rental payments for the employee's principal place of residence in the District;
  - (e) Utility bills and payment receipts for the employee's principal place of residence in the District;
  - (f) A copy of a bank account statement in the name of the employee mailed to the employee's principal place of residence in the District;
  - (g) Copies of credit card or brokerage account statements mailed to the employee's principal place of residence in the District;
  - (h) Copies of automobile insurance statements for the employee mailed to the employee's principal place of residence in the District; or
  - (i) Sworn affidavit.



**304           HARDSHIP WAIVER**

- 304.1           When an employee suffers an extraordinary hardship and must relocate to another state (or remain in another state, in the case of an individual subject to the residency requirement under §§ 301.2 and 302.4) due to exceptional circumstances beyond the employee's control, the employee may apply for a hardship waiver to suspend the residency requirements.
- 304.2           Application for a hardship waiver shall be made in writing to the personnel authority and, for subordinate agencies, according to any procedures established by the Director of the Department of Human Resources (Director).
- 304.3           Within thirty (30) days after receiving an application for a hardship waiver, the personnel authority shall issue a written decision either approving or denying the application.
- 304.4           The written decision shall provide a justification for the personnel authority's decision. Each written decision shall state whether:
- (a)       There is evidence that the hardship exists;
  - (b)       The hardship necessitates residence outside of the District; and
  - (c)       Granting the waiver is in the best interest of District government.
- 304.5           A hardship waiver issued pursuant to this section may be issued for no longer than one (1) year.
- 304.6           A residency waiver granted before May 23, 2019, shall remain effective for the duration of the individual's appointment to the position for which the individual received the waiver.
- 304.7           At the request of the Inspector General, the Director may issue residency waivers for new positions or hires in the Office of the Inspector General. Such waivers shall be issued only for new positions or hires that present exceptional circumstances or are hard-to-fill positions. Waivers issued under this subsection are not subject to the time limits imposed by § 304.5.

**305           PERIODIC VERIFICATIONS**

- 305.1           The Director shall annually verify employees' compliance with the residency requirements established in §§ 301 and 302 at both subordinate agencies and independent agencies.

- (a) Residency shall be verified electronically with data from the DMV and based on income tax withholding data maintained in the applicable human resources information system.
- (b) At his or her discretion, the Director may conduct more frequent verifications than required by this subsection.

305.2 In addition to the electronic verification established pursuant to § 305.1, the Director shall establish additional annual auditing criteria for verifying residency, which may include physical verification that employees possess a valid DMV-issued driver's license or non-driver identification.

305.3 The additional auditing criteria specified in § 305.2 shall be applied annually to at least:

- (a) Twenty percent (20%) of randomly selected subordinate agency employees who are required to maintain District residency; and
- (b) All employees in at least three (3) randomly selected independent agencies or instrumentalities.

305.4 The Director may apply any additional auditing and investigatory techniques deemed appropriate to adequately verify District residency.

305.5 Whenever the Director determines that an employee is not in compliance with District residency requirements, the Director shall take the following steps:

- (a) For a subordinate agency employee, the Director shall separate the employee in accordance with the procedures established in § 306; and
- (b) For an employee in an independent agency, the Director shall notify the applicable personnel authority of his or her findings and, if the employee is found not in compliance with District residency requirements, the applicable personnel authority shall separate the employee in accordance with the procedures adopted by the relevant personnel authority.

## **306 FORFEITURE OF EMPLOYMENT**

306.1 Except for employees who have been issued a hardship waiver pursuant to § 304 or issued prior to May 23, 2019, an employee who is subject to and fails to meet the residency requirements of §§ 301 and 302 forfeits his or her District employment, which shall be cause for separation.

306.2 Notwithstanding §§ 1600.2 and 1626 of this Subtitle, whenever there is cause for separation based on a forfeiture of District employment under this chapter, the forfeiture shall be processed as an adverse action consistent with the following procedures:

- (a) For employees in the Career and Educational Services, §§ 1614, 1618, 1621, 1622, 1623, and 1625 of Subtitle 6-B shall apply.
- (b) For employees in the Excepted, Executive, Senior Executive Attorney, Legal, and Management Supervisory Services, §§ 1614, 1618, 1621, 1622, 1623, and 1628 of Subtitle 6-B shall apply. For purposes of filing a grievance, the grievance official shall be the personnel authority and the grievance shall be reviewed as a final decision pursuant to § 1633.
- (c) For the purposes of §§ 1618, 1622, and 1623 of Subtitle 6-B, the applicable personnel authority shall designate the proposing official, the administrative review officer, and the deciding official.

**307-308 [RESERVED]**

**309 REPORTING**

309.1 No later than November 30 of each year, the Director shall submit a report through the Mayor to the Council covering the previous fiscal year. The report shall, for each agency:

- (a) Identify each employee newly hired by the agency, providing each employee’s agency, name, job title, pay schedule, and state of residence;
- (b) Provide the percentage of new hires at the agency who are District residents;
- (c) Identify each hardship for which a waiver was issued, providing each employee’s name, agency, job title, pay schedule, and the nature of the hardship warranting the waiver; and
- (d) Identify each employee who failed to meet a residency requirement, providing each employee’s name, agency, job title, the action taken, and the reason for the action taken.

309.2 No later than October 31 of each year, each independent agency and instrumentality shall submit a report to the Director covering the previous fiscal year. The report shall:

- (a) Identify each employee newly hired by the agency or instrumentality, providing each employee’s name, job title, pay schedule, and state of residence;
- (b) Provide the percentage of new hires by the agency or instrumentality who are District residents;

- (c) Identify each hardship for which the agency or instrumentality issued a residency waiver, providing each employee's name, job title, pay schedule, and the nature of the hardship warranting the waiver; and
- (d) Identify each employee who failed to meet a residency requirement, providing each employee's name, job title, the action taken, and the reason for the action taken.

### 399 DEFINITIONS

399.1 For the purposes of this chapter, the following meanings apply:

**Agency**— any unit of the District of Columbia government required by law, by the Mayor of the District of Columbia, or by the Council of the District to administer any law, rule, or any regulation adopted under authority of law. The term “agency” also includes any unit of the District of Columbia government created by the reorganization of one or more of the units of an agency and any unit of the District of Columbia government created or organized by the Council of the District of Columbia as an agency. The term "agency" does not include the Council.

**Agency head** – the highest ranking executive official of an agency.

**Days** – calendar days for all periods of more than ten (10) days; otherwise, days are workdays.

**Director** – the Director the Department of Human Resources or his or her designee.

**District** – the District of Columbia

**District resident** – an individual who primarily lives in the District of Columbia and intends the District of Columbia to be his or her home.

**Exceptional circumstances** – conditions or facts that are uncommon or deviate from or do not conform to the norm.

**Forfeiture of employment** – the loss of employment.

**Hard-to-fill position** – a position designated as a hard-to-fill position pursuant to § 911.4 based on demonstrated recruitment and retention problems inherent to the position due to unique duties, responsibilities, and highly specialized qualification requirements.

**Human resource information system** – the software used by the personnel authority to manage human resources related business processes and data, including payroll. Most District agencies use PeopleSoft, which is

managed by the Department of Human Resources, as their human resource information system.

**Independent agency** – an agency that is not a subordinate agency

**Personnel authority** – an individual or entity authorized by D.C. Official Code § 1-604.06 (2016 Repl.) to implement personnel rules and regulations for employees of an agency or group of agencies of the District of Columbia; or persons delegated that authority by that individual or entity. The Director is the personnel authority for agencies under the personnel authority of the Mayor except the Metropolitan Police Department and the D.C. Public Schools.

**Subordinate agency** – any agency under the direct administrative control of the Mayor, including, but not limited to, the agencies listed in Section 301(q) of the CMPA (D.C. Official Code § 1-603.01(17) (2016 Repl.)).

Comments on these proposed regulations should be submitted, in writing, within thirty (30) days of the date of publication of this notice to Justin Zimmerman, Associate Director, D.C. Department of Human Resources, 1015 Half Street, S.E., Suite 8041, Washington D.C. 20003, or via email at [justin.zimmerman@dc.gov](mailto:justin.zimmerman@dc.gov). Persons with questions regarding the proposed rulemaking should call (202) 727-1568. Additional copies of these proposed rules are available from the above address.

## PUBLIC SERVICE COMMISSION OF THE DISTRICT OF COLUMBIA

NOTICE OF PROPOSED RULEMAKING**RM41-2019-01, IN THE MATTER OF 15 DCMR CHAPTER 41-DISTRICT OF COLUMBIA STANDARD OFFER SERVICE RULES**

1. The Public Service Commission of the District of Columbia (Commission), pursuant to its authority under D.C. Official Code §§ 2-505 (2016 Repl.) and 34-802 (2019 Repl.), hereby gives notice of its intent to amend Chapter 41 (District of Columbia Standard Offer Service Rules), of Title 15 (Public Utilities and Cable Television) of the District of Columbia Municipal Regulations (DCMR), in accordance with Commission Order No. 19897<sup>1</sup> in not less than thirty (30) days after the publication of this Notice in the *D.C. Register*.

2. In Order No. 19897, which addressed the Commission's 2018 Biennial Review of Standard Offer Service (SOS) in the District of Columbia, the Commission, *inter alia*, eliminated the minimum stay provision.<sup>2</sup> This provision required that a commercial customer who switched from SOS to service provided by a Competitive Electricity Supplier, and subsequently returned, to SOS, remain on SOS for a minimum of twelve (12) months.<sup>3</sup> Elimination of the minimum stay restriction will provide commercial customers with the same customer choice flexibility as residential customers.<sup>4</sup> This NOPR amends Section 4105 governing the establishment and re-establishment of SOS as follows: 1) Subsection 4105.6 is deleted; 2) Subsection 4105.5 is amended to allow all customers to switch from SOS to a Competitive Electricity Supplier and return to SOS without restrictions; 3) Subsection 4105.7 is amended to eliminate references to the minimum stay restriction; 4) Subsections 4105.6 to 4105.9 are renumbered as a result of the deletion of subsection 4105.6; and 5) Subsections 4105.2, 4105.3, and 4105.4 are amended to update any cross references to subsections.

**Chapter 41, DISTRICT OF COLUMBIA STANDARD OFFER SERVICE RULES, of Title 15 DCMR, PUBLIC UTILITIES AND CABLE TELEVISION, is amended as follows:**

**Section 4105, ESTABLISHMENT AND RE-ESTABLISHMENT OF STANDARD OFFER SERVICE, is amended in its entirety to read as follows:**

4105.1 SOS shall be provided to any customer who purchases a new service within the District of Columbia and who does not obtain electric generation service from a

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<sup>1</sup> *Formal Case No. 1017, In the Matter of the Development and Designation of Standard Offer Service in the District of Columbia* ("Formal Case No. 1017"), Order No. 19897, rel. April 12, 2019 ("Order No. 19897").

<sup>2</sup> See Order No. 19897, ¶¶ 1, 11, 42. See generally 15 DCMR §§ 4105.6, 4105.7 (2015).

<sup>3</sup> Order No. 19897, ¶¶ 9-10.

<sup>4</sup> Order No. 19897, ¶ 11.

Competitive Electricity Supplier at that time. There shall be no fee for a customer to establish SOS in this manner.

- 4105.2 Any customer taking service from a Competitive Electricity Supplier may terminate service with the Competitive Electricity Supplier and elect SOS upon notice to the Electric Company and the SOS Administrator as required by Subsection 4105.8.
- 4105.3 Any customer taking service from a Competitive Electricity Supplier who defaults may terminate service with the defaulting Competitive Electricity Supplier upon notice to the Electric Company and the SOS Administrator as required by Subsection 4105.8.
- 4105.4 Any customer who is slammed or switched to a Competitive Electricity Supplier by mistake can terminate service with the Competitive Electricity Supplier upon notice to the Electric Company and the SOS Administrator as required by Subsection 4105.8, and such customer shall be returned to the service that the customer was receiving prior to being slammed or the mistake occurring as if the slamming or the mistake had not occurred.
- 4105.5 All customers shall be eligible to switch from SOS to Competitive Electricity Suppliers and return to SOS without restrictions.
- 4105.6 A non-residential customer who ceases to receive generation services from a Competitive Electricity Supplier may purchase or contract for generation services from another Competitive Electricity Supplier or elect to receive service from the SOS Administrator at Market Price Service rates rather than Standard Offer Service rates. The Market Price Service rates shall be set in accordance with a tariff previously filed and approved by the Commission. The tariff shall contain a formula that reflects only the following components, or their functional equivalents in the future: the PJM locational marginal price for energy for the Electric Company zone, the PJM posted and verifiable market capacity price, transmission, ancillary services, line losses, appropriate taxes and a fixed retail adder of x mills per kWh. (The amount of the retail adder will be determined in the administrative cost proceeding.) The Market Price Service rates may vary by customer class and reflect actual costs. A Competitive Electricity Supplier default occurs when the PJM Interconnection L.L.C. notifies the PJM members that the Competitive Electricity Supplier is in default.
- 4105.7 The contract provisions and exit fees of the Competitive Electricity Supplier remain valid and shall be enforced before a customer will be permitted to switch to SOS or another Competitive Electricity Supplier.
- 4105.8 Notice of Transfers; Transfer of Service; Bill Calculation:
- (a) Notice of Transfer into SOS: A Customer who intends to transfer into SOS shall do so by notifying (by telephone, in writing, Internet or other

technological means), both the Electric Company and the SOS Administrator, or by canceling service with its Competitive Electricity Supplier;

- (b) Notice of Transfer out of SOS: Notice (by telephone, in writing, Internet or other technological means) that a SOS Customer will terminate SOS and obtain service from a Competitive Electricity Supplier shall be provided to the Electric Company and the SOS Administrator by the Customer's Competitive Electricity Supplier pursuant to Chapter 3 of Title 15 of the District of Columbia Municipal Regulations; and
- (c) The Electric Company shall transfer a Customer to a Competitive Electricity Supplier in no later than three (3) business days after the receipt of the notice of an enrollment transaction from the Competitive Electricity Supplier. The Electric Company shall transfer a Customer to SOS in no later than three (3) business days after receiving the customer's request. The Electric Company will accept the last enrollment received at the relevant day's end.

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



## DEPARTMENT OF HEALTH

NOTICE OF EMERGENCY AND PROPOSED RULEMAKING

The Director of the Department of Health (“Department”), pursuant to the authority set forth in Section 19(a)(3) of the District of Columbia Pharmacist and Pharmacy Regulation Act of 1980, effective September 16, 1980 (D.C. Law 3-98; D.C. Official Code § 47-2885.18(a)(3) (2015 Repl.)); the District of Columbia Uniform Controlled Substances Act of 1981, effective August 5, 1981 (D. C. Law 4-29; D.C. Official Code §§ 48-901.01 *et seq.*, and § 48-903.01 (2014 Repl.)); Mayor’s Order 98-48, dated April 15, 1998; Section 4902 of the Fiscal Year 2002 Budget Support Act of 2001, effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 7-731 (2018 Repl.)); Section 15 of the District of Columbia Drug Manufacture and Distribution Licensure Act of 1990, effective June 13, 1990 (D.C. Law 8-137; D.C. Official Code § 48-714(a) (2014 Repl.)); Section 401 of the Opioid Overdose Treatment and Prevention Omnibus Act of 2018, effective April 11, 2019 (D.C. Law 22-288; D.C. Official Code § 48-853.03a (2019 Supp.)); and Mayor’s Order 98-88, dated May 29, 1998, hereby gives notice of the adoption of, on an emergency basis, the following amendments to Chapter 10 (Controlled Substance Registration for Manufacturers, Distributors, and Dispensers) of Subtitle B (Public Health and Medicine) of Title 22 (Health) of the District of Columbia Municipal Regulations (“DCMR”).

The purpose of these amendments is to require registration with the District’s Prescription Drug Monitoring Program as a prerequisite to renewing a District of Columbia Controlled Substance Registration.

This emergency action is necessary to address the opioid crisis, which the President of the United States has declared to be a national public health emergency. This emergency rulemaking will preserve and promote the health, safety and welfare of the public by strengthening the Department’s efforts to enforce the mandatory requirement that prescribers and dispensers register with the District of Columbia’s Prescription Drug Monitoring Program. Mandatory registration will increase prescriber awareness of patient use of controlled substances, including opioids, and more quickly identify drug seeking behavior. Additionally, it will help dispensers identify over prescribing and patients receiving controlled substances prescriptions from multiple prescribers. Enforcement of the mandatory registration provision will help prevent the misuse or abuse of controlled substances, including opioids.

This emergency rule was adopted on June 21, 2019 and became effective on that date. The emergency rule will expire one hundred twenty (120) days from the date of adoption, October 19, 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*.

**Title 22-B DCMR, PUBLIC HEALTH AND MEDICINE, Chapter 10, CONTROLLED SUBSTANCE REGISTRATION FOR MANUFACTURERS, DISTRIBUTORS, AND DISPENSERS, is amended as follows:**

**Section 1003, REGISTRATION, is amended as follows:**

**The existing Subsections 1003.2 through 1003.18 are renumbered as 1003.4 through 1003.20.**

**Subsections 1003.2 and 1003.3 are amended to read as follows:**

- 1003.2        Beginning August 1, 2019, prior to applying for renewal of a controlled substance registration, a practitioner shall be registered with the District of Columbia Prescription Drug Monitoring Program (PDMP).
- 1003.3        The Department shall not renew a controlled substance registration for a practitioner that is not registered with the PDMP.

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., 6<sup>th</sup> 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. the address listed above, or by contacting Angli Black, Paralegal Specialist, at [Angli.Black@dc.gov](mailto:Angli.Black@dc.gov), (202) 442-5977.

**GOVERNMENT OF THE DISTRICT OF COLUMBIA**

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**ADMINISTRATIVE ISSUANCE SYSTEM**

Mayor's Order 2019-085  
September 27, 2019

**SUBJECT:** Delegation - Authority Pursuant to Title IX, Automated Traffic Enforcement, of the Fiscal Year 1997 Budget Support Act of 1996

**ORIGINATING AGENCY:** Office of the Mayor


By virtue of the authority vested in me as Mayor of the District of Columbia pursuant to section 422(6) and (11) 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(6) and (11) (2016 Repl.), and sections 901 through 904 of the Fiscal Year 1997 Budget Support Act of 1996, effective April 7, 1997, D.C. Law 11-198; D.C. Official Code §§ 50-2209.01 – 50-2209.04 (2014 Repl.), (the “Act”), it is hereby **ORDERED** that:

1. The Director of the District Department of Transportation (“**DDOT Director**”) is delegated the authority under section 901 of the Act to administer an automated traffic enforcement (“**ATE**”) system in the District of Columbia to detect moving violations.
2. The Director of the Department of Motor Vehicles (“**DMV Director**”) is delegated the authority under section 902(b) of the Act to mail a summons and notice of infraction to a vehicle’s registered owner; provided, that nothing in this paragraph shall affect the authority of the DDOT Director, Chief of Police, Department of Public Works Director, or Department of For-Hire Vehicles Director in issuing notices of infraction to vehicles for non-ATE system moving infractions.
3. The DDOT Director and Chief of Police are concurrently delegated authority under sections 903 and 904 of the Act.
4. The Chief of Police may further delegate any of the authority delegated to him or her under this Order to subordinates under his or her jurisdiction.
5. The DDOT Director may further delegate any of the authority delegated to him or her under this Order to subordinates under his or her jurisdiction.
6. The DMV Director may further delegate any of the authority delegated to him or her under this Order to subordinates under his or her jurisdiction.
7. This Order shall supersede all previous Mayor’s Orders to the extent of any inconsistency.

8. **EFFECTIVE DATE** This Order shall become effective October 1, 2019.



MURIEL BOWSER  
MAYOR

ATTEST:   
KIMBERLY A. BASSETT  
SECRETARY OF STATE OF THE DISTRICT OF COLUMBIA

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

Mayor's Order 2019-086  
September 30, 2019

**SUBJECT:** Designation of Special Event Area for Potential Post-Season Baseball Games

**ORIGINATING AGENCY:** Office of the Mayor

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

1. This Order applies to certain special event activities associated with post-season baseball games that may be held at Nationals Park during the 2019 Major League Baseball season. The potential post-season game dates are between October 1 and 31, 2019.
2. For the purposes of this Order, the term “post-season baseball game” means a Major League Baseball game held at Nationals Park after the conclusion of the regular Major League Baseball season in order to determine what teams will play in the World Series.
3. On post-season baseball game dates, the land area defined in the Lease Agreement dated March 6, 2006, by and between the Washington Convention and Sports Authority, as successor in interest to the District of Columbia Sports and Entertainment Commission, and the Washington Nationals Stadium, LLC (“**Lessee**”), successor in interest to Baseball Expos, L.P., as the “Baseball Stadium Site” (more particularly defined in Exhibit A to the Lease Agreement as the area of land consisting of approximately nineteen (19) acres, bounded by N Street, S.E., Potomac Avenue, S.E., South Capitol Street, and First Street, S.E.), is designated as a Special Event Area to which the provisions of 19 DCMR § 1301 shall not apply, for the purposes described in this Order.
4. On post-season baseball game dates, N Street S.E., between South Capitol Street S.E. and First Street S.E., Half Street S.E., between M Street S.E. and N Street S.E., First Street S.E., between N Street S.E. and Potomac Avenue S.E., and Potomac Avenue S.E., between South Capitol Street S.E. and First Street S.E., are designated as Special Event Areas to which the provisions of 19 DCMR § 1301 shall not apply, for the purposes described in this Order.
5. Streets within the Special Event Areas designated by paragraph 4 of this Order may be closed to non-emergency vehicular traffic starting eight (8) hours before the commencement of a post-season baseball game and continuing until three (3) hours after the post-season baseball game ends.
6. No sidewalk space within the Special Event Areas designated by paragraphs 3 and 4 may

be closed to pedestrian traffic, unless specifically authorized by the City Administrator.

- 7. All building, health, life, and safety requirements shall remain applicable to the Special Event Areas designated by this Order.
- 8. Persons authorized to vend in the Nationals Park Vending Zone pursuant to 24 DCMR 530 shall continue to be authorized to vend in the Special Event Areas designated by paragraph 4 of this Order. In addition, the Department of Consumer and Regulatory Affairs may issue additional, special event vending permits within the Special Event Areas.
- 9. The District Department of Transportation may authorize additional lane closures and sidewalk closures in association with post-season baseball games for bus loading zones, television and radio broadcast vehicle parking, and other activities associated with post-season baseball games.
- 10. The City Administrator shall inform the Metropolitan Police Department, Fire and Emergency Medical Services Department, Homeland Security and Emergency Management Agency, and District Department of Transportation of all street closures under this Order.
- 11. **EFFECTIVE DATE:** This Order shall become effective immediately.


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 MURIEL BOWSER  
 MAYOR

ATTEST:   


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 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 9, 2019  
2000 14<sup>TH</sup> STREET, N.W., SUITE 400S  
WASHINGTON, D.C. 20009

Donovan W. Anderson, Chairperson

Members: James Short, Bobby Cato, Rema Wahabzadah, Rafi A. Crockett

<b>Protest Hearing (Status)</b>	<b>9:30 AM</b>
<b>Case # 19-PRO-00098;</b> M&S Inc., t/a GLO-Lalibela Ethiopia Restaurant & Lounge, 1608 7th Street NW, License #104701, Retailer CR, ANC 6E <b>Application to Renew the License</b>	
<b>Show Cause Hearing (Status)</b>	<b>9:30 AM</b>
<b>Case # 18-AUD-00106;</b> Betty's Gojo Restaurant and Lounge, LLC, t/a Betty's Gojo, 7616 Georgia Ave NW, License #102500, Retailer CR, ANC 4A <b>Failed to File Quarterly Statement</b>	
<b>Show Cause Hearing (Status)</b>	<b>9:30 AM</b>
<b>Case # 19-AUD-00016;</b> Betty's Gojo Restaurant and Lounge, LLC, t/a Betty's Gojo, 7616 Georgia Ave NW, License #102500, Retailer CR, ANC 4A <b>Failed to File Quarterly Statement</b>	
<b>Show Cause Hearing (Status)</b>	<b>9:30 AM</b>
<b>Case # 19-CMP-00018;</b> Po Boy Jim 2, LLC, t/a Po Boy Jim 2, 1934 9th Street NW, License #105468, Retailer CR, ANC 1B <b>Violation of Settlement Agreement</b>	
<b>Show Cause Hearing (Status)</b>	<b>9:30 AM</b>
<b>Case # 19-CMP-00054;</b> Etete Ethiopian Cuisine, Inc., t/a 1942 DC, 1942 9th Street NW, License #70728, Retailer CT, ANC 1B <b>Failed to Obtain a Summer Garden Endorsement, Substantial Change without Board Approval (Increase in Occupancy), Failed to Post License Conspicuously in the Establishment</b>	

Board's Calendar

October 9, 2019

**Fact Finding Hearing\***

**10:00 AM**

Zhou Hospitality Group, LLC, t/a Umayya, 733 10th Street NW, License #94099  
Retailer CT, ANC 2C

**Request to Allow the Licensee to Renew the License**

**Fact Finding Hearing\***

**11:00 AM**

Jefferson Grill, Inc., t/a Macombo Lounge, 5335 Georgia Ave NW, License  
#771, Retailer CN, ANC 4D

**Request to Extend Safekeeping**

**BOARD RECESS AT 12:00 PM**

**ADMINISTRATIVE AGENDA**

**1:00 PM**

**Fact Finding Hearing\***

**1:30 PM**

Penn Social LLC, t/a Penn Social; 801 E Street NW, License #86808, Retailer  
CX, ANC 2C

**Request to Install Dragon Ascent Electronic Game of Skill at Premises**

**Fact Finding Hearing\***

**3:00 PM**

**Case # 19-251-00130;** Umanzor Corporation, t/a Lesley's Grill, 4811 Georgia  
Ave NW, License #104058, Retailer CT, ANC 4D

**Physical Altercation Inside the Establishment**

*\*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](mailto:opengovoffice@dc.gov).*



ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF MEETING  
INVESTIGATIVE AGENDA

WEDNESDAY, OCTOBER 9, 2019  
2000 14<sup>TH</sup> STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

On Wednesday, October 9, 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](mailto:opengovoffice@dc.gov).”

1. Case# 19-CMP-00087, Nellie’s Restaurant & Sports Bar, 900 U Street N.W., Retailer CT, License # ABRA-075240

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2. Case# 19-CMP-00141, Ivy City Tavern, 1356 Okie Street N.E., Retailer CT, License # ABRA-093795

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3. Case# 19-CC-00122, Open City, 2331 Calvert Street N.W., Retailer CR, License # ABRA-072380

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4. Case# 19-CMP-00143, Leziz, 2016 P Street N.W., Retailer CR, License # ABRA-083131

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5. Case# 19-AUD-0079, Arucola, 5534 Connecticut Avenue N.W., Retailer CR, License # ABRA-106151

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6. Case# 19-CC-00134, Towne Wine & Liquor, 1326 Wisconsin Avenue N.W., Retailer A, License # ABRA-093813

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7. Case# 19-CC-00126, Medaterra, 2614 Connecticut Avenue N.W., Retailer CR, License # ABRA-026206

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8. Case# 19-CMP-00140, Tortuga Caribbean Bar and Grille, 514 8<sup>th</sup> Street S.E., Retailer CR, License # ABRA-107131

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9. Case# 19-CMP-00148, Oath Pizza, 110 M Street S.E., Retailer DR, License # ABRA-109339

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10. Case# 19-CMP-00153, Scheele's Market, 1331 29<sup>th</sup> Street N.W., Retailer B, License # ABRA-089800

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ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF MEETING  
LICENSING AGENDA

WEDNESDAY, OCTOBER 9, 2019 AT 1:00 PM  
2000 14<sup>TH</sup> STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

1. Review Application for Safekeeping of License – Original Request. ANC 3C. SMD 3C04. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. *St. Arnold's Mussel Bar Cleveland Park*, 3433 Connecticut Avenue NW, Retailer CR, License No. 088441.

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2. Review Request to Extend Safekeeping of License – Tenth Request. Original Safekeeping Date: 7/1/2005. ANC 5C. SMD 5C04. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. *Skylark Lounge (formerly)*, 1943 New York Avenue NE (formerly), Retailer CN, License No. 090611.

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3. Review Request to Extend Safekeeping of License – Seventh Request. Original Safekeeping Date: 4/27/2016. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. *TBD (SLK 6, LLC)*, No Location, Retailer A Liquor Store, License No. 108135.

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4. Review Request to Extend Safekeeping of License – Sixth Request. Original Safekeeping Date: 9/7/2016. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. *Rhino Investments LLC*, No Location, Retailer CT, License No. 099467.

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5. Review Request to Extend Safekeeping of License – Fourth Request. Original Safekeeping Date: 12/20/2017. ANC 3E. SMD 3E03. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. *Rodman's Discount Spirits*, 4936 Wisconsin Avenue NW, Retailer A Liquor Store, License No. 108215.

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6. Review Request to Extend Safekeeping of License – Third Request. Original Safekeeping Date: 2/7/2018. ANC 6B. SMD 6B03. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No conflict with Settlement Agreement. **TBD (525 8th Street, LLC)**, 525 8<sup>th</sup> Street SE, Retailer CT, License No. 109404.

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7. Review Request to Extend Safekeeping of License – Second Request. Original Safekeeping Date: 10/31/2018. ANC 2E. SMD 2E06. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. **Liberte**, 2915 M Street NW, Retailer CR, License No. 109012.

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8. Review Request to Extend Safekeeping of License – Second Request. Original Safekeeping Date: 9/19/2018. ANC 5E. SMD 5E04. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No conflict with Settlement Agreement. **Super Liquors**, 1633 N. Capitol Street NE, Retailer A Liquor Store, License No. 079241.

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9. Review Request to Extend Safekeeping of License – Second Request. Original Safekeeping Date: 9/12/2018. ANC 2B. SMD 2B04. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. **TBD (Sterling/Gunston, LLC)**, 1603 17th Street NW, Retailer CR, License No. 111806.

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10. Review Request for Change of Hours. **Approved Hours of Operation and Alcoholic Beverage Sales:** Sunday 10am to 9pm, Monday-Thursday 9am to 10pm, Friday-Saturday 9am to 12am. **Proposed Hours of Operation and Alcoholic Beverage Sales:** Sunday 10am to 12am, Monday-Saturday 9am to 12am. ANC 8C. SMD 8C02. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No conflict with Settlement Agreement. **Mart Liquors**, 2931 Martin Luther King Jr. Avenue SE, Retailer A Liquor Store, License No. 108836.

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11. Review request for approval to provide a gift of Nat Geo Nights tickets that does not exceed \$500 in value to various licensed DC Retailers. ANC 5C. SMD 5C04. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. **Breakthru Beverage**, 2800 V Street NE, Wholesaler A, License No. 060518.

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12. Review request for approval to provide a gift of Bentzen Ball tickets that does not exceed \$500 in value to various licensed DC Retailers. ANC 5C. SMD 5C04. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. *Breakthru Beverage*, 2800 V Street NE, Wholesaler A, License No. 060518.

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13. Review request for approval to provide a gift of National Museum of Women in the Arts tickets that does not exceed \$500 in value to various licensed DC Retailers. ANC 5C. SMD 5C04. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. *Breakthru Beverage*, 2800 V Street NE, Wholesaler A, License No. 060518.

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14. Review request for approval to provide a gift of Nat Geo Trivia Night tickets that does not exceed \$500 in value to various licensed DC Retailers. ANC 5C. SMD 5C04. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. *Breakthru Beverage*, 2800 V Street NE, Wholesaler A, License No. 060518.

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15. Review request for approval to provide a gift of Metro Cooking DC event tickets that does not exceed \$500 in value to various licensed DC Retailers. ANC 5C. SMD 5C04. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. *Breakthru Beverage*, 2800 V Street NE, Wholesaler A, License No. 060518.

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16. Review request for approval to provide a gift of Nat Geo Trivia Night tickets that does not exceed \$500 in value to various licensed DC Retailers. ANC 5C. SMD 5C04. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. *Breakthru Beverage*, 2800 V Street NE, Wholesaler A, License No. 060518.

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**\*In accordance with D.C. Official Code §2-547(b) of the Open Meetings Amendment Act, this portion of the meeting will be closed for deliberation and to consult with an attorney to obtain legal advice. The Board's vote will be held in an open session, and the public is permitted to attend. 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](mailto:opengovoffice@dc.gov).**

**OFFICE OF THE CHIEF FINANCIAL OFFICER**  
**Office of Revenue Analysis**

**NOTICE of STATUTORY and SPECIAL**  
**REAL PROPERTY TAX RATES for TAX YEAR 2020**

**I. Statutory Real Property Tax Rates for Tax Year 2020**

<u>Real Property Tax Class</u>	<u>Statutory Tax Rates Per \$100 of Assessed Value</u>
<b>Class One</b> (residential property)	\$0.85
<b>Class Two</b> (commercial property)	
When property assessment value is not greater than \$5 million	\$1.65
When property assessment value is greater than \$5 million but not greater than \$10 million	\$1.77
When property assessment value is greater than \$10 million	\$1.89
<b>Class Three</b> (vacant buildings)	\$5.00
<b>Class Four</b> (blighted buildings)	\$10.00

**II. Special Real Property Tax Rates for Tax Year 2020**

**BOND ACT REQUIREMENT**  
**Certification of Debt Service Requirement**

In Tax Year 2020, **seventeen percent (17.0%)** of total real property tax collections, by class, shall be dedicated to the repayment of General Obligation Bonds. The recommended special real property tax rates by class for Tax Year 2020 are as follows:

<u>Real Property Tax Class</u>	<u>Special Tax Rates Per \$100 of Assessed Value</u>
<b>Class One</b> (residential property)	\$0.145
<b>Class Two</b> (commercial property)	
When property assessment value is not greater than \$5 million	\$0.281
When property assessment value is greater than \$5 million but not greater than \$10 million	\$0.301
When property assessment value is greater than \$10 million	\$0.321
<b>Class Three</b> (vacant buildings)	\$0.850
<b>Class Four</b> (blighted buildings)	\$1.700

## DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS

## NOTICE OF SUBSTANTIAL UNDUE ECONOMIC HARDSHIP DETERMINATION

RE:

Address:	Square:	Lot:
3060 Ellicott Street, NW	2267	0058

Dear Sir/Madam:

The Department of Consumer and Regulatory Affairs (DCRA), has reviewed and **granted** your request for Hardship for the above property for real property tax year for **FY 2018 1<sup>st</sup> Half ONLY**, for the following reasons:

*You provided sufficient evidence to support your extraordinary circumstances and hardship. Pursuant to D.C. Code §42-3131§.06 (b), Paragraph 5, "A vacant building shall be exempted by the Mayor in extraordinary circumstances and upon a showing of substantial undue economic hardship.*

*(B) The exemption may be granted for a period of up to 24 months, subject to renewal on the basis of continuing extraordinary circumstances and substantial undue economic hardship."*

DCRA will immediately notify the Office of Tax and Revenue (OTR) to reclassify the subject property as exempt or Class 1/Class 2.

To learn more about the Vacant Buildings registration process or inspection requirements, please call (202) 442-4332 or visit [www.dkra.dc.gov](http://www.dkra.dc.gov).

If you have questions regarding this decision please contact Theresa Hollins), Program Support Specialist at (202) 442-4377.

Sincerely,

Donald Sullivan  
Program Manager  
Vacant Building Enforcement

## DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS

## NOTICE OF SUBSTANTIAL UNDUE ECONOMIC HARDSHIP DETERMINATION

Address:	Square:	Lot:
5223 Western Avenue, NW	1577	0023

Dear Sir/Madam:

The Department of Consumer and Regulatory Affairs (DCRA), has reviewed and **granted** your request for Hardship for the above property for real property tax year for **2<sup>nd</sup> Half FY 2019**, for the following reasons:

*You provided sufficient evidence to support your extraordinary circumstances and hardship. Pursuant to D.C. Code §42-3131§.06 (b), Paragraph 5, "A vacant building shall be exempted by the Mayor in extraordinary circumstances and upon a showing of substantial undue economic hardship.*

*(B) The exemption may be granted for a period of up to 24 months, subject to renewal on the basis of continuing extraordinary circumstances and substantial undue economic hardship."*

DCRA will immediately notify the Office of Tax and Revenue (OTR) to reclassify the subject property as exempt or Class 1/Class 2.

To learn more about the Vacant Buildings registration process or inspection requirements, please call (202) 442-4332 or visit [www.dcra.dc.gov](http://www.dcra.dc.gov).

If you have questions regarding this decision please contact Theresa Hollins, Support Specialist at (202) 442-4377.

Sincerely,

Donald Sullivan,  
Program Manager  
Vacant Building Enforcement



**DC SCHOLARS PUBLIC CHARTER SCHOOL****INVITATION FOR BID****Financial Underwriter**

**RFP for Financial Underwriter Services:** The purpose of this Request for Proposal is to solicit competitive proposals from qualified underwriting professionals to assist DC Scholars Public Charter School on the refinancing of the existing debt on their facility of approximately \$20 million utilizing tax exempt bonds issued through the District of Columbia, or any other alternative financing solution. Please email our financial advisor with Building Hope at [rmoreno@bhope.org](mailto:rmoreno@bhope.org) for the full proposal. Proposals are due no later than 12:00PM on Friday, October 25, 2019.

**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 4<sup>th</sup> 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](mailto: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 4<sup>th</sup> 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](mailto:Debra.eichenbaum@dc.gov)

## OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION

## NOTICE OF FUNDING AVAILABILITY

**Scholarships for Opportunity and Results (SOAR) Act Non-Profit Third-Party Teacher Pipeline Organization Grants****Request for Applications Release Date: October 23, 2019, 4:30 PM**

The Office of the State Superintendent of Education (OSSE) will issue a Request for Applications (RFA) for Scholarships for Opportunity and Results (SOAR) Act Non-Profit Third-Party Teacher Pipeline Organization (Teacher Pipeline) grant funds. SOAR Act Teacher Pipeline funds are available to District of Columbia (DC) charter local education agencies (LEAs) and third-party non-profit charter support organizations. The purpose of the funds is to impact the quality and quantity of the teacher supply for DC charter schools.

**Eligibility and Selection Criteria:** Eligible applicants are non-profit third-party charter school support organizations that have a demonstrated history of success working with DC charter schools on similar projects. Applicants must use funds to support projects designed to a) recruit, or partner with at least two LEAs or other organizations to recruit, high-quality candidates new to teaching for DC charter school teacher residency or teacher roles, and b) train and/or certify these teachers. Applicants are required to submit a letter of recommendation from a DC charter school with direct experience working with the organization as well as a complete list of all schools and districts to which the organization has provided similar services.

or

Eligible applicants are DC charter schools, or a consortia of DC charter schools, working with non-profit third-party charter school support organizations that have a demonstrated history of success working with DC charter schools on similar projects. Applicants must use funds to support projects designed to a) partner with at least one non-profit third party organizations to recruit, high-quality candidates new to teaching for DC charter school teacher residency or teacher roles, and b) train and/or certify these teachers. Applicants are required to submit a letter of commitment from a non-profit third-party charter support organization as well as a complete list of all schools and districts to which the organization has provided similar services.

Applications will be scored in the following selection criteria: (1) project data; (2) needs assessment; (3) project description; (4) theory of action; (5) OSSE's priority of meeting the needs of students with disabilities and other high-need populations; (6) logic model; (7) an overall description of the project; and (8) the application's budget.

**Length of Award:** The duration of the Teacher Pipeline grant is for a period of two years from the grant award date.

**Available Funding for the Award:** At least \$3,000,000 is available for awards through this RFA. OSSE will provide up to \$500,000 per award. Grant awards will be made on a per-teacher

basis and may not exceed \$7,500 per teacher. 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. Awards are limited to one per organization. Grant funds shall only be used to support activities authorized by the relevant statutes and included in the applicant's submission.

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.

**Application Process:** A 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). OSSE will make all final award decisions. Applications must be submitted prior to 3pm on December 5, 2020. OSSE estimates that it will award grants by January 6, 2020; however this date may change.

The mandatory pre-application webinar will be held on the following dates:

- Teacher Pipeline Grants – Friday, Nov. 1, 2019, from 1 p.m. to 2 p.m.
  - To register for this webinar, visit:  
<https://attendeegotowebinar.com/register/7456342903559844365>
- Teacher Pipeline Grants – Tuesday, Nov. 5, 2019, from 10 a.m. to 11 a.m.
  - To register for this webinar, visit:  
<https://attendeegotowebinar.com/register/5398985124177108493>

Each interested organization must have at least one representative attend one of the above webinars in order to meet the attendance requirement for this grant. Webinar attendance is tracked electronically through registration and online attendance. The organization representative should be someone who is familiar with the organization's past teacher pipeline work with charter schools or a representative from the applicant LEA(s).

To receive more information on these grants, please contact:

Karin Gilder  
Office of the State Superintendent of Education  
1050 First Street, NE, Fifth Floor, Washington, D.C. 20002  
Email: [Karin.Gilder@dc.gov](mailto:Karin.Gilder@dc.gov)

The RFA for these competitive grant programs will be available on OSSE's website at [www.osse.dc.gov](http://www.osse.dc.gov). All applications will be submitted through the Enterprise Grants Management System (EGMS) at [grants.osse.dc.gov](http://grants.osse.dc.gov).

**DEPARTMENT OF ENERGY AND ENVIRONMENT****PUBLIC NOTICE****AIR QUALITY TITLE V OPERATING PERMIT RENEWAL AND GENERAL PERMIT FOR VIRGINIA ELECTRIC AND POWER CO. DBA DOMINION VIRGINIA POWER**

Notice is hereby given that the Virginia Electric and Power Co. dba Dominion Virginia Power has applied for a Title V air quality permit renewal pursuant to the requirements of Title 20 of the District of Columbia Municipal Regulations, Chapters 2 and 3 (20 DCMR Chapters 2 and 3) to operate the following emission units and miscellaneous sources of air emissions at Joint Base Myer-Henderson Hall/Fort Lesley J. McNair, located at 4th and P Streets SW, Washington DC 20319:

<b>Emission Units</b>				
<b>Equipment Location</b>	<b>Emission Unit ID</b>	<b>Model Number</b>	<b>Generator Size (kWe)</b>	<b>Engine Size (hp)</b>
Building 64	Cat Gen 1	C32 DITA	1,000	1,502
Building 64	Cat Gen 2	C32 DITA	1,000	1,502
Building 64	Cummins-1	2700DQLA	2,700	3,740
Building 64	Cummins-2	2700DQLA	2,700	3,740
Building 21	DOM-EG-6-7	D150-8	150	230
Building 60	DOM-EG-6-1	C32 DITA	800	1,214
Building 47	DOM-EG-6-2	C15 DITA	400	619
Building 58	DOM-EG-6-3	C15 DITA	350	546
Building 69	DOM-EG-6-4	C15 DITA	400	619
Building 41	DOM-EG-6-5	C32 DITA	800	1,214
Building 36	BLDG 36	C15/DM8151	400	619
Building 52	BLDG 52	C27/DM7696	800	1,214
Building 18	BLDG 18	C15/DM8151	400	619

Miscellaneous Activities:

1. Three (3) Aboveground Storage Tanks (AST) for diesel.

The contact person for the facility is Mr. Joseph J. Pietro at (804) 273-4175 or [joseph.j.pietro@dominionenergy.com](mailto:joseph.j.pietro@dominionenergy.com).

The following is an estimate of overall potential emissions from the facility:

<b>Plant-wide Emissions Summary (tons per year)</b>	
<u>Pollutant</u>	<u>Potential Emissions</u>
Oxides of Sulfur (SO <sub>x</sub> )	0.04
Oxides of Nitrogen (NO <sub>x</sub> )	51.09
Particulate Matter (PM/PM10)	0.38
Volatile Organic Compounds (VOCs)	0.79
Carbon Monoxide (CO)	3.20
Total Hazardous Air Pollutants (HAPs)	0.04

The Virginia Electric and Power Co. operations at Joint Base Myer-Henderson Hall have the potential to emit approximately 51.09 tons per year of NO<sub>x</sub>. These potential emissions exceed the major source threshold in the District of 25 tons per year of NO<sub>x</sub>. As a result, the applicant is subject to the requirement to obtain a Chapter 3 permit. Additionally, even if the applicant's operations alone did not exceed the major source threshold, because the applicant's equipment at the site is in place to support operations of the Joint Base Myer-Henderson Hall facility, which is a permitted major source itself, the applicant would be subject to the requirement to obtain a Chapter 3 permit.

The Department of Energy and Environment (DOEE) has reviewed the permit application and related documents and has made a preliminary determination that the applicant meets all applicable air quality requirements promulgated by the U.S. Environmental Protection Agency (EPA) and the District. Therefore, draft permit renewal No. 043-R1 has been prepared.

The application, the draft permit and associated Fact Sheet and Statement of Basis, and all other materials submitted by the applicant [except those entitled to confidential treatment under 20 DCMR 301.1(c)] considered in making this preliminary determination are available for public review during normal business hours at the offices of the Department of Energy and Environment, 1200 First Street NE, 5<sup>th</sup> Floor, Washington DC 20002. Copies of the draft permit and related fact sheet are available at <http://doee.dc.gov/service/public-notices-hearings>.

A public hearing on this permitting action will not be held unless DOEE has received a request for such a hearing within 30 days of the publication of this notice. Interested parties may also submit written comments on the permitting action.

Comments on the draft permit and any request for a public hearing should be addressed to:

Stephen S. Ours  
Chief, Permitting Branch  
Air Quality Division  
Department of Energy and Environment  
1200 First Street NE, 5<sup>th</sup> Floor  
Washington DC 20002  
[stephen.ours@dc.gov](mailto:stephen.ours@dc.gov)

**No comments or hearing requests submitted after November 4, 2019, 2019 will be accepted.**

For more information, please contact Thomas Olmstead at (202) 535- 2273 or [thomas.olmstead@dc.gov](mailto:thomas.olmstead@dc.gov).

**FRIENDSHIP PUBLIC CHARTER SCHOOL**  
**REQUEST FOR PROPOSALS**

**Friendship Public Charter School is seeking bids from prospective vendors to provide:**

- A personalized digital literacy program that provides a broad range of digital books and other digital reading materials for students from grades PK-12. Detailed project scope of work provided in the RFP.
- College and career readiness curriculum and materials, SAT & ACT Prep, Professional Development and student tracking software.
- Equipment used in the storage and preparation of foods provided to students as part of the Nations School Lunch and School Breakfast programs. Delivery of the equipment to multiple sites, Installation, removal, and disposal of existing equipment.

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 November 4, 2019**. Questions and Proposals should be submitted on-line at: [Procurementinquiry@friendshipschools.org](mailto:Procurementinquiry@friendshipschools.org). Proposals can be submitted in person at 1400 1<sup>st</sup> 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.

**KIPP DC PUBLIC CHARTER SCHOOLS****REQUEST FOR PROPOSALS****New Market Tax Credit Consulting Services**

KIPP DC is soliciting proposals from qualified vendors for New Market Tax Credit Consulting Services. The RFP can be found on KIPP DC's website at [www.kippdc.org/procurement](http://www.kippdc.org/procurement). Proposals should be uploaded to the website no later than 5:00 PM EST, on October 16, 2019. Questions can be addressed to [nate.schwartz@kippdc.org](mailto:nate.schwartz@kippdc.org).

**Violence Interrupter Services**

KIPP DC is soliciting proposals from qualified vendors for Violence Interrupter Services. The RFP can be found on KIPP DC's website at [www.kippdc.org/procurement](http://www.kippdc.org/procurement). Proposals should be uploaded to the website no later than 5:00 PM EST, on October 16, 2019. Questions can be addressed to [jacque.patterson@kippdc.org](mailto:jacque.patterson@kippdc.org).



Government of the District of Columbia  
Public Employee Relations Board

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In the Matter of:		)	
		)	
Metropolitan Police Department		)	
		)	PERB Case No. 19-A-06
Petitioner		)	
		)	Opinion No. 1716
v.		)	
		)	
Fraternal Order of Police/ Metropolitan		)	
Police Department Labor Committee		)	
		)	
Respondent		)	
<hr/>		)	

**DECISION AND ORDER**

**I. Introduction**

On March 20, 2019,<sup>1</sup> the District of Columbia Metropolitan Police Department (MPD) filed this Arbitration Review Request (Request) pursuant to the Comprehensive Merit Personnel Act (CMPA), section 1-605.02(6) of the D.C. Official Code. MPD seeks review of an arbitration award (Award) issued on February 27, 2019, granting the grievance filed by the Fraternal Order of Police/Metropolitan Police Department Labor Committee (FOP). The Award rescinded the termination of Charles Sims (Grievant). MPD seeks review of the Award claiming it is contrary to law and public policy.

Pursuant to the CMPA, the Board is permitted to modify, set aside, or remand a grievance arbitration award if: (1) the arbitrator was without or exceeded his or her jurisdiction; (2) the award on its face is contrary to law and public policy; or (3) the award was procured by fraud, collusion, or other similar unlawful means.<sup>2</sup> Upon consideration of the Arbitrator’s conclusions, applicable law, and the record presented by the parties, the Request is denied, for the reasons stated herein.

<sup>1</sup> The parties consented to three extensions of time between March 20, 2019, and May 22, 2019. The record for review was completed on June 7, 2019.

<sup>2</sup> D.C. Official Code § 1-605.02(6).

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Page 2

## II. Statement of the Case

The Grievant successfully appealed his April 2006 termination through the grievance-arbitration process.<sup>3</sup> MPD appealed the arbitration award to PERB. The Board issued a Decision and Order denying MPD's request for review in May 2013.<sup>4</sup> The Decision and Order was not challenged in Superior Court, and the Grievant began the reinstatement process to return to his position as a police officer.<sup>5</sup>

MPD required the Grievant to report all arrests as a part of the background investigation for his reinstatement. On October 12, 2013, the Grievant self-reported<sup>6</sup> four arrests: (1) August 30, 1997; (2) March 11, 2007; (3) April 11, 2007; and (4) June 25, 2007.<sup>7</sup> After MPD completed its background investigation, MPD directed the Grievant to report to the police academy for reinstatement on April 21, 2014.<sup>8</sup> When the Grievant appeared at the police academy for reinstatement, the Grievant reported an additional arrest that occurred on February 21, 2014.<sup>9</sup> On April 21, 2014, MPD created an incident summary sheet and began to investigate whether the Grievant had engaged in misconduct while separated from the MPD.<sup>10</sup>

On August 21, 2014, MPD served the Grievant with a Notice of Proposed Adverse Action (NPAA) that charged the Grievant with conduct prejudicial to the reputation and good order of the police force.<sup>11</sup> The disciplinary charge specified that the Grievant was no longer qualified to be a police officer because of the five arrests.<sup>12</sup> On November 18, 2014, an MPD Adverse Action Panel (Panel) held a hearing.<sup>13</sup> The Panel found the Grievant guilty of the disciplinary charge and recommended termination.<sup>14</sup> On December 31, 2014, the Grievant was served with the Notice of Final Adverse Action (NFAA). On January 13, 2015, the Grievant appealed the NFAA to the Chief of Police.<sup>15</sup> On February 4, 2015, the Chief of Police denied the appeal, and the FOP subsequently demanded arbitration.<sup>16</sup>

## III. Arbitration Award

The parties presented three issues to the Arbitrator: (1) whether MPD violated D.C. Code § 5-1031 (90-Day Rule)<sup>17</sup> when instituting discipline; (2) whether the evidence presented by

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<sup>3</sup> Request Support Memo at 2.

<sup>4</sup> *MPD v. FOP/MPD Labor Committee ex rel. Sims*, 60 D.C. Reg. 9201, Slip Op. 1390, PERB Case No. 12-A-07 (2013).

<sup>5</sup> Request Support Memo at 2.

<sup>6</sup> Request Support Memo at 2.

<sup>7</sup> Request Support Memo at 2.

<sup>8</sup> Request Support Memo at 4.

<sup>9</sup> Request Support Memo at 4.

<sup>10</sup> Request Support Memo at 5.

<sup>11</sup> Pet. Ex.1 part 1, pg. 1-7.

<sup>12</sup> Pet. Ex.1 part 1, pg. 1-7.

<sup>13</sup> Pet. Ex.1 part 14, pg. 5.

<sup>14</sup> Pet. Ex.1 part 14, pg. 19.

<sup>15</sup> Request Support Memo at 5.

<sup>16</sup> Request Support Memo at 5.

<sup>17</sup> D.C. Official Code § 5-1031 (2004), also known as the 90-Day Rule, in relevant part, requires that "no corrective or adverse action against any sworn member or civilian employee of the Fire and Emergency Medical Services Department or the Metropolitan Police Department shall be commenced more than 90 days, not including Saturdays,

Decision and Order  
PERB Case 19-A-06  
Page 3

MPD was sufficient to support the charge against the Grievant; and (3) whether termination was the appropriate penalty.<sup>18</sup> The Arbitrator conducted a review of the record and made a factual determination that MPD violated the 90-Day Rule when instituting discipline and therefore did not address the second or third issue.

The Arbitrator found that the facts were not in dispute and that the sole disciplinary charge against the Grievant was based upon his prior arrests.<sup>19</sup> The Arbitrator found that except for the February 21, 2014 arrest, MPD had knowledge of the four other arrests on October 11, 2013, when the Grievant self-reported the arrest during the reinstatement process.<sup>20</sup>

FOP argued that MPD waited too long to discipline the Grievant when it served the NPAA.<sup>21</sup> MPD argued that the discipline was timely because the proper date to begin calculating the 90-Day Rule was April 21, 2014, when it received notice of the arrest and created an incident summary report.<sup>22</sup>

The Arbitrator rejected MPD's argument and found that MPD unreasonably delayed its compliance with the initial arbitration award confirmed by PERB.<sup>23</sup> The Arbitrator held that PERB's order became binding on June 27, 2013, which was the final day to appeal to the Superior Court and MPD did not appeal the Board's decision.<sup>24</sup> As of that date, MPD was "on the clock" for the purposes of the 90-Day Rule after becoming aware of alleged misconduct.<sup>25</sup> The Arbitrator concluded that MPD violated the 90-Day Rule when it failed to serve the Grievant with the NPAA despite having notice of the prior arrests for more than 90 days.<sup>26</sup>

#### IV. Position of the Parties

##### A. MPD's Position

MPD argues that the Award is contrary to law and public policy, because the Arbitrator misinterpreted the 90-Day Rule. MPD argues that public policy cannot require the reinstatement of an officer based on the erroneous interpretation of the 90-Day Rule.<sup>27</sup> MPD contends that the single charge was supported by five arrests, which occurred between August 30, 1997, and February 21, 2014.<sup>28</sup> MPD asserts that the record clearly establishes that MPD was notified of

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Sundays, or legal holidays, after the date that the Fire and Emergency Medical Services Department or the Metropolitan Police Department knew or should have known of the act or occurrence allegedly constituting cause."

<sup>18</sup> Award at 3.

<sup>19</sup> Award at 6.

<sup>20</sup> Award at 6.

<sup>21</sup> Award at 9.

<sup>22</sup> Award at 9.

<sup>23</sup> Award at 9.

<sup>24</sup> Award at 10.

<sup>25</sup> Award at 11.

<sup>26</sup> Award at 11.

<sup>27</sup> Request Support Memo at 8.

<sup>28</sup> Request Support Memo at 7.

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the February 21, 2014 arrest on April 21, 2014.<sup>29</sup> Therefore, MPD argues, that MPD timely served the NPAA on the Grievant eight-seven (87) days later, on August 21, 2014.<sup>30</sup>

#### B. FOP's Position

FOP argues that the Arbitrator's findings and conclusions are not contrary to law and public policy. FOP argues that the Arbitrator properly found that the Grievant was a "reinstatee" and not an applicant for the police department.<sup>31</sup> FOP argues that the Arbitrator properly held that MPD cannot benefit from its own delay in completing the reinstatement process.<sup>32</sup> FOP points to the record, which shows that the required background investigation of the Grievant was completed on February 25, 2014, and yet the report did not indicate the February 21, 2014 arrest.<sup>33</sup> FOP contends that the Arbitrator properly found that an arrest is a matter of public record and should have been discovered by MPD during the background investigation.<sup>34</sup> FOP argues that the Award conforms to the 90-Day Rule since the four arrests are not in dispute and because MPD should have known about the February 21, 2014 arrest. FOP argues that MPD merely disagrees with the Arbitrator's decision.<sup>35</sup>

#### V. Discussion

The law and public policy exception is "extremely narrow."<sup>36</sup> The narrow scope limits potentially intrusive judicial reviews under the guise of public policy.<sup>37</sup> MPD has the burden to demonstrate that the Award itself violates established law or compels an explicit violation of "well defined public policy grounded in law and or legal precedent."<sup>38</sup> The violation must be so significant that law and public policy mandate a different result.<sup>39</sup>

The 90-Day Rule states:

(a) Except as provided in subsection (b) of this section, no corrective or adverse action against any sworn member or civilian employee of the Fire and Emergency Medical Services Department or the Metropolitan Police Department shall be commenced more than 90 days, not including Saturdays, Sundays, or legal holidays, after the date that the Fire and Emergency Medical Services Department or the Metropolitan Police Department knew or should have known of the act or occurrence allegedly constituting cause. D.C. Official Code § 5-1031 (2004).

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<sup>29</sup> Request Support Memo at 7.

<sup>30</sup> Request Support Memo at 7.

<sup>31</sup> Opposition at 16.

<sup>32</sup> Opposition at 17.

<sup>33</sup> Opposition at 17.

<sup>34</sup> Opposition at 18.

<sup>35</sup> Opposition at 18.

<sup>36</sup> *American Postal Workers Union, AFL-CIO v. United States Postal Service*, 789 F.2d 1, 8 (D.C. Cir. 1986).

*Accord MPD v. FOP/MPD Labor Comm. ex rel. Pair*, 61 D.C. Reg. 11609, Slip Op. 1487 at 8, PERB Case No. 9-A-05 (2014); *MPD v. FOP/MPD Labor Comm. ex rel. Johnson*, 59 D.C. Reg. 3959, Slip Op. 925 at 11-12, PERB Case No. 08-A-01 (2012).

<sup>37</sup> *American Postal Workers* at 8.

<sup>38</sup> *Id.*

<sup>39</sup> *Id.*

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Here, the Arbitrator found that the facts are undisputed. The Arbitrator found that, on October 11, 2013, MPD had notice of four arrests. The untimeliness of these four arrests is not in dispute. The fifth arrest occurred on February 21, 2014. The Arbitrator found all the arrests were matters of public record that would be discovered during the routine background investigation for “reinstates.”<sup>40</sup> The Arbitrator found MPD failed to complete the reinstatement process it began on October 11, 2013, until April 21, 2014, and then did not serve the NPAA until August 21, 2014.<sup>41</sup> The Arbitrator examined the facts and found an undue delay. The Arbitrator therefor concluded that the single charge, which was constructed to include all five arrests, violated the 90-Day Rule and must be dismissed.<sup>42</sup> The Arbitrator has the authority to resolve issues of fact including determinations regarding the credibility, significance, and weight of the evidence.<sup>43</sup> By agreeing to submit a grievance to arbitration “the parties agree to be bound by the Arbitrator’s interpretation of the parties’ agreement, related rules and regulations, as well as the evidentiary findings on which the decision is based.”<sup>44</sup>

In this case, MPD did not challenge whether the issue of the interpreting the 90-Day Rule was properly before the Arbitrator. The Arbitrator determined when the 90-day period began. The Arbitrator determined that MPD should have known about the fifth arrest as a part of its background investigation, and that MPD served the NPAA on the Grievant after the 90-day period expired.

MPD had the burden to specify “applicable law and public policy that mandates that the Arbitrator arrive at a different result.”<sup>45</sup> The Board finds MPD’s arguments unpersuasive. Therefore, the Board declines MPD’s request to substitute the Board’s judgment in place of the bargained-for decision of the Arbitrator.<sup>46</sup>

## VI. Conclusion

The Board rejects MPD’s arguments and finds no cause to modify, set aside, or remand the Arbitrator’s Award. Accordingly, MPD’s request is denied.

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<sup>40</sup> Award at 9.

<sup>41</sup> Award at 9.

<sup>42</sup> Award at 10.

<sup>43</sup> *DCDHCD v. AFGE Local 2725 AFL-CIO*, 45 D.C. Reg. 326, Slip Op. 527 at 2, PERB Case No. 97-A-03(1998). *AFSCME District Council 20 AFL-CIO v. D.C. General Hospital*, 37 D.C. Reg. 6172, Slip Op. 253, PERB Case No. 90-A-04 (1990).

<sup>44</sup> *FOP v. Dept. of Corrections* 59 D.C. Reg. 9798, Slip Op. 1271 at 2, PERB Case No. 10-A-20 (2012). See *MPD v. FOP/MPD Labor Comm.*, 47 D.C. Reg. 7217, Slip Op. 633 at p. 3, PERB Case No. 00-A-04 (2000); *MPD v. FOP/MPD Labor Comm. ex rel. Fisher*, 51 D.C. Reg. 4173, Slip Op. 738, PERB Case No. 02-A-07 (2004).

<sup>45</sup> *MPD and FOP/MPD Labor Committee*, 47 D.C. Reg. 717, Slip Op. 633 at p. 2, PERB Case No. 00-A-04 (2000).

<sup>46</sup> *MPD v. FOP/MPD Labor Committee ex rel. Best*, 59 D.C. Reg. 12689, Slip Op. 1325 at 8, PERB Case No. 9-A-14 (2010).

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PERB Case 19-A-06  
Page 6

**ORDER**

**IT IS HEREBY ORDERED THAT:**

1. The Metropolitan Police Department Arbitration Review Request is hereby denied.
2. Pursuant to Board Rule 559.1, this Decision and Order is final upon issuance.

**BY ORDER OF THE PUBLIC EMPLOYEE RELATIONS BOARD**

By unanimous vote of Board Chairperson Charles Murphy, Members Douglas Warshof, and Mary Anne Gibbons.

Washington, D.C.  
July 18, 2019

Certificate of Service

This is to certify that the attached Decision and Order in PERB Case No. 19-A-06, Slip Op.1716, was sent by File and ServeXpress to the following parties on this the 25th day of July 2019.

Ryan Donaldson  
Assistant Attorney General  
Personnel & Labor Relations Section  
441 4<sup>th</sup> Street, NW, Suite 1180N  
Washington, D.C. 20001

Marc L. Wilhite  
Pressler Senftle & Wilhite, P.C.  
1432 K Street, NW  
Twelfth Floor  
Washington, D.C. 20005

/s/ Royale Simms  
Public Employee Relations Board  
1100 4<sup>th</sup> Street, SW, Suite E630  
Washington, D.C. 200024  
Telephone: 202-727-1822

Government of the District of Columbia  
Public Employee Relations Board

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In the Matter of:		)
		)
American Federation of		)
Government Employees, Local 631		)
		)
	Petitioner	)
		)
	v.	)
		)
		)
Office of Labor Relations and		)
Collective Bargaining		)
		)
	Respondent	)
<hr/>		)

PERB Case No. 19-I-02  
Opinion No. 1717

**DECISION AND ORDER**

**I. Introduction**

On May 17, 2019, the American Federation of Government Employees, Local 631 (AFGE) filed a Request for Impasse Resolution (Request). On May 30, 2019, the Office of Labor Relations and Collective Bargaining (OLRCB) filed a motion to dismiss the Request. Pursuant to the Comprehensive Merit Personnel Act (CMPA), § 1-617.02(d) of the D.C. Official Code, “if after a reasonable period of negotiation concerning the terms and conditions of employment to be incorporated into a collective bargaining agreement further negotiation appears unproductive to the Board, an impasse shall be deemed to have occurred.” Upon consideration of the applicable law and the record presented by the parties, OLRCB’s motion to dismiss is granted for the reasons stated herein.

**II. Statement of the Case**

On February 25, 2019, the District of Columbia made a presentation to the leadership of multiple public employee unions regarding the implementation of its Automated Dues Processing (ADP) initiative as an alternative to the authorization of dues using a paper form.<sup>1</sup>

<sup>1</sup> Motion to Dismiss at 1.



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Page 2

The ADP initiative permits bargaining unit employees to authorize and cancel dues deductions electronically.<sup>2</sup> OLRCB did not require the participation of any union in the ADP initiative. If a union chose not to participate in the ADP initiative, no changes would be made in the way authorization would be implemented.<sup>3</sup>

On March 5, 2019, OLRCB sent an email to the union presidents to notify all unions wishing to participate in the ADP initiative of the information required to participate. OLRCB requested that the unions submit: (1) an email address of the union's point of contact to receive automated confirmation notifications, and (2) specific information for the website landing page, which outlined the obligations and terms associated with dues deduction.<sup>4</sup> The email also described the employee information that would be provided in the automated confirmation notifications, including the last four digits of the employee's Social Security number.<sup>5</sup> Finally the email provided that "given the risks and liability with email transmission, the District will not provide personal identifying information such as home addresses in the automated email."<sup>6</sup>

Under AFGE's collective bargaining agreement, members currently authorize dues deduction using a specific D.C. Form 277. The D.C. Form 277 requests members to provide their nine-digit Social Security number and their home addresses.

On March 6, 2019, OLRCB and AFGE met to bargain over the ADP initiative.<sup>7</sup> OLRCB informed AFGE that the parties were present to engage in impact and effects bargaining regarding the implementation of the ADP.<sup>8</sup> AFGE disagreed and insisted that the parties were engaged in substantive bargaining regarding the terms and conditions of the collective bargaining agreement.<sup>9</sup> Although the parties did not agree on the type of bargaining in which they were engaged, the parties still discussed their respective positions on the ADP initiative. AFGE's position was that the ADP initiative should be formatted to provide the same information available on the paper D.C. Form 277.<sup>10</sup> OLRCB maintained that the personal identifiable information would not be provided.<sup>11</sup>

Subsequently, AFGE and OLRCB exchanged emails regarding the status of the ADP implementation. On March 20, 2019, AFGE sent an email asking for the status of the dues deduction issue. On March 22, 2019, OLRCB communicated that the District would not provide the full Social Security numbers or home addresses of employees.<sup>12</sup> On March 25, 2019, AFGE sent OLRCB a proposal and letter requesting substantive bargaining.<sup>13</sup> After receiving no

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<sup>2</sup> Request at 2.

<sup>3</sup> Motion to Dismiss at 3.

<sup>4</sup> Motion to Dismiss at 3.

<sup>5</sup> Motion to Dismiss at 3.

<sup>6</sup> Motion to Dismiss at 3.

<sup>7</sup> Request at 2.

<sup>8</sup> Motion to Dismiss at 3.

<sup>9</sup> Motion to Dismiss at 3.

<sup>10</sup> Request Ex. C.

<sup>11</sup> Motion to Dismiss at 4.

<sup>12</sup> Motion to Dismiss at 4.

<sup>13</sup> Request at 2.

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response, AFGE in a letter dated May 8, 2019, declared an impasse and asserted that OLRCB implemented the electronic dues deduction process without completing negotiations.<sup>14</sup> On May 9, 2019, OLRCB responded to AFGE's letter and rejected the declaration of impasse, rejected the proposal, and asserted its right to secure the personal identifiable information of public employees.<sup>15</sup>

### III. Discussion

There are two issues in this dispute that the Board will address in order: OLRCB's erroneous contention that the implementation of the ADP initiative is not a mandatory subject of bargaining and OLRCB's question of the negotiability concerning AFGE's proposal, which required OLRCB to provide AFGE with employees' Social Security numbers and home addresses.

First, under § 1-617.07 of the D.C. Official Code “. . . the exclusive representative shall, upon request, have its dues and uniform assessments deducted and collected by the employer from the salaries of those employees who authorize the deduction of said dues. Such authorization, costs, and termination shall be proper subjects of collective bargaining.” The Board finds that, under this statutory provision, the automated dues processing initiative is a mandatory subject of bargaining and subject to the impasse proceedings under Board Rule 527. The Board finds that the parties have engaged in a reasonable period of negotiation and further negotiations would be unproductive.<sup>16</sup> It is the Board's determination that the parties have reached an impasse.<sup>17</sup>

Although an impasse exists related to a mandatory subject of bargaining, the only proposal at issue has been declared nonnegotiable by OLRCB. In these circumstances, pursuant to Board Rule 532.1, and a finding by the Board that an impasse has occurred in a non-compensation matter, the issue for which negotiability has been challenged must be withdrawn from PERB, or a negotiability appeal filed with the Board within seven (7) days of the determination of an impasse.<sup>18</sup>

Therefore, the Petitioner is directed to either withdraw the proposal or file a negotiability appeal within seven (7) days of issuance of this decision. Additionally, the impasse proceedings will be suspended until the issue of negotiability is resolved as the proposal before the Board is the sole issue creating the impasse.

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<sup>14</sup> Request Ex. E.

<sup>15</sup> Motion to Dismiss Ex. C.

<sup>16</sup> Board Rule 527.1

<sup>17</sup> *Cheney Cal. Lumber Co. v. NLRB*, 319 F.2d 375, 380 (9th Cir. 1963). (finding the determinative issue for impasse is whether the Union in that case had reasonable cause to believe and did sincerely believe that an impasse had been reached)

<sup>18</sup> *AFGE, Local 3721 v. FEMS*, 46 D.C. Reg. 7613, Slip Op. 390 at n.1, PERB Case No. 94-N-04 (1999).

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**ORDER**

**IT IS HEREBY ORDERED THAT:**

1. AFGE and OLRCB have reached impasse.
2. AFGE is directed to withdraw its proposal or file a negotiability appeal within seven (7) days of issuance of this order.
3. Impasse proceedings are suspended until resolution of the negotiability issue.
4. Pursuant to Board Rule 559.1, this Decision and Order is final upon issuance.

**BY ORDER OF THE PUBLIC EMPLOYEE RELATIONS BOARD**

By unanimous vote of Board Chairperson Charles Murphy, Members Douglas Warshof, and Mary Anne Gibbons.

Washington, D.C.  
July 18, 2019



Government of the District of Columbia
Public Employee Relations Board

In the Matter of:
Washington Teachers' Union, Local #6,
American Federation of Teachers, AFL-CIO
Petitioner
v.
District of Columbia Public Schools
Respondent
PERB Case No. 19-U-09
Motion for Preliminary Relief
Opinion No. 1718

DECISION AND ORDER

I. Introduction

On May 22, 2019, the Washington Teachers' Union, Local # 6 (WTU) filed an Unfair Labor Practice Complaint (Complaint) against the District of Columbia Public Schools (DCPS), alleging violations of the Comprehensive Merit Personnel Act (CMPA) by DCPS' decision to discontinue the extended school year program. The Complaint sought preliminary relief as a remedy to the allegations.

On May 29, 2019, WTU filed a motion for preliminary relief (Motion) pursuant to PERB Rule 520.15. On June 24, 2019, DCPS filed a response to the Complaint and Motion. Pursuant to PERB Rule 520.15, the Board denies the Motion for the reasons stated herein.

II. Statement of Case

On February 21, 2019, DCPS decided to discontinue the extended school year program. This decision affected thirteen public schools. WTU alleges that, in implementing the decision

1 D.C. Official Code § 1-617.04(a)(1), (3), and (5).

2 DCPS was granted an extension of time to file its response to the Complaint and Motion.

3 Complaint at 3.

4 Complaint at 3. The thirteen schools impacted are Garfield Elementary School, H.D. Cooke Elementary School, Hart Middle School, Hendley Elementary School, Johnson Middle School, Kelly Miller Middle School, King Elementary School, Luke C. Moore High School, Randle Highlands Elementary School, Raymond Education Campus, Roosevelt Stay High School, Thomas Elementary School, and Turner Elementary School.

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to discontinue the extended school year program, DCPS unilaterally imposed new wages, hours, and working conditions on WTU bargaining unit members.<sup>5</sup>

On March 8, 2019, the parties met to discuss the discontinuation of the extended school year program. During this meeting, WTU requested impact and effects (I&E) bargaining.<sup>6</sup> On March 29, 2019, DCPS agreed to meet for I&E bargaining related to the extended school year program.<sup>7</sup>

On April 23, 2019, WTU alleges that DCPS bargained directly with WTU bargaining unit members by extending transition offers to change employment from a 12-month position to a 10-month position.<sup>8</sup> Bargaining unit members were given until April 30, 2019, to accept the offer or DCPS would consider the failure to accept the offer as a rejection and the position would be excessed.<sup>9</sup>

On April 24, 2019, the parties met for I&E bargaining.<sup>10</sup> WTU made four proposals.<sup>11</sup> DCPS responded to WTU's I&E proposals on May 1, 2019.<sup>12</sup>

### III. Position of Parties

#### A. WTU's Position

WTU requests that the Board order DCPS to retract: (1) DCPS' decision to discontinue the extended year program and reverse any actions it has taken to implement the decision, and (2) DCPS' decision that any affected WTU bargaining unit member who declines to accept DCPS' offer of employment in a 10-month position will be excessed from their job.<sup>13</sup> In support of the Motion, WTU states that DCPS unilaterally ended the extended year school program; that bargaining unit members that declined an offer of employment may be excessed from their positions; that if bargaining unit members are excessed they may be terminated before a hearing on the unfair labor practice; and that the possible discharge affects schools, teachers, students, and families.<sup>14</sup>

#### B. DCPS' Position

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<sup>5</sup> Complaint at 3.

<sup>6</sup> Response at 3.

<sup>7</sup> Complaint at 4.

<sup>8</sup> Complaint at 4.

<sup>9</sup> Complaint at 4. "Excess" is defined under the collective bargaining agreement. An excess is an elimination of a Teacher's position at a particular school due to a decline in student enrollment, a reduction in the local school budget, a closing or consolidation, a restructuring, or a change in the local school program, when such an elimination is not a 'reduction in force' (RIF) or 'abolishment.' *Washington Teachers' Union and District of Columbia Public School Collective Bargaining Agreement*, October 1, 2016- September 9, 2019 at 5.

<sup>10</sup> Complaint at 5.

<sup>11</sup> Complaint Ex. 9.

<sup>12</sup> Complaint Ex. 9.

<sup>13</sup> Motion at 1.

<sup>14</sup> Motion at 1-2.

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DCPS argues that the Motion fails to satisfy the standards of Board Rule 520.15.<sup>15</sup> DCPS argues that the alleged wrongdoing: (1) is neither clear-cut nor flagrant; (2) only affects a small group of teachers; (3) does not affect the public interest; and (4) fails to identify any interference with PERB processes.<sup>16</sup>

#### IV. Discussion

Motions for preliminary relief in unfair labor practice cases are governed by PERB Rule 520.15, which provides:

The Board may order preliminary relief. A request for such relief shall be accompanied by affidavits or other evidence supporting the request. Such relief may be granted where the Board finds that the conduct is clear-cut and flagrant; or the effect of the alleged unfair labor practice is widespread; or the public interest is seriously affected; or the Board's processes are being interfered with, and the Board's ultimate remedy may be inadequate.<sup>17</sup>

In determining whether to exercise its discretion to order preliminary relief, the Board need not find irreparable harm.<sup>18</sup> Notwithstanding, the Board looks to the supporting evidence, which must "establish that there is reasonable cause to believe that the [CMPA] has been violated and that the remedial purpose of the law will be served by *pendente lite* relief."<sup>19</sup> Where the Board has determined that the standards for exercising its discretion have been met, the basis for relief is restricted to the existence of the prescribed circumstances in the provision of Board Rule 520.15.<sup>20</sup>

The Board finds that WTU has failed to meet its burden to show that DCPS' conduct was clear-cut and flagrant. Here, DCPS' implementation of the decision to end the extended-year school program cannot be described as a clear-cut or flagrant violation of the CMPA. For instance, the parties disagree about whether DCPS provided enough notice before implementing the change in the extended year program; whether the decision to eliminate the extended year program was a management right protected by D.C. Code §§ 1-617.08(a)(2) and (a)(5)(B); and whether DCPS' job transition proposal was unlawful direct dealing. Based on these contested issues, the Board finds there is not enough evidence without further development of the record to determine that DCPS' conduct was clear-cut and flagrant in violation of the statute as required under PERB Rule 520.15, and DCPS has failed to meet its burden.

Further, the Board finds that WTU has failed to meet its burden to show that the effects of the alleged unfair labor practice are widespread. The number of employees that

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<sup>15</sup> Response at 5.

<sup>16</sup> Response at 6.

<sup>17</sup> NAGE, Local R3-07 v. OUC, 60 D.C. Reg. 9251, Slip Op. No. 1393 at 6, PERB Case No. 13-U-20 (2013).

<sup>18</sup> Id.

<sup>19</sup> Id.

<sup>20</sup> Id. Citing *Clarence Mack, Shirley Simmons, Hazel Lee and Joseph Ott v. FOP/DOC Labor Committee*, et al, 45 D.C. Reg. 4762, Slip Op. No. 516 at p. 3, PERB Case Nos. 97-S-01, 97-S-02 and 95-S-03 (1997).

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may potentially be exceeded is small. WTU's submitted evidence shows that, of a total of 550 employees work at the thirteen extended year schools, only seven (7) of the employees declined the transition offer and forty-four (44) employees did not respond to the transition offer by the April 30, 2019 deadline.<sup>21</sup>

Likewise, WTU has failed to meet its burden to show that the public interest is seriously affected. WTU's argument is unpersuasive because the potential discharge of teachers and its effect on schools, students, and families is too ambiguous. WTU presented no arguments on the adequacy of a future remedy or DCPS' interference with the Board's processes.

WTU's Motion presented allegations repetitious of those in the Complaint without the support of affidavits or other evidence. Therefore, WTU failed to meet its burden to demonstrate that the remedial purposes of the law would be served by *pendente lite* relief.<sup>22</sup>

Based on the foregoing, the Board, in its discretion, denies WTU request for preliminary relief.

### **ORDER**

#### **IT IS HEREBY ORDERED THAT:**

The Washington Teachers' Union Request for Preliminary Relief is hereby denied.

#### **BY ORDER OF THE PUBLIC EMPLOYEE RELATIONS BOARD**

By unanimous vote of Board Chairperson Charles Murphy, Members Douglas Warshof, and Mary Anne Gibbons.

Washington, D.C.  
July 18, 2019

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<sup>21</sup> Complaint Ex. 9.

<sup>22</sup> *Durant v. DOC*, 59 D.C. Reg. 3900, Slip Op. No. 914 at 3, PERB Case No. 07-U-43 (2012) (finding that the complainant's request for preliminary relief, which made allegations repetitious of those in the unfair labor practice complaint that were unsupported by affidavits and other documentation, did not satisfy any of the criteria prescribed by Board Rule 520.15).



Certificate of Service

This is to certify that the attached Decision and Order in PERB Case No. 19-U-09, Slip Op.1718, was sent by File and ServeXpress to the following parties on this the 25<sup>th</sup> day of July 2019.

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Government of the District of Columbia  
Public Employee Relations Board

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In the Matter of:		)
		)
Fraternal Order of Police/		)
Metropolitan Police Department		)
Labor Committee		)
		)
Complainant		)
		)
v.		)
		)
Metropolitan Police Department		)
		)
and		)
		)
Chief Peter Newsham		)
		)
Respondents		)
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PERB Case No. 18-U-08

Opinion No. 1720

**DECISION AND ORDER**

**I. Introduction**

On November 17, 2017, Petitioner Fraternal Order of Police/Metropolitan Police Department Labor Committee (FOP) filed the instant unfair labor practice complaint (Complaint) against the Respondents Metropolitan Police Department (MPD) and MPD Police Chief Peter Newsham<sup>1</sup> alleging that MPD violated the Comprehensive Merit Personnel Act (CMPA), D.C. Official Code § 1-617.04(a)(1) and (5). The Complaint alleges that MPD violated the Senior Law Enforcement Officer Emergency Amendment Act of 2016 (SLEOEA or

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<sup>1</sup>MPD Chief Peter Newsham is named as Co-Respondent; however, suits against District officials in their official capacity are treated as suits against the District. Accordingly, only MPD is a respondent in this matter. *See Fraternal Order of Police/Metro. Police Dep't Labor Comm. v. D.C. Metro. Police Dep't*, 59 D.C. Reg. 6579, Slip Op. No. 1118 at p. 4-5, PERB Case No. 08-U-19 (2011); *see also Fraternal Order of Police/Metro. Police Dep't Labor Comm. v. D.C. Pub. Emp. Relations Bd.*, Civ. Case No. 2011 CA 007396 P(MPA) (D.C. Super. Ct. Jan 9, 2013).

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amended Act) by failing to bargain in good faith over the implementation of that statute.<sup>2</sup> Specifically, FOP argues that MPD: (1) failed to bargain in good faith with FOP by misreading the SLEOEA; (2) engaged in bad faith bargaining over the impact and effects of SLEOEA on FOP membership; and (3) unilaterally changed material working conditions of the FOP membership.<sup>3</sup>

On February 10, 2017, MPD filed a response denying any unlawful actions under the CMPA. MPD also asserted affirmative defenses and moved to dismiss the Complaint for untimeliness and lack of jurisdiction.<sup>4</sup>

A hearing was held on September 19, 2018. The parties submitted post-hearing briefs. On December 14, 2018, the Hearing Examiner issued a Report and Recommendation. The parties did not file exceptions.

As discussed more fully below, the Board finds that the Hearing Examiner's conclusions are reasonable, supported by the record, and consistent with Board precedent. Therefore, the Complaint is dismissed in its entirety.

## **II. The Hearing Examiner's Report and Recommendations**

### **A. Factual Determinations**

In 1992, the City Council passed the Retired Police Officer Redeployment Act (SPO Act).<sup>5</sup> The SPO Act established the temporary career service position of Senior Police Officer.<sup>6</sup> The establishment of the SPO program permitted MPD to rehire members who had previously retired, who were then referred to as "SPOs."<sup>7</sup> On October 12, 2016, the City Council enacted the Senior Law Enforcement Officer Emergency Act of 2016 (SLEOEA or amended Act).<sup>8</sup> SLEOEA amended the SPO Act by authorizing MPD to pay SPOs who retired at a rank other than officer, such as Detective or Sergeant, at their pre-retirement higher rate of pay.<sup>9</sup> Months before the amendment to the SPO Act, there were 110 candidates for the rank of Sergeant; this list of eligible candidates was scheduled to expire on February 23, 2018.<sup>10</sup>

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<sup>2</sup> Report at 2.

<sup>3</sup> Report at 1-2.

<sup>4</sup> Report at 2.

<sup>5</sup> Report at 8.

<sup>6</sup> Report at 8.

<sup>7</sup> Report at 8.

<sup>8</sup> Report at 8.

<sup>9</sup> Report at 8.

<sup>10</sup> Report at 8, 14. The promotional selection process includes two phases: First, qualifying applicants complete a multiple-choice exam; Second, applicants complete an interview and written exam. Officers that successfully complete the process are eligible for promotion and are placed on a list in the order based on their combined test scores. Officers are considered for promotion in the order of appearance on the list. The list expires after two years; if an Officer is not selected from the list within that time, they are no longer eligible for promotion. Tr. 88-98.

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On October 15, 2016, MPD issued a statement to FOP, announcing enactment of the SLEOEA.<sup>11</sup> Acting on its concern that the SLEOEA diminished its members' chances of being selected for promotion before the expiration of promotional lists, FOP through its Chief Shop Steward, Hiram Rosario, requested information from MPD on or about March 8, 2017.<sup>12</sup> MPD, through then-Acting Director of the Labor Relations Branch, Mark Viehmeyer, responded by letter dated March 24, 2017.<sup>13</sup>

On April 3, 2017, FOP through then-Chairman Matthew Mahl formally requested impact and effects bargaining over the assignment of SPOs to special assignment positions<sup>14</sup> At the hearing, present-FOP Chairman Bigelow testified that Chairman Mahl was concerned that MPD was placing SPOs in special assignment positions, such as school security, narcotics, internal affairs, and homeland security, without reference to the competitive promotion process associated with the collective bargaining agreement.<sup>15</sup> On April 12, 2017, MPD through Acting Director Viehmeyer accepted FOP's request for bargaining and agreed to add it to the parties' next standard meeting.<sup>16</sup> Chairman Bigelow testified at the hearing that Chairman Mahl informed him sometime thereafter that the negotiations had broken down and the parties were not able to come to an agreement.<sup>17</sup>

On July 14, 2017, MPD submitted a written proposal regarding special assignment positions.<sup>18</sup> At the hearing, Chairman Bigelow testified that Chairman Mahl stated that, during this time, he made several attempts to bargain with MPD, but was unable to come to an agreement.<sup>19</sup> Chairman Bigelow stated that Chairman Mahl felt that MPD was not bargaining in good faith.<sup>20</sup> Negotiations between the parties broke down and, on or about August 30, 2017, FOP notified MPD that the proposal was rejected.<sup>21</sup>

On August 21, 2017, MPD rehired a retired lieutenant, John Kutniewski, at the rank of Sergeant.<sup>22</sup>

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<sup>11</sup> Report at 4.

<sup>12</sup> Report at 10, 14-15, 16.

<sup>13</sup> Report at 10.

<sup>14</sup> Report at 11.

<sup>15</sup> Report at 14-15. The Hearing Examiner notes that Chairman Mahl was not present at the hearing.

<sup>16</sup> Report at 17.

<sup>17</sup> Report at 17.

<sup>18</sup> Report at 12.

<sup>19</sup> Report at 17.

<sup>20</sup> Report at 17.

<sup>21</sup> Report at 13.

<sup>22</sup> In the Complaint, FOP alleged that in response to the re-hiring, Chairman Mahl entered into bargaining sessions with MPD over the impact of the SPO programs on the working conditions of members. The Hearing Examiner noted that at the hearing, Chairman Bigelow admitted that this statement in the Complaint was inaccurate.

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In September 2017, FOP filed a grievance alleging that MPD was violating Article 20 of the parties' collective bargaining agreement by placing SPO Sergeants in special assignment positions without posting a vacancy announcement for the assignment.<sup>23</sup>

On November 17, 2017, FOP filed the instant unfair labor practice complaint against MPD. FOP first contends that the SLEOEA does not permit MPD to rehire SPOs at the rank of Sergeant or any supervisory role.<sup>24</sup> FOP asserts that any vacancies at the rank of Detective or Sergeant are to be filled through a promotional process involving a list of eligible candidates.<sup>25</sup> FOP alleges that prior to the passage of the SLEOEA, there is a past practice of not assigning SPOs to Detective or Sergeant until after the passage of the SLEOEA.<sup>26</sup> Since the passage of the amended Act, FOP contends that MPD rehired several retired Detectives and Sergeants as SPOs and assigned them to positions based on their prior rank of Detective or Sergeant.<sup>27</sup> FOP alleges that MPD's rehiring and assigning of SPOs appears to be a misreading of the amended Act.<sup>28</sup> Second, FOP alleges that on or about August 21, 2017, MPD hired retired Lieutenant John Kutniewski at the rank of Sergeant under and pursuant to the SLEOEA.<sup>29</sup> In response to this hiring, FOP and MPD entered into impacts and effects bargaining.<sup>30</sup> FOP alleges that after several attempts at bargaining, MPD engaged in bad faith bargaining in violation of the CMPA.<sup>31</sup>

## **B. Preliminary Matters**

### **1. Subject Matter Jurisdiction**

In its Motion to Dismiss, MPD contends that PERB lacks jurisdiction to interpret the SLEOEA.<sup>32</sup> MPD concedes that the parties are in disagreement with respect to the proper interpretation of the amended Act, but contends that PERB, to decide this case, would be required to interpret a statute that is not part of the CMPA.<sup>33</sup> Further, MPD argues that a disputed interpretation of a statute unrelated to the CMPA, does not provide a basis for an unfair labor practice under section 1-617.04(a)(1) of the D.C. Official Code.<sup>34</sup> In its Opposition to Respondent's Motion to Dismiss, FOP counters that it does not intend or desire PERB to interpret the SLEOEA, but provides factual information concerning the SLEOEA to support its

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<sup>23</sup> Report at 13. The Hearing Examiner notes that FOP did not respond to MPD's July 2017 proposal. The Hearing Examiner's finding of the rejection of the proposal stems from the testimony of present FOP Chairman Bigelow at the hearing.

<sup>24</sup> Compl. at 4.

<sup>25</sup> Compl. at 4.

<sup>26</sup> Compl. at 4.

<sup>27</sup> Compl. at 4.

<sup>28</sup> Compl. at 4.

<sup>29</sup> Compl. at 4.

<sup>30</sup> Compl. at 5.

<sup>31</sup> Compl. at 5.

<sup>32</sup> Report at 3.

<sup>33</sup> Report at 3.

<sup>34</sup> Report at 3.

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argument that MPD has changed the working conditions of FOP's members in violation of the CMPA.<sup>35</sup>

Based on an examination of the allegations in the Complaint, the CMPA and the SLEOEA, the Hearing Examiner recommended denial of MPD's Motion to Dismiss for lack of subject matter jurisdiction. In the Hearing Examiner's view, the central issue in the current matter does not relate to an interpretation of the amended statute, but rather MPD's chosen method of implementing it.<sup>36</sup> The core of this case, in the Hearing Examiner's view, relates to the impact and effects of the amended Act.<sup>37</sup> However, to the extent that FOP alleges that MPD's alleged "misreading" of the statute is a violation of the CMPA, the Hearing Examiner concluded that PERB would not have jurisdiction over that allegation.<sup>38</sup>

MPD also contends that PERB lacks jurisdiction over alleged violations of the parties' collective bargaining agreement.<sup>39</sup> MPD notes that Article 19 of the parties' collective bargaining agreement sets out in detail the grievance arbitration process and states that "an allegation that there has been a violation, misapplication, or misinterpretation" of the terms of the collective bargaining agreement is a grievance.<sup>40</sup> With regard to FOP's complaints over MPD's assigning of members to special assignments pursuant to the SLEOEA, MPD notes that FOP has filed grievances citing to Article 20, which deals specifically with special assignment vacancies.<sup>41</sup> Further, MPD notes that PERB and the D.C. Superior Court have held that PERB does not have jurisdiction over contractual disputes between FOP and MPD.<sup>42</sup>

After reviewing the allegations in the Complaint, the Hearing Examiner concluded that FOP made a number of allegations that are covered by the parties' collective bargaining agreement.<sup>43</sup> The Hearing Examiner noted that FOP's allegations related to seniority, vacancies, and performance evaluations are specifically tied to the parties' collective bargaining agreement. To the extent that FOP has alleged that MPD has violated the parties' collective bargaining agreement, the Hearing Examiner recommended dismissal.<sup>44</sup>

## 2. Timeliness

In its Motion to Dismiss, MPD also asserts that, irrespective of whether PERB had jurisdiction, the Complaint should be dismissed in its entirety for untimeliness.<sup>45</sup> MPD submits that FOP filed the instant Complaint on November 17, 2017, and any alleged violations that

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<sup>35</sup> Report at 3.

<sup>36</sup> Report at 4.

<sup>37</sup> Report at 4.

<sup>38</sup> Report at 4.

<sup>39</sup> Report at 4-5.

<sup>40</sup> Report at 4.

<sup>41</sup> Report at 5.

<sup>42</sup> Report at 5.

<sup>43</sup> Report at 5.

<sup>44</sup> Report at 5.

<sup>45</sup> Report at 6.

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occurred before July 20, 2017, would be time-barred by PERB Rule 520.4 and should be dismissed.<sup>46</sup> MPD contends that the complained of conduct (that MPD hired retired members as Sergeants and to special assignment positions) began in October 2016, soon after the enactment of the amended Act.<sup>47</sup> Moreover, MPD submits that FOP was fully aware of SPO hiring prior to July 20, 2017, arguing that the hiring of SPOs prompted FOP to file an information request regarding the program in March and April 2017.<sup>48</sup> MPD contends that FOP is attempting to bootstrap its Complaint into timeliness by alleging that it initially demanded bargaining in response to Sergeant Kutniewski's rehiring on August 21, 2017.<sup>49</sup> MPD alleges that the parties actually commenced bargaining over the SPO program in April 2017—well before Sergeant Kutniewski was rehired.<sup>50</sup>

After review of the record, the Hearing Examiner concluded that the record did not support FOP's allegations that it only became aware of MPD rehiring SPOs after Sergeant Kutniewski was hired in August 2017.<sup>51</sup> The Hearing Examiner found that FOP's allegations that MPD committed unfair labor practices by rehiring SPOs and placing them in Sergeant positions was untimely.<sup>52</sup> However, in the Hearing Examiner's reading of the Complaint, FOP also alleged that MPD failed to bargain in good faith in connection with the hiring of Sergeant Kutniewski.<sup>53</sup> In this regard, the Hearing Examiner concluded that FOP's allegations that MPD failed to bargain in good faith could proceed.<sup>54</sup>

### III. Hearing Examiner's Recommendations

The only issue remaining for the Hearing Examiner's review was whether MPD committed unfair labor practices by failing to bargain in good faith over the implementation of the SLEOEA.<sup>55</sup>

As a preliminary matter, the Hearing Examiner noted that the allegations in the Complaint are essentially tied to the parties' collective bargaining agreement.<sup>56</sup> The Hearing Examiner explained that, while FOP has alleged that MPD bargained in bad faith over the impacts and effects of the implementation of the SPO program under the SLEOEA, "the

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<sup>46</sup> Report at 6.

<sup>47</sup> Report at 6-7.

<sup>48</sup> Report at 6.

<sup>49</sup> Report at 6.

<sup>50</sup> Report at 6. The Hearing Examiner notes that at the hearing, Chairman Bigelow admitted that the statement in the Complaint that the parties began bargaining after Sergeant Kutniewski was rehired was inaccurate.

<sup>51</sup> Report at 7.

<sup>52</sup> Report at 7.

<sup>53</sup> Report at 7.

<sup>54</sup> Report at 7.

<sup>55</sup> Report at 22.

<sup>56</sup> Report at 25.

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evidence on the record points more to a dispute over the contract application and interpretation.”<sup>57</sup>

As to the remaining allegation, the Hearing Examiner detailed the bargaining between the parties beginning with FOP’s initiating bargaining over the SPO program on March 8, 2017, when it made a written request for information, and ending in August 2017.<sup>58</sup> The Hearing Examiner noted that in August 2017 negotiations broke down when Chairman Mahl informed Chairman Bigelow that FOP had rejected MPD’s proposal, and that MPD would not budge from its position and was bargaining in bad faith.<sup>59</sup> The Hearing Examiner noted that FOP did not provide any “content or substance to what specifically caused Chairman Mahl to conclude that MPD had bargained in bad faith, that MPD would not budge, or budge from what specific position.”<sup>60</sup> The Hearing Examiner found that, despite having no direct knowledge of what transpired between the MPD and Chairman Mahl, Chairman Bigelow volunteered his belief that MPD engaged in bad faith bargaining and, in response, filed individual and group grievances.<sup>61</sup>

Finally, the Hearing Examiner noted that the record was silent on the question of what negotiations, if any, took place between the parties in the time from Sergeant Kutniewski’s hiring in August 2017 and when the Complaint was filed in November 2017.<sup>62</sup> The Hearing Examiner concluded that FOP did not prove its allegations that MPD bargained in bad faith.<sup>63</sup> In fact, the Hearing Examiner found that MPD engaged in good faith bargaining by responding timely and completely and in making written proposals.<sup>64</sup> The Hearing Examiner recommended that the Complaint be dismissed.

#### IV. Discussion

The Board will affirm a hearing examiner’s findings and recommendations when they are reasonable, supported by the record, and consistent with Board precedent.<sup>65</sup>

A. The Board adopts the Hearing Examiner’s finding that PERB lacks subject matter jurisdiction over FOP’s allegation with respect to the rehiring and assignment of SPOs

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<sup>57</sup> Report at 25.

<sup>58</sup> Report at 27.

<sup>59</sup> Report at 27.

<sup>60</sup> Report at 27.

<sup>61</sup> Report at 27. The Hearing Examiner noted that Chairman Bigelow did not provide any information regarding the substance or outcome of the grievances.

<sup>62</sup> Report at 28.

<sup>63</sup> Report at 28.

<sup>64</sup> Report at 28.

<sup>65</sup> *Am. Fed’n of Gov’t Emp., Local 872 v. D.C. Water and Sewer Auth.*, 52 D.C. Reg. 2474, Slip Op. 702, PERB Case No. 00-U-12 (2003).



Decision and Order  
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The Board adopts the Hearing Examiner's finding that PERB lacks subject matter jurisdiction over the allegations relating to the parties' collective bargaining agreement, which dictates procedures for filling special assignment vacancies in Article 20 and seniority in Article 25. The Board has held that, if the Board must interpret the parties' collective bargaining agreement to determine whether there has been a violation of the CMPA, then the Board does not have jurisdiction over the allegations and will defer to the parties' negotiated grievance and arbitration process.<sup>66</sup> The Hearing Examiner's analysis considered the Complaint, the parties' collective bargaining agreement, and PERB case law in finding that the Board lacked jurisdiction over allegations made in the Complaint related to the rehiring and placement of SPOs. The Board finds that the Hearing Examiner's conclusion is reasonable, supported by the record, and consistent with Board precedent.

B. The Board adopts the Hearing Examiner's finding that FOP's allegations relating to MPD's rehiring of SPOs are untimely

The Hearing Examiner recommended dismissal of FOP's allegations related to MPD's rehiring of SPOs for untimeliness, pursuant to PERB Rule 520.4. The Board has held that PERB Rule 520.4 requires unfair labor practice complaints be filed within 120 days of when the complainant first knew or should have known of the acts giving rise to the alleged violation.<sup>67</sup> The Hearing Examiner's findings and the allegations presented in FOP's Complaint reveal that FOP had knowledge of the rehiring of SPOs prior to when Sergeant Kutniewski was rehired on August 21, 2017, as well as prior to the required 120-day (July 20, 2017) filing deadline for an unfair labor practice complaint. FOP filed an information request regarding SPO hiring on March 8, 2017, evidencing its knowledge of MPD's actions. The Board finds that the Hearing Examiner's findings and conclusions are reasonable, supported by the record, and consistent with Board precedent. Therefore, the Board adopts the Hearing Examiner's conclusion that FOP's allegations regarding MPD rehiring of SPOs are untimely.

C. The Board adopts the Hearing Examiner's finding that FOP failed to prove that MPD engaged in bad faith bargaining.

After reviewing the record, the Board adopts the Hearing Examiner's findings of fact on this issue. FOP is required to prove, by a preponderance of evidence, that MPD committed unfair labor practices in violation of the CMPA.<sup>68</sup> FOP provided no evidence as to how MPD bargained in bad faith. MPD did not call any witnesses to testify on its behalf regarding bargaining, and FOP's witness, Chairman Bigelow, did not substantiate FOP's claim that MPD bargained in bad faith despite prompting from the Hearing Examiner. The record shows that negotiations between the parties were conducted beginning in March 2017, when FOP made a written request for information, and broke down around August 2017, after FOP rejected MPD's proposal. The

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<sup>66</sup> *Fraternal Order of Police/Metro. Police Dep't Labor Comm. v. Metro. Police Dep't*, Slip Op. No. 1534, PERB Case No. 08-U-22 (2015).

<sup>67</sup> *Pitt v. D.C. Dep't of Corr.*, 59 D.C. Reg. 5554, Slip Op. No. 998 at p. 5, PERB Case No. 09-U-06 (2009).

<sup>68</sup> PERB Rules 520.1, 550.15.

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PERB Case No. 18-U-08  
Page 9

Board finds that the Hearing Examiner's conclusion that FOP did not prove its allegation that MPD bargained in bad faith was reasonable, supported by the record, and consistent with Board precedent.

**V. Conclusion**

The Board has reviewed and adopted the findings, conclusions, and recommendations of the Hearing Examiner, and concludes that MPD did not violate section 1-617.04(a)(1) and (5) of the D.C. Official Code. Therefore, the Complaint is dismissed in its entirety.

**ORDER**

**IT IS HEREBY ORDERED THAT:**

1. This Complaint be dismissed.
2. Pursuant to Board Rule 559.1, this Decision and Order is final upon issuance.

**BY ORDER OF THE PUBLIC EMPLOYEE RELATIONS BOARD**

By unanimous vote of Board Chairperson Charles Murphy and Board Members Mary Anne Gibbons, Ann Hoffman, and Douglas Warshof.

August 15, 2019

Washington, D.C.

**CERTIFICATE OF SERVICE**

This is to certify that the attached Decision and Order in PERB Case No. 18-U-08, Opinion No. 1720 was sent by File and ServeXpress to the following parties on this the 16th day of August, 2019.

Marc L. Wilhite, Esq.  
Pressler Senftle & Wilhite, P.C.  
1432 K Street, NW, 12<sup>th</sup> Floor  
Washington, DC 20005

Nicole L. Lynch, Esq.  
Metropolitan Police Department  
300 Indiana Avenue, NW, Room 4126  
Washington, D.C. 20001

/s/ Alexis Anderson, Esq. \_\_\_\_\_  
Attorney Advisor

## PUBLIC SERVICE COMMISSION OF THE DISTRICT OF COLUMBIA

## NOTICE OF FINAL TARIFF

**ELECTRIC TARIFF 2019-02, IN THE MATTER OF POTOMAC ELECTRIC POWER COMPANY’ S SUSTAINABLE ENERGY TRUST FUND SURCHARGE RIDER, RATE SCHEDULES FOR ELECTRIC SERVICE IN THE DISTRICT OF COLUMBIA, P.S.C. OF D.C. NO. 1,**

1. The Public Service Commission of the District of Columbia (“Commission”) hereby gives notice, pursuant to Section 34-802 of the District of Columbia Official Code,<sup>1</sup> of the new rate for Potomac Electric Power Company’s (“Pepco”) — Sustainable Energy Trust Fund Surcharge Rider (“Rider SETF”)<sup>2</sup> to be effective on October 1, 2019.

2. Rider SETF is a per kilowatt-hour charge set by the Council of the District of Columbia (“Council”). In the CleanEnergy DC Omnibus Amendment Act of 2018 (“Act”), the Council increased the charge for Rider SETF from \$0.001612 per kilowatt-hour to \$0.0029016 per kilowatt-hour beginning in Fiscal Year 2020 (October 1, 2019).<sup>3</sup> On September 18, 2019, pursuant to the Act, Pepco filed an updated Rider SETF that proposes to amend the following tariff pages:

**Rate Schedules for Electric Service in the District of Columbia,****P.S.C. of D.C. No. 1****One Hundred-First Revised Page No. R-1****Superseding One Hundredth Revised Page No. R-1****P.S.C. of D.C. No. 1****One Hundred-First Revised Page No. 2****Superseding One Hundredth Revised Page No. 2****P.S.C. of D.C. No. 1****Ninety-Fourth Revised Page No. R-2.1****Superseding Ninety-Third Revised Page No. R-2.1****P.S.C. of D.C. No. 1****Sixty-Eighth Revised Page No. R-2.2****Superseding Sixty-Ninth Revised Page No. R-2.2**

<sup>1</sup> D.C. Code § 34-802 (2001).

<sup>2</sup> *Electric Tariff 2019-02, In the Matter of Potomac Electric Power Company’s Sustainable Energy Trust Fund Surcharge Rider, Rate Schedules for Electric Service in the District of Columbia, P.S.C. of D.C. No. 1*, Update to Potomac Electric Power Company’s (“Pepco”) “Sustainable Energy Trust Fund Surcharge” Rider (“Rider SETF”), filed September 18, 2019.

<sup>3</sup> CleanEnergy DC Omnibus Amendment Act of 2018, Section 210 (codified as amended at D.C. Code 8-1774.10 (2019)).

**P.S.C. of D.C. No. 1**  
**Fourth Revised Page No. R-47**  
**Superseding Third Revised Page No. R-47**

3. This updated Rider SETF may be reviewed at the Office of the Commission Secretary, Public Service Commission of the District of Columbia, 1325 G Street N.W., Suite 800, Washington, D.C. 20005, between the hours of 9:00 a.m. and 5:30 p.m., Monday through Friday as well as on the Commission's website at [www.dcpSC.org](http://www.dcpSC.org). Once at the website, open the "eDocket System" tab, click on "Search Current Dockets" and input "ET2019-02" in the "Select Case Number" field. Copies of the tariff pages and attachments are available, upon request, at a per page reproduction fee.

4. The Commission at its regularly scheduled open meeting on September 25, 2019, took final action approving the Pepco's updated Rider EATF. Pursuant to the Act, Pepco's Rider SETF shall become effective on October 1, 2019.

## PUBLIC SERVICE COMMISSION OF THE DISTRICT OF COLUMBIA

## NOTICE OF PROPOSED TARIFF

PEPRADR 2019-01, THE POTOMAC ELECTRIC POWER COMPANY'S  
RESIDENTIAL AID DISCOUNT COMPLIANCE REPORTS AND FILINGS

AND

FORMAL CASE NO. 1120, IN THE MATTER OF THE INVESTIGATION INTO THE  
STRUCTURE AND APPLICATION OF LOW-INCOME ASSISTANCE FOR  
ELECTRICITY CUSTOMS IN THE DISTRICT OF COLUMBIA,

1. The Public Service Commission of the District of Columbia (“Commission”) hereby gives notice, pursuant to Section 34-802 of the District of Columbia Official Code and in accordance with Section 2-505 of the District of Columbia Official Code,<sup>1</sup> of its intent to act upon the Potomac Electric Power Company’s (“Pepco”) Rider “RADS” — Residential Aid Discount Surcharge (“Revised Rider Update”) filed on August 28, 2019<sup>2</sup> in not less than 30 days from the date of publication of this Notice of Proposed Tariff (“NOPT”) in the *D.C. Register*.

2. In *Formal Case No. 1053*, the Commission established the Residential Aid Discount (“RAD”) Surcharge, the means by which Pepco recovers the costs of the subsidy for the RAD Program for low-income electricity customers in the District of Columbia.<sup>3</sup> Subsequently, pursuant to the Residential Aid Discount Subsidy Stabilization Amendment Act of 2010 (“the Act of 2010”),<sup>4</sup> the Commission, in Order No. 15986, directed Pepco to seek a true-up for the surcharge on an annual basis, commencing January 2011, in the event of an over or under collection of the RAD Surcharge and to address any changes in income eligibility criteria.<sup>5</sup>

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<sup>1</sup> D.C. Code § 2-505 (2016 Repl.) and D.C. Code § 34-802 (2012 Repl.).

<sup>2</sup> *PEPRAD 2019-01, In the Matter of Potomac Electric Power Company's Residential Aid Discount Compliance Reports and Filings (“PEPRAD Year”), Formal Case No. 1120, In the Matter of the Investigation into the Structure and Application of Low Income Assistance for Electricity Customers in the District of Columbia (“Formal Case No. 1120”), Update to Potomac Electric Power Company's (“Pepco”) Rider “RADS” — Residential Aid Discount Surcharge (“Revised Rider Update”), filed August 28, 2019. The Revised Rider Update replaces and supersedes Pepco's original Rider Update filed on March 26, 2019, which was the subject of the Notice of Proposed Tariff published in the D.C. Register on June 7, 2019.*

<sup>3</sup> *Formal Case No. 1053, In the Matter of the Application of Potomac Electric Power Company for Authority to Increase Existing Retail Rates and Charges for Electric Distribution Service, Order No. 14712, rel. January 30, 2008.*

<sup>4</sup> D.C. Law 18-195, Residential Aid Discount Subsidy Stabilization Amendment Act of 2010; D.C. Code § 8-1774.14 (2016).

<sup>5</sup> *Formal Case No. 945, In the Matter of the Investigation into Electric Service Market Competition and Regulatory Practices, and Formal Case No. 813, In the Matter of Application of Potomac Electric Power Company for an Increase in its Retail Rates for the Sale of Electric Energy, Order No. 15986, ¶¶ 6, 13, rel. September 20, 2010.*

3. In *Formal Case No. 1120*, Order No. 18059, the Commission adopted a new methodology for computing the RAD subsidy, and implemented a Residential Aid Credit (“RAC”), which is equal to the full Distribution Charge plus certain applicable surcharges.<sup>6</sup> The new methodology for calculating the RAD subsidy became effective June 1, 2016.<sup>7</sup>

4. On March 26, 2019, in compliance with the Act of 2010 and Order Nos. 15986 and 18059, Pepco filed its annual update to the Rider “RADS.” On August 28, 2019, following several discussions with Commission Staff, Pepco filed the Revised Rider Update, which updates its original March 26<sup>th</sup> filing and “is meant to replace and supersede the original filing.”<sup>8</sup> Based on our preliminary review of the Revised Rider Update, Pepco's filing is consistent with the approved methodology for computing the RAC. In the Revised Rider Update, Pepco proposes to amend the following tariff pages:

**Rate Schedules for Electric Service in the District of Columbia,**

**P.S.C. of D.C. No. 1  
Hundred-First Revised Page No. R-1  
Superseding Hundredth Revised Page No. R-1**

**P.S.C. of D.C. No. 1  
Hundred-First Revised Page No. 2  
Superseding Hundredth Revised Page No. 2**

**P.S.C. of D.C. No. 1  
Ninety-Fourth Revised Page No. R-2.1  
Superseding Ninety-Third Revised Page No. R-2.1**

**P.S.C. of D.C. No. 1  
Sixty-Ninth Revised Page No. R-2.2  
Superseding Sixty-Eighth Revised Page No. R-2.2**

**P.S.C. of D.C. No. 1  
Tenth Revised Page No. R-46  
Superseding Ninth Revised Page No. R-46**

5. According to Pepco, the estimated funding level for the RAD program from June 2019 through May 2020 is \$5,610,013, up from \$5,558,684 in the previous true-up filing.<sup>9</sup> This is an increase of \$51,329 over the previous true-up period. Additionally, Pepco reports that the difference in the subsidy for the RAD Program and the RAD Surcharge revenues for the period

<sup>6</sup> *Formal Case No. 1120*, Order No. 18059, ¶¶ 31, 34, rel. December 15, 2015 (“Order No. 18059”).

<sup>7</sup> *Formal Case No. 1120*, Order No. 18059, ¶ 35.

<sup>8</sup> *PEPRADR 2019-01, Formal Case No. 1120*, Revised Rider Update at 1.

<sup>9</sup> See *PEPRADR 2019-01, Formal Case No. 1120*, Revised Rider Update, Attachment B and *PEPRADR 2018-01*, Update to Potomac Electric Power Company’s (“Pepco”) Rider “RADS” — Residential Aid Discount Surcharge, Attachment B, filed April 4, 2018.

March 2018 to May 2019 resulted in an over-collection of \$1,556,300, which is included in the true-up calculation.<sup>10</sup> To recover the estimated cost for the RAD program from June 2019 through May 2020, net the over-collection for the period from March 2018 to May 2019, Pepco proposes to decrease the RAD Surcharge from \$0.000765 to \$0.000634 per kilowatt-hour.<sup>11</sup>

6. This Revised Rider Update may be reviewed at the Office of the Commission Secretary, Public Service Commission of the District of Columbia, 1325 G Street N.W., Suite 800, Washington, D.C. 20005, between the hours of 9:00 a.m. and 5:30 p.m., Monday through Friday as well as on the Commission's website at [www.dcpsec.org](http://www.dcpsec.org). Once at the website, open the "eDocket System" tab, click on "Search Current Dockets" and input "PEPRADR2019-01" in the "Select Case Number" field. Copies of the tariff pages and attachments are available, upon request, at a per page reproduction fee.

7. Comments on this Revised Rider Update must be made in writing to Brinda Westbrook-Sedgwick, at the above address, or by email at [psc-commissionsecretary@dc.gov](mailto:psc-commissionsecretary@dc.gov), or by clicking the following link: [https://edocket.dcpsec.org/public/public\\_comments](https://edocket.dcpsec.org/public/public_comments). Comments must be received within 30 days from the date of publication of this NOPT in the *D.C. Register*. Once the comment period has expired, the Commission will take final action on Pepco's Revised Rider Update.

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<sup>10</sup> See PEPRADR 2019-01, Formal Case No. 1120, Revised Rider Update, at 1 and Attachment B.

<sup>11</sup> See PEPRADR 2019-01, Formal Case No. 1120, Revised Rider Update, Attachment B.



## PUBLIC SERVICE COMMISSION OF THE DISTRICT OF COLUMBIA

## NOTICE OF PROPOSED TARIFF

**TT00-5, IN THE MATTER OF VERIZON WASHINGTON DC, INC.'S PUBLIC OCCUPANCY SURCHARGE GENERAL REGULATIONS TARIFF, P.S.C.-D.C. No. 201,**

1. The Public Service Commission of the District of Columbia (Commission) pursuant to Section 34-802 of the District of Columbia Code and in accordance with Section 2-505 of the District of Columbia Code,<sup>1</sup> hereby gives notice of its intent to act upon the Rights-of-Way (ROW) Use Fee Compliance Filing for 2019 of Verizon Washington, DC Inc. (Verizon or the Company) in the above-captioned matter in not less than 30 days after the date of publication of this Notice of Proposed Tariff (NOPT) in the *D.C. Register*.

2. On September 6, 2019, Verizon filed its ROW Compliance Filing for 2019,<sup>2</sup> in accordance with D.C. Code § 10-1141.06.<sup>3</sup> On September 11, 2019, Verizon filed a Revised ROW Compliance Filing, superseding the earlier filing.<sup>4</sup> The Revised ROW Compliance Filing describes the process Verizon uses to recover from its customers the District of Columbia Public ROW fees it pays to the District of Columbia Government. Moreover, Verizon's Revised ROW Compliance Filing contains the most recent calculations and updated rates for the Company's ROW surcharges, in accordance with the following tariff page:<sup>5</sup>

**GENERAL REGULATIONS TARIFF, P.S.C.-D.C. No. 201**  
**Section 1A**  
**Page 2**

3. In the Revised ROW Compliance Filing, Verizon compares the current ROW surcharges and the updated ROW surcharges for the ROW Surcharge Rider.<sup>6</sup> Specifically, the

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<sup>1</sup> D.C. Code § 2-505 (2018 Repl.) and D.C. Code § 34-802 (2013 Repl.).

<sup>2</sup> *TT00-5, In the Matter of Verizon Washington, DC Inc.'s Public Occupancy Surcharge General Regulations Tariff, P.S.C.-D.C. No. 201 (TT00-5)*, Letter to Brinda Westbrook-Sedgwick, Commission Secretary, from Douglas R. Smith, Vice President for State Government Affairs – Mid-Atlantic Region, RE: Case No. TT00-5, In the Matter of Verizon Washington, DC Inc.'s Public Occupancy Surcharge General Regulations Tariff, P.S.C. – D.C. No. 201 (ROW Compliance Filing), filed September 6, 2019.

<sup>3</sup> See D.C. Code, § 10-1141.06 (2001 Ed.).

<sup>4</sup> *TT00-5*, Letter to Brinda Westbrook-Sedgwick, Commission Secretary, from Douglas R. Smith, Vice President for State Government Affairs – Mid-Atlantic Region, RE: Case No. TT00-5, In the Matter of Verizon Washington, DC Inc.'s Public Occupancy Surcharge General Regulations Tariff, P.S.C. – D.C. No. 201 (Revised ROW Compliance Filing), filed September 11, 2019.

<sup>5</sup> *TT00-5*, Revised ROW Compliance Filing at 2.

<sup>6</sup> *TT00-5*, Revised ROW Compliance Filing at 2.

Revised ROW Compliance Filing indicates that the ROW Surcharge Rider will increase by \$0.88, from \$8.11 to the updated rate of \$8.99 for Non-Centrex lines, and increase by \$0.11, from \$1.01 to the updated rate of \$1.12 for Centrex lines.<sup>7</sup> According to Verizon, the projected cost recovery is based on the line loss experienced in the first half of 2019 versus the first half of 2018.<sup>8</sup> Verizon requests that the Commission approve the filing no later than November 1, 2019, so Verizon can implement the new rate on January 1, 2020.<sup>9</sup>

4. The Company has a statutory right to implement its filed surcharges. However, if the Commission discovers any inaccuracies in the calculation of the proposed surcharge, Verizon could be subject to reconciliation of the surcharges. The General Regulations Tariff and the proposed revisions are on file with the Commission and may be reviewed at the Office of the Commission Secretary, Public Service Commission of the District of Columbia, 1325 G Street, N.W., Suite 800, Washington, D.C. 20005, between the hours of 9:00 a.m. and 5:30 p.m., Monday through Friday, or on the Commission's website at [www.dcpsc.org](http://www.dcpsc.org). Once at the website, open the "eDocket System" tab, click on "Search Current Dockets," click on "Advanced Search" and input "Telephone Tariffs-TT" in the "Case Type" Box and "00-5" in the "Case Number" box. Copies of the tariff are also available upon request, at a per-page reproduction cost.

5. All persons interested in commenting on the proposed tariff may submit written comments not later than 30 days after publication of this notice in the *D.C. Register* with Brinda Westbrook-Sedgwick, Commission Secretary, at the above address or by email at [psc-commissionsecretary@dc.gov](mailto:psc-commissionsecretary@dc.gov). Comments may also be filed by clicking on the following link: <http://edocket.dcpsc.org/comments/submitpubliccomments.asp>. After the comment period has expired, the Commission will take final action on the ROW Compliance Filing.

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<sup>7</sup> TT00-5, Revised ROW Compliance Filing at 2.

<sup>8</sup> TT00-5, Revised ROW Compliance Filing at 2.

<sup>9</sup> TT00-5, Revised ROW Compliance Filing at 2.

**DISTRICT OF COLUMBIA RETIREMENT BOARD****NOTICE OF OPEN PUBLIC MEETING**

October 17, 2019

1:00 p.m.

900 7<sup>th</sup> Street, N.W.  
2<sup>nd</sup> Floor, DCRB Boardroom  
Washington, D.C. 20001

The District of Columbia Retirement Board (DCRB) will hold an Open meeting on Thursday, October 17, 2019, at 1:00 p.m. The meeting will be held at 900 7<sup>th</sup> Street, N.W., 2<sup>nd</sup> floor, DCRB Boardroom, Washington, D.C. 20001. A general agenda for the Open Board meeting is outlined below.

*Please call one (1) business day prior to the meeting to ensure the meeting has not been cancelled or rescheduled.* For additional information, please contact Deborah Reaves, Executive Assistant/Office Manager at (202) 343-3200 or [Deborah.Reaves@dc.gov](mailto:Deborah.Reaves@dc.gov).

**AGENDA**

- |       |                                   |                    |
|-------|-----------------------------------|--------------------|
| I.    | Call to Order and Roll Call       | Chair Clark        |
| II.   | Approval of Board Meeting Minutes | Chair Clark        |
| III.  | Chair's Comments                  | Chair Clark        |
| IV.   | Executive Director's Report       | Ms. Morgan-Johnson |
| V.    | Investment Committee Report       | Mr. Warren         |
| VI.   | Operations Committee Report       | Mr. Smith          |
| VII.  | Benefits Committee Report         | Ms. Collins        |
| VIII. | Legislative Committee Report      | Mr. Blanchard      |
| IX.   | Audit Committee Report            | Mr. Hankins        |
| X.    | Other Business                    | Chair Clark        |
| XI.   | Adjournment                       |                    |

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

Notice is hereby given that the following named persons have been recommended for appointment as Notaries Public in and for the District of Columbia, effective on or after November 1, 2019.

Comments on these potential appointments should be submitted, in writing, to the Office of Notary Commissions and Authentications, 441 4<sup>th</sup> Street, NW, Suite 810 South, Washington, D.C. 20001 within seven (7) days of the publication of this notice in the *D.C. Register* on October 4, 2019. Additional copies of this list are available at the above address or the website of the Office of the Secretary at [www.os.dc.gov](http://www.os.dc.gov).

D.C. Office of the Secretary  
Recommendations for Appointments as DC Notaries PublicEffective: November 1, 2019  
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Alewine	Megan R.	Madison Marquette 1000 Maine Avenue, SW, Suite 300	20024
Alphonso	Shakera Nichole	Pillsbury LLP 1200 17th Street, NW	20036
Alton	Catherine Marina	WilmerHale 1875 Pennsylvania Avenue, NW	20006
Anderson	Curtis M.	USDA Rural Development 1400 Independence Avenue, SW, Room 5136-S	20250
Ayechew	Yohanness N.	Self (Dual) 318 20th Street, NE	20002
Ballard	Stephen M.	Avenue Settlement Corporation 1602 14th Street, NW	20009
Battley	LaSha Irene	United States Telecom Association 601 New Jersey Avenue, NW, 600	20001
Becker	John E.	UMWA Health & Retirement Funds 2121 K Street, NW, Suite 350	20037
Bergey	Bonnie	VA-Spaces, LLC 2101 L. Street, NW, Suite 800	20037
Biggins	Kelly	Miles & Stockbridge, P.C. 1201 Pennsylvania Avenue, NW, Suite 900	20004
Blackwell	Esther T	Self (Dual) 3310 Brothers Place, SE	20032
Boatwright	Shannon	Department of Public Works (PEMA) 1725 15th Street, NE	20012
Bortolini	Jonathan	Planet Depos 1100 Conecticut Avenue, NW, 950	20036

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

Effective: November 1, 2019

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Breads	Faith Michelle	Carr Properties 1615 L Street, NW, Suite 650	20036
Brew	Deondola	BSA   The Software Alliance 20 F Street, NW, 800	20001
Brooks	Chantel	AFL-CIO 815 16th Street, NW	20006
Brooks	Samuel Morris	Williams & Jensen, PLLC 1201 Pennsylvania Avenue, NW, 800	20004
Browne-Barnes	Veronica	Futures Industry Association 2001 Pennsylvania Avenue, NW, Suite 600	20006
Carlos	Sharon S.	Cooley, LLP 1299 Pennsylvania Avenue, NW, Suite 700	20004
Chandonnet	Charles J.	Bain & Company 1717 K Street, NW, #1100	20006
Clements	Melissa Beth	Webster Chamberlain & Bean LLP 1747 Pennsylvania Avenue, NW, Suite 1000	20006
Colley	Vernice Lash	Fort Myers Construction Corporation 2237 33rd Street, NE	20018
Conder	Dwayne	CoStar Group Inc 1331 L Street, NW	20005
Davis	Betty J.	Wiley Rein LLP 1776 K Street, NW	20006
Davis	Joanne	Charles River Associates 1201 F Street, NW, 800	20004
Davis	Sylvia A.	Pillsbury Winthrop Shaw Pittman, LLP 1200 17th Street, NW	20036

D.C. Office of the Secretary  
Recommendations for Appointments as DC Notaries PublicEffective: November 1, 2019  
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DePass	Michelle	Perkins Coie LLP 700 13th Street, NW	20005
Diggs	Brenda Joyce	Lockheed Martin, Rotary and Mission Systems 300 M Street, SE, Suite 700	20003
DiStefano	Gianfranco	Lincoln Property Company 101 Constitution Avenue, NW, Suite L140	20001
Dyer	Katherine Mary	3210 Grace Street Property LLC 3210 Grace Street, NW, 175	20007
Edmonds	Nadine Delores	Kirkland & Ellis, LLP 1301 Pennsylvania Avenue, NW	20004
Etinoff	Alethea	Self 3229 15th Place, SE	20020
Everhart	Ashby Gatch	Planet Depos 1100 Connecticut Avenue, NW, 950	20036
Fernandez	Patricia	Self 1628 K Street, NE	20002
Friend	Carolyn Elizabeth	Carolyn Friend & Associates 1629 K Street, NW, Suite 300	20006
Fullmore	Unique Pretrice	BB&T 1365 Wisconsin Avenue, NW	20007
Gaines	Mary R.	Quarles & Brady LLP 1701 Pennsylvania Avenue, NW, 700	20006
Hammond- DoDoo	Helena	Greenstein Delorme & Luchs, PC  1620 L Street, NW, Suite 900	20036
Harden	Reda Renae	District Department of Environment 2100 Martin Luther King Junior Street, SE	20020

D.C. Office of the Secretary  
Recommendations for Appointments as DC Notaries PublicEffective: November 1, 2019  
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Hasham	Mehboob J.	Self 3 S Street, NW, Unit # 1	20001
Haynes Preston	Kimberly	National Register of Health Service Psychologists 1200 New York Avenue, NW, 800	20005
Hughes	Angela L.	YWCA National Capital Area 2303 14th Street, NW, 100	20009
Jackson	Syreeta A.	The Single Mom Side Hustler 1720 28th Street Street, SE	20020
Jenkins Jr.	Michael Oliver	Self N 3016 Street, SE	20019
Jones	Jerelyn	SEIU 1800 Massachusetts Avenue, NW, #301	20036
Joyner	Marsha Felicia	American Chemistry Council 700 2nd Street, NE	20002
Juggins	Diamond Shirnell	Office of Risk Management 441 4th Street, NW, Suite 800S	20001
Kirby	Patrick	The Public Defender Service for the District of Columbia 633 Indiana Avenue, NW	20004
Laudenbach	Michael Eduardo	Neal R. Gross & Co., Inc. 1323 Rhode Island Avenue, NW	20005
Li	Stephanie	National Music Publishers' Association 975 F Street, NW, Suite 375	20004
Lopez	Diego	Planet Depos 1100 Connecticut Avenue, NW, 950	20036
Lott	Jason	NGP VAN 1445 New York Avenue, NW, Suite 200	20005
Martin	Kayla	AARP Legal Counsel for the Elderly 601 E Street, NW	20049



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

Effective: November 1, 2019

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Mayhew	Adam Lee	Self (Dual) 800 4th Street, SW, S608	20024
McHugh	Kathleen T.	Fidelity National Title Insurance Co. 1620 L Street, NW, 4th Floor	20036
Melvin	Taunya Anita	The Next Step Public Charter School 3047 15th Street, NW	20009
Mena	Guadalupe	Housing Counseling Services, Inc. 2410 17th Street (Adams alley) Alley, NW, Suite#100	20009
Miller	Lorraine	Self (Dual) 4800 C Street, SE, #304	20019
Mitchell	Jonathan	NAFSA 1307 New York Avenue, NW, 800	20005
Mittal	Ravindra Kumar	NOVA Management Group Limited Liability Company 1717 N Street, NW	20036
Moschen-Bates	Viviana	Adrienne Arsht 2221 30th Street, NW	20008
Murillo	Breata Marie	Congressional Federal Credit Union 441 2nd Street, SW	20001
Neal	Lola	Saab Defense and Security USA LLC 2101 L Street, NW, 350	20037
Needle	Rachel Hope	Lincoln Property Company 1201-1225 New York Avenue, NW, Suite 100	20005
Negron-Pimentel	Jessica Esther	BALLARD PARTNERS 601 Thirteenth Street, NW, Suite 450 N	20005
Niccum	Heather Manuel	McCloskey Mechanical Contractors 4400 MacArthur Boulevard, NW, #305	20007

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Norman	Antarriey C.	BuckmanLegal, PLLC 4530 Wisconsin Avenue, NW, 300	20016
O'Brien	Michael	City Construction 1312 Decatur Street, NW	20011
Olson	Cheryl L.	Jenner & Block 1099 New York Avenue, NW, #900	20001
Patel	Neeranj	American Israel Public Affairs Committee 251 H Street, NW	20001
Patil	Rekha	Public Defender Service 633 Indiana Avenue, NW	20004
Peters	Marjorie	Alderson Court Reporting 1111 14th Street, NW, Suite 1050	20005
Prim	Jacqueline K.	Department of Justice 950 Pennsylvania Avenue, NW	20530
Riser	Anne O.	BSA   The Software Alliance 20 F Street, NW, 800	20001
Rivas	Virginia	AARP 601 E Street, NW	20049
Robin	Janet R.	Arnold & Porter Kaye Scholer LLP 601 Massachusetts Ave., NW	20001
Roy	Connie M.	United States Court of Federal Claims 717 Madison Place, NW	20439
Seymour	Aursland	Bank of America 3500 Georgia Avenue, NW	20010
Shelton	Kali Amir	THE UPS STORE 1100 New Jersey Avenue, SE	20003
Smith Jr.	Ernest Matt	Self 137 Forrester Street, SW, 2	20032

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Recommendations for Appointments as DC Notaries PublicEffective: November 1, 2019  
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Stringer	Adriana	National Society Daughters of the American Revolution 1776 D Street, NW	20006
Taylor	Penelope Eileen	Eisen and Rome, p.C. 1 Thomas Circle, NW, 1010	20005
Taylor Sr.	Martin L.	Self 429 Kenyon Street, NW, #102	20010
Tinker II	Otero L.	Lewis Baach Kaufmann Middlesmiss PLLC 1101 New York Avenue, NW, Suite 1000	20005
Vinnakota	Asritha	Legal Counsel for the Elderly 601 E Street, NW	20049
Williams	Donnita	American University 4400 Massachusetts Avenue, NW	20016
Wooten	Enrique Lamaurice	US Office of Special Counsel 170 M Street, NW, 218	20036
Wright	Tiera M.	United States Postal Service Federal Credit Union 475 L'Enfant Plaza, SW, 1507	20260
Yancey	Anthony C.	Metropolitan Assessment And Renewal Centers, LLC 3326 Georgia Avenue, NW	20010

**OFFICE OF THE SECRETARY OF STATE OF THE DISTRICT OF COLUMBIA****REQUEST FOR APPLICATIONS****Grant to Promote District of Columbia  
Voting Rights and Statehood****Release Date: Monday, October 7, 2019****Application Due Date: Friday, November 1, 2019****SECTION 1: FUNDING OPPORTUNITY**

Effective October 7, 2019, the Office of the Secretary of State, (the Office of the Secretary) pursuant to the City-Wide Grants Manual and Sourcebook (Section 7.2) issues the Request For Applications (RFA) entitled Grant to Promote District of Columbia Voting Rights and Statehood to provide all eligible applicants the opportunity to submit specific program activities that educate Americans about Mayor Muriel E. Bowser and the New Columbia Statehood Commission's initiatives to achieve full voting rights in the United States Congress, and, ultimately, statehood for Washington, DC. This RFA will be open on October 7, 2019 and will close on November 1, 2019 at Noon.

**Background**

The residents of Washington, DC serve in the military and pay federal taxes but continue to lack full democracy and the rights that residents of other states and municipalities enjoy, including autonomy from congressional oversight and obstruction, and voting representation in Congress.

The District of Columbia Home Rule Act of 1973 provided limited "Home Rule" for the District by allowing election of a Mayor and City Council of the District of Columbia. Since the inception of Home Rule, the District's elected officials and various groups have pursued strategies to raise awareness, and to work towards achieving voting representation in the U.S. House of Representatives and U.S. Senate, and DC statehood. Yet, democracy for the District has been derailed by the Charter itself, the courts, non-germane proposals restricting the District on must-pass Congressional legislation, riders-on appropriations bills, and insufficient support for enactment of various budget autonomy and statehood proposals in the United States Congress.

For over a decade, the District has allocated funds to nonprofit organizations for educating citizens around the nation and pursuing strategies that highlight the lack of full democracy in the nation's capital. In addition, since 1990, District residents have elected a "shadow" delegation to Congress in order to promote statehood. District residents have voted for, and the Mayor has supported, amending the Charter to allow for budget autonomy. The DC Council established the New Columbia Statehood Commission in 2014, adding to the District's advocacy for full democracy. In November 2016, over 86%

of voters in Washington, DC overwhelmingly approved an advisory referendum, confirming the desire to become the 51st state of the United States.

The Office of the Secretary is charged with the responsibility of managing the funds allocated for voting rights and statehood initiatives. The Fiscal Year 2020 Budget authorized \$200,000 for the Office of the Secretary to issue competitive grants that promote voting rights and statehood for Washington, DC.

### **Purpose of the Program**

The objective of this grant is to strengthen awareness for statehood for Washington, DC. This effort will require outreach, canvassing, and measurement of support of elected officials and Americans across the country, and visitors to the nation's capital. The ultimate goal of this program is that the grantee(s) are able to increase congressional and nationwide support for statehood for Washington, DC.

This program is funded with FY2020 funds, which must be expended by September 30, 2020, with a full accounting provided to the Office of the Secretary no later than October 31, 2020.

## **SECTION II: AWARD INFORMATION**

\$200,000 in District of Columbia funds will be available on a competitive basis as follows:

- A. 50% of the funds will be awarded on a competitive basis to an organization or organizations dedicated specifically to engaging youth (high school, college and graduate students, and other young adults) involved or interested in civics, government, and voting rights, in innovative ways. By raising awareness through campaigns that include a branding and messaging strategy and that include outreach on social, digital, and print media, and other forms of communications. Such dedication can be evidenced by the organization's purpose, or through dedicated programming within the organization aimed at youth engagement.
- B. 50% of the funds will be awarded to a non-profit organization or organizations that engage in targeted campaigns that educate and raise awareness of the lack of voting rights and statehood for Washington, DC. Educational efforts should focus on outreach in both Washington, DC and all 50 states across the nation.

The release date of this Request for Applications (RFA) is October 7, 2019. This grant process conforms to the guidelines established in the District's City-Wide Grants Manual and Sourcebook (which is available at <http://opgs.dc.gov>).

All funds will be disbursed upon award of the grant, with a report and budget accounting required to be filed by September 30, 2020, and a final report due no later than October 31, 2020. All proposals must include a detailed description of how the funds will be

spent, as well as a project plan, timeline, and metrics associated with tasks outlined in the proposal. Creative proposals should include fresh ideas that specifically address the requirements for the award to ensure a success application. Proposals that do not contain all requested information will not be considered.

### **SECTION III: ELIGIBILITY INFORMATION**

Eligibility for this grant is restricted to:

- A. Nonprofits (with or without a 501(c) (3) certification) and community-based organizations with a current District of Columbia business license, a “Clean Hands” certification that indicates the organization does not owe money to the District or Federal governments, and no outstanding or overdue final reports for previous grants received from the District government for similar purposes.
- B. Organizations with a history of advocating for democracy and self-determination for the District of Columbia include, but are not limited to, District voting rights and statehood.
- C. Organizations with a financial track record and who are not reliant on another organization under a fiscal agent arrangement.
- D. If the organization is a past grantee, the organization must meet all past reporting and accounting requirements set by the Secretary of the District of Columbia.

### **SECTION IV: APPLICATION AND SUBMISSION INFORMATION**

This Request for Applications is posted at <http://os.dc.gov> and <http://opgs.dc.gov>. Requests for copies of the RFA and related inquiries may be submitted to: Office of the Secretary of State of the District of Columbia, 1350 Pennsylvania Avenue, NW, Suite 419, Washington, DC 20004 or [secretary@dc.gov](mailto:secretary@dc.gov), or 202-727-6306.

#### **Application Forms and Content**

**All applications will be judged against the following requirements:**

- 1. All proposals must be written in clear, concise and grammatically correct language. Narratives shall not exceed 2,500 words and must include responses to all the requirements specified in the RFA.
- 2. There is no set form on which applications must be written, but please be clear and brief.
- 3. The grant applicant shall focus efforts on education and outreach to residents of the 50 States, as well as members of Congress. Funds shall not be used to lobby directly or through grassroots advocacy, for or against particular pieces of legislation.
- 4. Grant applicants’ efforts should not significantly consist of paid media advertisements.

5. No more than 25% of awarded funds can go to pay for salaries.
6. Proposal must be specific as to how funds will be expended including:
  - a. Names and resumes of all staff and consultants proposed to work on the program.
  - b. Justification of the need for grant funds.
  - c. Specific activities for which funds will be used.
  - d. Proposed line item budget.
  - e. Agreement to submit all deliverables listed in section VI.
  - f. Specific performance metrics and evaluation plans.
  - g. Thorough timeline and benchmarks.
7. All certifications listed in the Application Process section **must** be included or the application will be disqualified.

### **Application Process & Requirements**

Responses to the Request for Application shall be submitted via email to [secretary@dc.gov](mailto:secretary@dc.gov) or a hard copy delivered to the Office of the Secretary of State, 1350 Pennsylvania Avenue, NW, Suite 419, Washington, DC 20004. Applications delivered to the Office of the Secretary must be date-stamped no later than Noon on November 1, 2019.

The following criteria for all applications must be met. Applications that do not meet the requirements specified below will be disqualified from consideration:

1. All proposals shall include only written narratives without any additional input (such as DVDs, video, etc.).
2. All files submitted shall be in any of the following formats: MS Word2003 or 2007, PDF, MS Excel, HTML, MS Publisher or any format compatible with those mentioned.
3. The following is required, but are not included in the 2,500 word narrative:
  - a. The EIN, also called the Federal Tax ID number of the organization;
  - b. The website and main contact information for the organization;
  - c. A list of the current Board of Directors including affiliation and contact information;
  - d. Biography or resume of all proposed project staff; and
  - e. A copy of the organization's most recent Form 990 submission to the Internal Revenue Service.
4. Copy of the most recent and complete set of audited financial statements available for the organization. If audited financial statements have never been prepared due to the size or newness of an organization, the applicant must provide an organizational budget, an income statement (or profit and loss statement), and a balance sheet certified by an authorized representative of the organization, and any letters, filings, etc. submitted to the IRS within the three (3) years before the date of the grant application.

5. If the applicant is a 501(c)(3), evidence of 501(c)(3) status, a current business license, and copies of any correspondence received from the IRS within the three (3) years preceding the grant application that relates to the organization's tax status (*e.g.*, suspension, revocation, recertification, etc.) must be provided.
6. Application narratives shall be accompanied by a "Statement of Certification," the truth of which is attested to by the Executive Director or the Chair of the Board of Directors of the applicant organization, which states:
  - a. The individuals, by name, title, address, email, and phone number who are authorized to negotiate with the Office of the Secretary on behalf of the organization;
  - b. That the applicant is able to maintain adequate files, records, and can meet all reporting requirements;
  - c. That all fiscal records are kept in accordance with Generally Accepted Accounting Principles (GAAP) and account for all funds, tangible assets, revenue, and expenditures; that all fiscal records are accurate, complete and current at all times; and that these records will be made available for audit and inspection as required;
  - d. That the applicant is current on payment of all federal and District taxes, including Unemployment Insurance taxes and Workers' Compensation premiums. This statement of certification shall be accompanied by a certificate from the District of Columbia Office of Tax and Revenue (OTR) stating that the entity has complied with the filing requirements of District of Columbia tax laws and has paid taxes due to the District of Columbia or is in compliance with any payment agreement with OTR;
  - e. That the applicant has demonstrated administrative and financial capability to provide and manage the proposed services and ensure an adequate administrative, performance, and audit trail;
  - f. That the applicant is not proposed for debarment or presently debarred, suspended, or declared ineligible, as required by Executive Order 12549, "Debarment and Suspension," and implemented by 2 CFR 180, for prospective participants in primary covered transactions and is not proposed debarment or presently debarred as a result of any actions by the District of Columbia Contract Appeals Board, the Office of Contracting and Procurement, or any other District contract regulating Agency;
  - g. That the applicant has the necessary organization, experience, accounting operational controls, and technical skills to implement the program, or the ability to obtain them;
  - h. That the applicant has the ability to comply with the required performance schedule, taking into consideration all existing and reasonably expected commercial and governmental business commitments;
  - i. That the applicant has a satisfactory record performing similar activities as detailed in the award;
  - j. That the applicant has a satisfactory record of integrity and business ethics (Clean Hands Certificate);



- k. That the applicant is in compliance with the applicable District licensing and tax laws and regulations (Clean Hands Certificate);
- l. That, if the applicant has previously won a similar award from the District of Columbia government, it has submitted all reports due and owing;
- m. That the applicant complies with provisions of the Drug-Free Workplace Act;
- n. That the applicant meets all other qualifications and eligibility criteria necessary to receive an award under applicable laws and regulations;
- o. The applicant agrees to indemnify, defend, and hold harmless the Government of the District of Columbia and its authorized officers, employees, agents, and volunteers from any and all claims, actions, losses, damages, and/ or liability arising out of this grant from any cause whatsoever, including the acts, errors, or omissions of any person and for any costs or expenses incurred by the District on account of any claim therefore, except where such indemnification is prohibited by law; and
- p. If any of the organization's officers, partners, principals, members, associates or key employees, within the last three (3) years prior to the date of the application, has:
  - i. Been indicted or had charges brought against them (if still pending) and/or been convicted of (a) any crime or offense arising directly or indirectly from the conduct of the applicant's organization or (b) any crime or offense involving financial misconduct or fraud, or
  - ii. Been the subject of legal proceedings arising directly from the provision of services by the organization. If the response is in the affirmative, the applicant shall fully describe any such indictments, charges, convictions, or legal proceedings (and the status and disposition thereof) and surrounding circumstances in writing and provide documentation of the circumstances.

### **Timeline**

All applications shall be submitted by email to [secretary@dc.gov](mailto:secretary@dc.gov) or delivered to the Office of the Secretary of State, 1350 Pennsylvania Avenue, NW, Suite 419, Washington, DC 20004 no later than Noon on Friday November 1, 2019. The Office of the Secretary is not responsible for misdirected email or late deliveries.

### **Terms and Conditions**

1. Funding for this award is contingent upon the continued funding from the grantor, including possible funding restrictions pursuant to the federal Anti-Deficiency Act, 31 U.S.C. §§ 1341,1342,1349-51, and 1511-1519 (2004); the District Anti-Deficiency Act, D.C. Official Code §§ 1-206.03(e), 47-105, and 47-355.01-355.08 (2001); and Section 446 of the District of Columbia Home Rule Act, D.C. Official Code § 1-204.46 (2014 Repl.). Nothing in this Request for Applications shall create an obligation of the District in anticipation of an appropriation by Congress and/or the Council of the District of Columbia (the "Council") for such

- purpose as described herein. The District's legal liability for any payment pursuant to this RFA shall not arise or obtain in advance of the lawful availability of appropriated funds for the applicable fiscal year as approved by Congress and/or the Council, and shall become null and void upon the lawful unavailability of such funds under these or other applicable statutes and regulations.
2. The Office of the Secretary reserves the right to accept or deny any or all applications if the Secretary determines it is in the best interest of the government to do so. The Secretary shall notify the applicant if it rejects an applicant's proposal. The Secretary may suspend or terminate an outstanding RFA pursuant to the policies set forth in the City-Wide Grants Manual and Sourcebook.
  3. The Office of the Secretary reserves the right to issue addenda and/or amendments subsequent to the issuance of the RFA, or to rescind the RFA.
  4. The Office of the Secretary shall not be liable for any costs incurred in the preparation of applications in response to the RFA. Applicant agrees that all costs incurred in developing the application are the applicant's sole responsibility.
  5. The Office of the Secretary may conduct pre-award on-site visits to verify information submitted in the application and to determine if the applicant's facilities are appropriate for the services intended.
  6. The Office of the Secretary may enter into negotiations with an applicant and adopt a firm funding amount or other revision of the applicant's proposal that may result from negotiations.
  7. To receive an award, the selected grantee shall provide in writing, the name of all of its insurance carriers and the type of insurance provided (e.g., its general liability insurance carrier and automobile insurance carrier, workers' compensation insurance carrier, fidelity bond holder (if applicable), and, before execution of the award, a copy of the binder or cover sheet of their current policy for any policy that covers activities that might be undertaken in connection with performance of the grant, showing the limits of coverage and endorsements. All policies (except the workers' compensation, errors and omissions, and professional liability policies) that cover activities that might be undertaken in connection with the performance of the grant, shall contain additional endorsements naming the Government of the District of Columbia and its officers, employees, agents and volunteers as additional named insured with respect to liability abilities arising out of the performance of services under the award. The grantee shall require their insurance carrier of the required coverage to waive all rights of subrogation against the District, its officers, employees, agents, volunteers, contractors, and subcontractors.

8. To receive an award, the selected grantee must submit a completed IRS Form W-9 and a banking ACH form from the District of Columbia with the signed Notice of Grant Agreement (NOGA).
9. If there are any conflicts between the terms and conditions of the RFA and any applicable federal or local law or regulation, or any ambiguity related thereto, then the provisions of the applicable law or regulation shall control and it shall be the responsibility of the applicant to ensure compliance.

## **SECTION V: APPLICATION REVIEW INFORMATION**

All proposals will be reviewed by a panel selected by the Secretary of the District of Columbia and may include reviewers from the Executive Office of the Mayor as well as outside reviewers. The ratings awarded each applicant shall be public information and shall be made based on the following criteria:

1. Demonstrated ability to make progress toward increasing nationwide awareness of the lack of voting rights and statehood for Washington, DC during the grant period: 50%;
2. Specificity and feasibility of proposed activities: 25%;
3. History of effectively supporting democracy and statehood efforts: 10%; and
4. Specificity of performance measures: 15%.

## **SECTION VI: AWARD ADMINISTRATION INFORMATION**

Grant award (s) will be announced on the Office of the Secretary website no later than December 6, 2019. Unsuccessful applicants will be notified by email at the address from which the application was sent (unless otherwise specified) prior to the announcement of the winners. Disbursement of grant funds will occur as soon as practicable following the announcement of the selection of the awardee(s).

### **Deliverables**

Project requirements that must be submitted on or before due dates include:

1. A project plan with detailed expense projections for the amount requested. (Due within 15 calendar days of grant award.)
2. Progress report detailing expenditures to date and summary of work completed shall be included with the final report due October 31, 2020.
3. Expenditure of grant funds before September 30, 2020.
4. A final report provided by the grant recipient(s) no later than October 31, 2020. The close out or final report shall include detailed accounting of all expenditures for each project and summary of work completed under the grant.

**SECTION VII: AGENCY CONTACT**

All inquiries regarding this Request for Applications should be directed to:

Kimberly A. Bassett  
Secretary of State of the District of Columbia  
Office of the Secretary of State of the District of Columbia  
13501 Pennsylvania Avenue, NW, Suite 419  
Washington, DC 20004  
[Secretary@dc.gov](mailto:Secretary@dc.gov)  
202-727-6306

**OFFICE OF VICTIM SERVICES AND JUSTICE GRANTS**  
**NOTICE OF FUNDING AVAILABILITY (NOFA)**  
**FISCAL YEAR 2020 (FY20)**  
**DOMESTIC VIOLENCE STRATEGIC PLAN FUNDING**

The Office of Victim Services and Justice Grants (OVSJG) announces the availability of FY 2020 grant funds for the development of a domestic violence housing strategic plan. The purpose of this RFA is to develop a strategic plan to enhance access to safe housing for victims of domestic violence, across all stages of recovery and healing. The successful applicant will work in collaboration with OVSJG, other District agencies, community-based organizations, advocates, victims/survivors, and residents to develop the strategic plan. Request for Application (RFA) Release Date: Monday, October 21, 2019

Period of Award: Fiscal Year 2020 (Anticipated to begin on or after December 2, 2019, through September 30, 2020)

Available Funding: OVSJG will award one (1) grant up to \$200,000.

OVSJG will give priority consideration to proposals from agencies or organizations with a demonstrated record of providing similar services to federal, state, or local government.

Eligible Applicants: Any public or private, community-based non-profit agency, organization or institution located in the District of Columbia is eligible to apply, including District government agencies. For-profit organizations are eligible but may not include profit in their grant application. For-profit organizations may also participate as subcontractors to eligible agencies.

Application Submission Deadline: November 21, 2019

The Request for Applications (RFA) will be available electronically beginning October 21, 2019 at <http://ovsjg.dc.gov>. All applications are to be submitted via ZoomGrants™.

For additional information regarding this grant competition, please email [ovsjg@dc.gov](mailto:ovsjg@dc.gov) with the subject line reference "FY 2020 DV Housing Strategic Plan".

**OFFICE OF VICTIM SERVICES AND JUSTICE GRANTS****NOTICE OF FUNDING AVAILABILITY (NOFA)****FISCAL YEAR 2020 (FY20)****Incarceration Reduction Amendment Act (IRAA) Support Funding**

The Office of Victim Services and Justice Grants (OVSJG) announces the availability of grant funds under the Fiscal Year 2020 Local Fund to provide services and supports to recently released individuals within Department of Corrections or Bureau of Prisons facilities who meet the requirements to file an application for a sentence modification to reduce their sentence, according to the terms of the Incarceration Reduction Amendment Act of 2016 (IRAA), Title II of the Comprehensive Youth Justice Amendment Act of 2016 (D.C. Law 21-238).

**Request for Application (RFA) Release Date:** Monday, October 7, 2019

**Period of Award:** Fiscal Year 2020 (from date of award – September 30, 2020)

**Available Funding:** Funding will be available in the amount \$200,000 for a grant for a social work school that can demonstrate a partnership relationship with an organization (community-based or government) that has an established returning citizen “peer navigator” program to provide reentry support to returning citizens sentenced as teenagers and young adults and released after decades of incarceration.

**Program Requirements:** Any selected grantee is required to coordinate its efforts with the two previously selected grantees selected under the OVSJG IRAA Support Funding Grant Solicitation released in August 2019. The two previously selected organizations include:

- The Justice Policy Institute, whose role is to support implementation, coordination, and analysis of the Incarceration Reduction Amendment Act of 2016 (“IRAA”)
- The Georgetown Criminal Justice Clinic, whose role is to represent and provide legal coordination for individuals seeking to petition for sentence review pursuant to IRAA.

**Application Submission Deadline:** Friday, November 1, 2019 at 11:59pm ET.

The Request for Applications (RFA) will be available electronically beginning Monday October 7, 2019 at <http://ovsjg.dc.gov>. All applications are to be submitted via [ZoomGrants™](#).

For additional information regarding this grant competition, please email [melissa.milchman@dc.gov](mailto:melissa.milchman@dc.gov).

**DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY**

**BOARD OF DIRECTORS**

**NOTICE OF PUBLIC MEETING**

**Audit Committee**

The Board of Directors of the District of Columbia Water and Sewer Authority (DC Water) Audit Committee will be holding a meeting on Thursday, October 24, 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.dewater.com](http://www.dewater.com).

For additional information, please contact Linda R. Manley, Board Secretary at (202) 787-2332 or [لمانley@dewater.com](mailto:لمانley@dewater.com).

**DRAFT AGENDA**

- |    |   |                  |
|----|---|------------------|
| 1. | Call to Order   | Chairman         |
| 2. | Summary of Internal Audit Activity -<br>Internal Audit Status | Internal Auditor |
| 2. | Executive Session   | Chairman         |
| 3. | Adjournment   | Chairman         |

**DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY**

**BOARD OF DIRECTORS**

**NOTICE OF PUBLIC MEETING**

**Finance and Budget Committee**

The Board of Directors of the District of Columbia Water and Sewer Authority (DC Water) Finance and Budget Committee will be holding a meeting on Thursday, October 24, 2019 at 11:00 a.m. The meeting will be held in the Board Room (2<sup>nd</sup> 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.dewater.com](http://www.dewater.com).

For additional information, please contact Linda R. Manley, Board Secretary at (202) 787-2332 or [linda.manley@dewater.com](mailto:linda.manley@dewater.com).

**DRAFT AGENDA**

- |    |  |                       |
|----|--|-----------------------|
| 1. | Call to Order                              | Committee Chairperson |
| 2. | September 2019 Financial Report            | Committee Chairperson |
| 3. | Agenda for November 2019 Committee Meeting | Committee Chairperson |
| 4. | Adjournment                                | Committee Chairperson |



**DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY**

**BOARD OF DIRECTORS**

**NOTICE OF PUBLIC MEETING**

**District of Columbia Retail Water and Sewer Rates Committee**

The Board of Directors of the District of Columbia Water and Sewer Authority (DC Water) District of Columbia Retail Water and Sewer Rates Committee will be holding a meeting on Tuesday, October 22, 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](http://www.dcwater.com).

For additional information, please contact Linda R. Manley, Board Secretary at (202) 787-2332 or [لمانley@dcwater.com](mailto:لمانley@dcwater.com).

**DRAFT AGENDA**

- |    |                     |  |
|----|---------------------|--|
| 1. | Call to Order       | Committee Chairperson                  |
| 2. | Monthly Updates     | Executive VP,<br>Finance & Procurement |
| 3. | Committee Work Plan | Executive VP,<br>Finance & Procurement |
| 4. | Other Business      | Executive VP,<br>Finance & Procurement |
| 5. | Adjournment         | Committee Chairperson                  |

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

**Application No. 20048 of Joseph Rose**, as amended, pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception under Subtitle E § 5201 from the lot occupancy requirements of Subtitle E § 304.1, to construct a two-story rear addition to an existing flat in the RF-1 Zone at premises 940 S Street, N.W. (Square 363, Lot 71).

**HEARING DATES:** July 3, 2019, September 18, 2019  
**DECISION DATE:** September 18, 2019

**SUMMARY ORDER**

Relief Requested. The application was accompanied by a memorandum from the Zoning Administrator ("ZA"), certifying the required relief. (Exhibit 48 (Revised) <sup>1</sup>; Exhibit 4 (Original).)

Notice of the Application and Public Hearing. The Board of Zoning Adjustment ("Board" or "BZA") referred the application to the appropriate agencies and provided proper and timely notice of the public hearing in accordance with Subtitle Y § 402.1.

Parties. The parties to this case were the Applicant, Advisory Neighborhood Commission ("ANC") 6E, and ANC 1B.

ANC Report. ANC 6E's report indicated that at a regularly scheduled, properly noticed public meeting on November 18, 2018, at which a quorum was present, ANC 6E voted 6-0-0 to support the application. (Exhibit 41.) ANC 1B did not submit a written report.

OP Report. The Office of Planning submitted a report recommending approval of the application, as revised. (Exhibit 53.)

DDOT Report. The District Department of Transportation submitted a report indicating that it had no objection to the application. (Exhibit 38.)

Persons in Support. Letters in support were filed by neighbors to the property, French Street Neighborhood Association, and L'Enfant Trust. (Exhibits 32-35.)

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<sup>1</sup> The application was revised to request a special exception (69.7% proposed lot occupancy) instead of an area variance (72.7% proposed lot occupancy), as noted in the revised ZA's memorandum. (Exhibit 48.)

**Special Exception Relief**

The Applicant seeks relief under Subtitle X § 901.2, for a special exception under Subtitle E § 5201 from the lot occupancy requirements of Subtitle E § 304.1, to construct a two-story rear addition to an existing flat 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 PLANS AT EXHIBIT 52, SUBJECT TO THE FOLLOWING CONDITION:**

1. The Applicant shall remove 2.8 feet of cantilevered overhang on the carport as shown on the revised plat (Exhibit 51) and revised plans (Exhibit 52) to ensure that lot occupancy will not exceed 70% after construction of the rear addition.

**VOTE:**     **4-0-1**     (Frederick L. Hill, Carlton E. Hart, Lesylleé M. White, and Robert E. Miller to APPROVE; Lorna L. John not present or participating).

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

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

**FINAL DATE OF ORDER:** September 20, 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

BZA APPLICATION NO. 20048

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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 CONDITION 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 CONDITION 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.

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

**Application No. 20068 of William Pecau and Linda Berkeley**, pursuant to 11 DCMR Subtitle X, Chapter 9, for special exceptions under Subtitle D § 5201 from the lot occupancy requirements of Subtitle D § 1204.1, and from the rear yard requirements of Subtitle D § 1206.2, to construct a rear addition to an existing, attached principal dwelling unit in the R-20 Zone at premises 1228 27th Street, N.W. (Square 1215, Lot 81).

**HEARING DATE:** September 18, 2019<sup>1</sup>  
**DECISION DATE:** September 18, 2019

**SUMMARY ORDER**

Relief Requested. The zoning relief requested in this case was self-certified, pursuant to 11 DCMR Subtitle Y § 300.6. (Exhibit 19 (Updated); Exhibit 3 (Original).)

Notice of the Application and Public Meeting. The Board of Zoning Adjustment ("Board" or "BZA") referred the application to the appropriate agencies and provided proper and timely notice of the public meeting in accordance with Subtitle Y § 402.1. The Application was subsequently removed from the public meeting calendar and scheduled for a public hearing.

Parties. The parties to this case were the Applicant and Advisory Neighborhood Commission ("ANC") 2E.

ANC Report. The ANC's report indicated that at a regularly scheduled, properly noticed public meeting on September 3, 2019, at which a quorum was present, the ANC voted 6-0-0 to adopt a resolution that the ANC has no comment regarding the application. (Exhibit 47.)

OP Report. The Office of Planning submitted a report recommending approval of the application. (Exhibit 46.)

DDOT Report. The District Department of Transportation submitted a report indicating that it had no objection to the application. (Exhibit 43.)

Persons in Support. The Board received letters in support from eight neighbors, including the adjacent neighbors at 1230 27<sup>th</sup> Street, N.W. and 2705 Olive Street, N.W. (Exhibits 7-12, 49, and

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<sup>1</sup> The Application was originally scheduled for Expedited Review on the public meeting calendar of July 17, 2019. Pursuant to Subtitle Y § 401.7, the Chair granted a request by a neighbor within 200 feet to remove the case from the Expedited Review calendar and schedule the application for a public hearing. (Exhibit 42.)

50.) The Commission of Fine Arts recommendation was submitted for the record, which raised no objection to the concept design with minor design refinements. (Exhibit 45C.)

Persons in Opposition. The Board received letters and comments in opposition from four neighbors. (Exhibits 35, 36, 38-41 and 51.) Robert O. Carr of 1236 27<sup>th</sup> Street, N.W. and Lois Jecklin of 1232 27<sup>th</sup> Street, N.W. testified in opposition to the application at the public hearing.

### **Special Exception Relief**

The Applicant seeks relief under Subtitle X § 901.2, for special exceptions under Subtitle D § 5201 from the lot occupancy requirements of Subtitle D § 1204.1, and from the rear yard requirements of Subtitle D § 1206.2, to construct a rear addition to an existing, attached principal dwelling unit in the R-20 Zone.

Based upon the record before the Board, and having given great weight to the appropriate reports and recommendations filed in this case, the Board concludes that the Applicant has met the burden of proof that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map and that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map. The Board further concludes that, pursuant to Subtitle X § 901.2(c), any other specified conditions for special exception relief have been met.

Pursuant to 11 DCMR Subtitle Y § 604.3, the order of the Board may be in summary form and need not be accompanied by findings of fact and conclusions of law where granting an application when there was no party in opposition.

It is therefore **ORDERED** that this application is hereby **GRANTED AND, PURSUANT TO SUBTITLE Y § 604.10, SUBJECT TO THE APPROVED PLANS<sup>2</sup> AT EXHIBIT 16.**

**VOTE: 5-0-0** (Frederick L. Hill, Carlton E. Hart, Lesylleé M. White, Lorna L. John, and Robert E. Miller 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 25, 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.

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<sup>2</sup> 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 § 702.1, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSE OF SECURING A BUILDING PERMIT, OR THE APPLICANT FILES A REQUEST FOR A TIME EXTENSION PURSUANT TO SUBTITLE Y § 705 PRIOR TO THE EXPIRATION OF THE TWO-YEAR PERIOD AND THE REQUEST IS GRANTED. PURSUANT TO SUBTITLE Y § 703.14, NO OTHER ACTION, INCLUDING THE FILING OR GRANTING OF AN APPLICATION FOR A MODIFICATION PURSUANT TO SUBTITLE Y §§ 703 OR 704, SHALL TOLL OR EXTEND THE TIME PERIOD.

PURSUANT TO 11 DCMR SUBTITLE Y § 604, APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT.

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

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

**Application No. 20091 of Amani Enterprises, LLC**, pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception under Subtitle H § 1200 from the designated use requirements of Subtitle H § 1107.1(h)(2), to operate an establishment that has as a principal use the administration of massage in an existing mixed-use office building in the NC-11 Zone at premises 609 H Street, N.E. (Square 859, Lot 837).

**HEARING DATE:** September 18, 2019  
**DECISION DATE:** September 18, 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") 6C.

ANC Report. The ANC's report indicated that at a regularly scheduled, properly noticed public meeting on September 11, 2019, at which a quorum was present, ANC 6C voted 6-0-0 to support the application. (Exhibit 36.)

OP Report. The Office of Planning submitted a report recommending approval of the application. (Exhibit 33.)

DDOT Report. The District Department of Transportation submitted a report indicating that it had no objection to the application. (Exhibit 34.)

Persons in Support. The Capitol Hill Restoration Society filed a letter in support of the application. (Exhibit 37.)

**Special Exception Relief**

The Applicant seeks relief under Subtitle X § 901.2, for a special exception under Subtitle H § 1200 from the designated use requirements of Subtitle H § 1107.1(h)(2), to operate an establishment that has as a principal use the administration of massage in an existing mixed-use office building in the NC-11 Zone.



Based upon the record before the Board, and having given great weight to the appropriate reports and recommendations filed in this case, the Board concludes that the Applicant has met the burden of proof that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map and that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map. The Board further concludes that, pursuant to Subtitle X § 901.2(c), any other specified conditions for special exception relief have been met.

Pursuant to 11 DCMR Subtitle Y § 604.3, the order of the Board may be in summary form and need not be accompanied by findings of fact and conclusions of law where granting an application when there was no party in opposition.

It is therefore **ORDERED** that this application is hereby **GRANTED AND, PURSUANT TO SUBTITLE Y § 604.10, SUBJECT TO THE APPROVED PLANS<sup>1</sup> AT EXHIBIT 6.**

**VOTE: 4-0-1** (Frederick L. Hill, Lorna L. John, Lesylleé M. White, and Robert E. Miller to APPROVE; Carlton E. Hart not participating.)

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

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

**FINAL DATE OF ORDER:** September 24, 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

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<sup>1</sup> 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.

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. 20094 of Natalie Meurer**, pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception under Subtitle E §§ 206.2 and 5203 from the upper floor addition requirements of Subtitle E § 206.1, to convert the existing front elevation, third-story bay to be accessible at the third floor with new composite railing to an existing attached principal dwelling unit in the RF-1 Zone at premises 3014 13th Street N.W. (Square 2849, Lot 34).

**HEARING DATE:** September 18, 2019

**DECISION DATE:** September 18, 2019

**SUMMARY ORDER**

Relief Requested. The zoning relief requested in this case was self-certified, pursuant to 11 DCMR Subtitle Y § 300.6. (Exhibit 34 (Corrected); Exhibit 11 (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") 1A.

ANC Report. The ANC's report indicated that at a regularly scheduled, properly noticed public meeting on September 11, 2019, at which a quorum was present, the ANC voted 11-0-0 to support the application. (Exhibit 41.)

OP Report. The Office of Planning submitted a report recommending approval of the application. (Exhibit 37.)

DDOT Report. The District Department of Transportation submitted a report indicating that it had no objection to the application. (Exhibit 38.)

**Special Exception Relief**

The Applicant seeks relief under Subtitle X § 901.2, for a special exception under Subtitle E §§ 206.2 and 5203 from the upper floor addition requirements of Subtitle E § 206.1 to convert the existing front elevation, third-story bay to be accessible at the third floor with new composite railing to an existing attached principal dwelling unit in the RF-1 Zone.

Based upon the record before the Board, and having given great weight to the appropriate reports and recommendations filed in this case, the Board concludes that the Applicant has met the burden of proof that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map and that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map. The Board further concludes that, pursuant to Subtitle X § 901.2(c), any other specified conditions for special exception relief have been met.

Pursuant to 11 DCMR Subtitle Y § 604.3, the order of the Board may be in summary form and need not be accompanied by findings of fact and conclusions of law where granting an application when there was no party in opposition.

It is therefore **ORDERED** that this application is hereby **GRANTED AND, PURSUANT TO SUBTITLE Y § 604.10, SUBJECT TO THE APPROVED PLANS<sup>1</sup> AT EXHIBIT 4 AND EXHIBIT 10.**

**VOTE: 5-0-0** (Frederick L. Hill, Lesylleé M. White, Lorna L. John, Carlton E. Hart, and Robert E. Miller 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 20, 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.

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<sup>1</sup> 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, 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. 20095 of Mi Casa, Inc.**, pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception under the zone boundary line provisions of Subtitle A § 207.2, and pursuant to Subtitle X, Chapter 10, for variances from the loading requirements of Subtitle C § 901.1, and from the zone boundary line requirements of Subtitle A § 207.1, to raze the existing detached principal dwelling unit, subdivide eight lots, and to construct a mixed use building with 24 residential units, retail space and non-profit office space in the MU-4 and RF-1 Zones at premises 14 Florida Avenue N.W. (Square 615, Lots 75, 148, 149, 150, 151, 152, 806, and 825).

**HEARING DATE:** September 18, 2019  
**DECISION DATE:** September 18, 2019

**SUMMARY ORDER**

Relief Requested. The zoning relief requested in this case was self-certified, pursuant to 11 DCMR Subtitle Y § 300.6. (Exhibit 4.)

Notice of the Application and Public Hearing. The Board of Zoning Adjustment ("Board" or "BZA") referred the application to the appropriate agencies and provided proper and timely notice of the public hearing in accordance with Subtitle Y § 402.1.

Parties. The parties to this case were the Applicant and Advisory Neighborhood Commission ("ANC") 5E.

ANC Report. The ANC's report indicated that at a regularly scheduled, properly noticed public meeting on September 17, 2019, at which a quorum was present, the ANC voted 9-0-0 to support the application. (Exhibit 39.)

OP Report. The Office of Planning submitted a report recommending approval of the application. (Exhibit 35.)

DDOT Report. The District Department of Transportation submitted a report indicating that it had no objection to the application, subject to recommended Transportation Demand Management measures. (Exhibit 36.)

### Variance Relief

The Applicant seeks relief under Subtitle X § 1002.1 for area variances from the loading requirements of Subtitle C § 901.1, and from the zone boundary line requirements of Subtitle A § 207.1.

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 the case of an area variance, or an undue hardship, in the case of a use variance, in complying with the Zoning Regulations, and that the relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map.

### Special Exception Relief

The Applicant seeks relief under Subtitle X § 901.2, for special exception under the zone boundary line provisions of Subtitle A § 207.2.

Based upon the record before the Board, and having given great weight to the appropriate reports and recommendations filed in this case, the Board concludes that the Applicant has met the burden of proof that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map and that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map. The Board further concludes that, pursuant to Subtitle X § 901.2(c), any other specified conditions for special exception relief have been met.

Pursuant to 11 DCMR Subtitle Y § 604.3, the order of the Board may be in summary form and need not be accompanied by findings of fact and conclusions of law where granting an application when there was no party in opposition.

It is therefore **ORDERED** that this application is hereby **GRANTED AND, PURSUANT TO SUBTITLE Y § 604.10, SUBJECT TO THE APPROVED PLANS<sup>1</sup> AT EXHIBIT 32B.**

**VOTE: 4-0-1** (Frederick L. Hill, Lorna L. John, Lesylleé M. White, and Robert E. Miller to APPROVE; Carlton E. Hart not participating.)

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

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

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<sup>1</sup> 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.

**FINAL DATE OF ORDER:** September 24, 2019

PURSUANT TO 11 DCMR SUBTITLE Y § 604.11, NO ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN (10) DAYS AFTER IT BECOMES FINAL PURSUANT TO SUBTITLE Y § 604.7.

PURSUANT TO 11 DCMR SUBTITLE Y § 702.1, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSE OF SECURING A BUILDING PERMIT, OR THE APPLICANT FILES A REQUEST FOR A TIME EXTENSION PURSUANT TO SUBTITLE Y § 705 PRIOR TO THE EXPIRATION OF THE TWO-YEAR PERIOD AND THE REQUEST IS GRANTED. PURSUANT TO SUBTITLE Y § 703.14, NO OTHER ACTION, INCLUDING THE FILING OR GRANTING OF AN APPLICATION FOR A MODIFICATION PURSUANT TO SUBTITLE Y §§ 703 OR 704, SHALL TOLL OR EXTEND THE TIME PERIOD.

PURSUANT TO 11 DCMR SUBTITLE Y § 604, APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR 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.

**BZA APPLICATION NO. 20095  
PAGE NO. 3**



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

**Application No. 20103 of David Machledt and Lauren Carruth**, pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception under Subtitle D § 5201 from the rear yard requirements of Subtitle D § 306.2, to construct a rear addition to an existing, semi-detached principal dwelling unit in the R-3 Zone at premises 1377 Rittenhouse Street, N.W. (Square 2789, Lot 29).

**HEARING DATE:** Applicant waived the right to a public hearing  
**DECISION DATE:** September 25, 2019 (Expedited Review Calendar)

**SUMMARY ORDER**

Relief Requested. The zoning relief requested in this case was self-certified, pursuant to 11 DCMR Subtitle Y § 300.6. (Exhibit 12 (Revised); Exhibit 5 (Original).)

Expedited Review. Pursuant to 11 DCMR Subtitle Y § 401, this application was tentatively placed on the Board of Zoning Adjustment (the "Board" or "BZA") expedited review calendar for decision as a result of the applicant's waiver of its right to a hearing. No objections to expedited review consideration were made by any person or entity entitled to do under Subtitle Y §§ 401.7 and 401.8.

Notice of the Application and Public Meeting. The Board referred the application to the appropriate agencies and provided proper and timely notice of the public meeting in accordance with Subtitle Y § 402.1.

Parties. The parties to this case were the Applicant and Advisory Neighborhood Commission ("ANC") 4A.

ANC Report. The ANC's report indicated that at a regularly scheduled, properly noticed public meeting on September 3, 2019, at which a quorum was present, the ANC voted 7-0-0 to support the application. (Exhibit 33.)

OP Report. The Office of Planning submitted a report, dated September 13, 2019, recommending approval of the application. (Exhibit 35.)

DDOT Report. The District Department of Transportation submitted a report, dated September 6, 2019, indicating that it had no objection to the application. (Exhibit 34.)

Persons in Support. The Board received letters from four neighbors expressing support for the application. (Exhibit 37.)

**Special Exception Relief**

The Applicant seeks relief under Subtitle X § 901.2, for a special exception under Subtitle D § 5201 from the rear yard requirements of Subtitle D § 306.2, to construct a rear addition to an existing, semi-detached principal dwelling unit in the R-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 PLANS<sup>1</sup> AT EXHIBITS 8 AND 36.**

**VOTE: 4-0-1** (Carlton E. Hart, Lorna L. John, Lesylleé M. White, and Anthony J. Hood to APPROVE; Frederick L. Hill, not present, not participating.)

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

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

**FINAL DATE OF ORDER:** September 26, 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

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<sup>1</sup>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.

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. 20108 of 1238 Wisconsin Owner LLC**, pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception under Subtitle G § 1201.1, from the rear yard requirements of Subtitle G § 405.2, to expand and renovate an existing mixed-use building in the MU-4 Zone at premises 1238 Wisconsin Avenue, N.W. (Square 1218, Lot 102).

**HEARING DATE:** September 18, 2019

**DECISION DATE:** September 18, 2019

**SUMMARY ORDER**

Relief Requested. The zoning relief requested in this case was self-certified, pursuant to 11 DCMR Subtitle Y § 300.6. (Exhibit 5.)

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") 2E.

ANC Report. The ANC's report indicated that at a regularly scheduled, properly noticed public meeting on September 3, 2019, at which a quorum was present, the ANC voted 6-0-0 to support the application. (Exhibit 38.)

OP Report. The Office of Planning submitted a report, dated September 6, 2019, recommending approval of the application. (Exhibit 37.)

DDOT Report. The District Department of Transportation submitted a report, dated August 30, 2019, indicating that it had no objection to the application. (Exhibit 36.)

Persons in Support. The Board received two letters from owners of nearby properties in support of the application. (Exhibits 30 and 31.)

**Special Exception Relief**

The Applicant seeks relief under Subtitle X § 901.2, for a special exception under Subtitle G § 1201.1, from the rear yard requirements of Subtitle G § 405.2, to expand and renovate an existing mixed-use building in the MU-4 Zone.

Based upon the record before the Board, and having given great weight to the appropriate reports and recommendations filed in this case, the Board concludes that the Applicant has met the burden of proof that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map and that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map. The Board further concludes that, pursuant to Subtitle X § 901.2(c), any other specified conditions for special exception relief have been met.

Pursuant to 11 DCMR Subtitle Y § 604.3, the order of the Board may be in summary form and need not be accompanied by findings of fact and conclusions of law where granting an application when there was no party in opposition.

It is therefore **ORDERED** that this application is hereby **GRANTED AND, PURSUANT TO SUBTITLE Y § 604.10, SUBJECT TO THE APPROVED PLANS<sup>1</sup> AT EXHIBIT 33A.**

**VOTE: 4-0-1** (Frederick L. Hill, Lorna L. John, Lesylleé M. White, and Robert E. Miller to APPROVE; Carlton E. Hart, not participating.)

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

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

**FINAL DATE OF ORDER:** September 24, 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.

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<sup>1</sup>In granting the self-certified relief, the Board made no finding that the relief is either necessary or sufficient. Instead, the Board expects the Zoning Administrator to undertake a thorough and independent review of the building permit and certificate of occupancy applications filed for this project and to deny any application for which additional or different zoning relief is needed.

PURSUANT TO 11 DCMR SUBTITLE Y § 604, APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT.

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

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

**Application No. 20113 of Joseph Hezir**, as amended, pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception under Subtitle D § 5201 from the lot occupancy requirements of Subtitle D § 1204, from the side yard requirements of Subtitle D § 1207.4, and the nonconforming structure requirements of Subtitle C § 202.2, to construct a two-story rear addition to an existing, semi-detached principal dwelling unit in the R-20 Zone at premises 2907 P Street, N.W. (Square 1268, Lot 810).

**HEARING DATE:** Applicant waived the right to a public hearing  
**DECISION DATE:** September 18, 2019 (Expedited Review Calendar)

**SUMMARY ORDER**

Relief Requested. The zoning relief requested in this case was self-certified, pursuant to 11 DCMR Subtitle Y § 300.6. (Exhibit 36 (Final Revised); Exhibit 12 (Corrected); Exhibit 6 (Original).)<sup>1</sup>

Expedited Review. Pursuant to 11 DCMR Subtitle Y § 401, this application was tentatively placed on the Board of Zoning Adjustment (the "Board" or "BZA") expedited review calendar for decision as a result of the applicant's waiver of its right to a hearing. No objections to expedited review consideration were made by any person or entity entitled to do under Subtitle Y §§ 401.7 and 401.8.

Notice of the Application and Public Meeting. The Board referred the application to the appropriate agencies and provided proper and timely notice of the public meeting in accordance with Subtitle Y § 402.1.

Parties. The parties to this case were the Applicant and Advisory Neighborhood Commission ("ANC") 2E.

ANC Report. The ANC's report indicated that at a regularly scheduled, properly noticed public meeting on September 13, 2019, at which a quorum was present, the ANC voted 6-0-0 to adopt a resolution of no objection to the application. (Exhibit 39.)

OP Report. The Office of Planning submitted a report, dated September 6, 2019, recommending approval of the application. (Exhibit 35.)

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<sup>1</sup> The Applicant revised the application to add special exception relief from the side yard requirements of Subtitle D § 1207. The caption was revised to clarify that the relief sought is from the requirements of Subtitle D § 1207.4, rather than Subtitle D § 1207.2.

DDOT Report. The District Department of Transportation submitted a report, dated August 30, 2019, indicating that it had no objection to the application. (Exhibit 38.)

### **Special Exception Relief**

The Applicant seeks relief under Subtitle X § 901.2, for, for a special exception under Subtitle D § 5201 from the lot occupancy requirements of Subtitle D § 1204, from the side yard requirements of Subtitle D § 1207.4, and the non-conforming structure requirements of Subtitle C § 202.2, to construct a two-story rear addition to an existing, semi-detached principal dwelling unit in the R-20 Zone.

Based upon the record before the Board, and having given great weight to the appropriate reports and recommendations filed in this case, the Board concludes that the Applicant has met the burden of proof that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map and that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map. The Board further concludes that, pursuant to Subtitle X § 901.2(c), any other specified conditions for special exception relief have been met.

Pursuant to 11 DCMR Subtitle Y § 604.3, the order of the Board may be in summary form and need not be accompanied by findings of fact and conclusions of law where granting an application when there was no party in opposition.

It is therefore **ORDERED** that this application is hereby **GRANTED AND, PURSUANT TO SUBTITLE Y § 604.10, SUBJECT TO THE APPROVED PLANS<sup>2</sup> AT EXHIBIT 5.**

**VOTE: 5-0-0** (Frederick L. Hill, Carlton E. Hart, Lorna L. John, Lesylleé M. White, and Robert G. Miller 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 20, 2019

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<sup>2</sup>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.

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, DECEMBER 4, 2019  
441 4<sup>TH</sup> STREET, N.W.  
JERRILY R. KRESS MEMORIAL HEARING ROOM, SUITE 220-SOUTH  
WASHINGTON, D.C. 20001**

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

**TIME: 9:30 A.M.**

**FOR EXPEDITED REVIEW**

**WARD SEVEN**

20154            **Application of Doretta Ward**, pursuant to 11 DCMR Subtitle X, Chapter  
ANC 7D            9, for special exceptions under Subtitle C § 703.2 from the minimum  
                         vehicle parking requirements of Subtitle C § 701.5 and under Subtitle E §§  
                         5201 and 205.5 from the rear yard requirements of Subtitle E § 205.4, to  
                         construct a two-story rear addition to an existing attached principal  
                         dwelling unit in the RF-1 Zone at premises 438 20th Street N.E. (Square  
                         4549, Lot 91).

**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 14 days prior to the date set for the hearing, a Form 140 – Party Status Application Form.**\* This form may be obtained from the Office of Zoning at the address stated below or downloaded from the Office of Zoning's website at: [www.dcoz.dc.gov](http://www.dcoz.dc.gov). All requests and comments should be submitted to the Board through the Director, Office of Zoning, 441 4<sup>th</sup> Street, NW, Suite 210, Washington, D.C. 20001. Please include the case number on all correspondence.

BZA PUBLIC MEETING NOTICE  
DECEMBER 4, 2019  
PAGE NO. 2

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 ማስተርጎም) ካስፈለገዎት እባክዎን ከስብሰባው አምስት ቀናት በፊት ዚ ሂልን በስልክ ቁጥር (202) 727-0312 ወይም በኢሜል [Zelalem.Hill@dc.gov](mailto:Zelalem.Hill@dc.gov) ይገናኙ። እንኳን 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](mailto:Zelalem.Hill@dc.gov)。这些是免费提供的服务。

French

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

Korean

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

Spanish

BZA PUBLIC MEETING NOTICE

DECEMBER 4, 2019

PAGE NO. 3

¿Necesita ayuda para participar?

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

*Vietnamese*

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

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

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

**FREDERICK L. HILL, CHAIRPERSON**  
**LESYLLEÉ M. WHITE, MEMBER**  
**LORNA L. JOHN, MEMBER**  
**CARLTON HART, VICE-CHAIRPERSON,**  
**NATIONAL CAPITAL PLANNING COMMISSION**  
**A PARTICIPATING MEMBER OF THE ZONING COMMISSION**  
**CLIFFORD W. MOY, SECRETARY TO THE BZA**  
**SARA A. BARDIN, DIRECTOR, OFFICE OF ZONING**

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA  
NOTICE OF CLOSED MEETING**

**TIME AND PLACE:**

**Monday, October 21, 2019, @ 6:00 p.m.  
Monday, November 18, 2019, @ 6:00 p.m.  
Monday, December 9, 2019, @ 6:00 p.m.  
Jerrily R. Kress Memorial Hearing Room  
441 4<sup>th</sup> Street, N.W., Suite 220  
Washington, D.C. 20001**

**FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:**

On Mondays, October 21, November 18, and December 9, 2019, the Zoning Commission, in accordance with § 406 of the District of Columbia Administrative Procedure Act (“Act”)(D.C. Official Code § 2-576), hereby provides notice it will hold a closed meetings at the times and place noted above, regarding cases noted on the agendas for the meetings to be held on those evenings in order to receive legal advice from its counsel, per § 405(b)(4), and to deliberate, but not voting, on the contested cases, per § 405(b)(13) of the Act (D.C. Official Code § 2-575(b)(4) and (13)).

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

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