

District of Columbia

REGISTER

HIGHLIGHTS

- D.C. Council enacts “Act 23-247, COVID-19 Response Emergency Amendment Act of 2020,” to allow the Executive to address the critical needs of the District residents and businesses
- Department of Behavioral Health solicits partners to provide substance use disorder recovery residences in the District
- Board of Elections establishes the deadline the receipt of absentee ballots for the June 2, 2020 Primary Election
- Department of Health Care Finance proposes emergency changes to allow reimbursement for telemedicine health care services to Medicaid beneficiaries
- Department of Human Services establishes standards for administering the District’s Flexible Rent Subsidy Pilot Program
- Department of Energy and Environment announces funding for the Green Initiatives DC Pilot Program
- District Department of Transportation announces availability of the Open Streets Georgia Ave. and MLK Ave. Coordination Grants

The Mayor of the District of Columbia prohibits mass gatherings of more than fifty people in the District of Columbia during the Public Health Emergency in response to the Coronavirus (COVID-19) (Mayor’s Order 2020-048).

The Mayor issues a waiver granting exemptions for overweight, over width, registration, license, and hours of service to motor carriers and drivers transporting emergency relief supplies, equipment, and persons (Mayor’s Order 2020-049).

DISTRICT OF COLUMBIA REGISTER

Publication Authority and Policy

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

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DISTRICT OF COLUMBIA OFFICE OF DOCUMENTS AND ADMINISTRATIVE ISSUANCES

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ADMINISTRATOR

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COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 23-57

"Sexual Assault Victims' Rights Amendment Act of 2019"

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 23-67 on first and second readings October 22, 2019, and November 5, 2019, respectively. Following the signature of the Mayor on November 26, 2019, pursuant to Section 404(e) of the Charter, the bill became Act 23-174 and was published in the December 6, 2019 edition of the D.C. Register (Vol. 66, page 15914). Act 23-174 was transmitted to Congress on December 4, 2019 for a 60-day review, in accordance with Section 602(c)(2) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 60-day Congressional review period has ended, and Act 23-174 is now D.C. Law 23-57, effective March 3, 2020.



Phil Mendelson
Chairman of the Council

Days Counted During the 60-day Congressional Review Period:

December	4, 5, 6, 9, 10, 11, 12, 13, 16, 17, 18, 19, 20, 23, 24, 26, 27, 30, 31
January	2, 3, 6, 7, 8, 9, 10, 13, 14, 15, 16, 17, 21, 22, 23, 24, 27, 28, 29, 30, 31
February	3, 4, 5, 6, 7, 10, 11, 12, 13, 14, 18, 19, 20, 21, 24, 25, 26, 27, 28
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COUNCIL OF THE DISTRICT OF COLUMBIA

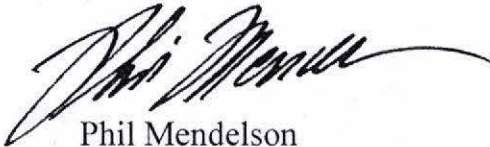
NOTICE

D.C. LAW 23-58

"Anacostia River Toxics Remediation Temporary Amendment Act of 2019"

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 23-560 on first and second readings December 3, 2019, and December 17, 2019, respectively. Following the signature of the Mayor on January 16, 2020, pursuant to Section 404(e) of the Charter, the bill became Act 23-190 and was published in the January 24, 2020 edition of the D.C. Register (Vol. 67, page 564). Act 23-190 was transmitted to Congress on January 27, 2020 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 23-190 is now D.C. Law 23-58, effective March 10, 2020.



Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

January	27, 28, 29, 30, 31
February	3, 4, 5, 6, 7, 10, 11, 12, 13, 14, 18, 19, 20, 21, 24, 25, 26, 27, 28
March	2, 3, 4, 5, 6, 9

COUNCIL OF THE DISTRICT OF COLUMBIA

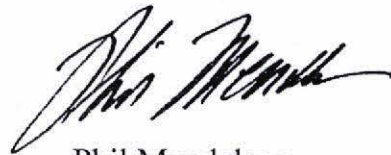
NOTICE

D.C. LAW 23-59

"Access to Body-Worn Camera Footage Temporary Regulation Amendment Act of 2019"

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 23-567 on first and second readings December 3, 2019, and December 17, 2019, respectively. Following the signature of the Mayor on January 16, 2020, pursuant to Section 404(e) of the Charter, the bill became Act 23-191 and was published in the January 24, 2020 edition of the D.C. Register (Vol. 67, page 566). Act 23-191 was transmitted to Congress on January 27, 2020 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 23-191 is now D.C. Law 23-59, effective March 10, 2020.



Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

January	27, 28, 29, 30, 31
February	3, 4, 5, 6, 7, 10, 11, 12, 13, 14, 18, 19, 20, 21, 24, 25, 26, 27, 28
March	2, 3, 4, 5, 6, 9

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 23-60

"Certificate of Need Fee Reduction Amendment Act of 2019"

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 23-183 on first and second readings December 3, 2019, and December 17, 2019, respectively. Following the signature of the Mayor on January 16, 2020, pursuant to Section 404(e) of the Charter, the bill became Act 23-192 and was published in the January 24, 2020 edition of the D.C. Register (Vol. 67, page 568). Act 23-192 was transmitted to Congress on January 27, 2020 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 23-192 is now D.C. Law 23-60, effective March 10, 2020.



Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

January	27, 28, 29, 30, 31
February	3, 4, 5, 6, 7, 10, 11, 12, 13, 14, 18, 19, 20, 21, 24, 25, 26, 27, 28
March	2, 3, 4, 5, 6, 9

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 23-61

"Cottage Food Expansion Amendment Act of 2019"

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 23-192 on first and second readings December 3, 2019, and December 17, 2019, respectively. Following the signature of the Mayor on January 16, 2020, pursuant to Section 404(e) of the Charter, the bill became Act 23-193 and was published in the January 24, 2020 edition of the D.C. Register (Vol. 67, page 572). Act 23-193 was transmitted to Congress on January 27, 2020 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 23-193 is now D.C. Law 23-61, effective March 10, 2020.



Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

January	27, 28, 29, 30, 31
February	3, 4, 5, 6, 7, 10, 11, 12, 13, 14, 18, 19, 20, 21, 24, 25, 26, 27, 28
March	2, 3, 4, 5, 6, 9

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 23-62

"Electronic Medical Order for Scope of Treatment Registry Amendment Act of 2019"

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 23-261 on first and second readings December 3, 2019, and December 17, 2019, respectively. Following the signature of the Mayor on January 16, 2020, pursuant to Section 404(e) of the Charter, the bill became Act 23-194 and was published in the January 24, 2020 edition of the D.C. Register (Vol. 67, page 574). Act 23-194 was transmitted to Congress on January 27, 2020 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 23-194 is now D.C. Law 23-62, effective March 10, 2020.



Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

January	27, 28, 29, 30, 31
February	3, 4, 5, 6, 7, 10, 11, 12, 13, 14, 18, 19, 20, 21, 24, 25, 26, 27, 28
March	2, 3, 4, 5, 6, 9

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 23-63

"Closing of a Public Alley in Square 1445, S.O. 11-01980, Act of 2019"

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 23-304 on first and second readings December 3, 2019, and December 17, 2019, respectively. Following the signature of the Mayor on January 16, 2020, pursuant to Section 404(e) of the Charter, the bill became Act 23-195 and was published in the January 24, 2020 edition of the D.C. Register (Vol. 67, page 577). Act 23-195 was transmitted to Congress on January 27, 2020 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 23-195 is now D.C. Law 23-63, effective March 10, 2020.



Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

January	27, 28, 29, 30, 31
February	3, 4, 5, 6, 7, 10, 11, 12, 13, 14, 18, 19, 20, 21, 24, 25, 26, 27, 28
March	2, 3, 4, 5, 6, 9

COUNCIL OF THE DISTRICT OF COLUMBIA

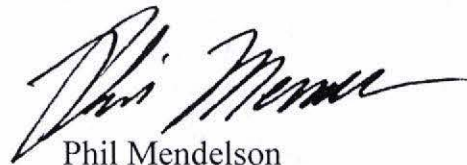
NOTICE

D.C. LAW 23-64

"Closing of a Public Alley in Square 5017, S.O. 16-24507, Act of 2019"

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 23-328 on first and second readings December 3, 2019, and December 17, 2019, respectively. Following the signature of the Mayor on January 16, 2020, pursuant to Section 404(e) of the Charter, the bill became Act 23-196 and was published in the January 24, 2020 edition of the D.C. Register (Vol. 67, page 579). Act 23-196 was transmitted to Congress on January 27, 2020 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 23-196 is now D.C. Law 23-64, effective March 10, 2020.



Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

January	27, 28, 29, 30, 31
February	3, 4, 5, 6, 7, 10, 11, 12, 13, 14, 18, 19, 20, 21, 24, 25, 26, 27, 28
March	2, 3, 4, 5, 6, 9

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 23-65

"Closing of a Public Alley in Square 369, S.O. 18003, Act of 2019"

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 23-331 on first and second readings December 3, 2019, and December 17, 2019, respectively. Following the signature of the Mayor on January 16, 2020, pursuant to Section 404(e) of the Charter, the bill became Act 23-197 and was published in the January 24, 2020 edition of the D.C. Register (Vol. 67, page 581). Act 23-197 was transmitted to Congress on January 27, 2020 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 23-197 is now D.C. Law 23-65, effective March 10, 2020.



Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

January	27, 28, 29, 30, 31
February	3, 4, 5, 6, 7, 10, 11, 12, 13, 14, 18, 19, 20, 21, 24, 25, 26, 27, 28
March	2, 3, 4, 5, 6, 9

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 23-66

"Detained Youth Access to the Juvenile Services Program Amendment Act of 2019"

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 23-291 on first and second readings December 3, 2019, and December 17, 2019, respectively. Pursuant to Section 404(e) of the Charter, the bill became Act 23-202 and was published in the January 31, 2020 edition of the D.C. Register (Vol. 67, page 740). Act 23-202 was transmitted to Congress on January 27, 2020 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 23-202 is now D.C. Law 23-66, effective March 10, 2020.



Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

January	27, 28, 29, 30, 31
February	3, 4, 5, 6, 7, 10, 11, 12, 13, 14, 18, 19, 20, 21, 24, 25, 26, 27, 28
March	2, 3, 4, 5, 6, 9

ENROLLED ORIGINAL

AN ACT

D.C. ACT 23-244

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MARCH 11, 2020

To amend the Deputy Mayor for Planning and Economic Development Limited Grant-Making Authority Act of 2012 to provide grant-making authority to the Deputy Mayor to issue a grant to Check It Enterprises to enable its acquisition of a certain facility located in the Anacostia Historic District.

BE IT ENACTED BY THE COUCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Deputy Mayor for Planning and Economic Development Limited Grant Making Authority for Check It Enterprises Amendment Act of 2020”.

Sec. 2. Section 2032 of the Deputy Mayor for Planning and Economic Development Limited Grant-Making Authority Act of 2012, effective September 20, 2012 (D.C. Law 19-168; D.C. Official Code § 1-328.04), is amended by adding a new subsection (h) to read as follows:

“(h)(1)(A) Notwithstanding the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), and subject to subparagraph (B) of this paragraph and paragraph (2) of this subsection, the Deputy Mayor shall have grant-making authority to provide funds to Check It Enterprises for the acquisition of the Property to continue the current business operations of Check It Enterprises, We Act Radio, and The District Culture at the Property to serve as a community resource for the Anacostia Historic District.

“(B)(i) If the purchase price of the Property is less than the amount of the grant provided pursuant to subparagraph (A) of this paragraph, Check It Enterprises shall return the amount not needed for the purchase to the District government within 10 days of the closing on the property.

“(ii) Any monies returned to the District government pursuant to sub-subparagraph (i) of this subparagraph shall be deposited in the General Fund of the District of Columbia.

“(2) The grant of funds provided pursuant to this subsection shall be subject to the terms of a grant agreement between the Deputy Mayor and Check It Enterprises (“Grant Agreement”) that shall provide that:

“(A) Upon acquisition of the Property, Check It Enterprises shall enter into a lease agreement period of no fewer than 5 years with:

ENROLLED ORIGINAL

“(i) WE ACT Radio for that portion of the Property that WE ACT Radio currently occupies (“1918 MLK”), at a rate not to exceed the amount charged immediately preceding the acquisition and provide WE ACT Radio an option to extend the lease agreement for no fewer than 5 years at a gross rent rate that shall not exceed an increase of 5% over the rate charged under the immediately preceding agreement for as long as WE ACT Radio remains in business at 1918 MLK; and

“(ii) The District Culture for that portion of the Property that The District Culture currently occupies (“1922 MLK”), at a rate not to exceed the amount charged immediately preceding the acquisition and provide The District Culture an option to extend the lease agreement for no fewer than 5 years at a gross rent rate that shall not exceed an increase of 5% over the rate charged under the immediately preceding agreement for as long as The District Culture remains in business at 1922 MLK.

“(B) Check It Enterprises may enter into a contract for architectural design services, construction services, or materials needed for the development, remodel, or construction of the Property; provided that:

“(i) The contract is subject to the contracting and procurement requirements under the Small and Certified Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.01 *et seq.*), and the employment and job creation requirements under the First Source Employment Agreement Act of 1984, effective June 29, 1984 (D.C. Law 5-93; D.C. Official Code § 2-219.01 *et seq.*); and

(ii) WE ACT Radio and The District Culture shall retain a Right to Return after the completion of any development, remodel, or construction of the Property.

“(C) If WE ACT Radio ceases to occupy 1918 MLK or The District Culture ceases to occupy 1922 MLK, Check It Enterprises shall lease to tenants that are social enterprises a square footage that is the same or greater than that occupied by WE ACT Radio or The District Culture on December 2019.

“(D)(i) If Check It Enterprises ceases to lease that portion of the Property as required in subparagraph (C) of this paragraph, uses the grant funds for an unauthorized purpose, uses the grant funds for any purpose other than the acquisition of the Property or costs and fees associated with the acquisition, or otherwise breaches the Grant Agreement, all grant funds shall be returned to the District; and

“(ii) In the event of a breach by Check It Enterprises, the Deputy Mayor shall have all applicable remedies available at law or equity.

“(E)(i) In the event that Check It Enterprises, or a subsidiary or affiliate of Check It Enterprises, seeks to sell or transfer the Property to a third party, the District government shall have the right of first refusal.

“(ii) Check It Enterprises must notify the District government in writing before it intends to sell or transfer the Property. The District government shall have 120 days from receiving the written notice to purchase the Property at a price equal to the assessed

ENROLLED ORIGINAL

value of the Property discounted by the sum of the grant provided pursuant to paragraph (1) of this subsection adjusted by annual inflation since the date the grant was issued.

“(F) If the District government does not exercise the right of first refusal and the Property is sold or transferred to a third party, Check It Enterprises, or a subsidiary or affiliate of Check It Enterprises shall within 30 days of the Property being sold or transferred return to the District the sum of the grant provided pursuant to paragraph (1) of this subsection adjusted by annual inflation since the date the grant was issued.

“(3) For the purpose of this subsection, the term:

“(A) “Check It Enterprises” means Check It Enterprises LLC, a District of Columbia limited liability company at 1920 Martin Luther King Jr. Avenue, S.E., Washington, D.C., 20020.

“(B) “Gross rent” means a flat rent fee that encompasses rent and all costs associated with ownership, such as taxes, insurance, and utilities.

“(C) “Property” means the real property, and any structures thereon, located at 1918, 1920, and 1922 Martin Luther King Jr. Avenue, S.E., Washington, D.C., 20020, known for assessment and tax purposes as Lots 851, 852, 853 in Square 5769.

“(D) “Right of first refusal” means that if an owner of a Property places or intends to place the Property for sale or to transfer the Property to a third party, the District government shall have the first right to purchase the Property.

“(E) “Right to Return” means WE ACT Radio or The District Culture, or both, has the right to return to a space in the Property that is the same or greater square footage that the entity occupied on December 2019 if displaced for renovation, rehabilitation, or redevelopment of the Property.

“(F) “Social enterprise” means a business whose purpose is to generate profits while simultaneously advancing a social goal, such as supporting at-risk youth and workforce development.

“(G) “The District Culture” means The District Culture, LLC, a District of Columbia limited liability company, currently occupying 1922 Martin Luther King Jr. Avenue, S.E., Washington, D.C., 20020.

“(H) “Third party” means an individual, firm, corporation, partnership, company, cooperative, association, trust, or any other organization, legal entity, or group of individuals. The term “third party” shall not include Check It Enterprises or a subsidiary or affiliate of Check It Enterprises.

“(I) “WE ACT Radio” means Newton Media Group, LLC, a District of Columbia limited liability company, currently occupying 1918 Martin Luther King Jr. Avenue, S.E., Washington, D.C., 20020.”.

ENROLLED ORIGINAL

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
March 11, 2020

ENROLLED ORIGINAL

AN ACT

D.C. ACT 23-245

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MARCH 11, 2020

To amend, on an emergency basis, the Firearms Control Regulations Act of 1975 to prohibit the issuance of a registration certificate for ghost guns, and to prohibit the sale or transfer of ghost guns; and to amend and An Act To control the possession, sale, transfer, and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of evidence, and for other purposes to prohibit the possession of ghost guns.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Ghost Guns Prohibition Emergency Amendment Act of 2020".

Sec. 2. The Firearms Control Regulations Act of 1975, effective September 24, 1976 (D.C. Law 1-85; D.C. Official Code § 7-2501.01 *et seq.*), is amended as follows:

(a) Section 101 (D.C. Official Code § 7-2501.01) is amended as follows:

(1) Paragraph (9B) is designated as paragraph (9C).

(2) A new paragraph (9B) is added to read as follows:

"(9B) "Ghost gun" means a firearm that, after the removal of all parts other than a receiver, is not as detectable as the Security Exemplar, by walk-through metal detectors calibrated and operated to detect the Security Exemplar; or any major component of which, when subjected to inspection by the types of detection devices commonly used at secure public buildings and transit stations, does not generate an image that accurately depicts the shape of the component. The term "ghost gun" includes an unfinished frame or receiver."

(3) A new paragraph (12B) is added to read as follows:

"(12B) "Receiver" means the part of a firearm that provides the action or housing for the hammer, bolt, or breechblock and firing mechanism."

(4) A new paragraph (15A) is added to read as follows:

"(15A) "Security Exemplar" means an object, to be fabricated at the direction of the Mayor, that is:

"(A) Constructed of 3.7 ounces of material type 17-4 PH stainless steel in a shape resembling a handgun; and

"(B) Suitable for testing and calibrating metal detectors."

ENROLLED ORIGINAL

(5) A new paragraph (17B) is added to read as follows:

“(17B)(A) “Unfinished frame or receiver” means a frame or receiver of a firearm, rifle, or shotgun that is not yet a component part of a firearm, but which may without the expenditure of substantial time and effort be readily made into an operable frame or receiver through milling, drilling, or other means.

“(B) The term “unfinished frame or receiver” includes any manufactured object, any incompletely manufactured component part of a firearm, or any combination thereof that is not a functional frame or receiver but is designed, manufactured, assembled, marketed, or intended to be used for that purpose, and can be readily made into a functional frame or receiver.

“(C) For the purposes of this paragraph, the term:

“(i) “Manufacture” means to fabricate, make, form, produce or construct, by manual labor or by machinery.

“(ii) “Assemble” means to fit together component parts.”.

(b) Section 202(a) (D.C. Official Code § 7-2502.02(a)) is amended as follows:

(1) Paragraph (6) is amended by striking the phrase “; or” and inserting a semicolon in its place.

(2) Paragraph (7) is amended by striking the period and inserting the phrase “; or” in its place.

(3) A new paragraph (8) is added to read as follows:

“(8) Ghost gun.”.

(c) Section 501 (D.C. Official Code § 7-2505.01) is amended by striking the phrase “destructive device” and inserting the phrase “destructive device, ghost gun, unfinished frame or receiver,” in its place.

Sec. 3. An Act To control the possession, sale, transfer, and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of evidence, and for other purposes, approved July 8, 1932 (47 Stat. 650; D.C. Official Code § 22-4501 *et seq.*), is amended as follows:

(a) Section 1 (D.C. Official Code § 22-4501) is amended by adding a new paragraph (2B) to read as follows:

“(2B) “Ghost gun” shall have the same meaning as provided in section 101(9B) of the Firearms Control Regulations Act of 1975, effective September 24, 1976 (D.C. Law 1-85; D.C. Official Code § 7-2501.01(9B)).”.

(b) Section 14(a) (D.C. Official Code § 22-4514(a)) is amended by striking the phrase “bump stock, knuckles” both times it appears and inserting the phrase “bump stock, ghost gun, knuckles” in its place.


ENROLLED ORIGINAL

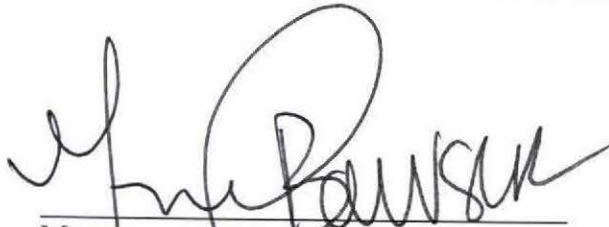
Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).


Chairman
Council of the District of Columbia


Mayor
District of Columbia
APPROVED
March 11, 2020

ENROLLED ORIGINAL

AN ACT

D.C. ACT 23-246

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MARCH 11, 2020

To amend, on an emergency basis, the Deputy Mayor for Planning and Economic Development Limited Grant-Making Authority Act of 2012 to provide grant-making authority to the Deputy Mayor to issue a grant to Check It Enterprises to enable its acquisition of a certain facility located in the Anacostia Historic District.

BE IT ENACTED BY THE COUCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Deputy Mayor for Planning and Economic Development Limited Grant Making Authority for Check It Enterprises Emergency Amendment Act of 2020”.

Sec. 2. Section 2032 of the Deputy Mayor for Planning and Economic Development Limited Grant-Making Authority Act of 2012, effective September 20, 2012 (D.C. Law 19-168; D.C. Official Code § 1-328.04), is amended by adding a new subsection (h) to read as follows:

“(h)(1)(A) Notwithstanding the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), and subject to subparagraph (B) of this paragraph and paragraph (2) of this subsection, the Deputy Mayor shall have grant-making authority to provide funds to Check It Enterprises for the acquisition of the Property to continue the current business operations of Check It Enterprises, We Act Radio, and The District Culture at the Property to serve as a community resource for the Anacostia Historic District.

“(B)(i) If the purchase price of the Property is less than the amount of the grant provided pursuant to subparagraph (A) of this paragraph, Check It Enterprises shall return the amount not needed for the purchase to the District government within 10 days of the closing on the property.

“(ii) Any monies returned to the District government pursuant to sub-subparagraph (i) of this subparagraph shall be deposited in the General Fund of the District of Columbia.

“(2) The grant of funds provided pursuant to this subsection shall be subject to the terms of a grant agreement between the Deputy Mayor and Check It Enterprises (“Grant Agreement”) that shall provide that:

“(A) Upon acquisition of the Property, Check It Enterprises shall enter into a lease agreement period of no fewer than 5 years with:

“(i) WE ACT Radio for that portion of the Property that WE ACT Radio currently occupies (“1918 MLK”), at a rate not to exceed the amount charged immediately

ENROLLED ORIGINAL

preceding the acquisition and provide WE ACT Radio an option to extend the lease agreement for no fewer than 5 years at a gross rent rate that shall not exceed an increase of 5% over the rate charged under the immediately preceding agreement for as long as WE ACT Radio remains in business at 1918 MLK; and

“(ii) The District Culture for that portion of the Property that The District Culture currently occupies (“1922 MLK”), at a rate not to exceed the amount charged immediately preceding the acquisition and provide The District Culture an option to extend the lease agreement for no fewer than 5 years at a gross rent rate that shall not exceed an increase of 5% over the rate charged under the immediately preceding agreement for as long as The District Culture remains in business at 1922 MLK.

“(B) Check It Enterprises may enter into a contract for architectural design services, construction services, or materials needed for the development, remodel, or construction of the Property; provided that:

“(i) The contract is subject to the contracting and procurement requirements under the Small and Certified Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.01 *et seq.*), and the employment and job creation requirements under the First Source Employment Agreement Act of 1984, effective June 29, 1984 (D.C. Law 5-93; D.C. Official Code § 2-219.01 *et seq.*); and

(ii) WE ACT Radio and The District Culture shall retain a Right to Return after the completion of any development, remodel, or construction of the Property.

“(C) If WE ACT Radio ceases to occupy 1918 MLK or The District Culture ceases to occupy 1922 MLK, Check It Enterprises shall lease to tenants that are social enterprises a square footage that is the same or greater than that occupied by WE ACT Radio or The District Culture on December 2019.

“(D)(i) If Check It Enterprises ceases to lease that portion of the Property as required in subparagraph (C) of this paragraph, uses the grant funds for an unauthorized purpose, uses the grant funds for any purpose other than the acquisition of the Property or costs and fees associated with the acquisition, or otherwise breaches the Grant Agreement, all grant funds shall be returned to the District; and

“(ii) In the event of a breach by Check It Enterprises, the Deputy Mayor shall have all applicable remedies available at law or equity.

“(E)(i) In the event that Check It Enterprises, or a subsidiary or affiliate of Check It Enterprises, seeks to sell or transfer the Property to a third party, the District government shall have the right of first refusal.

“(ii) Check It Enterprises must notify the District government in writing before it intends to sell or transfer the Property. The District government shall have 120 days from receiving the written notice to purchase the Property at a price equal to the assessed value of the Property discounted by the sum of the grant provided pursuant to paragraph (1) of this subsection adjusted by annual inflation since the date the grant was issued.

ENROLLED ORIGINAL

“(F) If the District government does not exercise the right of first refusal and the Property is sold or transferred to a third party, Check It Enterprises, or a subsidiary or affiliate of Check It Enterprises shall within 30 days of the Property being sold or transferred return to the District the sum of the grant provided pursuant to paragraph (1) of this subsection adjusted by annual inflation since the date the grant was issued.

“(3) For the purpose of this subsection, the term:

“(A) “Check It Enterprises” means Check It Enterprises LLC, a District of Columbia limited liability company at 1920 Martin Luther King Jr. Avenue, S.E., Washington, D.C., 20020.

“(B) “Gross rent” means a flat rent fee that encompasses rent and all costs associated with ownership, such as taxes, insurance, and utilities.

“(C) “Property” means the real property, and any structures thereon, located at 1918, 1920, and 1922 Martin Luther King Jr. Avenue, S.E., Washington, D.C., 20020, known for assessment and tax purposes as Lots 851, 852, 853 in Square 5769.

“(D) “Right of first refusal” means that if an owner of a Property places or intends to place the Property for sale or to transfer the Property to a third party, the District government shall have the first right to purchase the Property.

“(E) “Right to Return” means WE ACT Radio or The District Culture, or both, has the right to return to a space in the Property that is the same or greater square footage that the entity occupied on December 2019 if displaced for renovation, rehabilitation, or redevelopment of the Property.

“(F) “Social enterprise” means a business whose purpose is to generate profits while simultaneously advancing a social goal, such as supporting at-risk youth and workforce development.

“(G) “The District Culture” means The District Culture, LLC, a District of Columbia limited liability company, currently occupying 1922 Martin Luther King Jr. Avenue, S.E., Washington, D.C., 20020.

“(H) “Third party” means an individual, firm, corporation, partnership, company, cooperative, association, trust, or any other organization, legal entity, or group of individuals. The term “third party” shall not include Check It Enterprises or a subsidiary or affiliate of Check It Enterprises.

“(I) “WE ACT Radio” means Newton Media Group, LLC, a District of Columbia limited liability company, currently occupying 1918 Martin Luther King Jr. Avenue, S.E., Washington, D.C., 20020.”.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement for the Deputy Mayor for Planning and Economic Development Limited Grant Making Authority for Check It Enterprises Amendment Act of 2020, passed on second reading on March 3, 2020 (Enrolled version of Bill 23-404), as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

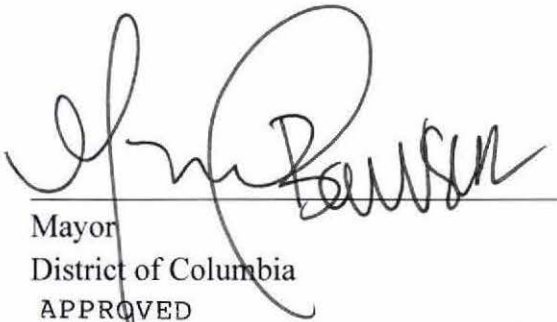
ENROLLED ORIGINAL

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
March 11, 2020

ENROLLED ORIGINAL

AN ACT

D.C. ACT 23-247

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MARCH 17, 2020

To provide, on an emergency basis, authority to the Executive and to address critical needs of District residents and businesses during the current public health emergency including wage replacement, business relief, and additional authorities and exemptions regarding health, public safety, and consumer protection.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "COVID-19 Response Emergency Amendment Act of 2020".

TITLE I. LABOR AND WORKFORCE PROTECTIONS

Sec. 101. Wage replacement.

(a) Notwithstanding any provision of District law, but subject to applicable federal laws and regulations, during a period of time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), an affected employee shall be eligible for unemployment insurance in accordance with subsection (b) of this section.

(b)(1) Upon application, an affected employee shall receive unemployment insurance compensation ("UI"), which the Director of the Department of Employment Services shall administer under the Unemployment Compensation Program established pursuant to the District of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 946; D.C. Official Code § 51-101 *et seq.*). For an affected employee, there shall be no work-search requirement.

(2) An affected employee shall be eligible for UI regardless of whether the:

- (A) Employer has provided a date certain for the employee's return to work; or
- (B) Employee has a reasonable expectation of continued employment with the current employer.

(c) Benefits paid pursuant to this section shall not be charged to the experience rating accounts of employers.

(d) For the purposes of this section, the term "affected employee" means an employee otherwise eligible for UI pursuant to section 9 of the District of Columbia Unemployment

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Compensation Act, approved August 28, 1935 (49 Stat. 950; D.C. Code § 51-109), who is determined by the Mayor to have become unemployed or partially unemployed as a result of the circumstances giving rise to the public health emergency. The term "affected employee" includes an employee who has been quarantined or isolated by the Department of Health or any other applicable District or federal agency; an employee who has self-quarantined or self-isolated in a manner consistent with the recommendations or guidance of the Department of Health, any other applicable District or federal agency, or a medical professional; or an employee of an employer that ceased or reduced operations due to an order or guidance from the Mayor or the Department of Health or a reduction in business revenue resulting from the circumstances giving rise to the public health emergency, as determined by the Mayor, all as demonstrated by reasonable documentation required by the Mayor or the Mayor's designee.

(e) For the purposes of a public health emergency, "good cause" as set forth in section 10 of the District of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 950; D.C. Code § 51-110), shall include:

(1) An employer's failure to timely comply with a written directive from the Mayor or the Department of Health in relation to public safety measures necessary to protect its employees or the public during the public health emergency; or

(2) An employer's requirements that an employee be physically present in the workplace despite the employee having:

(1) Been quarantined or isolated by the Department of Health or any other applicable District or federal agency; or

(2) Self-quarantined or self-isolated in a manner consistent with the recommendations or guidance of the Department of Health, any other applicable District or federal agency, or a medical professional.

(f) If the Mayor determines that the payment of UI under this section may not be made from the District Unemployment Fund or from the unemployment fund of another jurisdiction due to federal law or regulation, payment may be made by the Mayor from any other source of funds that is available.

Sec. 102. Employment protections.

The District of Columbia Family and Medical Leave Act of 1990, effective October 3, 1990 (D.C. Law 8-181; D.C. Official Code § 32-501 *et seq.*), is amended as follows:

(a) Section 2(1) (D.C. Official Code § 32-501(1)) is amended by striking the phrase "medical leave" and inserting the phrase "medical leave, except that during a period of time for which a public health emergency has been declared by the Mayor pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 3-149; D.C. Official Code § 7-2304.01), the one-year employment requirement and 1,000-hour work requirement shall not apply to an employee who has been ordered or recommended to quarantine or isolate, by the Department of Health, any other District or federal agency, or a medical professional.

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(b) A new section 3a (to be codified at D.C. Official Code §32-502.01) is added to read as follows:

“Sec. 3a. Declaration-of-emergency leave.

“(a) An employee who is unable to work as a result of the circumstances giving rise to the public health emergency during a period of time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), shall be entitled to declaration-of-emergency (“DOE”) leave during such period.

“(b) For DOE leave, a recommendation from the Mayor, Department of Health, any other District or federal agency, or a medical professional that the employee self-quarantine or self-isolate shall serve as certification of the need for such leave, and, in the case of a government-mandated quarantine or isolation, the declaration of public health emergency shall serve as certification of the need for such leave.”.

(c) Section 17 (D.C. Official Code § 32-516) is amended by adding a new paragraph (3) to read as follows:

“(3) For an employee who is on leave pursuant to section 3a, to any employer regardless of the number of persons in the District that the employer employs.”.

TITLE II. BUSINESS RELIEF.

Sec. 201. Delayed hotel property and general sales tax remittances.

Title 47 of the District of Columbia Code is amended as follows:

(a) Section 811(b) (D.C. Official Code § 47-811(b)) is amended by striking the phrase “tax year beginning July 1, 1989, and ending June 30, 1990, the amount of the first and second installments shall reflect and be consistent with the tax rates applicable to that tax year, as provided in § 47-812(b) and (c)” and inserting the phrase “tax year 2020 first installment owing for a real property that is commercially improved and occupied and is a hotel or motel; provided, that the Chief Financial Officer, through the Office of Tax and Revenue, shall issue administrative guidance on the definition of a hotel or motel, the Chief Financial Officer may waive any penalties and abate interest if the owner pays such installment by June 30, 2020” in its place.

(b) Section 4221 (D.C. Official Code § 47-4221) is amended by adding a new subsection (d) to read as follows:

“(d)(1) Except as provided in paragraph (2) and notwithstanding any other provision of this title, the Chief Financial Officer may waive any penalties and abate interest that may be imposed for failure to timely pay any taxes due pursuant to Chapters 20 and 22 of this title for periods ending on February 29, 2020 or March 31, 2020; provided, that all taxes for such periods are paid in full on or before July 20, 2020.

“(2) This subsection shall not apply to hotels or motels permitted to defer real property tax under D.C. Official Code § 47-811(b).”.

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Sec. 202. Public health emergency small business grant program.

The Small and Certified Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.01 *et seq.*), is amended as follows:

(a) The table of contents is amended by adding a new section designation to read as follows:

“Sec. 2316. Public health emergency grant program.”

(b) A new section 2316 is added to read as follows:

“Sec. 2316. Public health emergency grant program.

“(a)(1) Upon the Mayor’s declaration of a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), the Mayor may, notwithstanding the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), and in the Mayor’s sole discretion, issue a grant or loan to an eligible small business; provided, that the eligible small business:

“(A) Submits a grant application in the form and with the information required by the Mayor; and

“(B) Demonstrates, to the satisfaction of the Mayor, financial distress caused by a reduction in business revenue due to the circumstances giving rise to or resulting from the public health emergency.

“(2) A grant issued pursuant to this section may be expended by the eligible small business for any of the following:

“(A) Employee wages and benefits. For the purposes of this subparagraph, “benefits” means fringe benefits associated with employment, including health insurance;

“(B) Operating costs of the eligible small business including taxes and debt service; and

“(C) Repayment of loans obtained through the United States Small Business Administration.

“(b) For the purposes of this section, the term “eligible small business” means a business enterprise eligible for certification under section 2332, a nonprofit entity, or an independent contractor or self-employed individual determined ineligible for Unemployment Insurance by the Director of the Department of Employment Services.

“(c) The Mayor may issue one or more grants to a third-party grant-managing entity for the purpose of administering the grant program and making subgrants on behalf of the Mayor in accordance with the requirements of this section.

“(d) The Mayor, pursuant to section 105 of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-505), may issue emergency rules to implement the provisions of this section.

“(e) The Mayor, and any third-party entity chosen pursuant to subsection (c), shall maintain a list of all grants awarded pursuant to this section, identifying for each award the grant

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recipient, the date of award, intended use of the award, and the award amount. The Mayor shall publish the list online no later than June 1, 2020, or 5 days following the end of the COVID-19 emergency, whichever is earlier.

“(f) For the purposes of this section, the term “COVID-19 emergency” means the emergencies declared in the Declaration of Public Emergency (Mayor’s Order 2020-045) together with the Declaration of Public Health Emergency (Mayor’s Order 2020-46), declared on March 11, 2020, including any extension of those declared emergencies.”.

Sec. 203. Restaurant delivery.

Section 25-113(a)(3) of the District of Columbia Official Code is amended as follows:

(a) Subparagraph (A) is amended by striking the phrase “guests; and” and inserting the phrase “guests;” in its place.

(b) Subparagraph (B) is amended by striking the phrase “guests.” and inserting the phrase “guests; and” in its place.

(c) A new subparagraph (C) is added to read as follows:

“(C) A restaurant or tavern that registers with the Board may sell beer, wine, or spirits in closed containers to individuals for carry out to their home, or deliver beer, wine, or spirits in closed containers to the homes of District residents; provided, that each such carry out or delivery order be accompanied by one or more prepared food items. Board approval shall not be required for a registration under this subparagraph; however, a restaurant or tavern shall receive written authorization from ABRA prior to beginning take-out or delivery of beer, wine, or spirits pursuant to this subparagraph.”.

Sec. 204. Corporate filing extension.

Section 29-102.12 of the District of Columbia Official Code is amended by adding a new subsection (e) to read as follows:

“(e) There shall be no fee for delivering the first biennial report for 2020 required by Section 29-102.11(c); provided, that the first biennial report for 2020 be delivered to the Mayor for filing by June 1, 2020.”.

TITLE III. PUBLIC HEALTH, SAFETY, AND CONSUMER PROTECTION.

Sec. 301. The District of Columbia Public Emergency Act of 1980, effective March 5, 1981 (D.C. Law 3-149; D.C. Official Code § 7-2301 *et seq.*), is amended as follows:

(a) Section 5(b) (D.C. Official Code § 7-2304(b)) is amended as follows:

(1) Paragraph (2) is amended by striking the phrase “District of Columbia government;” and inserting the phrase “District of Columbia government; provided further, that a summary of each emergency procurement entered into during a period for which a public health emergency is declared shall be provided to the Council no later than 7 days after the contract is awarded. Such summary shall include a description of the goods or services procured; the source selection method; the award amount; and the name of the awardee.”.

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(2) Paragraph (13) is amended by striking the phrase “; or” and inserting a semicolon in its place.

(3) Paragraph (14) is amended by striking the period at the end and inserting a semicolon in its place.

(4) New paragraphs (15) and (16) are added to read as follows:

“(15) Waive application of any law administered by the Department of Insurance, Securities, and Banking if doing so is reasonably calculated to protect the health, safety, or welfare of District residents; and

“(16) Notwithstanding any provision of the District of Columbia Government Comprehensive Merit Personnel Act of 1978 (D.C. Law 2-139, D.C. Official Code § 1-601.01 *et seq.*) (“CMPA”) or the rules issued pursuant to the CMPA, 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.*), or any other personnel law or rules, the Mayor may take the following personnel actions regarding executive branch subordinate agencies that the Mayor determines necessary and appropriate to address the emergency:

“(A) Redeploying employees within or between agencies;

“(B) Modifying employees’ tours of duty;

“(C) Modifying employees’ places of duty;

“(D) Mandating telework;

“(E) Extending shifts and assigning additional shifts;

“(F) Providing appropriate meals to employees required to work overtime or work without meal breaks;

“(G) Assigning additional duties to employees;

“(H) Extending existing terms of employees;

“(I) Hiring new employees into the Career, Education, and Management Supervisory Services without competition;

“(J) Eliminating any annuity offsets established by any law; or

“(K) Denying leave or rescinding approval of previously approved leave.”.

(b) Section 5a(d) (D.C. Official Code § 7-2304.01(d)) is amended as follows:

(1) Paragraph (3) is amended by striking the phrase “solely for the duration of the public health emergency; and” and inserting the phrase “solely for actions taken during the public health emergency;” in its place.

(2) Paragraph (4) is amended by striking the period at the end and inserting a semicolon in its place.

(3) New paragraphs (5), (6), and (7) are added to read as follows:

“(5) Waive application in the District of any law administered by the Department of Insurance, Securities and Banking if doing so is reasonably calculated to protect the health, safety, and welfare of District residents;

“(6) Authorize the use of crisis standards of care or modified means of delivery of health care services in scarce-resource situations; and

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“(7) Authorize the Department of Health to coordinate health-care delivery for first aid within the limits of individual licensure in shelters or facilities as provided in plans and protocols published by the Department of Health.”.

(b) Section 7 (D.C. Official Code § 7-2306) is amended by adding a new subsection (c-1) to read as follows:

“(c-1) Notwithstanding subsections (b) and (c) of this section, the Council authorizes the Mayor to extend the 15-day March 11, 2020, emergency executive order and public health emergency executive order (“emergency orders”) issued in response to the coronavirus (COVID-19) for an additional 30-day period. After the additional 30-day extension authorized by this subsection, the Mayor may extend the emergency orders for additional 15-day periods pursuant to subsection (b) or (c) of this subsection.”.

(c) Section 8 (D.C. Official Code § 7-2307) is amended as follows:

(1) The existing text is designated as paragraph (1).

(2) New paragraphs (2) and (3) are added to read as follows:

“(2) The Mayor may revoke, suspend, or limit the license, permit, or certificate of occupancy of a person or entity that violates an emergency executive order.

“(3) For the purposes of this section a violation of a rule, order, or other issuance issued under the authority of an emergency executive order shall constitute a violation of the emergency executive order.”.

Sec. 302. The Department of Insurance and Securities Regulation Establishment Act of 1996, effective May 21, 1997 (D.C. Law 11-268; D.C. Official Code § 31-101 *et seq.*), is amended by adding a new section 5a to read as follows:

“Sec. 5a. Emergency authority of the Commissioner during a declared public health emergency.

“(a) For the duration of a public health emergency declared by the Mayor pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), and to address the circumstances giving rise to that emergency, the Commissioner may issue emergency rulemakings, orders, or bulletins that:

“(1) Apply to any person or entity regulated by the Commissioner; and

“(2) Address:

“(A) Submission of claims or proof of loss;

“(B) Grace periods for payment of premiums and performance of other

duties by insureds;

“(C) Temporary postponement of:

“(i) Cancellations;

“(ii) Nonrenewals; or

“(iii) Premium increases;

“(D) Modifications to insurance policies;

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- “(E) Insurer operations;
- “(F) Filing requirements;
- “(G) Procedures for obtaining nonelective health care services;
- “(H) Time restrictions for filling or refilling prescription drugs;
- “(I) Time frames applicable to an action by the Commissioner under this

section;

“(J) Temporarily waiving application of laws, rulemakings, or requirements to ensure that depository services, non-depository services, and securities transactions can continue to be provided, including allowing for the opening of a temporary service location, which may be a mobile branch, temporary office space, or other facility; and

“(K) Any other activity related to insurance, securities, and banking and under the purview of the Commissioner reasonably calculated to protect the health, safety, and welfare of District residents during the public health emergency.

“(b) The Commissioner may require licensees to answer questions related to, and submit documentation of, the licensee’s continuity of operations plan.

“(c) Emergency rulemakings, orders, and bulletins.

“(1)(A) To accomplish the purposes of this section, the Commissioner may issue an emergency rulemaking, order, or bulletin pursuant to this section specifying:

“(i) That the rulemaking, order, or bulletin is effective immediately;

“(ii) The line or lines of business, or the class or classes of licenses, to which the regulation, order, or bulletin applies;

“(iii) The geographic areas to which the regulation, order, or bulletin applies; and

“(iv) The period of time for which the regulation, order, or bulletin applies.

“(B) A regulation issued under paragraph (1)(A) of this section may not apply for longer than the duration of the effects of a declared public health emergency.”.

Sec. 303. Public benefits extension and continued access.

Notwithstanding any provision of District law, the Mayor may extend the eligibility period for individuals receiving benefits, extend the timeframe for determinations for new applicants, and take such other actions as the Mayor determines appropriate to support continuity of, and access to, any public benefit program, including the DC Healthcare Alliance and Immigrant Children’s program, Temporary Assistance for Needy Families, and Supplemental Nutritional Assistance Program, until 60 days after the end of a public health emergency declared by the Mayor pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), as allowable under federal law.

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Sec. 304. Price gouging and stockpiling.

Title 28 of the District of Columbia Code is amended as follows:

(a) The table of contents is amended by adding a new section designation to read as follows:

“28-4102.01. Stockpiling.”.

(b) Section 28-4102(a) is amended to read as follows:

“(a) It shall be unlawful for any person to charge more than the normal average retail price for any merchandise or service sold during a public health emergency declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), or during an emergency resulting from a natural disaster declared pursuant to subsection (b) of this section.”.

(c) A new section 28-4102.01 is added to read as follows:

“§ 28-4102.01. Stockpiling.

“It shall be unlawful for any person to purchase, in quantities greater than those specified by the Mayor, the Department of Health (“DOH”), the Homeland Security and Emergency Management Agency (“HSEMA”), or the federal government, goods that the Mayor, DOH, HSEMA, or the federal government have declared:

“(1) Necessary for first responders or others following a natural disaster or a declaration of a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01) (“public health emergency”);

“(2) Necessary to maintain supply chains of commerce during a natural disaster or a public health emergency; or

“(3) Subject to rationing.”.

(d) Section 28-4103 is amended as follows:

(1) Strike the phrase “§ 28-4102(a)” each time it appears and insert the phrase “§ 28-4102(a) or § 28-4102.01” in its place.

(2) A new subsection (c) is added to read as follows:

“(c) When the Office of the Attorney General brings a civil action for any violation of § 28-4102(a) or § 28-4102.01 under the authority granted in § 28-3909, the maximum penalty authorized by § 28-3909 shall be assessed for each such violation.”.

Sec. 305. Disconnection of electric service.

The Retail Electric Competition and Consumer Protection Act of 1999, effective May 9, 2000 (D.C. Law 13-107; D.C. Official Code § 34-1501 *et seq.*), is amended by adding a new section 106b to read as follows:

“Sec. 106b. Disconnection of service during a public health emergency prohibited.

“(a) For the purposes of this section, the term “public health emergency” means a period of time for which the Mayor has declared a public health emergency pursuant to section 5a of the

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District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01).

“(b) An electric company shall not disconnect electric service for non-payment of a bill or fees during a public health emergency or for 15 calendar days thereafter.”.

Sec. 306. Disconnection of gas service.

The Retail Natural Gas Supplier Licensing and Consumer Protection Act of 2004, effective March 16, 2005 (D.C. Law 15-227; D.C. Official Code § 34-1671.01 *et seq.*), is amended by adding a new section 7b to read as follows:

“Sec. 7b. Disconnection of service during a public health emergency prohibited.

“(a) For the purposes of this section, the term “public health emergency” means a period of time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01).

“(b) A gas company shall not disconnect gas service for non-payment of a bill or fees during a public health emergency or for 15 calendar days thereafter.”.

Sec. 307. Disconnection of water service.

Section 103 of the District of Columbia Public Works Act of 1954, approved May 18, 1954 (68 Stat. 102; D.C. Code § 34-2407.01), is amended by adding a new subsection (c) to read as follows:

“(c)(1) For the purposes of this subsection, the term “public health emergency” means a period of time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01).

“(2) During a public health emergency, or for 15 calendar days thereafter, notwithstanding any other provision of this act, the water supply to any property shall not be shut off for non-payment of a bill or fees.”.

Sec. 308. Eviction prohibition.

(a) D.C. Official Code § 16-1502 is amended by striking the phrase “exclusive of Sundays and legal holidays” and inserting the phrase “exclusive of Sundays, legal holidays, and the period of time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01),” in its place.

(b) Section 501(k) of the Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42-3505.01(k)), is amended as follows:

(1) Paragraph (1) is amended by striking the phrase “; or” and inserting a semicolon in its place.

(2) Paragraph (2) is amended by striking the period and inserting the phrase “; or” in its place.

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(3) A new paragraph (3) is added to read as follows:

“(3) During a period of time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01).”.

Sec. 309. Prescription drugs.

Section 208 of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1202.08), is amended by adding a new subsection (g-2) to read as follows:

“(g-2) An individual licensed to practice pharmacy pursuant to this act may authorize and dispense a refill of patient prescription medications prior to the expiration of the waiting period between refills to allow District residents to maintain an adequate supply of necessary medication during a period of time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01). This subsection shall not apply to any patient prescription for which a refill otherwise would be prohibited under District law.”.

Sec. 310. Extension of licenses and registrations; waiver of deadlines.

Notwithstanding any provision of law during, or within 45 days after the end of, a period time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), the Mayor, may:

(1) Prospectively or retroactively extend the validity of a license, registration, permit, or authorization, including drivers licenses, vehicle registrations, professional licenses, registrations, and certifications;

(2) Waive the deadlines for filings, and waive fees, fines, and penalties associated with the failure to timely renew a license, registration, permit, or other authorization or to timely submit a filing; or

(3) Extend or waive the deadline by which action is required to be taken by the executive branch of the District government or by which an approval or disapproval is deemed to have occurred based on inaction by the executive branch of the District government.

Sec. 311. Homeless services.

The Homeless Services Reform Act of 2005, effective October 22, 2005 (D.C. Law 16-35; D.C. Official Code § 4-751.01 *et seq.*), is amended as follows:

(a) Section 8(c-1) (D.C. Official Code § 4-753.02(c-1)) is amended as follows:

(1) Paragraph (1) is amended by striking the phrase “not to exceed 3 days” and inserting the phrase “not to exceed 3 days; except, that during a public health emergency declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980,

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effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), the Mayor may place the family in an interim eligibility placement for a period not to exceed 60 days” in its place.

(2) Paragraph (2) is amended by striking the phrase “and section 9(a)(20)” and inserting the phrase “and section 9(a)(20); except, that the Mayor may extend an interim eligibility placement to coincide with the period of a public health emergency declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01)” in its place.

(3) Paragraph (3) is amended by striking the phrase “within 12 days of the start of the interim eligibility placement” and inserting the phrase “within 12 days of the start of the interim eligibility placement; except, that during a public health emergency declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), the Mayor shall have 10 business days following the end of the public health emergency to issue the eligibility determination required by this paragraph” in its place.

(4) Paragraph (4) is amended by striking the phrase “start of an interim eligibility placement,” and inserting the phrase “start of an interim eligibility placement, or as otherwise required by paragraph (3) of this subsection” in its place.

(b) Section 9(a)(14) (D.C. Official Code § 4-754.11(a)(14)) is amended by striking the phrase “and other professionals” and inserting the phrase “and other professionals, except, that the Mayor may waive the requirements of this provision for in-person meetings and communications during a public health emergency declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01)” in its place.

(c) Section 10(1) (D.C. Official Code § 4-754.12(1)) is amended by striking the phrase “established pursuant to section 18” and inserting the phrase “established pursuant to section 18; except, that the Mayor may waive this provision during a public health emergency declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01)” in its place.

(d) Section 19(c-2) (D.C. Official Code § 4-754.33(c-2)) is amended by striking the phrase “served on the client.” and inserting the phrase “served on the client; except, that during a public health emergency declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), the Mayor may serve written notice via electronic transmission.” in its place.

(e) Section 24(f) (D.C. Official Code § 4-754.38(f)) is amended as follows:

(1) Paragraph (1) is amended as follows:

(A) Subparagraph (A) is amended by striking the phrase “to the unit; or” and inserting the phrase “to the unit;” in its place.

(B) Subparagraph (B) is amended by striking the phrase “at the location” and inserting the phrase “at the location; or” in its place.

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(C) A new subparagraph (C) is added to read as follows:

“(C) During a period of time for which a public health emergency has been declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), to prevent or mitigate the spread of contagious disease, as determined by the Department or provider.” in its place.

(2) Paragraph (2) is amended by striking the phrase “to paragraph (1)(B)” and inserting the phrase “to paragraphs (1)(B) or (1)(C)” in its place.

Section 312. Tenant rights.

(a) The Rental Housing Conversion and Sale Act of 1980, effective September 10, 1980 (D.C. Law 3-86, D.C. Official Code § 42-3401.01 *et seq.*), is amended by adding a new section 514 to read as follows:

“Sec. 514. All deadlines for tenants and tenant organizations to exercise rights under this act that will occur during a period of time for which a public health emergency has been declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01) (“public health emergency”), are extended to a date 30 days following the end of the public health emergency.”.

(b) The Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42-3501.01 *et seq.*), is amended as follows:

(1) Section 531(c) (D.C. Official Code § 42-3505.31(c)) is amended as follows:

(A) Paragraph (4) is amended by striking the phrase “late fee;” and inserting the phrase “late fee; or” in its place.

(B) Paragraph (5) is amended by striking the period and inserting the phrase “; or” in its place.

(C) A new paragraph (6) is added to read as follows:

“(6) Impose a late fee on a tenant during any month for which a public health emergency has been declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01).”

(2) A new section 910 is added to read as follows:

“Sec. 910. All deadlines for tenants and tenant organizations to exercise rights under this act that will occur during a period of time for which a public health emergency has been declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01) (“public health emergency”), are extended to a date 30 days following the end of the public health emergency.”.

Sec. 313. Good time credits.

Section 3c(c) of the District of Columbia Good Time Credits Act of 1986, effective May 17, 2011 (D.C. Law 18-732; D.C. Official Code § 24-221.01c(c)), is amended by striking the

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phrase “this section combined” and inserting the phrase “this section combined; except, that during a period for which a public health emergency has been declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), the Department of Corrections shall have discretion to award additional credits beyond the limits described in this subsection to effectuate the immediate release of persons sentenced for misdemeanors, including pursuant to section 3 and this section, consistent with public safety.”.

Sec 314. Section 5115(l)(1) of the Not-For-Profit Hospital Corporation Establishment Amendment Act of 2011, effective September 14, 2011 (D.C. Law 19-21; D.C. Official Code § 44-951.04.), is amended as follows:

(a) Paragraph (1) is amended by striking the phrase “Subsections (a), (b),” and inserting the phrase “Except as provided in paragraph (1A), subsections (a), (b),” in its place.

(b) A new paragraph (1A) is added to read as follows:

“(1A) During the period of time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), subsections (a), (b), (c), (d), (e), and (f) of this section shall expire if:

“(A) By September 15, 2019, the Board does not adopt a revised budget for Fiscal Year 2020 that has been certified by the Chief Financial Officer of the District of Columbia as being balanced with a District operating subsidy of \$22.14 million or less; or

“(B) At any time after September 30, 2020, a District operating subsidy of more than \$15 million per year is required.”.

TITLE IV. EDUCATION

Sec. 401. Section 206 of the Student Promotion Act of 2013, effective February 22, 2014 (D.C. Law 20-84; D.C. Official Code § 38-781.05), is amended by adding a new subsection (c) to read as follows:

“(c) The Chancellor shall have the authority to waive the requirements of subsection (a) of this section for any student who fails to meet the promotion criteria specified in the DCMR during a school year that includes a period of time for which the Mayor declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01).”.

Sec. 402. Section 104(d)(2) of the District of Columbia Education Research Practice Partnership Establishment and Audit Act of 2018, effective March 28, 2019 (D.C. Law 22-268; D.C. Official Code § 38-785.03(d)(2)), is amended by striking the phrase “timely manner” and inserting the phrase “timely manner; except, that upon the declaration of a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), the meeting of

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the review panel shall be postponed until 7 business days following the end of the period of time for which the public health emergency was declared” in its place.

TITLE V. PUBLIC BODY MEETINGS

Sec. 501. Advisory Neighborhood Commission Meetings.

Section 14(b) of the Advisory Neighborhood Commissions Act of 1975, effective March 26, 1976 (D.C. Law 1-58; D.C. Official Code § 1-309.11(b)), is amended as follows:

(1) Paragraph (1) is amended by striking the phrase “by the Commission.” and inserting the phrase “by the Commission; provided, that no meetings shall be required to be held during a period for which a public health emergency has been declared by the Mayor pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), and the number of meetings required to be held in a given year shall be reduced by one for every 30 days that a public health emergency is in effect during the year.”.

(2) A new paragraph (1B) is added to read as follows:

“(1B) Notwithstanding any other provision of law, during a period for which a public health emergency has been declared by the Mayor pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), Advisory Neighborhood Commissioners may call a meeting and remotely participate in that meeting and vote on matters before the Commission without being physically present through a teleconference or through digital means identified by the Commission for this purpose. Members physically or remotely present shall be counted for determination of a quorum.”.

Sec. 502. Other boards and commissions.

Notwithstanding any provision of law, during a period time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01):

(a) Any requirement for a board, commission, or other public body to meet is waived, unless the Mayor determines that it is necessary or appropriate for the board, commission, or other public body to meet during the period of the public health emergency, in which case the Mayor may order the board, commission, or other public body to meet;

(b) Any vacancy that occurs on a board or commission shall not be considered a vacancy for the purposes of nominating a replacement; and

(c) The review period for nominations transmitted to the Council for approval or disapproval in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), shall be tolled.

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Sec. 503. Freedom of Information Act.

The Freedom of Information Act of 1976, effective March 29, 1977 (D.C. Law 1-96; D.C. Official Code § 2-531 *et seq.*), is amended as follows:

(a) Section 202 (D.C. Official Code § 2-532) is amended as follows:

(1) Subsection (c) is amended as follows:

(A) Paragraph (1) is amended by striking the phrase “Sundays, and” and inserting the phrase “Sundays, days of a COVID-19 closure, and” in its place

(B) Paragraph (2)(A) is amended by striking the phrase “Sundays, and” and inserting the phrase “Sundays, days of a COVID-19 closure, and” in its place

(2) Subsection (d)(1) is amended by striking the phrase “Sundays, and” both times it appears and inserting the phrase “Sundays, days of a COVID-19 closure, and” in its place.

(b) Section 207(a) (D.C. Official Code § 2-537(a)) is amended by striking the phrase “Sundays, and” and inserting the phrase “Sundays, days of a COVID-19 closure, and” in its place.

(c) Section 209 (D.C. Official Code § 2-539) is amended by adding a new subsection (c) to read as follows:

“(c) “COVID-19 closure” means:

“(1) A period of time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01); or

“(2) A period of time during which a public body is closed due to the COVID-19 coronavirus disease, as determined by the personnel authority of the public body.”.

Sec. 504. The Open Meetings Act, effective March 31, 2011 (D.C. Law 18-350; D.C. Official Code § 2-571 *et seq.*), is amended as follows:

(a) Section 405(a) (D.C. Official Code § 2-575(a)) is amended as follows:

(1) Paragraph (2) is amended by striking the phrase “; or” and inserting a semicolon in its place.

(2) Paragraph (3) is amended by striking the period and inserting the phrase “; or” in its place.

(3) A new paragraph (4) is added to read as follows:

“(4) During a period for which a public health emergency has been declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), the public body takes steps reasonably calculated to allow the public to view or hear the meeting while the meeting is taking place, or, if doing so is not technologically feasible, as soon as reasonably practicable thereafter.”.

(b) Section 406 (D.C. Official Code § 2-576) is amended by adding a new paragraph (6) to read as follows:

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“(6) The public posting requirements of paragraph (2)(A) of this section shall not apply during a period for which a public health emergency has been declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01).”.

(c) Section 407(a)(1) (D.C. Official Code § 2-577(a)(1)) is amended by striking the phrase “attend the meeting;” and inserting the phrase “attend the meeting, or in the case of a meeting held during a period for which a public health emergency has been declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), steps are taken that are reasonably calculated to allow the public to view or hear the meeting while the meeting is taking place, or, if doing so is not technologically feasible, as soon as soon as reasonably practicable thereafter.”.

(d) Section 408(b) (D.C. Official Code § 2-578(b)) is amended by adding a new paragraph (3) to read as follows:

“(3) The schedule provided in paragraphs (1) and (2) of this subsection shall be tolled during a period for which a public health emergency has been declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01).”.

TITLE VI. COUNCIL AUTHORITY

Sec. 601. Budget submission requirements.

The Fiscal Year 2021 Budget Submission Requirements Resolution of 2019, effective November 22, 2019 (Res. 23-268; 66 DCR 15372), is amended as follows:

(a) Section 2 is amended by striking the phrase “not later than March 19, 2020,” and inserting the phrase “not later than May 6, 2020, unless another date is set by subsequent resolution of the Council” in its place.

(b) Section 3(2)(A) is amended by striking the phrase “the proposed Fiscal Year 2021 Local Budget Act of 2020,” and inserting the phrase “the proposed Fiscal Year 2021 Local Budget Act of 2020, the proposed Fiscal Year 2021 Local Budget Emergency Act of 2020, the proposed Fiscal Year 2021 Local Budget Temporary Act of 2020,” in its place.

Section 602. Virtual meetings.

Section 367 of the Rules of Organization and Procedure for the Council of the District of Columbia, Council Period 23, effective January 2, 2019 (Res. 23-1; 66 DCR 272), is amended by striking the phrase “remote voting or proxy shall” and inserting the phrase “proxy shall” in its place.

Section 603. Grant budget modifications.

(a) The Council approves the acceptance, obligation, and expenditure by the Mayor of the federal, private, and other grants related to the Declaration of Public Emergency (Mayor’s Order 2020-045) and the Declaration of Public Health Emergency (Mayor’s Order 2020-046), both

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declared on March 11, 2020, submitted to the Council for approval and accompanied by a report by the Office of the Chief Financial Officer on or before March 17, 2020 pursuant to section 446B(b)(1) of the District of Columbia Home Rule Act, approved October 16, 2006 (120 Stat. 2040; D.C. Official Code § 1-204.46b(b)(1)).

(b) For purposes of section 446B(b)(1)(B) of the District of Columbia Home Rule Act, approved October 16, 2006 (120 Stat. 2040; D.C. Official Code § 1-204.46b(b)(1)(B)), the Council shall be deemed to have reviewed and approved the acceptance, obligation, and expenditure of a grant related to the Declaration of Public Emergency (Mayor's Order 2020-045) and the Declaration of Public Health Emergency (Mayor's Order 2020-46), both declared on March 11, 2020, all or a portion of which is accepted, obligated, and expended for the purpose of addressing a public emergency, if:

(1) No written notice of disapproval is filed with the Secretary of the Council within 48 hours of the receipt of the report from the Chief Financial Officer under section 446B(b)(1)(A) of the District of Columbia Home Rule Act, approved October 16, 2006 (120 Stat. 2040; D.C. Official Code § 1-204.46b(b)(1)(A)); or

(2) Such a notice of disapproval is filed within such deadline, the Council does not by resolution disapprove the acceptance, obligation, or expenditure of the grant within 5 calendar days of the initial receipt of the report from the Chief Financial Officer under section 446B(b)(1)(A) of the District of Columbia Home Rule Act, approved October 16, 2006 (120 Stat. 2040; D.C. Official Code § 1-204.46b(b)(1)(A)).

TITLE VII. APPLICABILITY; FISCAL IMPACT STATEMENT; EFFECTIVE DATE**Sec. 701. Applicability.**

This act shall apply as of March 11, 2020.

Sec. 702. Fiscal impact statement.

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

Sec. 703. Effective date.

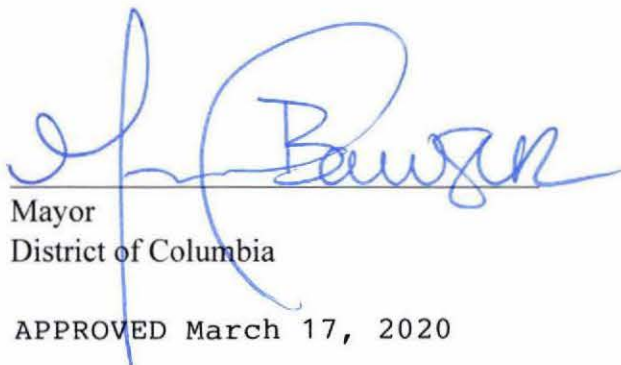
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

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412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).



Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED March 17, 2020

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A RESOLUTION

23-367

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 3, 2020

To declare the existence of an emergency with respect to the need to approve an agreement to enter into a long-term subsidy contract for 15 years in support of the District's Local Rent Supplement Program to fund housing costs associated with affordable housing units for Contract No. 2014-LRSP-10A with SCATTERED SITE III, LLC for program units at Karin House, located at 1395 Aspen Street, N.W.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Local Rent Supplement Program Contract No. 2014-LRSP-10A Approval and Payment Authorization Emergency Declaration Resolution of 2020".

Sec. 2. (a) In 2007, the District passed Title II of the Fiscal Year 2007 Budget Support Act of 2006 ("BSA") to provide funding for affordable housing for extremely low-income households in the District. The passage of the BSA created the Local Rent Supplement Program ("LRSP"), a program designed to provide affordable housing and supportive services to extremely low-income District residents, including those who are homeless or in need of supportive services, such as elderly individuals or those with disabilities, through project-based, tenant-based, and sponsor-based LRSP affordable housing units. The BSA provided for the District of Columbia Housing Authority ("DCHA") to administer the LRSP on behalf of the District.

(b) In 2014, DCHA participated in a request for proposals issued by the Department of Housing and Community Development. Of the total proposals received, 11 developers were chosen to work with DCHA and other District agencies to develop affordable housing and permanent supportive housing units for extremely low-income families making zero to 30% of the area's median income, as well as the chronically homeless and individuals with mental or physical disabilities. Upon approval of the contract by the Council, DCHA will enter into an agreement to enter into a long-term subsidy contract ("ALTSC") with the selected housing providers under the LRSP for housing services.

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(c) There exists an immediate need to approve the long term subsidy contract with SCATTERED SITE III, LLC under the LRSP in order to provide long-term affordable housing units for extremely low-income households for units located at 1395 Aspen Street, N.W.

(d) The emergency legislation to approve the contract will authorize an ALTSC between the District of Columbia Housing Authority and SCATTERED SITE III, LLC with respect to the payment of a rental subsidy and allow the owner to lease the rehabilitated units at Karin House and house extremely low-income households with incomes at 30% or less of the area median income.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Local Rent Supplement Program Contract No. 2014-LRSP-10A Approval and Payment Authorization Emergency Act of 2020 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

23-368

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 3, 2020

To declare the existence of an emergency with respect to the need to approve an agreement to enter into a long term subsidy contract for 15 years in support of the District’s Local Rent Supplement Program to fund housing costs associated with affordable housing units for Contract No. 2018-LRSP-06A with SCATTERED SITE III, LLC for program units at Anna Cooper House, located at 1338 R Street, N.W.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Local Rent Supplement Program Contract No. 2018-LRSP-06A Approval and Payment Authorization Emergency Declaration Resolution of 2020”.

Sec. 2. (a) In 2007, the District passed Title II of the Fiscal Year 2007 Budget Support Act of 2006 (“BSA”) to provide funding for affordable housing for extremely low-income households in the District. The passage of the BSA created the Local Rent Supplement Program (“LRSP”), a program designed to provide affordable housing and supportive services to extremely low-income District residents, including those who are homeless or in need of supportive services, such as elderly individuals or those with disabilities, through project-based, tenant-based, and sponsor-based LRSP affordable housing units. The BSA provided for the District of Columbia Housing Authority (“DCHA”) to administer the LRSP on behalf of the District.

(b) In 2017, DCHA participated in a request for proposals issued by the Department of Housing and Community Development. Of the total proposals received, 7 developers were chosen to work with DCHA and other District agencies to develop affordable housing and permanent supportive housing units for extremely low-income families making zero to 30% of the area’s median income, as well as the chronically homeless and individuals with mental or physical disabilities. Upon approval of the contract by the Council, DCHA will enter into an agreement to enter into a long-term subsidy contract (“ALTSC”) with the selected housing providers under the LRSP for housing services.

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(c) There exists an immediate need to approve the ALTSC with SCATTERED SITE III, LLC under the LRSP in order to provide long-term affordable housing units for extremely low-income households for units located at 1338 R Street, N.W.

(d) The emergency legislation to approve the contract will authorize an ALTSC between the District of Columbia Housing Authority and SCATTERED SITE III, LLC with respect to the payment of a rental subsidy and allow the owner to lease the rehabilitated units at the Anna Cooper House and house extremely low-income households with incomes at 30% or less of the area median income.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Local Rent Supplement Program Contract No. 2018-LRSP-06A Approval and Payment Authorization Emergency Act of 2020 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

23-373

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 3, 2020

To declare the existence of an emergency with respect to the need to approve the salary increases, other compensation ordered by the interest arbitration award, and the collective bargaining agreement submitted by the Mayor for employees of the District of Columbia Public Schools and Office of State Superintendent of Education, who are represented by the American Federation of State, County and Municipal Employees, District Council 20, Local 2921, AFL-CIO.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Interest Arbitration Award and Collective Bargaining Agreement between the District of Columbia Public Schools and the Office of the State Superintendent of Education and the American Federation of State, County and Municipal Employees, District Council 20, Local 2921, AFL-CIO Emergency Declaration Resolution of 2020”.

Sec.2. (a) There exists an immediate need to approve on an emergency basis the salary increases, retroactive to October 1, 2017, other compensation ordered by the interest arbitration award, and the collective bargaining agreement submitted by the Mayor for employees of the District of Columbia Public Schools (“DCPS”) and the Office of the State Superintendent of Education (“OSSE”), who are represented by the American Federation of State, County and Municipal Employees, District Council 20, Local 2921, AFL-CIO (“AFSCME, District Council 20, Local 2921”).

(b) The interest arbitration award (“Award”) and the collective bargaining agreement (“Agreement”) for DCPS and OSSE employees represented by the AFSCME, District Council 20, Local 2921 requires certain compensation increases over a period of 4 years. The Award requires that the Agreement provide for a retroactive 3% wage increase for Fiscal Year 2018, effective beginning the first full pay period commencing on or after October 1, 2017. The Award also provides for a retroactive 2% wage increase for Fiscal Year 2019, effective beginning the first full pay period commencing on or after October 1, 2018, and an 8% increase for Fiscal Year 2020, retroactive in part, effective beginning the first full pay period commencing on or after October 1, 2019. For Fiscal Year 2021, the Award provides for the employees to receive a 5% wage increase, effective beginning the first full pay period commencing on or after October 1, 2020. In addition, in Fiscal Year 2021, the Award provides for the paraprofessionals,

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including the educational aides, with 7 years or more of service, to receive a one-time longevity bonus.

(c) The Award and Agreement represents significant increases in compensation for DCPS and OSSE employees represented by AFSCME, District Council 20, Local 2921, including educational aides. DCPS and OSSE value a positive work environment and opportunities for professional growth for their employees. This Award and Agreement will significantly enhance DCPS' and OSSE's system of support by providing employees represented by AFSCME, District Council 20, Local 2921 with additional compensation and benefits.

(d) Council approval is necessary because the failure to pay the wages under the pay schedules in accordance with the express terms of the Award and the Agreement in an expeditious fashion may result in undermining the confidence of union members in the District of Columbia government and its leadership and may jeopardize the future relationship between labor and management in the District of Columbia.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Interest Arbitration Award and Collective Bargaining Agreement between the District of Columbia Public Schools and the Office of the State Superintendent of Education and the American Federation of State, County and Municipal Employees, District Council 20, Local 2921, AFL-CIO Emergency Approval Resolution of 2020 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

23-382

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 17, 2020

To declare the existence of an emergency with respect to the need to provide authority to the Executive and to address critical needs of District residents and businesses during the current public health emergency including wage replacement, business relief, and additional authorities and exemptions regarding health, public safety, and consumer protection.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “COVID-19 Response Emergency Declaration Resolution of 2020”.

Sec. 2. (a) There is reasonable cause to believe that there is an imminent hazard or actual occurrence of widespread exposure to coronavirus (“COVID-19”) that poses a significant risk to a large number of people and threatens to overburden the healthcare system in the District of Columbia.

(b) COVID-19 has been detected in numerous states, with thousands of confirmed cases and a growing number of fatalities in the United States. On January 31, 2020, the United States Department of Health and Human Services declared a public health emergency for the United States to aid the nation’s healthcare community in responding to COVID-19. The World Health Organization and the Centers for Disease Control and Prevention have declared COVID-19 to be a “public health emergency of international concern.” On March 11, 2020, the World Health Organization declared COVID-19 a pandemic.

(d) On March 11, 2020, the Mayor of the District of Columbia issued Mayor’s Order 2020-045 and 2020-046, declaring a public emergency and a public health emergency in the District due to the imminent threat to the health, safety, and welfare of District residents posed by the spread of COVID-19.

(e) As businesses close or reduce operations to prevent the spread of COVID-19, there is an immediate need to provide wage relief for affected employees through the extension of unemployment benefits.

(f) Reduced travel and tourism during this public health emergency will adversely impact the operation of hotels in the District, creating a need to defer the remittance of real property tax.

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(g) Due to the impact of closures and reduced operations, it is necessary to provide businesses in the District relief through deferring the remittance of sales tax and the creation of a small business grant program.

(h) To aid the Mayor in addressing the critical needs of District residents during this emergency, there is an immediate need to expand the Mayor's authority under the District of Columbia Public Emergency Act of 1980 and extend emergency authority to the Department of Insurance, Securities, and Banking.

(i) Public benefits such as the Healthcare Alliance, Temporary Assistance for Needy Families (known as, TANF) and the Supplemental Nutritional Assistance Program (known as, SNAP) are crucial supports for the health and well-being of many District residents, creating an immediate need to allow the Mayor to extend the expiration of assistance under these programs until after the expiration this public health emergency.

(j) To protect consumers and the general public during this public health emergency, it is crucial to prohibit price gouging and the hoarding of supplies.

(k) District tenants who are impacted by decreased work hours or temporary layoffs in the coming days or weeks may have their earnings greatly reduced, making it imperative to prohibit utility shutoffs or evictions during this public health emergency.

(l) District agencies are operating at reduced capacity due to the public health emergency, creating a need to allow the Mayor to waive deadlines for licenses, registrations, or certifications for businesses and residents.

(m) To ensure that District residents have an adequate supply of medication to treat medical conditions, it is necessary to allow licensed pharmacists to dispense a refill of a medication prior to the expiration of a waiting period between refills.

(n) Homeless individuals in the District are particularly vulnerable to viruses like COVID-19, necessitating amendments to the Homeless Services Reform Act of 2005 (D.C. Official Code § 4-751.01 *et seq.*).

(o) To protect the health of District tenants and ensure that they are able to exercise their full rights under the Rental Housing Conversion and Sale Act of 1980 (D.C. Official Code § 42-3401.01 *et seq.*), and the Rental Housing Act of 1985 (D.C. Official Code § 42-3501.01 *et seq.*), during this public health emergency, deadlines for tenants and tenant associations under these laws need to be extended to 30 days after the emergency has transpired.

(o) As District schools implement distance learning to protect the health and well-being of students, parents and staff during this public health emergency, it is necessary to amend truancy reporting procedures to allow for absences to be marked as excused if the parent or student can show that they did not have access to equipment or software necessary to engage in distance learning.

(p) Advisory Neighborhood Commissions and other District boards and commissions have an immediate need to authorize the suspension of meetings or convene remote meetings during this public health emergency to prevent large gatherings that could facilitate the transmission of COVID-19.

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(q) It is also necessary to allow flexibility to delay transmission of the fiscal year 2021 budget currently scheduled for March 19, 2020. The Council also requires changes to its rules to enable flexibility to conduct legislative business during the emergency.

Sec. 3. The Council of the District of Columbia determines that the circumstances in section 2 constitute emergency circumstances making it necessary that the COVID-19 Response Emergency Amendment Act of 2020 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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A CEREMONIAL RESOLUTION

23-194

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

November 5, 2019

To acknowledge the enormous contributions of the veterans of the District of Columbia who have defended our freedom and safeguarded our nation since its birth 243 years ago. The veterans of the District of Columbia served our country with loyalty, courage, and honor, and upheld the promise of “freedom, justice and equality” that America made to all its citizens.

WHEREAS, in the Civil War, 16,534 District of Columbia residents, including 3,269 US Colored Troops, served in the Union Military Service, and as a percentage of population, were more numerous than veterans in all other states except Kansas;

WHEREAS, in World War I, 25,852 District residents served and 635 died — more than in 10 other states;

WHEREAS, in World War II, 89,758 District residents served and 3,839 died — more than in 4 other states;

WHEREAS, in the Korean War, 547 District residents died – more than in 8 other states;

WHEREAS, in the Vietnam War, 243 District residents died – more than in 10 other states;

WHEREAS, over 140,000 District veterans have defended our freedom and safeguarded our nation by fighting in every major war in which residents of these United States of America have died;

WHEREAS, over 6,000 District veterans have sacrificed their lives for our country and are accredited with 54 Medals of Honor for acts of valor — more than in any other state;

WHEREAS, District veterans performed with loyalty, courage, and honor to uphold the promise that America made to all its citizens of “freedom, justice, and equality”;

WHEREAS, today 30,000 veterans who stepped forward and offered their lives to defend freedom and safeguard America call the District of Columbia home;

WHEREAS, for more than 200 years, residents of the District of Columbia have been sent to war by the United States Congress, the very legislative body that has denied the more

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than 700,000 residents of this city equal voting representation;

WHEREAS, the denial of voting representation for the District of Columbia in the United States Congress is an injustice that District veterans can no longer accept;

WHEREAS, District veterans continue to defend, honor and, restore the pledge made by these United States of America to those who offer their lives to protect the promise of freedom and equality for all;

WHEREAS, District veterans support District of Columbia Statehood as the avenue through which the people of the District of Columbia have chosen for their political freedom and equal representation in the United States Congress;

WHEREAS, District veterans are distinguished patriots who, in the absence of their very own freedom, continue to be loyal to our nation, answering America’s call to service and volunteering to fight for the freedom of Americans in the killing fields of distant lands.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as “The District of Columbia Veterans Day Recognition Resolution of 2019”.

Sec. 2. The Council of the District of Columbia stands alongside its residents in recognizing the enormous contributions and legacy of District of Columbia veterans and designates November 11 as District of Columbia Veterans Day, as a traditional annual day of observance dedicated to the legacy of District of Columbia veterans and their honorable service to our country and to our city.

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

23-196

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

November 5, 2019

To recognize and honor the life and achievements of Evelyn Virginia Carrington Greaves, one of the District of Columbia’s longest living residents.

WHEREAS, Evelyn Virginia Carrington Greaves was born in Norfolk, Virginia on October 24, 1914;

WHEREAS, Evelyn Virginia Carrington Greaves attended schools in the District including Dunbar High, Class of 1932; Miner Teachers College, Class of 1938, where she received her Bachelors Degree; and George Washington University, Class of 1964, where she earned her Masters Degree;

WHEREAS, Evelyn Virginia Carrington Greaves was employed at DC Public Schools including, Harrison, Brightwood, Bundy, Emory and Paul Junior High for 39 years and retired as an Assistant Principal;

WHEREAS, Evelyn Virginia Carrington Greaves taught at Tuskegee Institute while her husband was a Medical Officer for the Tuskegee Airmen during World War II;

WHEREAS, Evelyn Virginia Carrington Greaves was affiliated with the Eckington Neighborhood Civic Association in the community, serving as Treasurer and volunteered with the Washington Dental Health Care Center;

WHEREAS, Evelyn Virginia Carrington Greaves served as the first Chairman of the Membership Committee of the Dunbar High School Alumni Federation;

WHEREAS, Evelyn Virginia Carrington Greaves served on many Ministries at Florida Avenue Baptist Church during her membership since the 1940s to the present;

WHEREAS, Evelyn Virginia Carrington Greaves married Dr. Aston Barrington Greaves, Sr. in March 1941;

ENROLLED ORIGINAL

WHEREAS, Evelyn Virginia Carrington Greaves has 1 child, Aston Barrington Greaves, Jr., 2 grandchildren Celia McLennan and Nicola McKenzie, 4 great grandchildren Brandi Parker, Jahnelle McLennan, Isha McLennan, Adam McKenzie, and 3 great great grandchildren Jayden Parker, Joshua Parker, and Jacob Parker, and daughter in law Oonagh Greaves;

WHEREAS, Evelyn Virginia Carrington Greaves favorite pass time is listening to gospel music, American Standards, and singing along with to Frank Sinatra, Sarah Vaughan, and Ella Fitzgerald;

WHEREAS, Evelyn Virginia Carrington Greaves received the Supreme Service Award from Paul Junior High in 1984;

WHEREAS, Evelyn Virginia Carrington Greaves received the Dunbar Living Legend Medallion on the occasion of her 100th Birthday in 2014;

WHEREAS, Evelyn Virginia Carrington Greaves was a member of the Tau Delta Phi Sorority;

WHEREAS, Evelyn Virginia Carrington Greaves is committed to making the world a better place, one person at a time.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Evelyn Virginia Carrington Greaves Recognition Resolution of 2019”.

Sec. 2. The Council of the District of Columbia recognizes and honors Evelyn Virginia Carrington Greaves on the occasion of her One Hundred and Fifth Birthday;

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

23-197

COUNCIL OF THE DISTRICT OF COLUMBIA

November 5, 2019

To honor and recognize Kwame Onwuachi and to recognize the impact that he has made through his entrepreneurship and engagement in Wards 5 and 6, and the District of Columbia.

WHEREAS, Kwame Onwuachi was born in Long Island, New York and grew up in the Bronx;

WHEREAS, after overcoming a difficult upbringing, Kwame Onwuachi peddled candy on the New York subway and used the funds to finance his catering business;

WHEREAS, in 2013, Kwame Onwuachi graduated from the Culinary Institute of America and worked at “Per Se” and “Eleven Madison Park,” celebrated elite restaurants in Manhattan;

WHEREAS, in 2015, Kwame Onwuachi was featured as a prominent contestant, finishing in third place on the “Bravo” television series “Top Chef;”

WHEREAS, Kwame Onwuachi moved to the District of Columbia in 2015 and soon after opened his own restaurant in a converted townhouse in the Shaw neighborhood named the “Shaw Bijou;”

WHEREAS, in late 2017, Kwame Onwuachi became the only African American to open a restaurant at the Southwest Wharf in the InterContinental Hotel called “Kith and Kin” that serves opulent Afro-Caribbean food;

WHEREAS, in recognizing the success of “Kith and Kin,” *Forbes* awarded him a position on the “30 Under 30” list;

WHEREAS, in 2019, Kwame Onwuachi was named Rising Star Chef of the Year at the James Beard Awards and *Food & Wine* magazine named him one of its Best New Chefs;

ENROLLED ORIGINAL

WHEREAS, in 2019, Kwame Onwuachi released his auto biography “Notes from a Young Black Chef: A Memoir,” which admirably illustrates the extreme highs and lows of his extensive journey to becoming a successful chef in an elite and relentless industry;

WHEREAS, Kwame Onwuachi was featured on “The Daily Show” where he announced that his autobiography will be adapted into a feature film;

WHEREAS, Kwame Onwuachi has been an active member of his community where he fundraises for non-profit organizations such as No Hungry Kid and DC Central Kitchen; and

WHEREAS, Kwame Onwuachi has served his community in the District of Columbia in a variety of ways, including hiring and mentoring at-risk adults, and has had an immense impact on the lives of our residents.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Kwame Onwuachi Ceremonial Recognition Resolution of 2019”.

Sec. 2. The Council of the District of Columbia recognizes and honors Kwame Onwuachi for his culinary contributions, his entrepreneurial spirit, and his commitment to the District of Columbia.

Sec. 3. This Resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

23-198

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

November 5, 2019

To honor and recognize Molly Singer for her exceptional leadership in the Washington, D.C. nonprofit community and to declare December 13, 2019 Molly Singer Day in the District of the Columbia.

WHEREAS, Molly Singer has generously, efficiently, and innovatively served the residents of Washington, D.C. for 21 years as a nonprofit executive, board member, citizen, friend, and neighbor;

WHEREAS, Molly Singer has impacted the lives and well-being of thousands of District residents, directly and indirectly, through her high-quality, high-yield leadership of Capitol Hill Village, Dexterity Management, and Metro TeenAIDS, as well as her commitment and contribution to Capitol Hill Arts Workshop, Theater Alliance, and the Historic Congressional Cemetery;

WHEREAS, Molly Singer has worked tirelessly to increase the capacity of various DC-based systems and organizations, and that, because of her work, these organizations were able to expand their reach, their scope of services, their partnerships and stakeholders, and their impact in the Washington, D.C. region and beyond;

WHEREAS, Molly Singer's mentorship of dozens of young professionals has developed a network of nonprofit leaders in Washington, D.C. who recognize the importance of direct communication, strategic planning, and honest assessments to building strong programs and sustainable organizations;

WHEREAS, Molly Singer has selflessly directed her time, energy, and love to her community, neighborhood, and city, often without reward or recognition;

WHEREAS, Molly Singer has demonstrated a lifelong commitment to learning, citizenship, and altruism;

WHEREAS, Molly Singer's leadership has left an indelible mark on the District of Columbia and its citizens.

ENROLLED ORIGINAL

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Molly Singer Recognition Resolution of 2019”.

Sec. 2. The Council of the District of Columbia declares December 13, 2019 to be Molly Singer Day in the District of Columbia and expresses its deepest appreciation for the outstanding contributions made by Molly Singer during her 21 years of service to our city and extends its best wishes as she moves on to new heights in her career.

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

23-199

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

November 5, 2019

To honor the memory of those killed on the District’s roads in 2019 and to recognize November 17, 2019 as Vision Zero Remembrance Day in the District of Columbia.

WHEREAS, the World Day of Remembrance for Road Traffic Victims is commemorated on the third Sunday of November each year and has been adopted by the United Nations General Assembly;

WHEREAS, according to data kept by the Metropolitan Police Department, traffic deaths increased in the District every year between 2014 and 2018, including 36 deaths in 2018, which was the highest number in 10 years;

WHEREAS, as of October 31, 2019, 21 people have been killed on District roads during 2019;

WHEREAS, on February 11, 2019, 56-year-old Troy Sandy Austin of Southeast Washington, D.C. was killed when he was struck by a car when walking in 1500 block of North Capitol Street, N.W.;

WHEREAS, on February 20, 2019, an unidentified pedestrian was killed when they were walking across the street in the 5000 block of North Capitol Street, N.E.;

WHEREAS, on March 5, 2019, 65-year-old Willie Ulysees Williams of Northeast Washington, D.C. was killed when he was struck by a car while walking across the street in the 1500 block of Rhode Island Avenue, N.E.;

WHEREAS, on April 5, 2019, 36-year-old Lance Antonio Way of Silver Spring, Maryland and 53-year-old Audrey Wimbish of Southeast Washington, D.C. were killed in a crash on Interstate 295 that involved 4 cars;

WHEREAS, on April 19, 2019 David Salovesh was killed while riding his bicycle at the intersection of 12th Street, N.E., and Florida Avenue, N.E., when the driver of a stolen van struck him while travelling at an estimated 60 miles per hour;

ENROLLED ORIGINAL

WHEREAS, on April 20, 2019, an unidentified person was killed when their car crossed three lanes of travel in the 4000 block of East Capitol Street, N.E., and struck a tree before being engulfed in flames;

WHEREAS, on April 21, 2019, 31-year-old Abdul Seck, of Bronx, New York was killed when he was struck by a car while walking in the 2100 block of 16th Street, S.E.;

WHEREAS, on May 3, 2019, 24-year-old Joshua Lorenzo Williams of Southeast Washington, D.C. was killed when he was struck by a car while walking across the intersection of Southern Avenue, S.E., and Beck Street, S.E.;

WHEREAS, on May 5, 2019, 34-year-old Latoya Markee Anderson of Southeast Washington, D.C. was killed when the car she was driving struck a traffic signal at the intersection of South Capitol Street, S.W., and Firth Sterling Avenue, S.E.;

WHEREAS, on May 13, 2019, 37-year-old Molly Waters of Alexandria, Virginia was killed while driving her motorcycle when she was struck by a car at the intersection of South Capitol Street, S.E., and First Sterling Avenue, S.E.;

WHEREAS, on May 17, 2019, an unidentified pedestrian was killed while walking across the street in the 2700 block of Martin Luther King Jr. Avenue, S.E.;

WHEREAS, on July 10, 2019, 42-year-old Thomas Dwight Spriggs and 63-year-old Jesus Antonio Llanes-Datil were killed when they were struck by a car while sitting on a park bench in James Monroe Park, at the intersection of 21st Street, N.W., and Pennsylvania Avenue, N.W.;

WHEREAS, on August 4, 2019, 39-year-old Nelson Orellana of Northwest Washington, D.C. was killed when the car he was riding in struck a gate in the 1200 block of Harvard Street, N.W.;

WHEREAS, on August 13, 2019, 29-year-old Jascha Wilson of Southeast Washington, D.C. was killed when he was struck by a car while walking across the street in the 2600 block of North Capitol Street, N.W.;

WHEREAS, on September 30, 2019, 19-year-old Jawan Evans of Southeast Washington, D.C. was killed when the moped he was driving struck a car at the intersection of Martin Luther King Jr. Avenue, S.E., and Malcolm X Avenue, S.E.;

WHEREAS, on October 2, 2019, Romain Picou of Highland, Maryland was killed when the motorcycle he was driving struck an SUV at the intersection of Kansas Avenue, N.W., and Madison Avenue, N.W.;

ENROLLED ORIGINAL

WHEREAS, on October 22, 2019, 17-year-old Jerome Clark, Jr. of Northeast Washington, D.C. was killed when the car he was riding in collided with another vehicle at the intersection of Chillum Road, N.E., and Eastern Avenue, N.E.; and

WHEREAS, on October 24, 2019, 15-year-old Amoni Richardson of Southeast Washington, D.C. was killed when she was struck by a car while walking across the street in the 3900 block of East Capitol Street, S.E.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the “Vision Zero Remembrance Day Resolution of 2019”.

Sec. 2. The Council of the District of Columbia honors the memory of the 825 people killed on District roads since 1999, including the 21 people killed on our roads in 2019, and declares November 17, 2019 to be Vision Zero Remembrance Day in the District of Columbia.

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

23-201

COUNCIL OF THE DISTRICT OF COLUMBIA

November 19, 2019

To celebrate the retirement of Annie Whatley after 47 years of service in the Federal Government of the United States, and to recognize the impact that she has made through her work and engagement in both Ward 4 and the District of Columbia.

WHEREAS, Annie Whatley is a native of Alabama and a graduate of Alabama A&M University where she received a B.S. in Economics;

WHEREAS, Annie Whatley is married to Stephen Whatley, the Advisory Neighborhood Commissioner for 4A03, and they have one child, Christina Alexis, a 2011 graduate of Spelman College;

WHEREAS, Annie Whatley is a member of Delta Sigma Theta Sorority, Inc. and Nativity Catholic Church;

WHEREAS, Annie Whatley has been a resident of Shepherd Park since 1987 and has been heavily involved in the community where she served on the Mayor’s Land Redevelopment Authority for Walter Reed and advocated for building a parking garage at Walter Reed;

WHEREAS, prior to joining the Department of Energy, Annie Whatley worked at the Department of Labor’s Bureau of Labor Statistics as an Economist for numerous consumer and industry statistical and analytical programs;

WHEREAS, after 47 years of service, Annie Whatley is retiring as Deputy Director of the Office of Minority Economic Impact at the Department of Energy in Washington, DC;

WHEREAS, for 26 years Annie Whatley was the voice for minority education and outreach programs at the Department of Energy where she was able to provide opportunities for universities, students and faculty to participate in the research and education programs;

WHEREAS, Annie Whatley has served as both President and Vice President of the Capital City (D.C.) Chapter of Links, Incorporated as well as Co-Director, Philanthropy and Chair, Fund Development of the Links Foundation, Incorporated;

ENROLLED ORIGINAL

WHEREAS, Annie Whatley served on the Board of Trustees of the Greater Washington Urban League where she received the 2005 Outstanding Service Award;

WHEREAS, Annie Whatley chaired the Diversity Committee and served on the Development Committee at Georgetown Day School;

WHEREAS, Annie Whatley currently serves on the Board of Trustees of the Duke Ellington School of the Arts where she chairs the Nominating and Governance Committee and is the President of the Board of the Energy Child Development Center, a preschool for which she was a co-organizer;

WHEREAS, Annie Whatley was a recipient of the Thurgood Marshall College Fund's 2009 Community Leadership Award, the Science and Engineering Alliance's 2010 Award of Distinction, the 2011 Secretary of Energy Excellence Award, and the 2013 Cooperative Developmental Energy Program Joseph Huffstetler Award;

WHEREAS, this year, Annie Whatley has received the 2019 White House Initiative on Historically Black Colleges and Universities Leonard L. Haynes III Distinguished Service Award as well as the Meritorious Achievement Award from the Secretary of Energy;

WHEREAS, Annie Whatley believes that giving is the greatest joy and that service to others is an obligation - not a choice, and this has been shown time and again through her various volunteering efforts;

WHEREAS, on November 16, 2019 Annie Whatley will celebrate her distinguished career in the federal government and her retirement at the Marriott Residence Inn Hotel; and

WHEREAS, Annie Whatley has spent the last 5 decades bettering Ward 4 and the District of Columbia through her advocacy and hard work and continues to be an important leader in her community.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Annie Whatley Retirement Ceremonial Recognition Resolution of 2019".

Sec. 2. The Council honors Annie Whatley for her commitment to Ward 4 and the District of Columbia and for the positive impact she has had and continues to have.

Sec. 3. This Resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

23-202

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

November 19, 2019

To recognize and celebrate, Reverend Dr. Henry Y. White’s retirement as senior pastor of Campbell A.M.E. Church after over 45 years of ministry service.

WHEREAS, Reverend White was born in Jacksonville, Florida, grew up in Japan and the District of Columbia, and graduated from Cardozo High School;

WHEREAS, Reverend White is a former member of the 82nd Airborne Division, U.S. Army, Fort Bragg, North Carolina;

WHEREAS, Reverend White’s educational accomplishments include a Bachelor of Arts from Federal City College, a Master of Divinity Degree from Howard University School of Divinity, and a Doctor of Ministry Degree from United Theological Seminary in Dayton, Ohio;

WHEREAS, Reverend White is a well-known and powerful preacher and Bible teacher who believes that miracles, healings and promises in the Word of God will be manifested in our lives today when applied by faith;

WHEREAS, Reverend White is a noted community activist in the greater Washington, D.C. Metropolitan area who has received national media attention for various community projects he has spearheaded;

WHEREAS, Reverend White led “Operation Jericho” a community led fight to stop illegal drug activity;

WHEREAS, Reverend White led “Project Nehemiah” also known as “The Miracle on Constitution Ave”, which funded the renovation of two vacant properties and two 30-year condemned properties, creating rental units and an office building;

WHEREAS, Reverend White is responsible for creating various ministries including a veteran’s ministry, a prison ministry, the “Manna Ministry” which serves the homeless population, and a bus ministry providing transportation for seniors;

ENROLLED ORIGINAL

WHEREAS, Reverend White has ministered in various countries including Lusaka, Zambia; Lesotho, Southern Africa; Johannesburg and Cape Town South Africa; Port of Spain, Trinidad; and the Holy Land and Rome, Italy;

WHEREAS, Reverend White has performed missionary work in Port-Au-Prince Haiti;

WHEREAS, Reverend White is the recipient of numerous awards including Outstanding Young Man in America, the NAACP Award of Excellence for Community Leadership and the Pilgrims Award from the Mayor of Tel Aviv, Israel;

WHEREAS, Reverend White serves on numerous boards and commissions including the Board of Examiners for the Washington Conference A.M.E. Church, Washington Conference Board of Trustees, and the Mayor’s Interfaith Advisory Council. Reverend White is also a former president and member of the Ministerial Alliance of Washington, D.C. and Vicinity;

WHEREAS, Reverend White is married to Reverend Rowena Webster-White, an ordained itinerant elder in the A.M.E. Church and they are the proud parents of Henry Christopher and Angela Christina; and

WHEREAS, Reverend White led the church and community in sponsoring a series of programs to educate and equip the community to avoid opioid addiction and death.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Reverend Henry Y. White Ceremonial Resolution of 2019.”

Sec. 2. The Council of the District of Columbia honors Reverend Henry Y. White in his retirement as senior pastor of Campbell A.M.E. Church for his community activism, service to the community, and spiritual leadership.

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

23-203

COUNCIL OF THE DISTRICT OF COLUMBIA

November 19, 2019

To honor and recognize Hellbender Brewery on the occasion of its 5th anniversary.

WHEREAS, in 2014, Patrick Mullane and neurobiologist, Ben Evans, founded Hellbender Brewing Company;

WHEREAS, Hellbender Brewery is located at 5788 2nd St NE, Washington, DC in the Riggs Park community of Ward 4;

WHEREAS, Hellbender Brewery, got its name from the Eastern Hellbender Salamander, which is the largest salamander in North America, the third largest in the world, and a native to the Washington area;

WHEREAS, Hellbender Brewery has come to serve the highest-quality beer and has quickly become one of the District’s highest performing brewing companies;

WHEREAS, with an eye towards the environment and climate change, Hellbender Brewery uses a mash filter press brewing system, which brews the beer using less water, grain, and energy;

WHEREAS, unlike any brewery on the East Coast, Hellbender Brewing is able to use less grain and less water for all of its brews, while still producing flavorful pours;

WHEREAS, a Belgian-style pale ale called “Never Mind the Bollekes,” a malt-forward amber brew with a touch of roast and a hint of citrus from the Cascade hops called the “Red Line Ale,” and a light, golden, German-style ale called “Bare Bones Kolsch” are among the most popular beers the prodigious brewery offers;

WHEREAS, Hellbender Brewery is an integral part of the Ward 4 small business community;

WHEREAS, Hellbender Brewery has added a sense of community as a gathering place for not only Ward 4 residents, but all individuals in the Washington area;

ENROLLED ORIGINAL

WHEREAS, on November 16, 2019 Hellbender Brewery is celebrating its 5th anniversary;

WHEREAS, Hellbender Brewery continues to bring happiness to all who visit its esteemed brewery.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the “Hellbender Brewery 5th Anniversary Ceremonial Recognition Resolution of 2019”.

Sec. 2. The Council recognizes and honors Hellbender Brewery for the positive impact it has had on the Ward 4 community, and 5 years of outstanding service to the District of Columbia and its residents.

Sec. 3. This Resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

23-204

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

November 19, 2019

To honor and recognize November 2019 as “Native American Indian Heritage Month” in the District of Columbia.

WHEREAS, the history of the United States of America often ignores Native American Indians who were the original inhabitants, explorers, and settlers of the United States;

WHEREAS, Native Americans have made historical and modern contributions to American society that endure to this day in areas that include agriculture, medicine, art, literature, and culture;

WHEREAS, the history of the District of Columbia is also the history of the Anacostan, or Nacotchtank, people of the Piscataway tribe;

WHEREAS, the Anacostan people, lived, farmed, fished, hunted, and quarried for thousands of years in locations that today are occupied by the White House, the Library of Congress, and Joint Base Anacostia-Bolling;

WHEREAS, in the early 1600s, the Anacostan people numbered approximately 300 members and lived in villages along the eastern banks of the modern-day Anacostia River;

WHEREAS, seventy-five percent of the American Indian population in the area that is currently metropolitan Washington was killed or displaced after only 40 years of contact with the Europeans which first occurred in 1608;

WHEREAS, many of the Anacostans and other local American Indians died from diseases introduced by the Europeans, were killed in wars, were forced to abandon their land and merge with other tribes, or were sold into slavery;

ENROLLED ORIGINAL

WHEREAS, today, an estimated 4,163 American Indians live in present-day Washington, D.C. contributing to the cultural vibrancy of the District of Columbia.

IT IS HEREBY RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That the Council honors and recognizes the significance of Native Americans, their history, and their culture in the District of Columbia and declares November 2019 as “Native American Indian Heritage Month.”

Sec. 2. This resolution may be cited as the “Native American Indian Heritage Month Recognition Resolution of 2019”.

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

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

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

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

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

- | | |
|---------|--|
| B23-708 | The D.C. Central Kitchen, Inc. Tax Rebate Act of 2020

Intro. 3-9-20 by Councilmember Allen and referred to the Committee on Business and Economic Development |
| <hr/> | |
| B23-717 | Expanding Equitable Access to Great Schools Act of 2020

Intro. 3-16-20 by Chairman Mendelson and Councilmember Grosso and referred sequentially to the Committee on Education and the Committee of the Whole |
| <hr/> | |
| B23-722 | Department of Human Services Personnel Authority Amendment Act of 2020

Intro. 3-17-20 by Councilmember Nadeau and referred to the Committee on Labor and Workforce Development with comments from the Committee on Human Services |
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PROPOSED RESOLUTIONS

PR23-757 Food Policy Council Christopher Bradshaw Confirmation Resolution of 2020
Intro. 3-9-20 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Transportation and the Environment

PR23-758 Food Policy Council Dalila Boclin Confirmation Resolution of 2020
Intro. 3-9-20 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Transportation and the Environment

PR23-759 Commission on Human Rights Brian Griffey Confirmation Resolution of 2020
Intro. 3-9-20 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Government Operations

PR23-760 District of Columbia Commemorative Works Committee Joe Coleman Confirmation Resolution of 2020
Intro. 3-9-20 by Chairman Mendelson at the request of the Mayor and referred to the Committee of the Whole

PR23-761 Board of Pharmacy Tamara McCants Confirmation Resolution of 2020
Intro. 3-9-20 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Health

PR23-762 Alcoholic Beverage Control Board James Short Confirmation Resolution of 2020
Intro. 3-9-20 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Business and Economic Development

PR23-763 Alcoholic Beverage Control Board Rema Wahabzadah Confirmation
Resolution of 2020

Intro. 3-9-20 by Chairman Mendelson at the request of the Mayor and referred
to the Committee on Business and Economic Development

PR23-767 Revised ABRA Civil Penalty Schedule Resolution of 2020

Intro. 3-11-20 by Chairman Mendelson at the request of the Mayor and referred
to the Committee on Business and Economic Development

PR23-771 Local Rent Supplement Program Contract No. 2019-LRSP-02A Approval
Resolution of 2020

Intro. 3-12-20 by Chairman Mendelson at the request of the District of
Columbia Housing Authority and Retained by the Council with comments from
the Committee on Housing and Neighborhood Revitalization

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

CANCELLED

COUNCILMEMBER ANITA BONDS, CHAIRPERSON
COMMITTEE ON HOUSING AND NEIGHBORHOOD REVITALIZATION
ANNOUNCES A PUBLIC HEARING OF THE COMMITTEE

on

Bill 23-0601, the “Condominium Warranty Amendment Act of 2020”

Bill 23-0623, the “Condominium Warranty Claims Clarification Amendment Act of 2020”

Bill 23-0568, the “Home Purchase Assistance Amendment Act of 2019”

and

Bill 23-0530, the “Rent Stabilization Affordability Qualification Amendment Act of 2019”

Friday, March 27, 2020, at 10:00 a.m.
 John A. Wilson Building, Room 123
 1350 Pennsylvania Avenue, N.W.
 Washington, D.C. 20004

In response to the COVID19 crisis, Councilmember Anita Bonds, Chairperson of the Committee on Housing and Neighborhood Revitalization, would like to cancel the public hearing on Bill 23-0601, the “Condominium Warranty Amendment Act of 2020”, Bill 23-0623, the “Condominium Warranty Claims Clarification Amendment Act of 2020”, Bill 23-0568, the “Home Purchase Assistance Amendment Act of 2019”, and Bill 23-0530, the “Rent Stabilization Affordability Qualification Amendment Act of 2019”

The hearing will be rescheduled on a later date.

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

CANCELLED

**COUNCILMEMBER ANITA BONDS, CHAIRPERSON
COMMITTEE ON HOUSING AND NEIGHBORHOOD REVITALIZATION
ANNOUNCES A PUBLIC HEARING OF THE COMMITTEE**

on

Bill 23-0643, the “Keeping Cool Elderly Tenants and Tenants with a Disability
Amendment Act of 2020”

Friday, April 03, 2020, at 9:00 a.m.
John A. Wilson Building, Room 500
1350 Pennsylvania Avenue, N.W.

In response to the COVID19 crisis, Councilmember Anita Bonds, Chairperson of the Committee on Housing and Neighborhood Revitalization, would like to cancel the public hearing on B23-0643, the “Keeping Cool Elderly Tenants and Tenants with a Disability Amendment Act of 2020”.

The hearing will be rescheduled on a later date.

**COUNCIL OF THE DISTRICT OF COLUMBIA
OFFICE OF THE BUDGET DIRECTOR**
1350 Pennsylvania Avenue, NW, Washington, DC 20004

MEMORANDUM

To: Chairman Mendelson
From: Jennifer Budoff, Budget Director
Re: Notice of Cancellation of FY 2021 Budget Hearings
Date: March 17, 2020

This memorandum serves as notice that the Public Hearings for Fiscal Year 2021 Proposed Budget and Financial Plan, Fiscal Year 2021 Budget Support Act of 2020, Fiscal Year 2021 Local Budget Act of 2020, Fiscal Year 2021 Federal Budget Act of 2020, and Committee Mark-up Schedule are cancelled.

Please feel free to contact Averil Carraway, Senior Budget Analyst, at (202) 724-8544, should you or your staff have any questions.

Thank you for your consideration of this request.

Cc: Office of the Council Secretary
Office of the General Counsel
Mayor's Office of Policy and Legislative Affairs
Members and Staff of the Council of the District of Columbia

**COUNCIL OF THE DISTRICT OF COLUMBIA
 NOTICE OF PUBLIC HEARINGS
 FISCAL YEAR 2021 PROPOSED BUDGET AND FINANCIAL PLAN,
 FISCAL YEAR 2021 BUDGET SUPPORT ACT OF 2020,
 FISCAL YEAR 2021 LOCAL BUDGET ACT OF 2020
 FISCAL YEAR 2021 FEDERAL BUDGET ACT OF 2020, AND
 COMMITTEE MARK-UP SCHEDULE**

3/17/2020

SUMMARY

- March 19, 2020 Mayor Transmits the Fiscal Year 2021 Proposed Budget and Financial Plan
- March 20, 2020 Committee of the Whole Public Briefing on the Mayor's Fiscal Year 2021 Proposed Budget and Financial Plan
- March 23, 2020 to April 9, 2020 Committee Public Hearings on the "Fiscal Year 2021 Local Budget Act of 2020." (The Committees may also simultaneously receive testimony on sections of the Fiscal Year 2021 Budget Support Act that affect the agencies under each Committee's purview)
- April 20, 2020 Committee of the Whole Public Hearing on the "Fiscal Year 2021 Local Budget Act of 2020", "Fiscal Year 2021 Federal Budget Act of 2020" and the "Fiscal Year 2021 Budget Support Act of 2020."
- April 21 - 23, 2020 Committee Mark-ups and Reporting on Agency Budgets for Fiscal Year 2021
- April 29, 2020 Budget Work Session, 10:00 a.m.
- May 13, 2020 Committee of the Whole and Council consideration of the "Fiscal Year 2021 Local Budget Act of 2020", "Fiscal Year 2021 Federal Portion Budget Request Act of 2020" and the "Fiscal Year 2021 Budget Support Act of 2020"
- May 27, 2020 Council Consideration of the "Fiscal Year 2021 Local Budget Act of 2020" and the "Fiscal Year 2021 Federal Portion Budget Request Act of 2020"

The Council of the District of Columbia hereby gives notice of its intention to hold public hearings on the FY 2020 Proposed Budget and Financial Plan, the "Fiscal Year 2021 Local Budget Act of 2020", "Fiscal Year 2021 Federal Portion Budget Request Act of 2020" and the "Fiscal Year 2021 Budget Support Act of 2020". The hearings will begin Monday, March 23, 2020 and conclude on Thursday, April 9, 2020 and will take place in the Council Chamber (Room 500), Room 412, Room 123 or Room 120 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004.

The Committee mark-ups will begin Tuesday, April 21, 2020 and conclude on Thursday, April 23, 2020 and will take place in the Council Chamber (Room 500) of the John A. Wilson Building; 1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004.

Persons wishing to testify are encouraged, but not required, to submit written testimony in advance of each hearing to the corresponding committee office. If a written statement cannot be provided prior to the day of the hearing, please have at least 15 copies of your written statement available on the day of the hearing for immediate distribution to the Council. The hearing record will close two business days following the conclusion of each respective hearing. Persons submitting written statements for the record should observe this deadline. For more information about the Council's budget oversight hearings and mark-up schedule please contact the committee of interest.

Witnesses who anticipate needing language interpretation, or require sign language interpretation, are requested to inform the relevant Committee office of the need as soon as possible, but no later than five (5) business days before the proceeding. We will make every effort to fulfill timely requests, however requests received in less than five (5) business days, may not be fulfilled and alternatives may be offered.

ADDENDUM OF CHANGES TO THE PUBLIC HEARING SCHEDULE

<u>New Date</u>	<u>Original Date</u>	<u>Date Change</u>	<u>Hearing Change</u>
3/31/2020	3/26/2020	1/14/2020	Deputy Mayor for Education - Public Witnesses Only (Education & COW); Room 500 - 9:30 a.m.
4/1/2020	N/A	1/14/2020	Deputy Mayor for Education - Gov't Witnesses Only (Education & COW); Room 412 - 9:30 a.m.
4/7/2020	4/2/2020	1/28/2020	Commission on the Arts and Humanities (COW); Room 123 - 1:30 p.m.
4/3/2020	4/9/2020	2/12/2020	Committee on Health (Department of Health); Room 120 - 10:00 a.m.
4/9/2020	4/3/2020	2/12/2020	Committee on Health (Department of Behavioral Health); Room 500 - 10:00 a.m.

CANCELLED

PUBLIC HEARING SCHEDULE

COMMITTEE OF THE WHOLE

Chairman Phil Mendelson

FRIDAY, MARCH 20, 2020; COUNCIL CHAMBER (Room 500)	
Time	Subject
10:00 a.m. - End	Committee of the Whole Public Briefing on the Mayor's Fiscal Year 2021 Proposed Budget and Financial Plan

COMMITTEE ON HEALTH

Chairperson Vincent Gray

MONDAY, MARCH 23, 2020; COUNCIL CHAMBER (Room 500)	
Time	Agency
10:00 a.m. - End	District of Columbia Health Benefit Exchange Authority

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Malcolm Cameron (mccameron@dccouncil.us) or by calling 202-654-6179.

COMMITTEE OF THE WHOLE

Chairman Phil Mendelson

MONDAY, MARCH 23, 2020; Room 412	
Time	Agency
10:30 a.m. - End	Council of the District of Columbia
	District of Columbia Auditor
	Office of Budget and Planning
	District Retiree Health Contribution
	District of Columbia Retirement Board/Funds

Persons wishing to testify about the performance of any of the foregoing agencies may email: cw@dccouncil.us or by calling 202-724-8196.

COMMITTEE ON EDUCATION

Chairperson David Grosso

MONDAY, MARCH 23, 2020; Room 123	
Time	Agency
11:00 a.m. - End	State Board of Education
	Office of the Ombudsman
	Office of the Student Advocate

Persons wishing to testify about the performance of any of the foregoing agencies may do so online at: <http://bit.do/educationhearings> or by calling 202-724-8061.

COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY

Chairperson Charles Allen

TUESDAY, MARCH 24, 2020; COUNCIL CHAMBER (Room 500)	
Time	Agency
9:30 a.m. - End	Office of Neighborhood Safety and Engagement
	Deputy Mayor for Public Safety and Justice
	Office of the Attorney General

Persons wishing to testify about the performance of any of the foregoing agencies may email: judiciary@dccouncil.us or by calling 202-727-8275.

COMMITTEE ON FACILITIES AND PROCUREMENT

Chairperson Robert C. White, Jr.

TUESDAY, MARCH 24, 2020; Room 412	
Time	Agency
10:00 a.m. - End	Office of Advisory Neighborhood Commission

Persons wishing to testify about the performance of any of the foregoing agencies may email: facilities@dccouncil.us or by calling 202-741-8593.

JOINT HEARING WITH COMMITTEE ON EDUCATION & COMMITTEE OF THE WHOLE

**Chairperson David Grosso
Chairman Phil Mendelson**

TUESDAY, MARCH 24, 2020; Room 123	
Time	Agency
10:30 a.m. - End	Office of the State Superintendent

Persons wishing to testify about the performance of any of the foregoing agencies may do so online at: <http://bit.do/educationhearings> or by calling 202-724-8061.

COMMITTEE OF GOVERNMENT OPERATIONS **Chairperson Brandon Todd**

TUESDAY, MARCH 24, 2020; Room 120	
Time	Agency
10:00 a.m. - End	Office of the City Administrator
	Executive Office of the Mayor
	Office of the Senior Advisor
	Office of the Secretary

Persons wishing to testify about the performance of any of the foregoing agencies may email: governmentoperations@dccouncil.us or by calling 202-724-6663.

COMMITTEE ON HOUSING & NEIGHBORHOOD REVITALIZATION **Chairperson Anita Bonds**

WEDNESDAY, MARCH 25, 2020; COUNCIL CHAMBER (Room 500)	
Time	Agency
10:00 a.m. - End	Rental Housing Commission
	Housing Finance Agency
	Office of the Tenant Advocate

Persons wishing to testify about the performance of any of the foregoing agencies may contact: housing@dccouncil.us or by calling 202-724-8198.

COMMITTEE OF THE WHOLE **Chairman Phil Mendelson**

WEDNESDAY, MARCH 25, 2020; Room 412	
Time	Agency
9:30 a.m. - End	Office of Zoning
	Office of Planning

Persons wishing to testify about the performance of any of the foregoing agencies may email: cow@dccouncil.us or by calling 202-724-8196.

COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY **Chairperson Charles Allen**

WEDNESDAY, MARCH 25, 2020; Room 123	
Time	Agency
9:30 a.m. - 3:00 p.m.	District of Columbia Sentencing Commission
	Criminal Code Reform Commission
	Department of Corrections

Persons wishing to testify about the performance of any of the foregoing agencies may email: judiciary@dccouncil.us or by calling 202-727-8275.

COMMITTEE ON EDUCATION **Chairperson David Grosso**

WEDNESDAY, MARCH 25, 2020; Room 120	
Time	Agency
11:00 a.m. - End	District of Columbia Public Library

Persons wishing to testify about the performance of any of the foregoing agencies may do so online at: <http://bit.do/educationhearings> or by calling 202-724-8061.

COMMITTEE OF GOVERNMENT OPERATIONS **Chairperson Brandon Todd**

THURSDAY, MARCH 26, 2020; COUNCIL CHAMBER (Room 500)	
Time	Agency
10:00 a.m. - End	Office of the Inspector General
	Office of Risk Management
	Office of Human Rights
	Office of Administrative Hearings

Persons wishing to testify about the performance of any of the foregoing agencies may email: governmentoperations@dccouncil.us or by calling 202-724-6663.

COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY **Chairperson Charles Allen**

THURSDAY, MARCH 26, 2020; Room 412	
Time	Agency
9:30 a.m. - End	Department of Forensic Sciences
	Homeland Security and Emergency Management Agency
	Metropolitan Police Department (Public Witnesses Only)

Persons wishing to testify about the performance of any of the foregoing agencies may email: judiciary@dccouncil.us or by calling 202-727-8275.

JOINT HEARING WITH COMMITTEE ON EDUCATION & COMMITTEE OF THE WHOLE

**Chairperson David Grosso
Chairman Phil Mendelson**

THURSDAY, MARCH 26, 2020; Room 123	
Time	Agency
11:00 a.m. - End	District of Columbia Public Charter School Board

Persons wishing to testify about the performance of any of the foregoing agencies may do so online at: <http://bit.do/educationhearings> or by calling 202-724-8061.

COMMITTEE ON FACILITIES AND PROCUREMENT

Chairperson Robert C. White, Jr.

THURSDAY, MARCH 26, 2020; Room 120	
Time	Agency
10:00 a.m. - End	Office of Returning Citizen Affairs Commission on Re-Entry and Returning Citizen Affairs

Persons wishing to testify about the performance of any of the foregoing agencies may email: facilities@dccouncil.us or by calling 202-741-8593.

COMMITTEE ON TRANSPORTATION & THE ENVIRONMENT

Chairperson Mary Cheh

FRIDAY, MARCH 27, 2020; COUNCIL CHAMBER (Room 500)	
Time	Agency
11:00 a.m. - End	Department of Motor Vehicles Deputy Mayor for Operations and Infrastructure

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Aukima Benjamin (abenjamin@dccouncil.us) or by calling 202-724-8062.

COMMITTEE ON LABOR & WORKFORCE DEVELOPMENT

Chairperson Elissa Silverman

FRIDAY, MARCH 27, 2020; Room 412	
Time	Agency
10:00 a.m. - End	Office of Employee Appeals (Combined Performance Oversight & Budget Hearings) Public Employees Relations Board (Combined Performance Oversight & Budget Hearings)

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Charmisa Royster (croyster@dccouncil.us) or by calling 202-724-7772.

COMMITTEE ON LABOR & WORKFORCE DEVELOPMENT

Chairperson Elissa Silverman

MONDAY, MARCH 30, 2020; COUNCIL CHAMBER (Room 500)	
Time	Agency
10:00 a.m. - End	Department of Employment Services (Public Witnesses Only) Workforce Investment Council (Public Witnesses Only)

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Charmisa Royster (croyster@dccouncil.us) or by calling 202-724-7772.

COMMITTEE OF THE WHOLE

Chairman Phil Mendelson

MONDAY, MARCH 30, 2020; Room 412	
Time	Agency
10:30 a.m. - End	University of District of Columbia Department of Consumer and Regulatory Affairs

Persons wishing to testify about the performance of any of the foregoing agencies may email: cw@dccouncil.us or by calling 202-724-8196.

COMMITTEE ON HOUSING & NEIGHBORHOOD REVITALIZATION

Chairperson Anita Bonds

MONDAY, MARCH 30, 2020; Room 123	
Time	Agency
3:00 p.m. - End	District of Columbia Housing Authority

Persons wishing to testify about the performance of any of the foregoing agencies may contact: housing@dccouncil.us or by calling 202-724-8198.

COMMITTEE ON TRANSPORTATION & THE ENVIRONMENT

Chairperson Mary Cheh

MONDAY, MARCH 30, 2020; Room 120	
Time	Agency
11:00 a.m. - End	Department of Energy and the Environment

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Aukima Benjamin (abenjamin@dccouncil.us) or by calling 202-724-8062.

JOINT HEARING WITH COMMITTEE ON EDUCATION & COMMITTEE OF THE WHOLE

Chairperson David Grosso
Chairman Phil Mendelson

TUESDAY, MARCH 31, 2020; COUNCIL CHAMBER (Room 500)	
Time	Agency
9:30 a.m. - End	District of Columbia Public Schools (Public Witnesses Only) Deputy Mayor for Education (Public Witnesses Only)

Persons wishing to testify about the performance of any of the foregoing agencies may do so online at: <http://bit.do/educationhearings> or by calling 202-724-8061.

COMMITTEE ON HUMAN SERVICES

Chairperson Brienne Nadeau

TUESDAY, MARCH 31, 2020; Room 412	
Time	Agency
10:00 a.m. - End	Department of Human Services

Persons wishing to testify about the performance of any of the foregoing agencies may email: humanservices@dccouncil.us or by calling 202-724-8170.

COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY

Chairperson Charles Allen

TUESDAY, MARCH 31, 2020; Room 123	
Time	Agency
9:30 a.m. - 5:00 p.m.	Metropolitan Police Department (Gov't Witnesses Only) Office of Police Complaints

Persons wishing to testify about the performance of any of the foregoing agencies may email: judiciary@dccouncil.us or by calling 202-727-8275.

COMMITTEE ON FACILITIES AND PROCUREMENT

Chairperson Robert C. White, Jr.

TUESDAY, MARCH 31, 2020; Room 120	
Time	Agency
10:00 a.m. - End	Office of Contracting and Procurement Contract Appeals Board

Persons wishing to testify about the performance of any of the foregoing agencies may email: facilities@dccouncil.us or by calling 202-741-8593.

COMMITTEE ON BUSINESS & ECONOMIC DEVELOPMENT

Chairperson Kenyan McDuffie

WEDNESDAY, APRIL 1, 2020; COUNCIL CHAMBER (Room 500)	
Time	Agency
10:00 a.m. - End	Department of Small and Local Business Development Department of Insurance, Securities and Banking Department of For-Hire Vehicles

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Justin Roberts (roberts@dccouncil.us) or by calling 202-724-8053.

JOINT HEARING WITH COMMITTEE ON EDUCATION & COMMITTEE OF THE WHOLE

Chairperson David Grosso
Chairman Phil Mendelson

WEDNESDAY, APRIL 1, 2020; Room 412	
Time	Agency
9:30 a.m. - End	District of Columbia Public Schools (Gov't Witnesses Only) Deputy Mayor for Education (Gov't Witnesses Only)

Persons wishing to testify about the performance of any of the foregoing agencies may do so online at: <http://bit.do/educationhearings> or by calling 202-724-8061.

COMMITTEE ON RECREATION AND YOUTH AFFAIRS

Chairperson Trayon White, Jr.

WEDNESDAY, APRIL 1, 2020; Room 123	
Time	Agency
10:00 a.m. - End	The Office for East of the River Services Department of Youth Rehabilitation Services

Persons wishing to testify about the performance of any of the foregoing agencies may email: Nate Fleming (nfleming@dccouncil.us) or by calling 202-727-7903.

COMMITTEE OF GOVERNMENT OPERATIONS **Chairperson Brandon Todd**

WEDNESSAY, APRIL 1, 2020; Room 120	
Time	Agency
10:00 a.m. - End	Office of Latino Affairs
	Office of Lesbian, Gay, Bisexual, Transgender and Questioning Affairs

Persons wishing to testify about the performance of any of the foregoing agencies may email: governmentoperations@dccouncil.us or by calling 202-724-6663.

COMMITTEE ON FACILITIES AND PROCUREMENT **Chairperson Robert C. White, Jr.**

THURSDAY, APRIL 2, 2020; COUNCIL CHAMBER (Room 500)	
Time	Agency
10:00 a.m. - End	Department of General Services

Persons wishing to testify about the performance of any of the foregoing agencies may email: facilities@dccouncil.us or by calling 202-741-8593.

COMMITTEE ON HUMAN SERVICES **Chairperson Brianne Nadeau**

THURSDAY, APRIL 2, 2020; Room 412	
Time	Agency
10:00 a.m. - End	Child and Family Services Agency

Persons wishing to testify about the performance of any of the foregoing agencies may email: humanservices@dccouncil.us or by calling 202-724-8170.

COMMITTEE OF THE WHOLE **Chairman Phil Mendelson**

THURSDAY, APRIL 2, 2020; Room 123	
Time	Agency
10:30 a.m. - End	Metropolitan Washington Council of Governments
	New Columbia Statehood Commission
	Events DC

Persons wishing to testify about the performance of any of the foregoing agencies may email: cow@dccouncil.us or by calling 202-724-8196.

COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY **Chairperson Charles Allen**

THURSDAY, APRIL 2, 2020; Room 120	
Time	Agency
9:30 a.m. - 8:00 p.m.	Board of Elections
	Office of Campaign Finance
	Board of Ethics and Government Accountability

Persons wishing to testify about the performance of any of the foregoing agencies may email: judiciary@dccouncil.us or by calling 202-727-8275.

COMMITTEE ON HOUSING & NEIGHBORHOOD REVITALIZATION **Chairperson Anita Bonds**

FRIDAY, APRIL 3, 2020; COUNCIL CHAMBER (Room 500)	
Time	Agency
10:00 a.m. - End	Department of Aging and Community Living

Persons wishing to testify about the performance of any of the foregoing agencies may contact: housing@dccouncil.us or by calling 202-724-8198.

COMMITTEE OF GOVERNMENT OPERATIONS **Chairperson Brandon Todd**

FRIDAY, APRIL 3, 2020; Room 412	
Time	Agency
10:00 a.m. - End	Office of Asian and Pacific Islander Affairs
	Office of African Affairs
	Office of African American Affairs

Persons wishing to testify about the performance of any of the foregoing agencies may email: governmentoperations@dccouncil.us or by calling 202-724-6663.

COMMITTEE ON LABOR & WORKFORCE DEVELOPMENT **Chairperson Elissa Silverman**

FRIDAY, APRIL 3, 2020; Room 123	
Time	Agency
10:00 a.m. - End	Department of Employment Services (Gov't Witnesses Only) Workforce Investment Council (Gov't Witnesses Only)

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Charnisa Royster (croyster@dccouncil.us) or by calling 202-724-7772.

COMMITTEE ON HEALTH **Chairperson Vincent Gray**

FRIDAY, APRIL 3, 2020; Room 120	
Time	Agency
10:00 a.m. - End	Department of Health

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Malcolm Cameron (mcameron@dccouncil.us) or by calling 202-654-6179.

COMMITTEE ON HUMAN SERVICES **Chairperson Brienne Nadeau**

MONDAY, APRIL 6, 2019; COUNCIL CHAMBER (Room 500)	
Time	Agency
10:00 a.m. - End	Department of Disability Services Office of Disability Rights

Persons wishing to testify about the performance of any of the foregoing agencies may email: humanservices@dccouncil.us or by calling 202-724-8170.

COMMITTEE ON HEALTH **Chairperson Vincent Gray**

MONDAY, APRIL 6, 2020; Room 412	
Time	Agency
10:00 a.m. - End	Deputy Mayor for Health and Human Services Department of Health Care Finance Not-for-Profit Hospital Corporation

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Malcolm Cameron (mcameron@dccouncil.us) or by calling 202-654-6179.

COMMITTEE ON TRANSPORTATION & THE ENVIRONMENT **Chairperson Mary Cheh**

MONDAY, APRIL 6, 2020; Room 123	
Time	Agency
11:00 a.m. - End	District Department of Transportation

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Aukima Benjamin (abenjamin@dccouncil.us) or by calling 202-724-8062.

COMMITTEE ON BUSINESS & ECONOMIC DEVELOPMENT **Chairperson Kenyan McDuffie**

MONDAY, APRIL 6, 2020; Room 120	
Time	Agency
10:00 a.m. - End	Deputy Mayor for Planning and Economic Development Destination DC

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Justin Roberts (jroberts@dccouncil.us) or by calling 202-724-8053.

COMMITTEE ON RECREATION AND YOUTH AFFAIRS **Chairperson Trayon White, Jr.**

TUESDAY, APRIL 7, 2020; COUNCIL CHAMBER (Room 500)	
Time	Agency
1:30 p.m. - End	Commission on Fathers, Men and Boys Department of Parks and Recreation

Persons wishing to testify about the performance of any of the foregoing agencies may email: Nate Fleming (nfleming@dccouncil.us) or by calling 202-727-7903.

COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY **Chairperson Charles Allen**

TUESDAY, APRIL 7, 2020; Room 412	
Time	Agency
1:30 p.m. - 5:30 p.m.	Fire and Emergency Medical Services Department Office of Unified Communications

Persons wishing to testify about the performance of any of the foregoing agencies may email: judiciary@dccouncil.us or by calling 202-727-8275.

COMMITTEE OF THE WHOLE

Chairman Phil Mendelson

TUESDAY, APRIL 7, 2020; Room 123	
Time	Agency
1:30 p.m. - End	Commission on the Arts & Humanities

Persons wishing to testify about the performance of any of the foregoing agencies may email: cow@dccouncil.us or by calling 202-724-8196.

COMMITTEE ON BUSINESS & ECONOMIC DEVELOPMENT

Chairperson Kenyan McDuffie

WEDNESDAY, APRIL 8, 2020; COUNCIL CHAMBER (500)	
Time	Agency
10:00 a.m. - End	DC Lottery and Charitable Games Office of the Chief Financial Officer

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Justin Roberts (jroberts@dccouncil.us) or by calling 202-724-8053.

COMMITTEE ON HOUSING & NEIGHBORHOOD REVITALIZATION

Chairperson Anita Bonds

WEDNESDAY, APRIL 8, 2020; Room 412	
Time	Agency
10:00 a.m. - End	Department of Housing and Community Development Housing Production Trust Fund

Persons wishing to testify about the performance of any of the foregoing agencies may contact: housing@dccouncil.us or by calling 202-724-8198.

COMMITTEE ON LABOR & WORKFORCE DEVELOPMENT

Chairperson Elissa Silverman

WEDNESDAY, APRIL 8, 2020; Room 123	
Time	Agency
1:00 p.m. - End	Office of Labor Relations and Collective Bargaining Office of Human Resources

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Charnisa Royster (croyster@dccouncil.us) or by calling 202-724-8835.

COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY

Chairperson Charles Allen

WEDNESDAY, APRIL 8, 2020; Room 120	
Time	Agency
9:30 a.m. - 5:00 p.m.	Office of the Chief Medical Examiner Criminal Justice Coordinating Council Office of Victim Services and Justice Grants

Persons wishing to testify about the performance of any of the foregoing agencies may email: judiciary@dccouncil.us or by calling 202-727-8275.

COMMITTEE ON HEALTH

Chairperson Vincent Gray

THURSDAY, APRIL 9, 2020; COUNCIL CHAMBER (Room 500)	
Time	Agency
10:00 a.m. - End	Department of Behavioral Health

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Malcolm Cameron (mcameron@dccouncil.us) or by calling 202-654-6179.

COMMITTEE ON TRANSPORTATION & THE ENVIRONMENT

Chairperson Mary Cheh

THURSDAY, APRIL 9, 2020; Room 412	
Time	Agency
11:00 a.m. - End	Department of Public Works

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Aukima Benjamin (abenjamin@dccouncil.us) or by calling 202-724-8062.

COMMITTEE ON BUSINESS & ECONOMIC DEVELOPMENT

Chairperson Kenyan McDuffie

THURSDAY, APRIL 9, 2020; Room 123	
Time	Agency
1:00 p.m. - End	Alcoholic Beverage Regulation Administration Office of People's Counsel Public Service Commission

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Justin Roberts (jroberts@dccouncil.us) or by calling 202-724-8053.

COMMITTEE OF GOVERNMENT OPERATIONS

Chairperson Brandon Todd

THURSDAY, APRIL 9, 2020; Room 120	
Time	Agency
10:00 a.m. - End	Office of Cable Television, Film, Music and Entertainment Office of the Chief Technology Officer

Persons wishing to testify about the performance of any of the foregoing agencies may email: governmentoperations@dccouncil.us or by calling 202-724-6663.

COMMITTEE OF THE WHOLE

Chairman Phil Mendelson

MONDAY, APRIL 20, 2020; COUNCIL CHAMBER (Room 500)	
Time	Agency
10:00 a.m. - End	Committee of the Whole Hearing on the "Fiscal Year 2021 Local Budget Act of 2020," "Fiscal Year 2021 Federal Portion Budget Request Act of 2020" and the "Fiscal Year 2021 Budget Support Act of 2020"

CANCELLED

COMMITTEE MARK-UP SCHEDULE

TUESDAY, APRIL 21, 2020; COUNCIL CHAMBER (Room 500)

Time	Committee
1:00 p.m. - 2:30 p.m.	Committee on Health
2:30 p.m. - 4:00 p.m.	Committee on Recreation and Youth Affairs
4:00 p.m. - 5:30 p.m.	Committee on Facilities and Procurement

WEDNESDAY, APRIL 22, 2020; COUNCIL CHAMBER (Room 500)

Time	Committee
10:30 a.m. - Noon	Committee on Human Services
Noon - 1:30 p.m.	Committee on Housing and Neighborhood Revitalization
1:30 p.m. - 3:00 p.m.	Committee on Labor and Workforce Development
3:00 p.m. - 4:30 p.m.	Committee on Government Operations

THURSDAY, APRIL 23, 2020; COUNCIL CHAMBER (Room 500)

Time	Committee
10:00 a.m. - 11:30 a.m.	Committee on Business & Economic Development
11:30 a.m. - 1:00 p.m.	Committee on Transportation and the Environment
1:00 p.m. - 2:30 p.m.	Committee on the Judiciary
2:30 p.m. - 4:00 p.m.	Committee on the Education
4:00 p.m. - 5:30 p.m.	Committee of the Whole

CANCELLED

COUNCIL OF THE DISTRICT OF COLUMBIA
CONSIDERATION OF TEMPORARY LEGISLATION

B23-714, Ward 8 Senior Housing Fund Establishment Temporary Amendment Act of 2020, **B23-719**, COVID-19 Response Temporary Amendment Act of 2020, and **B23-721**, Adams Morgan Business Improvement District Temporary Amendment Act of 2020, were adopted on first reading on March 17, 2020. These temporary measures were considered in accordance with Council Rule 413. A final reading on these measures will occur on April 7, 2020.

Council of the District of Columbia
1350 Pennsylvania Avenue, NW
Washington, DC 20004

ABBREVIATED NOTICE OF INTENT TO CONSIDER LEGISLATION

The Council of the District of Columbia hereby gives notice of its intention to take action in less than fifteen (15) days on PR 23-771, the “Local Rent Supplement Program Contract No. 2019-LRSP-02A Approval Resolution of 2020” to allow for the proposed resolution to be considered at a regular legislative meeting on April 7, 2020.

COUNCIL OF THE DISTRICT OF COLUMBIA
Notice of Reprogramming Requests

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

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

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

Reprog. 23-86: Request to reprogram \$733,000 of Fiscal Year 2020 local funds from the Department of General Services (AM0) to the Wilson Building (ZZ0) was filed in the Office of the Secretary on March 11, 2020. This reprogramming is needed to cover the Consolidated Maintenance Agreement.

RECEIVED: 14-day review begins March 12, 2020

Reprog. 23-87: Request to reprogram \$9,510,000 of Fiscal Year 2020 capital budget from the Homeland Security and Emergency Management Agency (HSEMA), the Department of Fire and Emergency Medical Services (FEMS), and the Deputy Mayor for Planning and Economic Development (DMPED) to the Office of the Chief Technology Officer (OCTO) was filed in the Office of the Secretary on March 11, 2020. This reprogramming is needed to support the revised timeline for the OCTO Data Center project.

RECEIVED: 14-day review begins March 12, 2020

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date: March 20, 2020
Protest Petition Deadline: May 4, 2020
Roll Call Hearing Date: May 18, 2020

License No.: ABRA-116325
Licensee: Bottle House, LLC
Trade Name: Bottle House
License Class: Retailer's Class "B" Beer and Wine
Address: 3443 14th Street, N.W., #B
Contact: Chrissie Chang.: (703) 992-3994

WARD 1

ANC 1A

SMD 1A04

Notice is hereby given that this licensee has requested a Substantial Change to their license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the Roll Call Hearing date on May 18, 2020 at 10 a.m., 4th Floor, 2000 14th Street, N.W., Washington, DC 20009. Petitions and/or requests to appear before the ABC Board must be filed on or before the Petition Deadline.

NATURE OF SUBSTANTIAL CHANGE

Applicant requests a Class Change, from Retailer's Class "B" Beer and Wine Store, to a Retailer's Class "A" Liquor Store.

CURRENT HOURS OF OPERATION AND HOURS OF ALCOHOLIC BEVERAGE SALES

Sunday through Saturday 7am - 12am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date: March 20, 2020
Protest Petition Deadline: May 4, 2020
Roll Call Hearing Date: May 18, 2020
Protest Hearing Date: July 8, 2020

License No.: ABRA-116730
Licensee: Dwarkadhis, LLC
Trade Name: BR Fine Wine & Spirits
License Class: Retailer's Class "A" Liquor Store
Address: 801 Virginia Avenue, S.E.
Contact: Eugene J. Mark, Jr., Esq: (301) 237-7850

WARD 6

ANC 6B

SMD 6B04

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 May 18, 2020 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 July 8, 2020 at 4:30 p.m.

NATURE OF OPERATION

A new Retailer's Class A Liquor Store with a Tasting Permit.

HOURS OF OPERATION AND HOURS OF ALCOHOLIC BEVERAGE SALES

Sunday through Saturday 9am - 11pm

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date: March 20, 2020
Protest Petition Deadline: May 4, 2020
Roll Call Hearing Date: May 18, 2020
Protest Hearing Date: July 8, 2020

License No.: ABRA- 116631
Licensee: MPHAV, Inc.
Trade Name: Chicatana Fine Mexican Cuisine
License Class: Retailer's Class "C" Restaurant
Address: 3917 14th Street, N.W.
Contact: Ana De Leon: (202) 246-7601

WARD 4

ANC 4C

SMD 4C05

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 May 18, 2020 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 **July 8, 2020 at 1:30 p.m.**

NATURE OF OPERATION

The Establishment will be a family-style restaurant serving authentic Mexican food. Seating Capacity of 25 inside and a Total Occupancy Load of 31. Request to add a Sidewalk Café with 16 seats and an Entertainment Endorsement both indoors and outdoors.

HOURS OF OPERATION INSIDE OF THE PREMISES

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

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

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

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

Sunday through Saturday 10am – 12am.

HOURS OF LIVE ENTERTAINMENT INSIDE PREMISES

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

HOURS OF LIVE ENTERTAINMENT FOR THE OUTDOOR SIDEWALK CAFÉ

Sunday through Saturday 6pm – 10pm.

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

****RESCIND**

Placard Posting Date: March 6, 2020
Protest Petition Deadline: April 20, 2020
Roll Call Hearing Date: May 4, 2020

License No.: ABRA-100259
Licensee: Omar, LLC
Trade Name: Costello Restaurant and Lounge
License Class: Retailer’s Class “C” Tavern
Address: 5201 Georgia Avenue, N.W.
Contact: Stephen O’ Brien: (202) 625-7700

WARD 4

ANC 4D

SMD 4D04

Notice is hereby given that this licensee has requested a Substantial Change to their license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the **Roll Call Hearing date on May 4, 2020 at 10 a.m., 4th Floor, 2000 14th Street, N.W., Washington, DC 20009**. Petitions and/or requests to appear before the ABC Board must be filed on or before the Petition Deadline.

NATURE OF SUBSTANTIAL CHANGE

The licensee is requesting to install three (3) Dragon’s Ascent electronic games of skill machines.

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

Sunday through Saturday 10am – 12am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

****CORRECTION**

Placard Posting Date: March 6, 2020
Protest Petition Deadline: April 20, 2020
Roll Call Hearing Date: May 4, 2020
Protest Hearing Date: June 24, 2020

License No.: ABRA-116576
Licensee: RH Trading, LLC
Trade Name: **D.C. Sake co.
License Class: Retailer's Class "A" Internet
Address: 4221 Connecticut Avenue, N.W. (Rear)
Contact: Lyle M. Blanchard, Esq.: (202) 452-1400, Ext. 5406

WARD 3

ANC 3F

SMD 3F02

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 May 4, 2020 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 **June 24, 2020 at 4:30 p.m.**

NATURE OF OPERATION

New Class "A" Internet Retailer selling beer, wine, and spirits online only for off-premises consumption. This location will not be open to the public.

HOURS OF OPERATION AND ALCOHOLIC BEVERAGE SALES

Sunday through Saturday 10am – 8pm

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date: March 20, 2020
Protest Petition Deadline: May 4, 2020
Roll Call Hearing Date: May 18, 2020

License No.: ABRA-098818
Licensee: Deset Ethiopian Restaurant, LLC
Trade Name: Deset Ethiopian Restaurant
License Class: Retailer's Class "C" Restaurant
Address: 6128 Georgia Avenue, N.W.
Contact: Desta Araya: (202) 279-1326

WARD 4 ANC 4A SMD 4A06

Notice is hereby given that this licensee has requested a Substantial Change to their license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the Roll Call Hearing date on May 18, 2020 at 10 a.m., 4th Floor, 2000 14th Street, N.W., Washington, DC 20009. Petitions and/or requests to appear before the ABC Board must be filed on or before the Petition Deadline.

NATURE OF SUBSTANTIAL CHANGE

Applicant requests a Class Change, from Retailer's Class "C" Restaurant, to a Retailer's Class "C" Tavern.

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

Sunday through Wednesday 10am - 12am, Thursday through Saturday 10am - 2am

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

Placard Posting Date: March 20, 2020
Protest Petition Deadline: May 4, 2020
Roll Call Hearing Date: May 18, 2020
Protest Hearing Date: July 8, 2020

License No.: ABRA-116600
Licensee: District Bodega, LLC
Trade Name: District Bodega
License Class: Retailer's Class "C" Restaurant
Address: 3276 M Street, N.W.
Contact: Stephen J. O'Brien: (202) 625-7700

WARD 2

ANC 2E

SMD 2E05

Notice is hereby given that this licensee has applied for a new license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the **Roll Call Hearing date on May 18, 2020 at 11 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 **July 8, 2020 at 1:30 p.m.**

NATURE OF OPERATION

This will be a restaurant offering tacos and other prepared Mexican food. Seating Capacity of 100 inside and a Total Occupancy Load of 200. Summer Garden with 100 seats. Requesting an Entertainment Endorsement inside and also for the Summer Garden.

HOURS OF OPERATION INSIDE PREMISES AND FOR SUMMER GARDEN

Sunday through Thursday 7am – 11pm, Friday and Saturday 7am – 12am

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

Sunday through Thursday 8am – 11pm, Friday and Saturday 8am – 12am

HOURS OF LIVE ENTERTAINMENT INSIDE PREMISES

Sunday through Thursday 10am – 11pm, Friday and Saturday 10am – 12am

HOURS OF LIVE ENTERTAINMENT FOR SUMMER GARDEN

Sunday through Thursday 11am – 6pm, Friday and Saturday 11am – 11pm

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
3/20/2020

Notice is hereby given that:

License Number: ABRA-115736

License Class/Type: C Nightclub

Applicant: Ekho Events, LLC

Trade Name: Echostage

ANC: 5C02

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

2135 Queens Chapel RD NE, Washington, DC 20018

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
5/4/2020

A HEARING WILL BE
5/18/2020

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

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	8 am - 3 am	10 am - 2 am	-
Monday:	8 am - 3 am	8 am - 2 am	-
Tuesday:	8 am - 3 am	8 am - 2 am	-
Wednesday:	8 am - 3 am	8 am - 2 am	-
Thursday:	8 am - 3 am	8 am - 2 am	-
Friday:	7 am - 4 am	8 am - 3 am	-
Saturday:	7 am - 4 am	8 am - 3 am	-

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

****RESCIND**

Placard Posting Date: February 14, 2020
Protest Petition Deadline: March 30, 2020
Roll Call Hearing Date: April 13, 2020

License No.: ABRA-112282
Licensee: Estrada Ramos, Inc.
Trade Name: Elizabeth Bar and Grill
License Class: Retailer’s Class “C” Restaurant
Address: 5217 Georgia Avenue, N.W.
Contact: Stephen O’Brien: (202) 625-7700

WARD 4

ANC 4D

SMD 4D04

Notice is hereby given that this licensee has requested a Substantial Change to their license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the **Roll Call Hearing date on April 13, 2020 at 10 a.m., 4th Floor, 2000 14th Street, N.W., Washington, DC 20009**. Petitions and/or requests to appear before the ABC Board must be filed on or before the Petition Deadline.

NATURE OF SUBSTANTIAL CHANGE

The licensee is requesting to install three (3) Dragon’s Ascent electronic games of skill machines.

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

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

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date: March 20, 2020
Protest Petition Deadline: May 4, 2020
Roll Call Hearing Date: May 18, 2020
Protest Hearing Date: July 8, 2020

License No.: ABRA-116656
Licensee: Farmbird Restaurant 2, LLC
Trade Name: Farmbird
License Class: Retailer's Class "D" Restaurant
Address: 625 H Street, N.E., Space A
Contact: Matt Minora, Esq.: (202) 625-7700

WARD 6

ANC 6C

SMD 6C05

Notice is hereby given that this licensee has applied for a new license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the Roll Call Hearing date on May 18, 2020 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 July 8, 2020 at 4:30 p.m.

NATURE OF OPERATION

A new Retailer's Class D Restaurant with a seating capacity of 46 and Total Occupancy Load of 53. Summer Garden with 8 seats.

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

Sunday through Saturday 8am - 12am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date: March 20, 2020
Protest Petition Deadline: May 4, 2020
Roll Call Hearing Date: May 18, 2020
Protest Hearing Date: July 8, 2020

License No.: ABRA-116778
Licensee: Lodging Concessions, LLC
Trade Name: Hampton Inn - White House Suite Shop
License Class: Retailer's Class "C" Tavern
Address: 1729 H Street, N.W.
Contact: Stephen J. O'Brien: (202) 625-7700

WARD 2

ANC 2B

SMD 2B06

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 May 18, 2020 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 July 8, 2020 at 4:30 p.m.

NATURE OF OPERATION

The Establishment will be a tavern offering continental breakfast in the ground floor lobby and lower level. Seating Capacity of 350 and a Total Occupancy Load of 390.

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

Sunday through Saturday 8am - 12am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date: March 20, 2020
Protest Petition Deadline: May 4, 2020
Roll Call Hearing Date: May 18, 2020

License No.: ABRA-060462
Licensee: Levy Premium Foodservice Limited Partnership
Trade Name: Levy@ DC United
License Class: Retailer's Class "C" Arena
Address: 100 Potomac Avenue, S.W.
Contact: Carter Witt: (202) 655-2888

WARD 6

ANC 6D

SMD 6D05

Notice is hereby given that this licensee has requested a Substantial Change to their license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the Roll Call Hearing date on May 18, 2020 at 10 a.m., 4th Floor, 2000 14th Street, N.W., Washington, DC 20009. Petitions and/or requests to appear before the ABC Board must be filed on or before the Petition Deadline.

NATURE OF OPERATION

Licensee is applying to add Sports Wagering to their operations. Establishment will have 21 kiosks, 3 betting terminals, and 8 mobile desks for betting inside the premises. The Establishment expects to have geo-fenced mobile applications at some point in the future, but not at this time.

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

Sunday through Saturday 8am – 2am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date: March 20, 2020
Protest Petition Deadline: May 4, 2020
Roll Call Hearing Date: May 18, 2020

License No.: ABRA-103576
Licensee: Los Cuates Adams Morgan, Inc.
Trade Name: Los Cuates Restaurant
License Class: Retailer's Class "C" Restaurant
Address: 2429 18th Street, N.W.
Contact: Mauricio Sepulveda: (202) 838-3280

WARD 1

ANC 1C

SMD 1C07

Notice is hereby given that this licensee has requested a Substantial Change to their license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the Roll Call Hearing date on May 18, 2020 at 10 a.m., 4th Floor, 2000 14th Street, N.W., Washington, DC 20009. Petitions and/or requests to appear before the ABC Board must be filed on or before the Petition Deadline.

NATURE OF SUBSTANTIAL CHANGE

Applicant requests to add an Entertainment Endorsement inside the premises only.

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

Sunday 10am - 2am, Monday through Friday 11:30am - 2am, Saturday 11am - 3am.

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

Sunday 10am - 10pm, Monday through Thursday 11:30am - 10pm, Friday and Saturday 11:30am - 11pm.

PROPOSED HOURS OF LIVE ENTERTAINMENT INSIDE PREMISES

Thursday through Saturday 10am - 1am.

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date: March 20, 2020
Protest Petition Deadline: May 4, 2020
Roll Call Hearing Date: May 18, 2020

License No.: ABRA-115103
Licensee: Take Massive Action, LLC
Trade Name: Mayahuel Cocina Mexicana
License Class: Retailer's Class "C" Restaurant
Address: 2609 24th Street, N.W.
Contact: Miguel Pizarroso: (703) 725-2341

WARD 3

ANC 3C

SMD 3C02

Notice is hereby given that this licensee has requested a Substantial Change to their license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the Roll Call Hearing date on May 18, 2020 at 10 a.m., 4th Floor, 2000 14th Street, N.W., Washington, DC 20009. Petitions and/or requests to appear before the ABC Board must be filed on or before the Petition Deadline.

NATURE OF SUBSTANTIAL CHANGE

Applicant requests an expansion of the premises, to occupy 2605 – 2609 24th Street, N.W. The Total Occupancy Load will remain the same at 120 patrons.

CURRENT HOURS OF OPERATION INSIDE OF THE PREMISES

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

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

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

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

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

CURRENT HOURS OF LIVE ENTERTAINMENT INSIDE OF THE PREMISES

Wednesday and Thursday 8pm – 12am, Friday 9pm – 12am, Saturday 9pm – 1am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
3/20/2020

Notice is hereby given that:

License Number: ABRA-088787

License Class/Type: C Tavern

Applicant: Family, LLC

Trade Name: MK Lounge & Restaurant

ANC: 1B02

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

1930 9TH ST NW, WASHINGTON, DC 20001

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
5/4/2020

A HEARING WILL BE
5/18/2020

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

ENDORSEMENT(S): Cover Charge Dancing Entertainment

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

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date: March 20, 2020
 Protest Petition Deadline: May 4, 2020
 Roll Call Hearing Date: May 18, 2020
 Protest Hearing Date: July 8, 2020

License No.: ABRA-116160
 Licensee: Mozzarella DC LLC
 Trade Name: Mozzarella
 License Class: Retailer’s Class “C” Restaurant
 Address: 1300 H Street, N.E.
 Contact: Richard Strom: (307) 231-0005

WARD 6 ANC 6A SMD 6A06

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 May 18, 2020 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 **July 8, 2020 at 1:30 p.m.**

NATURE OF OPERATION

A new Retailer’s Class C Restaurant with a seating capacity of 94 and Total Occupancy Load of 117.

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

Sunday 10am – 11pm, Monday through Thursday 11am – 10:30pm, Friday 11am – 12am, Saturday 10am – 11pm

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date: March 20, 2020
Protest Petition Deadline: May 4, 2020
Roll Call Hearing Date: May 18, 2020

License No.: ABRA-017308
Licensee: PPT Inc.
Trade Name: Nick's Riverside Grille
License Class: Retailer's Class "C" Restaurant
Address: 3050 K Street, N.W.
Contact: Julie Barnett: (202) 819-5421

WARD 2

ANC 2E

SMD 2E05

Notice is hereby given that this licensee has requested a Substantial Change to their license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the Roll Call Hearing date on May 18, 2020 at 10 a.m., 4th Floor, 2000 14th Street, N.W., Washington, DC 20009. Petitions and/or requests to appear before the ABC Board must be filed on or before the Petition Deadline.

NATURE OF SUBSTANTIAL CHANGE

The licensee is requesting to install three (3) Dragon's Ascent electronic games of skill machines.

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

Sunday through Saturday 11am - 2am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

****RESCIND**

Placard Posting Date: March 6, 2020
Protest Petition Deadline: April 20, 2020
Roll Call Hearing Date: May 4, 2020
Protest Hearing Date: June 24, 2020

License No.: ABRA-116576
Licensee: RH Trading, LLC
Trade Name: **OttottO
License Class: Retailer’s Class “A” Internet
Address: 4221 Connecticut Avenue, N.W. (Rear)
Contact: Lyle M. Blanchard, Esq.: (202) 452-1400, Ext. 5406

WARD 3

ANC 3F

SMD 3F02

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 May 4, 2020 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 **June 24, 2020 at 4:30 p.m.**

NATURE OF OPERATION

New Class “A” Internet Retailer selling beer, wine, and spirits online only for off-premises consumption. This location will not be open to the public.

HOURS OF OPERATION AND ALCOHOLIC BEVERAGE SALES

Sunday through Saturday 10am – 8pm

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date: March 20, 2020
Protest Petition Deadline: May 4, 2020
Roll Call Hearing Date: May 18, 2020
Protest Hearing Date: July 8, 2020

License No.: ABRA-116771
Licensee: Pho Viet Restaurant, Inc.
Trade Name: Pho Viet USA
License Class: Retailer's Class "C" Restaurant
Address: 333 H Street, N.E.
Contact: Kevin Lee, Esq.: (703) 941-3133

WARD 6

ANC 6C

SMD 6C04

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 May 18, 2020 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 **July 8, 2020 at 4:30 p.m.**

NATURE OF OPERATION

New Retailer's Class "C" Restaurant serving Vietnamese food. Total seating inside is 12 with a Total Occupancy Load of 12.

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

Sunday through Saturday 11am – 10pm

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

****CORRECTION**

Placard Posting Date: March 13, 2020
Protest Petition Deadline: April 27, 2020
Roll Call Hearing Date: May 11, 2020
Protest Hearing Date: June 24, 2020

License No.: ABRA-111118-2
Licensee: Potomac Paddle Pub, LLC
Trade Name: Potomac Paddle Club
License Class: Retailer’s Class “DX” Marine Vessel
Address: 101 Market Square, S.W.
Contact: **Jack Maher: (202) 656-3336

WARD 6

ANC 6D

SMD 6D04

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 May 11, 2020 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 **June 24, 2020 at 4:30 p.m.**

NATURE OF OPERATION

Request for a second Marine Vessel, resulting in a fleet of two vessels, located at 101 Market Square, S.W. Seating Capacity of 18, with a Total Occupancy Load of 18.

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

Sunday through Saturday 9am – 12am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

****RESCIND**

Placard Posting Date: March 13, 2020
Protest Petition Deadline: April 27, 2020
Roll Call Hearing Date: May 11, 2020
Protest Hearing Date: June 24, 2020

License No.: ABRA-111118-2
Licensee: Potomac Paddle Pub, LLC
Trade Name: Potomac Paddle Club
License Class: Retailer’s Class “DX” Marine Vessel
Address: 101 Market Square, S.W.
Contact: Hunter Campbell: *(301) 775-7444

WARD 6

ANC 6D

SMD 6D04

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 May 11, 2020 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 **June 24, 2020 at 4:30 p.m.**

NATURE OF OPERATION

Request for a second Marine Vessel, resulting in a fleet of two vessels, located at 101 Market Square, S.W. Seating Capacity of 18, with a Total Occupancy Load of 18.

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

Sunday through Saturday 9am – 12am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
3/20/2020

Notice is hereby given that:

License Number: ABRA-107123

License Class/Type: C Tavern

Applicant: Eleana, LLC

Trade Name: Secret Lounge

ANC: 1B02

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

1928 9th ST NW, WASHINGTON, DC 20001

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
5/4/2020

A HEARING WILL BE
5/18/2020

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

ENDORSEMENT(S): Cover Charge Dancing Entertainment

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

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date: March 20, 2020
Protest Petition Deadline: May 4, 2020
Roll Call Hearing Date: May 18, 2020
Protest Hearing Date: July 8, 2020

License No.: ABRA-113549
Licensee: MEI Hospitality Group Corporation
Trade Name: The Block
License Class: Retailer's Class "C" Restaurant
Address: 1110 Vermont Avenue, N.W.
Contact: Eugene Mark Jr., Esq.: (301) 237-7850

WARD 2

ANC 2F

SMD 2F05

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 May 18, 2020 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 **July 8, 2020 at 1:30 p.m.**

NATURE OF OPERATION

A new class C Restaurant. Seating Capacity of 140, Total Occupancy Load of 175 and a Sidewalk Café with 32 Seats. The license will include an Entertainment Endorsement and Dancing on the inside of the premises.

HOURS OF OPERATION FOR THE INSIDE OF THE PREMISES

Sunday 9am – 10:30pm, Monday – Thursday 7am – 12:30am, Friday 7am – 3am, Saturday 9am – 3am

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

Sunday 11am – 10pm, Monday – Thursday 11am – 12am, Friday and Saturday 11am – 2:30am

HOURS OF OPERATION FOR THE OUTDOOR SIDEWALK CAFÉ

Sunday 9am – 10pm, Monday – Thursday 7am – 12am, Friday 7am – 1am, Saturday 9am – 1am

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

Sunday 11am – 9:30pm, Monday – Thursday 11am – 11:30pm, Friday 11am – 12:30am, Saturday 11am – 1:30am

HOURS OF LIVE ENTERTAINMENT FOR THE INSIDE OF THE PREMISES

Sunday 7pm – 10pm, Monday – Thursday 7pm – 12am, Friday and Saturday 7pm – 1am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date: March 20, 2020
Protest Petition Deadline: May 4, 2020
Roll Call Hearing Date: May 18, 2020
Protest Hearing Date: July 8, 2020

License No.: ABRA-116450
Licensee: 1223 on Connecticut LLC
Trade Name: The Mayflower Club
License Class: Retailer's Class "C" Nightclub
Address: 1223 Connecticut Avenue, N.W.
Contact: Sidon Yohannes: (202) 686-7600

WARD 2

ANC 2B

SMD 2B05

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 May 18, 2020 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 **July 8, 2020 at 1:30 p.m.**

NATURE OF OPERATION

A new Retailer's Class "C" Nightclub with a Total Occupancy Load of 834. Summer Garden with 125 seats and Sidewalk Café with 24 seats. Entertainment to include dancing inside and outside.

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

Sunday through Thursday 11:30am – 2am, Friday and Saturday 11:30am – 3am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
3/20/2020

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
5/4/2020

A HEARING WILL BE
5/18/2020

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

DC BOARD OF ELECTIONS**NOTICE OF PUBLIC HEARING
RECEIPT AND INTENT TO REVIEW INITIATIVE MEASURE**

The Board of Elections shall consider in a public hearing whether the proposed measure, “United States Adjustment and Recovery Act for the District of Columbia,” is a proper subject matter for initiative at the Board’s regular meeting on Wednesday, April 1, 2020 at 10:30 a.m., at 1015 Half Street SE, Suite 750, Washington DC 20003.

In making a subject matter determination, the Board does not consider the merits of a proposed measure. Instead, it may consider only whether the proposed measure meets the subject matter requirements set forth in District of Columbia law. Specifically, the Board must reject the proposed measure if it determines that:

- The measure conflicts with or seeks to amend the Title IV of the DC Home Rule Act (“the District Charter”);
- The measure conflicts with the U.S. Constitution;
- The measure has not been properly filed;
- The verified statement of contributions (the measure committee’s statement of organization and report of receipts and expenditures) was not timely filed;
- The measure would authorize discrimination in violation of the DC Human Rights Act;
- The measure would negate or limit a budgetary act of the DC Council; or
- The measure would appropriate funds

Those who wish to testify at the hearing on the propriety of the proposed measure in light of the above-referenced criteria should contact the Board’s Office of the General Counsel at 202-727-2194 or ogc@dcboe.org and provide their name, address, telephone number, and name of the organization represented (if any) by no later than Friday, March 27, 2020, at 4:00 p.m. Any written testimony or memoranda should be submitted for the record to the Board’s Office of the General Counsel, 1015 Half Street SE, Suite 750, Washington, DC 20003 or at ogc@dcboe.org by that date and time as well. Each speaker shall be permitted a maximum of three minutes for oral presentations.

The Short Title, Summary Statement, and Legislative Text of the proposed initiative read as follows:

SHORT TITLE

United States Adjustment and Recovery Act for

the

District of Columbia

SUMMARY STATEMENT

District of Columbia residents whose ancestors were enslaved as men, women and children
victims of the Transatlantic or North American Slave Trade
during 1619 thru 1870

ELIGIBLE RECIPIENTS

African or Caribbean lineage with U.S. citizenship
Descendants of Union Civil War Service Members for the United States

SETTLEMENT

No Taxpayer Payments
Identity Repair, Judicial Protections, Trauma Counseling, Financial Restitution
Home Ownership, Employment, Education, Business Support

PAYERS

Religious Organizations, International Countries, Agriculture, Textile, Manufacturing, Retail
Building Material Industries, Financial, Academic Institutions, Utility Companies and States who
participated or benefited from enslaving Afro Descendant people in the United States of America.

SETTLEMENT PERIOD

November 08, 2020 January 08, 2272
251 Years

LEGISLATIVE TEXT

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INITIATIVE MEASURE NO.

A FREESTANDING BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

BE IT ENACTED BY THE ELECTORS OF THE DISTRICT OF COLUMBIA.

This initiative act known as the United States Adjustment and Recovery Act for the District of Columbia (USARADC) from herein is an unenacted title with organic acts and a freestanding bill in the District of Columbia, a US. Federal District.

To grant or enforce repayment of unpaid wages or denied benefits, repair identities, trauma counseling, removal of public display reminders of injuries to descendants of enslaved people and U.S. Civil War Service Members for the residents of the District of Columbia, who are living descendants of the Transatlantic Slave Trade in the United States of America, having lineage to ancestors in Africa or the West Indies from the time period of 1619 through 1870 (251years) and 1871through 2020 after slavery. Living descendants are eligible beneficiaries, if identified on census of a United States birth certificate as an individual of one of the following classifications of American citizens known as: Negro, Colored, Mulatto, Black, Afro American, Afro Descendant or African American and meet the DNA requirements to be eligible users of 3 categories to include descendants of Civil War U.S. Militia Service Members for the Republic of the United States of America, as noted in Title I Legislative Text and Title II Settlement Resolutions. Payments for injuries will not be paid by District of Columbia residents or government.

Respectfully submitted by,

Date
Elector: John C. Cheeks, Drafter - USARADC / Pres. USCRIA Inc.

Date
Dr. Roussan Etienne, Jr., Caribbean Relations/ Vice Pres. USCRIA Inc.

Title I Section. 2 Supporting Injuries

Title I

Title I Section. 1. Definitions.

(a) The purpose of Sec. 1. Definitions for the United States Adjustment and Recovery Act for the District of Columbia (USARDC) from herein is to provide a description of language used for a Free Standing Bill known as USARDC. Some terms are used inside proposed Title I Sections 1,2,3,4,5,6,7,8,9, and 10.

(b) Definitions of terms listed are used for Legislative Text of Settlement Resolutions of this proposed Free Standing Bill. Definitions are as listed in Title I, Sec. 1. Used in Title I and title II to define subject matter proposed.

(c) For the purposes of this act, the term:

- (1) "Acceptance" means agreeing either expressly or by conduct to the act or offer of another so that a contract is concluded, and the parties become legally bound.
- (2) "Act" means the formal product of a legislative body: the formally declared will of a legislature the final requirement of which is usually the signature of the proper executive officer.
- (3) "Actors" means domestic or international Individual, business, corporation or group(s) that participated in American Slavery by trading, owning, selling, raping and killing slaves Domestic or International.
- (4) "Adjustment" means a change or addition to the U.S. Constitution.
- (5) "Agent" means someone that produces or capable of producing an effect of an active or efficient cause.
- (6) "Budget" means an estimate of income and expenditure for a set period of time.
- (7) "Castrate" means to render impotent or deprive of vitality by psychological or physical means by depriving of the testes or ovaries.
- (8) "Chairman" (aka chairperson, chairwoman, or chair) means District of Columbia elected leader of City Council-Chairman.
- (9) "Change" means to make the form, nature, content, future course etc., different from what it is or from what it would be if left alone.
- (10) "Civil Rights" means rights to personal Liberty established by the 13th and 14th amendments to the US constitution and certain congressional acts, Especially as applied to an individual or a minority group.
- (11) "Claim" means to demand by or as by virtue of a right; The demand as a right or as due.
- (12) "Community Housing" means housing units owned by descendants of American slaves that were formerly public housing units.
- (13) "Confederate States of America" means the 11 southern states of the U.S. during their secession from the Union between 1860 and 1865: South Carolina, Mississippi, Florida, Alabama, Georgia, Louisiana, Texas, Virginia, Arkansas, North Carolina, and Tennessee.
- (14) "Confederate" means of or relating to the Confederate States of America.
- (15) "Declare" means to make known or state clearly, Especially in explicit or formal terms .
- (16) "Descendant" means a blood relative of a latter generation.
- (17) "Disclosure" means the action of making new or secret information known.
- (18) "Discrimination" means to make a difference in treatment or favor on a basis other than individual merit; especially to make a difference in treatment on a basis

Title I Section. 2 Supporting Injuries

- prohibited by law (as national origin, race, sex, religion, age, or disability).
- (19) “Displacement” means the moving of something from its place or position.
- (20) “District of Columbia” means a Federal area in the East United States , On the Potomac , Coextensive with the Federal Capital , Washington. 69 sq. mi. (179 Sq. km) Abbreviation: DC
- (21) “Drafter“ means a person who writes a legislative bill.
- (22) “Elected Official” means a public officer or government employee who is empowered to exercise judgement for independent people (District of Columbia - Ward Council Members, DC Council at- Large Members, Chairman of the Council and Mayor).
- (23) “Enacted” means to make into an act or statute:
- (24) “Enacted Title (See definition of Enacted and Title)
- (25) “Entitled“ means believing oneself to be inherently deserving of privileges or special treatment.
- (26) “Experience” means something personally encountered, undergone, or lived through.
- (27) “Faith Based Organization” means an organization whose values are based on faith and or beliefs, which has a mission based on social values of the particular faith, and which most often draws its activists (leaders, staff, volunteers) from a particular faith group.
- (28) “Fines“ means a fine or penalty is money that a court of law or other authority decides has to be paid as punishment for a crime or other offence.
- (29) “Fiscal“ means relating to government revenue, especially taxes.
- (30) “Future” means time that is to be, or come hereafter
- (31) “Heir” means one who inherits or is entitled to inherit property or is entitled to succeed to a hereditary rank, title, or office or one who receives or is entitled to receive some endowment or quality from a parent or predecessor.
- (32) “Home ownership” means one that owns a home.
- (33) “Homeless” means without a Home
- (34) “Identity” means the state or fact of remaining the same one or once, as under varying aspects of our conditions.
- (35) “Initiative” means a procedure enabling a specified number of voters by petition to propose a law and secure its submission to the electorate or to the legislature for approval.
- (36) “Injury” means harm or damage that is done or sustained.
- (37) “Judicial” means of, relating to, or being the branch of government that is charged with trying all cases that involve the government and with the administration of justice.
- (38) “Judicial Protections” means special judicial solicitude for particular religious, or national or racial minorities groups that have failed to attain their objectives through the political process.
- (39) “Legal” means permitted by law; lawful
- (40) “Legislative - means having the power to make laws, related to laws or the making of them
- (41) “Levied” means to impose or collect by legal authority.
- (42) “Liberated” means someone who “was released from capture or bondage.

Title I Section. 2 Supporting Injuries

- (43) "Mandatory" means containing or constituting a command: being obligatory.
- (44) "Murder" means the crime of unlawfully and unjustifiably killing another under circumstances defined by statute (as with premeditation); especially: such a crime committed purposely, knowingly, and recklessly with extreme indifference to human life or during a serious felony (as robbery or rape)
- (45) "National" means of or relating to a nation.
- (46) "NGO" means Nongovernmental Organization. NGO an organization that isn't part of the local, state or federal government.
- (47) "Occupant" means a person who resides or is present in a house, vehicle, seat, place, etc., at a given time.
- (48) "Offspring" means the product of the reproductive processes of a human: a child.
- (49) "Option" means the power or right of choosing
- (50) "Owner" means one with the right to exclusive use, control, or possession of slave or property.
- (51) "Partners" means a person who shares or is associated with another in some action or endeavor; sharer; associate.
- (52) "Party" means one (as a person, group, or entity) constituting alone or with others one of the sides of a proceeding, transaction, or agreement.
- (53) "Permanent" means existing perpetually; everlasting, especially without significant change.
- (54) "Permanent Act" (See definition of Permanent and Act)
- (55) "Protection" means supervision or support of one having less power.
- (56) "Provision" means a clause in a legal instrument, a law, etc. providing for a
- (57) particular matter; stipulation
- (58) "Provisions" means set aside an amount in an organization's accounts for a known liability.
- (59) "Public" means of, relating to, or affecting a population as a whole.
- (60) "Recovery" means the obtaining, getting back, or vindication of a right or property by judgment, legislation or decree; especially: the obtaining of damages.
- (61) "Refusal" means an act of instance of refusing.
- (62) "Removal" means the act of removing
- (63) "Repair" means to restore good or sound condition after decay or damage; mend
- (64) "Republic of the United States of America" means the United States is a federal republic and a representative democracy. It is a founding member of the United Nations, World Bank, International Monetary Fund, Organization of America States and other international organizations.
- (65) "Resolutions" means a solution, explanation or answer to a problem.
- (66) "Resolve" means settle or find a solution to a problem dispute or contentious matter.
- (67) "Responsible" means being the primary cause of something and so able to be blamed or credited for it. Having an obligation to do something or having control over or care for someone as part of one's role.
- (68) "Restitution" means the equitable remedy of restoring to an aggrieved party that which was obtained in unjust enrichment.
- (69) "Sanctions" means official permission or approval.
- (70) "Settlement" means an official agreement intended to resolve a dispute or

Title I Section. 2 Supporting Injuries

- conflict between 2 sides. An agreement to end a disagreement or dispute without going to a court of law
- (71) “Statue” means a formal written enactment of a legislative body, whether federal, state, city, or county. An act of the legislature declaring, commanding, or prohibiting something; a particular law enacted and established by the will of the legislative department of government; the written will of the legislator, solemnly expressed according to the forms necessary to constitute the law according to the state or federal territory. Such may be public, private, declaratory, mandatory, director, or enabling in nature.
- (72) “Slave State” means a state of the United States in which slavery was legal until the Civil War.
- (73) “Slavery” means the condition in which one person is owned as property by another and is under the owner's control or has absolute power over another and controls his or her life liberty and fortune, especially in involuntary servitude.
- (74) “Sunset Provisions“ (See definitions for Sunset and Provisions)
- (75) “Tariff” means charges that will be levied on labor in amounts based on wealth accumulation, and other factors by those that profited from slavery or abused slaves.
- (76) “Taxpayer” means a person (as an individual or corporation) that pays or is liable for a tax.
- (77) “Termination” means the act of termination
- (78) “Territories” means a geographical area belonging to or under the jurisdiction of a governmental authority.
- (79) “Terrorist” means the unlawful use or threat of violence especially against the state or the public as a motivated means of attack or coercion.
- (80) “Text“ means the main body of a piece of writing as distinct from other material such as notes, appendices and illustrations
- (81) “The Civil War“-means the American Civil War was a civil war in the United States from 1861 to 1865, fought between the northern United States and the southern United States. The civil war began as a result of the long-standing controversy over the enslavement of black people.
- (82) “Title” means the distinguishing name of a book, poem, picture, place of music or like.
- (83) “Traitor” means a person who betrays another, a cause, or any trust.
- (84) “Treason” means 1. The offense of acting to overthrow one's government or to harm or kill its sovereign.
- (85) “Trustee” means a natural or legal person to whom property is legally committed to be administered for the benefits of a beneficiary such as a person or an organization.
- (86) “Un-Enacted Title” (See Definitions for Enacted and Title)
- (87) “War” means a conflict carried on by force of arms as between nations or between parties within a nation; warfare, as by land, sea, or air.
- (88) “Wealth” means a great quantity or store of money, valuable, possessions, property or other riches.
- (89) “West Indies” means the West Indian Countries comprised of:
(A) Haiti;

Title I Section. 2 Supporting Injuries

- (B) Dominican Republic;
- (C) Barbados;
- (D) Barbuda;
- (E) Cuba;
- (F) Antigua;
- (G) Saint Christopher;
- (H) Nevis;
- (I) Anguilla;
- (J) Trinidad;
- (K) Jamaica;
- (L) Saint Lucia;
- (M) Grenadines;
- (N) Grenada;
- (O) Dominica;
- (P) Tobago;
- (Q) Puerto Rico;
- (R) Virgin Islands;
- (S) Saint Kitts;
- (T) Antigua;
- (U) Montserrat;
- (V) Martinique;
- (W) Saint Vincent;
- (X) Turks and Caicos Islands;
- (Y) Aruba;
- (Z) Curaçao; and

(AA) Bonaire. Title I Section. 2. Supporting Injuries._

(a) The purpose of Section 2 of the United States Adjustment and Recovery Act for the District of Columbia (USARADC) a proposed Free Standing Bill that has subject matter of known injuries concerning the injuries of the descendants of enslaved Americans of the trans Atlantic Slave Trade or the North American slave ownership inside the boundaries of the United States of America and the District of Columbia through transfer of land or real estate by the colony, territory or states of Virginia and Maryland.

These known injuries have proper and standing subject matter that supports all claims proposed for legal and settlement restitution for Title I. Legislative Text and Title II.

Settlement Resolutions in this proposed Free Standing Bill for the injured electors of the District of Columbia Federal Territory in the United States of America.

All known injuries are listed below as noted for such acts.

“Injury” means an act that wrongs or harms another; specifically: a violation of a legally protected interest (as the physical or mental well-being, property, reputation, or rights of another) for which the law allows an action for legal or equitable relief and includes:

(1) “Injury 1” means international trading/selling and bargaining of unwilling humans:

- (BB) Adult Male;
- (CC) Adult Female;
- (DD) Female Child; and
- (EE) Male Child.

(2) “Injury 2” means maritime voyages of inhumane conditions while restrained -

Title I Section. 2 Supporting Injuries

- Adult male;
- (3) “Injury 3” means maritime voyages of inhumane conditions while restrained - Adult female;
- (4) “Injury 4” means maritime voyages of inhumane conditions while restrained - Male child;
- (5) “Injury 5” means maritime voyages of inhumane conditions while restrained - Female child;
- (6) “Injury 6” means forced separation of family (men) through auction sale or trade by actors - Domestic
- (7) “Injury 7” means forced separation of family (men) through auction sale or trade by actors – International;
- (8) “Injury 8” means forced separation of family (women) through auction sale or trade by actors -Domestic;
- (9) “Injury 9” means forced separation of family (women) through auction sale or trade by actors -International;
- (10) “Injury 10” means forced separation of family (male child) through auction sale or trade by actors -Domestic;
- (11) “Injury 11” means forced separation of family (male child) through auction sale or trade by actors -International;
- (12) “Injury 12” means forced separation of family (female child) through auction sale or trade by actors -Domestic;
- (13) “Injury 13” means forced separation of family (female child) through auction sale or trade by actors International;
- (14) “Injury 14” means at will forced pregnancy of female slave through ownership rights
- (15) “Injury 15” means at will lynching by any citizen of the United States of America seeking to hang and/or castrate any enslaved men, women of children;
- (16) “Injury 16” means at will murder of enslaved men (14 yrs.- 50 yrs. old) by any citizen of the United States of America;
- (17) “Injury 17” means at will murder of enslaved men (14 yrs.- 50 yrs. old) by any citizen of international affiliation;
- (18) “Injury 18” means at will murder of enslaved women (14 yrs.- 50 yrs.) by any citizens of the United States of America;
- (19) “Injury 19” means at will murder of enslaved male children (1 month-13yrs old) by any citizens of the United States of America;
- (20) “Injury 20” means at will murder of enslaved female children (1month-13yrs old) by any citizens of the United States of America;
- (21) “Injury 21” means at will forced sexual acts on slave women by owner staff member(s);
- (22) “Injury 22” means at will forced sexual acts on slave men by owner staff member(s);
- (23) “Injury 23” means at will forced sexual acts on slave male children by owner staff member(s);
- (24) “Injury 24” means at will forced sexual acts on slave female children by owner staff member(s);
- (25) “Injury 25” means at will forced labor without earnings of male child through

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- ownership rights Domestic inside the United States of America Boundaries;
- (26) “Injury 26” means at will forced labor without earnings of male children through ownership; rights of International Immigrants inside the United States of America Boundaries;
- (27) “Injury 27” means at will forced labor without earnings of female children through ownership rights Domestic inside the United States of America Boundaries;
- (28) “Injury 28” means at will forced labor without earnings of female child through ownership rights International Immigrants inside the United States of America Boundaries;
- (29) “Injury 29” means at will forced labor without earnings of adult women through ownership rights of Domestic citizens inside the United States of America Boundaries;
- (30) “Injury 30” means at will forced labor without earnings of adult woman through ownership rights International Immigrants inside the United States of America Boundaries;
- (31) “Injury 31” means at will forced labor without earnings of adult male through ownership rights Domestic with in the United States of America Boundaries;
- (32) “Injury 32” means at will forced labor without earnings of adult men through ownership rights; International Immigrants inside the United States of America Boundaries;
- (33) “Injury 33” means forced childbirth separation of female by actor or with ownership rights;
- (34) “Injury 34” means forced childbirth separation of male by actor with ownership rights;
- (35) “Injury 35” means at will brutal punishment of adult male by owner(s) and of staff members who are Domestic citizens inside the United States of America;
- (36) “Injury 36” means at will brutal punishment of adult male by owner(s) and of staff members International Immigrants thru Maritime Passage;
- (37) “Injury 37” means at will brutal punishment of adult female by owner(s) and of staff members who are Domestic citizens inside the United States of America;
- (38) “Injury 38” means at will brutal punishment of adult female by owner(s) and of staff members of International Immigrants inside the Boundaries of the United States of America;
- (39) “Injury 39” means at will brutal punishment of youth female by owner(s) and of staff members who are Domestic citizens of the United States of America;
- (40) “Injury 40” means at will brutal punishment of youth female by owner(s) and of staff members of International Immigrants residing in the United States of America;
- (41) “Injury 41” means at will brutal punishment of youth male by owner(s) and of staff members who are Domestic citizens of the United States of America;
- (42) “Injury 42” means at will brutal punishment of youth male by owner(s) and of staff members of International Immigrants who resided in the United States of America;
- (43) “Injury 43” means nonpayment of wages for infrastructure development- for adult male slave;

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- (44) “Injury 44” means nonpayment of wages for infrastructure development- for adult female slave;
- (45) “Injury 45” means nonpayment of wages for infrastructure development- for slave youth male;
- (46) “Injury 46” means nonpayment of wages for infrastructure development- for slave youth female;
- (47) “Injury 47” means prohibited to attend grade school as a slave youth male in all the United States of America. and Slave Holding Territories;
- (48) “Injury 48” means prohibited to attend grade school as a slave youth female in all Slave Holding States of the United States of America. and Territories which held slaves;
- (49) “Injury 49” means prohibited to attend college as a slave adult male in all Slave Holding States of the United States of America. and Territories;
- (50) “Injury 50” means prohibited to attend college as a slave adult female in all Slave Holding States of the United States of America. and Territories;
- (51) “Injury 51” means brutal and inhumane punishment of limb separation, vision, tongue, ear for reading as a slave child male in the United States of America. and Territories;
- (52) “Injury 52” means brutal and inhumane punishment of limb separation, vision, tongue, ear for reading as a slave child female inside the Slave Holding States and Territories of the United States of America;
- (53) “Injury 53” means brutal and inhumane punishment of limb separation, vision, tongue, ear for reading as a slave adult male inside the Slave Holding States and Territories of the United States of America;
- (54) “Injury 54” means brutal and inhumane punishment of limb separation, vision, tongue, ear for reading as a slave adult female inside the Slave Holding States and Territories of the United States of America;
- (55) “Injury 55” means brutal and inhumane punishment for writing as a slave child male limb separation, vision, tongue, ear, and whipped inside the Slave Holding States of the United States of America. and Territories;
- (56) “Injury 56” means brutal and inhumane punishment for writing as a slave child female limb separation, vision, tongue, ear, and whipped inside the Slave Holding States and Territories of the United States of America;
- (57) “Injury 57” means brutal and inhumane punishment for writing as a slave adult male limb separation, vision, tongue, ear, and whipped inside the Slave Holding States and Territories of the United States of America;
- (58) “Injury 58” means brutal and inhumane punishment for writing as a slave adult female limb separation, vision, tongue, ear, and whipped inside the Slave Holding States and Territories of the United States of America;
- (59) “Injury 59” means prohibited from writing and reading civil liberties of adult male;
- (60) “Injury 60” means prohibited from writing and reading civil liberties of adult female;
- (61) “Injury 61” means prohibited from writing and reading civil liberties of child male;
- (62) “Injury 62” means prohibited from writing and reading civil liberties of child

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- female;
- (63) “Injury 63” means forced religious affiliations and worship attendance by slave adult male;
- (64) “Injury 64” means forced religious affiliations and worship attendance by slave adult female;
- (65) “Injury 65” means forced religious affiliations and worship attendance by slave child male;
- (66) “Injury 66” means forced religious affiliations and worship attendance by slave child female;
- (67) “Injury 67” means marriage restrictions and at will forced separation of slave adult male and female matrimony by domestic and international or parties who are owners of property;
- (68) “Injury 68” means marriage restrictions of interracial marriage between adult males and adult females;
- (69) “Injury 69” means prohibited to own a business or company (1619-1870) adult male;
- (70) “Injury 70” means prohibited to own a business or company (1619-1870) adult female;
- (71) “Injury 71” means prohibited to buy or own housing and land (1619-1870) adult male;
- (72) “Injury 72” means prohibited to buy or own housing and land (1619-1870) adult female;
- (73) “Injury 73” means prohibited and restricted to compete and win funded municipal, state, and federal contracts (1619-2017) adult male;
- (74) “Injury 74” means prohibited and restricted to compete and win funded municipal, state, and federal contracts (1619-2017) adult female;
- (75) “Injury 75” means at will employment discrimination of slave adult male- Liberated inside all
- (76) “Injury 76” means U.S. States;
- (77) “Injury 77” means at will employment discrimination of slave adult female- Liberated inside all U.S. States;
- (78) “Injury 78” means restricted United States of America. Constitutional Rights of the 1st 2ⁿ, 3rd ,4th and 5th amendment rights from 1776 through present day;
- (79) “Injury 79” means at will medical research and experimenting on slave children male;
- (80) “Injury 80” means at will medical research and experimenting on slave children female;
- (81) “Injury 81” means at will medical research and experimenting on slave adult women;
- (82) “Injury 82” means at will medical research and experiment on slave adult men;
- (83) “Injury 83” means no judicial protections of state law of adult slave male (1619-1880);
- (84) “Injury 84” means no judicial protections of state law of adult slave female (1619-1880);
- (85) “Injury 85” means territory of state law of slave youth male;
- (86) “Injury 86” means territory of state law of slave youth female;

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- (87) “Injury 87” means at will local law enforcement intimidation and unlawful arrest of adult slave male;
- (88) “Injury 88” means at will local law enforcement intimidation and unlawful arrest of adult slave female;
- (89) “Injury 89” means at will local law enforcement intimidation and unlawful arrest of slave youth male;
- (90) “Injury 90” means at will local law enforcement intimidation and unlawful arrest of slave youth female;
- (91) “Injury 91” means restricted federal, local and state courts rights as a plaintiff to claim for injuries as a human being or citizen of the United States of America. Liberated adult male;
- (92) “Injury 92” means restricted federal, local and state courts rights as a plaintiff to claim for injuries as a human being or citizen of the United States of America. Liberated adult female;
- (93) “Injury 93” means restricted federal, local and state courts rights as a plaintiff to claim for injuries as a human being or citizen of the United States of America. Liberated youth male;
- (94) “Injury 94” means restricted federal, local and state courts rights as a plaintiff to claim for injuries as a human being or citizen of the United States of America. Liberated youth female;
- (95) “Injury 95” means nonpayment of earning wages for agriculture development and products (cotton) for adult slave male in the United States of America., Slave Holding States and Territories;
- (96) “Injury 96” means nonpayment of earning wages for agriculture development and products (tobacco) for adult slave male in the United States of America. Slave Holding States and Territories;
- (97) “Injury 97” means nonpayment of earning wages for agriculture development and products (sugar) for adult slave male inside all Slave Holding States and Territories of the United States of America;
- (98) “Injury 98” means nonpayment of earning wages for agriculture development and products (corn) for adult slave male inside all Slave Holding States and Territories of the United States of America;
- (99) “Injury 99” means nonpayment of earning wages for agriculture development and products (cotton) for adult slave female inside all Slave Holding States and Territories of the United States of America;
- (100) “Injury 100” means nonpayment of earning wages for agriculture development and products (cotton) for adult slave female inside all Slave Holding States and Territories of the United States of America;
- (101) “Injury 101” means nonpayment of earning wages for agriculture development and products (tobacco) for adult slave female inside all Slave Holding States and Territories of the United States of America;
- (102) “Injury 102” means nonpayment of earning wages for agriculture development and products(sugar) for adult slave female inside all Slave Holding States and Territories of the United States of America;
- (103) “Injury 103” means nonpayment of earning wages for agriculture development and products (com) for adult slave female inside all Slave Holding States and

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- Territories of the United States of America;
- (104) “Injury 104” means nonpayment of earning wages for agriculture development and products (cotton) for slave youth male inside all Slave Holding States and Territories of the United States of America;
- (105) “Injury 105” means nonpayment of earning wages for agriculture development and products (tobacco) for slave youth male inside all Slave Holding States and Territories of the United States of America;
- (106) “Injury 106” means nonpayment of earning wages for agriculture development and products (sugar) for slave youth male inside all Slave Holding States and Territories of the United States of America;
- (107) “Injury 107” means nonpayment of earning wages for agriculture development and products (com) for slave youth male inside all Slave Holding States and Territories of the United States of America;
- (108) “Injury 108” means nonpayment of earning wages for agriculture development and products (cotton) for slave youth female inside all Slave Holding States and Territories of the United States of America;
- (109) “Injury 109” means nonpayment of earning wages for agriculture development and products (tobacco) for slave youth female inside all Slave Holding States and Territories of the United States of America;
- (110) “Injury 110” means nonpayment of earning wages for agriculture development and products (sugar) for slave youth female inside all Slave Holding States and Territories of the United States of America;
- (111) “Injury 111” means nonpayment of earning wages for agriculture development and products (com) for slave youth female inside all Slave Holding States and Territories of the United States of America;
- (112) “Injury 112” means nonpayment of earning wages for manufacturing and assembly of general non-- military items by adult slave male inside all Slave Holding States and Territories of the United States of America;
- (113) “Injury 113” means nonpayment of earning wages for manufacturing and assembly of general non- military items by adult slave female inside all Slave Holding States and Territories of the United States of America;
- (114) “Injury 114” means nonpayment of earning wages for manufacturing and assembly of general non- military items by slave youth male inside all Slave Holding States and Territories of the United States of America;
- (115) “Injury 115” means nonpayment of earning wages for manufacturing and assembly of general non- military items by slave youth female inside all Slave Holding States and Territories of the United States of America;
- (116) “Injury 116” means nonpayment of earning wages for building construction for churches, hospitals, schools, houses, government offices and nonmilitary buildings by adult slave male;
- (117) “Injury 117” means at will arrest of adult slave male inside all Slave Holding States and Territories of the United States of America;
- (118) “Injury 118” means at will arrest of adult slave female inside all Slave Holding States and Territories of the United States of America;
- (119) “Injury 119” means at will arrest of slave youth male inside all Slave Holding States and Territories of the United States of America;

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- (120) “Injury 120” means at will arrest of slave youth female inside all Slave Holding States and Territories of the United States of America;
- (121) “Injury 121” means 1850 - 1861 (U.S. Marshalls) at will seizures and capture for slave owner(s) property beyond non slavery states of an adult slave male (Fugitive Slave Law);
- (122) “Injury 122” means 1850 - 1861 (U.S. Marshalls) at will seizures and capture for slave owner(s) property beyond non slavery states of an adult slave female (Fugitive Slave Law);
- (123) “Injury 123” means 1850 - 1861 (U.S. Marshalls) at will seizures and capture for slave owner(s) property beyond non slavery states of a child male (Fugitive Slave Law);
- (124) “Injury 124” means 1850 -1861 (U.S. Marshalls) at will seizures and capture for slave owner(s) property beyond non slavery states of a child female (Fugitive Slave Law);
- (125) “Injury 125” means insurance causality coverage by Domestic and International identity protection for enslaved adult male paid by slave owner(s);
- (126) “Injury 126” means insurance causality coverage by Domestic and International identity protection for enslaved adult female paid by slave owner(s);
- (127) “Injury 127” means insurance causality coverage by Domestic and International identity protection for enslaved child male paid by slave owner(s);
- (128) “Injury 128” means insurance causality coverage by Domestic and International identity protection for enslaved child female paid by slave owner(s);
- (129) “Injury 129” means at will negative characterization and personal undermining of slave adult male by common citizens of United States of America;
- (130) “Injury 130” means at will negative characterization and personal undermining of slave adult female by common citizens of United States of America;
- (131) “Injury 131” means at will negative characterization and personal undermining of slave child male by common citizens of United States of America;
- (132) “Injury 132” means at will negative characterization and personal undermining of slave child female by common citizens of United States of America;
- (133) “Injury 133” means at will negative press characterization and public undermining in written text by newspaper journalism of slave adult male;
- (134) “Injury 134” means at will negative press characterization and public undermining in written text by newspaper journalism of slave adult female;
- (135) “Injury 135” means at will negative press characterization and public undermining in written text by newspaper journalism of slave child male;
- (136) “Injury 136” means at will negative press characterization and public undermining in written text by newspaper journalism of slave child female;
- (137) “Injury 137” means at will military service participation of adult male slave without benefits of servicing during peace time through orders of slave owner(s) or state militia request;
- (138) “Injury 138” means at will military service participation of adult male slave without benefits of servicing during war campaign through orders of slave owner(s) or state militia request;
- (139) “Injury 139” means at will military service participation of adult female slave without benefits of servicing during peace time through orders of slave owner(s)

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- or state militia request;
- (140) “Injury 140” means at will military service participation of adult female slave without benefits of servicing during war campaign through order of slave owner(s) or state militia request;
- (141) “Injury 141” means at will military service participation of slave youth without benefits of servicing during peace time through orders of slave owner(s) or state militia request;
- (142) “Injury 142” means prohibited to practice and represent as a lawyer and officer of the legal system of local state and federal judicial law enforcement court as a liberated person as an adult male;
- (143) “Injury 143” means prohibited to practice and represent as a lawyer and officer of the legal system of local, state and federal judicial law enforcement court as a the legal system of local as liberated person as an adult female;
- (144) “Injury 144” means restricted and prohibited to practice medical treatment and obtain medical physician credentials as a liberated slave adult male;
- (145) “Injury 145” means restricted and prohibited to practice medical treatment and obtain medical physician credentials as a liberated slave adult female;
- (146) “Injury 146” means religious faith base organization ownership through labor trading of adult male Slaves inside all Slave Holding States and Territories of the United States of America;
- (147) “Injury 147” means religious faith base organization ownership through labor trading of adult female Slaves inside all Slave Holding States and Territories of the United States of America;
- (148) “Injury 148” means religious faith base organization ownership through labor trading of male child Slaves inside all Slave Holding States and Territories of the United States of America;
- (149) “Injury 149” means religious faith base organization ownership through labor trading of female child Slaves inside all Slave Holding States and Territories of the United States of America;
- (150) “Injury 150” means president of the United States of America (1700-1865) owner of adult slave male(s);
- (151) “Injury 151” means president of the United States of America (1700-1865) owner of adult slave female(s);
- (152) “Injury 152” means president of the United States of America (1700-1865) owner of male slave child.
- (153) “Injury 153” means president of the United States of America (1700-1865) owner of female slave child;
- (154) “Injury 154” means elected state official (1619-1865) Governor of the United States of America and Territories owner(s) of adult slave male(s);
- (155) “Injury 155” means elected state official (1619-1865) Senator of the United States of America and Territories owner(s) of adult slave male(s);
- (156) “Injury 156” means elected state official (1619-1865) Congress of the United States of America and Territories owner(s) of adult slave male(s);
- (157) “Injury 157” means elected states official (1619-1865) Judge of the United States of America and Territories owner(s) of adult slave male(s);
- (158) “Injury 158” means elected states official (1619-1865) Governor of the United

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- States of America and Territories owner(s) of adult slave female(s);
- (159) “Injury 159” means elected states official (1619-1865) Senator of the United States of America and Territories owner(s) of adult slave female(s);
- (160) “Injury 160” means elected states official (1619-1865) Congress of the United States of America and Territories owner(s) of adult slave female(s);
- (161) “Injury 161” means elected states official (1619-1865) Judge of the United States of America and Territories owner(s) of adult slave female(s);
- (162) “Injury 162” means elected states official (1619-1865) Governor of the United States of America and Territories owner(s) of female child slave(s);
- (163) “Injury 163” means elected states official (1619-1865) Senator of the United States of America and Territories owner(s) of female child slave(s);
- (164) “Injury 164” means elected states official (1619-1865) Congress of the United States of America and Territories owner(s) of female child slave(s);
- (165) “Injury 165” means elected states official (1619-1865) Judge of the United States of America and Territories owner(s) of female child slave(s);
- (166) “Injury 166” means elected states official (1619-1865) Governor of the United States of America and Territories owner(s) of male child slave(s);
- (167) “Injury 167” means elected states official (1619-1865) Senator of the United States of America and Territories owner(s) of male child slave(s);
- (168) “Injury 168” means elected states official (1619-1865) Congress of the United States of America and Territories owner(s) of male child slave(s);
- (169) “Injury 169” means elected states official (1619-1865) Judge of the United States of America and Territories owner(s) of male child slave(s);
- (170) “Injury 170” means elected local government officials (1619-1870 Mayor, County Township, Parish Executive, Sheriff, Representatives, etc.) owner(s) of adult male slave(s);
- (171) “Injury 171” means elected local government officials (1619-1870 Mayor, County Township, Parish Executive, Sheriff, Representatives, etc.) owner(s) of adult female slave(s);
- (172) “Injury 172” means elected local government officials (1619-1870 Mayor, County Township, Parish Executive, Sheriff, Representatives, etc.) owner(s) of male child slave(s);
- (173) “Injury 173” means elected local government officials (1619-1870 Mayor, County Township, Parish Executive, Sheriff, Representatives, etc.) owner(s) of female child slave(s)
- (174) “Injury 174” means secret organized criminal terrorist assembly of rogue U.S. citizens of at will mental and physical torture of male adult slave(s) or liberated citizen(s) of the United States of America;
- (175) “Injury 175” means secret organized criminal terrorist assembly of rogue United States of America citizens of at will mental and physical torture of female adult slave(s) or liberated citizen(s) of the United States of America;
- (176) “Injury 176” means secret organized criminal terrorist assembly of rogue United States of America citizens of at will mental and physical torture of male child slave(s) or liberated citizen(s) of the United States of America;
- (177) “Injury 177” means secret organized criminal terrorist assembly of rogue United States of America citizens of at will mental and physical torture of female child

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- slave(s) or liberated citizen(s) of the United States of America;
- (178) “Injury 178” means secret organized criminal terrorist assembly of rogue United States of America citizens of kidnapping of male adult slave(s) or liberated citizen(s) of the United States of America;
- (179) “Injury 179” means secret organized criminal terrorist assembly of the United States of America citizens of kidnapping of female adult slave(s) or liberated citizen(s) of the United States of America;
- (180) “Injury 180” means secret organized criminal terrorist assembly of rogue the United States of America citizens of kidnapping of male child slave(s) or liberated citizen(s) of the United States of America;
- (181) “Injury 181” means secret organized criminal terrorist assembly of rogue United States of America citizens of kidnapping of female child slave(s) or liberated citizen(s) of the United States of America;
- (182) “Injury 182” means secret organized criminal terrorist assembly of rogue United States of America citizens who committed at will murder (1865-1968), through hanging, gun shot, knife penetration, drowning, strangulation, horse dragging, etc. of adult male slave inside the United States of America or Territories;
- (183) “Injury 183” means secret organized criminal terrorist assembly of rogue United States of America citizens who committed at will murder (1865-1968), through hanging, gun shot, knife penetration, drowning, strangulation, horse dragging, etc. of adult male slave liberated resident inside the United States of America or Territories;
- (184) “Injury 184” means secret organized criminal terrorist assembly of rogue United States of America citizens who committed at will murder (1865-1968), through hanging, gun shot, knife penetration, drowning, strangulation, horse dragging, etc. of adult female slave inside the United States of America. or Territories;
- (185) “Injury 185” means secret organized criminal terrorist assembly of rogue United States of America citizens who committed at will murder (1865-1968), through hanging, gun shot, knife penetration, drowning, strangulation, horse dragging, etc. of adult female liberated resident inside the United States of America. or Territories;
- (186) “Injury 186” means secret organized criminal terrorist assembly of rogue United States of America citizens who committed at will murder (1865-1968), through hanging, gun shot, knife penetration, drowning, strangulation, horse dragging, etc. of child male slave inside the United States of America or Territories;
- (187) “Injury 187” means secret organized criminal terrorist assembly of rogue United States of America citizens who committed at will murder (1865-1968), through hanging, gun shot, knife penetration, drowning, strangulation, horse dragging, etc. of child male slave liberated resident inside the United States of America or Territories;
- (188) “Injury 188” means secret organized criminal terrorist assembly of rogue United States of America citizens who committed at will murder (1865-1968), through hanging, gun shot, knife penetration, drowning, strangulation, horse dragging, etc. of child female slave inside U.S. States or Territories;
- (189) “Injury 189” means secret organized criminal terrorist assembly of rogue United States of America citizens who committed at will murder (1865-1968), through

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- hanging, gun shot, knife penetration, drowning, strangulation, horse dragging, etc. of child female slave liberated resident inside the United States of America or Territories;
- (190) “Injury 190” means secret organized criminal terrorist assembly of rogue United States of America. citizens who committed and participated in at will rape (1864-1968) of an adult female slave inside the United States of America or Territories;
- (191) “Injury 191” means secret organized criminal terrorist assembly of rogue United States of America citizens who committed and participated in at will rape (1864-1968) of an adult female slave liberated resident;
- (192) “Injury 192” means secret organized criminal terrorist assembly of rogue United States of America citizens who committed and participated in at will rape (1864-1968) of a child female slave;
- (193) “Injury 193” means secret organized criminal terrorist assembly of rogue United States of America citizens who committed and participated in at will rape (1864-1968) of a child female slave liberated resident;
- (194) “Injury 194” means secret organized criminal terrorist assembly of rogue United States of America citizens who forced unpaid (1865-1970) labor work farms, camps, etc. of adult male slaves;
- (195) “Injury 195” means secret organized criminal terrorist assembly of rogue United States of America citizens who forced unpaid (1865-1970) labor work farms, camps, etc. of adult male slaves liberated residents;
- (196) “Injury 196” means secret organized criminal terrorist assembly of rogue United States of America citizens who forced unpaid (1865-1970) labor work farms, camps, etc. of adult female slaves;
- (197) “Injury 197” means secret organized criminal terrorist assembly of rogue United States of America citizens who forced unpaid (1865-1970) labor work farms, camps, etc. of adult female slaves liberated resident;
- (198) “Injury 198” means secret organized criminal terrorist assembly of rogue United States of America citizens who forced unpaid (1865-1970) labor work farms, camps, etc. of male child slaves;
- (199) “Injury 199” means secret organized criminal terrorist assembly of rogue United States of America citizens who forced unpaid (1865-1970) labor work farms, camps, etc. of male child slave liberated resident;
- (200) “Injury 200” means secret organized criminal terrorist assembly of rogue United States of America citizens who forced unpaid (1865-1970) labor work farms, camps, etc. of child female slaves inside the United States of America;
- (201) “Injury 201” means secret organized criminal terrorist assembly of rogue United States of America citizens who forced unpaid (1865-1970) labor work farms, camps, etc. of child female slaves liberated resident inside United States of America Boundaries;
- (202) “Injury 202” means Vice President of the United States of America (1700-1870) owner of adult male slave(s);
- (203) “Injury 203” means Vice President of the United States of America (1700-1870) owner of adult female slave(s);
- (204) “Injury 204” means Vice President of the United States of America (1700-1870) owner of child male slave(s);

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- (205) “Injury 205” means Vice President of the United States of America (1700-1870) owner of child female slave(s);
- (206) “Injury 206” means Appointed United States of America Government agency secretary or cabinet officers (1700-1870) owner of adult male slave(s);
- (207) “Injury 207” means Appointed United States of America Government agency secretary or cabinet officers (1700-1870) owner of adult female slave(s);
- (208) “Injury 208” means Appointed United States of America Government agency secretary or cabinet officers (1700-1870) Owner of child male slave(s);
- (209) “Injury 209” means Appointed United States of America Government agency secretary or cabinet officers (1700-1870) owner of child female slave(s);
- (210) “Injury 210” means Prohibited and restricted United States of America Constitutional rights and liberties of freedom of speech as a liberated adult male;
- (211) “Injury 211” means Prohibited and restricted United States of America Constitutional rights and liberties of freedom of speech as a liberated adult female;
- (212) “Injury 212” means Prohibited and restricted United States of America Constitutional rights and liberties of freedom of speech as a liberated male child;
- (213) “Injury 213” means Prohibited and restricted United States of America Constitutional rights and liberties of freedom of speech as a liberated female child;
- (214) “Injury 214” means Political and elected voting party known as Democrat, controlled by United States of America citizens who were pro slavery and against the liberation of adult males of African or Haitian decent;
- (215) “Injury 215” means Political and elected voting party known as Democrat, controlled by United States of America. citizens who were pro slavery and against the liberation of adult females of African or Haitian decent;
- (216) “Injury 216” means Political and elected voting party known as Democrat, controlled by United States of America citizens who were pro slavery and against the liberation of female children of African or Haitian decent;
- (217) “Injury 217” means Political and elected voting party known as Democrat, controlled by United States of America citizens who were pro slavery and against the liberation of male children of African or Haitian decent;
- (218) “Injury 218” means Prohibited voter participation inside the elected structure of the United States of America (1619-1965) as adult male of African or Haitian decent;
- (219) “Injury 219” means Prohibited voter participation inside the elected structure of the United States of America (1619-1965) as adult female of African or Haitian decent;
- (220) “Injury 220” means Restricted voting participation of the United States of America elected system nationwide as an adult male liberated United States of America citizen of African or Haitian decent;
- (221) “Injury 221” means Restricted voting participation of the United States of America elected system nationwide as an adult female liberated United States of America citizen of African or Haitian decent;
- (222) “Injury 222” means at will gentile castration (1619-1969) of male youth slaves or liberated citizen of the United States of America by Domestic or Immigrant owner(s) and parties inside U.S. Territories and States;
- (223) “Injury 223” means at will gentile castration (1619-1969) of adult males or

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- liberated citizens of the United States of America by Domestic or Immigrant owner(s) and parties inside U.S. Territories and States;
- (224) “Injury 224” means at will housing discrimination (1880-2000) and neighborhood residence to purchase unit to reside as a liberated adult female;
- (225) “Injury 225” means at will housing discrimination (1880-2000) and neighborhood residence to purchase unit to reside as a liberated adult male;
- (226) “Injury 226” means at will deceptive mortgage protection insurance policy practices (1900-2010) of home ownership of liberated adult male policy holder who is single, married, veteran etc.;
- (227) “Injury 227” means at will deceptive mortgage protection insurance policy practices (1900-2010) of home ownership of liberated adult female policy holder who is single, married, veteran etc.;
- (228) “Injury 228” means at will deceptive life insurance policy (1880-2010) payments by liberated adult male;
- (229) “Injury 229” means at will deceptive life insurance policy (1880-2010) payments by liberated adult female;
- (230) “Injury 230” means at will deceptive automotive insurance policy and protection (1920-2010) or insured driver by liberated adult male;
- (231) “Injury 231” means at will deceptive automotive insurance policy and protection (1920-2010) or insured driver by liberated adult female;
- (232) “Injury 232” means restricted purchasing rights to own Radio AM station signal as liberated adult male;
- (233) “Injury 233” means restricted purchasing rights to own Radio AM station signal as liberated adult female;
- (234) “Injury 234” means restricted purchasing rights to own Radio FM station signal as liberated adult male;
- (235) “Injury 235” means restricted purchasing rights to own Radio FM station signal as liberated adult female;
- (236) “Injury 236” means at will employment discrimination of liberated adult male of government, local government, and private corporation;
- (237) “Injury 237” means at will employment discrimination of liberated adult female of government, local government, and private corporation;
- (238) “Injury 238” means at will eviction of rental apartment unit or house with discrimination legal process as an adult male;
- (239) “Injury 239” means at will eviction of rental apartment unit or house with discrimination legal process as an adult female;
- (240) “Injury 240” means contract discrimination and restrictions of participation in government projects to owner of private company who is liberated descendant adult male;
- (241) “Injury 241” means contract discrimination and restrictions of participation in government projects to owner of private company who is liberated descendant adult female
- (242) “Injury 242” means contract discrimination and restriction (1972-2017) of local municipal government infrastructure projects to owner of company who is liberated descendant adult male;
- (243) “Injury 243” means contract discrimination and restriction (1972-2017) of local

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- municipal government infrastructure projects to owner of company who is liberated descendant adult female;
- (244) “Injury 244” means payment discrimination for services or illegal contract and service termination (1880-2017) by prime contractor, government, or private contractor of company to owner who is a liberated descendant adult male;
- (245) “Injury 245” means payment discrimination for services or illegal contract and service termination (1880-2017) by prime contractor, government, or private contractor of company to owner as liberated descendant adult female;
- (246) “Injury 246” means failure to have a Presidential candidate to serve the Republic of the United States of America as a United States of America born liberated descendant adult female;
- (247) “Injury 247” means failure to have a Vice Presidential candidate to serve the Republic of the United States of America as a United States of America born liberated descendant adult male;
- (248) “Injury 248” means failure to have a Vice Presidential candidate to serve the Republic of the United States of America as a United States of America born liberated descendant adult female;
- (249) “Injury 249” means failure to have a State Governor as liberated descendant adult male or female of the following states which allowing slavery such as:
- (FF) Louisiana;
 - (GG) Mississippi;
 - (HH) Alabama;
 - (II) Texas;
 - (JJ) Arkansas;
 - (KK) Tennessee;
 - (LL) Missouri;
 - (MM) Maryland;
 - (NN) Florida;
 - (OO) Rhode Island;
 - (PP) Georgia;
 - (QQ) South Carolina;
 - (RR) North Carolina;
 - (SS) New York;
 - (TT) Kansas;
 - (UU) Kentucky;
 - (VV) Delaware;
 - (WW) Pennsylvania and
 - (XX) West Virginia.
- (250) “Injury 250” means prohibited and restricted from participating as a licensed medical physician surgeon as a United States of America born liberated adult male citizen;
- (251) “Injury 251” means prohibited and restricted from participating as a licensed medical physician surgeon as a United States of America born liberated adult female citizen;
- (252) “Injury 252” means restricted from licensing and operating a commercial passenger bus as a United States of America born liberated adult male;

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- (253) “Injury 253” means restricted from licensing and operating a commercial passenger bus as a United States of America born liberated adult female;
- (254) “Injury 254” means prohibited and restricted from having a sexual relationship with a Caucasian woman as a United States of America. born liberated adult male;
- (255) “Injury 255” means prohibited and restricted from any visual contact with a U.S. European woman as a United States of America born liberated adult male;
- (256) “Injury 256” means prohibited and restricted from owning a United States of America transportation service provider airline company as a liberated adult male;
- (257) “Injury 257” means prohibited and restricted from owning a United States of America transportation service provider airline company as a United States of America born liberated adult female;
- (258) “Injury 258” means prohibited and restricted from owning a United States of America transportation service provider-rail transfer company as a United States of America born liberated adult male;
- (259) “Injury 259” means prohibited and restricted from owning a United States of America transportation service provider-rail transfer company as a United States of America born liberated adult female.
- (260) “Injury 260” means prohibited and restricted from owning a United States of America transportation service provider- maritime transfer company (Domestic or International) as a United States of America born liberated adult male;
- (261) “Injury 261” means prohibited and restricted from owning a United States of America transportation service provider- maritime transfer company (Domestic or International) as a United States of America born liberated adult female;
- (262) “Injury 262” means prohibited and restricted from manufacturing and assembly of automobile vehicles as a liberated United States of America born adult male;
- (263) “Injury 263” means prohibited and restricted from manufacturing and assembly of automobile vehicles as a liberated United States of America born adult female;
- (264) “Injury 264” means prohibited from textile processing and manufacturing of goods for clothing by a liberated United States of America born adult male;
- (265) “Injury 265” means prohibited from textile processing and manufacturing of goods for clothing by a liberated United States of America born adult female;
- (266) “Injury 266” means prohibited and restricted from processing petrol chemical products as a liberated United States of America born adult male;
- (267) “Injury 267” means prohibited and restricted from processing petrol chemical products as a liberated United States of America born adult female;
- (268) “Injury 268” means name of slave owner, or person that profited, participated, aided or abetted slavery used as name of Public Elementary School where a male youth student attends;
- (269) “Injury 269” means name of slave owner, or person that profited, participated, aided or abetted slavery used as name of Public Elementary School where a female youth student attends;
- (270) “Injury 270” means name of slave owner, or person that profited, participated, aided or abetted slavery used as name of Public Junior High School or Middle School where a male youth student attends;
- (271) “Injury 271” means name of slave owner, or person that profited, participated, aided or abetted slavery used as name of Public Junior High School or Middle

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- School where a female youth student attends;
- (272) “Injury 272” means name of slave owner, or person that profited, participated, aided or abetted slavery used as name of Public Senior High School where a male student attends;
- (273) “Injury 273” means name of slave owner, or person that profited, participated, aided or abetted slavery used as name of Public Senior High School where a female student attends;
- (274) “Injury 274” means name of public street of confederate officer, soldier or sailor within visual impact;
- (275) “Injury 275” means name of public highway of slave owner, or person that profited, participated, aided or abetted slavery with visual impact;
- (276) “Injury 276” means name of public avenue of slave owner, or person that profited, participated, aided or abetted slavery with visual impact;
- (277) “Injury 277” means name of public boulevard of confederate officer, soldier, sailor, or person that profited, participated, aided or abetted slavery with visual impact;
- (278) “Injury 278” means name of private road or public road after a Confederate politician, or person that profited, participated, aided or abetted slavery with visual impact;
- (279) “Injury 279” means name of public building after a Confederate politician, or person that profited, participated, aided or abetted slavery with visual impact;
- (280) “Injury 280” means name of university after a Confederate trader, terrorist and person that profited, participated, aided or abetted slavery with visual impact;
- (281) “Injury 281” means name of buildings at university after a slave owner, or person that profited, participated, aided or abetted slavery with visual impact;
- (282) “Injury 282” means name of plaza at university or college after a slave owner, or person that profited, participated, aided or abetted slavery with visual impact;
- (283) “Injury 283” means name of plaza at university or college after a Confederate officer, soldier, sailor, or person that profited, participated, aided or abetted slavery with visual impact;
- (284) “Injury 284” means name of university or college mascot after a Confederate alternate name, or person that profited, participated, aided or abetted slavery with visual impact;
- (285) “Injury 285” means state plaza name after Confederate politician, or person that profited, participated, aided or abetted slavery with visual impact;
- (286) “Injury 286” means Monument of Confederate soldier, politician officer, sailor or person that profited, participated, aided or abetted slavery at public view at local, or Federal grounds with visual impact;
- (287) “Injury 287” means disturbing emotional visual impact of Confederate flag to a liberated descendant female adult;
- (288) “Injury 288” means disturbing emotional visual impact of Confederate flag to a liberated descendant male adult;
- (289) “Injury 289” means disturbing emotional visual impact of Confederate flag to a liberated descendant female child; and
- (290) “Injury 290” means disturbing emotional visual impact of Confederate flag to a liberated descendant male child;

Title I Section. 3. Eligible Recipients

Title I Section. 3. Eligible Recipients.

(a) Be it known eligible recipients of this initiative act must be qualified under the following user categories primary users 3 categories of settlement resolutions for the *United States Adjustment and Recovery Act/or the District of Columbia* (USARADC) from here on as noted in this section. **Purpose of Section 3** is to establish primary users of USARADC.

(b) User Category 1 (100% user allowance of settlement)

Descendants of enslaved Americans who are classified as negro, colored, black, mulatto, African American, Afro American, Afro-descendant, as per U.S. census or local race classification of lineage, or ancestry origin of slavery inside the United States of America from 1500 thru 1880 of territories, colonies, states and federal districts where slavery existed, regulated transfer, approved, started and allowed for any reason or period of time.

(c) Mandatory DNA test for applicants seeking injury settlement(s). Applicant must be 35% or more African bloodline, with special conditions of a minimum of 25% DNA African bloodline cut off as a Category 1 User for USARADC. Individual must be a resident and registered voter of the District of Columbia, with 2 years minimum residency.

(d) User Category 2 (50% user allowance of settlement)

Descendants of West Indian or Caribbean Afro-descendant individuals who are U.S. citizens and reside in the District of Columbia a minimum of 5 years, as a permanent resident and registered voter of the District of Columbia. Mandatory DNA qualifications require 35% African bloodline lineage with ancestry to enslavement in country of origin, which has participated or benefited in enslaving human beings thru the North American Slave Trade or Transatlantic Slave Trade, or transfer by logistical trade post, auction, drop-off point and forced pregnancy (aka rape) or women or children. Qualifying West Indian or Caribbean countries of individual Category 2 Users such as Haiti, Bermuda, Bahamas, Jamaica, Trinidad & Tobago, Barbados, British Virgin Islands, St. Kitts, St. Nevis, Grenada, Dominican Republic, Guyana, Suriname Martinique, Aruba, St. Lucia, Antigua, Dominica Caribbean Netherlands, Grenada and St. Vincent.

(e) User Category 3 (30% user allowance of settlement)

Descendants of non-enslaved individuals whose ancestors of U.S. Civil War & federal service members of the Republic for the United States of America, with proof of U.S. Department of Defense or War honorable discharge of service to the United States of America.

Qualified individual user of this category must be a U.S. citizen and reside in the District of Columbia a minimum of 5 years and is a registered voter of the District of Columbia. DNA test must be paid by applicant who is seeking a claim for restitution or benefits. DNA lab must be a certified company that specializes eligible individual.

(f) Users of categories 1 and 2 must hire a certified DNA test company with geographical location capabilities that can identify point of ancestry arrival origin inside the U.S. or international lineage of transfer to the U.S. with date description and percentage factor of ethnic group. Test for eligibility will be paid by individual applicant seeking relief of the Transatlantic Slave Trade or North American Slave Trade. Minimum age requirement is 18 years old or the completion of high school, non-parental.

(g) Recipients and offspring of categories 1, 2 and 3 shall enjoy inalienable rights of this initiative Act known as the *United States Adjustment and Recovery Act for the District of Columbia*, which shall be enforced for a period of 251 years from the time of public majority voter acceptance.

Title I Section. 4. Special Provisions of Eligibility Requirements

Title I Section. 4. Special Provisions of Eligibility Requirements.

(a) Purpose of Section 4 shall identify ineligible recipients of Categories 1 and 2 who do not meet standard DNA percentage requirements to participate or request benefits or financial relief and identifies spousal relationship guidelines of use of benefits by marriage, or offspring of marriage or non-marriage relationship.

(b) Section 11 shall identify minimum DNA percentage of African ancestry, which is **25%** African DNA, for eligibility of use of benefits and financial restitution on the 35% of all use of benefits and financial relief for the injury of slavery in the United States of America and the Transatlantic Slave Trade, by way of the District of Columbia, a federal territory.

(d) Special provisions of Categories 1, 2 and 3 shall meet the following conditions for eligibility to receive benefits or financial restitution according to the following standards:

(1) **25% DNA of African ancestry** and U.S. citizen residing in the District of Columbia for 5 years or more.

(2) 1 or more family members residing inside or outside of the District of Columbia who has the DNA percentage of 50% or more of African ancestry

(3) New census form application acknowledgement of heritage as Afro-American, and is a U.S. citizen(s)

(e) Marriage requirements of this serve as special provision to individuals legally married to any Category 1 or 2 User, for the rights of use of benefits.

Non-eligible spouses can be of any ethnic group, domestic or international, for use of benefits in any category of 1 or 2 Users while marriage is fully granted, as without a sanctioned separation or divorce of marriage by District of Columbia Superior Court.

(f) Non-eligible spouse who seeks a divorce from Categories 1 and 2 is entitled to community property of benefit section such as housing if home has been purchased during marriage. Financial restitution is only awarded one time upon request by eligible users over 55 years old and cannot be transferred to non-eligible spouse if received by eligible users of Categories 1, 2 and 3, other than a living will of benefits to receive non-eligible spouse or offspring who do not have the DNA percentage to qualify for benefits.

(g) Relationship, Common Law Relationship (aka partner)

The partner, non-eligible relationship, common law relationship or partner of User Categories 1, 2 and 3 can use partial benefits of relationship categories:

(1) Parental Non-Married

(2) Same Sex Partner

(3) Common Law Relationship with Children

(4) Common Law without Children

(h) Eligible users of Categories 1, 2 and 3 with requirements of the following conditions of relationship to apply for use of:

(1) Education - college education or trade and vocational school for offspring of live-in non-spouse, not to exceed 3 times of use

(2) Housing - restricted from offsite ownership, partner must live with User Categories 1, 2 and 3 with I-time use

(3) Credit - restricted for use to live in relationships twice only

(4) Financial Settlement - restricted to eligible users of Categories 1, 2 and 3, can only will settlement once to any category of partners

(c) Use of non-eligible spouse access shall be terminated after the following reasons:

Title I Section. 4. Special Provisions of Eligibility Requirements

- (1) Divorce (maximum of 3 times)
- (2) Death of Category I, 2 or 3 User
- (3) Murder of eligible spouse of Category I, 2 and 3 Users; offspring is over age

18.

(d) Use of non-eligible partners access be terminated for the following reasons:

- (1) Partners moving from Category User's residence for 90-day period
- (2) Partner with offspring by Category 1, 2, and 3 Users shall join military
- (3) Partners murder Category I, 2 and 3 Users for any reason.
- (4) Partner with offspring leaves residence for college or attends college at age

18.

(e) This **Section 4** of the USARADC shall be in effect for 251 years after voted on by public will or special privatization of a United States Corporation in the District of Columbia as a federal district, territory, state or county formed by a state.

Title I Section. 5. Responsible Payers.

In general:

(a) Responsible Payers include organizations and corporations that participated thru criminal violations, civil infractions, inhumane injuries thru ownership rights, rental of humans, or profited from labor, to include but not limited to manufacturing or services, as : domestic care or cooking of digestible food products for slave owner(s), resident guests farming, and agriculture products not limited to beef, poultry, pork, seafood, com, sugar, potatoes, tobacco, fruit, wheat, barley, vegetables of any kind and share cropping of any farming agreements, domestic labor of any kind at residence or non-residence, construction of buildings and infrastructures, hospital labor, caring of slave owners, auctioning, selling and trading of slaves, requiring cooking of food for a single slave owner or groups of people in attendance of catering events.

(b) Slave owner families and their estates.

Slave owner families are those listed as slave owners, or slave holder in U.S. Slavery Schedules from 1800 to 1862, by the U.S Census. and their descendants. and as businesses that are still in operation or funds from those businesses in operation using or owning slaves from 1800 to 1862 that were used to create new or associated businesses or increase the wealth of descendants of slave owners and;

(c) Businesses that owned or used slave labor

Business that owned or used slave labor include but are not limited to those listed in U.S. Slavery Schedules from 1800 to 1862, by the U.S Census, Ancestry.com and other databases. These businesses, and businesses created from them or affiliated that are still in operation or funds from those businesses in operation using or owning slaves from 1800 to 1862 that were used to create new or associated businesses or increase the wealth of descendants of slave owners are Responsible Payers.

Industries included, but not limited to are:

- (1) Agriculture industries and products- beef, poultry, pork, corn, sugar, tobacco, wheat, barley;
- (2) Air circulation or fan industries;
- (3) Baked goods bread, raw material- flour, wheat, pastries;
- (4) Boot and shoe industries;
- (5) Building products - concrete, raw materials- sand, stone, gravel, timber and brick used in housing, buildings, court houses, hospitals, schools, universities, multi-family housing, restaurants, government buildings, military forts, local government buildings, churches, universities, colleges;
 - (A) Chains and shackles industries;
 - (B) Chartered political parties of the United States- Democratic;
 - (C) Clay eatery units - pots, bowls, plates;
 - (D) Clothing industries;
 - (E) Distributors of retail goods;
 - (F) Furniture and millwright industries; and
 - (G) Infrastructure construction.
 - (H) Insurance and casualty companies (domestic ownership):
 - (I) Iron eatery units - skillets, pots;
 - (J) Iron and steel industries: railroad tracks;
 - (K) Municipal contractors;
 - (L) Raw materials production - mining, stone classification, iron or

cotton;

(M) Sugar, tobacco, wheat and other crops;

(N) Stone products – for academic institutions, military compounds, roads, residential housing, government offices, local government offices, monuments, churches, universities, colleges;

(O) Textile - blankets, sheets, drapes;

(P) Textile and clothing - personal, military;

(Q) Tobacco industry;

(R) Transportation - wheel assembly, building wagon coaches, railroad train system, parts assembly and repair;

(S) Uniform industries of military garments; and

(T) Wood products - residential housing, furniture architect interior finish, hardwood flooring, farm buildings (barns, stables, etc.), hospitals, schools, warehouse lumber mill production of timber sizes.

(d) Business or professional associations of industries, included but not limited to, that used slave labor:

(1) Beef industry associations;

(2) Brick materials and products associations;

(3) Catering associations (food and beverage);

(4) Commercial building associations;

(5) Concrete products associations;

(6) Drinking alcohol associations (rum, whiskey, beer);

(7) Food Industry associations;

(8) Furniture makers associations;

(9) Home Builder Associations of America;

(10) Home building industries associations;

(11) Restaurants associations of the District of Columbia;

(12) Road builders' associations;

(13) Sand and gravel industry associations; and

(14) Tobacco industry associations.

(e) Businesses trading and selling slaves

(15) Auctioneers;

(16) Domestic trans-Atlantic traders; and

(17) International maritime transfer and trading companies.

(f) Businesses transporting slaves

(g) Businesses providing insurance and insurance loss or casualty policies to parties, trading, selling, using enslaved humans, or transporting enslaved humans as cargo domestically or internationally to North America from 1619-1870.

(18) Financial surety payment guarantee companies (domestic ownership);

(19) Financial surety payment guarantee companies (international ownership);and

(20) Insurance and causality companies (international ownership).

(h) Insurance Companies in the following countries that participated in slavery or profited from slavery by insurance policies or other means:

(21) Accia (P);

(22) Angola;

(23) Assinie;

(24) Axim;

(25) Benguela;

(26) Cango;

- (27) Cape Coast;
- (28) Christiansburg (C);
- (29) Côte d'Ivoire (Ivory Coast);
- (30) Dakar, - St. Louis, Ft. James;
- (31) Dixcove;
- (32) Elmina;
- (33) France;
- (34) Gold Coast;
- (35) Grain Coast;
- (36) Great Britain;
- (37) Koimantin (C);
- (38) Loango;
- (39) Luanda;
- (40) Madagascar;
- (41) Mozambique;
- (42) Netherlands;
- (43) Portugal;
- (44) Senegal – Cacheu, Bissau;
- (45) Sierra Leone – Freetown, Sherbro;
- (46) Slave Coast;
- (47) Spain;
- (48) Upper Guinea; and
- (49) Zanzibar.

(i) Educational Institutions

All colleges and universities that used or profited from the enslaved, primarily located in slave holding states and territories of United States of America.

(j) Faith based organizations

(50) International Religious and Faith Base Organizations and Domestic, United States of America, Religious and Faith Base Organizations.

(51) Religious dominations will be given a choice to disclose participation in slavery injury by sealed notice, not to be disclosed, or unsealed notice to delivered to the Washington, DC office of USCRIA, Inc.

(52) All faith based organizations, religious groups, institutions or committees located within the boundaries of the United States of America or Territories of the United States of America, who participated in the Slavery System from 1619-1860 by way of domestic ownership or international transfer, and sanctioned approval of their participation in the Slavery System by having domestic staff, servants, trade and craftsmen or workers in churches, worship structures and facilities and businesses they owned or operated, including but not limited to:

- (A) Academic institutions, (college or university);
 - (B) Hospitals;
 - (C) Housing buildings (singular or multi limits);
 - (D) Furniture production;
 - (E) Agriculture products;
 - (F) Farming;
 - (G) Fisheries;
 - (H) Production or transporting building materials; and
 - (I) Medical experimental research (using enslaved humans as subjects or researchers).
- (53) Wherever the faith based group or religious orders have known headquarters to

present day, the headquarters are the Responsible Payers.

(54) Faith based groups will be given a period of 60 days after enactment of the Adjustment and Recovery Act of DC to disclose the number of slaves held, trade, sold, labored as domestic workers skilled or unskilled, worked during ceremonial or non-ceremonial events.

(55) Penalties for failure to disclose will be automatic liens and seizure of all real property, bank accounts of cash, vehicles, financial certificates, gold, silver, platinum, diamonds or anything of value also to include the faith based international affiliations.

(56) The Domestic Trust Fund Committee of the Corporation known as the American Recovery Trust Corporation shall have voting authority to remove or add any faith based organizations of record of record that committed inhumane acts against ancestors of living descendants of enslaved Americans who vote and reside in the District of Columbia.

(57) This section of the Adjustment and Recovery Act of DC for the Responsible Parties of injuries applies to faith based organizations or institutions owned by faith based organizations chartered in the United States of America or international locations.

(k) Government adding and abetting slavery

(58) US Government Entities and its Territories

(59) International Governments

(60) International Governments and countries thru maritime travel who traded and captured or sold enslaved people to United States of America, residents, business owners, farmers, manufacturers of goods or products, education institutions, faith based or religious organizations:

(A) Accia (P);

(B) Angola;

(C) Assinie;

(D) Axim;

(E) Benguela;

(F) Congo;

(G) Cape Coast;

(H) Christiansburg (C);

(I) Côte d'Ivoire (Ivory Coast);

(J) Dixcove;

(K) Elmina;

(L) France;

(M) Gold Coast;

(N) Grain Coast;

(O) Great Britain;

(P) Koimantin (C);

(Q) Loango;

(R) Luanda;

(S) Madagascar;

(T) Mozambique;

(U) Netherlands;

(V) Portugal;

(W) Senegal – Cacheu, Bissau, Saint Louis, Dakar, Ft. James;

(X) Sierra Leone – Freetown, Sherbro;

(Y) Slave Coast;

(Z) Spain;

(AA) Upper Guinea; and

(BB) Zanzibar.

(l) Participants of criminal acts upon slaves

(m) Political parties

(61) Democratic Party

(n) Organizations participated in public naming or honoring slave owners.

Responsible Payers are those that named or allowed to be named: parks, playgrounds, monuments, public facilities, education facilities of Elementary Schools, Middle Schools, Junior High Schools and Senior High Schools. Responsible Payers are those initiated or allowed visual impact or naming after confederate enemies of The United States, owners of the enslaved or heirs of (owners of the enslaved, elected officials or appointed officials who owned, traded, sold, or profited from enslaved people of America on. college's or university mascots, documents and publications of university donors of financial contributions, endowments, scholarships, college loans or grants building names, stadiums, . street names, highways and avenues within U.S. boundaries.

(o) Public and Private Utilities, included but not limited to:

(62) Water;

(63) Sewer; and

(64) Gas.

(p) This section, of Responsible Payers can be increased or decreased based on early or advanced payout, payments; financial or in-kind benefits, such as housing and health benefits etc. to living descendants of Enslaved Americans who qualify in the District of Columbia.

(q) Responsible Parties in this section can be removed or modified if a negotiated amount is reached to pay or settle in advance claims of qualified living descendants of the enslaved in the District of Columbia.

(r) Statute of Limitations do not apply to this section. Responsible Payers can be discovered as new parties to injuries at any time with legal documents presented to Trustees, Board Members Community advisors of USCRIA

(s) New claims can be levied on unknown Responsible Parties in this section at any time with no statute of limitations enforced in the District of Columbia.

(t) All Trustees, Community Advisors, Board of Directors of United States Citizens Recovery Initiative Alliance Inc. shall have sole authority to remove or add Responsible Parties in the District of Columbia.

Title I Section. 6. Public Disclosure by Employees, Candidates and Contractors.

(a) All persons seeking any kind of elected office in the District of Columbia must disclose their heritage relating to secret racial societies, religious affiliation of slave ownership or labor, lineage to confederate militia service members, heirs to slave owners or domestic lineage or international immigrants inside the boundaries of the U.S.A., international origin of slave trading governments or companies who owned enslaved inside the U.S., manufacturers of products using slave labor and ownership of humans in the United States of America during 1619- 1880 to resident voters of the District of Columbia.

(b) Positions include the following elected officials:

(65) Mayor;

(66) Council Chairman;

(67) Council Members at Large;

(68) Wards 1 to 8 Council members;

(69) Attorney General; and

(70) Advisory Neighborhood Commissioners City Wide.

(c) Positions include the following appointed District of Columbia Government officials

(71) All agencies of the District of Columbia;

(72) Judicial Branch of the District of Columbia; and

(73) All Judges of DC Superior Court and DC Superior Court Appeals Court.

(d) Penalty for failure to disclose heritage, will be removal from the ballot and removed from the bench on the Superior Court and the D .C Superior Court of Appeals.

All Contractors who solicit District of Columbia Government contracts either through competitive bidding or non-competitive bidding of the District of Columbia funded contracts or combination of Federal Government Funds must disclose their heritage related to secret racial societies, religious affiliation of slave ownership or labor, lineage to confederate militia service members, heirs to slave owners or domestic lineage or international immigrants inside the boundaries of the U.S.A., international origin of slave trading governments or companies who owned enslaved inside the U.S., manufacturers of products using slave labor and ownership of humans in the United States of America during 1619-1880 to resident voters of the District of Columbia

(74) Form of Disclosure will be attached to the solicitation documents and the documents will disclose:

(CC) contractor's' heritage related to slavery;

(DD) business entity's shareholder's heritage related to slavery; and

(EE) lenders, and silent partner's heritage related to slavery.

(75) Any contractor that fails to submit form DC Recovery B-1 stating heritage relating to slavery with a bid will automatically be removed and disqualified from participating for a period of ten years and will not be able to Appeal to the Contract Appeals Board of the District of Columbia or any other court within the boundaries of the District of Columbia, local or municipal. if owners, shareholders or affiliates are found to be have interest or ownership in other companies and failed to submit disclosure form, entity will be removed from participating and debarred from the District of Columbia procurement process for a period of 20 years.

(76) Any contractor that submits form DC Recovery B-1 and has slave related heritage must comply with contract requirements for employing a percentage of DC residents and hire small and disadvantaged businesses.

Title I Section. 7. Sanctions and Fines.

(a) The purpose of ***Title I Section 7*** is to define acts in the District of Columbia that will cause further injuries to Category Users 1, 2 and 3 and the public safety of all the residents and visitors who are permanent people or temporary guests of the District of Columbia.

(b). Supporting claim for sanctions is described by acts of individuals (men, women and children), groups, organizations, corporations, LLC of any domestic or foreign identity that has committed harm to the Category User 1, 2 and 3 such as:

(1) Slavery of Users 1 and 2

(2) Rape

(3) Murder

(4) Hate Speech and Hate Assembly

(5) Anti-Civil Rights

(6) Political Party Affiliation

(7) Group Racism

(8) Individual Racism

(9) War against the United States Government and the people, or its allies, of the United States of America

(10) Domestic Terrorism on Afro American, Black, Negro, Afro Descendant People

- (11) Domestic Terrorism on Jewish, Hebrew, Muslim and African People
- (12) Crimes against Humanity
- (13) Treason
- (14) Unauthorized Flag Use of a Known Enemy of the United States of America during Civil War and World Wars I and II
- (15) Uniformed Clothing or Garments from the Use of Enemies of Civil War (Confederate), (Nazi) World War I and World War II
- (16) Clothing Insignia Patches on Hats and Apparel (T-Shirts, Shirts, Jackets, Coats & Pants) that Has Any
- (17) Clothing of the KKK Uniform & Hood for Public Visual of Domestic Terrorism against Category Users 1, 2 and 3 in the District of Columbia
- (18) Any Vehicle with Symbols which Include Bumper Stickers, Front of Rear Window Stickers or Magnetic Banners, or Flags (Confederate and Nazi German World Wars I or II

(c). Sanctions listed will be enforced, via (\$50.00) U.S. dollar fee to the District of Columbia Treasury, for a period of 400 years (2/21/2420) not to be permitted in the schools, avenues, parkways or anywhere public vision or public population can visually see or hear any voice or speaker system of individual, entity, group organization, corporation, or re-enactors of any Civil War (Confederate) or (Nazi) World Wars I and II sympathy.

(d). The sanctions when expired can be reinstalled one time by any individual of Category Users 1, 2 and 3 for a fee of \$50.00 USD payable to the District of Columbia Treasury on the day of expiration. Fee shall pay for sanctions to be enforced automatically for a period of an additional 400 years.

Fines of sanction violations shall be paid to the Treasury of the District of Columbia at 7 days from issuing ticket infraction(s) by the following agencies:

- (1) District of Columbia Parks & Recreation (Law Enforcement Division)
- (2) District of Columbia Metro Police Department
- (3) District of Columbia Motor Vehicles (Parking Enforcement)

(e). All agencies listed above shall have an absolute authority to issue citations during assembly of Actors in the District of Columbia who are classified and listed in Section A (1 thru 18). All agencies listed shall have body cameras to record photo or image of violators of ***Title I Section 7***.

(f) Procedure of Issuing Infractions

- (1) Parked Vehicle
- (2) Driving on District of Columbia Roads, Bridges, Highways and Pedestrian
- (3) Walkways
- (4) Non-Driving or Cycling
- (5) Pedestrian Walking

(g) Fine Amounts for Violations of ***Title I Section 7***

- (1) Organization licensed or non-licensed 501(c)(3), 501(c)(4), Corporation, LLC, S.P., LTD or any United States or international company)
 - (A) **\$1,000,000.00** For bodily harm or domestic violence of District of Columbia Resident or Non-Resident
 - (B) **\$2,800,000.00** Failure to obey and comply with ***Title I Section 7***
 - (C) **\$1,500,000.00** Driving on District of Columbia or Federal roads in the boundaries of the District of Columbia
 - (D) **\$1,500,000.00** Marching with 2 or more Domestic Terrorists on the streets of the District of Columbia

(E) **\$5,000,000.00** Walking on public sidewalks at any area of the District of Columbia

(F) **\$1,000,000.00** Public speaking open market location or private yard

(h) All assembly groups must post a payment bond to assemble any kind of exercising militia or radical hate speech or civil war and anti-civil rights. Fines must be paid in full 30 days before any kind of assembly. Paid 30 days after issued or amount doubled with dismail of District of Columbia appeal.

(1) Individual can be described as a man, woman or child (above 5 years of age). All fines are based on each, not combined.

(A) **\$2,000,000.00** Bodily harm or assault with domestic violence to a resident or a non-resident of the District of Columbia

(B) **\$10,000.00** Failure to obey and comply with *Title 1 Section 7*

(C) **\$25,000.00** Driving on or federal roads, highways, avenues, streets, alleys within the boundaries of the District of Columbia

(D) **\$10,000.00** Walking or marching as an individual with 1 or more shouting or talking on the streets of the District of Columbia with permit or without permit for assembly

(E) **\$50,000.00** Walking on public streets and sidewalks with clothing that represents domestic terror or insignia attached to jackets, pants, shirts, hats or eyeglasses, and/or carrying banners, flags (any size) confederate battle flag, Nazi flag, KKK hate group words or banner or flag

(F) **\$30,000.00** Public speaking open air or location or private yard inside the boundaries of the District of Columbia. All individuals assembling must post a payment bond 10 days before assembly to the District of Columbia Treasury of **\$100,000.00**, irrevocable.

(i) Disbursement of fines shall be divided into 2 categories (non-government & government) to the following user groups. 50% of fine amounts will be issued and shared within 10 days of receipt of payment to DC Treasury.

- (1) Universal Negro Improvement Association – District of Columbia Chapter
- (2) American Descendants of Slaves (ADOS), District of Columbia Chapter
- (3) National African Family Reunion Association District of Columbia Chapter
- (4) Black Lawyers for Justice, District of Columbia Chapter
- (5) Red Tails Organization Program - District of Columbia Chapter
- (6) Howard University, School of Communications
- (7) University of the District of Columbia, School of Political Science
- (8) Black Peoples Movement Food Program – Washington DC
- (9) Harvest Institute, Washington, DC
- (10) OMCCBCV – Washington, DC Chapter.

(j) 50% Government Entities:

- (1) District of Columbia Metro Police Department
- (2) District of Columbia Housing Community Development
- (3) District of Columbia Small & Local Business Development
- (4) District of Columbia Public Works (Parking Authority)
- (5) District of Columbia Office of the Aging

(k) All disbursements shall come from the payment bonds of Actors who will request assembly of civil liberties for assembly within the boundaries of the District of Columbia, for a period of 400 years **(2/20/2420)** from when this freestanding bill is voted on by public interest of this Act known as the *United States Adjustment and Recovery Act for the District of Columbia*.

(l) Sanctions

Public fixtures, names or statues temporary or permanent located on federal or private land or District property, outdoor fixtures in plain view of residents or guests at public visual site of any fixture or statue which represent the following:

- (1) Slavery of African Americans, Black, Negro, Colored, Mulatto
- (2) Enslaved Africans during founding or forming of the United States of America
- (3) Voted for slavery to continue in the United States of America,
- (4) Anti-civil rights of Descendants of enslaved Americans
- (5) Served the Confederate Militia
- (6) Declared war against the United States of America
- (7) Bared arms in the Civil War against the United States of America
- (8) Raped enslaved women
- (9) Owned enslaved men, women and children in the United States
- (10) Passed judicial laws in favor of slavery in the United States
- (11) Killed United States Union Militia Members of the Civil War
- (12) Purchased enslaved Americans
- (13) Religious slave owners affiliated to any faith-based group, domestic or International

(m) Fines for violation of public fixtures in plain view of District of Columbia permanent residents or guests visiting the District of Columbia:

<u>Height</u>	<u>Location</u>	<u>Fine Per Day</u>
Above 20 ft.	Statue on federal parcel	\$4,000,000.00 USD
Above 10 ft.	Statue on federal parcel	\$2,000,000.00 USD
Above 20 ft.	Statue on D.C. land	\$3,000,000.00 USD
Above 10 ft.	Statue on D.C. land	\$1,000,000.00 USD
Above 20 ft	Statue on private D.C. land	\$2,000,000.00 USD
Above 10 ft.	Statue on private D.C. land	\$1,500,000.00 USD

(n) Violation fines for names on public buildings, roads, bridges, schools and churches:

<u>Location</u>	<u>Fine Per Day</u>
School (Public, Faith, Charter)	\$1,500,000.00 USD
Street, Road	\$2,000,000.00 USD
Building (Gov't or Non-Government)	\$700,000.00 USD
Bridges	\$1,500,000.00 USD

(o) All fines can be reduced by 50% if violator agrees to remove and change name of Actor(s) of injuries. All fines to be paid by irrevocable payment bonds, land, cash, certified check or real property to the fine amount due within 30 days. 50 percent of payments shall go to the following organizations divided equally:

- (1) American Recovery Trust Corporation of the District of Columbia 501(c)(3) non-profit
- (2) 1450 WOL AM -Washington, DC
- (3) United States Citizens Recovery Initiative Alliance, Inc., District of Columbia
- (4) John Cheeks Volunteer Effort for Recovery Trust – Washington, DC
- (5) WPFW FM – Washington, DC
- (6) Egypt on the Potomac Tours – Washington, DC

(p)) Government agencies to share fines 50% collected and divided equally:

- (1) District of Columbia Government (D.C. Treasury)
- (2) District of Columbia Metropolitan Police Department

Title I Section. 8. Fiscal Budget Impact.

(a) Purpose of this **Section 8** is to provide an estimate of cost, which will be incurred by the District of Columbia as a result of this freestanding bill, as result of the enactment of the initiative known as the **United States Adjustment and Recovery Act for the District of Columbia** (USARADC) from herein **Title I. Section Fiscal Budget Impact**.

(b) The Estimated Fiscal Impact Statement (FIS) for the District of Columbia by the next 4 years projecting from the following year after public vote shall be as listed as an estimated cost to support this freestanding bill:

<u>Year</u>	<u>FIS</u>
2021	\$0
2022	\$0
2023	\$0
2024	\$0
4 year	\$0

projections from the District of Columbia Government

(c) This freestanding bill USARADC shall pay in the District of Columbia Treasury with permits and fines collected over 4 years. Fiscal impact responsibility does not fall on responsibility of the government of the District of Columbia. The responsibility is 100% funded by domestic and international Actors of industries, associations, religious organizations, building products manufacturing, transportation (railroad), brick industry, cotton industry, tobacco industry, alcohol industry, agriculture industry, academic industries, textile industry, garment industry, financial industry and public utilities (water and gas).

(d) A special committee (2) from each ward (1 through 8) can volunteer, without appointment or appointed by the mayor of the District of Columbia, a total of a 6-person panel for a period of service from each trustee of 3 years per term or a minimum of 3 months. Maximum of 3 terms on panel of special committee.

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

Title I Section. 9. Establishment of Special Funds.

(a) The purpose of **Title I Section 9 Establishment of Special Funds** for the freestanding bill use of proceeds for Category Users 1, 2 and 3, as identified in **Title I Section 3 and Section 4** for the initiative Act known as **United States Adjustment and Recovery Act for the District of Columbia** (USARADC), herein **Section 9**.

(b) USARADC shall have an established special fund named the "American Recovery Trust Corporation" Fund, a nonprofit 501(c)(3), registered IRS organization in the United States of America, which shall be administered by United States Citizens Recovery Initiative Alliance (aka USCRIA, Inc.), in accordance with subsections (c) and (d) of this section.

(c) Revenue from the following sources shall be deposited in the fund:

- (1) Slavery Injury Restitution
- (2) Housing
- (3) Legal Support
- (4) Business Aid
- (5) Education

(d) Money in the fund shall be used for the following purpose:

- (1) Financial Restitution
- (2) Legal Support
- (3) Housing
- (4) Administrative Overhead and Operational Expenses of USCRIA, Inc. and ARTC

(5) Business Support – Small & New Startup Companies

(e) Money in the fund may not be used for the following purposes:

(1) Restriction of funding to Domestic Terrorist Groups

(2) Restriction of funding Individuals who have murdered, raped, participated in child molestation and/or child sex trafficking

(3) Restriction of funding to International Terrorist Groups against the United States of America

(4) Restriction of funding to anti-civil rights, human rights and Confederate Enthusiast Groups.

Title I Section. 10. Sunset Provisions.

(a) Purpose of Section 10 is to identify the length of time the Act known as the United States Adjustment and Recovery Act/or the District of Columbia (USARADC) shall expire.

(b) Sunset Provisions of this *Title I Legislative Text* has supporting sections identified as: *Section 1, Section 2, Section 3, Section 4, Section 5, Section 6, Section 7, Section 8* and *Section 9*, with rights to amend at any time, based on new discovery of injuries of victims in the District of Columbia.

The timeline will have an estimated Sunset Date of **January 08, 2272**, at midnight Eastern Time (ET).

Title II

Title II Section. 1. Identity Repair.

(a) **Purpose of Section 1** is to find unknown and lost relatives inside the United States of America and make provisions for trauma counseling related to the post traumatic injury of slavery, to the living descendants of enslaved Africans residing in the District of Columbia.

(b) This **Section 1** known as ‘identity repair’ for Category 1 Users as eligible recipients who are living descendants of enslaved Americans that have lineage of African ancestry.

(c) During period of slavery in the United States of America when enslaved individuals were not permitted to have dominion over their children as mothers and fathers, or women and children coerced into pregnancy by any Actors that sought fit to exert privilege without any remorse or judicial exercise of violation of a human being in the United States of America and the District of Columbia.

(d) Remedy shall include DNA identification of matching individuals throughout the United States of America to grief and/or trauma counseling of forced separation.

(e) This **Section 1** shall serve as a mandatory settlement and resolution item to bring descendants of enslaved Americans to find their unknown relatives of lineage. Benefits for Category 1 and Category 2 Users for trauma counseling in reuniting with lost and unknown relatives thru enslaving ancestors by removal of adult males, women and children by the following: maritime passage transfer, trading post, auction of human beings, random New Year’s trading of enslaved individuals, financial buying or inheritance will by right, domestic relationships with owners’ sexual encounters, bartering of services or political request. Expiration date is a period of 251 years from the time on or before public vote in the District of Columbia as a federal territory, state, or adopted county by a state.

Title II Section. 2. Public Fixture Removal and Name Change.

(a) **Purpose of Section 2** is to remove any fixture or statue that violated against human rights.

(b) USARA **Section 2** shall remove any statue with base thru public demolition by mechanical equipment, manual/physical assembly without asking the District of Columbia Government to

remove any statues on federal or District of Columbia property. All removal assemblies shall notify the District of Columbia Metropolitan Police Department (any precinct within the boundaries of the District of Columbia) within 24 hours of removal assembly. Removal assembly fee shall be 50 U.S. dollars payable to the District of Columbia Treasury by cashier's check or money order at a District of Columbia Metropolitan Police Department (DCMPD) precinct of choice, by any individual or group, committee or business entity.

(c) Public fixtures or statues that are eligible for removal or known for treason against the United States of America (Civil War) enslaving human beings of African, West Indian, Caribbean descent, Confederate militia member(s), Judge of Courts that owned enslaved humans inside the boundaries of the United States of America colonies, territories, and states. Elected or appointed officials of any U.S. state that was pro slavery of African Americans. Researcher or inventor of products and medical research on enslaved human beings inside of any U.S. state territory, colonies which permitted enslaving Africans, West Indian or Caribbean individuals. Anti-civil rights of free individuals of former enslaved Americans or African, West Indian or Caribbean descendants. Name change of public streets, school names (public or charter), bridge names, alley names, local government buildings, parks and neighborhood/community area names by wards inside the District of Columbia.

(d) Any qualified resident voter of the District of Columbia who is a descendant of the Transatlantic Slave Trade, with a 35% or more DNA African bloodline, as a citizen of the United States of America can request a name change with 20 signatures by District of Columbia voters of any ward in the District of Columbia, with 8 names proposed to replace permanently for the following reasons: anti-civil rights, slave trade market, slave owner, slave trader, profited from slave labor, forced sexual contact on men, women and children of African, West Indian or Caribbean descent, enslaved human beings declaring war against the United States of America, experimenting medically on enslaved men, women and children of African descent inside the United States of America, terrorist organizations formed during and after slavery or Civil War in the United States of America, religious organizations that participated in the slave trade, slave ownership or profiting of enslaved Africans thru agriculture, manufacturing of building products, domestic workers and common labors of daily chores without pay and benefits. Qualified resident voter/petitioner shall submit 20 names to the ward council member office where the name change is to be requested by petitioner, a list of 8 names submitted to ward council member and the following schedule of events must occur within 30 days for removal of name with the delegate to the house, mayor, council body and chairman of council. All must vote on the list of 8 names presented to the council with a paper ballot.

Majority vote per name wins the name change and is to be implemented within 90 days after the vote.

(e) This **Section 2** of the United States Adjustment and Recovery Act of the District of Columbia shall be enforced perpetually throughout the existence of the District of Columbia as a territory, state or county without any expiration or renewal date.

Title II Section. 3. Non-Payers and Partners.

(a) **Purpose of Section 3** Non-Payers is to identify all non-payers who are not responsible payers of injury claims for the United States Adjustment and Recovery Act for the District of Columbia (USARADC).

(b) This **Section 3** is identifying or giving immunity to residents of the District of Columbia during the time period existence of this public initiative act known as the USARADC, for a 251-year period. Non-payers to be identified as the following:

- (1) Individual Resident of the District of Columbia ,
- (2) Electronics company or corporation that is not financed by wealth from the Transatlantic

Slave Trade or

(3) shareholders whose ancestors owned human beings per categories 1 and 2.

(c) Non-paying partners for **Section 3** to enforce and assist collection, regulations, laws and time expiration of initiative act known as USARADC shall have the following federal or local agencies or departments: Department of Justice (DOJ), Department of Commerce 1 (DOC), Department of Defense (DOD), Federal Bureau of Investigations (FBI), Internal Revenue Service (IRS), DC Small & Local Business Department, DC Office of Contract and Pro., Government of the District of Columbia, DC Superior Court, DC Department of Transportation, DC Department of Public Works, Department of Education (DOE) [federal or local], National Security Administration (NSA), Defense Intelligence Agency, the U.S. Department of State, U.S. Department of Interior and DC Department of Parks and Recreation.

(d) Non-paying partners will not have access to DNA history of Category Users 1, 2 and 3 without written or agreed permission of individuals.

(e) This **Section 3** of USARADC can be modified by means of regulations and time extension if any unknown injuries are presented to modify this act.

(f) Expiration date is a period of 251 years from the time on or before public vote in the District of Columbia as a federal territory, federal district, state or adopted county by a state

Title II Section. 4. Settlement Owed for Injuries.

(a) **Purpose of Section 4** of USARADC is to identify known actors who enslaved human beings of African descent by way of ownership & unpaid wages, trading, overseeing, transferring forced labor, unpaid wages, pedophilia, rape and coerced pregnancy inside the borders of the United States of America and the District of Columbia.

(b) Actors of this section can be the following: entity, corporation, church or religious organization, academic institution, financial institution, trade association, agriculture products, building material products such as concrete, brick, lumber, granite, stone, gravel, sand, finished carpentry, iron works and raw material gathering of any product, domestic labors, home building, school building, road building, infrastructure assembly of gas system, infrastructure assembly of water system, textile garments and raw materials such as cotton, food preparation and cooking, alcohol production for consumption of bourbon, whiskey, gin and rum, raw sugar materials and production; tobacco, meat processing of beef, pork and poultry, furniture making, interior finish products for home and office buildings for local and federal government use, military forts, military uniforms and gear, railroad transportation system, water purification, laundry cleaning and washing, daycare for children of slave owners, international governments and countries who participated in the Transatlantic Slave Trade, U.S. colonies, states, territories and federal districts with known confederate states.

(c) Payors of this **Section 4** can be identified as responsible for injuries committed against human beings of African ancestry or lineage as an enslaved individual in the United States of America. Payors are granted immunity of court trial for civil or criminal offenses against humanity by paying a designated depository corporation for the injuries of enslaving African or Afro-descendant people of the United States of America located in the District of Columbia, as residents and voters of the District of Columbia.

(d) The depository 501(c)(3) Corporation (American Recovery Trust Corp.) for injury claims shall accept any form of tangible items that can be converted into U.S. tender as such: land, house structure, commercial buildings or government buildings, antique furniture, gold, silver, bronze, platinum, raw materials domestic and international, equipment, manufacturing equipment, farming machinery, raw cotton materials, raw sugar materials, railroad system (tracks), college scholarship at any academic institutions where slavery existed in the United States of America and the District of Columbia, public utilities (water and natural gas), alcohol spirits, building materials (bricks, concrete, lumber, slate), U.S. currency thru electronic transfer, secured transfer, check, cashier's check, money order, stocks, bonds, certificate of deposit and other financial instruments such as bonds or insurance financial instruments

(e) The payors/actors shall have a period of time to start deposits or tangible items for conversion for payments to users of Category 1, Category 2, Category 3 Domestic actors/payors are known to be in the following: industries, institutions, associations, religious organizations, building material associations, public utility companies (water, natural gas), railroad transportation, agriculture. USARADC shall give domestic actors/payors a formal request estimated amount owed for unpaid wages in the District of Columbia for Category 1 and Category 2 Users is estimated to be **one trillion one hundred fifty billion U.S. dollars (\$1,150,000,000,000.00)**.

(f) Injury calculator for a Category 1 or 2 average known age of enslaved individual started at four years old and worked until death average age 70 years old completing 70 hours of work per week (6 days) with one day a week off (Sunday). This amount will start payments for injury financial claims and benefits due to all Category 1 and 2 Users

inside the United States of America starting in the year 2021.

(g) Injury calculator for Category 3: Descendants of Civil War Service Members for the Republic of the United States of America who are European or other ethnic origin group that served honorably in the United States militia against the confederate states during the Civil War in service, not limited to any duty injured, non-injured during battle.

(h) International actors/payers who had trade agreements or smuggled human beings as prisoners by the Transatlantic Slave Trade and transferred, traded, forced against the will of men, women and children separated at drop-off points throughout the West Indies and Caribbean to transfer to North America to the known area of the United States of America and the District of Columbia via the state of Virginia and Maryland.

(i) Known international actors/payers comprised of governments from the following nations of Africa and Europe with other known religious organizations within the European nations. **Section 4** actors/payers of international involvement by the following locations during the Transatlantic Slave Trade: African governments or territories (28) known at the time of trading humans located at Accia, Angola, Assinie, Axim, Benguela, Congo, Cape Coast, Christiansburg, Cote d' Ivoire (Ivory Coast), Dix Cove, Elmina, Gold Coast, Grain Coast, Koimantin, Loango, Luanda, Madagascar, Mozambique, Senegal (Cacheu, Bissau, Saint Louis, Dakar, Ft. James), Sierra Leone (Freetown Sherbro), Slave Coast, Upper Guinea and Zanzibar. Estimated amount owed for injuries to the enslaved descendants of African lineage and identified as Category 1 or 2 Users is **nine hundred twenty billion U.S. dollars (\$920,000,000.00)**.

(j) Actors/payers from European countries who transferred, enslaved, owned, traded, coerced pregnancy of women (rape), molested children, maritime voyage of imprisoned humans of African lineage to North America by way of the Transatlantic Slave Trade, countries who assisted the confederate states of America in supplying military equipment, livestock, money, gold, silver, uniforms, ships, training and treaties against the United States of America, and identified, benefited and participated as known actors from: Portugal, Spain, Netherlands, Great Britain and France. Combined payment for injury against enslaved residents and descendants of enslaved Americans with lineage to Africa who are also classified as Category 1,2, and 3 Users residing in the of the District of Columbia is estimated to be

one trillion five hundred eighty billion U.S. dollars (\$1,580,000,000,000.00).

(k) Total combined pay out owed by actors

five trillion eight hundred thirty billion U.S. dollars (\$5,830,000,000,000.00)

payable to eligible recipients of the District of Columbia for a period of 251 years, payments to begin on January 15, 2021 and deposited to a private corporation inside the United States of America known as the **American Recovery Trust Corporation**, an **IRS 501(c)(3) nonprofit organization**.

(l) Payments owed by each group of actors can be modified or fluctuate if actors reject known injury claims of the Transatlantic Slave Trade and the Civil War.

(m) Start of payments shall begin with combined payments in bonds, cash, gold, or tangible assets equivalent to 35% of total amount due of the first partial payment for a period of 20 years and the second partial payment starts in 2041 at a total of 20% of balance expiring in 30 years, the third partial payment due in 2071 at 20% of the balance expiring in 30 years, the fourth partial payment due in 2101 at 10% of the balance expiring in 30 years, the fifth partial payment due in 2131 with unknown interest payments for the completion of debt.

Three hundred fifty million U.S. dollars (\$350,000,000) final payment in year 2132 to the **District of Columbia Government for maintenance fees of the USARADC**.

Title II Section. 5. Claim Refusal of Eligible Recipients.

(a) **Purpose of this Section 5** is to identify eligible applicants who refuse any financial restitution or benefits due to them by right of injuries of ancestry lineage.

(b) **Section 5** is known as the claim refusal of benefits and/or financial restitution by Category Users 1, 2 and 3 as an individual with no special conditions of claim that will prevent offspring and relatives.

(c) This section gives absolute rejection of any and all settlement resolutions of the known initiative act United States Adjustment and Recovery Act for the District of Columbia (USARADC) by any qualified Category Users 1, 2 and 3 rights as an injured victim to only reject or revoke all rights as a living person during signing of **Claim Form 1619** for Category 1 and Category 2 (one time only terminates claim) and **Claim Form 1861** for Category 3 (one time only terminates claim) Category Users 1, 2 and 3 cannot sign for rejection of benefits or financial restitution unless family members are of the following condition: deceased.

(d) All residents of the District of Columbia shall have individual rights complete access to USARADC that meet DNA qualifications or non-DNA user Category 3 with proper supporting documents of service by ancestor in the United States militia for the Republic of the United States of America during the Civil War, with an honorable discharge of service.

(e) This policy will be in effect for a period of 251 years after voted on by public will or special privatization of a United States Corporation in the District of Columbia as a federal district, federal territory, state or a county formed by a state.

Title II Section. 6. Judicial Protections.

(a) The purpose of **Section 6** is to remove or adjust certain laws, clauses, regulations, bills and language which have caused judicial and legal prejudice injuries, that have led to unfavorable court decisions by judges or juries, as a plaintiff in the following court systems:

- (1) District of Columbia Superior Court
- (2) U.S. Federal Court District Court
- (3) U.S. Appeals Court
- (4) District of Columbia Appeals Court
- (5) District of Columbia Contract Appeals Board

(b) Category Users 1 and 2 shall select attorneys of choice or request a court appointed attorney. Judicial injuries of court cases that shall be restructured for Category Users 1 and 2 shall start with mediation or settlement resolutions with mediation appointed by a court or appeals court listed above, by a judge presiding over case 10 days after complaint is filed as a Plaintiff who is asking for financial relief in the following claims listed below:

- (1) Tortious Interference
- (2) Anti-Trust
- (3) Contract Dispute
- (4) Product Liability
- (5) Medical Malpractice
- (6) Slander & Liable
- (7) Employment Rights
- (8) Real Estate
- (9) Tenant Housing
- (10) Small Business
- (10) Civil Rights
- (12) Discrimination
- (13) Utilities
- (14) Deception

(c) Defendants rights shall have Category Users 1 and 2 to be afforded the right for a court appointed attorney after filing against Category Users 1 and 2 in the following areas:

- (1) Child Support
- (2) Domestic Violence
- (3) Traffic Violations
- (4) Property Tax (District of Columbia, Federal)
- (5) Bankruptcy
- (6) Small Business (Applies to businesses w/out insurance: Sole Proprietor, Corp., LLC & PC)
- (7) Real Estate (Investment or Personal)

(d) Categories 1 and 2 Users shall have absolute rights as an injured victim of rights (Plaintiff or Defendant) to appointed legal representation, or selection of their choice, inside any court room in the District of Columbia, which can be cited as one or both of the following courts of proper jurisdiction in the District of Columbia:

- (1) U.S. Federal District Courts
- (2) District of Columbia Superior Court
- (3) U.S. Court of Appeals
- (4) District of Columbia Court of Appeals
- (5) Other unlisted courts in the District of Columbia (federal or local)

(e) Adjustment of language or laws, which represent removal of civil rights or business rights of Category Users 1 and 2, shall be removed and stricken from normal or standard case citing, which allow opposition in argument to manipulate judges or courts, to move in an unfavorable verdict toward Category Users 1 and 2.

(f) This **Section 6** of the USARADC shall be in effect for 251 years after voted on by public will or special privatization of a United States Corporation in the District of Columbia as a federal district, territory, state or county formed by a state.

Title II Section. 7. Financial Restitution.

(a) The purpose of **Section 7** is to provide financial relief to Categories 1, 2 and 3 for a 1-time retirement pay out based on age qualification of users. All rights of 1-time financial relief can be willed to all, or part, by a notarized living will to the following:

- (1) Offspring – Natural or Adopted (No age requirements)
- (2) Spouse – Non-Eligible User
- (3) Divorced Spouse – No minimum of individuals
- (4) Religious Organizations – 501(c)(3) or 501(c)(4)
- (5) Corporations
- (6) Limited Liability Corporation
- (7) Individual – Any ethnic origin
- (8) Sole Proprietor – Any kind or type of business or service
- (9) Community Advocates – Civil Rights
- (10) Other Organizations: colleges or universities, elementary, middle & high schools, etc.
- (11) Hospital Organizations, Clinic Health Care
- (12) Emergency Volunteer Organizations: Fire, EMS, Homeless Shelters and Non-Profit Food Pantries
- (13) Public or Private Museums – Local or National
- (14) Friends – Non-Related or Open Eligibility (At any age)
- (15) Relatives – Related – Eligibility Exempts (No age requirement)

(b) Financial restitution shall be granted to Category Users who meet DNA requirements as outlined in *Title 1 Section 3 Eligible Recipients* and *Title 1 Section 4 Special Provisions of Eligibility Requirements*. All Category Users 1, 2 and 3 shall have 1-time only rights to claim financial relief with the following conditions of Step 1:

- (1) Over 55 Years of Age
- (2) Be an Eligible User of Category 1, 2 or 3
- (3) U.S. Citizen
- (4) District of Columbia Resident & Registered Voter

(c) Conditions of disbursement of relief for eligible users, property owners, property occupants, assisted living related occupants, non-homeowners, homeless dwellers:

- (1) Homeowner in the District of Columbia
- (2) Family Care Taking of Related Elderly Resident
- (3) Non-Homeowners: Renters, Section 8, Room Renters
- (4) Community Housing (Public Housing)
- (5) Home Dwellers: Emergency Shelters, Temporary Shelters, Open Transit Living

(d) **Property Owner(s)** shall have rights to claim of financial relief upon the following terms:

(1) Primary residence has a balance; Category User shall use proceeds to pay off mortgage balance; the offset difference (whatever the remaining amount) shall be returned to Category User(s).

(2) Category Users 1, 2 and 3 have no mortgage balance on primary residence; total amount due can be released in full to user.

(e) **Family Care Takers** who reside in family lineage homes shall have rights to claim financial relief for Eligible User Categories 1, 2 and 3, and are entitled to request financial relief with the following conditions:

(1) Live-in relatives who are caretakers of elderly relative(s) who are 55 years old with eligibility requirements to receive financial relief;

(2) Category users must reside as a permanent resident occupant with a District of Columbia voter registration card.

(f) **Non-Homeowners** – Renters of apartments, single family homes or condos and Section 8 tenants identified as Category Users 1, 2 or 3 who do not own property as a permanent resident in the District of Columbia; who are eligible for financial relief; Category Users of 1, 2 and 3 who will use the financial restitution to purchase a permanent residence: single family home, townhome, rowhouse, condominium and/or cooperative condo;

Users of Categories 1, 2 and 3 shall be qualified to use financial relief under the following conditions:

- (1) Minimum 55 Years of Age
- (2) Accept home purchasing voucher in place of financial restitution
- (3) Purchase permanent home in the District of Columbia

(g) After purchasing of permanent housing with financial certificate, any amount remaining under the financial relief owed is to be refunded to Category Users 1, 2 and 3. Permanent house must be purchased under the certificate value, or if over value, Category User must pay the difference.

(h) **Public Housing Occupants** who are residents in the District of Columbia, who live in the District of Columbia or Federal housing by supporting taxpayer's sponsorship to reside at location identified by the District of Columbia Housing Department. Category 1, Users 1, 2 and 3 must qualify as an eligible recipient with the following conditions:

- (1) 55 Years of Age
- (2) District of Columbia Resident with Voter Registration

- (3) Minimum 5 Years as a District of Columbia Resident
- (4) Not on Probation for Murder, Child Molestation or Child Sex Trafficking

(i) Qualifications to request financial restitution as a Transitional Dweller, as Category Users 1, 2 and 3:

- (1) Over 55 Years of Age
- (2) Living or Residing in a Temporary Homeless Shelter
- (3) Living or Residing in an Emergency Shelter
- (4) District of Columbia Issued Identification Card
- (5) Voter Registration Card
- (6) Veterans Administration Identification Card
- (7) Not on Parole or Probation for Murder or
- (8) Child Molestation or Child Sex Trafficking
- (9) Trauma Evaluation and Class(es) for 60 Days of Completion (minimum) with Campus or Offsite Living Quarters
- (10) Living Standards of Permanent Resident Certification of (90 Days)
- (11) Counseling on Living in Urban Lifestyle and Neighborly Adjustment Existence

(j) Form of payment to be used for purchasing of permanent housing in the District of Columbia by Category Users 1, 2 and 3 under the following terms:

- (1) Financial certificate for restitution to be used to purchase housing in the District Columbia as a condominium, single family home, row house, cooperative or
- (2) develop and build special multifamily building with maximum of 3-bedroom unit each (not to exceed family size) or minimum of 1-bedroom (bedroom size 10' x 12' minimum).

(k) Deducted amount from financial relief age as noted for Individual Users 1, 2, 3 and special provisions Section 4.

(l) Payment schedule for relief in the District of Columbia as Eligible Users of Categories 1, 2 and 3, as noted in ***Title I Section 3*** and ***Section 4***, age required for a 1-time claim for restitution based on age qualification and housing index cost in the District of Columbia and trauma endurance by age.

<u>Age</u>	<u>Restitution Amount</u>
55	\$525,000
56	\$530,000
57	\$540,000
58	\$550,000
59	\$560,000
60	\$570,000
61	\$580,000
62	\$590,000
63	\$595,000
64	\$600,000
65	\$610,000
66	\$620,000
67	\$630,000
68	\$640,000
69	\$650,000
70	\$660,000
71	\$670,000

72	\$680,000
73	\$690,000
74	\$700,000
75	\$710,000
76	\$720,000
77	\$730,000
78	\$740,000
79	\$750,000
80	\$760,000
81	\$770,000
82	\$780,000
83	\$790,000
84	\$800,000
85	\$810,000
86	\$820,000
87	\$830,000
88	\$840,000
89	\$850,000
90	\$860,000
91	\$870,000
92	\$880,000
93	\$890,000
94	\$900,000
95	\$920,000
96	\$930,000
97	\$940,000
98	\$950,000
99	\$960,000
100	\$980,000
101	\$990,000
102	\$1,000,000
103	\$1,100,000
104	\$1,200,000
105 (Maximum)	\$1,300,000

(m) User Category 2 as Identified in Title I Section 3

<u>Age</u>	<u>Restitution Amount</u>
55	\$262,500
56	\$265,000
57	\$270,000
58	\$275,000
59	\$280,000
60	\$285,000
61	\$290,000
62	\$295,000
63	\$297,500
64	\$300,000
65	\$305,000
66	\$310,000

67	\$315,000
68	\$320,000
69	\$325,000
70	\$330,000
71	\$335,000
72	\$340,000
73	\$345,000m
74	\$350,000
75	\$355,000
76	\$360,000
77	\$365,000
78	\$370,000
79	\$375,000
80	\$380,000
81	\$385,000
82	\$390,000
83	\$395,000
84	\$400,000
85	\$405,000
86	\$410,000
87	\$415,000
88	\$420,000
89	\$425,000
90	\$430,000
91	\$435,000
92	\$440,000
93	\$445,000
94	\$450,000
95	\$460,000
96	\$465,000
97	\$470,000
98	\$475,000
99	\$480,000
100	\$490,000
101	\$495,000
102	\$500,000
103	\$550,000
104	\$600,000
105 (Maximum)	\$650,000

(n) User Category 3 as Identified in Title I Section 3

<u>Age</u>	<u>Restitution Amount</u>
55	\$175,000
56	\$176,000
57	\$180,000
58	\$183,000
59	\$186,000
60	\$190,000
61	\$193,000

62	\$196,000
63	\$198,000
64	\$200,000
65	\$203,000
66	\$206,000
67	\$210,000
68	\$213,000
69	\$216,000
70	\$220,000
71	\$223,000
72	\$226,000
73	\$230,000
74	\$233,000
75	\$236,000
76	\$240,000
77	\$243,000
78	\$246,000
79	\$250,000
80	\$253,000
81	\$256,000
82	\$260,000
83	\$263,000
84	\$266,000
85	\$270,000
86	\$273,000
87	\$276,000
88	\$280,000
89	\$283,000
90	\$286,000
91	\$290,000
92	\$293,000
93	\$296,000
94	\$300,000
95	\$306,000
96	\$310,000
97	\$313,000
98	\$316,000
99	\$320,000
100	\$326,000
101	\$330,000
102	\$333,000
103	\$366,000
104	\$400,000
105 (Maximum)	\$433,000

(o) Category Users of *Title I Section 3* and *Section 4* shall not exceed maximum amount listed for financial restitution.

(p) Archive Eligibility of Financial Restitution for a Will or Trust

(Eligible Recipients can exercise their rights before this freestanding bill is voted on or

funded.)

(q) Eligibility Category Users 1, 2 and 3 and Users of Special Provisions as noted in **Title I Section 3** and **Section 4** is to outline special procedures how to archive will or trust documents before death of eligible user. The following criteria gives mandatory procedures listed to Eligible Category Users 1, 2 and 3 in order to submit necessary documents for financial restitution owed to individual while waiting for funding to be deposited or released to Individual Eligible Users of Categories 1, 2 and 3. The archive data shall be of the following procedure:

- (1) Must be Over 55 Years of Age
- (2) DNA Test from a Certified Company inside the Borders of the United States
- (3) (with date of test administered and lab issued)
- (4) Picture ID of User, which is a Government or State Issued Passport, Veterans
- (5) Administration ID, Driver's License ID, Non-Drivers ID or College ID
- (6) Form 1870 Exit Relief Form of the District of Columbia
- (7) by American Recovery & Trust Corporation
(Must be completed and submitted 90 days after receipt.)
- (8) Notarized will of Use of Proceeds
(Must have name and street address, with e-mail address of beneficiaries.)

Title II Section. 8. Benefits Resolutions.

(q) Purpose of **Section 8** known as Benefits Resolutions is to list all categories of benefits, which Users are entitled to and due for working or productive life necessities in the District of Columbia as an Individual or a Newly Formed Family, within any ward of the District of Columbia.

(r) The minimum age of 17 years old as a Category 1, 2 or 3 User shall be entitled to exercise use of benefits, with exception of some categories, which have other minimum age requirements of eligibility of use.

(s) This category has no maximum age limit on use of benefits for working life or productive life benefits for any eligible Category Users 1, 2 and 3, as listed in **Title I Section 3** and **Section 4**. Benefits Resolutions categories as listed for Category Users 1, 2 and 3 are as follows for categories 1 – 11 listed below:

- (1). Homeownership
- (2) Legal Support
- (3) Education
- (4) Family Protection
- (5) Employment & Career Support
- (6) Tax Immunity
- (7) Business Aid
- (8) Community Business
- (9) Real Estate Development
- (10) Agriculture Business
- (11} Manufacturing Business Support

(t) **Benefits Category 1 Homeownership**

(1)The following list of type of structure and kind of usage with)time commitment of residency in any ward of the District of Columbia are in this (t)(4).

All ownership status will have automatic and absolute acceptance of home purchasing through 30% of monthly income of Eligible Recipients.

(2) Eligible Recipients as noted in **Title 1 Section 3** and **Section 4**, the following terms of

purchasing a home in the District of Columbia in any ward inside the boundaries of city terms and conditions to purchase home.

- (A) Reside in District of Columbia for a Minimum of 5 Years
- (B) 24 Years of Age Minimum
- (C) \$500 Down Payment to Purchase, \$1000 Closing Fixed Cost
- (D) 30-Day Class on Purchase Rights & Homeownership by a District of

Columbia

Realtor

- (E) Proof of income (annual tax return, 4 payroll paystubs, CPA statement of earnings)
- (F) Exempt credit score needed for purchase of property in the District of

Columbia

(3) Purchaser/Homeowner shall have protective rights if employer, business contract or a decline in any kind of wages earned through documented proof of earnings will be eligible to volunteer in any capacity for 20 hours per week at any of the listed type of organizations such as:

- (A) Faith-Based Organization
- (B) New and Small Business Start-Up
- (C) District of Columbia Government Agencies
- (D) District of Columbia School Board
- (E) Metro Transit
- (F) Construction Company Small or Large
- (G) Retail Establishment
- (H) Federal Government Agencies
- (I) Community Advocacy Group
- (J) Political Party Campaign
- (K) Community Protection
- (L) Community Small Business
- (M) Restricted from Volunteering to KKK, Neo-Nazi or any Domestic or International
- (N) Terrorist Groups

(4) Classifications of homeownership type for Category Users 1, 2 and 3 as listed: (*Type of home is townhouse, single family, condo, coop condo, coop townhouse & rowhouse describe homes.*)

- (A) **Permanent Legacy Home** – District of Columbia property for family residence to remain and not sell, to be willed or inherited by blood relative(s).
- (B) **Partial Permanent Legacy Home** – District of Columbia property for family residence to remain in ownership for a period of 25 years as a legacy home. Residents shall have rights to sell property after 25 years of residency to other Category Users of 1, 2 and 3.
- (C) **Transitional Permanent Home** – District of Columbia property for individual who is in need of a timeline residence, not to exceed 12 years in the District of Columbia, with rights to sell to Category 1 Users. This section can be converted into a permanent legacy home for buyer.
- (D) **Transitional Investment Home** – District of Columbia property for family of individual who is purchasing a house in any ward in the District of Columbia for a period of 10 years from the closing date. Category Users 1, 2 and 3 or Eligible Recipients shall have automatic rights to sell property to any

individual or family without restrictions of ownership sale of home.

(u) Benefits Category 2 Legal Support

(1) The legal support benefit Category 2 is designed to give legal support in case of a court case for Plaintiff(s) or Defendant(s) of Category Users 1, 2 and 3 who will need legal support in the following: District of Columbia Superior Court, United States Federal Court, District of Columbia Court of Appeals and United States Federal Court of Appeals or any other local or federal court where civil or criminal cases are heard.

2) Category Users of 1, 2 and 3 shall be entitled to use legal support services as an individual, community or business (Sole Proprietor, LLC, Corporation, 501(c)(3), 501(c)(4), LTD, P.C.) listed below as:

- (A) Contracts – Business or Personnel
- (B) Anti-Trust (Plaintiff only)
- (C) Tortious Interference (Business or Individual)
- (D) Bankruptcy
- (E) Civil Action (Plaintiff or Defendant)
- (F) Law Enforcement Abuse / Uniform Reporting Law Enforcement Improvement
- (G) Act (Plaintiff)
- (H) Criminal (Plaintiff or Defendant)
- (I) Intellectual Property
- (J) Tax Dispute (Personal, Real Estate)
- (K) Employee Wrongful Termination (Plaintiff)
- (L) Domestic Violence (Plaintiff or Defendant)
- (M) Landlord & Tenant (Plaintiff or Defendant)
- (N) Product Liability (Plaintiff or Defendant)
- (O) Business (Plaintiff or Defendant)
- (P) Real Estate (Plaintiff or Defendant)
- (Q) Family Law / Divorce (Plaintiff or Defendant)
- (R) Traffic Violations (Defendant)
- (S) Patents & Inventions
- (T) Discrimination (Plaintiff or Defendant)
- (U) Slander & Liable (Plaintiff)

(v) Benefits Category 3 Education

(1) The Education Category of 3 known as *Title II Section 8* is designed for admissions acceptance, financial support, debt forgiveness, refund of tuition and athlete support.

(2) The supporting claim of injuries is known because of the injuries outlined in *Title I Section 2*, which identifies all injuries to Category Users 1 and 2 of USARADC. Qualified Recipients should meet the following conditions to use education benefits of Category Users 1, 2 and 3, to attend a college or university within domestic or international boundaries.

(3) **Admissions Conditions** to use education benefits by Category Users 1, 2 and 3:

- (A) Minimum Age of 16 Years Old with Parental Consent
- (B) Maximum Age No Limitations
- (C) Must be a United States Citizen
- (D) Must have a High School Diploma or GED by any Age Group
- (E) Meet Category Users 1, 2 and 3 Qualifications

(F) Meet Optional Special Provisions Eligibility Use of *Title I Section 4* (as described)

(4) **Admission Category** Users shall be exempt from testing procedures known as ACT,

SAT, GMAT, GRE, LSAT and MCAT for entrance or admission test score requirements, to be admitted into any college or university that is located where slavery was approved, agreed to, or received investments from slave labor of enslaved ancestors known inside these areas of the United States of America: AL, AR, LA, TX, DC, MO, MS, VA, RI, MA, NY, KY, GA, FL, CT, VT, NH, WV, NC, SC, TN, NJ, DE, MD, IL, KS, IN, PA

(5) **Supporting injury claims - United States slavery, Jim Crow Laws, civil rights**

Discrimination.

(A) **Financial Support** Category Users 1, 2 and 3 shall be entitled for exemption status (fulltime, part time, adult learning over 30 years old), if paying tuition at any college or university of choice where slavery existed in any state, territory, district or colony within the United States of America, undergrad and graduate fields of interest only with a payment of \$50.00 USD per semester until receiving diploma or credentials.

Candidates for PhD, JD, MD, DDS fields of interest shall pay \$150.00 USD per year, fulltime or part time status, until completion of specialized degrees are obtained by Category Users 1, 2 and 3, at academic institutions where slavery existed in the state location or institution invested in slavery, in the United States of America.

(B) **Debt Forgiveness** of Category Users 1, 2 and 3 of college tuition debt shall be paid on the following scale listed:

- (i) Category 1 Debt Forgiveness 100%
- (ii) Category 2 Debt Forgiveness 50%
- (iii) Category 3 Debt Forgiveness 50%

Debt forgiveness applies to undergrad, graduate or any recipients of a PhD, DDS, MD or JD of any field of interest or study restricted from non-graduating students.

Non-graduating students shall receive 50% reduction with rights to complete any field of study or interest, with special payment exemption as per financial support listed and admission standards for exempt admissions at any college or university where slavery existed or shareholders, investors who supported university or college.

(C) **Refund of Tuition** of Category Users 1, 2 and 3 shall be entitled to receive refund 1-time from institution paid for individual or offspring at any university or college in a state or territory where slavery existed in the United States of America, or investment of slave labor in the United States of America.

(Natural or Adopted) **Refund Scale:**

	Category 1	100%	(Graduate)
Graduate)	Category 1	50%	(Non-
	Category 2	50%	(Graduate)
Graduate)	Category 2	25%	(Non-

Category 3 50% (Graduate)
 Category 3 25% (Non-

Graduate)

(D) **Athletic Support** of Category Users 1, 2 and 3 male or female shall be entitled to receive financial relief for playing collegiate sports as a starter or backup player on the teams’ rosters, for any period of time. Athletes shall be given financial payments per game relating to any sport of participation, with a maximum of 2 collegiate sporting interests. Financial restitution shall apply to colleges and universities founded inside of former slave holding states, territories or colonies, to include colleges or universities which invested or had shareholders who owned slaves in the United States of America.

Collegiate athletes shall be paid by the sport season as a player starting or backup player on the team. Participation shall be defined by Category Users 1, 2 and 3 stipends, which shall be weekly when season begins, and 2 months of training during off-season of designated sport category.

<u>(Starter) Category User</u>	<u>Payment Off-Season</u>	<u>Payment Season</u>
1	\$400.00 / week	\$500.00 / week
2	\$400.00 / week	\$500.00 / week
3	\$400.00 / week	\$500.00 / week
<u>(Backup) Category User</u>	<u>Payment Off-Season</u>	<u>Payment Season</u>
1	\$250.00 / week	\$350.00 / week
2	\$250.00 / week	\$350.00 / week
3	\$250.00 / week	\$350.00 / week

Payrate will increase by 10% every 4 years if inflation level increases.

(w) Benefits Category 4 Family Protection

(1) Category is designed to prevent family separation of children of marriage, after divorce granted by court system in the District of Columbia. Installment of payment bonds for child support relief until child turns 18 years old. In the District of Columbia, payment bonds will be issued by Actors who insured enslaved Africans, to arrive to the Americas.

(2) Category 1 and 2 Users shall have entitlement to relief pending divorce to prevent felony criminal charges.

(3) Refund of 100% child support payments of Category Users 1 and 2 who reside in the District of Columbia and paid into the District of Columbia’s child support payment system. Payers shall pay Category Users in full, with proof of payment from District of Columbia Child Support Department.

(x) Benefits Category 5 Employment & Career Support

(1) The category known as Employment & Career Support for Category Users 1, 2 and 3 to sustain **employment support** for a minimum time frame of 8 years pending positions hired to perform as per service or professional industry of any company, LTD, LLC, Inc., or entity with a long-term contract in the District of Columbia which exceeds 3 years, to provide any kind of services and keep workforce in the boundaries of the District of Columbia. If contract is awarded to a different entity, workforce availability from previous

contract shall have automatic rights to request employment eligibility hiring because of contract experience, a Category 1 and 2 User in the District of Columbia, with a minimum age of 18 years old and a maximum age of 75 years old for fulltime employment.

(2) **Career Support** for Category 1 and 2 Users only shall have first right of hiring selection of any entity doing business as a Contractor or Service Provider and leasing District of Columbia government property or used District of Columbia bonds to build any kind of development inside the boundaries of the District of Columbia. Career support shall guarantee long-term career advancement of Category Users 1, 2 and 3 from all entities currently who are financially stable and who has shareholders, board of directors, investors and banking system vehicle, which has ancestry heritage that benefitted from the Transatlantic Slave Trade or served with the Confederate Militia, KKK or any domestic terror groups throughout the United States of America. Entities shall have mandatory permanent employment to Category Users 1, 2 and 3 for a period of 20 years as permanent fulltime employees. All career employment personnel shall complete benefits and first right of position and title advancement for term of career with employer.

(3) **Supporting Injury Claim** – Income and employment disparities for Categories 1 and 2

Actors lineage to slavery and racial discrimination.

(y) Benefits Category 6 Tax Immunity

(1) This category represents Tax Immunity or Exemption that is needed for the residents and business owners of the District of Columbia who are Category Users 1, 2 and 3, and who are directly affected by property tax cost in the District of Columbia. Property taxes that are delinquent over \$500.00 USD are subject to immunity from property tax foreclosure if real property is owned by Category Users 1, 2 and 3 taxpayers or property owner(s) of real property in question for delinquent taxes. Property owner(s) of Category 1, 2 and 3 shall have immunity from any tax certificate buyer from foreclosure of real property and advancing ownership rights through court approval.

(2) Category Users 1, 2 and 3 shall have automatic tax deduction of delinquent cost or heirs

of property, power of attorney – fact or will which identify a Category User of 1 and 2 even if property has a mortgage, or no mortgage, on real property in the District of Columbia.

(3) Entitled deductions of taxes for real property who are Category Users 1, 2 and 3 shall

have a permanent deduction on taxes owed to the District of Columbia based on age of taxpayer as listed when property is in delinquent status or tax category 3

<u>Age</u>	<u>Deduction</u>
18 – 20	30%
21 – 30	35%
31 – 40	38%
41 – 50	40%
51 – 60	42%
61 – 70	45%
71 – 75	55%
75 – 80	65%
81 – 85	75%
86 – 90	80% (maximum deduction)

(4) This immunity can be exercise by Category Users 1, 2 and 3 and can be used 4 times

during existence of ownership with payment plan to Office of Tax & Revenue.

(5) Down payment to be paid in cash, certified check or money order payable to the Office of Tax & Revenue for the District of Columbia, Category Users 1, 2 and 3 shall have 12

months to pay on delinquent taxes without interest charges shall start as follows based on age of Category Users 1, 2 and 3

<u>Age</u> <u>New Taxes</u>	<u>Down Payment</u>	<u>Cost Rollover to</u>
18 – 20	\$300.00 USD	Yes
21 – 30	\$ 300.00 USD	Yes
31 – 40	\$750.00 USD	Yes
41 – 50	\$700.00 USD	Yes
51 – 60	\$600.00 USD	Yes
61 – 70	\$500.00 USD	Yes
71 – 75	\$300.00 USD	Yes
76 – 80	\$75.00 USD	Yes
81 – 85	\$50.00 USD	Yes
86 – 90	\$50.00 USD	Yes

(6) Cost rollover means due taxes can be added on to new taxes with a payment schedule to prevent scheduled foreclosure of real property. Tax immunity payment plan can be used a maximum of 8 times to allow Category Users 1, 2 and 3 rights to keep property.

(7) Supporting Injury Claims

Category Users 1 and 2 have the highest rate of tax default on property in the District of Columbia, with lack of financial resources due to the Transatlantic Slave Trade and the North American Slavery System, with failed civil rights and now payment of wages for 300 years in the United States of America.

(z) Benefits Category 7 Business Aid

(1) This category & is known as Business Aid for Category Users 1 and 2 who have limited resources (contracts, financial, personnel and property ownership) as an experienced or a new startup, with presence of a business in the District of Columbia that is a homebased, temporary office lease or property lease for storage of equipment and fixed building or mobile building.

(2) Category Users of 1 and 2 who have the following qualifications in order to receive business aid in the District of Columbia meet the following requirements:

- (A) Monthly Earning of \$10.00 - \$800.00 USD
- (B) Registered Business with IRS for 6 Months
- (C) Credit Score Personal below 600
- (D) Can Pass a Substance Test If Owner of a Company Providing Construction Services
- (E) Driver’s License of New Driver ID
- (F) Bank Account for Business with Checking and Savings
- (G) Hire a Minimum Employees Who are (Community, Returning Citizens) for a Period of 4 – 8 Months for Employment in the District of Columbia and District of Columbia Address of Business Owner or Business Locations
- (H) Business Cards

- (I) Email Address
- (J) Phone Operational (cell or landline)

(3) Funding allowance and consultant(s) support for qualified Category Users 1 and 2 who

are eligible for the following financial and consultant support aid is based on amount requested and length of time to keep business operational in the District of Columbia All business aid recipients must graduate from program in order to advance to larger grant amounts listed.

<u>Grant Amount</u>	<u>Time Allowance</u>	<u>Employees</u>	<u>Graduate Program</u>
\$75,000.00 USD (minimum)	6 months	2	2 months
\$150,000.00 USD	6 months	2	4 months
\$250,000.00	1 year	3	4 months
\$650,000.00	1 year	3	6 months
\$700,000.00	4 years	5	1 year
\$800,000.00	4 years	5	2 years
\$2,000,000.00 (maximum)	6 years	8	3 years

(3) Business aid users of all grant amounts shall come with a consultant. Grants above \$500,000.00 USD must be used to support government or private contracts or purchase real estate for personal use, for business asset and equipment purchase (truck, car, van, lite construction equipment, hand tools and safety gear).

(aa) Benefits Category 8 Community Business

(1) Category 8 of *Title II Section 8* is designated for community business for Category Users 1, 2 and 3 who reside in the District of Columbia or were born or raised in the District of

Columbia, who are in need of financial support, real estate ownership within community as permanent community business or temporary community business, which has an impact on community growth of employment, housing and services of Wards 5, 6, 7 and 8 target wards for community growth and if Category Users 1, 2 and 3 can exercise rights in other wards of 1, 2, 3 and 4 where locations are stable with economic growth through public wealth and income bracket.

(2) Requirements for Category Users 1, 2, and 3 to request partner grant to use for the following kinds of business:

<u>Ward 5, 7 & 8 Commit</u>	<u>Estimated Amount</u>	<u>Employee(s)</u>	<u>Years to</u>
Consultant -Permit (3)	\$480,000.00 USD	2	7 years
Legal Practice (4)	\$850,000.00 USD	3	8 years
Medical Clinic (2)	\$900,000.00 USD	4	10 years
Dental Clinic (2)	\$1,500,000.00 USD	4	10 years
Restaurant – Sit Down (3)	\$2,500,000.00 USD	6	10 years
Art Studio (2)	\$500,000.00 USD	3	10 years
Supermarket (1)	\$18,850,000.00 USD	40	15 years
24 Hour Medical Clinic (1)	\$6,500,000.00 USD	20	10 years
Carpentry Service (2)	\$880,000.00 USD	3	10 years
Electrical (3)	\$950,000.00 USD	4	10 years
Architectural Service (2)	\$800,000.00 USD	4	10 years

Home Improvement (3)	\$1,500,000.00 USD	6	10 years
Masonry / Concrete (4)	\$1,000,000.00 USD	4	10 years
Plumbing Service & Repair (2)	\$1,800,000.00 USD	4	10 years
HVAC Service & Repair (2)	\$1,800,000.00 USD	4	10 years

(3) All partner grants come with contract agreements which identify use of proceeds to include purchasing of real estate in community, equipment (car, van, truck) tools and electronic. Partner grant does pay for leases of any kind. All Eligible Category Users must sign a commitment of use, with transfer to an Eligible Category 1, 2 and 3 User.

(4) Supporting Claim of Injury

All Category Users 1 and 2 have a non-financial support system from the injuries of the

Transatlantic Slave Trade and civil rights failure of lack of modern day lenders who do not loan or grant financial support, regardless of wealth and income from business ownership in the District of Columbia for a period of 400 years, due to the North American slavery system of injuries.

(bb) Benefits Category 9 Real Estate Development

(1) Purpose of this Category 9 Real Estate Development is to grant Category Users 1, 2 and 3

who are seeking rights to develop a building, housing units, multifamily units, condo units and raw land development which does not have access to financial support from a conventional bank or lender of real estate urban development in the District of Columbia.

(2) Category Users 1, 2 and 3 must meet qualifications in order to receive partner loan to

develop existing improved property or raw land.

- (A) Rejection letter from 2 banks because of challenged credit score or lack of funds.
- (B) Live in the District of Columbia a minimum of 10 years and registered voter.
- (C) Own 605 of company as shareholder or president.
- (D) List of consultants of 50% from the District of Columbia of Category Users 1, 2 and 3
- (E) which will participate in writing or development.
- (F) Partner with projected earnings of project 50%.
- (G) Divorce complaint at time of partner grant loan.
- (H) Architectural plan for proposed development.
- (I) No criminal charges of murder, rape, child molestation of owner or borrower of proceeds
- (J) to develop project.

(3) Grant / Loan amount for real estate development.

<u>Borrower Classification</u>	<u>Grant/ Loan</u>	<u>Building Type</u>
New Startup Developer	\$3,500,000.00 USD	Residential
New Startup Developer	\$4,500,000.00 USD	Multifamily
1 – 2 Years New Startup	\$5,000,000.00 USD	Residential
1 – 2 Years New Startup	\$8,500,000.00 USD	Multifamily
3 – 5 Years New Startup	\$10, 500,000.00 USD	Mixed Use

(4) Project dollar amount for grant/loan is based on including land acquisition for project development. Eligible Users can jointly combine user grant/loan, if project exceeds development projection cost.

(5) Supporting Injury Claim

Category Users 1, 2 and 3 lineage to enslavement does give standard acceptance of new development real estate in the District of Columbia.

(cc) Benefits Category 10 Agriculture Business

(1) This Category 10 Agriculture Business is in place as a support category for Category

Users 1, 2 and 3 who have an interest in owning and developing a farm outside of the District of Columbia. Agriculture products are listed as area in states of VA, MD, NC, PA and DE, with a maximum 4-hour drive range or 200-mile maximum location radius.

(2) Products can be harvested, grown or raised, packaged and processed for human consumption in the District of Columbia. The grant / loan shall be available with proper funding of the USARADC.

(3) Category Users 1, 2 and 3 must commit to selling products to the District of Columbia

schools, inmate system, supermarkets and University of the District of Columbia.

(4) Grant / loan amount borrower accept terms of loan if eligible user shall purchase home and machinery to start farming business or purchase existing farm.

<u>Grant Loan Amount</u>	<u>Years of Service</u>	<u>Profit</u>
\$200,000.00 USD	10 years	30%
\$350,000.00 USD	15 years	35%
\$550,000.00 USD	20 years	30%
\$750,000.00 USD	20 years	35%
\$850,000.00 USD	30 years	40%

(5) Supporting Claim for Injury

Enslaved American worked as farmers feeding entire communities under bondage for 400 years.

(dd) Benefits Category 11 Manufacturing Business Support

(1) This Category 11 Manufacturing Business Support is designed to give Categories Users 1, 2 and 3 financial and consultant support, to start a new manufacturing business inside or outside the boundaries of the District of Columbia, within a 150-mile radius maximum.

(2) Manufacturing categories of business production are:

- (A) Shoes
- (B) Hats
- (C) Uniforms
- (D) Plastic Pipe – Infrastructure Material
- (E) Food Products for Human Consumption
- (F) Furniture – Wood
- (G) Timber Products – Lumber
- (H) Masonry Blocks
- (I) Precast Concrete Panels

(3) Grant loan partner shall be given to Eligible User 1, 2 and 3 to acquire existing manufacturing business or develop new manufacturing factory in the District of Columbia boundaries or outside of the District of Columbia, inside of international territories of West Indian or Caribbean locations.

District of Columbia Assembly Manufacturing					
<u>Factory Use</u>	<u>Employees – DC</u>	<u>Ward(s)</u>	<u>Years</u>	<u>Location</u>	<u>Amount</u>
<u>Profit</u>					
Hats	5	5, 8	10	\$2,500,000.00 USD	50%

Shoes	5	7	10	\$3,500,000.00 USD	40%
Furniture	6	7	10	\$6,000,000.00 USD	30%

Outside 150-Mile Radius

Plastic Pipe	3	7, 8	20	\$3,500,000.00 USD	50%
Timber Prod.	4	7, 8	20	\$7, 500,000.00 USD	50%
Masonry Blks.	2	7, 8	20	\$4,500,000.00 USD	50%
Precast Con.	2	8	20	\$5, 500, 000.00 USD	50%

International – Caribbean

Hats	2	7	20	\$2,500,000.00 USD	50%
Shoes	2	7	20	\$3,500,000.00 USD	50%
Plastic Pipe	2	5	30	\$5,500,000.00 USD	50%
Masonry Blks.	2	5	30	\$3,500,000.00 USD	50%
Precast Con.	4	8	30	\$6,500,000.00 USD	50%

(4) Category Users of 1, 2 and 3 shall hire other individuals who will take an interest

in

continuing manufacturing business after or during production life of factory who are above the age of 18 years old and are District of Columbia residents at wards identified inside the boundaries of the District of Columbia.

(5) Supporting Claim for Injury

Manufacturing products are not known to be owned by any Descendants of Enslaved Americans or User Category 2 in the District of Columbia.

Title II Section. 9. Termination of Benefits or Claims.

(a) **Purpose of Section 9** of USARADC is to set forth termination standards for users of Categories 1, 2 and 3 to allow eligible recipient users who commit certain crimes or offenses, which violate laws of federal, state or local jurisdiction, whether criminal or civil (non-criminal) offenses.

(b) **Section 9** termination of benefits or claims can be defined as loss of right in total eligibility or partial loss of right in total eligibility

(c) Such as in the following description listed:

Total loss of rights (**permanent termination**) of benefits and any financial restitution for users of Categories 1, 2 and 3 shall be terminated after court proceedings with verdict by judge court order as declared in written form to eligible recipients of Categories 1, 2 or 3.

(d) Offense or act for termination (Applies to actions or offense committed inside the borders of the United States of America of the District of Columbia.):

- (1) Murder of adult or child
- (2) Lynching of adult or child
- (3) Rape of child or adult
- (4) Castration of adult or child
- (5) Armed robbery of any kind with murder of adult or child
- (6) Public terrorist with a weapon that leads to murder or assault
- (7) Terrorists acts against the U.S. government (explosive devices, arms, chemical agents)
- (8) agents)
- (9) Hate crimes against people (adult or child)
- (10) Treason against the U.S. government
- (11) Chemical substance selling or trafficking to minors below age 18
- (12) Pedophilia and sex trafficking of minors below age 18

(e) Reinstatement offense of return of benefits or financial restitution for users of Categories 1, 2 and 3 to be granted after parole, probation or acquitted by judge, jury or court: Murder – Self Defense

(f) Non-Criminal or Civil Offense

Criminal offense with probation or parole rights after serving sentence ordered by court, judge or jury – users of Category 1, 2 or 3 will be granted to use 50 % of benefits during lifetime of use

- (1) Reckless Driving Under the Influence (DUI)
- (2) DUI
- (3) Armed Robbery (without murder)
- (4) Breaking in without Proper Entry
- (5) Assault
- (6) Public Panhandling
- (7) Disorderly Conduct
- (8) Speeding (without accident or hitting a pedestrian)
- (9) Driving without a License
- (10) Marijuana Possession
- (11) Grand Theft

(g) This Section 9 of the USARADC shall be in effect for 251 years after voted on by 69 public will or special privatization of a United States Corporation in the District of 70 Columbia as a federal district, territory, state or county formed by a state.

Title II. Section. 10. Sunset Provisions.

(a) Purpose of **Section 10** is to identify the length of time the Act known as the *United States Adjustment and Recovery Act for the District of Columbia* (USARADC) shall

Expire after all Financial Obligations and Terms Satisfied by all Category Users 1,2, and 3.

(b) This includes all Actors who are Domestic or International that has caused injuries as listed in Title I. Section 5.

(c) Sunset Provisions of this *Title II Settlement Resolutions Act* shall expire, if no other injuries or new discoveries are exposed on the 8th of January 2272 at midnight Eastern Time (ET)

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

NOTICE OF PUBLIC HEARING

Wednesday, June 10, 2020

6:30 p.m.

District of Columbia Water and Sewer Authority Headquarters
1385 Canal Street, S.E.
Washington, D.C. 20003
Second Floor Board Room

The Board of Directors (the Board) of the District of Columbia Water and Sewer Authority (DC Water) in accordance with Sections 203(3) and (11) and 216 of the Water and Sewer Authority Establishment and Department of Public Works Reorganization Act of 1996, effective April 18, 1996, (D.C. Law 11-111, §§ 203(3), (11), and 216; D.C. Official Code §§ 34-2202.03(3) and (11) and § 34-2202.16 (2019 Repl.) approved Board Resolution 20-19, dated March 5, 2020, which, if adopted, would amend Section 112 (Fees) of Chapter 1 (Water Supply) and Sections 4100 (Rates for Water Service), 4101 (Rates and Charges for Sewer Service), and 4102 (Customer Assistances Programs) of Chapter 41 (Retail Water and Sewer Rates and Charges) of Title 21 (Water and Sanitation) of the District of Columbia Municipal Regulations (DCMR). Pursuant to D.C. Official Code § 34-2202.16 and 21 DCMR Chapter 40, the Board will conduct a public hearing at the above stated date, time, and place to receive comments on the Notice of Proposed Rulemaking, which is published in this edition of the *D.C. Register* (DCR) on the March 20, 2020.

Below is the draft agenda for this meeting. A final agenda will be posted to DC Water's website at www.dewater.com.

Each individual or representative of an organization who wishes to present testimony at the public hearing is requested to furnish his or her name, address, telephone number and name of the organization (if any) by calling (202) 787- 2330 or emailing the request to Lmanley@dewater.com no later than 5:00 p.m., Monday June 8, 2020. Other persons wishing to present testimony may testify after those on the witness list. Persons making presentations are urged to address their statements to relevant issues.

Oral presentations by individuals will be limited to five (5) minutes. Oral presentations made by representatives of an organization will not be longer than ten (10) minutes. Statements should summarize extensive written materials so there will be time for all interested persons to be heard. Oral presentations will be heard and considered, but for accuracy of the record, all statements should be submitted in writing. The hearing will end when all persons wishing to make comments have been heard.

Written testimony or comments on the Notice of Proposed Rulemaking may be submitted by mail to Linda R. Manley, Secretary to the Board, District of Columbia Water and Sewer Authority, 1358 Canal Street, S.E., Washington, D.C. 20003, or by email to Lmanley@dewater.com. Such written testimony to be clearly marked "Written Testimony for Public Hearing, June 10, 2020" and received by 5:00 p.m. Monday, June 15, 2020.

**PUBLIC HEARING ON
Proposed Retail Rates, Charges & Fees, Customer Metering Fees
Amend CAP CRIAC Discount and Amendment to CAP2 Regulations
for Fiscal Year 2021 & Fiscal Year 2022**

Wednesday, June 10, 2020

6:30 p.m.

AGENDA

1. Call to OrderTommy Wells, Chairman
2. Opening Statement.....Tommy Wells, Chairman
3. DC Water Management Presentation.....Matthew Brown, CFO/EVP Finance & Procurement
Proposed FY 2021 & FY 2022 Retail Rates, Charges & Fees, Customer Metering Fees,
Amend CAP CRIAC Discount and Amendment to CAP2 Regulations
4. Presentation by Independent Consultant..... Amawalk Consulting
Independent Review of the Proposed Budget and Rates for FY 2021 & FY 2022
5. Public Witnesses
 - Pre-registered Speakers
 - Other comments (time permitting)
6. Closing StatementTommy Wells, Chairman
7. AdjournmentTommy Wells, Chairman

**BOARD OF ZONING ADJUSTMENT
PUBLIC HEARING NOTICE
WEDNESDAY, MAY 13, 2020
441 4TH STREET, N.W.
JERRILY R. KRESS MEMORIAL HEARING ROOM, SUITE 220-SOUTH
WASHINGTON, D.C. 20001**

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

TIME: 9:30 A.M.

WARD TWO

20274 **Application of MQMF 1313 L Street LLC**, pursuant to 11 DCMR
ANC 2F Subtitle X, Chapter 9, for a special exception under Subtitle I § 205.5
 from the rear yard requirements of Subtitle I § 205, and pursuant to
 Subtitle X, Chapter 10, for an area variance from the court
 requirements of Subtitle I § 207.1, to redevelop an existing office
 building and convert it into a 10-story residential building in the D-4-R
 at premises 1313 L Street, N.W. (Square 247, Lot 94).

WARD TWO

20276 **Application of Quadrum DC, LLC**, pursuant to 11 DCMR Subtitle
ANC 2C X, Chapter 9, for a special exception under the penthouse use
 requirements of Subtitle C § 1500.3(c), to construct a hotel with a
 cocktail lounge and restaurant in the penthouse in the D-4-R zone at
 premises 333 G Street, N.W. (Square 529, Lots 29, 37, 802, 803, 846,
 847, 852, 853).

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, pursuant to Subtitle Y § 600.4.

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.

BZA PUBLIC HEARING NOTICE

MAY 13, 2020

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

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

Do you need assistance to participate?

Amharic

ለመሳተፍ ዕርዳታ ያስፈልግዎታል?

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

Chinese

您需要有人帮助参加活动吗?

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

French

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

Korean

참여하시는데 도움이 필요하세요?

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

Spanish

¿Necesita ayuda para participar?

Si tiene necesidades especiales o si necesita servicios de ayuda en su idioma (de traducción o interpretación), por favor comuníquese con Zee Hill llamando al (202) 727-0312 o escribiendo a

BZA PUBLIC HEARING NOTICE

MAY 13, 2020

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Zelalem.Hill@dc.gov cinco días antes de la sesión. Estos servicios serán proporcionados sin costo alguno.

Vietnamese

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

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

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

**FREDERICK L. HILL, CHAIRPERSON
CARLTON HART, VICE-CHAIRPERSON (NCPC)
LORNA L. JOHN, MEMBER**

VACANT POSITION

A PARTICIPATING MEMBER OF THE ZONING COMMISSION

**CLIFFORD W. MOY, SECRETARY TO THE BZA
SARA A. BARDIN, DIRECTOR, OFFICE OF ZONING**

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS

NOTICE OF FINAL RULEMAKING

The Director of the Department of Consumer and Regulatory Affairs, pursuant to the authority set forth in Section 6(1)(A) of the Residential Real Property Seller Disclosure, Funeral Services Date Change, and Public Service Commission Independent Procurement Authority Act of 1998, effective April 20, 1999 (D.C. Law 12-263; D.C. Official Code § 42-1305(1)(A) (2012 Repl.), and Mayor's Order 99-82, dated May 21, 1999, hereby gives notice of the intent to adopt the following amendments to Section 2708 (Real Property Seller's Disclosure Statement) of Chapter 27 (Real Estate Practice and Hearings), Title 17 (Business, Occupations, and Professionals) of the District of Columbia Municipal Regulations (DCMR).

This final rulemaking amends the Real Property Seller's Disclosure Statement to include disclosure information related to lead plumbing and water systems, which is a requirement of Section 4 of The Lead Water Service Line Replacement and Disclosure Amendment Act of 2018, effective March 13, 2019 (D.C. Law 22-241; D.C. Official Code § 42-1305 (2012 Repl.)). The Real Property Seller's Disclosure Statement also includes new disclosures related to vacant and blighted buildings meant to protect homebuyers from unknowingly purchasing a property that has a temporary vacant or blighted building exemption that will expire after the sale, causing the buyer's taxes and mortgage payments to unexpectedly rise.

A Notice of Proposed Rulemaking was published in the *D.C. Register* on November 29, 2019, at 66 DCR 015753. One comment was received, which was addressed by changing the order of the questions in the "Water System" section of the Seller's Disclosure Statement; a non-substantive change.

These rules were adopted as final on February 27, 2020 and shall become effective on the date of publication of this notice in the *D.C. Register*.

Chapter 27, REAL ESTATE PRACTICE AND HEARINGS, of Title 17 DCMR, BUSINESS, OCCUPATIONS, AND PROFESSIONALS, is amended as follows:

Section 2708, REAL PROPERTY SELLER'S DISCLOSURE STATEMENT, is amended as follows:

Subsection 2708.13 is amended to read as follows:

Seller's Disclosure Statement

Instructions

These Instructions are to assist the Seller in completing the required Seller's Disclosure Statement in order to comply with the District of Columbia Residential Real Property Seller Disclosure Act.

1. Who must complete the Seller's Disclosure Statement?

The Seller must complete the Statement him or herself (not the broker, management company, condominium association, cooperative association, or homeowners association).

2. The Seller must provide the Seller's Disclosure Statement to the Purchaser for the following transactions:

The Act applies to the following types of transfers or sales of District of Columbia real estate:

- a. Where the property consists of one to four residential dwelling units;
- b. The transaction is a sale, exchange, installment land contract, lease with an option to purchase, or any other option to purchase; and
- c. The purchaser expresses, in writing, an interest to reside in the property to be transferred.

3. The Seller does not need to complete the Seller's Disclosure Statement for the following transactions:

- a. Court ordered transfers;
- b. Transfers to a mortgagee by a mortgagor in default;
- c. Transfers by sale under a power of sale in a deed of trust or mortgage or any foreclosure sale under a decree of foreclosure or deed in lieu of foreclosures;
- d. Transfers by a non-occupant fiduciary administering a decedent's estate, guardianship, conservatorship or trust;
- e. Transfers between co-tenants;
- f. Transfers made to the transferor's spouse, parent, grandparent, child, grandchild or sibling (or any combination of the foregoing);
- g. Transfer between spouses under a divorce judgment incidental to such a judgment;
- h. Transfers or exchanges to or from any governmental entity; and
- i. Transfers made by a person of newly constructed residential property that has not been inhabited.

4. When does the Seller's Disclosure Statement have to be provided to the Purchaser?

In a sale, before or at the time the prospective transferee executes a purchase agreement with the transferor. In an installment sales contract (where a binding purchase contract has not been executed), or in the case of a lease with no option to purchase, before or at the time the prospective transferee executes the installment sales contract or lease with the transferor.

5. What information must the Seller disclose?

Answer ALL questions on the Seller's Disclosure Statement. If some items do not apply to your property, check "N/A" (not applicable). If you do not know the facts, check "UNKNOWN". Report actually known conditions referred to in the questions. Each disclosure must be made in "good faith" (honesty in fact in the making of the disclosure). Attach additional pages with your signature if additional space is required.

The Seller of a condominium unit, cooperative unit, or a lot in a homeowners association, is to provide information only as to the Seller's unit or lot, and not as to any common elements, common areas or other areas outside of the unit or lot.

6. What is the remedy if the Seller does not provide the Seller's Disclosure Statement to the Transferee?

If the Seller's Disclosure Statement is delivered after the purchaser executes the purchase agreement, installment sales contract or lease with an option to purchase, the purchaser may terminate the transaction by written notice to the seller not more than five (5) calendar days after receipt of the Seller's Disclosure Statement by the purchaser, and the deposit must be returned to the purchaser. The right to terminate is waived if not exercised before the earliest of:

- a. The making of an application for a mortgage loan (if the lender discloses in writing that the right to rescind terminates on submission of the application);
- b. Settlement or date of occupancy in the case of a sale; or
- c. Occupancy in the case of a lease with an option to purchase.

7. If the Seller finds out different information after providing the Seller's Disclosure Statement to the Purchaser, how does this impact a ratified contract?

If information becomes inaccurate after delivery of the disclosure form, the inaccuracy shall not be grounds for terminating the transaction.

8. How must a Seller deliver the Seller's Disclosure Statement to the Transferee?

The Seller's Disclosure Statement must be delivered by personal delivery, facsimile delivery, or by registered mail to the transferee. Execution by the transferor of a facsimile is considered execution of the original.

SELLER'S PROPERTY CONDITION STATEMENT

For Washington, DC

Purpose of Statement: This Statement is a disclosure by the Seller of the defects or information actually known by the Seller concerning the property, in compliance with the District of Columbia Residential Real Property Seller Disclosure Act. Unless otherwise advised, the Seller does not possess an expertise in construction, architecture, engineering, or any other specific area related to the construction of the improvements on the property or the land. Also, unless otherwise advised, the Seller has not conducted any inspection of generally inaccessible areas such as the foundation or roof. THIS STATEMENT IS NOT A WARRANTY OF ANY KIND BY THE SELLER OR BY ANY AGENT REPRESENTING THE SELLER IN THIS TRANSACTION, AND IS NOT A SUBSTITUTE FOR ANY INSPECTIONS OR WARRANTIES THE BUYER MAY WISH TO OBTAIN.

Seller Disclosure: The Seller discloses the following information with the knowledge that, even though this is not a warranty, the Seller specifically makes the following statements based on the seller's actual knowledge at the signing of this document. Upon receiving this statement from the Seller, the Seller's agent is required to provide a copy to the Buyer or the agent of the Buyer. The Seller authorizes its agent (s) to provide a copy of this statement to any prospective buyer or agent of such prospective buyer in connection with any actual or anticipated sale of property. The following are statements made solely by the Seller and are not the statements of the Seller's agent (s), if any. This information is a disclosure only and is not intended to be a part of any contract between Buyer and Seller.

The seller(s) completing this disclosure have owned the property from: _____ To: _____

The seller(s) completing this disclosure have occupied the residence from: _____ To: _____

Property Address:

The property is included in: Condominium Association Cooperative Homeowners association with mandatory participation and fee

If this is a sale of a condominium unit or cooperative unit, or in a homeowners association, this disclosure form provides information only as to the unit (as defined in the governing documents of the association) or lot (as defined in the covenants applicable to the lot), and not as to any common elements, common areas or other areas outside of the unit or lot.

A. Structural Conditions

1. Roof	<input type="checkbox"/> Roof is a common element maintained by condominium or cooperative (if you check this box, no further roof disclosure required; go to section B)
	Age of Roof: <input type="checkbox"/> 0-5 years <input type="checkbox"/> 5-10 years <input type="checkbox"/> 10-15 years <input type="checkbox"/> 15+ years <input type="checkbox"/> Unknown
	Does the seller have actual knowledge of any current leaks or evidence of moisture from roof? <input type="checkbox"/> Yes <input type="checkbox"/> No <i>If yes, please provide comments:</i>
	Does the seller have actual knowledge of any existing fire retardant treated plywood? <input type="checkbox"/> Yes <input type="checkbox"/> No <i>If yes, please provide comments:</i>

2. Fireplace/ Chimney(s)	Does the seller have actual knowledge of any defects in the working order of the fireplaces? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> No fireplace(s) <i>If yes, please provide comments:</i>
	Does the seller know when the chimney(s) and/or flue were last inspected and/or serviced? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> No chimney(s) or flue(s) <i>If yes, when were they last serviced or inspected?:</i>

3. Basement	Does the seller have actual knowledge of any current leaks or evidence of moisture in the basement? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not applicable <i>If yes, please provide comments:</i>
	Does the seller have actual knowledge of any structural defects in the foundation? <input type="checkbox"/> Yes <input type="checkbox"/> No <i>If yes, please provide comments:</i>

4. Walls and Floors	Does the seller have actual knowledge of any structural defects in walls or floors? If yes, please provide comments:	<input type="checkbox"/> Yes <input type="checkbox"/> No
5. Insulation	Does the seller have actual knowledge of presence of urea formaldehyde foam insulation? If yes, please provide comments:	<input type="checkbox"/> Yes <input type="checkbox"/> No
6. Windows	Does the seller have actual knowledge of any windows not in normal working order? If yes, please provide comments:	<input type="checkbox"/> Yes <input type="checkbox"/> No

B. Operating Condition of Property Systems

1. Heating System	<input type="checkbox"/> Heating system is a common element maintained by condominium or cooperative (if you check this box, no further disclosure on heating system required; go to section B.1.)	
	Type of System: <input type="checkbox"/> Forced Air <input type="checkbox"/> Radiator <input type="checkbox"/> Heat Pump <input type="checkbox"/> Electric Baseboard <input type="checkbox"/> Other	
	Heating Fuel: <input type="checkbox"/> Natural Gas <input type="checkbox"/> Electric <input type="checkbox"/> Oil <input type="checkbox"/> Other	
	Age of System: <input type="checkbox"/> 0-5 years <input type="checkbox"/> 5-10 years <input type="checkbox"/> 10-15 years <input type="checkbox"/> Unknown	
	Does the heating system include a humidifier? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown	
	Does the heating system include an electronic air filter? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown	
	Does the seller have actual knowledge that heat is not supplied to any finished rooms? <input type="checkbox"/> Yes <input type="checkbox"/> No <i>If yes, please provide comments:</i>	
	Does the seller have actual knowledge of any defects in the heating system? <input type="checkbox"/> Yes <input type="checkbox"/> No <i>If yes, please provide comments:</i>	
	If installed, does the seller have actual knowledge of any defects with the humidifier or electronic filter? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not applicable <i>If yes, please provide comments:</i>	

2. Air Conditioning System	<input type="checkbox"/> Air conditioning is a common element maintained by condominium or cooperative (if you check this box, no further disclosure on the air conditioning system is required; go to section B.3.)	
	Type of System: <input type="checkbox"/> Central AC <input type="checkbox"/> Heat Pump <input type="checkbox"/> Window/Wall Unit <input type="checkbox"/> Other <input type="checkbox"/> Not applicable	
	AC Fuel: <input type="checkbox"/> Natural Gas <input type="checkbox"/> Electric <input type="checkbox"/> Oil <input type="checkbox"/> Other	
	Age of System: <input type="checkbox"/> 0-5 years <input type="checkbox"/> 5-10 years <input type="checkbox"/> 10-15 years <input type="checkbox"/> Unknown	
	Does the heating system include a humidifier? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown	
	Does the heating system include an electronic air filter? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown	
	If central AC, does the seller have actual knowledge that cooling is not supplied to any finished rooms? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not applicable <i>If yes, please provide comments:</i>	
	Does the seller have actual knowledge of any problems or defects in the cooling system? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not applicable <i>If yes, please provide comments:</i>	

3. Plumbing System	Type of material: (check all that apply) <input type="checkbox"/> Copper <input type="checkbox"/> Lead <input type="checkbox"/> Galvanized iron <input type="checkbox"/> Brass <input type="checkbox"/> PVC <input type="checkbox"/> Plastic polybutelene <input type="checkbox"/> Unknown
	Water Supply: <input type="checkbox"/> Public <input type="checkbox"/> Well
	Sewage Disposal Treatment: <input type="checkbox"/> Public <input type="checkbox"/> Septic tank <input type="checkbox"/> Cesspool <input type="checkbox"/> Onsite treatment
	Water Heater Fuel: <input type="checkbox"/> Natural gas <input type="checkbox"/> Electric <input type="checkbox"/> Oil <input type="checkbox"/> Other
	Does the seller have actual knowledge of any defects with the plumbing system? <input type="checkbox"/> Yes <input type="checkbox"/> No <i>If yes, please provide comments:</i>

4. Water System	Does the seller have actual knowledge of the results of any lead tests conducted on the water supply of the property? <input type="checkbox"/> Yes <input type="checkbox"/> No <i>If yes, please provide test results:</i>
	Does the seller have actual knowledge that the property has been included on the DC Water service line map website (https://www.dewater.com/leadmap , as of August 2019) as a property with a lead water service line on the private property or in public space? <input type="checkbox"/> Yes <input type="checkbox"/> No <i>If yes, please provide comments:</i>
	Does the seller have actual knowledge of any lead-bearing plumbing, including the water service line servicing the property? <input type="checkbox"/> Yes, there is a lead service line servicing the property <input type="checkbox"/> Yes, there is lead bearing plumbing on the property <input type="checkbox"/> No <i>Comments:</i>
	If there is a lead service line servicing the property, does the seller have actual knowledge that any portion of the lead water service line has been replaced? (Note: This applies to portions of the service line on private property and in public space). <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not applicable <i>If yes, please provide date(s) of replacement(s):</i>

5. Electrical System	Does the seller have actual knowledge of any defects in the electrical system, including the electrical fuses, circuit breakers, outlets, or wiring? <input type="checkbox"/> Yes <input type="checkbox"/> No <i>If yes, please provide test results:</i>
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C. Appliances and Fixtures

Does the seller have actual knowledge of any defects with the following appliances?

- | | | | |
|------------------------------|------------------------------|-----------------------------|---|
| Range/Oven | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Not applicable |
| Dishwasher | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Not applicable |
| Refrigerator | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Not applicable |
| Range hood/fan | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Not applicable |
| Microwave oven | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Not applicable |
| Garbage Disposal | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Not applicable |
| Sump Pump | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Not applicable |
| Trash compactor | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Not applicable |
| TV antenna/controls | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Not applicable |
| Central vacuum | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Not applicable |
| Ceiling fan | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Not applicable |
| Attic fan | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Not applicable |
| Sauna/Hot tub | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Not applicable |
| Pool heater & equip | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Not applicable |
| Security System | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Not applicable |
| Intercom System | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Not applicable |
| Garage door opener | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Not applicable |
| & remote controls | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Not applicable |
| Lawn sprinkler system | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Not applicable |
| Water treatment system | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Not applicable |
| Smoke Detectors | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Not applicable |
| Carbon Monoxide detectors | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Not applicable |
| Other Fixtures or Appliances | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Not applicable |

If yes to any of the above, please describe the defects:

D. Exterior/Environmental Issues

1. Exterior Drainage

Does the seller have actual knowledge of any problem with drainage on the property?

Yes No

If yes, please provide comments:

2. Damage to Property

Does the seller have actual knowledge whether the property has previously been damaged by:

Fire: Yes No

Wind: Yes No

Flooding: Yes No

If yes to any, please provide comments:

3. Wood destroying insects or rodents	Does the seller have actual knowledge of any infestation or treatment for infestations? <input type="checkbox"/> Yes <input type="checkbox"/> No <i>If yes, please provide comments:</i>
	Does the seller have actual knowledge of any prior damage or repairs due to a previous infestation? <input type="checkbox"/> Yes <input type="checkbox"/> No <i>If yes, please provide comments:</i>
4. Other Issues	Does the seller have actual knowledge of any problem with drainage on the property? <input type="checkbox"/> Yes <input type="checkbox"/> No <i>If yes, please provide comments:</i>
	Does the seller have actual knowledge of any substances, materials or environmental hazards (including but not limited to asbestos, radon gas, lead based paint, underground storage tanks, formaldehyde, contaminated soil, or other contamination) on or affecting the property? <input type="checkbox"/> Yes <input type="checkbox"/> No <i>If yes, please provide comments:</i>
	Does the seller have actual knowledge of any zoning violations, nonconforming uses, violation of building restrictions or setback requirements, or any recorded or unrecorded easement, except for utilities, on or affecting the property? <input type="checkbox"/> Yes <input type="checkbox"/> No <i>If yes, please provide comments:</i>
	Does the seller have actual knowledge that this property is a D.C. Landmark, included in a designated historic district or is designated a historic property? <input type="checkbox"/> Yes <input type="checkbox"/> No <i>If yes, please provide comments:</i>
	Has the property been cited for a violation of any historic preservation law or regulation during your ownership? <input type="checkbox"/> Yes <input type="checkbox"/> No <i>If yes, please provide comments:</i>
	Does the seller have actual knowledge if a facade easement or a conservation easement has been placed on the property? <input type="checkbox"/> Yes <input type="checkbox"/> No <i>If yes, please provide comments:</i>
	Does the seller have actual knowledge that the property has received a vacant or blighted building exemption? <input type="checkbox"/> Yes <input type="checkbox"/> No <i>If yes, please state the type of exemption, and when the exemption will expire:</i>

Certification and Signature

The seller(s) certifies that the information in this statement is true and correct to the best of their knowledge as known on the date of signature.

Seller's Signature

Date

Seller's Signature

Date

Buyer(s) have read and acknowledge receipt of this statement and acknowledge that this statement is made based upon the seller's actual knowledge as of the above date. This disclosure is not a substitute for any inspections or warranties which the buyer(s) may wish to obtain. This disclosure is NOT a statement, representation, or warranty by any of the seller's agents or any sub-agents as to the presence or absence of any condition, defect or malfunction or as to the nature of any condition, defect or malfunction.

Buyer's Signature

Date

Buyer's Signature

Date

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

The Director of the D.C. Department of Human Resources (“Director”), with the concurrence of the City Administrator, pursuant to Mayor’s Order 2008-92, dated June 26, 2008, and in accordance with Sections 404(a) and 801(a) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code §§ 1-604.04(a) and 1-608.01(a) (2016 Repl.)), hereby gives notice of the adoption of the following amendment to Chapter 8 (Career Service) of Title 6 (Personnel), Subtitle B (Government Personnel), of the District of Columbia Municipal Regulations (DCMR).

This rulemaking amends Section 876 (Processing Candidates for Fire Sergeant, Lieutenant, and Captain Positions). The changes to this rule will enable more Fire and Emergency Medical Services Department (FEMS) employees to meet the time-in-rank requirements to take the Sergeant, Lieutenant, and Captain promotional examinations. This will allow FEMS to modernize its recruitment and retention practices by providing additional opportunities for employee advancement. These changes will give flexibility to the agency by broadening the time-in-rank requirements for employees wishing to take the Sergeant, Lieutenant, and Captain promotional examinations.

A Notice of Proposed Rulemaking was published in the *D.C. Register* on December 6, 2019 at 66 DCR 016056. No public comments were received, and no changes have been made to the text of the rules as proposed.

These rules were adopted by the Director as final on February 12, 2020 and will become effective upon publication of this notice in the *D.C. Register*.

Chapter 8, CAREER SERVICE, of Title 6-B DCMR, GOVERNMENT PERSONNEL, is amended to read as follows:

Subsection 876.2 of Section 876, PROCESSING CANDIDATES FOR FIRE SERGEANT, LIEUTENANT, AND CAPTAIN POSITIONS, is amended to read as follows:

876.2 To be eligible to take a promotional examination, the candidate shall meet the following time-in-rank requirements:

- (a) Eligible employees applying for the Sergeant Examination shall have a minimum of five (5) years of cumulative service, continuous or intermittent, in the Fire Department of the District of Columbia as of the qualifying date for the examination;
- (b) Eligible employees applying for the Lieutenant Examination shall have a minimum of one (1) year of cumulative service, continuous or intermittent, as a Sergeant in the Fire Department of the District of Columbia as of the qualifying date for the examination; and

- (c) Eligible employees applying for the Captain Examination shall have a minimum of one (1) year of cumulative service, continuous or intermittent, as a Lieutenant in the Fire Department of the District of Columbia as the qualifying date for the examination.

DEPARTMENT OF HUMAN SERVICES

NOTICE OF FINAL RULEMAKING

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

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

These rules were first published as emergency and proposed in the *D.C. Register* on April 27, 2018, at 65 DCR 4663, were adopted on January 24, 2018, and became effective on that date. Emergency rules were subsequently published on June 1, 2018, at 65 DCR 6057; December 28, 2018, at 65 DCR 14135; March 8, 2019, at 66 DCR 2779; July 19, 2019, at 66 DCR 8389; November 1, 2019, at 66 DCR 14442; and February 28, 2020, at 67 DCR 2234. A notice of second proposed rulemaking, which addressed public comments and the Department’s experience with the initial stages of implementing the Program under emergency rulemaking, was published on September 27, 2019, at 66 DCR 12774. No further comments were received and no changes have been made to the text of the rules as proposed.

Further, in accordance with Section 31 of the HSRA, the proposed rules were introduced by Council of the District of Columbia Chairman Mendelson at the request of the Mayor on December 11, 2019, as PR 23-610, published in the *D.C. Register* as a Notice of Intent to Act on December 20, 2019, at 66 DCR 16315, and were deemed approved on March 4, 2020.

On March 10, 2020, the Department adopted these rules as final, and the rulemaking will become effective upon publication of this Notice in the *D.C. Register*.

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

CHAPTER 79 FLEXIBLE RENT SUBSIDY PILOT PROGRAM

7900 SCOPE

7900.1 The purpose of the Flexible Rent Subsidy Pilot Program, which subsequently shall be referred to as the DC Flex Program (and “Program” throughout this rule), is to support households that are at risk of experiencing homelessness to achieve stability in permanent housing. The Program provides financial assistance to each enrolled head of household in the instances where there is a gap between the total monthly rent expenses and the household’s funds available for rent. The financial assistance is payable only to the households, with the exception noted in § 7905.11(b).

7900.2 The Department shall be responsible for the implementation of this chapter, which shall apply to all financial assistance provided through the Department pursuant to the Program.

7900.3 The Program shall operate for four years, beginning in Fiscal Year 2018.

7900.4 One person per household is eligible to enroll his or her household in the Program. This person shall be considered the head of household.

7900.5 The provisions of this chapter describe eligibility criteria; the application process; assistance determination; description of assistance provided and how it is administered; recertification requirements; and appeal procedures for the Program.

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

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

7901 ELIGIBILITY CRITERIA

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

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

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

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

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

- (a) Reside in the District of Columbia, as defined by Section 2(32) of the Homeless Services Reform Act of 2005, effective October 22, 2005 (D.C. Law 16-35; D.C. Official Code § 4-751.01(32)), at the time of application;
- (b) Demonstrate risk of homelessness as evidenced by:
 - (1) Previous application for at least one emergency or temporary government-funded housing or rental assistance program administered by the District, including the Emergency Rental Assistance Program, the Homelessness Prevention Program, or the Family Re-Housing and Stabilization Program, within the last forty-eight (48) months; and
 - (2) Having a total annual income less than or equal to 30 percent of the Median Family Income for the District, which is a periodic calculation provided by the United States Department of Housing and Urban Development; and
- (c) Be headed by a person that is twenty-one (21) years old or older at the time of application, and who meets the following requirements:
 - (1) Has physical custody of one or more minor children;

- (2) Is currently employed or has recent history of employment; and
- (3) Is the lease holder for a rental unit.

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

7902 HOUSEHOLD OUTREACH

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

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

7902.3 The Department will conduct outreach via the U.S. Postal Service, telephone, email, SMS text messages, or other communication means determined by the Department.

7902.4 Outreach communications will invite households interested in Program enrollment to submit an application as described in § 7903 to the Department via a web-based portal, U.S. Postal Service, or in person at a physical site determined by the Department.

7902.5 Outreach communication shall contain or provide a hyperlink to a description of the Program, the application and enrollment process, responsibilities of the Department and the Provider used to manage the Program, and Program participation requirements, including each applicant’s involvement in budget and financial management activities.

7903 APPLICATION AND SELECTION PROCESS

7903.1 Each household interested in enrolling in the Program shall complete an application form provided by the Department that is signed by the head of household. An authorized representative may apply on behalf of the applying household if the applying head of household provides a written and signed statement stating why he

or she cannot personally complete the form and the name and address of the person authorized to act on his or her behalf.

- 7903.2 If the applicant has a disability or the authorized representative of the applicant with a disability requests assistance to complete the application, the Department shall assist such applicant or authorized representative with the application process to ensure that the applicant has an equal opportunity to submit an application.
- 7903.3 The Director of the Department will determine the number of applications that will be accepted for the Program, which is contingent on available funding. If at any point the Department receives additional funding for the program, the Department may reopen the application process at that time for new applications.
- 7903.4 Household enrollment shall follow a two-step process. The first step shall require the applying person to complete and submit a web-based or paper application to the Department as notification of his or her household's enrollment interest and self-reported eligibility in order to be selected. The second step shall require selected households to submit documentation to the Department that enables the Department or its designee to verify information on the household's application and Program eligibility criteria included in § 7901 of this chapter.
- 7903.5 The application will include questions that require the applicant to attest to the Program eligibility criteria listed in § 7901, and may also request the applicant to provide the following:
- (a) Identifying information;
 - (b) Contact information;
 - (c) Household composition;
 - (d) Current income;
 - (e) Current monthly rent expense;
 - (f) Address of current rental unit;
 - (g) Consent to release information; and
 - (h) Any additional information deemed necessary by the Department.
- 7903.6 Due to limited Program availability during the pilot period, the Department will administer one or more assignment lotteries to determine which applying households are offered one of the available Program slots using the method described in § 7903.5, § 7903.7, and § 7903.8.

- 7903.7 The results of the Program's pilot period will be evaluated to understand its effectiveness in supporting households' long term housing stability. To increase the probability that the Program will be successful if expanded to enroll more households, the lottery will be structured so that the characteristics identified on the applications of the group of households offered a Program slot are similar to the characteristics identified on the application of all households that applied for the Program.
- 7903.8 After the lottery is completed, the Department will offer available Program slots to households selected by the lottery. The Department will notify selected households via the U.S. Postal Service, telephone, email or another communication mode determined by the Department. These Program slots are conditional, and are only official after the household responds to the Department's notice of the conditional offer and successfully completes the Program eligibility process described in § 7904. If a household fails to respond within the given timeframe, or after verification the household does not meet eligibility requirements for the Program, an additional household will be selected based on the method described in § 7903.10, until all slots have been filled.
- 7903.9 Each household selected for the Program will have fifteen (15) calendar days from the date of notice to respond to the Department via telephone, email or another communication mode determined by the Department. Each household's response to the Department shall convey whether the household:
- (a) Accepts the conditional Program slot offer and intends to complete the Program eligibility process; or
 - (b) Declines the conditional Program slot offer.
- 7903.10 Any household that declines the offer for the Program slot, fails to provide a response to the Department within fifteen (15) calendar days of Program selection notice, or fails to meet the Program eligibility process described in § 7904, will lose their spot on the lottery result list, and the next household on the list will be offered the slot, until all slots have been filled.
- 7903.11 Any household that submits an application for Program enrollment will receive one or more of the following notices, as applicable:
- (a) DC Flex Program: Notice of Ineligibility to Enter Lottery;
 - (b) DC Flex Program Lottery Results: Conditional Offer of Enrollment;
 - (c) DC Flex Program Lottery Results: Household Not Selected;

- (d) DC Flex Program: Notice of Enrollment in the Program;
- (e) DC Flex Program Enrollment: Unable to Verify Eligibility; and
- (f) DC Flex Program Enrollment: Notice of Termination.

7903.12 Any household that submits an application for Program enrollment, but is not enrolled as a result of the processes described in §§ 7903.5 – 7903.10 will receive oral and written notice via U.S. Postal Service. Written notice shall be one or more of the notices listed in § 7903.11, as applicable, which shall include:

- (a) A clear statement of the client’s application status, eligibility status, or termination from the Program;
- (b) A clear and detailed statement of the factual basis for the action described in the notice, including the date or dates on which the basis or bases for the denial occurred;
- (c) A reference to the statute, regulation, policy, or Program Rule pursuant to which the denial is being implemented;
- (d) A clear and complete statement of the client’s right to appeal the action through fair hearing and administrative review proceedings pursuant to § 7910, or the client’s right to reconsideration pursuant to rules established by the Provider in accordance with Section 18 of the HSRA (D.C. Official Code § 4-754.32), including the appropriate deadlines for instituting the appeal or reconsideration; and
- (e) A statement of the client’s right, if any, to continuation of benefits pending the outcome of any appeal, pursuant to § 7910.3.

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

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

7904 ELIGIBILITY VERIFICATION AND PROGRAM ENROLLMENT

- 7904.1 From each household offered a Program slot, the Department shall request documentation that will enable the Department to verify eligibility for the Program. The Department will contact each household through the U.S. Postal Service, email, telephone or other means determined by the Department.
- 7904.2 Documentation that the Department shall use to verify eligibility for the Program may include, but is not limited to:
- (a) Birth certificates;
 - (b) District identification;
 - (c) Child custody reports;
 - (d) Copy of a current, valid lease agreement specifying the landlord's name and contact information, and the head of household's name;
 - (e) Pay stubs for the most immediate past two (2) months prior to Program application; and
 - (f) Earned Income Tax Credit filing for most immediate tax-year prior to Program application.
- 7904.3 In addition to documents listed in § 7904.2, the Department may use in-person interviews and third party information to verify Program eligibility.
- 7904.4 Each head of household offered a Program slot shall also sign and submit to the Department a release form, either personally or through an authorized representative, which authorizes the Department to obtain or verify information necessary to confirm Program eligibility.
- 7904.5 If further information is needed from the household to verify Program eligibility, the Department shall request additional information by telephone, email or U.S. Postal Service. This request shall specify the information needed to complete the household's eligibility verification and the timeframe in which the additional documentation must be provided to the Department.
- 7904.6 The Department will notify the household once all requested documentation needed to verify eligibility has been received.
- 7904.7 If a household has not obtained and provided to the Department the requested information needed to verify eligibility for the Program within thirty (30) calendar days of the date of the Conditional Offer of Enrollment, as listed in § 7903.11(b),

the household will lose its spot on the list and a new household will be offered the subsidy, as described in section § 7903.10.

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

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

- (a) That the applicant is determined eligible and is enrolled in the Program;
- (b) That receipt of Program assistance is conditioned upon the head of household’s participation in all required Program activities as may be described in the Program Rules established in accordance with Section 18 of the HSRA (D.C. Official Code § 4-754.32);
- (c) The length of time for which the Program’s subsidy will be provided, per the applicant’s successful compliance with the Program recertification criteria set forth in § 7906; and
- (d) Name and contact information for the Provider that the Department will use to administer the Program.

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

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

- (a) Serious illness or injury of household member or immediate family member;
- (b) Death of household member or immediate family member;
- (c) Incarceration or detention of household member; or

- (d) Other crisis, emergency, or unavoidable circumstances that prevented the timely completion of the eligibility verification process.

7905 PROGRAM ADMINISTRATION

- 7905.1 The Department shall issue a competitive grant solicitation to select a Provider for the Program.
- 7905.2 The Department will determine what percentage of the annual allotment shall be dedicated to the Provider's allowable administrative fees, as described in § 7905.3, and the remaining total that shall be used for household financial assistance.
- 7905.3 The percentage of the annual allotment dedicated for the Provider's allowable administrative fees shall be used to pay for costs that are associated with the general operation of the Program and that cannot be attributed to any one enrolled household. These administrative fees may include:
- (a) Staff salaries and fringe benefits;
 - (b) Overhead expenses, which may include, but are not limited to, supplies and IT equipment;
 - (c) Local travel for duties associated with program administration/oversight; and
 - (d) Other expenses agreed upon by the Department and Provider, consistent with District and federal law.
- 7905.4 The Department will refer households enrolled in the Program to the Provider.
- 7905.5 The Provider shall make available at least one in-person budgeting or financial management training for enrolled households within the first three (3) months of each household's enrollment into the Program, and monitor the enrolled households' participation in this training and others, if provided. If the Provider does not administer its own such training, the Provider may secure this type of training from another entity and coordinate the enrolled household's participation in this training. The Provider shall also make financial coaching or consultation opportunities available to clients in a manner approved by the Department.
- 7905.6 The Provider shall use the available granted funds to set up an escrow account and checking account for each enrolled household. The escrow account shall be solely administered by the Provider on behalf of the head of household. The checking account shall be a joint account administered by the Provider and head of household.

- 7905.7 The Provider shall assist the head of household to secure checks or a debit card linked to the checking account in the name of the head of household.
- 7905.8 The Provider will receive seven thousand two hundred dollars (\$7,200) per year for each household enrolled in the Program. A year shall be defined as a twelve (12) month cycle, with the first month of the year dependent on the household's enrollment in the program. Based on the availability of funds, the Department reserves the right to adjust, by rule, the amount of funding provided to each enrolled household.
- 7905.9 Upon a household's enrollment into the Program, the Provider shall transfer seven thousand two hundred dollars (\$7,200), or a different amount established by rule pursuant to § 7905.8, into an escrow account it has established and will solely administer on behalf of that head of household. The Provider shall then transfer funds from the escrow account into the household's checking account each month so that funds available to the household equal the total cost for one month's rent amount, per terms of the household's lease.
- 7905.10 Each month, the head of household can access the full amount available in the checking account (if needed), or a lesser amount needed to bridge any gap between their monthly income available for rent and their actual monthly rent expenses. A head of household may choose not to use any of the available funds. Any amount not used in one month rolls over and is available for future use throughout the year.
- 7905.11 If a household meets the Program Recertification requirements described in § 7906, does not owe rental arrears on their unit, and has Program funds remaining at the end of the Program year, the household may:
- (a) Apply all of the remaining funds for use in the next annual Program year cycle, or
 - (b) Withdraw up to five hundred dollars (\$500) of the remaining funds for other household expenses and apply the remaining funds for use in the next annual Program year cycle.
- 7905.12 If the household has funds remaining, in either the escrow account administered on behalf of the household or the household's checking account or both, at the end of the Program pilot period and does not owe rental arrears on their unit, the household may use the funds to pay for rent.
- 7905.13 Table 1 below provides an example of the process described in §§ 7905.9 – 7905.12.

At the beginning of the Program, Year 1, an annual total lump sum of seven thousand two hundred dollars (\$7,200) is deposited into the escrow account for

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

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

	Savings (Escrow) Balance	Amount of Program Subsidy Transferred to Checking Account	Amount Accessible by Household via Checking Account	Amount of Program Subsidy Used by Household	Amount Paid by Household	Amount Remaining in Checking Account at End of Month
Month 1	\$7,200	\$1,600	\$1,600	\$1,000	\$600	\$600
Month 2	\$5,600	\$1,000	\$1,600	\$1,000	\$600	\$600
Month 3	\$4,600	\$1,000	\$1,600	\$500	\$1,100	\$1,100
Month 4	\$3,600	\$500	\$1,600	\$300	\$1,300	\$1,300
Month 5	\$3,100	\$300	\$1,600	\$0	\$1,600	\$1,600
Month 6	\$2,800	\$0	\$1,600	\$0	\$1,600	\$1,600
Month 7	\$2,800	\$0	\$1,600	\$600	\$1,000	\$1,000
Month 8	\$2,800	\$600	\$1,600	\$400	\$1,200	\$1,200
Month 9	\$2,200	\$400	\$1,600	\$400	\$1,200	\$1,200
Month 10	\$1,800	\$400	\$1,600	\$800	\$800	\$800
Month 11	\$1,400	\$800	\$1,600	\$1,600	\$0	\$0
Month 12	\$600	\$600	\$600	\$200	\$1,400	\$400

7905.14

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

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

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

Month 4	\$5,200	\$400	\$1,600	\$0	\$1,600	\$1,600
Month 5	\$4,800	\$0	\$1,600	\$0	\$1,600	\$1,600
Month 6	\$4,800	\$0	\$1,600	\$1,600	\$0	\$0
Month 7	\$4,800	\$1,600	\$1,600	\$1,600	\$0	\$0
Month 8	\$3,200	\$1,600	\$1,600	\$1,200	\$400	\$400
Month 9	\$1,600	\$1,200	\$1,600	\$600	\$1,000	\$1,000
Month 10	\$400	\$400	\$1,400	\$400	\$1,200	\$1,000
Month 11	\$0	\$0	\$1,000	\$800	\$800	\$200
Month 12	\$0	\$0	\$200	\$200	\$1,400	\$0

- 7905.15 With the exception of end of year funds, the only eligible payee on the account will be the landlord of the unit the household lives in. The Provider will be responsible for monitoring account activity to ensure the head of household is using checking account funds to pay the landlord on record.
- 7905.16 The landlord must have a business license and a Certificate of Occupancy for the household’s unit that is in good standing.
- 7905.17 The household’s rental unit may be subject to required inspections as part of the requirement to be legally licensed and registered in the jurisdiction. The Department may offer or require additional inspections as part of the Program.
- 7905.18 The Provider shall establish a dispute resolution process for complaints households may raise related to the administration of the Program. This process shall be described in Program Rules.

7906 RECERTIFICATION REQUIREMENTS

- 7906.1 To remain eligible for the Program, each enrolled household shall complete a recertification process annually.
- 7906.2 A household shall remain eligible for the Program if the household continues to meet requirements set forth in §§ 7901.1 - 7901.3 and continues to be eligible for services under the Continuum of Care.
- 7906.3 Additionally, the household shall meet the following to remain eligible for the Program:
 - (a) Has a total annual income less than or equal to the recertification income limit, based on the United States Department of Housing and Urban Development’s Median Family Income Limits for the Washington DC Metropolitan Region, to be published by DHS not less than annually. The recertification limit shall not be less than forty percent (40%) of Family Median Income;

- (b) Is headed by a person that is twenty-one (21) years old or older, and who meets the following requirements:
 - (1) Has physical custody of one or more minor children, or one or more youth that continues to reside in the household;
 - (2) Is currently employed or has recent history of employment; and
 - (3) Is the lease holder for a rental unit; and as the lease holder, does not face a housing emergency in which immediate action is necessary to avoid homelessness or eviction.

- (c) Has not accessed any non-Program source of emergency, temporary, or permanent government-funded rental assistance:
 - (1) Before exhausting its annual allotment of Program funds and any remaining Program funds from the previous year; or
 - (2) More than once during the previous year.

7906.4 The Provider shall conduct a recertification assessment of each household to confirm the household meets the Program’s recertification standards.

7906.5 If a household does not meet the recertification requirements set forth in this section, the Provider shall provide oral notice to the household. Additionally, the Provider shall provide written notice described in § 7903.11(f) to the household, via email or U.S. Postal Service, at least fifteen (15) days before the effective date of the termination. This notice will specify the recertification requirements the household did not meet during its recertification assessment.

7907 RELOCATION

7907.1 At any point during the Program, a household may choose to relocate to a new unit that better meets the household’s needs. The household shall be responsible for updating the Provider and providing appropriate documentation of the new lease agreement. The Provider shall not approve the payment of funds to a new landlord until it has received appropriate documentation of the new lease.

7908 TERMINATION FROM PROGRAM

7908.1 Termination pursuant to this section refers to a termination of Program assistance only and does not provide the Provider or the Department with any authority to interfere with a household’s tenancy rights under the lease agreement as governed by Title 14 of the District of Columbia Municipal Regulations.

7908.2 The Provider shall adopt Program Rules to provide additional guidance on the DC Flex Program. In accordance with the DC Flex Program Rules, which shall be signed by households at the time of Program enrollment, the Department or Provider may terminate Program assistance to a household, in compliance with Section 22 of the Act (D.C. Official Code § 4-754.36).

7908.3 If a household is terminated from the Program, the Provider shall provide oral notice to the household. Additionally, the Provider shall give to the household, personally or through an authorized representative, a written Notice of Termination at least fifteen (15) days before the effective date of the termination, which shall state:

- (a) The household is being terminated;
- (b) The effective date of the termination;
- (c) The reason or reasons for the termination, including the date or dates on which the basis or bases for the termination occurred;
- (d) The statute, regulation, or program rule under which the termination is being made;
- (e) That the household has a right to appeal the termination through a fair hearing and administrative review, including deadlines for requesting an appeal; and
- (f) That the household has a right to continuation of Program assistance pending the outcome of any fair hearing requested within fifteen (15) days of receipt of written notice of a termination, as described in § 7910.

7908.4 A household that is terminated from the Program will immediately lose access to any and all Program funds remaining in the escrow and checking account, subject to the right to continuation of Program assistance as described in § 7910.3.

7909 SUMMARY OF PROVIDER RESPONSIBILITIES

7909.1 The Provider is responsible for the following:

- (a) Establishing an escrow and checking account for each household enrolled in the Program;
- (b) Delivering directly, or coordinating with another entity to offer periodic budgeting or financial literacy training to each household and monitor the household's participation in these trainings;

- (c) Monitoring each household's monthly payment activity;
- (d) Providing each household with general referrals and reminders about resources available within the community;
- (e) Reviewing the eligibility of each household to ensure that the household remains eligible per the recertification standards outlined in § 7906;
- (f) If applicable, updating the name of each household's landlord when a household moves to a new housing unit, or the landlord on a lease changes;
- (g) Assisting the Department with program evaluation activities, including reasonable data collection, providing administrative records, and making staff available for interviews;
- (h) Submitting to the Department quarterly reports, at the individual household level and aggregate level, that include information listed in § 7908.2 and § 7908.3; and
- (i) Other tasks agreed upon by the Department and Provider.

7909.2 The Provider shall submit to the Department a formal quarterly report that may include, but is not limited to, the following for each enrolled household:

- (a) Frequency in which each household accessed the full monthly rent limit;
- (b) Average amount of funds accessed from each household's checking account each month; and
- (c) Participation in budget or financial planning classes.

7909.3 The Provider shall submit to the Department a formal quarterly report that shall include, but is not limited to, the following for the cohort of enrolled households:

- (a) Payment activity of the households for the current quarter;
- (b) Trend analysis that shows the payment activities of the households over the previous quarter(s), where applicable;
- (c) Average and median amounts of the Program subsidy used by the households monthly;
- (d) Addresses of participating households and other descriptive statistics identified or requested by the Department; and

(e) Household attrition from the Program.

7909.4 The Provider shall submit reports to the Department via a method determined by the Department.

7910 FAIR HEARING AND ADMINISTRATIVE REVIEW

7910.1 An applying household or participating Program household shall have ninety (90) calendar days following the receipt of a written notice described in §§ 7903.11(a), (c), (e), or (f) to request a fair hearing, in accordance with the hearing provisions in Section 26 of the HSRA (D.C. Official Code § 4-754.41), for the action that is the subject of the written notice.

7910.2 Upon receipt of a fair hearing request, the Department shall offer the petitioner household or its authorized representative an opportunity for an administrative review in accordance with Section 27 of the HSRA (D.C. Official Code § 4-754.42), except that if an eviction is imminent, the Department shall take all reasonable steps to provide an expedited administrative review to maximize resolution of the appeal.

7910.3 In accordance with Section 9(a) of the HSRA (D.C. Official Code § 4-754.11(a)(18)), any household that requests a fair hearing within fifteen (15) days of receipt of written notice of a termination pursuant to § 7908 shall have the right to the continuation of Program benefits pending a final decision from the fair hearing proceedings.

7999 DEFINITIONS

7999.1 The terms and definitions in 29 DCMR § 2599 are incorporated by reference in this chapter.

7999.2 For the purposes of this chapter, the following additional terms shall have the meanings ascribed:

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

Provider – an organization that receives Flexible Rent Subsidy Pilot Program funds and is authorized to administer the Program’s services.

Government-funded rental assistance program – a program administered or funded by federal, state, or local government that provides rental assistance for the purpose of reducing the tenant’s rent or assisting with back rent.

Median Family Income - the periodic calculation provided by the United States Department of Housing and Urban Development, adjusted for family size without regard to any further adjustments made by the United States Department of Housing and Urban Development for the purposes of the programs it administers. This calculation is used to determine a household’s eligibility for the Program.

Minor – a child under eighteen (18) years of age.

PUBLIC SERVICE COMMISSION OF THE DISTRICT OF COLUMBIA

NOTICE OF PROPOSED RULEMAKING

RM23–2020-01 - NATURAL GAS

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 adopt the following amendments to Chapter 23 (Natural Gas) of Title 15 (Public Utilities and Cable Television) of the District of Columbia Municipal Regulations (“DCMR”). The Commission shall take final rulemaking action in not less than thirty (30) days after publication of this notice in the *D.C. Register*.

2. Chapter 23 sets forth the Natural Gas rules. Section 2315 provides the framework for the biennial Gas Procurement Report. The purpose of the proposed amendment is to clarify that the Gas Procurement Report is a compliance filing and that the Commission will not take any action unless it is necessary based on the data filed in the report or the comments filed to the report.

Chapter 23, NATURAL GAS, of Title 15 DCMR, PUBLIC UTILITIES AND CABLE TELEVISION, is amended as follows:

Section 2315, GAS PROCUREMENT REPORT, Subsection 2315.7, is amended as follows:

2315.7 The GPR is a compliance filing. The Commission shall review the GPR, OPC’s comments, along with any public comments, and any reply comments and, if Commission action is necessary, the Commission shall thereafter make public its evaluation of the GPR.

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

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

NOTICE OF PROPOSED RULEMAKING

The Board of Directors (Board) of the District of Columbia Water and Sewer Authority (DC Water), pursuant to the authority set forth in Sections 203(3) and (11) and 216 of the Water and Sewer Authority Establishment and Department of Public Works Reorganization Act of 1996, effective April 18, 1996 (D.C. Law 11-111, §§ 203(3), (11) and 216; D.C. Official Code §§ 34-2202.03(3) and (11) and § 34-2202.16 (2019 Repl.)); Section 6(a) of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1206; D.C. Official Code § 2-505(a) (2016 Repl.)); and in accordance with Chapter 40 (Retail Ratemaking) of Title 21 (Water and Sanitation) of the District of Columbia Municipal Regulations (DCMR), hereby gives notice that at its regularly scheduled meeting on March 5, 2020, the Board adopted Resolution #20-19 to propose the amendment of Section 112 (Fees) of Chapter 1 (Water Supply) and Sections 4100 (Rates for Water Service), 4101 (Rates and Charges for Sewer Service), and 4102 (Customer Assistance Programs) of Chapter 41 (Retail Water and Sewer Rates and Charges) of Title 21 DCMR.

The purpose of this rulemaking is to amend the fees and charges for Fiscal Year 2021 and 2022 for the Payment-in-Lieu-of-Taxes (PILOT) Fee, Customer Metering Fee, Retail Rates for Metered Water Services, Retail Rates for Sewer Services, Clean Rivers Impervious Area Charge (CRIAC), and to amend the rules for the Customer Assistance Programs, effective October 1, 2020 and October 1, 2021 as noted herein.

The Board requests comments on this proposed rulemaking. The Board will also receive comments at a public hearing on the proposed amendments of the Retail Water Rates for Water Service, Retail Rates for Sanitary Sewer Service and amendments to the Customer Assistance Programs. A Notice of Public Hearing is published in this edition of the *D.C. Register*. The Public Hearing will be held at the DC Water Headquarters, 1385 Canal Street, S.E. at 6:30 pm on June 10, 2020. Final rulemaking action shall be taken in not less than thirty (45) days from the date of publication of this notice in the *D.C. Register*.

This proposed rulemaking, if finalized, will be effective October 1, 2020.

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

Section 112, FEES, Subsections 112.8 and 112.9, are amended to read as follows:

112.8 The District of Columbia Right-of-Way Occupancy Fee Pass Through Charge and the Payment-in-Lieu of Taxes (PILOT) Fee shall be as follows:

- (a) District of Columbia Right-of-Way Fee, assessed to recover the cost of fees charged by the District of Columbia to D.C. Water and Sewer Authority for use of District of Columbia public space and rights of way, for each one hundred cubic feet (1 Ccf) of water use shall be:

Customer	Effective October 1, 2020		Effective October 1, 2021	
	Per Ccf of water use	Per 1,000 Gals. of water use	Per Ccf of water use	Per 1,000 Gals. of water use
Residential	\$0.19	\$0.25	\$0.19	\$0.25
Multi-Family	\$0.19	\$0.25	\$0.19	\$0.25
Non-Residential	\$0.19	\$0.25	\$0.19	\$0.25

(b) Payment-in-Lieu of Taxes (PILOT) Fee to the Office of the Chief Financial Officer (OCFO) of the District of Columbia, assessed to cover the amount which D.C. Water and Sewer Authority pays each fiscal year to the District of Columbia, consistent with D.C. Water and Sewer Authority's enabling statute for public goods and services received from the District of Columbia, for each one hundred cubic feet (1 Ccf) of water use shall be:

Customer	Effective October 1, 2020		Effective October 1, 2021	
	Per Ccf of water use	Per 1,000 Gals. of water use	Per Ccf of water use	Per 1,000 Gals. of water use
Residential	\$0.54	\$0.72	\$0.56	\$0.75
Multi-Family	\$0.54	\$0.72	\$0.56	\$0.75
Non-Residential	\$0.54	\$0.72	\$0.56	\$0.75

112.9

Customer Metering Fee – Monthly fees for installing, operating, and maintaining meters shall be as follows:

Meter Size (inches)	Effective October 1, 2020	Effective October 1, 2021
	Monthly Fee per Meter	Monthly Fee per Meter
5/8"	\$4.96	\$7.75
3/4"	\$5.22	\$8.16
1"	\$5.86	\$9.16
1"x1.25"	\$6.21	\$9.70
1.5"	\$8.85	\$13.82
2"	\$9.69	\$15.14
2"x1/2"	\$10.28	\$16.07

	Effective October 1, 2020	Effective October 1, 2021
Meter Size (inches)	Monthly Fee per Meter	Monthly Fee per Meter
2"x5/8"	\$10.28	\$16.07
3"	\$98.92	\$154.56
3"x5/8"	\$100.16	\$156.49
3"x3/4"	\$100.16	\$156.49
4"	\$176.52	\$275.81
4"x3/4"	\$177.52	\$277.38
4"x1"	\$177.52	\$277.38
4x2	\$177.52	\$277.38
4"x2"x5/8"	\$232.64	\$363.49
6"	\$344.56	\$538.37
6"x1/2"	\$415.17	\$648.70
6"x1"	\$350.42	\$547.52
6"x1-1/2"	\$350.42	\$547.52
6"x3"	\$415.17	\$648.70
6"x3"x3/4",	\$415.17	\$648.70
8"	\$415.42	\$649.10
8"x2"	\$415.42	\$649.10
8"x4"x1"	\$460.36	\$719.31
10"	\$408.51	\$638.30
10"x2"	\$518.65	\$810.38
10"x6"	\$518.65	\$810.38
10"x6"x1"	\$518.65	\$810.38
12"	\$423.61	\$661.89
12"x6"	\$423.61	\$661.89
16"	\$449.04	\$701.62

Chapter 41, RETAIL WATER AND SEWER RATES AND CHARGES, of Title 21 DCMR, WATER AND SANITATION, is amended as follows:

Section 4100, RATES FOR WATER SERVICE, Subsection 4100.3, is amended to read as follows:

4100.3 The retail rates for metered water service for each one hundred cubic feet (1 Ccf) of water use shall be:

Customer	Effective October 1, 2020		Effective October 1, 2021	
	Per Ccf of water use	Per 1,000 Gals. of water use	Per Ccf of water use	Per 1,000 Gals. of water use
Residential - 0 to 4 Ccf	\$3.49	\$4.67	\$3.63	\$4.85
Residential - Greater than 4 Ccf	\$4.50	\$6.02	\$4.74	\$6.34
Multi-Family	\$3.96	\$5.29	\$4.15	\$5.55
Non-Residential	\$4.65	\$6.22	\$4.91	\$6.56

Section 4101, RATES AND CHARGES FOR SEWER SERVICE, is amended as follows:

Paragraph 4101.1(a) is amended to read as follows:

4101.1 (a) The retail rates for sanitary sewer service for each one hundred cubic feet (1 Ccf) of water use shall be:

Customer	Effective October 1, 2020		Effective October 1, 2021	
	Per Ccf of water use	Per 1,000 Gals. of water use	Per Ccf of water use	Per 1,000 Gals. of water use
Residential	\$9.77	\$13.06	\$10.64	\$14.22
Multi-Family	\$9.77	\$13.06	\$10.64	\$14.22
Non-Residential	\$9.77	\$13.06	\$10.64	\$14.22

Subsection 4101.3 is amended to read as follows:

4101.3 The annual Clean Rivers Impervious Area Charge (CRIAC) per Equivalent Residential Unit (ERU) shall be:

Customer	Effective October 1, 2020		Effective October 1, 2021	
	Annual CRIAC per ERU	Monthly CRIAC per ERU	Annual CRIAC per ERU	Monthly CRIAC per ERU
Residential	\$234.24	\$19.52	\$220.80	\$18.40
Multi-Family	\$234.24	\$19.52	\$220.80	\$18.40
Non-Residential	\$234.24	\$19.52	\$220.80	\$18.40

Section 4102, CUSTOMER ASSISTANCE PROGRAMS, is amended as follows:

Paragraph 4102.2(b) is amended to read as follows:

4102.2 CUSTOMER ASSISTANCE PROGRAM (CAP)

...

(b) An approved CAP customer shall receive the following benefits:

- (1) Exemption from water service charges, sewer service charges, Payment-in-Lieu of Taxes (PILOT) fees and Right-of-Way (ROW) fees for the first Four Hundred Cubic Feet (4 Ccf) per month of water used. If the customer uses less than Four Hundred Cubic Feet (4 Ccf) of water in any month, the exemption will apply based on the amount of that month's billed water usage;
- (2) Credit of one hundred percent (100%) off of the monthly billed Water System Replacement Fee; and
- (3) Credit of seventy-five percent (75%) off of the monthly billed CRIAC.

Paragraph 4102.2(c) is amended and Paragraph 4102.2(e) is deleted, as follows:

4102.2 CUSTOMER ASSISTANCE PROGRAM II (CAP2)

...

(c) Upon DC Water’s receipt of notice from DOEE that the CAP2 customer meets the financial eligibility requirements, DC Water shall provide the CAP2 benefits for not more than the entire fiscal year, beginning October 1st and terminating on September 30th, subject to the availability of budgeted funds.

- (1) Approved CAP2 customers that submitted a complete application to DOEE before November 1st, shall receive CAP2 benefits retroactive to October 1st and terminating on September 30th of that fiscal year.
- (2) Approved CAP2 customers that submitted a complete application on or after November 1st, shall receive CAP2 benefits as of the date of submittal and terminating on September 30th of that fiscal year.
- (3) Customers shall reapply each year for CAP2 benefits to receive CAP2 benefits.

These proposed rates and fees are also posted on DC Water's website, which includes the Cost of Service Study, dated March 5, 2020 that provides the basis for the rate and fee proposals, an Independent Review of Rate Structure and Customer Assistance Programs, dated November 19, 2019, and a Rate Calculator that can be used to help our customers understand the impact of these rate and fee changes, and other information about the rate making process. This information can be found at: <https://www.dewater.com/fy2021-and-fy2022-proposed-rates>.

Comments on these proposed rules should be submitted in writing no later than June 15, 2020 to Linda R. Manley, Secretary to the Board, District of Columbia Water and Sewer Authority, 1385 Canal Street, S.E., Washington, D.C. 20003, by email to Lmanley@dewater.com, or by FAX at (202) 787-2795. Copies of these proposed rules may be obtained from DC Water at the same address or by contacting Ms. Manley at (202) 787-2330.

DEPARTMENT OF HEALTH

NOTICE OF EMERGENCY RULEMAKING

The Director of the Department of Health, pursuant to the authority set forth in Section 1 of An Act To authorize the Commissioners of the District of Columbia to make regulations to prevent and control the spread of communicable and preventable diseases, approved August 11, 1939 (53 Stat. 1408; D.C. Official Code § 7-131 (2018 Repl.)), Mayor's Order 98-141, dated August 20, 1998, and Mayor's Order 2020-045, dated March 11, 2020, hereby gives notice of adoption, on an emergency basis, of the following amendments to Chapter 2 (Communicable and Reportable Diseases) of Title 22 (Health), Subtitle B (Public Health and Medicine), of the District of Columbia Municipal Regulations (DCMR).

The rulemaking prohibits certain “Mass Gatherings” of two hundred and fifty (250) or more persons at the same time in a single room or other single confined or enclosed space to reduce the spread of a new strain of coronavirus called COVID-19 that caused an outbreak of respiratory illness first detected in Wuhan, Hubei Province, China that has rapidly spread to numerous countries and is now present in the District of Columbia.

This emergency rulemaking is necessary to immediately implement efforts to reduce the spread of COVID-19. COVID-19 is easily transmitted, especially in group settings. It is essential that the spread of COVID-19 be slowed to protect the ability of public and private health care providers to handle the influx of new patients and to safeguard public health, safety, and welfare of the persons living or otherwise present in the District of Columbia. The U.S. Centers for Disease Control and Prevention has recommended avoiding crowds to slow the spread of COVID-19. The World Health Organization has declared the COVID-19 outbreak as a pandemic. No specific treatment exists for COVID-19. A vaccination against COVID-19 does not exist. The death rate for COVID-19 is substantially higher than the death rate for influenza (which has a specific treatment and a vaccination). Because of the risk of the rapid spread of the COVID-19, and the need to protect the members of the community, the emergency rulemaking prohibits indoor public and private gatherings and outdoor gatherings within an enclosed space of two hundred and fifty or more persons anywhere in the District of Columbia, subject to the limited exceptions and under the terms and conditions more particularly set forth in the rulemaking.

This emergency rulemaking was adopted on March 13, 2020, and became effective immediately on that date. The emergency rulemaking will expire one hundred twenty (120) days from the date of adoption (*i.e.*, on July 11, 2020). If needed, an appropriate rulemaking will repeal the prohibition on “Mass Gatherings” imposed by this rulemaking if the spread of COVID-19 is contained prior to the expiration of this emergency rulemaking.

Title 22-B DCMR, PUBLIC HEALTH AND MEDICINE, is amended as follows:

Chapter 2, COMMUNICABLE AND REPORTABLE DISEASES, is amended by adding Section 204 as follows:

204 MASS GATHERINGS

204.1 Mass Gatherings (as defined in Subsection 204.2) are prohibited anywhere in the District of Columbia.

204.2 A “Mass Gathering” is any event or convening, subject to the exceptions and clarifications in Subsections 204.4, 204.5 and 204.6, that brings together or is likely to bring together two hundred fifty (250) or more persons at the same time in a single room or other single confined or enclosed space, such as, by way of example and without limitation, an auditorium, theatre, stadium (indoor or outdoor), arena or event center, meeting hall, conference center, large cafeteria, or any other confined indoor or confined outdoor space.

204.3 A “Mass Gathering” includes any event in confined outdoor spaces, which means an outdoor space that (i) is enclosed by a fence, physical barrier, or other structure and (ii) where people are present and they are within arm’s length of one another for extended periods.

204.4 A “Mass Gathering” does not include the following:

- (a) Gatherings of people in multiple, separate enclosed spaces in a single building such as a multiplex movie theater, so long as two hundred and fifty (250) people are not present in any single space at the same time;
- (b) The use of enclosed spaces where two hundred and fifty (250) or more people may be present at different times during the day, so long as two hundred and fifty (250) or more people are not present in the space at the same time; and,
- (c) Gatherings on property within the District of Columbia owned by the federal government.

204.5 A “Mass Gathering” does not include the following:

- (a) Public or private schools;
- (b) Spaces where two-hundred and fifty (250) or more persons may be in transit or waiting for transit such as bus, ferry, or subway stations or terminals (or shopping areas associated with the buildings housing those stations or terminals);

- (c) Office space, hotels, or residential buildings;
- (d) Grocery stores, shopping malls, or other retail establishments where large numbers of people are present but it is unusual for them to be within arm's length of one another for an extended period; and,
- (e) Hospitals, nursing homes, assisted living facilities, and other medical facilities.

204.6 Gatherings of more than ten (10) people organized by an organization not listed in Subsection 204.5(e) that primarily serves, or targets, persons of sixty (60) or more years of age, persons who have serious medical conditions (including heart disease, diabetes, lung disease, asthma, and chronic obstructive pulmonary disease), or persons who are immunocompromised, are prohibited in the District of Columbia.

DISTRICT OF COLUMBIA BOARD OF ELECTIONS

NOTICE OF EMERGENCY AND PROPOSED RULEMAKING

The District of Columbia Board of Elections, pursuant to the authority set forth in the District of Columbia Election Code of 1955, approved August 12, 1955, as amended (69 Stat. 699; D.C. Official Code § 1-1001.05(a)(14) (2016 Repl.)), hereby gives notice of emergency and proposed rulemaking action to adopt amendments to Chapter 7 (Election Procedures) of Title 3 (Elections and Ethics) of the District of Columbia Municipal Regulations (DCMR).

The purpose of the amendments to Chapter 7 is to establish the deadline for the receipt of absentee ballots, eliminate the writing requirement with respect to requests for polling place reassignment, and clarify that cameras may be used in voting and counting locations as long as they do not disrupt or interfere with the election administration process.

Emergency action is necessary in order for these amendments to be in place prior to the June 2, 2020 Primary Election. Accordingly, the Board adopted these rules on an emergency basis at its regular monthly meeting on Thursday, March 12, 2020. The emergency rules shall remain in effect until Friday, July 10, 2020 (one hundred and twenty (120) days from the adoption date), unless superseded by publication of a Notice of Final Rulemaking in the *D.C. Register*.

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

Chapter 7, ELECTION PROCEDURES, of Title 3 DCMR, ELECTIONS AND ETHICS, is amended as follows:

Subsection 700.2 of Section 700, ELIGIBILITY OF ELECTORS, is amended to read as follows:

- 700.2 For the purpose to determining eligibility of an elector in any election, the polling place serving a voter's residence shall be the Election Day polling place that has been designated by the Board for the individual, except that a voter whose residence is served by a polling place that has been identified as inaccessible pursuant to Section 8 of the Voting Accessibility for the Elderly and Handicapped Act may request reassignment to an accessible polling place if he or she:
- (a) Is a senior citizen or a person with a disability; and
 - (b) Contacts the Board by no later than the seventh (7th) day prior to Election Day to request that a complete ballot for his or her precinct of residence be brought to the accessible polling place on Election Day.

Subsection 706.17 of Section 706, POLL WATCHERS AND ELECTION OBSERVERS, is amended to read as follows:

- 706.17 No poll watcher or election observer shall, at any time, do any of the following:
- (a) Touch any official record, ballot, voting equipment, or counting form;
 - (b) Interfere with the progress of the voting or counting;
 - (c) Assist a voter with the act of voting;
 - (d) Talk to any voter while the voter is in the process of voting, or to any counter while the count is underway; provided, that a watcher or observer may request that a ballot be referred for ruling on its validity to a representative of the Board;
 - (e) In any way obstruct the election process; or
 - (f) Use any video or still cameras inside voting and counting locations if such use is determined by election officials to be disruptive or to interfere with the election administration process.

Subsection 720.14 of Section 720, ABSENTEE VOTING, is amended to read as follows:

- 720.14 Electronically transmitted voted ballots sent by qualified uniformed services or overseas voters must be received no later than 8:00 p.m. on the day of the election. Mailed voted ballots must be postmarked or otherwise demonstrated to have been sent on or before the day of the election, and must be received no later than the seventh (7th) day after the election.

All persons desiring to comment on the subject matter of this rulemaking should file written comments by no later than thirty (30) days after the date of publication of this notice in the *D.C. Register*. Comments should be filed with the Office of the General Counsel, Board of Elections, 1015 Half Street S.E., Suite 750, Washington D.C. 20003. Please direct any questions or concerns to the Office of the General Counsel at 202-727-2194 or ogc@dcboe.org. Copies of the proposed rules may be obtained at cost from the above address, Monday through Friday, between the hours of 9:00 a.m. and 4:00 p.m.

DEPARTMENT OF HEALTH CARE FINANCE

NOTICE OF EMERGENCY AND PROPOSED RULEMAKING

The Director of the Department of Health Care Finance (DHCF), pursuant to the authority set forth in An Act to enable the District of Columbia 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 the adoption, on an emergency basis, of an amendment to Section 910, entitled “Medicaid-Reimbursable Telemedicine Services,” of Chapter 9 (Medicaid Program) of Title 29 (Public Welfare) of the District of Columbia Municipal Regulations (DCMR).

This rule proposes emergency changes to the standards governing Medicaid reimbursement of health services provided via telemedicine to allow the District to ensure the accessibility of services to Medicaid beneficiaries if the risk of coronavirus disease (COVID-19) in the District requires quarantine of beneficiaries or providers become inaccessible. DHCF is proposing policy changes to maintain accessibility of services, including allowing services to be provided through telemedicine in a beneficiary’s home on a temporary basis, establishing the requirements for technology to home-related telemedicine services, and making changes necessary to ensure that this service modality is available to Medicaid managed care beneficiaries.

DHCF is proposing the addition of the beneficiary’s home as the originating site because telemedicine provides a service delivery pathway that will help ensure beneficiaries continue to receive health services even if they are unable to access traditional in-person Medicaid services because of their health condition or ability to travel. DHCF is proposing removal of the reference to “fee-for-service” because the standards set forth in this section, and any corresponding requirements set forth under the terms of the managed care contract, should also inform minimum program requirements implemented under District Medicaid managed care program. Finally, DHCF is proposing clarification that distant site providers are responsible for ensuring that technology in use meets the standard of care when the beneficiary’s home is the originating site.

To this end, the rule includes three specific amendments: (1) the addition of a beneficiary’s home as an authorized originating site in Subsection 910.7; (2) the removal of the reference to the fee-for-service program in Subsection 910.1; and (3) a clarification in new Subsection 910.30 that when the originating site is the beneficiary’s home that the distant site provider is responsible for ensuring that the technology in use meets the minimum requirements set forth in Subsection 910.3.

Regarding the proposed home as originating site changes, DHCF anticipates that some beneficiaries will access services provided via telemedicine using a smartphone or other consumer electronic devices. Most smartphones or tablets operating on either of the major cellular networks meet the video quality and latency requirements set forth in this section. Importantly, providers should note that the addition of the home as an authorized originating site

does not alter patient consent requirements set forth in this section, nor does it alter the ongoing requirement that care be delivered in a manner that is compliant with the Health Insurance Portability and Accountability Act of 1996 (HIPAA), effective August 21, 1996 (104 Pub.L. 191; 110 Stat. 1936) and other applicable laws. DHCF reserves the authority to provide additional guidance to support HIPAA compliance in the telemedicine context as needed. Any guidance will be made available on the DHCF website at www.dhcf.dc.gov.

This rulemaking is set forth on an emergency and proposed basis. Emergency action is necessary to ensure the health, safety, and welfare of residents is not threatened by a lapse of in-person access to qualified practitioners of covered healthcare services due to the threat of infection with COVID-19.

This Emergency and Proposed rulemaking was adopted on March 12, 2020 and shall become effective immediately. The rules will be subsequently published in the *D.C. Register* and will remain in effect for one hundred and twenty (120) days or until July 10, 2020, unless superseded by publication of a Notice of Final Rulemaking in the *D.C. Register*.

The Director of DHCF also gives notice of the intent to take final rulemaking action to adopt these rules in not less than thirty (30) days after the date of publication of this notice in the *D.C. Register*.

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

Section 910, MEDICAID-REIMBURSABLE TELEMEDICINE SERVICES, is amended as follows:

Subsection 910.1 is amended to read as follows:

910.1 The purpose of this section is to establish the Department of Health Care Finance (DHCF) standards governing eligibility for Medicaid beneficiaries receiving healthcare services via telemedicine under the Medicaid program, and to establish conditions of participation for providers who deliver healthcare services to Medicaid beneficiaries via telemedicine.

Subsection 910.7 is amended to read as follows:

910.7 An originating site provider shall consist of the following provider types:

- (a) Hospital;
- (b) Nursing Facility;
- (c) Federally Qualified Health Center (FQHC);
- (d) Clinic;

- (e) Physician Group/Office;
- (f) Nurse Practitioner Group/Office;
- (g) District of Columbia Public Schools (DCPS);
- (h) District of Columbia Public Charter Schools (DCPCS);
- (i) Mental Health Rehabilitation Service (MHRS) provider, Adult Substance Abuse Rehabilitation Service (ASARS) provider, and Adolescent Substance Abuse Treatment Expansion Program (ASTEP) provider certified by the Department of Behavioral Health (DBH) and eligible to provide behavioral health services set forth under the District of Columbia Medicaid State Plan (State Plan); and
- (j) Effective March 12, 2020, the beneficiary's home or other settings identified in guidance published on the DHCF website at dhcf.dc.gov.

Subsection 910.30 is amended to read as follows:

910.30 When a beneficiary's home is the originating site, the distant site provider shall ensure the technology in use meets the minimum requirements set forth in Subsection 910.13.

Comments on this proposed rulemaking shall be submitted in writing to Melisa Byrd, Medicaid Director, Department of Health Care Finance, 441 4th Street, N.W., 9th Floor, Washington, D.C. 20001, via email to DHCFPublicComments@dc.gov, online at www.dcregs.dc.gov, or by telephone to (202) 442-8742, within thirty (30) days after the date of publication of this notice in the *D.C. Register* or online at DHCF's website. Additional copies of these rules may be obtained from the above address.

OFFICE OF RISK MANAGEMENT

NOTICE OF EMERGENCY AND PROPOSED RULEMAKING

The Chief Risk Officer of the Office of Risk Management (ORM), Executive Office of the Mayor, pursuant to the authority set forth in Section 2344 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 § 1-623.44 (2016 Rep. & 2019 Supp.)); the Office of Administrative Hearings Establishment Act of 2001 (OAH Act), effective March 6, 2002 (D.C. Law 14-76; D.C. Official Code §§ 2-1831.01 *et seq.* (2016 Repl. & 2019 Supp.)); Section 7 of Reorganization Plan No. 1 of 2003 for the Office of Risk Management, effective December 15, 2003 (D.C. Official Code § 1-1518.01); and Mayor's Order 2004-198, dated December 14, 2004; hereby gives notice of the adoption, on an emergency basis, of the following amendments to Chapter 1 (Public Sector Workers' Compensation Benefits) of Title 7 (Employment Benefits) of the District of Columbia Municipal Regulations (DCMR).

The proposed rules will amend Subsections 115.4, 130.10, 140.1 – 140.10, 140.12, 144.3, 150.4, and 199.1 and add new Subsections 138.6 and 162.3. Proposed amendments to Subsections 140.1 – 140.10, 140.12, 160.2 and 199.1 are hereby adopted on an emergency basis.

Section 2306a of the CMPA, effective September 24, 2011, subjects a claimant under the Public Sector Workers' Compensation Program (Program), hired after December 31, 1979, to a 500-week limitation on temporary total or partial disability benefits. Within the last fifty-two (52) weeks of that limitation period, a claimant is entitled to a hearing before an Office of Administrative Hearings (OAH) judge for purposes of determining whether the claimant has a permanent disability. A claimant who has been receiving temporary benefits since the Section became effective will reach the five hundred (500)-week limitation on temporary benefits on April 24, 2021; and beginning April 24, 2020, such a claimant will become eligible to seek a hearing on determination of permanent disability before OAH. But no rules or procedures currently exist to govern these hearings and determinations. The emergency rules will prescribe both: 1) a process for a claimant to request a hearing; and 2) hearing procedures and standards to be employed by OAH for the determination of claimant requests for permanent disability compensation under Sections 2306a and 2307 of the CMPA.

In the absence of these emergency rules, claimants confronting the impending expiration of temporary benefits will not be afforded the opportunity to seek a permanent disability determination by OAH, as prescribed by Section 2306(a). The portion of the rulemaking adopted on an emergency basis, therefore, is necessary for continuity of government operations and the preservations of claimants' rights to seek adjudication of their entitlement to permanent disability awards before OAH. Directions for submitting comments may be found at the end of this notice.

These emergency rules were adopted on March 20, 2020 and became effective immediately. These emergency rules shall remain in effect for no longer than one hundred and twenty (120) calendar days, expiring July 18, 2020, unless superseded by publication of subsequent rulemaking in the *D.C. Register*.

The Chief Risk Officer also gives notice of the intent to take final rulemaking action to adopt these rules in their entirety not less than thirty (30) calendar days from the date of publication of this notice in the *D.C. Register*.

Chapter 1, PUBLIC SECTOR WORKERS' COMPENSATION BENEFITS, of Title 7 DCMR, EMPLOYMENT BENEFITS, is amended as follows:

Section 115, CLAIM FOR PSWCP BENEFITS; CLAIMANT OR REPRESENTATIVE ACTION, is amended as follows:

Subsection 115.14 is amended to read as follows:

- 115.14 A claim for recurrence of disability:
- (a) Shall include medical evidence to establish that the recurrence is for the same condition and injury for which the claim was originally accepted and be filed pursuant to §§ 115.1 through 115.10 of this Chapter within one (1) year after the date wage-loss and medical compensation terminates or, if such termination is appealed, within one (1) year after the date a final order is issued by a judicial entity, and
 - (b) Shall not obtain where the inability to work occurred because a modified duty assignment made specifically to accommodate the employee's physical limitations due to his or her work-related injury or illness is withdrawn or when the physical requirements of such an assignment are altered so that they exceed his or her established physical limitations.

Section 130, COMPUTATION OF WAGE INDEMNITY; PARTIAL DISABILITY is amended as follows:

130.10 [REPEALED]

Section 138, REPORT OF EARNINGS, is amended by adding a new Subsection 138.6 to read as follows:

138.6 For the purposes of Section 2306b(b) of the Act (D.C. Official Code § 1-623.06b(b)), the phrase, "period for which the report of earnings was required" means the earning(s) period identified in the Program's request.

Section 140, PERMANENT DISABILITY, is amended as follows:

Subsections 140.1–140.10 and 140.12 are amended to read as follows:

140.1 A claimant may be eligible for permanent disability compensation pursuant to Section 2307 of the Act (D.C. Official Code § 1-623.07) upon reaching maximum medical improvement (MMI). A claimant may apply for such compensation after:

- (a) Reaching MMI for a disability;
- (b) Receiving four hundred-forty-eight (448) weeks of temporary total or partial disability wage-loss compensation, pursuant to Section 2306a of the Act (D.C. Official Code § 1-623.06a); or
- (c) Loss of use of both hands, both arms, both feet, or both legs, or the loss of sight of both eyes.

140.2 A claim for permanent disability compensation by a claimant who is eligible to request an award pursuant to § 140.1(a) of this chapter shall be filed with the Program by submitting Form 12:

- (a) Within one hundred and eighty (180) days after the termination of temporary disability wage-loss benefits by the Program where the claimant has reached MMI. A claimant who fails to file a claim for permanent disability within one hundred and eighty (180) days after termination of temporary disability wage-loss benefits shall not be entitled to permanent disability benefits thereafter, unless there is good cause found by the Program to excuse the delay; or
- (b) At any time within one (1) year after a claimant is determined to have reached MMI where temporary disability wage-loss benefits ceased before MMI was reached, or where a claimant never received temporary wage-loss benefits.

140.3 A claim for permanent disability compensation by a claimant who is eligible to request an award pursuant to § 140.1(b) of this chapter shall be filed as a hearing for permanent disability with the Office of Administrative Hearings by submitting Form 9 within fifty-two (52) weeks after payment of the four hundred forty-eighth (448th) week of temporary total or partial disability wage-loss benefits. The Form 9 submission shall include the documents required under § 140.5. Any hearing request that is filed or refiled after the last fifty-two (52) weeks of five hundred (500) weeks of temporary wage-loss benefits shall be denied.

140.4 A claimant who is eligible to request permanent disability compensation pursuant to § 140.1(c) of this chapter may be awarded a schedule award for permanent disability in lieu of temporary disability wage-loss benefits. Such an award may be made upon filing a claim for temporary total disability wage-loss compensation, where the claimant has been determined to have a permanent impairment involving the loss of use of a member or function of the body, or disfigurement in accordance with the most recent edition of the American Medical Association Guides to the Evaluation of Permanent Impairment (AMA Guides), subject to limitations provided at Section 2321 of the Act (D.C. Official Code § 1-623.21).

- 140.5 To file a claim for permanent disability compensation pursuant to §§ 140.1(a) or (b) of this chapter, the claimant shall complete Form 12 and provide supporting information and documentation, including a permanent disability rating performed in accordance with the most recent edition of the AMA Guides from a qualified physician, if a permanent disability rating has already been provided to the claimant. If a permanent disability rating has not been provided, the claimant may request on Form 12 that the Program obtain a permanent disability rating for the claimant, and the Program will designate a qualified physician to evaluate the claimant and complete Form 12 with supporting documentation accordingly.
- 140.6 If a claimant requests a schedule award pursuant to § 140.1(a) of this chapter, the Program shall:
- (a) Review the request;
 - (b) Request additional information or action as necessary, including the scheduling of a physical examination(s), to evaluate the extent of permanency;
 - (c) Apply the burden of proof standard provided at §119.4; and
 - (d) Issue a written decision within thirty (30) days of receipt of all required documents that shall:
 - (1) Set forth the basis for accepting or denying the request; and
 - (2) Be accompanied by information about the claimant's right to appeal the Program's decision to the Chief Risk Officer, as provided in § 156 of this chapter.
- 140.7 (a) Hearings conducted in response to requests for permanent disability schedule awards filed pursuant to § 140.1(b) of this chapter shall:
- (1) Be conducted pursuant to the provisions of Section 2324(b) of the Act (D.C. Official Code § 1-623.24(b)) and be subject to the requirements of this chapter;
 - (2) Allow for the scheduling of physical examination(s) of the claimant upon the filing of a hearing request to evaluate the extent of permanency of impairment and relationship to the accepted work injury;
 - (3) Be subject to OAH Rules, including those governing hearings of Public Sector Workers' Compensation matters;

- (4) Allow for post-hearing briefing to be filed within seven (7) business days after the hearing upon request of either party;
 - (5) Be subject to the burden of proof standard provided at § 119.4 of this chapter; and
 - (6) Result in the issuance of a written final decision within thirty (30) days of the hearing or later briefing date, where applicable.
- (b) Awards for permanent disability compensation issued by the Program or OAH shall:
- (1) Be based solely on a permanent disability rating performed in accordance with the most recent edition of the AMA Guides from a qualified physician;
 - (2) Be limited to a disability rating arising out of a condition that has been previously adjudicated as compensable and apportioned in accordance with Section 2307(d) of the Act;
 - (3) Exclude awards for attorney's fees;
 - (4) Be computed by the Program in accordance with the schedule provided at Section 2307 of the Act (D.C. Official Code § 1-623.07), pursuant to § 129 of this chapter, and not be subject to cost-of-living-adjustments. Adjustments to the Program's computed rate shall be made pursuant to Section 2341, as they become available after payment on the schedule award begins; and
 - (5) Set forth the basis for accepting or denying the request, in whole or in part, and be accompanied by information about the parties' right to appeal the decision, as provided in §§ 156 or 163 of this chapter, as applicable.
- (c) Costs for physical examinations ordered by the tribunal or requested or obtained by the Program shall be paid by the Program, unless a permanent impairment rating performed in accordance with § 140.5 has already been provided by the Program or the order requires an examination to be conducted by a non-Panel physician;

140.8 Awards for permanent disability compensation shall be computed by:

- (a) Calculating the monthly compensation less COLAs pursuant to § 129 of this chapter;
- (b) Converting the monthly compensation to weekly compensation by

multiplying the monthly compensation rate by twelve (12) and dividing the product by fifty-two (52); and

(c)

(1) In the event of a total loss of use of a member or function of the body, multiplying the weekly compensation rate computed by § 140.8(b) by the number of weeks indicated in the schedule for such member or function under Section 2307(c) of the Act; or

(2) In the event of a partial loss of use of a member or function of the body, adjusting the award schedule for partial disability by multiplying the total number of weeks available for the impaired member or function under Section 2307(c) of the Act by the percentage impairment rating provided by the physician, as awarded by the Program or OAH, and multiplying the adjusted award schedule for partial disability by the weekly compensation rate computed pursuant to § 140.8(b).

140.9 Any medical report or evidence submitted in support of a determination of eligibility for a schedule award under Section 2307 of the Act (D.C. Official Code § 1-623.07) shall be prepared by a physician with specific training and experience in the use of the most recent edition of the AMA Guides. The medical report must identify the clinical diagnosis, diagnosis code, current clinical symptoms, current examination findings, and diagnostic testing results, as well as how the medical records are interpreted with citation to the specific page number, paragraph, and table relied upon within the AMA Guides to establish how the physician arrived at the impairment rating.

140.10 A claimant who requests or receives a schedule award pursuant to Section 2307 of the Act (D.C. Official Code § 1-623.07) shall be ineligible for further wage-loss compensation for temporary disability arising out of the same injury for which the schedule award has been approved or paid, unless the request is made pursuant to Section 2306a of the Act. Requests for schedule awards made pursuant to Section 2306a of the Act shall not result in immediate termination of temporary wage-loss compensation until the expiration of five hundred (500) weeks of entitlement to temporary wage-loss compensation or the issuance of a final decision accepting a claimant's request for permanent disability benefits, whichever is sooner.

140.12 Permanent disability compensation shall be limited to those body parts and functions listed in the schedule set forth in Section 2307 of the Act (D.C. Official Code § 1-623.07).

Section 144, MODIFICATION OF AWARD OF COMPENSATION, is amended as follows:

Subsection 144.3 is amended to read as follows:

144.3 Except as provided at Subsection 144.3(a), the Program will provide the claimant with prior written notice of the proposed action to modify an award of compensation pursuant to § 144 of this chapter and give the claimant thirty (30) days to submit relevant evidence or argument to support entitlement to continued payment of compensation prior to issuance of an Eligibility Determination (ED), where the Program has a reason to believe that compensation should be modified due to a change of condition pursuant to Sections 2324(d)(1) and (4) of the Act. An ED shall be accompanied by information identifying the employee's appeal rights and, for termination of benefits, claimant's time limitation from the date of the notice to make a claim for permanent disability compensation.

- (a) Prior written notice will not be given when:
- (1) The claimant dies;
 - (2) The Program either reduces or terminates compensation upon a claimant's return to work or release to return to work;
 - (3) The claimant has been convicted of fraud in connection with the claim;
 - (4) When the award of compensation was for a closed period, which has expired;
 - (5) The Program issues an initial determination where a claim has been deemed accepted pending such issuance; or
 - (6) The claimant's benefits are suspended for failure to:
 - (A) Participate in vocational rehabilitation, if the claimant is hired on or after January 1, 1980;
 - (B) Follow prescribed and recommended course of medical treatment from the treating physician; or
 - (C) With regard to a scheduled additional medical examination:
 - (i) Attend the examination,
 - (ii) Bring medical records under the claimant's possession and control to the examination, or

- (iii) Any other obstruction of the examination.

Section 150, TRANSPORTATION AND MILEAGE, is amended as follows:

Subsection 150.4 is amended to read as follows:

- 150.4 Upon request made pursuant to § 150.2, the Program may furnish necessary and reasonable transportation for:
- (a) An initial examination at a physician selected by the claimant;
 - (b) An additional medical examination required by the Program; and
 - (c) A routine physical examination, outpatient or inpatient surgical procedure, or any services provided in accordance with Section 2303(d)(1) of the Act.

Section 162, ATTORNEY'S FEES, is amended as follows:

Subsection 162.3 is added to read as follows:

- 162.3 Attorney's fees under Section 2327 of the Act shall not be awarded for prosecution of claims for permanent disability filed pursuant to Section 2306a of the Act.

Section 199, DEFINITIONS, is amended as follows:

Subsection 199.1 is amended to read as follows:

- 199.1 The definitions set forth in Section 2301 of Title 23 (Workers' Compensation) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code §§ 1-623.01 *et seq.* (2016 Repl. & 2019 Supp.)) shall apply to this chapter. In addition, for purposes of this chapter, the following definitions shall apply and have the meanings ascribed:

The Act – the District of Columbia Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code §§ 1-623.01 *et seq.* (2016 Repl. & 2019 Supp.)), as amended and as it may be hereafter amended.

Administrative Law Judge or ALJ – a hearing officer of the Office of Hearings and Adjudication in the Administrative Hearings Division of the Department of Employment Services or Administrative Law Judge in the Office of Administrative Hearings.

Aggravated injury – the exacerbation, acceleration, or worsening of a pre-existing disability or condition caused by a discrete event or occurrence and resulting in substantially greater disability or death.

Alive and well check – an inquiry by the Program to confirm that a claimant who is receiving benefits still meets the eligibility requirements of the Program.

Award of Compensation – a Program determination or Compensation Order issued pursuant to Section 2324 of the Act (D.C. Official Code § 1-623.24) and shall not include calculations set forth in a Notice of Benefits or adjustments to benefits made pursuant § 145 of this chapter.

Beneficiary – an individual who is entitled to receive death benefits under the Act.

Claim – an assertion properly filed and otherwise made in accordance with the provisions of this chapter that an individual is entitled to compensation benefits under the Act.

Claim file – all program documents, materials, and information, written and electronic, pertaining to a claim, excluding that which is privileged or confidential under District of Columbia law.

Claimant – an individual who receives or claims benefits under the Act (D.C. Official Code §§ 1-623.01 *et seq.*).

Claimant's Representative – means an individual or law firm properly authorized by a claimant of this chapter, in writing, to act for the claimant in connection with a claim under the Act or this chapter.

Controversion – means to dispute, challenge or deny the validity of a claim for Continuation of Pay.

Disability – means the incapacity, because of an employment injury, to earn the wages the employee was receiving at the time of injury. It may be partial or total.

Earnings – for the purposes of § 138 of this chapter, any cash, wages, or salary received from self-employment or from any other employment aside from the employment in which the worker was injured. It also includes commissions, bonuses, and cash value of all payments and benefits received in any form other than cash. Commissions and bonuses earned before disability but received during the time the employee is receiving workers' compensation benefits do not constitute earnings that must be reported.

Eligibility Determination (ED) – a decision concerning, or that results in, the termination or modification of a claimant’s existing Public Sector Workers’ Compensation benefits that is brought about as a result of a change to the claimant’s condition.

Employee – means

- (a) A civil officer or employee in any branch of the District of Columbia government, including an officer or employee of an instrumentality wholly owned by the District of Columbia government; or of a subordinate; or independent agency of the District of Columbia government;
- (b) An individual rendering personal service to the District of Columbia government similar to the service of a civil officer or employee of the District of Columbia, without pay or for nominal pay, when a statute authorizes the acceptance or use of the service or authorizes payment of travel or other expenses of the individual, but does not include a member of the Metropolitan Police Department or the Fire and Emergency Medical Services Department who has retired or is eligible for retirement pursuant to D.C. Official Code §§ 5-707 through 5-730 (2012 Repl. & 2019 Supp.). The phrase “personal service to the District of Columbia government” as used for the definition of employee means working directly for a District government agency or instrumentality, having been hired directly by the agency or instrumentality; it does not mean working for a private organization or company that is providing services to the District government or its instrumentalities; or
- (c) An individual selected pursuant to federal law and serving as a petit or grand juror and who is otherwise an employee for the purposes of this Chapter as defined by paragraphs (a) and (b) above.

Employee’s Representative – means an individual or law firm properly authorized by an employee of this chapter, in writing, to act for the employee in connection with a request for continuation of pay under the Act or this chapter.

Employing agency – the agency or instrumentality of the District of Columbia government which employs or employed an individual who is defined as an employee by the Act.

Good cause – omissions caused by “excusable” neglect or circumstances beyond the control of the proponent. Inadvertence, ignorance or mistakes

construing law, rules and regulations do not constitute “excusable” neglect.

Healthcare provider – means any person or organization who or that renders medical services, appliances or supplies directly to claimants or employees and is licensed to practice or operate in the jurisdiction where care is provided.

Healthcare organization – an organization comprised of allied health professionals, as defined under Section 2301 of the Act (D.C. Official Code § 1-623.01).

Immediate supervisor – the District government officer or employee having responsibility for the supervision, direction, or control of the claimant, or one acting on his or her behalf in such capacity.

Indemnity – See Wage-loss Compensation.

Initial Determination (ID) – a decision regarding initial eligibility for benefits under the Act, including decisions to accept or deny new claims, pursuant to this chapter.

Judicial Entity – any court or administrative group that issues a final decision that results in a complete and final disposition of a case.

Latent disability – a condition, disease or disability that arises out of an injury caused by the employee’s work environment, over a period longer than one workday or shift and may result from systemic infection, repeated physical stress or strain, exposure to toxins, poisons, fumes or other continuing conditions of the work environment.

Marriage – both civil marriage, which is represented by a marriage license, and common-law marriage, which must be proved by a preponderance of the evidence based on the law of the applicable jurisdiction.

Maximum Medical Improvement (MMI) – a point in time in the recovery process after an injury when:

- (a) further formal medical or surgical intervention cannot be expected to improve the underlying impairment;
- (b) recovery has reached the stage where symptoms can be expected to remain stable with the passage of time, or can be managed with palliative measures that do not alter the underlying impairment substantially; or

- (c) a claimant declines medical or surgical intervention that would otherwise improve the underlying impairment.

Mayor – the Mayor of the District of Columbia or a person designated to perform his or her functions under the Act.

Medical opinion – a statement from a physician, as defined in Section 2301 of the Act (D.C. Official Code § 1-623.01) that reflects judgments about the nature and severity of impairment, including symptoms, diagnosis and prognosis, physical or mental restrictions, and what the employee or claimant is capable of doing despite his or her impairments.

Notice of Benefits – a notice provided to a claimant that sets forth the Program’s calculation of a claimant’s benefits as a result of an initial award or subsequent change in benefits.

Office of Administrative Hearings (OAH) – the office where Administrative Law Judges adjudicate public sector workers’ compensation claims under Sections 2323(a-2)(4), 2324(b)(1), and (d)(2) of the Act (D.C. Official Code §§ 1-623.23(a-2)(4), 1-623.24(b)(1) and (d)(2)), pursuant to jurisdiction under D.C. Official Code § 2-1831.03(b)(1) (2016 Repl.), Section 2306a of the Act, and rules set forth in this chapter.

Office of Hearings and Adjudication (OHA) – the office in the Administrative Hearings Division of the Department of Employment Services where Administrative Law Judges adjudicate workers’ compensation claims, including public sector workers’ compensation claims under Sections 2323(a-2)(4), 2324(b)(1), and (d)(2) of the Act (D.C. Official Code §§ 1-623.23 (a-2)(f), 1-623.24(b)(1) and (d)(2)), and rules set forth in this chapter.

Office of Risk Management (ORM) – the agency within the Government of the District of Columbia that is responsible for the District of Columbia’s Public Sector Workers’ Compensation Program (PSWCP).

Panel physician – means a physician approved by the Program pursuant to §§ 124 and 125 of this chapter to provide medical treatment to persons covered by the Act.

Pay rate for compensation purposes – means the employee's pay, as determined under Section 2314 of the Act, at the time of injury, the time disability begins, or the time compensable disability recurs if the recurrence begins more than six months after the injured employee resumes regular full-time employment with the District of Columbia government, whichever is greater, except as otherwise determined under Section 2313 of the Act (D.C. Official Code § 1-623.13) with respect to any period. Consideration

of additional remuneration in kind for services shall be limited to those expressly authorized under Section 2314(e) of the Act (D.C. Official Code § 1-623.14(e)).

Permanent disability compensation – schedule award compensation payable when a qualified physician has determined that a claimant has reached maximum medical improvement and has full or partial loss of use of a body part or disfigurement pursuant to Section 2307 of the Act (D.C. Official Code 1-623.07) and § 140 of this chapter.

Permanent total disability payment (PTD) – schedule award and wage-loss compensation payable to a completely disabled claimant, when a qualified physician has determined that a claimant has reached maximum medical improvement and is unable to work on a permanent basis. PTD has been repealed since February 26, 2015. However, claimants who were awarded PTD prior to the repeal may continue to receive PTD benefits.

Program – the Public Sector Workers’ Compensation Program of the Office of Risk Management, including a third-party administrator thereof.

Provider agreement – a working agreement developed by the Program in accordance with Section 2302b of the Act (D.C. Official Code § 1-623.02b) with a healthcare provider or other public or private organization comprised of healthcare providers to furnish medical care or services (including transport incident to such care or services) to an employee. Disputes regarding fees or the necessity, character or sufficiency of services pursuant to such agreements shall be resolved in accordance with Section 2323 of the Act (D.C. Official Code § 1-623.23) and § 156.6 and 156.7 of this chapter.

Qualified health professional – means a physician, as that term is defined by Section 2301 of the Act (D.C. Official Code § 1-623.01) and includes a surgeon, podiatrist, dentist, clinical psychologist, optometrist, orthopedist, neurologist, psychiatrist, chiropractor, or osteopath practicing within the scope of his or her practice as defined by state law. The term includes a chiropractor only to the extent that reimbursable services are limited to treatment consisting of manual manipulation of the spine to correct a subluxation as demonstrated by x-ray to exist and subject to guidelines established by the Program. For purposes of initial treatment or emergency care, or with respect to of a managed care organization, as that term is defined by Section 2301 of the Act (D.C. Official Code § 1-623.01), the term also includes physician assistants and nurse practitioners who are authorized by the jurisdiction where they practice and who are performing within the scope their practice as defined by said jurisdiction.

Recurrence of disability – means a disability that reoccurs within one (1) year

after the date wage-loss compensation terminates or, if such termination is appealed, within one (1) year after the date of the final order issued by a judicial entity, caused by a spontaneous change in a medical condition which had resulted from a previous compensable injury or illness without an intervening injury or new exposure to the work environment that caused the illness.

Recurrence of medical condition – means a documented need for further medical treatment after release from treatment for the accepted condition or injury when there is no accompanying work stoppage. Continuous treatment for the original condition or injury is not considered a “need for further medical treatment after release from treatment,” nor is an examination without treatment.

Traumatic injury – means a condition of the body caused by a specific event or incident, or series of events or incidents, within a single workday or shift. Such condition must be caused by external force, including physical stress or strain, which is identifiable as to time and place of occurrence and member or function of the body affected.

Temporary partial disability payment (TPD) – wage-loss compensation payable to a claimant, who has a wage-earning capacity and has not reached maximum medical improvement, calculated pursuant to Section 2306 of the Act (D.C. Official Code § 1-623.06) and § 130 of this chapter.

Temporary total disability payment (TTD) – wage-loss compensation payable to a claimant, who has a complete loss of wage-earning capacity and has not reached maximum medical improvement, calculated pursuant to Section 2305 of the Act (D.C. Official Code § 1-623.05) and § 129 of this chapter.

Treating physician – the physician, as defined in Section 2301 of the Act (D.C. Official Code § 1-623.01), who provided the greatest amount of treatment and who had the most quantitative and qualitative interaction with the employee or claimant.

Wage-loss compensation – the money allowance paid to a claimant by the Program to compensate for the wage-loss experienced by the claimant as a result of a disability directly arising out of an injury sustained while in the performance of his or her duty, calculated pursuant to the provisions of this chapter.

Working agreement – means a provider agreement or other agreement developed by the Program in accordance with Section 2302b of the Act (D.C. Official Code § 1-623.02b) with:

- (a) A utilization review organization or individual certified to perform such reviews, as specified in Section 2323 of the Act (D.C. Official Code § 1-623.23);
- (b) A physician or an organization comprised of physicians, including an organization with a proprietary panel of physicians affiliated exclusively with such organization, who conduct Additional Medical Examinations, as described in § 136 of this chapter;
- (c) A provider of vocational rehabilitation services; or
- (d) A physician or other public or private organization to facilitate the functions of the Program. The fees and other conditions contained in such agreements shall be approved by the Chief Risk Officer. Except in the case of a provider agreement, disputes arising under such agreements shall be resolved by the Superior Court for the District of Columbia, or as otherwise provided by law.

All persons interested in commenting on the subject matter in this proposed rulemaking may file comments in writing, not later than forty-five (45) days after the publication of this notice in the *D.C. Register*, with Michael Krainak, General Counsel, Office of Risk Management, 441 4th Street, N.W., Suite 800S, Washington, D.C. 20001. Comments may be submitted by U.S. Mail to this address or by electronic mail to orm.regulations@dc.gov. Copies of this proposed rulemaking are available upon written request to the above addresses, and are also available electronically on the Office of Risk Management's website at www.orm.dc.gov.

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2020-047
March 12, 2020

SUBJECT: Delegation - Authority to the Director of the Department of General Services to execute a Lease Agreement for 3149 16th Street NW

ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422 of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. No. 93-198, D.C. Official Code § 1-204.22 (2016 Repl.), and section 1(c) of An Act to Grant Additional Powers to the Commissioners of the District of Columbia (the "Act"), approved December 20, 1944, 58 Stat. 821, D.C. Official Code § 1-301.01(c), it is hereby **ORDERED** that:

1. The Director of the Department of General Services is delegated the authority vested in the Mayor pursuant to the Act to execute a lease agreement between the District of Columbia and JAGW DC LLC for certain real property, as specified in the lease, located at 3149 16th Street NW, Washington, DC, and more specifically designated for tax and assessment purposes as Square 2673, Lot 0890 (the "Property"), and all other documents necessary to effectuate the lease of the Property, including, but not limited to, an estoppel certificate and a subordination, non-disturbance, and attornment agreement.
2. Mayor's Order 2015-230, dated October 16, 2015, is hereby rescinded.
3. **EFFECTIVE DATE:** This Order shall become effective immediately.


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 2020-048
March 16, 2020

SUBJECT: Prohibition on Mass Gatherings During Public Health Emergency - Coronavirus (COVID-19)

ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in the Mayor of the District of Columbia pursuant to section 422(11) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. No. 93-198, D.C. Official Code § 1-204.22(11) (2016 Repl.); section 5 of the District of Columbia Public Emergency Act of 1980, effective March 5, 1981, D.C. Law 3-149, D.C. Official Code § 7-2304 (2018 Repl.); section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002, D.C. Law 3-149, D.C. Official Code § 7-2304.01 (2018 Repl.); section 1 of An Act To authorize the Commissioners of the District of Columbia to make regulations to prevent and control the spread of communicable and preventable diseases, approved August 11, 1939, 53 Stat. 1408, D.C. Official Code § 7-131 *et seq.*; (2012 Repl.); 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 § 2-1801.01 *et seq.*, section 6(c) of An Act To prescribe administrative procedures for the District of Columbia government, approved October 21, 1968, 82 Stat. 1203, D.C. Official Code § 2-505(c); D.C. Official Code 25-211(c) (2018 Supp.); D.C. Official Code § 47-2844 (2018 Supp.); Mayor's Order 2020-045, dated March 11, 2020; and Mayor's Order 2020-046, dated March 11, 2020, it is hereby **ORDERED** that:

I. EMERGENCY MEASURES AND REQUIREMENTS

- A. It is essential that the spread of COVID-19 be slowed to protect the ability of public and private health care providers to handle the influx of new patients and to safeguard public health, safety, and welfare of the persons living or otherwise present in the District of Columbia.
- B. In accordance with guidance from the Centers for Disease Control and Prevention (CDC), mass gatherings of more than fifty (50) persons are prohibited anywhere in the District of Columbia.
 - a. A "Mass Gathering" is any event or convening, subject to the exceptions and clarifications set forth below, that brings together or is likely to bring together fifty (50) or more persons at the same time in a single room or other single confined or enclosed space, such as, by way of example and without limitation, an auditorium, theatre, stadium (indoor or outdoor), arena or event center, meeting hall, conference center, large cafeteria, or any other confined indoor or confined

outdoor space.

- b. A "Mass Gathering" includes any event in confined outdoor spaces, which means an outdoor space that (i) is enclosed by a fence, physical barrier, or other structure and (ii) where people are present and they are within arm's length of one another for extended periods.
- c. A "Mass Gathering" does not include the following:
 - i. Gatherings of people in multiple, separate enclosed spaces in a single building, so long as fifty (50) people are not present in any single space at the same time;
 - ii. The use of enclosed spaces where fifty (50) or more people may be present at different times during the day, so long as fifty (50) or more people are not present in the space at the same time; and,
 - iii. Gatherings on property within the District of Columbia owned by the federal government.
- d. A "Mass Gathering" does not include the following:
 - i. Public or private schools, including child care facilities, so long as children are in classrooms, not auditoriums or gymnasiums where more than fifty (50) children are present at one time;
 - ii. Spaces where fifty (50) or more persons may be in transit or waiting for transit such as bus, ferry, sluglines, or subway stations or terminals (or shopping areas associated with the buildings housing those stations or terminals);
 - iii. Office space, hotels, or residential buildings;
 - iv. Grocery stores, shopping malls, or other retail establishments where large numbers of people are present but it is unusual for them to be within arm's length of one another for an extended period; and,
 - v. Hospitals, nursing homes, assisted living facilities, and other medical facilities.
- e. Gatherings of more than ten (10) people organized by an organization not listed in subsection I.B.d.v. that primarily serves, or targets, persons of sixty (60) or more years of age, persons who have serious medical conditions (including heart disease, diabetes, lung disease, asthma, and chronic obstructive pulmonary disease), or persons who are immunocompromised, are prohibited in the District of Columbia.

- C. Restaurants and Taverns licensed in the District of Columbia shall suspend table seating effective March 16, 2020, at 10:00 PM until April 1, 2020, at 6:00 AM.
- D. Restaurants and Taverns may operate delivery and grab-and-go operations only, beginning on March 16, 2020, at 10:00 PM.
- E. In order to comply with the Department of Health's Notice of Emergency Rulemaking, adopted March 13, 2020 to prohibit mass gatherings and this Order, venues doing business as nightclubs, multi-purpose facilities, health clubs, health spas, massage establishments, and theatres in the District of Columbia must suspend operations beginning on March 17, 2020.

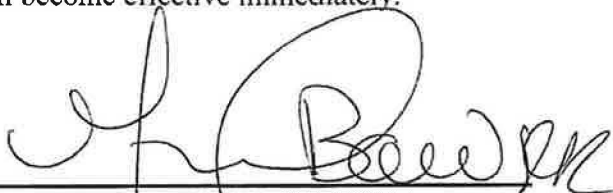
II. ENFORCEMENT

Any business or institution that in knowing violation of this emergency Order shall be subject to all civil, criminal and administrative penalties authorized by law, including sanctions or penalties for violating D.C. Official Code § 7-2307, and D.C. Official Code § 47-2844(a) including summary suspension of licensure.

III. DURATION OF ORDER

This Order shall remain in effect until March 31, 2020, and may be extended during a declaration of a public emergency.

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



**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 2020-049

March 19, 2020

SUBJECT: Waiver for motor carriers and drivers transporting emergency relief supplies, equipment, and persons in response to COVID-19

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.), in accordance with section 4(3)(L) of the Department of Transportation Establishment Act of 2002, effective May 21, 2002 D.C. Law 14-137, D.C. Official Code § 50-921.03(3)(L) (2019 Supp.), section 5(b)(6) of the District of Columbia Public Emergency Act of 1980, effective March 5, 1981, D.C. Law 3-149, D.C. Official Code § 7-2304(b)(6) (2018 Repl.), the nationwide emergency declared by the President of the United States on March 13, 2020, under 42 U.S.C. § 5121 *et seq.*, the emergency declaration of the Acting Administrator of the Federal Motor Carrier Safety Administration under 49 CFR § 390.23 issued by, issued March 3, 2020 (No. 2020-002), and 49 CFR § 390.23(a)(1)(i), it is hereby **ORDERED** that:


1. In order to provide preparedness and response support to areas affected by the novel coronavirus disease (COVID-19), exemptions may be granted for overweight, over width, registration, license, and hours of service to all motor carriers and drivers transporting emergency relief supplies or otherwise providing direct assistance in support of emergency relief efforts, to, through and from any area of the District of Columbia. This authorization applies to water, food, medical supplies and equipment, supplies and equipment necessary for community safety, sanitation, and prevention of transmission of COVID-19, supplies and equipment necessary to establish and manage temporary facilities in response to COVID-19, heating oil, motor fuels, and propane, agricultural products and supplies, equipment and supplies necessary to restore utilities (including electricity, gas, phone, water, wastewater, and cable), removal of waste, and any other equipment, supplies, services, and persons transported to support the COVID-19 response and recovery, regardless of their point of origin or destination.
2. The Director of the District Department of Transportation (DDOT) is delegated the authority to issue temporary waivers of registration and licensing requirements for motor carriers and drivers and temporary waivers of normal weight and width restrictions on roads controlled by the District, for the purpose of ensuring that equipment, supplies, services, and persons described in paragraph 1 of this Order reach impacted areas in timely manner.

3. Motor carriers and drivers must still abide by posted restrictions on all structures, such as tunnel height limits and bridge weight limits. Motor carriers and drivers must also still comply with DDOT hauling and safety guidelines, including routing assistance through DDOT's online route planner, available at <https://tops.ddot.dc.gov/DDOTPERMITSYSTEM/DDOTPERMITONLINE/Landing.aspx>
x
4. Direct assistance terminates when a driver or commercial motor vehicle is used in interstate commerce to transport cargo or provide services that are not in support of emergency relief efforts related to COVID-19 or when the motor carrier dispatches a driver or commercial motor vehicle to another location to begin operations in commerce.
5. Nothing contained in this Order shall be construed as an exemption from the federal controlled substances and alcohol use and testing requirements (49 CFR Part 382), the commercial driver's license requirements (49 CFR Part 383), the financial responsibility (insurance) requirements (49 CFR Part 387), the hazardous material regulations (49 CFR Parts 100-180), applicable size and weight requirements, or any other portion of the federal regulations not specifically exempted under 49 CFR § 390.23.
6. Motor carriers and drivers currently subject to an out-of-service order are not eligible for the relief authorized by this Order until they have met the applicable conditions for its rescission and the out-of-service order has been rescinded by the Federal Motor Carrier Safety Administration.
7. DDOT shall collaborate with the Department of Motor Vehicles and the Metropolitan Police Department to work with motor carriers and drivers to ensure the appropriate implementation and enforcement of this Order.
8. This Order shall supersede all previous Mayor's Orders to the extent of any inconsistency.

9. **EFFECTIVE DATE:** This Order is effective immediately. It shall remain in effect until the termination of the emergency declared by the President and the Acting Administrator of the Federal Motor Carrier Safety Administration or until 11:59 P.M. on April 12, 2020, whichever occurs sooner.



MURIEL BOWSER
MAYOR

ATTEST: 

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

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF PUBLIC HEARINGS
CALENDAR

WEDNESDAY, MARCH 25, 2020
2000 14TH STREET, N.W., SUITE 400S
WASHINGTON, D.C. 20009

Donovan W. Anderson, Chairperson

Members: James Short, Bobby Cato, Rema Wahabzadah, Rafi A. Crockett, Jeni Hansen,
Edward S. Grandis

Protest Hearing (Status) **9:30 AM**
Case # 20-PRO-00005; Ching, LLC, t/a Uproar, 639 Florida Ave NW, License #92012, Retailer CT, ANC 1B
Substantial Change (Request to Expand to the Rooftop Summer Garden, Increasing the Total Occupancy Load from 74 to 200)

Protest Hearing (Status) **9:30 AM**
Case # 20-PRO-00006; Brother Burger Bar, LLC, t/a Felicity Lounge, 707 H Street NE, License #112502, Retailer CR, ANC 6C
Substantial Change (Class Change from CR to CT)

Protest Hearing (Status) **9:30 AM**
Case # 19-PRO-00149; Jvle, LLC, t/a Jimmy Valentine's Lonely Hearts Club 1103 Bladensburg Road NE, License #76330, Retailer CT, ANC 5D
Application to Renew the License

Protest Hearing (Status) **9:30 AM**
Case # 20-PRO-00003; 9th Street Lounge, LLC, t/a Mirror Lounge, 1920 9th Street NW, License #111950, Retailer CT, ANC 1B
Substantial Change (Request for a Summer Garden Endorsement with 13 seats)

Motion Hearing **9:30 AM**
Case # 20-PRO-00009; MAHK Meetings, LLC, t/a TBD, 1807 Florida Ave NW, License #115363, Retailer CT, ANC 1C
Oral Argument

Board's Calendar

March 25, 2020

Show Cause Hearing (Status) 9:30 AM

Case # 19-CMP-00179; Addis Incorporated, t/a King Convenience Store, 1535 U Street SE, License #89932, Retailer B, ANC 8A
No ABC Manager on Duty

Show Cause Hearing (Status) 9:30 AM

Case # 19-CMP-00133; Farmers & Distillers DC, LLC, t/a Farmers & Distillers/Founding Spirits Distillery, 600 Massachusetts Ave NW, License #100647, Retailer CR, ANC 2C
Substantial Change Without Board Approval, Failed to Obtain a Summer Garden Endorsement

Show Cause Hearing (Status) 9:30 AM

Case # 19-CIT-00372; 5534 Connecticut, LLC, t/a Capital Crab & Seafood 5534 Connecticut Ave NW, License #106151, Retailer CR, ANC 3G
Trade Name Change Without Board Approval, Failed to Post In a Conspicuous Place the Name of the Licensee, Failed to Have Warning Signs Posted

Show Cause Hearing (Status) 9:30 AM

Case # 19-CMP-00157; B Washington, LLC, t/a Plan B Burger Bar, 801 Pennsylvania Ave NW, License #95796, Retailer CR, ANC 2C
Failed to Obtain a Summer Garden Endorsement

Show Cause Hearing (Status) 9:30 AM

Case # 19-CMP-00132; Pinnacle Consumption, LLC, t/a Brookland Pint, 716 Monroe Street NE, License #93948, Retailer CT, ANC 5E
Increased Occupancy Without Board Approval

Show Cause Hearing (Status) 9:30 AM

Case # 19-CMP-00169; 2400 Minnesota Avenue SE, LLC, t/a Martha's Market 2400 Minnesota Ave SE, License #105036, Retailer B, ANC 7B
No ABC Manager on Duty, Failed to Post the License in a Conspicuous Place, Trade Name Change Without Board Approval, Sold an Individual Container of alcohol with a Capacity of 70 Ounces or Less, Transfer of Ownership without Board Approval

Board’s Calendar
March 25, 2020

Show Cause Hearing (Status) 9:30 AM
Case # 19-AUD-00087; G and G Investments, Inc., t/a Trio Rest & Fox & Hounds Lounge, 1537 17th Street NW, License #168, Retailer CR, ANC 2B
Failed to Meet Food Sales Requirements, Failed to Maintain on Premises Three Years of Adequate Books and Records Showing All Sales

Show Cause Hearing* 10:00 AM
Case # 19-251-00107; Family's Corporation, t/a My Canton Restaurant, 1772 Columbia Road NW, License #75479, Retailer CR, ANC 1C
Interfered with an Investigation

Show Cause Hearing* 10:00 AM
Case # 19-CMP-00017; Betty's Gojo Restaurant and Lounge, LLC, t/a Betty's Gojo, 7616 Georgia Ave NW, License #102500, Retailer CR, ANC 4A
Operating After Hours

Show Cause Hearing* 11:00 AM
Case # 19-CMP-00094; Etete Ethiopian Cuisine, Inc., t/a 1942 DC, 1942 9th Street NW, License #70728, Retailer CT, ANC 1B
Failed to Obtain a Summer Garden Endorsement, Failed to Post License Conspicuously in the Establishment

Show Cause Hearing* 11:00 AM
Case # 19-CMP-00057; Hiwot Ethiopian Restaurant & Market, LLC, t/a Hiwot Ethiopian Restaurant and Market, 5333 Georgia Ave NW, License #100297 Retailer CR, ANC 4D
Exceeded Capacity, Failed to Keep Kitchen Facilities Open Until Two Hours Before Closing, Substantial Change Without Board Approval, Provided Entertainment Without an Entertainment Endorsement (Two Counts), Trade Name Change Without Board Approval

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

Protest Hearing* 1:30 PM
Case # 19-PRO-00123; Johanas, Inc., t/a Johana's Restaurant, 4728 14th Street NW, License #25996, Retailer CT, ANC 4C
Application to Renew the License

Board's Calendar

March 25, 2020

Protest Hearing*

4:30 PM

Case # 19-PRO-00166; Highland Community Entertainment Hall, LLC, t/a
Highland Community Entertainment Hall, 2533 Pennsylvania Ave SE, License
#115394, Retailer CT, ANC 7B

Application for a New License

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

**This meeting is governed by the Open Meetings Act. Please address any
questions or complaints arising under this meeting to the Office of Open
Government at opengovoffice@dc.gov.*

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

NOTICE OF CLOSED MEETING

Investigative Agenda

**Wednesday, March 25, 2020 | 4:00 p.m.
2000 14TH Street, NW, Suite 400 South, Washington DC 20009**

On Wednesday, March 25, 2020 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.”

Below is the draft agenda for the meeting. A final agenda will be posted at abra.dc.gov.

For additional information, please contact: John Suero, ABRA’s Enforcement Chief, at 202-442-6035 or John.Suero@dc.gov.

1. Case# 20-CMP-00046, DC Eagle, 3701 BENNING RD NE Retailer C Tavern, License#: ABRA-093984
2. Case# 20-CMP-00039, Georgetown Inn West End/Casta’s Rum Bar, 1121 NEW HAMPSHIRE AVE NW Retailer C Restaurant, License#: ABRA-109462
3. Case# 20-CMP-00044, Blackfinn, 1620 I ST NW Retailer C Tavern, License#: ABRA-113805
4. Case# 20-CMP-00043, Loeb’s Restaurant, 1712 I ST NW Retailer D Restaurant, License#: ABRA-086562
5. Case# 20-CMP-00047, Penn Social, 801 E ST NW Retailer C Multipurpose, License#: ABRA-086808
6. Cas3# 20-CC-00037, Penn Social, 801 E ST NW Retailer C Multipurpose, License#: ABRA-086808
7. Case# 20-Mac Market & Deli, 5185 MACARTHUR BLVD NW Retailer Retail Store A, License#: ABRA-072037
8. Case# 20-CC-00040, Pinstripes, 3222 M ST NW Retailer C Restaurant, License#: ABRA-091662

9. Case# 20-CC-00038, Burka's Fine Wine and Liquors, 3414 WISCONSIN AVE NW Retailer Retail Store A, License#: ABRA-086394
10. Case# 20-MGR-00011, ABC Manager, Daniel Minor Jr., License#: ABRA-082616
11. Case# 20-CC-00033, University Wine & Spirits, 333 HAWAII AVE NE Retailer Retail Store A, License#: ABRA-089532
12. Case# 20-CC-00032, Papa's Liquors, 3703 MACOMB ST NW Retailer Retail Store A, License#: ABRA-026226
13. Case# 20-CC-00042, The Marriott Metro Center, 775 12th ST NW, Retailer C Hotel, License#: ABRA-070893
14. Case# 20-CMP-00058, Lyve at U, 2001 11th ST NW Retailer C Tavern, License#: ABRA-114773
15. Case# 20-CMP-00061, Homewood Suites by Hilton Washington, D.C., 501 NEW YORK AVE NE Retailer B, License#: ABRA-108250
16. Case# 20-CMP-00060, Homewood Suites by Hilton Washington, D.C., 501 NEW YORK AVE NE Retailer C Tavern, License#: ABRA-101534
17. Case# 20-CMP-00033, Oki Bowl Ramen and Sake Bar, 1817 M ST NW Retailer D Restaurant, License#: ABRA-107646
18. Case# 20-CMP-00048, Capitol Fine Wine & Spirits, 415 H ST NE Retailer Retail Store A, License#: ABRA-082981
19. Case# 20-CMP-00041, Hawthorne, 1336 U ST NW Retailer C Tavern, License#: ABRA-099603
20. Case# 20-CMP-00057, District Soul Food Restaurant & Lounge, 500 8th ST SE Retailer C Restaurant, License#: ABRA-112072
21. Case# 20-CMP-00040, The Codmother, 1334 U ST NW Retailer C Tavern, License#: ABRA-086231
22. Case# 20-CC-00046, Luke's Lobster, 1211 POTOMAC ST NW Retailer C Restaurant, License#: ABRA-095958
23. Case# 20-MGR-00012, ABC Manager, Lindsey A. Jones, License#: ABRA-115424

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF MEETING
LICENSING AGENDA

WEDNESDAY, MARCH 25, 2020 AT 1:00 PM
200014TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

1. Review Application for Safekeeping of License – Original Request. ANC 1C. SMD 1C07. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No conflict with Settlement Agreement. *Seasons & Sessions*, 2427 18th Street NW, Retailer CR, License No. 106088.

2. Review Request to include the basement space, previously approved as storage, as part of the licensed premises for alcoholic beverage sales and consumption. This does not change the approved Total Occupancy Load. ANC 4D. SMD 4D02. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No conflict with Settlement Agreement. *Library Tavern*, 5420 3rd Street NW, Retailer CT, License No. 105058.

3. Review Application for a Change of Hours for the Summer Garden. *Current Hours of Operation for Summer Garden*: Sunday-Saturday 11:30am to 2am. *Proposed Hours of Operation for Summer Garden*: Sunday-Thursday, 11:30am to 2am, Friday-Saturday 11:30am to 3am. ANC 2B. SMD 2B08. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No conflict with Settlement Agreement. *Chi-Cha Lounge*, 1624 U Street NW, Retailer CT, License No. 026519.

4. Review Application for Summer Garden with 16 seats. *Proposed Hours of Operation for Summer Garden*: Sunday-Saturday 10am to 11pm. *Proposed Hours of Alcoholic Beverage Sales and Consumption for Summer Garden*: Sunday-Thursday 10am to 11pm, Friday-Saturday 12pm to 11pm. ANC 4B. SMD 4B01. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No conflict with Settlement Agreement. *Nile Ethiopian Restaurant and Nile Market*, 7815 Georgia Avenue NW, Retailer CR, License No. 060432.

***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.**

DEPARTMENT OF BEHAVIORAL HEALTH

NOTICE OF FUNDING AVAILABILITY

Recovery Residences

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

General Information:

Funding Opportunity Title:	Recovery Residences
Funding Opportunity Number:	RFA No. RM0 RR032020
Program RFA ID#:	RFA No. RM0 RR032020
Opportunity Category:	Competitive
DBH Branch/Division Unit:	Adult Services Division
DBH Administrative Unit:	Community Services Administration
Program Manager:	Orlando Fox (202) 673-2291 orlando.fox@dc.gov
Program Description:	The DBH Community Services Administration (CSA) is soliciting applications from community-based organizations to provide NARR Standard Level I or Level II Recovery Residences or Opioid Specific Recovery Residences in the District of Columbia. An organization may apply to provide Level I or Level II Recovery Residences under Competition #1 and Opioid Specific Recovery Residences under Competition #2.
Eligible Applicants:	<ol style="list-style-type: none"> 1. A community-based organization located in or authorized to do business in the District of Columbia (DC); 2. 501(c)(3) non-profit status; and Organization is eligible to participate in District-funded programs (not disbarred) as evidenced by an exclusion verification
Anticipated Number of Awards:	Up to 9 awards
Anticipated Amount Available:	\$322,176.00
Floor Award Amount:	\$19,133.33/residence
Ceiling Award Amount:	\$38,266.66/residence

Funding Authorization:

Legislative Authorization:	Local Appropriated Funds
Associated CFDA#:	93.788 93.959
Associated Federal Award ID#:	1H79TI0811707 2B08TI010008
Cost Sharing/Match Required?	No
RFA Release Date:	Friday, March 20, 2020
Pre-Application Conference (Date):	Friday, March 27, 2020
Pre-Application Conference (Time):	3:00pm – 4:00pm
Pre-Application Conference (Location/Conference Call Access):	Webex: https://dcnet.webex.com/dcnet/j.php?MTID=mdb032f689bfced258e17dc19f9523896 Meeting number (access code): 739 533 121 Meeting password: fH3Hfr8cNU4
Letter of Intent Due Date:	Wednesday, March 25, 2020
Application Deadline Date:	Friday, April 10, 2020
Application Deadline Time:	5:00 p.m. ET
Links to Additional Information about this Funding Opportunity:	DC Grants Clearinghouse https://opgs.dc.gov/page/opgs-district-grants-clearinghouse DBH Opportunities https://dbh.dc.gov/page/opportunities

Notes:

- A. DBH reserves the right to issue addenda and/or amendments subsequent to the issuance of the NOFA or RFA, or to rescind the NOFA or RFA.
- B. Awards are contingent upon the availability of funds.
- C. Individuals are not eligible for DBH grant funding.
- D. Applicants must have a DUNS#, Tax ID#, and be registered in the federal Systems for Award Management (SAM).
- E. For questions or additional information, contact the program manager assigned to this funding opportunity:

Orlando Fox
(202) 673-2291
Orlando.fox@dc.gov

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

WEDNESDAY, APRIL 1, 2020 AT 10:00 AM
441 4TH STREET N.W., ROOM 1112, WASHINGTON, D.C., 20001

D.C. Criminal Code Reform Commission
441 Fourth Street, NW, Suite 1C001S, Washington, D.C. 20001
(202) 442-8715 www.ccrdc.dc.gov

The D.C. Criminal Code Reform Commission (CCRC) will hold a meeting of its Criminal Code Revision Advisory Group (Advisory Group) on Wednesday, April 1, 2020 at 10am. The meeting will be held in Room 1112 of the Citywide Conference Center on the 11th Floor of 441 Fourth St., N.W., Washington, DC. The planned meeting agenda is below. Any changes to the meeting agenda will be posted on the agency's website, <http://ccrc.dc.gov/page/ccrc-meetings>. For further information, contact Richard Schmechel, Executive Director, at (202) 442-8715 or ccrc@dc.gov.

MEETING AGENDA

- I. Welcome and Announcements.
- II. Discussion of Draft Reports and Memoranda Currently Under Advisory Group Review:
 - (A) First Draft of Report #50 - Cumulative Update to the Revised Criminal Code Other than Chapter 6 (2-19-20);
 - (B) Advisory Group Memo #30 - Supplemental Materials to the First Draft of Report #50;
 - (C) Second Draft of Report #41 - Ordinal Ranking of Maximum Imprisonment Penalties.
 - (D) First Draft of Report #51 – Jury Demandable Offenses (2-25-20);
 - (E) Advisory Group Memo #31 - Supplemental Materials to the First Draft of Report #51;
 - (F) First Draft of Report #52 - Cumulative Update to the Revised Criminal Code Chapter 6; and
 - (G) Advisory Group Memo #32 - Supplemental Materials to the First Draft of Report #52.
- III. Adjournment.

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.

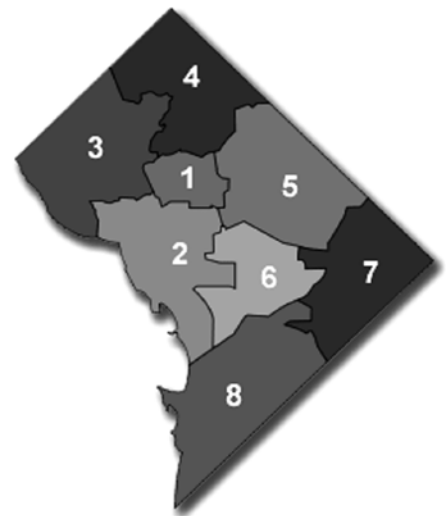
**D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
CITYWIDE REGISTRATION SUMMARY
As Of February 29, 2020**

WARD	DEM	REP	STG	LIB	OTH	N-P	TOTALS
1	47,327	2,802	577	259	162	11,633	62,760
2	31,449	5,191	230	255	130	10,841	48,096
3	39,092	5,580	346	244	115	11,200	56,577
4	49,569	2,122	521	151	151	9,397	61,911
5	54,169	2,441	572	240	227	10,402	68,051
6	58,267	7,549	486	394	209	14,863	81,768
7	49,348	1,373	454	117	194	7,998	59,484
8	47,635	1,519	476	139	185	8,839	58,793
Totals	376,856	28,577	3,662	1,799	1,373	85,173	497,440
Percentage By Party	75.76%	5.74%	.74%	.36%	.28%	17.12%	100.00%

DISTRICT OF COLUMBIA BOARD OF ELECTIONS MONTHLY REPORT OF
VOTER REGISTRATION STATISTICS AND REGISTRATION TRANSACTIONS
AS OF THE END OF February 29 ,2020

COVERING CITY WIDE TOTALS BY:
WARD, PRECINCT AND PARTY

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



D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
WARD 1 REGISTRATION SUMMARY
As Of February 29, 2020

PRECINCT	DEM	REP	STG	LIB	OTH	N-P	TOTALS
20	1,732	37	12	9	8	309	2,107
22	3,927	399	23	21	9	1,045	5,424
23	3,023	204	39	20	11	784	4,081
24	2,731	240	29	32	6	781	3,819
25	4,001	386	45	20	10	1,048	5,510
35	3,794	186	56	18	12	834	4,900
36	4,476	231	44	19	15	1,050	5,835
37	3,811	184	31	20	22	895	4,963
38	3,054	140	38	15	12	776	4,035
39	4,218	170	63	17	11	985	5,464
40	3,757	176	69	18	10	957	4,987
41	3,882	190	76	22	21	1,064	5,255
42	1,875	90	26	10	6	485	2,492
43	1,905	73	20	8	5	379	2,390
137	1,141	96	6	10	4	241	1,498
TOTALS	47,327	2,802	577	259	162	11,633	62,760

**D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
WARD 2 REGISTRATION SUMMARY
As Of February 29, 2020**

PRECINCT	DEM	REP	STG	LIB	OTH	N-P	TOTALS
2	943	162	8	8	7	519	1,647
3	1,812	359	11	17	11	717	2,927
4	2,101	491	11	17	8	818	3,446
5	2,122	549	16	27	10	825	3,549
6	2,487	710	17	23	16	1,283	4,536
13	1,298	199	6	8	5	430	1,946
14	2,562	373	17	24	5	796	3,777
15	3,106	316	32	25	10	883	4,372
16	3,417	413	30	26	14	910	4,810
17	4,851	570	32	41	20	1,462	6,976
129	2,570	388	16	14	10	963	3,961
141	2,539	304	19	14	7	639	3,522
143	1,641	357	15	11	7	596	2,627
TOTALS	31,449	5,191	230	255	130	10,841	48,096

D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
WARD 3 REGISTRATION SUMMARY
As Of February 29, 2020

PRECINCT	DEM	REP	STG	LIB	OTH	N-P	TOTALS
7	1,310	372	9	11	3	544	2,249
8	2,474	566	21	13	9	851	3,934
9	1,277	457	10	11	7	520	2,282
10	1,910	353	19	15	7	692	2,996
11	3,546	688	42	43	17	1,241	5,577
12	523	162	1	3	2	222	913
26	3,032	330	24	17	7	871	4,281
27	2,430	227	23	8	2	559	3,249
28	2,521	382	29	18	10	788	3,748
29	1,326	157	14	8	5	393	1,903
30	1,280	176	11	4	4	305	1,780
31	2,471	287	19	13	10	583	3,383
32	2,845	265	31	13	10	608	3,772
33	2,893	251	22	10	3	664	3,843
34	3,999	338	32	16	6	1,063	5,454
50	2,225	275	17	15	6	547	3,085
136	874	66	8	4	1	256	1,209
138	2,156	228	14	22	6	493	2,919
TOTALS	39,092	5,580	346	244	115	11,200	56,577

D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
WARD 4 REGISTRATION SUMMARY
As Of February 29, 2020

PRECINCT	DEM	REP	STG	LIB	OTH	N-P	TOTALS
45	2,341	53	27	15	6	394	2,836
46	2,841	86	33	11	12	513	3,496
47	3,504	142	43	10	15	751	4,465
48	2,818	119	37	6	2	567	3,549
49	949	38	11	2	8	213	1,221
51	3,382	480	20	11	9	653	4,555
52	1,278	136	10	4	2	240	1,670
53	1,241	65	22	4	5	247	1,584
54	2,227	69	31	3	5	428	2,763
55	2,483	80	19	6	15	441	3,044
56	3,238	101	36	19	12	675	4,081
57	2,483	66	20	10	10	531	3,120
58	2,244	64	20	5	5	389	2,727
59	2,555	77	26	8	7	421	3,094
60	2,213	70	29	8	8	651	2,979
61	1,628	63	17	5	5	311	2,029
62	3,179	120	20	6	3	437	3,765
63	3,844	140	50	6	15	703	4,758
64	2,348	65	18	4	6	404	2,845
65	2,773	88	32	8	1	428	3,330
Totals	49,569	2,122	521	151	151	9,397	61,911

**D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
WARD 5 REGISTRATION SUMMARY
As Of February 29, 2020**

PRECINCT	DEM	REP	STG	LIB	OTH	N-P	TOTALS
19	4,717	223	65	33	21	1,066	6,125
44	2,791	196	27	14	12	666	3,706
66	4,668	117	38	17	15	715	5,570
67	2,816	101	22	8	8	467	3,422
68	1,950	166	22	10	13	415	2,576
69	2,106	70	18	6	8	301	2,509
70	1,523	62	24	3	4	268	1,884
71	2,462	68	29	12	10	418	2,999
72	4,445	150	36	17	25	781	5,454
73	1,934	96	21	11	9	380	2,451
74	4,945	283	63	22	21	1,065	6,399
75	4,174	225	41	27	16	850	5,333
76	1,678	124	19	12	11	412	2,256
77	2,985	121	28	10	12	569	3,725
78	2,999	106	43	10	13	545	3,716
79	2,160	88	21	5	11	453	2,738
135	3,107	163	36	16	12	632	3,966
139	2,709	82	19	7	6	399	3,222
TOTALS	54,169	2,441	572	240	227	10,402	68,051

D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
WARD 6 REGISTRATION SUMMARY
As Of February 29, 2020

PRECINCT	DEM	REP	STG	LIB	OTH	N-P	TOTALS
1	4,693	559	37	29	16	1,379	6,713
18	4,872	354	45	21	13	1,154	6,459
21	1,198	57	10	9	1	262	1,537
81	4,664	358	44	23	18	985	6,092
82	2,559	261	24	15	3	624	3,486
83	6,400	816	44	70	26	1,711	9,067
84	2,000	384	18	12	9	540	2,963
85	2,697	500	18	15	4	737	3,971
86	2,216	235	16	8	7	422	2,904
87	2,653	277	16	15	15	604	3,580
88	2,077	284	21	9	7	460	2,858
89	2,731	589	22	18	8	785	4,153
90	1,638	227	15	9	14	495	2,398
91	4,264	407	30	21	18	964	5,704
127	4,247	313	43	22	18	924	5,567
128	2,558	219	25	13	7	647	3,469
130	751	277	6	5	3	256	1,298
131	3,893	1,131	38	49	15	1,297	6,423
142	2,156	301	14	31	7	617	3,126
TOTALS	58,267	7,549	486	394	209	14,863	81,768

D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
WARD 7 REGISTRATION SUMMARY
As Of February 29, 2020

PRECINCT	DEM	REP	STG	LIB	OTH	N-P	TOTALS
80	1,432	90	19	6	8	291	1,846
92	1,547	39	15	2	5	252	1,860
93	1,659	47	22	0	8	275	2,011
94	2,032	55	21	6	6	327	2,447
95	1,652	53	14	4	5	292	2,020
96	2,426	69	18	2	11	394	2,920
97	1,429	52	16	3	6	264	1,770
98	2,009	21	22	7	15	337	2,441
99	1,639	52	14	10	14	350	2,079
100	2,609	40	21	7	6	382	3,065
101	1,544	46	16	7	5	217	1,835
102	2,553	67	20	3	15	388	3,046
103	3,586	84	37	8	12	571	4,298
104	3,310	89	36	4	18	565	4,022
105	2,544	76	19	8	11	460	3,118
106	2,859	68	25	5	11	442	3,410
107	1,744	57	14	4	6	268	2,093
108	1,063	29	3	0	2	143	1,240
109	954	33	3	3	1	127	1,121
110	3,850	100	23	7	11	491	4,482
111	2,542	65	23	10	11	465	3,122
113	2,258	52	22	5	7	320	2,664
132	2,107	59	19	6	6	377	2,574
TOTALS	49,348	1,373	454	117	194	7,998	59,484

D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
WARD 8 REGISTRATION SUMMARY
As Of February 29, 2020

PRECINCT	DEM	REP	STG	LIB	OTH	N-P	TOTALS
112	2,226	62	20	1	9	364	2,682
114	4,099	169	53	22	24	914	5,281
115	2,812	88	28	9	11	656	3,604
116	4,162	101	42	11	14	730	5,060
117	2,253	59	21	8	7	434	2,782
118	2,901	83	38	7	17	507	3,553
119	2,640	98	30	8	16	505	3,297
120	2,207	47	12	7	4	359	2,636
121	3,500	87	27	12	5	573	4,204
122	1,834	62	20	3	8	331	2,258
123	2,468	196	28	17	14	501	3,224
124	2,617	69	18	6	12	401	3,123
125	4,534	103	44	8	16	847	5,552
126	3,979	136	53	12	14	852	5,046
133	1,318	42	6	2	0	200	1,568
134	2,215	54	25	2	3	343	2,642
140	1,870	63	11	4	11	322	2,281
TOTALS	47,635	1,519	476	139	185	8,839	58,793

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

For voter registration activity between 1/31/2020 and 2/29/2020

NEW REGISTRATIONS	DEM	REP	STG	LIB	OTH	N-P	TOTAL
Beginning Totals	374,482	28,445	3,656	1,755	1,379	84,601	494,318
Board of Elections Over the Counter	19	2	0	0	0	2	23
Board of Elections by Mail	23	5	0	2	0	8	68
Board of Elections Online Registration	333	22	1	1	1	70	428
Department of Motor Vehicle	1,713	206	21	28	0	626	2,594
Department of Disability Services	0	1	0	0	0	2	2
Office of Aging	0	0	0	0	0	0	2
Federal Postcard Application	1	0	0	0	0	0	1
Department of Parks and Recreation	0	0	0	0	0	0	0
Nursing Home Program	0	0	0	0	0	0	0
Dept. of Youth Rehabilitative Services	1	0	0	0	0	0	0
Department of Corrections	1	0	1	0	0	0	2
Department of Human Services	20	0	2	0	0	5	27
Special / Provisional	0	0	0	0	0	0	0
All Other Sources	144	6	1	5	0	48	204
+Total New Registrations	2,284	242	25	36	1	760	3,348

ACTIVATIONS	DEM	REP	STG	LIB	OTH	N-P	TOTAL
Reinstated from Inactive Status	326	14	4	3	1	65	413
Administrative Corrections	3	0	3	0	5	0	11
+TOTAL ACTIVATIONS	329	14	7	3	6	65	424

DEACTIVATIONS	DEM	REP	STG	LIB	OTH	N-P	TOTAL
Changed to Inactive Status	365	36	4	2	1	96	504
Moved Out of District (Deleted)	0	0	0	0	0	0	0
Felon (Deleted)	0	0	0	0	0	0	0
Deceased (Deleted)	46	2	0	0	0	5	53
Administrative Corrections	129	3	0	5	0	225	362
-TOTAL DEACTIVATIONS	540	41	4	7	1	326	919

AFFILIATION CHANGES	DEM	REP	STG	LIB	OTH	N-P
+ Changed To Party	642	96	21	31	8	611
- Changed From Party	-341	-179	-43	-19	-20	-538
ENDING TOTALS	376,856	28,577	3,662	1,799	1,373	85,173

DEPARTMENT OF ENERGY AND ENVIRONMENT

NOTICE OF FILING OF A
VOLUNTARY CLEANUP ACTION PLAN2133 9th STREET, NW

Pursuant to § 636.01(a) of the Brownfield Revitalization Amendment Act of 2000, effective June 13, 2001 (D.C. Law 13-312; D.C. Official Code §§ 8-631 et seq., as amended April 8, 2011, DC Law 18-369 (herein referred to as the “Act”)), the Voluntary Cleanup Program in the Department of Energy and Environment (DOEE), Land Remediation and Development Branch, is informing the public that it has received a Voluntary Cleanup Action Plan (VCAP) requesting to perform a remediation action. The VCP participant for real property located at 2133 9th Street NW, Washington DC 20001 is 9th and W Owner LLC, and the address is c/o MRP Residential, 3050 K Street, NW Suite 125 Washington DC 20001. The applicant identifies the presence of petroleum and chlorinated solvents in soil and groundwater. The proposed redevelopment involves mass excavation for the redevelopment of the site into a residential structure with underground ground parking spaces.

Pursuant to § 636.01(b) of the Act, this notice will also be mailed to the Advisory Neighborhood Commission (ANC-1B) for the area in which the property is located. The VCAP is available for public review at the following location:

Voluntary Cleanup Program
Department of Energy and Environment (DOEE)
1200 First Street, NE, 5th Floor
Washington, DC 20002

Interested parties may also request a copy of the VCAP and supporting documents by contacting the Voluntary Cleanup Program at the above address or by calling (202) 535-2289. An electronic copy of the VCAP may be obtained by e-mailing francis.egbo@dc.gov

Written comments on the Voluntary Cleanup Action Plan must be received by the VCP at the address listed above within twenty one (21) days from the date of this publication. DOEE is required to consider all relevant public comments it receives before acting on the application, the cleanup action plan, or a certificate of completion.

Please refer to Case No. VCP2019--066 in any correspondence related to this application.

DEPARTMENT OF ENERGY AND ENVIRONMENT**NOTICE OF FILING OF A
VOLUNTARY CLEANUP ACTION PLAN****2310 4th STREET, NE**

Pursuant to § 636.01(a) of the Brownfield Revitalization Amendment Act of 2000, effective June 13, 2001 (D.C. Law 13-312; D.C. Official Code §§ 8-631 et seq., as amended April 8, 2011, DC Law 18-369 (herein referred to as the “Act”)), the Voluntary Cleanup Program in the Department of Energy and Environment (DOEE), Land Remediation and Development Branch, is informing the public that it has received a Voluntary Cleanup Action Plan (VCAP) requesting to perform a remediation action. The applicant for real property located at 2314 4th Street NE, Washington, DC 20002, is Edgewood Lots LLC, and the address is 1501 11th Street, NW, Washington DC 20001. The applicant identifies the presence of trace levels of chlorinated solvents in soil and soil vapor and intends to re-develop the site into a residential structure with a cellar.

Pursuant to § 636.01(b) of the Act, this notice will also be mailed to the Advisory Neighborhood Commission (ANC-2B) for the area in which the property is located. The VCAP is available for public review at the following location:

Voluntary Cleanup Program
Department of Energy and Environment (DOEE)
1200 First Street, NE, 5th Floor
Washington, DC 20002

Interested parties may also request a copy of the VCAP and supporting documents by contacting the Voluntary Cleanup Program at the above address or by calling (202) 535-2289. An electronic copy of the VCAP may be obtained by e-mailing francis.egbo@dc.gov

Written comments on the Voluntary Cleanup Action Plan must be received by the VCP at the address listed above within twenty one (21) days from the date of this publication. DOEE is required to consider all relevant public comments it receives before acting on the application, the cleanup action plan, or a certificate of completion.

Please refer to Case No. VCP2020--067 in any correspondence related to this application.

**DEPARTMENT OF ENERGY AND ENVIRONMENT
NOTICE OF FUNDING AVAILABILITY**

Supporting Green Initiatives DC

The Department of Energy and Environment (the Department) seeks eligible entities to propose technical assistance and financial support to green initiatives pursuing innovative green business models or approaches that advance the District's sustainability and climate agenda. This pilot project should contribute to the green economy by increasing the work force while supporting the District's sustainability and climate change plans. The amount available for the project is up to \$60,000.

Beginning 3/20/2020, the full text of the Request for Applications (RFA) will be available on the Department's website. A person may obtain a copy of this RFA by any of the following means:

Download from the Department's website, www.doe.dc.gov. Select the *Resources* tab. Cursor over the pull-down list and select *Grants and Funding*. On the new page, cursor down to this RFA. Click on *Read More* and download this RFA and related information from the *Attachments* section.

Email a request to GreenInitiativesDC@dc.gov with "Request copy of RFA 2020-2017-USA" in the subject line.

Pick up a copy in person from the Department's reception desk, located at 1200 First Street NE, 5th Floor, Washington, DC 20002. To make an appointment, call Vinicio Linares at (202) 729-3409 and mention this RFA by name.

Write DOEE at 1200 First Street NE, 5th Floor, Washington, DC 20002, "Attn: Vinicio Linares RE:2020-2017-USA" on the outside of the envelope.

The deadline for application submissions is 4/22/2020, at 11:59 p.m. A complete electronic copy must be e-mailed, and received, to GreenInitiativesDC@dc.gov.

Eligibility: All the checked institutions below may apply for these grants:

- Nonprofit organizations, including those with IRS 501(c)(3) or 501(c)(4) determinations;
- Faith-based organizations;
- Government agencies
- Universities/educational institutions; and
- Private Enterprises.

For additional information regarding this RFA, write to: GreenInitiativesDC@dc.gov.

Filename: 00 4866 green initiatives nofa.docx

DEPARTMENT OF ENERGY AND ENVIRONMENT**PUBLIC NOTICE**

Notice is hereby given that, pursuant to 20 DCMR §210, the Air Quality Division (AQD) of the Department of Energy and Environment (DOEE), located at 1200 First Street NE, 5th Floor, Washington DC, intends to issue Permit Nos. 7263 through 7268 to MedStar Washington Hospital Center, to modify and operate six (6) Babcock & Wilcox dual-fuel boilers (natural gas/No.2 fuel oil) hot water boilers (listed below), located at Washington Hospital Center, 110 Irving Street NW, Washington DC. The modification consists of installation of new low oxides of nitrogen (NO_x) burners and flue gas recirculation equipment. The contact person for the facility is Odell Hall, Director, Engineering Department, Medstar Washington Hospital Center, phone number: (202) 877-6810.

The following boilers are to be permitted:

Equipment Location	Boiler Name	Model	Natural Gas Rating (MMBTU/hr)	No. 2 Fuel Oil Rating (Gallon/hr)	Permit Number
Lower Plant	Boiler #1	Model FF15-36	60.00	60.00	7263
Lower Plant	Boiler #2	Model FF15-36	60.00	60.00	7264
Lower Plant	Boiler #3	Model FF15-36	60.00	60.00	7265
Lower Plant	Boiler #4	Model FF15-36	60.00	60.00	7266
Upper Plant	Boiler #5	Model DL-60	60.00	60.00	7267
Upper Plant	Boiler #6	Model DL-60	60.00	60.00	7268

Emissions:

The project will result in changes to the potential emissions from the equipment. The following table shows the estimated potential to emit of equipment, as modified, compared to the historic potential emissions. Potential to emit from the boilers take into account limits placed on the amount of No. 2 fuel oil permitted for use in the boilers.

Effect of Modifications on Facility-Wide Potential To Emit (PTE) (Tons per Year)				
Pollutant	Total Old PTE of All Boilers	New PTE of Each Boiler	Total New PTE of All Boilers	Difference[‡]
Total Particulate Matter (PM Total)	35.29	2.63	15.78	-19.51
Oxides of Sulfur (SO _x)	35.57 [†]	0.56	3.36	-32.21 [†]
Oxides of Nitrogen (NO _x)	144.50	10.90	65.40	-79.10
Volatile Organic Compounds (VOC)	8.07	1.31	7.86	-0.21
Carbon Monoxide (CO)	6.92	9.72	58.32	51.4

[†] The change in SO_x potential to emit relates to changes in regulatory standards for fuel sulfur content, not the project being permitted.

‡ A negative number indicates a decrease in potential emissions as a result of the project, while a positive number indicates an increase in potential emissions.

The proposed emission limits are as follows:

- a. Each of the boilers shall not emit pollutants in excess of those specified in the following table [20 DCMR 201]:

Pollutant	Short-Term Limit (Natural Gas) (lb/hr)	Short-Term Limit (No. 2 Fuel Oil) (lb/hr)
Carbon Monoxide (CO)	2.22	2.16
Oxides of Nitrogen (NO _x)	2.18	6.92
Total Particulate Matter (PM Total) ¹	0.54	1.44
Sulfur Dioxide (SO ₂)	0.04	1.43

¹PM Total includes both filterable and condensable fractions.

- b. Visible emissions shall not be emitted into the outdoor atmosphere from the boilers, except that discharges not exceeding forty percent (40%) opacity (unaveraged) shall be permitted for two (2) minutes in any sixty (60) minute period and for an aggregate of twelve (12) minutes in any twenty-four hour (24 hr.) period during start-up, cleaning, adjustment of combustion controls, or malfunction of the equipment [20 DCMR 606.1]
- c. In addition to the requirements of Condition (b), the boilers shall not emit any gases into the atmosphere of gases that exhibit greater than 20 percent opacity (6-minute average), except for one-minute period per hour of not more than 27 percent opacity. This standard applies at all times except during periods of startup, shutdown, or malfunction. [20 DCMR 205 and 40 CFR 60.43c(c) and (d)]
- d. Total suspended particulate matter (TSP) emissions from the each of the boilers shall not be greater than 0.07 pounds per million BTU. [20 DCMR 600.1].
- e. NO_x emissions from each boiler shall not exceed the following [20 DCMR 201 and 20 DCMR 805.5(b)]:
 - 1. 30 ppm by volume, dry basis, corrected to 3% oxygen when firing natural gas; and
 - 2. 90 ppm by volume, dry basis, corrected to 3% oxygen when firing No. 2 fuel oil.

Note that this No. 2 fuel oil standard is a streamlined requirement. This standard is based on the permit application and established pursuant to 20 DCMR 201 and is more stringent than the 0.30 lb/MMBTU standard in 20 DCMR 805.5(b) and which is only applicable on a calendar day average basis when operating exclusively on No. 2 fuel oil.

- f. An emission into the atmosphere of odorous or other air pollutants from any source in any quantity and of any characteristic, and duration which is, or is likely to be injurious to the public health or welfare, or which interferes with the reasonable enjoyment of life or property is prohibited. [20 DCMR 903.1]

- g. NO_x and CO emissions shall not exceed those achieved with the performance of annual combustion adjustments on each boiler. To show compliance with this condition, the Permittee shall, each calendar year, perform adjustments of the combustion processes of the boilers with the following characteristics [20 DCMR 805.8(a) and (b)]:
1. Inspection, adjustment, cleaning or replacement of fuel burning equipment, including the burners and moving parts necessary for proper operation as specified by the manufacturer;
 2. Inspection of the flame pattern or characteristics and adjustments necessary to minimize total emissions of NO_x and, to the extent practicable, minimize emissions of CO;
 3. Inspection of the air-to-fuel ratio control system and adjustments necessary to ensure proper calibration and operation as specified by the manufacturer; and
 4. Adjustments shall be made such that the maximum emission rate for any contaminant does not exceed the maximum allowable emission rate as set forth in Condition II of this permit.

The applications to construct and operate the boilers and the draft permits and supporting documents are available for public inspection at AQD and copies may be made available between the hours of 8:15 A.M. and 4:45 P.M. Monday through Friday. Interested parties wishing to view these documents should provide their names, addresses, telephone numbers and affiliation, if any, to Stephen S. Ours at (202) 535-1747.

Interested persons may submit written comments or may request a hearing on this subject within 30 days of publication of this notice. The written comments must also include the person's name, telephone number, affiliation, if any, mailing address and a statement outlining the air quality issues in dispute and any facts underscoring those air quality issues. All relevant comments will be considered in issuing the final permit.

Comments on the proposed permit and any request for a public hearing should be addressed to:

Stephen S. Ours
Chief, Permitting Branch
Air Quality Division
Department of Energy and Environment
1200 First Street NE, 5th Floor
Washington, DC 20002
Stephen.Ours@dc.gov

No comments or hearing requests submitted after April 20, 2020 will be accepted.

For more information, please contact Stephen S. Ours at (202) 535-1747.

D.C. GREEN FINANCE AUTHORITY

NOTICE OF CLOSED MEETING

Green Finance Authority Board

March 11, 2020

5:00 p.m. to 6:00 p.m.

1200 First Street, NE

Washington, D.C. 20002

5th Floor

On March 11, 2020 at 5:00 p.m., the Green Finance Authority Board will hold a closed meeting pursuant to D.C. Code § 2-575(b), and D.C. Code § 8-173.24.

The meeting will be held at 1200 First Street, NE, Washington, D.C. 20005 in room *tbd* on floor 5.

For additional information, please contact dcgreenbank@dc.gov.

OFFICE OF THE DEPUTY MAYOR FOR HEALTH AND HUMAN SERVICES

MAYOR’S THRIVE BY FIVE COORDINATING COUNCIL

NOTICE OF PUBLIC MEETING

The Mayor’s Thrive by Five Coordinating Council will hold a meeting on Tuesday, March 24 2020 at 3:00 p.m. The meeting will be held in the Citywide Conference Center at One Judiciary Square, 441 4th St NW, Washington, D.C. 20001. Below is the agenda for this meeting. The agenda will be posted to the Thrive by Five website at <https://thrivebyfive.dc.gov>.

For additional information, please contact, Tiffany Wilson, Thrive by Five Policy Analyst at (202) 727-1750 or tiffany.wilson@dc.gov.

DRAFT AGENDA

- 1. Call to Order Council Chair
- 2. Approval of January Meeting Minutes Council Chair
- 3. Member Introductions Council Members
- 4. Discussion of Strategic Priority Areas Council Members
- 5. Subcommittee Meetings Council Members
- 6. Adjournment Council Chair

DC HEALTH BENEFIT EXCHANGE AUTHORITY

TAX YEAR 2020 LOW-INCOME EXEMPTION ELIGIBILITY THRESHOLDS

This notice is published pursuant to D.C. Official Code §47-5102(b)(2)(B).

Starting January 1, 2019, all DC residents must maintain minimum essential health coverage, qualify for an exemption, or pay a tax penalty for the months that they do not have coverage. For more information on exemptions that are available, go to <https://www.dchealthlink.com/individual-responsibility-requirement#exemption>.

Each DC resident that does not have minimum essential health coverage, and does not want to pay the penalty, must qualify for an exemption. One of the exemptions you can claim on your DC tax return is based on having low income, which is defined as having income at or below 222% of the federal poverty level for adults age 21 and older or 325% of the federal poverty level for children under age 21. Below are the eligibility amounts for the low-income exemption for tax year 2020. Eligibility is based on the age that the applicant will be as of the last day of the year and the adjusted gross income (before deductions) for the entire household which the individual applying for the exemption was a member of during the year. If your adjusted gross income for tax year 2020 is lower than the amounts noted in the charts below based on your household size, you may be eligible for the low-income exemption. You can claim that exemption on your DC Income Tax Return, on Schedule HSR. Which you will file in calendar year 2021.

Age 21 and over

Tax Household Size	Adjusted Gross Income
1	\$28,327.20
2	\$38,272.80
3	\$48,218.40
4	\$58,164.00
5	\$68,109.60
6	\$78,055.20
7	\$88,000.80
8	\$97,946.40
Add \$9,945.60 for each additional member	

Under Age 21

Tax Household Size	Adjusted Gross Income
1	\$41,342.40
2	\$55,857.60
3	\$70,372.80
4	\$84,888.00
5	\$99,403.20
6	\$113,918.40
7	\$128,433.60
8	\$142,948.80
Add \$14,515.20 for each additional member	

Comparison to Medicaid Eligibility – The eligibility standards for the low-income exemption are similar to, but not the same as, the standards to be eligible for Medicaid in the District of Columbia. Medicaid eligibility is based on whether you meet categorical and financial circumstances at the time of application whereas the low-income exemption is based on your

circumstances during the tax year in which you want the exemption. This exemption reviews past experience because you file your tax return and apply for the exemption after the tax year is over. If you believe your income for the 2020 tax year will be in the ranges indicated in the above chart before December 31, 2020, you are strongly encouraged to contact DC Health Link at (855) 532-5465 to apply for Medicaid to see if you are eligible and can enroll in coverage.

Medicaid offers comprehensive health coverage, at no cost, for low-income District residents, with a wide range of providers. Enrolling in Medicaid satisfies the requirement to have minimum essential health coverage and would eliminate the need for an exemption for any month that the individual is enrolled in Medicaid. Individuals who enroll in Medicaid can also directly benefit from having health coverage.

EXAMPLE 1

Joe will be 29 years old as of 12/31/2020. He files his own taxes in DC, is not married, and does not claim any dependents on his taxes. He is therefore a tax household of one. In 2020, he earns \$750 every two weeks in wages (before deductions) and also earns \$100 per year in interest on his checking account. In total, that is \$19,600 in federal adjusted gross income. He would be eligible for a low-income exemption as a taxpayer age 21 and over as of 12/31/2020 because he has a federal adjusted gross income below \$28,327.20. However, the District Government would strongly encourage Joe to contact DC Health Link during 2020 or as soon as possible to apply for Medicaid. If he enrolls in Medicaid, he will satisfy the DC requirement to have health coverage for the months he is enrolled.

EXAMPLE 2

Mark and Lucy are married and do not claim any dependents on their DC taxes. They are therefore a tax household of two. Mark will be 35 years old and Lucy will be 38 years old as of 12/31/2020. Mark lost his job at the end of March 2020. His wages through the end of March totaled \$6,200. Lucy earned wages throughout the year; \$500 each week. Mark has been living off of withdrawals from his Individual Retirement Account (IRA). In 2020, he withdrew \$15,000. Mark and Lucy's total federal adjusted gross income is \$47,200. This means that they would not be eligible for the low-income exemption because \$47,200 is more than \$38,272.80. However, the District Government would strongly encourage Mark and Lucy to contact DC Health Link during 2020 or as soon as possible to apply for Medicaid. The Medicaid program has slightly different income-counting rules and the household could be still be eligible for Medicaid. If they enroll in Medicaid, Mark and Lucy will satisfy the DC requirement to have health coverage for the months they are enrolled.

EXAMPLE 3

Frank and Mary are married and have a son named Luke and a daughter named Heather, who they claim as tax dependents on their DC taxes. Frank will be 63 years old, Mary will be 49 years old, Luke will be 15 years old, and Heather will be 17 years old as of 12/31/20. Mary is self-employed and has net self-employment income (after expenses) of \$46,130. Frank has a private pension of \$1,020 per month. Frank also receives Social Security payments of \$250 per month. Therefore, the household's total adjusted gross income is \$61,370. Based on this amount, neither Frank nor Mary would qualify for the low-income exemption, but both Luke and Heather would. That is because their adjusted gross income in 2020 (\$61,370) is more than the threshold for persons over 21 (\$58,164.00), but lower than the threshold for persons under 21 (\$84,888.00) based on a tax household of 4. The household would have to pay a penalty based on the months Frank and Mary went without health coverage unless they qualified for another exemption. Even though they appear to qualify for an exemption, the District Government would strongly encourage the family to contact DC Health Link during 2020 or as soon as possible to apply for Medicaid. At a minimum, Luke and Heather may be able to get Medicaid coverage.

CONTACT INFORMATION - For more information regarding the content of this notice contact Alexander Alonso, Associate General Counsel and Policy Advisor at the D.C. Health Benefit Exchange Authority at (202) 741-0827.

**DEPARTMENT OF HEALTH
HEALTH PROFESSIONAL LICENSING ADMINISTRATION**

NOTICE OF MEETING

Board of Medicine
March 25, 2020

On MARCH 25, 2020 at 8:30 am, the Board of Medicine will hold a meeting to consider and discuss a range of matters impacting competency and safety in the practice of medicine.

The meeting will be open to the public from 8:30 am to 10:30 am to discuss various agenda items and any comments and/or concerns from the public.

In accordance with Section 405(b) of the Open Meetings Amendment Act of 2010, the meeting will then move to Closed Session from 10:30 am until 4:45 pm to plan, discuss, or hear reports concerning licensing issues, ongoing or planned investigations of practice complaints, and or violations of law or regulations.

The meeting location is 899 North Capitol Street NE, 2nd Floor, Washington, DC 20002.

Meeting times and/or locations are subject to change – please visit the Board of Medicine website www.doh.dc.gov/bomed and select BoMed Calendars and Agendas to view the agenda and any changes that may have occurred.

Executive Director for the Board – Frank B. Meyers, JD

DEPARTMENT OF HEALTH

PUBLIC NOTICE

The District of Columbia Board of Dentistry (“Board”) hereby gives notice, pursuant to § 405 of the District of Columbia Health Occupation Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1204.05 (b)) (2012 Repl.), of the following meeting dates and public hearings:

Wednesday, March 18, 2020, the Board will hold an open session (public) meeting, which will begin at 9:00 a.m. and end at 10:00 a.m., or when there is no further open session business for the Board to consider. Following the open (public) session, the Board will meet in executive (closed/non-public) session to seek the advice of counsel to the board, pursuant to D.C. Official Code § 2-575(b)(4); to discuss disciplinary matters pursuant to D.C. Official Code § 2-575(b)(9); and to discuss ongoing or planned investigations pursuant to D.C. Official Code § 2-575(b)(14).

Wednesday, April 15, 2020, the Board will hold an open session (public) meeting, which will begin at 9:00 a.m. and end at 10:00 a.m., or when there is no further open session business for the Board to consider. Following the open (public) session, the Board will meet in executive (closed/non-public) session to seek the advice of counsel to the board, pursuant to D.C. Official Code § 2-575(b)(4); to discuss disciplinary matters pursuant to D.C. Official Code § 2-575(b)(9); and to discuss ongoing or planned investigations pursuant to D.C. Official Code § 2-575(b)(14).

Wednesday, May 20, 2020, the Board will hold an open session (public) meeting, which will begin at 9:00 a.m. During the open session, the Board will conduct a disciplinary action hearing in the matter of Kianoush Alem, DDS, at 10:30 a.m. In accordance with 17 DCMR § 4109.1, the hearing is open to the public. Following the open (public) session, the Board will meet in executive (closed/non-public) session to deliberate upon the case, and to seek the advice of counsel to the board, pursuant to D.C. Official Code § 2-575(b)(4); to discuss disciplinary matters pursuant to D.C. Official Code § 2-575(b)(9); and to discuss ongoing or planned investigations pursuant to D.C. Official Code § 2-575(b)(14).

Unless otherwise scheduled, the District of Columbia Board of Dentistry meets on the third Wednesday of each month at 899 North Capitol Street, NE, 2nd Floor, Washington, D.C. 20002. The agendas for all open (public) session meetings will be posted at least one business day before the meeting on the Board of Ethics and Government Accountability website at <http://www.bega-dc.gov/board-commission/meetings> and on the DOH website at www.doh.dc.gov.

INSPIRED TEACHING DEMONSTRATION PUBLIC CHARTER SCHOOL
REQUEST FOR PROPOSALS

Special Education Assessment and Evaluation Services

The Inspired Teaching School requests proposals from providers who can conduct comprehensive evaluation services for current special education students or students who may need special education services.

The vendor will provide assessment services to students from age 3 through 8th grade. Additional information are outlined in the Request for Proposals (RFP) and may be obtained by contacting kate.keplinger@inspiredteachingschool.org

Proposals will be accepted until 5:00pm on Tuesday, March 31, 2020. Proposals should be submitted as a PDF or Microsoft Word document to Kate Keplinger, COO, at kate.keplinger@inspiredteachingschool.org with SPECIAL EDUCATION ASSESSMENT SERVICES RFP in the subject line.

DISTRICT OF COLUMBIA PUBLIC LIBRARY

NOTICE OF MARTIN LUTHER KING JR. MEMORIAL LIBRARY INTERIM CLOSINGS

The following interim locations will be closing as follows:

Date	Event/Action
Tuesday, April 7, 2020	Washingtoniana at UDC
Monday, June 1, 2020	<ul style="list-style-type: none">• Library Express• Adult Literacy• Center for Accessibility
Tuesday, June 2, 2020	Interim Closures: <ul style="list-style-type: none">• Fab Test Lab
Sunday, June 7, 2020	Interim Closures <ul style="list-style-type: none">• Memory Labs• Studio Lab Express
Thursday, July 30, 2020	Last Thursday morning service at neighborhood libraries

Inquiries concerning this notice may be addressed to Kim Zablud, Director of Public Services at kim.zablud@dc.gov or 202-727-1127.

PAUL PUBLIC CHARTER SCHOOL
REQUESTS FOR PROPOSALS
Technology and Facilities

Paul Public Charter School is currently seeking bids for:

- Chromebooks, management console and educational perpetual licenses (min qty:100)
- Chromebook carts (5)
- Security camera system (96+ channels)
- Document cameras (20)
- Stair door replacements
- Tool/storage shed
- Replacement of access roof panels
- Multiple closet renovations
- Light fixture under track replacements
- Replacement of exterior doors
- Boiler Pipe repair

More information is available by request by emailing business-office@paulcharter.org. All submissions are due by Friday April 17, 2020 at 12 noon.

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

SUMMARY: The District of Columbia Public Charter School Board (DC PCSB) announces an opportunity for the public to submit comment on a request by Capital Village Public Charter School (Capital Village PCS) to locate its facility at 705 Edgewood St. NE in Ward 5.

Capital Village PCS received conditional approval on May 20, 2019 to establish a new public charter school. This approval is contingent on the school satisfying all of the Board's conditions, which include securing a fully executed lease for a facility.

Pending its full charter approval, the school will begin operation in school year 202021, enrolling up to 90 students in grades 5 and 6. At capacity, it will serve a total of 180 students in grades 5 through 8.

DATES:

- Comments must be submitted on or before Monday, April 20.
- The public hearing will be held on Monday, April 20 at 6:30 p.m. For location, please check www.dcpcsb.org.
- The vote for full charter approval, including facility, is tentatively scheduled for Monday, May 18 at 6:30 p.m. For location, please check www.dcpcsb.org.

ADDRESSES: You may submit comments, identified by "Capital Village PCS – Notice of Public Hearing," by any one of the following methods:

1. Submit a written comment via:
 - (a) E-mail: public.comment@dcpcsb.org
 - (b) Postal mail: Attn: Public Comment, DC Public Charter School Board, 3333 14th St. NW, Suite 210, Washington, DC 20010
 - (c) Hand Delivery/Courier: Same as postal address above
2. Sign up to testify in-person at the public hearing on April 20 by emailing a request to public.comment@dcpcsb.org by no later than 4 p.m. on Thursday, April 16.

FOR FURTHER INFORMATION CONTACT: Hannah Cousino; Manager, Equity, Audits, and Support; at (202) 328-2673 or hcousino@dcpcsb.org.

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

SUMMARY: The District of Columbia Public Charter School Board (DC PCSB) announces an opportunity for the public to submit comment on a request by Girls Global Academy Public Charter School (Girls Global Academy PCS) to locate its facility at 755 8th St. NW in Ward 2.

Girls Global Academy PCS received conditional approval on May 20, 2019 to establish a new public charter school. This approval is contingent on the school satisfying all of the Board's conditions, which include securing a fully executed lease or title agreement for a facility. Pending its full charter approval, the school will begin operation in school year 2020-21, enrolling up to 90 students in grade 9. At capacity, it will serve a total of 450 students in grades 9 through 12.

DATES:

- Comments must be submitted on or before Monday, April 20.
- The public hearing will be held on Monday, April 20 at 6:30 p.m. For location, please check www.dcpsb.org.
- The vote for full charter approval, including facility, is tentatively scheduled for Monday, May 18 at 6:30 p.m. For location, please check www.dcpsb.org.

ADDRESSES: You may submit comments, identified by "Girls Global Academy PCS – Notice of Public Hearing," by one of the following methods:

1. Submit a written comment via:
 - (a) E-mail*: public.comment@dcpsb.org
 - (b) Postal mail*: Attn: Public Comment, DC Public Charter School Board, 3333 14th St. NW, Suite 210, Washington, DC 20010
 - (c) Hand Delivery/Courier*: Same as postal address above
2. Sign up to testify in-person at the public hearing on April 20 by emailing a request to public.comment@dcpsb.org by no later than 4 p.m. on Thursday, April 16.

FOR FURTHER INFORMATION CONTACT: Hannah Cousino; Manager, Equity, Audits, and Support; at (202) 328-2673 or hcousino@dcpsb.org.

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

SUMMARY: The District of Columbia Public Charter School Board (DC PCSB) announces an opportunity for the public to submit comment on a request by I Dream Public Charter School (I Dream PCS) to locate its facility at 2220 Branch Ave. SE in Ward 7.

I Dream PCS received conditional approval on May 20, 2019 to establish a new public charter school. This approval is contingent on the school satisfying all of the Board's conditions, which include securing a fully executed lease for a facility. Pending its full charter approval, the school will begin operation in school year 2020-21, enrolling up to 120 students in grades PK3 through 2. At capacity, it will serve a total of 240 students in grades PK3 through 5.

DATES:

- Comments must be submitted on or before Monday, April 20.
- The public hearing will be held on Monday, April 20 at 6:30 p.m. For location, please check www.dcpsb.org.
- The vote for full charter approval, including facility, is tentatively scheduled for Monday, May 18 at 6:30 p.m. For location, please check www.dcpsb.org.

ADDRESSES: You may submit comments, identified by "I Dream PCS – Notice of Public Hearing," by one of the following methods:

1. Submit a written comment via:
 - (a) E-mail*: public.comment@dcpsb.org
 - (b) Postal mail*: Attn: Public Comment, DC Public Charter School Board, 3333 14th St. NW, Suite 210, Washington, DC 20010
 - (c) Hand Delivery/Courier*: Same as postal address above
2. Sign up to testify in-person at the public hearing on April 20 by emailing a request to public.comment@dcpsb.org by no later than 4 p.m. on Thursday, April 16.

FOR FURTHER INFORMATION CONTACT: Hannah Cousino; Manager, Equity, Audits, and Support; at (202) 328-2673 or hcousino@dcpsb.org.

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

SUMMARY: The District of Columbia Public Charter School Board (DC PCSB) announces an opportunity for the public to submit comment on a charter amendment request submitted by Lee Montessori Public Charter School (Lee Montessori PCS) on February 28, 2020 for a new campus location.

Per the request, Lee Montessori PCS – East End will relocate from 2501 Martin Luther King Ave SE to 2345 R Street SE, located in the Fairlawn neighborhood of Ward 8. The school signed a five-year lease which will take effect July 1, 2020. Lee Montessori PCS - East End will operate in this facility starting in school year 2020-2021, serving 125 students in grades prekindergarten-3 through kindergarten, and ultimately growing to sixth grade. The facility can currently accommodate up to 216 students, but the school’s long-term enrollment plan is for East End to educate up to 400 students, so in the future the LEA may consider upgrading the facility to provide additional space or may seek additional space at other facilities.

Lee Montessori PCS’s Brookland campus will remain at its current location.

DATES:

- Comments must be submitted on or before April 20, 2020.
- Public hearing will be held on April 20, 2020, at 6:30 pm. For location, please check www.dcpsb.org.
- Board vote will be held on May 19, 2020, at 6:30 pm. For location, please check www.dcpsb.org

ADDRESSES: You may submit comments, identified by “Lee Montessori new location,” by one of the following methods:

1. Submit a written comment via:
 - (a) E-mail: public.comment@dcpsb.org
 - (b) Postal mail: Attn: Public Comment, DC Public Charter School Board, 3333 14th ST. NW., Suite 210, Washington, DC 20010
 - (c) Hand Delivery/Courier: Same as postal address above
2. Sign up to testify in-person at the public hearing on April 20, 2020 by emailing a request to public.comment@dcpsb.org by no later than 4 p.m. on Wednesday, April 15, 2020.

FOR FURTHER INFORMATION CONTACT: Melodi Sampson at msampson@dcpsb.org or 202-330-4046

PUBLIC SERVICE COMMISSION OF THE DISTRICT OF COLUMBIA

NOTICE OF PROPOSED TARIFF

ELECTRIC TARIFF 00-2, IN THE MATTER OF POTOMAC ELECTRIC POWER COMPANY'S PUBLIC SPACE OCCUPANCY SURCHARGE ELECTRICITY TARIFF, P.S.C.-D.C. No. 1,

1. The Public Service Commission of the District of Columbia (Commission) hereby gives notice, pursuant to Section 34-802 of the District of Columbia Official Code and in accordance with Section 2-505 of the District of Columbia Code,¹ of its intent to act upon the Potomac Electric Power Company's (Pepco or Company) - Public Space Occupancy Surcharge Rider (Rider PSOS or Surcharge Update) in not less than thirty (30) days from the date of publication of this Notice of Proposed Tariff (NOPT) in the *D.C. Register*.

2. On February 28, 2020, pursuant to D.C. Code Section 10-1141.06,² Pepco filed with the Commission an updated Rider PSOS.³ In the filing, Pepco shows the process to be used to recover from its customers the fees paid by Pepco to the District of Columbia (District) for the rental of public structures in public space. Pepco proposes to amend the following tariff page to reflect an increase in the PSOS:

**ELECTRICITY TARIFF, P.S.C.-D.C. No. 1
(Former) Twenty-Second Revised Page No. R-33
(New) Twenty-Third Revised Page No. R-33**

3. According to Pepco, the Surcharge Update consists of two parts reflecting: 1) the payments to be made by Pepco to the District for the current calendar year; and 2) the over or under recovery from the prior year.⁴ Lastly, the Rider PSOS sets forth how each component of the annual update is to be calculated.⁵ Pepco proposes a PSOS rate of

¹ D.C. Code § 2-505 (2016 Repl.) and D.C. Code § 34-802 (2012 Repl.).

² D.C. Code § 10-1141.06 (2001), states that [e]ach public utility company regulated by the Public Service Commission shall recover from its utility customers all lease payments which it pays to the District of Columbia pursuant to this title through a surcharge mechanism applied to each unit of sale and the surcharge amount shall be separately stated on each customer's monthly billing statement.

³ *Electric Tariff 00-2, In the Matter of Potomac Electric Power Company's Public Space Occupancy Surcharge Electricity Tariff, P.S.C.-D.C. No. 1 ("ET00-2")*, Letter to Brinda Westbrook-Sedgwick, Commission Secretary, from Dennis P. Jamouneau, Assistant General Counsel, Re: ET00-2 – Rider "PSOS," filed February 28, 2020 ("Surcharge Update").

⁴ *ET00-2*, Surcharge Update at 1.

⁵ *ET00-2*, Surcharge Update at 1; Attachment C. See also *ET00-2, In the Matter of the Potomac Electric Power Company's Public Occupancy Surcharge*, Order No. 11737 at 4, rel. July 14, 2000 (Wherein the Commission noted that Pepco's filing included a method for calculating a true-up).

\$0.00214 per kilowatt-hour delivered to the customer, which is an increase from the current PSOS rate of \$0.00211 per kilowatt-hour approved in 2019.⁶ The rate is based on a rate of \$0.00213 per kilowatt-hour for estimated 2020 payments and a rate of \$0.00001 per kilowatt-hour for the over/under collection of payments by Pepco in 2019.⁷ Pepco proposes that its Surcharge Update becomes effective with meter readings on and after March 1, 2020.⁸

4. The Company has a statutory right to implement its filed PSOS. However, if the Commission discovers any inaccuracies in the calculation of the proposed PSOS, Pepco could be subject to reconciliation of the PSOS.

5. Any person interested in commenting on the subject matter of this NOPT may submit written comments not later than thirty (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. Copies of this NOPT may be obtained by visiting the Commission's website at www.dcpsec.org or at cost, by contacting the Commission Secretary at the address provided above. Persons with questions concerning this NOPT should call (202) 626-5150 or send an email to psc-commissionsecretary@dc.gov. After the comment period has expired, the Commission will take final action on the Surcharge Update.

⁶ ET00-2, Surcharge Update at 1; Attachment C.

⁷ ET00-2, Surcharge Update at 1; Attachment C.

⁸ ET00-2, Surcharge Update at 1.

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

The Commission meeting will be held on Tuesday, March 17, 2020 at 5:00 p.m. The meeting will be held at 441 4th Street, N.W. Suite 430S Washington, DC 20001. Below is the planned agenda for the meeting. The final agenda will be posted on the agency's website at <http://www.scdc.dc.gov>

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

Meeting Agenda

1. Review and Approval of the Minutes from the February 18, 2020 Meeting - Action Item, Judge Lee.
2. Agency Budget Update – Informational Item, Barbara Tombs-Souvey, Executive Director.
3. Follow-up Data Analysis on Title 16 Grid Box Sentence Placement (OSG8 – CH A and B) – Informational Item, Mehmet Ergun, Statistician.
4. Follow-up Data Analysis on Title 16 Indictment versus Disposition Charges – Informational Item, Taylor Tarnalicki, Research Analyst.
5. Review and Approval of Issue Paper #3: Compliant Guidelines Sentences- Action Item, Mehmet Ergun, Statistician.
6. Review and Approval of Outreach Pamphlet on Robbery, Action Item. Miatta Sesay-Woods, Outreach Specialist.
7. Next Scheduled Meeting – April 21, 2020.
8. Adjourn.

DISTRICT DEPARTMENT OF TRANSPORTATION**NOTICE OF FUNDING AVAILABILITY (NOFA)****Vision Zero 2020 Open Streets-Georgia Avenue Coordination Grant****Request for Application Release Date: March 20, 2020****Application Submission Deadline: April 17, 2020**

The District Department of Transportation (DDOT) is the lead agency implementing Mayor Bowser's Vision Zero safety initiative. Vision Zero seeks to achieve zero traffic fatalities and serious injuries in the District through better engineering of roadways, more effective traffic-safety education efforts, smarter use of transportation data and safety analyses, and more effective enforcement of life-saving laws.

As part of Mayor Bowser's Vision Zero safety initiative, DDOT will be hosting Washington, DC's second Open Streets-Georgia Avenue in October of 2020 and is requesting grant proposals from interested parties to assist the agency in planning, coordinating and implementing this project. The Open Streets concept involves events where streets are periodically closed to motor-vehicle traffic and open to people for healthy activities suitable for all ages and abilities. The concept helps inspire people to think differently about their streets by encouraging physical activity, creating recreational opportunities, and fostering community building and education.

Non-profit organizations in the Washington metropolitan area are eligible to apply for Fiscal Year 2020 grant funds to plan, coordinate and implement the inaugural Open Streets program in Washington, DC. Proposals should not exceed \$100,000.

The selected proposal will be responsive to all aspects of the request for applications (RFA). The RFA will be available by email or on DDOT's website at <https://ddot.dc.gov/page/apply-grant> on **March 20, 2020**. Please refer to the full RFA for this funding opportunity for detailed requirements and timeline.

For additional information or to receive the full RFA by email, please contact:

Kelsey Bridges
Transportation Planner
Planning and Sustainability Division
55 M Street SE, Suite 500
Washington, DC 20003
Phone: (202) 741-5835
Email: kelsey.bridges@dc.gov

NOTICE OF NON-DISCRIMINATION

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, status as a victim of an intrafamily offense, or place of residence or business. Sexual harassment is a form of sex discrimination which is prohibited by the Act. In addition, harassment based on any of the above protected categories is prohibited by the Act. Discrimination in violation of the Act will not be tolerated. Violators will be subject to disciplinary action.

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重要通知

本文件包含重要資訊。如果您需要用（中文）接受幫助或者對本通知有疑問，請電洽 202-527 - 5633。請告訴客戶服務部代表您所說的語言，會免費向您提供口譯員服務。謝謝！

AVIS IMPORTANT

Ce document contient des informations importantes. Si vous avez besoin d'aide en Français ou si vous avez des questions au sujet du présent avis, veuillez appeler le 202-527 - 5633. Dites au représentant de service quelle langue vous parlez et l'assistance d'un interprète vous sera fournie gratuitement. Merci.

안내

이 안내문은 중요한 내용을 담고 있습니다. 한국어로 언어 지원이 필요하시거나 질문이 있으실 경우 202-527 – 5633 로 연락을 주십시오. 필요하신 경우, 고객 서비스 담당원에게 지원 받고자 하는 언어를 알려주시면, 무료로 통역 서비스가 제공됩니다. 감사합니다.

AVISO IMPORTANTE

Este documento contiene información importante. Si necesita ayuda en Español o si tiene alguna pregunta sobre este aviso, por favor llame al 202-527 - 5633. Infórmele al representante de atención al cliente el idioma que habla para que le proporcione un intérprete sin costo para usted. Gracias.

THÔNG BÁO QUAN TRỌNG

Tài liệu này có nhiều thông tin quan trọng. Nếu quý vị cần giúp đỡ về tiếng Việt, hoặc có thắc mắc về thông báo này, xin gọi 202-527 - 5633. Nói với người trả lời điện thoại là quý vị muốn nói chuyện bằng tiếng Việt để chúng tôi thu xếp có thông dịch viên đến giúp quý vị mà không tốn đồng nào. Xin cảm ơn.

DISTRICT DEPARTMENT OF TRANSPORTATION**NOTICE OF FUNDING AVAILABILITY (NOFA)****Vision Zero 2020 Open Streets - MLK Avenue Coordination Grant****Request for Application Release Date: March 20, 2020****Application Submission Deadline: April 17, 2020**

The District Department of Transportation (DDOT) is the lead agency implementing Mayor Bowser's Vision Zero safety initiative. Vision Zero seeks to achieve zero traffic fatalities and serious injuries in the District through better engineering of roadways, more effective traffic-safety education efforts, smarter use of transportation data and safety analysis, and more effective enforcement of life-saving laws.

DDOT is requesting proposals from potential grantees to assist the agency in planning, coordinating and implementing its Open Streets MLK Ave. program, scheduled to take place in August of 2020 in Ward 8 along Martin Luther King Jr. Avenue SE. The event route will be approximately a half-mile.

The Open Streets concept involves events or programs that periodically close streets to motor vehicle traffic and open them to people for healthy activities suitable for all ages and abilities. The concept helps inspire people to think differently about their streets by encouraging physical activity, creating recreational opportunities, and fostering community building and education. The Open Streets MLK Ave. program will build on the success of the Open Streets Georgia Ave. program from last year.

National Capital Region non-profit organizations are eligible to apply for Fiscal Year 2020 grant funds to perform planning, coordination and implementation of the Open Streets MLK Ave. program. Individual proposals should not exceed \$40,000. Please refer to the Request for Applications (RFA) for this funding opportunity for a detailed description of requirements. The RFA will be available on March 20, 2020 and will be available on DDOT's website at:

<https://ddot.dc.gov/page/apply-grant>.

For additional information or to receive the full RFA by email, please contact:

Kimberly Vacca
Transportation Planner
District Department of Transportation
55 M Street SE, Suite 500
Washington, DC 20003
Phone: (202) 671-2268
Email: kimberly.vacca@dc.gov

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DISTRICT DEPARTMENT OF TRANSPORTATION
NOTICE OF CANCELLATION OF THE PUBLIC SPACE
COMMITTEE MEETING IN MARCH

Please be advised that the monthly Public Space Committee (PSC) meeting, scheduled for Thursday, March 26, 2020, has been cancelled.

Due to the COVID-19 (coronavirus) and steps taken by the District Government to stem community spread of this virus, the PSC has taken this action.

The PSC will reschedule this meeting to Thursday, April 23, 2020. We will keep the public posted on any other decisions made.

For questions or additional information regarding this notice, please feel free to contact the Customer Relations Branch with the Public Space Regulation Division at (202) 442-4670 or email Public.SpaceCommittee@dc.gov.

TWO RIVERS PUBLIC CHARTER SCHOOL**REQUEST FOR PROPOSALS****Temporary Finance Leader**

Two Rivers PCS is seeking an experienced leader in finance to be based at Two Rivers and provide temporary financial support and planning. Candidates must have the skills to provide strategic leadership in finance, advice to the leadership team and board related to budget management and forecasting, management of compliance with financial regulations and requirements of state and local agencies, and oversight of existing accounting contractors. To request a copy of the RFP or additional information, email procurement@tworiverspcs.org.

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

BOARD OF DIRECTORS

NOTICE OF PUBLIC MEETING

The Board of Directors of the District of Columbia Water and Sewer Authority (DC Water) will be holding a meeting on Thursday, April 2, 2020 at 9:30 a.m. The meeting will be held in the Board Room (2nd floor) at 1385 Canal Street, S.E. (use 120 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.

For additional information, please contact Linda R. Manley, Board Secretary at (202) 787-2332 or linda.manley@dewater.com.

DRAFT AGENDA

- | | | |
|----|--|-------------------------|
| 1. | Call to Order | Board Chairman |
| 2. | Roll Call | Board Secretary |
| 3. | Approval of March 5, 2020 Meeting Minutes | Board Chairman |
| 4. | Committee Reports | Committee Chairperson |
| 5. | Chief Executive Officer’s Report | Chief Executive Officer |
| 6. | Action Items
Joint-Use
Non Joint-Use | Board Chairman |
| 7. | Other Business | Board Chairman |
| 8. | Adjournment | Board Chairman |

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

Application No. 20192 of Bernice Mellstrom, pursuant to 11 DCMR Subtitle X, Chapter 9, for special exceptions under Subtitle E § 5201 from the lot occupancy requirements of Subtitle E § 304.1, under Subtitle E §§ 206.2 and 5203.3 from the roof top architectural element requirements of Subtitle E § 206.1(a), and from the non-conforming structure requirements of Subtitle C § 202.2 to construct a new roof deck above the existing front porch of an attached principal dwelling unit in the RF-1 Zone at premises 617 Quebec Place N.W. (Square 3034, Lot 155).

HEARING DATE: February 5, 2020
DECISION DATE: February 26, 2020

SUMMARY ORDER

Relief Requested. The application was accompanied by a memorandum from the Zoning Administrator, certifying the required relief. (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") 1A.

ANC Report. The ANC's first report indicated that at a regularly scheduled, properly noticed public meeting on January 8, 2020, at which a quorum was present, the ANC voted to recommend approval for relief from the lot occupancy and nonconforming structure requirements, but to recommend denial of relief for alteration of a roof top architectural element. (Exhibit 28.) Specifically, the ANC report cited another BZA case within its boundaries, BZA Application No. 20114, as precedent that the porch roof must be returned to its original configuration, which would be a hip roof design, based on the ANC's research. The ANC report authorized ANC Chair Kent Boese to represent the ANC before the Board.

The Board finds the ANC report's citation to BZA Application No. 20114 unpersuasive because the specifics of that case differed from this case. The general special exception standard – that granting relief would be in harmony with the general purpose and intent of the Zoning Regulations and Map and will not tend to affect adversely the use of neighboring property – requires the Board to weigh the facts of each case individually.

At the public hearing, the Board asked Commissioner Boese for additional input on the architectural style of porch roofs in the area and on what design would be more acceptable to the ANC. Based on the discussion, the Applicant expressed the desire to change the proposed design, and the Board postponed its decision in order to allow the Applicant to work with OP and the ANC on a revised design.

The ANC submitted a supplemental report indicating that at a regularly scheduled, properly noticed public meeting on February 12, 2020, at which a quorum was present, the ANC voted in support of the Applicant's revised design with a black metal rooftop railing that has a low visual impact, as illustrated by example photos provided in the submission. (Exhibit 35.)

OP Report. The Office of Planning submitted a report recommending approval of the application. (Exhibit 31.)

DDOT Report. The District Department of Transportation submitted a report indicating that it had no objection to the application. (Exhibit 29.)

Persons in Support. The Board received four letters in support signed by neighbors. (Exhibit 11.)

Special Exception Relief

The Applicant seeks relief under Subtitle X § 901.2, for special exceptions under Subtitle E § 5201, from the lot occupancy requirements of Subtitle E § 304.1, under Subtitle E §§ 206.2 and 5203.3 from the roof top architectural element requirements of Subtitle E § 206.1(a), and from the non-conforming structure requirements of Subtitle C § 202.2 to construct a new roof deck above the existing front porch of an 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 AT EXHIBIT 36.**

VOTE: 3-0-2 (Frederick L. Hill, Carlton E. Hart, and Peter G. May to APPROVE; no other Board members participating.)

**BZA APPLICATION NO. 20192
PAGE NO. 2**

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: March 12, 2020

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. 20192

PAGE NO. 3

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

Application No. 20197 of Ihab Mogassbi - Diamond Ridge LLC, as amended,¹ pursuant to 11 DCMR Subtitle X, Chapters 9, for special exceptions under Subtitle C § 1402.1 from the retaining wall requirements of Subtitle C § 1401.5, under Subtitle E § 5203.3 from the rooftop addition requirements of Subtitle E § 206.1, from the RF-use requirements of Subtitle U § 320.2, from the RF-use height requirements of Subtitle U § 320.2(a) and pursuant to Subtitle X, Chapter 10, for an area variance from the 900 square feet per dwelling unit requirements of Subtitle U § 320.2(d), to permit the conversion of a flat into a three-unit apartment house in the RF-1 Zone at premises 1132 Columbia Road N.W. (Square 2853, Lot 53).

HEARING DATES: February 12, 2020 and March 4, 2020
DECISION DATE: March 4, 2020

SUMMARY ORDER

Relief Requested. The zoning relief requested in this case was self-certified, pursuant to 11 DCMR Subtitle Y § 300.6. (Exhibit 49B (Final Revised); Exhibit 44 (Revised); Exhibit 30 (Updated) and Exhibit 10 (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 February 12, 2020, at which a quorum was present, the ANC voted 11-0-0 to support the application. The ANC's recommendation was conditioned on: the Applicant's agreement to include permeable pavers at the rear of the property in the parking area to improve drainage in the alleyway; the Applicant returning the currently missing front yard as seen on the plans at Exhibit 53; and having the roof top elements be as similar as practical to the previous roof top elements. (Exhibit 59.) The Applicant's proposal contains references to restoring the grade at the front of the Property and providing cornices to match the original design. (Exhibit 49A1, pp. 3, 6, 10.) In addition, at the public hearing, the Board acknowledged the Applicant's agreement to provide the pavers. Therefore, the Board did not find it necessary to adopt the conditions as part of its order, and the Board expects the Applicant to abide by the agreement.

¹ The Application was amended to add relief from the retaining wall requirements of Subtitle C § 1401.5 and the rooftop addition requirements of Subtitle E § 206.1.

OP Report. The Office of Planning submitted a report recommending approval of the amended application. (Exhibit 54.)

DDOT Report. The District Department of Transportation submitted a report indicating that it had no objection to the application. (Exhibit 45.)

Variance Relief

The Applicant seeks relief under Subtitle X § 1002.1 for an area variance from the 900 square feet per dwelling unit requirements of Subtitle U § 320.2(d), to permit the conversion of a flat into a three-unit apartment house in the RF-1 Zone.

Based upon the record before the Board, and having given great weight to the appropriate reports and recommendations filed in this case, the Board concludes that the Applicant has met the burden of proof 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 exceptions under Subtitle C § 1402.1 from the retaining wall requirements of Subtitle C § 1401.5, under Subtitle E § 5203.3 from the rooftop addition requirements of Subtitle E § 206.1, from the RF-use requirements of Subtitle U § 320.2, and from the RF-use height requirements of Subtitle U § 320.2(a) to permit the conversion of a flat into a three-unit apartment house in the RF-1 Zone.

Based upon the record before the Board, and having given great weight to the appropriate reports and recommendations filed in this case, the Board concludes that the Applicant has met the burden of proof that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map and that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map. The Board further concludes that, pursuant to Subtitle X § 901.2(c), any other specified conditions for special exception relief have been met.

Pursuant to 11 DCMR Subtitle Y § 604.3, the order of the Board may be in summary form and need not be accompanied by findings of fact and conclusions of law where granting an application when there was no party in opposition.

It is therefore **ORDERED** that this application is hereby **GRANTED AND, PURSUANT TO**

**SUBTITLE Y § 604.10, SUBJECT TO THE APPROVED PLANS² AT EXHIBIT 53 –
UPDATED ARCHITECTURAL PLANS.**

VOTE: 4-0-1 (Frederick L. Hill, Carlton E. Hart, Lorna L. John, and Anthony J. Hood to APPROVE; no other Board members 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: March 10, 2020

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.

² 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.

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. 20212 of Thomas and Nancy Gavin, as amended, pursuant to 11 DCMR Subtitle X, Chapter 9, for special exceptions under Subtitle D § 5201 from the lot occupancy requirements of Subtitle D § 304.1, from the front setback requirements of Subtitle D § 305.1, from the rear yard requirements of Subtitle D § 306.1, and from the nonconforming structure requirements of Subtitle C § 202.2, to construct a front and rear addition to an existing detached principal dwelling unit in the R-1-B Zone at premises 3115 15th Street, N.E. (Square 4014, Lot 32).

HEARING DATE: Applicant waived the right to a public hearing
DECISION DATE: March 4, 2020 (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 42 (Revised)¹; Exhibit 4 (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") 5B.

ANC Report. The ANC's report indicated that at a regularly scheduled, properly noticed public meeting on February 26, 2020, at which a quorum was present, the ANC voted 4-0-0 to support the application. (Exhibit 46.)

OP Report. The Office of Planning ("OP") submitted a report recommending approval of the application. (Exhibit 34.) OP submitted a supplemental report on February 28, 2020, stating that that it was notified by the Office of the Attorney General that additional relief for front setback may be required. OP confirmed the need for front setback relief with the Department of

¹ The Applicant revised the original application by adding relief under Subtitle C § 202.2 for nonconforming structure and from the front setback requirements of Subtitle D § 305.1, pursuant to feedback from the Office of Planning.

Consumer and Regulatory Affairs, and the Applicant amended the application. OP recommended approval of the amended application. (Exhibit 44.)

DDOT Report. The District Department of Transportation submitted a report, February 7, 2020, indicating that it had no objection to the application. (Exhibit 28.)

Persons in Support. The Board received letters from eight neighbors in support of the application. (Exhibits 30 and 35-40.)

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 § 304.1, from the front setback requirements of Subtitle D § 305.1, from the rear yard requirements of Subtitle D § 306.1, and from the nonconforming structure requirements of Subtitle C § 202.2, to construct a front and rear addition to an existing detached principal dwelling unit in the R-1-B 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 REVISED PLANS² AT EXHIBIT 32.**

VOTE: 4-0-1 (Frederick L. Hill, Lorna L. John, Carlton E. Hart, and Anthony J. Hood to APPROVE; no other Board members participating.)

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

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

²Self-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: March 9, 2020

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. 20212

PAGE NO. 3

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

Application No. 20216 of Schmidt Development LLC, pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception under Subtitle E §§ 205.5 and 5201 from the rear addition requirements of Subtitle E § 205.4, to raze the existing two-story, semi-detached principal dwelling unit, and to construct a three-story, attached principal dwelling unit in the RF-1 Zone at premises 1624 E Street, S.E. (Square 1090, Lot 800).

HEARING DATE: March 4, 2020

DECISION DATE: March 4, 2020

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") 6B.

ANC Report. The ANC's report indicated that at a regularly scheduled, properly noticed public meeting on February 11, 2020, at which a quorum was present, the ANC voted 10-0-0 to support the application. (Exhibit 34.)

OP Report. The Office of Planning submitted a report, dated February 21, 2020, recommending approval of the application. (Exhibit 35.)

DDOT Report. The District Department of Transportation submitted a report, dated February 7, 2020, indicating that it had no objection to the application. (Exhibit 32.)

Persons in Support. The Board received a letter of support for the application from the adjacent neighbors. (Exhibit 30.)

Persons in Opposition. The Board received a letter from the Capitol Hill Restoration Society in opposition to the application. (Exhibit 43.)

Special Exception Relief

The Applicant seeks relief under Subtitle X § 901.2, for, for a special exception under Subtitle E §§ 205.5 and 5201 from the rear addition requirements of Subtitle E § 205.4, to raze the existing two-story, semi-detached principal dwelling unit, and to construct a three-story, 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 PLANS¹ AT EXHIBIT 6.**

VOTE: 4-0-1 (Frederick L. Hill, Carlton E. Hart, Lorna L. John, and Anthony J. Hood to APPROVE: no other Board members 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: March 9, 2020

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

¹Self-certification: 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.

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. 20228 of Vincent Hurteau, pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception under Subtitle D § 5201 from the lot occupancy requirements of Subtitle D § 304.1, and under Subtitle C § 1504 from the penthouse setback requirements of Subtitle C § 1502.1(b) & (c), to construct a second-story rear deck addition and to use existing roof space on the third story as a roof deck on an existing, attached principal dwelling unit in the R-3 Zone at premises 2548 Massachusetts Avenue, N.W. (Square 2500, Lot 57).

HEARING DATE: March 11, 2020
DECISION DATE: March 11, 2020

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") 2D.

ANC Report. The ANC's report indicated that at a regularly scheduled, properly noticed public meeting on January 13, 2020, at which a quorum was present, the ANC voted 2-0-0 to support the application. (Exhibit 15.)

OP Report. The Office of Planning submitted a report, dated February 28, 2020, recommending approval of the application. (Exhibit 31.)

DDOT Report. The District Department of Transportation submitted a report, dated February 14, 2020, indicating that it had no objection to the application. (Exhibit 28.)

Special Exception Relief

The Applicant seeks relief under Subtitle X § 901.2, for a special exception under Subtitle D § 5201 from the lot occupancy requirements of Subtitle D § 304.1, and under Subtitle C § 1504 from the penthouse setback requirements of Subtitle C § 1502.1(b) & (c), to construct a second-

story rear deck addition and to use existing roof space on the third story as a roof deck on an existing, attached 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 PLANS¹ AT EXHIBIT 6.**

VOTE: 4-0-1 (Frederick L. Hill, Lorna L. John, Carlton E. Hart, and Anthony J. Hood to APPROVE; no other Board members 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: March 12, 2020

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

¹Self-certification: 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.

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.

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
Z.C. ORDER NO. 06-10D
Z.C. Case No. 06-10D
The Morris and Gwendolyn Cafritz Foundation
(Modification to First-Stage PUD and Approval of Second-Stage PUD
Art Place at Fort Totten – Block B @ Squares 3765 and 3767)
June 10, 2019

Pursuant to notice, at its April 4, 2019 public hearing, the Zoning Commission for the District of Columbia (the “Commission”) considered an application of The Morris and Gwendolyn Cafritz Foundation (the “Applicant”) for second-stage approval of a planned unit development (“PUD”) and modification of an approved first-stage PUD (the “Application”) approved by Z.C. Order No. 06-10, as modified by Z.C. Order Nos. 06-10A and 06-10C¹ (collectively, the “Overall PUD Order”) for Square 3765, Lots 1-4 and 7-9 and Square 3767, Lots 3-4 (the “Block B Site”). The Commission reviewed the Application pursuant to the Commission’s Rules of Practice and Procedures, which are codified in Subtitle Z of Title 11 of the District of Columbia Municipal Regulations (Zoning Regulations of 2016 [the “Zoning Regulations”], to which all subsequent citations refer unless otherwise specified). For the reasons stated below, the Commission **APPROVES** the Application.

FINDINGS OF FACT

Notice

1. On February 8, 2019, the Office of Zoning (“OZ”) sent notice of the public hearing to: (Exhibit [“Ex.”] 18.)
 - The affected Advisory Neighborhood Commissions (“ANC”) 5A and 4B;
 - The affected ANC Single Member Districts (“SMD”) 5A08 and 4B09;
 - The Office of Planning (“OP”);
 - The District Department of Transportation (“DDOT”);
 - The Department of Energy and the Environment (“DOEE”);
 - The D.C. Housing Authority (“DCHA”);
 - The Council of the District of Columbia (“DC Council”); and
 - Property owners within 200 feet of the Property.
2. OZ also published notice of the April 4, 2019 public hearing in the *D.C. Register* on February 15, 2019, as well as through the calendar on OZ’s website. (Ex. 14.)

Parties

3. In addition to the Applicant, ANCs 5A and 4B were automatically parties in this proceeding as the “affected ANC” pursuant to Subtitle Z § 101.8. ANC 4B did not participate in this case. (Ex. 28.)

¹ Z.C. Case No. 06-10A was a modification to shift the grocery store use from Building A to Building B; Z.C. Case No. 06-10B was filed as a modification but was subsequently withdrawn; and Z.C. Case No. 06-10C reduced the amount of parking provided in Building A.

4. On March 19, 2019, the Lamond-Riggs Citizens Association (“LRCA”) filed a request for party status in support of the Application. (Ex. 23.)
5. At the Public Hearing, the Commission voted to accept LRCA as a party in support. (Transcript of the April 4, 2019 Public Hearing (“4/4/19 Tr.”) at 7-8.)

The Block B Site

6. The Block B Site has an area of approximately 222,541 square feet (5.18 acres) and is comprised of:
 - a. Lots 1, 2, 3, 4, 7, 8, and 9 in Square 3765;
 - b. Lots 3 and 4 in Square 3767;
 - c. The closed portion of 4th Street, N.E. between Ingraham and Kennedy Streets, N.E.²; and
 - d. A parallel 16-foot alley running between Kennedy and Ingraham Streets, N.E. (Ex. 2, 44A.)
7. The Block B Site is currently occupied by low-rise multi-family residential apartment buildings that are part of the Riggs Plaza Apartment complex. (Ex. 2.)
8. Immediately south of the Block B Site is the Modern, a residential apartment building that was approved as a consolidated PUD pursuant to the Overall PUD Order.
9. West of the Block B Site is a multi-family apartment building, north and east of the Block B Site opposite South Dakota Avenue, N.E. are detached houses as well as the Lamond Riggs Neighborhood Library, and north of the Block B Site is the headquarters of Food and Friends. (Ex. 2.)
10. The Block B Site is located only several hundred feet from the Red, Green, and Yellow line Fort Totten Metrorail stop. (Ex. 2.)
11. The Comprehensive Plan’s (Title 10A of the DCMR, the “CP”) Generalized Policy Map (“GPM”) designates the Block B Site as Housing Opportunity Area and the Future Land Use Map (“FLUM”) designates the site for a mix of Medium-Density Residential and Medium-Density Commercial.

First-Stage Approval

12. Pursuant to the Overall PUD Order, the Commission approved the consolidated and first-stage PUD application for Art Place at Fort Totten (the “Overall PUD”).

² The portion of 4th Street was closed effective January 29, 2020. (Subdivision Book 216 at 179.)

13. The Overall PUD Order also granted a PUD-related map amendment to a combination of the C-2-B and FT/C-2-B³ Zone Districts (currently the MU-5A zone) for the following properties (collectively, the “Overall PUD Site”):
 - a. All lots in Square 3765;
 - b. Lots 1-4, and 800 in Square 3766;
 - c. Lots 1-5, and 806 in Square 3767;
 - d. Lots 1-2 in Square 3768; and
 - e. All lots in Square 3769.
14. In the Overall PUD Order, the Commission concluded that the proposal for the Overall PUD, was not inconsistent with the CP and other adopted policies of the District, that it proposed sufficient mitigations and would not result in any unacceptable impacts, and that the requested development incentives were balanced by the proffered public benefits.
15. The Overall PUD Order also granted the following flexibility as development incentives:
 - a. Relief from the penthouse setback requirements for multiple roof structures; and
 - b. Relief from the side yard requirements for the west side of Building A.
16. The Commission also granted design flexibility from the final plans approved by the Overall PUD Order.
17. The Overall PUD Order approved the Overall PUD to be developed with four buildings (A through D) to be developed in stages.
18. The Overall PUD Order established that the Block B Site was to be developed in the C-2-B Zone (MU-5A) with a building containing a mix of residential, grocery, and museum uses (“Building B” or the “Project”) as follows: (Ex. 44.)
 - a. A three-story building not to exceed 60 feet in height;
 - b. A maximum lot occupancy of approximately 76%;
 - c. A floor area ratio (“FAR”) of 2.09;
 - d. A total gross floor area (“GFA”) not to exceed 456,000 square feet, all of which would be for non-residential uses including: (Overall PUD Order, Condition No. 7(b).)

³ The FT/C-2-B Zone District is subject to the provisions of the C-2-B Zone District, and the FT Overlay of the 1958 Zoning Regulations and has no zone equivalent in the Zoning Regulations.

- i. Approximately 144,000 square feet of anchor retail and supporting retail uses;
- ii. 59,000 square feet of grocery store use;
- iii. An approximately 47,000 square foot children's museum; and
- iv. Recreational and meeting space for resident and community seniors; and
- e. Contain approximately 1,100 parking spaces. (Overall PUD Order, Condition No. 7(b).)

The Application

19. On September 4, 2019, the Applicant submitted the Application for a modification of the first-stage PUD and second-stage PUD approval for Block B in order to construct Building B.

Modifications to First-Stage Approval

20. The Application:
- a. Proposed to modify the building design for Building B and to shift uses and density from other buildings in the Overall PUD and to modify the related conditions of the Overall PUD Order accordingly;
 - b. Did not request any additional zoning relief from what was approved by the Overall PUD Order⁴;
 - c. Noted that the requested modifications would not result in any changes to the approved heights and density of the Overall PUD that would require new analysis of the CP; and
 - d. Did not propose to modify any of the proffered public benefits.
21. In order to accommodate the shift in uses and building design within the overall Block B site, certain development standards have been adjusted as follows: (Exhibit 44A4 at Sheets 39-40.)

⁴ The Applicant did request rear yard relief for a portion of the Residential Building in its Pre-Hearing Statement. (Ex. 11.) However, the Applicant subsequently revised its plans and withdrew the request in its 20-Day Statement. (Ex. 22.)

Development Standard	Building A		Building B		Building C		Building D		Total	
	Approved	Proposed	Approved	Proposed	Approved	Proposed	Approved	Proposed	Approved	Proposed
Total GFA (sf)	780,201	780,201	456,000	549,996 (+93,996)	520,000	279,408 (-240,592)	238,000	384,596 (+146,596)	1,994,201	1,994,201 (same)
Residential Units (Market Rate)	379*	379	0	239 (+239)	379	0 (-379)	0	140 (+140)	758	758 (same)
Affordable Units	141	141	0	30 (+30)	30	0 (-30)	0	0	171	171 (same)
FAR	3.64	3.64	2.09	2.47 (+0.38)	3.46	1.81 (-1.65)	3.25	5.93 (+2.68)	3.04	3.04 (same)
Max Height (ft)	74	74	60	80 (+20)	90	90	90	90	90	90 (same)
Parking	601	601	1,100	750 (-350)	420	390 (-30)	160	160	2,281	1,900 (-381)

*Z.C. Order No. 06-10 granted the Applicant flexibility in the total number of residential units for Building A between 510 and 550, provided that the Applicant maintain the 141 affordable units.

22. The Project complies with the general parameters established for the site in the Overall PUD Order but differs from the specific development plans for the Block B Site. Therefore, the Applicant seeks the following modifications to the First Stage PUD:

- a. In addition to the uses contemplated in the Overall PUD Order, the Application proposes the addition of residential uses to the Block B Site in addition to the Family Entertainment Zone (the “FEZ”), as well as retail and museum space, and reduced grocery store space; (Ex. 2.)
- b. The residential portion will include approximately 275,117 square feet of GFA, resulting in approximately 239 market-rate units due to a relocation of residential GFA from Building C to Buildings B and D;
- c. The residential portion will also include 30 of the residential units that will be reserved for artists and will be offered at 60% of AMI. The artist units will be interspersed throughout the east and west residential buildings (but will not be located in the top two floors of the west residential building or the top floor of the east residential building). This will bring the total number of income-restricted units in the Overall PUD to 171 units in compliance with the Overall PUD Order; (Ex. 11, 43, 44A.)
- d. In order to facilitate the tenant relocation process for the existing tenants of the Riggs Plaza Apartments, the residential portion will include one of the existing Riggs Plaza Apartment buildings which will remain and be incorporated into the Project; and (Ex. 44.)

- e. Rather than a single large building occupying the entire Block B Site, the Project has been redesigned to maintain the closed portion of 4th Street, N.E., as pedestrian and flex space with residential and mixed-use structures created to the east and west. This modified design creates a more open, light, and active environment on the Block B Site and the adjacent public streets. (Ex. 2.)
23. The Applicant noted that these proposed modifications are consistent with the development, policy objectives, impacts, planning objectives, character, and appropriateness of the Overall PUD and were undertaken to accelerate the delivery of residential units and following detailed evaluation of the Project's site plan, architecture, landscaping, and transportation, as well as current market conditions. (Ex. 25.)
 24. The Block B Site contain of a mixed-use building, with two primary components – the FEZ, and a residential building (the “Residential Building”, with the FEZ, the “Project”).
 25. The FEZ fronts on South Dakota Avenue, N.E., and contains:
 - a. Retail space;
 - b. Theater/interactive space;
 - c. Gala/events space;
 - d. Cultural space - including Meow Wolf (an innovative arts collective) and the Explore! Children's Museum;
 - e. A food hall;
 - f. An Aldi grocery store;
 - g. Artist maker space; and
 - h. Residential uses.

(Ex. 2, 11, 33.)

26. The Residential Building will be located on the west side of the closed portion of 4th Street, N.E. and will contain two towers connected by an amenity terrace, ground-floor retail uses, and artist/studio maker spaces. The east and west residential buildings will be connected by a pedestrian bridge over the closed portion of 4th Street, N.E. Multiple outdoor plazas and a pedestrian-oriented outdoor area will be located on a portion the closed portion of 4th Street, N.E., as well as along South Dakota Avenue, N.E. and Ingraham and Kennedy Streets, N.E. (Ex. 44A.)
27. The Project will have varying heights with the FEZ reaching a maximum height of 77 feet, 6 inches, and the Residential Building towers reaching a maximum height of 80 feet. (Ex. 44A.)

28. The southwest tower of the west residential building will contain approximately 70 units, the northwest tower of the west residential building will contain approximately 110 units, and the east residential building will contain approximately 90 units for a total of approximately 269 residential units.
29. The Project was initially proposed to include 930 parking spaces, reduced from 1,100 in the Overall PUD Order. However, in response to comments from DDOT, the Applicant reduced this number to 750 parking spaces (subject to plus or minus five percent design flexibility) across a garage level, ground floor, and mezzanine level. The parking areas will be accessible from Kennedy Street N.E. and Ingraham Street N.E. The Applicant requested that it be provided the design flexibility from the final plans to raise or lower the number of parking spaces by plus or minus five percent. (Ex. 44A and 54.)

Second-Stage PUD

30. As discussed above, the Application finalized the design of Building B and surrounding spaces part of the first-stage modification.
31. Building B now contains numerous public gathering spaces. The closed portion of 4th Street, N.E. will become a flexible pedestrian zone that will be bounded by trees and include street furniture, landscaping, and café zones. The pedestrian zone and the service and loading areas will be separated by the pedestrian bridge connecting the east and west residential buildings. (Ex. 22, 44A.)
32. Building B also includes the HUB Plaza located on the corner of South Dakota Avenue N.E. and Ingraham Street N.E., which will function as a gathering area for arriving and departing groups; the Central Plaza, containing a splash fountain and built-in seating; Art Place Plaza, which is the gateway to the food hall and the flexible pedestrian zone; and Kennedy Plaza, which is located along Kennedy Street and may host markets or outdoor events. An outdoor dog run will also be located along Kennedy Street. (Ex. 22, 44A.)
33. In addition to the various plazas, Building B will include ground-floor artist studio/maker space, located along the east residential building and the northwest tower of the west residential building, which will be curated by a third-party group. (Ex. 11, 44A.)
34. Consistent with the first-stage approval, as modified, the loading for Building B will continue to be accessed through Kennedy Street and along a portion of the closed portion of 4th Street, N.E., and loading for the residential towers will be accessed from Kennedy Street, N.E. and the public alley behind the residential towers. (Ex. 44A.)

PUD Timeline

35. As required by Condition No. 25 of Z.C. Order No. 06-10, the Applicant also proposed timing for the filing of the second-stage PUD applications for the development of Blocks C and D.

36. The Applicant noted that it intends to start construction of the Project during the first quarter of 2020 and the project will take approximately 30 months to build. The project is expected to be completed during the Fourth Quarter of 2022. All elements of the Project, the residential component and The HUB (Meow Wolf, Explore! Children's Museum, Aldi) component will be constructed at the same time.
37. The Applicant will file a second-stage PUD application for either Block C or Block D by December 31, 2024, which is expected to be two years after Block B is open and operating.
38. The second-stage PUD application for the final development parcel included in the Overall PUD will occur by December 31, 2030.
39. The Applicant asserted that such time periods are appropriate in order to allow each development parcel to be constructed and have a period of operation prior to the beginning of the next round of development of the Overall PUD. The Applicant also noted that it anticipates that Block C will include non-residential uses and Block D will include residential uses. However, the Applicant requested flexibility to modify the ultimate mix of uses on these blocks at the time each of the second-stage PUD applications are filed. (Ex. 2, 22.)

Applicant's Submissions

40. The Applicant submitted five main submissions to the record in support of the Application in addition to its Public Hearing testimony:
 - a. A pre-hearing statement dated January 25, 2019 (the "Pre-Hearing Statement"); (Ex. 11-11I.)
 - b. A Comprehensive Transportation Review dated March 5, 2019 (the "CTR"); (Ex. 19-20A2.)
 - c. A supplemental statement dated March 15, 2019 (the "20-Day Statement"); (Ex. 22-22C.)
 - d. A second supplemental statement dated April 4, 2019, responding to requests from OP and DDOT for additional information. (the "Second Supplemental Statement"); and (Ex. 31-34.)
 - e. A post-hearing statement dated May 2, 2019 (the "Post-Hearing Statement"). (Ex. 44-44H.)

Pre-Hearing Statement

41. The Pre-Hearing Statement responded to the issues raised in the OP Setdown Report by providing the following:

- a. A request for zoning flexibility from the rear yard requirements for a portion of the western residential building; (Ex. 11B4A at Sheet 30.)
- b. Modifications to the FEZ design, as well as information regarding its intended programing and potential impacts;
- c. Updated plans showing modifications to the massing of the residential buildings, introduction of new amenity and artist studio space, and modifications to the parking and loading access;
- d. Design details regarding façade materials, the retail frontage on South Dakota Avenue, and the western façade of the seven-story western building;
- e. A statement that the Applicant would be providing a traffic impact study and demand management plans in advance of the public hearing;
- f. A breakdown, by count, of residential unit types and clarification of projected residential totals for the entire PUD if Phase B modifications area approved; and
- g. Details on requested zoning relief and design flexibility.

CTR

42. The CTR concluded that the Project would result in approximately 250 a.m. peak-hour vehicle trips and 480 p.m. peak-hour vehicle trips. The CTR noted that other pipeline projects in the surrounding area would be expected to further increase the number of vehicle trips upon their completion.
43. The CTR concluded that the parking and loading spaces provided by the Project were sufficient and in compliance with the zoning requirements.
44. The CTR also noted the Overall PUD Site's proximity to the Fort Totten Metro Station and alternate means of transit as being beneficial to reducing vehicular traffic connected to the site.
45. The CTR recommended the following improvements and mitigations for the Project:
 - a. The design and installation of a full traffic signal at the intersection of South Dakota Avenue and Kennedy Streets;
 - b. The inclusion of separated left and through-right lanes at the intersection of South Dakota Avenue and Kennedy Streets;
 - c. Implementation of a transportation demand management ("TDM") plan; and
 - d. Implementation of a loading management plan.

20-Day Statement

46. The 20-Day Statement responded to issues raised by OP and included:
- a. Revised architectural plans for the Residential Buildings, including a modification to the Residential Building removing the need for rear yard relief; (Ex. 22A6 at Sheet 30.)
 - b. Revised plans and materials for the six major public areas of the Project;
 - c. An update on the grocery and retail tenants, including that the Applicant had signed a lease with Aldi for the grocery store space;
 - d. Additional information on the selection process for the artist residential and workspace;
 - e. An update on the Applicant's outreach to the community including the Affected ANC's and LRCA. The Applicant noted that in response to some of the specific concerns it was providing:
 - i. A construction management plan; and (Ex. 22B.)
 - ii. A set of security policies and procedures for the Project; and (Ex. 22C.)
 - f. An update on the phasing and timing of the outstanding phases of the Overall PUD.

Second Supplemental Statement

47. The Second Supplemental Statement responded to specific questions raised in the OP Hearing Report by providing the following:
- a. A summary of proposed transportation mitigations; (Ex. 31.)
 - b. An analysis of the impacts of the reduced parking supply; (Ex. 32.)
 - c. A list of all proffered benefits and amenities; (Ex. 33.)
 - d. Clarification of overall lot occupancy and FAR with and without public streets and alleys, distinguishing between those that would remain open and those proposed for closure;
 - e. Clarification of proposed square footages and FARs of particular uses, noting the size of particular uses both with and without space that does not count towards FAR;
 - f. Clarification that while the Applicant will seek LEED-Gold Certification for the Overall PUD, it is not seeking it for the Project specifically;

- g. Submission of additional illustrations of the relationship between Building A and the proposed Building B, particularly a ground level view from the closed portion of 4th Street, N.E., to Building A;
- h. Submission of larger-scale drawings of façade details;
- i. Submission of diagrams showing the distribution of residential unit types throughout the east and west wings of Building B;
- j. The addition of balconies to residential elements;
- k. Amenities focused on project residents;
- l. Clarification that there was no plan to relocate the dog run after the future realignment of Kennedy Street;
- m. Confirmation that approximately 55% of the retail spaces for Block A have been leased, as well as a description of the tenant uses;
- n. Additional detail about wayfinding elements for pedestrians and emergency vehicles; and
- o. Confirmation that the Applicant did not anticipate providing any solar panels in the Project in order to satisfy the GAR and stormwater requirements through green roofs.

Applicant's Public Hearing Testimony

- 48. At the April 4, 2019 Public Hearing, the Commission accepted Matthew Bell as an expert in the field of architecture, Ben Wood as an expert in the field of architecture, and Barbara Mosier as an expert in the field of traffic engineering. The Applicant provided testimony from these experts, as well as from Jane Lipton Cafritz, a director of The Morris and Gwendolyn Cafritz Foundation. (4/4/19 Tr. at 9-10.)
- 49. The Applicant presented evidence and testimony that it engaged in significant outreach to the surrounding community prior to the public hearing. The Project reflects the extensive engagement with the surrounding community. The Applicant and its development team met with and presented the Project to ANC 5A08, ANC 4B, ANC 5A, the LRCA, the LRCA Development Task Force, Queens Chapel Civic Association, and the Executive Director of the South Dakota Avenue Riggs Road Main Streets organization. (Ex.22; 4/4/19 Tr. 15-17.)
- 50. The Applicant responded to a question from the Commission that it has designed the Project to be accessible to seniors, including providing access points that avoid stairs or steps. The Project will feature many public gathering spaces, including along the pedestrian-oriented portion of 4th Street, N.E., which will be open to all, including seniors. (4/4/19 Tr. at 71.)

51. At the close of the hearing, the Commission asked the Applicant for further information responding to questions from the Commission, OP, DDOT, the LRCA, Ms. Grimstead, Mr. Baker, and Casey Trees. (4/4/19 Tr. at 145.)

Post-Hearing Statement

52. The Post-Hearing Statement addressed the comments from the Commission, OP, DDOT, the LRCA, Casey Trees, Ms. Grimstead, and Mr. Baker as further discussed below.

Responses to the Commission

53. In response to the Commission's comments related to the architectural details of the Residential Building and FEZ structures, the Applicant:
- a. Modified the color palette of the residential building and updated the residential building façades to include a refined material palette. The Applicant stated that the updated material palette presents the ensemble as coordinated in color and materials but is also designed so that the supporting residential buildings along Ingraham and Kennedy Streets, N.E., and the closed portion of 4th Street, N.E., provide the proper backdrop for the FEZ, resulting in an authentic and varied streetscape; (Ex.44, 44A.)
 - b. Provided an updated materials list, depicting the proposed materials the Applicant intends to use for Block B, including materials showing the range of colors that are under consideration for certain façades for which the exact material has not yet been determined; (Ex. 44, 44A.)
 - c. Provided updated plans showing balconies on three sides of the south tower and the north tower on the closed portion of 4th Street, N.E., which are strategically located to provide interesting relief to the façades and suggest a more vertical proportion to each of the residential elevations. The Applicant also redesigned the pedestrian bridge to include a simpler form of a box truss; (Ex. 44, 44A.)
 - d. Provided enhanced renderings and views of the seven-sided structure in front of FEZ hub, and a view of Building A from the pedestrian/flex portion of the closed portion of 4th Street, N.E., in response to the Commission's requests; (Ex.44A.)
 - e. Refined the exterior appearance of the FEZ Building to reflect the various uses that will occur inside. Specifically, the Applicant removed several of the angled façade embellishments, as well as the kinetic façade and the tri-vision panels; (Ex. 44-44A.)
 - f. Proposed a series of design guidelines for ground-floor retail tenants to enable the retail tenants to display brand-specific design elements while maintaining overall design cohesion throughout the ground-floor façade and retail spaces; (Ex. 44, 44A.)

- g. Confirmed that solar panels can be installed on the roofs of the building without significant detrimental impact to the project's ability to satisfy GAR and stormwater management requirements. The Applicant requested that the Commission provide the Applicant flexibility to include solar panels on the roof of the building if it is economically feasible. The Applicant noted that if solar panels are provided, they will be set-back from all building walls at a 1:1 ratio to minimize any appearance from adjacent public spaces; (Ex. 44, 44A.)
- h. Noted that the retail offerings, including the food hall, will also be open to visitors of all ages and that the Children's Museum is intended to welcome all families, including grandparents visiting with grandchildren. Additionally, Meow Wolf will have a reduced entrance fee for seniors; (Ex. 33, 44.)
- i. Committed to offering a Neighborhood Appreciation Day on a quarterly basis, during which the Explore! Children's Museum will offer discounted admission of 25% off of then-prevailing ticket prices for residents of Ward 4 and Ward 5. The Applicant also noted that Meow Wolf will establish separate admissions prices for adults, children, and seniors/military members and will provide a discounted admission fee for District residents of 15% less than the admissions fees charged for similar non-District residents; (Ex. 33, 44.)
- j. Plans to provide the LRCA, ANC 5A, and ANC 4B with regular updates as to the status of the retail plans and food hall development at Block B. As the food hall development progresses, the Applicant plans to provide the LRCA, ANC 5A, and ANC 4B with detailed information regarding the leasing and tenant selection process for the food hall. The Applicant will also make presentations, as appropriate, at ANC and LRCA meetings to further explain the tenant selection process to interested retailers for the food hall; (Ex. 44.)
- k. Provided information detailing that the Applicant will enter into a contract with an arts organization that will interview and select the artists for the studio and maker spaces. The Applicant stated that it will rent these spaces to artists at a dollar/sf net monthly lease rate not to exceed 50% of the average dollar/sf net monthly lease rate charged to the other retail tenants in Block B; (Ex. 33, 44.)
- l. Confirmed that the artist affordable units will be distributed throughout the residential building in Block B (but not on the upper two floors) at a ratio of unit types that is consistent with the market-rate unit types; (Ex. 44.)
- m. Agreed to lower the affordability level of the 30 artist units from 80% MFI to 60% MFI. The Applicant additionally noted that the principal benefits and amenities of this case are the arts and cultural uses that are provided in the FEZ building and the artist studio/maker spaces, which can only be achieved through significant financial subsidy from the Applicant; (Ex. 44.)
- n. Committed to increasing the amount of money loaded onto SmarTrip cards provided to residents to \$20.00; (Ex. 44, 44D.)

- o. Provided the LEED certification information for Block A; (Ex. 44, 44B.)
- p. Provided a detailed explanation of how the development of Block B is compatible with the FLUM and underlying zoning of the first-stage PUD approval; and (See further discussion in Finding of Fact [“FF”] No. 102.)
- q. Committed to relocating the dog run in the development of Block C or Block D to accommodate the realignment of Kennedy Street, as requested by the Commission. (Ex. 44.)

Responses to OP

54. The Applicant responded to the two issues raised by OP at the Hearing as follows:
- a. The residential component of the Overall PUD that is not subject to IZ is based on the total number of units, 950, approved by Commission under the Overall PUD Order; and
 - b. Confirmed that the residential amenities provided in Block A will be available to residents of Block B. (Ex. 34.)

Responses to DDOT

55. The Applicant responded to the three issues raised by the DDOT Report at the Hearing and in its Post-Hearing Statement as follows: (FF 24.)
- a. At the public hearing, the Applicant committed to removal of the crosswalk and associated curb tamps across South Dakota at Jefferson Street;
 - b. The preliminary signal warrant study included in the Applicant’s CTR indicates that a traffic signal would likely be warranted at the intersection of Ingraham Street and South Dakota Avenue upon full buildout of the Project. The Applicant intends to submit a full signal warrant study, and if found to be warranted, design and fund the construction of a full traffic signal concurrent with the construction of the Project. If the traffic signal is not warranted, then the traffic impact of the Project concluded based on the traffic analysis would not have been realized, and a commitment to the mitigation measure would not be required; and (Ex. 44C.)
 - c. In its Post-Hearing Statement, the Applicant evaluated the costs necessary to create the pedestrian sidewalk and bike trail connection at 3rd Street, N.E. (which is located outside of the Block B development), and provided a plan showing a new concrete six-foot-wide DDOT standard sidewalk as well as an eight-wide wide asphalt bike lane and a preliminary analysis, showing that the approximate cost of these improvements would be a minimum of \$50,000. The Applicant noted that it is committed to creating a safe and accessible circulation path for both pedestrians and vehicles as part of the Block B development and is making substantial improvements to the pedestrian infrastructure on the Block B site and

immediately adjacent to the site. However, the Applicant believes that upgrading the pedestrian path on 3rd Street, N.E., falls outside the scope of the Block B development and does not believe that it is a required mitigation in order for the Commission to approve this project. (Ex. 44A, 44E, 44F.)

Responses to LCRA

56. With regard to LCRA's comments, the Applicant responded by:
- a. Confirming that a no-parking sign will be installed behind the crosswalk at the pathway through Block A (closed portion of 4th Street, N.E.) and Galloway Street, N.E., and the Applicant committed to including monitoring of the bus and pick-up/drop-off areas as part of the loading manager's responsibilities;
 - b. Committing to completing the design and funding the construction of a full traffic signal on South Dakota Avenue, N.E. and Ingraham Street, N.E., subject to DDOT approval and concurrent with construction of the Project, consistent with requests of community organizations;
 - c. Committing to improving any existing traffic signal poles that will be impacted by the Project, to investigate various traffic calming and pedestrian crossing improvements on Ingraham Street, N.E. during the public space approval process, and to improve the site frontage along South Dakota Avenue, consistent with the frontage along Block A; (Ex. 44C.)
 - d. Committing to installing pedestrian-oriented lighting for all pedestrian areas, sidewalks, and the closed portion of 4th Street, N.E., and removed the kinetic façade from the FEZ design; (Ex. 44, 44A.)
 - e. Noting that its TDM plan will provide a move-in kit to new residents that includes a carshare membership at a value of \$85.00 and two spaces will be designated in the garage for car-sharing vehicles. Additionally, the Applicant will provide new residents with a SmarTrip card preloaded with \$20.00; (Ex. 44D.)
 - f. Providing a Proposed Security Policies and Procedures at APFT, which addresses security policies and restrictions for the Project including surveillance measures, generous lighting, motion sensor lighting, night vision cameras, and coordination with the Metropolitan Police Department ("MPD"). Additionally, the Applicant has committed to provide pet waste bags and receptacles in the proposed dog park to reduce trash; (Ex. 22C, 44.)
 - g. Providing a robust construction management plan ("CMP") which addresses construction debris, trash, pest control, truck routing, and sidewalk closure in accordance with the LRCA requests; (Ex. 44G.)
 - h. Committing to monitor inlets during construction to ensure that they are not blocked and will not increase flooding problems and the Applicant's CMP notes

that the Applicant will work with DCRA to maintain temporary stormwater management systems throughout the construction of the Project so as to avoid any adverse water impacts to the adjacent neighborhood. Furthermore, the development of the Project will include robust landscaping features that are complementary to those in Block A; (Ex. 44A, 44G.)

- i. Committing to continue to regularly engage with the LRCA and the ANCs to facilitate coordination of input from residents. The Applicant will make information on retail plans available at the Lamond Riggs library for individuals without computer access and will continue to engage with the LRCA and the ANC to hear community feedback on the retail plans; (Ex. 44.)
- j. As discussed in FF 53 above, both the Explore! Children's Museum and Meow Wolf will provide discounted admission to residents of Ward 4 and Ward 5, and to District residents, respectively;
- k. As discussed in FF 31 above, Block B will introduce several public gathering spaces, particularly along the closed portion of 4th Street, N.E., pedestrian/flex area, that will be open to visitors of all ages. Block B will also include a variety of retail offerings and a food hall that will appeal to adults and seniors;
- l. Committing to continue to abide by the terms of the First Source Employment Agreement that were followed during the development of Block A. Furthermore, the grocery store operator will hold at least three monthly hiring open houses in the four months prior to the opening of the Aldi store. The open houses will provide local job candidates with information about employment opportunities with the grocery store operator; (Ex. 33, 44.)
- m. Noting that as part of the relocation process for Riggs Plaza residents, the Applicant has relocated all but four of the original Riggs Plaza tenants. The Applicant will continue to work with the few remaining Riggs Plaza tenants to ensure a smooth and respectful relocation; (Ex. 44.)
- n. Noting that the charter school is expected to begin operations in the fall of 2020; (Ex. 44.)
- o. Noting that the Overall PUD Order approved an affordable housing requirement of 171 affordable housing units. Block A included 141 affordable units and the remaining 30 affordable units originally to be provided in Block C will be provided in Block B. Upon the delivery of the Block B residential units, the affordable units in Block A and Block B will fulfill the affordable housing requirement set forth in the approved first-stage PUD order. As discussed above, the Applicant is maintaining one of the Riggs Plaza Apartment buildings as part of the tenant relocation plan and the artist units will be offered at 60% AMI for 20 years from the issuance of the first Certificate of Occupancy in Block B. As discussed further below, the Applicant does not believe that IZ requirements should apply to the residential units in Block B. However, the Applicant noted

that if the Commission determined that the IZ requirements do apply, it requests flexibility from those requirements; (Ex. 46.)

- p. Noting that, to the extent that additional housing units above the 950 approved in the Overall PUD Order are provided in future phases, such additional housing will be subject to IZ; and (Ex. 44.)
 - q. Noting that shared library parking is not appropriate for Block B because the Lamond-Riggs library is an institution that primarily serves its immediately surrounding neighbourhood. Due to the close proximity to its primary patrons' residences, library patrons may walk or bike to the library. The Applicant further noted that it would be difficult for the Applicant and the library to develop and coordinate a parking validation system. Furthermore, the Applicant stated its concern that commuters using the Fort Totten Metrorail station will utilize the parking at Block B as commuter parking and stop by the library simply for validation at the end of the day, placing a significant burden on library staff to manage a parking validation system. (Ex. 44.)
57. In response to LRCA's post-hearing submission, the Applicant agreed to continue to explore the possibility of shared or validated parking for the library in a post-hearing submission. (Ex. 47, 54.)

Response to Casey Trees

58. The Post-Hearing Statement addressed Mr. Balog and Casey Trees' comments as follows: (Ex. 44, 44H.)
- a. Protection of Seven Existing Trees. The Applicant noted that six of the seven trees identified by Casey Trees are in the proposed excavation area of Block B and therefore cannot be preserved. However, the Applicant will preserve one of these seven trees. While this tree will be preserved during the construction of Block B, the future realignment of Kennedy Street, N.E., will require the removal of this tree;
 - b. Protection of Three Trees along Perimeter and One Tree beside the Residential Building. The Applicant noted that one of the trees identified by Casey Trees along the perimeter of the Art Place building no longer exists. The two other trees identified along the perimeter of the future Art Place building cannot be preserved as they are located within the limits of the project's excavation and disturbance area. The tree identified on the north side of the residential building can be preserved. While this tree will be preserved during the construction of Block B, the future realignment of Kennedy Street, N.E. will require the removal of this tree; and
 - c. Adopt a 3:1 Planting Ratio. The Applicant noted that as Block B is an urban project, the ability to introduce new plantings is limited and a 3:1 planting ratio cannot be met. However, Block B is designed as an environmentally sensitive

project, including its proximity to mass transit, provision of bikeshare facilities, and robust landscaping and planting plans. Block B will fulfill the Green Area Ratio requirements as well as the applicable stormwater management requirements.

Responses to Public Testimony

59. The Post-Hearing Statement addressed Ms. Grimstead's requests by noting that maintenance of traffic plans are required to be reviewed and approved by DDOT prior to construction impacts to public streets and that the projects identified by Ms. Grimstead will be required to submit Maintenance of Traffic plans for their respective construction schedules. The Applicant committed to work with DDOT to coordinate the Maintenance of Traffic plans for the adjacent developments to the extent possible, pending a formalized timeline of building for the various projects. (Ex. 44C.)
60. The Post-Hearing Statement addressed Mr. Baker's requests as follows:
- a. Shared and Validated Parking: The Applicant stated that it does not believe that shared library parking is appropriate for the Project as stated above but agreed to explore the possibility of shared or validated parking; (FF 51.)
 - b. Bicycle Parking: The Applicant will provide the amount of bicycle parking required by the Zoning Regulations. The Applicant wants to ensure that space is used optimally and efficiently at Art Place at Fort Totten and that excess bicycle storage does not go unused. Currently, at Block A, 232 long-term bicycle storage spaces are offered, but only approximately 75 are regularly used. There are 18 retail bicycle storage spaces offered in Block A, and they are also rarely used and often empty; and (Ex. 44.)
 - c. Traffic Signal: As noted in Finding of Fact 48.b, the Applicant will fund a signal warrant study for the intersection at Ingraham Street, N.E. and South Dakota Avenue, N.E., upon full buildout of the Project. The Applicant will also design and fund the construction of a full traffic signal if warranted. (Ex. 44C.).

Responses to the Application

OP Reports

61. OP submitted a total of three reports regarding the Application:
- a. A report dated November 9, 2018 recommending that the Commission set down the Application for a public hearing (the "OP Setdown Report"); (Ex. 10.)
 - b. A hearing report dated March 25, 2019 recommending approval of the Application (the "OP Hearing Report"); and (Ex. 25.)

- c. A post-hearing report dated May 20, 2019 (the “OP Post-Hearing Report”). (Ex. 53.)

The OP Setdown Report

62. The OP Setdown Report concluded that the Commission’s prior determination in the Overall PUD Order that the Overall PUD is not inconsistent with the Comprehensive Plan is not affected by any subsequent changes to the Comprehensive Plan. OP also noted that the Property is identified by the Generalized Policy Map as a Housing Opportunity Area and the addition of a residential component to Block B is consistent with this designation. OP further concluded that the FAR of 2.55⁵ proposed at the time of the report is not inconsistent with the Property’s FLUM designation.
63. The OP Setdown Report requested additional information from the Applicant related to the Application.
64. The Applicant responded to the questions raised in the OP Setdown Report in its Pre-hearing Statement and 20-Day Statement. (FF 41, 46.)

The OP Hearing Report

65. The OP Hearing Report recommended approval of Application. OP noted the Applicant worked closely with OP throughout the application process on the Project’s design and the Applicant had significantly improved the Project’s massing, building elements, proposed facades, landscape architecture, design of public spaces, and publicly accessible private outdoor spaces.
66. The OP Hearing Report also discussed the two main benefits of the Application: the shift of residential units from Block C to Block B, including the retention of the existing Riggs Plaza Apartments and the Applicant’s proffer of a First Source Agreement. OP encouraged the Applicant to implement policies and procedures to promote hiring and training of neighborhood residents for on-site jobs and to encourage leasing to neighborhood-serving retail establishments. As discussed further herein (FF 56(1)), the grocery store operator will hold at least three monthly hiring open houses in the four months prior to the opening of the Aldi store. (FF 56(1).) The open houses will provide local job candidates with information about employment opportunities with the grocery store operator.
67. OP noted that it had referred the application to several agencies, including:
 - a. DDOT;
 - b. DOEE;

⁵ The Applicant further reduced the FAR since the date of the OP Hearing Report to 2.47.

- c. DC Public Libraries (“DCPL”);
 - d. MPD; and
 - e. Department of Housing and Community Development (“DHCD”).
68. The OP Hearing Report stated that:
- a. DDOT recommended several changes that the Applicant has accepted, including the elimination of the curb cut and garage entry previously proposed on South Dakota Avenue;
 - b. The Applicant worked closely with DOEE on sustainability and stormwater plans;
 - c. DCPL has no objection to the Project and will not be filing a separate report; and
 - d. MPD will not be filing a separate report.
69. The OP Report noted that DCHD raised the following issues:
- a. That additional information was needed regarding:
 - i. The subsidy and terms for the artist housing and any application that may be filed for related funding; and
 - ii. The relocation plans for remaining Riggs Plaza Apartment residents; and
 - b. That IZ should apply to the residential units that would be relocated from Block C to Block B and that the change in use from the approved first-stage PUD warrants the proffering of additional IZ units.
70. The OP Report also requested additional information from the Applicant related to the Application.
71. The Applicant responded specifically to each item raised by OP in its Second Supplemental Statement, as well as during the Applicant’s presentation at the public hearing and the Applicant’s Post-Hearing Statement. (Ex. 34, 44, 47.)

OP’s Public Hearing Testimony

72. At the Public Hearing, OP recommended that the Commission approve the Project but requested three pieces of additional information from the Applicant. (4/4/19 Tr. at 102.)

The OP Post-Hearing Report

73. The OP Post-Hearing Report responded to the Commission's two requests made at its May 20, 2019 public meeting, specifically OP stated that:
- a. The FLUM designates the site as appropriate for medium-density residential/medium-density commercial uses; and
 - b. DDOT's standard for electric vehicle charging stations is one station for every 50 parking spaces, and that accordingly, for the proposed 750 spaces in Building B, 15 charging stations would be required to meet DDOT standards. It stated that the Applicant agreed that it will specify the number of charging stations that will be required to meet LEED ND standards, and that if this number is smaller than the number required by DDOT Standards, the Applicant will meet the DDOT standard.

DDOT Reports

74. DDOT submitted a total of three reports regarding the Application:
- a. A report dated March 25, 2019 (the "DDOT Report"); (Ex. 24.)
 - b. A supplemental report dated May 17, 2019 (the "Supplemental DDOT Report"; and (Ex. 50.)
 - c. A second supplemental report dated May 28, 2019 (the "Final DDOT Report"). (Ex. 55.)

The DDOT Report

75. The DDOT Report stated that it had no objection to the approval of the second-stage PUD Application, subject to certain revisions and conditions. The DDOT Report noted that it found the Applicant's proposed LMP to be sufficient and that the preliminary public space plans are generally consistent with DDOT standards. (Ex. 24.)

The Supplemental DDOT Report

76. The Supplemental DDOT Report listed the mitigations that DDOT recommended to be included in the final order in the case, and stated that there were several mitigations that the Applicant did not accept, including:
- a. Funding a possible traffic signal at the intersection of South Dakota Avenue and Ingraham Street, N.E., if a warrant study showed that it should be constructed two years after the full buildout of the project;
 - b. Improvements to the pedestrian infrastructure at the intersection of Hamilton Street, Ingraham Street and the public alley; and

- c. Pedestrian and bicycle improvements on 3rd Street, N.E.

DDOT Public Hearing Testimony

77. DDOT also stated that some elements of the Project do not meet DDOT standards, including vaults in public space and a noncontinuous row of trees on South Dakota Avenue.
78. DDOT additionally noted that the Applicant did not concur with two of DDOT's revisions to the TDM plan, but that given the reduction in parking, DDOT finds the TDM plan to be sufficient as proposed by the Applicant. (4/4/19 Tr. at 106.)
79. In its Post-Hearing Statement, the Applicant proposed to improve the site frontage along South Dakota Avenue consistent with the frontage on Block A. (Ex. 44C.)

The Final DDOT Report

80. The Final DDOT Report stated that DDOT and the Applicant had come to an agreement about the proposed mitigations, described them, and requested that they be included as conditions of this Order.
81. DDOT testified that the Applicant did not accept the following proposed mitigations: (4/4/19 Tr. 105-107.)
 - a. Dedication of funds that would have been applied to a full signal at South Dakota Avenue, N.E., and Ingraham Street, N.E., if the full signal is ultimately not warranted;
 - b. Improvement of pedestrian infrastructure at the intersection of Hamilton Street, N.E., Ingraham Street, N.E., the public alley, and on 3rd Street, N.E.; and
 - c. Removal of the crosswalk and associated curb ramps across South Dakota at Jefferson Street, N.E.

ANC 5A

82. ANC 5A submitted a report stating that at its duly noticed and regularly scheduled meeting on March 27, 2019, with a quorum present, ANC 5A approved a resolution in support of the project (the "ANC Report"), noting specifically: (Ex. 28.)
 - a. The ANC was supportive of the overall mix of uses for the Block B development, particularly the Aldi grocery store;
 - b. The ANC believes that the Applicant has addressed concerns about traffic, parking, pedestrian travel, stormwater and infrastructure, and security at the site; and

- c. The ANC found the Applicant to be responsive to questions and comments from the community.

LCRA

83. LRCA testified in support of the Project but made several comments regarding the development of the Project, and requested additional information including:
 - a. More information on traffic and transportation issues, including parking signage, traffic signals, pick up/drop off zones, crosswalks, and pedestrian improvements;
 - b. Details regarding construction management, including, debris, pest control, truck routing, and sidewalk closures;
 - c. Pedestrian-oriented lighting and the formerly proposed kinetic façade;
 - d. Opportunities for carsharing services and SmarTrip cards for residents;
 - e. Proposed security and trash cleanup measures;
 - f. Details regarding flooding control and landscaping;
 - g. Appropriate retail offerings and solicitation of community feedback on retail tenants;
 - h. Admission discounts for offerings at the FEZ;
 - i. Seniors accessibility;
 - j. Neighborhood-based hiring;
 - k. Relocation of remaining Riggs Plaza residents;
 - l. Proposed use of existing warehouse buildings;
 - m. Affordable housing; and
 - n. Shared parking. (Tr. 116-130; Ex. 37.)
84. LRCA submitted a post-hearing response to the Applicant's proffered public benefits and draft conditions which generally supported the Applicant's proffers but requested that it consider the possibility of shared parking with the Lamond-Riggs neighborhood library. (Ex. 47.) The Applicant responded that they would continue to explore options (FF 56.)
85. LRCA submitted a second post-hearing response to the Applicant's submission. (Ex. 56.) It stated that LRCA supported the installation of a traffic signal at South Dakota and Ingraham Streets, N.E., supported the pedestrian and bicycle infrastructure improvements associated with the Project, and that LRCA appreciated the Applicant's agreement to

work with LRCA to explore the potential for shared or validated parking in the Project for visitors to the library.

Additional Responses

86. The South Dakota Avenue/Riggs Road Main Streets program submitted a letter of support for the Project. The letter noted that the South Dakota Avenue/Riggs Road Main Streets program believes the Project will be an exciting addition to the Ft. Totten and Lamond Riggs neighborhoods and will help foster and encourage a dynamic and vibrant streetscape along South Dakota Avenue and that the proposed mix of uses – including the arts, a museum, retail, and a grocery store – will help create a signature destination for the community. (Ex. 27.)
87. At the public hearing, Deborah Grimstead and Gavin Baker testified as persons in support of the Application: (Tr. 132-137.)
- a. Ms. Grimstead testified in support of the Project but asked that the Applicant consider the combined effects of the development of Block B, the Lamond-Riggs library, and a nearby townhome development on transportation connectivity; and (Tr. 132-134.)
 - b. Mr. Baker requested that the Applicant explore using shared parking, particularly with respect to the Lamond-Riggs library, and provide validated parking in Block B for visitors to the Lamond-Riggs library. Mr. Baker also requested that the Applicant provide a 1:1 ratio of bedrooms to long-term bicycle parking in the residential portion of Block B and address the traffic signal at Ingraham Street, N.E. and South Dakota Avenue, N.E. (4/4/19 Tr. At 134-137.)
88. The Commission received testimony from Spenser Balog, a representative of Casey Trees. In his testimony, Mr. Balog requested that the Applicant:
- a. Protect seven of the existing street trees along the closed portion of 4th Street, N.E.:
 - b. Protect three trees that are on the perimeter of the future Art Place building and one tree beside the residential buildings on the west side; and
 - c. Adopt a 3:1 planting ratio
89. The Applicant responded to Ms. Grimstead, Mr. Baker and Casey Trees in its Post-Hearing Submission discussed above at FF 58-60.

CONCLUSIONS OF LAW

1. The Applicant requested approval, pursuant to Subtitle X, Chapter 3 and Subtitle Z, Chapter 7, of a second-stage PUD and related first-stage PUD modifications. The Commission is authorized under the Zoning Act to approve a second-stage PUD and

PUD modifications consistent with the requirements set forth in Subtitle X §§ 302, 304, and 309 and Subtitle Z § 704.

2. *The purpose of the PUD process is to provide for higher quality development through flexibility in building controls, including building height and density, provided that a PUD:*
 - a. *Results in a project superior to what would result from the matter-of-right standards;*
 - b. *Offers a commendable number or quality of meaningful public benefits; and*
 - c. *Protects and advances the public health, safety, welfare, and convenience, and is not inconsistent with the Comprehensive Plan.*

(Subtitle X § 300.1.)

3. In evaluating a PUD, the Commission shall find that the proposed development:
 - a. *Is not inconsistent with the Comprehensive Plan and with other adopted public policies and active programs related to the subject site;*
 - b. *Does not result in unacceptable project impacts on the surrounding area or on the operation of city services and facilities but instead shall be found to be either favorable, capable of being mitigated, or acceptable given the quality of public benefits in the project; and*
 - c. *Includes specific public benefits and project amenities of the proposed development that are not inconsistent with the Comprehensive Plan or with other adopted public policies and active programs related to the subject site.*

(Subtitle X § 304.4)

First-Stage Modifications

4. Pursuant to Subtitle X § 302.2(a), when considering a two-stage PUD:

“the first-stage application involves general review of the site’s suitability as a PUD and any related map amendment; the appropriateness, character, scale, height, mixture of uses, and design of the uses proposed; and the compatibility of the proposed development with the Comprehensive Plan, and city-wide, ward, and area plans of the District of Columbia, and the other goals of the project...” (emphases added.)

5. *The scope of the hearing conducted pursuant to this section shall limited to the impact of the modification on the subject of the original application, and shall not permit the Commission to revisit its original decision. (Subtitle Z § 704.4.)*

6. While the Application proposes changes to the heights, density and permitted uses of individual building, it does so by shifting these elements from other buildings within the Overall PUD Site. As a result, there is no change to approved heights or density of the Overall PUD which the Commission determined was not inconsistent with the CP in the Overall PUD Order. (FF 14.)
7. The Application also proposes to change the use mix for Building B by:
 - a. Adding residential uses, including affordable units;
 - b. Increasing the cultural and art spaces; and
 - c. Reducing the size of the grocery store and children's museum uses.
8. Regarding the addition of residential uses to Building B, the Application simply proposed to move residential units from later phases to Building B. The Commission concurs with the analysis of OP and considers the provision of housing – both affordable and market-rate – in earlier phases of the overall development of the Overall PUD as a benefit and also notes that the Project will facilitate the relocation of existing residents by maintaining the existing Riggs Place Apartments.
9. With regards to the changes in the other uses, the Commission finds that the reduction in the size of the grocery and museum uses are a result of the Applicant's desire to incorporate residential uses in Building B, and to increase the amount of other culture and arts-centric spaces including maker space and Meow Wolf, and therefore the mix of uses continues to be a benefit of the Overall PUD.
10. The Commission also concludes that the modifications proposed by the Application will not result in a significant change to the potential adverse impacts of the Overall PUD as contemplated in the Overall PUD Order. In particular, the Commission notes that the development standards for the Overall PUD remain largely unchanged. The one area that has changed is the reduction in the amount of parking being provided on site which the Commission, in concurrence with DDOT, finds to be a benefit.
11. The Commission notes that the Application does not seek any additional flexibility from what was approved by the Overall PUD Order. The Commission concludes that there have been minor changes to the public benefits in terms of the proposed uses, but the Commission concludes that this is primarily due to the shift of uses between buildings in the Overall PUD and the Applicant's desire to provide more residential units in earlier phases and therefore concludes that there is no change to the balancing test.

Requested Flexibility Balanced by Public Benefits (Subtitle X § 304.3.)

12. The Commission notes that the Public Benefits continue to benefit the surrounding neighborhood and the District as a whole to a significantly greater extent than would a matter-of-right development and readily satisfy the Public Benefit Criteria. In particular

the Commission notes that the Project will now provide 239 units of market-rate housing, and 30 affordable units. The Commission also notes that the inclusion of residential uses in the Project allows the Applicant to retain the existing Riggs Plaza Apartments and facilitate the relocation of the existing residents.

Affordable Housing Requirement

13. The Commission finds that the Overall PUD Order approved the Overall PUD with a total of 171 affordable units. (Order No. 06-10, FF 47.a and Condition No. 8.) As noted above, Block A provided 141 affordable units and the Project will provide an additional 30, thereby meeting the requirements of the Overall PUD Order. The Commission concludes that should future phases of the Overall PUD provide additional residential units in excess of the 950 approved by the Overall PUD Order, that those units will be subject to the IZ regulations applicable at the time of application.

Second-Stage PUD

14. Pursuant to Subtitle X § 302.2(b):
“the second-stage application is a detailed site plan review to determine transportation management and mitigation, final building and landscape materials and compliance with the intent and purposes of the first-stage approval, and this title” (emphases added.)

Consistency with First Stage Approval (Subtitle X § 302.2.)

15. *If the Zoning Commission finds the application to be in accordance with the intent and purpose of the Zoning Regulations, the PUD process, and the first-stage approval, the Zoning Commission shall grant approval to the second-stage application, including any guidelines, conditions, and standards that are necessary to carry out the Zoning Commission's decision.* (Subtitle X § 309.2.)
16. The Commission has found that the Application is in accordance with the Zoning Purposes, the PUD process, and the Overall PUD Order, as modified by this Order. Accordingly, the Commission concludes that it must approve the Application subject to the Conditions of this Order.

Potential Adverse Impacts - How Mitigated or Outweighed (Subtitle X §§ 304.3 and 304.4(b).)

17. The Commission concludes that the potential adverse impacts specific to Building B are either being mitigated or outweighed by the public benefits.
18. The Commission finds that the Project has been designed to avoid potential adverse effects of the second-stage PUD development of Building B. The Commission finds that while the Project will result in some, predominantly traffic-related, impacts — the Applicant's mitigation efforts and the proffered Public Benefits provide sufficient justification for the Project. Moreover, the Public Benefits generally accrue most significantly to the area immediately surrounding the Project. Therefore, those most likely to be adversely affected by the Project nonetheless also benefit from it.

19. The Commission finds that the Applicant responded fully to DDOT's questions raised in the DDOT Report and at the public hearing and has provided satisfactory evidence to support its responses. The agreed upon mitigations have been incorporated as conditions of this Order.
20. The Commission finds that the Applicant has fully and satisfactorily responded to Casey Trees' comments. The Applicant's responses are supported by substantial evidence in the record, including the Applicant's tree inventory and tree removal plans.

“Great Weight” to the Recommendations of OP

21. The Commission is required to give “great weight” to the recommendation of OP pursuant to § 5 of the Office of Zoning Independence Act of 1990, effective September 20, 1990. (D.C. Law 8-163; D.C. Official Code § 6-623.04 (2018 Repl.) and Subtitle Z § 405.8; *Metropole Condo. Ass'n v. D.C. Bd. of Zoning Adjustment*, 141 A.3d 1079, 1087 (D.C. 2016).)
22. OP confirmed that the Applicant responded completely to OP's questions at the public hearing and in its Post-Hearing Statement, specifically that the residential component of the Overall PUD not subject to IZ is based on the total number of units approved in the Overall PUD Order and that the amenities provided in Block A will be available to the residents of Block B.
23. The Commission finds persuasive OP's analysis and recommendation that the Commission approve the Application and therefore concurs in that judgment.

“Great Weight” to the Written Report of the ANC

24. The Commission must give “great weight” to the issues and concerns raised in the written report of the affected ANC pursuant to § 13(d) of the Advisory Neighborhood Commissions Act of 1975, effective March 26, 1976. (D.C. Law 1-21; D.C. Official Code § 1-309.10(d) (2012 Repl.) and Subtitle Z § 406.2.) To satisfy the great weight requirement, the Commission must articulate with particularity and precision the reasons why an affected ANC does or does not offer persuasive advice under the circumstances. (*Metropole Condo. Ass'n v. D.C. Bd. of Zoning Adjustment*, 141 A.3d 1079, 1087 (D.C. 2016).) The District of Columbia Court of Appeals has interpreted the phrase “issues and concerns” to “encompass only legally relevant issues and concerns.” (*Wheeler v. District of Columbia Board of Zoning Adjustment*, 395 A.2d 85, 91 n.10 (1978) (citation omitted).)
25. The Commission carefully considered the ANC 5A Report supporting approval of the Application, in particular the mix of uses to be provided by the Project. The Commission also concludes that the Applicant addressed the ANC Report's concerns regarding traffic, parking, stormwater and site impacts to ANC 5A's satisfaction and concurred in its recommendation of approval.

DECISION

In consideration of the record and the Findings of Fact and Conclusions of Law contained in this Order, the Zoning Commission concludes that the Applicant has satisfied its burden of proof and therefore **APPROVES** the Application for a second-stage PUD for and modification of a first-stage PUD for the Property for the mixed-use development described herein, subject to the Overall PUD Order and plans as modified by the following guidelines, conditions, and standards:

A. First-Stage PUD Modifications

1. Condition No. 7 of Z.C. Order No. 06-10, as modified by Z.C. Order No. 06-10A, is modified by revising (b)-(d) and adding (e) as follows (deleted text in **bold and strike through**; new text in **bold and underlined**):
 - 7.b. Building B shall be constructed as ~~a three-story~~ buildings not to exceed ~~60~~ **80** feet in height and shall include approximately ~~144,000~~ **52,470** square feet of ~~anchor retail and supporting retail uses,~~ ~~59,000~~ **9,267** square feet of grocery, an approximately ~~47,000~~ **26,070** square foot children's museum, **61,872 square feet of cultural uses, 80,308 square feet for Meow Wolf,** as well as ~~recreational and meeting space for resident and community seniors~~ **275,117 square feet of residential uses including 239 market rate residential units, and no fewer than 30 affordable artist housing units,** with a total gross floor area not to exceed ~~456,000~~ **549,996** square feet, **and a floor area ratio of 2.47 all of which would be for non-residential uses.** Building B shall have a maximum lot occupancy of approximately ~~76%~~ **62.9%** and contain approximately ~~1,100~~ **750** parking spaces;
 - 7.c. Building C shall measure eight stories and a maximum height of 90 feet and contain approximately ~~400 residential units, including not fewer than 30 income restricted units~~ **279,408 square feet of educational uses.** This building shall have a total building density of approximately ~~3.46~~ **1.81** FAR (~~not to exceed 520,000 gross square feet) on its own site, all devoted to residential uses,~~ and shall contain approximately ~~420~~ **390** parking spaces. Building C shall have a maximum lot occupancy of approximately 48%; ~~and~~
 - 7.d. Building D shall have seven stories and a maximum height of 90 feet, with a total density of approximately ~~3.25~~ **5.93** FAR (not to exceed ~~238,000~~ **384,596** gross square feet) on its own site, all of which shall be devoted to ~~non-residential uses including rehearsal and support space for Washington area performing arts institutions, with a reservation of approximately 20,000 square feet for a new branch library.~~ Building D shall have a maximum lot occupancy of approximately 71%. Approximately 160 parking spaces shall be provided in Building D; ~~and~~

7.e The Applicant shall have flexibility to modify the ultimate mix of residential and non-residential uses on Blocks C and D at the time the Second-Stage PUD applications are filed for each building.

B. Block B Development

1. Building B will be developed in accordance with the architectural drawings submitted into the record as Exhibits 44A1-44A10, as modified by the guidelines, conditions, and standards herein (collectively, the "Approved Plans").
2. The Applicant shall have design flexibility from the Approved Plans in the following areas:
 - a. To vary the location and design of all interior components, including but not limited to partitions, structural slabs, doors, hallways, columns, signage, stairways, mechanical rooms, elevators, and toilet rooms, provided that the variations do not change the exterior configuration or appearance of the structure;
 - b. To vary final selection of the exterior colors and materials within the color ranges and general material types approved, based on availability at the time of construction;
 - c. To vary the final selection of landscaping materials utilized, based on availability and suitability at the time of construction;
 - d. To make minor refinements to exterior details, dimensions, and locations, including belt courses, sills, bases, cornices, railings, balconies, trim, frames, mullions, spandrels, or any other changes to comply with Construction Codes or that are otherwise necessary to obtain a final building permit, or are needed to address the structural, mechanical, or operational needs of the building uses or systems;
 - e. To provide solar panels on the roof of Building B if it is economically feasible, if solar panels are provided, they will be set back from all building walls at a ratio of 1:1 to minimize any appearance from adjacent public spaces;
 - f. To increase or decrease the number of parking spaces provided Building B within five percent of 750 parking spaces; and
 - g. To modify the ultimate mix of residential and non-residential uses on Blocks C and D at the time each of the second-stage PUD applications are filed.

C. **Transportation and Mobility Impact Mitigations**

1. **For the life of the Project**, the Applicant shall abide by the terms of the transportation demand management plan, which requires compliance with the following:
 - a. The Applicant will work with DDOT to identify a space for a Capitol Bikeshare station on or near the site and provide funding for that station;
 - b. A member of the property management team will be designated as the Transportation Management Coordinator (“TMC”). The TMC will be responsible for ensuring that information regarding transportation options is disseminated to retail and residential tenants of the building. The position may be part of other duties assigned to the individual. The contact information for the TMC will be provided to DDOT and goDCgo, and the TMC will work with them to promote sustainable and active transportation options to and from the site;
 - c. The property management website will include information on and/or links to current transportation programs and services, such as:
 - Capital Bikeshare;
 - Car-sharing services;
 - Ride-hailing services (e.g. Lyft or Uber);
 - Transportation Apps (e.g. Metro, Citymapper, Spotcycle, Transit); and
 - The requirements of the transportation demand management plan.
 - d. A move-in kit will be provided to each new resident **for the first 10 years of the development** containing:
 - A Get Around Guide highlighting local transportation options;
 - A one-year annual membership to Capital Bikeshare (\$85);
 - A carshare membership of equivalent value (\$85); and
 - A SmarTrip Card preloaded with \$20.00.
 - e. The retailers and performing arts space tenants will work with DDOT and goDCgo to tailor and share transportation options to/from the site;
 - f. The performing arts space tenant will share “Getting Here” information with attendees and guests ahead of any events and post the same information on the website;
 - g. An electronic display will be provided in the residential lobby as well as the main cultural building lobby and will provide public transit information such as nearby Metrorail stations and schedules, Metrobus

stops and schedules, car-sharing locations, and nearby Capital BikeShare locations indicating the number of bicycles available at each location;

- h. Shower and changing facilities will be provided in the retail bike parking area building for employees who bike, walk, or jog to work;
- i. Convenient and covered secure bike parking facilities will be provided in accordance with the minimum required by the Zoning Regulations;
- j. A bicycle repair station will be provided on the P1 level of the garage;
- k. A sufficient number of electric car charging stations as required under LEED-ND standards will be provided in the garage;
- l. The cost of parking spaces for tenants will be unbundled from leases and will be based on market rates, and spaces will not be leased to outside groups with exceptions for district services;
- m. Two spaces will be designated in the garage for carsharing vehicles, and the applicant will work with regional carsharing companies to locate vehicles on this site if possible based on demand;
- n. Two spaces will be designated in the garage for vanpooling spaces to be used by commuters who vanpool to the area for work;
- o. Two annual transportation events will be held for residents, such as walking tours of local transportation options, a transportation fair, lobby events, and resident socials;
- p. The TMC will monitor parking demands so as to minimize spillover parking in surrounding neighborhood; and
- q. The TMC will monitor the use of the Capital Bikeshare and bicycle use around the Block B site to look for opportunities to implement elements of the moveDC plan, particularly with respect to bicycle infrastructure.

2. **For the life of the Project**, the Applicant shall abide by the terms of the loading management plan detailed in Exhibit 20A2 at pages 33-34, which requires compliance with the following:

- a. A loading dock manager will be designated by the building management (duties may be part of other duties assigned to the individual). He or she will coordinate with vendors and tenants to schedule deliveries and will coordinate with the community and neighbors to resolve any conflicts should they arise;

- b. All tenants will be required to schedule deliveries that utilize the loading dock (any loading operation conducted using a truck 20' in length or larger) and all loading activities are required to occur at the loading docks;
- c. The dock manager will schedule deliveries such that the dock's capacity is not exceeded. In the event that an unscheduled delivery vehicle arrives while the dock is full, that driver will be directed to return at a later time when a berth will be available so as not to compromise safety or impede street or intersection function;
- d. The dock manager will monitor inbound and outbound truck maneuvers and will ensure that trucks accessing the loading dock do not block vehicular, bike, or pedestrian traffic along the alley (except during those times when a truck is actively entering or exiting a loading berth);
- e. Trucks larger than a WB-50 will not be permitted to make deliveries to the residential loading docks. Trucks larger than a WB-67 will not be permitted to make deliveries to the commercial loading dock;
- f. Trucks using the loading docks will not be allowed to idle and must follow all District guidelines for heavy vehicle operation including but not limited to DCMR 20 – Chapter 9, Section 900 (Engine Idling), the regulations set forth in DDOT's Freight Management and Commercial Vehicle Operations document, and the primary access routes listed in the DDOT Truck and Bus Route Map (godcgo.com/truckandbusmap);
- g. The dock manager will be responsible for disseminating suggested truck routing maps to the building's tenants and to drivers from delivery services that frequently utilize the development's loading dock as well as notifying all drivers of any access or egress restrictions. The dock manager will also distribute materials as DDOT's Freight Management and Commercial Vehicle Operations document to drivers as needed to encourage compliance with idling laws. The dock manager will also post these documents and notices in a prominent location within the service areas; and
- h. An approximately 180-foot designated bus area is proposed on the west curb of South Dakota Street, N.E., midway between Ingraham and Kennedy Streets, N.E. This area will be monitored and programed by the loading dock manager of the building. The loading dock manager will be responsible for coordinating the different uses in the building and authorizing group sizes and arrival times for the bus area. Further, the loading dock manager will be responsible for disseminating information on the bus parking and loading area to potential visiting groups. In addition to the designated bus area, three PUDO zones are proposed.

Buses would be able to perform pick-up drop-off operations at a PUDO zone and park off-site if desired;

3. **Prior to the issuance of the first certificate of occupancy for the Project (except as provided in (c))**, the Applicant shall, subject to approval by DDOT at permitting:
- a. Extend the northbound left-turn storage at Riggs Road and South Dakota Avenue at 550 feet of total storage length (including half of the lane taper distance);
 - b. At South Dakota and Kennedy Streets, N.E., restripe the eastbound leg of Kennedy Street, N.E. approaching South Dakota Avenue, N.E. to provide two outbound lanes. The Applicant will work with DDOT through the permitting process to determine the appropriate lane widths and configuration;
 - c. At South Dakota Avenue, N.E. and Ingraham Street, N.E., the Applicant will design and pay for the installation of a full traffic signal as an upgrade to the currently planned HAWK signal being installed at this location, if warranted. The Applicant proposes to perform a full signal warrant study for future total conditions upon zoning approval, and if warranted, design and fund installation of the signal in conjunction with construction of the project, subject to DDOT approval at permitting. **If the initial traffic signal warrant analysis (which is based on forecasted conditions) does not meet the standards for the installation of a traffic signal at the intersection of South Dakota Avenue, N.E., and Ingraham Street, N.E., the Applicant will submit a second traffic signal warrant analysis, which will be based on traffic counts after the full building of the Block B project, with the second stage PUD application for either Block C or Block D that is required to be filed with the Zoning Commission by December 31, 2024. If the second traffic signal warrant analysis meets the warrant standards, the Applicant will design and fund the installation of the signal during the processing of that second stage PUD application;**
 - d. Improve pedestrian infrastructure at the intersection of Hamilton, Ingraham and the public alley to the southwest corner of the site. The Applicant will work with DDOT through the public space permitting process for the project to ensure that public space and other features within the public rights of way are designed and built to DDOT standards; and
 - e. The Applicant will improve pedestrian infrastructure of 3rd Street, N.E. by providing a new concrete 6-foot wide standard sidewalk, as well as an 8-foot-wide asphalt bicycle lane, as shown on Exhibit 44E of the record.

D. **Construction:** The Applicant will abide by the terms of the Construction Management Plan submitted into the record as Exhibit 44G.

E. **Promotion of the Arts and Uses of Special Value to the Neighborhood or the District of Columbia as a Whole:**

1. **Prior to the issuance of a certificate of occupancy for the Meow Wolf space,** the Applicant will provide evidence to the Zoning Administrator that residents of the District of Columbia will be able to receive discounted entry fees that are 15% less than the admissions fees charged for similar non-DC residents. These discounted entry fees will be applicable for the life of the Project.
2. **Prior to the issuance of a certificate of occupancy for the Explore! Children's Museum space,** the Applicant will provide evidence to the Zoning Administrator that residents of Ward 4 and Ward 5 will receive discounted entry fees of 25% off then prevailing ticket prices on a quarterly basis. These discounted entry fees will be applicable for the life of the Project.
3. **Prior to the issuance of the certificate of occupancy for the residential building,** the Applicant will provide evidence to the Zoning Administrator that it has entered into a contract with a qualified arts organization that will interview and select the qualified artists for the artist studio and maker spaces.
4. **For the life of the Project,** the Applicant will rent the artist studio and maker spaces to artists at a dollar/sf net monthly lease rate not to exceed 50% of the average dollar/sf net monthly lease rate charged to the other retail tenants in the Project.

F. **Benefits and Amenities:**

1. *Affordable Housing.* **Prior to the issuance of a building permit for the residential portion of the Project,** the Applicant shall provide the Zoning Administrator with evidence that the recorded Affordable Housing Covenant for the entire PUD project has been amended to reserve the 30 artist housing units in Block B to households with incomes not exceeding 60% MFI. The period of affordability will be 20 years from the issuance of the first Certificate of Occupancy in Block B. Consistent with the affordable housing requirements of the First-Stage PUD Order, the 30 artist affordable units will be distributed vertically and horizontally through the residential building in Block B, but not on the upper two floors, at a ratio of unit types that are consistent with the market-rate unit types.

The Overall PUD Order's 929 maximum residential units (up to 520 in Block A and 409 in Block C, location modified by this Order) are vested and so not subject to IZ requirements, but any additional residential units shall be subject to the IZ

regulations applicable at the time of the second-stage PUD application proposing the additional residential units.

2. *Sustainability.* **Prior to the issuance of the first certificate of occupancy for the Project**, the Applicant shall provide evidence to the satisfaction of DOEE and the Zoning Administrator that the entire PUD will be able to secure certification under the LEED ND rating system.
3. *Employment and Training Opportunities.*
 - a. **Prior to the issuance of the first building permit for the Project**, the Applicant shall provide evidence of the signed First Source Employment Agreement that was followed during the development of Block A; and
 - b. **Prior to the issuance of a certificate of occupancy for the grocery store space**, the Applicant (or the grocery store operator) will provide evidence to the Zoning Administrator that at least three monthly hiring open houses were held in the four months prior to the opening of the store. The open houses will provide local job candidates with information on employment opportunities with the grocery store operator.
4. *Mass Transit Improvements.* **Prior to the issuance of the first Certificate of Occupancy for the Project**, the Applicant shall provide evidence to the Zoning Administrator that it has paid for the installation of a Capital Bikeshare Station on the site, or at a nearby location identified by DDOT.
5. *Superior Landscaping and Creation of Open Spaces.* **For the life of the Project**, the Applicant will maintain the plaza and pedestrian areas shown on the Plans, including the dog-run.
6. *Dog Run.* The Applicant will relocate the dog-run prior to the issuance of a Certificate of Occupancy for the development of Block D, in order to accommodate the realignment of Kennedy Street, N.E.

G. Miscellaneous

1. No building permit shall be issued for the Project until the Applicant has recorded a Notice of Modification of the PUD Covenant in the land records of the District of Columbia. Such covenant shall bind the Applicant and all successors in title to construct and use the property in accordance with this order, or amendment thereof by the Commission. The Applicant shall file a certified copy of the Notice with the records of the Office of Zoning.
2. The approval for construction of the Project on Block B shall be valid for a period of two years from the effective date of this Order. Within such time, an application(s) must be filed for a building permit(s). Construction of the project must begin within three years of the effective date of this Order.

3. The Applicant shall file a second-stage PUD application for either Block C or Block D by **December 31, 2024**, and the second-stage PUD application for the other final development parcel included in the Overall PUD will occur by **December 31, 2030**.

VOTE (June 10, 2019): **5-0-0** (Anthony J. Hood, Robert E. Miller, Peter A. Shapiro, Michael G. Turnbull, and Peter G. May to **APPROVE.**)

In accordance with the provisions of Subtitle Z § 604.9, this Order No. 06-10D shall become final and effective upon publication in the *D.C. Register*; that is, on March 20, 2020.

BY THE ORDER OF THE D.C. ZONING COMMISSION

A majority of the Commission members approved the issuance of 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.

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA**NOTICE OF FILING****Z.C. Case No. 06-12S****(George Washington University – 2nd-Stage PUD and Modification of Significance to
PUD @ Square 57, Lot 56 [Foggy Bottom Campus – Smith Center])****March 10, 2020****THIS CASE IS OF INTEREST TO ANC 2A**

On February 25, 2020, the Office of Zoning received an application from George Washington University (the “Applicant”) for approval of a second-stage planned unit development (“PUD”) and modification of significance to a first-stage PUD for the above-referenced property.

The property that is the subject of this application consists of Lot 56 in Square 57 in northwest Washington, D.C. (Ward 2) at 600 22nd Street, N.W., within the boundaries of the Foggy Bottom Campus. The property is currently zoned RA-4. The Applicant is proposing to renovate and construct an addition to the Charles E. Smith Center (“SMITH Center”) to accommodate a dedicated practice court and related facilities for men’s and women’s basketball teams.

This case was filed electronically through the Interactive Zoning Information System (“IZIS”), which can be accessed through <http://dcoz.dc.gov>. For additional information, please contact Sharon S. Schellin, Secretary to the Zoning Commission at (202) 727-6311.

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
ZONING COMMISSION ORDER NO. 15-27A
Z.C. Case No. 15-27A
Grosvenor USA Ltd.
(First-Stage PUD Modification & Second-Stage PUD @
Square 3587, Lot 840 [340 Morse Street, N.E.]
June 17, 2019

At the properly noticed public hearing on June 17, 2019, the Zoning Commission for the District of Columbia (the “Commission”) considered an application from Grosvenor USA Limited (“Applicant”) for a modification of the first-stage planned unit development (“PUD”) and second-stage PUD approval (collectively, the “Application”) in accordance with the first-stage PUD approved by Z.C. Order No. 15-27 (the “Original Order”) for the property located at Square 3587, Lot 840 (part of Record Lot 6) (the “Property”). The Commission reviewed the Application pursuant to the Commission’s Rules of Practice and Procedures, which are codified in Subtitle Z of Title 11 of the District of Columbia Municipal Regulations (Zoning Regulations of 2016, the “Zoning Regulations,” to which all subsequent citations refer unless otherwise specified). For the reasons stated below, the Commission **APPROVES** the Application.

FINDINGS OF FACT

Notice

1. On April 25, 2019, the Office of Zoning (“OZ”) sent notice of the public hearing to:
 - The affected Advisory Neighborhood Commission (“ANC”) 5D, the “affected ANC” pursuant to Subtitle Z § 101.8;
 - The affected ANC Single Member District (“SMD”) 5D01;
 - The Office of Planning (“OP”);
 - The District Department of Transportation (“DDOT”);
 - The Department of Energy and the Environment (“DOEE”);
 - The D.C. Housing Authority (“DCHA”);
 - The Council of the District of Columbia (“DC Council”); and
 - Property owners within 200 feet of the Property.(Exhibit [“Ex.”] 17.)
2. OZ also published notice of the June 17, 2019 public hearing in the *D.C. Register* on May 3, 2019 (66 DCR 5622) as well as through the calendar on OZ’s website. (Ex. 15.)

Parties

3. The only parties to this case were the Applicant and ANC 5D.
4. 1250 4TH ST EDENS LLC and UNION MARKET APARTMENTS, LLC (“Parties in Support”) in the original case, did not participate in this case.
5. There were no additional requests for party status.

First-Stage Approval

6. Pursuant to the Original Order, the Commission approved a consolidated PUD (the “Consolidated PUD”) and a first-stage PUD (the “First-Stage PUD,” and collectively with the Consolidated PUD, the “Overall PUD”), together with a related Zoning Map amendment from the C-M-1 Zone District to the C-3-C Zone District¹ (currently the PDR-1 and the MU-9 zones, respectively) for Lots 819, 833-835, and 838-840 in Square 3587 (the “Overall PUD Site”).
7. As approved in the Original Order, the Overall PUD contemplated the development of the Overall PUD Site with four buildings known as Buildings A through D containing a mix of residential, retail, office, and optional hotel uses.
8. The Original Order approved the Overall PUD to be constructed in two phases:
 - a. Phase I/Consolidated PUD - the southern portion of Building A (“Building A1”), Building B, and the southern portion of Building C (Building C1); and
 - b. Phase II/First-Stage PUD - the northern portion of Building A (“Building A2”), the northern portion of Building C (Building C2), and Building D. This Order concerns Building A2 only.
9. As part of the First-Stage PUD, the Commission approved Building A2 to be developed with:
 - a. A maximum building height of 130 feet;
 - b. Approximately 249,323 square feet of gross floor area (“GFA”) devoted to 198 residential units;
 - c. Approximately 4,570 square feet of GFA devoted to retail use;
 - d. A floor area ratio (“FAR”) of 7.13;
 - e. 63 on-site parking spaces; and
 - f. One 30-foot loading berth, one 100-square-foot loading platform, and one 20-foot service/delivery space.
10. The Original Order approved Building A2 with:
 - a. 13,713 square feet of GFA (12 units) dedicated to Inclusionary Zoning (“IZ”) units at 50% AMI; and

¹ The C-M-1 and C-3-C Zone Districts were designations of the 1958 Zoning Regulations under which the Commission approved the Order.

- b. 13,713 square feet of GFA (12 units) dedicated to IZ units at 80% AMI, except that if Building A2 was developed as for-sale housing, the affordable housing requirement would be redistributed between Buildings A1, A2, and B as follows:
 - Building A2 would be permitted to reduce its IZ set-aside requirement to 8% (19,946 square feet) of its residential GFA to households earning up to 80% of the AMI; and
 - The remaining 3% of the residential GFA (13,713 square feet of GFA) would be redistributed to Buildings A1 and B combined, all of which would be devoted to households earning up to 50% of the AMI.

(Original Order, Finding of Fact (“FF”) No. 74, Decision Nos. B(1)(b), B(2), and Footnote 6.)

11. As part of the First-Stage PUD approval for Building A2, the Commission had granted the following flexibility as development incentives:
 - a. Loading berth size requirements:
 - b. The rear yard depth requirements; and
 - c. The building lot control requirements.

Original Order – PUD Analysis

12. In approving the Overall PUD, the Commission concluded that the Overall PUD had satisfied the criteria of §§ 2403.3 through 2403.5 of the 1958 Zoning Regulations² as follows:
 - a. The Overall PUD would not result in any adverse impacts that were not capable of being mitigated or outweighed by the proffered public benefits; (Z.C. Order No. 15-27, FF Nos. 149-151.)
 - b. The Overall PUD was consistent with the Comprehensive Plan (Title 10 of the District of Columbia Municipal Regulations, the “CP”), including the Generalized Policy Map, Future Land Use Map, and Elements; and
 - c. The Overall PUD proffered a commendable number of meaningful public benefits that were compatible with the CP. (Ex. 10.)

² Pursuant to Subtitle A §§ 102.1, 102.3(a), and 102.4, the Overall PUD has vested development rights under the 1958 Zoning Regulations under which the Commission approved it, but any modification other than a minor modification is subject to the Zoning Regulations of 2016.

The Application

13. On March 1, 2019, the Applicant filed the Application requesting a modification to the First-Stage PUD and a second-stage PUD approval (the “Second-Stage PUD”) for Building A2 with residential and retail uses in accordance with the Zoning Commission’s First-Stage PUD approval.³ (Ex. 4.)

First-Stage Modifications

14. The Application did not request any new development incentives for the Second-Stage PUD.
15. The Application sought to modify the plans approved by the Original Order⁴ for Building A2, with no changes to the GFA, FAR, number of units, building height approved for the Overall PUD, to permit the following:
- a. Increase the residential GFA by 10,608 square feet for a total of approximately 260,108 square feet by transferring residential density within the maximum allowed for the Overall PUD;⁵
 - b. Increase the number of residential units by 62 for a total 260 residential units by transferring units within the maximum allowed for the Overall PUD;⁶
 - c. Increase the retail GFA by 2,017 square feet to approximately 6,587 square feet by transferring retail density within the maximum allowed by the Overall PUD;⁷
 - d. Increase the number of on-site parking spaces by 102 to a total 165 as allowed under the Original Order;⁸ and
 - e. Provide an additional 30-foot loading berth, and 100-square-foot loading platform, for a total of two berths and two platforms.

(Ex. 21A, 26A.)

³ On December 20, 2018, the Applicant had originally submitted a second-stage PUD application that included other buildings approved by the First-Stage PUD. (Ex. 2.)

⁴ The increases proposed by the Application for GFA, residential units, on-site parking, and FAR are all within the totals approved, including applicable flexibility, for the Overall PUD in the Original Order. (Original Order Decision Nos. A.2 and A.8.a; Ex. 14B, 25.)

⁵ The additional square footage is the result of a transfer of 8,740 square feet from Building A1 and 1,868 square feet from B to Building A2 and does not increase the approved GFA of the Overall PUD. (Ex. 14B, 25, and Ex. 61A1 of Z.C. Case No. 15-27)

⁶ Of the additional 62 units in Building A2 two units were transferred from Building A1 and 60 were transferred from Building D. (Ex. 14B, Decision No. A.8.a., and Ex. 61A1 of Z.C. Case No. 15-27)

⁷ Of the increased retail GFA 972 square feet were transferred from Building A1, and 1,045 square feet from Building C2.

⁸ Pursuant to the flexibility granted by Decision A.8.b of the Original Order.

16. The Application proposed to move the boundary line of the First-Stage PUD to the south to match the property line between Lot 839 and the Property. (A&T Book 3880-B; Ex. 26A1-26A4.)
17. Given that development of Neal Place Park is incorporated into the development of Building A2, the Application requested that the Commission modify the following conditions of the Original Order related to the timing for development of Neal Place Park as follows (deleted text in ~~bold and strikethrough~~; new text in **bold and underlined**):

- a. Amend Decision No. B.14 to state the following:

Prior to the issuance of a Certificate of Occupancy for Building A2, the Applicant shall demonstrate to the Zoning Administrator that it has completed 75% 90% of construction of the Neal Place Park in accordance with Sheets 20, L1.01 L1.02, and L1 20 L1.21 of the Plans A-2 502 and 507-533 in Exhibit 21A of Z.C. Case No. 15-27A, as supplemented by Sheets 31 and 34-52 in Exhibit 26A of Z.C. Case No. 15-27A, and as certified by the landscape architect. Neal Place Park shall be 100% completed within 120 days after issuance of the Certificate of Occupancy, as certified by the landscape architect. (Ex. 61A) The Applicant shall submit detailed landscape design sheets as part of the Second Stage PUD application that shall be consistent with the above-referenced sheets.

- b. Strike Decision No. B.15 as follows:

Prior to the issuance of a Certificate of Occupancy for Building C2 or D (whichever is first), the Applicant shall demonstrate to the Zoning Administrator that Neal Place Park is 100% complete.

18. In response to concerns raised by ANC 5D regarding the potential of birds flying into the building (FF 67), the Applicant agreed to add the following condition:

New Decision No. B.28:

Materials - Prior to the issuance of a Certificate of Occupancy for Building A2, the Applicant shall demonstrate to the Zoning Administrator that it has installed low-reflective glass for the windows of Building A2 and incorporated a sound mitigation system to discourage birds from flying close to Building A2.

Second-Stage Application

19. The Application stated that Building A2 is intended to be developed as for-sale housing and will therefore dedicate no less than 8% of its residential GFA to IZ units devoted to households earning up to 80% of the AMI, which is consistent with the Original Order, FF No. 74, Decision Nos. B(1)(b), B(2), and Footnote 6.

20. In the event that Building A2 is delivered as a rental residential project, then 11% of Building A2's residential GFA (approximately 28,612 square feet) will be devoted to IZ units with half at 80% of the AMI and half at 50% of the AMI, which is consistent with the affordable housing proffer approved in Decision No. B(1) of the Original Order.
21. Building A2 will also dedicate 8% of its penthouse habitable space to an IZ unit dedicated to households earning up to 50% of the AMI, which is consistent with the penthouse IZ set-aside requirements of Subtitle C §§ 1003.2 and 1003.7.⁹ (FF 45.)
22. Building A2's penthouse will include communal amenity space for building residents and the second stories of up to six individual residential units. Outdoor terraces for the communal amenity space and private outdoor terraces for up to six units will also be provided.
23. Additional outdoor residential amenity space, private terraces for several individual residential units, and bioretention facilities to help meet stormwater management requirements will be provided in the courtyard terrace above the second level of the building.
24. One hundred sixty-five parking spaces will be located in three levels of parking, accessed from a single driveway on Building A1's lot. Two loading berths and one service/delivery space will be provided on Building A1's lot and accessed from the same driveway entrance.
25. Approximately 135 long-term bicycle parking spaces will be located in a bicycle room on the ground floor of Building A2 accessed directly from Neal Place Park and approximately 15 short-term bicycle parking spaces will be located on the streetscape adjacent to the entrances of Building A2.
26. The primary residential entrance to Building A2 is located in the center of Neal Place Park. Retail entrances are located along Neal Place Park and along 3rd Street. Direct access to the long-term bicycle parking for Building A2's residents is also located off of Neal Place Park at the opposite end of the retail and residential lobby entrances.
27. Solar panels will be located on the roof of the penthouse, and an intensive green roof system will be provided adjacent to the outdoor amenity spaces.
28. Consistent with the Original Order, Building A2 will achieve LEED-Gold certification under the LEED for New Construction v2009 rating standards.
29. Building A2's façade is divided into two distinct design elements that together create the concept of a "pearl-in-shell." The façade overlooking Neal Place Park consists mostly of low-reflective glass. The façade on the other three sides of Building A2 consists of masonry.

⁹ The penthouse habitable space generates an IZ requirement that was not contemplated in the First-Stage PUD for Building A2. The Applicant withdrew its initial request for flexibility from the requirements at the public hearing and stated that it would comply with the IZ requirements.

and glazing and is intended to speak to the industrial rail lines and heavily trafficked New York Avenue, N.E. to the west.

30. Various other design elements and creative use of materials will be implemented to reflect the neighborhood's rich history, including a long continuous retail canopy along the border of the building and Neal Place Park. The canopy will also serve to protect pedestrians from the elements and provide additional privacy for the residential units on the lowest residential floor above.
31. The defining feature of Building A2 is the design and implementation of Neal Place Park, which was approved in the First-Stage PUD but without a detailed design or program. As proposed by the Application, Neal Place Park will include approximately 11,575 square feet of land area, including the streetscape being improved by the Applicant adjacent to Neal Place Park and will be bounded on three sides by Building A2 and otherwise spill into the public realm to draw visitors from elsewhere within the PUD Site and overall neighborhood. Inspired by local topography and natural features, Neal Place Park allows for seasonal activation through immersive greenery, intimate gathering spaces, and a variety of outdoor seating options including garden boulders and movable café seating associated with the surrounding retail spaces. Neal Place Park also includes bioretention facilities, canopy trees, and a variety of landscaped garden areas. (Ex. 21A.)
32. The Applicant requested that the Commission approve the same design flexibility from the final plans that the Commission granted in Decision No. A(8) of the Original Order.

Application in Accordance with Intent of First-Stage PUD

33. As noted in the Application, the proposed modifications to the First-Stage PUD are all within what was approved for the Overall PUD by the Original Order (FF 15) and do not result in any material changes to the First-Stage Approval.
34. The Application asserts that the second-stage PUD application is in accordance with the intent of the First-Stage PUD approval and does not require a reevaluation of the PUD criteria pursuant to Subtitle X § 304.3 because:
 - a. The Application does not request any additional development incentives that would require a reevaluation of the consistency of the second stage with the CP;
 - b. The Application does not result in any potential adverse impacts that are not capable of mitigation and that would affect the PUD balancing test used by the Commission in the Original Order; and
 - c. The Application does not change any of the proffered public benefits in a way that would require the Commission to reevaluate the PUD balancing test.

(Ex. 25, Attachment 2.)

Applicant's Submissions

35. The Applicant submitted a total of four main submissions to the record in support of the Application:
- a. A submission dated April 12, 2019, responding to questions raised by OP and the Commission at setdown (the "Prehearing Statement"); (Ex. 14.)
 - b. A Comprehensive Transportation Review report, dated May 3, 2019 and prepared by Gorove/Slade Associates (the "CTR"); (Ex. 19-19A.)
 - c. A supplemental prehearing statement dated May 28, 2019 (the "Supplemental Prehearing Statement"); and (Ex. 21-21F.); and
 - d. A PowerPoint presentation and material boards dated June 17, 2019 containing the final set of plans and proposed materials for the Application (the "Hearing Presentation"). (Ex. 26A1-26A4, 27.)

The Prehearing Statement

36. The Prehearing Statement provided the following information in response to comments at setdown:
- a. Clarifying the IZ square foot calculation provided in Building A2;
 - b. Providing evidence that the aggregate FAR for the Overall PUD does not exceed 7.1 FAR, as approved in the Original Order;
 - c. Providing the approximate contribution that would be made to the affordable housing production trust fund generated by Building A2's habitable penthouse space if the Commission approved the Applicant's request for flexibility to provide a contribution rather than putting the IZ unit within Building A2;
 - d. Providing information about the proposed number of on-site parking spaces provided in Building A2;
 - e. Providing information about the use and design of Neal Place Park;
 - f. Providing additional information regarding the proposed building materials;
 - g. Explaining the Applicant's coordination with DC Water;
 - h. Confirming the location of the bicycle parking spaces; and
 - i. Specifying how the Applicant would provide \$200 per residential unit for alternative transportation incentives.

The CTR

37. The CTR reviewed the transportation-related conditions in the Original Order related to Building A2, described the development program for Building A2 and provided trip generation projections, reviewed the transportation components of Building A2, and outlined the proposed transportation demand management (“TDM”) measures for Building A2.
38. The CTR concluded that Building A2’s proposed development program results in insignificant changes to the trip generation reviewed and approved in the CTR for the First-Stage PUD. The CTR also found that:
- a. Building A2’s access and circulation plan is consistent with the approved First-Stage PUD;
 - b. Building A2’s loading facilities would sufficiently meet anticipated demand;
 - c. Building A2’s proposed bicycle parking exceeds the requirements of the Zoning Regulations;
 - d. The pedestrian environment would be greatly improved as a result of Building A2; and
 - e. The TDM plan promotes non-automobile modes of travel.
- (Ex. 19A at 2.)
39. The CTR proposed the following TDM measures for Building A2:
- a. The Applicant shall designate a TDM Coordinator, who is responsible for organizing and marketing the TDM plan and who will act as a point of contact with DDOT;
 - b. All parking on site will be priced at market rates at minimum, defined as the average cost for parking in a quarter-mile radius from the PUD Site;
 - c. All residential parking will be unbundled from the cost of purchase;
 - d. The Applicant will install a Transportation Information Screen (electronic screen) within Building A2’s residential lobby containing information related to local transportation alternatives;
 - e. The Applicant will provide TDM materials to new residents in the Residential Welcome Package materials;
 - f. The Applicant will exceed Zoning requirements for short-term and long-term bicycle parking, including 135 long-term bicycle parking spaces located in a secure room on the ground floor of the development and 16 short-term bicycle parking spaces in the form of eight bicycle racks along the perimeter of the A2 Site;

- g. The Applicant will provide a bicycle repair station within the long-term bicycle storage room;
- h. The Applicant will provide a bicycle repair station within a publicly accessible location along the perimeter of Building A2 or within the Neal Place Park;
- i. The Applicant will dedicate \$200 per residential unit in alternative transportation incentives that can be used as an annual Capital Bikeshare membership, an annual carshare membership, a carshare driving credit, or for bicycle repair/maintenance. These funds will be pooled during each phase of the Project into a fund that would make incentives available to residents until the fund is exhausted;
- j. The Applicant will purchase two cargo bicycles which will be kept within Building A2 and made available to residents of Building A2 for use;
- k. The Applicant will purchase three rolling shopping carts which will be kept within Building A2 and made available to residents of Building A2 for use; and
- l. The Applicant will fund the installation and one year of maintenance for a new Capital Bikeshare by Certificate of Occupancy of the first Phase 2 building completed.

The Supplemental Prehearing Statement

40. The Supplemental Prehearing Statement included revised Architectural Plans and Elevations and also provided the following additional information and materials:
- a. New renderings of Neal Place Park and of the tree line and canopy adjacent to the PUD Site;
 - b. A description of the design, purposes, and intended uses of Neal Place Park, including the areas devoted to stormwater management and bioretention and additional information regarding the feature wall located within the building;
 - c. A lighting plan showing the variety of lighting types and locations proposed for Neal Place Park;
 - d. Updated building signage sheets showing the approximate locations and dimensions of proposed signage;
 - e. Updated IZ unit location plans;
 - f. Building elevations with more detailed information regarding the types of building materials to be used and diagrams showing details of the window mullions;

- g. A detailed streetscape plan and descriptions of how the streetscape improvements and TDM measures are consistent with the Florida Avenue Market Study Small Area Plan (the “SAP”) and the Union Market Streetscape Guidelines;
- h. A description of the proposed solar and green roof components proposed for Building A2;
- i. A commitment, in response to DOEE comments, to install conduits and infrastructure needed to provide two electric vehicle (“EV”) charging stations in the garage of Building A2;
- j. Information about the number of parking spaces provided in the garage of Building A2; and
- k. An explanation of the Applicant’s work with DOEE and DC Water, including submission of the DOEE Declaration of Covenants for Stormwater Management applicable to the overall PUD Site, the DC Water Certificate of Approval for the overall PUD Site, and the Easement Agreement and Declaration of Covenants and Restrictions for the overall PUD Site. (Ex. 21D-21F.)

The Hearing Presentation Materials

- 41. The Hearing Presentation provided a complete set of final plans and a proposed materials board for the Application.
- 42. In response to earlier comments from OP and DPR to provide more interactive play areas within Neal Place Park, the Hearing Presentation included plans which incorporated a grassy area adjacent to the boulder seating.

Applicant’s Public Hearing Testimony

- 43. At the June 17, 2019 Public Hearing (the “Public Hearing”), the Applicant proffered Erwin Andres of Gorove/Slade Associates and Brad Lynch of Brininstool-Lynch as expert witnesses in transportation planning and architecture, respectively. The Commission granted expert status to both.
- 44. The Applicant rested on the existing case record and did not provide a formal presentation. However, the Applicant responded to questions posed by the Commission through testimony from Brad Lynch; Ryan Stewart, representing the Applicant; Bryan Werrell of Bohler DC; and Grace Dials of Scape Landscape Architecture.
- 45. The Applicant responded to the Commission’s concerns with providing the one IZ unit at 50% AMI through a contribution to the trust fund, by agreeing to provide the 50% AMI IZ unit within Building A2. (FF 21; June 17, 2019 Public Hearing Transcript [“6/17/19 Tr.”] at 21, 40.)
- 46. The Applicant responded to the ANC Report’s request that the Applicant propose solutions to prevent birds from flying into the windows of Building A2 by confirming that it is using

low-reflectivity glass for the windows and would incorporate a sound mitigation system to discourage birds from flying close to the building. (FF 67.) The Applicant agreed to make this a condition of this Order. (6/17/19 Tr. at 19-20.)

47. In response to comments in the DDOT Report, the Applicant agreed to modify the TDM condition regarding the \$200 alternative transportation incentive, and to add a condition regarding EV charging stations as follows: (FF 62.)

- a. The Applicant will purchase or otherwise provide \$200 for each residential unit, up to a maximum of \$52,000, for (i) a membership to Capital Bikeshare, (ii) a membership and/or driving credit to a carshare company, and/or (iii) a pre-loaded SmarTrip card, all to be provided at the initial sale of each unit; and (FF 39.i.)
- b. The Applicant will install three EV charging stations within the parking garage of Building A2. (FF 40.i.)

(6/17/19 Tr. at 8,13, 23.)

48. The Applicant addressed Casey Trees' concerns as follows: (FF 70.)

- a. The Applicant's civil engineer stated that the streets surrounding Building A2 and the associated street trees were designed in conjunction with DDOT's Urban Forestry Division to ensure that the trees along the curb have an extended soil volume panel to strengthen their root zone. The Applicant's civil engineer also stated that the bioretention areas in Neal Place Park have a 2.5-foot deep media section, which is 12 inches deeper than the minimum requirement and will allow for better plant viability and tree growth; and (6/17/19 Tr. at 38-39.)
- b. The Applicant's landscape architect stated that although it has not yet selected the tree species for Neal Place Park and the surrounding streetscape, it will consider native species and the local ecology in doing so to ensure that the plantings benefit the regional biodiversity. The Applicant's landscape architect also indicated that it would also review the recommendations provided in Casey Trees' Urban Tree Selection Guide and the Union Market Streetscape Design Guidelines which include a list of urban street trees that are well suited for a street environment. (6/17/19 Tr. at 31, 39.)

49. The Applicant responded to Ms. Ball's opposition testimony (FF 71) regarding construction impacts as follows:

- a. The Applicant stated that the construction related damage to which she referred was the result of projects currently under construction by other, unrelated developers. The Applicant noted that Building A2 has not yet begun construction; and (6/17/19 at 36.)

- b. The Applicant also noted that her property is located more than 200 feet away from the PUD Site, approximately four blocks away from Building A2, and therefore will not be directly impacted by the Project. (6/17/19 Tr. at 37-38.)

Responses to Application

Office of Planning

50. OP submitted a total of three reports concerning the Application:

- a. A report dated March 29, 2019, recommending that the Commission setdown the Application for a public hearing (the “OP Setdown Report”); (Ex. 10.)
- b. A pre-hearing report dated June 7, 2019 (the “OP Hearing Report”); and (Ex. 23.)
- c. A report dated June 13, 2019, recommending approval of the Application (the “Supplemental OP Report”). (Ex. 25.)

OP Setdown Report

51. The OP Setdown Report determined that the Application was consistent with the First-Stage PUD and therefore recommended that the Commission setdown the Application for a public hearing. The OP Setdown Report also identified items for which more information or clarification was needed from the Applicant prior to the public hearing. (Ex. 10.)
52. The OP Hearing Report concluded that the First-Stage PUD had been found not inconsistent with the CP, and it concluded that the proposed second-stage PUD for Building A2 was consistent with the First-Stage approval and therefore also not inconsistent with the CP, including the Future Land Use and Generalized Policy Maps, because the Application would further a number of the CP’s Guiding Principles and major polices from Plan Elements and that the Application was consistent with the SAP and Ward 5 Works. (Ex. 10 at 6-10; Ex. 15 of Z.C. Case No. 15-27.)
53. The OP Setdown Report provided an analysis on the public benefits and amenities approved in the Original Order and requested that the Applicant provide a benefits implementation chart demonstrating the status of completion of each public benefit.
54. The OP Setdown Report stated that OP referred the Application to other District agencies for review and comment, including:
 - DOEE;
 - the Department of Housing and Community Development (“DHCD”);
 - DDOT, the Department of Parks and Recreation (“DPR”);
 - D.C. Public Schools (“DCPS”);
 - Department of Public Works (“DPW”);
 - Department of Aging (“DOA”);
 - Department of Employment Services (“DOES”);
 - Fire and Emergency Medical Services Department (“FEMS”);

- Metropolitan Police Department (“MPD”);
- DC Water; and
- WMATA.

(Ex. 10 at 14-15.)

55. The Applicant provided the additional information requested by OP in its Prehearing Statement. (FF 36; Ex. 14.)

OP Hearing Report

56. The OP Hearing Report stated that an interagency meeting with the Applicant was held on May 28, 2019, with representatives from OP, DC Water, DOEE, DHCD, and DPR. The OP Report stated that it also contacted DCPS, DOES, FEMS, and MPD but received no responses and that the Applicant met separately with DDOT to address transportation concerns. (Ex. 23 at 1.) The OP Report included all of the comments raised by the various agencies at the interagency meeting and the Applicant’s written responses thereto. (Ex. 3-9; 23.)
57. The OP Hearing Report provided a further analysis of the Application but made no final recommendation regarding approval and instead requested that the Applicant provide five additional pieces of information prior to any approval or proposed action on the Application and stated that a final recommendation from OP would be provided after a complete analysis of the requested information. (Ex. 23.)
58. The Applicant responded to OP’s requests in its Supplemental Prehearing Statement and through submissions made directly to OP. (FF 40, 60; Ex. 25.)

Supplemental OP Report

59. The Supplemental OP Report stated that “[i]n light of the information provided, OP recommends approval of the Second Stage PUD for Building A2.”
60. The Supplemental OP Report included the following information submitted directly to OP from the Applicant:
- a. A table showing the affordable housing contribution for the PUD that OP agreed “demonstrates that the housing and affordable housing requirements are consistent with the total areas approved in the First Stage PUD.”;
 - b. A matrix with status updates on the benefits and amenities of the PUD;
 - c. A shade study demonstrating the condition of Neal Place Park throughout the day, which showed that at least a portion of Neal Place Park would be shaded throughout the course of the day, that the adjacent glazing would not render it unusable, and that the impact of the glazing would be offset by the landscaping which would include canopy trees; (Ex. 25 at 2.)

- d. A note that the Applicant would provide a detailed materials board at the public hearing; and
- e. A comprehensive site plan of the entire PUD Site showing the location of all green spaces, including Morse Plaza, the connection to Florida Avenue Park, and Neal Place Park. OP concluded that it “supports the design of Neal Place Park, particularly since the revised plan now includes more passive grass area around the boulder sculpture.”

OP’s Public Hearing Testimony

61. OP testified in support of the Application at the public hearing, stating that the Applicant had submitted everything requested in the OP Report. OP also stated its support for the proposed grassy area and the overall revised design for Neal Place Park as shown in the Hearing Presentation Materials. (6/17/19 Tr. at 21-22.)

Department of Transportation

62. On June 6, 2019, DDOT submitted a report (“DDOT Report”) stating it had no objection to the Application subject to the Applicant agreeing to implement the TDM plan proposed in the CTR with two revisions: (Ex. 22.)
 - a. Clarify how the \$200 per residential unit devoted to alternative transportation incentives would be allocated; and
 - b. Commit to providing three EV charging stations rather than just the supportive conduits and infrastructure in the garage of Building A2, which equates to approximately one EV charging station per 50 vehicle parking spaces.
63. The DDOT Report’s recommendation was based on the following conclusions:
 - a. Vehicle, loading, and trash access is provided via a curb cut on 3rd Street, NE that will be shared with Building A1 and is consistent with DDOT standards;
 - b. The loading berths and service delivery space will have head-in/head-out movements consistent with DDOT standards;
 - c. The vehicle parking supply for the entirety of Building A is proposed to rise from approximately 0.47 to 0.54;
 - d. The building program for the Second-Stage PUD is generally consistent with the building program used to analyze the PUD’s impacts in the First-Stage PUD, and accordingly the travel assumptions and analysis of the First-Stage PUD remain valid. The Applicant did not provide an updated capacity analysis, which was appropriate.

(Ex. 22 at 2.)

DDOT's Public Hearing Testimony

64. At the public hearing, DDOT testified that DDOT had no objection to approval of the Application because the Applicant had agreed to incorporate DDOT's recommendations into its TDM Plan and therefore satisfied DDOT's concerns. (FF 47.)
65. In response to a question from the Commission, DDOT confirmed the Applicant's commitment that the bicycle racks on the streetscape around Building A2 would be DDOT-standard inverted U-racks. (6/17/19 Tr. at 22-23.)

ANC 5D

66. By letter dated January 23, 2019, ANC 5D stated that at a duly noticed, regularly scheduled meeting of ANC 5D, with a quorum of commissioners and the public present, the ANC voted to support the Application (the "ANC Report"). (Ex. 3.) The ANC Report expressed its general support for the overall PUD and also stated its support for the proposal to develop Building A2 as a residential building with ground-floor retail, approximately 260 residential units, and a redesigned and greatly enhanced public park compared to the first-stage plans approved by the Original Order.
67. The ANC Report requested the Applicant study and propose solutions to prevent birds from flying into the glass windows of the proposed buildings. The Applicant responded to this concern at the public hearing. (FF 46.)
68. The ANC did not attend or testify at the public hearing.

Other Responses

69. The Parties in Support did not file a response to the Application or testify at the Public Hearing, and no other written responses were received.¹⁰
70. At the Public Hearing, Casey Trees, represented by Spenser Balog, testified neither in support of nor in opposition to the Application. (6/17/19 Tr. at 24-28.) Mr. Balog made two recommendations for the Applicant's consideration regarding development of the A2 Site:
- a. The Applicant should incorporate advanced tree growth systems to maximize canopy benefits; and
 - b. The Applicant should consult Casey Trees' Urban Tree Selection Guide in the selection of appropriate trees and bioretention systems for the A2 Site.

The Applicant's experts responded to Casey Trees as discussed above at FF 48.

71. At the Public Hearing, one individual, Ms. Shanifinne Ball, testified in opposition to the Application. Ms. Ball stated that she lives at 1224 5th Street, N.E, and that her property has

¹⁰ Union Market Neighbors ("UMN") submitted a request to reopen the record to allow an untimely filing that UMN's representative had attempted to file at the Public Hearing. (Ex. 30.) UMN subsequently withdrew its request to reopen the record. (Ex. 31.)

been damaged as a result of recent construction projects in the immediate vicinity. Ms. Ball stated that as a result of construction in the neighborhood, her property has been impacted by significant dust, debris, and vermin, and that construction trucks have destroyed portions of her property, driveway, and vehicle. (6/17/19 Tr. at 32-37.) The Applicant addressed these concerns as discussed above at FF 49.

CONCLUSIONS OF LAW

1. Pursuant to the Zoning Regulations, the purpose of the PUD process is to provide for higher quality development through flexibility in building controls, including building height and density, provided that a PUD:
 - a. *Results in a project superior to what would result from the matter-of-right standards;*
 - b. *Offers a commendable number or quality of meaningful public benefits; and*
 - c. *Protects and advances the public health, safety, welfare, and convenience, and is not inconsistent with the Comprehensive Plan.*

(Subtitle X § 300.1.)

2. In evaluating a PUD, the Commission shall find that the proposed development:
 - a. *Is not inconsistent with the Comprehensive Plan and with other adopted public policies and active programs related to the subject site;*
 - b. *Does not result in unacceptable project impacts on the surrounding area or on the operation of city services and facilities but instead shall be found to be either favorable, capable of being mitigated, or acceptable given the quality of public benefits in the project; and*
 - c. *Includes specific public benefits and project amenities of the proposed development that are not inconsistent with the Comprehensive Plan or with other adopted public policies and active programs related to the subject site.*

(Subtitle X § 304.4.)

3. Pursuant to Subtitle X § 302.2, “[a] two-stage application has two (2) parts as follows:
 - a. The first-stage application involves general review of the site’s suitability as a PUD and any related map amendment; the appropriateness, character, scale, height, mixture of uses, and design of the uses proposed; and the compatibility of the proposed development with the Comprehensive Plan, and city-wide, ward, and area plans of the District of Columbia, and the other goals of the project; and
 - b. The second-stage application is a detailed site plan review to determine transportation management and mitigation, final building and landscape materials

and compliance with the intent and purposes of the first-stage approval, and this title.” (emphasis added.)

First-Stage PUD Modification

3. *The scope of the hearing conducted pursuant to this section shall limited to the impact of the modification on the subject of the original application, and shall not permit the Commission to revisit its original decision. (Subtitle Z § 704.4.)*
4. The Commission concludes that the Application’s proposed modifications to the First-Stage PUD, as approved by the Original Order, do not result in any material change to the First-Stage or the Overall PUD because the proposed modifications only shift density and units within the Overall PUD Site while remaining compliant with the applicable height, bulk, and density standards of the Overall PUD and the Zoning Regulations. (FF 15.) Specifically, the Commission concludes that the Application does not propose any changes that would:
 - a. Affect the CP analysis by changing the height or density of the Overall PUD;
 - b. Result in any potential adverse impacts other than the localized impacts that are capable of being mitigated as discussed below;
 - c. Require additional development incentives; or
 - d. Alter the proffered public benefits (the Commission notes that the IZ unit proffer will be achieved through the distribution condition with Buildings A1 and B provided for in the Original Order). (FF 19-21.)

Second-Stage PUD Approval

6. *If the Zoning Commission finds the application to be in accordance with the intent and purpose of the Zoning Regulations, the PUD process, and the first-stage approval, the Zoning Commission shall grant approval to the second-stage application, including any guidelines, conditions, and standards that are necessary to carry out the Zoning Commission's decision. (Subtitle X § 309.2.)*
7. *The scope of the hearing conducted pursuant to this section shall be limited to impact of the modification on the subject of the original application, and shall not permit the Commission to revisit its original decision. (Subtitle Z § 704.4.)*

In Accordance with the Zoning Regulations

8. The Commission concludes that the Application is in accordance with the intent and purpose of the Zoning Regulations applicable to the Property and the Overall PUD. (FF 14-15, 21.)

In Accordance with the PUD Process

Not Inconsistent with the CP (Subtitle X § 304.4(a))

9. Accordingly, consistent with Subtitle X §§ 302.2 and 309.2, the Commission concludes that the Application results in no changes to the Commission’s determination in the Original Order that the Overall PUD is not inconsistent with the CP. (FF 15.)

Potential Adverse Impacts of the Second Stage PUD - How Mitigated or Outweighed (Subtitle X §§ 304.3 & 304.4(b))

10. The Commission concludes that the Application was distributed to all relevant District agencies, other than DDOT, who were given an opportunity to provide feedback and participate in an interagency meeting hosted by OP. As noted in the OP Reports and as testified to by OP at the Public Hearing, the Applicant fully addressed all issues raised by District Agencies. (FF 40, 54, 56, 60, 64, 65.)
11. The Commission notes that the only impacts that may result specifically from Building A2 are related to traffic. The Commission concludes that the Applicant's proposed TDM Plan, as amended and approved by DDOT, will sufficiently mitigate these potential impacts and will not result in a change to the potential adverse impacts of the Overall Project that the Commission considered in the Original Order. (FF 38-39, 47, 63-64.)
12. With regards to the ANC's concern of the potential for birds to fly into Building A2, the Commission concludes that the Applicant's proposal to provide low-reflective glass for the building windows, as well as sound mitigation, will adequately address the issue. (FF 46.)
13. With regard to Casey Trees' concerns, the Commission credits the testimony of the Applicant's experts at the public hearing, and therefore, the Commission finds that the Applicant fully responded to the comments and recommendations provided by Casey Trees at the public hearing and would make final selections based on DDOT-approved guidelines. (FF 48.)
14. With regards to Ms. Ball's stated concerns regarding construction, the Commission concludes that there is no nexus between Ms. Ball's concerns and Building A2 because the projects referenced in her testimony are already under construction and Building A2 is not. The Commission further concludes that, given the distance between the PUD Site and Ms. Ball's property, there is no basis to conclude that future construction of Building A2 will negatively impact Ms. Ball's property. Therefore, the Commission concludes that the concerns raised by Ms. Ball are unrelated to the present Application. (FF 49, 71.)

Requested Flexibility Balanced by Public Benefits (Subtitle X § 304.3)

15. The Commission concludes that the Application did not request any additional PUD flexibility for the Second-Stage PUD that would require the Commission to rebalance the flexibility against the public benefits, or require additional public benefits. (FF 14.)

In Accordance with the First-Stage Approval

16. The Commission concludes that the Second-Stage PUD is consistent with the first-stage approval based on the Application, the OP and DDOT Reports, and the testimony provided at the Public Hearing as further discussed below.
17. The Application's proposed development of the Property carries out the purposes of Subtitle X, Chapter 3 to encourage the development of well-planned developments which will offer a variety of building types with more attractive and efficient overall planning and design not

achievable under matter-of-right development. The Application is in accordance with the purposes and goals of the Commission’s approval in the First-Stage PUD – the Application proposes no change to the PUD development incentives, or public benefits, and potential adverse Second-Stage PUD impacts are addressed by specific mitigations. (FF 19-49.)

18. Based on its review of the revised design for Neal Place Park, the Commission finds that Neal Place Park furthers the intent of the first-stage approval and complements the other open spaces within the Overall PUD by providing immersive greenery, intimate gathering spaces, an interactive grassy area, boulderscapes, and retail engagement to attract members of the public and therefore enhances the important public benefit approved in the Original Order. (FF 31.)

“Great Weight” to the Recommendations of OP

19. The Commission is required to give “great weight” to the recommendation of OP pursuant to § 5 of the Office of Zoning Independence Act of 1990, effective September 20, 1990. (D.C. Law 8-163; D.C. Official Code § 6-623.04 (2018 Repl.) and Subtitle Z § 405.8.) (*Metropole Condo. Ass’n v. D.C. Bd. of Zoning Adjustment*, 141 A.3d 1079, 1087 (D.C. 2016).)
20. The Commission finds persuasive OP’s analysis of the Application, as revised, and recommendation that the Commission approve the Application and therefore concurs in that judgment.

“Great Weight” to the Written Report of the ANC

21. The Commission must give “great weight” to the issues and concerns raised in the written report of the affected ANC pursuant to § 13(d) of the Advisory Neighborhood Commissions Act of 1975, effective March 26, 1976. (D.C. Law 1-21; D.C. Official Code § 1-309.10(d) (2012 Repl.) and Subtitle Z § 406.2.) To satisfy the great weight requirement, the Commission must articulate with particularity and precision the reasons why an affected ANC does or does not offer persuasive advice under the circumstances. (*Metropole Condo. Ass’n v. D.C. Bd. of Zoning Adjustment*, 141 A.3d 1079, 1087 (D.C. 2016).) The District of Columbia Court of Appeals has interpreted the phrase “issues and concerns” to “encompass only legally relevant issues and concerns.” (*Wheeler v. District of Columbia Board of Zoning Adjustment*, 395 A.2d 85, 91 n.10 (1978) (citation omitted).)
22. The Commission finds that the only issue raised in the ANC Report was a concern about the potential for birds to fly into the proposed windows. The Commission concludes that the Applicant has addressed this issue by agreeing to use low-reflective glass in the building design and to incorporate that provision as a condition in the order. The Commission also notes the ANC’s strong support for the Application and recommendation of approval and concurs in that judgement.

DECISION

In consideration of the record and the Findings of Fact and Conclusions of Law herein, the Zoning Commission concludes that the Applicant has satisfied its burden of proof and therefore **APPROVES** the Application for a Second-Stage PUD for Building A2, subject to the applicable

conditions of Z.C. Order No. 15-27, except as modified and supplemented by the following guidelines, conditions, and standards (whenever compliance is required prior to, on, or during a certain time, the timing of the obligation is noted in **bold and underlined text**):

A. First Stage Modifications

The conditions of Z.C. Order No. 15-27, remain in force and effect, subject to the following changes:

1. Decision No. A.1. shall be modified to read as follows (text to be added in **bold** and underscore; deleted in **bold** and ~~strike-out~~):

A.14 The Project shall be developed in accordance with the Architectural Plans and Elevations dated December 23, 2016 (Ex. 61A1-61A15), as supplemented by the revised sheets dated January 26, 2017 (Ex. 72A1-72A3), ~~and~~ as revised and supplemented by the sheets dated March 12, 2017 (Ex. 75A1-75A2), ~~and~~ as revised by the sheets dated April 7, 2017 (Ex. 76A), **as revised by Ex. 14B of Z.C. Case No. 15-27A** (“Plans”), and as modified by the guidelines, conditions and standards of this Order.

2. Decision No. B.1.b. shall be modified as follows: The distribution of the affordable housing units shall be in accordance with:

- a. Sheets 122-130 of the Plans dated March 13, 2017; (Ex. 75A2 of Z.C. Case No. 15-27.)
- b. As modified by Sheet A-2_310 of the Architectural Drawings approved for Building A2; and (Ex. 21A.)
- c. Subject to the chart set forth in Z.C. Order No. 15-27, Decision No. B.1.b, as modified by the following chart:

	Building A2 For Sale	If Building A2 is Rental
Residential GFA in Base Building	260,108 sf	260,108 sf
Penthouse Habitable Space	7,977 sf	7,977 sf
80% AMI	20,809 sf (8% of residential GFA)	14,306 (5.5% of residential GFA)
50% AMI	638 sf (8% of penthouse habitable space)	14,306 (5.5% of residential GFA) + 878 sf (11% of penthouse habitable space)

3. Decision No. B.14 shall be modified to read as follows (text to be added in **bold** and underscore; deleted in **bold** and ~~strike-out~~):

B.14. Prior to the issuance of a Certificate of Occupancy for Building A2, the Applicant shall demonstrate to the Zoning Administrator that it has completed ~~75%~~ **90% of construction of the Neal Place Park in accordance with Sheets ~~20, L1.01-L1.02, and L1-20-L1.21 of the Plans A-2 502 and 507-533 in Exhibit 21A of Z.C. Case No. 15-27A, as supplemented by Sheets 31 and 34-52 in Exhibit 26A of Z.C. Case No. 15-27A~~, and as certified by the landscape architect. Neal Place Park shall be 100% completed within 120 days after issuance of the Certificate of Occupancy, as certified by the landscape architect. ~~(Ex. 61A) The Applicant shall submit detailed landscape design sheets as part of the Second Stage PUD application that shall be consistent with the above-referenced sheets.~~**

4. Decision No. B.15. shall be deleted.

B. PROJECT DEVELOPMENT

1. Building A2 shall be developed in accordance with the approved plans contained in Decision No. A.1. of Z.C. Order No. 15-27 to the extent that they apply to Building A2, and as modified by:
 - Architectural Plans and Elevations included in the Applicant's Supplemental Prehearing Submission (Ex. 21A) ("Architectural Drawings"); and
 - As supplemented and updated by the sheets included in the Applicant's public hearing presentation (Ex. 26-26A) ("Hearing Presentation," and collectively with the Architectural Drawings, the "Approved Building A2 Plans")except as modified by the other conditions herein.
2. The Applicant shall have design flexibility from the Approved Building A2 Plans in the following areas:
 - a. To be able to provide a range in the number of residential units of plus or minus 10%;
 - b. To vary the number, location, and arrangement of parking spaces, provided that the total number is not reduced below the minimum number of parking spaces required by the Zoning Regulations;
 - c. To vary the location and design of all interior components, including partitions, structural slabs, doors, hallways, columns, stairways, and mechanical rooms, provided that the variations do not change the exterior configuration of the building;
 - d. To vary the sustainable design features of Building A2, provided the total number of LEED points achievable for Building A2 is not below the total number of LEED points consistent with the USGBC LEED-Gold for New Construction v2009 rating standards;

- e. To vary the final selection of the exterior materials within the color ranges of the material types as proposed, based on availability at the time of construction without reducing the quality of the materials; and to make minor refinements to exterior details, locations, and dimensions, including: window mullions and spandrels, window frames, doorways, glass types, belt courses, sills, bases, cornices, railings, canopies and trim, such that the refinements do not substantially change the external configuration or appearance of the building;
 - f. In the retail and service areas, flexibility to vary the location and design of the ground-floor components of the Project in order to comply with any applicable District of Columbia laws and regulations, including the D.C. Department of Health, that are otherwise necessary for licensing and operation of any retail or service use and to accommodate any specific tenant requirements; and to vary the size of the retail area; and
 - g. To vary the features, means, and methods of achieving the Green Area Ratio (“GAR”) of 0.20 required by the Zoning Regulations.
3. The range of material types and colors for Building A2 shall be within the ranges shown in the Hearing Presentation Materials. (Ex. 27.)
4. In accordance with the Approved Building A2 Plans, Building A2 is intended to be a for-sale residential building and shall have:
- a. A maximum building height of 130 feet;
 - b. Approximately 260,108 square feet of GFA devoted to residential use, approximately 6,587 square feet of GFA devoted to retail use, and additional GFA devoted to parking, loading, and building service areas (7.88 FAR total for the A2 Building Site);
 - c. Approximately 260 residential units;
 - d. Two 30-foot loading berths, two 100-square-foot loading platforms, and one 20-foot service and delivery bay; and
 - e. Approximately 165 on-site parking spaces.

C. Transportation Mitigation Measures

1. **Prior to the issuance of a Certificate of Occupancy for Building A2 and for the life of Building A2**, or as otherwise noted below, the Applicant shall implement the following TDM measures:

- a. The Applicant shall designate a TDM Coordinator, who is responsible for organizing and marketing the TDM plan and who will act as a point of contact with DDOT;
- b. All parking on site will be priced at market rates at minimum, defined as the average cost for parking in a quarter-mile radius from the PUD Site;
- c. All residential parking will be unbundled from the cost of purchase;
- d. The Applicant will install a Transportation Information Screen (electronic screen) within Building A2's residential lobby containing information related to local transportation alternatives;
- e. The Applicant will provide TDM materials to new residents in the Residential Welcome Package materials;
- f. The Applicant will exceed the Zoning Regulations for short-term and long-term bicycle parking, including 135 long-term bicycle parking spaces located in a secure room on the ground floor of the development and 16 short-term bicycle parking spaces in the form of eight bicycle racks along the perimeter of the A2 Site;
- g. The Applicant will provide a bicycle repair station within the long-term bicycle storage room;
- h. The Applicant will provide a bicycle repair station within a publicly accessible location along the perimeter of Building A2 or within the Neal Place Park;
- i. The Applicant will purchase or otherwise provide \$200 for each residential unit, up to a maximum of \$52,000, for (i) a membership to Capital Bikeshare, (ii) a membership and/or driving credit to a carshare company, and/or (iii) a pre-loaded SmarTrip card, all to be provided at the initial sale of each unit;
- j. The Applicant will purchase two cargo bicycles which will be kept within Building A2 and made available to residents of Building A2 for use;
- k. The Applicant will purchase three rolling shopping carts which will be kept within Building A2 and made available to residents of Building A2 for use;
- l. The Applicant will install three EV charging stations within the parking garage of Building A2; and
- m. The Phase 2 PUD building owners will fund the **installation and one year of maintenance for a new Capital Bikeshare by Certificate of Occupancy of the first Phase 2 building completed.**

D. MISCELLANEOUS

1. **Materials – Prior to the issuance of a Certificate of Occupancy for Building A2**, the Applicant shall demonstrate to the Zoning Administrator that it has installed low-reflective glass for the windows of Building A2 and incorporated a sound mitigation system to discourage birds from flying close to Building A2.
2. **No building permit shall be issued** for Building A2 until the Applicant has recorded a covenant in the land records of the District of Columbia, between the Applicant and the District of Columbia, that is satisfactory to the Office of the Attorney General and the Zoning Division, Department of Consumer and Regulatory Affairs. Such covenant shall bind the Applicant and all successors in title to construct and use Building A2 in accordance with this Order, or amendment thereof by the Commission. The Applicant shall file a certified copy of the covenant with the records of the Office of Zoning.
3. This Second-Stage PUD approved by the Commission shall be valid for a period of two years from the effective date of this Order. Within that time, the Applicant shall file for a building permit for Building A2 and shall begin construction of Building A2 within three years of the effective date of this Order.

VOTE (June 17, 2019): **4-0-1** (Anthony J. Hood, Robert E. Miller, Peter G. May, and Michael G. Turnbull to **APPROVE**; Peter A. Shapiro not present, not voting.)

In accordance with the provisions of Subtitle Z § 604.9, this Order No. 15-27A shall become final and effective upon publication in the *D.C. Register*; that is, on March 20, 2020.

BY THE ORDER OF THE D.C. ZONING COMMISSION

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

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

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