

District of Columbia

REGISTER

HIGHLIGHTS

- D.C. Council passes Law 23-120 to designate the National Capital Poison Center as the District’s Poison Control Center
- D.C. Council schedules an oversight hearing on the District’s Unemployment Compensation Program during the COVID-19 Pandemic
- D.C. Council schedules oversight hearings on the Department of Behavioral Health and the “Public Health Element of the District’s COVID-19 Response”
- Department of Energy and Environment announces funding for the Solar Photovoltaic (PV) Systems Installation and Job Training Program
- Department of Health announces open application period for two (2) medical marijuana testing laboratory facilities
- D.C. Housing Authority implements protections for applicants and participants provided by the Violence Against Women Reauthorization Act of 2013
- Department of Housing and Community Development schedules a public hearing on the District of Columbia’s Fiscal Year 2021 Annual Action Plan

The Mayor of the District of Columbia extends the Public Emergency and Public Health Emergency through October 9, 2020 and designates agencies to administer specific functions during the Public Emergency and Public Health Emergency (Mayor’s Order 2020-079)

The Mayor of the District of Columbia extends requirements related to wearing masks indoors and outdoors in the District during the Public Health Emergency and provides enforcement mechanisms for the requirements (Mayor’s Order 2020-080)

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

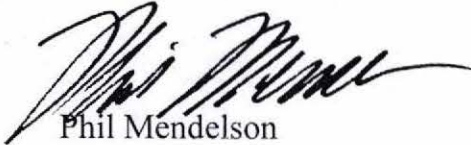
NOTICE

D.C. LAW L23-0109

"Crowdy Court Designation Act of 2020"

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 23-0023 on First Reading and Final Reading, on Mar 03, 2020, and Apr 07, 2020, respectively, pursuant to Section 404(e) of the Charter, the bill became Act A23-0300 and was published in the edition of the D.C. Register (Vol. 67, page 5055). Act A23-0300 was transmitted to Congress on May 12, 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 A23-0300 is now D.C. Law L23-0109, effective Jun 24, 2020.


Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

Month	Dates Counted
May	12,13,14,15,18,19,20,21,22,26,27,28,29
June	1,2,3,4,5,8,9,10,11,12,15,16,17,18,19,22,23

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW L23-0110

"Leave to Vote Amendment Act of 2020"

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 23-0031 on First Reading and Final Reading, on Mar 03, 2020, and Apr 07, 2020, respectively, pursuant to Section 404(e) of the Charter, the bill became Act A23-0301 and was published in the edition of the D.C. Register (Vol. 67, page 5057). Act A23-0301 was transmitted to Congress on May 12, 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 A23-0301 is now D.C. Law L23-0110, effective Jun 24, 2020.


Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

Month	Dates Counted
May	12,13,14,15,18,19,20,21,22,26,27,28,29
June	1,2,3,4,5,8,9,10,11,12,15,16,17,18,19,22,23

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW L23-0111

"Marion S. Barry, Jr. Building Designation Act of 2020"

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 23-0093 on First Reading and Final Reading, on Mar 03, 2020, and Apr 07, 2020, respectively, pursuant to Section 404(e) of the Charter, the bill became Act A23-0303 and was published in the edition of the D.C. Register (Vol. 67, page 5064). Act A23-0303 was transmitted to Congress on May 12, 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 A23-0303 is now D.C. Law L23-0111, effective Jun 24, 2020.


Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

Month	Dates Counted
May	12,13,14,15,18,19,20,21,22,26,27,28,29
June	1,2,3,4,5,8,9,10,11,12,15,16,17,18,19,22,23

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW L23-0112

"Improving Voter Registration for New Tenants and Homeowners Amendment Act of 2020"

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 23-0126 on First Reading and Final Reading, on Mar 03, 2020, and Apr 07, 2020, respectively, pursuant to Section 404(e) of the Charter, the bill became Act A23-0304 and was published in the edition of the D.C. Register (Vol. 67, page 5066). Act A23-0304 was transmitted to Congress on May 12, 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 A23-0304 is now D.C. Law L23-0112, effective Jun 24, 2020.



Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

Month	Dates Counted
May	12,13,14,15,18,19,20,21,22,26,27,28,29
June	1,2,3,4,5,8,9,10,11,12,15,16,17,18,19,22,23

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW L23-0113

"Transportation Benefits Equity Amendment Act of 2020"

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 23-0148 on First Reading and Final Reading, on Mar 03, 2020, and Apr 07, 2020, respectively, pursuant to Section 404(e) of the Charter, the bill became Act A23-0305 and was published in the edition of the D.C. Register (Vol. 67, page 5069). Act A23-0305 was transmitted to Congress on May 12, 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 A23-0305 is now D.C. Law L23-0113, effective Jun 24, 2020.


Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

Month	Dates Counted
May	12,13,14,15,18,19,20,21,22,26,27,28,29
June	1,2,3,4,5,8,9,10,11,12,15,16,17,18,19,22,23

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW L23-0114

"Potomac River Bridges Towing Compact Amendment Act of 2020"

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 23-0166 on First Reading and Final Reading, on Mar 03, 2020, and Apr 07, 2020, respectively, pursuant to Section 404(e) of the Charter, the bill became Act A23-0306 and was published in the edition of the D.C. Register (Vol. 67, page 5075). Act A23-0306 was transmitted to Congress on May 12, 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 A23-0306 is now D.C. Law L23-0114, effective Jun 24, 2020.



Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

Month	Dates Counted
May	12,13,14,15,18,19,20,21,22,26,27,28,29
June	1,2,3,4,5,8,9,10,11,12,15,16,17,18,19,22,23

COUNCIL OF THE DISTRICT OF COLUMBIA

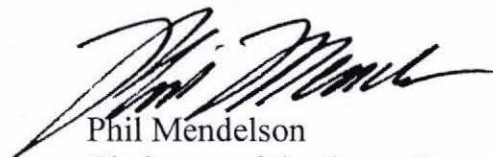
NOTICE

D.C. LAW L23-0115

"Professional Art Therapist Licensure Amendment Act of 2020"

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 23-0250 on First Reading and Final Reading, on Mar 03, 2020, and Apr 07, 2020, respectively, pursuant to Section 404(e) of the Charter, the bill became Act A23-0307 and was published in the edition of the D.C. Register (Vol. 67, page 5077). Act A23-0307 was transmitted to Congress on May 12, 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 A23-0307 is now D.C. Law L23-0115, effective Jun 24, 2020.


Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

Month	Dates Counted
May	12,13,14,15,18,19,20,21,22,26,27,28,29
June	1,2,3,4,5,8,9,10,11,12,15,16,17,18,19,22,23

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW L23-0116

"Health Care Reporting Amendment Act of 2020"

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 23-0269 on First Reading and Final Reading, on Mar 03, 2020, and Apr 07, 2020, respectively, pursuant to Section 404(e) of the Charter, the bill became Act A23-0308 and was published in the edition of the D.C. Register (Vol. 67, page 5081). Act A23-0308 was transmitted to Congress on May 12, 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 A23-0308 is now D.C. Law L23-0116, effective Jun 24, 2020.



Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

Month	Dates Counted
May	12,13,14,15,18,19,20,21,22,26,27,28,29
June	1,2,3,4,5,8,9,10,11,12,15,16,17,18,19,22,23

COUNCIL OF THE DISTRICT OF COLUMBIA

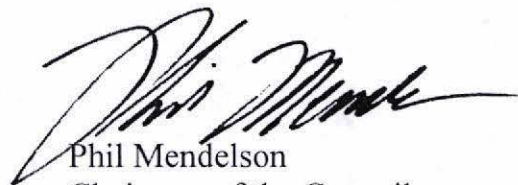
NOTICE

D.C. LAW L23-0117

"Public Charter School Closure Amendment Act of 2020"

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 23-0281 on First Reading and Final Reading, on Mar 03, 2020, and Apr 07, 2020, respectively, pursuant to Section 404(e) of the Charter, the bill became Act A23-0309 and was published in the edition of the D.C. Register (Vol. 67, page 5088). Act A23-0309 was transmitted to Congress on May 12, 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 A23-0309 is now D.C. Law L23-0117, effective Jun 24, 2020.


Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

Month	Dates Counted
May	12,13,14,15,18,19,20,21,22,26,27,28,29
June	1,2,3,4,5,8,9,10,11,12,15,16,17,18,19,22,23

COUNCIL OF THE DISTRICT OF COLUMBIA

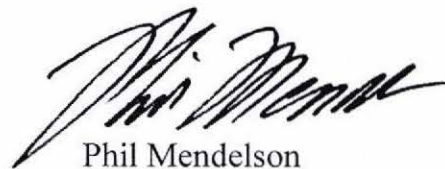
NOTICE

D.C. LAW L23-0118

"Better Access for Babies to Integrated Equitable Services Amendment Act of 2020"

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 23-0416 on First Reading and Final Reading, on Mar 03, 2020, and Apr 07, 2020, respectively, pursuant to Section 404(e) of the Charter, the bill became Act A23-0310 and was published in the edition of the D.C. Register (Vol. 67, page 5090). Act A23-0310 was transmitted to Congress on May 12, 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 A23-0310 is now D.C. Law L23-0118, effective Jun 24, 2020.



Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

Month	Dates Counted
May	12,13,14,15,18,19,20,21,22,26,27,28,29
June	1,2,3,4,5,8,9,10,11,12,15,16,17,18,19,22,23

COUNCIL OF THE DISTRICT OF COLUMBIA


NOTICE

D.C. LAW L23-0119

"Kappa Alpha Psi Way Designation Act of 2020"

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 23-0449 on First Reading and Final Reading, on Mar 03, 2020, and Apr 07, 2020, respectively, pursuant to Section 404(e) of the Charter, the bill became Act A23-0311 and was published in the edition of the D.C. Register (Vol. 67, page 5095). Act A23-0311 was transmitted to Congress on May 12, 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 A23-0311 is now D.C. Law L23-0119, effective Jun 24, 2020.


Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

Month	Dates Counted
May	12,13,14,15,18,19,20,21,22,26,27,28,29
June	1,2,3,4,5,8,9,10,11,12,15,16,17,18,19,22,23

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW L23-0120

"Poison Control Center Designation Act of 2020"

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 23-0507 on First Reading and Final Reading, on Mar 03, 2020, and Apr 07, 2020, respectively, pursuant to Section 404(e) of the Charter, the bill became Act A23-0312 and was published in the edition of the D.C. Register (Vol. 67, page 5097). Act A23-0312 was transmitted to Congress on May 12, 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 A23-0312 is now D.C. Law L23-0120, effective Jun 24, 2020.



Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

Month	Dates Counted
May	12,13,14,15,18,19,20,21,22,26,27,28,29
June	1,2,3,4,5,8,9,10,11,12,15,16,17,18,19,22,23

COUNCIL OF THE DISTRICT OF COLUMBIA

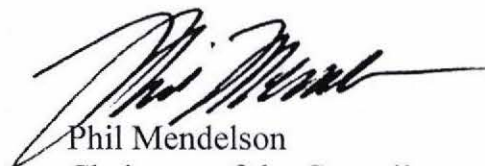
NOTICE

D.C. LAW L23-0121

"Ward 8 Senior Housing Fund Establishment Temporary Amendment Act of 2020"

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 23-0714 on First Reading and Final Reading, on Mar 17, 2020, and Apr 07, 2020, respectively, pursuant to Section 404(e) of the Charter, the bill became Act A23-0313 and was published in the edition of the D.C. Register (Vol. 67, page 5099). Act A23-0313 was transmitted to Congress on May 12, 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 A23-0313 is now D.C. Law L23-0121, effective Jun 24, 2020.


Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

Month	Dates Counted
May	12,13,14,15,18,19,20,21,22,26,27,28,29
June	1,2,3,4,5,8,9,10,11,12,15,16,17,18,19,22,23

COUNCIL OF THE DISTRICT OF COLUMBIA


NOTICE

D.C. LAW L23-0122

"Adams Morgan Business Improvement District Temporary Amendment Act of 2020"

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 23-0721 on First Reading and Final Reading, on Mar 17, 2020, and Apr 07, 2020, respectively, pursuant to Section 404(e) of the Charter, the bill became Act A23-0314 and was published in the edition of the D.C. Register (Vol. 67, page 5101). Act A23-0314 was transmitted to Congress on May 12, 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 A23-0314 is now D.C. Law L23-0122, effective Jun 24, 2020.



Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

Month	Dates Counted
May	12,13,14,15,18,19,20,21,22,26,27,28,29
June	1,2,3,4,5,8,9,10,11,12,15,16,17,18,19,22,23

COUNCIL OF THE DISTRICT OF COLUMBIA

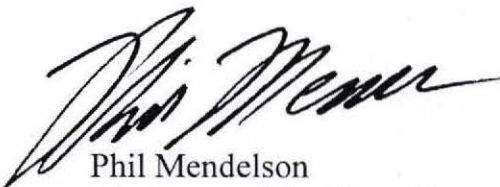
NOTICE

D.C. LAW L23-0124

"Children's Hospital Research and Innovation Campus Phase 1 Temporary Amendment Act of 2020"

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 23-0732 on First Reading and Final Reading, on Apr 07, 2020, and Apr 21, 2020, respectively, pursuant to Section 404(e) of the Charter, the bill became Act A23-0316 and was published in the edition of the D.C. Register (Vol. 67, page 5233). Act A23-0316 was transmitted to Congress on May 12, 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 A23-0316 is now D.C. Law L23-0124, effective Jun 24, 2020.


Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

Month	Dates Counted
May	12,13,14,15,18,19,20,21,22,26,27,28,29
June	1,2,3,4,5,8,9,10,11,12,15,16,17,18,19,22,23

ENROLLED ORIGINAL

A RESOLUTION

23-352

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 3, 2020

To confirm the reappointment of Ms. Teri Janine Quinn to the Commission on Human Rights.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Commission on Human Rights Teri Janine Quinn Confirmation Resolution of 2020”.

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

Ms. Teri Janine Quinn
2nd Street N.W.
Washington, D.C. 20001
(Ward 5)

as a public member of the Commission on Human Rights, established by section 401 of the Human Rights Act of 1977 (D.C. Law 15-216; D.C. Official Code § 2-1404.01), for a term to end December 31, 2022.

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

23-361

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 3, 2020

To confirm the appointment of Ms. Phylisa Carter to the Clemency Board.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Clemency Board Phylisa Carter Confirmation Resolution of 2020”.

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

Ms. Phylisa Carter
Oakview Terrace, N.E.
Washington, D.C. 20017
(Ward 5)

as a member, with a background in returning citizen affairs, of the Clemency Board, established by section 203 of the Clemency Board Establishment Act of 2018, effective December 13, 2018 (D.C. Law 22-197; D.C. Official Code § 24-481.03), for a 4-year term.

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

23-362

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 3, 2020

To confirm the appointment of Dr. Patrick Canavan to the Clemency Board.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Clemency Board Patrick Canavan Confirmation Resolution of 2020”.

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

Dr. Patrick Canavan
T Street, N.W.
Washington, D.C. 20009
(Ward 1)

as a mental-health professional member of the Clemency Board, established by section 203 of the Clemency Board Establishment Act of 2018, effective December 13, 2018 (D.C. Law 22-197; D.C. Official Code § 24-481.03), for a 3-year term.

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

23-434

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 7, 2020

To declare the existence of an emergency with respect to the need to approve Modification Nos. 8 and 9 to Contract No. DCAM-17-CS-0131 between the Department of General Services and MCN Build, Inc., increasing the aggregate contract amount to \$50,489,666.49, and to authorize payment to MCN Build, Inc. for the design-build services received and to be received pursuant to these modifications.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Modification Nos. 8 and 9 to Contract No. DCAM-17-CS-0131 with MCN Build, Inc. Approval and Payment Authorization Emergency Declaration Resolution of 2020”.

Sec. 2.(a) There exists an immediate need to approve Modification Nos. 8 and 9 to Contract No. DCAM-17-CS-0131 (“Contract”) between the Department of General Services (“Department”) and MCN Build, Inc. (“Contractor”) to increase the Contract amount by \$2,875,678.49 to the aggregate amount of \$50,489,666.49 and to authorize payment to the Contractor for design-build services, for C. W. Harris Elementary School, received and to be received pursuant to these modifications.

(b) On February 6, 2020, the Department executed Modification No. 8, which authorized changes that were required to the scope of work to meet programmatic needs that increased the Contract amount by \$900,712.12 from \$47,613,988.00 to \$48,415,700.12. The value of Modification No.8 was less than \$1 million; thus, Council’s approval was not required.

(c) Proposed Modification No. 9, in the amount of \$1,974,966.37, would increase the Contract amount from \$48,514,700.12 to \$50,489,666.49 for design-build services to be received. The aggregate value of Modification Nos. 8 and 9 is \$2,875,678.49, an amount in excess of \$1 million during a 12-month period; therefore, the Council’s approval of Modification No. 9 is required pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51).

ENROLLED ORIGINAL

(d) Council approval of Modification Nos. 8 and 9 is necessary to authorize the continuation of essential design-build services for C. W. Harris Elementary School and to compensate the Contractor for services provided and to be provided pursuant to these modifications.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modification Nos. 8 and 9 to Contract No. DCAM-17-CS-0131 with MCN Build, Inc. Approval and Payment Authorization Emergency Act of 2020 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

23-435

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 7, 2020

To declare the existence of an emergency with respect to the need to approve Contract No. DCAM-20-CS-RFP-0006 between the Department of General Services and Chiamonte Construction Company, increasing the aggregate amount of the contract to \$3,086,003, and to authorize payment to Chiamonte Construction Company for design-build services received and to be received under the contract.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Contract No. DCAM-20-CS-RFP-0006 with Chiamonte Construction Company Approval and Payment Authorization Emergency Declaration Resolution of 2020”.

Sec. 2.(a) There exists an immediate need to approve the Design-Build Agreement for the Lafayette Elementary School Renovation, Contract No. DCAM-20-CS-RFP-0006 (“Contract”) between the Department of General Services (“Department”) and Chiamonte Construction Company (“Contractor”) and to authorize payment in an aggregate amount of \$3,086,003 for services received and to be received to complete the renovation of Lafayette Elementary School.

(b) On March 25, 2020, the Department executed a letter contract in the amount of \$950,000, which authorized the Contractor to advance the design, obtain the necessary permits and develop the Guaranteed Maximum Price (“GMP”) for the project. The value of letter contract was less than \$1 million; thus, it did not require Council approval. The proposed contract would establish the contract’s GMP in the amount of \$3,086,003 and increase the amount of the contract by \$2,136,003, from \$950,000 to \$3,086,003.

(c) The amount of the proposed contract and the merged letter contract is in excess of \$1 million during a 12-month period; therefore, Council approval is now required pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51).

(d) Council approval of the Contract is necessary to authorize the continuation of design-build services for the renovation of Lafayette Elementary School and to compensate the Contractor for services provided and to be provided under the Contract.

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

ENROLLED ORIGINAL

Contract No. DCAM-20-CS-RFP-0006 with Chiaramonte Construction Company Approval and Payment Authorization Emergency Act of 2020 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

23-436

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 7, 2020

To declare the existence of an emergency with respect to the need to approve Change Order Nos. 3 and 4 to Contract No. DCAM-17-AE-0125 between the Department of General Services and Perkins Eastman DC, PLLC, increasing the aggregate Contract amount to \$4,695,270, and to authorize payment to Perkins Eastman DC, LLC for architectural and engineering services received and to be received under these change orders.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Change Order Nos. 3 and 4 to Contract No. DCAM-17-AE-0125 with Perkins Eastman DC, PLLC Approval and Payment Authorization Emergency Declaration Resolution of 2020”.

Sec. 2. (a) There exists an immediate need to approve Change Order Nos. 3 and 4 to Contract DCAM-17-AE-0125 (“Contract”) between the Department of General Services and Perkins Eastman DC, PLLC (“Contractor”) to increase the Contract amount by \$1,045,340 to the aggregate amount of \$4,695,270 and to authorize payment to the Contractor for architectural and engineering services, for Eliot Hine Middle School, received and to be received under these change orders.

(b) Change Order Nos. 1 and 2 did not increase the contract amount. Change Order No. 3 increased the Contract amount by \$997,000, an amount less than \$1 million; thus, Council approval was not required.

(c) Proposed Change Order No. 4, in the amount of \$48,340, would increase the Contract amount from \$3,639,930 to \$4,695,270. The aggregate amount of Change Order Nos. 3 and 4, is \$1,045,340, an amount in excess of \$1 million during a 12-month period. Therefore, Council approval of Change Order No. 4 is required pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02).

(d) Council approval of Change Order Nos. 3 and 4 is necessary to allow the continuation of essential architectural and engineering services at Eliot Hine Middle School and compensate the Contractor for services provided and to be provided under these change orders.

ENROLLED ORIGINAL

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Change Order Nos. 3 and 4 to Contract No. DCAM-17-AE-0125 with Perkins Eastman DC, PLLC Approval and Payment Authorization Emergency Act of 2020 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

23-437

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 7, 2020

To declare the existence of an emergency with respect to the need to approve Contract No. DCAM-20-CS-RFP-0005 between the Department of General Services and GCS-SIGAL|GRUNLEY Joint Venture, increasing the amount of the Contract to \$25 million, and to authorize payment to GCS-SIGAL|GRUNLEY Joint Venture for design-build services received and to be received under the contract.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Contract No. DCAM-20-CS-RFP-0005 with GCS-SIGAL|GRUNLEY Joint Venture Approval and Payment Authorization Emergency Declaration Resolution of 2020”.

Sec. 2.(a) There exists an immediate need to approve the Design-Build Agreement for Redevelopment of the St. Elizabeths East Campus – Parcel 6 Parking Garage (DCAM-20-CS-RFP-0005) (“Contract”) between the Department of General Services (“Department”) and GCS-SIGAL|GRUNLEY Joint Venture (“Contractor”) and to authorize payment in an aggregate amount of \$25 million for design-build services received and to be received under the Contract.

(b) On May 8, 2020, the Department executed a letter contract in the amount of \$950,000. The value of letter contract was less than \$1 million; thus, it did not require Council approval. The amount of the proposed contract would increase by \$ 24.05 million from \$950,000 to \$ 25 million.

(c) The amount of the proposed Contract, inclusive of the merged letter contract, is in excess of \$1 million during a 12-month period; therefore, Council approval of the Contract is now required pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51).

(d) Council approval of the Contract is necessary to authorize the continuation of design-build services for the St. Elizabeths Parking Garage and to compensate the Contractor for design-build services provided and to be provided under the Contract.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Contract No. DCAM-20-CS-RFP-0005 with GCS-SIGAL|GRUNLEY Joint Venture Approval and Payment Authorization Emergency Act of 2020 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

23-438

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 7, 2020

To declare the existence of an emergency with respect to the need to approve Contract No. DCAM-20-NC-RFP-0001D between the Department of General Services and RBK Construction, Inc., increasing the aggregate not-to-exceed amount to \$2,667,017, and to authorize payment to RBK Construction Inc., for goods and services received and to be received under the contract.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Contract No. DCAM-20-NC-RFP-0001D with RBK Construction, Inc. Approval and Payment Authorization Emergency Declaration Resolution of 2020”.

Sec. 2 (a) There exists an immediate need to approve Contract No. DCAM No. DCAM-20-NC-RFP-0001D for comprehensive city-wide landscaping maintenance and supplemental landscaping services (“Contract”) between the Department of General Services and RBK Construction, Inc. (“Contractor”), which would increase the aggregate not-to-exceed (“NTE”) amount of the Contract to \$2,667,017 and authorize payment to the Contractor for goods and services received and to be received under the Contract.

(b) On May 29, 2020, the Department issued a letter contract with a not-to-exceed amount of \$922,339. The proposed Contract, in the aggregate NTE amount of \$2,667,017, will definitize and include the previously issued letter contract and authorize services for the base period through May 31, 2021.

(c) The proposed Contract and incorporated letter contract would increase the aggregate NTE amount by \$1,744,678, from \$922,339 to \$2,667,017, an amount in excess of \$1 million; thus, Council approval of the proposed Contract is required pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51).

(d) Council approval of the proposed Contract is necessary to authorize the continuation of comprehensive city-wide landscaping maintenance and supplemental landscaping services and compensate the Contractor for services provided and to be provided under the Contract.

ENROLLED ORIGINAL

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Contract No. DCAM-20-NC-RFP-0001D with RBK Construction, Inc. Approval and Payment Authorization Emergency Act of 2020 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

23-439

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 7, 2020

To declare the existence of an emergency with respect to the need to approve Modification Nos. 3 and 4 to Contract No. DCAM-17-CS-0033I between the Department of General Services and WKM Solutions, LLC, increasing the Contract's Option Year 003 not-to-exceed amount to \$15 million, and to authorize payment to WKM Solutions, LLC for ID/IQ small construction services received and to be received under these modifications.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as "Modification Nos. 3 and 4 to Contract No. DCAM-17-CS-0033I with WKM Solutions, LLC Approval and Payment Authorization Emergency Declaration Resolution of 2020".

Sec. 2. (a) There exists an immediate need to approve Modification Nos. 3 and 4 to Contract No, DCAM-17-CS-0033I ("Contract") between the Department of General Services ("Department") and WKM Solutions, LLC ("Contractor") to increase the Contract's Option Year 003 not-to-exceed ("NTE") amount to \$15 million and to authorize payment to the Contractor for small construction services received and to be received under these modifications.

(b) On May 29, 2020, the Department issued Modification No. 3 in the Option Year 003 NTE amount of \$950,000. The proposed Modification No. 4 would increase the Option Year 003 NTE amount by \$14.05 million from \$950,000 to \$15 million.

(c) The proposed Modification No 4, in the NTE amount of \$15 million, is in excess of \$1 million during a 12-month period; thus, Council approval of Modification Nos. 3 and 4 is required pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02).

(d) Council approval of Modification Nos. 3 and 4 is necessary to allow the continuation of essential small general construction services, as awarded via competitively-awarded task order agreements at lump sum prices, at various District-owned or operated public schools, parks, and recreation facilities, and other municipal facilities, and to compensate the Contractor for services provided and to be provided under these modifications.

ENROLLED ORIGINAL

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modification Nos. 3 and 4 to Contract No. DCAM-17-CS-0033I with WKM Solutions, LLC Approval and Payment Authorization Emergency Act of 2020 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

23-440

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 7, 2020

To declare the existence of an emergency with respect to the need to approve Contract No. DCAM-19-CS-RFP-0062 between the Department of General Services and Smoot Construction Company of Washington, DC, increasing the amount of the Contract to \$13,563,460.80, and to authorize payment to Smoot Construction Company of Washington, DC for goods and services received and to be received under the Contract.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Contract No. DCAM-19-CS-RFP-0062 with Smoot Construction Company of Washington, DC Approval and Payment Authorization Emergency Declaration Resolution of 2020.”

Sec. 2.(a) There exists an immediate need to approve Contract No. DCAM-19-CS-RFP-0062, the construction management-at-risk agreement for Franklin Park, (“Contract”) between the Department of General Services (“Department”) and Smoot Construction Company of Washington, DC (“Contractor”), which would increase the amount of the Contract to \$13,563,460.80, and to authorize payment to the Contractor for goods and services received and to be received under the Contract.

(b) The Department previously executed a letter contract in the amount of \$949,560. The value of letter contract was less than \$1 million; thus, it did not require Council approval. The proposed Contract would increase the amount of the letter contract by \$12,613,900.80, from \$949,560 to \$13,563,460.80.

(c) The proposed Contract is in excess of \$1 million during a 12-month period; therefore, Council approval of the proposed Contract is required pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02).

(d) Council approval of the proposed Contract is necessary to authorize the continuation of construction management-at-risk services for Franklin Park and to compensate the Contractor for services provided and to be provided under the Contract.

ENROLLED ORIGINAL

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Contract No. DCAM-19-CS-RFP-0062 with Smoot Construction Company of Washington, DC Approval and Payment Authorization Emergency Act of 2020 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

23-441

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 7, 2020

To declare the existence of an emergency with respect to the need to approve Modification Nos. 8, 10, and 12 to Contract No. DCAM-17-CS-0041A between the Department of General Services and Smoot Construction Company of Washington, DC, increasing the aggregate amount of the Contract to \$29,710,565.61, and to authorize payment to Smoot Construction Company of Washington, DC for construction management at risk services received and to be received under these modifications.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as “Modification Nos. 8, 10 and 12 to Contract No. DCAM-17-CS-0041A with Smoot Construction Company of Washington, DC Approval and Payment Authorization Emergency Declaration Resolution of 2020”.

Sec. 2. (a) There exists an immediate need to approve Modification Nos. 8, 10, and 12 to Contract DCAM-17-CS-0041A (“Contract”) between the Department of General Services and Smoot Construction Company of Washington, DC (“Contractor”), which would increase the amount of the Contract to \$29,710,565.61 and authorize payment to the Contractor for construction management at risk services received and to be received under these Contract modifications.

(b) Modification No. 8 in the amount of \$345,086.72 and Modification No. 10 in the amount of \$608,944.29 increased the Contract’s aggregate value by \$954,031.01, an amount under \$1 million; thus, Council approval was not required. Proposed Modification No. 12 in the amount of \$254,112 would increase the Contract’s aggregate value by \$1,208,143.61, from \$28,502,422 to \$29,710,565.61.

(c) The aggregate increase of Modification Nos. 8, 10, and 12 is in excess of \$1 million during a 12-month period; therefore, Council approval is required pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02).

(d) Council approval of Modification Nos. 8, 10, and 12 is necessary to allow the continuation of essential construction management at risk services at the Ward 3 Short Term

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Family Housing facility and to compensate the Contractor for services provided and to be provided under these Contract modifications.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modification Nos. 8, 10 and 12 to Contract No. DCAM-17-CS-0041A with Smoot Construction Company of Washington, DC Approval and Payment Authorization Emergency Act of 2020 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

23-442

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 7, 2020

To declare the existence of an emergency with respect to the need to approve Modification Nos. 02, 03, and 04 to Contract No. DCAM-19-CS-RFQ-0001C between the Department of General Services and RSC Electrical & Mechanical Contractors, Inc., increasing the Contract's Option Year 001 aggregate not-to-exceed amount to \$3.5 million, and to authorize payment for goods and services received and to be received under the modifications.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Modification Nos. 02, 03 and 04 to Contract No. DCAM-19-CS-RFQ-0001C with RSC Electrical & Mechanical Contractors, Inc. Approval and Payment Authorization Emergency Declaration Resolution of 2020".

Sec. 2.(a) There exists an immediate need to approve Modification Nos. 02, 03, and 04 to Contract No. DCAM-19-CS-RFQ-0001C, the basic ordering agreement for small general construction projects, ("Contract") between the Department of General Services and RSC Electrical & Mechanical Contractors, Inc. ("Contractor"), which would fully exercise Option Year 001 of the Contract and authorize payment to the Contractor for goods and services received and to be received under the Contract modifications.

(b) Proposed Modification No. 04 would increase the Contract's aggregate not-to-exceed amount by \$2,510,000 from \$990,000 to \$3.5 million.

(c) The proposed increase is in excess of \$1 million during a 12-month period; therefore, Council approval of proposed Modifications Nos. 02, 03, and 04 to the Contract is required pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and section 202(a) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02(a)).

(d) Council approval of Modification Nos. 02, 03, and 04 is necessary to allow the continuation of essential small general construction services, as awarded via competitively awarded task order agreements at lump sum prices, at various District-owned or operated public schools, parks, and recreation facilities, and other municipal facilities, and to compensate the Contractor for services provided and to be provided during Option Year 001 of the Contract.

ENROLLED ORIGINAL

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modification Nos. 02, 03, and 04 to Contract No. DCAM-19-CS-RFQ-0001C with RSC Electrical & Mechanical Contractors, Inc. Approval and Payment Authorization Emergency Act of 2020 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

23-443

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 7, 2020

To declare the existence of an emergency with respect to the need to approve Modification Nos. 02 and 03 to Contract No. DCAM-19-CS-RFQ-0001S between the Department of General Services and Thiha, Inc., increasing the Contract's Option Year 001 aggregate not-to-exceed amount to \$3.5 million, and to authorize payment to Thiha, Inc. for goods and services received and to be received under the modifications.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Modification Nos. 02 and 03 to Contract No. DCAM-19-CS-RFQ-0001S with Thiha, Inc. Approval and Payment Authorization Emergency Declaration Resolution of 2020".

Sec. 2.(a) There exists an immediate need to approve the Modification Nos. 02 and 03 to Contract No. DCAM-19-CS-RFQ-0001S, the basic ordering agreement for small general construction projects, ("Contract") between the Department of General Services and Thiha, Inc. ("Contractor"), which would fully exercise Option Year 001 of the Contract, and authorize payment to the Contractor for goods and services received and to be received under the Contract modifications.

(b) Proposed Modification No. 03 would increase the Contract's aggregate not-to-exceed amount by \$ 2.51 million from \$990,000 to \$3.5 million.

(c) The proposed increase is in excess of \$1 million during a 12-month period; therefore, Council approval of proposed Modification Nos. 02 and 03 is required pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and section 202(a) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02(a)).

(d) Council approval of Modification Nos. 02 and 03 is necessary to allow the continuation of essential small general construction services, as awarded via competitively awarded task order agreements at lump sum prices, at various District owned or operated public schools, parks and recreation facilities, and other municipal facilities, and to compensate the Contractor for services provided and to be provided during Option Year 001 of the Contract.

ENROLLED ORIGINAL

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modification Nos. 02 and 03 to Contract No. DCAM-19-CS-RFQ-0001S with Thiha, Inc. Approval and Payment Authorization Emergency Act of 2020 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

23-444

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 7, 2020

To declare the existence of an emergency with respect to the need to approve Change Order Nos. 04, 05, 06, and 07 to Contract No. DCAM-18-CS-0117 between the Department of General Services and Stevens School Developer, LLC for design-build services for Thaddeus Stevens School Exterior Renovation, and to authorize payment in the aggregate amount of \$1,025,455 for the goods and services received and to be received under these change orders.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Change Order Nos. 04, 05, 06 and 07 to Contract No. DCAM-18-CS-0117 Approval and Payment Authorization Emergency Declaration Resolution of 2020”.

Sec. 2 (a) There exists an immediate need to approve Modification Nos. 04, 05, 06, and 07 to Contract No. DCAM-18-CS-0117 with Stevens School Developer, LLC for design-build services for Thaddeus Stevens School exterior renovation (“Contract”) and to authorize payment in the aggregate amount of \$1,025,455 for design-build services received and to be received under the change orders.

(b) On July 6, 2019, the Contract was deemed approved by the Council as CA23-0211. The underlying Contract, as submitted to Council, included an initial not-to-exceed (“NTE”) amount of \$3,047,568.

(c) The Department of General Services subsequently issued Modification No. 01, in the amount of \$0, which was executed on August 8, 2019, and which added administrative language to the Contract. Modification No. 02 was executed on August 18, 2019 and increased the NTE amount by \$996,230. Modification No. 03 was previously submitted and approved by the Council by Change Order Nos. 1 through 3 to Contract No. DCAM-18-CS-0117 Approval and Payment Authorization Emergency Act of 2019, effective, November 26, 2019 (D.C. Act 23-169; 66 DCR 15901) and increased the NTE amount by \$6,455,776.00 to establish a final lump sum Contract price. Modification No. 04 was executed on January 29, 2020, and increased the lump sum Contract price by \$425,868. Modification No. 05 was executed on March 30, 2020, and increased the lump sum Contract price by \$137,997. Modification No. 06 was executed on June 4, 2020, and increased the lump sum Contract price by \$273,215.

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(d) Council approval is now required as proposed Modification No. 07 would increase the Contract value by \$188,375. The aggregate increase to the total Contract value, via Modification Nos. 04, 05, 06 and 07, would be \$1,025,455.

(e) Proposed Modification No. 07 would cause the aggregate value of all modifications issued after the last Council approval to exceed \$1 million; thus, Council approval of Modification Nos. 04, 05, 06, and 07 is now required pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51).

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modification Nos. 04, 05, 06 and 07 to Contract No. DCAM-18-CS-0117 with Stevens School Developer, LLC Approval and Payment Authorization Emergency Act of 2020 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

23-445

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 7, 2020

To declare the existence of an emergency with respect to the need to approve Contract No. DCAM-19-CS-AE-0056 between the Department of General Services and Bell Architects, PC, increasing the amount of the Contract to \$1,910,118, and to authorize payment to Bell Architects, PC for goods and services received and to be received under the contract.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Contract No. DCAM-19-CS-AE-0056 with Bell Architects, PC Approval and Payment Authorization Emergency Declaration Resolution of 2020”.

Sec. 2.(a) There exists an immediate need to approve Contract No. DCAM-19-CS-AE-0056, the agreement for architectural engineering services for Chevy Chase Community Center (“Contract”) between the Department of General Services (“Department”) and Bell Architects, PC (“Contractor”), which would increase the amount of the Contract to \$1,910,118, and to authorize payment to the Contractor for goods and services received and to be received under the Contract.

(b) The Department previously executed a letter contract in the initial not-to-exceed amount of \$995,827. The value of letter contract was less than \$1 million; thus, it did not require Council approval. The proposed Contract would increase the amount of the Contract by \$914,291, from \$995,827 to \$1,910,118.

(c) The Contract is now in excess of \$1 million during a 12-month period; therefore, Council approval of the Contract is required pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51).

(d) Council approval of the Contract is necessary to authorize the Contractor to proceed with architectural engineering services for Chevy Chase Community Center.

ENROLLED ORIGINAL

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Contract No. DCAM-19-CS-AE-0056 with Bell Architects, PC Approval and Payment Authorization Emergency Act of 2020 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

23-446

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 7, 2020

To declare the existence of an emergency with respect to the need to approve Contract No. DCAM-19-CS-RFP-0007 between the Department of General Services and Chiamonte Construction Company, increasing the Contract amount to a Guaranteed Maximum Price of \$7,376,433, and to authorize payment to Chiamonte Construction Company for goods and services received and to be received under the Contract.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Contract No. DCAM-19-CS-RFP-0007 with Chiamonte Construction Company Approval and Payment Authorization Emergency Declaration Resolution of 2020”.

Sec. 2.(a) There exists an immediate need to approve Contract No. DCAM-19-CS-RFP-0007, the construction management-at-risk agreement for Benning Park Community Center, (“Contract”) between the Department of General Services (“Department”) and Chiamonte Construction Company (“Contractor”) in a Guaranteed Maximum Price (“GMP”) of \$7,376,433 and to authorize payment to the Contractor for goods and services received and to be received under the Contract.

(b) On February 12, 2020, the Department issued a letter contract (“Letter Contract”) with an initial not-to-exceed amount of \$980,000. The proposed Contract would increase the contract amount by \$6,396,433 from the Letter Contract amount of \$980,000 to a Guaranteed Maximum Price (“GMP”) of \$7,376,433.

(c) The proposed Contract’s GMP would increase the Contract amount in excess of \$1 million during a 12-month period; therefore, Council approval of the proposed Contract is required pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51).

(d) Council approval of the Contract is necessary to allow the Contractor to proceed with construction management -at-risk services for Benning Park Community Center.

ENROLLED ORIGINAL

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Contract No. DCAM-19-CS-RFP-0007 with Chiramonte Construction Company Approval and Payment Authorization Emergency Act of 2020 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

23-447

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 7, 2020

To declare the existence of an emergency with respect to the need to approve Contract No. DCAM-19-CS-IFB-0010 between the Department of General Services and Dissen & Juhn, LLC, increasing the aggregate not-to-exceed amount of the Contract to \$1,013,562, and to authorize payment to Dissen & Juhn, LLC for goods and services received and to be received under the Contract.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Contract No. DCAM-19-CS-IFB-0010 with Dissen & Juhn, LLC Approval and Payment Authorization Emergency Declaration Resolution of 2020”.

Sec. 2.(a) There exists an immediate need to approve Contract No. DCAM-19-CS-IFB-0010, for Construction Services for MPD/FEMS Harbor Patrol Floating Shed & T-Dock System, (“Contract”) between the Department of General Services (“Department”) and Dissen & Juhn, LLC (“Contractor”), which would increase the aggregate not-to-exceed (“NTE”) amount of the Contract to \$1,013,562, and authorize payment to the Contractor for goods and services received and to be received under the Contract.

(b) The Department executed a letter contract in the initial NTE amount of \$718,936. The amount of the letter contract was less than \$1 million; thus, it did not require Council approval.

(c) The proposed Contract’s aggregate amount would increase by \$294,626 from \$718,936 to \$1,013,562. The proposed Contract is in excess of \$1 million during a 12-month period; therefore, Council approval is required pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51).

(d) Council approval of the proposed Contract is necessary to authorize the continuation of construction services associated with the MPD/FEMS Harbor Patrol Floating Shed & T-Dock System and compensate the Contractor for services provided and to be provided under the Contract.

ENROLLED ORIGINAL

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Contract No. DCAM-19-CS-IFB-0010 with Dissen & Juhn, LLC Approval and Payment Authorization Emergency Act of 2020 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

23-449

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 7, 2020

To declare the existence of an emergency with respect to the need to approve Modification Nos. 8 and 9 to Contract No. CW59303 with MVS, Inc. to provide information technology equipment and software, and to authorize payment for the goods and services received and to be received under that contract.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Modifications to Contract No. CW59303 with MVS, Inc. Approval and Payment Authorization Emergency Declaration Resolution of 2020”.

Sec. 2. (a) There exists an immediate need to approve Modification Nos. 8 and 9 to Contract No. CW59303 with MVS, Inc. to provide information technology equipment and software to the District and to authorize payment for the goods and services received and to be received under Modification Nos. 8 and 9 of the contract.

(b) On March 26, 2020, by Modification No. 8, the Office of Contracting and Procurement exercised Option Year 2 of Contract No. CW59303 with MVS, Inc. for the period from March 29, 2020, through March 28, 2021 in the not-to-exceed amount of \$950,000.

(c) Modification No. 9 is now necessary to increase the value of Option Year 2 of Contract No. CW59303 with MVS, Inc., by \$ 9.05 million, which will increase the total not-to-exceed amount for the period from March 29, 2020, through March 28, 2021 to \$10 million.

(d) Council approval is required by section 451(b) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51(b)), and section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), as these modifications increase the contract to one of more than \$1 million during a 12-month period.

(e) Approval is necessary to allow the continuation of these vital services. Without this approval, MVS, Inc. cannot be paid for goods and services provided in excess of \$ 1 million for the period March 29, 2020, through March 28, 2021.

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Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modifications to Contract No. CW59303 with MVS, Inc. Approval and Payment Authorization Emergency Act of 2020 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

23-450

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 7, 2020

To declare the sense of the Council that Congress should enact and fund a national water affordability program, modeled on the Low Income Home Energy Assistance Program for home heating assistance for low-income families as a component of federal COVID-19 relief.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Sense of the Council for Supporting Congressional Approval of a Federal Sustainable Water Affordability Program Resolution of 2020”.

Sec. 2. The Council finds that:

(1) In May 2020, the Council advocated that DC Water, one of the largest municipal water filtration systems in the United States, which serves the metropolitan Washington, D.C. region, continue to provide District residential customers with full service regardless of whether they have current or delinquent accounts. This includes reconnecting all occupied residential properties with water service, which is strategic to addressing the personal hygiene needs and health emergency requirements associated with the deadly impacts of the COVID-19 pandemic.

(2) The need for a subsidy to support long-term, sustainable, and affordable access to water and sewerage services will have enormous benefits toward the health of all who reside in the District. A subsidy will be particularly beneficial to household members engaged in service and hospitality trades, many of whom have lower incomes. As essential everyday workers, these workers have the greatest medical risks, which frequently lead to serious illness or death due to the COVID-19 pandemic. Accessing municipal water service must be addressed with urgency through a national holistic solution of new policies that remove unaffordability for financially challenged residents and small residential property owners and offer access to clean affordable water service. The problem of unaffordability requires a permanent solution to maintain the public health of the community.

(3) Congress should create and adequately fund a national water rates subsidy program similar to the Low Income Home Energy Assistance Program (“LIHEAP”) within the U.S. Department of Health & Human Services.

(4) LIHEAP receives and expends approximately \$3.5 billion annually to support

ENROLLED ORIGINAL

gas and electric heating utility costs for low-income residents throughout the United States.

(5) Based on the same realities that led the federal government to recognize the need to support low-income families by subsidizing energy, it is time to also provide a robust federal subsidy for the precious resource of clean and safe drinking water.

(6) As the high cost of providing clean and safe drinking water, which is experiencing an alarming rise in retail rates across the country, adversely affects municipalities' ability to provide free or subsidized water, the federal government is the proper entity to fund necessary water subsidies for low-income families, as demonstrated by the popular and successful LIHEAP.

(7) Affordable water is a health and safety issue that is implicitly recognized not only by the recent reconnection of water services to aid in the mitigation of the COVID-19 pandemic, but also by the existence of LIHEAP for low-income electric and gas home heating. Water also needs to be recognized and supported for our most vulnerable residents as a utility that is directly tied to the support of life.

(8) Congress is presently deliberating another one or more tranches of relief funding for expenses related to the COVID-19 pandemic. The funding of water and sewer infrastructure should be included as a public health benefit.

Sec. 3. It is the sense of the Council that Congress should enact and fund a national water affordability program, modeled on LIHEAP for home heating assistance for low-income families, and that significant and adequate funding for a national water affordability program benefiting low-income water customers and public health should be an urgent, primary focus of congressional COVID-19 pandemic relief funding.

Sec. 4. The Council shall transmit a copy of this resolution to Mayor Muriel Bowser, Delegate Eleanor Holmes Norton, Representatives Nancy Pelosi and Kevin McCarthy, Senators Mitch McConnell and Charles Schumer, and Tommy Wells, Chair of the DC Water Board of Directors.

Sec. 5. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

A RESOLUTION

23-459

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 7, 2020

To declare the existence of an emergency with respect to the need to amend the Data-Sharing and Information Coordination Amendment Act of 2010 to allow the disclosure of health and human services information to aid in the development of the report on the root causes of youth crime and the prevalence of adverse childhood experiences among justice-involved youth; to amend the District of Columbia Mental Health Information Act of 1978 to allow the disclosure of mental health information when necessary to conduct an analysis of the root causes of youth crime and the prevalence of adverse childhood experiences among justice-involved youth; to amend the Criminal Justice Coordinating Council for the District of Columbia Establishment Act of 2001 to extend the deadline for submission of the analysis of the root causes of youth crime and prevalence of adverse childhood experiences report to March 31, 2020, and to require that certain District agencies provide the Criminal Justice Coordinating Council with information necessary to complete the report; and to amend An Act To establish a Board of Indeterminate Sentence and Parole for the District of Columbia and to determine its functions, and for other purposes to clarify that amendments to section 3c of the act apply to all proceedings pending in any District of Columbia court that were initiated under that section.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Criminal Justice Coordinating Council Information Sharing Emergency Declaration Resolution of 2020”.

Sec. 2.(a) On July 9, 2019, the Council passed the Criminal Justice Coordinating Council Information Sharing Emergency Amendment Act of 2019, effective July 24, 2019 (D.C. Act 23-106; 66 DCR 9754) (“emergency act”), which expired on October 22, 2019.

(b) On September 17, 2019, the Council passed the Criminal Justice Coordinating Council Information Sharing Temporary Amendment Act of 2019, effective January 10, 2020 (D.C. Law 23-41; 67 DCR 13139) (“temporary act”), which will expire on August 22, 2020.

(c) This emergency legislation is substantively identical to the emergency and temporary acts and will prevent a gap in the law between the expiration of the temporary act and the passage of permanent legislation by the Committee on the Judiciary and Public Safety.

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 Criminal Justice Coordinating Council Information Sharing Emergency Amendment Act of 2020 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

23-460

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 7, 2020

To declare the existence of an emergency with respect to the need to amend the Establishment of the Office of the Chief Medical Examiner Act of 2000 to require the Office of the Chief Medical Examiner to investigate all maternal mortalities occurring in the District of Columbia.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Investigating Maternal Mortalities Emergency Declaration Resolution of 2020”.

Sec. 2. (a) On October 8, 2019, the Council passed the Investigating Maternal Mortalities Emergency Amendment Act of 2019, effective October 23, 2019 (D.C. Act 23-137; 66 DCR 0137) (“emergency act”), which expired on January 21, 2020. The emergency act required the Office of the Chief Medical Examiner to investigate all types of maternal mortalities occurring in the District.

(b) On October 22, 2019, the Council passed the Investigating Maternal Mortalities Temporary Amendment Act of 2019, effective January 10, 2020 (D.C. Law 23-43; 67 DCR 15336) (“temporary act”), which will expire on August 22, 2020.

(c) This emergency legislation is substantively identical to the emergency act and the temporary act and will prevent a gap in the law between the expiration of the temporary act and the passage of the permanent legislation pending in the Committee on the Judiciary and Public Safety.

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 Investigating Maternal Mortalities Emergency Amendment Act of 2020 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

23-461

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 7, 2020

To declare the existence of an emergency with respect to the need to amend the Firearms Control Regulations Act of 1975 to expand the membership of the Concealed Pistol Licensing Review Board to enable the Board to more efficiently hear appeals related to licenses to carry a concealed pistol.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Concealed Pistol Licensing Review Board Membership Emergency Declaration Resolution of 2020”.

Sec. 2. (a) The License to Carry a Pistol Amendment Act of 2014, effective June 16, 2015 (D.C. Law 20-279; 62 DCR 1944), amended 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.*), to establish the Concealed Pistol Licensing Review Board (“Board”).

(b) The Board is responsible for hearing appeals from a denial of an application or renewal application for a license to carry a concealed pistol in the District, a summary suspension or limitation of a license to carry a concealed pistol, and a limitation or revocation of a license to carry a concealed pistol.

(c) The Board comprises 7 members: the Attorney General, the United States Attorney for the District of Columbia, a mental health professional, a law enforcement officer, and 3 public members.

(d) The Board is currently experiencing an increase in the number of appeals it must hear, and its limited membership is challenged in timely and thoroughly reviewing materials.

(e) This emergency legislation would move quickly to expand the Board’s membership from 7 to 11 members, with 4 new public District resident members appointed by the Mayor: 2 members with professional experience in the field of gun violence prevention, one member with professional experience in the field of victim services or advocacy, and one member who is an attorney in good standing with the District of Columbia Bar with professional experience in criminal law.

(f) These new members will help the Board meet its constitutional obligations during these challenging pandemic conditions.

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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 Concealed Pistol Licensing Review Board Membership Emergency Amendment Act of 2020 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

23-465

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 7, 2020

To declare the existence of an emergency with respect to the need to authorize the issuance of tax increment financing bonds to support the development project located to the east of Martin Luther King Jr. Avenue S.E., to the north of Chicago Street S.E., to the west of Railroad Avenue S.E., and to the south of W Street S.E.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Reunion Square Tax Increment Financing Second Emergency Declaration Resolution of 2020”.

Sec. 2. (a) The Tax Increment Financing Authorization Act of 1998, effective September 11, 1998 (D.C. Law 12-143; D.C. Code § 1-2293.1 *et seq.*) (“TIF Act”), was enacted to promote development of projects of special merit in the District of Columbia.

(b) Tax increment financing (“TIF”), as authorized by the TIF Act, is intended to bridge the feasibility gap for worthwhile projects that offer special economic, cultural, social, or financial benefits to the District of Columbia.

(c) The Reunion Square project (“Project”) is a 1.5 million square-foot mixed-use development project by Four Points LLC, Curtis Investment Group, and Blue Sky Housing LLC that will create affordable housing for seniors and support small business growth in Ward 8. The Project is adjacent to Martin Luther King, Jr. Avenue, Shannon Place, Railroad Avenue, V Street, and W Street, S.E., in the historic Anacostia neighborhood.

(d) The Project will provide jobs, affordable housing, and new opportunities for residents of Ward 8 to participate in prosperity. The Project will include affordable space for local retail and will include a relocated headquarters for the Department of Health (“DC Health”).

(e) On March 3, 2020, the Council passed the Reunion Square Tax Increment Financing Emergency Act of 2020, effective March 17, 2020 (D.C. Act 23-250; 67 DCR 3455) (“first emergency act”). The Mayor signed the first emergency act on March 17, 2020.

(f) A public hearing on the Reunion Square Tax Increment Financing Act of 2019, introduced on June 21, 2019 (Bill 23-351) (“permanent bill”), was scheduled to be held before the Council Committee on Business and Economic Development on April 2, 2020.

ENROLLED ORIGINAL

(g) On March 11, 2020, the Mayor declared a Public Emergency and Public Health Emergency in response to several confirmed and presumptive positive cases of COVID-19 in the Washington, D.C. area.

(h) Throughout the month of March, the number of confirmed cases of COVID-19 in the District increased exponentially, and on March 30, 2020, the Mayor issued a stay-at-home order for all District residents. As a result, the April 2, 2020 hearing on the permanent bill was cancelled.

(i) Most District government employees, including the Council and Council staff, have been working remotely for over 2 months in an effort to slow the spread of the virus.

(j) The spread of COVID-19 has severely affected the ability of the Council committees to hold hearings, markups, and conduct regular business.

(k) Because it is uncertain when the District government, including the Council, will be able to resume normal business due to the ongoing COVID-19 pandemic, it was impossible for the permanent bill to receive the necessary hearing, markup, and votes before the first emergency act expired on June 15, 2020.

(l) Whereas the first emergency act authorized the creation of a TIF area on a portion of the total area covered by the Reunion Square Tax Increment Financing Second Emergency Act of 2020 ("second emergency act") and authorized the District to issue \$25 million of TIF debt to support the Project, the second emergency act mirrors the permanent bill in the scope of the TIF area and authorizes the District to issue a total of \$45.8 million of TIF debt.

(m) The second emergency is necessary because it gives the Mayor the authority to authorize the issuance of TIF bonds essential for moving forward with the development of the full Project, including for DC Health to move forward with its relocation.

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 Reunion Square Tax Increment Financing Second Emergency Act of 2020 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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

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

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

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

B23-0844 2814 University Terrace, N.W., Tax Abatement Act of 2020

Intro. 07-14-2020 by Councilmember Cheh and referred to the Committee on Business and Economic Development

B23-0850 The Arts and Humanities Omnibus Amendment Act of 2020

Intro. 07-17-2020 by Chairman Mendelson and referred to the Committee of the Whole

PR23-0886 District of Columbia Board of Ethics and Government Accountability Charles Nottingham Confirmation Resolution of 2020

Intro. 07-17-2020 by Chairman Mendelson and referred to the Committee on Judiciary and Public Safety

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

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

ANNOUNCES A PUBLIC OVERSIGHT HEARING ON

“THE DEPARTMENT OF BEHAVIORAL HEALTH”

**THURSDAY, OCTOBER 22, 2020, 9:00 AM – 6:00 PM
REMOTE HEARING VIA WEBEX**

BROADCAST LIVE ON DC COUNCIL CHANNEL 13

STREAMED LIVE AT WWW.DCCOUNCIL.US AND ENTERTAINMENT.DC.GOV.

Councilmember Vincent C. Gray, Chairperson of the Committee on Health, announces a Public Oversight Hearing on "The Department of Behavioral Health." The hearing will be held on Thursday, October 22, 2020, at 9:00 a.m., via Webex.

This public oversight hearing will serve as a follow-up to the Department of Behavioral Health's (DBH) FY19-20 Performance Oversight hearing and will examine all oversight issues associated with the agency, including, but not limited to: grant spending; DBH's progress towards achieving budget efficiencies proposed in the Fiscal Year 2021 budget; a progress report on Live.Long.DC; school-based mental health services; strategies to reduce opioid overdose fatalities; community support and emergency psychiatric services; water infrastructure at St. Elizabeths Hospital; the release and monitoring of St. Elizabeths Hospital outpatients; and DBH's COVID-19 response, including how the District is addressing the mental and emotional dimensions of the COVID-19 public health emergency.

Persons wishing to provide oral testimony should contact Malcolm Cameron, Legislative Analyst of the Committee on Health by e-mail at mcameron@dccouncil.us or by phone at (202) 341-4425 before 9:00 p.m. on Tuesday, October 20, 2020. When sending an e-mail or leaving a voicemail, please provide Mr. Cameron with the following information:

- Your first and last name;
- The name of the organization you are representing (if any);
- Your title with the organization;
- Your e-mail address;
- Your phone number; and
- The specific bill/s you will be testifying about.

Mr. Cameron will e-mail a confirmation of your attendance with an agenda, witness list, and attached instructions for accessing the Webex video conference hearing by 5:00 p.m. on October 21, 2020. Oral testimony will be strictly limited to three minutes to allow everyone an opportunity to testify. Due to technological limitations during the COVID-19 pandemic, only the first nine hours of the hearing

will be broadcasted, however, the Webex hearing will continue until all witnesses who have signed up have had an opportunity to testify.

For accommodation requests, including spoken language or sign language interpretation, please inform the Committee office of the need as soon as possible but no later than five (5) business days before the proceeding. The Council 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.

Persons wishing to provide written testimony should e-mail their written testimony to Malcolm Cameron, Legislative Analyst of the Committee on Health at mcameron@dccouncil.us before 5:00 p.m. on Thursday, November 5, 2020. Any testimony provided after this time will not be made part of the hearing record. Please indicate that you are submitting testimony for this hearing in the subject line of the e-mail. The Committee also welcomes e-mails commenting on the proposed legislation, however, this correspondence is not included in the official Committee report if it is not labeled as testimony.

COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE ON LABOR AND WORKFORCE DEVELOPMENT
NOTICE OF PUBLIC OVERSIGHT HEARING

1350 Pennsylvania Avenue, NW, Washington, DC 20004

Revised

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

ANNOUNCES A PUBLIC OVERSIGHT HEARING ON

The District's Unemployment Compensation Program During the COVID-19 Pandemic
and
The Unemployment Compensation Employer Classification Amendment Act
of 2019 (B23-500)

Wednesday, September 16, 2020, 10:00 a.m.

Virtual hearing via Webex

Broadcast on DC Cable Channel 13 and online at www.dccouncil.us

Councilmember Elissa Silverman, Chairperson of the Committee on Labor and Workforce Development, announces a public oversight hearing before the Committee on the District's unemployment compensation program during the COVID-19 pandemic and B23-500, the Unemployment Compensation Employer Classification Amendment Act of 2019. **Note:** This notice has been revised to include B23-500 as one of the covered topics

In March 2020, as local businesses began to implement measures to slow the spread of COVID-19, the District passed legislation expanding eligibility for unemployment benefits to workers who otherwise would not qualify.¹ The United States Congress expanded access to unemployment, boosted benefits payments, and provided supplementary funding to states workforce agencies via the Coronavirus Aid, Relief, and Economic Security (CARES) Act. Between March 13, 2020, and July 15, 2020, the Department of Employment Services (DOES) received more than 128,000 applications for unemployment benefits. During this time, an overwhelming number of individuals and businesses also reached out to their Councilmembers with questions and concerns regarding the unemployment insurance system. At this hearing, the Committee will hear testimony about the District's response to the steep increase in unemployment claims caused by the pandemic. In addition, the hearing will consider B23-500 which aims to align District law with the requirements of the Federal Unemployment Tax Act by clarifying that government entities and instrumentalities may make payments into the District Unemployment Fund.

Witnesses may use their phone or computer to participate in this virtual hearing. Those who wish to testify must email the Committee at labor@dccouncil.us by 5:00 p.m. on Monday, September 14, 2020 to provide their name, email address, telephone number, organizational affiliation and job title (if any), as well as the language of oral interpretation they require (if any). Witnesses who require language interpretation or sign language interpretation are requested to

¹ These included B23-0718, the COVID-19 Response Emergency Amendment Act of 2020, B23-0719, the COVID-19 Response Temporary Amendment Act of 2020, B23-0734, the COVID-19 Response Supplemental Temporary Amendment Act of 2020, and B23-0733 the COVID-19 Response Supplemental Emergency Amendment Act of 2020.

inform the Labor Committee of the need as soon as possible, but no later than 5:00 p.m. on Tuesday, September 8, 2020. The Council's Office of the Secretary will fulfill timely requests for language interpretation services, however requests received later than July 1 may not be able to be fulfilled due to vendor availability.

The committee will email instructions on how to participate and the Webex link to those who have signed up by 5:00 p.m. on Monday, September 14, 2020. Only witnesses who have signed up by the deadline will be permitted to participate.

Those wishing to testify are encouraged to submit an electronic copy of written testimony by 12:00 p.m. on Tuesday, September 15, 2020, so that staff may distribute testimonies to committee members and staff in advance. Those representing organizations will have five minutes to present their testimony, and other individuals will have three minutes to present their testimony; less time will be allowed if there is a large number of witnesses.

If anyone is unable to testify at the roundtable, written statements will be made a part of the official record. Written statements should be submitted by email to labor@dccouncil.us. Additionally, the public may provide testimony by voice mail by calling (202) 455-0153, stating and spelling the witness's name, stating any organizational affiliation, and speaking slowly to provide a statement to be transcribed and included in the record. The record will close at 5:00 p.m. on Wednesday, September 30, 2020.

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

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

ANNOUNCES A PUBLIC OVERSIGHT HEARING ON

“THE PUBLIC HEALTH ELEMENT OF THE DISTRICT'S COVID-19 RESPONSE”

**WEDNESDAY, OCTOBER 28, 2020, 9:00 AM – 6:00 PM
REMOTE HEARING VIA WEBEX
BROADCAST LIVE ON DC COUNCIL CHANNEL 13
STREAMED LIVE AT WWW.DCCOUNCIL.US AND ENTERTAINMENT.DC.GOV.**

Councilmember Vincent C. Gray, Chairperson of the Committee on Health, announces a Public Oversight Hearing on the "Public Health Element of the District's COVID-19 Response." The hearing will be held on Wednesday, October 28, 2020, at 9:00 a.m., via Webex.

This oversight hearing will examine the public health element of the District's response to the COVID-19 pandemic. The Committee will hear testimony from Dr. LaQuandra Nesbitt, Director of the DC Department of Health, and Wayne Turnage, Deputy Mayor for the Office of the Deputy Mayor for Health and Human Services and Director of the Department of Health Care Finance.

Persons wishing to provide oral testimony should contact Malcolm Cameron, Legislative Analyst of the Committee on Health by e-mail at mcameron@dccouncil.us or by phone at (202) 341-4425 before 5:00 p.m. on Monday, October 26, 2020. When sending an e-mail or leaving a voicemail, please provide Mr. Cameron with the following information:

- Your first and last name;
- The name of the organization you are representing (if any);
- Your title with the organization;
- Your e-mail address;
- Your phone number; and
- The specific bill/s you will be testifying about.

Mr. Cameron will e-mail a confirmation of your attendance with an agenda, witness list, and attached instructions for accessing the Webex video conference hearing by 5:00 p.m. on October 27, 2020. Oral testimony will be strictly limited to three minutes to allow everyone an opportunity to testify. Due to technological limitations during the COVID-19 pandemic, only the first nine hours of the hearing will be broadcasted, however, the Webex hearing will continue until all witnesses who have signed up have had an opportunity to testify.

For accommodation requests, including spoken language or sign language interpretation, please inform the Committee office of the need as soon as possible but no later than five (5) business days before the proceeding. The Council 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.

Persons wishing to provide written testimony should e-mail their written testimony to Malcolm Cameron, Legislative Analyst of the Committee on Health at mcameron@dccouncil.us before 5:00 p.m. on Wednesday, November 11, 2020. Any testimony provided after this time will not be made part of the hearing record. Please indicate that you are submitting testimony for this hearing in the subject line of the e-mail. The Committee also welcomes e-mails commenting on the proposed legislation, however, this correspondence is not included in the official Committee report if it is not labeled as testimony.

COUNCIL OF THE DISTRICT OF COLUMBIA
Notice of Grant Budget Modifications

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

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

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

Telephone: 724-8050

GBM 23-95: FY 2020 Grant Budget Modifications as of July 1, 2020

RECEIVED: 2-day review begins July 17, 2020

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date: July 24, 2020
Protest Petition Deadline: September 28, 2020
Roll Call Hearing Date: October 13, 2020

License No.: ABRA-109347
Licensee: Abunai Poke, LLC
Trade Name: Abunai Poke Restaurant
License Class: Retailer’s Class “D” Restaurant
Address: 1920 L Street, N.W.
Contact: Stephen J. O’Brien, Esq.: (202) 625-7700

WARD 2 ANC 2B SMD 2B06

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

Licensee is requesting to add a Game of Skill endorsement to their operations, offering the Dragon’s Ascent electronic game with up to 3 consoles.

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

Sunday and Saturday 11am – 6pm, Monday through Friday 10:30am – 8pm

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date: July 24, 2020
Protest Petition Deadline: September 28, 2020
Roll Call Hearing Date: October 13, 2020

License No.: ABRA-108303
Licensee: Allure Lounge, LLC
Trade Name: Allure Lounge
License Class: Retailer’s Class “C” Tavern
Address: 711 H Street, N.E.
Contact: Stephen J. O’Brien, Esq.: (202) 625-7700

WARD 6

ANC 6C

SMD 6C05

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 October 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

Licensee is requesting to add a Game of Skill endorsement to their operations, offering the Dragon’s Ascent electronic game with up to 3 consoles.

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

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

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date: July 24, 2020
Protest Petition Deadline: September 28, 2020
Roll Call Hearing Date: October 13, 2020

License No.: ABRA-116070
Licensee: Crujiente, LLC
Trade Name: Anejo Bar & Grill
License Class: Retailer's Class "C" Tavern
Address: 3910 14th Street, N.W.
Contact: Stephen J. O'Brien, Esq.: (202) 625-7700

WARD 4 ANC 4C SMD 4C04

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 October 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

Licensee is requesting to add a Game of Skill endorsement to their operations, offering the Dragon's Ascent electronic game with up to 1 console.

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

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

CURRENT HOURS LIVE ENTERTAINMENT INSIDE OF THE PREMISES

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

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

Sunday through Saturday 11am - 11:30pm

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date: July 24, 2020
Protest Petition Deadline: September 28, 2020
Roll Call Hearing Date: October 13, 2020

License No.: ABRA-019007
Licensee: Atomic Billiards Corporation
Trade Name: Atomic Billiards
License Class: Retailer’s Class “C” Tavern
Address: 3427 Connecticut Avenue, N.W.
Contact: Stephen J. O’Brien, Esq.: (202) 625-7700

WARD 3

ANC 3C

SMD 3C04

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 October 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

Licensee is requesting to add a Game of Skill endorsement to their operations, offering the Dragon’s Ascent electronic game with up to 3 consoles.

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

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

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date: July 24, 2020
Protest Petition Deadline: September 28, 2020
Roll Call Hearing Date: October 13, 2020

License No.: ABRA-086320
Licensee: Roundabout, LLC
Trade Name: Bar Elena DC
License Class: Retailer's Class "C" Tavern
Address: 414 H Street, N.E.
Contact: Stephen J. O'Brien, Esq.: (202) 625-7700

WARD 6 ANC 6C SMD 6C05

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 October 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

Licensee is requesting to add a Game of Skill endorsement to their operations, offering the Dragon's Ascent electronic game with up to 3 consoles.

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

Sunday 10am - 2am, Monday through Thursday 11am - 2am, Friday and Saturday 11am - 3am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date: July 24, 2020
Protest Petition Deadline: September 28, 2020
Roll Call Hearing Date: October 13, 2020

License No.: ABRA-088106
Licensee: The Board Room DC, LLC
Trade Name: Board Room
License Class: Retailer's Class "C" Tavern
Address: 1737 Connecticut Avenue, N.W.
Contact: Stephen J. O'Brien, Esq.: (202) 625-7700

WARD 2

ANC 2B

SMD 2B01

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 October 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

Licensee is requesting to add a Game of Skill endorsement to their operations, offering the Dragon's Ascent electronic game with up to 3 consoles.

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

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

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date: July 24, 2020
Protest Petition Deadline: September 28, 2020
Roll Call Hearing Date: October 13, 2020

License No.: ABRA-091022
Licensee: Sunflower, Inc.
Trade Name: Flavors of India/Marshall's Bar
License Class: Retailer's Class "C" Tavern
Address: 2524 L Street, N.W.
Contact: Stephen J. O'Brien, Esq.: (202) 625-7700

WARD 2

ANC 2A

SMD 2A03

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 October 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

Licensee is requesting to add a Game of Skill endorsement to their operations, offering the Dragon's Ascent electronic game. The Licensee will provide up to 16 player stations and 3 consoles.

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

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

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

Sunday through Saturday 11am - 11pm

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date: July 24, 2020
Protest Petition Deadline: September 28, 2020
Roll Call Hearing Date: October 13, 2020
Protest Hearing Date: December 9, 2020

License No.: ABRA-116996
Licensee: FountainInn, LLC
Trade Name: Fountain Inn
License Class: Retailer's Class "C" Restaurant
Address: 1659 Wisconsin Avenue, N.W.
Contact: Matt Minora: (202) 625-7700

WARD 2 ANC 2E SMD 2E02

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 October 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. The Protest Hearing date is scheduled on December 9, 2020 at 1:30 p.m.

NATURE OF OPERATION

The Establishment will be a neighborhood tavern based on the former The Fountain Inn providing a daily food menu complimented by aged spirits and fine wines. Seating Capacity of 30 inside and a Total Occupancy Load of 60, including an outdoor Summer Garden with 30 seats.

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

Sunday through Saturday 11am – 1am

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

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

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date: July 24, 2020
Protest Petition Deadline: September 28, 2020
Roll Call Hearing Date: October 13, 2020

License No.: ABRA-107912
Licensee: 2121 K Street, LLC
Trade Name: Homeslyce
License Class: Retailer’s Class “C” Restaurant
Address: 2121 K Street, N.W.
Contact: Stephen J. O’Brien, Esq.: (202) 625-7700

WARD 2 ANC 2A SMD 2A06

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 October 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

Licensee is requesting to add a Game of Skill endorsement to their operations, offering the Dragon’s Ascent electronic game with up to 3 consoles.

CURRENT HOURS OF OPERATION INSIDE PREMISES

Sunday through Thursday 10am – 2am, Friday and Saturday 10am – 4am

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

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

CURRENT HOURS LIVE ENTERTAINMENT INSIDE PREMISES

Sunday through Thursday 6pm – 1:30am, Friday and Saturday 6pm – 2:30am

CURRENT HOURS OF OPERATION FOR THE OUTDOOR SIDEWALK CAFÉ

Sunday through Saturday 10am – 10pm

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

Sunday through Saturday 11am – 10pm

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date: July 24, 2020
Protest Petition Deadline: September 28, 2020
Roll Call Hearing Date: October 13, 2020

License No.: ABRA-097025
Licensee: Odalys Restaurant LLC
Trade Name: Odalys Restaurant
License Class: Retailer’s Class “C” Restaurant
Address: 1200 Kennedy Street, N.W.
Contact: Stephen J. O’Brien, Esq.: (202) 625-7700

WARD 4 ANC 4C SMD 4C01

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 October 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

Licensee is requesting to add a Game of Skill endorsement to their operations, offering the Dragon’s Ascent electronic game with up to 3 consoles.

CURRENT HOURS OF OPERATION INSIDE PREMISES

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

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

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

CURRENT HOURS OF LIVE ENTERTAINMENT INSIDE PREMISES

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

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date: July 24, 2020
Protest Petition Deadline: September 28, 2020
Roll Call Hearing Date: October 13, 2020

License No.: ABRA-108190
Licensee: BANPH, LLC
Trade Name: Players Club
License Class: Retailer’s Class “C” Tavern
Address: 1400 14th Street, N.W.
Contact: Stephen J. O’Brien, Esq.: (202) 625-7700

WARD 2 ANC 2F SMD 2F02

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 October 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

Licensee is requesting to add a Game of Skill endorsement to their operations, offering the Dragon’s Ascent electronic game with up to 3 consoles.

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

Sunday through Thursday 11am – 1:45am, Friday and Saturday 11am – 2:45am

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

Sunday through Thursday 11am – 12am, Friday and Saturday 11am – 1:30am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date: July 24, 2020
Protest Petition Deadline: September 28, 2020
Roll Call Hearing Date: October 13, 2020

License No.: ABRA-025084
Licensee: 1801 Corporation
Trade Name: Pupatella
License Class: Retailer's Class "C" Restaurant
Address: 1801 18th Street, N.W.
Contact: Stephen J. O'Brien: (202) 625-7700

WARD 2 ANC 2B SMD 2B01

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 October 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

Applicant requests a Change of Hours for inside the premises and the sidewalk cafe.

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

Sunday 10am - 10pm, Monday 4pm - 10pm, Tuesday through Thursday 4pm - 11pm, Friday 11am - 12am, Saturday 10am - 12am

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

Sunday 10am - 10pm, Monday 5pm - 10pm, Tuesday through Thursday 5pm - 11pm, Friday and Saturday 11am - 12am

PROPOSED HOURS OF OPERATION FOR INSIDE PREMISES AND FOR SIDEWALK CAFE

Sunday through Thursday 7am - 11pm, Friday and Saturday 8am - 1am

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

Sunday through Thursday 8am - 11pm, Friday and Saturday 8am - 1am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date: July 24, 2020
Protest Petition Deadline: September 28, 2020
Roll Call Hearing Date: October 13, 2020

License No.: ABRA-074970
Licensee: Comet Investors, LP
Trade Name: Rocket Bar
License Class: Retailer's Class "C" Tavern
Address: 714 7th Street, N.W.
Contact: Stephen J. O'Brien, Esq.: (202) 625-7700

WARD 2

ANC 2C

SMD 2C01

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 October 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

Licensee is requesting to add a Game of Skill endorsement to their operations, offering the Dragon's Ascent electronic game with up to 3 consoles.

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

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

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

****RESCIND**

Placard Posting Date: June 19, 2020
Protest Petition Deadline: August 24, 2020
Roll Call Hearing Date: September 8, 2020

License No.: ABRA-116067
Licensee: The Culinary District, LLC
Trade Name: TBD
License Class: Retailer’s Class “C” Tavern
Address: 1914 9th Street, N.W.
Contact: Richard Bianco, Esq.: (202) 461-2400

WARD 1 ANC 1B SMD 1B02

Notice is hereby given that this licensee has requested Substantial Changes to their license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the **Roll Call Hearing date on September 8, 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 CHANGES

Applicant requests to change hours of operation and alcoholic beverage sales, service, and consumption. Applicant is requesting to increase the Total Occupancy Load of the entire establishment from 76 to 201. Applicant is also requesting to add a Summer Garden Endorsement with 40 seats and an occupancy load of 76.

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

Sunday through Thursday 12pm – 2am
Friday and Saturday 12pm – 3am

CURRENT HOURS LIVE ENTERTAINMENT

Thursday through Saturday 8pm – 2am

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

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

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date: July 24, 2020
Protest Petition Deadline: September 28, 2020
Roll Call Hearing Date: October 13, 2020

License No.: ABRA-022105
Licensee: Red River Grill, LLC
Trade Name: Union Pub
License Class: Retailer’s Class “C” Restaurant
Address: 201 Massachusetts Avenue, N.E.
Contact: Stephen J. O’Brien, Esq.: (202) 625-7700

WARD 6 ANC 6C SMD 6C02

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 October 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

Licensee is requesting to add a Game of Skill endorsement to their operations, offering the Dragon’s Ascent electronic game with up to 3 consoles.

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 PREMISES

Sunday through Thursday 9am – 1:30am, Friday and Saturday 9am – 2:30am

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

Sunday and Saturday 10am – 12:30am, Monday through Friday 11am – 12:30am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date: July 24, 2020
Protest Petition Deadline: September 28, 2020
Roll Call Hearing Date: October 13, 2020
Protest Hearing Date: December 9, 2020

License No.: ABRA-116575
Licensee: Yardbird DC, LLC
Trade Name: Yardbird Southern Table and Bar
License Class: Retailer's Class "C" Restaurant
Address: 901 New York Avenue, N.W., Suite E109
Contact: Andrew Kline, Esq.: (202) 686-7600

WARD 2 ANC 2C SMD 2C01

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 October 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. The Protest Hearing date is scheduled on December 9, 2020 at 4:30 p.m.

NATURE OF OPERATION

A new class C Restaurant serving Southern cuisine. Seating Capacity of 176, Total Occupancy Load of 273 including a Summer Garden with 76 Seats.

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

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

DC DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (DHCD)

VIRTUAL PUBLIC HEARING NOTICE FOR
DISTRICT OF COLUMBIA'S

FISCAL YEAR 2021 ANNUAL ACTION PLAN

Polly Donaldson, Director, DC Department of Housing and Community Development (DHCD or "the Department") will conduct a virtual public hearing on Wednesday, August 5, 2020, at 6:30pm, to discuss the District's Fiscal Year (FY) 2021 HUD Fiscal Year (FY) 2020 entitlement allocation in its use of funds received from the U.S. Department of Housing and Urban Development (HUD). The hearing will help form a basis for developing the draft "District of Columbia Fiscal Year 2021/HUD Fiscal Year 2020 Annual Action Plan".

The District will receive approximately \$35,000,000 from HUD in Fiscal Year 2021 through six programs: the National Housing Trust Fund (NHTF); the Community Development Block Grant (CDBG) Program; the HOME Investment Partnerships Program (HOME); the Emergency Solutions Grant (ESG) Program; the Recovery Housing Program (RHP), and the Housing Opportunity for Persons with AIDS (HOPWA) Program. DHCD administers the CDBG, NHTF, HOME funds directly as well as the pilot RHP funds; DHCD entered into an agreement with the DC Department of Human Services (DHS) for the Prevention of Homelessness to administer the ESG grant; and transferred the HOPWA grant to Department of Health (DC Health).

Residents and stakeholders are strongly encouraged to participate in the District's virtual public hearing in the development of policies and programs in the following areas: 1) affordable housing; 2) special needs housing; 3) homelessness; 4) homeownership; and, 5) community development and public service activities. The Department is also interested in receiving community feedback on innovative strategies to enhance community participation during this planning process. Public comment period for the plan is from July 31 to August 10, 2020.

SCHEDULED VIRTUAL PUBLIC HEARING:

Wednesday August 5, 2020 ~ 6:30pm

Via WebEx Info

Event address for attendees: <https://dcnet.webex.com/dcnet/onstage/g.php?MTID=e2fe3b3f971a5143ebda08adc3c369bf3>

Event number: 160 194 2965

Event password: q3QQXNp4G7i

Audio conference: Call-in toll number (US/Canada)
1-650-479-3208

[Show all global call-in numbers](#)

Access code: 160 194 2965

District of Columbia residents who would like to present oral testimony are encouraged to register (Registration Page information) in advance either by e-mail at OPM.QUESTIONS@dc.gov. Please provide your name, address, telephone number, and organization affiliation, if any.

Telecommunications Device for the Deaf (TDD) relay service is available by calling (800) 201-7165. A sign language interpreter will be provided upon request by calling Tilla Hall at (202) 442-7239 five days prior to the hearing date.

Residents who require language interpretation should specify which language (Spanish, Vietnamese, Chinese-Mandarin/Cantonese, Amharic, or French). Deadline for requesting services of an interpreter is five days prior to the hearing date. Bilingual staff will provide services on an availability basis to walk-ins without registration.

Written statements and comments for the hearing can be submitted to DHCD for the record at OPM.QUESTIONS@dc.gov, until close of business on Tuesday, August 10, 2020. Comments can also be mailed to Polly Donaldson, Director, DHCD, 1800 Martin Luther King Jr., Avenue, SE, Washington, DC 20020.

**BOARD OF ZONING ADJUSTMENT
PUBLIC HEARING NOTICE
WEDNESDAY, JULY 29, 2020
Virtual Hearing via WebEx**

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

TIME: 9:30 A.M.

WARD FIVE

20204
ANC 5C **Application of 1001 Bryant Street LLC**, pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception under the new residential development provisions of Subtitle U § 421.1, to combine the two lots into one record lot and construct a new 16-unit apartment house in the RA-1 Zone at premises 1001-1003 Bryant Street N.E. (Square 3869, Lots 25 and 26).

WARD FOUR

20260
ANC 4C **Application of 618 Randolph St NW LLC**, pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception under the RF-use requirements of Subtitle U § 320.2, to permit the conversion of an existing attached principal dwelling unit into a three-unit apartment house in the RF-1 Zone at premises 618 Randolph Street, N.W. (Square 3233, Lot 99).

WARD FIVE

20265
ANC 5E **Application of Michael Zgoda**, as amended, pursuant to 11 DCMR Subtitle X, Chapter 9, for special exceptions under Subtitle C § 703.2 from the minimum parking requirements of Subtitle C § 701.5 and under Subtitle C § 1504.1 from the penthouse setback requirements of Subtitle C § 1502.1(c), and pursuant to 11 DCMR Subtitle X, Chapter 10, for variances from the lot dimension requirements of Subtitle E § 201.1, from the lot occupancy requirements of Subtitle E § 304.1, and from the rear yard requirements of Subtitle E § 306.1, to construct a detached principal dwelling unit in the RF-1 Zone at premises 401-403 Richardson Place, N.W. (Square 507, Lots 81-82).

WARD THREE

20266
ANC 3C **Application of 3400 Connecticut Partners LLC**, pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception under Subtitle C § 703.2 from the minimum parking requirements of Subtitle C § 701.5, to construct a mixed use retail/apartments development in the NC-3 Zone at premises 3400 Connecticut Avenue, N.W. (Square 2069, Lots 817-821).

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JULY 29, 2020
PAGE NO. 2

WARD THREE

20214 **Application of Jason Harris and Jenna Stark**, pursuant to 11 DCMR
ANC 3B Subtitle X, Chapter 9, for a special exception under Subtitle D § 5201 from
the rear yard requirements of Subtitle D § 306.2, to permit a rear deck addition
to an existing, attached principal dwelling unit in the R-3 Zone at premises
2211 38th Street, N.W. (Square 1301, Lot 659).

PLEASE NOTE:

This public hearing will be held virtually through WebEx. Information for parties and the public to participate, view, or listen to the public hearing will be provided on the Office of Zoning website and in the case record for each application or appeal by the Friday before the hearing date.

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, including the text provided in the Notice of Emergency and Proposed Rulemaking adopted by the Zoning Commission on May 11, 2020, in Z.C. Case No. 20-11.

Individuals and organizations interested in any application may testify at the public hearing via WebEx or by phone and are strongly encouraged to sign up to testify 24 hours prior to the start of the hearing on OZ's website at <https://dcoz.dc.gov/> or by calling Robert Reid at 202-727-5471. Pursuant to Subtitle Y, Chapter 2 of the Regulations, the Board may impose time limits on the testimony of all individuals and organizations.

Individuals and organization may also submit written comments to the Board by uploading submissions via IZIS or by email to bzasubmissions@dc.gov. Submissions are strongly encouraged to be sent at least 24 hours prior to the start of the hearing.

Do you need assistance to participate?

Americans with Disabilities Act (ADA)

If you require an auxiliary aide or service in order to participate in the public hearing under Title II of the ADA, please contact Zelalem Hill at (202) 727-0312 or Zelalem.Hill@dc.gov. In order to ensure any requested accommodations can be secured by the scheduled hearing, please contact Ms. Hill as soon as possible in advance of that date.

Language Access

Amharic

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JULY 29, 2020
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ለመሳተፍ ዕርዳታ ያስፈልግዎታል?
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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 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.

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

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

TIME AND PLACE: Monday, October 5, 2020, @ 4:00 p.m.
WebEx or Telephone – Instructions will be provided on the
OZ website by Noon of the Hearing Date¹

FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:

Z.C. Case No. 20-03 (Office of Planning - Text Amendment to Subtitles B, C, H, K, and U, to Require Certain Ground Floor Uses in Self-Service Storage Establishments)

THIS CASE IS OF INTEREST TO ALL ANCS

On January 17, 2020, the Office of Planning (“OP”) filed with the Office of Zoning a report (the “OP Setdown Report”) that served as a petition to the Zoning Commission (the “Commission”) proposing the following amendments to Title 11 of the District of Columbia Municipal Regulations (Zoning Regulations of 2016, the “Zoning Regulations,” to which all references herein refer unless otherwise specified) to amend the “self-service storage establishment” use and standards, as well as to make technical changes, reorganize and renumber sections, and make terminology consistent as follows:

Subtitle B, Definitions, Rules of Measurement, and Use Categories

Chapter 1, Definitions

§ 100.2 – adding a new “Self-Storage Facility” definition, amending the “Warehouse” definition, and modifying a “health care facility” code citation.

Chapter 2, Use Categories

§ 200.2 – revising the “Production, distribution, and repair” use to reflect the new “Self-Storage Facility” term and modifying a “health care facility” code citation.

Subtitle C, General Rules

Chapter 7, Vehicle Parking

§ 701.5 – reordering in alphabetical order the “medical care” use standard within the Table.

Chapter 8, Bicycle Parking

§ 802.1 - reordering in alphabetical order the “medical care” use standard within the Table.

Chapter 9, Loading

§ 901.1 - replacing the term “health care” with “medical care” consistent with the use category terminology and reordering in alphabetical order the “medical care” use standard within the Table.

Subtitle H, Neighborhood Mixed Use (NC) Zones

Chapter 11, Use Permissions for NC Zones

¹ Anyone who wishes to participate in this case but cannot do so via WebEx or telephone, may submit written comments to the record. (See p. 13, *How to participate as a witness – written statements.*)

§ 1103.1(j) - replacing the term “health care” with “medical care” consistent with the use category terminology and reordering the use list in alphabetical order.

Subtitle K, Special Purpose Zones

Chapter 4, Hill East Zones – HE-1 THROUGH HE-4

§ 415.1(e) – modifying the “Self-Storage Facility” term consistent with the new definition.

Chapter 6, SAINT ELIZABETHS EAST CAMPUS ZONES – StE-1 THROUGH StE-19

§ 615.1(f) – modifying the “Self-Storage Facility” term consistent with the new definition.

Chapter 9, WALTER REED ZONES – WR-1 THROUGH WR-8

§ 914.1(c) – modifying the “Self-Storage Facility” term consistent with the new definition.

Subtitle U, Use Permissions

Chapter 8, Use Permissions Production, Distribution, and Repair (PDR) Zones

§ 801.1(n) – replacing the term “health care” with “medical care” consistent with the use category terminology.

§ 801.1(v) – modifying the “Production, distribution, and repair” use to add “Self-Storage Facility,” along with conditions, and eliminating redundant standards.

§ 802.1(g) – adding a “Self-Storage Facility” special exception.

§§ 802.1(h)-(l) – adding a new paragraph inadvertently removed in Z.C. Case No. 19-04, renumbering special exception uses, and modifying cross-references.

At its January 27, 2020, public meeting, the Commission voted to grant’s OP’s request to set down the proposed text amendment for a public hearing and authorized flexibility for OP to work with the Office of the Attorney General (“OAG”) to refine the proposed text and add any conforming language as necessary.²

The OP Setdown Report also serves as the pre-hearing report required by Subtitle Z § 501.

The complete record in the case, including the OP Setdown Report and transcript of the January 27, 2020, public hearing, can be viewed online at the Office of Zoning website, through the Interactive Zoning Information System (IZIS), at <https://app.dcoz.dc.gov/Content/Search/Search.aspx>

PROPOSED TEXT AMENDMENT

The proposed amendments to the text of the Zoning Regulations are as follows (text to be deleted is marked in ~~bold and strikethrough~~ text; new text is shown in **bold and underline** text).

I. Proposed Amendments to Subtitle B, DEFINITIONS

Subsection 100.2 of § 100, DEFINITIONS, of Chapter 1, DEFINITIONS, of Subtitle B, DEFINITIONS, RULES OF MEASUREMENT, AND USE CATEGORIES, is proposed to be amended by correcting a reference in the definition of “Health Care Facility,” by adding

² OAG recommended the inclusion of the clarification of “health care” and “medical care”.

a new definition of “Self-Storage Facility,” and by modifying the definition of “Warehouse,” to read as follows:

100.2 When used in this title, the following terms and phrases shall have the meanings ascribed:

...³

Health Care Facility: A facility that meets the definition for and is licensed under the District of Columbia Health Care and Community Residence Facility, Hospice and Home Care Licensure Act of 1983, effective February 24, 1984 (D.C. Law 5-48; D.C. Official Code §§ ~~32-1301~~ 44-501 *et seq.*)

...

School, Public: A building or use within a building ...

Self-Storage Facility: A building devoted to the storing of personal property (property other than real property) that:

(a) Consists of a building partitioned into one (1) or more enclosed and lockable storage units at least one of which does not exceed four hundred square feet (400 sq. ft.) in area, for lease on an individual basis; and

(b) Is leased on an individual basis to persons or businesses to store personal property on a self-service basis in which the lessee has control over the access and use of the self-storage space.

Service/Delivery Loading Space: An off-street space provided ...

...

Warehouse: Any building or premises where goods or chattel are stored. The term "warehouse" shall not include storage clearly incidental to the conduct of a retail business or other permitted use on the premises **or a Self-Storage Facility.**

...

Subsection 200.2 of § 200, INTRODUCTION, of Chapter 2, USE CATEGORIES, of Subtitle B, DEFINITIONS, RULES OF MEASUREMENT, AND USE CATEGORIES, is proposed to be amended by revising paragraph (u) to correct the reference in the definition of the Medical Care use category and by revising paragraph (z) to update to self-storage facility use, to read as follows:

³ The uses of this and other ellipses indicate that other provisions exist in the subsection being amended and that the amendment of the provisions does not signify an intent to repeal.

200.2 When used in this title, the following use categories shall have the following meanings:

...

(u) Medical Care:

- (1) A use involving the on-site licensed ...
- (2) These facilities may provide ...
- (3) Examples include, but are not limited to: dentist, doctor, optician, hospitals, clinics, or medical offices. This use category also includes any facility that meets the definition for and is licensed under the District of Columbia Health Care and Community Residence Facility, Hospice and Home Care Licensure Act of 1983, effective February 24, 1984 (D.C. Law 5-48; D.C. Official Code §§ ~~32-1301~~ 44-501 *et seq.*); and
- (4) Exceptions: This use category does not ...

...

(y) Parks and Recreation ...

(z) Production, Distribution, and Repair:

- (1) A use involving the on-site production ...
- (2) Uses may include firms that provide centralized services ...
- (3) Examples include, but are not limited to: manufacturing facility, concrete plant, asphalt plant, material salvage, hauling or terminal yard, chemical storage or distribution, outdoor material storage, acetylene gas manufacturing, fertilizer manufacturing, rock quarrying, warehouse, storage, self-storage facility, ground shipping facility, or wholesale sales; and;
- (4) Exceptions: This use category does not include ...

(aa) Residential ...

II. Proposed Amendments to Subtitle C, GENERAL RULES

Subsection 701.5 of § 701, MINIMUM VEHICLE PARKING REQUIREMENTS, of Chapter 7, VEHICLE PARKING, of Subtitle C, GENERAL RULES, is proposed to be reorganized in alphabetical order to read as follows:

701.5 Except as provided for in Subtitle C § 702 ...

TABLE C § 701.5: PARKING REQUIREMENTS

Use Category	Minimum number of vehicle parking spaces
...	
Government, local	0.5 space per 1,000 sq. ft. in excess of 2,000 sq. ft. with a minimum of 1 space required; except: Public recreation and community center: 0.25 space per 1,000 sq. ft. in excess of 2,000 sq. ft. with a minimum of 1 space required; and Kiosk public library – no requirement.
Medical care	1 per 1,000 sq. ft. in excess of 3,000 sq. ft., with a minimum of 1 space required.
Institutional, general	1.67 per 1,000 sq. ft. in excess of 5,000 sq. ft.
...	
Marine	0.5 per 1,000 sq. ft.
Medical care	<u>1 per 1,000 sq. ft. in excess of 3,000 sq. ft., with a minimum of 1 space required.</u>
Motor vehicle-related	2 per 1,000 sq. ft.
...	

Subsection 802.1 of § 802, MINIMUM NUMBER OF BICYCLE PARKING SPACES, of Chapter 8, BICYCLE PARKING, of Subtitle C, GENERAL RULES, is proposed to be reorganized in alphabetical order to read as follows:

802.1 All residential uses with eight (8) or more dwelling units ...

TABLE C § 802.1: MINIMUM NUMBER OF BICYCLE PARKING SPACES

Use	Long-Term Spaces	Short-Term Spaces
...		
Government, local	1 for each 7,500 sq. ft.	1 space for each 40,000 sq. ft. but no less than 6 spaces
Medical care	1 space for each 10,000 sq. ft.	1 space for each 40,000 sq. ft.
Institutional, general	1 space for each 7,500 sq. ft.	1 space for each 2,500 sq. ft. but no less than 8 spaces
...		
Marine	None	1 space for each 3,500 sq. ft.
Medical care	<u>1 space for each 10,000 sq. ft.</u>	<u>1 space for each 40,000 sq. ft.</u>
Motor vehicle-related	1 space for each 20,000 sq. ft.	1 space for each 10,000 sq. ft.
...		

Subsection 901.1 of § 901, LOADING REQUIREMENTS, of Chapter 9, LOADING, of Subtitle C, GENERAL RULES, is proposed to be amended to replace “Health Care” with “Medical Care” and reorganize alphabetically, to read as follows:

901.1 All buildings or structures shall be provided ...

TABLE C § 901.1: LOADING BERTHS AND SERVICE/DELIVERY SPACES

Use	Minimum Number of Loading Berths Required	Minimum Number of Service/Delivery Spaces Required
...	None	None
Government, local		
30,000 to 100,000 sq. ft. gross floor area	1	1
More than 100,000 sq. ft. gross floor area	2	1
Health care		
30,000 to 100,000 sq. ft. gross floor area	1	1
More than 100,000 sq. ft. gross floor area	2	1
Institutional		
...		
Marine		
30,000 to 100,000 sq. ft. gross floor area	1	1
More than 100,000 sq. ft. gross floor area	2	1
Medical Care		
<u>30,000 to 100,000 sq. ft. gross floor area</u>	<u>1</u>	<u>1</u>
<u>More than 100,000 sq. ft. gross floor area</u>	<u>2</u>	<u>1</u>
Motor vehicle-related		
...		

III. Proposed Amendments to Subtitle H, NEIGHBORHOOD MIXED USE (NC) ZONES

Subsection 1103.1 of § 1103, MATTER-OF-RIGHT USES (NC-USE GROUPS A, B, AND C), of Chapter 11, USE PERMISSSIONS FOR NC ZONES, of Subtitle H, NEIGHBORHOOD MIXED USE (NC) ZONES, is proposed to be amended to replace “Health Care” with “Medical Care,” to read as follows:

1103.1 The following uses in this section shall be permitted as a matter of right:

...

(i) Government, local;

~~(j)~~ **Health care;**

~~(k)~~ (i) Institutional, general and religious;

(k) Medical Care;

(l) Office, including chancery;

...

IV. Proposed Amendments to Subtitle K, SPECIAL PURPOSE ZONES

Paragraph (e) of § 415.1 of § 415, PROHIBITED USES IN THE HE ZONES (HE), of Chapter 4, HILL EAST ZONES – HE-1 THROUGH HE-4, of Subtitle K, SPECIAL PURPOSE ZONES, is proposed to be amended for consistency, as follows:

415.1 The following uses are prohibited within the HE zones ...

...

(e) ~~Self-service storage establishment that provides separate storage areas for individual or business uses~~ Self-Storage Facility;

...

Paragraph (f) of § 615.1 of § 615, PROHIBITED USES (STE), of Chapter 6, SAINT ELIZABETHS EAST CAMPUS ZONES – StE-1 THROUGH StE-19, of Subtitle K, SPECIAL PURPOSE ZONES, is proposed to be amended for consistency, as follows:

615.1 The following uses are prohibited within the StE zones ...

...

(f) ~~Self-service storage establishment that provides separate storage areas for individual or business uses~~ Self-Storage Facility;

...

Paragraph (b) of § 914.1 of § 914⁴, PROHIBITED USES (WR), of Chapter 9, WALTER REED ZONES – WR-1 THROUGH WR-8, of Subtitle K, SPECIAL PURPOSE ZONES, is proposed to be amended by eliminating redundant standards, as follows:

914.1 The following uses are prohibited in the WR ~~zone~~ zones ...

...

(c) ~~Self-service storage establishment that provides separate storage areas for individual or business uses~~ Self-Storage Facility.

III. Proposed Amendments to Subtitle U, USE PERMISSIONS

Subsection 801.1 of § 801, MATTER-OF-RIGHT USES (PDR), of Chapter 8, USE PERMISSIONS PRODUCTION, DISTRIBUTION, AND REPAIR (PDR) ZONES, of Subtitle U, USE PERMISSIONS, is proposed to be amended by revising paragraph (n) to correct the reference of “Health Care” to “Medical Care,” by revising paragraph (v) to

⁴ Subtitle K § 914 is proposed to be renumbered as Subtitle K § 916 in Z.C. Case No. 19-24, for which a Notice of Proposed Rulemaking was published on July 17, 2020.

include “Self-Storage Facility,” and by revising paragraph (by correcting the reference to “Waste incineration” to “Waste-related service uses,” to read as follows:

801.1 The following uses shall be permitted in a PDR zone ...

...

(n) ~~Health-care~~ Medical Care;

...

(v) Production, distribution, and repair (PDR) uses are permitted as a matter of right, ~~subject to compliance with the Standards of External Effects in Subtitle U § 804~~, except for ~~the following prohibited uses or activities as follows~~:

(1) Self-Storage Facility shall be permitted provided it meets the following:

(i) Design the ground floor with:

(A) A minimum clear floor-to-ceiling height of fourteen feet (14 ft.), measured from the finished grade; and

(B) Not less than seventy-five percent (75%) of the surface area of the street wall associated with the preferred uses required by Subtitle U § 801.1(v)(1)(ii) at the ground floor to windows, which shall include:

(I) Clear/low emissivity glass allowing transparency to a depth of twenty feet (20 ft.) into the preferred ground level space, with bottom sills no more than four feet (4 ft.) above the adjacent sidewalk grade; and

(II) Views from within the building to the street and from the street into the building; and

(ii) Devote at least fifty percent (50%) of the ground floor area and one hundred percent (100%) of the building's street frontage along a public street to a minimum depth of thirty feet (30 ft.) from the front facade, with the exception of space devoted to building entrances or

required for fire control, to the following preferred uses, subject to any conditions for the use(s) in the zone:

(A) Animal sales, care, and boarding;

(B) Arts, design, and creation;

(C) Eating and drinking establishments;

(D) Medical Care;

(E) Office;

(F) Residential;

(G) Retail; or

(H) Service, general or financial; and

(2) The following PDR uses or activities are prohibited:

(i) ~~(1)~~ Acetylene gas manufacture;

(ii) ~~(2)~~ Bone products manufacture;

(iii) ~~(3)~~ Calcium carbide manufacture;

(iv) ~~(4)~~ Curing, tanning, or storage of hides;

(v) ~~(5)~~ Excavation or quarrying or rock for commercial purposes;

(vi) ~~(6)~~ Fertilizer manufacture;

(vii) ~~(7)~~ Manufacture or storage of ammunition, explosives, firearms, or military equipment (this condition does not apply to the storage of ammunition or firearms incidental to a use in the firearm sales category);

(viii) ~~(8)~~ Manufacturing, processing, mixing, storing, or distributing concrete or asphalt, or the materials that are used to make concrete or asphalt;

(ix) ~~(9)~~ Refining or manufacture of bituminous products other than asphalt;

(x) ~~(10)~~ Rubber products manufacture or treatment;

~~(xi) (11)~~ Slaughter or rendering of animals; or;

~~(xii) (12)~~ Steel furnace, blast furnace, bloom furnace, coke oven, or rolling mill;

(w) Residential uses are limited to ...

(x) Retail uses ...

(y) Service uses are permitted as a matter of right ...

(z) Transportation infrastructure;

(aa) Utility (basic) uses are permitted as a matter-of-right ...

(bb) ~~Waste incineration~~ Waste-related service uses, including for conversion to energy subject to the Standards of External Effects in Subtitle U § 804, and the use shall not be permitted on any lot located in whole or in part within one hundred feet (100 ft.) of a residential zone; and

(cc) Wholesale or storage establishment ...

Subsection 802.1 of § 802, SPECIAL EXCEPTION USES (PDR), of Chapter 8, USE PERMISSIONS PRODUCTION, DISTRIBUTION, AND REPAIR (PDR) ZONES, of Subtitle U, USE PERMISSIONS, is proposed to be amended by revising paragraphs (f) and (h), by adding a new paragraph (i) for Self-Storage Facilities, by adding a new paragraph (j) that was inadvertently deleted in Z.C. Case No. 19-04, and by modifying and renumbering current paragraphs (i) and (j) as new paragraphs (k) and (l), to read as follows:

802.1 The following uses shall be permitted in a PDR zone if approved by the Board of Zoning Adjustment as a special exception under Subtitle X, Chapter 9, subject to the applicable conditions of each paragraph below:

...

(f) Production, distribution, and repair (**PDR**) uses that involve the excavation of clay, sand, or gravel ...

(g) Repair of automobiles ...

(h) Retail, large format, subject to the following conditions:

(1) The development standards ...

...

(8) This section shall not apply to the following:

- (A) Large format retail that would occupy a planned unit development ...
- (B) Large format retail that would occupy a project with a completed review ... meeting the definition of large format retail.;

(i) Self-Storage Facility not meeting the requirements of Subtitle U § 801.1(v)(1), subject to the following conditions:

(1) The uses, buildings, or features at the size, intensity, and locations proposed, will substantially advance the purposes of creating an active streetscape and will not adversely affect neighboring property or be detrimental to the health, safety, convenience, or general welfare of persons living, working, or visiting in the area;

(2) The architectural design of the project will enhance the urban design features of the immediate vicinity in which it is located; and

(3) Vehicular access and egress are located and designed so as to minimize conflict with principal pedestrian ways, to function efficiently, and to create no dangerous or otherwise objectionable traffic conditions;

(i) Service uses not meeting the conditions of Subtitle U § 801.1(v) or whose principal use is the administration of massages, subject to the following conditions:

(1) The use shall not be objectionable because of its effect on the character of the neighborhood or because of noise, traffic, or other conditions; and

(2) The Board of Zoning Adjustment may impose additional requirements as it deems necessary to protect adjacent or nearby residential properties, including but not limited to:

(A) Limitations on the hours of operation; and

(B) Expiration on the duration of the special exception approval;

(+) **(k)** Utility (basic) uses not meeting the conditions of Subtitle U § **801.1(z)** **801.1(aa)**; however, if the use is an electronic equipment facility (EEF), the Board of Zoning Adjustment shall consider:

(1) How the facility, as a consequence ...
...

(5) The design appearance, landscaping, parking and other such requirements it deems necessary to protect adjacent property and to achieve an active, safe, and vibrant street life; **and**

(+) **(l)** Waste-related service uses not permitted under Subtitle U § **801.1(aa)** **801.1(bb)**, but not including hazardous waste, subject to the following conditions:

(1) Regardless of use ...
...

(11) The applicant shall provide credible evidence to the Board of Zoning Adjustment to demonstrate the ability of the facility and its ancillary elements to comply with all applicable regulations. The evidence shall include, but not be limited to, the following:

(A) An indication of the site ...
...

(F) A certified statement by an architect or engineer licensed in the District of Columbia that the facility as sited and designed to the best of his or her professional knowledge and belief is capable of complying with this subsection and all other applicable regulations of the District of Columbia government, including, without limitation, regulations adopted pursuant to the Solid Waste Facility Permit Act of 1995, effective February 27, 1996 (D.C. Law 11-94, as amended; D.C. Official Code §§ 8-1051 to 8-1063 (2012 Repl.)); **and**.

Proposed amendments to the Zoning Regulations of the District of Columbia are authorized pursuant to the Zoning Act of June 20, 1938 (52 Stat. 797, as amended; D.C. Official Code § 6-641.01, *et seq.* (2018 Repl.)).

This public hearing will be conducted in accordance with the rulemaking case provisions of Subtitle Z, Chapter 5.

How to participate as a witness – oral presentation

Interested persons or representatives of organizations may be heard at the virtual public hearing. All individuals, organizations, or associations wishing to testify in this case are **strongly encouraged to sign up to testify at least 24 hours prior to the start of the hearing** on OZ's website at <https://dcoz.dc.gov/> or by calling Donna Hanousek at (202) 727-0789 in order to ensure the success of the new virtual public hearing procedures.

The Commission also requests that all witnesses prepare their testimony in writing, submit the written testimony prior to giving statements, and limit oral presentations to summaries of the most important points. The Commission must base its decision on the record before them. Therefore, it is **highly recommended that all written comments and/or testimony be submitted to the record at least 24 hours prior to the start of the hearing.** The following maximum time limits for oral testimony shall be adhered to and no time may be ceded:

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

How to participate as a witness – written statements

Written statements, in lieu of personal appearances or oral presentation, may be submitted for inclusion in the record. The public is encouraged to submit written testimony through the Interactive Zoning Information System (IZIS) at <https://app.dcoz.dc.gov/Login.aspx>; however, written statements may also be submitted by e-mail to zcsubmissions@dc.gov. Please include the case number on your submission. If you are unable to use either of these means of submission, please contact Donna Hanousek at (202) 727-0789 for further assistance.

“Great weight” to written report of ANC

Subtitle Z § 505.1 provides that the written report of an affected ANC shall be given great weight if received at any time prior to the date of a Commission meeting to consider final action, including any continuation thereof on the application, and sets forth the information that the report must contain. Pursuant to Subtitle Z § 505.2, an ANC that wishes to participate in the hearing must file a written report at least seven days in advance of the public hearing and provide the name of the person who is authorized by the ANC to represent it at the hearing.

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

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

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

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

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.

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

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。

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.

ለሙሉ ተሳታፊነት ለማረጋገጥ? 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። እንኳ አገልግሎቶች የሚሰጡት በነጻ ነው።

OFFICE OF DOCUMENTS AND ADMINISTRATIVE ISSUANCES

ERRATA NOTICE

The Administrator of the Office of Documents and Administrative Issuances (ODAI), pursuant to the authority set forth in Section 309 of the District of Columbia Administrative Procedure Act, approved October 21, 1968, as amended (82 Stat. 1203; D.C. Official Code § 2-559 (2016 Repl.)), hereby gives notice of a correction to the Notice of Final Rulemaking and Zoning Commission Order No. 19-11, issued by the Zoning Commission of the District of Columbia and published in the *D.C. Register* on April 3, 2020, at 67 DCR 3776.

The final rulemaking amended Subtitles B (Definitions, Rules of Measurement, and Use Categories), C (General Rules), D (Residential House (R) Zones), E (Residential Flats (RF) Zones), F (Residential Apartment (RA) Zones), G (Mixed-Use (MU) Zones), H (Neighborhood Mixed Use (NC) Zones), I (Downtown (D) Zones), J (Production, Distribution, and Repair (PDR) Zones), K (Special Purpose Zones), and U (Use Permissions) of Title 11 (Zoning Regulations of 2016) of the District of Columbia Municipal Regulations (DCMR).

Among other changes, the final rulemaking deleted Subtitle D § 207.7 (public school height limitations, moved to the new Subtitle D, Chapter 49), with Subtitle D §§ 207.8 and 207.9 renumbered as new Subtitle D §§ 207.7 and 207.8 and no Subtitle D § 207.9. The final rulemaking included the following numbering mistake:

- Failed to correct the cross-reference in Subtitle D § 207.1 from Subtitle D § 207.9 (no longer in existence) to Subtitle D § 207.8 (previous Subtitle D § 207.9)

Therefore, the final rulemaking is corrected to amend Subtitle D § 207.1 to read as follows (the corrections to the final rulemaking are made below (additions are shown in **bold and underline**; deletions are shown in **~~bold and strikethrough~~**):

I. Amendments to Subtitle D, RESIDENTIAL HOUSE (R) ZONES

Subsection 207.1 of § 207, HEIGHT, of Chapter 2, GENERAL DEVELOPMENT STANDARDS, of Subtitle D, RESIDENTIAL HOUSE (R) ZONES, is amended by correcting the cross-reference, to read as follows:

207.1 Except in the R-11, R-12, and R-13 Naval Observatory Residential zones, and except as provided in Subtitle D § ~~207.9~~ **207.8**, the maximum height of buildings or structures specified in each R zone may be exceeded as provided in this section.

These corrections by this Errata Notice to the Notice of Final Rulemaking is non-substantive in nature and does not alter the intent, application, or purpose of the proposed rules. The rules are effective upon the original publication date of the Notice of Final Rulemaking of April 3, 2020.

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

THE DISTRICT OF COLUMBIA HOUSING AUTHORITY

NOTICE OF FINAL RULEMAKING**Violence Against Women Act**

The Board of Commissioners of the District of Columbia Housing Authority (DCHA), pursuant to the District of Columbia Housing Authority Act of 1999, effective May 9, 2000 (D.C. Law 13-105; D.C. Official Code § 6-203 (2018 Repl.)), hereby gives notice of the adoption of the following amendments to Chapter 49 (Purpose and Scope of Housing Choice Voucher Program Administrative Plan), Chapter 53 (Recertifications, Housing Quality Standard Inspections, and Family Moves), Chapter 61 (Public Housing: Admission and Recertification), and Chapter 89 (Informal Hearing Procedures for Applicants and Participants of the Housing Choice Voucher and Moderate Rehabilitation Programs) of Title 14 (Housing) of the District of Columbia Municipal Regulations (DCMR).

The purpose of the amendments is to implement changes to the Violence Against Women Reauthorization Act of 2013 (Pub. L. 113-4) and HUD's implementation of this law.

These rules were previously published as a proposed rulemaking on March 27, 2020, at 67 DCR 003574. The Board of Commissioners of the District of Columbia Housing Authority approved these regulations as final on June 10, 2020. These regulations will become effective upon publication of this notice in the *D.C. Register*.

Chapter 49, PURPOSE AND SCOPE OF HOUSING CHOICE VOUCHER PROGRAM ADMINISTRATIVE PLAN, of Title 14 DCMR, HOUSING, is amended as follows:

Section 4907, PROTECTIONS FOR APPLICANTS AND PARTICIPANTS UNDER THE VIOLENCE AGAINST WOMEN ACT, is amended as follows:

Subsection 4907.4 is amended as follows:

4907.4 If a member of the assisted Family is removed from the family composition due to that member of the assisted Family being the perpetrator in criminal acts of domestic violence, dating violence, sexual assault, or stalking and the victim is part of the assisted Family, the perpetrator may not be considered a remaining Family member or an eligible Family member.

Subsection 4907.6 is amended as follows:

4907.6 (a) Pursuant to federal regulations, the denial of continued HCVP assistance to a Family member who engages in criminal acts related to domestic violence, dating violence, sexual assault, or stalking against members of the assisted Family shall be considered a form of termination of the individual Family member. DCHA shall follow the procedures described

in Chapters 58 and 89 of this title of the DCMR when terminating assistance to such an individual, unless the individual is absent or expected to be absent pursuant to paragraph (b) of this subsection.

- (b) If the Family member who engages in criminal acts related to domestic violence, dating violence, sexual assault, or stalking against another Family member is absent, or expected to be absent due to court order or incarceration, from the assisted unit for more than one hundred and twenty (120) consecutive days, DCHA shall remove that Family member and the individual shall no longer be considered part of the family composition.
- (c) An absent family member removed from the family composition pursuant to paragraph (b) of this subsection shall also be denied continued HCVP assistance. DCHA shall follow the same procedures as described in Chapters 58 and 89 of this title of the DCMR when terminating of the participation of the removed absent family member.

Subsection 4907.11 is amended as follows:

4907.11 If a Family or Family member participant who has been the victim of domestic violence, dating violence, stalking, or sexual assault moves in violation of the lease, DCHA shall not terminate assistance or deny a Family's request to move under portability if the move was related to the act of domestic violence, dating violence, stalking, or sexual assault. The portability regulations outlined in Chapter 55 of this title shall apply.

Subsection 4907.12 is amended as follows:

4907.12 A Family may document an incident or incidents of domestic violence, dating violence, sexual assault, or stalking as follows:

- (a) The HUD-approved certification form;
- (b) A record of a Federal, State, tribal, territorial, or local law enforcement agency, court, or administrative agency that documents the incident of domestic violence, dating violence, sexual assault, or stalking (*i.e.*, police reports, protective orders, and restraining orders); or
- (c) Documentation that is—
 - (1) Signed by the victim;
 - (2) Signed by an employee, agent, or volunteer of a victim service provider, an attorney, or mental health or medical provider (collectively, "professional") from whom the victim has sought assistance in the situation; and

- (3) Attested, under penalty of perjury, that the professional believes that the incident or incidents of domestic violence, dating violence, sexual assault, or stalking are grounds for VAWA protection.
- (d) DCHA will notify the household member seeking relief under VAWA of the member's status under § 4907.1 within fourteen (14) business days of receiving documentation as explained in paragraphs (a) through (c) of this subsection. Notice will be provided by first-class mail to the address of record or an alternative address or email address, if one is provided, and by phone, if a phone number is provided.

Subsection 4907.14 is amended as follows:

4907.14

- (a) If DCHA receives conflicting documentation submitted pursuant to § 4907.12 from two (2) or more members of a household, each petitioning for VAWA protections under this section and each claiming to be a victim and naming one (1) or more of the other petitioning household members as the perpetrator, DCHA may require third-party documentation to resolve the conflict in accordance with VAWA and its implementing regulations.
- (b) DCHA will determine which household members shall continue to be assisted in accordance with §§ 4907.21 and 5317.6. DCHA shall provide written notice to the household member(s) who will not retain assistance with the opportunity for an informal hearing in accordance with § 8908.

Subsection 4907.15 is amended as follows:

4907.15

If a Family or Family member participant who has been a victim of domestic violence, dating violence, sexual assault, or stalking by an individual, requests an emergency transfer voucher pursuant to §§ 5333 or 5501 of this title, the family or family member participant must submit the request in writing. A family or family member participant may submit a DCHA or HUD-approved emergency transfer voucher form, or provide a written statement that includes either:

- (a) A statement expressing and certifying, under penalty of perjury, that the participant reasonably believes that there is a threat of imminent harm from further violence if the participant were to remain in the same dwelling unit assisted under the HCVP; or
- (b) A statement certifying, under penalty of perjury, that the participant was a sexual assault victim and that the sexual assault occurred on the premises during the ninety (90)-calendar-day period preceding the participant's request for an emergency transfer voucher.

Subsection 4907.17 is amended as follows:

4907.17

- (a) Participants must provide the documentation required under § 4907.16 within fourteen (14) business days of receiving the written request for documentation. If DCHA receives documentation containing information that conflicts with existing information already available to DCHA, DCHA may require third-party documentation to resolve the conflict in accordance with VAWA and its implementing regulations. Third-party documentation must be provided within thirty (30) calendar days of the date of the request for the third-party documentation.
- (b) If DCHA receives conflicting documentation of domestic violence, dating violence, sexual assault, or stalking from two more members of a household, each claiming to be a victim and naming one or more of the other petitioning household members as the perpetrator, § 4907.14 shall apply.
- (c) DCHA will administratively withdraw a family or family members' request pursuant to § 4907.16 if documentation is not provided as explained in paragraph (a) of this subsection.
- (d) DCHA will notify the household member seeking relief under VAWA of the member' status under § 4907.1 within fourteen (14) business days of receiving documentation as explained in paragraphs (a) through (c) of this subsection. Notice will be provided by first-class mail to the address of record or an alternative address or email address, if one is provided, and by phone, if a phone number is provided.

A new Subsection 4907.21 is created to read as follows:

4907.21 Conflicting Allegations Panel.

- (a) If DCHA receives conflicting documents submitted pursuant to § 4907.12 from two (2) or more members of a household, each claiming to be a victim and naming one (1) or more of the other petitioning household members as the perpetrator, DCHA shall convene a conflicting allegations panel within five (5) business days to recommend which Family member should remain in the voucher program by requiring third-party documentation to resolve the conflict in accordance with the Violence Against Women Act (VAWA) and its implementing regulations, as explained in §§ 4907.12 and 4907.14, and other applicable laws using the following guidelines:
 - (1) Prior to making any recommendation on who retains assistance, the conflicting allegations panel shall attempt to notify both adult

family members involved in the alleged incident by first-class mail to the address of record or an alternative address or email address, if one is provided, and by phone, if a phone number is provided, that only one (1) part of the family shall continue to receive assistance;

- (2) The notice shall inform both adults of how DCHA will determine who retains assistance, and what relevant information each adult can provide to assist DCHA in making its recommendation;
 - (3) After making its recommendation using the factors as enumerated in § 5317.6, the documentation provided pursuant to §§ 4907.12 and 4907.14, and any additional relevant information provided (including, but not limited to, police report(s), protective orders, restraining orders, photographs, video footage, any past history of abuse, or evidence of who is the primary aggressor), DCHA shall notify both adults in writing within five (5) business days of its decision and the basis for the decision; and
 - (4) The adult family member who DCHA determines shall not continue to receive assistance shall be entitled to an informal hearing pursuant to Chapter 89 of this title of the DCMR.
- (b) The Conflicting Allegations Panel will consist of three members, two (2) HCVP staff members, designated by the HCVP Director, and a victim service provider employee or agent.

Chapter 53, RECERTIFICATIONS, HOUSING QUALITY STANDARD INSPECTIONS, AND FAMILY MOVES, is amended as follows:

Section 5317, REMOVING A HOUSEHOLD MEMBER, is amended as follows:

Subsection 5317.6 is amended as follows:

5317. 6 If a Family receiving assistance breaks up into two (2) otherwise eligible families as a result of divorce, legal separation, or intrafamily offenses, then DCHA shall use the following procedures to determine which Family shall continue to be assisted:

- (a) DCHA shall be bound to any decision of the courts, including but not limited to in cases of divorce, legal separation, or intrafamily offenses, as to who shall continue to receive assistance;
- (b) In the case that there is no judicial decision relating to who will continue to receive the assistance, DCHA shall consider the following:

- (1) Any incidents of domestic violence, dating violence, sexual assault, or stalking, or an intrafamily offense, in which case, DCHA shall ensure that the victim retains assistance;
- (2) The interest of minor children; or
- (3) The interest of an ill, elderly, or disabled Family member.

[§ 5317.6(c) is moved to create a new § 4907.21.]

Subsection 5317.7 is amended as follows:

5317.7 DCHA shall not determine that both families shall continue to be assisted unless an exception is required under §§ 8908.6(c) or 8908.7 in accordance with VAWA, or other applicable laws.

Subsection 5317.8 is amended as follows:

5317.8 If the Head of Household has been determined to be permanently absent due to a medical reason, death, incarceration, or being the perpetrator in criminal acts of domestic violence, dating violence, sexual assault, or stalking, DCHA may permit a remaining adult family member to become Head of Household if the remaining Family is comprised of one or more of the following persons:

- (a) Minor children;
- (b) Elderly;
- (c) Disabled; or
- (d) A victim of domestic violence, dating violence, sexual assault, or stalking.

Section 5318, ABSENT FAMILY MEMBERS, is amended as follows:

Subsection 5318.5 is amended as follows:

5318.5 (a) If a Spouse is absent from the household assisted unit more than one hundred twenty (120) consecutive days, the Spouse shall continue to be considered a Family member and the Spouse's income shall be counted. The Spouse shall remain as part of the assisted household until DCHA receives verification is received documenting that the Spouse has left the household in a divorce action, legal separation, or through other verifiable third party documentation that documents that the Spouse has established a legal residency outside of the assisted household.

- (b) Pursuant to § 4907.6, a Spouse who is absent or expected to be absent from the household for more than one hundred twenty (120) consecutive days due to being the perpetrator in criminal acts of domestic violence, dating violence, sexual assault, or stalking, the Spouse shall not be considered a Family member and the Spouse's income will not be counted.

Chapter 61, PUBLIC HOUSING: ADMISSION AND RECERTIFICATION is amended as follows:

Section 6127, PROTECTIONS FOR PUBLIC HOUSING APPLICANTS AND TENANTS UNDER THE VIOLENCE AGAINST WOMEN ACT, is amended as follows:

Subsection 6127.13 is amended as follows:

6127.13 Conflicting Allegations.

- (a) If DCHA receives conflicting documentation of domestic violence, dating violence, sexual assault, or stalking from two (2) or more members of a household, each claiming to be a victim and naming one (1) or more of the other petitioning household members as the perpetrator, DCHA may require third-party documentation to resolve the conflict in accordance with VAWA and its implementing regulations. DCHA will review conflicting allegations through the process specified in § 6127.13(c).
- (b) If a household member does not submit third-party documentation, or only submits third-party documentation that contains conflicting information, DCHA may deny the VAWA request. DCHA shall provide to tenants written notice and the opportunity to grieve in accordance with § 6301.
- (c) Conflicting Allegations Panel. If DCHA receives conflicting documents submitted pursuant to § 6127.12 from two (2) or more members of a household, each claiming to be a victim and naming one (1) or more of the other petitioning household members as the perpetrator, DCHA shall convene a conflicting allegations panel within five (5) business days to recommend which Family member's request will be granted in accordance with the Violence Against Women Act (VAWA) and its implementing regulations, as explained in §§ 6127.1, and other applicable laws using the following guidelines:
 - (1) Prior to making any recommendation on who retains assistance, the conflicting allegations panel shall attempt to notify both adult family members involved in the alleged incident by first-class mail to the address of record or an alternative address or email address, if one is provided, and by phone, if a phone number is provided, that only one (1) part of the family shall continue to receive

- assistance;
- (2) The notice shall inform both adults of how DCHA will determine who retains assistance, and what relevant information each adult can provide to assist DCHA in making its recommendation;
 - (3) After making its recommendation using the factors as enumerated in § 6127.13(e), the documentation provided pursuant to § 6127.12, and any additional relevant information provided (including, but not limited to, police report(s), protective orders, restraining orders, photographs, video footage, any past history of abuse, or evidence of who is the primary aggressor), DCHA shall notify both adults in writing of its decision and the basis for the decision; and
 - (4) If DCHA denies the request, DCHA shall provide to the adult household member written notice and the opportunity to grieve in accordance with § 6301.
- (d) The Conflicting Allegations Panel will consist of three members, two (2) staff members from Property Management and Operations, designated by the Director of Property Management and Operations, and a victim service provider employee or agent.
- (e) The Conflicting Allegations Panel will consider the following to determine which VAWA request will be granted:
- (1) DCHA shall be bound to any decision of the courts, including but not limited to in cases of divorce, legal separation, or intrafamily offenses;
 - (2) In the case that there is no judicial decision relating to who will continue to receive the assistance, DCHA shall consider the following:
 - (1) Any incidents of domestic violence, dating violence, sexual assault, or stalking, or an intrafamily offense, in which case, DCHA shall ensure that the victim retains assistance;
 - (2) The interest of minor children; or
 - (3) The interest of an ill, elderly, or disabled Family member.

Subsection 6127.16 is amended as follows:

6127.16 If a tenant requests an emergency VAWA transfer under the protections of

VAWA, DCHA will request in writing that the tenant provide documentation in accordance with Subsection 6127.12.

Subsection 6127.17 is amended as follows:

6127.17 Tenants must provide the documentation required under Subsection 6127.12 within fourteen (14) business days of receiving the written request for documentation. If DCHA receives conflicting documentation of domestic violence, dating violence, sexual assault, or stalking from two or more members of a household, each claiming to be a victim and naming one or more of the other petitioning household members as the perpetrator, Subsection 6127.13 shall apply.

Chapter 89, INFORMAL HEARING PROCEDURES FOR APPLICANTS AND PARTICIPANTS OF THE HOUSING CHOICE VOUCHER AND MODERATE REHABILITATION PROGRAMS, is amended as follows:

Section 8900, INTRODUCTION, is amended as follows:

A new Subsection 8900.7, is created and reads as follows:

8900.7 The procedures and requirements for informal hearings pertaining to Violence Against Women Act and implementing regulations are contained in this chapter.

Section 8902, DCHA DETERMINATIONS SUBJECT TO INFORMAL HEARING, is amended as follows:

Subsection 8902.3 is amended as follows:

8902.3 Except as provided in Section 8908 of this chapter, DCHA shall give the family or applicant written notice of determinations within thirty days (30) days of any determination that is subject to the provisions of Subsection 8902.1. Notices under § 8902.1(j) shall be sent by both certified and regular mail. All notices shall include:

- (a) The proposed action or decision of DCHA;
- (b) The date the proposed action or decisions will take place;
- (c) The basis for DCHA's decision;
- (d) The procedures for requesting an informal hearing if the family or applicant disputes the action or decision; and
- (e) The time limit for requesting the informal hearing; and

- (f) The form by which families or applicants can request an informal hearing.

A new Section 8908, INFORMAL HEARING PROCEDURES RELATED TO THE VIOLENCE AGAINST WOMEN ACT, is created and reads as follows:

8908.1 This section supersedes any contradicting section in this chapter.

8908.2 Recommendation for Termination.

- (a) DCHA shall issue a Recommendation for Termination to the family member alleged to have committed an act of domestic violence, dating violence, sexual assault, or stalking after determining such act has occurred.
- (b) DCHA shall mail the recommendation for termination by—
- (1) Certified or registered mail; and
 - (2) First class mail.
- (c) All notices shall include:
- (1) The proposed action or decision of DCHA;
 - (2) The date the proposed action or decisions will take place;
 - (3) The basis for DCHA's decision; and
 - (4) The procedures for an informal hearing if the family disputes the action or decision.

8908.3 Informal Hearing and Notice.

- (a) DCHA shall issue a notice of an informal hearing within five (5) business days of the issuance of the recommendation for termination.
- (b) The date of the informal hearing will be not more than ten (10) business days after the date of issuance of the informal hearing notice;
- (c) The Informal hearing notice shall contain—
- (1) The date and time of the informal hearing;
 - (2) The location of the hearing;

- (3) The participant's right to bring evidence, witnesses, and legal or other representation at the participant's expense;
 - (4) The right to view, or have their counsel or other representative view, in accordance to the restrictions provided in Subsection 4907.13 of this title and subject to a timely request under Subsection 8903.4; and
 - (5) The notice that the participant must provide the Office of the General Counsel copies of any documents or evidence the participant intends to use at the Hearing at least three (3) business days prior to the scheduled hearing.
- (d) DCHA shall mail the Informal Hearing Notice and a copy of the recommendation for termination by—
- (1) Certified or registered mail; and
 - (2) First class mail.

8908.4 Request for an Extension.

- (a) Either party may request only one (1) extension to reschedule an Informal Hearing.
- (b) Extensions shall be granted for no more than five (5) business days from the hearing date that the party is seeking to reschedule.
- (c) No extension shall be granted beyond thirty (30) business days from the date of the notice recommending termination.

8908.5 Informal Hearing Procedures.

- (a) Except as provided in paragraphs (b) and (c) of this subsection, the informal hearing procedures of Section 8904 of this title shall apply.
- (b) The informal hearing shall concern only the issues for which the participant or applicant received a notice in conformance with Subsection 8908.3.

8908.6 Proposed and Final Decisions.

- (a) The hearing officer shall, within five (5) business days of the hearing, make a proposed decision in accordance with Subsections 8905.1 and 8905.2 of this chapter.

- (b) The proposed decision shall be sent by expedited mail to the participant.
- (c) The proposed decision will become final on the fifth (5th) day following the postmark of the proposed decision unless one of the parties has submitted a written request to the Executive Director requesting the Executive Director to reconsider the proposed decision before issuing a final decision and stating the basis for such review.

8908.7 Final Decisions by the Executive Director.

- (a) The Executive Director shall render a final written decision within five (5) days of receipt of the request for a final decision pursuant to Subsection 8908.6, which shall include DCHA's reasons for the final decision.
- (b) The final decision shall include notification that:
 - (1) Final decisions by the Executive Director may be reviewed by the District of Columbia Court of Appeals; and
 - (2) Information on the deadline to submit a Petition for Review with the Court of Appeals from the date of the Final Decision.
- (c) The Executive Director may modify or set aside, in whole or in part, the decision of the hearing officer which
 - (1) Otherwise exceeds the authority of the hearing officer, or
 - (2) Is contrary to applicable HUD regulations or requirements, or is otherwise contrary to federal or local law, including the provisions of Title 14 DCMR and the HCVP Administrative Plan.

DISTRICT OF COLUMBIA PUBLIC LIBRARY

NOTICE OF FINAL RULEMAKING

The Board of Library Trustees, through D.C. Official Code § 39-105 (2018 Repl.), designated the Chief Librarian/Executive Director to establish rules and manage the day-to-day operations of the library. The District of Columbia Public Library Board of Trustees, pursuant to the authority set forth in An Act to establish and provide for the maintenance of a free public library and reading room in the District of Columbia, approved June 3, 1896, as amended (29 Stat. 244, ch. 315, § 5; D.C. Official Code § 39-105 (2012 Repl.)); Section 3205 (jjj) 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 § 39-105 (2018 Repl.)); Section 2 of the District of Columbia Public Library Board of Trustees Appointment Amendment Act of 1985, effective September 5, 1985 (D.C. Law 6-17; D.C. Official Code § 39-105 (2018 Repl.)); the Procurement Reform Amendment Act of 1996, effective April 12, 1997, as amended (D.C. Law 11-259; 44 DCR 1423 (March 14, 1997)); and Section 156 of An Act Making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1999, and for other purposes, approved October 21, 1998 (112 Stat. 2681, Pub. L. 105-277; D.C. Official Code § 39-105 (2018 Repl.)); as codified in 27 DCRR § 2.1, 24 DCR 11011, 11014 (June 30, 1978); and as amended by Final Rulemaking published at 38 DCR 1011 (February 8, 1991), hereby gives notice of the adoption of amendments to Chapter 8 (Public Library) of Title 19 (Amusements, Parks, and Recreation) of the District of Columbia Municipal Regulations (DCMR).

The amendments will provide the DCPL the ability to eliminate fines and penalties for overdue library items.

On May 14, 2020, the Board of Library Trustees of the District of Columbia Public Library (“DCPL”) voted to adopt the proposed amendment to the District of Columbia Public Library Regulations regarding Fines and Penalties amendments to 19 DCMR § 803. The Notice of Proposed Rulemaking was published in the *D.C. Register* on June 12, 2020 at 67 DCR 7503. No Comments were received.

These rules were adopted as final on May 14, 2020 and shall become effective on the date of publication of this notice in the *D.C. Register*.

Chapter 8, PUBLIC LIBRARY, of Title 19 DCMR, AMUSEMENT, PARKS AND RECREATION, is amended as follows:

Section 803, FINES AND PENALTIES, is amended to read as follows:

803 FINES AND PENALTIES

803.1 There shall be no charge for overdue library items.

803.2 All borrowers, twenty (20) years of age and older, shall be assessed lost and damaged fees on all material types including children’s materials and books that are overdue sixty (60) days or more, as follows:

- (a) Hardcover Books; and \$ 20.00
- (b) Paperback Books, CDs, and DVDs \$ 15.00

803.3 Adult borrowers, twenty (20) years of age and older, of materials and books are responsible for the payment of both lost and damaged fees.

803.4 Adult borrowers twenty (20) years of age and older who incur outstanding fees totaling forty dollars (\$ 40.00) or more on their library account will be blocked from checking-out or renewing books and other library materials, until the account is in good standing.

803.5 The librarian or designee can at his/her discretion forgive lost or damaged fees for library materials. This option can be utilized when the borrower provides reasons such as: hospitalization, death in family, incarceration, fire, flood, or other catastrophic personal hardship.

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA

NOTICE OF FINAL RULEMAKINGZ.C. Case No. 20-05¹

(Text Amendment – Subtitle K of Title 11 DCMR)

(Frontage of Eating & Drinking Establishment Uses in the ARTS Zones)

June 29, 2020

The Zoning Commission for the District of Columbia (Commission), pursuant to its authority under § 1 of the Zoning Act of 1938, approved June 20, 1938 (52 Stat. 797, as amended; D.C. Official Code § 6-641.01 (2018 Repl.)), and pursuant to § 6 of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1206; D.C. Official Code § 2-505(c) (2016 Repl.)), hereby gives notice of its amendment of the following provisions of the Zoning Regulations (Title 11 of the District of Columbia Municipal Regulations, Zoning Regulations of 2016, to which all references are made unless otherwise specified):

- Subtitle K, Special Purpose Zones
Chapter 8, Mixed-Use Uptown Arts Zones – ARTS-1 through ARTS-4
§ 811.9 – correcting linear footage numbers for eating and drinking establishments

Setdown

On February 14, 2020, the Office of Planning (OP) filed a petition that also served as the pre-hearing report required by Subtitle Z, Chapter 5 (OP Report) proposing these amendments to correct the linear footage measurements of the eating and drinking establishment uses in properties in the ARTS zones.

The Commission voted at its February 24, 2020, public meeting to grant OP's request to set down the proposed text amendment for a public hearing.

Proposed Action

The Commission heard testimony at its May 4, 2020, hearing from OP in support of the proposed text amendment. At the close of the public hearing, the Commission voted to take **PROPOSED ACTION** and to authorize the publication of a Notice of Proposed Rulemaking:

VOTE (May 4, 2020): **5-0-0** (Robert E. Miller, Peter A. Shapiro, Anthony J. Hood, Peter G. May, Michael G. Turnbull to **APPROVE**)

Notice of Proposed Rulemaking

The Commission published the proposed amendment as a Notice of Proposed Rulemaking (NOPR) in the *D.C. Register* at 67 DCR 5155 on May 15, 2020.

No comments to the NOPR were received in the thirty (30)-day period required by § 6 of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1206, as amended; D.C. Official Code § 2-505 (2016 Repl.)).

¹ For Office of Zoning tracking purposes only, this Notice of Final Rulemaking shall also be known as Z.C. Order No. 20-05.

National Capital Planning Commission (NCPC)

The Commission referred the proposed amendment to NCPC for the thirty (30)-day review period required by § 492 of the District Charter.

NCPC filed a report dated June 3, 2020, stating that NCPC had determined, pursuant to delegated authority, that the proposed amendment was not inconsistent with the federal elements of the Comprehensive Plan and would not adversely impact any identified federal interests. (Exhibit [Ex.] 12.)

“Great Weight” to the Recommendations of OP

The Commission must give “great weight” to the recommendations 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).)

The Commission finds OP’s recommendation that the Commission take final action to adopt the text amendment persuasive and concurs in that judgment.

“Great Weight” to the Written Reports of the ANCs

The Commission must give great weight to the issues and concerns raised in the written report of an affected ANC that was approved by the full ANC at a properly noticed public meeting 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).)

As no ANC submitted a written report responding to the proposed rulemaking, the Commission has nothing to which it can give great weight.

Final Action

At its June 29, 2020, public meeting, the Commission voted to take **FINAL ACTION** and to authorize the publication of a Notice of Final Rulemaking:

Final Action

VOTE (June 29, 2020): **5-0-0** (Anthony J. Hood, Peter A. Shapiro, Robert E. Miller, Peter G. May, Michael G. Turnbull to **APPROVE**)

The following amendments to the text of the Zoning Regulations are hereby adopted:

I. Amendments to Subtitle K, SPECIAL PURPOSE ZONES

Subsection 811.9 of § 811, USE PERMISSIONS (ARTS), of Chapter 8, MIXED-USE UPTOWN ARTS ZONES – ARTS-1 THROUGH ARTS-4, of Subtitle K, SPECIAL PURPOSE ZONES, is amended by revising paragraph (a), to read as follows:

811.9 Eating and drinking establishments shall be subject to the following limitations:

- (a) No more than fifty percent (50%) of the ground floor linear frontage on the named street within each individual square set forth in the table below, and within an ARTS zone, shall be devoted to eating and drinking establishments:

**TABLE K § 811.9(a):
LINEAR FRONTAGE OF EATING AND DRINKING ESTABLISHMENTS**

14th Street, N.W.		U Street, N.W.	
Square	Frontage (feet)	Square	Frontage (feet)
202	222.5	204	305.3
203	310.0	205	618.0
204	320.0	236	523.4
205	430.6	237	538.5
206	399.8	273	303.3
207	450.1	274	340.9
208	400.0	304	192.2
209	380.0	305	186.0
210	203.5	332	189.7
211	296.1	333	187.7
234	253.1	359	96.8
235	310.0	360	240.4
236	320.0	361	251.7
237	380.0		
238	450.0		
239	200.0		
240	391.0		
241	450.0		
242	363.1		
242N	154.5		

- (b) An eating and drinking establishment ...²

...

² The uses of this and other ellipses indicate that other provisions exist in the subsection being amended and that the omission of the provisions does not signify an intent to repeal.

In accordance with the provisions of Subtitle Z § 604.9, this Notice of Final Rulemaking shall become final and effective upon publication in the *D.C. Register*; that is, on July 24, 2020.

BY THE ORDER OF THE D.C. ZONING COMMISSION

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

OFFICE OF ADMINISTRATIVE HEARINGS

NOTICE OF SECOND EMERGENCY RULEMAKING

The Chief Administrative Law Judge of the Office of Administrative Hearings (OAH), pursuant to the authority set forth in Sections 8(a)(7) and 8(b)(7) of the Office of Administrative Hearings Establishment Act of 2001, effective March 6, 2002 (D.C. Law 14-76, D.C. Official Code § 2-1831.05(a)(7) and (b)(7) (2016 Repl.)), hereby gives notice of the adoption, on an emergency basis, of the following amendments to Chapter 28 (Office of Administrative Hearings: Rules of Practice and Procedure) and Chapter 29 (Office of Administrative Hearings: Rules for DCPS, Rental Housing, Public Benefits, and Unemployment Insurance Cases) of Title 1 (Mayor and Executive Agencies) of the District of Columbia Municipal Regulations (DCMR).

On March 11, 2020, the Mayor, in accordance with 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.)), and Section 5a of District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01 (2018 Repl.)), declared both a public emergency and public health emergency in the District of Columbia due to the worldwide spread of the Coronavirus (COVID-19) until March 26, 2020. Mayor's Order No. 2020-045, dated March 11, 2020 (published at 67 DCR 2956 (March 13, 2020)); and Mayor's Order No. 2020-046, dated March 11, 2020 (published at 67 DCR 2961 (March 13, 2020)). The Mayor then extended both the public emergency and public health emergency by Mayor's Orders 2020-050, dated March 20, 2020; 2020-063, dated April 15, 2020; and 2020-066, dated May 13, 2020. (Published at 67 DCR 3601 (March 27, 2020); 67 DCR 4410 (April 17, 2020); and 67 DCR 5173 (May 15, 2020)). Subsequently the Mayor extended the public emergency and public health emergency to July 24, 2020 in Mayor's Order No. 2020-067, dated May 27, 2020 (published at 67DCR 5612 (May 29, 2020 – Part 1)), and the emergencies may be subject to further extension.

Further, the Mayor adjusted the District Government's operation status on an agency by agency basis. The Mayor determined that all OAH's operations be performed remotely. Accordingly, OAH's office located at One Judiciary Square, 441 4th Street NW, Suite 450 is closed to the public. This rule proposes to amend OAH's Rules of Practice and Procedure to reduce the spread of COVID-19 by prohibiting in person filings at OAH, as well as other agencies, and personal service in most instances. Additionally, the rulemaking serves to encourage parties to file or serve documents electronically, telephonically, or through the mail. The rules also authorize OAH to serve orders, notices, and other documents by email without a party's consent in order to accommodate OAH's current remote operational status. Further the rulemaking authorizes OAH to make proper service by the methods authorized in this rulemaking throughout the duration of the emergency and for thirty days following the end of the declared end of the public and public health emergencies.

A Notice of Emergency Rulemaking, published in the *D.C. Register* on April 10, 2020, at 67 DCR 4120, was adopted on April 1, 2020, and became effective on that date, expiring July 20, 2020. These emergency rules are identical to the emergency rules published on April 10, 2020, at 67 DCR 4120.

This emergency rulemaking was adopted on July 14, 2020, and became effective immediately on that date. The emergency rulemaking will expire one hundred twenty (120) days from the date of adoption, on November 11, 2020. If needed, an appropriate rulemaking will repeal this rulemaking if the declared end of the public emergency occurs prior to the expiration of this emergency rulemaking.

Chapter 28, OFFICE OF ADMINISTRATIVE HEARINGS: RULES OF PRACTICE AND PROCEDURE, of Title 1 DCMR, MAYOR AND EXECUTIVE AGENCIES, is amended as follows:

Section 2809, FILING OF PAPERS, is amended as follows:

Subsection 2809.3 is amended to read as follows:

2809.3 To file any paper at OAH, a person must e-mail, mail, or fax the paper to OAH. Except as provided in Subsection 2809.4 below, a paper received during regular business hours, *i.e.*, 9:00 a.m. to 5:00 p.m., on a business day will be filed that day. The filing date for a paper received outside of normal business hours will be the next following regular business day. Any paper filed by email must comply with Section 2841.

Section 2813, MOTIONS PROCEDURE, is amended as follows:

Subsection 2813.5 is amended to read as follows:

2813.5 Before filing any motion (except a motion for summary adjudication, to dismiss, for reconsideration, relief from final order, or for sanctions), a party must make a good faith effort to ask all other parties if they agree to the motion.

- (a) A “good faith effort” means a reasonable attempt, considering all the circumstances, to contact a party or representative by telephone, by fax, by email, or by other means.
- (b) Contact by mail is a good faith effort only if no other means is reasonably available (for example, not having another party's telephone number or email address).
- (c) By itself, serving a party with the motion is not a good faith effort.
- (d) When this subsection requires a good faith effort, the motion must describe that effort and say whether all other parties agreed to the motion.
- (e) If a party fails to comply with this Subsection, an Administrative Law Judge may deny the motion without prejudice.

Section 2824, SUBPOENAS FOR WITNESSES AND FOR DOCUMENTS AT HEARINGS, is amended as follows:

Subsection 2824.6 is amended to read as follows:

2824.6 It is the responsibility of the requesting party to serve a subpoena in a timely fashion. Any person, including a party, who is at least eighteen (18) years of age, may serve a subpoena.

Subsection 2824.9 is amended to read as follows:

2824.9 A subpoena for the production of documents at a hearing shall be served by any of the following means:

- (a) Mailing it to the last known address of the person or a representative of the person;
- (b) Mailing it to the last known address of an entity's office connected to the case; or
- (c) Delivering it by any other means, including electronic means, if consented to in writing by the person or entity served, or as ordered by an Administrative Law Judge.

Subsection 2824.11 is amended to read as follows:

2824.11 A subpoena may be served at any place within the District of Columbia, or at any place outside the District of Columbia that is within twenty-five (25) miles of the place of the hearing. There is a rebuttable presumption that a subpoena served by e-mail was served at a party's business or residential address.

Section 2841, FILING AND SERVICE BY E-MAIL; OTHER ELECTRONIC SUBMISSIONS, is amended to read as follows:

Subsection 2841.16 is amended to read as follows:

2841.16 The Clerk may serve orders and notices by e-mail to any party who provides an email address and consents, in writing or on the record, to receiving papers by email. The party is responsible for ensuring that the Clerk has an accurate, up-to-date e-mail address. In the case of a public health emergency declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 7, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), the Clerk may serve orders and notices by e-mail, without a party's advance consent, in addition to any other authorized method of service throughout the duration of the emergency and for thirty calendar days following the end of the public health

emergency. In any other emergency, without a party's advance consent, the Clerk may serve orders and notices by e-mail or any other authorized method of service.

Chapter 29, OFFICE OF ADMINISTRATIVE HEARINGS: RULES FOR DCPS, RENTAL HOUSING, PUBLIC BENEFITS, AND UNEMPLOYMENT INSURANCE CASES, of Title 1 DCMR, MAYOR AND EXECUTIVE AGENCIES, is amended as follows:

Section 2923, RENTAL HOUSING CASES - SENDING NOTICE, is amended as follows:

Subsection 2923.1 is amended to read as follows:

2923.1 OAH shall notify the parties by first-class mail of proceedings; except in the case of a public health emergency declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 7, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), OAH may serve notices by e-mail, without a party's advance consent, in addition to any other authorized method of service, throughout the duration of the emergency and for thirty calendar days following the end of the public health emergency.

Subsection 2923.2 is amended to read as follows:

2923.2 OAH shall mail a copy of any tenant petition, by first-class mail, to any adverse party named in the tenant petition and to the housing provider listed on the registration statement for the housing accommodation; except in the case of a public health emergency declared pursuant to Section 5a of the District of Columbia Public Emergency Act of 1980, effective October 7, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), OAH may provide the tenant petition to an adverse party or housing provider, without advance consent, by e-mail in addition to any other authorized method of service for the duration of the emergency and for thirty calendar days following the end of the public health emergency.

Section 2937, RENTAL HOUSING CASES - FINAL ORDERS, is amended as follows:

Subsection 2937.1 is amended to read as follows:

2937.1 OAH shall serve all final orders on the parties by first-class mail; except In the case of a public health emergency declared pursuant to Section 5a of the District of Columbia Public Emergency Act of 1980, effective October 7, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), OAH may serve final orders by e-mail, without a party's advance consent, in addition to any other authorized method of service for the duration of the emergency and for thirty calendar days following the end of the public health emergency.

Section 2951, PUBLIC SECTOR WORKERS' COMPENSATION - BEGINNING A CASE, is amended as follows:

Subsection 2951.1 is amended to read as follows:

- 2951.1 Appeals shall be initiated by filing a written hearing request at OAH. The request shall be made on a form supplied by the Public Sector Workers' Compensation Program (the Program) and approved by OAH. A hearing request must contain:
- (a) The name, address, and email address of the claimant and of the claimant's representative, if any;
 - (b) The type of claim;
 - (c) Claimant's employing agency when the injury occurred;
 - (d) A statement identifying the date and nature of the decision being appealed;
 - (e) The reason(s) why the claimant considers the decision to be incorrect;
 - (f) A detailed statement of facts in support of each reason;
 - (g) The specific nature and extent of the relief sought;
 - (h) A statement that the person signing the hearing request has read it and attests that the contents are true and accurate to the best of his or her knowledge; and
 - (i) The signature of the claimant or the claimant's representative, if any.

Section 2971, PUBLIC BENEFITS CASES - BEGINNING A CASE, is amended as follows:

Subsection 2971.1 is amended to read as follows:

- 2971.1 A person can request a hearing in writing or by telephone.

Subsection 2971.2 is repealed.

Subsection 2971.3 is amended to read as follows:

- 2971.3 A hearing request must describe the type of benefits and the action or inaction to which the person objects. The request also must contain the name, address, telephone number, and e-mail address if available of the person requesting a hearing; provided, however, a person who requests a hearing under the Homeless Services Reform Act may provide an e-mail address at which they can receive any

papers in the case, including notices and orders, if they do not have a street address where they can receive mail.

Subsection 2971.4 is amended to read as follows:

- 2971.4 A person may mail or fax a written hearing request to:
- (a) The Department of Human Services;
 - (b) The Department of Health Care Finance for a hearing concerning Medicaid, Healthcare Alliance, or other healthcare programs administered by the District of Columbia;
 - (c) The District Department of the Environment for a hearing concerning Low Income Home Energy Assistance Program benefits (LIHEAP);
 - (d) A shelter or other service provider for a hearing under the Homeless Services Reform Act;
 - (e) The Division of Early Childhood Education at the Office of the State Superintendent of Education for a hearing concerning child care benefits;
 - (f) The Department on Disability Services, Rehabilitation Services Administration for a hearing concerning vocational rehabilitation services; or
 - (g) OAH.

Subsection 2971.5 is repealed.

Subsection 2976, PUBLIC BENEFIT CASES - HEARINGS AND EVIDENCE, is amended as follows:

Subsection 2976.7 is amended to read as follows:

- 2976.7 At least five calendar days before the hearing date, each party shall file with OAH a list of witnesses and copies of any documents, photographs, or other items that the party wants the Administrative Law Judge to consider at the hearing. Copies must be sent to the other party in the following manner:
- (a) Any agency or service provider must send copies to all other parties;
 - (b) If an individual is represented by a person other than a family member, the representative shall send copies to all other parties;

- (c) If a shelter makes free copying services available to a shelter resident, the shelter resident must make and deliver a copy to the shelter director;
- (d) For all other individuals, OAH will deliver copies by e-mail to the appropriate agency.

Section 2983, UNEMPLOYMENT INSURANCE CASES - FILING OF PAPERS, is amended as follows:

Subsection 2983.1 is amended to read as follows:

2983.1 In cases concerning unemployment compensation:

- (a) When a request for hearing is emailed to OAH, the filing for an electronic filing received during business hours (9 a.m. to 5 p.m., Eastern Time, on any business day) will be the date it is received at oah.filing@dc.gov, provided that the document comports with the requirements of Rules 2809 and 2841. The filing date for an electronic filing received after OAH business hours will be the next day that the Clerk's Office is open for business. The date recorded by oah.filing@dc.gov shall be conclusive proof of the date and time that the e-mail was received.
- (b) When a request for hearing is mailed to OAH, if the envelope containing the request bears a legible United States Postal Service postmark or if there is other proof of the mailing date, the request shall be considered filed on the mailing date. The filing date cannot be established by a private postage meter postmark alone.

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

NOTICE OF SECOND EMERGENCY RULEMAKING

The Alcoholic Beverage Control Board (Board), pursuant to the authority set forth in the Omnibus Alcoholic Beverage Amendment Act of 2004, effective September 30, 2004 (D.C. Law 15-187; D.C. Official Code § 25-211(c) (2012 Repl. & 2019 Supp.)), D.C. Official Code § 25-502 (2012 Repl. & 2019 Supp.), and Mayor's Order 2001-96, dated June 28, 2001, as amended by Mayor's Order 2001-102, dated July 23, 2001, gives notice of the amendment, on an emergency basis, of Chapter 10 (Endorsements) of Title 23 (Alcoholic Beverages) of the District of Columbia Municipal Regulations (DCMR).

This emergency rulemaking, titled the *Addition of Outdoor Public and Private Space Notice of Second Emergency Rulemaking*, will (1) allow on-premises retailer's licensees and manufacturer licensees, class A or B, holding an on-site sales and consumption permit, or a Convention Center food and alcohol business to register with the Board to sell, serve, and allow the consumption of alcoholic beverages on new or expanded outdoor public and private space not listed on its license; (2) modify the conditions imposed on registered licensees and businesses; and (3) change the time period during which registrations remain valid.

On May 27, 2020, Mayor Bowser issued Mayor's Order 2020-067, implementing Phase 1 of Washington, D.C.'s reopening. Among other things, Mayor's Order 2020-067 partially lifted the restriction prohibiting on-site dining by allowing restaurants, taverns, nightclubs, mixed-use facilities and other licensed food establishments to offer table service to seated patrons on outdoor public or private space. In response to Mayor's Order 2020-067, the Board adopted the *Addition of Outdoor Public and Private Space Notice of Emergency Rulemaking*, on May 28, 2020, by a vote of six (6) to zero (0). The emergency rulemaking allows restaurants, taverns, nightclubs, multipurpose facilities, and manufacturer licenses, class A or B, with on-site sales and consumption permits to register with the Board to sell, serve, and allow the consumption of alcoholic beverages on new or expanded ground floor or street level outdoor public or private space in accordance with the Mayor's Order. This rulemaking was published at 67 DCR 8507 (July 10, 2020)

Since the Board's adoption of the emergency rules on May 28, 2020, Mayor Bowser has issued another Mayor's Order implementing Phase Two of Washington, D.C.'s reopening. See Mayor's Order 2020-075 (June 19, 2020). Mayor's Order 2020-075, among other things, allows seating at an outdoor bar provided that the bar is not being staffed or utilized by a bartender.

In order to ensure that its regulations are consistent with the Mayor's directive and that ABC-licensed establishments are compliant, the Board adopted the *Addition of Outdoor Public and Private Space Notice of Second Emergency Rulemaking*, by a vote of six (6) to zero (0), on June 19, 2020. The Board finds that this emergency rulemaking is necessary to ensure that alcoholic beverages continue to be sold and consumed under conditions that do not exacerbate the spread of COVID-19 during Phase Two of Washington, D.C.'s reopening. Accordingly, the Board finds this rule is necessary to continue the immediate preservation of public health.

This emergency rulemaking supersedes the previously adopted rulemaking and shall take effect at 8:00 a.m. on Monday, June 22, 2020. The emergency rulemaking shall remain in effect for the duration of the Extensions of Public Emergency and Public Health Emergency but in no event longer than one hundred twenty (120) days from the Board's adoption; expiring on or before October 17, 2020, unless superseded.

Chapter 10, ENDORSEMENTS, of 23 DCMR, ALCOHOLIC BEVERAGES, is amended by adding a new Section 1007, ADDITIONAL OUTDOOR SEATING ON PUBLIC AND PRIVATE SPACE, on an emergency basis, to read as follows:

1007 ADDITIONAL OUTDOOR SEATING ON PUBLIC AND PRIVATE SPACE

1007.1 A licensee under an on-premises retailer's license, class C/R, D/R, C/T, D/T, C/N, D/N, C/H, D/H, C/X, or D/X, including multipurpose facilities and private clubs, a manufacturer's license, class A or B, holding an on-site sales and consumption permit, or a Convention Center food and alcohol business shall be permitted to sell, serve, and allow the consumption of alcoholic beverages on new or expanded temporary ground floor or street level outdoor public and private space not listed on its existing license, provided that the licensee:

- (a) Registers with the Board, at no cost, and receives written authorization from ABRA prior to selling, serving, or permitting the consumption of alcoholic beverages on the proposed outdoor public or private space;
- (b) Registers with DDOT prior to operating on any proposed outdoor public space or receives written approval from the property owner prior to utilizing any proposed outdoor private space; and
- (c) Agrees to follow all applicable DCRA, DOH, and DDOT laws and regulations and Mayor's Orders.

1007.2 An on-premises retailer's license, class C/R, D/R, C/T, D/T, C/N, D/N, C/H, D/H, C/X, or D/X, including multipurpose facilities and private clubs, a manufacturer's license holding an on-site sales and consumption permit, class A or B, or a Convention Center food and alcohol business that registers with the Board in accordance with § 1007.1 to sell, serve, and allow the consumption of alcoholic beverages on new or expanded ground floor or street level outdoor public or private space not listed on its existing license shall:

- (a) Place tables on the sidewalk café or summer garden serving separate parties at least six feet (6 ft.) apart from one another;
- (b) Ensure that all outdoor dining customers are seated and place orders and are served food or alcoholic beverages at tables;

- (c) Prohibit events and activities that would require patrons to be standing or in cluster or be in close contact with one another, including dancing, playing darts, video games including games of skill, bowling, ping pong, pool, throwing axes, or indoor playgrounds;
- (d) Prohibit patrons from bringing their own alcoholic beverages;
- (e) Prohibit self-service buffets;
- (f) Have a menu in use containing a minimum of three (3) prepared food items available for purchase by patrons;
- (g) Require the purchase of one (1) or more prepared food items per table;
- (h) Ensure that prepared food items offered for sale or served to patrons are prepared on the licensed premises or off-premises at another licensed entity that has been approved to sell and serve food by the District of Columbia Department of Health;
- (i) Ensure that the proposed outdoor public or private space is located in a commercial or mixed-use zone as defined in the District's zoning regulations;
- (j) Restrict its operations, excluding carry-out and delivery, and the sale, service, or the consumption of alcoholic beverages outdoors for on-premises consumption to the hours between 8:00 a.m. and midnight, Sunday through Saturday;
- (k) Not have more than six (6) individuals seated at a table or a joined table;
- (l) Require patrons to wait outside at least six feet (6 ft.) apart until they are ready to be seated;
- (m) Not provide live music or entertainment, except for background or recorded music played at a conversational level that is not heard in the homes of District residents;
- (n) Not serve alcoholic beverages or food to standing patrons;
- (o) Prohibit standing at outdoor bars and only permit seating at outdoor bars that are not being staffed or utilized by a bartender.
- (p) Require a minimum of six feet (6 ft.) between parties seated at outdoor bars or communal tables;

- (q) Prohibit the placement of alcohol advertising, excluding non-contact menus, furniture and umbrellas, on outdoor public space;
- (r) Provide and require that wait staff wear masks;
- (s) Request that patrons wear masks when waiting in line outside of the restaurant or while traveling to use the restroom or until they are seated and eating or drinking;
- (t) Implement a reservation system by phone, on-line, or on-site and consider keeping customer logs to facilitate contact tracing by the District of Columbia Department of Health;
- (u) Implement sanitization and disinfection protocols including the provision of single use condiment packages; and
- (v) Have its own clearly delineated outdoor space and shall not share tables and chairs with another business.

1007.3 Registration under § 1007.1 shall be valid from May 29, 2020, to October 25, 2020, unless extended by the Mayor or the District of Columbia Council.

1007.4 The Board may fine, suspend, or revoke an on-premises retailer's license, class C or D, or a manufacturer's license, class A or B, with an on-site sales and consumption permit, and shall revoke the registration issued in accordance with § 1007.1 if the licensee fails to comply with requirements set forth in § 1007.1 or 1007.2. The provisions of D.C. Official Code §§ 25-826 and 25-828 pertaining to notice and an opportunity to be heard in connection with the suspension or revocation of licenses shall also apply to the revocation of registrations issued in accordance with § 1007.1.

1007.5 Notwithstanding § 1007.2, if an on-premises retailer's license, class C or D, or a manufacturer's license, class A or B, with an on-site sales and consumption permit, has a settlement agreement governing its operations, the Board:

- (a) Shall interpret settlement agreement language that restricts sidewalk cafes or summer gardens as applying only to those outdoor spaces that are currently licensed by the Board as sidewalk cafes or summer gardens;
- (b) Shall not interpret language that restricts or prohibits sidewalk cafes or summer gardens to apply to new or extended outdoor space now permitted under this subsection on a temporary basis because prior to the Coronavirus pandemic this new registration process was not available to eligible licensees;

- (c) Shall not interpret language that restricts or prohibits the operation of permanent outdoor space to mean prohibiting the temporary operation of sidewalk cafes or summer gardens because prior to the Coronavirus pandemic this new registration process was not available to eligible licensees; and
- (d) Shall require all on-premises retailer licenses, class C or D, or manufacturer licenses, class A or B, with an on-site sales and consumption permit, to delineate or mark currently licensed outdoor space from new or extended outdoor space authorized by DDOT or the property owner.

1007.6 With regard to existing outdoor public or private space, parties to a settlement agreement shall be permitted to waive provisions of settlement agreements that address currently licensed outdoor space for a period not to exceed one hundred eighty (180) days.

1007.7 A manufacturer’s license, class A or B, with an on-site sales and consumption permit, or an on-premises retailer’s license, class C/T, D/T, C/N, D/N, C/X, or D/X, including multipurpose facilities or private clubs, may partner with a food vendor during its operating hours to satisfy the use of a menu containing a minimum of three (3) prepared food items available to patrons requirement set forth in § 1007.2(f), provided patrons are seated when ordering and ordered food is delivered by the licensee or the food vendor to the seated patron.

1007.8 For purposes of this section:

- (a) Ground floor or street level sidewalk cafes or summer gardens with awnings or tents containing no more than one (1) side shall be considered outdoor space;
- (b) Retractable glass walls and other forms of operable walls shall be considered indoor dining; and
- (c) Temporary unlicensed rooftops and summer gardens not located on the ground floor or street level are not eligible for registration under § 1007.1.

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2020-079

July 22, 2020

SUBJECT: Extensions of Public Emergency and Public Health Emergency and Delegations of Authority Authorized During 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 of the District of Columbia Home Rule Act, approved December 24, 1973, Pub. L. 93-198, 87 Stat. 790, D.C. Official Code § 1-204.22; in accordance with the Coronavirus Support Congressional Review Emergency Amendment Act of 2020 (the "Congressional Review Act"), effective June 8, 2020, D.C. Act 23-328, the Public Health Emergency Authority Extension Emergency Amendment Act of 2020, effective July 7, 2020, D.C. Act 23-335, and any substantially similar subsequent emergency or temporary legislation; 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; 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; 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.*, Mayor's Order 2020-045, dated March 11, 2020, Mayor's Order 2020-046, dated March 11, 2020, Mayor's Order 2020-050, dated March 20, 2020, Mayor's Order 2020-063, dated April 15, 2020, Mayor's Order 2020-066, dated May 13, 2020, and Mayor's Order 2020-067, dated May 27, 2020, it is hereby **ORDERED** that:

I. BACKGROUND

1. This Order incorporates the findings of prior Mayor's Orders relating to COVID-19.
2. Community transmission of COVID-19 remains throughout the District. Over 11,427 District residents have tested positive for COVID-19 and tragically 580 District residents have lost their lives already due to COVID-19. Further, transmission is widespread in the Maryland and Virginia areas near Washington, DC.
3. The District entered Phase Two of its limited reopening on June 22, 2020 based on the Department of Health's (DOH's) evaluation of certain gated criteria, consistent with criteria recommended by the United States Centers for Disease Control and Prevention and DOH's determinations that the District has met applicable metrics that enable us to reduce certain restrictions on businesses, government operations, services, and activities. If necessary, the Executive may order more stringent

measures to contain the spread of COVID-19 and address the changing circumstances of the public health emergency.

4. Nationwide, the spread of COVID-19 remains a serious threat and states across the country, especially those which did not exercise sufficient emergency mitigation measures for a prolonged period of time, are experiencing a rapid rise of cases, as well as a rising number of COVID-19 related deaths. Without continued extraordinary measures authorized under a state of emergency, threats to the progress the District has made in protecting the public health, safety, and welfare may be compromised.
5. The spread of COVID-19 remains an imminent threat to the health, safety, and welfare of District residents that requires the continued need for declarations of a public emergency and public health emergency. In addition, it remains necessary for the District government to take action on accelerated timeframes, and pursuant to modified procedures and standards authorized during a declared emergency, related to procurement, personnel, disbursements, and other activities necessary to respond to the public emergency and public health emergency.
6. This Order authorizes existing and new delegations of authority during the public health emergency and extends the public emergency and public health emergency declarations in the District of Columbia through October 9, 2020.

II. EXTENSIONS OF PUBLIC EMERGENCY AND PUBLIC HEALTH EMERGENCY

1. By this Order, the public emergency and public health emergency declared by Mayor's Orders 2020-045 and 2020-046, respectively, and extended by Mayor's Orders 2020-050, 2020-063, 2020-066, and 2020-067 respectively, are further extended through October 9, 2020.
2. The provisions of all Mayor's Orders concerning the COVID-19 public health emergency shall continue to apply through October 9, 2020.

III. DELEGATIONS OF AUTHORITY

1. The Director of the Department of Employment Services ("DOES") is delegated the authority vested in the Mayor by section 101 of the Coronavirus Support Emergency Amendment Act of 2020 ("Act"), effective May 27, 2020, D.C. Act 23-326 and section 101 of the Congressional Review Act, effective June 8, 2020, D.C. Act 23-328, to administer unemployment insurance to affected individuals during 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).
2. The Director of the DOES is delegated the authority vested in the Mayor by

section 105 of the Act, effective May 27, 2020, D.C. Act 23-326, and section 105 of the Congressional Review Act, effective June 8, 2020, D.C. Act 23-328, to administer and adjudicate any alleged violations by an employer of section 3a of the Accrued Sick and Safe Leave Act of 2008, effective May 13, 2008 (D.C. Law 17-152; D.C. Official Code §§ 32-531.01 *et seq.*).

3. The Deputy Mayor for Planning and Economic Development, Director of the Department of Small and Local Business Development (“DSLBD”), and Commissioner of the Department of Insurance, Securities, and Banking (“DISB”) are concurrently delegated the authority vested in the Mayor by section 201 of the Act, effective May 27, 2020, D.C. Act 23-326, and section 201 of the Congressional Review Act, effective June 8, 2020, D.C. Act 23-328, to administer public health emergency related grant programs.
4. The Director of the Department of Consumer and Regulatory Affairs (“DCRA”) is delegated the authority vested in the Mayor by section 205 of the Act, effective May 27, 2020, D.C. Act 23-326, and section 205 of the Congressional Review Act, effective June 8, 2020, D.C. Act 23-328, to administer and issue rules to implement the provisions regarding third-party food delivery platforms.
5. The City Administrator is delegated the authority vested in the Mayor by section 312 of the Act, effective May 27, 2020, D.C. Act 23-326, and section 312 of the Congressional Review Act, effective June 8, 2020, D.C. Act 23-328, to prospectively or retroactively extend the validity of a license, registration, permit, or authorization, extend, modify or waive the deadlines for filings, 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, and 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, during or within forty-five (45) days after a public health emergency.
6. The Director of DCRA is delegated the authority vested in the Mayor by section 403 of the Act, effective May 27, 2020, D.C. Act 23-326, and the Congressional Review Act, effective June 8, 2020, D.C. Act 23-328, to promulgate rules regarding the cleaning of housing accommodations during a public health emergency.
7. The Commissioner of DISB is delegated the authority vested in the Mayor by section 507(a) of the Act, effective May 27, 2020, D.C. Act 23-326, and section 507(a) of the Congressional Review Act, effective June 8, 2020, D.C. Act 23-328, D.C. Official Code § 7-2304(b)(15), to waive application of any law administered by DISB to protect the health, safety, and welfare of District residents in response to a public health emergency.
8. The Directors of the Department of Health Care Finance (“DHCF”) and

Department of Human Services (“DHS”) are concurrently delegated the authority vested in the Mayor by section 508 of the Act, effective May 27, 2020, D.C. Act 23-326, and section 508 of the Congressional Review Act, effective June 8, 2020, D.C. Act 23-328, to extend eligibility periods for individuals receiving benefits, extend the timeframe for determinations for new applicants, and take other actions as appropriate to support the continuity of, and access to, benefits provided by any public benefit program, including but not limited to the DC Healthcare Alliance, Immigrant Children’s Program, Temporary Assistance for Needy Families, and Supplemental Nutritional Assistance Program.

9. The Director of DHCF is delegated the authority vested in the Mayor by section 514 of the Act, effective May 27, 2020, D.C. Act 23-326, and section 514 of the Congressional Review Act, effective June 8, 2020, D.C. Act 23-328, to issue grants to District non-profit and for-profit hospitals to address the impact of COVID-19.
10. The Chief of the Fire and Emergency Medical Services Department (“FEMS”) is delegated the authority vested in the Mayor by section 703 of the Act, effective May 27, 2020, D.C. Act 23-326, and the Congressional Review Act, effective June 8, 2020, D.C. Act 23-328, to reassign personnel of FEMS.
11. The Director of the Mayor’s Office of Community Affairs (“MOCA”) is delegated the authority vested in the Mayor by section 4 of the Coronavirus Support Clarification Emergency Amendment Act of 2020 (the “Clarification Amendment Act”), effective July 7, 2020, D.C. Act 23-332, to issue public health emergency response grants.

IV. SUPERSESSION

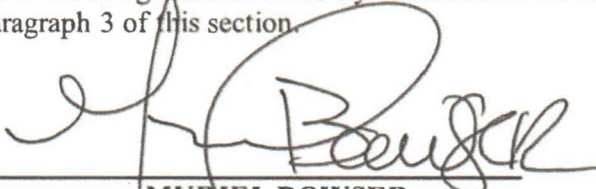
This Order supersedes any Mayor’s Order issued during the COVID-19 public health emergency to the extent of any inconsistency.

V. ENFORCEMENT


1. Any individual or entity that knowingly violates this Order may be subject to civil and administrative penalties authorized by law, including sanctions or penalties for violating D.C. Official Code § 7-2307, including civil fines or summary suspension or revocation of licenses.
2. Official guidance posted on coronavirus.dc.gov may be relied upon by those seeking to understand whether an activity is or is not allowed.
3. Guidance issued by DOH and any applicable orders of any regulatory agencies for specific activity related to the public emergency and public health emergency must be followed. Such guidance and directives may be found on coronavirus.dc.gov.

VI. EFFECTIVE DATES AND DURATION

1. **General:** This Order shall be effective immediately.
2. **Delegations of Authority:** However, the delegations of authority under the Act shall be effective *nunc pro tunc* to May 27, 2020, and shall apply as of March 11, 2020; the delegations of authority under the Congressional Review Act shall be effective *nunc pro tunc* to June 8, 2020, and shall apply as of June 9, 2020; and the delegation of authority under the Clarification Amendment Act shall be effective *nunc pro tunc* to July 7, 2020, and shall apply as of June 9, 2020.
3. **Duration of Delegations of Authority:** The delegations of authority in section III of this Order shall remain valid for the duration of the Act, the Congressional Review Act, and the Clarification Amendment Act, as applicable, and any substantially similar subsequent emergency and temporary legislation.
4. **Duration of Order:** The Order shall continue to be in effect through October 9, 2020, or until the date to which the state of emergency is extended, whichever is later; provided, that the duration of the delegations of authority in section III of this Order shall be as provided in paragraph 3 of this section.



**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 2020-080
July 22, 2020

SUBJECT: Wearing of Masks in the District of Columbia To Prevent the Spread of 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 of the District of Columbia Home Rule Act, approved December 24, 1973, Pub. L. 93-198, 87 Stat. 790, D.C. Official Code § 1-204.22 (2016 Repl.); pursuant to the Coronavirus Support Congressional Review Emergency Amendment Act of 2020 (the "Act"), effective May 19, 2020, D.C. Act 23-328, and any substantially similar subsequent emergency or temporary legislation; 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 14-194, 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 ("Communicable and Preventable Diseases Act"), approved August 11, 1939, 53 Stat. 1408, D.C. Official Code §§ 7-131 *et seq.* (2012 Repl.); and in accordance with Mayor's Order 2020-045, dated March 11, 2020, Mayor's Order 2020-046, dated March 11, 2020, Mayor's Order 2020-050, dated March 20, 2020, Mayor's Order 2020-063, dated April 15, 2020, Mayor's Order 2020-066, May 13, 2020, and Mayor's Order 2020-067, dated May 27, 2020, and Mayor's Order 2020-079, dated July 22, 2020, it is hereby **ORDERED** that:

I. BACKGROUND

1. This Order incorporates the findings of prior Mayor's Orders relating to COVID-19.
2. Community transmission of COVID-19 remains throughout the District. Over 11,427 District residents have tested positive for COVID-19 and tragically 580 District residents have lost their lives already due to COVID-19. Further, transmission is widespread in the Maryland and Virginia areas near Washington, DC, and even more prevalent in numerous "hot zones" around the country. Transmission is facilitated by persons who are asymptomatic or pre-symptomatic.
3. Dr. Robert Redfield, the Director of the Centers for Disease Control and Prevention, Dr. Anthony Fauci, Director of the National Institute of Allergy and Infectious Diseases, the World Health Organization, and the District of Columbia Department of Health are all agreed that wearing masks when social distancing is impossible to maintain can reduce the spread of the disease dramatically.

4. This Order consolidates, clarifies, and extends requirements related to wearing masks indoors and outdoors in the District of Columbia and provides enforcement mechanisms for these requirements.

II. INDOOR WEARING OF MASKS

Except as specified in Section IV of this Order:

1. Persons must wear a mask in the common areas of apartments, condominiums and cooperatives.
2. Businesses, office buildings, and other establishments open to members of the public shall post signage on their exterior doors stating that a person may not enter unless the person is wearing a mask. In addition, the business, office building, or other establishment shall exclude or attempt to eject persons who are not wearing masks or who remove their required masks.
3. Employers shall provide masks to their employees.

III. OUTDOOR AND TRANSIT-RELATED WEARING OF MASKS

Except as specified in Section IV of this Order:

1. Persons leaving their residences shall wear a mask when they are likely to come into contact with another person, such as being within six feet of another person for more than a fleeting time; and
2. Persons who are operating or a passenger in a taxi or a vehicle that is part of a Transportation Network Company, or who are a passenger on or operator of any form of public transit in the District, including a bus, subway, streetcar, shuttle bus or van, or school bus, must wear a mask at all such times.

IV. EXCEPTIONS

1. Wearing a mask is not required when:
 - a. A person is a resident or guest in a private home or apartment;
 - b. A person is actually eating, drinking, or legally smoking;
 - c. A person is engaged in vigorous outdoor exercise and is maintaining social distance of at least six (6) feet from each other person;
 - d. A person is in the water at a swimming pool;
 - e. A person is in an enclosed office that no one else is permitted to enter;
 - f. A person is aged two (2) years old or younger;
 - g. A person is unable to wear a mask due to a medical condition or disability, or is physically unable to remove a mask;

- h. A person is giving a speech for broadcast or an audience, provided no one is within six feet of the speaker;
 - i. A deaf or hard of hearing person needs to read the lips of a speaker;
 - j. The equipment required for a job precludes the wearing of a mask and the person is wearing that equipment, or when wearing a mask would endanger public safety;
 - k. A person has been lawfully asked to remove the mask for facial recognition purposes.
2. The enforcement provisions of this Order shall not be applied to persons in the judicial or legislative branches of the District government while those persons are on duty; and shall not apply to any employees of the federal government while they are on duty.

V. MASKS DEFINED

For the purpose of this Order, masks include cloth face coverings, such as homemade cloth masks, store-bought fabric masks, bandanas or other cloth wrapped around the head that covers the mouth and nose, as well as medical or surgical masks.

VI. SUPERSESION

This Order supersedes any prior Order or agency guidance issued during the COVID-19 public health emergency to the extent of any inconsistency.

VII. ENFORCEMENT

1. The Department of Health shall issue rules pursuant to the Communicable and Preventable Diseases Act, approved August 11, 1939, 53 Stat. 1408, D.C. Official Code §§ 7-131 *et seq.*, to provide for the imposition of penalties upon any individual or entity that knowingly violates this Order, and the Metropolitan Police Department is authorized to enforce those rules, except no youth under eighteen (18) years of age shall be charged with a violation.
2. All District government agencies that issue licenses, permits, certificates, endorsements, or other authorizations including the Department of Consumer Regulatory Affairs (DCRA), the District Department of Transportation (DDOT), the Alcohol Beverage Regulatory Administration (ABRA), the Office of the State Superintendent of Education (OSSE), the Department of For Hire Vehicles (DFHV), and the Department of Health may issue rules consistent with or take enforcement action directly under this Order to provide for the revocation, suspension, or limitation of a license, permit, certificate, endorsement, or other authorization of a person or entity that violates this Order.

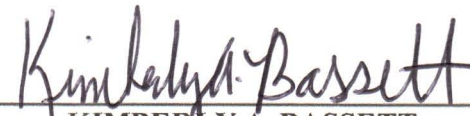
- 3. For the purpose of this section, a violation of a rule, order, or other issuance (including a guidance) issued under the authority of a prior Order addressing the COVID-19 public health emergency shall constitute a violation of this Order.
- 4. Charges of violations of this Order may be referred to the Office of the Attorney General for possible prosecution in the Superior Court of the District of Columbia, in the name of the District of Columbia, and persons found to be in violation of this Order or other rules promulgated pursuant to the Order are subject to fines of up to one thousand dollars (\$1,000) per violation.

VIII. EFFECTIVE DATE AND DURATION

This Order shall be effective immediately and shall continue to be in effect through October 9, 2020, or until the date to which the state of emergency is extended, whichever is later. Any regulations or guidance issued pursuant to this Order, or its COVID-19-related predecessors, including Mayor's Orders 2020-066, 2020-067 and 2020-075, shall continue to be in effect through October 9, 2020, or until the date to which the state of emergency is extended, whichever is later, unless otherwise specifically limited after the issuance of this Order.



**MURIEL BOWSER
MAYOR**

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

OFFICE ON ASIAN AND PACIFIC ISLANDER AFFAIRS
COMMISSION ON ASIAN AND PACIFIC ISLANDER COMMUNITY
DEVELOPMENT

Wednesday, July 15, 2020, 6:30 PM

<https://dcnet.webex.com/dcnet/j.php?MTID=md9258463da8d427bc2fcfb2d7cc71be3>

Meeting number: 160 930 4225

Password: GmPkPykZ878

For those who wish to join in by phone;
1-650-479-3208 Call-in number (US/Canada)
Access code: 160 930 4225

Agenda

Call to Order

Introduction of Commissioners

Quorum

Approval of Agenda

Approval of April 2020 Meeting Minutes

Executive Reports and Business Items

1. Director's Report, Ben de Guzman, MOAPIA
2. Latest Coronavirus COVID-19 updates
3. 2020 Census
4. Commission Task Forces

Miscellaneous Items

Meeting Adjournment

Questions:

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

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

James Yu, MOAPIA James.Yu@dc.gov

www.apia.dc.gov

OFFICE OF THE DISTRICT OF COLUMBIA CLEMENCY BOARD

NOTICE OF PUBLIC MEETING

The Clemency Board will be holding its first meeting on Friday, July 31, 2020 at 1:00 p.m. The meeting will be held via WebEx at the link (and numbers) below. Below is the final agenda for this meeting.

AGENDA

1. Welcome and Call to Order
2. Introductions
3. Old Business
4. New Business
 - a. Adoption of Bylaws
 - b. Discuss setting up Board Website
5. Adjournment

Meeting Link:

<https://dcnet.webex.com/dcnet/j.php?MTID=m2e788df5f8a9f83c99a9c378b4b0d350>

Meeting number (access code): 160 795 6672

Password: uQYXcg6YU74

More ways to join:**Join by video system**

Dial 1607956672@dcnet.webex.com

You can also dial 173.243.2.68 and enter your meeting number

Join by mobile device

1-605-479-3208, 1607956672### Call-in toll number (US/Canada)

Join by phone

1-650-479-3208 Call-in number (US/Canada)

Access code: 160 039 0858

Join using Microsoft Lync or Microsoft Skype for Business

Dial 1607956672.dcnet@lync.webex.com

For additional information, please contact Lisa M. Wray, Executive Secretary at (202) 724-7681 or lisa.wray@dc.gov.

D.C. CRIMINAL CODE REFORM COMMISSION**NOTICE OF PUBLIC MEETING****WEDNESDAY, AUGUST 5, 2020 AT 10:00 AM
TELEPHONIC MEETING**

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, August 5, 2020 at 10am. The meeting will be telephonic and members of the public may hear the meeting by calling:

Dial-in number: 1-650-479-3208

Access code: 160 248 5169.

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 Advisory Group Written Comments On:
 - (A) First Draft of Report #60 – Execution of Public Duty, Lesser Harm, and Temporary Possession Defenses;
 - (B) First Draft of Report #61 – Abuse of Government Power General Enhancement;
 - (C) First Draft of Report #62 – Impersonation of a District Official.
- 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.

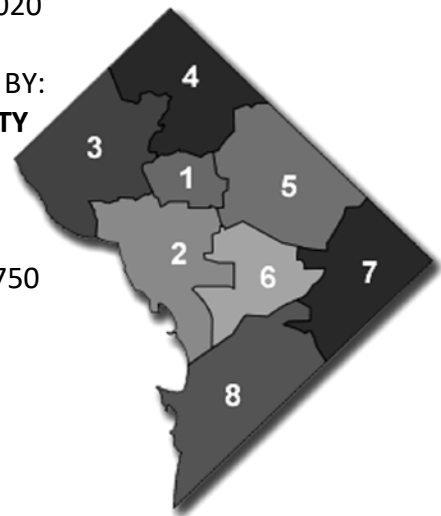
**D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
CITYWIDE REGISTRATION SUMMARY
As Of June 30, 2020**

WARD	DEM	REP	STG	LIB	OTH	N-P	TOTALS
1	48,342	2,841	563	279	168	11,082	63,275
2	32,019	5,100	209	252	117	10,164	47,861
3	40,124	5,691	327	253	117	10,691	57,203
4	51,017	2,157	498	174	147	8,635	62,628
5	55,192	2,484	566	250	232	9,715	68,439
6	59,706	7,752	483	409	195	14,224	82,769
7	50,014	1,414	472	138	191	7,274	59,503
8	48,635	1,574	478	163	171	7,976	58,997
Totals	385,049	29,013	3,596	1,918	1,338	79,761	500,675
Percentage By Party	76.91%	5.79%	.72%	.38%	.27%	15.93%	100.00%

DISTRICT OF COLUMBIA BOARD OF ELECTIONS MONTHLY REPORT OF
VOTER REGISTRATION STATISTICS AND REGISTRATION TRANSACTIONS
AS OF THE END OF June 30 ,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 June 30, 2020

PRECINCT	DEM	REP	STG	LIB	OTH	N-P	TOTALS
20	1,719	37	13	9	8	293	2,079
22	4,088	408	22	25	10	1,019	5,572
23	3,139	206	41	25	10	738	4,159
24	2,819	258	25	34	6	751	3,893
25	4,108	398	41	22	11	1,018	5,598
35	3,870	181	51	18	14	806	4,940
36	4,635	230	49	22	13	985	5,934
37	3,893	187	31	19	24	858	5,012
38	3,151	141	37	16	12	742	4,099
39	4,221	174	59	18	10	933	5,415
40	3,790	179	70	16	9	880	4,944
41	3,924	186	73	24	21	1,023	5,251
42	1,901	91	23	10	7	461	2,493
43	1,913	71	21	9	6	351	2,371
137	1,171	94	7	12	7	224	1,515
TOTALS	48,342	2,841	563	279	168	11,082	63,275

D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
WARD 2 REGISTRATION SUMMARY
As Of June 30, 2020

PRECINCT	DEM	REP	STG	LIB	OTH	N-P	TOTALS
2	938	164	7	8	7	492	1,616
3	1,835	359	12	18	9	696	2,929
4	2,139	473	9	18	7	769	3,415
5	2,160	548	14	29	10	778	3,539
6	2,571	709	16	22	17	1,196	4,531
13	1,324	204	6	8	4	410	1,956
14	2,768	368	16	25	4	753	3,934
15	3,148	314	28	21	8	800	4,319
16	3,428	411	27	20	11	860	4,757
17	4,891	544	28	44	17	1,332	6,856
129	2,609	380	14	13	10	918	3,944
141	2,538	281	18	14	7	586	3,444
143	1,670	345	14	12	6	574	2,621
TOTALS	32,019	5,100	209	252	117	10,164	47,861

D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
WARD 3 REGISTRATION SUMMARY
As Of June 30, 2020

PRECINCT	DEM	REP	STG	LIB	OTH	N-P	TOTALS
7	1,373	373	8	12	3	527	2,296
8	2,548	589	20	13	9	799	3,978
9	1,304	469	9	11	7	482	2,282
10	1,963	367	19	11	7	660	3,027
11	3,641	676	40	43	16	1,184	5,600
12	546	169	1	3	2	215	936
26	3,104	331	23	21	7	838	4,324
27	2,457	226	24	7	2	522	3,238
28	2,550	395	25	18	10	767	3,765
29	1,388	156	14	8	4	374	1,944
30	1,329	186	11	5	3	292	1,826
31	2,517	295	18	12	10	542	3,394
32	2,885	275	30	14	10	583	3,797
33	3,000	251	22	11	4	644	3,932
34	4,118	351	28	20	8	1,038	5,563
50	2,307	284	15	17	7	511	3,141
136	885	68	7	5	1	251	1,217
138	2,209	230	13	22	7	462	2,943
TOTALS	40,124	5,691	327	253	117	10,691	57,203

D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
WARD 4 REGISTRATION SUMMARY
As Of June 30, 2020

PRECINCT	DEM	REP	STG	LIB	OTH	N-P	TOTALS
45	2,390	62	27	15	7	356	2,857
46	2,963	86	33	11	12	482	3,587
47	3,599	138	38	10	13	696	4,494
48	2,898	122	29	9	2	527	3,587
49	997	41	11	2	8	196	1,255
51	3,473	487	20	11	9	605	4,605
52	1,319	139	10	4	2	223	1,697
53	1,290	67	21	5	5	232	1,620
54	2,296	67	28	4	5	399	2,799
55	2,536	85	16	6	13	410	3,066
56	3,360	98	36	21	11	621	4,147
57	2,526	73	22	15	9	475	3,120
58	2,300	66	20	6	4	353	2,749
59	2,644	80	25	9	7	384	3,149
60	2,264	70	29	8	9	605	2,985
61	1,651	61	14	7	5	281	2,019
62	3,284	120	19	7	2	399	3,831
63	3,929	140	51	9	14	650	4,793
64	2,420	70	17	6	9	360	2,882
65	2,878	85	32	9	1	381	3,386
Totals	51,017	2,157	498	174	147	8,635	62,628

D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
WARD 5 REGISTRATION SUMMARY
As Of June 30, 2020

PRECINCT	DEM	REP	STG	LIB	OTH	N-P	TOTALS
19	4,832	228	60	31	20	1,017	6,188
44	2,831	188	28	14	13	616	3,690
66	4,755	124	37	15	15	680	5,626
67	2,865	103	23	6	9	422	3,428
68	1,993	169	22	11	14	381	2,590
69	2,152	72	18	6	8	275	2,531
70	1,547	59	24	3	4	250	1,887
71	2,515	73	32	13	11	389	3,033
72	4,506	156	35	18	23	724	5,462
73	1,970	102	19	11	8	361	2,471
74	5,060	297	63	22	22	1,009	6,473
75	4,216	227	39	26	17	804	5,329
76	1,787	130	19	14	14	383	2,347
77	3,047	118	28	15	13	512	3,733
78	3,054	106	40	12	11	506	3,729
79	2,176	88	20	9	12	425	2,730
135	3,134	165	36	17	11	597	3,960
139	2,752	79	23	7	7	364	3,232
TOTALS	55,192	2,484	566	250	232	9,715	68,439

D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
WARD 6 REGISTRATION SUMMARY
As Of June 30, 2020

PRECINCT	DEM	REP	STG	LIB	OTH	N-P	TOTALS
1	4,841	577	35	30	17	1,343	6,843
18	4,969	374	42	28	12	1,071	6,496
21	1,203	59	13	9	1	249	1,534
81	4,773	364	44	25	17	926	6,149
82	2,603	270	22	17	3	589	3,504
83	3,602	413	30	32	16	825	4,918
84	2,021	381	19	12	9	524	2,966
85	2,750	509	17	17	3	697	3,993
86	2,252	238	16	8	7	407	2,928
87	2,673	281	15	18	11	576	3,574
88	2,097	289	21	10	8	432	2,857
89	2,776	597	22	18	8	748	4,169
90	1,654	229	17	8	13	487	2,408
91	4,347	417	28	23	16	914	5,745
127	4,288	325	44	21	15	870	5,563
128	2,613	221	23	15	6	618	3,496
130	770	287	6	5	3	248	1,319
131	4,136	1,214	38	47	15	1,288	6,738
142	2,275	306	16	29	5	603	3,234
144	3,063	401	15	37	10	809	4,335
TOTALS	59,706	7,752	483	409	195	14,224	82,769

D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
WARD 7 REGISTRATION SUMMARY
As Of June 30, 2020

PRECINCT	DEM	REP	STG	LIB	OTH	N-P	TOTALS
80	1,455	92	20	8	9	272	1,856
92	1,567	38	16	4	5	223	1,853
93	1,686	48	26	3	7	245	2,015
94	2,068	57	21	7	7	304	2,464
95	1,667	55	16	6	6	269	2,019
96	2,462	72	20	3	11	360	2,928
97	1,440	56	17	7	5	241	1,766
98	2,045	57	23	7	16	301	2,449
99	1,668	53	16	9	12	306	2,064
100	2,655	42	22	8	6	344	3,077
101	1,581	49	15	6	6	192	1,849
102	2,623	73	23	2	15	340	3,076
103	3,597	88	37	11	12	528	4,273
104	3,361	90	39	8	15	506	4,019
105	2,573	74	18	7	9	421	3,102
106	2,872	68	24	3	11	417	3,395
107	1,782	61	13	5	6	255	2,122
108	1,073	32	2	0	2	130	1,239
109	966	31	4	3	1	117	1,122
110	3,877	99	22	7	11	447	4,463
111	2,584	64	37	14	5	422	3,126
113	2,282	55	22	6	8	292	2,665
132	2,130	60	19	4	6	342	2,561
TOTALS	50,014	1,414	472	138	191	7,274	59,503

D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
WARD 8 REGISTRATION SUMMARY
As Of June 30, 2020

PRECINCT	DEM	REP	STG	LIB	OTH	N-P	TOTALS
112	2,274	65	19	1	9	317	2,685
114	4,161	170	53	25	25	846	5,280
115	2,815	88	29	10	11	609	3,562
116	4,211	111	42	13	12	659	5,048
117	2,332	58	21	12	5	390	2,818
118	2,957	88	39	8	14	455	3,561
119	2,701	100	29	8	13	452	3,303
120	2,290	51	13	9	2	323	2,688
121	3,546	97	29	13	5	522	4,212
122	1,856	59	22	4	7	294	2,242
123	2,540	205	27	18	13	469	3,272
124	2,666	71	22	7	10	351	3,127
125	4,638	108	40	13	18	768	5,585
126	4,102	141	54	12	16	778	5,103
133	1,338	46	6	2	0	168	1,560
134	2,273	55	25	3	3	298	2,657
140	1,935	61	8	5	8	277	2,294
TOTALS	48,635	1,574	478	163	171	7,976	58,997

D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
CITYWIDE REGISTRATION ACTIVITY

For voter registration activity between 5/31/2020 and 6/30/2020

NEW REGISTRATIONS	DEM	REP	STG	LIB	OTH	N-P	TOTAL
Beginning Totals	379,804	29,024	3,578	1,833	1,393	81,068	496,700
Board of Elections Over the Counter	1	1	0	0	0	1	3
Board of Elections by Mail	21	3	0	0	0	2	26
Board of Elections Online Registration	1,986	118	14	36	6	507	2,667
Department of Motor Vehicle	504	50	5	2	0	139	700
Department of Disability Services	1	0	0	0	0	1	2
Office of Aging	0	0	0	0	0	0	0
Federal Postcard Application	0	0	0	0	0	0	0
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	0	0	0	0	0	0	0
Department of Corrections	0	0	0	0	0	0	0
Department of Human Services	0	0	0	0	0	0	0
Special / Provisional	4	0	0	0	0	0	4
All Other Sources	17	1	2	0	0	13	33
+Total New Registrations	2,534	173	21	38	6	663	3,435

ACTIVATIONS	DEM	REP	STG	LIB	OTH	N-P	TOTAL
Reinstated from Inactive Status	331	12	1	4	1	49	398
Administrative Corrections	929	15	2	0	27	3	976
+TOTAL ACTIVATIONS	1,260	27	3	4	28	52	1,374

DEACTIVATIONS	DEM	REP	STG	LIB	OTH	N-P	TOTAL
Changed to Inactive Status	0	0	0	0	0	0	0
Moved Out of District (Deleted)	1	0	0	0	0	0	1
Felon (Deleted)	0	0	0	0	0	0	0
Deceased (Deleted)	359	16	2	1	0	37	415
Administrative Corrections	233	8	1	26	3	672	943
-TOTAL DEACTIVATIONS	593	24	3	27	3	709	1,359

AFFILIATION CHANGES	DEM	REP	STG	LIB	OTH	N-P	
+ Changed To Party	2,400	91	68	102	8	846	
- Changed From Party	-356	-278	-71	-32	-94	-2,159	
ENDING TOTALS	385,049	29,013	3,596	1,918	1,338	79,761	500,675

**DEPARTMENT OF ENERGY AND ENVIRONMENT
NOTICE OF FUNDING AVAILABILITY**

**SOLAR WORKS DC
THE DISTRICT'S LOW INCOME SOLAR PHOTOVOLTAIC SYSTEMS
INSTALLATION AND JOB TRAINING PROGRAM**

The Department of Energy and Environment (the Department) seeks an eligible entity to operate a comprehensive year-round solar photovoltaic (PV) systems installation and job training program for underserved and underemployed District residents, ages 18 and over, and transition participants to more sustainable opportunities in the solar and related industries. The funding available for the project is up to \$1,030,000 for one year. The Department may include in the award the option to continue the funded project for up to two additional years with similar annual funding, subject to the availability of funding, for a maximum of three years.

Beginning 07/24/20, 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 the announcement for this RFA. Click on *Read More* and download this RFA and related information from the *Attachments* section.

Email a request to solarworksdc2020@dc.gov with "Request copy of RFA 2020-2024-EA" in the subject line.

The deadline for application submissions is 08/25/20, at 4:30 p.m. A complete electronic copy must be e-mailed to solarworksdc2020@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, send an email to: solarworksdc2020@dc.gov.

DEPARTMENT OF ENERGY AND ENVIRONMENT

PUBLIC NOTICE

Proposed Air Quality Source Category Permit Renewal to Operate Existing Stationary Diesel-Fired Emergency Engines Exempt from NSPS Subpart IIII but Subject to NESHAP Subpart ZZZZ

Notice is hereby given that, pursuant to 20 DCMR §§ 200 and 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 a renewed source category permit to operate certain diesel-fired emergency engines that are exempt from the federal New Source Performance Standard (NSPS) for compression ignition internal combustion engines (40 CFR 60, Subpart IIII) but subject to the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Stationary Reciprocating Internal Combustion Engines (RICE) in the District of Columbia. This source category permit will be designated Permit No. 7115-SC-R1.

To ensure that no engine covered by NSPS Subpart IIII is covered by this permit, certain exclusions related to the engine model year, order date, and manufacture date have been included in the applicability section of the source category permit.

More specifically, this source category permit covers only the operation of existing, emergency internal combustion engines, operated exclusively on diesel fuel, that are exempt from the requirements of 40 CFR 60, Subpart IIII on the basis that they have not been modified or reconstructed as defined in 40 CFR 60.14 or 60.15 and that they **do not** fall into any of the three following categories:

1. The model year of the engine is 2007 or later for engines that are not fire pump engines;
2. The engine is for a fire pump and its model year is equal to or newer than those specified in the following table, based on the size of the engine:

Fire Pump Engine Applicability Table		
Engine Power		Starting Applicability Model Year*
Mechanical Kilowatts (kW_m)	Horsepower (hp)	
kW _m <75	hp <100	2011
75 ≤ kW _m <130	100 ≤ hp <175	2010
130 ≤ kW _m <560	175 ≤ hp <750	2009
kW _m >560	hp >750	2008

* Fire pump engines with a maximum engine power greater than or equal to 37 kW_m (50 hp) and less than 450 kW_m (600 hp) and a rated speed of greater than 2,650 revolutions per minute (rpm) are covered only three years after the model year listed in this table for the applicable power category.

or;

3. The engine was ordered by the owner or operator after July 11, 2005 and one of the following is true:
 - i. The engine was manufactured after April 1, 2006 and is not a fire pump engine; or
 - ii. The engine was manufactured as a certified National Fire Protection Association (NFPA) fire pump engine after July 1, 2006;

In addition, to be covered by this source category permit, an engine must be subject to the requirements of 40 CFR 63, Subpart ZZZZ, on the bases that [See 40 CFR 63.6585 and 40 CFR 63.6590]:

1. The engine is not located at a major source of hazardous air pollutants (HAPs) (i.e. it is located at an area source of HAPs); and
2. The engine will not be used for economic or emergency demand response purposes.

The proposed emission limits to be included in the permit are as follows:

- a. Visible emissions shall not be emitted into the outdoor atmosphere from the engine, 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].
- b. 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]

Applicants who apply for coverage under a source category permit must document that their equipment meets the applicability criteria specified in the permit prior to approval of coverage and authorization to operate the unit under the authority of the source category permit.

Emissions Estimate:

Emissions will vary widely, depending upon the size and age of the equipment to be covered. As such there is no set maximum emissions level except that no unit will be approved under this permit that has a potential to emit greater than 25 tons per year of oxides of nitrogen, the trigger threshold for further regulatory requirements under 20 DCMR §204 (non-attainment New Source Review). However, based on past permitting activity implemented by AQD, very few applicants apply to operate diesel-fired emergency engines in the District of Columbia exceeding 4,000 horsepower (hp) in mechanical output. Based on a limitation in the permit of 500 hours per year of total operations, conservative emission factors for compression ignition engines, and a 4,000 hp engine size, the following represents an estimate of the maximum emissions expected from any emergency engine covered by this source category permit:

Pollutant	Estimated Maximum Annual Emissions (tons/yr)
Total Particulate Matter (PM Total)	0.7
Carbon Monoxide (CO)	5.5
Oxides of Nitrogen (NO _x)*	24.0
Volatile Organic Compounds (VOC)	0.7
Sulfur Dioxide (SO ₂)	0.3

**Note that there is an applicability limit placed on the permit that no unit having the potential to emit more than 25 tons/year of NO_x will be covered by this source category permit.*

The draft permit and supporting documentation 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 August 24, 2020 will be accepted.

For more information, please contact Stephen S. Ours at (202) 535-1747.

DEPARTMENT OF ENERGY AND ENVIRONMENT**PUBLIC NOTICE****Proposed Air Quality Source Category Permit Renewal to Operate Existing Stationary Natural Gas-Fired Emergency Engines Exempt from NSPS Subpart JJJJ but Subject to NESHAP Subpart ZZZZ**

Notice is hereby given that, pursuant to 20 DCMR §§ 200 and 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 a source category permit to operate certain natural gas-fired emergency engines that are exempt from the federal New Source Performance Standard (NSPS) for spark ignition internal combustion engines (40 CFR 60, Subpart JJJJ) but subject to the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Stationary Reciprocating Internal Combustion Engines (RICE) in the District of Columbia. This source category permit will be designated Permit No. 7116-SC-R1.

To ensure that no engine covered by NSPS Subpart JJJJ is covered by this permit, the applicability criteria for coverage by this source category permit certain exclusions related to the engine maximum power and manufacture date, engine manufacturer's participation in voluntary manufacturer certification program, and the date of manufacture of such certified engine, or the order date, manufacture date and maximum power of the engine.

More specifically, this source category permit covers only the operation of existing, emergency internal combustion engines, operated exclusively on natural gas, that are exempt from the requirements of 40 CFR 60, Subpart JJJJ on the basis that they have not been modified or reconstructed as defined in 40 CFR 60.14 or 60.15 and that they **do not** trigger NSPS applicability based on one of the three following criteria:

1. The maximum engine power is less than or equal to 25 horsepower (HP) [19 mechanical kilowatts (kWm)] and it was manufactured on or after July 1, 2008;
2. The manufacturer participates in the voluntary manufacturer certification program described in 40 CFR 60, Subpart JJJJ and the date of manufacture of the emergency engine is after January 1, 2009; or
3. The emergency engine was ordered after June 12, 2006, was manufactured on or after January 1, 2009, and has a maximum engine power greater than 25 HP (19 kWm).

In addition, to be covered by this source category permit, an engine must be subject to the requirements of 40 CFR 63, Subpart ZZZZ, on the bases that [See 40 CFR 63.6585 and 40 CFR 63.6590]:

1. The engine is not located at a major source of hazardous air pollutants (HAPs) (i.e. it is located at an area source of HAPs); and

2. The engine will not be used for economic or emergency demand response purposes.

Applicants who apply for coverage under a source category permit must document that their equipment meets the applicability criteria specified in the permit prior to approval of coverage and authorization to operate the unit under the authority of the source category permit.

The proposed emission limits to be included in the permit are as follows:

- a. Visible emissions shall not be emitted into the outdoor atmosphere from the engine, 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].
- b. 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]

Emissions Estimate:

Emissions will vary widely, depending upon the size and age of the equipment to be covered. As such there is no set maximum emissions level except that no unit will be approved under this permit that has a potential to emit greater than 25 tons per year of oxides of nitrogen, the trigger threshold for further regulatory requirements under 20 DCMR §204 (non-attainment New Source Review). However, based on past permitting activity implemented by AQD, very few applicants seek to operate natural gas emergency engines in the District of Columbia exceeding 2,000 horsepower (hp) in mechanical output. Based on a limitation in the permit of 500 hours per year of total operations, conservative emission factors for spark ignition engines, and a 2,000 hp engine size, the following represents an estimate of the maximum emissions expected from any emergency engine covered by this source category permit:

Pollutant	Estimated Maximum Annual Emissions (tons/yr)
Total Particulate Matter (PM Total)	0.27
Carbon Monoxide (CO)	20.46
Oxides of Nitrogen (NO _x)*	22.44
Volatile Organic Compounds (VOC)	0.66
Sulfur Dioxide (SO ₂)	0.003

**Note that there is an applicability limit placed on the permit that no unit having the potential to emit more than 25 tons/year of NO_x will be covered by this source category permit.*

The draft permit and supporting documentation 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 August 24, 2020 will be accepted.

For more information, please contact Stephen S. Ours at (202) 535-1747.

DEPARTMENT OF HEALTH

PUBLIC NOTICE

The District of Columbia Board of Respiratory Care (“Board”) hereby gives notice of a change in its upcoming meeting, 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) (2016 Repl.)).

The Board holds its meetings on a quarterly basis and the next meeting was scheduled for Monday, August 10, 2020. However, due to schedule conflict, it will be changed to Thursday, July 30, 2020 from 9:00 AM – 11:00 AM. The meeting will be open to the public from 9:00 AM until 9:30 AM to discuss various agenda items and any comments and/or concerns from the public. In accordance with § 575(b) of the Open Meetings Act of 2010 (D.C. Official Code § 2-575(b) (2016 Repl.)), the meeting will be closed from 9:30 AM to 11:00 AM to plan, discuss, or hear reports concerning licensing issues, ongoing or planned investigations of practice complaints, and or violations of law or regulations.

Due to the COVID-19 public health emergency, the meeting will be conducted via videoconference. The public may attend the open session in the following ways:

By videoconference:

Meeting number: 160 246 5868

Password: iN8YMrUX38

<https://dcnet.webex.com/dcnet/j.php?MTID=m5671a1a7ed84f6be91845beb57b31629>

By phone:

1-650-479-3208 Call-in toll number (US/Canada)

Access code: 160 246 5868

The agenda is available at <https://dchealth.dc.gov/node/1171773>. For additional information, contact the Health Licensing Specialist at kevin.waugh@dc.gov.

The subsequent meeting will be held on November 9, 2020.

**DISTRICT OF COLUMBIA DEPARTMENT OF HEALTH
MEDICAL MARIJUANA PROGRAM**

PUBLIC NOTICE

**Notice of Open Application Period
for two (2) Medical Marijuana Testing Laboratory Facilities**

Pursuant to 22-C DCMR § 5401.1, applications for a new medical marijuana testing laboratory facility shall only be accepted by the Director during the open application period as specified by the Director by published Notice in the D.C. Register. This period shall not be extended.

Pursuant to 22-C DCMR § 5401.5, at the start of each open application period, the Director shall publish a notice in the D.C. Register setting forth the process for submission of applications for a new dispensary registration.

The Director hereby gives notice of the Open Application Period for two (2) medical marijuana testing laboratory facilities, and sets for the process for submission of applications as follows:

1. Applications shall only be accepted from individuals and entities that:
 - a. Timely submitted a Letter of Intent pursuant to the Public Notice for Submission of Letters of Intent published in the D.C. Register on January 17, 2020; and
 - b. Received a written notice from the Department of Health of eligibility to submit an application for a medical marijuana testing laboratory facility (“Letter of Acceptance”). All Letters of Acceptance were mailed between July 7, 2020 and July 14, 2020. If you didn’t receive a letter, please contact <http://doh.dc.gov/mmp>.
2. Applications shall be submitted beginning Monday, July 27, 2020 at 9:00 a.m. and ending Friday, September 25, 2020 at NOON Eastern Time.
3. Applications shall be submitted in hardcopy to the Department of Health Medical Marijuana and Integrative Therapy Division (MMIT), 899 North Capitol Street, NE, 2nd Floor, Washington, DC 20002 or electronically by email to doh.mmp@dc.gov. It is your responsibility to submit in a manner to ensure confirmation of delivery with a date and time stamp.
4. Application forms and instructions are available on the MMIT website at <https://dchealth.dc.gov/service/medical-marijuana-and-integrative-therapy>. If you have trouble accessing the application, please contact doh.mmp@dc.gov.
5. You will not be allowed to amend, add to, correct, revise or supplement your application after it has been submitted. Therefore, each applicant is strongly encouraged to read the regulations carefully before submitting an application.

6. Applicants applying for a medical marijuana testing laboratory facility registration must pay an application fee of three thousand five hundred dollars (\$3,500.00) at the time of application submission. If selected, no applicant will be granted more than one (1) medical marijuana testing laboratory facility registration. **All application fees are nonrefundable.**
7. Only two (2) medical marijuana testing laboratory facility registrations will be issued. **All application fees are nonrefundable.**
8. **PLEASE READ CAREFULLY:** The selection process is set forth in the District of Columbia Municipal Regulations at 22-C DCMR § Chapters 51-54.
 - a. No matter how many applications are submitted, only the individuals or entities applying for a medical marijuana testing laboratory facility that receive the highest and second highest scores among all of the applicants will be selected to receive one (1) of the two (2) available medical marijuana testing laboratory facility registrations.
 - b. **All application fees are nonrefundable.** No portion of the \$3,500.00 application fee will be returned to you if you are not selected to receive a registration.

Applicants must **e-mail** all written questions or requests for clarification regarding this announcement or the application process to doh.mmp@dc.gov with “**MMP-LAB Question**” in the subject line. Questions and responses will be posted on the Department’s Medical Marijuana Program website: <https://dchealth.dc.gov/service/medical-marijuana-and-integrative-therapy>. Questions will not be answered on an individual basis. The Department may decide not to answer a question. Applicants should also monitor the Department’s Medical Marijuana Program [website](#) for questions/responses and other information about the Program. **Phone inquiries will not be accepted.**

The United States Congress has determined that marijuana is a controlled substance and has placed marijuana in Schedule I of the Controlled Substance Act. Growing, distributing, and possessing marijuana in any capacity, other than as a part of a federally authorized research program, is a violation of federal laws. The District of Columbia’s law authorizing the District’s medical marijuana program will not excuse any person from any violation of the federal laws governing marijuana or authorize any registrant to violate federal laws.

D.C. HOMELAND SECURITY AND EMERGENCY MANAGEMENT AGENCY

NOTICE OF PUBLIC MEETING

Homeland Security Commission

July 24, 2020

3:00 p.m. to 4:30 p.m.

Virtual Meeting via WebEx: 1-650-479-3208; access code: 160 618 5345

On July 24, 2020 at 3:00 p.m., the Homeland Security Commission (HSC) will hold a meeting that may proceed into closed session pursuant to D.C. Code § 2-575(b), D.C. Code § 7-2271.04, and D.C. Code § 7-2271.05, for the purpose of discussing the annual report.

The meeting will be held remotely via WebEx. For additional information, please contact Dion Black, General Counsel, by phone at 202-481-3011 or by email at dion.black1@dc.gov.

DEPARTMENT OF INSURANCE, SECURITIES AND BANKING**DISTRICT OF COLUMBIA FINANCIAL LITERACY COUNCIL****NOTICE OF PUBLIC MEETING**

The Members of the District of Columbia Financial Literacy Council (DCFLC) will hold a meeting 3:00 PM, Thursday, July 30, 2020. The meeting will be held via WebEx at:

<https://dnet.webex.com/join/DCDISB>

850 861 211

Join by phone

1-650-479-3208 Call-in toll number (US/Canada)

Access code: 850 861 211

Below is the draft agenda for this meeting. A final agenda will be posted to the Department of Insurance, Securities, and Banking's website at <http://disb.dc.gov>. Please RSVP to Idriys J. Abdullah, idriys.abdullah@dc.gov; for additional information call (202) 442-7832 or e-mail idriys.abdullah@dc.gov

DRAFT AGENDA

- I. Call to Order
- II. Welcoming Remarks
- III. Minutes of the Previous Meeting
- IV. Unfinished Business
DC Financial Literacy Council Recommendations Report
- V. New Business
Presentations: Financial Literacy in a Pandemic Environment
- VI. Adjournment

DISTRICT OF COLUMBIA PUBLIC CHARTER SCHOOL BOARD**NOTIFICATION OF 2021 BOARD MEETINGS**

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

Monday, January 25, 2021

Monday, February 22, 2021

Monday, March 15, 2021

Monday, April 19, 2021

Monday, May 17, 2021

Monday, June 21, 2021

Monday, July 19, 2021

Monday, August 16, 2021 (Tentative)

Monday, September 20, 2021

Monday, October 18, 2021

Monday, November 15, 2021

Monday, December 20, 2021

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

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

Application No. 20255 of Mid City Builders, LLC, as amended, pursuant to 11 DCMR Subtitle X, Chapters 9, for special exceptions under Subtitle E § 5201 from the rear addition requirements of Subtitle E § 205.4, and under the Voluntary Inclusionary Zoning modifications of Subtitle E § 5206.2 from the minimum lot width requirements of Subtitle E § 201.4, to subdivide the lot into two record lots with one flat on each lot in the RF-1 Zone at premises 3534 13th Street, N.W. (Square 2834, Lot 167).

HEARING DATE: July 1, 2020¹
DECISION DATE: July 8, 2020

SUMMARY ORDER

Relief Requested. The zoning relief requested in this case was self-certified, pursuant to 11 DCMR Subtitle Y § 300.6. (Exhibit 30C (Revised); Exhibit 4 (Original).)²

Notice of the Application and Public Hearing. The Board of Zoning Adjustment ("Board" or "BZA") referred the application to the appropriate agencies and provided proper and timely notice of the public hearing in accordance with Subtitle Y § 402.1.

Parties. The parties to this case were the Applicant and Advisory Neighborhood Commission ("ANC") 1A.

ANC Report. The ANC's report indicated that at a regularly scheduled, properly noticed public meeting on May 17, 2020, at which a quorum was present, the ANC voted to support the application. (Exhibit 33.) ANC 1A Commissioner Michael Wray testified in support of the application at the public hearing.

OP Report. The Office of Planning submitted a report, dated April 3, 2020, recommending approval of the application. (Exhibit 32.)

¹ This application was originally scheduled for public hearing on April 15, 2020 but was rescheduled for a virtual public hearing on July 1, 2020, based on the closures and postponements related to the public health emergency declared on March 11, 2020. Notice of the virtual public hearing was provided to the parties and to the property owners within 200 feet of the subject property.

² The original application was amended to change the lot occupancy relief for Lot A from a request for variance to a request for special exception.

DDOT Report. The District Department of Transportation submitted a report, dated March 10, 2020, indicating that it had no objection to the application. (Exhibit 31.)

Special Exception Relief

The Applicant seeks relief under Subtitle X § 901.2, for special exceptions under Subtitle E § 5201 from the rear addition requirements of Subtitle E § 205.4, and under the Voluntary Inclusionary Zoning modifications of Subtitle E § 5206.2 from minimum lot width requirements of Subtitle E § 201.4, to subdivide the lot into two record lots with one flat on each lot 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 REVISED PLANS³** at **EXHIBIT 30A**.

VOTE: 4-0-1 (Frederick L. Hill, Lorna L. John, Carlton E. Hart, and Anthony J. Hood to APPROVE; one Board seat vacant.)

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: July 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

³Self-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.

SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSE OF SECURING A BUILDING PERMIT, OR THE APPLICANT FILES A REQUEST FOR A TIME EXTENSION PURSUANT TO SUBTITLE Y § 705 PRIOR TO THE EXPIRATION OF THE TWO-YEAR PERIOD AND THE REQUEST IS GRANTED. PURSUANT TO SUBTITLE Y § 703.14, NO OTHER ACTION, INCLUDING THE FILING OR GRANTING OF AN APPLICATION FOR A MODIFICATION PURSUANT TO SUBTITLE Y §§ 703 OR 704, SHALL TOLL OR EXTEND THE TIME PERIOD.

PURSUANT TO 11 DCMR SUBTITLE Y § 604, APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT.

IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE § 2-1401.01 *ET SEQ.* (ACT), THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, GENETIC INFORMATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.

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

Application No. 20262 of 741 Morton LLC, pursuant to 11 DCMR Subtitle X, Chapter 9, for special exceptions under Subtitle U § 320.2, and under Subtitle E § 5201, from the side yard requirements of Subtitle E § 207.3, to construct a third-story addition and a three-story rear and side addition to an existing semi-detached principal dwelling unit, and to convert it into a three-unit apartment house in the RF-1 Zone at premises 741 Morton Street N.W. (Square 2894, Lot 870).

HEARING DATE: July 1, 2020¹
DECISION DATE: July 8, 2020

SUMMARY ORDER

Relief Requested. The zoning relief requested in this case was self-certified, pursuant to 11 DCMR Subtitle Y § 300.6. (Exhibit 32B (Final Revised); Exhibit 4 (Original).)²

Notice of the Application and Public Hearing. The Board of Zoning Adjustment ("Board" or "BZA") referred the application to the appropriate agencies and provided proper and timely notice of the public hearing in accordance with Subtitle Y § 402.1.

Parties. The parties to this case were the Applicant and Advisory Neighborhood Commission ("ANC") 1A.

ANC Report. The ANC's report indicated that at a regularly scheduled, properly noticed public meeting on May 13, 2020 at which a quorum was present, the ANC voted to support the application. (Exhibit 37.) The ANC report included conditions regarding the roof top architectural elements and installation of privacy screening; however, the Board did not adopt these conditions as the Applicant had provided these details in the approved plans.

¹ This application was originally scheduled for public hearing on April 22, 2020 but was rescheduled for a virtual public hearing on July 1, 2020 based on the closures and postponements related to the public health emergency declared on March 11, 2020. Notice of the virtual public hearing was provided to the parties and to the property owners within 200 feet of the subject property.

² The original self-certification was revised to reflect a change in the lot occupancy calculation. The application and requested relief did not change.

OP Report. The Office of Planning submitted a report recommending approval of the application. (Exhibit 34.)

DDOT Report. The District Department of Transportation submitted a report indicating that it had no objection to the application. (Exhibit 33.)

Special Exception Relief

The Applicant seeks relief under Subtitle X § 901.2, for special exceptions under Subtitle U § 320.2, and under Subtitle E § 5201, from the side yard requirements of Subtitle E § 207.3, to construct a third-story addition and a three-story rear and side addition to an existing semi-detached principal dwelling unit, and to convert it 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 PLANS**³ at **EXHIBITS 32C and 36A**.

VOTE: 4-0-1 (Frederick L. Hill, Lorna L. John, Carlton E. Hart, and Anthony Hood to APPROVE; one Board seat vacant.)

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: July 10, 2020

³ Self-certification: In granting the certified relief, the Board made no finding that the relief is either necessary or sufficient. Instead, the Board expects the Zoning Administrator to undertake a thorough and independent review of the building permit and certificate of occupancy applications filed for this project and to deny any application for which additional or different zoning relief is needed.

PURSUANT TO 11 DCMR SUBTITLE Y § 604.11, NO ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN (10) DAYS AFTER IT BECOMES FINAL PURSUANT TO SUBTITLE Y § 604.7.

PURSUANT TO 11 DCMR SUBTITLE Y § 702.1, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSE OF SECURING A BUILDING PERMIT, OR THE APPLICANT FILES A REQUEST FOR A TIME EXTENSION PURSUANT TO SUBTITLE Y § 705 PRIOR TO THE EXPIRATION OF THE TWO-YEAR PERIOD AND THE REQUEST IS GRANTED. PURSUANT TO SUBTITLE Y § 703.14, NO OTHER ACTION, INCLUDING THE FILING OR GRANTING OF AN APPLICATION FOR A MODIFICATION PURSUANT TO SUBTITLE Y §§ 703 OR 704, SHALL TOLL OR EXTEND THE TIME PERIOD.

PURSUANT TO 11 DCMR SUBTITLE Y § 604, APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT.

IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE § 2-1401.01 ET SEQ. (ACT), THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, GENETIC INFORMATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.

**BOARD OF ZONING ADJUSTMENT
PUBLIC MEETING NOTICE
WEDNESDAY, JULY 29, 2020
Virtual Meeting via WebEx**

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

TIME: 9:30 A.M.

I. CONSENT CALENDAR

A. Request for Modification of Consequence

Application No. 17996-C of The Beauvoir School, the National Cathedral Elementary School, pursuant to 11 DCMR Subtitle Y § 703, for a modification of consequence to the conditions of BZA Order No. 17996-B, to decrease the minimum parking requirements and to permit the installation of temporary classroom space on the schools property, in the R-1-B Zone at premises 3500 Woodley Road, N.W. (Square 1944, Lot 25). (ANC 3C)

Not Being Decided Today

20251 – Application of Martha Blalock and Christine Delucchi

This application has been withdrawn.

PLEASE NOTE:

This public meeting will be held virtually through WebEx for the Board to deliberate on or decide the items listed on the agenda. Information for the public to view or listen to the public meeting will be provided on the Office of Zoning website and in the case record for each application or appeal as soon as possible in advance of the meeting date.

Do you need assistance to participate?

Amharic

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

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

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

Chinese

您需要有人帮助参加活动吗?

BZA VIRTUAL PUBLIC MEETING NOTICE

JULY 29, 2020

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

French

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

Korean

참여하시는데 도움이 필요하세요?

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

Spanish

¿Necesita ayuda para participar?

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

Vietnamese

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

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

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

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

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
ZONING COMMISSION ORDER NO. 15-19(1)
Z.C. Case No. 15-19
411 New York Avenue Holdings, LLC
(Consolidated PUD and Related Map Amendment @ Square 3594, Lot 800 and a
1,000-Square-Foot Portion of an Alley To-Be-Closed)
June 29, 2020

Pursuant to notice, at its June 29, 2020, public meeting, the Zoning Commission for the District of Columbia (the “Commission”) considered a request (the “Request”) from 411 New York Avenue Holdings, LLC (the “Applicant”) to extinguish the consolidated planned unit development (“PUD”) and related map amendment on Lot 800 in Square 3594 and the abutting 1,000-square-foot portion of a public alley to be closed (the “Property”) pursuant to Subtitle X § 310.2(b) of the Zoning Regulations (Title 11 of the District of Columbia Municipal Regulations, Zoning Regulations of 2016, to which all subsequent citations refer unless otherwise specified). For the reasons stated below, the Commission **APPROVES** the Request.

FINDINGS OF FACT

1. Pursuant to Z.C. Order No. 15-19 (the “Original Order”), effective on December 23, 2016, the Commission approved a consolidated PUD, together with a Zoning Map amendment from the C-M-1 to the C-3-C Zone District, to permit construction of an 11-story hotel with space dedicated to the arts (the “Approved PUD”). The Original Order required the Applicant to file an application for a building permit to construct the Approved PUD within two years of the Original Order’s effective date (by December 23, 2018), with construction to start within three years (by December 23, 2019).
2. An appeal of the Original Order to the District of Columbia Court of Appeals, which dismissed the appeal on May 12, 2017, extended the Original Order’s effective date to May 12, 2017, pursuant to Subtitle Z § 705.8, with the deadline for the building permit application extended to May 12, 2019 and the deadline for the start of construction to May 12, 2020.
3. Pursuant to Z.C. Order No. 15-19A, effective on January 24, 2020, the Commission approved a two-year extension of the Original Order, with a building permit application to be filed by May 11, 2021 and construction to begin by May 11, 2022.
4. On June 18, 2020, the Applicant filed the Request, seeking the Commission’s approval to extinguish the Approved PUD because the Applicant had decided to pursue alternative development opportunities for the Property.

CONCLUSIONS OF LAW

1. Subtitle X § 300.1 establishes that 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.
2. Subtitle X § 310.2 requires that upon the Commission's approval of a PUD, construction of the PUD site must comply with the PUD approval until: (a) its validity expires for failure to file a building permit application, start construction, or obtain required approvals within the time limits defined in the Zoning Regulations and PUD approval; or (b) the Commission approves a request to extinguish the PUD approval.
 3. The Commission concludes that since the Applicant has not started to construct the Approved PUD, extinguishing the Approved PUD would not make the Property non-compliant with the Zoning Regulations based on the C-M-1 Zone District in which the Property is located since the related Zoning Map amendment to the C-3-C Zone District is extinguished with the extinguishment of the Original Order.
 4. The Commission concludes that extinguishing the Approved PUD would be consistent with the PUD process, the Zoning Regulations, and the Comprehensive Plan because the Applicant no longer intends to construct the Approved PUD, but instead to develop the Property under the matter-of-right standards applicable to the Property.

DECISION

In consideration of the case record, and the Findings of Fact and Conclusions of Law contained in this Order, the Zoning Commission **ORDERS APPROVAL** of the request to extinguish the Consolidated PUD and related Zoning Map amendment for Lot 800 in Square 3594 and the 1,000-square-foot portion of the abutting alley to be closed approved by Z.C. Order No. 15-19, as extended by Z.C. Order No. 15-19A.

VOTE (June 29, 2020): 5-0-0 (Anthony J. Hood, Peter A. Shapiro, Robert E. Miller, Peter G. May, and Michael G. Turnbull to **APPROVE**).

In accordance with the provisions of Subtitle Z § 604.9, this Order shall become final and effective upon publication in the *D.C. Register*; that is, on July 24, 2020.

BY 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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