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District of Columbia REGISTER

HIGHLIGHTS

- D.C. Council enacts Act 26-59, Institution of Higher Education Sexual Misconduct Reporting and Resource Accessibility Act of 2025
- D.C. Council enacts Act 26-66 to propose measures for streamlining processes for classifying commercial properties that are to be put to residential use
- D.C. Council adopts Ceremonial Resolution 26-23 to commemorate the Washington Nationals as they celebrate twenty years as a Major League Baseball franchise in the District of Columbia
- D.C. Council schedules a public oversight roundtable to discuss environmental and safety hazards on the Department of Parks and Recreation (DPR) properties
- D.C. Council schedules a public roundtable on "The State of the District's Opioid Crisis and the Work of the Opioid Abatement Advisory Commission"
- Commission on the Arts and Humanities announces availability of funding for the FY 2026 Arts or Humanities Education Project (AHEP) Grant Program, FY2026 Arts and Humanities Fellowship Program Grant, FY 2026 Capital Projects: Small Grant Program, and FY 2026 Field Trip Experiences (FTE) Grant Program
- Department of Health announces availability of funding for the High-Need Healthcare Career Scholarship Program
- Department Human Services announces availability of the FY26 DC SNAP Employment and Training Program Grants

DISTRICT OF COLUMBIA REGISTER

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COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 25-322

"Female Genital Mutilation Prohibition Act of 2024"

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 25-247 on First Reading and Final Reading, on July 9, 2024, and September 17, 2024, respectively. Following the signature of the Mayor on October 7, 2024, pursuant to Section 404(e) of the Charter, the bill became Act 25-559 and was published in the October 11, 2024 edition of the D.C. Register (Vol. 71, page 012328). Act 25-559 was transmitted to Congress on January 23, 2025 for a 60-day review, in accordance with Section 602(c)(2) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 60-day Congressional review period has ended, and Act 25-559 is now D.C. Law 25-322, effective April 18, 2025.

Phil Mendelson
Chairman of the Council

Days Counted During the 60-day Congressional Review Period:

Month	Dates Counted
January	23,24,27,28,29,30,31
February	3,4,5,6,7,10,11,12,13,14,18,19,20,21,24,25,26,27,28
March	3,4,5,6,7,10,11,12,13,14,17,18,19,20,21,24,25,26,27,28,31
April	1,2,3,4,7,8,9,10,11,14,15,16,17

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 25-323

"Residential Tranquility Temporary Amendment Act of 2024"

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 25-1013 on Final Reading on November 12, 2024. Following the signature of the Mayor on November 22, 2024, pursuant to Section 404(e) of the Charter, the bill became Act 25-640 and was published in the November 29, 2024 edition of the D.C. Register (Vol. 71, page 014480). Act 25-640 was transmitted to Congress on January 23, 2025 for a 60-day review, in accordance with Section 602(c)(2) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 60-day Congressional review period has ended, and Act 25-640 is now D.C. Law 25-323, effective April 18, 2025.

Phil Mendelson
Chairman of the Council

Days Counted During the 60-day Congressional Review Period:

Month	Dates Counted
January	23,24,27,28,29,30,31
February	3,4,5,6,7,10,11,12,13,14,18,19,20,21,24,25,26,27,28
March	3,4,5,6,7,10,11,12,13,14,17,18,19,20,21,24,25,26,27,28,31
April	1,2,3,4,7,8,9,10,11,14,15,16,17

ENROLLED ORIGINAL

AN ACT

D.C. ACT 26-59

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

APRIL 25, 2025

To require institutions of higher education in the District to retain at least 2 confidential resource advisors, to require amnesty protections for student code of conduct violations under certain circumstances, to require institutions make reasonable efforts to require every undergraduate student to complete sexual misconduct trainings that conform with minimum criteria, to require institution personnel involved in an institution's sexual misconduct investigative and disciplinary processes to receive annual training in handling sexual misconduct complaints and in the operations of the institution's disciplinary process, to require confidential resource advisors, Title IX coordinators, and institution public safety personnel to be educated in trauma-informed responses, to establish minimum criteria for institutions' sexual misconduct policies, to require institutions to prepare and submit to the Higher Education Licensure Commission and publish on their websites a report with data about confidential resource advisor and Title IX office outcomes at the institution, and to establish penalties for institutions that do not comply with this act; and to make conforming amendments.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Institution of Higher Education Sexual Misconduct Reporting and Resource Accessibility Act of 2025".

Sec. 2. Definitions.

For the purposes of this act, the term:

(1) "Assisted party" means a student at, or an employee of, an institution who seeks the services of a confidential resource advisor.

(2) "Confidential communication" means oral or written information exchanged between a confidential resource advisor and an assisted party while the confidential resource advisor is performing the duties required or authorized under this act.

(3) "Confidential resource advisor" means an individual whom an institution has designated to provide emergency and ongoing support to an assisted party pursuant to section 3

and who is not empowered to institute corrective measures on behalf of the institution in response to a report of sexual misconduct.

(4) "Employee" means an individual employed by an institution.

(5) "Institution" means an entity or person incorporated, chartered, or established in the District, including by Council or congressional act, that offers postsecondary or graduate degrees, and that operates, keeps, or maintains a facility in the District.

(6) "Student" means an individual who is enrolled at an institution at the time of alleged sexual misconduct.

(7) "Sexual misconduct" shall have the same meaning as sex-based harassment, as that term is defined in 34 C.F.R. § 106.2;

(8) "Sexual misconduct resource provider" means a:

(A) Domestic violence counselor, as that term is defined in D.C. Official Code § 14-310(a)(2);

(B) Human trafficking counselor, as that term is defined in D.C. Official Code § 14-311(a)(2); or

(C) Sexual assault counselor, as that term is defined in D.C. Official Code § 23-1907(10).

(9) "Supportive measures" shall have the same meaning as provided in 34 C.F.R. § 106.2.

(10) "Title IX" means Title IX of the Education Amendments of 1972, approved June 23, 1972 (86 Stat. 373; 20 U.S.C. § 1681 *et seq.*).

(11) "Title IX Coordinator" means the employee designated by an institution to perform the functions required by 34 C.F.R. § 106.8(a).

(12) "Trauma-informed response" means a response to a report of sexual misconduct involving an understanding of the complexities of sexual misconduct through training centered on the neurobiological impact of trauma, the influence of myths and stereotypes surrounding the causes and impacts of trauma, perpetration methodology pertaining to sexual misconduct, and methods to conduct investigations of sexual misconduct.

Sec. 3. Confidential resource advisor role and responsibilities.

(a)(1) Each institution shall employ or contract for at least 2 confidential resource advisors to serve as confidential resources for students and employees seeking resources pertaining to sexual misconduct.

(2) An institution shall notify all students and employees, in writing, of the identities, contact information for, and availability of its confidential resource advisors.

(b) Confidential resource advisors shall provide all institution students and employees with resources related to sexual misconduct in written or electronic format, which may include website links, pamphlets, handouts, and information packets. An institution may authorize its

Title IX Coordinator to approve the resources to be provided by confidential resource providers before dissemination to ensure accuracy and institutional consistency.

(c) Confidential resource advisors may provide resources and information to assisted parties in addition to those provided pursuant to subsection (b) of this section, including:

(1) Options for reporting sexual misconduct to the institution's public safety personnel, District or federal law enforcement, or the institution's Title IX Coordinator, and the processes required for making a complaint to each entity;

(2) Information pertaining to free and low-cost legal and sexual misconduct response services available through local legal services providers, sexual misconduct resource providers, and the District's Crime Victim Compensation Program;

(3) Information pertaining to securing protection or no contact orders, restraining orders, or similar lawful orders issued by a criminal or civil court;

(4) Information pertaining to the assisted party's rights and the institution's responsibilities regarding protection orders, no contact orders, and any other lawful orders issued by the institution or by a court of law;

(5) The investigative processes of District and federal law enforcement agencies and legal processes of District judicial bodies pertaining to sexual misconduct;

(6) Medical and health services available through the institution and at facilities that are unaffiliated with the institution, including free medical forensic exams available through local sexual assault nurse examiner programs;

(7) Counseling and mental health services available through the institution and available through local providers outside the institution;

(8) For students considering changes in their enrollment status such that the housing arrangements, healthcare, or insurance coverage available through the institution would be disrupted or terminated, rent assistance resources, healthcare resources, and insurance resources available outside the institution;

(9) The formal and informal resolution processes pertaining to sexual misconduct available at the institution and available outside the institution through sexual misconduct resource providers;

(10) A description of the supportive measures available at the institution, including through the institution's Title IX office and disabilities services office;

(11) Information about the Title IX Coordinator's role in providing students with supportive measures and in assisting students with maintaining academic progress, such as withdrawing from or taking an incomplete grade in a class; and

(12) For students considering changes in their enrollment status, referrals to loan counseling services pertaining to loan deferment, loan default, forbearance, or other student loan or grant programs.

(d) Confidential resource advisors shall inform assisted parties of limitations in providing privacy or confidentiality, including informing the assisted party that information shared with the

confidential resource advisor could be disclosed in limited circumstances, including in response to a court order or subpoena.

(e) The confidential resource advisor may provide guidance to the assisted party regarding how to access supportive measures and in deciding the type of supportive measures to request.

(f) Within 3 months after being designated as a confidential resource advisor, in coordination with the institution's Title IX Coordinator, a confidential resource advisor shall establish and maintain regular communication with the federally designated state sexual assault coalition for the District and the federally recognized statewide coalition of domestic violence programs for the District.

(g) A confidential resource advisor may, if appropriate and if directed by the assisted party, support the assisted party in contacting the institution's public safety personnel or local or federal law enforcement to make a report of sexual misconduct.

(h) A confidential resource advisor may attend an administrative or institution-based adjudication proceeding as the advisor for the assisted party.

(i)(1) Notwithstanding section 2 of An Act To provide for the mandatory reporting by physicians and institutions in the District of Columbia of certain physical abuse of children, approved November 6, 1966 (80 Stat. 1354; D.C. Official Code § 4-1321.02), when an individual is acting in the individual's capacity as a confidential resource advisor, an assisted party's communications with the confidential resource advisor relating to an incident of sexual misconduct shall be confidential, may not be disclosed to the institution or law enforcement authorities, and shall be privileged against disclosure in any legal or administrative proceeding unless:

(A) Disclosure of information is necessary for the institution to comply with section 485(f) of the Higher Education Act of 1965, approved October 17, 1986 (104 Stat. 1454; 20 U.S.C § 1092(f));

(B) A party admits to committing what the confidential resource advisor reasonably believes to be a crime of violence, as the term is defined in D.C. Official Code § 23-1331(4), or a dangerous crime, as the term is defined in D.C. Official Code § 23-1331(3);

(C) The confidential resource advisor deems disclosure necessary to protect the assisted party or another individual from a substantial risk of imminent and serious injury;

(D) The party the confidential resource advisor assisted provided written consent for the confidential resource advisor to disclose information the confidential resource advisor received from the party; or

(E) Disclosure is otherwise required by a District or federal statute or by a court of law.

(2) To the extent the disclosure of information covered in paragraph (1) of this subsection would not be permitted under the Family Educational Rights and Privacy Act of

1974, approved August 21, 1974 (88 Stat. 571; 20 U.S.C. § 1232g *et seq.*), and its implementing regulations (34 C.F.R Part 99), the exceptions to confidentiality in paragraph (1) of this subsection shall not apply.

(j)(1) If a confidential resource advisor is required by statute or by a court of law to disclose a confidential communication, the confidential resource advisor shall inform the student or employee who made the confidential communication of the requirement to disclose at least 7 calendar days in advance of disclosure, unless prohibited by law, a court order, or subpoena from disclosing the requirement to disclose information.

(2) If the assisted party notifies the confidential resource provider that the individual has filed a motion for a protective order or a motion to quash prior to the date disclosure is due, the confidential resource provider shall not disclose the required information until there is a ruling by the court on such motion and shall only make the disclosure as determined by the court.

(k)(1) An institution may contract with a victim advocacy organization to provide confidential resource advisors as required under this section.

(2) An institution that enrolls fewer than 1,000 residential students may partner with another institution or sexual misconduct resource provider in the District to provide the services required under this section.

(3) An institution shall ensure that any contract entered into under this subsection shall result in a confidential resource advisor being available within a reasonable distance from the institution or by electronic means.

(l) Notice to a confidential resource advisor of an alleged act of sexual misconduct or a confidential resource advisor's performance of a service under this section shall not be considered actual or constructive notice of an allegation of sexual misconduct to the institution at which a confidential resource advisor is employed or provides contracted services.

(m) The Metropolitan Police Department or the institution shall not discipline, penalize, or otherwise retaliate against a confidential resource advisor for lawful actions taken in the course of representing the interests of the assisted party.

(n) The services provided to assisted parties by a confidential resource advisor shall be free of charge.

Sec. 4. Confidential resource advisor qualifications and training.

(a) A confidential resource advisor:

(1) Shall:

(A) Have undergone training that conforms with the requirements of D.C. Official Code § 23-1907(10)(B);

(B) Be appointed based on the individual's professional experience and training to provide support to students and employees;

(C) Complete yearly trainings in:

(i) Sexual misconduct awareness and prevention;
(ii) Title IX policies pertaining to sexual misconduct;
(iii) Trauma-informed responses;
(iv) District laws pertaining to sexual misconduct survivor rights and resources; and
(v) If employed by an institution, the institution's policies pertaining to student conduct, sexual misconduct, and sexual relationships;

(2) Shall not:

(A) Provide mental health or behavioral health counseling services or therapy to the assisted party while providing confidential advisor services;
(B) Provide services to parties involved in the same allegation of sexual misconduct;
(C) At the institution that has designated the individual as a confidential resource advisor be:
(i) An undergraduate student, except for a faculty or staff member enrolled in one undergraduate course for a term; or
(ii) A full-time graduate or doctoral student;
(D) Be the Title IX Coordinator;
(E) Be an authorized administrator of disciplinary processes on behalf of the institution;
(F) Be a member of the institution's public safety personnel; or
(G) Have employment responsibilities that may create a conflict of interest between the duties of a confidential resource advisor and the employee's other job responsibilities, including employment by the institution as:
(i) General counsel;
(ii) A religious or spiritual authority;
(iii) Director of athletics;
(iv) Dean of students; or
(v) An employee who serves on a student or employee conduct judicial or hearing board or to whom an appeal might be made; and

(3) May be a social worker, psychologist, psychotherapist, professional clinical counselor, psychiatrist, or mental health counselor licensed in the District; provided, that if a confidential resource advisor is actively serving the assisted party as a mental or behavioral health counselor or therapist at the time the assisted party seeks confidential resource advisor services, the confidential resource advisor cannot serve the assisted party in both capacities.

Sec. 5. Amnesty protections.

(a) A student or a witness to an incident of sexual misconduct who reports an incident of sexual misconduct to an institution or to local or federal law enforcement shall not be subject to a

disciplinary proceeding or sanction for a violation of the institution's policies governing students or the student code of conduct for voluntary use or possession of illegal drugs or alcohol or for consensual sexual activity that occurred immediately preceding, during, or immediately following the incident of sexual misconduct unless the institution determines that the report was not made in good faith or that the violation put at immediate risk the health and safety of other individuals.

(b) Notwithstanding an institution's policies governing students or a student code of conduct, an institution shall not take disciplinary action against any student for consensual sexual activity related to an incident or allegation of sexual misconduct or for other consensual sexual activity revealed during an investigation of a report of sexual misconduct.

(c) This section shall not apply to an institution if the application would be inconsistent with a sincerely held religious belief of the institution.

Sec. 6. Sexual misconduct awareness and prevention trainings.

(a) An institution that provides undergraduate education shall make reasonable efforts to require every undergraduate student to complete 2 sexual misconduct primary prevention and awareness trainings that are trauma-informed and gender-inclusive, one of which shall occur before the beginning of the 2nd year of a student's undergraduate education, and the 2nd before the beginning of the 4th year of a student's undergraduate education; provided that an institution will be deemed to have complied with this section if a student enrolled in a 2-year degree program receives one training before the beginning of the student's 2nd year. The training shall include:

(1) An explanation of consent in reference to sexual activity and sexual relationships;

(2) Examples of physical and mental incapacitation, such as when an individual is asleep, unresponsive, unconscious, vomiting, unable to walk unassisted or dress or undress without assistance, incoherently communicating, or displaying a lack of awareness;

(3) The role that drugs and alcohol play in an individual's ability to consent;

(4) Information in writing about:

(A) The importance of preserving evidence to document sexual misconduct;

(B) Procedures to report an incident of sexual misconduct, including confidential and anonymous disclosure, and a statement that the institution's ability to respond to confidential or anonymous disclosure may be limited; and

(C) Information on the institution's procedures for resolving sexual misconduct complaints, including informal resolution options, and the range of sanctions the institution may impose on students and employees found responsible for sexual misconduct;

(5) The name and contact information of the institution's confidential resource advisors and the limitations of the confidentiality of this role;

(6) Safe and positive strategies for bystander intervention that may be carried out by an individual to prevent harm or reduce risk of sexual misconduct;

(7) The institution's responsibilities regarding orders of protection, no contact orders, restraining orders, or similar orders issued by a criminal or civil court;

(8) Opportunities for ongoing sexual misconduct prevention and sexual misconduct awareness training and programming; and

(9) A list of off-campus sexual misconduct resource providers, updated annually by the institution in consultation with the District's federally designated state sexual assault coalition and federally recognized statewide coalition of domestic violence programs.

(b) Institutions shall ensure that sexual misconduct prevention materials such as handouts, posters, website links, and information packets are prominently displayed and readily available to students and staff in all institution buildings where students are permitted, including in dormitories, academic buildings, office buildings, libraries, athletic facilities, laboratories, student centers, and dining halls.

Sec. 7. Training for individuals involved in sexual misconduct response processes.

(a) An individual who participates in the implementation of an institution's sexual misconduct investigative and disciplinary processes shall receive annual training in handling sexual misconduct complaints and in the operations of the institution's disciplinary process, which shall include:

(1) Information about working with and interviewing individuals involved in an allegation of sexual misconduct;

(2) Information about types of conduct that constitute sexual misconduct;

(3) Information about consent and the role drugs and alcohol may play in an individual's ability to consent;

(4) The effects of trauma, including neurobiological and physical manifestations of trauma in an individual;

(5) How to avoid making assumptions about culpability based on protected categories and social identities; and

(6) Techniques to communicate sensitively and compassionately with individuals involved in an allegation of sexual misconduct.

(b) An institution shall ensure that its confidential resource advisor, Title IX office personnel, and public safety personnel employed or contracted by the institution are educated in trauma-informed responses.

Sec. 8. Minimum criteria for institutional sexual misconduct policies.

(a) An institution shall ensure that the institution's sexual misconduct policy includes:

(1) Information on where victims of sexual misconduct can receive immediate emergency assistance following an incident of sexual misconduct, which shall include:

(A) The name, location, and contact information of medical facilities where an individual may request that a medical forensic exam be administered by a trained sexual assault forensic health care provider;

(B) Descriptions and contact information for sexual misconduct resource providers and a description of the services provided by such providers;

(C) The telephone number and website for a national and local 24-hour sexual misconduct response hotline; and

(D) Information on any programs that may provide financial assistance to a student with the cost of emergency medical assistance or related travel; and

(2) Information regarding the legal and institutional obligations of the Title IX Coordinator and employees of the Title IX office; and

(3) Descriptions of the roles and responsibilities and contact information for the institution's confidential resource advisors and Title IX Coordinator.

(b) Each institution shall distribute the information required under subsection (a) of this section by electronic or postal mail to students and employees of the institution or shall maintain the information on its website.

Sec. 9. Data reporting requirements.

(a) Beginning on June 30, 2029, and every 3rd calendar year thereafter, institutions shall prepare and submit to the Higher Education Licensure Commission and publish on the institution's website a report with data about confidential resource advisor and Title IX office outcomes for the previous 3 calendar years. The report shall not include personal identifying information of students or staff who accessed the institution's sexual misconduct resources or any information that by itself or in combination with other publicly available information could identify a particular person. Demographic data may be aggregated, and any counts or data points with fewer than 10 reports shall be suppressed. The report shall include:

(1) For the institution's Title IX office:

(A) Sexual misconduct reports to the institution's Title IX office by academic term for each academic year, broken down by dating violence, domestic violence, stalking, sexual assault, and sexual harassment;

(B) Sexual misconduct complaints to the institution's Title IX office by academic term for each academic year, broken down by dating violence, domestic violence, stalking, sexual assault, and sexual harassment;

(C) The location of a reported incident of sexual misconduct;

(D) The complainant's status as a student or employee of the institution;

(E) The source of a report, such as a designated reporter or a complainant;

(F) The number of complainants who requested supportive measures;

(G) The number of complainants who received supportive measures;

(H) The number of complainants that did not respond to outreach undertaken by the Title IX office;

(I) The number of complainants that met with a Title IX Coordinator but did not request supportive measures;

(J) The number of complainants that pursued formal resolution and the number that pursued alternative resolution;

(K) The number of complaints dismissed;

(L) The number of complaints that resulted in a finding in favor of the complainant;

(M) The number of non-Title IX related reports referred by the Title IX office to the institution office that oversees student conduct standards;

(N) The number of reports to which the institution's Title IX office could not respond because of insufficient information; and

(O) The number of anonymous reports; and

(2) For confidential resource advisors:

(A) The names and titles of confidential resource advisors employed by the institution during the reporting period, including additional roles or employment simultaneously held at the institution, or, if the positions are contracted or shared with another institution, the name of the organization or partner institution providing confidential resource advisor services for the institution;

(B) The number of times confidential communications were disclosed pursuant to section 3(i), and the reason for disclosure;

(C) A list of the trainings that the institution's confidential resource advisors underwent each year, as required by section 4(a) and section 7;

(D) A description of communications with the federally designated state sexual assault coalition for the District and the federally recognized statewide coalition of domestic violence programs for the District required by section 3(f);

(E) The number of individuals that accessed the institution's confidential resource advisors; and

(F) The number of individuals that were referred to the institution's Title IX office or the institution's disability services office to receive supportive measures or to file a complaint.

(b) Institutions may provide additional narrative information in the reports, which may include trend analysis, explanations that provide context to raw data, and descriptions of the institution's sexual misconduct response processes.

(c) Beginning in the calendar year after the online survey for campus safety is first administered pursuant to section 1507 of the Keeping Children Safe From Family Violence Act, approved March 15, 2022 (136 Stat. 959; 20 U.S.C. § 11611-6), institutions in the District shall

submit the results of the online survey for campus safety to the Higher Education Licensure Commission and publish the results on the institution's website.

Sec. 10. Enforcement.

Upon determination, after reasonable notice and opportunity for a hearing, that an institution has materially violated or failed to carry out any provision of this act, the Higher Education Licensure Commission may impose a civil fine upon an institution for each violation not to exceed $59,000, or one percent of an institution's annual operating budget, whichever is lower. Revenues generated from collecting civil penalty fines shall be directed to the Office of Victims Services and Justice Grants to allocate to sexual misconduct resource providers.

Sec. 11. Section 14-307(b) of the District of Columbia Official Code is amended as follows:

(a) Paragraph (7) is amended by striking the phrase "; and" and inserting a semicolon in its place.

(b) Paragraph (8) is amended by striking the period and inserting the phrase "; and" in its place.

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

"(9) Confidential resource advisors, as that term is defined in the Institution of Higher Education Sexual Misconduct Reporting and Resource Accessibility Act of 2025, passed on 2nd reading on April 1, 2025 (Enrolled version of Bill 26-29).".

Sec. 12. Applicability.

(a) This act shall apply as of June 30, 2026.

(b)(1) Notwithstanding subsection (a) of this section, this act shall apply to the University of the District of Columbia on the date of inclusion of its fiscal effect on the University of the District of Columbia in an approved budget and financial plan or as of June 30, 2026, whichever is later.

(2) The Chief Financial Officer shall certify the date of the inclusion of the fiscal effect in an approved budget and financial plan, and provide notice to the Budget Director of the Council of the certification.

(3)(A) The Budget Director shall cause the notice of the certification to be published in the District of Columbia Register.

(B) The date of publication of the notice of the certification shall not affect the applicability of this act to the University of the District of Columbia.

Sec. 13. Fiscal impact statement.

ENROLLED ORIGINAL

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

Sec. 14. Effective date.

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

Chairman
Council of the District of Columbia

UNSIGNED
Mayor
District of Columbia
April 24,2025

ENROLLED ORIGINAL

AN ACT

D.C. ACT 26-60

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

APRIL 24, 2025

To approve, on an emergency basis, Modification Nos. M0009, M0010, M0011, M0012, M0013, and M0014 to Contract No. CW101558 with Everyone Home DC, and to authorize payment for the goods and services received and to be received under the contract.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Modification Nos. M0009, M0010, M0011, M0012, M0013, and M0014 to Contract No. CW101558 with Everyone Home DC Approval and Payment Authorization Emergency Act of 2025".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding 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), the Council approves Modification Nos. M0009, M0010, M0011, M0012, M0013, and M0014 to Contract No. CW101558 with Everyone Home DC and authorizes payment in the not-to-exceed amount of $1,519,195.44 for the goods and services received and to be received under the contract.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

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

ENROLLED ORIGINAL

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

Chairman
Council of the District of Columbia

Mayor
District of Columbia
April 24,2025

ENROLLED ORIGINAL

AN ACT

D.C. ACT 26-61

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

APRIL 24, 2025

To approve, on an emergency basis, Modification Nos. M0008, M0009, M0010, M0011, M0012, and M0013 to Contract No. CW101231 with Catholic Charities of the Archdiocese of Washington, and to authorize payment for the goods and services received and to be received under the contract.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Modification Nos. M0008, M0009, M0010, M0011, M0012, and M0013 to Contract No. CW101231 with Catholic Charities of the Archdiocese of Washington Approval and Payment Authorization Emergency Act of 2025".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding 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), the Council approves Modification Nos. M0008, M0009, M0010, M0011, M0012, and M0013 to Contract No. CW101231 with Catholic Charities of the Archdiocese of Washington and authorizes payment in the not-to-exceed amount of $1,724,935.32 for the goods and services received and to be received under the contract.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

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

ENROLLED ORIGINAL

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

Chairman
Council of the District of Columbia

Mayor
District of Columbia
April 24,2025

ENROLLED ORIGINAL

AN ACT

D.C. ACT 26-62

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

APRIL 24, 2025

To amend, on an emergency basis, the Department of For-Hire Vehicles Establishment Act of 1985 to authorize the Department of For-Hire Vehicles to enforce traffic laws against carrier-for-hire vehicles; and to amend the the Migrant Services and Supports Extension Temporary Amendment Act of 2024 by providing that it shall expire 450 days after taking effect.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Department of For-Hire Vehicles Delivery Vehicle Traffic Enforcement Expansion Emergency Amendment Act of 2025".

Sec. 2. The Department of For-Hire Vehicles Establishment Act of 1985, effective March 25, 1986 (D.C. Law 6-97; D.C. Official Code § 50-301.01 *et seq.*), is amended as follows:

(a) Section 4 (D.C. Official Code § 50-301.03) is amended as follows:

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

"(3A) "Carrier-for-hire" means a class of transportation service by which a network of private operators, couriers, or carriers provide delivery of parcels, food, or beverages in the District for compensation.".

(2) Paragraph (30B) is amended as follows:

(A) Strike the phrase "regulations governing public and private vehicle-for-hire service" and insert the phrase "regulations governing public and private vehicle-for-hire and carrier-for-hire service" in its place.

(B) Strike the phrase "traffic stops of public and private vehicles-for-hire, pursuant to protocol prescribed" and insert the phrase "traffic stops of public and private vehicles-for-hire and carrier-for-hire vehicles, pursuant to protocol prescribed" in its place.

(b) Section 7(a) (D.C. Official Code § 50-301.06(a)) is amended as follows:

(1) Paragraph (4)(F) is amended by striking the phrase "Performing vehicle-for-hire inspections" and inserting the phrase "Performing public and private vehicle-for-hire and carrier-for-hire inspections" in its place.

(c) Section 8 (D.C. Official Code § 50-301.07) is amended as follows:

(1) Subsection (b-1) is amended to read as follows:

"(b-1) The DFHV shall employ vehicle inspection officers to enforce the laws, rules, and regulations pertaining to vehicles-for-hire and carriers-for-hire. A primary function of vehicle inspection officers shall be to ensure the proper provision of service and to support safety through street enforcement efforts, including traffic stops of public and private vehicles-for-hire and carriers-for-hire, pursuant to protocol prescribed by the DFHV.".

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

(A) Paragraph (19) is amended by striking the phrase "; and" and inserting a semicolon in its place.

(B) A new paragraph (19A) is added to read as follows:

"(19A) Establish rules relating to the enforcement of traffic regulations against carrier-for-hire vehicles; and".

(d) Section 20k(a) (D.C. Official Code § 50-301.30(a)) is amended as follows:

(1) Strike the phrase "shall undergo training on the rules and regulations governing private and public vehicles-for-hire and undergo" and insert the phrase "shall undergo training on the rules and regulations governing private and public vehicles-for-hire and carrier-for-hire vehicles and undergo" in its place.

(2) Strike the phrase "inspection officers shall be prohibited from making traffic stops of on-duty private or public vehicles-for-hire in the act of transporting a fare, unless there is reasonable suspicion of a violation" and insert the phrase "inspection officers shall be prohibited from making traffic stops of on-duty private or public vehicles-for-hire in the act of transporting a fare, or a carrier-for-hire vehicle in the act of transporting a parcel, food, or beverage, unless there is reasonable suspicion of a violation" in its place.

Sec. 3. Section 303(b) of the Migrant Services and Supports Extension Temporary Amendment Act of 2024, effective September 18, 2024 (D.C. Law 25-214; 71 DCR 11539), is amended by striking the number "225" and inserting the number "450" in its place.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

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

ENROLLED ORIGINAL

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

Chairman
Council of the District of Columbia

Mayor
District of Columbia
April 24,2025

ENROLLED ORIGINAL

AN ACT

D.C. ACT 26-63

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

APRIL 24, 2025

To symbolically designate the north-south public alley within Square 441, bounded by 7th Street, NW, T Street, NW, Wiltberger Street, NW, and S Street, NW, as DC Legendary Musicians Way.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "DC Legendary Musicians Way Designation Act of 2025".

Sec. 2. Pursuant to sections 401, 403a, and 423 of the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code §§ 9-204.01, 9-204.03a, and 9-204.23), the Council symbolically designates the north-south public alley within Square 441, bounded by 7th Street, NW, T Street, NW, Wiltberger Street, NW, and S Street, NW, as "DC Legendary Musicians Way".

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the

ENROLLED ORIGINAL

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

Chairman
Council of the District of Columbia

Mayor
District of Columbia
April 24,2025
APPROVED

ENROLLED ORIGINAL

AN ACT

D.C. ACT 26-64

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

APRIL 24, 2025

To symbolically designate the 3000 block of Veazey Terrace, NW, as Girl Scouts' Way.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Girl Scouts' Way Designation Act of 2025".

Sec. 2. Pursuant to sections 401, 403a, and 423 of the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code §§ 9-204.01, 9-204.03a, and 9-204.23), the Council symbolically designates the 3000 block of Veazey Terrace, NW, as "Girl Scouts' Way".

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the

ENROLLED ORIGINAL

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

Chairman
Council of the District of Columbia

Mayor
District of Columbia
April 24,2025
APPROVED

ENROLLED ORIGINAL

AN ACT

D.C. ACT 26-65

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

APRIL 24, 2025

To order the closing of a portion of the public alley system in Square 756, abutting Lot 47, and the dedication of a portion of Lot 806 in Square 756 for public alley purposes in Ward 6.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Closing of a Portion of a Public Alley and Dedication of Land for Alley Purposes in Square 756, S.O. 24-00310, Act of 2025".

Sec. 2. (a) Pursuant to section 404 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 787; D.C. Official Code § 1-204.04), and consistent with the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-201.01 *et seq.*) ("Act"), the Council finds that the portion of the public alley system in Square 756, as shown on the Surveyor's plat filed under S.O. 24-00310, is unnecessary for alley purposes and orders it closed, with title to the land to vest as shown on the Surveyor's plat.

(b) Pursuant to section 302 of the Act (D.C. Official Code § 9-203.02), the Council accepts the dedication of a portion of Lot 806 in Square 756 for public alley purposes, as shown on the Surveyor's plat filed under S.O. 24-00310.

Sec. 3. The ordering of the alley closure and acceptance of the dedication of land set forth in section 2 are contingent upon the satisfaction of all conditions set forth by the District Department of Transportation in the official file for S.O. 24-00310 prior to recordation of the plat by the Surveyor.

Sec. 4. Fiscal impact statement.

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

ENROLLED ORIGINAL

Sec. 5. Effective date.

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

Chairman
Council of the District of Columbia

Mayor
District of Columbia

April 24,2025
APPROVED

ENROLLED ORIGINAL

AN ACT

D.C. ACT 26-66

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

APRIL 24, 2025

To amend, on a temporary basis, section 47-813 of the District of Columbia Official Code to provide for more timely classification changes for commercial properties that are to be put to residential use, to provide for an application process to make classification changes, to provide for appeal rights if such application is denied, and to provide for a claw back in the event the real property is not timely put to residential use.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Residential Building Permit Classification Temporary Amendment Act of 2025".

Sec. 2. Section 47-813 of the District of Columbia Official Code is amended to read as follows:

(a) Subsection (c-9)(2) is amended as follows:

(1) Subparagraph (A) is amended to read as follows:

"(2)(A) Except as otherwise provided in this paragraph and subject to paragraphs (4) and (5) of this subsection, Class 1A Property shall be comprised of:

"(i) Residential real property that is improved and its legal use is for nontransient residential dwelling purposes, and that is not Class 1B Property; provided, that such property may be used to host transient guests pursuant to an unexpired short-term rental license endorsement issued pursuant to § 30-201.04; or

"(ii) Real property or a portion of real property for which a building permit has been issued:

"(I) To construct a new improvement for predominantly nontransient residential dwelling purpose; or

"(II) To substantially rehabilitate that portion or all of an existing improvement for exclusively nontransient residential dwelling purposes.".

(2) Subparagraph (C) is amended by striking the phrase "designated as" and inserting the phrase "designated solely as" in its place.

(b) The lead-in language of subsection (d-2) is amended by striking the phrase "Class 3 Property or Class 4 Property," and inserting the phrase "Class 2 Property, Class 3 Property, or Class 4 Property," in its place.

(c) A new subsection (d-3) is added to read as follows:

"(d-3)(1) If real property changes classification to Class 1A Property as defined in subsection (c-9)(2)(A)(ii) of this section during the period:

"(A) October 1 through March 31 of the tax year, the newly reclassified Class 1A Property, or the portion thereof used exclusively for residential purposes if already improved or assessed under § 47-829, shall be taxed at the Class 1A Property tax rate for the entire tax year; or

"(B) April 1 through September 30 of the tax year, the newly reclassified Class 1A Property, or the portion thereof used exclusively for residential purposes if already improved or assessed under § 47-829, shall be taxed at the Class 1A Property tax rate for the second installment only.

"(2) The owner shall apply for a change of classification to Class 1A Property as defined in subsection (c-9)(2)(A)(ii) of this section and shall promptly provide complete documentation in a manner prescribed by the Chief Financial Officer to substantiate any such classification change before it shall be effective.

"(3) A change in classification to Class 1A Property as defined in subsection (c-9)(2)(A)(ii) of this section shall be effective beginning in the half tax year for which application is made under paragraph (2) of this subsection.

"(4) If change in classification to Class 1A Property as defined in subsection (c-9)(2)(A)(ii) of this section is determined to be erroneous because the real property was not put to predominantly residential use by the earlier of either the issuance of any new or amended certificate of occupancy (temporary or permanent) for any part of the improvement thereon, or 3 years from issuance of the building permit, or the building permit expired and was not renewed within one year, the Chief Financial Officer shall reclassify and tax the real property without limitation for each tax year or half tax year in which the real property was improperly classified as Class 1A Property, subject only to subsection (d-1)(5)(A-i) of this section, if the property is determined to be Class 3 Property or Class 4 Property, or subsection (d-2) of this section. In the event of such reclassification, penalty and interest shall be added beginning from the day the correct amount of tax should have been due but not paid if the property had been properly classified.

"(5) Within 45 days from the date of the notice of denial of Class 1A Property reclassification under this subsection, the owner may petition for an administrative review of the rescission or denial and appeal from a final determination thereof to the same extent as if the appeal were filed under § 47-825.01a(d)(2).

"(6) Notwithstanding the time limitations in paragraphs (4) and (5) of this subsection, the Chief Financial Officer, in his or her discretion, may grant an extension of time to

comply or waive penalty and interest assessed pursuant to paragraph (4) of this subsection to prevent an undue hardship to the owner.

"(7) The provisions of this subsection, subsection (c-9)(2)(A)(ii) of this section, and § 47-829 shall not supersede the requirement to timely file for mixed-use classification for the upcoming tax year pursuant to subsection (f) of this section, when the annual assessment for such upcoming tax year is made under § 47-824 and the certificate of occupancy (final or temporary) was issued.".

Sec. 3. Applicability.

This act shall apply as of April 1, 2025.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

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

(b) This act shall expire after 225 days of its having taken effect.

Chairman
Council of the District of Columbia

Mayor
District of Columbia

April 24, 2025
APPROVED

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

26-22

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 1, 2025

To officially recognize and honor Ms. Anita Bellamy Shelton, on the occasion of her 90th birthday, for more than 50 years of service to Washington, DC as a tireless advocate for those living in poverty, victims of discrimination, and families in need.

WHEREAS, Anita Bellamy Shelton was born on March 27, 1935, in Harlem, New York, later moving to Englewood, New Jersey, where she received her elementary and high school education, courageously navigating segregated educational systems and asserting her right to pursue the academic track despite being one of only 2 Black students in her high school;

WHEREAS, Ms. Shelton became a first-generation university student at Howard University where she earned both her Bachelor's and Master's degrees in Social Work;

WHEREAS, Ms. Shelton was appointed by Mayor Marion Barry at age 44 to serve as Director of the DC Office of Human Rights, where she utilized her social work skills and knowledge of human behavior to effectively address discrimination cases and strengthen the District's human rights laws, making them among the strongest in the nation;

WHEREAS, as Executive Director of the National Committee on Household Employment, Ms. Shelton worked diligently on behalf of domestic employees and successfully advocated raising the District's minimum wage for domestic workers to $3.50, the highest in the nation at that time, and was instrumental in securing Social Security benefits for household workers;

WHEREAS, Ms. Shelton helped organize one of the city's first rent strikes at the Girard Street apartment building in the early 1960s, demonstrating her early commitment to housing justice and community organizing;

WHEREAS, Ms. Shelton has served as Director of the Christ Child Settlement House, as a staff employee of both the Washington and National Urban Leagues, and as a trainer for the National Council of Negro Women, making significant contributions to these important organizations; and,

WHEREAS, Ms. Shelton currently serves as the elected Ward One Committeewoman of the Democratic State Committee and as President of DC Women in Politics, where she helps women in the District run for political office; and,

WHEREAS, Ms. Shelton has been recognized for her contributions to social justice, community organizing, and public service, with her work and insights featured in the Profiles on Aging podcast by Howard University.

ENROLLED ORIGINAL

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Anita B. Shelton 90th Birthday Recognition Resolution of 2025."

Sec. 2. The Council of the District of Columbia hereby celebrates and commends Anita Bellamy Shelton for her decades of advocacy on behalf of domestic workers, women in politics, victims of discrimination, and families in need, recognizing that her work has improved countless lives and helped build a more just and equitable society.

Sec. 3. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

26-23

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 1, 2025

To officially recognize and commemorate the Washington Nationals as they celebrate twenty years as a Major League Baseball franchise in the District of Columbia.

WHEREAS, on March 27th, 2025, the Washington Nationals will commence their 20th season in the nation's capital, marking 2 decades since baseball's triumphant return to Washington, DC in 2005;

WHEREAS, the Nationals have provided countless memorable moments, from the inaugural game at RFK stadium and Ryan Zimmerman's iconic walk-off home run during the first game at Nationals Park in 2008, to clinching the World Series Championship in 2019;

WHEREAS, over the past 20 years, while logos, players and even ballparks have evolved, the unwavering support and passion of Nationals fans have remained a constant, embodying the spirit of #NATITUDE;

WHEREAS, to honor this milestone, the Nationals have launched "NATS20", a season-long celebration featuring the "Cheers to 20 Years Sweepstakes", the most extensive in club history, along with in-park giveaways, special alumni appearances, and opportunities for fans to relive and recreate their favorite Nationals moments;

WHEREAS, the Nationals have unveiled a commemorative 20th anniversary logo, symbolizing 2 decades of baseball excellence and community engagement in Washington, DC;

WHEREAS, the Nationals have invited fans to select their favorite 20 moments from the past 2 decades, which will be showcased throughout Nationals Park beginning on Opening Day;

WHEREAS, the Nationals Homecoming Gala will celebrate the profound impact of baseball on the community, featuring a fan fest and red carpet event at The Wharf, culminating in the presentation of the 2025 Power of Baseball Award at The Anthem;

WHEREAS, the Nationals 20 year journey reflects resilience, dedication, and a commitment to excellence that continues to enrich the cultural and social fabric of Washington, DC and the region.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Washington Nationals 20th Anniversary Recognition Resolution of 2025."

ENROLLED ORIGINAL

Sec. 2. The Council of the District of Columbia hereby celebrates and commends the Washington Nationals for their 20 years of contributions to our city and extends to the organization appreciation and gratitude for the joy and unity they bring to the Washington, DC community.

Sec. 3. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

26-24

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 1, 2025

To officially recognize the 100th anniversary of the National Capital Planning Commission.

WHEREAS, the National Capital Planning Commission (NCPC) was established by Congress in 1924 as the federal government's central planning agency for the National Capital Region, tasked with guiding long-term development while preserving the unique character, cultural heritage, and historical significance of the nation's capital;

WHEREAS, for 100+ years, NCPC has played a vital role in shaping Washington, DC, and the surrounding region through comprehensive planning, policymaking, and project reviews, ensuring that federal interests align with the city's growth and well-being;

WHEREAS, NCPC has worked collaboratively with the District of Columbia Office of Planning to enhance Washington as a great National capital, fostering equitable development through inspiring architecture, public spaces, environmental stewardship, and thoughtful land-use managements;

WHEREAS, the passage of the Home Rule Act of 1973 redefined NCPC's role to focus primarily on federal properties within Washington, DC and the National Capital Region, establishing a shared planning framework with the District of Columbia government;

WHEREAS, NCPC has provided expert guidance on critical planning initiatives, including the Comprehensive Plan for the National Capital, the design and location of national memorials and embassies, infrastructure projects and federal capital improvements that shape the monumental core and public spaces of the nation's capital;

WHEREAS, the twelve-member Commission of the NCPC represents both federal and local governments, including appointees by the President of the United States and the Mayor and Chair of the District Council of the District of Columbia, ensuring a diverse and collaborative approach to national and local planning decisions;

WHEREAS, over the past century, NCPC has been instrumental in preserving Washington, DC's historic skyline through oversight of the Height of Building Act and has assured that the District's voice is heard during deliberation of new projects;

WHEREAS, as NCPC celebrated its centennial year in 2024, reflected on its history, acknowledged past challenges, and reaffirmed its commitment to inclusive and forward-thinking planning that benefits both the residents and the visitors of our city;

ENROLLED ORIGINAL

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "National Capital Planning Commission 100th Anniversary Recognition Resolution of 2025."

Sec. 2. The Council of the District of Columbia hereby commends NCPC for a century of dedicated service and looks forward to its continued leadership in collaboration with the Government of the District of Columbia in shaping a vibrant, resilient, and equitable future for our city and the surrounding region.

Sec. 3. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

26-25

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 1, 2025

To declare the month of March, 2025 as "Problem Gambling Awareness Month" in the District of Columbia and to recognize the importance of raising awareness of problem gambling as a critical public health issue impacting millions of Americans of all ages, races, and ethnic backgrounds.

WHEREAS, March is designated as Problem Gambling Awareness Month by the National Council on Problem Gambling;

WHEREAS, problem gambling has significant societal and economic costs for individuals, families, businesses, and communities;

WHEREAS, the National Council on Problem Gambling estimates that between 12,000 and 15,000 District residents are affected by gambling addiction, with limited resources available for those seeking help;

WHEREAS, in 2024, the National Problem Gambling Helpline (1-800 GAMBLER) received 5,494 calls, texts, and chats from the District;

WHEREAS, individuals with gambling problems face increased risks of suicide, drug or alcohol dependence, and bankruptcy; and

WHEREAS, problem gambling is treatable, and effective treatment can significantly reduce harm to both individuals and society as a whole.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Problem Gambling Awareness Month Recognition Resolution of 2025."

ENROLLED ORIGINAL

Sec. 2. The Council of the District of Columbia recognizes the importance of addressing problem gambling as a public health issue and pledges to support efforts to prevent, intervene, and treat problem gambling within the District and declares March, 2025 as "Problem Gambling Awareness Month" in the District of Columbia.

Sec. 3. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

26-26

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 1, 2025

To recognize, honor, and celebrate the 50th anniversary of the Mu Beta Chapter of Delta Sigma Theta Sorority, Incorporated, at The George Washington University.

WHEREAS, Delta Sigma Theta Sorority, Incorporated, founded on January 13, 1913, at Howard University, is an esteemed organization of college-educated women committed to the constructive development of its members and to public service, with a primary focus on the Black community;

WHEREAS, on April 20, 1975, nine dynamic women chartered the Mu Beta Chapter of Delta Sigma Theta Sorority, Incorporated, at The George Washington University, making history as the first Black Greek-lettered organization on campus;

WHEREAS, the visionary charter members—Francine Burnett, Linda Finch, Tanya Goodman, Monica Jordan, Carolyn Marks, Helen Quander, Deborah Randolph, Ellen Wells, and Theresa Weston—established a legacy of excellence that has flourished for 5 decades;

WHEREAS, for 50 years, the Mu Beta Chapter has exemplified Delta Sigma Theta's commitment to sisterhood, scholarship, and service through numerous community initiatives, including the Walk to End HIV with the Whitman-Walker Foundation, Voter Registration Tabling with GWVotes, and participation in The George Washington University's Martin Luther King, Jr., Day of Service;

WHEREAS, the Mu Beta Chapter has served as a beacon of leadership, academic excellence, and civic engagement, fostering the development of women leaders who have made significant contributions to the District of Columbia, the nation, and communities around the world;

WHEREAS, the Mu Beta Chapter continues to embody the sorority's mission through dedicated service to The George Washington University campus and the greater Washington Metropolitan area, creating meaningful impact through thoughtful programming and community outreach; and

ENROLLED ORIGINAL

WHEREAS, in April 2025, the Mu Beta Chapter will commemorate its 50th Charter Day with a week-long celebration, bringing together current members, alumnae, and supporters to honor this historic milestone and reaffirm their commitment to continued service.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Delta Sigma Theta Sorority, Incorporated - Mu Beta Chapter 50th Anniversary Recognition Resolution of 2025".

Sec. 2. The Council of the District of Columbia recognizes and celebrates the 50th anniversary of the Mu Beta Chapter of Delta Sigma Theta Sorority, Incorporated, at The George Washington University for 5 decades of exemplary service, leadership, and dedication to the advancement of the District of Columbia community.

Sec. 3. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

26-27

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 1, 2025

To declare the month of April 2025 as "Sexual Assault Awareness Month" in the District of Columbia, and to urge residents to show their support for victim-survivors and work to prevent sexual assault, abuse, harassment, online harassment, and sex trafficking.

WHEREAS, in 1978, the first "Take Back the Night" events in the United States were held in San Francisco and New York City;

WHEREAS, the movement that developed in the United States was created in the wake of the civil rights movement, and was buoyed by Black women's activism to disrupt the persistent and systemic sexual violence they experienced;

WHEREAS, the month of April has been designated as Sexual Assault Awareness Month in the United States and was first observed nationally in April 2001, after the alarming statistics of sexual assault and underreporting became more apparent;

WHEREAS, sexual assault awareness includes prevention and advocacy efforts to address various forms of sexual violence, including child sexual abuse, sexual harassment, online sexual harassment, sex trafficking, and rape;

WHEREAS, sexual assault awareness activities have expanded to include the issues of sexual violence against men and men's participation in ending sexual violence;

WHEREAS, sexual violence exists on a spectrum of behaviors, ranging from verbal harassment to online harassment to sexual assault, and it is imperative to recognize that sexual harassment in the workplace is a pervasive, yet often overlooked, manifestation of sexual violence;

WHEREAS, according to the Rape, Abuse & Incest National Network, every 68 seconds, someone in the United States is sexually assaulted;

WHEREAS, according to the National Intimate Partner and Sexual Violence Survey, 39% of women will have experienced sexual assault at some point in their lifetimes in the District of Columbia;

WHEREAS, according to the National Center for Victims of Crimes, victim-survivors of child sexual abuse have higher rates of being sexually assaulted again as adults, with children who had an experience of rape or attempted rape in their adolescent years being 13.7 times more likely to experience rape or attempted rape in their first year of college;

WHEREAS, according to the Centers for Disease Control and Prevention, among adult women surveyed, 22% of Black, 26.9% of American Indian/Alaska Native, 22% of non-Hispanic Black, 18.8% of non-Hispanic White, 14.6% of Hispanic, and 35.5% of women of multiple races experienced an attempted or a completed rape at some time in their lives;

WHEREAS, according to the Asian Pacific Institute on Gender-Based Violence, 23% of Asian/Pacific Islander women experience some form of contact sexual violence;

WHEREAS, according to research published by the Georgetown Journal on Poverty Law and Policy, married immigrant women experience higher levels of physical and sexual abuse than unmarried immigrant women, at rates of 59.5% compared to 49.8%, respectively;

WHEREAS, according to the Department of Justice's Office for Victims of Crime, 12% of transgender youth report being sexually assaulted in K–12 settings by peers or educational staff, 13% of African-American transgender people surveyed were sexually assaulted in the workplace, and 22% of homeless transgender individuals were assaulted while staying in shelters;

WHEREAS, according to the National Sexual Violence Research Center, lesbian, gay, bisexual, and queer people were three times more likely to report sexual violence or harassment compared to heterosexual people;

WHEREAS, in deaf communities, reliance on interpreters may create challenges, as some sexual assault survivors feel like their private experiences are not correctly represented and feel uncomfortable reporting their assault to a stranger outside of their community;

WHEREAS, the rate of sexual assault against people with disabilities was three times that of people without disabilities;

WHEREAS, according to the Administration for Children and Families, racial and ethnic minorities, communities exposed to multigenerational trauma, individuals with a history of substance abuse or leaving home, homeless youth, people with lived experience of poverty, and children in the child welfare system, as well as those with a history of sexual abuse, are identified as some of the groups most vulnerable to human trafficking; and

WHEREAS, the Equal Employment Opportunity Commission's Task Force on the Study of Harassment in the Workplace found that 45% of all workplace harassment complaints filed in Fiscal Year 2015 were based on sex, and that sexual harassment victim-survivors experience detrimental psychological and physical health effects.

ENROLLED ORIGINAL

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Sexual Assault Awareness Month Recognition Resolution of 2025".

Sec. 2. The Council of the District of Columbia declares the month of April 2025 as "Sexual Assault Awareness Month" in the District of Columbia and urges residents to show their support for victim-survivors and work to prevent sexual assault, abuse, harassment, online harassment, and sex trafficking.

Sec. 3. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

26-28

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 1, 2025

To recognize, honor, and celebrate the late Felix Sambuchino, Jr. for his contributions to the Glover Park community and the District of Columbia.

WHEREAS, Felix Sambuchino, though born in Erie, Pennsylvania on July 23, 1945, to Mary Mancini and Felix Sambuchino, became a beloved neighborhood icon in his adopted home of Glover Park in Washington, D.C.;

WHEREAS, Mr. Sambuchino's commitment to community began at an early age, helping younger students with their homework and science projects while attending high school;

WHEREAS, Mr. Sambuchino attended Gannon University and received the Innovative Engineering Award every year while there and many years later passed on his love of science to his grandsons;

WHEREAS, following graduation, Mr. Sambuchino joined the United States Air Force and was deployed to investigate the sinking of the USS Thresher nuclear submarine;

WHEREAS, upon leaving the Air Force, Mr. Sambuchino was awarded the Outstanding Achievement Award;

WHEREAS, Mr. Sambuchino moved to Washington, D.C. in 1969 to join UNIVAC as a computer consultant;

WHEREAS, Mr. Sambuchino fell in love with his new home and in particular the Glover Park community where he lived for the remainder of his life;

WHEREAS, Mr. Sambuchino served as the President of the Glover Park Citizens' Association and organized the annual Glover Park Day in June, for which he served as emcee and as a willing sponsor and participant in the dunk tank;

WHEREAS, Mr. Sambuchino played in the Glover Park Coed Softball League from 1988 to 1997, winning 3 championships;

ENROLLED ORIGINAL

WHEREAS, Mr. Sambuchino served as the tech expert for Glover Park Village and computer teacher to senior citizens in the community;

WHEREAS, every December Mr. Sambuchino served as one of the set-up and operating engineers for the trains that encircled the National Christmas Tree on The Ellipse to the delight of hundreds of children;

WHEREAS, Mr. Sambuchino traveled around Glover Park and the rest of the city on a green bicycle he called Forrest Green;

WHEREAS, Mr. Sambuchino passed away on January 18, 2025;

WHEREAS, Mr. Sambuchino is survived by his wife Brenda, daughter Kiersten, 2 grandsons, Bradley and Brandon, sister Eve Grimaldi, 2 younger brothers, Charles and Roy Sambuchino, and many nieces and nephews;

WHEREAS, with Mr. Sambuchino's passing, Glover Park and the District of Columbia have lost a community leader who brought joy and learning to and improved the lives of thousands.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Felix Sambuchino, Jr. Posthumous Recognition Resolution of 2025".

Sec. 2. The Council of the District of Columbia recognizes, honors, and celebrates Felix Sambuchino, Jr. for his considerable contributions to the District.

Sec. 3. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

26-29

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 1, 2025

To honor the Old People Are Cool project, supported by Forest Hills of DC, and celebrate our District's seniors by declaring May 2025 as "Old People Are Cool Month" in the District of Columbia.

WHEREAS, every May the Administration for Community Living within the US Department of Health and Human Services leads a national observance of Older Americans Month to honor the independence, integration, and inclusion of older adults throughout all aspects of life;

WHEREAS, the Administration for Community Living's theme for Older Americans Month in 2025 is Flip the Script on Aging, which offers an opportunity to explore diverse aging experiences and discuss how communities can challenge stereotypes;

WHEREAS, it is acknowledged that ageism currently isolates and marginalizes older adults, which hurts our communities and inhibits our collective achievement and optimal growth;

WHEREAS, the Old People Are Cool project was created to confront the harmful ageism that prevents communities from reaching their maximum potential by combatting ageism and raising the profile of the senior care industry;

WHEREAS, the Old People are Cool project has the core mission to celebrate human life by acknowledging elders as people, individuals, and recipients of love, and to facilitate thoughts, words, and actions that promote a world that is loving, aging, and united;

WHEREAS, we additionally recognize the nobility of those healthcare workers who uplift and care for our elders and seek to acknowledge their dedication to this valued group within our community; and

WHEREAS, the Old People Are Cool project has built a supportive, inclusive, and celebratory environment in the District through its efforts of bolstering morale and generating inclusivity of older adults through community-building events and social media-story sharing.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Old People Are Cool Recognition Resolution of 2025."

ENROLLED ORIGINAL

Sec. 2. The Council of the District of Columbia declares May 2025 Old People Are Cool Month in the District of Columbia, celebrates and recognizes the Old People are Cool project during the national celebration of Older Americans Month, and honors its commitment to advancing the welfare and perception of seniors in the whole of the District of Columbia.

Sec. 3. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

26-30

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 1, 2025

To recognize and honor Eloise Paige, on the occasion of her 94th birthday, as an outstanding member of her community and for her contributions to the District.

WHEREAS, Eloise Paige was born in Madison County, Virginia on March 3, 1931;

WHEREAS, Eloise Paige later moved to the District in 1952 and was a homemaker for many years, becoming known as a homemaker to not only her own children but to every child in the neighborhood, making sure that every child she came across had something to eat;

WHEREAS, Eloise Paige lived on Benning Road, East Capital Street, C Street, SE, Ridge Road, SE, and Capital Heights, Maryland, where she currently resides;

WHEREAS, Eloise Paige was and continues to be an outstanding deaconess at Northeast Holy Trinity Church in Ward 6, having been a member of the church community since 1955;

WHEREAS, Eloise Paige was also an usher at Northeast Holy Trinity Church, assisting parishioners during church services with whatever needs they had;

WHEREAS, Eloise Paige was heavily involved in and present at the church's regular clothing giveaways;

WHEREAS, Eloise Paige, alongside her fellow deaconesses in the church, would go to community members' homes to help clean and cook for those who were unable to do it for themselves;

WHEREAS, Eloise Paige was known as a helper to those in the community, a woman of faith, and is beloved by her church community and family; and

WHEREAS, Eloise Paige celebrated her 94th birthday on March 3, 2025.

ENROLLED ORIGINAL

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Eloise Paige Recognition Resolution of 2025".

Sec. 2. The Council of the District of Columbia recognizes and honors Eloise Paige, on the occasion of her 94th birthday, as an outstanding member of her community and for her contributions to the District.

Sec. 3. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

26-31

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 1, 2023

To recognize, honor, and express gratitude to James Spaulding for his years of service to the District of Columbia.

WHEREAS, James Spaulding received a bachelor's degree from Haverford College, Pennsylvania, and a Master in Economics and Doctorate in Economics from the University of Wisconsin, Madison;

WHEREAS, James Spaulding joined the Office of the Chief Financial Officer's (OCFO) Office of Budget and Planning in 2000 as a Branch Chief and worked on the District's financial plan and labor costs. In 2002, he served as Director, and was responsible for grants' budgeting. He then spent several years as Director of the Capital Improvements Program. He was appointed Associate Deputy Chief Financial Officer for the Office of Budget and Planning in April 2008. In this role, he worked on all aspects of the District of Columbia's operating and capital budgets, as well as the Office of Budget and Planning's reporting functions;

WHEREAS, Prior to joining the District of Columbia government, Mr. Spaulding spent 11 years at the U.S. General Accountability Office, where he was a senior evaluator, primarily focused on labor and higher education issues;

WHEREAS, James Spaulding represented the OCFO's ideal of a public servant who strives every day to provide the highest standard of service to residents, businesses, visitors, and the government of the District of Columbia by being Service Driven with a Strong Work Ethic; Motivated and Mission Focused; Accountable; Respectful of his Customers and Co-Workers; Trustworthy and Team-Focused; Empowered to Achieve Excellence; and Results Oriented, or SMARTER; and

WHEREAS, James Spaulding will be remembered professionally with gratitude, by countless colleagues who were better able to perform their jobs because of his commitment to share his extensive knowledge in service to the District of Columbia; and

ENROLLED ORIGINAL

WHEREAS, James Spaulding gained the respect and admiration of members in the legislative and executive branches of the District government as a professional who delivered high-quality service to the residents of the District of Columbia for 23 years prior to his retirement in 2023.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "James Spaulding Ceremonial Recognition Resolution of 2025".

Sec. 2. The Council recognizes and commends James Spaulding for his work in the OCFO and for his distinguished service and valuable contributions he has made to the District of Columbia.

Sec. 3. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

26-32

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 1, 2025

To recognize and honor Dr. Perétte Arrington, Head Coach of the Jackson-Reed High School Volleyball Team, for achieving her 500th career coaching victory and for her outstanding contributions to student-athletes and the broader community.

WHEREAS, Dr. Perétte Arrington has served as the Head Coach of the Jackson-Reed High School Varsity Volleyball Team, demonstrating an unwavering commitment to excellence, leadership, and mentorship in high school athletics;

WHEREAS, under her exemplary leadership, the Jackson-Reed Tigers have secured 23 DCIAA Championships, 1 DCSAA State Volleyball Championship in 2021, and 2 DCSAA runner-up titles, setting a high standard for volleyball in the District of Columbia;

WHEREAS, Dr. Arrington has been recognized as the 2021 DCIAA Coach of the Year, the 2021 DCSAA Coach of the Year, and the 2021 Washington Post All-Met Co-Coach of the Year, reflecting her extraordinary ability to develop talent and cultivate a culture of teamwork, perseverance, and sportsmanship;

WHEREAS, under her leadership, the Jackson-Reed Volleyball Team has been ranked as high as #10 in The Washington Post rankings, showcasing their dominance in the region;

WHEREAS, through her guidance, countless student-athletes have excelled both on and off the court, earning opportunities to compete at the collegiate level and developing invaluable life skills;

WHEREAS, Dr. Arrington has achieved the remarkable milestone of 506 career coaching victories, an extraordinary accomplishment that speaks to her dedication, strategic expertise, and the lasting impact she has had on the Jackson-Reed community;

WHEREAS, her contributions extend beyond the volleyball court, as Dr. Arrington is a clinical psychologist with the Department of Behavioral Health, serving as a role model, mentor, and advocate for young people in the District while emphasizing the values of education, discipline, and leadership.

ENROLLED ORIGINAL

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Dr. Perétte Arrington Recognition Resolution of 2025".

Sec. 2. The Council of the District of Columbia recognizes and honors Dr. Perétte Arrington on achieving her 500th career win, commends her lasting contributions to high school athletics, and extends its deepest appreciation for her dedication to empowering student athletes across the District.

Sec. 3. This resolution shall take effect immediately.

COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE ON EXECUTIVE ADMINISTRATION AND LABOR
NOTICE OF PUBLIC HEARING
1350 Pennsylvania Avenue, NW, Washington, DC 20004

REVISED NOTICE

COUNCILMEMBER ANITA BONDS, CHAIRPERSON
COMMITTEE ON EXECUTIVE ADMINISTRATION AND LABOR

ANNOUNCES A PUBLIC HEARING

on the matter of

B26-136 - Special Election in the Office of Delegate Amendment Act of 2025

B26-43 - Marion S. Barry Summer Youth Employment Program Creditable Service Benefit Amendment Act of 2025

B26-182 - Universal Paid Leave Portability Amendment Act of 2025

B26-185 - Fair Hiring Opportunities for Public Employment (HOPE) Amendment Act of 2025

On

May 9, 2025 at 10:00 am in Room 500
In Person and via Zoom

https://dccouncil-us.zoom.us/j/89590121504?pwd=qW7dt3jcemD54QJmM18HjX8lzMeHah.1

On May 9, 2025 at 10:00 am, At-Large Councilmember Anita Bonds will hold a public hearing on four bills: B26-136 - **Special Election in the Office of Delegate Amendment Act of 2025,** B26-43 - **Marion S. Barry Summer Youth Employment Program Creditable Service Benefit Amendment Act of 2025**, B26-182 - **Universal Paid Leave Portability Amendment Act of 2025**, B26-185 - **Fair Hiring Opportunities for Public Employment (HOPE) Amendment Act of 2025**.

B26-136, the **Special Election in the Office of Delegate Amendment Act of 2025**, would require that the Board of Elections hold a special election to fill a vacancy in the office of Delegate within 49 days after the declaration by the Speaker of the House of Representatives of extraordinary circumstances, which is defined as more than 100 vacancies in the House of Representatives.

B26-43, the **Marion S. Barry Summer Youth Employment Program Creditable Service Benefit Amendment Act of 2025**, provides that participation in a Marion S. Barry Summer Youth Employment Program will contribute to creditable service for purposes of retirement for a participant meeting the specified requirements who becomes a District government employee.

B26-182, the **Universal Paid Leave Portability Amendment Act of 2025,** amend the Universal Paid Leave Act of 2016 to provide that an individual may be eligible for 25 benefits if they are unemployed and not receiving unemployment insurance benefits.

B26-185, the **Fair Hiring Opportunities for Public Employment (HOPE) Amendment Act of 2025,** creates a hiring preference for graduates of transitional employment programs and clarifies how criminal history is reviewed in the hiring process.

Persons who wish to testify are requested to register on the District's Hearing Management System, linked here: https://lims.dccouncil.gov/hearings/.

Alternatively, persons wishing to testify may either email the Committee at ceal@dccouncil.gov or telephone the Committee at (202) 724-8198, at least two business days before the hearing and provide their name, address, telephone number, email address, organizational affiliation and title, if any. Witnesses are encouraged to submit an electronic version of their testimony to ceal@dccouncil.gov. Oral testimony will be limited to 5 minutes for those testifying on behalf of an organization and 3 minutes for those testifying on behalf of themselves.

The hearing can be viewed on Cable Channel 13 (DCCTV), at www.dccouncil.gov and www.entertainment.dc.gov, and on the Committee on Executive Administration and Labor's YouTube (https://www.youtube.com/@EALCommittee/streams).

Witnesses who anticipate needing language interpretation or require sign language interpretation are encouraged to inform the Committee of the need as soon as possible, but no later than five business days before the proceeding. The Committee will make every effort to fulfill timely requests, however requests received in less than five business days may not be fulfilled.

If someone is unable to testify at the public hearing, written statements are encouraged and will be made a part of the official record. Written statements should be submitted to the Committee on Executive Administration and Labor, John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Suite 116, Washington, D.C. 20004 or by email at ceal@dccouncil.gov.

This notice was revised to modify the start time of the public hearing from 11:00am to 10:00am.

Council of the District of Columbia
COMMITTEE ON FACILITIES
NOTICE OF A PUBLIC OVERSIGHT ROUNDTABLE
1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004

COUNCILMEMBER JANEESE LEWIS GEORGE, CHAIRPERSON
COMMITTEE ON FACILITIES

ANNOUNCES A PUBLIC OVERSIGHT ROUNDTABLE
on

"Environmental and Safety Hazards on DPR Properties"

Monday, May 5, 2025, at 12:00 p.m.
in

Room 500 (Track A)
of the John. A. Wilson Building
1350 Pennsylvania Avenue, NW
Washington, DC 20004

and via Zoom Online Platform

Streamed live at www.janeeseward4.com/live

On Monday, May 5, 2025, at 12:00 p.m., Councilmember Janeese Lewis George, Chair of the Committee on Facilities, will hold a public oversight roundtable on "Environmental and Safety Hazards on DPR Properties".

The Department of General Services (DGS) is responsible for the maintenance of District government-owned properties, including those of Department of Parks and Recreation (DPR). Among DGS' responsibilities is the testing of remediation of environmental and safety hazards.

This roundtable will provide an opportunity for the public to share their experiences and concerns with the presence of various contaminants known to pose environmental and health risks, including PFAS and lead.

PFAS, or per- and polyfluoroalkyl substances, are a large group of human-made chemicals used in a wide variety of items, including artificial turf fields. PFAS can be found in the plastic blades of grass, the backing material, and infill, and are used because they help turf fields repel water, stains, and UV light. PFAS is also easily carried by rain into soil and waterways and turf fields all together are difficult to remove safely and recycle. Further, humans can encounter PFAS through skin, inhalation, or accidental indigestion, which, even low levels over time, can have adverse health effects.

Lead is a toxic metal that also threatens the environment and human health. It can contaminate the air, soil, and water, and even a low-level exposure is harmful to the human body, especially for young children and people who are pregnant.

As DPR facilities are utilized by District residents— including young children, student athletes, and families—more than any other agency, it is of the utmost importance our recreation centers, fields, and playgrounds are free of all environmental and safety hazards, including PFAS and lead.

In addition, the Committee's inquiries on this subject will cover DPR's current artificial turf portfolio, the DPR-DGS' inter-agency process for determining if a field should be grass or turf, as well as DGS' responsibilities under and implementation of the Healthy Public Buildings Assessment Act of 2016, the Safe Fields and Playgrounds Act of 2018, and the Public Facilities Environmental Safety Amendment Act of 2020.

Members of the public who wish to testify must do so by using the Council's Hearing Management System at https://lims.dccouncil.gov/hearings by **5:00p.m on Thursday, May 1, 2025**. Those who wish to submit testimony for the record may do so by using the Council's Hearing Management System at https://lims.dccouncil.gov/hearings or by leaving a voicemail at 202-741-8593 (up to 3 minutes which will be transcribed). Testimony will be publicly accessible upon Committee review. The record will close at **5:00p.m. on Monday, May 19, 2025**.

To request accessibility or spoken-language accommodations, please email facilities@dccouncil.gov as soon as possible, but no later than 5 business days before the roundtable. The Committee will make every effort to fulfill requests made afterwards, but accommodations will not be guaranteed.

If you have questions, please contact Sebastian Weinmann, Committee Director of the Committee on Facilities, at 202-741-8595 or sweinmann@dccouncil.gov.

Council of the District of Columbia
COMMITTEE ON TRANSPORTATION AND THE ENVIRONMENT
NOTICE OF PUBLIC ROUNDTABLE
1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004

COUNCILMEMBER CHARLES ALLEN, CHAIRPERSON
COMMITTEE ON TRANSPORTATION AND THE ENVIRONMENT

ANNOUNCES A PUBLIC ROUNDTABLE ON

PR26-0171, THE "DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY BOARD OF DIRECTORS ROBERT HAWKINS CONFIRMATION RESOLUTION OF 2025"

PR26-0172, THE "DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY BOARD OF DIRECTORS LAURENCE GILL CONFIRMATION RESOLUTION OF 2025"

PR26-0173, THE "DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY BOARD OF DIRECTORS DR. JIMMY ORTIZ CONFIRMATION RESOLUTION OF 2025"

AND

PR26-0174, THE "DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY BOARD OF DIRECTORS DR. ALEXANDER MCPHAIL CONFIRMATION RESOLUTION OF 2025"

Thursday, May 8, 2025, 10:00 a.m. – 1:00 p.m.
Hybrid Hearing in Room 500 (Track A) and via Zoom
To Watch Live:
https://dccouncil.us/council-videos/
http://video.oct.dc.gov/DCC/jw.html
https://www.facebook.com/CMcharlesallen

On Thursday, May 8, 2025, Councilmember Charles Allen, Chairperson of the Committee on Transportation and the Environment, will convene a public roundtable to consider PR26-0171, the "District of Columbia Water and Sewer Authority Board of Directors Robert Hawkins Confirmation Resolution of 2025," PR26-0172, the "District of Columbia Water and Sewer Authority Board of Directors Laurence Gill Confirmation Resolution of 2025," PR26-0173, the

"District of Columbia Water and Sewer Authority Board of Directors Dr. Jimmy Ortiz Confirmation Resolution of 2025," and PR26-0174, the "District of Columbia Water and Sewer Authority Board of Directors Dr. Alexander McPhail Confirmation Resolution of 2025." This is a hybrid format roundtable, with witnesses appearing virtually via the Zoom platform or in person in Room 500 of the John A. Wilson Building, 1350 Pennsylvania Avenue, NW, from 10:00 a.m. to 1:00 p.m.

The stated purpose of PR26-0171, the "District of Columbia Water and Sewer Authority Board of Directors Robert Hawkins Confirmation Resolution of 2025", is to confirm the appointment of Robert Hawkins to the District of Columbia Water and Sewer Authority Board of Directors ("DC Water Board"), as an alternate District resident member, for the remainder of an unexpired term to end September 12, 2028.

The stated purpose of PR26-0172, the "District of Columbia Water and Sewer Authority Board of Directors Laurence Gill Confirmation Resolution of 2025", is to confirm the appointment of Laurence Gill to the DC Water Board, as an alternate District resident member, for the remainder of an unexpired term to end September 12, 2027.

The stated purpose of PR26-0173, the "District of Columbia Water and Sewer Authority Board of Directors Dr. Jimmy Ortiz Confirmation Resolution of 2025", is to confirm the appointment of Dr. Jimmy Ortiz to the DC Water Board, as an alternate District resident member, for the remainder of an unexpired term to end September 12, 2026.

The stated purpose of PR26-0174, the "District of Columbia Water and Sewer Authority Board of Directors Dr. Alexander McPhail Confirmation Resolution of 2025", is to confirm the appointment of Dr. Alexander McPhail to the DC Water Board, as an alternate District resident member, for the remainder of an unexpired term to end September 12, 2028.

The Committee invites the public to provide live and written testimony. Public witnesses seeking to provide testimony at the Committee's roundtable must thoroughly review the following instructions:

- If you would like to provide live testimony during the roundtable or submit written testimony for the record, please use the Council's Hearing Management System at https://lims.dccouncil.gov/hearings/. HMS is a universal, centralized way to find out about upcoming hearings, register to testify, submit testimony, download testimony, and see how many witnesses have registered. **The deadline to register to provide testimony through HMS is May 6, 2025, at 5:30 p.m. The hearing record closes on May 22, 2025, at 5:30 p.m., after which you will be unable to submit written testimony.**
- Once you have identified the hearing at which you want to testify on the Hearing Management System, read the Hearing Notice at the bottom of the page for additional details on the hearing. The hearing page also shows how many witnesses have already registered under the "Witnesses" heading.

- Click the "Register to Testify" button at the upper right of the page to register to testify at the hearing. If the deadline to sign up for a hearing has already passed, or if there is no public testimony at the hearing, the button will not be available.
- If there are multiple topics to be considered at a hearing, select which one you would like to speak to by placing a checkmark next to the relevant topic or legislation. If you are testifying on behalf of an organization, select "Organization" and include your title and the organization's name. If you are testifying on your own behalf, select "Individual." There may be additional fields included by a Committee to gather further details.
- Select "Live Testimony" or "Record Testimony." Select "Live Testimony" if you previously registered to testify at the hearing. If your testimony is only for the written record, choose "Record Testimony." Please use the same name, organization information, and email address that you used if you registered to testify.
- If you are trying to submit testimony, click the "Submit Testimony" button in the upper right on the hearing page. If the deadline to submit testimony for a hearing has already passed, the button will not be available.
- You can upload testimony in either Adobe PDF, Microsoft Word, Apple Pages, or a plain text file by clicking "Upload My Testimony." You can also type your testimony from this page by selecting "I will type my testimony here."
- After completing the web form, you should receive a confirmation email from noreply@dccouncil.gov. Prior to the roundtable, you will receive an email from noreply@dccouncil.gov from the Committee with additional details on testifying, including the access link.
- The Committees will approve witnesses' registrations based on the total time allotted for public testimony. The Committees will also determine the order of witnesses' testimony.
- Representatives of organizations will be allowed a maximum of five minutes for oral testimony, and individuals will be allowed a maximum of three minutes. If more than one witness is testifying on behalf of the same organization, only one witness will have five minutes, and all other witnesses from the same organization will have three minutes. To accommodate additional public witnesses, the Committee may reduce witnesses' allotted time for testimony but will inform witnesses if it plans to do so.
- Witnesses are not permitted to yield their time to or substitute their testimony for the testimony of another individual or organization.
- Witnesses who anticipate needing language interpretation, including ASL interpretation, are requested to inform the Committee as soon as possible, but no later than five business days before the roundtable. Please include this request in the additional field for this purpose when you register to testify. The Committee will make every effort to fulfill timely requests; however, requests received fewer than five business days before the roundtable may not be fulfilled.

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

COUNCILMEMBER CHRISTINA HENDERSON, CHAIRPERSON
COMMITTEE ON HEALTH
ANNOUNCES A PUBLIC ROUNDTABLE

ON

The State of the District's Opioid Crisis and the Work of the Opioid Abatement Advisory Commission

ON

Wednesday, May 7, 2025, 11:00 a.m.
Hybrid in Room 500 and Virtual via Zoom
To Watch Live:
https://dccouncil.gov/council-videos/
https://www.christinahendersondc.com/live
https://www.youtube.com/@cmchenderson

Councilmember Christina Henderson, Chair of the Committee on Health, announces a public roundtable on the current state of the District's opioid crisis and the ongoing work of the Opioid Abatement Advisory Commission. The roundtable will be held at 11:00 a.m. on Wednesday, May 7, 2025.

Since 2018, the District has been grappling with an opioid crisis that has claimed the lives of 2,660 residents due to fatal overdoses. During the same period (2018–2024), more than 18,000 suspected opioid overdoses were reversed using naloxone, administered by the Fire and Emergency Medical Services Department and community partners. While the exact reasons are not fully known, the District began to see a decline in fatal overdoses in 2024, with 174 fewer fatal overdoses certified by the Office of the Chief Medical Examiner compared to 2023, and this decline has persisted in 2025.

The impact of this crisis has disproportionately affected older Black men, particularly those residing in Wards 5, 7, and 8. Most of the overdoses—both fatal and non-fatal—involved fentanyl, a synthetic opioid that is 50 to 100 times more potent than morphine.

This roundtable will examine the District's response to the ongoing opioid crisis, including the implementation and evolution of LIVE.LONG.DC, a strategic plan launched in 2017 to combat the opioid epidemic. The discussion will cover key programs and strategies aimed at reducing overdose deaths, expanding access to treatment and recovery services, and enhancing harm reduction and community-based supports.

The roundtable will also include an update on the work of the Opioid Abatement Advisory Commission, a 21-member body established in 2022 and launched in the fall of 2023 to provide recommendations on the use of opioid settlement funds. The Commission is charged with ensuring that the funds are spent in ways that have the highest impact on the crisis and in compliance with settlement agreements.

Witnesses may appear either in-person or virtually using the Zoom platform. Unless otherwise stated in pre-hearing instructions, witnesses will have 5 minutes to speak if they are representing an organization, and 3 minutes if they are speaking for themselves. The public should sign up at https://lims.dccouncil.gov/Hearings by 5pm on Monday, May 5. **Witnesses who anticipate needing spoken language interpretation, or require sign language interpretation, are requested to inform the Committee office of the need as soon as possible but no later than five business days before the proceeding.** We will make every effort to fulfill timely requests, although alternatives may be offered. Requests received in less than five business days may not be fulfilled. If you have additional questions, please email Ashley Strange, Legislative Assistant at astrange@dccouncil.gov.

Testimony should be submitted through the Council's Hearing Management System https://lims.dccouncil.gov/hearings in advance of the roundtable. Testimony will be publicly accessible upon Committee review. If you are unable to testify at the hearing, written statements are encouraged and will be made a part of the official record. Statements for the record should be submitted through the Hearing Management System at the link above. The record will close at 5:00pm on Wednesday, May 21, 2025.

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 26-0015 Grant Budget Modification as of April 18, 2025

RECEIVED: 14-day review begins April 24, 2025

GBM 26-0016 Grant Budget Modification as of April 3, 2025

RECEIVED: 14-day review begins April 24, 2025

GBM 26-0017 Grant Budget Modification as of April 22, 2025

RECEIVED: 14-day review begins April 24, 2025

COUNCIL OF THE DISTRICT OF COLUMBIA
Notice of Reprogramming Requests

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

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

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

Reprog. 26-0026: Request to reprogram Fiscal Year 2025 Local funds budget authority in the amount of $99,999 within the District of Columbia Public Schools (DCPS) was filed in the Office of the Secretary Wednesday April 23, 2025. The funds are needed to align resources to support agency preparation for Comprehensive Assessments of Progress in Education (CAPE), advance placement tests, and other academic/testing support for Ellington High School support.

RECEIVED: 14-day review begins April 24, 2025

Reprog. 26-0027: Request to reprogram Capital funds budget authority and allotment in the amount of $2,000,000 from the University of the District of Columbia (UDC) to the Department of Employment Services (DOES) was filed in the Office of the Secretary Wednesday April 23, 2025. The funds are needed for the completion of the DC Infrastructure Academy (DCIA) project.

RECEIVED: 14-day review begins April 24, 2024

Reprog. 26-0028: Request to reprogram Capital funds budget authority and allotment in the amount of $1,975,000 from the Department of General Services (DGS) to the District of Columbia Public Schools (DCPS) was filed in the Office of the Secretary Wednesday April 23, 2025. This reprogramming is needed to fund the replacement of energy-inefficient boilers nearing the end of their useful life at Randle Elementary School, as well as to fund upgrades to the playground at Powell Elementary School.

RECEIVED: 14-day review begins April 24, 2025

Reprog. 26-0029: Request to reprogram Capital funds budget authority and allotment in the amount of $2,500,000 from the District of Columbia Public Schools (DCPS) to the Department of Parks and Recreation (DPR) was filed in the Office of the Secretary Wednesday April 23, 2025. This reprogramming realigns capital funds from the DCPS Major Repair and Maintenance project to the Harry Thomas Recreation Center to fund a geothermal well system for DCPS and DPR.

RECEIVED: 14-day review begins April 24, 2025

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
5/2/2025

Notice is hereby given that:+
License Number: ABRA-074173 **License Class/Type: C Restaurant**
Applicant: Fogo De Chao Churrascaria (Washington D.C.),LLC
Trade Name: Fogo De Chao Churrascaria
SMD: 2C03

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

1101 PENNSYLVANIA AVENUE NW, WASHINGTON, DC 20004

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

6/16/2025

A HEARING WILL BE HELD ON:
7/7/2025

AT 10:00 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002

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

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
5/2/2025

Notice is hereby given that:
License Number: ABRA-070876 **License Class/Type: C Restaurant**
Applicant: El Amigo, Inc.
Trade Name: El Amigo Restaurant
SMD: 1D07

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

3612 14TH STREET NW, WASHINGTON, DC 20010

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

6/16/2025

A HEARING WILL BE HELD ON:
7/7/2025

AT 10:00 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002

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

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
5/2/2025

Notice is hereby given that:
License Number: ABRA-077414, -2, -3, -4
Applicant: Hornblower Cruises and Events, LLC **SMD: 6D06**
Trade Name: Inner Harbor Spirit, Spirit of Washington, Capital Elite, National Elite
License Class/Type: C Marine Vessel

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

580 - 600 WATER STREET SW, WASHINGTON, DC 20024

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

6/16/2025

A HEARING WILL BE HELD ON:
7/7/2025

AT 10:00 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	8:30 am - 2:30 am	10:00am - 2:00 am	-
Monday:	8:30 am - 2:30 am	8:30 am - 2:00 am	-
Tuesday:	8:30 am - 2:30 am	8:30 am - 2:00 am	-
Wednesday:	8:30 am - 2:30 am	8:30 am - 2:00 am	-
Thursday:	8:30 am - 2:30 am	8:30 am - 2:00 am	-
Friday:	8:30 am - 3:00 am	8:30 am - 3:00 am	-
Saturday:	8:30 am - 3:00 am	8:30 am - 3:00 am	-

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
5/2/2025

Notice is hereby given that:
License Number: ABRA-011479 **License Class/Type: C Restaurant**
Applicant: Winners Chinatown, Inc.
Trade Name: Chinatown Express
SMD: 2C01

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

746 6TH STREET NW, WASHINGTON, DC 20001

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

6/16/2025

A HEARING WILL BE HELD ON:
7/7/2025

AT 10:00 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002

ENDORSEMENT(S): Sidewalk Cafe

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

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

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
5/2/2025

Notice is hereby given that:
License Number: ABRA-012331 **License Class/Type: C Restaurant**
Applicant: President & Director of Georgetown College
Trade Name: Leavey Center
SMD: 2E01

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

3800 RESERVOIR NW, WASHINGTON, DC 20007

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

6/16/2025

A HEARING WILL BE HELD ON:
7/7/2025

AT 10:00 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002

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

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
5/2/2025

Notice is hereby given that:
License Number: ABRA-000585 **License Class/Type: C Restaurant**
Applicant: Old Europe, Inc.
Trade Name: Old Europe
SMD: 3B02

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

2434 WISCONSIN AVE NW, WASHINGTON, DC 20007

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

6/16/2025

A HEARING WILL BE HELD ON:
7/7/2025

AT 10:00 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002

ENDORSEMENT(S): Entertainment

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

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
5/2/2025

Notice is hereby given that:
License Number: ABRA-000637 **License Class/Type: C Club**
Applicant: The Arts Club of Washington
Trade Name: The Arts Club of Washington
SMD: 2A08

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

2017 I STREET NW, WASHINGTON, DC 20006

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

6/16/2025

A HEARING WILL BE HELD ON:
7/7/2025

AT 10:00 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002

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

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
5/2/2025

Notice is hereby given that:
License Number: ABRA-000654 **License Class/Type: C Restaurant**
Applicant: Seven Seas Restaurant, Inc.
Trade Name: Seven Seas Restaurant
SMD: 4B05

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

5915 GEORGIA AVE NW, WASHINGTON, DC 20011

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

6/16/2025

A HEARING WILL BE HELD ON:
7/7/2025

AT 10:00 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002

ENDORSEMENT(S): Entertainment

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

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
5/2/2025

Notice is hereby given that:
License Number: ABRA-086726 **License Class/Type: C Restaurant**
Applicant: MHG Cafe Foggy Bottom, LLC
Trade Name: Circa at Foggy Bottom
SMD: 2A08

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

2221 I STREET NW, WASHINGTON, DC 20037

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

6/16/2025

A HEARING WILL BE HELD ON:
7/7/2025

AT 10:00 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002

ENDORSEMENT(S): Summer Garden

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

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

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
5/2/2025

Notice is hereby given that:
License Number: ABRA-088527 **License Class/Type: C Restaurant**
Applicant: Stubs LLC
Trade Name: Lupo Verde
SMD: 2F01

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

1401 T STREET NW, WASHINGTON, DC 20009

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

6/16/2025

A HEARING WILL BE HELD ON:
7/7/2025

AT 10:00 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002

ENDORSEMENT(S): Entertainment Sidewalk Cafe

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

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

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
5/2/2025

Notice is hereby given that:
License Number: ABRA-095684 **License Class/Type: C Multipurpose**
Applicant: National Theatre Group, LLC/The National Theatre Foundation
Trade Name: National Theatre
SMD: 2C03

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

1321 PENNSYLVANIA AVENUE NW, WASHINGTON, DC 20004

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

6/16/2025

A HEARING WILL BE HELD ON:
7/7/2025

AT 10:00 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002

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

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
5/2/2025

Notice is hereby given that:
License Number: ABRA-103950 **License Class/Type: C Restaurant**
Applicant: North Brothers LLC
Trade Name: Reren
SMD: 2C01

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

817 7TH STREET NW, WASHINGTON, DC 20001

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

6/16/2025

A HEARING WILL BE HELD ON:
7/7/2025

AT 10:00 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	11 am - 3 am	11 am - 2 am	-
Monday:	11 am - 3 am	11 am - 2 am	-
Tuesday:	11 am - 3 am	11 am - 2 am	-
Wednesday:	11 am - 3 am	11 am - 2 am	-
Thursday:	11 am - 3 am	11 am - 2 am	-
Friday:	11 am - 4 am	11 am - 3 am	-
Saturday:	11 am - 4 am	11 am - 3 am	-

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
5/2/2025

Notice is hereby given that:
License Number: ABRA-107258 **License Class/Type: C Restaurant**
Applicant: Gravitas NW, LLC
Trade Name: Gravitas
SMD: 5D02

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

1401 OKIE STREET NE, WASHINGTON, DC 20002

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

6/16/2025

A HEARING WILL BE HELD ON:
7/7/2025

AT 10:00 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002

ENDORSEMENT(S): Summer Garden

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

	Hours of Summer Garden Operation	Hours of Sales Summer Garden
Sunday:	10 am - 12 am	10 am - 12 am
Monday:	-	-
Tuesday:	5 pm - 12 am	5 pm - 12 am
Wednesday:	5 pm - 12 am	5 pm - 12 am
Thursday:	5 pm - 12 am	5 pm - 12 am
Friday:	5 pm - 1 am	5 pm - 1 am
Saturday:	10 am - 1 am	10 am - 1 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
5/2/2025

Notice is hereby given that:
License Number: ABRA-107631 **License Class/Type: C Restaurant**
Applicant: Sardar, LLC
Trade Name: Kookoo Restaurant
SMD: 1A05

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

3310 14TH STREET NW, WASHINGTON, DC 20010

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

6/16/2025

A HEARING WILL BE HELD ON:
7/7/2025

AT 10:00 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002

ENDORSEMENT(S): Cover Charge Entertainment

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	8 am - 11 pm	8 am - 11 pm	5 pm - 11 pm
Monday:	7 am - 11 pm	8 am - 11 pm	5 pm - 11 pm
Tuesday:	7 am - 11 pm	8 am - 11 pm	5 pm - 11 pm
Wednesday:	7 am - 11 pm	8 am - 11 pm	5 pm - 11 pm
Thursday:	7 am - 11 pm	8 am - 11 pm	5 pm - 11 pm
Friday:	7 am - 12 am	8 am - 12 am	5 pm - 11 pm
Saturday:	8 am - 12 am	8 am - 12 am	5 pm - 11 pm

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
5/2/2025

Notice is hereby given that:
License Number: ABRA-109013 **License Class/Type: C Restaurant**
Applicant: Ezekiel Entertainment II, LLC
Trade Name: Liberte/ L' Annexe
SMD: 2E06

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

2917 M STREET NW, WASHINGTON, DC 20007

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

6/16/2025

A HEARING WILL BE HELD ON:
7/7/2025

AT 10:00 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002

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

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
5/2/2025

Notice is hereby given that:
License Number: ABRA-112331 **License Class/Type: C Restaurant**
Applicant: Cook's Group, Inc.
Trade Name: Tequila & Mezcal Restaurante Bar
SMD: 1A04

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

3475 14TH STREET NW, WASHINGTON, DC 20010

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

6/16/2025

A HEARING WILL BE HELD ON:
7/7/2025

AT 10:00 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002

ENDORSEMENT(S): Sidewalk Cafe

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

	Hours Of Sidewalk Cafe Operation	Hours Of Sales Sidewalk Cafe
Sunday:	10am - 1am	12pm - 11pm
Monday:	10am - 1am	11am - 11pm
Tuesday:	10am - 1am	11am - 11pm
Wednesday:	10am - 1am	11am - 11pm
Thursday:	10am - 1am	11am - 11pm
Friday:	10am - 1am	11am - 11pm
Saturday:	10am - 1am	11am - 11pm

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
5/2/2025

Notice is hereby given that:
License Number: ABRA-112447 **License Class/Type: C Hotel**
Applicant: BLDG Metro Capital, LLC
Trade Name: Yotel Washington DC
SMD: 6E08

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

415 NEW JERSEY AVENUE NW, WASHINGTON, DC 20001

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

6/16/2025

A HEARING WILL BE HELD ON:
7/7/2025

AT 10:00 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002

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

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	9 am - 2 am	9 am - 2 am	6 pm - 2 am
Monday:	11 am - 2 am	11 am - 2 am	6 pm - 2 am
Tuesday:	11 am - 2 am	11 am - 2 am	6 pm - 2 am
Wednesday:	11 am - 2 am	11 am - 2 am	6 pm - 2 am
Thursday:	11 am - 2 am	11 am - 2 am	6 pm - 2 am
Friday:	11 am - 3 am	11 am - 3 am	6 pm - 3 am
Saturday:	9 am - 3 am	9 am - 3 am	6 pm - 3 am

	Hours Of Sidewalk Cafe Operation	Hours of Summer Garden Operation
Sunday:	11 am - 1 am	9 am - 12 am
Monday:	11 am - 1 am	11 am - 12 am
Tuesday:	11 am - 1 am	11 am - 12 am
Wednesday:	11 am - 1 am	11 am - 12 am
Thursday:	11 am - 1 am	11 am - 12 am
Friday:	11 am - 1 am	11 am - 12 am
Saturday:	11 am - 1 am	9 am - 12 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
5/2/2025

Notice is hereby given that:
License Number: ABRA-113937 **License Class/Type: C Restaurant**
Applicant: The Henri, LLC
Trade Name: The Henri
SMD: 2C03

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

1301 PENNSYLVANIA AVENUE NW, WASHINGTON, DC 20004

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

6/16/2025

A HEARING WILL BE HELD ON:
7/7/2025

AT 10:00 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002

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

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
5/2/2025

Notice is hereby given that:
License Number: ABRA-114756 **License Class/Type: C Restaurant**
Applicant: President and Directors of Georgetown College
Trade Name: Epicurean and Company
SMD: 2E08

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

3700 O STREET NW, WASHINGTON, DC 20057

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

6/16/2025

A HEARING WILL BE HELD ON:
7/7/2025

AT 10:00 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002

ENDORSEMENT(S): Entertainment

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

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
5/2/2025

Notice is hereby given that:
License Number: ABRA-116723 **License Class/Type: D Restaurant**
Applicant: Kura Sushi USA, Inc.
Trade Name: Kura Revolving Sushi Bar
SMD: 2C01

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

614 H STREET NW, WASHINGTON, DC 20001

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

6/16/2025

A HEARING WILL BE HELD ON:
7/7/2025

AT 10:00 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002

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

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
5/2/2025

Notice is hereby given that:
License Number: ABRA-116742 **License Class/Type: C Restaurant**
Applicant: The Great American Bistro of Washington DC, LLC
Trade Name: The Great American Bistro/Oasis DC
SMD: 5E01

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

1545 NEW JERSEY AVENUE NW, WASHINGTON, DC 20001

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

6/16/2025

A HEARING WILL BE HELD ON:
7/7/2025

AT 10:00 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002

ENDORSEMENT(S): Cover Charge Entertainment

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	5:30 am - 3 am	8 am - 2 am	6 pm - 1 am
Monday:	5:30 am - 3 am	8 am - 2 am	6 pm - 1 am
Tuesday:	5:30 am - 3 am	8 am - 2 am	6 pm - 1 am
Wednesday:	5:30 am - 3 am	8 am - 2 am	6 pm - 1 am
Thursday:	5:30 am - 3 am	8 am - 2 am	6 pm - 1 am
Friday:	5:30 am - 3 am	8 am - 2 am	6 pm - 1 am
Saturday:	5:30 am - 3 am	8 am - 2 am	6 pm - 1 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
5/2/2025

Notice is hereby given that:
License Number: ABRA-116798 **License Class/Type: C Restaurant**
Applicant: Smokehouse at the Strand LLC
Trade Name: The Strand
SMD: 7C03

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

5131 NANNIE HELEN BURROUGHS AVENUE NE, WASHINGTON, DC 20019

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

6/16/2025

A HEARING WILL BE HELD ON:
7/7/2025

AT 10:00 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002

ENDORSEMENT(S): Entertainment

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	10 am - 2 am	11 am - 2 am	11 am - 1 am
Monday:	10 am - 2 am	11 am - 2 am	11 am - 1 am
Tuesday:	10 am - 2 am	11 am - 2 am	11 am - 1 am
Wednesday:	10 am - 2 am	11 am - 2 am	11 am - 1 am
Thursday:	10 am - 2 am	11 am - 2 am	11 am - 2 am
Friday:	8 am - 3 am	8 am - 3 am	11 am - 3 am
Saturday:	8 am - 3 am	10 am - 3 am	11 am - 3 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
5/2/2025

Notice is hereby given that:
License Number: ABRA-117012 **License Class/Type: C Restaurant**
Applicant: Sangria Bar and Grill, LLC
Trade Name: Sangria Bar and Grill
SMD: 1E02

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

3539 GEORGIA AVENUE NW, WASHINGTON, DC 20010

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

6/16/2025

A HEARING WILL BE HELD ON:
7/7/2025

AT 10:00 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002

ENDORSEMENT(S): Dancing Entertainment

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

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
5/2/2025

Notice is hereby given that:
License Number: ABRA-118015 **License Class/Type: C Restaurant**
Applicant: Focus DC, LLC
Trade Name: Focus DC
SMD: 6A01

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

1348 H STREET NE, WASHINGTON, DC 20002

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

6/16/2025

A HEARING WILL BE HELD ON:
7/7/2025

AT 10:00 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002

ENDORSEMENT(S): Entertainment

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	11 am - 12 am	11 am - 11:45 pm	6 pm - 11 pm
Monday:	11 am - 12 am	11 am - 11:45 pm	-
Tuesday:	11 am - 12 am	11 am - 11:45 pm	-
Wednesday:	11 am - 12 am	11 am - 11:45 pm	-
Thursday:	11 am - 2 am	11 am - 1:45 am	6 pm - 1:30 am
Friday:	11 am - 3 am	11 am - 2:45 am	6 pm - 2:30 am
Saturday:	11 am - 3 am	11 am - 2:45 am	6 pm - 2:30 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
5/2/2025

Notice is hereby given that:
License Number: ABRA-119297 **License Class/Type: C Restaurant**
Applicant: Unido Shaw LLC
Trade Name: Café Unido
SMD: 1B04

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

901 W STREET NW, WASHINGTON, DC 20001

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

6/16/2025

A HEARING WILL BE HELD ON:
7/7/2025

AT 10:00 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002

ENDORSEMENT(S): Summer Garden

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

	Hours of Summer Garden Operation	Hours of Sales Summer Garden
Sunday:	7am - 9pm	7am - 9pm
Monday:	7am - 9pm	7am - 9pm
Tuesday:	7am - 9pm	7am - 9pm
Wednesday:	7am - 9pm	7am - 9pm
Thursday:	7am - 9pm	7am - 9pm
Friday:	7am - 9pm	7am - 9pm
Saturday:	7am - 9pm	7am - 9pm

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
5/2/2025

Notice is hereby given that:
License Number: ABRA-119590 **License Class/Type: C Restaurant**
Applicant: SHOTO DC, LLC
Trade Name: SHOTO
SMD: 2C02

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

1100 15TH STREET NW, STE 1, WASHINGTON, DC 20005

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

6/16/2025

A HEARING WILL BE HELD ON:
7/7/2025

AT 10:00 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002

ENDORSEMENT(S): Entertainment Summer Garden

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

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

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
5/2/2025

Notice is hereby given that:
License Number: ABRA-119716 **License Class/Type: C Restaurant**
Applicant: ZMBE LLC
Trade Name: Axum Restaurant
SMD: 1B02

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

1934 9TH STREET NW, WASHINGTON, DC 20001

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

6/16/2025

A HEARING WILL BE HELD ON:
7/7/2025

AT 10:00 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002

ENDORSEMENT(S): Entertainment

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

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
5/2/2025

Notice is hereby given that:
License Number: ABRA-119796 **License Class/Type: C Hotel**
Applicant: CSX TRS, LLC
Trade Name: AC Hotel Washington DC Navy Yard/South Capitol Hill
SMD: 8F05

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

867 NEW JERSEY AVENUE SE, WASHINGTON, DC 20003

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

6/16/2025

A HEARING WILL BE HELD ON:
7/7/2025

AT 10:00 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002

ENDORSEMENT(S): Entertainment Summer Garden

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

	Hours of Summer Garden Operation	Hours of Sales Summer Garden
Sunday:	8am - 12am	8am - 12am
Monday:	8am - 12am	8am - 12am
Tuesday:	8am - 12am	8am - 12am
Wednesday:	8am - 12am	8am - 12am
Thursday:	8am - 12am	8am - 12am
Friday:	8am - 2am	8am - 2am
Saturday:	8am - 2am	8am - 2am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
5/2/2025

Notice is hereby given that:
License Number: ABRA-121029 **License Class/Type: C Restaurant**
Applicant: Prosperity DC, LLC
Trade Name: Rendezvous
SMD: 1B02

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

2020 9TH STREET NW, WASHINGTON, DC 20001

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

6/16/2025

A HEARING WILL BE HELD ON:
7/7/2025

AT 10:00 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002

ENDORSEMENT(S): Entertainment

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

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
5/2/2025

Notice is hereby given that:
License Number: ABRA-121372 **License Class/Type: C Hotel**
Applicant: NOMA Hotel XXXVII Owner LLC
Trade Name: Washington Marriott Capitol Hill/Noma/Yara
SMD: 6E07

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

175 L STREET NE, WASHINGTON, DC 20002

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

6/16/2025

A HEARING WILL BE HELD ON:
7/7/2025

AT 10:00 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002

ENDORSEMENT(S): Entertainment Summer Garden

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	12am - 12am	8am - 1am	8am - 1am
Monday:	12am - 12am	8am - 1am	8am - 1am
Tuesday:	12am - 12am	8am - 1am	8am - 1am
Wednesday:	12am - 12am	8am - 1am	8am - 1am
Thursday:	12am - 12am	8am - 1am	8am - 1am
Friday:	12am - 12am	8am - 1am	8am - 1am
Saturday:	12am - 12am	8am - 1am	8am - 1am

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

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
5/2/2025

Notice is hereby given that:
License Number: ABRA-122218 **License Class/Type: C Hotel**
Applicant: HP ACDC Hotel LP
Trade Name: Salamander Washington DC
SMD: 6D01

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

1330 MARYLAND AVENUE SW, WASHINGTON, DC 20024

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

6/16/2025

A HEARING WILL BE HELD ON:
7/7/2025

AT 10:00 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002

ENDORSEMENT(S): Dancing Entertainment Summer Garden

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

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

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
5/2/2025

Notice is hereby given that:
License Number: ABRA-122495 **License Class/Type: C Restaurant**
Applicant: Mariachi Lounge Bar & Grill, LLC
Trade Name: Mariachi Lounge
SMD: 4D03

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

5217 GEORGIA AVENUE NW, WASHINGTON, DC 20011

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

6/16/2025

A HEARING WILL BE HELD ON:
7/7/2025

AT 10:00 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002

ENDORSEMENT(S): Dancing Entertainment

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	11 am - 4 am	11 am - 2 am	8 pm - 4 am
Monday:	11 am - 4 am	11 am - 2 am	8 pm - 4 am
Tuesday:	11 am - 4 am	11 am - 2 am	8 pm - 4 am
Wednesday:	11 am - 4 am	11 am - 2 am	8 pm - 4 am
Thursday:	11 am - 4 am	11 am - 2 am	8 pm - 4 am
Friday:	11 am - 4 am	11 am - 3 am	8 pm - 4 am
Saturday:	11 am - 4 am	11 am - 3 am	8 pm - 4 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
5/2/2025

Notice is hereby given that:
License Number: ABRA-122899 **License Class/Type: C Restaurant**
Applicant: Planta P Street, LLC
Trade Name: Planta Cocina
SMD: 2F03

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

1454 - 1460 P STREET NW, WASHINGTON, DC 20005

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

6/16/2025

A HEARING WILL BE HELD ON:
7/7/2025

AT 10:00 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002

ENDORSEMENT(S): Sidewalk Cafe

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	8 am - 12 am	8 am - 12 am	-
Monday:	8 am - 12 am	8 am - 12 am	-
Tuesday:	8 am - 12 am	8 am - 12 am	-
Wednesday:	8 am - 12 am	8 am - 12 am	-
Thursday:	8 am - 12 am	8 am - 12 am	-
Friday:	8 am - 1 am	8 am - 1 am	-
Saturday:	8 am - 1 am	8 am - 1 am	-

	Hours Of Sidewalk Cafe Operation	Hours Of Sales Sidewalk Cafe
Sunday:	8 am - 11 pm	8 am - 11 pm
Monday:	8 am - 11 pm	8 am - 11 pm
Tuesday:	8 am - 11 pm	8 am - 11 pm
Wednesday:	8 am - 11 pm	8 am - 11 pm
Thursday:	8 am - 11 pm	8 am - 11 pm
Friday:	8 am - 12 am	8 am - 12 am
Saturday:	8 am - 12 am	8 am - 12 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
5/2/2025

Notice is hereby given that:
License Number: ABRA-123723 **License Class/Type: C Restaurant**
Applicant: ELFEGNE, LLC
Trade Name: Elfegne Ethiopian Cuisine
SMD: 1C03

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

2420 - 2422 18TH STREET NW, WASHINGTON, DC 20009

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

6/16/2025

A HEARING WILL BE HELD ON:
7/7/2025

AT 10:00 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002

ENDORSEMENT(S): Dancing Entertainment Sidewalk Cafe

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	9 am - 1 am	9 am - 1 am	-
Monday:	9 am - 1 am	9 am - 1 am	-
Tuesday:	9 am - 1 am	9 am - 1 am	-
Wednesday:	9 am - 1 am	9 am - 1 am	-
Thursday:	9 am - 1 am	9 am - 1 am	8 pm - 12:30 am
Friday:	9 am - 2 am	9 am - 2 am	8 pm - 1 am
Saturday:	9 am - 2 am	9 am - 2 am	8 pm - 1 am

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

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
5/2/2025

Notice is hereby given that:
License Number: ABRA-124626 **License Class/Type: C Restaurant**
Applicant: Limani Wharf, LLC
Trade Name: Limani
SMD: 6D01

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

670 WHARF STREET SW, WASHINGTON, DC 20024

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

6/16/2025

A HEARING WILL BE HELD ON:
7/7/2025

AT 10:00 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002

ENDORSEMENT(S): Summer Garden

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	11:30am - 9:30pm	11:30am - 9:30pm	-
Monday:	11:30am - 9:30pm	11:30am - 9:30pm	-
Tuesday:	11:30am - 9:30pm	11:30am - 9:30pm	-
Wednesday:	11:30am - 9:30pm	11:30am - 9:30pm	-
Thursday:	11:30am - 11pm	11:30am - 11pm	-
Friday:	11:30am - 11pm	11:30am - 11pm	-
Saturday:	11:30am - 11pm	11:30am - 11pm	-

	Hours of Summer Garden Operation	Hours of Sales Summer Garden
Sunday:	11:30am - 9:30pm	11:30am - 9:30pm
Monday:	11:30am - 9:30pm	11:30am - 9:30pm
Tuesday:	11:30am - 9:30pm	11:30am - 9:30pm
Wednesday:	11:30am - 9:30pm	11:30am - 9:30pm
Thursday:	11:30am - 11pm	11:30am - 11pm
Friday:	11:30am - 11pm	11:30am - 11pm
Saturday:	11:30am - 11pm	11:30am - 11pm

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
5/2/2025

Notice is hereby given that:
License Number: ABRA-125078 **License Class/Type: C Hotel**
Applicant: Oxford Thompson DC Leaseco, LLC
Trade Name: Thompson Washington DC/ Surveyor/Rooftop at the Thompson
SMD: 8F02

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

221 TINGEY STREET SE, WASHINGTON, DC 20003

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

6/16/2025

A HEARING WILL BE HELD ON:
7/7/2025

AT 10:00 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002

ENDORSEMENT(S): Cover Charge Dancing Entertainment Summer Garden

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

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

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
5/2/2025

Notice is hereby given that:
License Number: ABRA-125275 **License Class/Type: C Restaurant**
Applicant: Walter Reed Ramen, LLC
Trade Name: Jinya Ramen Bar
SMD: 4A03

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

1155 DAHLIA STREET NW, WASHINGTON, DC 20012

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

6/16/2025

A HEARING WILL BE HELD ON:
7/7/2025

AT 10:00 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002

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

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
5/2/2025

Notice is hereby given that:
License Number: ABRA-125532 **License Class/Type: C Restaurant**
Applicant: One Market, LLC
Trade Name: Yaocho/ Junge's
SMD: 2C02

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

1850 K STREET NW, WASHINGTON, DC 20006

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

6/16/2025

A HEARING WILL BE HELD ON:
7/7/2025

AT 10:00 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002

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

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
5/2/2025

Notice is hereby given that:
License Number: ABRA-126264 **License Class/Type: C Restaurant**
Applicant: The God of Wine and Vegetation, LLC
Trade Name: Coco Lezzone
SMD: 2C01

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

915 15TH STREET NW, WASHINGTON, DC 20005

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

6/16/2025

A HEARING WILL BE HELD ON:
7/7/2025

AT 10:00 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002

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

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
5/2/2025

Notice is hereby given that:
License Number: ABRA-126723 **License Class/Type: C Restaurant**
Applicant: Zanzibar, LLC
Trade Name: La Grotta DC / Sinners and Saints
SMD: 1C07

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

2309 18th STREET NW, WASHINGTON, DC 20009

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

6/16/2025

A HEARING WILL BE HELD ON:
7/7/2025

AT 10:00 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002

ENDORSEMENT(S): Cover Charge Dancing Entertainment Summer Garden

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

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

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
5/2/2025

Notice is hereby given that:
License Number: ABRA-126781 **License Class/Type: C Restaurant**
Applicant: The Popal Group, LLC
Trade Name: Lapis Events and Catering
SMD: 1C03

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

1819 COLUMBIA ROAD NW, WASHINGTON, DC 20009

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

6/16/2025

A HEARING WILL BE HELD ON:
7/7/2025

AT 10:00 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002

ENDORSEMENT(S): Entertainment

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	10 am - 1 am	10 am - 1 am	6 pm - 11 pm
Monday:	10 am - 1 am	10 am - 1 am	6 pm - 11 pm
Tuesday:	10 am - 1 am	10 am - 1 am	6 pm - 11 pm
Wednesday:	10 am - 1 am	10 am - 1 am	6 pm - 11 pm
Thursday:	10 am - 1 am	10 am - 1 am	6 pm - 11 pm
Friday:	10 am - 3 am	10 am - 2:30 am	6 pm - 2 am
Saturday:	10 am - 3 am	10 am - 2:30 am	6 pm - 2 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
5/2/2025

Notice is hereby given that:
License Number: ABRA-126864 **License Class/Type: C Restaurant**
Applicant: Farm to Feast, LLC
Trade Name: Farm to Feast
SMD:

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

821 UPSHUR STREET NW, WASHINGTON, DC 20011

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

6/16/2025

A HEARING WILL BE HELD ON:
7/7/2025

AT 10:00 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002

ENDORSEMENT(S): Entertainment

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

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
5/2/2025

Notice is hereby given that:
License Number: ABRA-127000 **License Class/Type: D Restaurant**
Applicant: Good Sunday, LLC
Trade Name: La Bonne Vache
SMD: 2E03

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

3265 PROSPECT STREET NW, WASHINGTON, DC 20007

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

6/16/2025

A HEARING WILL BE HELD ON:
7/7/2025

AT 10:00 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002

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

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
5/2/2025

Notice is hereby given that:
License Number: ABRA-128586 **License Class/Type: C Restaurant**
Applicant: Fogo De Chao Churrascaria The Wharf DC, LLC
Trade Name: Fogo De Chao
SMD: 6D01

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

698 MAINE AVENUE SW, WASHINGTON, DC 20024

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

6/16/2025

A HEARING WILL BE HELD ON:
7/7/2025

AT 10:00 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002

ENDORSEMENT(S): Entertainment Summer Garden

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

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

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
5/2/2025

Notice is hereby given that:
License Number: ABRA-131039 **License Class/Type: C Hotel**
Applicant: CP Washington DC, LLC
Trade Name: The Westin Washington, D.C. City Center
SMD: 2C02

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

1400 M STREET NW, WASHINGTON, DC 20005

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

6/16/2025

A HEARING WILL BE HELD ON:
7/7/2025

AT 10:00 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002

ENDORSEMENT(S): Entertainment

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

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date:	May 2, 2025
Protest Petition Deadline:	June 16, 2025
Roll Call Hearing Date:	July 7, 2025
License No.:	ABRA-077414, -2, -3, -4
Licensee:	Hornblower Cruises and Events, LLC
Trade Name:	Inner Harbor Spirit, Spirit of Washington, Capital Elite, National Elite
License Class:	Retailer's Class "CX" Marine Vessel
Address:	580 – 600 Water Street, S.W.
Contact:	Matt Minora, Attorney: (202) 625-7700, mminora@malliosobrien.com

WARD 6 ANC 6D SMD 6D06

The Alcoholic Beverage and Cannabis Administration (ABCA) provides Notice that the Licensee named above has filed a Petition to Amend or Terminate the Settlement Agreement attached to its license.

The parties to the settlement agreement(s) are Hornblower Cruises and Events, LLC t/a Inner Harbor Spirits, Spirit of Washington, Capital Elite, National Elite (Applicant), 580 – 600 Water Street, S.W., and Advisory Neighborhood Commission (ANC) 6D (Protestant).

A copy of the Petition may be obtained by contacting ABCA's Public Information Office at 202-442-4423.

Objectors are entitled to be heard before the granting of such a request on the Roll Call Hearing Date, at 899 North Capitol Street, N.E., Suite 4200-B, Washington, D.C., 20002.

Petitions and/or requests to appear before the ABC Board must be filed electronically to abra.legal@dc.gov on or before the Protest Petition deadline.

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date:	May 2, 2025
Protest Petition Deadline:	June 16, 2025
Roll Call Hearing Date:	July 7, 2025
Protest Hearing Date:	August 13, 2025
License No.:	ABRA-132205
Licensee:	Georgetown Ramen Bar, LLC
Trade Name:	JINYA Ramen Bar (Georgetown)
License Class:	Retailer's Class "C" Restaurant
Address:	1525 Wisconsin Avenue N.W.
Contact:	Matthew Minora, Esq.: (202) 625-7700, mminora@malliosobrien.com

WARD 2 ANC 2E SMD 2E03

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 July 7, 2025, at 10 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002**. Petitions and/or requests to appear before the ABC Board must be filed electronically to abca.legal@dc.gov on or before the Petition deadline. The **Protest Hearing date** is scheduled on **August 13, 2025 at 1:30 p.m.**

NATURE OF OPERATION

A full-service Japanese ramen restaurant. Seating for 101 and capacity of 135 inside. Summer Garden with seating for 50. Total Occupancy Load of 185. Entertainment Endorsement to provide live entertainment inside of the premises only. Holiday Extension of Hours Endorsement. Streatery Endorsement with 30 seats. Alcohol Carry-out and Delivery Endorsement.

HOURS OF OPERATION FOR INSIDE PREMISES

Sunday through Wednesday 11am – 1am, Thursday through Saturday 11am – 3am

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

Sunday through Wednesday 11am – 1am, Thursday 11am – 2am, Friday & Saturday 11am – 3am

HOURS OF LIVE ENTERTAINMENT INSIDE OF THE PREMISES

Sunday through Saturday 11am – 12am

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

Sunday through Thursday 11am – 10pm, Friday & Saturday 11am – 11pm

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

Sunday through Saturday 11am – 12am

HOURS OF ALCOHOLIC BEVERAGE CARRY-OUT AND DELIVERY

Sunday through Saturday 11am – 1am

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date:	May 2, 2025
Protest Petition Deadline:	June 16, 2025
Roll Call Hearing Date:	July 7, 2025
Protest Hearing Date:	August 13, 2025
License No.:	ABRA-129325
Licensee:	Lyfted Essentials Company
Trade Name:	Lyfted Essentials
Registration/License Type:	Medical Cannabis Retailer
Address:	2220 14th Street N.W.
Retailer Contact:	Andrea Carrigan: 703-881-8368; lyftedessentialsco@gmail.com

WARD 1 ANC 1B SMD 1B05

Notice is given that the above-named medical cannabis manufacturer applicant has requested a new license to be located at **2220 14th Street N.W.** Pursuant to Title 22-C of the DCMR (Medical Cannabis Program) objectors are entitled to be heard regarding the new license application. Petitions and/or requests to appear before the ABC Board must be filed electronically to abca.legal@dc.gov on or before the petition deadline. The **Roll Call Hearing is scheduled for July 7, 2025, at 10 a.m., 4th Floor, 2000 14th Street, N.W., Washington, DC 20009**. The **Protest Hearing date** is scheduled for **August 13, 2025, at 1:30 p.m.** All hearings before the Board are conducted virtually.

NATURE OF OPERATION

The medical cannabis manufacturer applicant is requesting to locate its operations at **2220 14th Street N.W.** The proposed facility with approximately 1,572 square feet of space will process cannabis flowers, cannabis concentrates, and a line of edible products for registered patients in Washington, D.C. The applicant is requesting a delivery endorsement.

HOURS OF OPERATION FOR RETAILER

Sunday 11am-8pm, Monday-Thursday 10am-9pm, Friday-Saturday 10am-10pm

HOURS OF RETAILER SALES OPEN TO THE PUBLIC

Sunday 12pm-7pm, Monday-Thursday 11am-8pm, Friday-Saturday 11am-9pm

HOURS OF DELIVERY

Sunday 11am-9pm, Monday-Saturday 10am-9pm

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date:	May 2, 2025
Protest Petition Deadline:	June 16, 2025
Roll Call Hearing Date:	July 7, 2025
License No.:	ABRA-100214
Licensee:	Millie's Spring Valley, LLC
Trade Name:	Millie's
License Class:	Retailer's Class "C" Restaurant
Address:	4866 Massachusetts Avenue, N.W.
Contact:	Robert Blair, Managing Member: (202) 733-5789, kevin@georgetownevents.com

WARD 3 ANC 3D SMD 3D02

The Alcoholic Beverage and Cannabis Administration (ABCA) provides Notice that the Licensee named above has filed a Petition to Amend or Terminate the Settlement Agreement attached to its license.

The parties to the settlement agreement(s) are Millie's Spring Valley, LLC, t/a Millie's (Applicant), 4866 Massachusetts Avenue, N.W., and Thomas M. Smith, Chairperson, Advisory Neighborhood Commission (ANC) 3D, and David M. Leahy, on behalf of A Group of Five or more Individuals (Protestant).

A copy of the Petition may be obtained by contacting ABCA's Public Information Office at 202-442-4423.

Objectors are entitled to be heard before the granting of such a request on the Roll Call Hearing Date, at 899 North Capitol Street, N.E., Suite 4200-B, Washington, D.C., 20002.

Petitions and/or requests to appear before the ABC Board must be filed electronically to abra.legal@dc.gov on or before the Protest Petition deadline.

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
****5/2/2025**

****READVERTISEMENT**

Notice is hereby given that:
License Number: ABRA-100214
Applicant: Millie's Spring Valley, LLC
Trade Name: Millie's
SMD: 3D02

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

4866 MASSACHUSETTS AVENUE NW, WASHINGTON, DC 20016

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

****6/16/2025**

A HEARING WILL BE HELD ON:
****7/7/2025**

AT 10:00 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002

ENDORSEMENT(S): Summer Garden

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	8 am - 12 am	11 am - 12 am	-
Monday:	8 am - 12 am	11 am - 12 am	-
Tuesday:	8 am - 12 am	11 am - 12 am	-
Wednesday:	8 am - 12 am	11 am - 12 am	-
Thursday:	8 am - 12 am	11 am - 12 am	-
Friday:	8 am - 12 am	11 am - 12 am	-
Saturday:	8 am - 12 am	11 am - 12 am	-

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

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
****3/21/2025**

****RESCIND**

Notice is hereby given that:
License Number: ABRA-100214
Applicant: Millie's Spring Valley, LLC
Trade Name: Millie's
SMD: 3D02

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

4866 MASSACHUSETTS AVENUE NW, WASHINGTON, DC 20016

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

****5/5/2025**

A HEARING WILL BE HELD ON:
****5/27/2025**

AT 10:00 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002

ENDORSEMENT(S): Summer Garden

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	8 am - 12 am	11 am - 12 am	-
Monday:	8 am - 12 am	11 am - 12 am	-
Tuesday:	8 am - 12 am	11 am - 12 am	-
Wednesday:	8 am - 12 am	11 am - 12 am	-
Thursday:	8 am - 12 am	11 am - 12 am	-
Friday:	8 am - 12 am	11 am - 12 am	-
Saturday:	8 am - 12 am	11 am - 12 am	-

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

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date:	May 2, 2025
Protest Petition Deadline:	June 16, 2025
Roll Call Hearing Date:	July 7, 2025
License No.:	ABRA-022107
Licensee:	Hornblower Cruises and Events, LLC
Trade Name:	Odyssey Cruises
License Class:	Retailer's Class "CX" Marine Vessel
Address:	580 – 600 Water Street, S.W.
Contact:	Matt Minora, Attorney: (202) 625-7700, mminora@malliosobrien.com

WARD 6 ANC 6D SMD 6D06

The Alcoholic Beverage and Cannabis Administration (ABCA) provides Notice that the Licensee named above has filed a Petition to Amend or Terminate the Settlement Agreement attached to its license.

The parties to the settlement agreement(s) are Premier Yacht, LLC t/a Odyssey Cruises (Former Applicant), Hornblower Cruises and Events, LLC t/a Odyssey Cruises (Current Applicant), 580 – 600 Water Street, S.W., and Commissioner Gail Fast and Dr. Coralie Farlee, on behalf Advisory Neighborhood Commission (ANC) 6D (Protestant).

A copy of the Petition may be obtained by contacting ABCA's Public Information Office at 202-442-4423.

Objectors are entitled to be heard before the granting of such a request on the Roll Call Hearing Date, at 899 North Capitol Street, N.E., Suite 4200-B, Washington, D.C., 20002.

Petitions and/or requests to appear before the ABC Board must be filed electronically to abra.legal@dc.gov on or before the Protest Petition deadline.

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
5/2/2025

Notice is hereby given that:
License Number: ABRA-022107 **License Class/Type: C Marine Vessel**
Applicant: Hornblower Cruises and Events, LLC
Trade Name: Odyssey Cruises
SMD: 6D06

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

580 - 600 WATER STREET SW, WASHINGTON, DC 20024

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:
6/16/2025

A HEARING WILL BE HELD ON:
7/7/2025

AT 10:00 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002

ENDORSEMENT(S): Entertainment

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	8:30 am - 2:30 am	10:00 am - 2:00 am	8:30 am - 2:30 am
Monday:	8:30 am - 2:30 am	8:30 am - 2:00 am	8:30 am - 2:30 am
Tuesday:	8:30 am - 2:30 am	8:30 am - 2:00 am	8:30 am - 2:30 am
Wednesday:	8:30 am - 2:30 am	8:30 am - 2:00 am	8:30 am - 2:30 am
Thursday:	8:30 am - 2:30 am	8:30 am - 2:00 am	8:30 am - 2:30 am
Friday:	8:30 am - 2:30 am	8:30 am - 3:00 am	8:30 am - 3:30 am
Saturday:	8:30 am - 2:30 am	8:30 am - 3:00 am	8:30 am - 3:30 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION

NOTICE OF PUBLIC HEARING

****READVERTISEMENT**

Placard Posting Date:	**May 2, 2025
Protest Petition Deadline:	**June 16, 2025
Roll Call Hearing Date:	**July 7, 2025
Protest Hearing Date:	**August 13, 2025

License No.:	ABRA-131764
Licensee:	Just for Girls, LLC
Trade Name:	Port Royal
License Class:	Retailer's Class "C" Tavern
Address:	1118 9th Street, N.W.
Contact:	Yutong Zhou: (908) 239-8737, yutong@sinobergraft

WARD 2 ANC 2G SMD 2G04

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 **July 7, 2025, at 10 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002**. Petitions and/or requests to appear before the ABC Board must be filed electronically to abca.legal@dc.gov on or before the Petition deadline. The **Protest Hearing date** is scheduled on ****August 13, 2025 at 1:30 p.m.**

NATURE OF OPERATION

The Establishment will be a Tavern serving prepared foods. The Total Occupancy Load inside the premises is 133 with seating for 34. Summer Garden with a Total Occupancy Load of 50 and seating for 50. Entertainment Endorsement to provide Live music inside of the premises only. Holiday Extension of Hours Endorsement.

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

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

HOURS OF LIVE ENTERTAINMENT INSIDE OF THE PREMISES

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

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION

NOTICE OF PUBLIC HEARING

****RESCIND**

Placard Posting Date:	**April 4, 2025
Protest Petition Deadline:	**May 19, 2025
Roll Call Hearing Date:	**June 9, 2025
Protest Hearing Date:	**July 23, 2025

License No.:	ABRA-131764
Licensee:	Just for Girls, LLC
Trade Name:	Port Royal
License Class:	Retailer's Class "C" Tavern
Address:	1118 9th Street, N.W.
Contact:	Yutong Zhou: (908) 239-8737, yutong@sinobergraft

WARD 2 ANC 2G SMD 2G04

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 **June 9, 2025, at 10 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002**. Petitions and/or requests to appear before the ABC Board must be filed electronically to abca.legal@dc.gov on or before the Petition deadline. The **Protest Hearing date** is scheduled on ****July 23, 2025 at 1:30 p.m.**

NATURE OF OPERATION

The Establishment will be a Tavern serving prepared foods. The Total Occupancy Load inside the premises is 133 with seating for 34. Summer Garden with a Total Occupancy Load of 50 and seating for 50. Entertainment Endorsement to provide Live music inside of the premises only. Holiday Extension of Hours Endorsement.

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

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

HOURS OF LIVE ENTERTAINMENT INSIDE OF THE PREMISES

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

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ALCOHOLIC BEVERAGE AND CANNABIS BOARD

NOTICE OF FINAL RULEMAKING

The Alcoholic Beverage and Cannabis Board ("Board"), pursuant to the authority set forth in D.C. Official Code § 25-351(a), and in accordance with Section 6(c) of the District of Columbia Administrative Procedure Act, effective October 21, 1968 (82 Stat. 1206; D.C. Official Code § 2-505(c)), hereby gives notice of the adoption, of the following amendments to Section 304 (Adams Morgan Moratorium Zone) of Chapter 3 (Limitations on Licenses) of Title 23 (Alcoholic Beverages) of the District of Columbia Municipal Regulations.

Specifically, the final rulemaking increases the cap on the number of permitted Retailer Class CT or DT (tavern) licenses to sixteen (16), maintains the moratorium on Retailer Class CN or DN (nightclub) licenses and renews the Adams Morgan Moratorium Zone ("AMMZ") for three (3) years.

I. PROCEDURAL BACKGROUND

The moratorium was scheduled to expire on February 6, 2023. On January 7, 2023, the Board received a resolution from Advisory Neighborhood Commission (ANC) 1C requesting a ninety (90) day extension of the expiring moratorium to inform and consult with the residents of Adams Morgan regarding the future of the moratorium. The resolution was adopted by ANC 1C at a duly noticed public meeting held on January 4, 2023, by a vote of seven (7) to zero (0).

On February 1, 2023, the Board adopted the AMMZ Notice of Emergency Rulemaking, to extend the moratorium until June 1, 2023, by a vote of six (6) to zero (0), and it became effective on that date. The emergency rules were published in the *District of Columbia Register* on March 24, 2023, at 70 DCR 003590.

On May 4, 2023, ANC 1C submitted a resolution requesting that the Board renew the moratorium on Retailer Class CN or DN (Nightclub) licenses, but increase the number of permitted Retailer Class CT or DT (Tavern) licenses to twenty-five (25) to be phased in with no more than four (4) additional Class CT or DT Retailer licenses available per year. The resolution was adopted by ANC 1C at a duly noticed public meeting held on May 3, 2023, by a vote of eight (8) to zero (0).

On May 24, 2023, the Board adopted the Adams Morgan Moratorium Zone Notice of Second Emergency Rulemaking, to further extend the moratorium until September 21, 2023, by a vote of five (5) to zero (0). The Board determined emergency action was necessary to extend the AMMZ. The Board concluded that the appropriateness considerations that justified the prior moratorium, pursuant to D.C. Official Code § 25-351(a), likewise indicate that a temporary extension is in the public interest. The additional time granted under the emergency rules allowed the Board to hold a hearing and take public comment on the ANC 1C resolution. The emergency rulemaking was published in the *District of Columbia Register* on July 14, 2023, at 70 DCR 009780.

On July 13, 2023, the Board held a hearing to receive public comment. Notice of the hearing was published to the *District of Columbia Register* on May 19, 2023, at 70 DCR 007089. At the hearing, representatives from ANC 1C, the Adams Morgan Partnership Business Improvement District (BID), the Kalorama Citizens Association (KCA), as well as several members of the public testified before the Board. Prior to the hearing and until the record closed, the Board also received numerous written comments from members of the public. See the Adams Morgan Moratorium Zone Notice of Fifth Emergency and Proposed Rulemaking published on June 14, 2024 at 71 DCR 007113, for a complete summary of the comments received.

On August 16, 2023, the Board adopted the Adams Morgan Moratorium Zone Notice of Third Emergency and Proposed Rulemaking to further extend the moratorium by a vote of four (4) to zero (0). The rulemaking (a) renewed the Adams Morgan Moratorium for three (3) years; (b) increased the cap on the number of CT, DT, CX, and DX retailer licenses; and (c) maintained all other restrictions in the existing moratorium. The emergency rules were published in the *District of Columbia Register* on April 12, 2024 at 71 DCR 004238. The emergency rulemaking superseded the emergency rules that the Board adopted on May 24, 2023, and expired on December 14, 2023.

On December 13, 2023, the Board adopted the Adams Morgan Moratorium Zone Notice of Fourth Emergency and Proposed Rulemaking and on April 11, 2024, the Board adopted the Adams Morgan Moratorium Zone Notice of Fifth Emergency and Proposed Rulemaking. The fourth and fifth emergency and proposed rules were published in the *District of Columbia Register* on June 14, 2024 at 71 DCR 007099 and 71 DCR 007113. The comment period ended on July 14, 2024, with the Board receiving no additional comments.

Upon the expiration of the public comment period, the Board transmitted the proposed rules to the Council of the District of Columbia for the Council's mandatory review period. *See* Adams Morgan Moratorium Zone Resolution of 2024 (Prop. Res. 26-11) (deemed approved Feb. 6, 2025). Unlike the Board's other rules, rulemakings to establish or amend moratoria do not require affirmative approval by the conclusion of the Council review period. *See* D.C. Official Code § 25-211(b). The proposed rulemaking did not include any substantive changes to the text of the emergency rulemaking.

However, because the emergency rules were set to expire during the pendency of the Council review period, the Board adopted the Adams Morgan Moratorium Zone Sixth Notice of Emergency Rulemaking on August 14, 2024, by a vote of three (3) to zero (0). This action was necessary to allow the emergency rulemaking to remain in effect while the Council reviews the final proposed rulemaking. The emergency rules expired on December 12, 2024. One day prior to that expiration, on December 11, 2024, the Board adopted the Adams Morgan Moratorium Zone Seventh Notice of Emergency Rulemaking, which was set to expire on April 10, 2025 unless earlier superseded by an emergency or final rulemaking. The emergency rulemaking was published in the *District of Columbia Register* on April 25, 2025 at 72 DCR 005047.

II. THE BOARD'S DECISION TO ADOPT THE FINAL RULES

In accordance with D.C. Official Code § 25-211(b)(2), these moratorium rules were deemed approved on February 6, 2025, absent affirmative disapproval by the Council. As such, the rules are now ripe for the Board to take final action. Therefore, on February 26, 2025, the Board voted four (4) to zero (0) to adopt the rules as final.

The rules will take effect five (5) days after the notice of final rulemaking is published in the *District of Columbia Register*.

Chapter 3, LIMITATIONS ON LICENSES, of Title 23 DCMR, ALCOHOLIC BEVERAGES, is amended to read as follows:

304 ADAMS MORGAN MORATORIUM ZONE

304.1 No new Retailer's License Class CN, CT, CX, DN, DT, or DX shall be issued for a period of three (3) years from the effective date of final rules, in the area that extends approximately eighteen hundred (1800) feet in all directions from 2459 18th St., N.W., Washington, D.C. 20009. This area shall be known as the Adams Morgan Moratorium Zone.

304.2 The Adams Morgan Moratorium Zone is defined as the area bound by a line beginning at 18th Street and Vernon Street, NW, and proceeding on both sides of all streets unless otherwise noted; west on Vernon Street, NW to 19th Street, NW; northwest on 19th Street, NW to Wyoming Avenue, NW; southwest on Wyoming Avenue, NW to 20th Street, NW; northwest on 20th Street, NW to Belmont Road, NW; west on Belmont Road, NW to Waterside Drive, NW; north on Waterside Drive, NW to Allen Place, NW; east on Allen Place, NW to 20th Street, NW; north on 20th Street, NW to Biltmore Street, NW; north on Biltmore Street, NW to Calvert Street, NW; east on Calvert Street, NW to Lanier Place, NW; northeast on Lanier Place, NW to Adams Mill Road, NW; northwest on Adams Mill Road, NW and then northeast to Ontario Road, NW; east on Ontario Road, NW to Lanier Place, NW; northeast on Lanier Place, NW to Quarry Road, NW; southeast on Quarry Road, NW to Columbia Road, NW; northeast on Columbia Road, NW to Mozart Place, NW; south on Mozart Place, NW to Euclid Street, NW; east on Euclid Street, NW to 16th Street, NW; south on the west side of 16th Street to Florida Avenue; southwest on Florida Avenue to U Street, and west on U Street, NW to 18th Street, NW, Washington, D.C.

304.3 The following license classes shall be exempt from the Adams Morgan Moratorium Zone:

(a) All restaurants, whether present or future;

(b) All hotels, whether present or future; and

(c) Retailer's licenses Class A and B.

304.4 The number of Retailer's licenses Class CT, CX, DT, or DX located within the Adams Morgan Moratorium Zone shall not exceed sixteen (16). The number of Retailer's licenses Class CN or DN shall not exceed zero (0). The holder of a Retailer's license Class CR or DR located within the Adams Morgan Moratorium Zone shall be prohibited from changing its license class except when the number of Retailer's licenses Class CT, CX, DT, or DX in the Adams Morgan Moratorium Zone is fewer than sixteen (16).

304.5 Nothing in this section shall prohibit the Board from approving the transfer of ownership of a retailer's license Class CR, CT, CX, DR, DT, and DX within the Adams Morgan Moratorium Zone that was in effect or for which an application was pending prior to the effective date of this section, subject to the requirements of Title 25 of the D.C. Official Code and this title.

304.6 Nothing in this section shall prohibit the Board from approving the transfer of a license from a location within the Adams Morgan Moratorium Zone to a new location within the Adams Morgan Moratorium Zone.

304.7 A license holder outside the Adams Morgan Moratorium Zone shall not be permitted to transfer its license to a location within the Adams Morgan Moratorium Zone, unless exempt by § 304.3.

304.8 Nothing in this section shall prohibit a valid protest of any transfer of a license or change of a license class.

304.9 The limitations imposed by this section shall not apply to any license granted prior to the effective date of this section.

304.10 This section shall expire three (3) years after the date of publication of the notice of final rulemaking in the *District of Columbia Register*.

PUBLIC SERVICE COMMISSION OF THE DISTRICT OF COLUMBIA

NOTICE OF PROPOSED RULEMAKING

GD-2023-02-M, IN THE MATTER OF THE INQUIRY INTO THE DISCOVERY PROCESS FOR RATE APPLICATIONS;

RM1-2025-01, THE PUBLIC SERVICE COMMISSION'S RULES OF PRACTICE AND PROCEDURE; AND

RM2-2025-01, UTILITY RATE CHANGES,

1. The Public Service Commission of the District of Columbia ("Commission"), pursuant to its authority under D.C. Official Code §§ 2-505 (2018 Repl.) and 34-802 (2019 Repl.), hereby gives notice of its intent to amend Chapter 1 (Public Service Commission Rules of Practice and Procedure) and Chapter 2 (Utility Rate Changes) of Title 15 (Public Utilities and Cable Television) of the District of Columbia Municipal Regulations (DCMR) in not less than sixty (60) days after publication of this notice in the *District of Columbia Register*.

2. On July 27, 2023, the Commission published a Notice of Inquiry (NOI) requesting input from stakeholders regarding recommendations for the filing of future base rate case applications by regulated utilities, to streamline discovery and improve the efficiency of base rate case proceedings.[1] The NOI requested interested persons to address: (a) What information and documentation should be included in potential minimum filing requirements for future base rate case applications; (b) What other parameters should be in place to govern future base rate case applications; and (c) What other modifications should be made to ensure that future base rate case applications can be reviewed and assessed in a timely manner? On October 13, 2023, the Office of the People's Counsel (OPC) for the District of Columbia filed comments.[2] On October 16, 2023, comments were filed by the Washington Gas Light Company (WGL),[3] the Potomac Electric Power Company (Pepco),[4] the District of Columbia Government on behalf of the District Department of Energy and Environment (DOEE),[5] the GRID2.0 Working Group and Center for Biological Diversity (GRID2.0),[6] and the Apartment and Office Building Association of Metropolitan Washington

[1] *GD-2023-02-M*, *In the Matter of the Inquiry into the Discovery Process for Rate Applications*, ("GD-2023- 02-M"), Notice of Inquiry, rel. July 27, 2023, ("NOI").

[2] *GD-2023-02-M*, The Office of the People's Counsel for the District of Columbia's Initial Comments in Response to the Public Service Commission's July 27, 2023 Notice of Inquiry, filed October 13, 2023 ("OPC Initial Comments").

[3] *GD-2023-02-M*, Washington Gas Light Company's Initial Comments in Response to the Public Service Commission's July 27, 2023 Notice of Inquiry, filed October 16, 2023 ("WGL Initial Comments").

[4] *GD-2023-02-M*, Potomac Electric Power Company's Initial Comments in Response to the Public Service Commission's July 27, 2023 Notice of Inquiry, filed October 16, 2023 ("Pepco Initial Comments").

[5] *GD-2023-02-M*, Department of Energy and Environment's Initial Comments in Response to the Public Service Commission's July 27, 2023 Notice of Inquiry, filed October 16, 2023 ("DOEE Initial Comments").

(AOBA).[7] Additionally, reply comments were filed by WGL,[8] Pepco,[9] and DOEE.[10] This Notice of Proposed Rulemaking (NOPR) is based upon the Commission's review of all comments.

3. The proposed amendments to Chapter 1 are shown by **bold underline** and the deletions by ~~strikethrough~~. Specific proposed amendments for Chapter 1 include amending Subsections: (1) 102 by adding 102.1 withdrawal of pleadings in uncontested proceedings and 102.2 withdrawal of pleadings in contested proceedings; (2) 108.1 and 108.2 by repealing and replacing these subsections clarifying the *ex parte* communications provisions; (3) 110.3 adding a provision permitting United States' attorneys to appear before the Commission regardless of whether the attorney maintains an office within the District of Columbia for the practice of law; (4) 114.1 removing the requirement that a signature be in ink thereby allowing for electronic signature; (5) 115.1 allowing pleadings filed with to be electronically served on the parties; (6) 119.7 adding a new subsection allowing for electronic filing of documents, bonds, and similar instruments; (7) 122.8 removing language that staff is a participant; (8) 122.10, 122.11, 122.12, and 122.13 repealing and or replacing these subsections to now require electronic submission of data responses in text-searchable format with calculations and formulas intact; (9) 133.5 removing reference to the General Counsel; (10) 133.6 by simplifying the manner of marking witnesses testimony and exhibits; and (11) 198 moving the Section 146 waiver provision to the end of Chapter 1 and renumbering it as Subsection 198.1.

4. Chapter 2 is repealed and replaced in its entirety. The modifications to Chapter 2 are collectively designed to expedite the review of base rate case filings by clarifying prefiling and filing requirements, establishing a framework for the submission and evaluation of Special Contracts, and requiring that base rate case applications address climate change and resiliency in accordance with the District's climate policies (D.C. Code § 8-151.09(d)). This rulemaking is limited to minimum filing requirements for traditional base rate cases and does not propose any new rules for alternative forms of regulation ("AFOR"), such as Multiyear Rate Plans (MRPs), performance-based rates, formula rates, or surchargers and riders. This NOPR does not address issues related to AFORs minimum filing requirements as they are under consideration and development in the *Formal Case No. 1176*, Lessons Learned Working Group.[11]

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[6] *GD-2023-02-M*, GRID2.0 Working Group and Center for Biological Diversity's Initial Comments in Response to the Public Service Commission's July 27, 2023 Notice of Inquiry, filed October 16, 2023 ("GRID2.0 Initial Comments").

[7] *GD-2023-02-M*, Apartment and Office Building Association's Initial Comments in Response to the Public Service Commission's July 27, 2023, Notice of Inquiry, filed October 16, 2023, ("AOBA Initial Comments")

[8] *GD-2023-02-M*, Washington Gas Light Company's Reply Comments on the July 27, 2023, Notice of Inquiry, filed November 16, 2023 ("WGL Reply Comments").

[9] *GD-2023-02-M*, Potomac Electric Power Company's Reply Comments on the July 27, 2023, Notice of Inquiry, filed November 16, 2023 ("Pepco Reply Comments").

[10] *GD-2023-02-M*, Department of Energy and Environment's Reply Comments on the July 27, 2023, Notice of Inquiry, filed November 16, 2023 ("DOEE Reply Comments").

[11] *Formal Case No. 1176, In the Matter of the Application of Potomac Electric Power Company for Authority to Implement a Multiyear Rate Plan for Electric Distribution Service in the District of Columbia ("Formal Case No. 1176"),* Order No. 22328, ¶¶ 113, 114, and 139-151, rel. November 26, 2024. In relevant part, the Commission determined that

Chapter 1, PUBLIC SERVICE COMMISSION RULES OF PRACTICE AND PROCEDURE, of Title 15 DCMR, PUBLIC UTILITIES AND CABLE TELEVISION, is amended as follows:

Section 102, [RESERVED] is amended as follows:

102 ~~[RESERVED]~~ WITHDRAWAL OF PLEADINGS

102.1 Withdrawal of pleadings in an uncontested proceeding: A party that desires to terminate an uncontested matter or proceeding before final decision by the Commission or otherwise desires to withdraw a submittal or pleading, shall file a Notice of Withdrawal stating that no opposition or responsive pleading has been filed to the requested withdrawal. If no party objects to the Notice of Withdrawal within 10 days of filing, the matter may be stricken by the Commission. An Order should be filed in conjunction with the Notice of Withdrawal.

102.2 Withdrawal of pleadings in a contested proceeding.

(a) Except as provided in subsection (b), a party desiring to withdraw a pleading in a contested proceeding may file a petition for leave to withdraw the appropriate document with the Commission. The petition must set forth the reasons for the withdrawal. A party may object to the petition within 10 days. After considering the petition, an objection thereto, and the public interest, the Commission will determine whether the withdrawal will be permitted.

(b) A protest to an application may be withdrawn by filing a Notice of Withdrawal with the Commission. The notice must state that the protest is withdrawn and provide the reasons for the withdrawal.

Section 108, EX PARTE COMMUNICATIONS, is amended as follows:

108.1 ~~No interested person may, with respect to any case, make (or knowingly cause to be made) to any Commissioner, Hearing Agent, or personal assistant to the Commissioners, any ex parte communication while the proceeding is pending before the Commission.~~ **Unless otherwise authorized by law, no person shall communicate with the Commissioners, Commissioner's Policy Advisor(s), or**

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it is necessary to review what lessons were learned since the issuance of Order No. 20755 regarding the *Formal Case No. 1156* Modified EMRP Pilot in 2021. Given the desire to review those lessons learned, the Commission created a prescribed lessons-learned framework to evaluate the *Formal Case No. 1176* Modified Extended Pilot that provides clear direction for the Lessons Learned process in *Formal Case No. 1176*. To facilitate the Lessons Learned process, the Commission directed Commission Staff to convene the Lessons Learned Working Group, consisting of all Parties in *Formal Case No. 1176* and other interested persons to discuss and develop a framework for the evaluation of the Extended Pilot and to develop rules for AFORs.

Hearing Officer(s) in any way regarding matters pending before the Commission unless:

(a) all parties are present or have been copied if the communication is written or in electronic form;

(b) all parties have waived their presence or right to receive communication;

(c) the communication is related to matters of procedure; or

(d) the communication is made in the course of another proceeding of the Commission to which it primarily relates and is on the public record.

108.2 **If the Commissioners, Commissioner's ~~personal assistant(s)~~Policy Advisor(s), or Hearing Officer(s) receive any *ex parte* communication, the Commission shall inform all parties of the *ex-parte* communication(s) and the content of the *ex-parte* communication(s) shall be filed in the docket of the pending matter.** ~~The provisions of § 108.1 do not apply to any of the following communications:~~

~~(a) Those specifically authorized by law to be made on an ex parte basis;~~

~~(b) Those related to a matter of procedure; or~~

~~(c) Those made in the course of another proceeding of the Commission to which it primarily relates, and is on the public record.~~

108.3 **Commission Staff are prohibited from receiving *ex parte* communications as defined in § 108.1, unless the communication is made through the Office of the General Counsel. The communication and response shall be summarized in writing by the Office of the General Counsel and included in the record of the proceeding within five days of providing the response.** ~~Any employee of the Commission or person may apply to the Office of General Counsel for an advisory opinion as to whether any provision of this section is applicable to a communication.~~

…

Section 110, APPEARANCES AND REPRESENTATION, is amended as follows:

…

110.3 A person may be represented in any proceedings before the Commission by an attorney at law admitted to practice before the District of Columbia Court of Appeals or by an attorney admitted to practice before the highest court of any state upon the granting by the Commission of a motion for special appearance; provided, that the attorney does not maintain an office within the District of Columbia for the practice of law. **However, any attorney for the United States Government may**

appear in any proceeding before the Commission in which the United States is a party.

…

Section 114, SIGNING AND VERIFICATION OF PLEADINGS, is amended as follows:

114.1 The original of each application, petition, complaint, answer, or amendment shall be signed ~~in ink~~ by the party filing the same.

…

Section 115, SERVICE OF PLEADINGS AND OTHER DOCUMENTS, is amended as follows:

…

115.2 Cross complaints, intervening petitions, answers, amendments, written motions, and all other documents shall be ~~served by the parties within one (1) day after the pleading is filed with the Commission~~ **filed with the Commission and a copy of same shall be electronically served by the filing party on all other parties on the same day as the filing.**

…

Section 119, ELECTRONIC FILING FORMATS AND DOCUMENT VERIFICATION, is amended as follows:

…

119.7 **All electronic filings, documents, bonds, and similar instruments shall be accepted in such form and possess the same standing of physical versions.**

Section 122, INFORMATION REQUESTS, is amended as follows:

…

122.8 **Commission** ~~The~~ **Staff**~~staff~~ may request information from **a** ~~the~~ **Public Utility**~~utility~~ at any time, and those requests originally need not be in writing. The oral request, if submitted with respect to a ~~contested~~ case ~~in which Staff is participating~~ shall be reduced to **writing** ~~a written memorandum~~ and served on all parties within three (3) days of the initial request.

…

122.10 **Data responses shall be submitted to the requesting party, the Commission Secretary, and the Commission's Office of Technical and Regulatory Affairs, in a text-searchable format converted directly from a word processing program to portable document format (PDF) with the optical character recognition (OCR) feature enabled.**

~~If a response to a particular information request is so voluminous that sending copies to all parties would be unduly burdensome, the responding party may serve the response on the following:~~

~~(a) The requesting party;~~

~~(b) The Secretary of the Commission; and~~

~~(c) The Commission's Office of Accounting and Finance~~

122.11 **Information responses containing calculations shall be submitted together with the relevant electronic excel format files with all formulas intact**. **All data responses shall identify the name and the title of the person submitting the response**.

~~If a response is served pursuant to § 122.10, the responding party shall give notice to other parties expecting a response, that a copy may be inspected by applying to the Secretary of the Commission.~~

~~122.12 Large volumes of materials to be examined in response to a request may be made available for examination at reasonable times at the responding party's offices.~~

~~122.13 Data responses, to the extent possible, shall be submitted in the requested format, including machine readable forms. All data responses shall identify the name and the title of the person sponsoring the response.~~

Section 133, EXHIBITS, is amended as follows:

…

133.5 Case-in-Chief exhibits and rebuttal exhibits shall be ~~served on each party, and thirteen (13) written copies shall be filed with the Secretary for use by the Commission and its staff. In addition, one (1) written copy shall be served on each Commission agent and consultant previously identified by the Commission's Secretary or General Counsel~~ **filed with the Commission and served on each party and consultant(s) previously identified by the Commission Secretary.**

133.6 Narrative testimony and exhibits shall be marked with a tab in the filed written version and a bookmark in the electronic PDF version required under Section~~s 118 and~~ 119 of this chapter and be identified prior to filing as follows:

(a) ~~The name of the party shall be set forth on each exhibit in the form of an acronym or initials (e.g., OPC, PEPCO, WGL, VZ-DC, DCG, PSC, GSA, AOBA);~~ **When the document to be filed is the testimony of a witness, each set of the testimony shall identify the witness and the type of testimony filed *(e.g.*, PEPCO Smith Direct Testimony; PEPCO Smith Rebuttal Testimony)**;

(b) **If there is an exhibit attached to the testimony of the witness, that exhibit shall be labeled with a number; the first exhibit would be labeled Exhibit 1 (*e.g.*, PEPCO Smith Direct Testimony – Exhibit 1; PEPCO Smith Rebuttal Testimony – Exhibit 1);** ~~(b) When the document to be filed is the testimony of a witness, each set of the testimony shall, following the party's initials, bear a letter (in upper case); thus, the first witness of the Company shall have his or her testimony identified, for example, as PEPCO (A); the second witness, PEPCO (B), and so on. Each witness shall retain the same letter; however, the first witness' second set of testimony shall be lettered (2A) and so on;~~ **and**

(c) **If there is no testimony submitted with the exhibit, then the exhibit shall bear the capitalized initials of the party and be numbered sequentially (*e.g.*, PEPCO-1, PEPCO-2).** ~~If there is an exhibit attached on the testimony of the witness, that exhibit shall bear an Arabic number. Thus, the first exhibit of the first witness would be marked, for example, PEPCO (A)-1. His or her second exhibit shall be marked, for example, PEPCO (A)-2, and so on. Any exhibit attached to the second set of testimony of a witness would be marked, for example, PEPCO (2A)-1; and~~

~~**(d)** If there is no testimony submitted with the exhibit, then the exhibit shall bear the capitalized initials of the party and be numbered sequentially (*e.g.*, PEPCO-1, PEPCO-2).~~

Section 146, WAIVER, is renumbered as new Section 198, and Subsection 146.1 is renumbered as 198.1 and amended to read as follows:

198 WAIVER

198.1 The Commission may upon request, or on its own initiative after notifying the parties of its intention to do so, waive any provision of this chapter for good cause.

Former Section 146 is reserved.

Chapter 2, UTILITY RATE CHANGES, of Title 15 DCMR, PUBLIC UTILITIES AND CABLE TELEVISION, is deleted and replaced in its entirety to read as follows:

200 GENERAL REQUIREMENTS

200.1 This chapter is applicable to Public Utilities in the District of Columbia and provides the procedures for base rate applications before the Commission.

200.2 Any Public Utility seeking a change in its base rates shall meet the minimum filing requirements set forth in Sections 201 through 220.

200.3 A Public Utility's filing for a change in rates or charges shall include such material as to be sufficient on its own to sustain the Public Utility's burden of proving that the proposed changes are just and reasonable.

200.4 The filing and supporting workpapers shall be of such composition, scope, and format as to comprise the Public Utility's complete case-in-chief.

200.5 If the change in rates or charges presented is not consistent with any Commission decision directly involving the filing Public Utility, the Public Utility shall include in its filing and supporting workpapers an explanation why the filing is not consistent the Commission's prior decision.

200.6 The Public Utility's filing should address the public safety, the economy of the District, the conservation of natural resources, and the preservation of environmental quality, including effects on global climate change and the District's public climate commitments set forth in D.C. Code § 34-808.02.

200.7 The Commission will undertake a completeness review within thirty (30) days of receipt of the filing and notify the Public Utility whether the filing is accepted. If a proposed rate change is deficient, the filing will be dismissed without prejudice.

201 PRE-FILING REQUIREMENTS

201.1 A Public Utility is required to provide sixty (60) days advanced written notice to the Commission of its intent to initiate a new base rate case.

201.2 Within thirty (30) days of the advanced written notice, a Public Utility shall schedule a pre-filing meeting with interested stakeholders and the Commission's Staff to provide an overview and briefing of the major elements (*e.g.*, proposed revenue requirement and projected percentage increase, requested rate of return, identification of major capital investments, quantification of emissions reductions driven by climate initiatives, and identification of major changes) of the upcoming base rate case application.

201.3 A Public Utility and stakeholders shall discuss proposed dates for scheduling a pre-hearing conference. The Public Utility's application shall include at least three (3) mutually agreeable dates to convene a pre-hearing conference that are within thirty (30) days of the date of the filing of the application.

202 GENERAL FILING INFORMATION FOR BASE RATE CASES (SCHEDUE A) (TRADITIONAL TEST YEAR RATE OF RETURN)

202.1 The Public Utility shall provide in its application for a base rate change the following set forth in Schedule A:

(a) A description of base rates (Schedule A1);

(b) A description of utility plant(s) in service (Schedule A2);

(c) A description of working capital (Schedule A3);

(d) A description of construction work in progress (CWIP) (Schedule A4);

(e) A description of allowance for funds used during construction (Schedule A5);

(f) A description of cost of shareholders' equity (Schedule A6);

(g) A description of sales, load, and customer data (Schedule A7);

(h) A description of the Public Utility's affiliate cost of service study (Schedule A8);

(i) A description of the Public Utility (Schedule A9);

(j) A copy of the Public Utility's current organizational chart (Schedule A10);

(k) A description of ownership of the Public Utility and all relationships between the Public Utility and its parent, subsidiaries, and other affiliates (Schedule A11); and

(l) Identification of corporate transactions (e.g., mergers, acquisitions, asset sales) within the previous five (5) years that have an impact on the requested change in rates (Schedule A12).

203 ADDITIONAL INFORMATION REQUIRED IN BASE RATE CHANGE APPLICATIONS (SCHEDULE B)

203.1 All base rate change applications, other than tariff filings not affecting existing rates, shall include the following information set forth in Schedule B:

(a) A statement of test year (historical, partially forecasted, or fully forecasted) and the basis for choosing this test year (Schedule B1);

(b) A description of the nature and basis of the changes proposed (Schedule B2);

(c) A listing of the tariff pages affected by the changes proposed (Schedule B3);

(d) A listing of the existing rates and proposed rates for each service for which changes are being proposed (Schedule B4);

(e) A full statement and description of any new or revised tariff rules and regulations (Schedule B5);

(f) A statement listing the jurisdictional operating revenues of the Public Utility for the proposed test year (Schedule B6);

(g) A listing of the total number of jurisdictional customers or accounts served for the historical test year and the proposed test year (Schedule B7);

(h) A calculation of the number of jurisdictional customers or accounts in each customer classification whose bills will be affected and a calculation of the average effect of the proposed change on jurisdictional customers in each customer classification based upon data for the historical test year and the proposed test year (Schedule B8); and

(i) A calculation of the total proposed revenue change in dollars by customer classification, projected annually (Schedule B9).

203.2 Whenever, in a base rate change application, a Public Utility proposes to change the ratemaking principles adopted in its most recent base rate case, the Public Utility shall also file with its § 203.1 filing a statement describing each proposed change in the ratemaking principles adopted by the Commission in the Public Utility's last base rate proceeding, showing the effect of each such change upon the Public Utility's request if no such changes were made (Schedule B10).

203.3 Any base rate change application that proposes to increase a Public Utility's jurisdictional operating revenues by more than one percent (1%) when projected on an annual basis shall include, in addition to the information required by §§ 203.1 and 203.2, the following information:

(a) A statement showing the Public Utility's calculation of the jurisdictional rate of return earned or to be earned in the historical test year and the proposed test year(s) (Schedule B11);

(b) The anticipated jurisdictional rate of return to be earned when proposed rate changes become effective (Schedule B12);

(c) The jurisdictional base rate(s) used in the rate of return calculation supported, if available, by summaries of original cost or other factors used in its determination (Schedule B13);

(d) A summary, on a functional basis, of the book value (actual or projected) of the Public Utility's jurisdictional property at the close of the historical test year and the proposed test year(s) (Schedule B14);

(e) A statement showing the amount of depreciation reserve, at the close of the historical and proposed test years, applicable to the property summarized in paragraph (d) (Schedule B15);

(f) A statement of jurisdictional operating income, setting forth the operating revenues and expenses by accounts, for the historical and proposed test years (Schedule B16);

(g) A brief description of and basis for any major change affecting the Public Utility's operating or financial condition during the proposed test year~~,~~ known as of the date of the filing of the application, and any major change during the rate effective period as follows (Schedule B17):

(1) Known and measurable as of the date of the filing of the application; or

(2) Known and which can be approximated with reasonable certainty as of the date of the filing of the application.

(3) For purposes of this section, "a major change" means one which materially alters the Public Utility's operating or financial condition from that reflected in paragraphs (a) through (f); and

(h) The most recent historic balance sheet available as of the date of filing (Schedule B18).

203.4 The historical test year is the preferred proposed test year. However, the proposed test year may include forecasted dated; provided, that the proposed test year does not include more than six (6) months of forecasted data.

203.5 When a Public Utility submits forecasted data as part of its proposed test year data, the Public Utility's filing shall include, in addition to the information and data required by §§ 203.1 through 203.3, the following information:

(a) The basis for including forecasted data in the test year (Schedule B19);

(b) Key assumptions which underlie the projected jurisdictional ratemaking data for the proposed test year, including but not limited to, the following (Schedule B20):

(1) Operating Revenues;

(2) Construction Program and;

(3) Operating and maintenance expenses (excluding those expenses under § 203.5(a).

(c) Description of the procedures employed in the preparation of the projected data for the proposed test year (Schedule B21); and

(d) Analyses of changes in jurisdictional base rates ~~base~~, jurisdictional expenses and jurisdictional operating income between the historical test year and the proposed test year (Schedule B22).

203.6 Any request by a Public Utility for relief from attrition shall be accompanied by the following:

(a) A demonstration of the existence and causes of attrition using the following tests:

(1) The rate of return on investment (ROI) test: a comparison of the actual and authorized rates of return on total investment and return on equity for the historical test year and the nine (9) years preceding the historical test year (Schedule B23);

(2) The operating ratios test: a comparison, for the historical test year and the nine (9) years preceding the historical test year, of the following (Schedule B24):

(A) The actual revenues to expenses with the authorized revenues to expenses; and

(B) The actual revenues to actual expenses; and

(3) The revenues per net investment test: a comparison, for the historical test year and the nine (9) years preceding the historical test year, of the following (Schedule B25):

(A) The actual revenues to investment with the authorized revenues to investment; and

(B) The actual revenues to actual investment;

(b) Any other attrition tests offered by a Public Utility to demonstrate the existence and causes of attrition; provided, that the Public Utility demonstrates that such tests are consistent with Commission orders and are relevant to the proceeding (Schedule B26);

(c) Testimony and exhibits demonstrating the probability of the presence of attrition in the rate-effective period; and

(d) Testimony and exhibits showing any factors which would likely offset, at least in part, the presence of attrition during the rate-effective period.

203.7 In the attrition tests identified in § 203.6, a Public Utility shall, as applicable, do the following:

(a) Exclude fuel, gas, and interchange costs from its expenses;

(b) Exclude income derived from fuel, gas, and interchange costs from its revenues;

(c) Include income taxes as expenses; and

(d) Adjust its data for abnormal weather.

203.8 When a Public Utility's historical test year and proposed test year are the same, the Public Utility shall submit a single set of data.

203.9 When a Public Utility's historical test year and proposed test year are different, the Public Utility shall file two separate sets of data for each of the test years.

204 [RESERVED]

205 [RESERVED]

206 [RESERVED]

207 [RESERVED]

208 COMPARATIVE FINANCIAL DATA (SCHEDULE C)

208.1 Comparative financial data shall be provided as set forth in this section set forth in Schedule C.

208.2 The Public Utility shall submit with its base rate application a comparison of data (analysis of records between the current and directly preceding rate application period).

208.3 The following plant data shall be provided for the proposed test year on a pro forma basis and on an actual basis for the historical test year and for the five (5) calendar years preceding the historical test year (Schedule C1):

(a) Plant in service;

(b) Plant under construction (separately identify short and long term if separate accounts are kept);

(c) Plant held for future use; and

(d) Accumulated depreciation and amortization.

208.4 The amounts and percentages of capital as reflected in § 209.21 shall be provided for the proposed test year on a pro forma basis and on an actual basis for the historical test year and for the five (5) calendar years preceding the historical test year (Schedule C2).

208.5 For the proposed test year, the historical test year and each of the five (5) calendar years preceding the historical test year, the Public Utility shall provide a total company income statement in the same format as presented in its application for a base rate increase (Schedule C3).

208.6 Consolidated data, if applicable, shall be provided in the format used in the Public Utility's annual report to shareholders. Other income and deductions shall be shown for the proposed test year, the historical test year and for each of the five (5) calendar years preceding the historical test year (Schedule C4).

208.7 The following interest and fixed charge coverage data shall be provided for the proposed test year, the historical test year, and for each of the five (5) calendar years preceding the historical test year (Schedule C5):

(a) Pre-tax interest coverage;

(b) After-tax interest coverage;

(c) Pre-tax fixed charge coverage; and

(d) After-tax fixed charge coverage.

208.8 Each of the items in § 208.7 shall be computed using both the formula prescribed in indentures and that prescribed by the SEC. The data shall show the following:

(a) The development of the coverage in detail including elements included in the income coverage amounts;

(b) The amounts of tax entering into the calculations;

(c) The amounts of interest;

(d) The preferred dividend requirements; and

(e) Other fixed charges.

208.9 The data filed under § 208.7 shall show the embedded cost of debt and preferred stock computed on a basis consistent with the principal, interest and dividend amounts used in the coverage computations.

208.10 Any ratings from rating agencies on preferred stock and bond ratings data, including the latest Public Utility corporate bond issuance, shall be provided for the proposed test year, the historical test year and for each of the five (5) calendar years preceding the historical test year. Ratings are to be differentiated as to type of security if rated differently (Schedule C6).

208.11 The following common stock data shall be provided for the historical test year and for each of the five (5) calendar years preceding the historical test year except as noted (Schedule C7):

(a) Shares outstanding-year-end;

(b) Shares outstanding-weighted, with description of weighing method;

(c) Net income for equity per share, on year-end basis and weighted basis;

(d) Dividends paid per share, and date of payment, dividends declared per share and date of declaration, and ex-dividend date;

(e) Market price per share, high and low for each quarter;

(f) Book value in total dollars on a year-end and on a weighted share basis separated as to the following:

(1) Par or stated value;

(2) Capital surplus;

(3) Earned surplus;

(4) Other (describe); and

(5) A total of subparagraphs (1) through (4) of this paragraph;

(g) Growth in total book value per share year-end, and growth in book value per share year-end for retained earnings;

(h) For major issues, the following data (Schedule C8):

(1) Number of shares issued;

(2) Stock issue method, whether by rights, direct offer or other method;

(3) Date of issue;

(4) Price received (net);

(5) Financing costs; and

(6) A narrative description of any stock issue methods other than public sales including provisions for purchase relating to qualifications, differentials from market prices or par values, and maximum and minimum amounts allowed to be subscribed;

(i) For minor or continuing issues such as Employee Stock Option Plan or Dividend Reinvestment Plan, the number of shares and amount received; and

(j) The date of any formal presentation to securities analysts or rating agencies within the last twelve (12) months. The Public Utility shall make available for inspection copies of all formal prepared reports distributed to the public in connection with such presentations and a listing of documents distributed in support of such presentations for which privilege of confidentiality is asserted.

208.12 The submission shall provide the case sinking fund requirement on debt and preferred stock by issue for the most recent historical twelve (12) month period and the following two (2) calendar years. The submission shall indicate whether these amounts are included in amounts outstanding as of the end of the previous years. The submission shall indicate by issue what sinking funds (or repayments) will be provided in advance of the required dates (Schedule C9).

208.13 The filing shall provide the following (Schedule C10):

(a) The estimated dollar amounts of construction expenditures, including Allowance for Funds Used During Construction (AFUDC) or Interest During Construction (IDC), for the proposed test year and the historical test year;

(b) The amount of the AFUDC or IDC included in the construction expenditure estimate; and

(c) The computation of the AFUDC or IDC rate used in the proposed test year and the historical test year by components of the rate.

208.14 The filing shall provide dollar amounts of the statement of cash flow as they are reported in the Public Utility's annual filing with the Commission for the most recently available quarter (Schedule C11).

208.15 Comparison of last base rate case revenues to application test year revenues (Schedule C12).

208.16 Comparison of authorized ROE and actual ROE over the previous five (5) calendar years (Schedule C13).

208.17 Comparison of revenue surplus or deficiency and revenue requirements over each of the previous five (5) calendar years (Schedule C14).

208.18 Comparison of last base rate case sales to test year sales projections (Schedule C15).

208.19 Comparison of last base rate case sales per customer to application test year sales per customer (Schedule C16).

208.20 Comparison of last base rate case customer counts to application test year customer counts (Schedule C17).

208.21 Comparison of last base rate case capital structure (consolidated, partially consolidated or other) and weighted cost thereof to the most recent data available, the end of the historical test year, and proposed test year capital structure. For each class or type of capital the data shall show the following (Schedule C18):

(a) Amount in dollars;

(b) Percent of total;

(c) Cost rate;

(d) Weighted cost; and

(e) Number of shares or securities.

208.22 The Public Utility shall provide a rate of return summary which shall reference the supporting schedule for each item showing detailed composition and calculations (Schedule C19).

208.23 Comparison of last base rate case and proposed years' information showing the calculation of the proposed capital cost for each component of the capital structure (Schedule C20).

208.24 Comparison of current credit ratings with the previous five (5) calendar years (Schedule C21).

208.25 Comparison of last base rate case and proposed years' balance sheet and income statements (Schedule C22).

208.26 Comparison of last base rate case and proposed years' financial metrics which shall be set forth in a schedule (Schedule C23):

(a) Rate of return on average common equity;

(b) Common stock earnings retention ratio;

(c) Return on Common Equity (ROE). Authorized ROE and actual ROE for each year since the Public Utility's previous base rate case;

(d) Funds from Operation (FFO) Interest Coverage;

(e) FFO to Debt Ratio;

(f) Overall Fixed Charge Coverage, defined as: net income plus gross interest / gross interest plus preferred dividends;

(g) Cash Flow Coverage of the Dividend, defined as: net income for Common plus depreciation plus amortization plus deferred taxes plus deferred investment tax credits / common dividends;

(h) Earnings Before Interest and Taxes (EBIT) Interest Coverage;

(i) Earnings Before Interest, Taxes, Depreciation, and Amortization (EBITDA) Interest Coverage;

(j) Common Dividend Payout Ratio, defined as: common dividends / net income for common shares;

(k) Historical Financial Metrics;

(l) Provide a list of key drivers for the requested base rate increase;

(m) Provide a description and analysis of the Public Utility's revenue deficiency or sufficiency;

(n) Provide a description and analysis of the Public Utility's revenue conversion factor;

(o) Provide a description and analysis of the Public Utility's present and proposed revenues; and

(p) Provide a description and analysis of the Public Utility's comparison of present and proposed monthly bills.

209 ACCOUNTING AND OPERATING INFORMATION (SCHEDULE D)

209.1 The accounting and operating information set forth in this section shall provide for the historical test year and the proposed test year, except as specifically provided otherwise in each subsection set forth in Schedule D.

209.2 The filing shall include an income statement (showing net utility operating income) for the Public Utility's jurisdictional operations for the historical test year and the proposed test year (Schedule D1).

209.3 The filing shall include a General Ledger and subledgers, or an equivalent available for access as of the most recent date within the historical test year showing account number, account title, and monthly amounts. The data shall show the balance in each control account and all underlying subaccounts per book (Schedule D2).

209.4 The filing shall include the allocation factors for each classification of revenue, expense, and base rate and the method for determining the allocation factors (Schedule D3).

209.5 The filing shall include the following monthly balances and a calculation of the thirteenth (13th) month average data or an average of the averages for both the historical test year and the proposed test year operations of the total company, and an allocation of these balances to the District of Columbia jurisdiction and the method for determining the allocation factors (Schedule D4):

(a) Plant in service;

(b) Plant purchased or sold;

(c) Plant held for future use;

(d) Construction-work-in-progress (included in base rates);

(e) Depreciation reserve;

(f) Plant acquisition adjustment;

(g) Amortization of plant acquisition adjustment;

(h) Materials and supplies;

(i) Unamortized Investment Tax Credit (as applicable) under all applicable Tax and Revenue laws;

(j) Accumulated deferred income taxes (ADIT); including

(1) A schedule that provides a list of the specific book-timing difference and amounts that make up the total ADIT; and

(2) A break-down between the ADIT balances that are protected by IRS normalization rules and those that are not protected.

(k) Customer deposits.

(l) List of all grants received or pending (*e.g.*, Inflation Reduction Act) and a narrative explaining the impact on rates.

(m) List of all tax incentives received and a narrative explaining the impact on rates.

209.6 The filing shall also include the following (Schedule D5):

(a) The journal entries relating to the purchase of Public Utility plant acquired as an operating unit or system by purchase, merger, consolidation, liquidation or otherwise since the end of the test year adopted in the last base rate case; and

(b) A schedule showing the calculation of the acquisition adjustment at the date of purchase of each item of Public Utility plant, the amortization period, and the unamortized balance at the end of the proposed test year and the historical test year.

209.7 The filing shall include a schedule in comparative form showing the total Public Utility operating expense account balances for the historical test year, the proposed test year and for each of the five (5) calendar years preceding the historical test year for each account or subaccount included in the applicant's annual report or other similar published reports to the Commission. The appropriate pages from these reports may be supplied for calendar year comparative data (Schedule D6).

209.8 The filing shall include a schedule of total company salaries and wages for the historical test year and the proposed test year and for each of the five (5) calendar years preceding the historical test year in a format which provides a break-out by operational functions (Schedule D7).

209.9 The filing shall include the detailed workpapers showing and explaining calculations supporting all proposed ratemaking adjustments with a comprehensive

narrative explanation of each adjustment. There shall be a clear audit trail within the workpapers and to the filed testimony and exhibits.

209.10 The filing shall include a list of all one-time or out-of-period accounting entries affecting the jurisdictional proposed test year and the historical test year net Public Utility operating income by one percent (1%) or more, but not less than one hundred thousand dollars ($100,000).

209.11 The filing shall include tax data for the historical test year, including the following (Schedule D8):

(a) A detailed calculation of Federal and State income taxes included in the company's proposed revenue requirement. If these taxes are derived from total company, income taxes, provide a detailed calculation of total company income taxes and the subsequent derivation of the Federal and State income taxes included in the proposed revenue requirement; and

(b) Analysis of the operating expenses for the total company, District of Columbia jurisdiction, and other regulated jurisdictions.

209.12 The filing shall include the amount of contributions for political purposes (in cash or services) if any is incorporated in the Public Utility's cost of service (Schedule D9).

209.13 If lobbying expenses are included in the Public Utility's cost of service, the filing shall include a statement describing the applicant's lobbying activities and a schedule showing the name of the individual, compensation attributable to lobbying, all Public Utility paid or reimbursed expenses or allowances, and the account charged for all personnel for whom a principal function is lobbying, whether on the local, state, or national level. The filing shall indicate the account number to which each expense is charged (Schedule D10).

209.14 The filing shall include the following information with regard to Public Utility uncollectible accounts for the proposed test year, the historical test year, and the five (5) calendar years preceding the historical test year (Schedule D11):

(a) Reserve account balance at the beginning of each year;

(b) Charges to reserve account (accounts charged off);

(c) Credits to reserve account;

(d) Current year provision;

(e) Reserve account balance at the end of each year; and

(f) Percent of provision to total revenue.

209.15 The filing shall include a listing of non-utility property and non-utility property taxes and the account where amounts are recorded as of the end of the proposed test year and the historical test year (Schedule D12).

209.16 The filing shall include a list, in the detail specified in the Public Utility's annual report to the Commission, of the balances in the following accounts as of the end of the proposed test year and the historical test year (Schedule D13):

(a) Preliminary Survey and Investigation Charges;

(b) Property or Plant Held for Future Use;

(c) Other Deferred Credits; and

(d) Other Deferred Debits.

209.17 The filing shall include a schedule showing a comparison of the District of Columbia balance in the jurisdictional Public Utility operating revenue accounts for each month of the proposed test year to the same month of the year preceding the proposed test year and for each month of historical test year to the same month of the year preceding the historical test year for each revenue account or subaccount in no less detail than the format of the Public Utility's annual report to the Commission. The filing shall also include an appropriate footnote to show the month the full change due to any general base rate case was recorded in the accounts (Schedule D14).

209.18 The filing shall include a schedule showing a comparison of the balance in each total Public Utility operating expense account for each month of the proposed test year to the same month of the year preceding the proposed test year and for each month of the historical test year to the same month of the year preceding the historical test year for each account or subaccount in no less detail than the format for operation and maintenance expense in the Public Utility's annual report to the Commission (Schedule D15).

209.19 The filing shall include a brief summary of significant and major pending refunds from suppliers or settlements from litigation. The response shall include an estimate of the amount of refund or settlement, or other explanation of significance (Schedule D16).

209.20 The filing shall include a description of changes made to the jurisdictional allocation methods since the Public Utility's last base rate case (Schedule D17).

209.21 The filing shall include a copy of current union contract(s) (Schedule D18).

209.22 The filing shall provide the actual number of full-time equivalent employees for the proposed test year (if historical) and the two (2) calendar years prior to the proposed test year. If a partially forecasted test year is proposed, the filing shall also include the budgeted number of full-time equivalent employees for the proposed test year, and the two (2) calendar years prior to the proposed test year, derived from the last budget before the beginning of each particular year. Data provided shall be by functional areas where readily available, as well as by exempt and nonexempt, or management and nonmanagement, as may be appropriate. As well as the following (Schedule D19):

(a) Description of Public Utility's incentive compensation plan; and

(b) Description as to how incentive compensation is allocated to rates.

209.23 The filing shall include the percentage of labor charged directly or indirectly to the following (Schedule D20):

(a) Capital accounts;

(b) Operation and maintenance accounts; and

(c) Other accounts from the most recent study available.

209.24 The filing shall include a list of major projects included in Construction Work In Progress (CWIP) for the proposed test year and the historical test year. For each item listed, provide the following data (Schedule D21):

(a) Type of plant;

(b) Jurisdictional location;

(c) Year-end balance;

(d) Average balance; and

(e) Estimated in-service date.

209.25 The filing shall include a summary of each item of revenue and expense entering into the calculation of cash working capital and make available for inspection a complete copy of the lead-lag study, if any (Schedule D22).

209.26 The filing shall include a statement on whether the Public Utility has filed or plans to file insurance claims covering losses of over one hundred thousand dollars ($100,000) per event which were incurred during the historical test year. The statement shall list the cause of such claims and the cost incurred. The statement shall indicate whether the cost or loss was expensed, capitalized, or caused a

reduction in reserve for the amount of the insurance claim net of any deductible (Schedule D23).

209.27 The filing shall include an analysis of plant additions and retirements by plant account for the proposed test year and the historical test year (Schedule D24).

209.28 The filing shall include an analysis of changes in the accumulated reserve showing separately the annual accrual, retirements, gross salvage, and cost of removal for the proposed test year and the historical test year (Schedule D25).

209.29 The filing shall include two (2) copies of the Form 10K (or its equivalent) reports for the most recent year and the first preceding year and the Form 10Q (or its equivalent) reports for the test year (Schedule D26).

209.30 The filing shall include a copy of the Public Utility's latest federal tax return (Schedule D27).

209.31 The filing shall include copies of the audit adjustments made as a result of the audit completed by the independent auditor for the most recent year-end and the first preceding year (Schedule D28).

209.32 The filing shall include a copy of the latest applicable federal regulatory agency's audit report (Schedule D29).

209.33 The filing shall include copies of all Internal Revenue Service Revenue Agent Reports for the most recent year (Schedule D30).

209.34 The filing shall include copies of the applicable federal and/or state regulatory agency's required annual report for the most recent year and the first preceding year (Schedule D31).

209.35 The filing shall include a cross-walk from internal account to Federal Energy Regulatory Commission (FERC) accounting (Schedule D32).

209.36 The filing shall include a schedule of, or access to, comparative trial balances detailed by account for the test year and the first preceding year (Schedule D33).

209.37 The filing shall include any prospectus issued by the Public Utility or its parent company in the prior 24 months (Schedule D34).

209.38 The filing shall include the most recent Annual Report to Shareholders for the Public Utility, or its parent company, as appropriate (Schedule D35).

209.39 The filing shall include a listing of recurring journal entries shall include the entry number and a description. The list shall specifically include the amortization of

deferred debits and deferred credits (including regulatory assets and regulatory liabilities) (Schedule D36).

209.40 The filing shall include a schedule detailing the overheads capitalized for the test period and the preceding year (Schedule D37).

209.41 The filing shall include workpapers which provide the following (Schedule D38):

(a) A narrative that explains the Public Utility's clearing account utilization policy. The explanation shall set forth the basis used for clearing account distribution to capital and expense accounts; and

(b) A schedule of monthly activity that includes the beginning balances, the charges to and distributions from the accounts, and the ending balances for the test year and the first preceding year.

209.42 The filing shall include a summary of the number of customers for the 14-month period beginning one month prior to the test year and ending one month after the test year end (Schedule D39).

210 AFFILATE INFORMATION (SCHEDULE E)

210.1 A Public Utility shall submit with the application information regarding its affiliates.

210.2 The following data shall be provided regarding affiliate information for the application test year(s), as applicable, set forth in Schedule E:

(a) Most recent cost allocation manual (CAM), which shall include the following (Schedule E1):

(1) An organization chart of the holding company, depicting all affiliates, and regulated entities.

(2) A description of all assets, services and products provided to and from the regulated entity and each of its affiliates.

(3) A description of all assets, services and products provided by the regulated entity to nonaffiliates.

(4) A description of the cost allocators and methods used by the regulated entity and the cost allocators and methods used by its affiliates related to the regulated services and products provided to the regulated entity.

(b) A description of each corporate entity, including location, list of officers and the statement of the business of each entity (Schedule E2).

(c) A listing of the transactions allocated or charged directly between the utility and corporate affiliates during the annual period (Calendar Year for the District of Columbia, Maryland, and Virginia) (Schedule E3).

(d) Copies of all Service Level Agreements/contracts with affiliates and/or subsidiaries (Schedule E4).

(e) A listing, by asset category and netbook value, of assets sold or transferred to any affiliate and/or subsidiary since the Public Utility's last base rate case (Schedule E5).

(f) A listing and description of the services and/or products (and related costs) provided by each affiliated and or subsidiary company to the Public Utility for the test period (Schedule E6).

(g) A listing of any significant Public Utility company facilities and/or resources, whether plant, other assets or personnel, that were used (Schedule E7).

210.3 The Public Utility shall submit Service Level Agreements that includes language that states that the affiliate payment or billing terms for the Public Utility's services due to and or from the Public Utility are at arm's length and comparable to the terms of the Public Utility's other company's vendors payables/receivable terms (Schedule E8).

211 SPECIFIC INFORMATION TO BE SUPPLIED BY PEPCO (SCHEDULE F)

211.1 In addition to other base rate case filing requirements of §§ 201- 203, the Potomac Electric Power Company (also referred to in this section as the Electric Company) shall provide the data required in this section set forth in Schedule F.

211.2 The filing shall include an analysis of the following (Schedule F1):

(a) Account 930.1 - General Advertising Expense;

(b) Account 930.2 - Miscellaneous General Expenses;

(c) Account 913 - Advertising Expense;

(d) Account 909 - Information and Instructional Advertising Expense;

(e) Account 910 - Miscellaneous Customer Service and Information Expenses; and

(f) Account 426 - Other Income Deduction, for the proposed test year and the historical test year.

211.3 The filing shall include two (2) schedules, one for the total Electric Company and the District of Columbia showing the following (Schedule F2):

(a) The number of customers, actual or estimated, as applicable, by customer class as of the end of the proposed test year, the historical test year and one year prior to the historical test year;

(b) The average number of customers, actual or estimated, as applicable, by customer class for the proposed test year, the historical test year and one year prior to the historical test year;

(c) The number of KWH sold or to be sold by customer class for the proposed test year, the historical test year, and one year prior to the historical test year;

(d) Unadjusted base revenue by customer class for the proposed test year and the historical test year;

(e) Adjustments to base revenue by customer class to reflect the normalization of rate increases and decreases previously granted; and

(f) Fuel adjustment revenue by customer class for the proposed test year and the historical test year.

211.4 The filing shall include a schedule showing KWH sales by customer class by year for the historical test year and the next nine (9) years, by total system, and by each of the jurisdictions (Schedule F3).

211.5 The filing shall include a statement concerning any unplanned and/or unexpectedly extended down time of longer than twenty-four (24) hours of any generating units during the historical test year, including duration of the down time and cost to the Electric Company by unit (Schedule F4).

211.6 The filing shall include a schedule showing the following (Schedule F5):

(a) Total construction expenditures by year for the historical test year, the two (2) years prior to the historical test year, and the three (3) years succeeding the historical test year; and

(b) Construction expenditures by major project by year for the historical test year and the three (3) years succeeding the historical test year.

211.7 The filing shall include copies of the annual ten (10) year forecast, beginning with studies prepared four (4) years prior to the historical test year and continuing through the latest studies available pertaining to demand by customer class, capacity, reserve and load factor (Schedule F6).

211.8 The filing shall include a schedule showing actual annual figures beginning with the period four (4) years prior to the historical test year and continuing through the latest studies available pertaining to demand by customer class, capacity, reserve, and load factor (Schedule F8).

211.9 The filing shall include a copy of the following (Schedule F9):

(a) The latest prospectus;

(b) The latest annual report to shareholders and statistical summary; and

(c) The latest annual report to the Commission.

212 SPECIFIC INFORMATION TO BE PROVIDED BY WASHINGTON GAS LIGHT COMPANY (SCHEDULE G)

212.1 In addition to other base rate case filing requirements of §§ 201-203, the Washington Gas Light Company (also referred to in this section as the Gas Company) shall provide the data required by this section set forth in Schedule G.

212.2 The filing shall include an analysis of the following (Schedule G1):

(a) Account 930.1 - General Advertising Expenses;

(b) Account 930.2 - Miscellaneous General Expenses;

(c) Account 913 - Advertising Expense; and

(d) Account 909 - Informational Advertising, for the proposed test year and the historical test year.

212.3 The analysis required by § 212.2 shall show, by account, at least the following delineation for the proposed test year and the historical test year:

(a) Industry association dues;

(b) Stockholder and debt serving expenses;

(c) Rate department load studies;

(d) Directors' fees and expenses;

(e) Dues and subscriptions;

(f) Information Advertising (Account 909), including the following:

(1) Conversation advertising done by the company by types of advertisement and media;

(2) Other informational advertising done by the Gas Company; and

(3) Informational advertising done by trade associations;

(g) Promotional Advertising (Account 913.000), including the following:

(1) Advertising done by the Gas Company by type of appliance advertised and media used; and

(2) Promotional advertising done by trade associations;

(h) General Advertising Expenses (Account 930.100) including the following:

(1) Institutional advertising done by the Gas Company and the media used;

(2) Other general advertising done by the Gas Company; and

(3) General advertising done by trade associations.

212.4 The filing shall include a schedule showing for the historical test year and the calendar year preceding the historical test year the following information regarding the applicant's investment in subsidiaries and joint ventures (Schedule G2):

(a) The name of each subsidiary or joint venture;

(b) The date of initial investment; and

(c) The amount and type of investment made for each of the periods included in this report.

212.5 The filing shall include a balance sheet and income statements for the Gas Company's subsidiaries and joint ventures for the historical test year and the two (2) calendar years preceding the historical test year (Schedule G3).

212.6 The filing shall include a schedule showing for the historical test year and the calendar year preceding the historical test year dividends or income of any type received by the Gas Company from its subsidiaries and its joint ventures and

indicate how this income is reflected in the report filed with the Commission and stockholder reports (Schedule G4).

212.7 The filing shall include for the historical test year, the following data for officers of Washington Gas Light Company who are also officers of a subsidiary and where a part of the salary is included in the filed cost of service (Schedule G5):

(a) The name and title of each officer; and

(b) The annual salary and amount charged to subsidiaries.

212.8 The filing shall include gas supply forecasts for the five (5) calendar years after the historical test year (Schedule G6).

212.9 The filing shall include a copy of the following (Schedule G7):

(a) The latest prospectus;

(b) The latest annual report to shareholders and statistical summary; and

(c) The latest annual report to the Commission.

213 DISCRIMINATION EXPENSES (SCHEDULE H)

213.1 Discrimination expenses shall be accounted for and reported in the manner as prescribed by the Commission set forth in Schedule H.

213.2 Any base rate change application shall contain a statement of discrimination expenses for the test year separately identified by account (Schedule H1).

213.3 Discrimination expenses include, but are not limited to, the following (Schedule H2):

(a) Fines or penalties imposed by judicial or administrative decrees;

(b) Plaintiff's or complaining party's legal fees paid by a defendant or responding party;

(c) All legal costs and fees related to the unsuccessful defense of charges of discriminatory employment or procurement practices;

(d) Awards to plaintiffs or complaining parties in discriminatory employment or procurement proceedings;

(e) Duplicate labor costs such as back pay or bonus or other pay awards to plaintiffs or complaining parties where the Public Utility has paid other employees; or

(f) Cost of reporting, training, and recruiting undertaken as a result of a court order, administrative decree, or settlement that are in addition to those which otherwise would be incurred to assure continuing equal employment opportunity.

214 CAPITAL EXPENDITURES (SCHEDULE I)

214.1 A Public Utility shall submit with the application information regarding capital expenditures (*i.e.*, upfront cost of distribution technologies, utility poles, electrical wires, substations, transformers, other electrical equipment, gas facilities, gas mains, and gas services, as well as long-term interest payments required to finance upfront capital costs) set forth in a Schedule (Schedule I1).

214.2 The following data shall be provided on capital expenditures for the test year(s), as applicable:

(a) For each capital expenditure estimated to cost in excess of $1,000,000 for Pepco or $500,000 for WGL for which rate recovery is proposed;

(b) Description of the project;

(c) Justification for the project;

(d) Original cost estimate and current cost estimate;

(e) Original commercial operational date ("COD") estimate and current COD estimate;

(f) Copy of all cost-benefit studies pertaining to the project;

(g) Board minutes indicating approval of the project;

(h) For each project that has experienced cost escalation (a variance between the original cost estimate and current cost estimate), an explanation for the cost escalation;

(i) For each project that is delayed, an explanation for the delay;

(j) Provide breakdown details of capital expenditure related to DC Climate goals (Schedule I2);

(k) Provide breakdown details of capital expenditure related to reliability (Schedule I3);

(l) Provide breakdown details of capital expenditure related to IT (Schedule I4);

(m) Provide breakdown details of capital expenditure that are load driven (Schedule I5);

(n) Provide a reconciliation of capital expenditures transferred/growth in base rates (Schedule I6); and

(o) Provide a list of completed projects that contributed to the increase in base rates from the previous base rate case (Schedule I7).

215 SUMMARY OF SHORT-TERM DEBT (SCHEDULE J)

215.1 The following data shall be provided for short-term debt (consolidated, partially consolidated or other) for the historical test year and the proposed test year, as applicable set forth in a Schedule (Schedule J1):

(a) Type of instrument, term, maturity date, and holder;

(b) Amount outstanding or estimated to be outstanding;

(c) Applicable interest rate;

(d) Annualized interest requirement;

(e) Composite cost rate for total short-term debt;

(f) Standby fee or compensating balances, if any, currently required or expected to be required. Also indicate whether required by formal contractual agreement or by informal understanding;

(g) Lines of credit and principal lending institutions for the current calendar year and subsequent year; and

(h) Average historical daily cash balances as recorded on the books of the Public Utility, by bank, for the most recent twelve (12) month period where such balances are used to meet line of credit requirements.

215.2 For purposes of this section, the term “average” is used to indicate the arithmetic mean.

216 SUMMARY OF EMBEDDED COST OF LONG -TERM DEBT (SCHEDULE K)

216.1 The following data shall be provided on long-term debt (consolidated, partially consolidated or other) for the historical test year and the proposed test year, as applicable set forth in a Schedule (Schedule K1):

(a) Type and coupon rate of issue;

(b) Date issued;

(c) Maturity date;

(d) Original principal amount issued;

(e) Face amount outstanding or to be outstanding;

(f) Unamortized discount or premium, and description of amortization method;

(g) Carrying value, net of outstanding amount unamortized discount or premium, and expenses;

(h) Annualized interest cost;

(i) Composite embedded cost rate;

(j) Initial corporate and underwriting expenses;

(k) Annualized amortization of corporate and underwriting expense;

(l) Unamortized balance of corporate and underwriting expenses; and

(m) Unamortized reacquisition costs;

216.2 A schedule shall be provided showing the following (Schedule K2):

(a) The amounts of outstanding debt instruments which were reacquired by market purchase;

(b) The amounts paid for the reacquired debt instruments;

(c) The dates of reacquisition;

(d) The gains or losses realized; and

(e) The method of accounting for the reacquired debt and gains or losses resulting from reacquired debt.

217 SUMMARY OF EMBEDDED COST OF PREFERRED STOCK (SCHEDULE L)

217.1 The following data shall be provided for preferred stock for the historical test year and the proposed test year set forth in a Schedule (Schedule L1):

(a) Type, dividend rate, and par value;

(b) Date issued;

(c) Par value outstanding or to be outstanding;

(d) Premium;

(e) Issue expense;

(f) Net proceeds after premium and issue expense;

(g) Annualized dividends;

(h) Embedded cost rate; and

(i) Summary of stock provisions as to convertibility, redemption, sinking fund, preference provisions, and penalties in event of default.

218 RATE DESIGN (Schedule M)

218.1 The Public Utility shall submit with the application information regarding rate design (*e.g.*, revenue requirement, and fair apportionment of costs among customers) set forth in Schedule M.

218.2 The Public Utility shall submit with its application the following information designated for the application test year(s), as applicable, which shall be set forth in a schedule (Schedule M1),

(a) Narrative statement describing the proposed rate design;

(b) Justification for the proposed rate design;

(c) Rate impact of proposed rate design; and

(d) Impact on peak demand.

219 SPECIAL CONTRACT FILING REQUIREMENTS

219.1 A Special Contract is an agreement between a Public Utility and a ratepayer for a negotiated rate for service.

219.2 When filing an Application for approval of a Special Contract, a Public Utility shall provide to the Commission a copy of the proposed contract.

219.3 Any request by a Public Utility for an approval of a Special Contract shall demonstrate that:

(a) The requesting customer has unique delivery service requirements;

(b) The resulting contract does not adversely impact the reliability of the distribution system;

(c) The requested contract is cost-neutral and ratepayers are not subsidizing any costs; and

(d) The Special Contract contains no provisions that adversely affect ratepayers in future base rate cases

219.4 A request for approval of a Special Contract shall include an explanation of how the proposed Special Contract will advance the District's climate policies, established in D.C. Code § 8-151.09(d), and provide estimates of actual and expected greenhouse gas emission reduction under the Special Contract.

220 CLIMATE CHANGE AND RESILIENCY

220.1 To achieve the District's climate goals, as set forth in D.C. Code § 8-151.09(d), each Public Utility shall provide detailed calculations and workpapers demonstrating the impact of proposed investments on greenhouse gas ("GHG") emissions footprint in tons of carbon dioxide equivalent ("CO2e").

296 TARIFF COMPLIANCE FILING REQUIREMENTS

296.1 Compliance filings affecting existing rates shall be filed with the Secretary of the Commission and served upon the Office of the People's Counsel and all other parties.

296.2 Service on parties shall be on the same day the compliance filing is made with the Commission.

296.3 The Public Utility shall file its compliance filing within ten (10) calendar days after issuance of the Commission final rate Order. The filing shall include all worksheets.

296.4 Parties shall have five (5) calendar days to review and comment on the compliance filing.

296.5 The Commission shall have ten (10) calendar days after the compliance filing to review the compliance filing and any party comments.

296.6 In the event of a compliance filing error, the Public Utility shall refile its updated compliance filing together with updated worksheets within ten (10) calendar days after notification of the error.

296.7 Parties shall have five (5) calendar days to review and comment on the updated compliance filing.

296.8 The Commission shall have ten (10) calendar days to review the updated compliance filing and any party comments.

296.9 The rates contained in the compliance filing shall be effective on the eleventh (11) calendar day after the filing of the compliance filing unless the Commission directs otherwise.

296.10 The Commission shall not entertain motions for enlargement of time within which to comment on compliance filings except upon a clear showing of extraordinary circumstances.

298 WAIVER

298.1 The Commission may upon request or on its own initiative after notifying the parties of its intention to do so, waive any provision of this chapter for good cause.

299 DEFINITIONS

299.1 When used in this chapter, the following terms and phrases shall have the meaning ascribed.

Affiliate - Any person, corporation, Public Utility, partnership, or other entity five (5) percent or more of whose outstanding securities are owned, controlled, or held with power to vote, directly or indirectly either by a Public Utility or any of its subsidiaries, or by that Public Utility's controlling corporation and/or any of its subsidiaries as well as any company in which the Public Utility, its controlling corporation, or any of the Public Utility's affiliates exert substantial control over the operation of the company and/or indirectly have substantial financial interests in the company exercised through means other than ownership).

Allowance for Funds Used During Construction (AFUDC) – A component of construction costs representing the net cost of borrowed funds and a reasonable rate on other funds used during the period of construction.

Attrition – growth in plant investment, operating expenses, senior capital costs, or a combination of these costs, which is more rapid than the relative growth in the Public Utility's revenues, and which results in a shortfall in the Public Utility's rate of return or investment, rate of return on equity, or both.

Base Rate – the basic, tariffed charge, not including surcharges, for service rendered.

Carbon Dioxide Equivalent (CO2e) - a unit of measurement that compares the climate impact of various GHGs by converting them to the equivalent amount of carbon dioxide (CO2).

Cost Allocation Manual (CAM) - an indexed compilation and documentation of a company's cost allocation policies and related procedures.

Cost of Service – a methodology used to determine the rates charged in accordance with service used by customers.

Cross-walk – A balance sheet account in which all costs associated with the construction of new utility facilities are recorded until these facilities are placed in service.

Discrimination Expenses – those expenses that are associated with discriminatory employment or procurement practices. Discrimination expenses arise from, relate to, and result from employment or procurement discrimination cases wherein a plaintiff or complaining party alleges that a Public Utility subject to the regulatory authority of the Commission has engaged in discriminatory employment or procurement practices.

Earnings Before Interest, and Taxes (EBIT) – a measurement of a company's profitability and is calculated as revenue minus expenses excluding tax and interest. (EBIT is also called operating profit.)

Earnings Before Interest, Taxes, Depreciation, and Amortization (EBITDA) – an alternate measure of profitability to net income. Alternate: a metric used to evaluate a company's operating performance. It can be seen as a loose proxy for cash flow from the entire company's operations.

Electric Company – means every corporation, company, association, joint-stock company or association, partnership, or person and doing business in the District of Columbia, their lessees, trustees, or receivers, appointed by any court whatsoever, physically transmitting or distributing electricity in the

District of Columbia to retail electric customers. The term excludes any building owner, lessee, or manager who, respectively, owns, leases, or manages, the internal distribution system serving the building and who supplies electricity and other related electricity services solely to occupants of the building for use by the occupants. The term also excludes a person or entity that does not sell or distribute electricity and that owns or operates equipment used exclusively for the charging of electric vehicles.

Funds from Operations (FFO) - a measure of the Public Utility's liquidity.

Gas Company - means every corporation, company, association, joint-stock company or association, partnership, or person manufacturing, making, distributing, or selling gas for light, heat, or power, or for any public use whatsoever in the District of Columbia, their lessees, trustees, or receivers, appointed by any court whatsoever, and in said district selling, physically transmitting, or distributing natural gas in the District of Columbia to retail natural gas customers. The term excludes any building owner, lessee, or manager who, respectively, owns, leases, or manages, the internal distribution system serving the building and who supplies natural gas and other related natural gas services solely to occupants of the building for use by the occupants.

Greenhouse Gas - gases in the Earth's atmosphere that trap heat.

Greenhouse Gas Emissions – the release of greenhouse gases into the atmosphere, which trap heat from the sun and contribute to climate change.

Historical Test Year – the actual historical twelve (12) month period chosen by the Public Utility which ends prior to the filing of application for a rate change for which financial and operating data is required pursuant to §§ 200 et seq., but which does not end more than one hundred and eighty (180) days prior to the filing of that application.

Interest During Construction (IDC) – A key issue in funding a project that will not generate cash flow while its assets are being built.

Party – a person who appears in and has a direct interest in a proceeding before the Commission. Persons may become parties to proceedings by virtue of filing an application, complaint, or petition initiating the proceeding; by filing a response to an application, complaint, or petition; by statutory right; or by Commission authorization, such as the granting of a petition for intervention.

Proposed Test Year – the twelve (12) month period chosen by the Public Utility as the basis for its proposed rates.

Public Utility - an electric company or natural gas company that provides electric or gas distribution services in the District. The term "Public Utility" excludes a person or entity that owns or operates electric vehicle supply equipment but does not sell or distribute electricity, an electric vehicle charging station service company, or an electric vehicle charging station service provider.

Rate of Return - the net gain or loss of an investment over a specified time period, expressed as a percentage of the investment's initial cost. When calculating the rate of return, you determine the percentage change from the beginning of the period until the end.

Return on Equity (ROE) - the measure of a company's net income divided by its shareholders' equity. ROE is a gauge of a corporation's profitability and how efficiently it generates those profits. The higher the ROE, the better a company is at converting its equity financing into profits.

Special Contract – an agreement between a Public Utility and ratepayer for a negotiated rate for service.

Traditional Rate Case - the regulatory process used to determine the rates that utility companies can charge their customers based on a one-year test period involving factors such as: (1) Cost of Service, (2) Rate Base, (3) Rate of Return, (4) Cost Allocation, and (5) Rate Design.

5. Any person interested in commenting on the subject matter of this proposed rulemaking action may submit written comments not later than sixty (60) days, and replies within ninety (90) days, after the publication of this notice in the *District of Columbia Register* to Brinda Westbrook-Sedgwick, Commission Secretary, Public Service Commission of the District of Columbia, 1325 G Street, N.W., Suite 800, Washington, D.C. 20005 and electronically on the Commission's website at: https://edocket.dcpsc.org/public/public_comments. Copies of the proposed rules may be obtained by visiting the Commission's website at www.dcpsc.org or at cost, by contacting the Commission Secretary at the address provided above. Persons with questions concerning this NOPR should call (202) 626-5150 or send an email to: psc-commissionsecretary@dc.gov.

DISTRICT DEPARTMENT OF TRANSPORTATION
AND DEPARTMENT OF BUILDINGS

NOTICE OF PROPOSED JOINT RULEMAKING

The Director of the District Department of Transportation ("DDOT"), pursuant to the authority set forth in Sections 3(b), 5(a)(3)(E), 9j, and 9k of the Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code §§ 50-921.02(b), 50-921.04(a)(3)(E), 50-921.18 and 50-921.19); Sections 603(b) and 604 of the Fiscal Year 1997 Budget Support Act of 1996, effective April 9, 1997 (D.C. Law 11-198, D.C. Official Code §§ 10-1141.03 and 10-1141.04); and Mayor's Order 2018-075, dated October 2, 2018, and the Director of the Department of Buildings ("DOB"), pursuant to the authority set forth in Section 401 of the Department of Buildings Establishment Act of 2020, effective April 5, 2021 (D.C. Law 23-269; D.C. Official Code § 10-564.01) and Mayor's Order 2023-148, dated December 8, 2023, hereby give notice of the intent to adopt the following rulemaking to amend Chapter 43 (District Department of Transportation (DDOT) Infractions) of Title 16 (Consumers, Commercial Practices, and Civil Infractions) and add a new Chapter 45 (Streateries) to Title 24 (Public Space and Safety) of the District of Columbia Municipal Regulations (DCMR).

The proposed rulemaking would amend Title 24 to establish a permanent permit program to manage street-located outdoor dining ("Streateries") and establish permit fees for those who construct and operate Streateries in the public right-of-way. The proposed rulemaking would also amend Chapter 43 of Title 16 to add civil infractions for violations of Chapter 45 of Title 24.

In response to the public health emergency in 2020, DDOT worked with other District government agencies including the Office of Planning and the Department of Buildings to create the temporary Streatery program, which allowed for distanced, outdoor dining at a time when indoor dining seating capacities were partially or fully restricted. This program repurposed public space normally used for private vehicle storage or circulation and created vibrant and dynamic locations to dine outdoors, which have proven incredibly popular even after indoor gathering without distancing was permitted. In response, DDOT and DOB are proposing that a permanent Streatery program be established through this rulemaking to allow food establishments to operate Streateries into the future, and to allow DDOT to manage the program.

This rulemaking shall be submitted to the Council of the District of Columbia for a forty-five (45) day review period, excluding Saturdays, Sundays, legal holidays, and days of Council recess. Pursuant to D.C. Official Code § 10-564.01(b), the rulemaking shall be deemed approved if the Council takes no action within the 45-day period.

Final rulemaking action may be taken forty-five (45) days after the date of publication of this notice in the *District of Columbia Register.*

Title 16 DCMR, CONSUMERS, COMMERCIAL PRACTICES, AND CIVIL INFRACTIONS, is amended as follows:

Chapter 43, DISTRICT DEPARTMENT OF TRANSPORTATION (DDOT) INFRACTIONS, is amended as follows:

A new Section 4315, STREATERIES INFRACTIONS, is added to read as follows:

4315 STREATERIES INFRACTIONS

4315.1 [Reserved]

4315.2 Violations of any of the following provisions shall be a Class 2 infraction:

(a) Operating a Streatery without a permit.

4315.3 Violations of any of the following provisions shall be a Class 3 infraction:

(a) Placing, on a Streatery structure, images or words viewable from the street (24 DCMR § 4502.2);

(b) Exceeding the number of seats permitted within a Streatery (24 DCMR § 4502.3);

(c) Failure to include at least one (1) ADA compliant table within a Streatery (24 DCMR § 4502.4);

(d) Failure to provide an accessible route to an ADA compliant table within a Streatery (24 DCMR § 4502.4);

(e) Use of any part of a Streatery for storage except for approved Streatery elements (24 DCMR § 4502.5);

(f) Failure to maintain a continuous physical edge to buffer outdoor dining area from adjacent vehicular traffic in Streateries located in a travel lane or parking lane excepting required gaps for safety access points (24 DCMR § 4503.2);

(g) Placing a barrier between the outdoor dining area of a Streatery and the sidewalk (24 DCMR § 4503.3);

(h) Fully enclosing a Streatery (24 DCMR § 4503.4);

(i) Bolting or permanently affixing Streatery barriers or structures to public space (24 DCMR § 4503.5);

(j) Failure to arrange Streatery furniture or fixtures in a way that provides ready access by aisles to each exit way (24 DCMR § 4504.1);

(k) Failure to keep fire protection equipment located within a Streatery in working condition, visible, and conveniently accessible (24 DCMR 4504.3);

(l) Preparing or storing food or alcohol within a Streatery (24 DCMR § 4504.4);

(m) Storing trash or refuse within a Streatery (24 DCMR § 4504.5);

(n) Erecting, maintaining, or placing a structure or enclosure to accommodate the storage of trash or refuse within a Streatery (24 DCMR § 4504.5);

(o) Placing generators or televisions within a Streatery (24 DCMR § 4511.3);

(p) Playing live or amplified music within a Streatery (24 DCMR § 4511.3);

(q) Placing ropes, chains, or fencing in a Streatery that prevents people from entering the Streatery from the sidewalk (24 DCMR § 4511.3);and

(r) Charging a fee to access a Streatery (24 DCMR § 4511.4).

4315.4 Violations of any of the following provisions shall be a Class 4 infraction:

(a) Failure to affix two (2) signs to a Streatery that indicate the business name, seating hours, seating capacity, and emergency contact information (24 DCMR § 4502.1);

4315.5 [Reserved]

Title 24 DCMR, PUBLIC SPACE AND SAFETY, is amended as follows:

A new Chapter 45, STREATERIES, is added to read as follows:

CHAPTER 45 STREATERIES

Section 4500, APPLICABILITY, PERMIT REQUIREMENT, AND CERTIFICATE OF USE REQUIREMENT is added as follows:

4500 APPLICABILITY, PERMIT REQUIREMENT, AND CERTIFICATE OF USE REQUIREMENT

4500.1 This chapter shall apply to all Streateries.

4500.2 No person or entity shall occupy the parking lane of a roadway, an alley, or a travel lane for the purposes of creating a Streatery without a Streatery Permit.

4500.3 No person or entity shall operate a Streatery without first having obtained a Certificate of Use.

4500.4 Notwithstanding any other provision of this chapter, holders of Parklet or Special Event permits that allow permittees to operate Streateries may continue to operate Streateries under those Parklet and Special Event permits through November 30, 2025, but may not continue to operate those Streateries after November 30, 2025 without meeting the requirements of this chapter.

Section 4501, STREATERY TYPES AND LOCATION CRITERIA, is added as follows:

4501 STREATERY TYPES AND LOCATION CRITERIA

4501.1 The Streatery types shall be:

(a) Parking lane Streateries;

(b) Travel lane Streateries; and

(c) Alley Streateries.

4501.2 A parking lane Streatery may only be located on streets with speed limits of thirty miles per hour (30 mph) or less and within:

(a) One or more parking spaces; or

(b) A sidewalk extension.

4501.3 A parking lane Streatery may be in a Residential Permit Parking ("RPP") Zone, as defined in 18 DCMR 9901, if:

(a) The Streatery is for a single business; and

(b) The parking space or spaces are directly adjacent to the business.

4501.4 A parking lane Streatery shall not be in or on:

(a) Travel lanes or alleys;

(b) Streets with a functional classification designation of Other Freeway and Expressway, or Interstate, as defined in the most recent edition of the District of Columbia Department of Transportation Standard Specifications for Highways and Structures, available from the Department's website;

(c) Rush hour restricted locations;

(d) ADA-Accessible on-street parking meter spaces;

(e) Loading zones;

(f) Bus stop pads;

(g) Zones designated by sign for picking up and dropping off passengers or goods;

(h) A Capital Bikeshare station;

(i) An area within the roadway, delineated with plastic reflective delineator posts or other physical barriers, reserved for placement and parking of bicycles, scooters, electric mobility devices and/or personal mobility devices;

(j) Parking spaces not directly adjacent to the curb; or

(k) Utility vaults or regulator station vaults.

4501.5 A travel lane Streatery that occupies some but not all travel lanes of a roadway segment may only be located on streets:

(a) Where seventy-five percent (75%) or more of the ground-floor street frontage consists of commercial uses; and

(b) That have speed limits of thirty miles per hour (30 mph) or less.

4501.6 A travel lane Streatery that occupies some but not all travel lanes of a roadway segment shall not be in or on:

(a) Streets with a functional classification designation of Principal Arterial Other Freeway and Expressway, or Interstate, as defined in the most recent edition of the District of Columbia Department of Transportation Standard Specifications for Highways and Structures, available from the Department's website;

(b) Rush hour restricted locations;

(c) Two-way streets with only two (2) lanes of travel whose closure results in one-way vehicle circulation; or

(d) Utility vaults or regulator station vaults.

4501.7 A travel lane Streatery that occupies all travel lanes of a roadway segment may only be located on streets where seventy-five percent (75%) or more of the ground-floor street frontage consists of commercial uses.

4501.8 A travel lane Streatery that occupies all travel lanes of a roadway segment shall not be in or on:

(a) Streets with a functional classification designation of Principal Arterials, Other Freeway and Expressway, or Interstate, as defined in the most recent edition of the District of Columbia Department of Transportation Standard Specifications for Highways and Structures;

(b) Street segments with emergency facilities (*e.g.*, fire station, police station, etc.)

(c) WMATA Bus Routes or DC Streetcar Routes; or,

(d) Utility vaults or Washington Gas regulator station vaults.

4501.9 The location of an alley Streatery:

(a) Shall be located along the frontage directly adjacent to the business;

(b) Shall provide a six foot (6 ft.) clear path to service entrances;

(c) Shall not block access to adjacent buildings, businesses, or trash services; and

(d) Shall not be on vaults or grates.

4501.10 A parking lane, travel lane, or alley Streatery shall be located directly adjacent to the frontage of the permitted business.

4501.11 Notwithstanding § 4501.10, a Streatery may extend beyond the frontage of the permitted business, but only if it can provide a letter of support from the adjacent property owner along whose commercial property frontage the Streatery will extend.

Section 4502, PHYSICAL CRITERIA FOR STREATERIES, is added as follows:

4502 PHYSICAL CRITERIA FOR STREATERIES

4502.1 Once the Streatery is constructed, the permit holder must affix two (2) signs to the Streatery that indicate the business name, seating hours, seating capacity, and emergency contact information. The signs shall be placed on the Streatery edge

facing the sidewalk and must be placed in conspicuous locations that are visible to passersby at all hours of the day.

4502.2 No images or words may be placed on any part of the Streatery structure viewable from the street.

4502.3 The number of seats allowed within a Streatery shall be determined by dividing the total square footage of the Streatery by fifteen (15) and rounding down.

4502.4 A Streatery shall include at least one (1) ADA compliant table. An accessible route shall be provided to access each accessible table with a clear floor area of thirty inches by forty-eight inches (30 in. x 48 in.) at each accessible seating location.

4502.5 No part of a Streatery may be used as storage except for approved Streatery elements.

Section 4503, STREATERY STRUCTURES AND BARRIERS, is added as follows:

4503 STREATERY STRUCTURES AND BARRIERS

4503.1 The Streatery shall comply with the provisions of this section, and applicable provisions of Chapter 2 of this title, including the requirement for a Streatery Permit, prior to the Streatery's construction or occupancy.

4503.2 If the Streatery is in a travel lane or parking lane, the Streatery shall have a continuous physical edge to buffer the outdoor dining area from adjacent vehicular traffic, except that the Director may require gaps for safety access points.

4503.3 Barriers shall not be placed between the outdoor dining area and the sidewalk.

4503.4 The Streatery shall not be fully enclosed at any time.

4503.5 Barriers and structures shall not be bolted or permanently affixed to public space.

Section 4504, SAFETY AND SANITATION STANDARDS, is added as follows:

4504 SAFETY AND SANITATION STANDARDS

4504.1 Any approved Streatery furniture or fixtures shall be arranged to provide for ready access by aisles to each exit way.

4504.2 All fire protection equipment shall be kept in working condition. Extinguishers, hoses, and other fire protection appliances required by the Fire Chief shall be always visible and conveniently accessible.

4504.3 Food or alcohol preparation or storage is prohibited within the Streatery area.

4504.4 Trash or refuse storage shall not be located within a Streatery, and no structure or enclosure to accommodate the storage of trash or refuse shall be erected, maintained, or placed within or adjacent to a Streatery.

Section 4505, GENERAL STREATERY PERMIT ELIGIBILITY REQUIREMENTS, is added as follows:

4505 GENERAL STREATERY PERMIT ELIGIBILITY REQUIREMENTS

4505.1 No Applicant shall be issued a Streatery Permit unless the proposed Streatery meets the requirements of this chapter.

4505.2 No Applicant shall be issued a Streatery Permit unless the subject property is licensed as, or has received a variance to operate, a legitimate theater, restaurant, distillery, brewery, winery, grocery store, fast food establishment, or prepared food shop.

4505.3 No Applicant shall be issued a Streatery Permit unless the Applicant provides comprehensive indemnification to the District for any costs or damages which it incurs as a result of actions taken by the permittee in connection with the exercise of any rights or privileges granted in any permit issued pursuant to this chapter.

4505.4 A Streatery Permit shall be issued when the following conditions are satisfied:

(a) The Director has received an application to occupy public space;

(b) The Director has reviewed and approved the application pursuant to this chapter;

(c) All applicable fees have been paid; and

(d) All insurance requirements and indemnification described in the permit terms and conditions have been approved and fulfilled.

Section 4506, APPLICATION PROCEDURES FOR A STREATERY PERMIT, is added as follows:

4506 APPLICATION PROCEDURES FOR A STREATERY PERMIT

4506.1 The Applicant shall file for a Streatery Permit, which may be either a:

(a) Streatery Block Permit; or

(b) Streatery Design Permit.

4506.2 An Applicant shall apply for both a Streatery Block Permit and a Streatery Design Permit if their application is for a:

(a) Alley Streatery;

(b) Travel lane Streatery; or,

(c) Parking lane Streatery for multiple businesses.

4506.3 Each Applicant for a Streatery Permit shall file for a Building Permit, except that a Building Permit may not be required if the Streatery Permit does not require any structure to be built and is for a(n):

(a) Alley Streatery;

(b) Entire travel lane closure; or

(c) Streatery that does not require a structure to be constructed at the same grade as the sidewalk.

4506.4 An eligible Applicant for a Streatery Design Permit shall be an owner of commercial properties or eligible establishment tenants described in § 4505.2 abutting public space.

4506.5 Each application for a Streatery Design Permit shall include a signed letter of support from:

(a) An owner of the commercial property that the eligible establishment tenant occupies, if the applicant is not the owner of the commercial property; and

(b) An owner of each commercial property whose frontage is adjacent to the public space to be occupied, if the Streatery extends beyond the frontage of the business.

4506.6 The application for any Streatery Permit shall be submitted to the Director on the form and in the manner prescribed for that purpose.

4506.7 Each application for a Streatery Design Permit shall include the following:

(a) The location and address of the proposed Streatery and a description of the boundaries of the curb lane, travel lane, or alley proposed to be occupied;

(b) A statement of the days and times of the week that the Streatery will operate;

(c) A statement of the anticipated periods of use during the year and whether the Streatery is located on a snow emergency route;

(d) An electronic copy of the Streatery site plan, stamped by a structural Professional Engineer (PE) who is certified in the District, front and side elevations, appropriate longitudinal and latitudinal sections, and a structural diagram showing the items listed in § 4506.8;

(e) Three (3) digital photographs of the surface space clearly identifying the following:

(1) Frontal view;

(2) Sharp angle right side view; and

(3) Sharp angle left side view;

(f) Elevations, including the dimensions of the Streatery;

(g) Sections, or "cut-through" drawings of the structure design that articulate complex design elements, such as how accessibility is provided;

(h) Construction details, which include:

(1) Any hardware such as fasteners to be used in the construction process;

(2) A detail showing how positive drainage flows along the curb line will be maintained, and how access to the drainage channel will be provided if it gets blocked; and

(3) Drainage calculations for spread, ponding depth, and drainage channel capacity;

(i) Utility access plan;

(j) Copy of the Certificate of Occupancy;

(k) Building Permit application, where applicable;

(l) Copy of the Business License;

(m) Copy of the rental lease agreement, if the applicant is not the owner of the property;

(n) Letter of support, if any, from the Single Member District for Streateries within Residential Parking Permit (RPP) spaces;

(o) Signed maintenance and operation agreement; and

(p) Point of contact information.

4506.8 The site plan required under § 4506.7(d) shall show the following:

(a) The width, length, and location of the Streatery areas in relation to the parking lane, travel lane, or alley;

(b) The location of all tables, chairs, jersey barriers, railings, planters, and platforms;

(c) The seating capacity of the Streatery and the location of access ways and aisles;

(d) The separation between the edge of the parking lane and the Streatery space;

(e) The total distribution of the public right of way, including width and length of the sidewalk, parking lane, or travel lane occupied by and adjacent to the Streatery and the location of any public improvements within or adjacent to the Streatery, including, but not limited to, bicycle racks, Capital Bikeshare stations, utility poles, fire hydrants, signs, posts, parking meters, bus stops, bus shelters, Metrorail station entrances, trees and tree grates, and utility vaults;

(f) Any proposed improvements to the public space, including electrical connections and installations, new sidewalk, walls, platforms, lighting, landscaping, plantings, railings, or other forms of weather protection. This information shall be accompanied by the manufacturer's detailed standards and location schedule;

(g) The location of the Streatery in relation to the property line, sidewalk, parking lane, travel lane, street curb(s), and to any other Streatery located on the block face;

(h) The location, height, and dimensions of any overhead structure, if any, and whether the overhead structure will be in fixed positions or capable of retraction, folding, or otherwise being moved;

(i) Any object to be affixed or attached to the overhead structure of the Streatery;

(j) The height and dimensions of any platforms, floors, walls, and dividers;

(k) All Streatery construction and structural parts, including the structural adequacy of each;

(l) The location of any fire escapes, drop ladders, and stairs;

(m) The grade of the adjacent sidewalk if the topography deviates from the District standard sidewalk grade;

(n) The location of any fire protection systems, equipment, or appliances;

(o) The location of any public utility cut-offs; and

(p) The spread calculations demonstrating that the depth and width of flow meet Department requirements established in the most recent iteration of the Department's Design and Engineering Manual, available from the Department's website.

4506.9 A Streatery Block Permit application shall include a:

(a) Site plan; and

(b) Curbside management and delivery plan.

4506.10 The Applicant shall give appropriate notice of the application by posting on the proposed Streatery location a notice that an application for a Streatery Permit has been filed with the Director. The notice shall be posted in the manner set forth in this section.

4506.11 Notices shall be posted at each street frontage of the property involved and on the front of the building located on the property. All notices shall be in plain view of the public.

4506.12 Notices shall be on paper having a minimum size of eight and one-half inches by eleven inches (8 $^{1}/_{2}$ in. x 11 in.).

4506.13 Each notice shall be approved by the Director.

4506.14 Each notice shall include the following information:

(a) The date of the application;

(b) The nature of the application;

(c) The name of the Applicant;

(d) The Advisory Neighborhood Commission within which the property is located;

(e) The property or properties involved; and

(f) The name, address, and electronic mail address of the person designated by the Director to receive written comments.

4506.15 Within five (5) calendar days after the date the Streatery Permit application has been filed, each Applicant shall file with the Director a sworn affidavit demonstrating compliance with the notice provisions of this section.

4506.16 Each Applicant shall make a reasonable effort to maintain the posted notice by checking the signs at least every five (5) calendar days and by posting new notices as necessary.

4506.17 A Streatery Permit application for a Streatery that would occupy a parking lane for multiple businesses or is in a travel lane or alley shall include a:

(a) Site plan; and

(b) Curbside management and delivery plan.

4506.18 The site plan described in §§ 4506.7 and 4506.8 shall include:

(a) Building façade(s), addresses, and associated building entrances;

(b) Existing sidewalk widths;

(c) Existing curb cuts and/or driveways;

(d) Existing bike lanes, bus routes, and bus stops;

(e) For alley Streateries, existing trash services;

(f) Existing parking spaces with dimensions and descriptions of curbside regulations for the affected area;

(g) Dimensions of any existing tree boxes, bioretention areas, or other landscaping located in the public space within the proposed impacted area;

(h) Existing parking meters; and

(i) The proposed Streatery footprint and dimensions, including setback dimensions.

4506.19 An Applicant for a Streatery Permit shall apply to the Director of the District Department of Buildings for a Certificate of Use.

Section 4507, STREATERY PERMIT REVIEW PROCESS, is added as follows:

4507 STREATERY PERMIT REVIEW PROCESS

4507.1 The Director may only approve a permit that:

(a) Complies with all applicable laws and regulations;

(b) Provides a reasonable degree of safety for life and property from the hazards of fire and explosions in accordance with the D.C. Fire Code;

(c) Complies with § 4503; and

(d) Does not adversely affect the public health and safety.

4507.2 If the proposed Streatery is located within areas subject to the "Shipstead Luce Act" D.C. Official Code § 6-611.01 *et seq*.), or within the "Old Georgetown" district (D.C. Official Code § 6-1201 *et seq*.), the Applicant shall comply with the conditions of the Shipstead-Luce Act, approved May 16, 1930 (Public Law 71-231; D.C. Official Code § 6-611.01 *et seq*.), Section 2 of the Old Georgetown Act of 1950, approved September 22, 1950 (64 Stat. 904; D.C. Official Code § 6-1202), and 24 DCMR § 205.

4507.3 If the proposed Streatery is located within an "Historic District", as defined in D.C. Official Code § 6-1102(5) or is attached to an "Historic Landmark" as defined in D.C. Official Code § 6-1102(6), the application shall be referred to the Historic Preservation Review Board, in accordance with the Historic Landmark and Historic District Protection Act of 1978, effective March 3, 1979 (D.C. Law 2-144; D.C. Official § 6-1101 *et seq*.).

4507.4 The Director shall determine whether the proposed Streatery may have an adverse effect on the pedestrian or vehicular traffic in the area, whether the proposed Streatery is in compliance with applicable provisions of Chapter 2 of this title, and whether the proposed Streatery is in compliance with the provisions of this chapter. The Director shall also approve the design of the proposed Streatery and shall forward copies of the application and the plan to the Fire Chief and the Director of the District Department of Buildings.

4507.5 The Director of the District Department of Buildings shall notify the Director and Applicant of his or her comments, including a recommendation, as described in § 4507.6 and § 4507.7 to the Director within fifteen (15) business days of receipt of the plan and application.

4507.6 The Director of the District Department of Buildings shall verify the ownership of the subject property and whether the property is zoned for or has been granted a variance for the proposed use.

4507.7 Where applicable, the Director of the District Department of Buildings shall review and preliminarily approve the necessary building permit and shall determine whether the structural adequacy and safety of the proposed construction, and the framing and materials of the proposed Streatery are in accordance with the provisions of this chapter and the applicable provisions of the D.C. Building Code.

4507.8 The Director shall forward the site plan to the following entities and persons for their review and comments:

(a) The affected Advisory Neighborhood Commission;

(b) The public utility companies that operate or maintain equipment or service in the area beneath the proposed Streatery; and

(c) The owner or occupants of the adjacent property.

4507.9 The persons, groups, and agencies listed in § 4507.8(a) and (c) shall forward their comments to the Director within thirty (30) business days of receipt of the plan and application.

4507.10 The utility companies listed in § 4507.8(b) shall notify the Director and Applicant of their comments within fifteen (15) business days of receipt of the plan and application.

4507.11 If a District agency or a utility company has objections or conditions that have not been resolved by the Applicant prior to the end of the fifteen (15) business day review period, the application and the plan shall be returned to the Applicant for resolution of the objections or satisfaction of the conditions.

4507.12 If the Director has returned the application to the Applicant for resolution of the objections or conditions, the Applicant shall forward a revised plan and application to the Director.

4507.13 If the application is approved, and when the fees as outlined in § 4509.2 have been paid, as outlined in § 4509.1, the Director shall issue the Streatery Permit.

4507.17 Within five (5) business days of the satisfaction of the requirements of §§ 4506 and 4507, the Director shall forward the application, the plan, and all received comments to the Chairperson of the Public Space Committee and notify the Applicant that the materials have been forwarded.

4507.18 Once the Applicant receives notice that the application, plan, and comments were forwarded to the Chairperson, the Applicant shall post a notice that the PSC will conduct a hearing of the Streatery application. The notice shall be posted at least 30 days before the hearing, and shall contain the hearing's date, time, and location.

4507.19 The notice required under § 4507.18 shall be posted according to the provisions of §§ 4506.12 - 4506.15.

Section 4508, AUTOMATIC EXPIRATION OF STREATERY PERMITS, is added as follows:

4508 AUTOMATIC EXPIRATION OF STREATERY PERMITS

4508.1 A Streatery Permit shall automatically expire if the construction of the proposed Streatery is not commenced within ninety (90) calendar days from the effective date of the Streatery Permit.

4508.2 A Permittee may request that the Director approves a delay in the construction of the Streatery. The request shall be in writing and shall provide sufficient reasons for the delay.

4508.3 If the construction is commenced within the prescribed period but is not completed within six (6) months from the date the Streatery Permit was issued, the Director shall revoke the Streatery Permit due to a lack of construction activities.

4508.4 The Director may approve one request for delay in the progress of the construction of a Streatery. The delay shall not exceed three (3) months.

Section 4509, FEES FOR STREATERY PERMITS, is added as follows:

4509 FEES FOR STREATERY PERMITS

4509.1 The appropriate fees, pursuant to this chapter, shall be paid in person or online by credit card, echeck, check or money order, payable to the D.C. Treasurer.

4509.2 The annual public space rental fee for a Streatery Permit shall be assessed at twenty dollars ($20) per square foot.

4509.3 The permit fee for a Streatery Permit shall be two hundred and sixty dollars ($260).

Section 4510, FINES FOR AND REVOCATION OF STREATERY PERMITS AND CERTIFICATES OF USE, is added as follows:

4510 FINES FOR AND REVOCATION OF STREATERY PERMITS AND CERTIFICATES OF USE

4510.1 A Streatery Permit issued by the Director may be revoked at any time upon reasonable determination, which may include the following reasons:

(a) There is a public need for the use of the parking lane, alley, or travel lane;

(b) The Permittee has failed to make use of the public space for a period of more than six (6) consecutive months after the effective date listed on the Streatery Permit; or

(c) The Permittee has failed to complete the construction of the Streatery within six (6) months.

4510.2 The failure to comply with public space requirements pursuant to Sections 4502-4504 or Section 4511 of this Chapter is a Class 3 infraction that the Department will enforce pursuant to the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October 5, 1985 (D.C. Law 6-42; D.C. Official Code §§ 2-1801.01 et seq.), and 16 DCMR §§ 3200 and 3201.

4510.3 The Permittee shall restore the public space within seventy-two (72) hours following the revocation of a Streatery Permit or Certificate of Use.

4510.4 A person shall not operate a Streatery subsequent to the revocation of a Streatery Permit, unless a new Streatery Permit and a new Certificate of Use has been issued pursuant to this chapter.

4510.5 If a Streatery Permit has been revoked pursuant to § 4510.1, the Director of the District Department of Buildings, upon the recommendation of the Director, may reissue the Building Permit if the Applicant certifies that the construction will comply with the provisions of the initial Building Permit and the initial Streatery Permit, and that the construction will be completed within six (6) months from the date the permits were reissued.

4510.6 The Director shall reissue a Streatery Permit and the Director of the District Department of Buildings shall restore and reissue a Certificate of Use when the conditions that caused the revocation to be issued have been corrected.

4510.7 Any costs incurred by the Department, the District Department of Buildings, and any other District agency, as determined by the Director and the Director of the District Department of Buildings, in connection with the revocation and the issuance of a new Streatery Permit and a new Certificate of Use, shall be paid by the Applicant before the Streatery Permit and the Certificate of Use are reissued.

4510.8 The Director shall notify the Permittee that their Streatery Permit has been revoked by mail at the Permittee's address and electronic mail address provided to the Director.

4510.9 The Director of the Department of Buildings shall notify the Permittee that their Certificate of Use permit has been revoked in a manner specified in Section 113.5.5 of Title 12A of Building Code Supplement of 2017 (12-A DCMR 113.5.5).

4510.10 Any notices of infraction made pursuant to this section shall be adjudicated by the Office of Administrative Hearings pursuant to the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October 5, 1985 (D.C. Law 6-42; D.C. Official Code § 2-1801.01 et seq.) and 16 DCMR § 3100 *et seq.*

4510.11 A Permittee whose Streatery Permit the Department proposes to revoke pursuant to § 4510.1 may, within five (5) business days of receipt of the notice of revocation, request a hearing. The hearing shall be conducted pursuant to the D.C. Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1208, D.C. Code § 2-509).

Section 4511, ADDITIONAL GENERAL STANDARDS FOR ALL STREATERIES, is added as follows:

4511 ADDITIONAL GENERAL STANDARDS FOR ALL STREATERIES

4511.1 All Streateries shall be classified as a Group A-2 Assembly as defined in § 303.3 of the D.C. Building Code, and shall comply with all applicable requirements of a Group A-2 Assembly.

4511.2 All electrical appliances and fixtures in a Streatery shall comply with Chapter 1 of 12-C DCMR (Articles 110-50, 410, and 430).

4511.3 The following are not permitted within a Streatery:

(a) Generators;

(b) Live or amplified music;

(c) Televisions; or

(d) Ropes, chains, or fencing used to prevent people from entering the space from the sidewalk.

4511.4 The Permittee shall not charge a fee to access a Streatery.

4511.5 A Permittee shall reapply for a new permit if any changes are proposed to the terms of an approved Streatery Permit.

Section 4512, CERTIFICATE OF USE, is added as follows:

4512 CERTIFICATE OF USE

4512.1 An Applicant shall, after receiving a Streatery Permit, apply to the Director of the Department of Buildings for a Certificate of Use.

4512.2 The Director of the Department of Buildings shall issue a Certificate of Use when the following conditions have been satisfied:

(a) The Streatery has been inspected and the issuance of a Certificate of Use has been approved by the Director and the Director of the Department of Buildings;

(b) The Streatery complies with the requirements of this chapter, with the terms and conditions of the Streatery Permit and, where applicable, the Building Permit;

(c) The Streatery has been inspected by the Fire Chief; and

(d) All applicable fees, including, but not limited to, all present and past Streatery rental fees, have been paid.

4512.3 If the Streatery does not comply with the requirements of § 4512.2, the request for a Certificate of Use shall be denied.

4512.4 Where applicable, the Applicant shall be informed by the Director of the Department of Buildings of the reasons why the Certificate of Use has been denied.

4512.5 The Applicant shall have sixty (60) calendar days to correct any deficiencies and to reapply for a Certificate of Use pursuant to § 4512.1.

4512.6 A Certificate of Use shall be valid for twelve (12) months and shall be renewed annually on the date specified on the certificate.

4512.7 An Applicant shall apply for a renewal of the Certificate of Use in accordance with § 4512.2.

Section 4599, DEFINITIONS, is added as follows:

4599 DEFINITIONS

4599.1 When used in this chapter, the following terms and phrases shall have the meanings ascribed, unless otherwise provided:

ADA – Title III of the Americans with Disabilities Act of 1990, approved July 26, 1990 (104 Stat. 353; 42 U.S.C. § 12181 et seq.).

Alley Streatery – A Streatery that provides expanded outdoor dining within an alley network adjacent to one (1) or multiple food establishments.

Alter or alteration - a change in the design or configuration of either the exterior or interior of a Streatery or its site; including railings, walls, roof, awning, sign, or flooring.

Applicant - a person who is applying for or who has obtained a Streatery Permit.

Building Permit - a permit issued by the District Department of Buildings that authorizes performance of a specified activity.

Certificate of Use - a one (1) year renewable certificate, issued by the District Department of Buildings, authorizing the operation of a Streatery in the public space.

Chairperson - the Chairperson of the Public Space Committee.

D.C. Building Code- The District of Columbia Building Code (2017), referred to as the "Building Code," which consists of the 2015 edition of the International Building Code (IBC), published by the International Code Council (ICC), as amended by the Building Code Supplement of 2017 (12-A DCMR), *available at* https://dob.dc.gov/sites/default/files/dc/sites/dob/publication/attachments/2017%20District%20of%20Columbia%20Building%20Code_Part%201.pdf.

D.C. Fire Code - The District of Columbia Fire Code (2017), referred to as the "Fire Code," which consists of the 2015 edition of the International Fire Code (IFC), published by the International Code Council (ICC) and available at https://codes.iccsafe.org/content/IFC2015, as amended by the Fire Code Supplement of 2017 (12-H DCMR).

D.C. Vehicles and Traffic Regulations - Title 18 of the District of Columbia Municipal Regulations, "Vehicles and Traffic."

Department - the District Department of Transportation.

Design - the physical features of a Streatery, including:

(a) Height, depth, width, appearance, texture, color, dimensions, and nature of materials and signage; and

(b) Interior features, including the table layout, the flooring, the lighting, and the width and the location of aisles and accessways

Director - the Director of the Department, or his or her designated agent.

District - the District of Columbia.

Fire Chief - the Fire Chief of the District, or the Fire Chief's designated agent.

Legitimate Theater – A building, or a part of a building, that is designed and used for the presentation of live plays and other forms of dramatic performance. The facility typically has a stage or other performing area plus tiers of seats for the audience, or other arrangements for the audience to sit or stand to view the performance.

Owner - the holder of the legal title to real property as recorded in the Office of the Recorder of Deeds in the Office of Tax and Revenue of the District of Columbia.

Parking lane Streatery – A Streatery that provides expanded outdoor dining within the parking lane adjacent to one or multiple food establishments.

Parking lane Streatery for multiple businesses – A Streatery that provides expanded outdoor dining within the parking lane for and adjacent to multiple food establishments.

Permittee – An entity that has been issued a Streatery Permit.

Prepared food – food that is assembled, but not heated by means other than microwave or toaster, on the premises of a prepared food shop.

Prepared food shop – a place of business that offers seating or carry out service, or both, and which is principally devoted to the sale of prepared food, non-alcoholic beverages, or cold refreshments. This term includes an establishment known as a sandwich shop, coffee shop, or ice cream parlor.

Public space - all the publicly owned property between the property lines on a street.

Public Space Committee - the committee established in 2009 for the purpose of making final determinations in cases involving the use of public space as specified by Mayor's Order No. 2009-114 dated June 18, 2009.

Restaurant – a place of business that does not meet the definition of a "fast food establishment" or "prepared food shop", where food, drinks, or refreshments are prepared and sold to customers primarily for consumption on the premises. Any facilities for carryout shall be clearly subordinate to the principal use providing prepared foods for consumption on the premises.

Sidewalk - the portion of surface space located between the curb line and the building line intended for the use of pedestrians.

Sidewalk Extension - A section of roadway adjacent to the curb that is designated for pedestrian use, and not for parking or vehicular traffic.

Streatery or Streateries - any authorized occupation of the parking lane of a roadway or use of designated parts of an alley network or travel lane used specifically for outdoor dining.

Streatery Block Permit – A Streatery Permit for either a parking lane Streatery for multiple businesses, or a Streatery in an alley or travel lane.

Streatery Design Permit – A Streatery Permit for the structural and design elements of the outdoor dining area.

Streatery Permit – a permit for a Streatery, issued by the Director of the District Department of Transportation pursuant to the provisions of this chapter and Chapter 2 of this title, authorizing the use and occupation of public space in the District of Columbia.

Travel lane Streatery – A Streatery that provides expanded outdoor dining by occupying one travel lane, multiple travel lanes, or the entire roadway.

All persons interested in commenting on the subject matter in this proposed rulemaking may file comments in writing, not later than thirty (30) calendar days after the publication of this notice in the *District of Columbia Register*, with Emily Bell, Policy Analyst, Policy and Legislative Affairs Division, District Department of Transportation, 250 M Street, S.E., 8th Floor, Washington, D.C. 20003. An interested person may also send comments electronically to publicspace.policy@dc.gov. Copies of this proposed rulemaking are available, at cost, by writing to the above address, and are also available electronically, at no cost, on the District Department of Transportation's website at www.ddot.dc.gov.

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2025-058
April 25, 2025

SUBJECT: Reappointments and Appointments – Advisory Committee to the Office of Deaf, DeafBlind, and Hard of Hearing

ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(2) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2), and pursuant to Mayor's Order 2024-034, dated February 22, 2024, it is hereby **ORDERED** that:

1. The following individuals are reappointed as public members of the Advisory Committee to the Office of Deaf, DeafBlind, and Hard of Hearing (the "Advisory Committee"), for terms to end April 22, 2028:

   a. **WILLIAM BUTLER**; and
   b. **ELVIRA SISOLAK**.

2. **TERINEE BONDS** is appointed as a public member of the Advisory Committee, for the remainder of an unexpired term to April 22, 2027.

3. **SONIA GUTIERREZ** is appointed as the representative of the Department of Housing and Community Development member of the Commission and shall serve at the pleasure of the Mayor.

4. **DECHELLE HAMPTON** is appointed as the representative of the Department of Motor Vehicles member of the Commission and shall serve at the pleasure of the Mayor.

5. **GRACE O'NEILL** is appointed as the representative of the Department of Disability Services member of the Commission and shall serve at the pleasure of the Mayor.

6. **LAKISHA LOVE-PETTIS** is appointed as the representative of the District Department of Transportation member of the Commission and shall serve at the pleasure of the Mayor.

7. **JAYMES POMARE** is appointed as the representative of the Metropolitan Police Department member of the Commission and shall serve at the pleasure of the Mayor.

8. **EFFECTIVE DATE:** Paragraph 2 of this Order shall be effective *nunc pro tunc* to June 27, 2024. The remainder of this Order shall become effective immediately.

MURIEL BOWSER
MAYOR

ATTEST: _____

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

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2025-059
April 29, 2025

SUBJECT: Appointments and Reappointments — Commission on Nightlife and Culture

ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(2) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2), pursuant to section 5 of the Office of and Commission on Nightlife and Culture Establishment Act of 2018, effective December 13, 2018, D.C. Law 22-191, D.C. Official Code § 3-664, pursuant to the Commission on Nightlife and Culture Lukas Umana Confirmation Resolution of 2025, effective April 19, 2025, Resolution PR26-0076, pursuant to the Commission on Nightlife and Culture Vinoda Basnayake Confirmation Resolution of 2025, effective April 19, 2025, Resolution PR26-0074, pursuant to the Commission on Nightlife and Culture Ris Lacoste Confirmation Resolution of 2025, effective April 19, 2025, Resolution PR26-0075, and pursuant to the Commission on Nightlife and Culture Walter "Heru" Peacock Confirmation Resolution of 2025, effective April 19, 2025, Resolution PR26-0073, and in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979, D.C. Law 2-142, D.C. Official Code § 1-523.01, it is hereby **ORDERED** that:

1. **LUKAS UMANA** is appointed as the person sitting on the board of directors of a business improvement district member of the Commission on Nightlife and Culture ("the Commission"), filling a vacant seat formerly held by Colleen Hawkinson, for the remainder of an unexpired term to end March 15, 2027.

2. **VINODA BASNAYAKE** is reappointed as the owner of a business holding an on-premises retailer's license pursuant to D.C. Official Code § 25-113 member of the Commission for a term to end March 15, 2028.

3. **RIS LACOSTE** is reappointed as the representative of an organization that advocates for preventing sexual harassment and assault member of the Commission, for a term to end March 15, 2028.

4. **WALTER "HERU" PEACOCK** is appointed as the District-based musician or producer working in the music industry member of the Commission, filling a vacant seat formerly held by Anwan Glover, for a term to end March 15, 2025, and for a subsequent term to end March 15, 2028.

5. **EFFECTIVE DATE:** This Order shall be effective *nunc pro tunc* to April 19, 2025.

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 2025-060
April 29, 2025

SUBJECT: Appointments — District Waterways Advisory Commission

ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(2) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2), pursuant to section 3 of the Office of District Waterways Management Establishment Act of 2022, effective March 22, 2023, D.C. Law 24-336, D.C. Official Code § 8-191.02, the District Waterways Advisory Commission Melissa Bird Confirmation Resolution of 2025, effective April 19, 2025, Resolution PR26-0098, and the District Waterways Advisory Commission Darryl Madden Confirmation Resolution of 2025, effective April 19, 2025, Resolution PR26-0097, and in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979, D.C. Law 2-142, D.C. Official Code § 1-523.01, it is hereby **ORDERED** that:

1. **MELISSA BIRD** is appointed as an individual with experience in maritime management or policy member of the District Waterways Advisory Commission ("Commission"), filling a new seat, for a term of four years.

2. **DARRYL MADDEN** is appointed as an individual with experience in public safety member of the Commission, filling a new seat, for a term of four years.

3. **DARRYL MADDEN** is designated as the chairperson of the Commission and shall serve in that capacity at the pleasure of the Mayor.

4. **EFFECTIVE DATE:** This Order shall be effective *nunc pro tunc* to April 19, 2025.

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 2025-061
April 29, 2025

SUBJECT: Reappointments — Combat Sports Commission

ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(2) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2), pursuant to section 5 of the Boxing and Wrestling Commission Act of 1975, effective October 8, 1975, D.C. Law 1-20, D.C. Official Code § 3-604, pursuant to the Combat Sports Commission Andrew Huff Confirmation Resolution of 2025, effective April 19, 2025, Resolution PR26-0095, pursuant to the Combat Sports Commission Christopher Jenkins Confirmation Resolution of 2025, effective April 19, 2025, Resolution PR26-0096, and in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979, D.C. Law 2-142, D.C. Official Code § 1-523.01, it is hereby **ORDERED** that:

1. **ANDREW HUFF** is reappointed as Chairperson of the Combat Sports Commission, for a term to end January 5, 2028.

2. **CHRISTOPHER JENKINS** is reappointed as a member of the Commission, for a term to end January 5, 2028.

3. **EFFECTIVE DATE:** This Order shall be effective *nunc pro tunc* to April 19, 2025.

MURIEL BOWSER
MAYOR

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

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2025-062
April 29, 2025

SUBJECT: Appointments — Interstate Medical Licensure Compact Commission

ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(2) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2), pursuant to section 2 of the Interstate Medical Licensure Compact Enactment Act of 2018, effective June 5, 2018, D.C. Law 22-109, D.C. Official Code § 3-1271.11, pursuant to the Interstate Medical Licensure Compact Commission Dr. Padmaja Pavuluri Confirmation Resolution of 2025, effective April 19, 2025, Resolution PR26-0100, pursuant to the Interstate Medical Licensure Compact Commission Harry Barbee Confirmation Resolution of 2025, effective April 19, 2025, Resolution PR26-0099, and in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979, D.C. Law 2-142, D.C. Official Code § 1-523.01, it is hereby **ORDERED** that:

1. **DR. PADMAJA PAVULURI** is appointed as the alternate member of the Interstate Medical Licensure Compact Commission (the "Commission"), filling a vacant seat, to serve at the pleasure of the Mayor.

2. **DR. HARRY BARBEE** is appointed as a voting member of the Commission, filling a vacant seat formerly held by Vikisha Fripp, to serve at the pleasure of the Mayor.

3. **EFFECTIVE DATE:** This Order shall be effective *nunc pro tunc* to April 19, 2025.

MURIEL BOWSER
MAYOR

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

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2025-063
April 30, 2025

SUBJECT: Appointment — Multimodal Accessibility Advisory Council

ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(2) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2), pursuant to section 304 of the Transportation Reorganization Amendment Act of 2016, effective June 22, 2016, D.C. Law 21-124, D.C. Official Code § 50-2361.31, it is hereby **ORDERED** that:

1. **SALIFU KAMARA** is appointed as a community representative member of the Multimodal Accessibility Advisory Council, filling a vacant seat formerly held by Clarence Moore, for a term to end December 16, 2026.

2. **EFFECTIVE DATE:** This Order shall be effective *nunc pro tunc* to March 5, 2025.

MURIEL BOWSER
MAYOR

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

DC MAYOR'S OFFICE ON AFRICAN AFFAIRS

NOTICE OF PUBLIC METTING

Commission of African Affairs

Wednesday, May 14, 2025, 6 pm. – 7:30 pm
In-person Meeting

The Commission of African Affairs will be holding a meeting on Wednesday, May 14, 2025, from 6pm to 7:30 pm. Members of the public are welcome to observe the meeting **in person**.

The meeting will be held at: **899 North Capitol Street, NE. 7th floor, Washington, DC 20002**
The Location is closest to the union Station Metro on the red line.
Below is a draft agenda for this meeting. A final agenda will be posted on The Office of African Affairs website at oaa.dc.gov. If you have any questions about the commission or its meetings, please contact oaa@dc.gov. Phone: (202) 727-5634

Agenda

I. **Opening – Call to Order**

II. MOAA Updates and Announcements

- African Community Grant Program
- MOAA Language Access Program: OHR/MOAA/OCOP Selection of vendors under citywide
- MOAA March & April events
- Multicultural Awareness & Community Development:
  - May: Africa Day
  - June: DC Community Soccer Tournament
  - July: Young African Impact Weekend & Mandela Day of Service
  - September: African Heritage Month Celebration Event

III. COAA Announcements

- COAA Leadership Discussion
- Formation of subcommittees:
  - **a.** Education, Jobs
  - **b.** Public Safety
  - **c.** Economic Development
  - **d.** Health, Wellness & the Arts
- Commission Ex-Officio Members

IV. 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.

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ALCOHOLIC BEVERAGE AND CANNABIS BOARD

NOTICE OF PUBLIC HEARINGS
CALENDAR

WEDNESDAY, MAY 7, 2025
899 NORTH CAPITOL STREET, NE, SUITE 4200 A-B
WASHINGTON, D.C. 20002

Donovan W. Anderson, Chairperson
Members: Silas Grant, Jr., Teri Janine Quinn, Ryan Jones and David Meadows

Show Cause Hearing (Status) **10:30 AM**

Case # 24-CMP-00078
Partners at 723 8th St SE, LLC, t/a The Ugly Mug Dining Saloon/Valor Brew Pub
723 8th Street SE
License #71793
Retailer CR
ANC 6B
Failed to File Quarterly Statements

Show Cause Hearing (Status) **10:30 AM**

Case # 24-CMP-00077
Don Ho, Inc., t/a District Liquors
1211 11th Street NW
License #23
Retailer A
ANC 2F
Failed to Maintain on Premises Three Years of Adequate Books and Records Showing All Sales, Violation of Settlement Agreement

Board's Calendar
May 7, 2025

Show Cause Hearing (Status) **10:30 AM**

Case # 25-CMP-00007
816 Dirty Water, LLC, t/a Dirty Water
816 H Street NE
License #125771
Retailer CT
ANC 6A
Sale to Minor Violation

Show Cause Hearing (Status) **10:30 AM**

Case # 25-CMP-00007
T and A, LLC, t/a Montana Liquors
710 H Street NE
License #97473
Retailer A
ANC 6A
Failed to Make a Copy of Settlement Agreement Immediately Accessible, Violation of Settlement Agreement

Motion Hearing **10:30 AM**

Case # 25-PRO-00009
Proper Exotic, LLC, t/a Proper Exotic
313 8th Street NE
License #128697
Retailer MC
ANC 6A
Oral Argument

Board's Calendar
May 7, 2025

Fact Finding Hearing **10:30 AM**

Case # 25-251-00008
Allure Lounge, LLC, t/a Allure Lounge
711 H Street NE
License #108303
Retailer CT
ANC 6A
Homicide, Shooting Outside of the Establishment

BOARD RECESS AT 12:00 PM

ADMINISTRATIVE AGENDA AT 1:00 PM

Show Cause Hearing **1:30 PM**

Case # 24-251-00018
3124 Corporation, t/a The Good Guys Restaurant
2311 Wisconsin Ave NW
License #899
Retailer CN
ANC 3B
Allowed the Establishment to be Used for an Unlawful or Disorderly Purposes, Failed to Follow Security Plan, Provided False or Misleading Information

Protest Hearing **1:30 PM**

Case # 25-PRO-00008
7th Street Love, LLC, t/a Acqua A1 2
212 7th Street SE
License #131013
Retailer CR
ANC 6B
Application for a New License

Board's Calendar
May 7, 2025

Protest Hearing **1:30 PM**

Case # 24-PRO-00113
Stealth Grey t/a Love 420
39 Q Street SW
License #129942
Retailer MC
ANC 6D
Application for a New License

All of the ABC Board's public hearings are conducted virtually and are livestreamed on ABCA's YouTube channel which can be found here: *https://www.youtube.com/@alcoholicbeverageregulatio5683*.

This meeting is governed by the Open Meetings Act. Please address any questions or complaints arising under this meeting to the Office of Open Government at *opengovoffice@dc.gov*.

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ALCOHOLIC BEVERAGE AND CANNABIS BOARD

NOTICE OF MEETING
CANCELLATION AGENDA – CATERERS

WEDNESDAY, MAY 7, 2025
899 NORTH CAPITOL STREET, N.E., SUITE 4200-B, WASHINGTON, DC 20002

The ABC Board will be Cancelling the following licenses for the reasons outlined below:

ABRA-089475 – **Hill Country** – Caterer – 410 7TH STREET NW
[Licensee did not Renew.]

ABRA-103546 – **Bluejacket** – Caterer – 300 TINGEY STREET SE
[Licensee did not Renew.]

ABRA-103786 – **G Street Food** – Caterer – 1030 15TH STREET NW
[Licensee did not Renew.]

ABRA-107322 – **Please Bring Chips** – Caterer – 1320 H STREET NE
[Licensee did not Renew.]

ABRA-114867 – **El Cielo Restaurant by Juan Manuel Barrientos** – Caterer – 1280 4TH STREET NE
[Licensee did not Renew.]

ABRA-115050 – **Buffalo & Bergen** – Caterer – 1309 5TH STREET NE
[Licensee did not Renew.]

ABRA-115657 – **Joselito Casa de Comidas** – Caterer – 660 PENNSYLVANIA AVENUE SE
[Licensee did not Renew.]

ABRA-115743 – **Bluestone Lane** – Caterer – 1300 PENNSYLVANIA AVENUE NW
[Licensee did not Renew.]

ABRA-117754 – **Vibez on H** – Caterer – 1378 H STREET NE
[Licensee did not Renew.]

ABRA-118149 – **DC Capitol Square Bar & Grill** – Caterer – 1500 EAST CAPITOL STREET NE
[Licensee did not Renew.]

ABRA-119720 – **Bite Club** – Caterer – 1360 OKIE STREET NE
[Licensee did not Renew.]

ABRA-121650 – **Atrium Bar** – Caterer – 1825 I STREET NW
[Licensee did not Renew.]

ABRA-121770 – **His and Hers Restaurant DC** – Caterer – 2214 RHODE ISLAND AVENUE NE
[Licensee did not Renew.]

ABRA-123778 – **Queen's Bar and Lounge** – Caterer – 1503 9TH STREET NW
[Licensee did not Renew.]

ABRA-124045 – **Kitchen Savages** – Caterer – 1211 GOOD HOPE ROAD SE
[Licensee did not Renew.]

ABRA-125989 – **Kitchen + Kocktails by Kevin Kelley DC** – Caterer – 1300 I STREET NW
[Licensee did not Renew.]

ABRA-126665 – **Poppinmess Champagne & Dessert Bar** – Caterer – 1301 U STREET NW
[Licensee did not Renew.]

ABRA-129524 – **Fogo De Chao Churrascaria** – Caterer – 1101 PENNSYLVANIA AVENUE NW
[Licensee did not Renew.]

In accordance with the Open Meetings Act (D.C. Official Code §2-571 *et. seq.*) this meeting may be closed to consult with an attorney to obtain legal advice pursuant to §2-575(b)(4)(A). The Board's vote will be held in an open session and the public is permitted to attend. This meeting is governed by the Open Meetings Act. Please address any questions or concerns arising under this meeting to the Office of Open Government at opengovoffice@dc.gov.

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ALCOHOLIC BEVERAGE AND CANNABIS BOARD

NOTICE OF MEETING
CANCELLATION AGENDA – CLASS A

WEDNESDAY, MAY 7, 2025
899 NORTH CAPITOL STREET, N.E., SUITE 4200-B, WASHINGTON, DC 20002

The ABC Board will be Cancelling the following licenses for the reasons outlined below:

1) ABRA-118369 – **Heights Liquor** – A – Retail - Liquor Store – 547 42ND STREET NE
[Licensee did not pay the second-year Annual Payment.]

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2) ABRA-121495 – **Cadaster Wines** – A – Internet – 4221 CONNECTICUT AVENUE NW
[Licensee did not pay the second-year Annual Payment.]

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3) ABRA-123823 – **Otherwise Rosey** – A – Internet – 3525 V STREET NE
[Licensee did not pay the second-year Annual Payment.]

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4) ABRA-125121 – **Barrel Nation** – A – Internet – 955 V STREET NE
[Licensee did not pay the second-year Annual Payment.]

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5) ABRA-127963 – **DMV Liquors Wines and Beers** – A – Retail - Liquor Store – 643 PENNSYLVANIA AVENUE SE
[Licensee did not pay the second-year Annual Payment.]

In accordance with the Open Meetings Act (D.C. Official Code §2-571 *et. seq.*) this meeting may be closed to consult with an attorney to obtain legal advice pursuant to §2-575(b)(4)(A). The Board's vote will be held in an open session and the public is permitted to attend. This meeting is governed by the Open Meetings Act. Please address any questions or concerns arising under this meeting to the Office of Open Government at opengovoffice@dc.gov.

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ALCOHOLIC BEVERAGE AND CANNABIS BOARD

NOTICE OF MEETING
CANCELLATION AGENDA – CLASS C & D RETAILERS

WEDNESDAY, MAY 7, 2025
899 NORTH CAPITOL STREET, N.E., SUITE 4200-B, WASHINGTON, DC 20002

The ABC Board will be Cancelling the following licenses for the reasons outlined below:

ABRA-060383 – **Tunnicliffs Tavern** – Retail – C – Restaurant – 222 7TH STREET SE
[Licensee did not Renew.]

ABRA-089350 – **Good Stuff Eatery** – Retail – C – Restaurant – 3291 M STREET NW
[Licensee did not Renew.]

ABRA-000753 – **Mama Ayesha's Calvert Restaurant** – Retail – C – Restaurant – 1967 CALVERT STREET NW
[Licensee did not Renew.]

ABRA-007880 – **Tony Chengs Mongolian Barbeque** – Retail – C – Restaurant – 619 H STREET NW
[Licensee did not Renew.]

ABRA-011730 – **Tony Cheng's Seafood Restaurant** – Retail – C – Restaurant – 619 H STREET NW
[Licensee did not Renew.]

ABRA-017199 – **The Grill From Ipanema** – Retail – C – Restaurant – 1858 COLUMBIA NW
[Licensee did not Renew.]

ABRA-111118 – **Potomac Paddle Pub** – Retail – D – Marine Vessel – 101 MARKET SQUARE SW
[Licensee did not Renew.]

ABRA-025750 – **The Studio Theatre** – Retail – C – Multipurpose – 1333 P STREET NW

[Licensee did not Renew.]

ABRA-060528 – **Indique** – Retail – C – Restaurant – 3512 CONNECTICUT AVENUE NW
[Licensee did not Renew.]

ABRA-060706 – **Logan Tavern** – Retail – C – Restaurant – 1423 P STREET NW
[Licensee did not Renew.]

ABRA-060754 – **LeDesales** – Retail – C – Restaurant – 1725 DE SALES STREET NW
[Licensee did not Renew.]

ABRA-071179 – **El Tamarindo Adam Morgan** – Retail – C – Restaurant – 1785 FLORIDA AVENUE NW
[Licensee did not Renew.]

ABRA-072014 – **Susheria** – Retail – C – Restaurant – 3101 K STREET NW
[Licensee did not Renew.]

ABRA-072095 – **Gala Hispanic Theatre** – Retail – C – Multipurpose – 3333 14TH STREET NW
[Licensee did not Renew.]

ABRA-072256 – **Maggiano's** – Retail – C – Restaurant – 5333 WISCONSIN AVENUE NW
[Licensee did not Renew.]

ABRA-074004 – **Jackey Cafe** – Retail – C – Restaurant – 611 H STREET NW
[Licensee did not Renew.]

ABRA-075299 – **Redrocks** – Retail – C – Restaurant – 1036 PARK ROAD NW
[Licensee did not Renew.]

ABRA-111118-2 – **Potomac Paddle Club** – Retail – D – Marine Vessel – 101 MARKET SQUARE SW
[Licensee did not Renew.]

ABRA-078307 – **E Street Lounge** – Retail – C – Multipurpose – 555 11TH STREET NW
[Licensee did not Renew.]

ABRA-081773 – **Ford's Theatre Gift Shop** – Retail – C – Multipurpose – 511 10TH STREET NW
[Licensee did not Renew.]

ABRA-085973 – **Mai Thai of Georgetown** – Retail – C – Restaurant – 3251 PROSPECT STREET NW
[Licensee did not Renew.]

ABRA-086012 – **The Blaguard** – Retail – C – Restaurant – 2003 18TH STREET NW
[Licensee did not Renew.]

ABRA-086435 – **MGM Roast Beef** – Retail – D – Restaurant – 1905 BRENTWOOD ROAD NE
[Licensee did not Renew.]

ABRA-086529 – **Lavagna** – Retail – C – Restaurant – 539 8TH STREET SE
[Licensee did not Renew.]

ABRA-087667 – **Luke's Lobster** – Retail – C – Restaurant – 624 E STREET NW
[Licensee did not Renew.]

ABRA-087730 – **Tortino Restaurant** – Retail – C – Restaurant – 1228 11TH STREET NW
[Licensee did not Renew.]

ABRA-089616 – **Beuchert's Saloon** – Retail – C – Restaurant – 623 PENNSYLVANIA AVENUE SE
[Licensee did not Renew.]

ABRA-091662 – **Pinstripes** – Retail – C – Restaurant – 3222 M STREET NW
[Licensee did not Renew.]

ABRA-093492 – **Bub and Pop's** – Retail – C – Restaurant – 1815 M STREET NW
[Licensee did not Renew.]

ABRA-094795 – **Appioo** – Retail – C – Restaurant – 1924 9TH STREET NW
[Licensee did not Renew.]

ABRA-094844 – **The Big Stick** – Retail – C – Restaurant – 20 M STREET SE
[Licensee did not Renew.]

ABRA-094849 – **Gallery O on H** – Retail – C – Multipurpose – 1354 H STREET NE
[Licensee did not Renew.]

ABRA-095030 – **India Gate** – Retail – C – Restaurant – 2020 P STREET NW
[Licensee did not Renew.]

ABRA-096141 – **ZK Lounge** – Retail – C – Restaurant – 1805 MONTANA AVENUE NE
[Licensee did not Renew.]

ABRA-096296 – **Convivial** – Retail – C – Restaurant – 801 O STREET NW
[Licensee did not Renew.]

ABRA-096716 – **Knollwood Apartments** – Retail – C – Restaurant – 6200 OREGON AVENUE NW
[Licensee did not Renew.]

ABRA-097260 – **Fare Well** – Retail – C – Restaurant – 406 H STREET NE
[Licensee did not Renew.]

ABRA-097488 – **Fig & Olive** – Retail – C – Restaurant – 934 PALMER ALLEY NW
[Licensee did not Renew.]

ABRA-098286 – **Hunan Dynasty** – Retail – D – Restaurant – 215 PENNSYLVANIA AVENUE SE
[Licensee did not Renew.]

ABRA-098505 – **Masseria** – Retail – C – Restaurant – 1340 4TH STREET NE
[Licensee did not Renew.]

ABRA-111118-3 – **Potomac Tiki Club** – Retail – D – Marine Vessel – George Washington Memorial PKWY
[Licensee did not Renew.]

ABRA-099697 – **Atlantic Plumbing Beverage Services** – Retail – C – Multipurpose – 807 V STREET NW
[Licensee did not Renew.]

ABRA-100140 – **Alta Strada** – Retail – C – Restaurant – 465 K STREET NW
[Licensee did not Renew.]

ABRA-100312 – **VILLA TUSCANA** – Retail – C – Restaurant – 1723 COLUMBIA ROAD NW
[Licensee did not Renew.]

ABRA-100855 – **Half Smoke** – Retail – C – Restaurant – 651 FLORIDA AVENUE NW
[Licensee did not Renew.]

ABRA-101155 – **Emissary** – Retail – C – Restaurant – 2032 P STREET NW
[Licensee did not Renew.]

ABRA-101833 – **LUPO OSTERIA** – Retail – C – Restaurant – 4814 MACARTHUR BOULEVARD NW
[Licensee did not Renew.]

ABRA-104232 – **Joselito - Casa de Comidas** – Retail – C – Restaurant – 660 PENNSYLVANIA AVENUE SE
[Licensee did not Renew.]

ABRA-104296 – **Taqueria Rosticeria Fresca** – Retail – C – Restaurant – 701 H STREET NE
[Licensee did not Renew.]

ABRA-104701 – **GLO - Lalibela Ethiopian Restaurant & Lounge** – Retail – C – Restaurant – 1608 7TH STREET NW
[Licensee did not Renew.]

ABRA-106428 – **Benito's Place** – Retail – C – Restaurant – 1437 11TH STREET NW
[Licensee did not Renew.]

ABRA-106587 – **Tastemakers** – Retail – C – Restaurant – 2800 10TH STREET NE
[Licensee did not Renew.]

ABRA-107202 – **Lupo Marino** – Retail – C – Restaurant – 20 PEARL STREET SW
[Licensee did not Renew.]

ABRA-107309 – **Thai Chef** – Retail – C – Restaurant – 1712 CONNECTICUT AVENUE NW
[Licensee did not Renew.]

ABRA-107664 – **Officina** – Retail – C – Restaurant – 1120 MAINE AVENUE SW
[Licensee did not Renew.]

ABRA-107853 – **Regal Gallery Place Stadium 14** – Retail – C – Restaurant – 701 7TH STREET NW
[Licensee did not Renew.]

ABRA-108322 – **Luke's Lobster** – Retail – C – Restaurant – 800 17TH STREET NW
[Licensee did not Renew.]

ABRA-109013 – **Liberte/ L' Annexe** – Retail – C – Restaurant – 2917 M STREET NW
[Licensee did not Renew.]

ABRA-110439 – **Soho Tea & Coffee** – Retail – D – Restaurant – 2150 P STREET NW
[Licensee did not Renew.]

ABRA-111146 – **Zeppelin** – Retail – C – Restaurant – 1544 9TH STREET NW
[Licensee did not Renew.]

ABRA-111895 – **Call Your Mother** – Retail – C – Restaurant – 3301 GEORGIA AVENUE NW
[Licensee did not Renew.]

ABRA-112163 – **La Bicicletta Cafe & Bar** – Retail – C – Restaurant – 2029 P STREET NW
[Licensee did not Renew.]

ABRA-112472 – **Officina Cafe** – Retail – C – Restaurant – 1615 L STREET NW
[Licensee did not Renew.]

ABRA-113050 – **Eat BRGZ** – Retail – C – Restaurant – 250 7TH STREET SE
[Licensee did not Renew.]

ABRA-113763 – **Retrobottega** – Retail – C – Restaurant – 2435 18TH STREET NW
[Licensee did not Renew.]

ABRA-113994 – **Lupo Pizzeria** – Retail – C – Restaurant – 1908 14TH STREET NW
[Licensee did not Renew.]

ABRA-114006 – **Beautea/Reren** – Retail – C – Restaurant – 1073 WISCONSIN AVENUE NW
[Licensee did not Renew.]

ABRA-114288 – **Quilox Restaurant and Lounge** – Retail – C – Restaurant – 7303 GEORGIA AVENUE NW
[Licensee did not Renew.]

ABRA-114514 – **Mechos Dominican Kitchen** – Retail – C – Restaurant – 2450 MARKET STREET NE
[Licensee did not Renew.]

ABRA-114565 – **La Casita Pupuseria & Comedor** – Retail – C – Restaurant – 1280 4TH STREET NE
[Licensee did not Renew.]

ABRA-114779 – **Ruth's Chris Steak House** – Retail – C – Restaurant – 2001 K STREET NW
[Licensee did not Renew.]

ABRA-114799 – **Swahili Village The Consulate** – Retail – C – Restaurant – 1990 M STREET NW
[Licensee did not Renew.]

ABRA-114952 – **Bluestone Lane** – Retail – C – Restaurant – 1701 14TH STREET NW
[Licensee did not Renew.]

ABRA-115533 – **Mr. Chen's** – Retail – C – Restaurant – 3419 CONNECTICUT AVENUE NW
[Licensee did not Renew.]

ABRA-115592 – **Emissary** – Retail – D – Restaurant – 1726 20TH STREET NW
[Licensee did not Renew.]

ABRA-116084 – **El Migueleno Bar & Grill** – Retail – C – Restaurant – 1721 COLUMBIA ROAD NW
[Licensee did not Renew.]

ABRA-116118 – **Souvlaki** – Retail – D – Restaurant – 1917 18TH STREET NW
[Licensee did not Renew.]

ABRA-116333 – **The Roost** – Retail – C – Restaurant – 1401 PENNSYLVANIA AVENUE SE
[Licensee did not Renew.]

ABRA-116741 – **Petit Monde** – Retail – C – Restaurant – 2653 CONNECTICUT AVENUE NW
[Licensee did not Renew.]

ABRA-116777 – **Makers Union Cathedral** – Retail – C – Restaurant – 3701 NEWARK STREET NW
[Licensee did not Renew.]

ABRA-117011 – **Macon Bistro** – Retail – C – Restaurant – 5520 CONNECTICUT AVENUE NW
[Licensee did not Renew.]

ABRA-117354 – **City Sliders** – Retail – C – Restaurant – 1529 WISCONSIN AVENUE NW
[Licensee did not Renew.]

ABRA-117890 – **High Road Cycling** – Retail – C – Restaurant – 3210 GRACE STREET NW
[Licensee did not Renew.]

ABRA-118000 – **Ember & Oak by DC Capitol Square Bar and Grill** – Retail – C – Restaurant – 1500 EAST CAPITOL STREET NE
[Licensee did not Renew.]

ABRA-118103 – **Charlene's Bar & Grille** – Retail – C – Restaurant – 2618 GEORGIA AVENUE NW
[Licensee did not Renew.]

ABRA-118148 – **Bar Spero** – Retail – C – Restaurant – 250 MASSACHUSETTS AVENUE NW
[Licensee did not Renew.]

ABRA-118304 – **Butter Me Up** – Retail – C – Restaurant – 1409 T STREET NW
[Licensee did not Renew.]

ABRA-118570 – **We, the Pizza Express** – Retail – C – Restaurant – 1301 U STREET NW
[Licensee did not Renew.]

ABRA-118586 – **Chicken + Whiskey** – Retail – C – Restaurant – 70 N STREET SE
[Licensee did not Renew.]

ABRA-118901 – **Privilege** – Retail – C – Multipurpose – 1115 U STREET NW
[Licensee did not Renew.]

ABRA-118936 – **Afghania** – Retail – C – Restaurant – 2811 M STREET NW
[Licensee did not Renew.]

ABRA-119161 – **Foxtrot** – Retail – C – Restaurant – 1601 CONNECTICUT AVENUE NW
[Licensee did not Renew.]

ABRA-119190 – **&Pizza** – Retail – C – Restaurant – 55 M STREET SE
[Licensee did not Renew.]

ABRA-119219 – **Onkei** – Retail – C – Restaurant – 2000 PENNSYLVANIA AVENUE NW
[Licensee did not Renew.]

ABRA-119298 – **D Light Cafe** – Retail – C – Restaurant – 2475 18TH STREET NW
[Licensee did not Renew.]

ABRA-120562 – **Mister Rotisserie Chicken** – Retail – C – Restaurant – 3322 GEORGIA AVENUE NW
[Licensee did not Renew.]

ABRA-120846 – **The Greene Turtle** – Retail – C – Restaurant – 1237 1ST STREET SE
[Licensee did not Renew.]

ABRA-121064 – **Echo Box** – Retail – C – Restaurant – 1633 Q STREET NW
[Licensee did not Renew.]

ABRA-121081 – **Hakuna Matata Kitchen and Bar** – Retail – C – Restaurant – 1128 H STREET NE
[Licensee did not Renew.]

ABRA-121362 – **SOL Mexican Grill** – Retail – C – Restaurant – 4220 FESSENDEN STREET NW
[Licensee did not Renew.]

ABRA-121421 – **Planta Queen** – Retail – C – Restaurant – 1200 NEW HAMPSHIRE AVENUE NW
[Licensee did not Renew.]

ABRA-121545 – **Baby Shank** – Retail – C – Restaurant – 1602 U STREET NW
[Licensee did not Renew.]

ABRA-121599 – **Chupacabra** – Retail – C – Restaurant – 822 H STREET NE
[Licensee did not Renew.]

ABRA-121695 – **Bozzelli's Italian Deli** – Retail – D – Restaurant – 1025 VERMONT AVENUE NW
[Licensee did not Renew.]

ABRA-122056 – **Thai & Time Again** – Retail – C – Restaurant – 2311 CALVERT STREET NW
[Licensee did not Renew.]

ABRA-122806 – **Bluestone Lane Spring Valley** – Retail – C – Restaurant – 4872 MASSACHUSETTS AVENUE NW
[Licensee did not Renew.]

ABRA-122863 – **SOL Mexican Grill** – Retail – C – Restaurant – 655 K STREET NW
[Licensee did not Renew.]

ABRA-123418 – **Sports & Social** – Retail – C – Restaurant – 1314 U STREET NW
[Licensee did not Renew.]

ABRA-123546 – **Pacci's** – Retail – C – Restaurant – 106 13TH STREET SE
[Licensee did not Renew.]

ABRA-123600 – **Mama Chepa Cocina Latina** – Retail – C – Restaurant – 5018 1ST STREET NW
[Licensee did not Renew.]

ABRA-123635 – **Kyojin Sushi** – Retail – C – Restaurant – 3315 CADY'S ALLEY NW
[Licensee did not Renew.]

ABRA-123652 – **eat brgz** – Retail – C – Restaurant – 1200 NEW HAMPSHIRE AVENUE NW
[Licensee did not Renew.]

ABRA-123676 – **Char Bar** – Retail – C – Restaurant – 2142 L STREET NW
[Licensee did not Renew.]

ABRA-123761 – **Mola Empanada** – Retail – C – Restaurant – 2438 18TH STREET NW
[Licensee did not Renew.]

ABRA-123908 – **Pho House** – Retail – C – Restaurant – 637 T STREET NW
[Licensee did not Renew.]

ABRA-124062 – **Flora Pizzeria** – Retail – D – Restaurant – 1825 I STREET NW
[Licensee did not Renew.]

ABRA-124611 – **Foxtrot** – Retail – C – Restaurant – 1827 ADAMS MILL ROAD NW
[Licensee did not Renew.]

ABRA-124807 – **Queens Cafe** – Retail – D – Restaurant – 2405 18TH STREET NW
[Licensee did not Renew.]

ABRA-124934 – **Nile Ethiopian Restaurant and Nile Market** – Retail – C – Restaurant – 7815 GEORGIA AVENUE NW
[Licensee did not Renew.]

ABRA-125307 – **Parachute Pizza** – Retail – C – Restaurant – 1309 5TH STREET NE
[Licensee did not Renew.]

ABRA-126087 – **Thai Love DC** – Retail – C – Restaurant – 3433 CONNECTICUT AVENUE NW
[Licensee did not Renew.]

ABRA-126137 – **Giovannis Trattu** – Retail – C – Restaurant – 1823 JEFFERSON PLACE NW
[Licensee did not Renew.]

ABRA-126244 – **Hilltop Tap Room** – Retail – C – Restaurant – 3700 O STREET NW
[Licensee did not Renew.]

ABRA-126255 – **Philotimo** – Retail – C – Restaurant – 1100 15TH STREET NW
[Licensee did not Renew.]

ABRA-126587 – **East West Cafe** – Retail – C – Restaurant – 4619 41ST STREET NW
[Licensee did not Renew.]

ABRA-126693 – **Elsa Ethiopian Kitchen** – Retail – C – Restaurant – 2614 CONNECTICUT AVENUE NW
[Licensee did not Renew.]

ABRA-126810 – **Union Market Hotel/Treehouse** – Retail – C – Hotel – 411 NEW YORK AVENUE NE
[Licensee did not Renew.]

ABRA-127317 – **Dionne's** – Retail – C – Restaurant – 1110 OAK DRIVE SE
[Licensee did not Renew.]

ABRA-127444 – **Eatopia Eatery** – Retail – C – Restaurant – 1301 U STREET NW
[Licensee did not Renew.]

ABRA-127508 – **AU LAIT DC** – Retail – D – Restaurant – 1608 17TH STREET NW
[Licensee did not Renew.]

ABRA-127797 – **Gursha Ethiopian Cuisine** – Retail – C – Restaurant – 1195 20TH STREET NW
[Licensee did not Renew.]

ABRA-128270 – **Darvish Kitchen** – Retail – C – Restaurant – 1141 CONNECTICUT AVENUE NW
[Licensee did not Renew.]

ABRA-128701 – **The Continent DC** – Retail – C – Restaurant – 1110 VERMONT AVENUE NW
[Licensee did not Renew.]

ABRA-060535 – **Ristorante La Perla** – Retail – C – Restaurant – 2600 PENNSYLVANIA AVENUE NW
[Licensee did not Renew.]

ABRA-119608 – **(TBD) Formerly RiRa Irish Pub** – Retail – C – Restaurant – 3123 M STREET NW
[Licensee did not Renew.]

In accordance with the Open Meetings Act (D.C. Official Code §2-571 *et. seq*.) this meeting may be closed to consult with an attorney to obtain legal advice pursuant to §2-575(b)(4)(A). The Board's vote will be held in an open session and the public is permitted to attend. This meeting is governed by the Open Meetings Act. Please address any questions or concerns arising under this meeting to the Office of Open Government at opengovoffice@dc.gov.

DC COMMISSION ON THE ARTS AND HUMANITIES

NOTICE OF FUNDING AVAILABILITY

FY 2026 Arts and Humanities Fellowship Program

The District of Columbia Commission on the Arts and Humanities is soliciting applications for its FY 2026 Arts and Humanities Fellowship Program (AHFP). AHFP supports qualified individual artists and humanities practitioners who significantly contribute to the District of Columbia as a world-class cultural capital. AHFP recognizes the impact of individual artists and humanities practitioners within the District and supports the vitality that those individuals bring to the local community (see RFA for details).

Eligibility:
Applicants must meet all of the following eligibility requirements at the time of application (additional requirements may be included in the RFA):

- Be a legal District of Columbia resident for at least one (1) year prior to submission.
- Have a permanent District of Columbia address, as listed on government issued identification or tax returns. Post office boxes may not be used as a permanent address.
- Maintain District of Columbia residency during the entire granting fiscal year.
- Be an artist, arts professional, and/or humanities practitioner, aged 18 or older.
- Be in "good standing" with CAH. (Note: A CAH grant applicant who has failed to comply with all applicable CAH-related mandates (i.e. failed to submit to CAH required reports related to prior CAH funding), is not in "good standing" with CAH and, accordingly, is ineligible to receive additional funds from CAH in FY 2026).
- Obtain a Certificate of Clean Hands from the District of Columbia Office of Tax and Revenue.

RFA Release Date:	Monday, May 12, 2025
RFA Availability:	The RFA will be posted on CAH's website (dcarts.dc.gov) and the District Grants Clearinghouse website.
Amount of Awards:	Award Amounts Vary
Length of Awards:	Fiscal Year 2026 (October 1, 2025 - September 30, 2026)
Application Workshops:	Offered throughout the application period to provide technical application assistance.
CAH Contact:	Grants Program Managers: Kerry Kaleba | Kerry.kaleba@dc.gov
Electronic Submission Deadline:	10:00 pm, Tuesday, June 17, 2025 via Jungle Lasers Grant Portal.

DC COMMISSION ON THE ARTS AND HUMANITIES

NOTICE OF FUNDING AVAILABILITY

FY 2026 Arts or Humanities Education Project (AHEP) Grant Program

The District of Columbia Commission on the Arts and Humanities (CAH) requests applications from qualified arts, humanities, arts education, service organizations, and other non-profits for its Fiscal Year 2026 Arts or Humanities Education Project grant program (AHEP).

AHEP supports exemplary projects in arts or humanities education to students in grades pre-K to 12 and to teachers, educational staff and teaching artists of DCPS and DCPCS schools delivered by qualified non-profits with demonstrated success in providing arts or humanities education programming. The AHEP grant program also funds arts education projects that support learning for adults and seniors in Washington DC, delivered by similarly qualified non-profits. The AHEP grant will not offset the responsibilities of DCPS or DCPCS schools in providing their students with an excellent education but will support projects that enhance the learning that is already in place. (see RFA for details)

Eligibility:
Applicants must meet all the following eligibility requirements at the time of application (additional requirements may be included in the RFA):

- Be incorporated as a nonprofit with a federally designated tax-exempt status under section 501(c)(3) of the United States Internal Revenue Service (IRS) code for at least one year prior to the application deadline.
- Be registered with, and authorized to do business in, the District of Columbia.
- Have a principal business office address in the District of Columbia. CAH will not allow post office boxes or addresses of board members or volunteers as evidence of business address.
- Register and comply with the regulatory requirements of pertinent government agencies, including: Department of Licensing and Consumer Protection (DLCP), DC Office of the Chief Financial Officer (OCFO), DC Department of Employment Services (DOES), and the US Internal Revenue Service (IRS).
- Have a history of actively providing arts and humanities programs in the District of Columbia for at least one year prior to the application deadline.
- Ensure that one hundred percent (100%) of the grant award dollars are used to support District of Columbia personnel and programming.
- Be in "good standing" with CAH. (Note: A CAH grant applicant who has failed to comply with all applicable CAH-related mandates (e.g., failed to submit to CAH required reports related to prior CAH funding), is not in "good standing" with CAH and, accordingly, is ineligible to receive funds from CAH in FY 2026).

RFA Release Date: Monday, May 12, 2025

RFA Availability:	The RFA will be posted on CAH's website (dcarts.dc.gov) and the District Grants Clearinghouse website
Amount of Awards:	Eligible applicants can be awarded up to $30,000
Length of Awards:	Fiscal Year 2026 (October 1, 2025 - September 30, 2026)
Application Workshops:	Offered throughout the application period to provide technical application assistance
CAH Contact:	Andrea Brown, Arts Learning Coordinator andrea.brown3@dc.gov
Electronic Submission Deadline:	10:00 pm, Tuesday, June 17, 2025 via Jungle Lasers

DC COMMISSION ON THE ARTS AND HUMANITIES

NOTICE OF FUNDING AVAILABILITY

FY 2026 Capital Projects: Small Grant Program

The District of Columbia Commission on the Arts and Humanities (CAH) is soliciting applications from qualified arts and humanities organizations for its FY 2026 grant program (CAP). The CAP grant supports capital projects for qualified organizations that own or rent facilities, intend to own or rent facilities, or seek other permanent property or equipment designed for the training, management, production, or presentation of performances or exhibitions of the arts or humanities. Organizations pursuing capital projects related to digital or technological assets are eligible to apply. Organizations engaged in the historic preservation of their properties and preservation planning projects are also eligible to apply. Grant funds may be used for planning projects, short- and long-term facilities projects, or for the purchase of a new facility (see RFA for details).

Eligibility:
Applicants must meet all of the following eligibility requirements at the time of application (additional requirements may be included in the RFA):

- Be incorporated as a nonprofit with a federally designated tax-exempt status under section 501(c)(3) of the United States Internal Revenue Service (IRS) code.
- Be registered with, and authorized to do business in, the District of Columbia.
- Have a principal business office address that is located in the District of Columbia.
- Ensure that at least fifty-one percent (51%) of the organization's activities occur within the District of Columbia.
- Ensure that one hundred percent (100%) of the grant award dollars are used to support District of Columbia personnel and programming.
- Register and comply with the regulatory requirements of pertinent government agencies, including: Department of Licensing and Consumer Protection (DLCP); DC Office of the Chief Financial Officer (OCFO); DC Department of Employment Services (DOES); and the US Internal Revenue Service (IRS).
- Obtain a Certificate of Clean Hands from the District of Columbia Office of Tax and Revenue.
- Be in "good standing" with CAH. (Note: A CAH grant applicant who has failed to comply with all applicable CAH-related mandates (e.g., failed to submit to CAH required reports related to prior CAH funding), is not in "good standing" with CAH and, accordingly, is ineligible to receive additional funds from CAH in FY 2026.

RFA Release Date:	Monday, May 12, 2025
RFA Availability:	The RFA will be posted on CAH's website (dcarts.dc.gov) and the District Grants Clearinghouse website
Amount of Awards:	Eligible applicants can be awarded up to $200,000
Length of Awards:	Fiscal Year 2026 (October 1, 2025 - September 30, 2026)

Application Workshops:	Offered throughout the application period to provide technical application assistance
CAH Contact:	Terrance Brown, Grants Program Manager Terrance.brown@dc.gov
Electronic Submission Deadline:	10:00 pm, Tuesday, June 17, 2025 via CAH's grants portal (Jungle Lasers)

DC COMMISSION ON THE ARTS AND HUMANITIES

NOTICE OF FUNDING AVAILABILITY

FY 2026 Field Trip Experiences (FTE) Grant Program

The District of Columbia Commission on the Arts and Humanities (CAH) requests applications from qualified arts, humanities, arts education, and arts service organizations for its Fiscal Year 2025 Field Trip Experiences grant program (FTE).

The District of Columbia Commission on the Arts and Humanities (CAH) is soliciting applications from qualified arts and humanities organizations offering comprehensive arts and cultural field trip experiences for students in District of Columbia public schools. The applicant organization must be the producer of the arts or humanities field trip experience detailed in the application.

Field trip experiences are defined as those that take place during the traditional school day and require students to be transported to a cultural site to participate in a professional-quality performance, visual arts exhibition, or humanities experience. The Field Trip Experiences (FTE) grant program supports the cost of field trip tickets, associated transportation costs, professional development opportunities for classroom educators, and/or pre/post-field trip workshops for students. Funding may also be allocated to necessary personnel support for the planning and implementation of the program (see RFA for details).

Eligibility:
Applicants must meet all the following eligibility requirements at the time of application (additional requirements may be included in the RFA):

- Be incorporated as a nonprofit with a federally designated tax-exempt status under section 501(c)(3) of the United States Internal Revenue Service (IRS) code for at least one year prior to the application deadline.
- Be registered with, and authorized to do business in, the District of Columbia.
- Have a principal business office address in the District of Columbia. CAH will not allow post office boxes or addresses of board members or volunteers as evidence of business address.
- Register and comply with the regulatory requirements of pertinent government agencies, including: Department of Licensing and Consumer Protection (DLCP), DC Office of the Chief Financial Officer (OCFO), DC Department of Employment Services (DOES), and the US Internal Revenue Service (IRS).
- Have a history of actively providing arts and humanities programs in the District of Columbia for at least one year prior to the application deadline.
- Ensure that one hundred percent (100%) of the grant award dollars are used to support District of Columbia personnel and programming.
- Be in "good standing" with CAH. (Note: A CAH grant applicant who has failed to comply with all applicable CAH-related mandates (e.g., failed to submit to CAH required reports related to prior CAH funding), is not in "good standing" with CAH and, accordingly, is ineligible to receive funds from CAH in FY 2026).

RFA Release Date:	Wednesday, May 12, 2025
RFA Availability:	The RFA will be posted on CAH's website (dcarts.dc.gov) and the District Grants Clearinghouse website
Amount of Awards:	Eligible applicants can be awarded up to $50,000
Length of Awards:	Fiscal Year 2026 (October 1, 2025 - September 30, 2026)
Application Workshops:	Offered throughout the application period to provide technical application assistance
CAH Contact:	Andrea Brown, Arts Learning Coordinator **andrea.brown3@dc.gov**
Electronic Submission Deadline:	10:00 pm, Tuesday, June 17, 2025 via Jungle Lasers

DEPARTMENT OF BEHAVIORAL HEALTH

NOTICE OF PUBLIC MEETING

Certified Community Behavioral Health Clinics

May 14, 2025

4:00 p.m.

On Wednesday, May 14,2025 at 4:00 p.m., the District of Columbia Department of Behavioral Health, will hold a virtual public meeting:

https://dcnet.webex.com/dcnet/j.php?MTID=ma585787eb93b6ccb5689ea02a9281ea9

Join by video system
Dial 23146890721@dcnet.webex.com

You can also dial 173.243.2.68 and enter your meeting number.
Join by phone
+1-202-860-2110 United States Toll (Washington D.C.)
1-650-479-3208 Call-in number (US/Canada)

If any public attendee needs an accommodation, please contact Jana Berhow, at (202) 748-1418 or integratedcare@dc.gov prior to the meeting date.

AGENDA

4:00 PM	**Welcome**	**Jana Berhow**
4:05 – 4:10	**Opening Remarks DBH**	**Barbara J. Bazron, PhD**
4:10 – 4:15	**Opening Remarks DHCF**	**Melisa Byrd**
4:15 – 4:45	**DBH Staff Presentation**	**DBH Staff**
	• **CCBHC**	
4:45 – 4:55	**Public Comments**	
	(Please limit comments to 3 Minutes)	
4:55 – 5:00	**Wrap Up and Next Steps**	**Jana Berhow**
5:00 PM	**Adjournment**	**Jana Berhow**

BRIYA PUBLIC CHARTER SCHOOL

REQUEST FOR PROPOSALS

Computers and Technology Equipment

Briya Public Charter School solicits proposals for the following:

- Computers and technology equipment, including but not limited to Chromebooks, tablets (iPads), laptops, SMART Boards, wireless access points, servers, routers, and switches.

Full RFP available by request. Proposals should be submitted as PDF documents no later than 5:00 PM EST on Friday, May 16. 2025.

Contact: bids@briya.org

THE CLEMENCY BOARD OF THE DISTRICT OF COLUMBIA

NOTICE OF CLOSED MEETING

On Friday, May 9, 2025, at 10:30 a.m., the Clemency Board of the District of Columbia will hold a closed meeting to discuss confidential applications (Open Meetings Act, D.C. Official Code Section 2-575(b)(1)), pursuant to the Open Meetings Act, D.C. Code Section 2-575(b).

The meeting will be virtual via Webex. 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.

For additional information, please contact Kimberly Ulan, Staff Director and Associate General Counsel at (202) 727-2292 or kimberly.ulan@dc.gov.

THE CLEMENCY BOARD OF THE DISTRICT OF COLUMBIA

NOTICE OF PUBLIC MEETING

The Clemency Board of the District of Columbia will hold a meeting on Friday, May 9, 2025, at 10:30 a.m. The meeting will be held via Webex. Below is the agenda, meeting link, and log-in numbers for this meeting. The final agenda will be posted on the Clemency Board's website at https://clemency.dc.gov/.

AGENDA

1. Welcome and Call to Order
2. Old Business
3. New Business
4. Public Comments
5. Closed Session
6. Adjournment

Meeting Link:

https://dcnet.webex.com/dcnet/j.php?MTID=m706d6c48171dc22db7f46cb87d244e3f

Registration: Please press Ctrl and click the link above to pre-register for the meeting.

Registration password: This meeting does not require a password for registration.

Webinar number (access code)**:** 2314 229 2722

Webinar password: 59cpUHbJTu6 (59278425 when dialing from a phone or video system)

Join by phone: +1-202-860-2110 United States Toll (Washington D.C.) or +1-650-479-3208 Call-in number (US/Canada)

Join by mobile device (attendees only): +1-202-860-2110,,23142292722#59278425# US Toll (Washington D.C.); or +1-650-479-3208,,23142292722#59278425# Call-in toll number US/Canada

Some mobile devices may ask attendees to enter a numeric password.

Join from a video system or application: Dial 23142292722@dcnet.webex.com

You can also dial: 173.243.2.68 and enter your webinar number.

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.

For additional information, please contact Kimberly Ulan, Staff Director at (202) 727-2292 or Kimberly.Ulan@dc.gov.

DC INTERNATIONAL PUBLIC CHARTER SCHOOL

REQUEST FOR PROPOSALS

Request for Teacher Coaching and Performance Evaluation Management System

Request for Proposals for a Teacher Coaching and Performance Evaluation Management System: The District of Columbia International School (DCI) in Washington, DC is seeking competitive proposals from qualified vendors to a Performance Evaluation Management System that will support teacher evaluations and performance, as well as performance evaluations for all staff. Interested parties will need to reach out to rfp@dcinternationalschool.org for a full scope of work.

Proposals must be received no later than the close of business Thursday, May 29th. Please specify "Proposals for a Teacher Coaching and Performance Evaluation Management System" in the subject line. No phone calls or late responses please.

BOARD OF ELECTIONS

CERTIFICATION OF ANC/SMD VACANCY

The District of Columbia Board of Elections hereby gives notice that there is a vacancy in (1) one Advisory Neighborhood Commission office, certified pursuant to D.C. Official Code § 1-309.06(d)(2).

VACANT: 2B01

Petition Circulation Period: **Monday, May 5, 2025 through Tuesday, May 27, 2025**
Petition Challenge Period: **Friday, May 30, 2025 through Thursday, June 5, 2025**

Note: The deadline to file petitions or challenges is **4:45 p.m.** on the date listed above.

Candidates seeking the Office of Advisory Neighborhood Commissioner, or their representatives, may pick up nominating petitions by email at candidate@dcboe.org or in-person during office hours at the following location:

D.C. Board of Elections
1015 Half Street, SE, Suite 750
Washington, DC 20003

For more information, the public may call **202-727-2525**.

BOARD OF ELECTIONS

Certification of Filling a Vacancy
In Advisory Neighborhood Commission

Pursuant to D.C. Official Code §1-309.06(d)(6)(D), if there is only one person qualified to fill the vacancy within the affected single-member district, the vacancy shall be deemed filled by the qualified person. As such, the Board hereby certifies that the vacancy has been filled in the following single-member district by the individual listed below:

John Mitchell
Single-Member District **3E05**

Notice: This decision may be formally revised before it is published in the *District of Columbia Register* and the Office of Employee Appeals' website. Parties should promptly notify the Office Manager of any formal errors so that this Office can correct them before publishing the decision. This notice is not intended to provide an opportunity for a substantive challenge to the decision.

GOVERNMENT OF THE DISTRICT OF COLUMBIA

THE OFFICE OF EMPLOYEE APPEALS

In the Matter of:	)	
	)	OEA Matter No.: 1601-0001-25
EMPLOYEE[1],	)	
Employee	)	
	)	
v.	)	Date of Issuance: March 14, 2025
	)	
D.C. METROPOLITAN POLICE DEPARTMENT,	)	
Agency.	)	MICHELLE R. HARRIS, ESQ.
	)	Senior Administrative Judge
	)	

Carisa C. Lang, Esq., Employee Representative
Lauren B. Schwartz, Esq., Agency Representative

INITIAL DECISION[2]

INTRODUCTION AND PROCEDURAL HISTORY

On October 3, 2024, Employee filed a Petition for Appeal with the Office of Employee Appeals ("OEA" or "Office") contesting the District of Columbia Metropolitan Police Department's ("Agency" or "MPD") decision to terminate her from service. The effective date of the termination was September 26, 2024. Following a request from OEA dated October 3, 2024, Agency filed its Answer to Employee's Petition for Appeal on November 1, 2024. This matter was assigned to the undersigned Senior Administrative Judge ("AJ") on November 4, 2024. On November 5, 2024, I issued an Order scheduling a Prehearing Conference in this matter for December 11, 2024. Both parties appeared for the Prehearing Conference on December 11, 2024. During that Conference, the undersigned determined that more time was required for the parties to submit Prehearing Statements due to delays in Employee's receipt of Agency's Answer. I issued a Post Prehearing Conference Order on December 11, 2024, scheduling a Prehearing Conference for January 16, 2025, and required that Prehearing Statements be filed by or before January 9, 2025.

[1]Employee's name was removed from this decision for the purposes of publication on the Office of Employee Appeals' website.
[2]The Initial Decision was issued on March 12, 2025, in this matter. On March 14, 2025, the undersigned was notified that the Procedural History reflected an incorrect effective date for the adverse action in this matter. Accordingly, this Initial Decision is being reissued to reflect the correct effective date of September 26, 2024. There have been no other substantive changes made to the Initial Decision.

On January 3, 2025, Employee, by and through her counsel, filed an Unopposed Motion for an Extension of Time. Employee's counsel cited therein that she had recently been retained, and more time was needed to complete discovery. Employee requested an additional sixty (60) days to complete discovery and submit Prehearing Statements by or before March 10, 2025. On January 13, 2025, I issued an Order granting Employee's Motion. The Prehearing Conference scheduled for January 16, 2025, was vacated and rescheduled to March 18, 2025. Additionally, Prehearing Statements were now due by or before March 10, 2025. On March 7, 2025, Employee, by and through counsel, filed a Notice of Settlement and Voluntary Dismissal with Prejudice ("Notice"). Employee cited that the parties had fully executed a settlement agreement as of the date of the Notice and that per the terms of that agreement, a voluntary dismissal withdrawing the appeal with prejudice before this Office was agreed upon. Further, the Notice requested that the upcoming deadlines be vacated given that the parties had reached a settlement in this matter. I have determined that an Evidentiary Hearing is not warranted. The record is now closed.

JURISDICTION

This Office has jurisdiction in this matter pursuant to D.C. Official Code § 1-606.03 (2001).

ISSUE

Whether this appeal should be dismissed based on the parties' settlement of this matter and Employee's voluntary dismissal.

FINDINGS OF FACT, ANALYSIS AND CONCLUSIONS OF LAW

D.C. Official Code § 1-606.06 (b) (2001) states in pertinent part that:

> If the parties agree to a settlement without a decision on the merits of the case, a settlement agreement, prepared and signed by all parties, shall constitute the final and binding resolution of the appeal, and the [Administrative Judge] shall dismiss the appeal with prejudice.

In the instant matter, the parties have agreed upon and executed a settlement agreement. Furthermore, on March 7, 2025, Employee filed a Notice of Settlement and Voluntary Dismissal which requested that this matter be dismissed before this Office and all other scheduled deadlines and proceedings be vacated.[3] For these reasons, and pursuant to the aforementioned code provision, I find that Employee's Petition for Appeal should be dismissed with prejudice.

[3] By and through the issuance of this Initial Decision, the Prehearing Conference scheduled for March 18, 2025, is hereby vacated.

ORDER

It is hereby **ORDERED** that Employee's Petition in this matter is **DISMISSED with Prejudice.**

FOR THE OFFICE:

/s/ Michelle R. Harris
Michelle R. Harris, Esq.
Senior Administrative Judge

Notice: This decision may be formally revised before it is published in the *District of Columbia Register* and the Office of Employee Appeals' website. Parties should promptly notify the Office Manager of any formal errors so that this Office can correct them before publishing the decision. This notice is not intended to provide an opportunity for a substantive challenge to the decision.

GOVERNMENT OF THE DISTRICT OF COLUMBIA

THE OFFICE OF EMPLOYEE APPEALS

In the Matter of:	)	
	)	OEA Matter No.: 1601-0014-25
EMPLOYEE[1],	)	
Employee	)	
	)	
v.	)	Date of Issuance: March 18, 2025
	)	
D.C. METROPOLITAN POLICE DEPARTMENT,	)	
Agency.	)	MICHELLE R. HARRIS, ESQ.
	)	Senior Administrative Judge
	)	

Daniel J. McCartin, Esq., Employee Representative
Lauren B. Schwartz, Esq., Agency Representative

INITIAL DECISION

INTRODUCTION AND PROCEDURAL HISTORY

On December 4, 2024, Employee filed a Petition for Appeal with the Office of Employee Appeals ("OEA" or "Office") contesting the District of Columbia Metropolitan Police Department's ("Agency" or "MPD") decision to suspend her from service for twenty-five (25) days, with five (5) days held in abeyance for one (1) year, pursuant to a Final Agency Action dated November 6, 2024. Following a request from OEA dated December 4, 2024, Agency filed its Answer to Employee's Petition for Appeal on January 3, 2025. This matter was assigned to the undersigned Senior Administrative Judge ("AJ") on January 6, 2025. On January 14, 2025, I issued an Order scheduling a Prehearing Conference in this matter for February 26, 2025. Prehearing Statements were due by February 19, 2025.[2] Agency filed its Prehearing Statement and Motion for Dismissal and/or Summary Disposition on February 19, 2025. Employee filed her Prehearing Statement on February 20, 2025. Both parties appeared for the Prehearing Conference on February 26, 2025. During that Conference, the parties advised the undersigned that they were in settlement discussions and that more time was needed to complete discovery. Accordingly, I issued a Post Prehearing Conference Order on February 26, 2025, which required

[1] Employee's name was removed from this decision for the purposes of publication on the Office of Employee Appeals' website.
[2] Employee also filed a request for mediation on February 11, 2025. However, at that time, Agency indicated in email correspondence that it was in ongoing discussions with Employee's representative and that mediation was not necessary at that time.

the parties to provide a Status Update by or before March 17, 2025. That Order also required that discovery be complete by that same deadline.

On March 12, 2025, Employee, by and through her counsel, filed a Notice of Dismissal ("Notice"). Employee cited that the parties had reached a settlement and requested a dismissal of the Petition for Appeal before this Office. I have determined that an Evidentiary Hearing is not warranted. The record is now closed.

JURISDICTION

This Office has jurisdiction in this matter pursuant to D.C. Official Code § 1-606.03 (2001).

ISSUE

Whether this appeal should be dismissed based on the parties' settlement of this matter and Employee's request for dismissal.

FINDINGS OF FACT, ANALYSIS AND CONCLUSIONS OF LAW

D.C. Official Code § 1-606.06 (b) (2001) states in pertinent part that:

> If the parties agree to a settlement without a decision on the merits of the case, a settlement agreement, prepared and signed by all parties, shall constitute the final and binding resolution of the appeal, and the [Administrative Judge] shall dismiss the appeal with prejudice.

In the instant matter, the parties reached a settlement agreement. Furthermore, on March 12, 2025, Employee filed a Notice of Dismissal citing that a settlement had been reached and requested that this matter be dismissed before this Office. For these reasons, and pursuant to the aforementioned code provision, I find that Employee's Petition for Appeal should be dismissed with prejudice.

ORDER

It is hereby **ORDERED** that Employee's Petition in this matter is **DISMISSED with Prejudice.**

FOR THE OFFICE:

/s/ Michelle R. Harris
Michelle R. Harris, Esq.
Senior Administrative Judge

Notice: This decision may be formally revised before it is published in the *District of Columbia Register* and the Office of Employee Appeals' website. Parties should promptly notify the Office Manager of any formal errors so that this Office can correct them before publishing the decision. This notice is not intended to provide an opportunity for a substantive challenge to the decision.

GOVERNMENT OF THE DISTRICT OF COLUMBIA

THE OFFICE OF EMPLOYEE APPEALS

In the Matter of:	)	
	)	OEA Matter No.: 1601-0067-23
EMPLOYEE[1],	)	
Employee	)	
	)	Date of Issuance: March 26, 2025
v.	)	
	)	
D.C. DEPARTMENT OF CORRECTIONS,	)	MICHELLE R. HARRIS, ESQ.
Agency	)	Senior Administrative Judge
	)	

Employee, *Pro Se*
Michele McGee, Esq., Agency Representative

INITIAL DECISION

INTRODUCTION AND PROCEDURAL HISTORY

On September 7, 2023, Employee filed a Petition for Appeal with the Office of Employee Appeals ("OEA" or "Office") contesting the District of Columbia Department of Corrections' ("Agency" or "DOC") decision to remove him from service, effective August 8, 2023. Following a letter from OEA dated September 8, 2023, requesting an Answer to Employee's Petition for Appeal, Agency filed its Answer on October 6, 2023. This matter was assigned to the undersigned Senior Administrative Judge ("AJ") on October 10, 2023. On October 11, 2023, the undersigned issued an initial Order Convening a Prehearing Conference in this matter for November 14, 2023.

On November 2, 2023, Agency filed a Consent Motion to Extend the Time for Discovery. Agency cited therein that the parties had conferred and agreed that they needed an additional sixty (60) days for the completion of discovery. On November 6, 2023, Employee also filed a Consent Motion to Extend the time citing more time was needed for adequate preparation. On November 7, 2023, I issued an Order granting both of the Motions. Discovery was to be completed by January 3, 2024, Prehearing Statements were due by January 10, 2024, and a Prehearing Conference was scheduled for January 17, 2024. On January 3, 2024, Employee filed a Motion to Extend Discovery, citing that he needed more time to retain counsel in this matter to complete discovery

[1] Employee's name was removed from this decision for the purposes of publication on the Office of Employee Appeals' website.

and requested the Prehearing Conference be rescheduled.[2] Further, Employee cited that this request was for an extension of an additional 60 days. On January 4, 2024, I issued an Order scheduling a Status Conference for January 17, 2024, to discuss the status of the matter and Employee's request for additional time. On January 17, 2024, both parties appeared for the Status Conference as required. During this Status Conference, the parties informed the undersigned that discovery in this matter had not commenced, as Employee conveyed to Agency that he wanted to wait until he retained representation. Employee asserted that he was actively searching for and speaking to attorneys to represent him. I issued a Post Status Conference Order on January 17, 2024, requiring Employee to provide a status update regarding his ability to retain counsel by January 31, 2024. That Order also noted that upon receipt of Employee's status update, next steps would be determined.

On January 31, 2024, Employee filed a Consent Motion to Extend Time for Discovery.[3] Employee asserted that he had been in "contact with an attorney who will be [his] representative." Further, Employee noted that the attorney's name was Jay Crump, and that the attorney cited that he would be contacting this Office within one (1) week. On January 31, 2024, I issued an Order requiring Employee or his representative to file a designation of representation by February 9, 2024, and scheduled a Status Conference for February 14, 2024.

On February 13, 2024, Employee filed a Motion for an Extension citing that he still had not retained representation. The undersigned advised that the Status Conference would still be convened for February 14, 2024, so that Employee's request could be discussed. During the Status Conference on February 14, 2024, Employee reiterated his request for an extension. The undersigned advised that multiple extensions had already been granted and that the case needed to move forward. I issued a Post Status Conference Order on February 14, 2024, which required Employee to provide an update by March 1, 2024, regarding his representation. Further, the parties were to commence discovery on or before March 1, 2024. Employee did not submit a response by March 1, 2024, as required. On March 7, 2024, I issued an Order for a Status Conference requiring Employee to file a response by March 15, 2024, and scheduled a Status Conference for March 19, 2024. On March 8, 2024, Employee filed a Motion to Continue. Both parties appeared for the Status Conference on March 19, 2024, as required. During the conference, the parties conveyed that they still had not started discovery in this matter. Further, Employee noted that he filed the March 8th Motion to provide notice that he was representing himself in this matter. Additionally, Agency asserted that 60 days were needed to complete discovery in this matter to allow both parties time to submit and respond to requests, and also noting its intention to depose Employee.

On March 19, 2024, I issued a Post Status Conference Order which required the parties to complete discovery by May 17, 2024. Prehearing Statements were due by May 24, 2024, and a Prehearing Conference was scheduled for May 30, 2024. That Order also noted that Employee's March 8, 2024 Motion was moot since he had indicated he was representing himself in this matter.

[2] Employee was previously represented in this matter. However, on October 23, 2023, his counsel submitted a Notice to Withdraw her appearance.

[3] Employee did not provide any assertions regarding whether Agency consented to this Motion. Additionally, there were no substantive assertions regarding the extension of time for discovery.

On May 9, 2024, Agency filed an updated Designation of Agency Representative form with OEA[4]. On May 30, 2024, both parties appeared for the Status Conference as required. It was conveyed during this conference that depositions were scheduled, and that discovery should be completed by the end of June. I issued a Post Status Conference Order on May 30, 2024, requiring the depositions and discovery to be complete by July 1, 2024. Further, a Prehearing Conference was scheduled for July 17, 2024, and Prehearing Statements were due by July 10, 2024.

On July 15, 2024, Agency filed a Motion to Extend Deadlines and Continue the Prehearing Conference.[5] Additionally, Agency cited therein a request for the undersigned to order Employee to appear for an in-person deposition. Agency noted that a virtual deposition was previously initiated, but Employee refused to answer questions and left the deposition without warning. On July 17, 2024, both parties appeared for the previously scheduled Prehearing Conference. During that time, Agency renewed its request for an extension of time and to have Employee sit for a deposition. Employee asserted that he was again seeking legal representation and that he was not comfortable with the questions that were asked during the deposition. Further, Employee inquired as to whether a deposition was mandatory for the "hearing" and the undersigned advised that the deposition is a part of discovery and is not the same as the Evidentiary Hearing. Further, I noted that pursuant to OEA rules, a determination to hold an Evidentiary Hearing is in the discretion of the administrative judge and the undersigned had not yet been able to make that determination given the current posture of this matter. The undersigned advised that Agency would need to file a Motion to Compel Discovery regarding its request for Employee's deposition. As a result, a Post Status Conference Order was issued on July 17, 2024, which required Agency to submit its Motion to Compel by July 26, 2024, and Employee's response was due on or before August 9, 2024.

Agency filed its Motion as required. On August 11, 2024, Employee contacted the undersigned via email citing that he had enlisted in the United States Army and was at "Military Basic Training" for approximately seven (7) to eight (8) months. Employee requested a postponement or deferment[6] of his matter until he completed this training. The undersigned responded via email and advised Employee that this information and request would need to be submitted pursuant to service rules (via mail) for the record. The undersigned also advised Employee that return mail was recently received and an updated address/contact information was needed. The undersigned advised that all correspondence would be sent to the address of record until an updated address is received. As a result of Employee's communication, an Order was issued on August 13, 2024, which required Employee to provide a response providing details regarding his military enlistment and any other information by August 30, 2024.

On August 15, 2024, Employee filed a response.[7] Upon review of Employee's response, the undersigned determined that supplemental information was required from Employee regarding his request to hold his matter in abeyance due to his military enlistment. As a result, on August 22, 2024, I issued an Order requiring Employee to submit information which provided specific

[4] Agency had a change in representation. Initially, Bradford Seamon, Esq., was the representative and now, Michele McGee, Esq., assumed representation.
[5] Agency's Motion was granted in part by and through the August 13th Order.
[6] For the purposes of this matter, this request will be referred to as a request for an abeyance.
[7] Employee filed a hard copy of the email correspondence that was previously sent on August 11, 2024. The Employee also noted an address in Texas.

information regarding his enlistment, and training schedule. Further, Employee was required to provide specific dates regarding any training and/or deployment timelines and was advised that this information must be legible.[8] That Order also required Employee to include relevant contact information should this Office need to contact to verify the information Employee provided. The August 22, 2024, Order required that Employee provide this supplemental information on or before September 13, 2024. That Order also required Agency to submit a response by September 27, 2024.

On September 3, 2024, Employee provided a response to the August 22, 2024, Order. Upon review, the undersigned advised Employee through email, that the response did not provide the requisite information as noted in the Order. Thus, the undersigned advised Employe that there was more time before the September 13, 2024, deadline for which to respond. On September 18, 2024, Employee emailed the undersigned citing that he had limited access to email and other forms of communication and asked whether it would be acceptable for his Army Recruiter to send an email in response. The undersigned made an exception and permitted Employee to have his recruiter email both the undersigned and Agency's representative with the information regarding his training timeline etc. Email correspondence received between September 23, 2024, through September 24, 2024, was provided by Employee's Army Staff Sergeant recruiter. The recruiter provided information regarding Employee's enlistment and potential timeline availability to actively pursue his matter before this Office. Agency received all the email correspondence, and the emails were added to the official record for this matter. The recruiter noted in the correspondence that Employee should have more communication access by December 1, 2024. Following the receipt of the aforementioned submissions, I issued an Order requiring Agency to file its response to Employee's request for an abeyance by October 15, 2024. Agency submitted its response as required.

On October 23, 2024, the undersigned issued an Order("October 23rd Order") regarding Employee's request for abeyance. That Order 23rd Order granted Employee's request for an abeyance of this matter due to his military service, specifically basic training. The abeyance was granted up to December 2, 2024, pursuant to the SCRA (50 U.S.C.A. §3932).[9] Further, the October 23rd Order also required Employee provide a response by December 9, 2024, regarding his status/availability to participate in his appeal before this Office. It was also noted that an email would be accepted given the circumstances regarding limited communication accessibility. Further, that Order scheduled a virtual Status Conference for December 17, 2024, at 11:00am via Webex.[10] Employee did not provide a response by December 9, 2024, as required and failed to appear on December 17, 2024, for the Status Conference. Agency appeared for the Status

[8] The information provided by Employee was an "Enlistment/Reenlistment" Document. The font proved to be very small and hard to ascertain any dates or timelines.

[9] In the October 23, 2024, Order Regarding Employee's Request for an Abeyance, I found that the Servicemembers Civil Relief Act (SCRA), 50 U.S.C.A. §3932, is applicable in this matter. That provision cites that that "upon request of a servicemember, a court shall stay a civil action for a period of no less than 90 days once the servicemember provides appropriate documentation." As a result, pursuant to this provision, Employee's request for an Abeyance was granted. Employee's report date was August 6, 2024, and his initial request was submitted on August 11, 2024, via email and received at OEA on August 15, 2024. The SCRA cites to a period of not less than 90 days to stay the proceeding. Ninety days (90) from August 11, 2024, would be November 9, 2024. However, the undersigned noted that Employee's recruiter cited that Employee would be available to respond or know his schedule in and around December 1, 2024, so the undersigned included up to December 2, 2024, for the abeyance.

[10] Email courtesy copies of the October 23rd Order were provided to both parties.

Conference on December 17, 2024, as required. As a result of Employee's failure to respond and appear, On December 17, 2024, I issued an Order for Statement of Good Cause which required Employee to respond by January 3, 2025.

On January 9, 2025, Employee sent an email citing that he was still in basic training and would not complete it until March 2025. Further, Employee advised that he was unable to mail correspondence via postal service because "his drill sergeant would not allow him off the base" at this time. Upon review of Employee's email, I determined that more information was required from Employee. Specifically, Employee needed to provide specific dates in March for which he would be able to appear for a virtual Status Conference via WebEx. As a result, on January 13, 2025, I issued an Order for Employee to submit a response to provide this supplemental information. Employee's response was due on or before January 30, 2025. That Order also noted again that email correspondence would be accepted. Employee did not respond as required. Accordingly, on February 7, 2025, the undersigned issued an Order for Statement to of Good Cause for Employee's failure to respond by January 30, 2025. Employee's response was due by February 18, 2025. Employee did not respond as required. Because Employee has previously conveyed that he would be available to respond by March 2025, on March 5, 2025, I issued a Second Order for Statement of Good Cause. Employee had until March 14, 2025, to submit his response and statement regarding his failure to respond and appear as required. As of the date of this decision, Employee has not submitted a response as required. The record is now closed.

JURISDICTION

This Office has jurisdiction in this matter pursuant to D.C. Official Code § 1-606.03 (2001).

ISSUE

Whether this appeal should be dismissed for failure to prosecute.

BURDEN OF PROOF

OEA Rule 631.1, 6-B DCMR Ch. 600 (December 27, 2021) states:

> The burden of proof for material issues of fact shall be by a preponderance of the evidence. "Preponderance of the evidence" shall mean:
>
> > That degree of relevant evidence which a reasonable mind, considering the record as a whole, would accept as sufficient to find a contested fact more probably true than untrue.

OEA Rule 631.2 *id.* states:

For appeals filed under §604.1, the employee shall have the burden of proof as to issues of jurisdiction, including timeliness of filing. The agency shall have the burden of proof as to all other issues.

ANALYSIS AND CONCLUSIONS OF LAW

OEA Rule 624.3 states in relevant part that "if a party fails to take reasonable steps to prosecute or defend an appeal, the Administrative Judge, in the exercise of sound discretion, may dismiss the action or rule for the appellant. Failure of a party to prosecute or defend an appeal includes, but is not limited to, a failure to:

(a) *Appear at a scheduled proceeding after receiving notice*;
(b) *Submit required documents after being provided with a deadline for such submission*; or
(c) Inform this Office of a change of address which results in correspondence being returned."[11] (Emphasis Added)

This Office has consistently held that failure to prosecute an appeal includes a failure to appear for scheduled proceedings and failing to submit required documents after being provided with a deadline to comply with such orders.[12] In the instant matter, Employee was provided notice in the January 2025, February 2025 and March 2025 Orders (and in previous orders) that a failure to comply could result in sanctions, including dismissal. Additionally, all Orders were sent via postal mail service to the address provided by Employee in his Petition for Appeal and via email to Employee's email address of record. Further, the undersigned made exceptions for Employee to submit his responses via email given his military training and his limited capacity to access mail or otherwise. Additionally, all Status Conferences were scheduled to be held virtually to also allow for Employee's appearance. Employee's responses to each of these orders and appearance at conferences were required to ensure an appropriate review and resolution of the matter. This is of particular note, as this matter still had not moved forward past the posture of discovery stage between the parties. Moreover, Employee's response was needed in order to determine whether the abeyance granted in the October 23, 2024, Order needed to be extended again and for what period of time an extension might be warranted. Accordingly, I find that Employee has not exercised the diligence expected of an appellant pursuing an appeal before this Office. I further find that Employee's failure to prosecute his appeal is a violation of OEA Rule 624.3. For these reasons, I have determined that this matter should be dismissed for Employee's failure to prosecute.

ORDER

It is hereby **ORDERED** that the Petition in this matter is **DISMISSED** for failure to prosecute.

FOR THE OFFICE:

/s/ Michelle R. Harris
MICHELLE R. HARRIS, ESQ.
Senior Administrative Judge

[11] OEA Rule 624.3, 6-B DCMR Ch. 600 (December 27, 2021).
[12] *Williams v. D.C. Public Schools*, OEA Matter 2401-0244-09 (December 13, 2010); *Brady v. Office of Public Education Facilities Modernization*, OEA Matter No. 2401-0219-09 (November 1, 2010).

Notice: This decision may be formally revised before it is published in the *District of Columbia Register* and the Office of Employee Appeals' website. Parties should promptly notify the Office Manager of any formal errors so that this Office can correct them before publishing the decision. This notice is not intended to provide an opportunity for a substantive challenge to the decision.

GOVERNMENT OF THE DISTRICT OF COLUMBIA

THE OFFICE OF EMPLOYEE APPEALS

In the Matter of:	
EMPLOYEE[1], Employee	OEA Matter No. 1601-0135-13R20C24
v.	Date of Issuance: March 17, 2025
OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION, Agency	MONICA DOHNJI, ESQ. Senior Administrative Judge

David A. Branch, Esq., Employee Representative
Carmela N. Edmunds, Esq., Agency's Representative

ADDENDUM DECISION ON COMPLIANCE

INTRODUCTION AND PROCEDURAL HISTORY

On August 15, 2013, Yordanos Sium ("Employee") filed a Petition for Appeal with the D.C. Office of Employee Appeals ("OEA" or "Office") contesting the Office of the State Superintendent of Education's ("OSSE" or "Agency") decision to terminate her from her position as a Bus Driver effective April 12, 2011. Following an Agency investigation, Employee was charged with [a]ny on-duty or employment related act or omission that interferes with the efficiency and integrity of government operations: Neglect of Duty. On October 10, 2014, I issued an Initial Decision ("ID") in this matter upholding Agency's decision to terminate Employee.[2]

Employee appealed the ID to the OEA Board, which upheld the ID in an Opinion and Order ("O&O") dated May 10, 2016.[3] Thereafter, Employee appealed the OEA Board's O&O to the District of Columbia Superior Court. The District of Columbia Superior Court upheld the O&O. Subsequently, Employee, through her representative, appealed the ID to the District of Columbia Court of Appeals, which vacated the OEA Board's O&O and remanded the matter to

[1] Employee's name was removed from this decision for the purposes of publication on the Office of Employee Appeals' website.
[2] *Employee v. Office of the State Superintendent of Education*, OEA Matter No: 1601-0135-13, Initial Decision (October 10, 2014).
[3] *Employee v. Office of the State Superintendent of Education*, OEA Matter No: 1601-0135-13, Opinion and Order on Petition for Review (May 10, 2016).

OEA for further proceedings to address the material facts in dispute.[4] On December 3, 2020, I issued an Initial Decision on Remand ("IDR") reversing Agency's decision to remove Employee.[5] Agency did not appeal the IDR, and it became final on or about January 8, 2021.

On December 6, 2023, Employee filed the instant Petition for Enforcement, citing that while she had been reinstated, Agency incorrectly calculated the backpay award; had not restored her leave or issued payment in lieu of the leave; and that Agency had not paid interest on her retirement payment or backpay award. On December 28, 2023, I issued an Order Scheduling a Status Conference for January 30, 2024. Both parties were in attendance. Thereafter, on February 6, 2024, I issued a Post Status Conference Order requiring the parties to address the issues raised at the January 30, 2024, Conference. Both parties submitted their respective briefs. Upon review of the parties' submissions, the undersigned decided that an Evidentiary Hearing was warranted in this matter. Accordingly, on April 29, 2024, I issued an Order Convening a Prehearing Conference in this matter for May 21, 2024. Both parties were present at the Prehearing Conference.

Subsequently, on May 23, 2024, I issued an Order scheduling an Evidentiary Hearing for July 29, 2024. Agency filed a Motion to Continue the Evidentiary Hearing on June 26, 2024. The undersigned issued an Order on July 9, 2024, granting Agency's Motion and continued the Evidentiary Hearing to October 23, 2024. Agency filed another Motion to Continue the Evidentiary Hearing on September 27, 2024, but subsequently withdrew this Motion on October 1, 2024. Both parties were present for the October 23, 2024, Evidentiary Hearing. The undersigned emailed the Evidentiary Hearing Transcript to the parties and issued an Order on November 8, 2024, requiring the parties to submit written closing arguments by December 6, 2024.[6] Both parties have filed their written closing arguments. The record is now closed.

JURISDICTION

OEA has jurisdiction in this matter pursuant to D.C. Official Code § 1-606.03 (2001).

ISSUE

Whether Agency has fully complied with the December 3, 2020, IDR.

SUMMARY OF MATERIAL TESTIMONY

The following represents a summary of the relevant testimony given during the Evidentiary Hearing as provided in the transcript (hereinafter denoted as "Tr.") which was generated following the conclusion of the proceeding.

[4] *Employee v. Office of the State Superintendent of Educ.*, 218 A.3d 228, 231 (D.C. 2019).
[5] *Employee v. Office of the State Superintendent of Education*, OEA Matter No. 1601-0135-13R20 (December 3, 2020).
[6] Due to personal extenuating circumstances requiring the undersigned's absence, on December 12, 2024, AJ Harris issued a Notice Regarding Temporary Abeyance of Proceedings to the parties until my return.

Agency's Case in Chief

Sheila Cuthrell ("Ms. Cuthrell") Tr. pgs. 17-42.

Ms. Cuthrell is the Human Resources ("HR") Director at Agency. Tr. pg. 17. She has been employed with OSSE since January 31, 2022, which was after the Order to reinstate Employee was issued. Ms. Cuthrell testified that her responsibilities included overseeing all facets of human resources administration and operations for Agency, including payroll; recruiting and hiring; employee discipline investigations; compliance with drug and alcohol testing; ensuring that employees are suitable for work; and employee wellness. Tr. pg. 18.

Ms. Cuthrell stated that OSSE's process for determining how backpay should be awarded to an employee who is reinstated is based on a District process based upon an issuance that DCHR has published. Ms. Cuthrell explained that "So in terms of the calculation for the backpay, there is a template in there where agencies are supposed to calculate by pay period from when the person … was terminated to whenever … or whatever the order states they have to be compensated for. And you go and put what they would have on for each pay period in this sheet." Tr. pgs. 18-19. She also explained that the employee completes an affidavit for outside earnings, retirement contributions etc. Ms. Cuthrell testified that a packet is generated and "submitted to DCHR who reviews it and review everything that the Agency submitted. And then they submit that after they review and approve it to the Office of Pay and 12 Retirement Services." Tr. pg. 20. Ms. Cuthrell identified Agency's Exhibit 7 as the issuance she referenced in her testimony. Tr. pgs. 20, 22-23. Ms. Cuthrell asserted that the calculation of backpay issuance "… is from either 2014 or '15. And it is the same document that we use now, …" Tr. pg. 24.

Ms. Cuthrell affirmed that she reviewed Employee's file regarding her backpay calculation. Tr. pg. 24. She averred that based on her review of the file, Employee submitted an affidavit to attest to the income that she had received from secondary jobs. However, she did not recall seeing pay stubs or pay associated with those secondary jobs. She stated that she did not see any documents for hours worked or jobs that Employee had while she was an employee at OSSE. Ms. Cuthrell stated that Employee's file included some tax returns that were submitted as a part of this process and required by this issuance. Tr. pg. 25. She noted that she did not see any schedule of hours associated with the wages of employment that Employee submitted in her packet for backpay. Tr. pgs. 25-26. Ms. Cuthrell testified that Employee's income prior to her termination was approximately $38,000, her hourly rate was $21.30, and she worked 35 hours per week. Tr. pg. 26.

When asked if the issuance in Agency's Exhibit 7 provided that "in computing the amount of backpay due to an employee, the Agency shall deduct any amounts earned by the employee from other employment during the period covered by the personnel action being corrected," Ms. Cuthrell responded in the affirmative. Tr. pg. 34. She testified that "It's my understanding that the Agency is to deduct any income that the employee earned during the time period where they were not employed by the organization. And the time period is covered in whatever settlement or order that was issued." Tr. pg. 35. Ms. Cuthrell confirmed that there is nothing in OSSE's policy that requires OSSE to deduct the amount earned by a separate

employee from their weekend job, if their regular job schedule at OSSE is Monday through Friday. Tr. pg. 35. She explained if the employee submitted supporting documentation to that effect, then Agency "…could interpret it that that's not something that should be deducted, but I can't say. I don't know." Tr. pgs. 36-37.

Ms. Cuthrell affirmed that if there was any documentation to show that Employee worked weekends or worked hours after her regular shift while she was at OSSE, OSSE might not have deducted those hours. She however noted that the issuance in Agency's Exhibit 7 does not speak to that. Tr. pgs. 38-39. Ms. Cuthrell confirmed that the issuance in Agency's Exhibit 7 was the governing policy for calculating backpay. Tr. pgs. 41-42.

Keely Williams ("Ms. Williams") Tr. pgs. 44 – 70

Ms. Williams is the Deputy Director of the Office of Pay and Retirement Services ("OPRS"). Tr. pg. 44. She testified that OPRS is "the payroll office for the District of Columbia. We are responsible for the payroll of 40,000-plus employees. We also are responsible for processing benefit payments and retirements for police, fire …, we prepare the packages, retirement packages for police, fire, teachers, and civil service employees." Ms. Williams stated that she manages the manager. Tr. pgs. 44-45.

Ms. Williams identified Agency's Exhibit 7, as the backpay settlement packet from DCHR. Tr. pg. 46. Regarding the backpay calculation process, Ms. Williams testified that "so once we receive the completed packet, we will go through and do our calculations, breaking down as in Exhibit 4, which is our worksheet. We will break down the salaries per year and when the salary breaks. So that's what that is. Once we do those calculations, of course, we have to go through everything that was received which would be all the important documents that we need to be able to process the payment, to include W-2s, 1040s, and also IRS transcripts. We do use all of those to make these, to determine what to deduct." She stated that they are also provided with Standard Form 50s ("SF-50") which they use to determine the salaries. Tr. pg. 48.

Ms. Williams explained that "once we do the calculations, we put it on the worksheet. The worksheet has a formula in it. We have to make sure we calculate the numbers based on the worksheet that the Agency provides which they break down by year, by salary the number of hours an employee would have worked. And then we transfer the information on this worksheet that would then give us -- we put, of course, the period, the dates, the person's salary, their grade and step, the hourly rates, and the number of hours for that particular salary. And then we get the amounts on the end. After that, we actually go through, for the outside earnings each year, we actually use that information, and we also put that on the worksheet. Of course, again, this has formulas. We check with -- also we have to get in contact with different entities." Tr. pg. 49. Ms. Williams also asserted that "Then we have to go to unemployment and also get the figures from unemployment to withdraw those funds as well. And then we do our final calculation which is listed here. And that's really basically all we do." Tr. pg. 50.

Ms. Williams asserted that they get the information for outside earnings from the agency, and the agency gets it from the affected employee. She stated that the IRS transcripts, W-2s, or 1040s, 5 and 1099, are all documentations that show outside earnings. She affirmed that she was

involved in the review of Employee's backpay calculation packet. Ms. Williams averred that they were provided with W-2s and IRS transcripts to show Employee's outside earnings. Ms. Williams stated that except for D.C. Government wages, they applied the full calculation of wages and deducted that from Employee's backpay. Tr. pgs. 50-51. Ms. Williams noted she did not receive information on Employee's outside employment while she was at OSSE. Tr. pg. 51.

When asked if it was a policy to subtract wages from income from a second job while the employee was at the Agency, Ms. Williams testified that "There is no policy stating that we should do that. However, we have in the past if someone was able to prove that they had that job prior to being terminated, with the employee coming back stating, hey, I had this job. And if they show that they had the job when they were terminated, then yes, we would go back and recalculate and then pay the necessary funds back. But there is no policy that we do that. Our job is to make them whole. Making them whole means they're supposed to be at the same place they should have been had they not been terminated." Ms. Williams stated that they have recalculated the backpay for employees who had secondary jobs on the IRS transcript along with their D.C. Government job. Tr. pgs. 52 -54.

Ms. Williams identified the OPRS worksheet and confirmed it was the document used for calculating Employee's backpay. She noted that the amount of Employee's outside earnings that were deducted was $223,911 and this amount was determined from information Employee provided in the IRS transcripts or W-2s. Tr. pg. 56. Ms. Williams affirmed that all Employee's outside wages were deducted in the backpay calculation. She stated that earnings from Employee's part-time or weekend employment were not offset because they had no way to know that she had another job. Tr. 63. Ms. Williams stated that there would be no way for her to determine if Employee's jobs were weekend jobs or not, therefore, they would deduct all outside earnings. Tr. pg. 64. Ms. Williams testified that the goal was to make Employee whole, and not to make her less than. She also stated that in 2011, Employee did not have other jobs on the IRS transcript except for her District Government job. She reiterated that "there's nothing that shows us in 2011 that she worked another job." Tr. pg. 65.

Ms. Williams affirmed that although there's no policy to do so, if OPRS was aware that an employee has a second job at the time of their termination that OPRS would deduct that. Tr. pg. 66, 68. Ms. Williams noted that OPRS would only make exceptions to wages that are deducted when they get an inquiry from the Agency. That is not however, something they would do on their own. Tr. pg. 67. Ms. Williams stated that there was no evidence that Employee had a second job in 2011, before she was terminated. She clarified that for outside earnings to be excluded, the job "would have had to have been on that IRS transcript on the same year she was terminated." Tr. pg. 69.

Employee's Case in Chief

Employee – Tr. pgs. 72-117

Employee worked for OSSE from 2006 to 2011 as a Bus Driver, from Monday through Friday. She stated that she had a split shift, and she worked three (3) hours between 6:00 a.m. and 10:30 a.m., and the afternoon shift between 1:30 p.m. to 5:00 p.m. Employee asserted that

she was reinstated to her position in 2021. She noted that she worked a part time job at OSSE between 2006 and 2011. Tr. pgs. 72-73.

Employee noted that she did not agree with the backpay calculation issued to her. She cited that she provided information to OSSE to assist in the calculation of her backpay. Tr. pg. 74. Employee affirmed that she provided OSSE with a schedule of her evening hours and weekend hours. Tr. pgs. 74-75. Employee identified Employee's Exhibit 6, as "some of my work with National Express, and later with First Transit." She affirmed she worked evening and weekend hours in this job. She explained that "That schedule was three days a week in the a.m. and then weekends from 8 o'clock to 3 o'clock Saturday and Sunday." Tr. pgs. 76-77. Employee confirmed that she got additional outside employment after her termination from OSSE in 2011. Tr. pgs. 79-80.

Employee testified that she worked as a Bus driver at British School of Washington from 2015 to 2016. She stated that starting in 2016, she worked two (2) jobs, which included a second job with MV Transportation ("MVT") as a bus cleaner during the night. Employee noted that she did not agree with the $23,651 deduction of her 2016 wages from MV Transportation. Tr. pgs. 80-81. She explained that the MVT bus cleaner job was a second job she had while she was working as a school bus driver with British School of Washington, and she performed the job at nighttime and weekends. Tr. pg. 81.

Employee asserted that she was challenging the 2017 deduction of $32,247 for work she performed as a bus cleaner with MV Transportation, because it was a job "I could have done while I was working with OSSE." Employee averred that she worked as a Bus cleaner three (3) days a week, from 7:00 a.m. to about 1:30 a.m., and then on weekends. Tr. pgs. 82 -83.

Employee testified that in 2019, "I was working for First Transit mostly in the evening and weekend, except three days a week, which is Monday, Tuesday, and Wednesday, which is five hours only. The rest I worked on weekends." She noted that she did not agree with the $11,459 deduction for this job. Employee testified that 41 percent of her wages from this job should not have been deducted because they were performed in the evenings or weekends, and would not have conflicted with OSSE's schedule for Bus drivers. Tr. pgs. 85-87.

Employee testified that she was challenging the 2020 deduction of $18,620, for the work she performed with First Transit as a nighttime and weekend bus cleaner. She highlighted that this information was included in the affidavit she submitted to OSSE, and that it represented 41 percent of her wages. Tr. pgs. 87-88. She identified Employee's Exhibit 8[7], as her affidavit for her work for the period of 2018 to 2020, which she submitted to Agency in the calculation of her backpay. Tr. pgs. 89-90. Employee affirmed that she is challenging these wage deductions because the work schedule for these jobs did not conflict with her schedule at OSSE. Tr. pg. 93.

Employee was asked if she had any other employment, other than with OSSE at the time of her termination in 2011 and she responded that "Not at that time, no." Tr. pg. 95. Employee

[7] This Exhibit was not entered into evidence. However, Agency's Exhibit 5 was entered into evidence for the same purpose because they are the same.

confirmed that she worked other jobs prior to her termination from OSSE in 2011. She stated that she worked at Vance Security as a Special Police Officer ("SPO") from 2006 to 2007. Employee testified that when she got the job at OSSE, she worked a total of about twenty (20) to twenty-four (24) hours, mostly during the weekends and some evenings as SPO. She noted that she did not provide Agency with her W2s or any other wage information for those years. Employee cited that the SPO position with Vance Security from 2006-2007 was the only outside job she had until her termination from OSSE in 2011. Tr. pgs. 96- 99.

Employee could not recall if she presented OSSE during the backpay calculation with any documentation of hours worked at MV Transportation in 2016 and 2017. Tr. pgs. 102 -103. Employee confirmed that Agency did not have any documentation of Employee's schedule for Reston Transportation for 2017, 2018, and 2019. Tr. pgs. 104-105. Employee testified that she did not work for National Express or First Transit when she was employed by OSSE. Tr. pg. 106. Employee identified Agency's Exhibit 6, as a printout of her schedule of hours worked for First Transit from December 29, 2019, to December 29, 2020. Employee stated that National Express is the same job as First Transit and that they were not listed on the schedule printout she submitted to Agency. Employee explained that she started working at National Express July 2019. Tr. 111.

Employee testified that while she worked for OSSE from 2008 to 2011, she did not have a second job during that period. She explained that she did not work a second job because "I was trying to get a license, which I was trying for the license, for a taxi license… And then I was also moving, I was moving a place." Employee asserted that "I was looking for a job. I did not find any." Tr. pgs. 114-117.

ANALYSIS AND CONCLUSIONS OF LAW

Employee filed a Petition for Enforcement on December 6, 2023, asserting that Agency had not fully complied with the December 3, 2020, IDR. Employee stated that while she had been reinstated, Agency had not reimbursed her backpay and benefits lost as a result of her removal. Specifically, Employee argued that (1) Agency incorrectly calculated her backpay; (2) had not restored her leave or issued a payment in lieu of the leave; and (3) had not paid interest on the retirement payment and backpay award. While the matter was pending before OEA, the parties informed the undersigned that the issue of Employee's restored leave had been resolved.

Interest on retirement payment and backpay award

Employee argued in her Petition for Enforcement that she was entitled to interest on her retirement and backpay award. In support of this assertion, Employee cited to *D.C. Office of Human Rights v. D.C. Department of Corrections*[8], and *D.C. Public Schools v. DOES*[9]. The Court of Appeals in *D.C. Office of Human Rights v. D.C. Department of Corrections* awarded interest to the claimant, noting that the claimant "endured a particularly long and procedurally

[8] 40 A.3d 917 (D.C. 2012).
[9] 123 A.3d 947 (D.C. 2015).

complicated ordeal…"[10] The Court also held that it did not mean to suggest that an interest award be required in every case before OHR in which there was a backpay award.[11]

Additionally, the Court in *D.C. Office of Human Rights v. D.C. Department of Corrections,* gave deference to the Department of Employment Services' Compensation Review Board's interpretation that the CMPA (D.C. Code § 1-623.01, et. seq.) authorized interest to be paid on workers' compensation benefits awarded to a District government employee and held that an award of interest was reasonable and consistent with the statute's language and purpose.

Although the current case is similar to *D.C. Office of Human Rights v. D.C. Department of Corrections, supra,* in terms of the long procedural history, I find that Employee's conduct contributed to the long procedural history in this matter. Employee was terminated in April of 2011 but she waited over two (2) years before filing her Petition for Appeal with OEA in August of 2013. Moreover, the Court of Appeals in *D.C. Office of Human Rights v. D.C. Department of Corrections, supra,* specifically held that, it did not mean to suggest that an interest award be required in every case before OHR in which there is a back-pay award.

In addition, the District of Columbia Court of Appeals in *Samuel Murray v. District of Columbia Department of Youth and Rehabilitation Services, et. al.*,[12] denied the employee's claim that he was entitled to interest on the award of back-pay. The Court held that the request for prejudgment interest plainly does not fall within D.C. Official Code § l-606.03(c)'s list of matters as to which AJs retain jurisdiction after an award has been issued: correction of the record, attorney's fees, and enforcement of an award. It also explained that "Mr. Murray did not originally seek prejudgment interest, and the backpay award did not include prejudgment interest." Similarly, the current Employee did not originally seek interest on her backpay award. Moreover, there is no precedent by the OEA Board that has adopted a finding that an award of interest shall be included in any backpay amount ordered as a result of a wrongful adverse action under D.C. Official Code § 1-606.01, et seq. This tribunal has previously denied requests for pre-judgment and post judgement interest on backpay sums. Accordingly, I conclude that Employee is not entitled to an award for interest on her retirement and backpay sum.

Backpay Calculation

Employee argued that Agency incorrectly deducted earnings from Employee's second job. Specifically, Employee contested the following deductions from her backpay award:

(1) 2016 – MV Transportation (Bus Cleaner) - $23,651
(2) 2017 – MV Transportation (Bus Cleaner) - $32, 247
(3) 2017 – Reston Limousine - $6,317
(4) 2018 - Reston Limousine - $10,080
(5) 2019 – Reston Limousine - $1,046
(6) 2019 – National Express Transit - $11,459

[10] *D.C. Office of Human Rights v. D.C. Department of Corrections, supra.*
[11] *Id.*
[12] 2022-CA-001505-P(MPA) (February 13, 2025).

(7) 2020 – National Express Transit and First Transit - $26,794

Employee argued that she could have worked these jobs while employed at Agency because their schedule did not conflict with her schedule at Agency. Employee further argued that she worked a second job while she was at Agency.

Agency on the other hand asserted that it does not distinguish income from other employment based on when hours are worked but has a practice of excluding supplemental income from the backpay deductions. Agency explained that its responsibility is to make the affected employee whole, that is, they're supposed to be at the same place they should have been had they not been terminated. Agency also asserted that while the backpay policy is silent on how Agency deducts the amount earned by a separated employee from their weekend job if their regular job schedule at OSSE is Monday through Friday, the burden is on the separated employee to submit supporting documentation to that effect. Ms. Cuthrell noted that DPM No. 11B-80 does not speak to that. Tr. pgs. 38-39. She affirmed that if there was any documentation to show that Employee worked weekends or worked hours after her regular shift while she was at OSSE, OSSE might not have deducted those hours.

Pursuant to District Personnel Manual ("DPM") No. 11B-80, Section II(b)(2)(ii), in computing backpay, the agency will offset and deduct from the gross backpay award, "any amounts earned by the employee from other employment (outside earnings) during the period covered by the personnel action being corrected. This includes any employment performed by the employee to replace the employment from which the employee was separated."

In *Willie Porter v. D.C. Department of Behavioral Health*,[13] Administrative Judge ("AJ") Cannon agreed with the employee's assertion that the amount of income offset by his earnings from Medical Staffing Network was erroneous. AJ Cannon noted that:

> "Employee's income with Medical Staffing Network from 2011 to 2014 was to supplement his employment income that he would have earned had he remained employed with Agency, not replace. This supplemental income was a result of Employee's "second job" that would have still been earned had Employee not been separated by Agency. The annual amounts earned from Medical Staffing Network between 2011 and 2014 are consistent with a "second job" earnings, rather than that of full-time earnings that would replace the salary Employee was earning with DBH before his separation. As such, I find that Agency improperly attributed $40,449.35 of income earned by Employee from Medical Staffing Network between 2011 and 2014 to offset the backpay amount owed to Employee. Accordingly, Agency shall recalculate the amount deducted under "Less Outside Earnings" on the Reinstatement With Back Pay Worksheet to reflect the appropriate amount of outside earnings attributed to Employee."

Willie Porter v. D.C. Department of Behavioral Health, is distinguishable from the current matter before the undersigned in that, *Porter* provided documentation highlighting that

[13] OEA Matter No.: 1601-0046-12C16, Initial Decision (February 15, 2019).

he worked for Medical Staffing Network for the entire period he worked with Agency up until his termination on August 5, 2011, to supplement his salary with DBH. After his termination, *Porter* continued working for Medical Staffing Network and continued to supplement his income working part-time for Medical Staffing Network even after he secured full-time employment with Specialty Hospital in 2012. However, in the current matter, Employee did not work a second job while she was employed by Agency, prior to the effective date of her termination with Agency. Employee testified that she did not have a second job from 2008-2011, while she worked for OSSE or at the time she was terminated from Agency in 2011. Tr. pgs. 114-117. Ms. Williams testified that "Our job is to make them whole. Making them whole means they're supposed to be at the same place they should have been had they not been terminated." Tr. pgs. 52 -54. Because Employee did not work a second job while working for OSSE from 2008 to 2011, I find that Agency correctly deducted all her outside earnings during the period covered by the personnel action being corrected.

ORDER

Based on the aforementioned, I find that Agency has complied with this Office's December 3, 2020, IDR.

FOR THE OFFICE:

/s/ Monica N. Dohnji
MONICA DOHNJI, Esq.
Senior Administrative Judge

Notice: This decision may be formally revised before it is published in the District of Columbia Register and the Office of Employee Appeals' website. Parties should promptly notify the Office Manager of any formal errors so that this Office can correct them before publishing the decision. This notice is not intended to provide an opportunity for a substantive challenge to the decision.

GOVERNMENT OF THE DISTRICT OF COLUMBIA

THE OFFICE OF EMPLOYEE APPEALS

In the Matter of:	)	
	)	OEA Matter No. J-0004-25
EMPLOYEE[1]	)	
Employee	)	Date of Issuance: March 24, 2025
v	)	
DISTRICT OF COLUMBIA DEPARTMENT	)	LOIS HOCHHAUSER, Esq.
OF HOUSING AND COMMUNITY	)	Administrative Judge
DEVELOPMENT	)	
Agency	)	

Employee, *Pro Se*
Julia Wiley, Esq., Agency Representative

INITIAL DECISION

INTRODUCTION AND PROCEDURAL BACKGROUND

On October 4, 2024, Employee filed a petition with the District of Columbia Office of Employee Appeals ("OEA"), appealing the decision of the District of Columbia Department of Housing and Community Development ("Agency") to terminate her employment, effective September 6, 2024.

By letter dated October 4, 2024, Sheila Barfield, Esq., OEA Executive Director, notified Colleen Green, Agency Director, of the appeal and of the November 3, 2024 deadline for Agency to file its answer. On or about November 3, 2024, this Administrative Judge ("AJ") was appointed to hear this matter. On November 8, 2024, Agency, through its representative, contacted the AJ by email, and asked for permission to file Agency's answer although the filing deadline had passed. The representative explained that her mother had died the previous month, and although she had recently returned to work, she had missed the filing deadline. The AJ directed the representative to contact Employee and request her consent. Employee responded to the request on November 13, 2024, objecting to the request.

On November 13, 2024, the AJ notified the parties by email that Agency was to file its Answer by November 26, 2024, but that she would not review the Answer until she reached a decision. She stated that Employee could supplement or revise her objections by November 19, 2024. Employee filed her response on November 18, 2024, reiterating the objections stated in her earlier

[1] This Office does not identify employees by name in its published decisions.

email. On November 20, 2024, the AJ notified the parties that after considering the request and objections, she granted Agency's request. She directed Agency to include a chronology of its request with its pleading. Agency filed its Answer with the chronology on November 26, 2024. In its Answer, Agency argued that this Office lacked jurisdiction since Employee was in probationary status at the time of the termination.

In the Order issued on January 27, 2025, the AJ stated that although Employee had identified herself as holding permanent status in her Petition for Appeal ("PFA"), Agency had submitted documents supporting its position that Employee was in probationary status at the time of termination. The AJ stated that this raised the issue of jurisdiction. She informed Employee that employees carry the burden of proof on issues of jurisdiction, and must meet the burden of proof by a preponderance of evidence. The AJ directed Employee to submit legal and/or factual arguments supporting her position regarding this Office's jurisdiction by 5:00 p.m. on February 17, 2025. The parties were notified that the record would close at 5:30 p.m. on February 17, 2025, unless they were notified to the contrary. The Order was sent to Employee by first class mail, postage prepaid, at the address listed by Employee in the PFA. It was not returned to this Office as undeliverable. Employee did not file a response and did not contact the AJ to request an extension; and the record closed at the stated time.

JURISDICTION

The jurisdiction of this Office was at issue in this matter.

ISSUE

Should this appeal be dismissed?

FINDINGS OF FACT, ANALYSIS AND CONCLUSIONS OF LAW

Although Employee identified her status as permanent in the PFA, she stated that she held the position between May 20, 2024 and September 6, 2024. These dates are consistent with the dates Agency provided in documents it submitted to this Office supporting its position that Employee held probationary status at the time of termination. Agency's April 29, 2024 letter offering Employee the position of Information Technology Specialist, for example, stated that her one year probationary period would begin on May 20, 2024. The Notification of Personnel Action dated May 24, 2024, identified Employee's status as "Career-Probation." In addition, Agency's August 23, 2024 letter to Employee, titled "Termination during Probationary Period" identified Employee's hiring date as May 20, 2024 and stated that Agency would end her "probationary period and her service…effective September 6, 2024."

The jurisdiction of this Office is established by the District of Columbia Comprehensive Merit Personnel Act of 1978 (CMPA), D.C. Law 2-139; D. C. Official Code § 1-601.01 et seq. (2016 Repl.. and 2019), as amended by the Omnibus Personnel Reform Amendment Act of 1998, D.C. Law 12-124. The threshold issue in this matter is one of jurisdiction. This Office has no authority

to hear matters beyond its jurisdiction. *See, e.g., Banks v. District of Columbia Public Schools*, OEA Matter 1602-0030-90, *Opinion and Orde*r (September 30, 1992).

Section 227.4 of Title 6-B of the District of Columbia Personnel Regulations states that separation from service "during a probationary period is neither appealable nor grievable." This Office has long maintained that an employee removed while in probationary status cannot appeal the removal to this Office. *See, e.g., Jason Codling v. Office of the Chief Technology Officer*, OEA Matter No. J-0151-09, *Opinion and Order* (December 6, 2010). Employee held her position between May 20, 2024 and September 6, 2024, and therefore had not completed her one year probationary period at the time of termination.

Employees carry the burden of proof on issues of jurisdiction, and must meet this burden by a preponderance of evidence. *See*, OEA Rules 631.1 and 621.2. The Order issued on January 27, 2025 stated, in pertinent part, that Employee's failure to file a response could be considered as concurring that this Office lacks jurisdiction of this appeal due to her probationary status. The Order was mailed to Employee at the address listed in her appeal by first class mail, and was not returned to this Office. It is presumed to have been received by Employee in a timely manner. Employee did not respond to the Order and did not contact the AJ to request an extension. Employee's failure to respond to the Order may be considered as concurrence that this Office lacks jurisdiction to hear this appeal, based on Employee's probationary status at the time of termination. In any event, the AJ concludes that this appeal should be dismissed based on Employee's failure to meet the burden of proof on the issue of jurisdiction.

There is an alternative basis for dismissing this appeal. OEA Rule 624.3 states in pertinent part:

> If a party fails to take reasonable steps to prosecute or defend an appeal, the Administrative Judge, in the exercise of sound discretion, may dismiss the action or rule for the appellant. Failure of a party to prosecute or defend an appeal includes, but is not limited to, a failure to… (b) Submit required documents after being provided with a deadline…

The Order issued on January 27, 2025 notified Employee that her failure to file a timely response could be deemed as a failure to prosecute, and could result in dismissal of the appeal without further notice. Employee was directed to file legal and factual argument in support of her position that this Office had jurisdiction of this matter by February 17, 2025. Employee failed to file a response, and did not contact the AJ to request an extension. The AJ concludes that Employee failed to take "reasonable steps" to prosecute this appeal, and in the "exercise of sound discretion," the AJ imposes the sanction of dismissal of this appeal.

ORDER

It is hereby:

ORDERED: This Petition for Appeal is dismissed.

FOR THE OFFICE: Lois Hochhauser

Lois Hochhauser, Esq.
Administrative Judge

DEPARTMENT OF ENERGY AND ENVIRONMENT

PUBLIC NOTICE

Notice is hereby given that, pursuant to 20 DCMR §210, the Air Quality Division (AQD) of the Department of Energy and Environment (DOEE), located at 1200 First Street NE, 5th Floor, Washington, DC, proposes to issue an air quality permit (No. 6903-R2) to the Smithsonian Institution to operate one (1) existing non-automotive paint spray booth at the National Museum of Natural History, located at 10th Street and Constitution Avenue NW, Washington, DC. The contact person for the applicant is Jonathan Zastrow, Exhibits Specialist, at (202) 262-5157 or zastrowj@si.edu.

Maximum potential emissions from the unit are expected to be as follows:

Pollutant	**Estimated Maximum Annual Emissions (tons/yr)**
Volatile Organic Compounds (VOC)	0.03
Particulate Matter	<0.01
Total Hazardous Air Pollutants	<0.01

The proposed emission limits for the equipment are as follows:

a. Except for emissions resulting from operations subject to Conditions (d), (e), and III(b) [*Note: this III(b) reference references adhesives, sealants, adhesive primers, or sealant primers emissions*], the Permittee shall not discharge into the atmosphere more than fifteen (15) pounds of volatile organic compound (VOC) emissions in any one (1) day, nor more than three pounds (3 lb.) in any one (1) hour, from all operations that occur in the equipment covered by this permit and any other combination of articles, machines, units, equipment, or other contrivances at a facility, not covered by a section of 20 DCMR Chapter 7 other than Section 700, unless the uncontrolled VOC emissions are reduced by at least ninety percent (90%) overall capture and control efficiency. [20 DCMR 700.1 and 700.2]

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]

   Violation of the requirements of this condition that occurs because of unavoidable malfunction, despite the conscientious employment of control practices, shall be an affirmative defense for which the owner or operator shall bear the burden of proof. A malfunction shall not be considered unavoidable if the owner or operator could have taken, but did not take, appropriate steps to eliminate the malfunction within a reasonable time, as determined by the Department. [20 DMR 903.13(b)]

   Note that this condition is District-enforceable only.

c. Visible emissions shall not be emitted into the outdoor atmosphere from the paint spray booth. [20 DCMR 102, 20 DCMR 201, and 20 DCMR 606]

d. The Permittee shall not discharge into the atmosphere more than forty pounds (40 lb.) of non-photochemically reactive solvents in any one (1) day, nor more than eight pounds (8 lb.) in any one (1) hour, from any article, machine, equipment, or other contrivance, unless the uncontrolled organic emissions are reduced by at least eighty-five percent (85%). [20 DCMR 708.2]

e. Emissions of VOCs from the use of any cleaning solvent, except those listed in Conditions II(e)(1) through (5) below (which are included in the accounting for compliance with Condition II(a)) shall be maintained below fifteen (15) pounds in any one (1) day from all such sources at the facility. [20 DCMR 201 and 20 DCMR 770.1]

1. Emissions from cleaning and surface preparation operations subject to Condition III(b);

2. Emissions from products used to strip cured inks, coatings, and adhesives;

3. Emissions from cleaning products used for janitorial purposes, including graffiti remover products;

4. Emissions from products used to clean resin, coating, ink, and adhesive mixing, molding, and application equipment; and

5. Emissions from cleaning and surface preparation operations related to application of coatings subject to regulation under 20 DCMR 773 to 778 (AIM) to the extent the coatings are used as architectural and industrial maintenance coatings.

The permit application and supporting documentation, along with the draft permit, is available for public inspection at AQD and copies may be made available between the hours of 9:00 A.M. and 5:00 P.M. Monday through Friday, excluding holidays. Interested parties wishing to view these documents should provide their names, addresses, telephone numbers and affiliation, if any, to Stephen S. Ours at (202) 498-8143 or stephen.ours@dc.gov. Copies of the draft permit and related technical support memorandum are also available at http://doee.dc.gov/service/public-notices-hearings.

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 draft permit and any request for a public hearing should be addressed to:

Stephen S. Ours
Chief, Permitting Branch

Air Quality Division
Department of Energy and Environment
1200 First Street NE, 5th Floor
Washington, DC 20002
stephen.ours@dc.gov

No comments or hearing requests submitted after June 2, 2025 will be accepted.

For more information, please contact Stephen S. Ours at (202) 498-8143.

DEPARTMENT OF ENERGY AND ENVIRONMENT

NOTICE OF INTENT TO ISSUE WATER QUALITY CERTIFICATION

Notice is hereby given that, pursuant to 21 DCMR Chapters 25 and 26, and 33 U.S.C § 1341, the Regulatory Review Division (RRD) of the Department of Energy & Environment (DOEE), located at 1200 First Street NE, 5th Floor, Washington, DC, intends to issue Water Quality Certification (WQC) #WQC-DC-2024-154 to AECOM on behalf of District Department of Transportation (DDOT, Permittee), to place riprap slope protection within the 574 square-feet footprint of the recently demolished Frederick Douglass Memorial Bridge pier, along the west bank of the Anacostia River. The contact person for the project is Joanna Hiebler, Joanna.hiebler@aecom.com. **Contact information to request a public hearing is included at the end of the notice.**

Proposed Aquatic Resource Impacts:

Resource Type (stream/wetland)	Classification	Impact Size (square feet)	Activity Type	Impact Type (permanent/temporary)
Anacostia River	Perennial	574	Fill	Permanent

The following conditions will be included in the WQC:

1. The Permittee shall incorporate best management practices as an integral part of the performance of the work to ensure the activity will meet the Water Quality Standards of the District of Columbia and have minimal impact to the waters of the District of Columbia.

2. Any water impacted by the project shall be pumped to an appropriate treatment system in order to comply with the Water Pollution Control Act of 1984, D.C. Official Code § 8-103.02 and 21 DCMR § 1104.

3. Any oil sheen or other visible evidence of hydrocarbons or other pollution generated (e.g., color changes in the water column, turbidity plumes) during any of the activities shall be immediately reported to DOEE Industrial Stormwater and Wastewater Branch at (202) 805-1355 and contained (e.g., oil boom, sorbent materials) or containerized in a sealed container in accordance with D.C. Official Code § 8-103.08.

4. All excavated (e.g., dredged) sediments and sampling sediments (e.g., within cofferdams or excess sediment samples), drill cuttings, drilling mud, and wastes (both solid and liquid) shall be contained, sampled, and analyzed for disposal at appropriate disposal sites. The wastes shall not be used as backfill material in the water body or on land in order to comply with the Water Pollution Control Act of 1984, D.C. Official Code § 8-103.02 and 21 DCMR § 1104.

5. All debris and wastewater must be captured and not enter the river and shall be contained and disposed of properly at an appropriate treatment facility to prevent

materials from entering the water body in order to comply with the Water Pollution Control Act of 1984, D.C. Official Code § 8-103.02 and 21 DCMR § 1104.

6. To control turbidity, sediments, and work materials (e.g., concrete, sand, lumber) in the water body:
    a. Weighted turbidity curtains must be used if sediments are being disturbed or if the Permittee uses anchored equipment such as boats or barges.

    b. Weighted turbidity curtains must be used in all activity/work areas and around equipment and cofferdams, and dewatering return areas. Turbidity curtains must be kept closed during all work activity.

    c. The turbidity curtains must be in place after the equipment is brought into the work area, but before the equipment is anchored (i.e., before setting anchors) and before sediment disturbing activities begin. This is necessary to prevent sediments, contaminants, and work materials (e.g., concrete, sand, lumber) from escaping the work area and being reintroduced into the water column during the work activity. Turbidity curtains must not be dragged along the bottom while moving the barge/equipment.

    d. The turbidity curtains must be properly anchored. Depth and placement of the turbidity curtain must be based on manufacturer's specifications for the site conditions, and encompass the entire area of activity, including cofferdams, barges, boats, and limits-of-disturbance, plus any equipment in the water. Turbidity curtains must be able to withstand normal tidal or stream flow fluctuations.

    e. In the case that the turbidity curtains and/or anchors are causing turbidity during high currents, wakes or waves, they shall be removed until conditions return that allow their beneficial use.

7. To monitor turbidity in the water body to ensure compliance with District of Columbia Water Quality Standards in 21 DCMR § 1104.8, the Permittee shall:
    a. Establish background turbidity and measure turbidity by using U.S. Environmental Protection Agency (EPA) approved methods in accordance with procedures outlined in 40 C.F.R. Part 136. Background turbidity must be established daily before starting sediment disturbing activities, before equipment is anchored, and before any turbidity curtains or cofferdams are in place. Background turbidity measurements shall be taken at the following locations and depths:
        i. Within 25 feet upstream and 25 feet downstream, outside of the curtains.
        ii. At multiple measurement depths depending on the water body depth, consistent with the table below.

Water Depth (ft)	# Measurements Depths	Water Column Measurement Depths

<1	1	Middle
1 to 4	2	¼ from bottom and ¾ from bottom
> 4	4	¼ from bottom, middle, ¾ from bottom, surface

b. Once the operations begin, turbidity measurements must be taken at least every hour from the same locations and depths established for the background measurement throughout the duration of the sediment disturbing activities.

c. If any turbidity measurements exceed a maximum of 20 Nephelometric Turbidity Units (NTU) above background turbidity, a visual sediment plume is observed coming out of the sediment-disturbing activity location, or the turbidity exceeds the District of Columbia Water Quality Standards in 21 DCMR § 1104.8 the Permittee shall take the following actions:

i. Immediately stop all activities and implement best management practices until there is no more sediment escaping t he sediment-disturbing activity location; and

ii. When measured turbidity is less than or equal to the background turbidity, the Permittee may resume the work; and

iii. Per DOEE regulations, sediment plumes must be reported to DOEE Industrial Stormwater and Wastewater Branch at (202) 897-5341 or mary.polacek@dc.gov immediately.

d. The contractor may elect to use cofferdams and local dewatering to perform work "in the dry" within the cofferdams. In this case, the hydrostatic pressure of the water would prevent the escape of materials from the internal cofferdam working area. Should cofferdams be installed to allow for dewatering of the worksite, turbidity monitoring shall occur during cofferdam installation, initial draw down, and any maintenance dewatering.

e. Prior to opening turbidity curtains, turbidity measurements must be taken inside the turbidity curtains. The turbidity curtains must not be opened until the levels inside the turbidity curtains are below the 20 NTU maximum differential.

f. The turbidity readings must be recorded in a logbook and kept on site. In addition to the turbidity readings, records must also be kept of the date and time of the readings, and name(s) of the person(s) taking the sample and making the readings.

g. If there is no water present on any certain day during operations, that information shall be recorded in the log book.

8. The Permittee shall obtain all necessary permits and other authorizations from appropriate federal and local offices, including permits for Stormwater Management and Erosion and Sediment Control from DOEE in accordance with 21 DCMR §§ 516-534 and

540-547. All staging and temporary activity areas not covered by any permit shall have adequate soil erosion and sedimentation measures.

9. In the District, the anadromous fish migration and spawning season is generally considered to occur between March 1 and June 30. Any activities proposed to occur in District waters during this period shall first be approved by the U.S. Army Corps of Engineers, accompanied by concurrence from commenting federal agencies, including the U.S. National Park Service, U.S. Fish and Wildlife Service, and U.S. National Oceanic and Atmospheric Administration. All of the aforementioned approvals must be submitted to and subsequently certified by DOEE Fisheries and Wildlife Division (FWD) in accordance with 21 DCMR § 1405 to ensure compliance with 21 DCMR §§ 1101 and 1104. Please contact DOEE FWD at rese.cloyd@dc.gov to request a time of year restriction waiver.

10. The Permittee shall obtain all required permits and authorizations from the U.S. National Park Service. Please contact the Right-of-Way Program Coordinator at laura_brockington@nps.gov for more information.

11. The Permittee shall obtain all required permits and authorizations from the U.S. Coast Guard and Metropolitan Police Department Harbor Patrol in accordance with 19 DCMR §§ 1001-1005, 1028-1030, and 1033.

12. Temporary impacts to the Anacostia River must be mitigated in-place by restoring those resources to pre-construction condition or better.

13. The DOEE inspector may require changes or additions to the WQC based on site conditions.

14. Reporting Requirements:
    a. The Permittee shall submit written notification to DOEE RRD at least seven (7) business days before work commences in accordance with 21 DCMR § 2502.3.

    b. The Permittee shall email Mary.polacek@dc.gov or call (202) 897-5341 to schedule an on-site or virtual DOEE preconstruction meeting inspection at least (3) three business days before starting any sediment disturbing work.

    c. If the Permittee observes any water quality standard exceedances at the site, the Permittee must notify DOEE Industrial Stormwater and Wastewater Branch immediately at (202) 805-1355, stop the work, prepare and submit for review and approval a corrective action plan, and then implement the DOEE-approved corrective action plan in accordance with D.C. Official Code § 8-103.08.

    d. Through the duration of permitted activities, the permittee shall submit weekly turbidity monitoring reports to DOEE RRD through the Surface and Groundwater System (SGS) by the close of business every Tuesday after the one-week reporting

period. Reports should contain the data recorded in the logbook kept onsite, including:

i. the date and time of each turbidity reading,
ii. the daily background turbidity readings,
iii. the calculated differential of each reading compared to the daily background reading,
    a. If any readings exceeded 20 Nephelometric Turbidity Units (NTU) above background turbidity, provide details on how activities were stopped, confirmation that DOEE Industrial Stormwater and Wastewater Branch was notified, and details on best management practices that were implemented until the 20 NTU maximum differential was reached.
iv. name(s) of the person(s) taking the sample and recording the readings,
v. location and distance of each measurement relative to the turbidity curtain or cofferdam/dewatering equipment,
vi. depth of each reading,
vii. notes, and
viii. photos (as applicable).

e. The Permittee shall submit final reports of the monitoring results to SGS. Reports must be submitted to DOEE RRD no later than forty-five (45) days after the completion of the work. All data generated during the operation shall be summarized in a final report. The report shall also include any violations, water quality standards exceedances, actions taken or to be taken to remediate those violations, and any other relevant information. The report shall be submitted to SGS.

The application for a WQC, supporting documents, and the draft WQC may be made available upon request. Interested parties wishing to view these documents should provide their names, email addresses, telephone numbers and affiliation, if any, to wetlandprogram@dc.gov.

Interested persons may request a hearing on the WQC application by submitting a request in writing within 10 calendar days of publication of this notice.

Requests for a public hearing should be addressed to wetlandprogram@dc.gov. Alternatively, requests can be submitted via mail to:
Regulatory Review Division
#WQC-DC-2024-154
Department of Energy and Environment
1200 First Street NE, 5th Floor
Washington, DC 20002

For more information, please contact wetlandprogram@dc.gov or (202) 536-8556.

DEPARTMENT OF ENERGY AND ENVIRONMENT

PUBLIC NOTICE

NOTICE OF INTENT TO ISSUE WATER QUALITY CERTIFICATION

Notice is hereby given that, pursuant to 21 DCMR Chapters 25 and 26, and 33 U.S.C § 1341, the Regulatory Review Division (RRD) of the Department of Energy & Environment (DOEE), located at 1200 First Street NE, 5th Floor, Washington, DC, intends to issue Water Quality Certification (WQC) #WQC-DC-2024-158 to Rooney Properties (Permittee), to demolish a pier located in the Potomac River just over the District boundary near the terminus of Oronoco Street in the City of Alexandria. The contact person for the project is Robbie Clark, rclark@wetlands.com. **Contact information to request a public hearing is included at the end of the notice.**

Proposed Aquatic Resource Impacts:
Pier demolition work will be conducted in a manner to ensure all debris is captured and does not enter the river. No permanent impacts to the Potomac River are proposed.

The following conditions will be included in the WQC:

1. The Permittee shall incorporate best management practices as an integral part of the performance of the work to ensure the activity will meet the Water Quality Standards of the District of Columbia and have minimal impact to the waters of the District of Columbia.

2. Any water impacted by the project shall be pumped to an appropriate treatment system in order to comply with the Water Pollution Control Act of 1984, D.C. Official Code § 8-103.02 and 21 DCMR § 1104.

3. Any oil sheen or other visible evidence of hydrocarbons or other pollution generated (e.g., color changes in the water column, turbidity plumes) during any of the activities shall be immediately reported to DOEE Illicit Discharge and NPDES Branch at (202) 805-1355 and contained (e.g., oil boom, sorbent materials) or containerized in a sealed container in accordance with D.C. Official Code § 8-103.08.

4. All excavated (e.g., dredged) sediments (e.g., within cofferdams or excess sediment samples), drill cuttings, drilling mud, and wastes (both solid and liquid) shall be contained, sampled, and analyzed for disposal at appropriate disposal sites. The wastes shall not be used as backfill material in the water body or on land in order to comply with the Water Pollution Control Act of 1984, D.C. Official Code § 8-103.02 and 21 DCMR § 1104.

5. All debris and waste water must be captured and not enter the river and shall be contained and disposed of properly at an appropriate treatment facility to prevent

materials from entering the water body in order to comply with the Water Pollution Control Act of 1984, D.C. Official Code § 8-103.02 and 21 DCMR § 1104.

6. To control turbidity, sediments, and work materials (e.g., concrete, sand, lumber) in the water body:
    a. Weighted turbidity curtains must be used if sediments are being disturbed or if the Permittee uses anchored equipment such as boats or barges.

    b. Weighted turbidity curtains must be used in all activity/work areas and around equipment and cofferdams, and dewatering return areas. Turbidity curtains must be kept closed during all work activity.

    c. The turbidity curtains must be in place after the equipment is brought into the work area, but before the equipment is anchored (i.e., before setting anchors) and before sediment disturbing activities begin. This is necessary to prevent sediments, contaminants, and work materials (e.g., concrete, sand, lumber) from escaping the work area and being reintroduced into the water column during the work activity. Turbidity curtains must not be dragged along the bottom while moving the barge/equipment.

    d. The turbidity curtains must be properly anchored. Depth and placement of the turbidity curtain must be based on manufacturer's specifications for the site conditions, and encompass the entire area of activity, including cofferdams, barges, boats, and limits-of-disturbance, plus any equipment in the water. Turbidity curtains must be able to withstand normal tidal or stream flow fluctuations.

    e. In the case that the turbidity curtains and/or anchors are causing turbidity during high currents, wakes or waves, they shall be removed until conditions return that allow their beneficial use.

7. To monitor turbidity in the water body to ensure compliance with District of Columbia Water Quality Standards in 21 DCMR § 1104.8, the Permittee shall:
    a. Establish background turbidity and measure turbidity by using U.S. Environmental Protection Agency (EPA) approved methods in accordance with procedures outlined in 40 C.F.R. Part 136. Background turbidity must be established daily before starting sediment disturbing activities, before equipment is anchored, and before any turbidity curtains or cofferdams are in place. Background turbidity measurements shall be taken at the following locations and depths:
        i. Within 25 feet upstream and 25 feet downstream, outside of the curtains.
        ii. At multiple measurement depths depending on the water body depth, consistent with the table below.

Water Depth (ft)	# Measurements Depths	Water Column Measurement Depths

<1	1	Middle
1 to 4	2	¼ from bottom and ¾ from bottom
> 4	4	¼ from bottom, middle, ¾ from bottom, surface

b. Once the operations begin, turbidity measurements must be taken at least every hour from the same locations and depths established for the background measurement throughout the duration of the sediment disturbing activities.

c. If any turbidity measurements exceed a maximum of 20 Nephelometric Turbidity Units (NTU) above background turbidity, a visual sediment plume is observed coming out of the sediment-disturbing activity location, or the turbidity exceeds the District of Columbia Water Quality Standards in 21 DCMR § 1104.8 the Permittee shall take the following actions:

i. Immediately stop all activities and implement best management practices until there is no more sediment escaping t he sediment-disturbing activity location; and

ii. When measured turbidity is less than or equal to the background turbidity, the Permittee may resume the work; and

iii. Per DOEE regulations, sediment plumes must be reported to DOEE Industrial Stormwater and Wastewater Branch at (202) 897-5341 or mary.polacek@dc.gov immediately.

d. The contractor may elect to use cofferdams and local dewatering to perform work "in the dry" within the cofferdams. In this case, the hydrostatic pressure of the water would prevent the escape of materials from the internal cofferdam working area. Should cofferdams be installed to allow for dewatering of the worksite, turbidity monitoring shall occur during cofferdam installation, initial draw down, and any maintenance dewatering.

e. Prior to opening turbidity curtains, turbidity measurements must be taken inside the turbidity curtains. The turbidity curtains must not be opened until the levels inside the turbidity curtains are below the 20 NTU maximum differential.

f. The turbidity readings must be recorded in a logbook and kept on site. In addition to the turbidity readings, records must also be kept of the date and time of the readings, and name(s) of the person(s) taking the sample and making the readings.

g. If there is no water present on any certain day during operations, that information shall be recorded in the log book.

8. The Permittee shall obtain all necessary permits and other authorizations from appropriate federal and local offices, including permits for Stormwater Management and Erosion and Sediment Control from DOEE in accordance with 21 DCMR §§ 516-534 and

540-547. All staging and temporary activity areas not covered by any permit shall have adequate soil erosion and sedimentation measures.

9. In the District, the anadromous fish migration and spawning season is generally considered to occur between March 1st and June 30th. Any activities proposed to occur in District waters during this period shall first be approved by the U.S. Army Corps of Engineers, accompanied by concurrence from commenting federal agencies, including the U.S. National Park Service, U.S. Fish and Wildlife Service, and U.S. National Oceanic and Atmospheric Administration. All of the aforementioned approvals must be submitted to and subsequently certified by DOEE Fisheries and Wildlife Division (FWD) in accordance with 21 DCMR § 1405 to ensure compliance with 21 DCMR §§ 1101 and 1104. Please contact DOEE FWD at rese.cloyd@dc.gov to request a time of year restriction waiver.

10. The Permittee shall obtain all required permits and authorizations from the U.S. National Park Service. Please contact the Right-of-Way Program Coordinator at laura_brockington@nps.gov .

11. The Permittee shall obtain all required permits and authorizations from the U.S. Coast Guard and Metropolitan Police Department Harbor Patrol in accordance with 19 DCMR §§ 1001-1005, 1028-1030, and 1033.

12. Temporary impacts to the Potomac River must be mitigated in-place by restoring those resources to pre-construction condition or better.

13. Reporting Requirements:
    a. The Permittee shall submit written notification to DOEE RRD at least seven (7) business days before work commences in accordance with 21 DCMR § 2502.3.

    b. The Permittee shall email Mary.polacek@dc.gov or call (202) 897-5341 to schedule an on-site or virtual DOEE preconstruction meeting inspection at least (3) three business days before starting any sediment disturbing work.

    c. If the Permittee observes any water quality standard exceedances at the site, the Permittee must notify DOEE Industrial Stormwater and Wastewater Branch immediately at (202) 805-1355, stop the work, prepare and submit for review and approval a corrective action plan, and then implement the DOEE-approved corrective action plan in accordance with D.C. Official Code § 8-103.08.

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        i. the date and time of each turbidity reading,
        ii. the daily background turbidity readings,

iii. the calculated differential of each reading compared to the daily background reading,
   a. If any readings exceeded 20 Nephelometric Turbidity Units (NTU) above background turbidity, provide details on how activities were stopped, confirmation that DOEE Industrial Stormwater and Wastewater Branch was notified, and details on best management practices that were implemented until the 20 NTU maximum differential was reached.
iv. name(s) of the person(s) taking the sample and recording the readings,
v. location and distance of each measurement relative to the turbidity curtain or cofferdam/dewatering equipment,
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e. The Permittee shall submit final reports of the monitoring results to SGS. Reports must be submitted to DOEE RRD no later than forty-five (45) days after the completion of the work. All data generated during the operation shall be summarized in a final report. The report shall also include any violations, water quality standards exceedances, actions taken or to be taken to remediate those violations, and any other relevant information. The report shall be submitted to SGS.

The application for a WQC, supporting documents, and the draft WQC may be made available upon request. Interested parties wishing to view these documents should provide their names, email addresses, telephone numbers and affiliation, if any, to wetlandprogram@dc.gov.

Interested persons may request a hearing on the WQC application by submitting a request in writing within 10 calendar days of publication of this notice.

Requests for a public hearing should be addressed to wetlandprogram@dc.gov. Alternatively, requests can be submitted via mail to:
Regulatory Review Division
#WQC-DC-2024-158
Department of Energy and Environment
1200 First Street NE, 5th Floor
Washington, DC 20002

For more information, please contact wetlandprogram@dc.gov or (202) 536-8556.

FRIENDSHIP PUBLIC CHARTER SCHOOL

NOTICE OF INTENT TO ENTER A SOLE SOURCE CONTRACT

Khan Academy

Friendship PCS is engaging in a partnership with Khan Academy District Partnerships, which include all related course offerings, professional learning and other services, and is a sole sourced product. Khan Academy, Inc. is the sole owner and distributor of Khan Academy District Partnerships and Khanmigo for Districts.

Khan Academy™ and the Khan Academy District Partnership offering is the result of research into the science of learning to produce an educational technology product with scalable tools and resources for implementation, student progress monitoring and reporting.

Khan Academy's proprietary educational platform, including its associated software, services, content, educational videos and exercises, is owned and operated by Khan Academy, Inc. and is protected by copyright, trademark and other applicable laws governing intellectual property and proprietary rights.

Only Khan Academy, Inc. can provide access to Khan Academy District Partnerships with the knowledge and expertise to effectively implement and manage student outcomes.

The estimated yearly cost is approximately $45,000. The contract term shall be automatically renewed for the same period unless either party, 60 days before expiration, gives notice to the other of its desire to end the agreement.

Questions can be addressed to: ProcurementInquiry@friendshipschools.org

Questions can be addressed to: Procurementinguiry@friendshipschools.org., and should be received no later than 4:00 P.M., EST, Wednesday, May 14, 2025.

FRIENDSHIP PUBLIC CHARTER SCHOOL

REQUEST FOR PROPOSALS

Various Services

Friendship Public Charter School is seeking bids from prospective vendors to provide:

- Consulting services for seamless, certified connectivity for both master and transactional data between Coupa and Sage Intacct to ensure accurate financials and provide ongoing system usage between both software tools.

The competitive RFP can be found on FPCS website at: http://www.friendshipschools.org/procurement. Proposals are due no later than **4:00 P.M., EST, Friday May 16, 2025**. Questions and Proposals should be submitted on-line at: Procurementinquiry@friendshipschools.org. All bids not addressing all areas as outlined in the RFP will not be considered. No proposals will be accepted after the deadline.

DC DEPARTMENT OF HEALTH

Health Systems and Preparedness Administration

NOTICE OF FUNDING AVAILABILITY (NOFA)

FO# HSPA-HNHCSP-5.16.25

High-Need Healthcare Career Scholarship Program

The District of Columbia, Department of Health (DC Health) is requesting proposals from qualified applicants to provide services in the program and service areas described in this Notice of Funding Availability (NOFA). This announcement is to provide public notice of DC Health's intent to make funds available for the purpose described herein. The applicable Request for Applications (RFA) will be released under a separate announcement with guidelines for submitting the application, review criteria and DC Health terms and conditions for applying for and receiving funding.

Funding Opportunity Title:	High-Need Healthcare Career Scholarship Program
Funding Opportunity Number:	HSPA-HNHCSP-5.16.25
DC Health Administrative Unit:	Health Systems and Preparedness Administration
DC Health Program Bureau	Office of the Deputy Director
Funding Opportunity Contact:	Nichole Pierre, Program Coordinator HNHCSP@dc.gov
Funding Opportunity Description:	DC Health is seeking proposals for a scholarship program to support District of Columbia residents in high-demand healthcare training to address workforce shortages for Home Health Aides, Certified Nurse Aides, and Emergency Medical Technicians.
Eligible Applicants	For-profit and non-profit schools within the District of Columbia that provide in-person education and certification for: • Home health aides • Certified nurse aide • Emergency medical technicians, • Advanced emergency medical technicians; and • Paramedics.
Anticipated # of Awards:	Up to 6
Anticipated Amount Available:	Up to $1,300,000.00
Annual Floor Award Amount:	$5,000

Annual Ceiling Award Amount:	$600,000
Legislative Authorization	Code of the District of Columbia § 7–791.02. High-Need Healthcare Career Scholarships and Supports Program
Associated CFDA#	N/A
Associated Federal Award ID#	N/A
Cost Sharing/Match Required?	N/A
RFA Release Date:	May 16, 2025
Letter of Intent Due date:	N/A
Application Deadline Date:	June 24, 2025
Application Deadline Time:	3:00 p.m.
Links to Additional Information about this Funding Opportunity	DC Grants Clearinghouse https://communityaffairs.dc.gov/content/community-grant-program#4 DC Health EGMS https://egrantsdchealth.my.site.com/sitesigninpage

Notes:

1. DC Health reserves the right to issue addenda and/or amendments subsequent to the issuance of the NOFA or RFA, or to rescind the NOFA or RFA.
2. Awards are contingent upon the availability of funds.
3. Individuals are not eligible for DC Health grant funding.
4. Applicants must have a Tax ID#, and be registered in the federal Systems for Award Management (SAM) with an active UEI# to be registered in DC Health's Enterprise Grants Management System.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF HUMAN SERVICES
ECONOMIC SECURITY ADMINISTRATION

NOTICE OF FUNDING AVAILABILITY

FY26 DC SNAP Employment and Training Program Grants

The Department of Human Services, Economic Security Administration (DHS/ESA) seeks eligible entities to propose a plan to provide employment and training services to low-income District residents through the Supplemental Nutrition Assistance Program Employment and Training (SNAP E&T) program. The SNAP E&T program is funded and administered federally through the U.S. Department of Agriculture – Food and Nutrition Service (USDA-FNS). The program assists SNAP recipients in achieving their career goals by providing participants with a broad range of services focused on their interests and needs.

This is a cost-reimbursable grant funding opportunity that only covers a portion of total program costs. Each applicant must propose a program budget to serve SNAP E&T participants that includes other nonfederal funds covering 60% of their proposed budget, with SNAP E&T grant funds awarded covering the remaining 40% (with the exception of participant reimbursement costs, which are funded at 50% of total costs by SNAP E&T grant funds).

The total amount of funding available through this Request for Applications (RFA) is not predetermined and is instead contingent upon the amount of eligible program costs proposed to and approved by USDA-FNS for reimbursement in the District's fiscal year (FY) 2026 SNAP E&T State Plan (total costs submitted are informed by the results of this RFA process). DHS/ESA expects to make multiple awards in amounts to be determined by approved budgets submitted by selected applicants in response to this RFA. Award totals must be approved by both DHS/ESA and USDA-FNS and are subject to availability of federal funds, documentation that required nonfederal funds necessary to leverage federal funds are in place, and documentation that all costs proposed are allowable and reasonable.

The project period is one year, covering FY 2026 from October 1, 2025 - September 30, 2026. There is the option of up to three additional years for a total of four years, pending the availability of funds and DHS/ESA's determination that the grantee's performance has been of a high quality.

Beginning Friday, May 2, 2025, the full text of the Request for Applications (RFA) will be available on the DHS website. A person may obtain a copy of this RFA by any of the following means:

Download from the DHS website at https://dhs.dc.gov/page/supplemental-nutrition-assistance-employment-and-training-program-snap-et

Email a request to SNAPET.RFA@dc.gov with "Request copy of SNAP E&T RFA" in the subject line.

The deadline for application submissions is May 30, 2025 at 5:00pm. All applications must be submitted by e-mail to SNAPET.RFA@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
- ✓ Universities/educational institutions
- ✓ Private Enterprises

For additional information regarding this RFA, send an e-mail to: SNAPET.RFA@dc.gov.

KIPP DC PUBLIC CHARTER SCHOOLS

REQUEST FOR PROPOSALS

Bus Transportation Services

KIPP DC is soliciting proposals from qualified vendors for Bus Transportation Services. The RFP can be found on KIPP DC's website at www.kippdc.org/procurement. Proposals should be uploaded to the website no later than 5:00 PM EST on May 23, 2025. Questions should be addressed to shawn.stewart@kippdc.org.

Morning Dry Snacks for Early Childhood and Elementary Schools

KIPP DC is soliciting proposals from qualified vendors to provide morning dry snacks for early childhood and elementary level students at 13 schools. The RFP can be found on KIPP DC's website at www.kippdc.org/procurement. Proposals should be uploaded to the website no later than 5:00 PM ET on May 16, 2025. Questions should be addressed to dionna.day@kippdc.org by May 9, 2025.

LEARN DC PUBLIC CHARTER SCHOOL

REQUEST FOR PROPOSAL

ARCHITECTURE & ENGINEERING SERVICES

LEARN DC Public Charter School ("LEARN") is seeking proposals from architecture firms for the design of a new construction elementary and middle school facility of *up to* 45,000 sf, located at 100 Duncan Ave SW, Washington, DC 20032 and within the Joint Base Anacostia-Bolling ("JBAB") installation. LEARN currently leases 5.7 acres from JBAB and is operating out of +/- 18 modular units. Proposals will be evaluated by LEARN leadership and its representatives.

The full RFP can be found under the "RFP" section at Learncharter.org or requested via email by contacting Level Field Partners at cristine@levelfieldpartners.com and alex@levelfieldpartners.com. Proposals will be accepted until **5:00pm EST on Friday, May 16 2025**. Submissions should be sent to cristine@levelfieldpartners.com and alex@levelfieldpartners.com.

LEE MONTESSORI PUBLIC CHARTER SCHOOL

REQUEST FOR PROPOSALS

Extended Day Programming

Lee Montessori Public Charter Schools (PCS) is seeking to procure the services of an organization capable of conducting **before- and after-school programming for preschool through sixth grade.** Bids are due by 5pm on Friday, May 23rd, 2025. For a copy of the RFP, please contact:

Joshua McComas
joshua@leemontessori.org
202-779-9740 extension 3115

PAUL PUBLIC CHARTER SCHOOL

NOTICE OF INTENT TO ENTER SOLE SOURCE CONTRACTS

Connect US

Paul Public Charter School intends to enter into a sole source contract with **Connect US** to search for resumes of interested and qualified teacher applicants and complete the recruitment for various teaching positions. Connect US offers a high-level of customer support and analyst advice on qualified teaching applicants, which is needed to meet Paul's commitment to a strong educational learning environment.

Connect US is an international staffing agency for teachers. They work in partnerships with schools across America nurturing and recruiting both international and U. S. teachers who have been vetted.

The estimated yearly cost is approximately $35,000. The contract term shall be May 15, 2025 thru May 14, 2026. This contract will automatically renew each year unless either party, 60 days before expiration, gives notice to the other of its desire to end the agreement.

Questions can be addressed to: business-office@paulcharter.org, and should be received no later than **4:00 P.M., EST, Friday May 9, 2025**.

PAUL PUBLIC CHARTER SCHOOL

REQUESTS FOR PROPOSALS

Technology

Paul Public Charter School is currently seeking bids for:

Technology:

- **HP Chromebook 11 G9 or equivalent:** 260 units
- **Apple MacBook laptops (M2 or M3):** 133 units
- **MacBook Air 13″ (M3, 2024):** 27 Units

More information about the technology bid is available by request. All submissions are due by Friday May 16, 2025 at 12 noon and must be emailed to business-office@paulcharter.org.

DISTRICT OF COLUMBIA PUBLIC CHARTER SCHOOL BOARD

NOTIFICATION OF CHARTER REVIEW

SUMMARY: The District of Columbia Public Charter School Board (DC PCSB) announces an opportunity for the public to submit comments on the DC public charter schools listed below which are up for a charter review on June 2, 2025. Pending DC PCSB staff's analysis, the Board may elect to do one of the following for schools up for review: 1) continue the school's charter without conditions, 2) conditionally continue the school's charter by imposing annual or interim targets or requirements it must meet, or 3) initiate charter revocation proceedings.

Capital City Public Charter School (Capital City PCS)
Capital City PCS is up for its 25-year charter review. The school operates three campuses in Ward 4. It serves students in grades pre-kindergarten 3 (PK3) – 12. Its mission is: "Capital City enables a diverse group of students to meet high expectations; develop creativity, critical thinking, and problem-solving skills; achieve deep understanding of complex subjects; and acquire a love of learning along with a strong sense of community and character. We will graduate young adults who are self-directed, intellectually engaged, and possess a commitment to personal and civic responsibility."

Girls Global Public Charter School (Girls Global PCS)
Girls Global PCS is up for its five-year charter review. The school operates one campus in Ward 2, where it serves students in grades 9 – 12. Its mission is "to foster pathways to lead and learn."

Mary McLeod Bethune Day Academy Public Charter School (MM Bethune PCS)
MM Bethune PCS is up for its 20-year charter review. The school operates one campus in Wards 4 and 5. It serves students in grades PK3 – 8. Its mission is "to implement a high performing day school that provides a challenging academic program in a supportive, parentally involved, and diverse learning environment to enable each student to achieve academic success, talent, and positive social development."

Paul Public Charter School (Paul PCS)
Paul PCS is up for its 25-year charter review. The school operates two campuses in Ward 4. It serves students in grades 5 – 12. The school's mission is "to educate our students and to develop in them the capacity to be responsible citizens, independent thinkers, and leaders."

Pursuant to the School Reform Act, D.C. Code 38-1802 et seq., DC PCSB is required to review each DC public charter school's performance at least once every five years.

PUBLIC MEETING: DC PCSB will discuss and vote on Capital City PCS, Girls Global PCS, MM Bethune PCS, and Paul PCS on June 2, 2025, at 6:00 pm. **[The June 2 meeting has been updated to include Girls Global PCS's charter review. Girls Global PCS's charter review was originally scheduled for April 28.]** Please check www.dcpcsb.org to register to attend the meeting.

PUBLIC COMMENT INSTRUCTIONS: Comments must be submitted on or before June 2, 2025.[1] You may submit comments by any one of the methods listed below.

Sign up to testify during the public hearing by going to https://dcpcsb.org/public-comment. Click on the "Sign up to Testify at the Meeting" tab to fill out the form. The deadline to sign up to testify is noon on June 2, 2025.

Submit a written comment identified via
Online form at https://dcpcsb.org/public-comment
Postal Mail, Hand Delivery, or Courier: Attn: Public Comment, DC Public Charter School Board, 100 M Street SE, Suite 400, Washington, DC 20003.

Submit audio testimony by phone: Call (202) 328-2660 and select option 2. You will have up to five minutes to record your testimony. Please note that all comments will be transcribed and made available to the public upon receipt.

FOR FURTHER INFORMATION, CONTACT: Gina Lucchesi, a Manager in the School Performance Department, at glucchesi@dcpcsb.org.

[1] DC PCSB reserves the right, but shall have no obligation, to review, pre-screen, filter, redact, refuse or remove any or all your submission that it may deem to be inappropriate for publication, such as obscene language.

Notice: This decision may be formally revised before it is published in the District of Columbia Register. Parties should promptly notify this office of any errors so that they may be corrected before publishing the decision. This notice is not intended to provide an opportunity for a substantive challenge to the decision.

Government of the District of Columbia
Public Employee Relations Board

In the Matter of:	)	
Taiwo Akintolu	)	
Complainant	)	PERB Case No. 24-U-42
v.	)	Opinion No. 1904
District of Columbia Department of Corrections	)	
Respondent	)	

DECISION AND ORDER

I. Statement of the Case

On May 20, 2024, the Board revoked certification of the Fraternal Order of Police/Department of Corrections Labor Committee (FOP) as the exclusive bargaining representative for employees at the District of Columbia Department of Corrections (DOC).[1] That decertification, which FOP has since appealed to the Superior Court of the District of Columbia,[2] provides the backdrop for the instant dispute.

On September 4, 2024, a terminated DOC Correctional Officer (Complainant), filed an unfair labor practice complaint (Complaint) in the above-captioned matter.[3] The Complaint alleges that DOC violated D.C. Official Code § 1-617.04(a)(1) of the Comprehensive Merit Personnel Act (CMPA) by refusing to engage in arbitration over the Complainant's termination.[4] The Complaint further alleges that DOC violated D.C. Official Code § 1-617.04(a)(5) of the CMPA by refusing to participate in arbitration proceedings, both before and after the

[1] *Darlene Bryant, et al. v. FOP/DOC Labor Comm.*, Slip Op. No. 1871, PERB Case No. 22-S-05 (2024).
[2] *FOP/DOC Labor Comm. v. PERB*, Case No. 2024-CAB-003838. On October 22, 2024, the D.C. Superior Court granted the Motion for Temporary Restraining Order and Preliminary Relief which FOP filed in that case. Accordingly, the Board stayed enforcement of Opinion No. 1871. *Darlene Bryant, et al.*, Slip Op. No. 1881.
[3] The Complaint includes a Motion for an immediate injunction to bar DOC from refusing to engage in arbitration proceedings which arose prior to FOP's decertification, or which implicate rights accrued or vested in the CBA between DOC and FOP. Complaint at 13-15. PERB declined to decide that Motion until the conclusion of its investigation. Given the issuance of this decision, the Motion is now moot.
[4] Complaint at 7-8.

decertification order was issued.[5] The Complaint contends that post-decertification, the unit members retained the right to arbitration which they accrued or vested under the CBA.[6] Thus, the Complaint asserts, DOC has a continuing obligation to participate in arbitration proceedings.[7]

On October 1, 2024, DOC submitted an Answer to the Complaint, denying the CMPA violations alleged therein. DOC asserts that it made good faith efforts to arbitrate while the CBA was in effect.[8] Regarding post-decertification arbitration, DOC argues that grievances which arise after a contract has been nullified are not subject to the arbitration procedures set forth therein.[9] Thus, DOC argues that it is not legally obliged to arbitrate the matter of the Complainant's termination.[10]

On October 22, 2024, the D.C. Superior Court issued an Order in the related appeal, enjoining the Board from enforcing or recognizing the decertification of FOP until the appeal is resolved. The court's Order further established that the noncompensation CBA between DOC and FOP shall remain enforceable during the appeal.

On November 19, 2024, PERB issued a letter to the parties, requesting that they submit briefs addressing the following issues: (1) Whether the Complainant accrued or vested a right to arbitrate his grievance prior to the Board's revocation of FOP's certification as the exclusive bargaining representative; and (2) Whether DOC was obligated to proceed to arbitration after the Board revoked FOP's certification as an exclusive representative. The parties submitted their briefs ("Complainant Brief" and "DOC Brief") on January 7, 2025.

For the reasons discussed herein, the Board finds that DOC has violated D.C. Official Code § 1-617.04(a)(1) and (5) of the CMPA.

I. Background[11]

At the time of his termination, the Complainant had been a DOC Correctional Officer for over five (5) years[12] and had not been subject to discipline during the three (3) years prior.[13] On October 2, 2023, the Complainant was assigned to secure an inmate who was undergoing medical treatment at Howard University Hospital (HUH).[14] During this assignment, an HUH staff member

[5] Complaint at 7-8.
[6] Complaint at 9-10 (citing *Litton Fin. Printing Div. v. N.L.R.B.*, 501 U.S. 190, 209 (1991)).
[7] Complaint at 9-10 (citing *Litton Fin. Printing Div.*, 501 U.S. at 209).
[8] Answer at 9.
[9] Answer at 9-10.
[10] Answer at 10. DOC further contends that the Complainant lacks standing, and argues that the Complaint is procedurally deficient, untimely, and premature. Answer at 11-13.
[11] As no hearing was held in this matter, a definitive factual record was not established. The Board indicates herein where the parties' accounts differ and notes that these disagreements do not impact the Board's ultimate disposition.
[12] Complaint at 3; Answer at 2.
[13] Answer at 2. Three (3) years is the timeframe DOC considered for the purposes of the Complainant's termination. Answer at 2. The Complainant asserts that there was no disciplinary action against him during the entirety of his tenure with DOC. Complaint at 3.
[14] Complaint at 3.

photographed the Complainant leaning back in his chair,[15] allegedly asleep and turned away from the inmate.[16] The HUH staff member provided the photograph to MPD and, on October 23, 2024, the Complainant was served with a proposed 9-day suspension for the incident.[17] On January 12, 2024, the Complainant received a notice rescinding the 9-day suspension and stating that he was on administrative leave, pending disciplinary action.[18] The Complainant received a Notice of Proposed Removal (Notice) on February 2, 2024.[19]

In February of 2024, the Complainant submitted a written and oral reply to DOC's internal Hearing Officer, challenging the Notice.[20] On March 4, 2024, the Hearing Officer issued a recommendation, advising DOC to require the Complainant to complete remedial training, as opposed to terminating him.[21] On March 20, 2024, the DOC Director sustained the removal,[22] effective March 25, 2024.[23] The Complainant asserts that he responded to the Director's decision by filing a grievance on March 28, 2024, in accordance with the CBA.[24] DOC, however, contends that the Complainant merely submitted a draft reply to the Notice, and later rescinded that draft.[25] DOC rejected the Complainant's submission on April 9, 2024.[26] On April 11, 2024, FOP invoked arbitration on the Complainant's behalf.[27] At DOC's request, FOP provided an arbitration panel.[28]

On May 1, 2024, DOC sent an email to the Complainant, disputing the arbitrability of his termination.[29] A meeting to strike the arbitration panel was set for May 7, 2024, but DOC declined to attend, contending that it had not received a valid grievance from the Complainant.[30] After the Complainant provided additional documentation, the parties held a meeting on May 10, 2024, to continue the process of striking arbitrators.[31] An Arbitrator was selected via this process.[32]

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[15] Complaint at 3.
[16] Answer at 3. While DOC concluded that the Complainant was asleep at his post, the Complainant denies that allegation. Complaint at 3.
[17] Complaint at 3.
[18] Complaint at 3.
[19] Complaint at 4. FOP contends that DOC's service of the Notice was untimely. Complaint at 4. DOC contends that it timely served the Notice. Answer at 3.
[20] Complaint at 4.
[21] Complaint at 4. DOC contends that the Hearing Officer further concluded that lesser disciplinary actions may be appropriate to ensure the Complainant's future compliance with DOC's post orders concerning supervision of inmates. Answer at 4.
[22] Complaint at 4.
[23] Answer at 11.
[24] Complaint at 4.
[25] Answer at 4-5.
[26] Complaint at 4.
[27] Complaint at 5.
[28] Complaint at 5. The Complainant asserts that DOC violated the 10-day arbitrator selection timeline established in the CBA. Complaint at 5. DOC argues that it complied with controlling past practice concerning the arbitrator selection timeline. Answer at 5.
[29] Complaint at 5.
[30] Complaint at 5-6.
[31] Complaint at 6.
[32] Complaint at 6.

On May 20, 2024, the Board issued a decision in *Darlene Bryant, et al. v. FOP/DOC Labor Committee*, decertifying the FOP as the representative of the Complainant's bargaining unit.[33] On July 12, 2024, DOC refused to arbitrate the Complainant's termination, asserting that the Board's decertification order stripped FOP of its status as the accredited representative for the Complainant's bargaining unit.[34] The Arbitrator stayed this matter, pending the court's decision concerning FOP's decertification appeal.[35]

II. Discussion

As a preliminary matter, the Board considers whether the allegations in the Complaint are timely. Under Board Rule 520.4, an unfair labor practice complaint must be filed no later than one hundred twenty (120) days after the date on which the alleged violation occurred or the date the complainant knew or should have known of the alleged violation, if later. DOC contends that the Complaint was filed more than 120 days after the Complainant's removal and thus, it must be dismissed as untimely.[36]

The Board notes that May 7, 2024, was 120 days before September 4, 2024 (the date the Complaint was filed). As DOC states, the Complainant was terminated on March 25, 2024, which was more than 120 days before PERB received the Complaint.[37] However, the Complaint does not allege that the termination itself violated the CMPA. Rather, it alleges that DOC's refusal to bargain with FOP violated the CMPA.[38] Under Board Rule 520.4, the allegations concerning DOC's pre-termination refusal to bargain must be dismissed as untimely because they predate the May 7, 2024, cutoff. However, the allegation that DOC refused to engage in arbitration *after* the Complainant's termination solely concerns events occurring on or after July 12, 2024.[39] Therefore, the Board declines to dismiss that portion of the Complaint on the basis of timeliness.

Regarding the substantive merits of the Complaint, the Board considers whether the Complainant accrued or vested a right to arbitrate his grievance prior to the Board's revocation of FOP's certification as the exclusive bargaining representative. DOC argues that "[t]he Complainant did not accrue a right to arbitrate his grievance prior to the Board's revocation of FOP's certification as the exclusive bargaining representative."[40] DOC argues that, under the CBA, the Complainant was permitted to appeal the denial of his grievance to the Office of Employee Appeals (OEA) but failed to do so.[41]

The Board has established that it does not have the authority to interpret collective bargaining agreements.[42] Thus, where the parties have differing contractual interpretations,

[33] *Darlene Bryant, et al.*, Slip Op. No. 1871.
[34] Complaint at 6.
[35] Complaint at 7.
[36] Answer at 11.
[37] Answer at 11.
[38] Complaint at 7-8.
[39] Complaint at 6, 8.
[40] DOC Brief at 5.
[41] Answer at 11-12.
[42] *FOP/MPD Labor Comm. v. MPD*, 60 D.C. Reg. 2585, Slip Op. No. 1360 at 4, PERB Case No. 12-U-13 (2013).

resulting in a dispute regarding the arbitrability of a grievance, the Board has consistently found that it does not have jurisdiction.[43] Accordingly, the Board declines to decide the issue of whether the Complainant accrued or vested a right to arbitrate his grievance prior to the Board's revocation of FOP's certification as the exclusive bargaining representative.

Under the CMPA, there is no pre-arbitration remedy available to a party claiming that arbitration was invoked over a contractually-inarbitrable grievance.[44] Thus, the Board has established that questions of arbitrability shall initially be resolved by the arbitrator.[45] If a party disagrees with the arbitrator's conclusion concerning arbitrability, the party may file an arbitration review request with the Board, appealing the award.[46] Where a party seeks pre-arbitration relief, it may submit a motion to stay arbitration to the D.C. Superior Court, in accordance with the Arbitration Act.[47]

The Board finds that DOC has not availed itself of the option to seek pre-arbitration relief through the D.C. Superior Court, nor has it engaged in arbitration and exercised its right to appeal the award to the Board. Rather, DOC has summarily refused to arbitrate the Complainant's grievance, thereby precluding an arbitrability determination concerning his termination.

Having established that the arbitrability of a dispute is a question for the arbitrator, the Board must determine whether DOC was obligated to commit the issue of arbitrability to an arbitrator, given the Board's revocation of FOP's certification as the exclusive representative of the Complainant's bargaining unit. DOC contends that this matter must be dismissed because when the Board decertified FOP, it rendered the CBA void and eliminated DOC's duty to bargain with FOP.[48] DOC further contends that disputes over arbitrability are governed by the CBA and thus, because the Board lacks the authority to interpret the CBA, this matter must be dismissed as outside the Board's jurisdiction.[49]

The Board concludes that, due to the D.C. Superior Court's October 22, 2024, Order in the ongoing related appeal, the CBA between FOP and DOC remains enforceable. Accordingly, the Board finds that, by declining to commit the issue of arbitrability to an arbitrator, DOC has failed to bargain in good faith with FOP, thereby committing an unfair labor practice in violation of D.C. Official Code § 1-617.04(a)(1) and (5) of the CMPA.

The Board further finds that, even if the decertification remained in effect, DOC's refusal to commit the issue of arbitrability to an arbitrator would nonetheless constitute an unfair labor practice. Where, as here, the Board encounters an issue of first impression, it may look to

[43] *E.g., AFGE, Local 2725 v. DCRA*, 59 D.C. Reg. 5041, Slip Op. No. 969, PERB Case No. 06-U-43 (2012).
[44] *Washington Teachers' Union, Loc. No. 6, Am. Fed'n of Tchrs., AFL-CIO v. D.C. Pub. Sch.*, 77 A.3d 441, 451 (D.C. 2013).
[45] *E.g., AFSCME, Council 20 v. D.C. Gen. Hosp. & OLRCB*, 36 D.C. Reg. 7101, Slip Op. No. 227, PERB Case No. 88-U-29 (1989).
[46] *Washington Teachers' Union, Loc. No. 6, Am. Fed'n of Tchrs., AFL-CIO*, 77 A.3d at 447.
[47] D.C. Official Code § 16-4407.
[48] Answer at 5. 9-10, 12; DOC Brief at 7-10.
[49] Answer at 10; DOC Brief at 10-11.

precedent from the National Labor Relations Board (NLRB) for guidance.[50] The NLRB has established that after a union is decertified, the employer is nonetheless obligated to arbitrate grievances which were filed prior to decertification.[51] The Board "has primary jurisdiction to determine whether a particular act or omission constitutes an unfair labor practice under the CMPA."[52] Thus, the Board concludes that agencies have a duty to process pre-decertification grievances through arbitration and refusal to do so constitutes an unfair labor practice in violation of D.C. Official Code § 1-617.04(a)(1) and (5) of the CMPA.

III. Conclusion

Accordingly, the Board orders DOC to cease and desist from violating D.C. Official Code § 1-617.04(a)(1) and (5) of the CMPA; engage in arbitration with FOP regarding the matter of the Complainant's termination; and post an appropriate notice to employees.[53]

ORDER

IT IS HEREBY ORDERED THAT:

1. The District of Columbia Department of Corrections shall cease and desist from violating D.C. Official Code § 1-617.04(a)(1) and (5) of the CMPA;
2. The District of Columbia Department of Corrections shall engage in arbitration with the Fraternal Order of Police/Department of Corrections Labor Committee regarding the matter of the Complainant's termination;
3. The District of Columbia Department of Corrections shall post the attached notice to employees;
4. Pursuant to Board Rule 559.1, this Decision and Order is final upon issuance.

BY ORDER OF THE PUBLIC EMPLOYEE RELATIONS BOARD

By vote of Board Chairperson Douglas Warshof and Members Renee Bowser, Mary Anne Gibbons, and Peter Winkler.

February 26, 2025

Washington, D.C.

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[50] *See Doctors' Council of D.C. v. DHS*, 46 D.C. Reg. 2430, Slip Op. No. 462, PERB Case No. 96-U-06 (1996).
[51] *Antioch Building Materials*, 316 NLRB 647 n.1 (1995) (citing *Arizona Portland Cement Co.*, 302 NLRB 36 (1991); *Missouri Portland Cement Co.*, 291 NLRB 1043, 1044 (1988)).
[52] *Hawkins v. Hall*, 537 A.2d 571, 574 (D.C.1988).
[53] This decision was issued contemporaneously with Opinion No. 1905 in PERB Case No. 24-U-43, which presented the same issues and resulted in the same Board determination.

APPEAL RIGHTS

Pursuant to Board Rule 559.2, a party may file a motion for reconsideration, requesting the Board reconsider its decision. Additionally, a final decision by the Board may be appealed to the District of Columbia Superior Court pursuant to D.C. Official Code §§ 1-605.2(12) and 1-617.13(c), which provides 30 days after a decision file an appeal.

Notice: This decision may be formally revised before it is published in the District of Columbia Register. Parties should promptly notify this office of any errors so that they may be corrected before publishing the decision. This notice is not intended to provide an opportunity for a substantive challenge to the decision.

Government of the District of Columbia
Public Employee Relations Board

In the Matter of:	)	
Stephen Amobi	)	
Complainant	)	PERB Case No. 24-U-43
v.	)	Opinion No. 1905
District of Columbia Department of Corrections	)	
Respondent	)	

DECISION AND ORDER

I. Statement of the Case

On May 20, 2024, the Board revoked certification of the Fraternal Order of Police/Department of Corrections Labor Committee (FOP) as the exclusive bargaining representative for employees at the District of Columbia Department of Corrections (DOC).[1] That decertification, which FOP has since appealed to the Superior Court of the District of Columbia,[2] provides the backdrop for the instant dispute.

On September 5, 2024, a DOC Correctional Officer (Complainant) filed an unfair labor practice complaint (Complaint) in the above-captioned matter after serving a 30-day suspension without pay.[3] The Complaint alleges that DOC violated D.C. Official Code § 1-617.04(a)(1) of the Comprehensive Merit Personnel Act (CMPA) by refusing to engage in arbitration over the Complainant's suspension.[4] The Complaint further alleges that DOC violated D.C. Official Code § 1-617.04(a)(5) of the CMPA by refusing to participate in arbitration proceedings, both before

[1] *Darlene Bryant, et al. v. FOP/DOC Labor Comm.*, Slip Op. No. 1871, PERB Case No. 22-S-05 (2024).
[2] *FOP/DOC Labor Comm. v. PERB*, Case No. 2024-CAB-003838. On October 22, 2024, the D.C. Superior Court granted the Motion for Temporary Restraining Order and Preliminary Relief which FOP filed in that case. Accordingly, the Board stayed enforcement of Opinion No. 1871. *Darlene Bryant, et al.*, Slip Op. No. 1881.
[3] The Complaint includes a Motion for an immediate injunction to bar DOC from refusing to engage in arbitration proceedings which arose prior to FOP's decertification, or which implicate rights accrued or vested in the CBA between DOC and FOP. Complaint at 12-13. PERB declined to decide that Motion until the conclusion of its investigation. Given the issuance of this decision, the Motion is now moot.
[4] Complaint at 7-8.

and after the decertification order was issued.[5] The Complaint contends that post-decertification, the unit members retained the right to arbitration which they accrued or vested under the CBA.[6] Thus, the Complaint asserts, DOC has a continuing obligation to participate in arbitration proceedings.[7]

On October 1, 2024, DOC submitted an Answer to the Complaint, denying the CMPA violations alleged therein. DOC asserts that FOP has failed to meet its burden of proof with regard to the alleged violation of D.C. Official Code § 1-617.04(a)(1).[8] DOC also asserts that because the Board decertified FOP, the Complainant does not belong to a bargaining unit and consequently, there can be no violation of D.C. Official Code § 1-617.04(a)(5).[9] Lastly, DOC argues that even if the Board finds that the CBA still governs, the Complaint must be dismissed because FOP violated the CBA by simultaneously invoking arbitration and appealing his suspension to the Office of Employee Appeals (OEA).[10]

On October 22, 2024, the D.C. Superior Court issued an Order in the related appeal, enjoining the Board from enforcing or recognizing the decertification of FOP until the appeal is resolved. The court's Order further established that the noncompensation CBA between DOC and FOP shall remain enforceable during the appeal.

On November 19, 2024, PERB issued a letter to the parties, requesting that they submit briefs addressing the following issues: (1) Whether the Complainant accrued or vested a right to arbitrate his grievance prior to the Board's revocation of FOP's certification as the exclusive bargaining representative; (2) Whether the Complainant's submission of an appeal to OEA affected the Complainant's right to arbitrate; and (3) Whether DOC was obligated to proceed to arbitration after the Board revoked FOP's certification as an exclusive representative. The parties submitted their briefs ("Complainant Brief" and "DOC Brief") on January 7, 2025.

For the reasons discussed herein, the Board finds that DOC has violated D.C. Official Code § 1-617.04(a)(1) and (5) of the CMPA.

I. Background[11]

The Complainant has been a DOC Correctional Officer for over twenty-five (25) years and has no record of discipline.[12] On March 7, 2023, the Complainant was assigned to escort an inmate from DOC to Howard University Hospital (HUH).[13] While receiving medical care, the inmate

[5] Complaint at 7-8.
[6] Complaint at 9-12 (citing *Litton Fin. Printing Div. v. N.L.R.B.*, 501 U.S. 190, 209 (1991)).
[7] Complaint at 9-12 (citing *Litton Fin. Printing Div.*, 501 U.S. at 209).
[8] Answer at 8 (citing *Washington Teachers' Union, Loc. No. 6, Am. Fed'n of Tchrs., AFL-CIO v. D.C. Pub. Sch.*, 77 A.3d 441 (D.C. 2013)).
[9] Answer at 2, 9
[10] Answer at 10.
[11] As no hearing was held in this matter, a definitive factual record was not established. The Board indicates herein where the parties' accounts differ and notes that these disagreements do not impact the Board's ultimate disposition.
[12] Complaint at 3.
[13] Complaint at 3.

escaped from custody.[14] On August 29, 2023, the Complainant was served with a Proposal of Removal (Proposal) for his alleged role in the inmate's escape.[15] The Complainant challenged the Proposal, and a hearing was held on October 2, 2023.[16] Before the Hearing Officer, the Complainant argued that DOC had failed to justify his removal.[17] On October 5, 2023, the Hearing Officer issued a determination in favor of the Complainant.[18] On December 7, 2023, DOC issued a Final Decision, sustaining the charges against the Complainant, but lessening the Complainant's discipline to a 30-day suspension without pay.[19]

On December 19, 2023, the Complainant submitted a grievance to the Director of DOC, challenging the final decision.[20] The Complainant did not receive a response from DOC.[21] On January 5, 2024, FOP invoked arbitration on the Complainant's behalf, and received an acknowledgment from the Office of Labor Relations and Collective Bargaining (OLRCB).[22] FOP did not receive a substantive response to the invocation of arbitration.[23] The same day, the Complainant filed a Petition for Review (Petition) with OEA.[24] DOC received the Petition on January 9, 2024.[25] Throughout January, February, and March of 2024, FOP continued its efforts to initiate the arbitration process, but did not receive a response from OLRCB.[26]

On May 20, 2024, the Board issued a decision in *Darlene Bryant, et al. v. FOP/DOC Labor Committee*, decertifying the FOP as the representative of the Complainant's bargaining unit.[27]

On July 16, 2024, OEA dismissed the Petition for lack of jurisdiction, stating that the Complainant had chosen his exclusive avenue for relief when he submitted a grievance to DOC.[28] After the dismissal, FOP reached out to OLRCB to follow up regarding arbitration.[29] OLRCB responded on August 8, 2024, asserting that DOC would not engage in arbitration because the

[14] Complaint at 3.
[15] Complaint at 3-4.
[16] Complaint at 3-4.
[17] Complaint at 4.
[18] Complaint at 4.
[19] Complaint at 4. The Complainant alleges that the Final Decision was untimely, as it was issued after DOC's 45-day decision deadline had passed. Complaint at 4. DOC disagrees. Complaint at 4.
[20] Complaint at 4.
[21] Complaint at 5.
[22] Complaint at 5.
[23] Complaint at 5.
[24] Complaint at 5. The Complainant asserts that he filed the Petition with the goal of preserving his right to contest the Final Decision. Complaint at 5.
[25] Complaint at 5. DOC acknowledges that OLRCB may have received one or more calls from FOP during that timeframe. Answer at 3-4.
[26] Complaint at 5-6. DOC states that "OLRCB may have had at least once call" from FOP during that time. Answer at 3.
[27] *Darlene Bryant, et al. v. FOP/DOC Labor Comm.*, Slip Op. No. 1871.
[28] Complaint at 6. The Complainant asserts that "Throughout the OEA proceedings, the Agency vigorously contested OEA's jurisdiction on the basis that the parties' negotiated grievance procedure was a 'binding decision.'" Complaint at 6.
[29] Complaint at 6.

Board's decertification order stripped FOP of its status as the accredited representative for the Complainant's bargaining unit.[30]

II. Discussion

The first issue before the Board is whether the Complainant accrued or vested a right to arbitrate his grievance prior to the Board's revocation of FOP's certification as the exclusive bargaining representative. DOC acknowledges that it refused to arbitrate the Complainant's suspension.[31] However, DOC asserts that its refusal to arbitrate was consistent with the CBA, as the CBA prohibits the parties from simultaneously pursuing multiple methods of dispute resolution (i.e., grievance arbitration and an OEA appeal).[32]

The Board has established that it does not have the authority to interpret collective bargaining agreements.[33] Where the parties have differing contractual interpretations, resulting in a dispute regarding the arbitrability of a grievance, the Board has consistently found that it does not have jurisdiction.[34] Accordingly, the Board declines to decide the issue of whether the Complainant accrued or vested a right to arbitrate his grievance prior to the Board's revocation of FOP's certification as the exclusive bargaining representative. Likewise, the Board declines to decide the issue of whether the Complainant's submission to OEA affected the arbitrability of his grievance.

Under the CMPA, there is no pre-arbitration remedy available to a party claiming that arbitration was invoked over a contractually-inarbitrable grievance.[35] Thus, the Board has established that questions of arbitrability shall initially be resolved by the arbitrator.[36] If a party disagrees with the arbitrator's conclusion concerning arbitrability, the party may file an arbitration review request with the Board, appealing the award.[37] Where a party seeks pre-arbitration relief, it may submit a motion to stay arbitration to the D.C. Superior Court, in accordance with the Arbitration Act.[38]

The Board finds that DOC has not availed itself of the option to seek pre-arbitration relief through the D.C. Superior Court, nor has it engaged in arbitration and exercised its right to appeal the award to the Board. Rather, DOC has summarily refused to arbitrate the Complainant's grievance, thereby precluding an arbitrability determination concerning his termination.

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[30] Complaint at 7.
[31] Answer at 8.
[32] Answer at 8. Article 11 of the CBA provides that "Employees have the right to contest corrective or adverse actions taken for cause through the negotiated grievance procedure as provided in Article 10." Article 10 further states, "Employees have the right to contest adverse actions taken for cause through the grievance procedures or through the Office of Employee Appeals (OEA) as specified by OEA rules, but not both."
[33] *FOP/MPD Labor Comm. v. MPD*, 60 D.C. Reg. 2585, Slip Op. No. 1360 at 4, PERB Case No. 12-U-13 (2013).
[34] *E.g., AFGE, Local 2725 v. DCRA*, 59 D.C. Reg. 5041, Slip Op. No. 969, PERB Case No. 06-U-43 (2012).
[35] *Washington Teachers' Union, Loc. No. 6, Am. Fed'n of Tchrs., AFL-CIO*, 77 A.3d at 451.
[36] *E.g., AFSCME, Council 20 v. D.C. Gen. Hosp. & OLRCB*, 36 D.C. Reg. 7101, Slip Op. No. 227, PERB Case No. 88-U-29 (1989).
[37] *Washington Teachers' Union, Loc. No. 6, Am. Fed'n of Tchrs., AFL-CIO*, 77 A.3d at 447.
[38] D.C. Official Code § 16-4407.

Having established that the arbitrability of a dispute is a question for the arbitrator, the Board must determine whether DOC was obligated to commit the issue of arbitrability to an arbitrator, given the Board's revocation of FOP's certification as the exclusive representative of the Complainant's bargaining unit. DOC contends that this matter must be dismissed because when the Board decertified FOP, it rendered the CBA void and eliminated DOC's duty to bargain with FOP.[39] DOC further contends that disputes over arbitrability are governed by the CBA and thus, because the Board lacks the authority to interpret the CBA, this matter must be dismissed as outside the Board's jurisdiction.[40]

The Board concludes that due to the D.C. Superior Court's October 22, 2024, Order in the ongoing related appeal, the CBA between FOP and DOC remains enforceable. Accordingly, the Board finds that, by declining to commit the issue of arbitrability to an arbitrator, DOC has failed to bargain in good faith with FOP, thereby committing an unfair labor practice in violation of D.C. Official Code § 1-617.04(a)(1) and (5) of the CMPA.

The Board further finds that, even if the decertification remained in effect, DOC's refusal to commit the issue of arbitrability to an arbitrator would nonetheless constitute an unfair labor practice. Where, as here, the Board encounters an issue of first impression, it may look to precedent from the National Labor Relations Board (NLRB) for guidance.[41] The NLRB has established that, after a union is decertified, the employer is nonetheless obligated to arbitrate grievances which were filed prior to decertification.[42] The Board "has primary jurisdiction to determine whether a particular act or omission constitutes an unfair labor practice under the CMPA."[43] Thus, the Board concludes that agencies have a duty to process pre-decertification grievances through arbitration and refusal to do so constitutes an unfair labor practice in violation of D.C. Official Code § 1-617.04(a)(1) and (5) of the CMPA.

III. Conclusion

Accordingly, the Board orders DOC to cease and desist from violating D.C. Official Code § 1-617.04(a)(1) and (5) of the CMPA; engage in arbitration with FOP regarding the matter of the Complainant's termination; and post an appropriate notice to employees.[44]

[39] Answer at 5. 9-10, 12; DOC Brief at 7-10.
[40] Answer at 10; DOC Brief at 10-11.
[41] *See Doctors' Council of D.C. v. DHS*, 46 D.C. Reg. 2430, Slip Op. No. 462, PERB Case No. 96-U-06 (1996).
[42] *Antioch Building Materials*, 316 NLRB 647 n.1 (1995) (citing *Arizona Portland Cement Co.*, 302 NLRB 36 (1991); *Missouri Portland Cement Co.*, 291 NLRB 1043, 1044 (1988)).
[43] *Hawkins v. Hall*, 537 A.2d 571, 574 (D.C.1988).
[44] This decision was issued contemporaneously with Opinion No. 1904 in PERB Case No. 24-U-42, which presented the same issues and resulted in the same Board determination.

ORDER

IT IS HEREBY ORDERED THAT:

1. The District of Columbia Department of Corrections shall cease and desist from violating D.C. Official Code § 1-617.04(a)(1) and (5) of the CMPA;
2. The District of Columbia Department of Corrections shall engage in arbitration with the Fraternal Order of Police/Department of Corrections Labor Committee regarding the matter of the Complainant's termination;
3. The District of Columbia Department of Corrections shall post the attached notice to employees;
4. Pursuant to Board Rule 559.1, this Decision and Order is final upon issuance.

BY ORDER OF THE PUBLIC EMPLOYEE RELATIONS BOARD

By vote of Board Chairperson Douglas Warshof and Members Renee Bowser, Mary Anne Gibbons, and Peter Winkler.

February 26, 2025

Washington, D.C.

APPEAL RIGHTS

Pursuant to Board Rule 559.2, a party may file a motion for reconsideration, requesting the Board reconsider its decision. Additionally, a final decision by the Board may be appealed to the District of Columbia Superior Court pursuant to D.C. Official Code §§ 1-605.2(12) and 1-617.13(c), which provides 30 days after a decision file an appeal.

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Government of the District of Columbia
Public Employee Relations Board

In the Matter of:	
Fraternal Order of Police/Metropolitan Police Department Labor Committee	
Petitioner	PERB Case No. 24-A-15
v.	Opinion No. 1906
District of Columbia Metropolitan Police Department	
Respondent	

DECISION AND ORDER

I. Statement of the Case

On August 19, 2024, the Fraternal Order of Police/Metropolitan Police Department Labor Committee (FOP) filed an amended[1] arbitration review request (Request), seeking review of an arbitration award (Award) dated August 5, 2024, pursuant to the Comprehensive Merit Personnel Act (CMPA).[2] The Award found that MPD did not violate the law or the parties' collective bargaining agreement (CBA) when it refused to provide an officer (Grievant) with four (4) additional weeks of paid family medical leave (PFML) for the birth of her child.[3]

FOP requests that the Board vacate the Award on the grounds that it is contrary to public policy.[4] FOP further requests that the Board remand this matter to the Arbitrator with instructions to find in favor of the Grievant and order MPD to compensate her for the PFML it denied.[5] MPD filed an opposition to FOP's Request.

Upon consideration of the Arbitrator's conclusions, applicable law, and the record presented by the parties, the Board finds that the Award is not contrary to public policy. Therefore, the Request is denied in its entirety.

[1] The amended arbitration review request cured a minor deficiency identified in FOP's initial submission.
[2] D.C. Official Code § 1-605.02(6).
[3] Award at 19.
[4] Request at 3, 8-16.
[5] Request at 16.

II. Background

The Arbitrator made the following factual findings. Pursuant to D.C. Official Code § 1-612.04a of the CMPA, titled "Paid parental, family, and medical leave":

> (a)(1) An eligible employee shall be entitled to receive leave with pay for not more than 8 workweeks total in a 12-month period for any combination of leave as follows:
>
> (A) Up to 8 workweeks for qualifying parental leave events;
>
> (B) Up to 8 workweeks for qualifying family leave events; and
>
> (C) Up to 2 workweeks for qualifying medical leave events.

In October of 2022, the Council of the District of Columbia (D.C. Council) enacted the District Government Paid Leave Enhancement Act of 2022 (Act),[6] effective December 21, 2022.[7] The Act amended § 1-612.04a by adding § 1204a(b), which provides that:

> (b) Beginning on the applicability date of this subsection, an eligible employee shall be entitled to receive leave with pay for not more than 12 workweeks in a 12-month period for any combination of leave as follows:
>
> (1) Up to 12 workweeks for qualifying parental leave events;
>
> (2) Up to 12 workweeks for qualifying family leave events; and
>
> (3) Up to 12 workweeks for qualifying medical leave events.
>
> (4) Up to 2 workweeks for qualifying pre-natal leave events for qualifying pre-natal leave events, except that qualifying pre-natal leave shall count against paid leave otherwise available to the employee pursuant to this section for qualifying medical leave events but shall not count against leave available for qualifying parental leave events.

Thus, pursuant to the Act, the eight (8) workweeks of PFML currently available to District employees will be extended to 12 (twelve) workweeks, pending applicability.[8] Section 3 of the Act explains that "applicability" occurs when funding for the PFML extension is approved:

> (1) Except as provided in paragraph (2) of this subsection, section 2 shall apply as of January 1, 2023.

[6] D.C. Law 24-212.
[7] Award at 4.
[8] Award at 4.

> (2) New section 1204a(b) of the District of Columbia Government Comprehensive Merit Personnel Act, passed on 2nd reading on October, 2022 (enrolled version of bill 24-615), added by Section 2(d), shall apply upon inclusion of its fiscal effect in an approved budget and financial plan.

The Grievant is an MPD officer who has been employed with the Agency since approximately 2016.[9] In December of 2022, the Grievant requested eight (8) weeks of PFML for the impending birth of her child.[10] MPD approved her request.[11] Due to prenatal health issues, the Grievant began using her approved PFML on January 6, 2023.[12] However, she did not give birth until April 11, 2023.[13] The Grievant experienced complications during delivery, which required surgery and substantial recovery time.[14] The Grievant exhausted the eight (8) weeks of approved PFML and used an additional fifty (50) to eighty (80) hours of personal sick leave to recuperate and care for her newborn.[15] After the Grievant exhausted her PFML and sick leave, she returned to work on light duty.[16]

Shortly after her child was born, the Grievant learned of the Act and emailed the Director of the MPD Human Resources Management Division, requesting the full twelve (12) weeks of PFML described therein.[17] On April 18, 2023, the MPD Lead Human Resources Specialist responded by denying the Grievant's request and explaining that "the maximum family leave remains at 8 weeks within a 12-month period for D.C. government employees."[18]

On April 20, 2023, FOP filed a Step 1 grievance with MPD, asserting that, by denying the Grievant's request for additional leave, MPD violated D.C. Official Code § 1204a(b), as well as Articles 1 and 4 of the CBA.[19] MPD denied the Step 1 grievance.[20] On April 26, 2023, FOP filed a Step 2 grievance.[21] MPD denied the Step 2 grievance, and this matter proceeded to arbitration.[22] An arbitration hearing was held on June 5, 2024.[23]

[9] Award at 3.
[10] Award at 3.
[11] Award at 3.
[12] Award at 3-4.
[13] Award at 4.
[14] Award at 4.
[15] Award at 4.
[16] Award at 4.
[17] *See* Award at 5.
[18] Award at 5.
[19] *See* Award at 5-6.
[20] Award at 5.
[21] Award at 5.
[22] Award at 5.
[23] Award at 1.

III. Arbitrator's Findings

The Arbitrator considered the issue of whether MPD's refusal to provide the Grievant with four (4) additional weeks of PFML violated Articles 1 and 4 of the CBA, or any other applicable laws, rules, or regulations.[24]

The Arbitrator reviewed Articles 1 and 4 of the CBA.[25] In relevant part, those provisions read as follows:

Article 1 – Preamble

Section 1
This collective bargaining Agreement (this Agreement) is entered into between the Metropolitan Police Department (the Department or the Employer), and the D.C. Police Union (Fraternal Order of Police/Metropolitan Police Department (FOP/MPD) Labor Committee or the Union.

Section 2
The parties to this Agreement hereby recognize that the collective bargaining relationship reflected in this Agreement is of mutual benefit and the result of good faith collective bargaining between the parties. Further, both parties agree to establish and promote a sound and effective labor-management relationship in order to achieve mutual understanding of practices, procedures and matters affecting conditions of employment and to continue working toward this goal.

Section 3
The parties hereto affirm without reservation the provisions of this Agreement, and agree to honor and support the commitments contained herein. The parties agree to resolve whatever differences may arise between them through the avenues for resolving disputes agreed to through negotiations of this Agreement.

Section 4
It is the intent and purpose of the parties hereto to promote and improve the efficiency and quality of service provided by the Department. Therefore, in consideration of mutual covenants and promises contained herein, the Employer and the Union do hereby agree as follows:…

Article 4 – Management Rights

Section 1
The Department shall retain the sole right, authority, and compete discretion to maintain the order and efficiency of the public service entrusted to it, and to

[24] Award at 1.
[25] Award at 5.

> operate and manage the affairs of the Metropolitan Police Department in all aspects including, but not limited to, all rights and authority held by the Department prior to the signing of this Agreement.
>
> Section 2
> Such management rights shall not be subject to the negotiated grievance procedure or arbitration. The Union recognizes that the following rights, when exercised in accordance with applicable laws, rules and regulations, which in no way are wholly inclusive, belong to the Department:…

The Arbitrator found that FOP had the burden of demonstrating, by preponderant evidence, that MPD violated the CBA.[26] The Arbitrator observed that the CBA does not discuss PFML benefits.[27] However, the Arbitrator ruled that, if FOP could show that MPD violated the law, that demonstration would be sufficient to prove that MPD violated Article 4 of the CBA.[28]

Before the Arbitrator, FOP asserted that, by refusing to provide the Grievant with twelve (12) weeks of PFML, MPD failed to bargain in good faith, thereby violating Article 1, Section 2 of the CBA.[29] FOP also asserted that MPD's denial of the request for additional PFML did not comply with MPD's duty, under Article 4 of the CBA, to exercise its management rights "in accordance with applicable laws, rules and regulations."[30] Specifically, FOP alleged that MPD violated D.C. Official Code § 1204a(b) of the CMPA.[31] FOP further contended that the Department of Employment Services (DOES) website misled District employees by stating that "Parental Leave provides twelve (12) weeks of benefits in a year to bond with a new child."[32] At arbitration, FOP argued that MPD's conduct constituted a repudiation of the CBA.[33] FOP requested relief in the form of an order directing MPD to provide the Grievant with compensation equal to four (4) weeks of leave, as well as punitive back pay.[34]

At arbitration, MPD argued that, under Section 3 of the Act, the additional four (4) weeks of PFML described in D.C. Official Code § 1204a(b) was not applicable because it was never included in an approved budget.[35] MPD asserted that granting employees this extended PFML would cost the District $23 million for Fiscal Year 2023, and $94.4 million through Fiscal Year 2026.[36] MPD contended that its budget for Fiscal Years 2023 through 2026 could not accommodate those expenses and thus, the 4-week PFML extension had not reached applicability

[26] Award at 12.
[27] Award at 12.
[28] Award at 12.
[29] Award at 6-7.
[30] Award at 7.
[31] *See* Award at 7.
[32] Award at 6.
[33] Award at 6-7.
[34] Award at 7.
[35] *See* Award at 7-8.
[36] Award at 7-8.

under Section 3 of the Act.[37] Concerning FOP's request for retroactive pay or leave, MPD asserted it had no statutory authority to retroactively apply the Act.[38]

FOP challenged MPD's assertions, arguing that the Agency can and should independently fund and implement the 4-week PFML extension.[39] FOP asserted that public records indicate both MPD and the District consistently experience end-of-year budgetary surpluses, which could be used to fund PFML.[40] FOP also asserted that because MPD did not backfill the Grievant's position during her absence, the Agency would be able to retroactively compensate her at no extra cost.[41] FOP argued that MPD had budgeted almost $5 million to fund other portions of the Act, money which could be used to fund four (4) additional weeks of PFML for the Grievant.[42] FOP also argued that the District of Columbia Department of Human Resources (DCHR) maintains a leave bank which could have been used to supplement the Grievant's PFML, had she been informed of its existence.[43]

Regarding FOP's allegation that the DOES website was misleading, the Arbitrator found that the twelve (12) weeks of leave mentioned therein referred to a separate leave program, titled the Universal Paid Leave Amendment Act (UPLA), which is administered by DOES, not MPD.[44] The Arbitrator determined that if an individual read the website thoroughly, they would be able to discern that it concerned UPLA, as opposed to D.C. Official Code § 1204a(b).[45] The Arbitrator was also unpersuaded by FOP's contention that the leave bank could have supplemented the Grievant's PFML.[46] The Arbitrator explained that the Grievant had already availed herself of the eight (8) weeks of PFML provided to her under D.C. Official Code § 1-612.04a of the CMPA and could not circumvent that limit by using the leave bank.[47] Concerning FOP's requests for independent funding and selective treatment for the Grievant, the Arbitrator noted that the CBA does not provide for implementation of benefits randomly or arbitrarily for a select few employees.[48]

FOP cited the D.C. Superior Court's decision in *W.P Company, LLC d/b/a/ The Washington Post v. District of Columbia* (the *Post* case) "for the premise that a statutory funding provision can be lawfully disregarded by MPD in order to effectuate a D.C. law."[49] In the *Post* case, the Washington Post (newspaper) filed several Freedom of Information Act[50] (FOIA)

[37] Award at 7-8.
[38] Award at 9.
[39] Award at 10.
[40] Award at 11.
[41] Award at 11.
[42] Award at 12.
[43] Award at 12.
[44] Award at 9.
[45] Award at 13.
[46] Award at 12.
[47] Award at 12.
[48] Award at 12-13.
[49] Award at 13 (citing *W.P Company, LLC d/b/a/ The Washington Post v. District of Columbia*, Case No. 2023-CAB-000951 (Sept. 29, 2023)).
[50] D.C. Official Code DC Code § 2-534.

requests with MPD, seeking copies of an officer's disciplinary records.[51] MPD denied the requests, arguing that pursuant to D.C. Official Code § 2-534 (a)(2) (FOIA Exemption 2), the officer's disciplinary records were exempt from disclosure because producing them would constitute "a clearly unwarranted invasion of personal privacy," which was more than *de minimis* in nature.[52] The newspaper disagreed, asserting that newly-enacted D.C. Law 24-345 § 134 of the Comprehensive Policing and Justice Reform Amendment Act (CPJRAA) prohibited MPD from denying FOIA requests for disciplinary records on the basis that they constituted an unwarranted invasion of personal privacy.[53] The newspaper further contended that even if the CPJRAA did not apply, MPD was still obligated to produce the requested records, as the public interest served by disclosing the records outweighed the officer's personal privacy interest.[54]

In the *Post* case, the court determined that, under D.C. Law 24-345 § 301, the CPJRAA would not take effect until its fiscal impact had been included in an approved budget and financial plan.[55] Finding that this condition had not been met, the court concluded that the CPJRAA did not apply.[56] Nevertheless, the court determined that MPD must produce the requested records.[57] In reaching this determination, the court employed a traditional balancing test and concluded that, although the officer had more than a *de minimis* personal privacy interest in maintaining the confidentiality of his disciplinary records, that interest was outweighed by the public interest in favor of disclosure.[58]

In the instant matter, the Arbitrator was unpersuaded by FOP's analogy to the *Post* case.[59] The Arbitrator concluded that FOP had conflated the court's analysis of FOIA Exemption 2 with the court's analysis of the CPJRAA.[60] In the *Post* case, the court ruled against MPD, but not out of adherence to an unfunded statute. Rather, the court conducted a separate balancing test and found that MPD must respond to the newspaper's FOIA request, in furtherance of the public interest.[61] The Arbitrator also suggested that the *Post* case supported MPD's position, remarking that "when faced with an amended statute that was not yet funded or implemented versus the existing statute, the [c]ourt relied on the existing statute."[62]

Like the court in the *Post* case, the Arbitrator in this matter relied on the existing statute, as opposed to the unfunded mandate. The Arbitrator determined that the extended PFML provided for under D.C. Official Code § 1204a(b) of the CMPA was subject to funding and concluded that, although the amended Act went into effect in December of 2022, the provision of D.C. Official

[51] *W.P Company, LLC d/b/a/ The Washington Post*, Case No. 2023-CAB-000951 at 1-2.
[52] *See id*. at 2, 4-6, 8, 10.
[53] *Id*. at 7.
[54] *Id*. at 6-7.
[55] *Id*. at 7.
[56] *Id*.
[57] *W.P Company, LLC d/b/a/ The Washington Post*, Case No. 2023-CAB-000951 at 12-14.
[58] *Id*. at 8-14.
[59] Award at 17.
[60] Award at 13.
[61] *W.P Company, LLC d/b/a/ The Washington Post*, Case No. 2023-CAB-000951 at 8-14.
[62] Award at 17.

Code § 1204a(b) which would extend District employees' PFML to twelve (12) weeks was never included in a budget.[63] Thus, the Arbitrator found that § 1204a(b) was inapplicable and concluded that FOP had failed to show by preponderant evidence that MPD violated the CBA or any other applicable laws, rules, or regulations.[64] Accordingly, the Arbitrator declined to award the relief FOP requested.[65] In reaching this decision, the Arbitrator stated that the outcome was an unfortunate but unavoidable one.[66]

FOP seeks review of the Award.

IV. Discussion

Section 1-605.02(6) of the D.C. Official Code permits the Board to modify, set aside, or remand a grievance arbitration award in only three narrow circumstances: (1) if an arbitrator was without, or exceeded his or her authority; (2) if the award on its face is contrary to law and public policy; or (3) if the award was procured by fraud, collusion or other similar and unlawful means.[67] FOP requests review on the grounds that the Award is contrary to public policy.[68]

Section 1-605.02(6) of the D.C. Official Code authorizes the Board to set aside an arbitration award if the award "on its face is contrary to law and public policy." However, the D.C. Court of Appeals has held that the word "and" should be read as "or" in this statutory context.[69] The Board has adopted the court's interpretation.

Nonetheless, the public policy exception is an "extremely narrow" exception to the rule that reviewing bodies must defer to an arbitrator's interpretation of a contract.[70] For the Board to overturn an award as contrary to public policy, the "public policy alleged to be contravened must be well-defined and dominant, and is to be ascertained by reference to the laws and legal precedents and not from general considerations of supposed public interests."[71] "[T]he exception is designed to be narrow so as to limit potentially intrusive judicial review of arbitration awards under the guise of 'public policy.'"[72] The petitioner bears the burden of demonstrating that the Award itself compels an explicit violation of well-defined public policy grounded in law and or legal precedent.[73] To prevail on its claim, the petitioner has the burden to specify applicable public

[63] Award at 10.
[64] *See* Award at 18-19.
[65] Award at 19.
[66] Award at 19.
[67] D.C. Official Code § 1-605.02(6).
[68] Request at 3, 8-16.
[69] *MPD v. PERB*, No. 19-CV-1115, Mem. Op. & J. at 10-11 (D.C. Sept. 15, 2022).
[70] *MPD v. FOP/MPD Labor Comm.*, 66 D.C. Reg. 6056, Slip Op. No. 1702 at 4, PERB Case No. 18-A-17 (2019) (citing *Am. Postal Workers Union v. USPS*, 789 F.2d 1, 8 (D.C. Cir. 1986), *accord MPD v. FOP/MPD Labor Comm. ex rel. Pair*, 61 D.C. Reg. 11609, Slip Op. No. 1487 at 8, PERB Case No. 09-A-05 (2014); *MPD v. FOP/MPD Labor Comm. ex rel. Johnson*, 59 D.C. Reg. 3959, Slip Op. No. 925 at 11-12, PERB Case No. 08-A-01 (2012)).
[71] *MPD v. PERB*, No. 19-CV-1115, Mem. Op. & J. at 10-11 (D.C. Sept. 15, 2022) (quoting *MPD v. PERB*, 901 A.2d 784, 789 (D.C. 2006)).
[72] *MPD*, Slip Op. No. 1702 at 4.
[73] *FOP/PSD Labor Comm. v. DGS.*, 70 D.C. Reg. 781, Slip Op. No. 1853 at 15, PERB Case No. 23-A-07 (2023).

policy that mandates that the Arbitrator arrive at a different result.[74] Disagreement with an arbitrator's decision does not render an award contrary to public policy.[75]

In its Request, FOP argues that the Board should overturn the Award because it is contrary to well-defined and dominant public policy favoring the expansion of PFML benefits.[76] FOP asserts that this public policy "was explicitly established by the Councilmembers and government officials who proposed, supported, and passed the law expanding PFML benefits for D.C. government employees."[77] In support of this assertion, FOP cites written testimony from the Director of DCHR concerning the value of the Act as a means of prioritizing District employees and maximizing their quality of life.[78] FOP also cites public statements from D.C. Councilmembers, describing the Act as a crucial step toward providing the competitive benefits necessary to attract and retain a qualified workforce.[79]

The Board finds this argument unpersuasive. The testimony cited does not demonstrate the existence of a well-defined and dominant public policy in favor of expanding PFML benefits where statutory funding provisions have not been satisfied. The Board finds no indication that the District officials quoted in the Request were proposing implementation of the PFML extension prior to the applicability date described in Section 3 of the Act.

FOP also argues that the public policy favoring expansion of PFML benefits is rooted in "the CMPA's explicit, decades-long policy 'to assure that the District of Columbia government shall have a modern flexible system of public personnel administration which shall…establish the means to recruit, select, develop and maintain an effective and responsive work force.'"[80] FOP asserts that evidence-based studies demonstrate the value of expanded PFML benefits as a method of improving employee retention and minimizing inequality .[81] FOP also asserts that the District's history of providing its employees with PFML,[82] as well as the existence of the leave bank,[83] demonstrate the statutory basis for FOP's position.[84] Additionally, FOP notes that, under Board precedent, the failure of the D.C. government to bargain over paid parental leave benefits is an unfair labor practice.[85] Thus, FOP argues, the public policy at issue concerns more than a supposed public interest.[86] The Board is unpersuaded. FOP merely describes the benefits of PFML, in

[74] *MPD v. FOP/MPD Labor Comm.*, 47 D.C. Reg. 717, Slip Op. No. 633 at 2, PERB Case No. 00-A-04 (2000).
[75] *FOP/MPD Labor Comm. v. MPD*, 47 D.C. Reg. 5315, Slip Op. No. 626 at 2, PERB Case No. 00-A-02 (2003)
[76] Request at 9.
[77] Request at 9-10.
[78] Request at 10-11.
[79] Request at 11.
[80] Request at 12 (citing D.C. Official Code § 1-601.02(a)(7)).
[81] Request at 12-13.
[82] Request at 13 (citing the Fiscal Year 2015 Budget Support Act of 2014, D.C. Law 20-155, Sec. 1052 (Feb. 26, 2015) and D.C. Official Code § 1-612.04(a) (establishing PFML for private sector employees in the District), as well as Universal Paid Leave Act of 2015, D.C. Law 21-264 (Apr. 7, 2017) and D.C. Code §§ 32-541.01, et seq. (establishing PFML for public sector employees in the District)).
[83] Request at 13 (citing D.C. Official Code § 1-612.05).
[84] Request at 13.
[85] Request at 13 (citing *AFGE Local 631 v. WASA*, Slip Op. No. 1866 at 4, PERB Case No. 24-U-09 (2024)).
[86] Request at 12-13.

general terms. FOP has not demonstrated the existence of a well-defined and dominant public policy mandating that the Arbitrator order MPD to extend the Grievant's PFML by four (4) weeks, despite the lack of funding.

Lastly, FOP argues that the *Post* case demonstrates that statutory funding provisions may be lawfully disregarded to effectuate the public policy underlying District law.[87] FOP asserts that in the *Post* case, the court chose to disregard the funding provision regarding D.C. Law 24-345 § 134 of the CPJRAA for the sake of promoting police transparency and accountability.[88] As the Arbitrator observed in the Award, FOP's analogy to the *Post* case is based on a misinterpretation of the court's holding. In the *Post* case, the court required MPD to produce the officer's disciplinary records because the court determined that under FOIA Exemption 2, the District "failed to demonstrate a privacy interest in nondisclosure that outweigh[ed] the public interest in disclosure of the requested records."[89] The court's reason for ordering MPD to disclose the disciplinary records was not tied to D.C. Law 24-345 § 134 of the CPJRAA. The *Post* case does not establish that statutory funding provisions may be lawfully disregarded to effectuate the public policy underlying District law. Thus, the court's decision does not mandate that the Arbitrator reach a different result.

The Board finds that DCPS has not demonstrated that the Award compels an explicit violation of well-defined public policy grounded in law and or legal precedent or shown that applicable public policy mandates a different result. Therefore, the Board finds that the Award is not contrary to public policy.

V. Conclusion

The Board rejects FOP's arguments and finds no cause to modify, set aside, or remand the Award. Accordingly, FOP's Request is denied, and this matter is dismissed in its entirety.[90]

[87] Request at 13-14.
[88] Request 14-15 (citing *W.P Company, LLC d/b/a/ The Washington Post v. District of Columbia*, Case No. 2023-CAB-000951 (Sept. 29, 2023)).
[89] *W.P Company, LLC d/b/a/ The Washington Post*, Case No. 2023-CAB-000951 at 12.
[90] This decision was issued contemporaneously with Opinion No. 1907 in PERB Case No. 24-A-13 and Opinion No. 1908 in PERB Case No. 24-A-14. The arbitration review requests in those matters presented the same issues and were denied on the same grounds.

ORDER

IT IS HEREBY ORDERED THAT:

1. The arbitration review request is denied.
2. Pursuant to Board Rule 559.1, this Decision and Order is final upon issuance.

BY ORDER OF THE PUBLIC EMPLOYEE RELATIONS BOARD

By vote of Board Chairperson Douglas Warshof and Members Renee Bowser, Mary Anne Gibbons, and Peter Winkler.

February 26, 2025
Washington, D.C.

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Government of the District of Columbia
Public Employee Relations Board

In the Matter of:	
Fraternal Order of Police/Metropolitan Police Department Labor Committee	
Petitioner	PERB Case No. 24-A-13
v.	Opinion No. 1907
District of Columbia Metropolitan Police Department	
Respondent	

DECISION AND ORDER

I. Statement of the Case

On June 19, 2024, the Fraternal Order of Police/Metropolitan Police Department Labor Committee (FOP) filed an arbitration review request (Request), seeking review of an arbitration award (Award) dated June 4, 2024, pursuant to the Comprehensive Merit Personnel Act (CMPA).[1] The Award found that MPD did not violate the law or the parties' collective bargaining agreement (CBA) when it refused to provide an officer (Grievant) with four (4) additional weeks of paid family medical leave (PFML) for the birth of her child.[2]

FOP requests that the Board vacate the Award on the grounds that it is contrary to public policy.[3] FOP further requests that the Board remand this matter to the Arbitrator with instructions to find in favor of the Grievant and order MPD to compensate her for the PFML it denied.[4] MPD filed an opposition to FOP's Request (Opposition).

Upon consideration of the Arbitrator's conclusions, applicable law, and the record presented by the parties, the Board finds that the Award is not contrary to public policy. Therefore, the Request is denied in its entirety.

[1] D.C. Official Code § 1-605.02(6).
[2] Award at 15.
[3] Request at 3, 9-15.
[4] Request at 15.

II. Background

The Arbitrator considered the following factual background. Pursuant to D.C. Official Code § 1-612.04a of the CMPA:

> (a)(1) An eligible employee shall be entitled to receive leave with pay for not more than 8 workweeks total in a 12-month period for any combination of leave as follows:
>
> (A) Up to 8 workweeks for qualifying parental leave events;
>
> (B) Up to 8 workweeks for qualifying family leave events; and
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> (C) Up to 2 workweeks for qualifying medical leave events.[5]

In October of 2022, the Council of the District of Columbia (D.C. Council) enacted the District Government Paid Leave Enhancement Act of 2022 (Act),[6] effective December 21, 2022.[7] The Act amended § 1-612.04a by adding § 1204a(b),[8] which provides that:

> (b) Beginning on the applicability date of this subsection, an eligible employee shall be entitled to receive leave with pay for not more than 12 workweeks in a 12-month period for any combination of leave as follows:
>
> (1) Up to 12 workweeks for qualifying parental leave events;
>
> (2) Up to 12 workweeks for qualifying family leave events;
>
> (3) Up to 12 workweeks for qualifying medical leave events; and …[9]

Thus, pursuant to the Act, the eight (8) workweeks of PFML currently available to District employees will be extended to 12 (twelve) workweeks, pending applicability.[10] Section 3 of the Act explains that "applicability" occurs when funding for the PFML extension is approved:

> …
>
> (2) New section 1204a(b) of the District of Columbia Government Comprehensive Merit Personnel Act, passed on 2nd reading on October, 2022

[5] Award at 3 (citing D.C. Official Code § 1-612.04a, *Paid Parental, Family and Medical Leave*.
[6] D.C. Law 24-212.
[7] Opposition at 2.
[8] Request at 3.
[9] Award at 3.
[10] Award at 4.

> (enrolled version of bill 24-615), added by Section 2(d), shall apply upon inclusion of its fiscal effect in an approved budget and financial plan.[11]

The Grievant is an MPD officer who has been employed with the Agency since December 26, 2018.[12] The Grievant became pregnant in 2022.[13] The Grievant's pregnancy resulted in her reassignment to MPD's Command Information Center (CIC) during the evening tour of duty—1:00 p.m. until 11:30 p.m..[14] In August, 2022, the Grievant requested eight (8) weeks of PFML for "postpartum recovery [and] care and comfort of [the Grievant's] newborn baby."[15] The Grievant gave birth on December 10, 2022.[16] MPD approved her request for eight (8) weeks of PFML on December 19, 2022.[17] As the Grievant reached the end of her approved PFML, she felt that 8 weeks was "far too little time to bond and care for her daughter."[18]

On February 3, 2023, the Grievant decided to use paid annual leave to spend two (2) additional weeks with her baby, which her supervisors approved.[19] After the Grievant exhausted the 2 weeks of annual leave, she returned to work, unable to afford to continue to take leave without pay.[20]

The Grievant learned of the Act from a D.C. Department of Employment Services (DOES) advertisement "indicating that '[p]arental leave applies to all DC [sic] employees who are taking time off from work to bond with a new child …".[21] On June 4, 2023, the Grievant contacted the Director of MPD's Human Resources Management Division (HRMD) to request "the full 12 weeks of PMFL applicable to [the Grievant] under the Act."[22] On June 6, 2023, the MPD Lead Human Resources Specialist responded by denying the Grievant's request and explaining that "the maximum family leave remains at 8 weeks within a 12-month period for D.C. government employees."[23]

FOP subsequently filed Step 1 and Step 2 grievances with MPD,[24] asserting that, by denying the Grievant's request for additional leave, MPD violated D.C. Official Code § 1204a(b),

[11] Award at 3 (citing D.C. Law 24-212).
[12] Request at 3.
[13] Request at 3.
[14] Request at 3.
[15] Request at 3-4.
[16] Request at 4.
[17] Request at 4; *see also* Award at 7.
[18] Request at 4.
[19] Request at 5.
[20] Request at 5.
[21] Award at 4.
[22] Request at 6.
[23] Request at 6.
[24] Request at 7.

as well as Articles 1 and 4 of the CBA.[25] MPD denied both grievances, and this matter proceeded to arbitration.[26] An arbitration hearing was held on February 7, 2024.[27]

III. Arbitrator's Findings

The Arbitrator considered the issue of whether MPD's refusal to provide the Grievant with four (4) additional weeks of PFML violated Articles 1 and 4 of the CBA, or any other applicable laws, rules, or regulations.[28]

The Arbitrator reviewed Articles 1 and 4 of the CBA.[29] In relevant part, those provisions read as follows:

> **Article 1 – Preamble**
>
> Section 2
> The parties to this Agreement hereby recognize that the collective bargaining relationship reflected in this Agreement is of mutual benefit and the result of good faith collective bargaining between the parties. Further, both parties agree to establish and promote a sound and effective labor-management relationship in order to achieve mutual understanding of practices, procedures and matters affecting conditions of employment and to continue working toward this goal.
>
> Section 3
> The parties hereto affirm without reservation the provisions of this Agreement, and agree to honor and support the commitments contained herein. The parties agree to resolve whatever differences may arise between them through the avenues for resolving disputes agreed to through negotiations of this Agreement.
>
> Section 4
> It is the intent and purpose of the parties hereto to promote and improve the efficiency and quality of service provided by the Department. Therefore, in consideration of mutual covenants and promises contained herein, the Employer and the Union do hereby agree as follows:…
>
> **Article 4 – Management Rights**
>
> Section 1
> The Department shall retain the sole right, authority, and compete discretion to maintain the order and efficiency of the public service entrusted to it, and to

[25] Award at 5.
[26] Request at 7.
[27] Award at 1.
[28] Award at 2.
[29] Award at 2-3.

> operate and manage the affairs of the Metropolitan Police Department in all aspects including, but not limited to, all rights and authority held by the Department prior to the signing of this Agreement.
>
> Section 2
> Such management rights shall not be subject to the negotiated grievance procedure or arbitration. The Union recognizes that the following rights, when exercised in accordance with applicable laws, rules and regulations, which in no way are wholly inclusive, belong to the Department:…
>
> **Article 19, Grievance Procedure, E. Arbitration,**
> **Section 5**
>
> …
>
> **2.** The parties to the grievance or appeal shall not be permitted to assert in such arbitration proceedings any ground or to rely on any evidence not previously disclosed to the other party. …
>
> **5.** Arbitration awards shall not be made retroactive beyond the date of the occurrence of the event upon which the grievance or appeal is based. …
>
> **7.** A statement of the arbitrator's fee and expenses shall accompany the award. The fee and expense of the arbitrator shall be borne by the losing party, which shall be determined by the [a]rbitrator.
>
> **Section 6**
>
> Either party may file an appeal from an arbitration award to the PERB, not later than twenty (20) days after the award is served for reasons which show that: …
>
> **2.** The award on its face is contrary to law and public policy…[30]

The Arbitrator established that FOP had the burden of demonstrating, by preponderant evidence, that MPD violated the CBA.[31]

Before the Arbitrator, FOP asserted that, by refusing to provide the Grievant with twelve (12) weeks of PFML, MPD failed to bargain in good faith or exercise efficient management, thereby violating Articles 1 and 4 of the parties' CBA.[32] Specifically, FOP alleged that MPD violated D.C. Official Code § 1204a(b) of the CMPA.[33] FOP further contended that DOES PFML

[30] Award at 3.
[31] Award at 15.
[32] Award at 5.
[33] *See* Award at 5, 7.

advertisements misled government employees regarding their eligibility for extended parental leave.[34] FOP argued that MPD failed to conduct relevant cost analyses regarding sources of funding for an additional four (4) weeks of parental leave for the Grievant.[35] FOP requested relief in the form of an order directing MPD to provide the Grievant with compensation equal to four (4) weeks of leave, including interest, as well as all of FOP's costs and attorney fees and all arbitrator fees pursuant to Article 19 (E) § 5(7) of the parties' CBA.[36]

At arbitration, MPD argued that the Grievant is entitled only to eight (8) weeks of PFML benefits as currently defined.[37] MPD further argued that the additional four (4) weeks of PFML described in D.C. Official Code § 1204a(b) did not apply because it was never included in an approved budget.[38] MPD asserted that it did not violate the parties' CBA because refusing to provide the Grievant with an unfunded benefit that no other District government employee was receiving cannot be construed as a violation of the parties' CBA.[39] MPD further asserted that providing the unfunded benefit to the Grievant would be a violation of both the Act, which "expressly authorized the benefit only when the necessary funds are appropriated,"[40] and the parties' CBA, which requires the exercise of management rights "in accordance with applicable laws, rules, and regulations… ."[41] MPD argued that FOP failed to prove that MPD violated the parties' CBA by "failing to rectify what the union considers deceptive advertising by DOES,"[42] noting that the DOES website includes a PFML "Eligibility Questionnaire" that makes clear employees' eligibility, or lack thereof.[43] MPD further argued that its adherence to the law does not constitute bad faith or perfunctory job performance in handling the grievance at issue.[44]

MPD asserted that FOP exceeded the union's authority to litigate new claims or arguments not previously disclosed in the grievance and arbitration procedure, in violation of Article 19 (E) § 5.2 of the parties' CBA, by including new arguments and exhibits at the arbitration hearing.[45] MPD further asserted that these violative, untimely and/or irrelevant arguments should not influence the Award in any way.[46]

FOP cited the D.C. Superior Court's decision in *W.P Company, LLC d/b/a/ The Washington Post v. District of Columbia* (the *Post* case) "for the premise that a statutory funding provision can be lawfully disregarded by MPD in order to effectuate a D.C. law."[47] In the *Post*

[34] Award at 8.
[35] Award at 8.
[36] Award at 7.
[37] Award at 9.
[38] *See* Award at 9.
[39] Award at 9.
[40] Award at 9.
[41] Award at 9 (citing Article 4, Section 2 of the parties' CBA).
[42] Award at 10.
[43] Award at 10.
[44] Award at 10-11.
[45] Award at 11.
[46] Award at 11.
[47] Request at 13 (citing *W.P Company, LLC d/b/a/ The Washington Post v. District of Columbia*, Case No. 2023-CAB-000951 (Sept. 29, 2023)).

case, the Washington Post (newspaper) filed several Freedom of Information Act[48] (FOIA) requests with MPD, seeking copies of an officer's disciplinary records.[49] MPD denied the requests, arguing that pursuant to D.C. Official Code § 2-534 (a)(2) (FOIA Exemption 2), the officer's disciplinary records were exempt from disclosure because producing them would constitute "a clearly unwarranted invasion of personal privacy," which was more than *de minimis* in nature.[50] The newspaper disagreed, asserting that newly-enacted D.C. Law 24-345 § 134 of the Comprehensive Policing and Justice Reform Amendment Act (CPJRAA) prohibited MPD from denying a FOIA requests for disciplinary records on the basis that they constituted an unwarranted invasion of personal privacy.[51] The newspaper further contended that even if the CPJRAA did not apply, MPD was still obligated to produce the requested records, as the public interest served by disclosing the records outweighed the officer's personal privacy interest.[52]

In the *Post* case, the court determined that, under D.C. Law 24-345 § 301, the CPJRAA would not take effect until its fiscal impact had been included in an approved budget and financial plan.[53] Finding that this condition had not been met, the court concluded that the CPJRAA did not apply.[54] Nevertheless, the court determined that MPD must produce the requested records.[55] In reaching this determination, the court employed a traditional balancing test and concluded that although the officer had more than a *de minimis* personal privacy interest in maintaining the confidentiality of his disciplinary records, that interest was outweighed by the public interest in favor of disclosure.[56] There, the court ruled against MPD, but not out of adherence to an unfunded statute. Rather, the court conducted a separate balancing test and found that MPD must respond to the newspaper's FOIA request, in furtherance of the public interest.[57]

Like the court in the *Post* case, the Arbitrator in this matter relied on the existing statute, as opposed to the unfunded mandate. The Arbitrator determined that the extended PFML provided for under D.C. Official Code § 1204a(b) of the CMPA was subject to funding and concluded that, although the amended Act went into effect in December of 2022, the provision of D.C. Official Code § 1204a(b) which would extend District employees' PFML to twelve (12) weeks was never included in a budget.[58] Thus, the Arbitrator found that § 1204a(b) was inapplicable and concluded that FOP had failed to show by preponderant evidence that MPD violated the CBA or any other applicable laws, rules, or regulations.[59] Accordingly, the Arbitrator declined to award the relief FOP requested.[60]

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[48] D.C. Official Code DC Code § 2-534.
[49] *W.P Company, LLC d/b/a/ The Washington Post*, Case No. 2023-CAB-000951 at 1-2.
[50] *See id*. at 2, 4-6, 8, 10.
[51] *Id*. at 7.
[52] *Id*. at 6-7.
[53] *Id*. at 7.
[54] *Id*.
[55] *W.P Company, LLC d/b/a/ The Washington Post*, Case No. 2023-CAB-000951 at 12-14.
[56] *Id*. at 8-14.
[57] *W.P Company, LLC d/b/a/ The Washington Post*, Case No. 2023-CAB-000951 at 8-14.
[58] Award at 13.
[59] *See* Award at 12-14.
[60] Award at 15.

FOP seeks review of the Award.

IV. Discussion

Section 1-605.02(6) of the D.C. Official Code permits the Board to modify, set aside, or remand a grievance arbitration award in only three narrow circumstances: (1) if an arbitrator was without, or exceeded his or her authority; (2) if the award on its face is contrary to law and public policy; or (3) if the award was procured by fraud, collusion or other similar and unlawful means.[61] FOP requests review on the grounds that the Award is contrary to public policy.[62]

Section 1-605.02(6) of the D.C. Official Code authorizes the Board to set aside an arbitration award if the award "on its face is contrary to law and public policy." However, the D.C. Court of Appeals has held that the word "and" should be read as "or" in this statutory context.[63] The Board has adopted the court's interpretation.

Nonetheless, the public policy exception is an "extremely narrow" exception to the rule that reviewing bodies must defer to an arbitrator's interpretation of a contract.[64] For the Board to overturn an award as contrary to public policy, the "public policy alleged to be contravened must be well-defined and dominant, and is to be ascertained by reference to the laws and legal precedents and not from general considerations of supposed public interests."[65] "[T]he exception is designed to be narrow so as to limit potentially intrusive judicial review of arbitration awards under the guise of 'public policy.'"[66] The petitioner bears the burden of demonstrating that the Award itself compels an explicit violation of well-defined public policy grounded in law and or legal precedent.[67] To prevail on its claim, the petitioner has the burden to specify applicable public policy that mandates that the Arbitrator arrive at a different result.[68] Disagreement with an arbitrator's decision does not render an award contrary to public policy.[69]

In its Request, FOP argues that the Board should overturn the Award because it is contrary to well-defined and dominant public policy favoring the expansion of PFML benefits.[70] FOP asserts that this public policy "was explicitly established by the Councilmembers and government officials who proposed, supported, and passed the law expanding PFML benefits for D.C.

[61] D.C. Official Code § 1-605.02(6).
[62] Request at 3, 8-16.
[63] *MPD v. PERB*, No. 19-CV-1115, Mem. Op. & J. at 10-11 (D.C. Sept. 15, 2022).
[64] *MPD v. FOP/MPD Labor Comm.*, 66 D.C. Reg. 6056, Slip Op. No. 1702 at 4, PERB Case No. 18-A-17 (2019) (citing *Am. Postal Workers Union v. USPS*, 789 F.2d 1, 8 (D.C. Cir. 1986), *accord MPD v. FOP/MPD Labor Comm. ex rel. Pair*, 61 D.C. Reg. 11609, Slip Op. No. 1487 at 8, PERB Case No. 09-A-05 (2014); *MPD v. FOP/MPD Labor Comm. ex rel. Johnson*, 59 D.C. Reg. 3959, Slip Op. No. 925 at 11-12, PERB Case No. 08-A-01 (2012)).
[65] *MPD v. PERB*, No. 19-CV-1115, Mem. Op. & J. at 10-11 (D.C. Sept. 15, 2022) (quoting *MPD v. PERB*, 901 A.2d 784, 789 (D.C. 2006)).
[66] *MPD*, Slip Op. No. 1702 at 4.
[67] *FOP/PSD Labor Comm. v. DGS.*, 70 D.C. Reg. 781, Slip Op. No. 1853 at 15, PERB Case No. 23-A-07 (2023).
[68] *MPD v. FOP/MPD Labor Comm.*, 47 D.C. Reg. 717, Slip Op. No. 633 at 2, PERB Case No. 00-A-04 (2000).
[69] *FOP/MPD Labor Comm. v. MPD*, 47 D.C. Reg. 5315, Slip Op. No. 626 at 2, PERB Case No. 00-A-02 (2003)
[70] Request at 8.

government employees."[71] In support of this assertion, FOP cites written testimony from the Director of DCHR concerning the value of the Act as a means of prioritizing District employees and maximizing their quality of life.[72] FOP also cites public statements from D.C. Councilmembers, describing the Act as a crucial step toward providing the competitive benefits necessary to attract and retain a qualified workforce.[73]

The Board finds this argument unpersuasive. The testimony cited does not demonstrate the existence of a well-defined and dominant public policy in favor of expanding PFML benefits where statutory funding provisions have not been satisfied. The Board finds no indication that the District officials quoted in the Request were proposing implementation of the PFML extension prior to the applicability date described in Section 3 of the Act.

FOP also argues that the public policy favoring expansion of PFML benefits is rooted in "the CMPA's explicit, decades-long policy 'to assure that the District of Columbia government shall have a modern flexible system of public personnel administration which shall…establish the means to recruit, select, develop and maintain an effective and responsive workforce.'"[74] FOP asserts that evidence-based studies demonstrate the value of expanded PFML benefits as a method of improving employee retention and minimizing inequality.[75] FOP also asserts that the District's history of providing its employees with PFML,[76] as well as the existence of the leave bank,[77] demonstrate the statutory basis for FOP's position.[78] Additionally, FOP notes that, under Board precedent, the failure of the D.C. government to bargain over paid parental leave benefits is an unfair labor practice.[79] Thus, FOP argues, the public policy at issue concerns more than a supposed public interest.[80] The Board is unpersuaded. FOP merely describes the benefits of PFML, in general terms. FOP has not demonstrated the existence of a well-defined and dominant public policy mandating that the Arbitrator order MPD to extend the Grievant's PFML by four (4) weeks, despite the lack of funding.

Lastly, FOP argues that the *Post* case demonstrates that statutory funding provisions may be lawfully disregarded to effectuate the public policy underlying District law.[81] FOP asserts that, in the *Post* case, the court chose to disregard the funding provision regarding D.C. Law 24-345 §

[71] Request at 9-10.
[72] Request at 10.
[73] Request at 10-11.
[74] Request at 12 (citing D.C. Official Code § 1-601.02(a)(7)).
[75] Request at 12.
[76] Request at 12-13 (citing the Fiscal Year 2015 Budget Support Act of 2014, D.C. Law 20-155, Sec. 1052 (Feb. 26, 2015) and D.C. Official Code § 1-612.04(a) (establishing PFML for private sector employees in the District), as well as Universal Paid Leave Act of 2015, D.C. Law 21-264 (Apr. 7, 2017) and D.C. Code §§ 32-541.01, et seq. (establishing PFML for public sector employees in the District)).
[77] Request at 13 (citing D.C. Official Code § 1-612.05).
[78] Request at 13.
[79] Request at 13 (citing *AFGE Local 631 v. WASA*, Slip Op. No. 1866 at 4, PERB Case No. 24-U-09 (2024)).
[80] Request at 12-13.
[81] Request at 13-14.

134 of the CPJRAA for the sake of promoting police transparency and accountability.[82] FOP's analogy to the *Post* case is based on a misinterpretation of the court's holding. In the *Post* case, the court required MPD to produce the officer's disciplinary records because the court determined that, under FOIA Exemption 2, the District "failed to demonstrate a privacy interest in nondisclosure that outweigh[ed] the public interest in disclosure of the requested records."[83] The court's reason for ordering MPD to disclose the disciplinary records was not tied to D.C. Law 24-345 § 134 of the CPJRAA. The *Post* case does not establish that statutory funding provisions may be lawfully disregarded to effectuate the public policy underlying District law. Thus, the court's decision does not mandate that the Arbitrator reach a different result.

The Board finds that DCPS has not demonstrated that the Award compels an explicit violation of well-defined public policy grounded in law and or legal precedent or shown that applicable public policy mandates a different result. Therefore, the Board finds that the Award is not contrary to public policy.

V. Conclusion

The Board rejects FOP's arguments and finds no cause to modify, set aside, or remand the Award. Accordingly, FOP's Request is denied, and this matter is dismissed in its entirety.[84]

ORDER

IT IS HEREBY ORDERED THAT:

1. The arbitration review request is denied; and

2. Pursuant to Board Rule 559.1, this Decision and Order is final upon issuance.

BY ORDER OF THE PUBLIC EMPLOYEE RELATIONS BOARD

By vote of Board Chairperson Douglas Warshof and Members Renee Bowser, Mary Anne Gibbons and Peter Winkler.

February 26, 2025
Washington, D.C.

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[82] Request 13-14 (citing *W.P Company, LLC d/b/a/ The Washington Post v. District of Columbia*, Case No. 2023-CAB-000951 (Sept. 29, 2023)).
[83] *W.P Company, LLC d/b/a/ The Washington Post*, Case No. 2023-CAB-000951 at 12.
[84] This decision was issued contemporaneously with Opinion No. 1908 in PERB Case No. 24-A-14 and Opinion No. 1906 in PERB Case No. 24-A-15. The arbitration review requests in those matters presented the same issues and were denied on the same grounds.

APPEAL RIGHTS

Pursuant to Board Rule 559.2, a party may file a motion for reconsideration, requesting the Board reconsider its decision. Additionally, a final decision by the Board may be appealed to the District of Columbia Superior Court pursuant to D.C. Official Code §§ 1-605.2(12) and 1-617.13(c), which provides 30 days after a decision is issued to file an appeal.

Notice: This decision may be formally revised within thirty days of issuance before it is published in the District of Columbia Register. Parties should promptly notify this office of any errors so that they may be corrected before publishing the decision. This notice is not intended to provide an opportunity for a substantive challenge to the decision.

Government of the District of Columbia
Public Employee Relations Board

In the Matter of:	
Fraternal Order of Police/Metropolitan Police Department Labor Committee	
Petitioner	PERB Case No. 24-A-14
v.	Opinion No. 1908
District of Columbia Metropolitan Police Department	
Respondent	

DECISION AND ORDER

I. Statement of the Case

On August 8, 2024, the Fraternal Order of Police/Metropolitan Police Department Labor Committee (FOP) filed an amended[1] arbitration review request (Request), seeking review of an arbitration award (Award) dated July 22, 2024, pursuant to the Comprehensive Merit Personnel Act (CMPA).[2] The Award found that MPD did not violate the law or the parties' collective bargaining agreement (CBA) when it refused to provide an officer (Grievant) with four (4) additional weeks of paid family medical leave (PFML) for the birth of her child.[3]

FOP requests that the Board vacate the Award on the grounds that it is contrary to public policy.[4] FOP further requests that the Board remand this matter to the Arbitrator with instructions to find in favor of the Grievant and order MPD to compensate her for the PFML it denied.[5] MPD filed an opposition to FOP's Request.

Upon consideration of the Arbitrator's conclusions, applicable law, and the record presented by the parties, the Board finds that the Award is not contrary to public policy. Therefore, the Request is denied in its entirety.

[1] The amended arbitration review request cured a minor deficiency identified in FOP's initial submission.
[2] D.C. Official Code § 1-605.02(6).
[3] Award at 25.
[4] Request at 3, 9-15.
[5] Request at 15.

II. Background

The Arbitrator made the following factual findings. In 2022, the District passed DC Law 24-212 (the Act), which updated the District's paid family leave program to provide additional leave to District government employees, including increasing the amount of paid family and medical leave (PFML) available in a 12-month period from eight (8) weeks to twelve (12) weeks.[6] The Act does not become effective until it is funded by the District budget.[7] The District Chief Financial Officer (CFO) submitted a memo to the District of Columbia Council (D.C. Council) noting that the District did not have the funds to implement the enhanced PFML through 2026.[8]

The Grievant is an MPD officer who has been employed with the Agency since approximately 2021.[9] In March of 2023, the Grievant gave birth to her son.[10] The Grievant experienced complications during delivery, which required her to remain in the hospital for a longer than typical time and required her baby to spend approximately two months in the hospital.[11] In April of 2023, the Grievant was approved for eight (8) weeks of PFML and approximately four (4) weeks of "DCFMLA."[12] Because of administrative errors, the Grievant's PFML was interrupted and her sick leave used instead, and then she was placed in a leave without pay ("LWOP") status.[13] These errors were eventually corrected and the Grievant received compensation for eight (8) weeks of PFML.[14]

On May 12, 2023, the Grievant contacted MPD's Human Resources Management Division (HRMD) stating that she had "been told that the government approved a law enhancing PFL benefits to twelve weeks"[15] and requesting receipt of the "enhanced benefits."[16] On May 15, 2023, the MPD Lead Human Resources Specialist responded by denying the Grievant's request and explaining that "the maximum family leave remains at 8 weeks within a 12-month period for D.C. government employees."[17]

On May 19, 2023, FOP filed a grievance with MPD, asserting that, by denying the Grievant's request for additional leave, MPD violated D.C. Official Code § 1204a(b), as well as Articles 1 and 4 of the CBA.[18] MPD denied the Step 1 grievance.[19] On June 6, 2023, FOP filed a

[6] Award at 5.
[7] *See* Award at 7-8.
[8] Award at 6.
[9] Award at 8.
[10] Award at 8.
[11] Award at 8.
[12] Award at 8-9.
[13] Award at 9.
[14] Award at 9.
[15] Award at 9.
[16] Award at 9.
[17] Award at 9.
[18] *See* Award at 10-11.
[19] Award at 11.

Step 2 grievance.[20] MPD denied the Step 2 grievance, and this matter proceeded to arbitration.[21] An arbitration hearing was held on March 21, 2024.[22]

III. Arbitrator's Findings

The Arbitrator considered the issue of whether MPD's refusal to provide the Grievant with four (4) additional weeks of PFML violated Articles 1 and 4 of the CBA, or any other applicable laws, rules, or regulations.[23]

The Arbitrator reviewed Articles 1 and 4 of the CBA.[24] In relevant part, those provisions read as follows:

> **Article 1 – Preamble**
>
> **Section 1**
> This collective bargaining Agreement (this Agreement) is entered into between the Metropolitan Police Department (the Department or the Employer), and the D.C. Police Union (Fraternal Order of Police/Metropolitan Police Department (FOP/MPD) Labor Committee or the Union.
>
> **Section 2**
> The parties to this Agreement hereby recognize that the collective bargaining relationship reflected in this Agreement is of mutual benefit and the result of good faith collective bargaining between the parties. Further, both parties agree to establish and promote a sound and effective labor-management relationship in order to achieve mutual understanding of practices, procedures and matters affecting conditions of employment and to continue working toward this goal.
>
> **Section 3**
> The parties hereto affirm without reservation the provisions of this Agreement, and agree to honor and support the commitments contained herein. The parties agree to resolve whatever differences may arise between them through the avenues for resolving disputes agreed to through negotiations of this Agreement.
>
> **Section 4**
> It is the intent and purpose of the parties hereto to promote and improve the efficiency and quality of service provided by the Department. Therefore, in

[20] Award at 12.
[21] Award at 12-14.
[22] Award at 2.
[23] Award at 1.
[24] Award at 5.

consideration of mutual covenants and promises contained herein, the Employer and the Union do hereby agree as follows:…[25]

Article 4 – Management Rights

Section 1
The Department shall retain the sole right, authority, and compete discretion to maintain the order and efficiency of the public service entrusted to it, and to operate and manage the affairs of the Metropolitan Police Department in all aspects including, but not limited to, all rights and authority held by the Department prior to the signing of this Agreement.

Section 2
Such management rights shall not be subject to the negotiated grievance procedure or arbitration. The Union recognizes that the following rights, when exercised in accordance with applicable laws, rules and regulations, which in no way are wholly inclusive, belong to the Department:

1. To direct employees of the Department;

2. To determine the mission, budget, organization, number of employees, number, type and grade of employees assigned, the work project, tour of duty, methods and processes by which such work is performed, technology needed, internal security practices, or relocation of facilities;

3. To relieve employees of duties because of lack of work or other legitimate reasons;

4. To hire, promote, transfer, assign and retain employees in positions within the Department;

5. To suspend, demote, discharge, grant or deny step increases and take other disciplinary actions against employees for cause;

6. To take any action necessary to carry out the mission of the Department in an emergency situation, and to alter, rearrange, change, extend, limit or curtail its operations or any part thereof;

7. To determine the qualifications of employee for appointment, promotion, step increases, and to set standards of performance, appearance and conduct; and,

[25] Award at 3-4.

> 8. 8. To formulate, change or modify Department rules, regulations and procedures, except that no rule, regulation or procedure shall be formulated, changed or modified in a manner contrary to the provisions of this Agreement.[26]

The Arbitrator established that FOP had the burden of demonstrating, by preponderant evidence, that MPD violated the CBA.[27] The Arbitrator referred extensively to a contemporaneous arbitration award between the parties on the same issue regarding a different grievant.[28]

Before the Arbitrator, FOP asserted that, by refusing to provide the Grievant with twelve (12) weeks of PFML, MPD failed to bargain in good faith, thereby violating Article 1, Section 2 of the CBA.[29] FOP also asserted that MPD's denial of the request for additional PFML did not comply with MPD's duty, under Article 4 of the CBA, to exercise its management rights "in accordance with applicable laws, rules and regulations."[30] Specifically, FOP alleged that MPD violated D.C. Official Code § 1204a(b) of the CMPA.[31] FOP further contended that MPD misled District employees by stating on its website that "Parental Leave provides twelve (12) weeks of benefits in a year to bond with a new child."[32] FOP argued that MPD's conduct constituted a repudiation of the CBA.[33] FOP requested relief in the form of an order directing MPD to provide the Grievant with compensation equal to four (4) weeks of leave, as well as punitive back pay.[34]

At arbitration, MPD argued that, under Section 3 of the Act, the additional four (4) weeks of PFML described in D.C. Official Code § 1204a(b) was not applicable because it was never included in an approved budget.[35] MPD asserted that granting employees this extended PFML would cost the District $23 million for Fiscal Year 2023, and $94.4 million through Fiscal Year 2026.[36]

FOP challenged MPD's assertions, arguing that the Agency can and should independently fund and implement the 4-week PFML extension.[37] FOP asserted that public records indicate both MPD and the District consistently experience end-of-year budgetary surpluses, which could be used to fund PFML.[38] FOP also asserted that, because MPD did not backfill the Grievant's position during her absence, the Agency would be able to retroactively compensate her at no extra cost.[39]

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[26] Award at 4.
[27] Award at 21.
[28] Award at 21-#
[29] Award at 17.
[30] Award at 13.
[31] *See* Award at 14.
[32] Award at 12, 17.
[33] Award at 10.
[34] Award at 17.
[35] *See* Award at 18-19.
[36] Award at 7-8.
[37] *See* Award at 15, 22.
[38] Award at 22.
[39] Award at 15.

FOP argued that the District of Columbia Department of Human Resources (DCHR) maintains a leave bank which could have been used to supplement the Grievant's PFML, had she been informed of its existence.[40]

Regarding FOP's allegation that the DOES website was misleading, the Arbitrator found that the twelve (12) weeks of leave mentioned therein referred to a separate leave program, titled the Universal Paid Leave Amendment Act (UPLA), which is administered by DOES, not MPD.[41] The Arbitrator determined that the DOES clearly distinguished eligible and ineligible employees, that the DCHR website made clear that the enhanced twelve (12) weeks of PFML were not yet available to District government employees, and that the Grievant's supervisor mistakenly advised the Grievant that she could receive twelve (12) weeks of PFML, rather than intentionally misleading her.[42] The Arbitrator was unpersuaded by FOP's contention that the leave bank could have supplemented the Grievant's PFML, noting that the Grievant did not apply for leave from the leave bank, a requisite step.[43] Concerning FOP's requests for independent funding and selective treatment for the Grievant, the Arbitrator noted that the existence of a budget surplus does not negate the determination of the CFO nor trigger the implementation of the enhanced benefits under controlling law.[44] The Arbitrator further noted that the argued minimal cost of providing this individual Grievant with the enhanced leave benefit compared to MPD's overall budget was irrelevant or determinative to whether the Act had become effective for District government employees.[45]

FOP cited the D.C. Superior Court's decision in *W.P Company, LLC d/b/a/ The Washington Post v. District of Columbia* (the *Post* case) "for the premise that a statutory funding provision can be lawfully disregarded by MPD in order to effectuate a D.C. law."[46] In the *Post* case, the Washington Post (newspaper) filed several Freedom of Information Act[47] (FOIA) requests with MPD, seeking copies of an officer's disciplinary records.[48] MPD denied the requests, arguing that pursuant to D.C. Official Code § 2-534 (a)(2) (FOIA Exemption 2), the officer's disciplinary records were exempt from disclosure because producing them would constitute "a clearly unwarranted invasion of personal privacy," which was more than *de minimis* in nature.[49] The newspaper disagreed, asserting that newly-enacted D.C. Law 24-345 § 134 of the Comprehensive Policing and Justice Reform Amendment Act (CPJRAA) prohibited MPD from denying a FOIA requests for disciplinary records on the basis that they constituted an unwarranted invasion of personal privacy.[50] The newspaper further contended that even if the CPJRAA did not

[40] Award at 16-17.
[41] Award at 22-23.
[42] Award at 22-23.
[43] Award at 23-24. The Arbitrator previously found that FOP had failed to timely introduce its leave bank argument, but noted that the argument was unavailing regardless. Award at 23-24.
[44] Award at 12-13.
[45] Award at 22.
[46] Request at 13 (citing *W.P Company, LLC d/b/a/ The Washington Post v. District of Columbia*, Case No. 2023-CAB-000951 (Sept. 29, 2023)).
[47] D.C. Official Code DC Code § 2-534.
[48] *W.P Company, LLC d/b/a/ The Washington Post*, Case No. 2023-CAB-000951 at 1-2.
[49] *See id*. at 2, 4-6, 8, 10.
[50] *Id*. at 7.

apply, MPD was still obligated to produce the requested records, as the public interest served by disclosing the records outweighed the officer's personal privacy interest.[51]

In the *Post* case, the court determined that, under D.C. Law 24-345 § 301, the CPJRAA would not take effect until its fiscal impact had been included in an approved budget and financial plan.[52] Finding that this condition had not been met, the court concluded that the CPJRAA did not apply.[53] Nevertheless, the court determined that MPD must produce the requested records.[54] In reaching this determination, the court employed a traditional balancing test and concluded that although the officer had more than a *de minimis* personal privacy interest in maintaining the confidentiality of his disciplinary records, that interest was outweighed by the public interest in favor of disclosure.[55] There, the court ruled against MPD, but not out of adherence to an unfunded statute. Rather, the court conducted a separate balancing test and found that MPD must respond to the newspaper's FOIA request, in furtherance of the public interest.[56]

Like the court in the *Post* case, the Arbitrator in this matter relied on the existing statute, as opposed to the unfunded one. The Arbitrator determined that the extended PFML provided for under D.C. Official Code § 1204a(b) of the CMPA was subject to funding and concluded that, although the amended Act went into effect in December of 2022, the provision of D.C. Official Code § 1204a(b) which would extend District employees' PFML to twelve (12) weeks was never included in a budget.[57] Thus, the Arbitrator found that § 1204a(b) was inapplicable and concluded that FOP had failed to show by preponderant evidence that MPD violated the CBA or any other applicable laws, rules, or regulations.[58] Accordingly, the Arbitrator declined to award the relief FOP requested.[59]

FOP seeks review of the Award.

IV. Discussion

Section 1-605.02(6) of the D.C. Official Code permits the Board to modify, set aside, or remand a grievance arbitration award in only three narrow circumstances: (1) if an arbitrator was without, or exceeded his or her authority; (2) if the award on its face is contrary to law and public policy; or (3) if the award was procured by fraud, collusion or other similar and unlawful means.[60] FOP requests review on the grounds that the Award is contrary to public policy.[61]

[51] *Id*. at 6-7.
[52] *Id*. at 7.
[53] *Id*.
[54] *W.P Company, LLC d/b/a/ The Washington Post*, Case No. 2023-CAB-000951 at 12-14.
[55] *Id*. at 8-14.
[56] *W.P Company, LLC d/b/a/ The Washington Post*, Case No. 2023-CAB-000951 at 8-14.
[57] Award at 21-22.
[58] *See* Award at 21-24.
[59] Award at 24.
[60] D.C. Official Code § 1-605.02(6).
[61] Request at 3, 8-16.

Section 1-605.02(6) of the D.C. Official Code authorizes the Board to set aside an arbitration award if the award "on its face is contrary to law and public policy." However, the D.C. Court of Appeals has held that the word "and" should be read as "or" in this statutory context.[62] The Board has adopted the court's interpretation.

Nonetheless, the public policy exception is an "extremely narrow" exception to the rule that reviewing bodies must defer to an arbitrator's interpretation of a contract.[63] For the Board to overturn an award as contrary to public policy, the "public policy alleged to be contravened must be well-defined and dominant, and is to be ascertained by reference to the laws and legal precedents and not from general considerations of supposed public interests."[64] "[T]he exception is designed to be narrow so as to limit potentially intrusive judicial review of arbitration awards under the guise of 'public policy.'"[65] The petitioner bears the burden of demonstrating that the Award itself compels an explicit violation of well-defined public policy grounded in law and or legal precedent.[66] To prevail on its claim, the petitioner has the burden to specify applicable public policy that mandates that the Arbitrator arrive at a different result.[67] Disagreement with an arbitrator's decision does not render an award contrary to public policy.[68]

In its Request, FOP argues that the Board should overturn the Award because it is contrary to well-defined and dominant public policy favoring the expansion of PFML benefits.[69] FOP asserts that this public policy "was explicitly established by the Councilmembers and government officials who proposed, supported, and passed the law expanding PFML benefits for D.C. government employees."[70] In support of this assertion, FOP cites written testimony from the Director of DCHR concerning the value of the Act as a means of prioritizing District employees and maximizing their quality of life.[71] FOP also cites public statements from D.C. Councilmembers, describing the Act as a crucial step toward providing the competitive benefits necessary to attract and retain a qualified workforce.[72]

The Board finds this argument unpersuasive. The testimony cited does not demonstrate the existence of a well-defined and dominant public policy in favor of expanding PFML benefits where statutory funding provisions have not been satisfied. The Board finds no indication that the

[62] *MPD v. PERB*, No. 19-CV-1115, Mem. Op. & J. at 10-11 (D.C. Sept. 15, 2022).
[63] *MPD v. FOP/MPD Labor Comm.*, 66 D.C. Reg. 6056, Slip Op. No. 1702 at 4, PERB Case No. 18-A-17 (2019) (citing *Am. Postal Workers Union v. USPS*, 789 F.2d 1, 8 (D.C. Cir. 1986), *accord MPD v. FOP/MPD Labor Comm. ex rel. Pair*, 61 D.C. Reg. 11609, Slip Op. No. 1487 at 8, PERB Case No. 09-A-05 (2014); *MPD v. FOP/MPD Labor Comm. ex rel. Johnson*, 59 D.C. Reg. 3959, Slip Op. No. 925 at 11-12, PERB Case No. 08-A-01 (2012)).
[64] *MPD v. PERB*, No. 19-CV-1115, Mem. Op. & J. at 10-11 (D.C. Sept. 15, 2022) (quoting *MPD v. PERB*, 901 A.2d 784, 789 (D.C. 2006)).
[65] *MPD*, Slip Op. No. 1702 at 4.
[66] *FOP/PSD Labor Comm. v. DGS*., 70 D.C. Reg. 781, Slip Op. No. 1853 at 15, PERB Case No. 23-A-07 (2023).
[67] *MPD v. FOP/MPD Labor Comm.*, 47 D.C. Reg. 717, Slip Op. No. 633 at 2, PERB Case No. 00-A-04 (2000).
[68] *FOP/MPD Labor Comm. v. MPD*, 47 D.C. Reg. 5315, Slip Op. No. 626 at 2, PERB Case No. 00-A-02 (2003)
[69] Request at 9.
[70] Request at 9-10.
[71] Request at 10-11.
[72] Request at 11.

District officials quoted in the Request were proposing implementation of the PFML extension prior to the applicability date described in Section 3 of the Act.

FOP also argues that the public policy favoring expansion of PFML benefits is rooted in "the CMPA's explicit, decades-long policy 'to assure that the District of Columbia government shall have a modern flexible system of public personnel administration which shall…establish the means to recruit, select, develop and maintain an effective and responsive work force.'"[73] FOP asserts that evidence-based studies demonstrate the value of expanded PFML benefits as a method of improving employee retention and minimizing inequality .[74] FOP also asserts that the District's history of providing its employees with PFML,[75] as well as the existence of the leave bank,[76] demonstrate the statutory basis for FOP's position.[77] Additionally, FOP notes that under Board precedent, the failure of the D.C. government to bargain over paid parental leave benefits is an unfair labor practice.[78] Thus, FOP argues, the public policy at issue concerns more than a supposed public interest.[79] The Board is unpersuaded. FOP merely describes the benefits of PFML, in general terms. FOP has not demonstrated the existence of a well-defined and dominant public policy mandating that the Arbitrator order MPD to extend the Grievant's PFML by four (4) weeks, despite the lack of funding.

Lastly, FOP argues that the *Post* case demonstrates that statutory funding provisions may be lawfully disregarded to effectuate the public policy underlying District law.[80] FOP asserts that in the *Post* case, the court chose to disregard the funding provision regarding D.C. Law 24-345 § 134 of the CPJRAA for the sake of promoting police transparency and accountability.[81] FOP's analogy to the *Post* case is based on a misinterpretation of the court's holding. In the *Post* case, the court required MPD to produce the officer's disciplinary records because the court determined that under FOIA Exemption 2, the District "failed to demonstrate a privacy interest in nondisclosure that outweigh[ed] the public interest in disclosure of the requested records."[82] The court's reason for ordering MPD to disclose the disciplinary records was not tied to D.C. Law 24-345 § 134 of the CPJRAA. The *Post* case does not establish that statutory funding provisions may be lawfully disregarded to effectuate the public policy underlying District law. Thus, the court's decision does not mandate that the Arbitrator reach a different result.

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[73] Request at 12 (citing D.C. Official Code § 1-601.02(a)(7)).
[74] Request at 12-13.
[75] Request at 13 (citing the Fiscal Year 2015 Budget Support Act of 2014, D.C. Law 20-155, Sec. 1052 (Feb. 26, 2015) and D.C. Official Code § 1-612.04(a) (establishing PFML for private sector employees in the District), as well as Universal Paid Leave Act of 2015, D.C. Law 21-264 (Apr. 7, 2017) and D.C. Code §§ 32-541.01, et seq. (establishing PFML for public sector employees in the District)).
[76] Request at 13 (citing D.C. Official Code § 1-612.05).
[77] Request at 13.
[78] Request at 13 (citing *AFGE Local 631 v. WASA*, Slip Op. No. 1866 at 4, PERB Case No. 24-U-09 (2024)).
[79] Request at 12-13.
[80] Request at 13-14.
[81] Request 14-15 (citing *W.P Company, LLC d/b/a/ The Washington Post v. District of Columbia*, Case No. 2023-CAB-000951 (Sept. 29, 2023)).
[82] *W.P Company, LLC d/b/a/ The Washington Post*, Case No. 2023-CAB-000951 at 12.

The Board finds that DCPS has not demonstrated that the Award compels an explicit violation of well-defined public policy grounded in law and or legal precedent or shown that applicable public policy mandates a different result. Therefore, the Board finds that the Award is not contrary to public policy.

V. Conclusion

The Board rejects FOP's arguments and finds no cause to modify, set aside, or remand the Award. Accordingly, FOP's Request is denied, and this matter is dismissed in its entirety.[83]

ORDER

IT IS HEREBY ORDERED THAT:

1. The arbitration review request is denied; and

2. Pursuant to Board Rule 559.1, this Decision and Order is final upon issuance.

BY ORDER OF THE PUBLIC EMPLOYEE RELATIONS BOARD

By vote of Board Chairperson Douglas Warshof and Members Renee Bowser, Mary Anne Gibbons and Peter Winkler.

February 26, 2025
Washington, D.C.

[83] This decision was issued contemporaneously with Opinion No. 1907 in PERB Case No. 24-A-13 and Opinion No. 1906 in PERB Case No. 24-A-15. The arbitration review requests in those matters presented the same issues and were denied on the same grounds.

APPEAL RIGHTS

Pursuant to Board Rule 559.2, a party may file a motion for reconsideration, requesting the Board reconsider its decision. Additionally, a final decision by the Board may be appealed to the District of Columbia Superior Court pursuant to D.C. Official Code §§ 1-605.2(12) and 1-617.13(c), which provides 30 days after a decision is issued to file an appeal.

Notice: This decision may be formally revised within thirty days of issuance before it is published in the District of Columbia Register. Parties should promptly notify this office of any errors so that they may be corrected before publishing the decision. This notice is not intended to providbenee an opportunity for a substantive challenge to the decision.

Government of the District of Columbia
Public Employee Relations Board

In the Matter of:	
American Federation of Government Employees, District 14	
Petitioner	
and	PERB Case No. 24-RC-03
District of Columbia Department of Corrections	Opinion No. 1909
Respondent	Motion for Reconsideration
and	
Fraternal Order of Police/Department of Corrections Labor Committee	
Intervenor	

DECISION AND ORDER ON UNIT DETERMINATION AND DIRECTION OF ELECTION

I. Statement of the Case

On January 27, 2025, the Board issued Opinion No. 1901[1] in the above-captioned case, directing that a mail ballot election be held to determine whether a majority of eligible employees at the District of Columbia Department of Corrections (DOC) desire recognition of the American Federation of Government Employees, District 14 (AFGE), the Fraternal Order of Police/Department of Corrections Labor Committee (FOP), or no union as their exclusive representative.

[1] *AFGE, District 14 and DOC and FOP/DOC Labor Committee*, Slip Op. No. 1901, PERB Case No. 24-RC-03 (2025). On February 28, 2025, the Board issued a corrected copy of Opinion No. 1901, which remedied a minor, non-substantive error identified by AFGE.

On January 28, 2025, AFGE submitted a request (Request) for the election to be held in person in the interest of saving money; drawing greater participation; eliminating the risk of lost ballots; and allowing the parties to appoint poll watchers.[2]

On January 30, 2025, FOP filed a Request for Reconsideration and Clarification of the Bargaining Unit ("Motion" or "Motion for Reconsideration"). The Motion argues that the instant election proceedings should be postponed pending resolution of the related appeal, currently before the D.C. Superior Court, in which FOP contests the Board's recent decision to decertify FOP as the exclusive bargaining representative for the DOC employees at issue.[3] The Motion contends that an abeyance is necessary due to an October 22, 2024, court Order, which enjoined the Board from enforcing or recognizing the decertification of FOP until the conclusion of the appeal.[4] The Motion further argues that if the election proceeds, it should be overseen by a third party instead of the Board, as the ongoing litigation between FOP and PERB has demonstrably prejudiced the Board against FOP.[5] Additionally, FOP challenges the bargaining unit description in Opinion No. 1901[6], arguing it is inconsistent with those provided by the parties.[7] Lastly, FOP concurs with AFGE that, if an election is held, it should be conducted in person, as opposed to via mail ballot.[8]

For the reasons stated herein, the Motion for Reconsideration is granted, in part and denied, in part.

II. Standard of Review

The Board has established that the standard for a motion for reconsideration is clear legal error.[9] The Board will deny a motion for reconsideration which is based on mere disagreement with the underlying decision, or which does not provide a statutory basis for reversal.[10] Additionally, the Board has held that a motion for reconsideration must assert new issues for the Board to reverse its decision.[11] The Board will deny a motion for reconsideration which solely raises arguments that the Board addressed in its initial decision.[12]

[2] Request at 2.
[3] Motion at 2, 5-6 (citing *FOP/DOC Labor Comm. v. PERB*, Case No. 2024-CAB-003838).
[4] Motion at 3-4, 14.
[5] Motion at 1, 8, 13-16.
[6] Slip Op. No. 1901 at 1-2, 4.
[7] Motion at 2-4, 16.
[8] Motion at 3, 14-16.
[9] *FOP/DOC Labor Comm. v. MPD*, 59 D.C. Reg. 7165, Slip Op. No. 1233 at 4, PERB Case No. 11-E-01 (2012).
[10] *FOP/DOC Labor Comm. v. BEGA*, 62 D.C. Reg. 14628, Slip Op. No. 1538 at 2, PERB Case No. 13-U-35 (2015) (citing *AFGE, Local 1000 v. DOES*, 61 D.C. Reg. 9776, Slip Op. No. 1486, PEB Case no. 13-U-15 (2014)).
[11] *DOC and FOP/DOC Labor Comm.*, 59 D.C. Reg. 6493, Slip Op. No. 1105 at 8, PERB Case No. 07-E-09 (2012).
[12] *FOP/DOC Labor Comm. v. MPD*, 59 D.C. Reg. 9817, Slip Op. No. 1283 at 2, PERB Case No. 07-U-10 (2012); *DiAngelo and Doctor's Council of D.C. v. OCME*, 59 D.C. Reg. 6399, Slip Op. No. 1006 at 5, PERB Case Nos. 05-U-47 and 07-U-22 (2012).

III. Discussion

A. The request to hold this matter in abeyance is denied.

In Opinion No. 1901, the Board addressed FOP's argument that, due to the court's order upholding the contract between FOP and DOC, this matter should be held in abeyance until the conclusion of the related appeal.[13] The Board explained that the existing noncompensation CBA between DOC and FOP spans a definite three-year duration from Fiscal Year 2016 through Fiscal Year 2019.[14] The Board found that, because there has not been a valid majority status determination, a new certification of representative, or a compensation unit placement for the employees at issue within the past twelve (12) months, there is no contractual bar to the petitioned-for election.[15] Pursuant to the Board rules, competing unions now have the opportunity to petition for an election.[16] In Opinion No. 1901, the Board explained that the court's order returned the parties to the pre-revocation status quo, but did not bar an election, as such a bar would grant FOP protection beyond the status quo and diminish the statutory rights of employees to select their representative.[17]

Regarding the issue of abeyance, the Motion does not raise any new considerations, merely reiterating arguments previously presented to the Board and rejected in Opinion No. 1901.[18] FOP's contentions regarding the need for an election postponement[19] constitute mere disagreement with the Board's prior determination on this subject, and do not provide a statutory basis for reversal. FOP has failed to establish that the Board committed a clear legal error when it declined to hold this matter in abeyance until the conclusion of the related appeal. Accordingly, the Motion for Reconsideration is denied to the extent that it requests an abeyance.

B. PERB is not biased against FOP.

The Board turns to the various allegations of bias presented in the Motion. FOP alleges that, at the inception of this matter, the Board demonstrated partiality toward AFGE by failing to include FOP as a party to this case.[20] FOP's allegation is unfounded. AFGE filed its Initial Petition on June 19, 2024. The Board revoked the certification of FOP as the exclusive bargaining representative on May 16, 2024.[21] Thereafter, the court issued its October 22, 2024, Order declaring the existing contract between DOC and FOP enforceable.[22] Pursuant to the Board's May 16, 2024, decision in Opinion No. 1871, the six-month bar prohibiting FOP from re-petitioning for

[13] *AFGE, District 14*, Slip Op. No. 1901 at 3-4.
[14] *Id.* at 3.
[15] *Id.*
[16] *Id.* at 3-4.
[17] *Id.* at 4.
[18] *Id.* at 3-4.
[19] Motion at 2-3.
[20] Motion at 1.
[21] *Bryant, et al. v. FOP/DOC Labor Comm.*, 71 D.C. Reg. 7891, Slip Op. No. 1871, PERB Case No. 22-S-05 (2024).
[22] *FOP/DOC Labor Comm. v. PERB*, Case No. 2024-CAB-003838.

exclusive recognition was in effect.[23] The Board's initial omission of FOP as a party to this case demonstrates consistency with the Board's previous revocation of certification.

FOP also argues that the PERB has overlooked various flaws in AFGE's submissions, demonstrating bias in favor of AFGE.[24] For example, FOP asserts that AFGE failed to comply with Board Rule 503.1(b), which requires the petitioner to provide the telephone number of any other known labor organization claiming recognition as the exclusive bargaining representative of employees in the proposed unit.[25] While AFGE's submissions acknowledged that the employees at issue were previously represented by FOP,[26] they did not include a telephone number for FOP. The Board has discretion to overlook such inconsequential deficiencies, and PERB's decision to exercise that discretion in this instance was not an indication of bias.

FOP further asserts that AFGE failed to comply with Board Rule 503.1(d), which requires the petitioning party to demonstrate that the employees in the proposed unit share a community of interest.[27] This argument is unfounded. In the deficiency letter issued June 20, 2024, PERB informed AFGE that its Initial Petition did not comply with Board Rule 503.1(d). In response, AFGE submitted the Amended Petition, asserting that the employees in the proposed unit share a community of interest due to their shared mission of "ensur[ing] public safety for citizens of the District of Columbia by providing a safe and orderly secure and humane environment for the confinement of pretrial detainees and sentenced inmates, while providing meaningful opportunities for community reintegration."[28] This statement, also included in the Second Amended Petition,[29] explains the distinctiveness of the functions which the affected employees perform, in compliance with Board Rule 503.1(d).[30]

Additionally, FOP challenges the validity of AFGE's showing of interest and asserts that PERB's acceptance thereof demonstrates bias.[31] Under Board Rule 503.2, a petition for exclusive recognition must be supported by a showing of interest, not more than one year old, that at least thirty percent (30%) of the current employees in the proposed unit desire representation by the petitioner. This showing of interest must be submitted to the Board via commercial delivery, U.S. mail, or personal delivery. FOP argues that the Initial Petition inaccurately represented the date that the showing of interest was mailed to PERB's office.[32]

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[23] *Bryant, et al..,* Slip Op. No. 1871 at 12 (decertifying FOP as the exclusive noncompensation bargaining representative for DOC employees).
[24] Motion at 6, 8-13.
[25] Motion at 8-9.
[26] Petition at 2; Amended Petition at 2; and Second Amended Petition at 2.
[27] Motion at 8-9.
[28] Amended Petition at 2-3.
[29] Second Amended Petition at 2-3.
[30] Board Rule 503.1(d) requires the petitioning labor organization to provide "[a] statement as to how the employees in the proposed unit share a community of interest, by virtue of such common factors as skills, working conditions, supervision, physical location, organizational structure, distinctiveness of functions performed, *or* the existence of integrated work processes" (emphasis added).
[31] Motion at 10, fn. 6.
[32] Motion at 9.

These arguments are unpersuasive. AFGE has provided a timely and sufficient showing of interest through signed interest cards and authorization forms which were sent to PERB via U.S. mail, in accordance with Board Rule 503.2. The specific mailing date is inconsequential. Of the eight hundred and ninety-eight (898) employees in the proposed unit, four hundred and fourteen (414) submitted documentation showing their desire to be represented by AFGE. This forty-six percent (46%) showing of interest[33] is well above the 30% required under Board Rule 503.2. FOP has not presented any evidence that the showing of interest is fraudulent, nor has PERB found any indication thereof. Thus, PERB's acceptance of AFGE's showing of interest does not demonstrate bias in favor of AFGE.

FOP also contends that PERB has displayed a pattern of bias through inconsistent imposition of deadlines and inconsistent treatment of filings.[34] Many of FOP's allegations concern events which transpired prior to its intervention in this matter. For example, FOP alleges that PERB displayed bias in favor of AFGE when it accepted the Amended Petition, as that submission was not properly served on DOC.[35] This claim is unsupported. Unbeknownst to PERB staff, AFGE's Initial Petition and Amended Petition were inadvertently served on DOC at the wrong address.[36] DOC informed AFGE and PERB of this error and, at PERB's direction, it was corrected in the Second Amended Petition.[37] Thus, PERB's initial acceptance of the Amended Petition does not demonstrate bias in favor of AFGE.

Additionally, FOP criticizes PERB's decision to deny DOC's July 11, 2024, Motion to Dismiss for Improper Service (Motion to Dismiss) because the denial letter was issued on July 15, 2024, only four (4) days after that motion was filed.[38] Under Board Rule 555.2, "Any response to a written motion must be in writing and filed no later than fourteen (14) days after service of the motion." DOC filed its Response to the Motion to Dismiss on July 12, 2024. Where, as here, a response is received before the deadline established under Board Rule 555.2, PERB may issue a decision before the 14 days have run. This is a common practice and does not demonstrate bias. Rather, it promotes efficient case processing, which benefits all parties. FOP also objects to PERB's subsequent decision to grant DOC's Motion for an Extension of Time to File a Complaint.[39] PERB regularly grants extensions[40] where parties or their representatives experience unforeseen life events, as was the case here. PERB's leniency in this department applies equally to all parties and does not indicate bias.

Some of FOP's allegations regarding procedural bias concern events which occurred after FOP became a party to the instant case. For example, FOP alleges that PERB did not provide it with adequate time, under Board Rule 555.2, to respond to DOC's Motion to Postpone the Pre-

[33] In fact, the showing of interest is heightened to 50% based on the eight hundred and twenty-five (825)-person list of eligible employees that DOC submitted.
[34] Motion at 10-12.
[35] Motion at 10.
[36] *See* Petition at 4.
[37] Second Amended Petition Certificate of Service.
[38] Motion at 10-11.
[39] Motion at 11.
[40] *See* Board Rule 555.2.

Hearing Conference and Motion for Order of Mediation or Election (Motion to Postpone), filed December 16, 2024.[41] FOP argues that, by granting the Motion to Postpone on December 20, 2024, and scheduling a mediation, PERB displayed bias against FOP.[42] While PERB's response to the Motion to Postpone was issued before the time for FOP to respond had elapsed, this procedural misstep was not born of bias against FOP, nor did it prejudice FOP. Indeed, PERB granted FOP's subsequent opposition to the mediation, holding a conference with the Executive Director which provided all parties with the opportunity to voice their positions. FOP also argues that PERB ignored the Motion for Expedited Reconsideration which FOP filed following the Executive Director's decision to order an election. This is inaccurate, as the Board acknowledged FOP's Motion for Expedited Reconsideration in Opinion No. 1901.[43]

Lastly, FOP asserts it is "troubling" that AFGE "somehow knew" of the Board's decision in Opinion No. 1901 before it was issued and posted election notices on DOC property on or about January 16, 2025 (the day the Board met and reached its determination that an election would be held).[44] PERB did not have *ex parte* communications with any of the parties to this case. AFGE's knowledge of the Board's decision resulted from AFGE attending the Board's January 16, 2026, Board Meeting, where the decision was announced. Such meetings are open to the public and all parties in attendance were privy to the same information.

FOP has failed to demonstrate that PERB's processes constitute clear legal error or demonstrate bias against any party to this case.[45]

C. The request for third-party election oversight is denied.

Neutrality is at the core of PERB's mission, and FOP's ongoing appeal of Opinion No. 1871 has not affected PERB's commitment to facilitating a fair and equal representation election. Pursuant to § 1-617.10(c) of the CMPA, "Representation elections shall be conducted by an impartial body selected by the mutual agreement of the parties or, in the absence of a mutual agreement, by the Board." Board Rule 510.1 further provides that:

> Representation elections will be conducted by the Board or by an impartial body selected by the mutual agreement of the parties. The parties to a representation election must inform the Board as to whether they have selected by mutual agreement an impartial body to conduct the election. If they inform the Board that they have not selected an impartial body, the Board will conduct the election.

Here, the parties have not mutually agreed on an impartial body to conduct the election. While FOP opposes PERB as the election overseer, AFGE and DOC do not. FOP has failed to demonstrate that PERB's position as overseer for the instant election constitutes clear legal error.[46]

[41] Motion at 13.
[42] Motion at 13.
[43] Opinion No. 1901 at 3.
[44] Motion at 13.
[45] *See FOP/DOC Labor Comm.*, Slip Op. No. 1233 at 4.
[46] *See Id.*

Therefore, the request for third-party election oversight is denied, and PERB will conduct the instant election, in accordance with § 1-617.10(c) of the CMPA and Board Rule 510.1.

D. The request for unit clarification is denied, insofar as it seeks alteration of the proposed bargaining unit description.

The description of the proposed unit, established in Opinion No. 1901, is derived from AFGE's Second Amended Petition.[47] It includes eight hundred and ninety-eight (898) employees in twenty-three (23) position classifications, and reads as follows:

> 720 Correctional Officers CS-0007-6-8, 57 Lead Correctional Officers CS-0007-9, 1 Library Technician CS-1411-5, 1 Door System Mechanic CS-4749-9, 3 Material Handlers CS-6907-4, 4 Mail Clerks CS-0305-5, 9 IT Specialists CS-2210-11-12, 26 Clerical Assistants CS-303-7, 9 Maintenance Mechanics CS-4779-9, 2 Locksmith CS-4808-9, 3 Electrician Forman CS-2805-10, 4 Staff Assistants CS-303-9, 1 Masonry Worker CS-3603-8, 25 Legal Instrument Examiners CS-0963-9, 18 Case Managers CS-0101-11-12, 1 Sanitation Officer, 5 Lean Instrument Examiners CS-0963-9, 3 Plumber/Pipefitters CS-4206-9, 2 Payroll Technicians CS-0544-8, 1 Security Guard 0080-5, 1 Material Handlers, CS-6907-4, 1 AC Equipment Mechanic CS-5301-9, 1 Volunteer Service Assistant CS-0006-1.[48]

By contrast, DOC provided a list of only eight hundred and twenty-five (825) individuals who are eligible for the proposed bargaining unit.[49] In light of this discrepancy, FOP "dispute[s] the actual number of employees in the bargaining unit, as well as the employees to be included,"[50] and requests that the Board reconsider and clarify the description thereof.[51] In its Motion, FOP asserts that it may request a modification of the unit, with or without DOC's participation.[52]

Under Board Rule 503.1(a), a recognition petition must include the number of employees in the proposed unit, as well as the general position classifications of those employees. A reasonable estimation of the number of employees in the proposed unit is required. However, where, as here, the showing of interest and employee list unequivocally demonstrate that the 30% minimum has been met, the precise number of employees in the proposed unit description is not determinative. More important is the list of position classifications included in the proposed unit. Especially in a large bargaining unit such as this one, the precise number of individuals covered is bound to frequently fluctuate. Regardless of any minor, accidental inaccuracies or fluctuations in the number of individuals covered, the positions permitted to participate in the election, and thus, the positions covered by any elected representative, will remain the same. FOP has not provided a statutory basis for alteration of the proposed bargaining unit description. Thus, the Board declines to change or expand upon it.

[47] Second Amended Petition at 1-2.
[48] Opinion No. 1901 at 1-2, 4.
[49] Motion at 7-8.
[50] Motion at 7.
[51] Motion at 8.
[52] Motion at 8.

Under Board Rule 505.1, a petition for unit modification of a non-compensation unit may be filed by a labor organization or by a labor organization and an agency jointly. If the proposed unit at issue is certified and FOP wishes to modify it, FOP may file a separate unit modification petition with PERB.

E. The request for an in-person election is granted.

In Opinion No. 1901, the Board established that the election in this case would be held via mail ballot.[53] Since that decision was issued, both FOP and AFGE have expressed a preference for an in-person election.[54] DOC has not opposed their request. Under Board Rule 510.8, parties are encouraged to enter into election agreements to determine procedural matters, such as the method of election. In the absence of an election agreement, PERB will "decide election procedures and issue a direction of election, without prejudice to the rights of a party to file objections to the procedural conduct of the election." Here, FOP and AFGE have objected to a mail ballot election, and DOC has not expressed a preference. Accordingly, the election shall be held in person to accommodate the desires of the parties.

IV. Conclusion

An in-person ballot election shall be conducted by PERB to determine whether a majority of eligible employees in the proposed unit desire recognition of AFGE, FOP, or no union as their exclusive representative. Pursuant to Board Rule 510.8, the remaining procedural aspects of the election shall be determined by the parties' election agreement or by the Executive Director, if no election agreement is reached.

[53] Slip Op. No. 1901 at 3-4.
[54] Motion at 14; Request at 2.

ORDER

IT IS HEREBY ORDERED THAT:

1. The Motion for Reconsideration is denied, with respect to the request to hold this matter in abeyance.
2. The Motion for Reconsideration is denied, with respect to the request for third-party election oversight.
3. The Request for Reconsideration is denied, with respect to the request for unit clarification, insofar as it seeks alteration of the proposed bargaining unit description. The Board affirms that the following is an appropriate unit for collective bargaining over terms and conditions of employment:

   > 720 Correctional Officers CS-0007-6-8, 57 Lead Correctional Officers CS-0007-9, 1 Library Technician CS-1411-5, 1 Door System Mechanic CS-4749-9, 3 Material Handlers CS-6907-4, 4 Mail Clerks CS-0305-5, 9 IT Specialists CS-2210-11-12, 26 Clerical Assistants CS-303-7, 9 Maintenance Mechanics CS-4779-9, 2 Locksmith CS-4808-9, 3 Electrician Forman CS-2805-10, 4 Staff Assistants CS-303-9, 1 Masonry Worker CS-3603-8, 25 Legal Instrument Examiners CS-0963-9, 18 Case Managers CS-0101-11-12, 1 Sanitation Officer, 5 Lean Instrument Examiners CS-0963-9, 3 Plumber/Pipefitters CS-4206-9, 2 Payroll Technicians CS-0544-8, 1 Security Guard 0080-5, 1 Material Handlers, CS-6907-4, 1 AC Equipment Mechanic CS-5301-9, 1 Volunteer Service Assistant CS-0006-1.

4. The Request for Reconsideration is granted, with respect to the request for an in-person election.
5. PERB shall conduct an in-person election in accordance with the provisions of D.C. Official Code § 1-617.10 and Board Rule 510 to determine whether a majority of eligible employees in the proposed unit desire to be represented for bargaining on terms and conditions of employment by the American Federation of Government Employees, District 14, the Fraternal Order of Police/Department of Corrections Labor Committee, or no union.
6. Pursuant to Board Rule 559.1, this Decision and Order is final upon issuance.

BY ORDER OF THE PUBLIC EMPLOYEE RELATIONS BOARD

By vote of Board Chairperson Douglas Warshof and Members Renee Bowser, Mary Anne Gibbons, and Peter Winkler.

March 20, 2025
Washington, D.C.

APPEAL RIGHTS

A final decision by the Board may be appealed to the District of Columbia Superior Court pursuant to D.C. Official Code §§ 1-605.2(12) and 1-617.13(c), which provides 30 days after a decision is issued to file an appeal.

Notice: This decision may be formally revised within thirty days of issuance before it is published in the District of Columbia Register. Parties should promptly notify this office of any errors so that they may be corrected before publishing the decision. This notice is not intended to provide an opportunity for a substantive challenge to the decision.

Government of the District of Columbia
Public Employee Relations Board

In the Matter of:	
Local 36, International Association of Fire Fighters, AFL-CIO	
Petitioner	PERB Case No. 24-N-14
	Opinion No. 1910
v.	
District of Columbia Department of Fire and Emergency Medical Services	
Respondent	

DECISION AND ORDER

I. Statement of the Case

On September 23, 2024, Local 36, International Association of Fire Fighters (Union) filed a Negotiability Appeal (Appeal) concerning the negotiability of two issues declared nonnegotiable by the Department of Fire and Emergency Medical Services (Agency): (1) provisions of Article 6 of the parties' current collective bargaining agreement (CBA); and (2) the Union's proposals to revise Articles 25 and 28 of the CBA. The Union and the Agency are negotiating a successor collective bargaining agreement (CBA) concerning non-compensation terms and conditions of employment.

In its Response to the Appeal, the Agency withdrew its non-negotiability declarations as to Articles 25 and 28 with respect to the successor CBA.[1] The Agency reasserted the non-negotiability of Article 6 and responded to arguments made by the Union in its Appeal.

For reasons stated herein, the Board concludes that Article 6 of the parties' existing CBA is negotiable.

[1] Agency's Response at 2.

II. Standard of Review

There are three categories of collective bargaining subjects: (1) mandatory subjects, over which the parties must bargain if either party requests it; (2) permissive subjects, over which the parties may bargain; and (3) illegal subjects, over which the parties may not bargain.[2] A permissive subject of bargaining is nonnegotiable if either party declines to bargain on the subject.[3] Management rights are permissive subjects of bargaining.[4] Section 1-617.08(a) of the D.C. Official Code sets forth management rights giving management the "sole rights" to undertake actions listed therein.[5]

Matters that do not contravene section 1-617.08(a) or other provisions of the Comprehensive Merit Personnel Act (CMPA) are negotiable.[6] Section 1-617.08(b) of the D.C. Official Code provides that the right to negotiate over terms and conditions of employment extends to all matters except those that are proscribed by the CMPA.[7]

Pursuant to § 1-605.02(5) of D.C. Official Code, the Board is authorized to make a determination in disputed cases as to whether a matter is within the scope of collective bargaining.[8] The Board's jurisdiction to decide such questions is invoked by the party presenting a proposal that has been declared nonnegotiable by the party responding to the proposal.[9] The Board will separately consider the negotiability of each of the matters in a dispute.[10]

III. Analysis

At issue is Article 6 of the parties' current CBA, creating a third-party impasse resolution procedure for impacts and effects bargaining. The Agency has identified Article 6 as a nonnegotiable subject of bargaining. Article 6 is set forth below:

ARTICLE 6

EXISTING RIGHTS AND BENEFITS

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[2] *D.C. Nurses Ass'n v. D.C. Dep't of Mental Health*, 59 D.C. Reg. 10776, Slip Op. No. 1285 at 4, PERB Case No. 12-N-01 (2012) (citing *NLRB v. Wooster Div. of Borg-Warner Corp*., 356 U.S. 342 (1975)).
[3] *UDC Faculty Ass'n v. UDC*, 64 D.C. Reg. 5132, Slip Op. No. 1617 at 2, PERB Case No. 16-N-01 (2017).
[4] *NAGE Local R3-06 v. WASA*, 60 D.C. Reg. 9194, Slip Op. No. 1389 at 4, 13-N-03 (2013); *FEMS and AFGE, Local 3721*, 54 D.C. Reg. 3167, Slip Op. 874 at 9, PERB Case No. 06-N-01 (2007).
[5] D.C. Official Code § 1-617.08(a).
[6] *UDC Faculty Ass'n*, Slip Op. No. 1617 at 4.
[7] D.C. Official Code § 1-617.08(b).
[8] *See WTU v. DCPS*, Slip Op. No. 1884, PERB Case Nos. 24-N-04, *et al.* (2024).
[9] *FOP/Protective Serv. Police Dep't Labor Comm. v. DGS*, 62 D.C. Reg. 16505, Slip Op. 1551 at 1, PERB Case No. 15-N-04 (2015).
[10] *UDC Faculty Ass'n*, Slip Op. No. 1617 at 2-3.

> All terms and conditions of employment not covered by the terms of this Agreement shall continue to be subject to the Employer's direction and control; provided, however, that if the Employer desires to institute a change that impacts upon a term(s) or condition(s) of employment of the entire bargaining unit or any group of employees, the following procedure shall apply:
>
> (1) The Employer shall provide the Union advance notice if possible;
>
> (2) Upon request of the Union, the parties shall promptly negotiate about the impact of such change;
>
> (3) If the parties reach impasse, the parties may jointly request the assistance of a third-party to resolve the impasse, through mediation, fact-finding or other mutually agreeable process. Either party may invoke "last best offer" item by item interest arbitration within a reasonable period after reaching impasse.
>
> (4) Should an arbitrator's award issue pursuant to the terms of this Article, the arbitrator's award shall be final and binding on both parties, and, at the arbitrator's direction, may be retroactive.

Agency's Position

The Agency argues that "the vague and amorphous language" contained in Article 6 "includes, among other things, nonnegotiable management rights like assignment of duties and, explicitly, tour of duty."[11] The Agency argues that Article 6 directly interferes with management's exclusive right to direct and assign work pursuant to Section 1-617.08(a)(1) and (2).

The Agency notes that, in Opinion No. 1884, the Board found that "there is no obligation to reach an agreement during impact and effects bargaining, and thus impact and effects bargaining can never reach impasse as defined in PERB Rule 599.1."[12] The Agency argues that Opinion No. 1884 has refined the Board's earlier decision in Opinion No. 1658 (finding negotiable a proposal similar to the instant case that sought to create impasse resolution procedures in the parties' collective bargaining agreement independent of those outlined in PERB Rule 527).[13] The Agency contends that, while the provisions in Opinion No. 1884 "created impermissible impasse procedures for specifically non-negotiable management rights," the provisions in Opinion No. 1658 are "vague and amorphous and don't expressly or specifically subject nonnegotiable

[11] Agency's Response at 3.
[12] Agency's Response at 2 (citing *WTU*, Slip Op. No. 1884).
[13] Agency's Response at 2-3; *AFGE, Local 3721 v. FEMS*, 65 D.C. Reg. 7650, Slip Op. No. 1658, PERB Case No. 17-N-03 (2018).

management rights to impermissible impasse procedures."[14] The Agency argues that "such vague language is no longer acceptable as negotiable."[15]

Union's Position

The Union argues that, in Opinion No. 1658, the Board found a proposal to add language identical to that in Article 6 to be a negotiable.[16] The Union notes that the Board has found that whether to use a third party impasse resolution process is a mandatory subject of bargaining because nothing prevents parties from seeking impasse resolution outside of the Board for impacts and effects disputes.[17] The Union contends that Opinion No. 1884 did not "silently overrule" Opinion No. 1658.[18]

Board's Conclusion

The Board has distinguished between rules-based impasse procedures and contractual third-party impasse procedures for impacts and effects bargaining.[19] While the Board's impasse procedures are inappropriate for parties engaged solely in impacts and effects bargaining, the Board has held that neither Board Rule 527 nor D.C. Official Code § 1- 617.08 prevents parties from seeking impasse resolution outside of PERB for impact and effects bargaining cases.[20] D.C. Official Code § 1-617.08(b) provides that "[a]ll matters shall be deemed negotiable, except those that are proscribed by this subchapter." The Board has held that this language creates a presumption of negotiability.[21]

Third-party impasse procedures are negotiable when involving mandatory subjects of bargaining and nonnegotiable when addressing permissive subjects of bargaining. The Agency's argument that "the vague umbrella created by Article 6 undoubtedly includes management as well as non-management rights" is unfounded. The proposal concerns impact and effects. Any interpretation of Article 6 that would encroach upon management rights would be non-negotiable. The proposal in Opinion No. 1884 prevented the agency from implementing changes to job duty assignment, which is enumerated in 1-617.08(a)(2) as a management right, without first engaging

[14] Agency's Response at 3.
[15] Agency's Response at 6.
[16] Union's Appeal at 4-5 (citing *AFGE, Local 372*, Slip Op. No. 1658 at 4-5).
[17] Union's Appeal at 5 (citing *AFGE, Local 372*, Slip Op. No. 1658 at 4-5).
[18] Union's Appeal at 5; *see WTU*, Slip Op. No. 1884; *AFGE, Local 372*, Slip Op. No. 1658.
[19] *See D.C. Nurses Ass'n v. DHS, et al.,* 64 D.C. Reg. 723, Slip Op. 1602 at 1, PERB Case No. 16-I-07 (2016); *AFGE, Local 1000, et al. v. DHS, et al.,* 64 D.C. Reg. 4889, Slip Op. No. 1612 at 2- 3, PERB Case No. 17-I-03 (2017); *but see AFGE, Local 3721 v. FEMS*, 65 D.C. Reg. 7650, Slip Op. No. 1658 at 4-5, PERB Case No. 17-N-03 (2018).
[20] *AFGE, Local 3721 v. FEMS*, 65 D.C. Reg. 7650, Slip Op. No. 1658 at 4-5, PERB Case No. 17-N-03 (2018).
[21] *FOP/DYRS Labor Comm. v. DYRS*, D.C. Reg. 10133, Slip Op. No. 1636 at 2, PERB Case No. 17-N-02 (2017).

in impacts and effects bargaining with the union.[22] However, the proposals in Opinion No. 1658 and the instant case involve mandatory third-party impasse provisions over terms and conditions of employment that are not proscribed by management rights[23] and the CMPA, and do not curtail management's right to make changes.[24]

Therefore, the proposed article is negotiable.

ORDER

IT IS HEREBY ORDERED THAT:

1. The Department of Fire and Emergency Medical Services is required to bargain upon request with Local 36, International Association of Fire Fighters, AFL-CIO, concerning Article 6 of the parties' existing CBA; and

2. Pursuant to Board Rule 559.1, this Decision and Order is final upon issuance.

BY ORDER OF THE PUBLIC EMPLOYEE RELATIONS BOARD

By vote of Board Chairperson Douglas Warshof and Members Renee Bowser, Mary Anne Gibbons, and Peter Winkler.

March 20, 2025

Washington, D.C.

[22] *WTU*, Slip Op. No. 1884 at 7-8. While management is required to bargain over the impacts and effects of its decisions upon request, impact and effects bargaining cannot serve to frustrate management in the exercise of its rights. *See WTU*, Slip Op. No. 1884 at 7; D.C. Official Code § 1-617.08(a)(1) and (2).

[23] *See AFGE, Local 372*, Slip Op. No. 1658 at 4-5.
[24] *C.f. AFGE Locals 383, 1000, 1975, 2725, 2741, and 2978 v. RHC*, 68 D.C. Reg. 40, Slip Op. No. 1798 at 18, PERB Case No. 21-N-03 (2021).

APPEAL RIGHTS

Pursuant to Board Rule 559.2, a party may file a motion for reconsideration, requesting the Board reconsider its decision. Additionally, a final decision by the Board may be appealed to the District of Columbia Superior Court pursuant to D.C. Official Code §§ 1-605.2(12) and 1-617.13(c), which provides 30 days after a decision is issued to file an appeal.

OFFICE OF THE SECRETARY OF THE DISTRICT OF COLUMBIA

RECOMMENDATIONS FOR APPOINTMENTS AS NOTARIES PUBLIC

Notice is hereby given that the following named persons have been recommended for appointment as Notaries Public in and for the District of Columbia, effective on or after July 1, 2025.

Comments on these potential appointments should be submitted, in writing, to the Office of Notary Commissions and Authentications, 899 North Capitol Street, Suite 8100, Washington, D.C. 20002 within seven (7) days of the publication of this notice in the *D.C. Register* on May 2, 2025. Additional copies of this list are available at the above address or the website of the Office of the Secretary at www.os.dc.gov.

Alfaro	Edward	TD Bank 4849 Wisconsin Avenue, NW	20016
Bathersfield	Keyana Natasha	Self 60 Rhode Island Avenue, NE	20002
Benefield	Lizette R.	Self 3718 S Street, SE	20020
Bethea	Beverly	Humane World for Animals 1255 23rd Street, NW, 4th Floor	20037
Bizane	Tseday	Knead Hospitality + Design 996 Maine Avenue, SW	20024
Boyd	Cynthia Denise	Brownrudnick 1900 N Street, NW	20036
Caldwell	Tabitha Elisha	Department of Health and Human Service 200 Independence Avenue, SW	20201
Cheatham	Carla R.	Hollingsworth, LLP 1350 I Street, NW	20005
Cobb	Steven	Ewers IP Law 1612 K Street, NW, Suite 1204S	20006
Coile	Bonnie B.	UB Greensfelder, LLP 1054 31st Street, NW, Suite 280	20007
Coleman	Andre	Lydian Energy 1255 Union Street, NE, Suite 25	20002
Corzantes	Lourdes Stephany	Self 2400 16th Street, NW, #129	20009
Crook	Justyn Garrett	Self (Dual) 940 25th Street, NW, #208S	20037
Cruz	Nigella Lee	JP Morgan Chase 550 Morse Street, NE, Suite 100	20002

Daley-Young	Harry S.	St. Anselm's Abbey School 4501 South Dakota Avenue, NE	20017
Davis	Joanne	Charles River Associates 1201 F Street, NW, Suite 800	20004
Davis	Rochelle	The UPS Store 611 Pennsylvania Avenue, SE	20003
Delbe	Amiah T.	The UPS Store 1100 New Jersey Avenue, SE, Suite 2000	20003
Do	Brian	Wells Fargo Bank 1329 Wisconsin Avenue, NW	20007
Donaldson	Kera Cedrice	New Futures 609 H Street, NE, Suite 500	20002
Driver	Leslie	Brownrudnick, LLP 1900 N Street, NW	20036
Eccles	Jamilla	Self 435 16th Street, SE, #23	20003
Edwards	Rachel Q.	Hopkins Bloomberg Center 555 Pennsylvania Avenue, NW	20001
Estes	Chelsea Janei	Brown Rudnick, LLP 1900 N Street, NW, 4th Floor	20036
Ewing	Chelsea O'Dell	Adelphi Capital Advisory 1054 31st Street, NW, Suite 316	20007
Farragut	Tracey L.	Children's National Hospital 111 Michigan Avenue, NW	20010
Fonville-Carter	Darius	The UPS Store 1100 New Jersey Avenue, SE, Suite 2000	20003
Foti	Caroline Diana	McDermott Will & Emery 500 North Capitol Street, NW	20001

Ghadakpour	Atousa	Cravath, Swaine & Moore, LLP 1601 K Street, NW	20006
Gray	Amber	Self 1314 44th Place, SE	20019
Hammond	Robert Sean	Cravath, Swaine & Moore, LLP 1601 K Street, NW, 3rd floor	20006
Harden	Reda	District Department of Energy & Environment 1200 First Street, NE	20020
Jennings	Jordan Miranda	Hogan Lovells 555 13th Street, NW	20004
Johnson	Nicole	Self (Dual) 1033 16th Street, NE, #A	20002
Jones	Vonja	The Washhington Times 3600 New York Avenue, NE	20019
Jones, Jr	Jessie Lynwood	Legal Counsel for the Elderly 601 E Street, NW	20004
Kenney	Donna	Brown Rudnick, LLP 1900 N Street, NW	20036
Khan	Safiya	McDermott Will & Emery 500 North Capitol Street, NW	20001
Kramer	Risa	Office of the Clerk U.S. House of Represenatives B86 Cannon House Office Building	20515
Lathon	Darlene W.	Katten Muchin Rosenman LLP 1919 Pennsylvania Avenue, NW, Suite 800	20006
Lawrence	Amelia Noel	Klein Hornig, LLP 1325 G Street, NW, Suite 770	20005

Lipford	Pamela R.	Department of Veterans Affairs 425 I Street, NW	20001
Luna	Kevin	TD Bank 4849 Wisconsin Avenue, NW	20016
Mathis	Michelle	Department of Insurance, Securities, and Banking 1050 First Street, NE, Suite 801	20002
McClafferty	Maili	Accelerant Law, PLLC 5301 Wisconsin Avenue, NW, Suite 550	20015
Newberry	Kim	Hilton Grand Vacations 1250 22nd Street, NW	20037
Pahamotang	Angelica	BXP 655 15th Street, NW	20005
Pepicelli	Caitlin O'Neill	Office of Science and Technology Policy 1650 Pennsylvania Avenue, NW, Suite 463	20502
Puplampu	Christian	George Washington University 2013 H Street, NW	20006
Purchase	Delisa Nicole	Self (Dual) 618 Totten Place, NE	20017
Rivera	Mario Antonio	Self 639 Farragut Place, NE	20017
Sanborn	Lisa	Katten Muchin Rosenman, LLP 1919 Pennsylvania Avenue, NW, Suite 800	20006
Schroeder	Holly R.	Lewis Baach Kaufmann Middlemiss 1050 K Street, NW, Suite 400	20001
Selvin	Emma Nicole	McDermott Will & Emery 500 North Capitol Street, NW	20001

Stewart	Alfreda Gale	Redbrick LMD, LLC 1275 New Jersey Avenue, SE	20003
Stewart	Neftali	IDB Global Federal Credit Union 1300 New York Avenue, NW	20577
Thomas	Jacqueline	National Association for the Education of Young Children 1401 H Street, NW, Suite 600	20005
Tomas	Donna F.	The Carlyle Group 1001 Pennsylvania Avenue, NW	20004
Toro	Emely	Federal Title & Escrow Company 1803 14th Street, NW	20009
Underwood	Ryan	The Columbia Residences 2425 L Street, NW	20037
Zellner	Audra	Brown Rudnick, LLP 1900 N Street, NW	20036

TWO RIVERS PUBLIC CHARTER SCHOOL

REQUEST FOR PROPOSALS

Summer School Enrichment Programming

Two Rivers PCS is seeking a vendor to provide enrichment programming for summer school, June 30, 2025 - August 1, 2025. To request a copy of the RFP, email Khizer Husain at procurement@tworiverspcs.org. Proposals are due by May 16, 2025.

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

BOARD OF DIRECTORS

NOTICE OF PUBLIC MEETING

Environmental Quality and Operations Committee

The Board of Directors of the District of Columbia Water and Sewer Authority (DC Water) Environmental Quality and Operations Committee will hold a meeting via Microsoft Teams on Thursday, May 15, 2025, at 9:30 a.m. This meeting will not be held in the Board Room (2nd floor) at 1385 Canal Street, S.E. The Chief Executive Officer and General Manager invites the public to attend the meeting via Microsoft Teams. Below is the draft agenda for this meeting. Please see the final agenda to DC Water's website at www.dcwater.com, which will include remote access information for this meeting.

For additional information, please contact Michelle Rhodd, Board Secretary at (202) 787-2331 or Michelle.Rhodd@dcwater.com.

DRAFT AGENDA

1. Call to Order	Committee Chairperson
2. Roll Call	Board Secretary
3. AWTP Status Updates - BPAWTP Performance	Vice-President, Wastewater Ops
4. Project Status Updates	Vice-President of Engineering & Technical Services
5. Water Quality Monitoring	Vice-President, Water Ops
6. Action Items - Joint Use - Non-Joint Use	 Chief Operating Officer and EVP Vice President of Procurement
7. Emerging Items/Other Business	Committee Chairperson
8. Executive Session	Committee Chairperson
9. Adjournment	Committee Chairperson

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.

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

BOARD OF DIRECTORS

NOTICE OF PUBLIC MEETING

Human Resources and Labor Relations Committee with Union Presidents

The Board of Directors of the District of Columbia Water and Sewer Authority (DC Water) Human Resources and Labor Relations Committee will hold a meeting via Microsoft Teams on Wednesday, May 7, 2025, at 9:30 a.m. This meeting will **not** be held in the Board Room (2nd floor) at 1385 Canal Street, S.E. The Chief Executive Officer and General Manager invites the public to attend the meeting via Microsoft Teams. Below is the draft agenda for this meeting. Please see the final agenda will be posted to DC Water's website at www.dcwater.com, which will include the remote access information for this meeting.

For additional information, please contact Michelle Rhodd, Board Secretary at (202) 787-2331 or Michelle.Rhodd@dcwater.com.

DRAFT AGENDA

1. Call to Order	Committee Chairperson
2. Action Items	Chief People and Inclusion Officer and EVP, People and Talent
3. Other Business	Committee Chairperson
4. Executive Session	Committee Chairperson
5. Adjournment	Committee Chairperson

*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***.**

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

Application No. 20920 of Florence Olajide, pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception under Subtitle U § 421.1 to allow a new residential development, a four-unit apartment house in a new three-story (with cellar) detached building, in the RA-1 zone at 1326 Fort Stevens Drive, N.W. (Parcel 87, Lot 570).

HEARING DATES: March 13 and April 10, 2024
DECISION DATE: May 1, 2024

DECISION AND ORDER

This self-certified application was filed on February 21, 2023 on behalf of Florence Olajide ("Applicant"), the owner of the property that is the subject of the application. Following a public hearing, the Board voted to approve the application subject to one condition.

PRELIMINARY MATTERS

Notice of Application and Notice of Hearing. In accordance with Subtitle Y §§ 400.4 and 402.1, the Office of Zoning provided notice of the application and of the public hearing by letters, dated April 6, 2023, to the Applicant, the Office of Planning ("OP"), the District Department of Transportation ("DDOT"), the Department of Buildings, Advisory Neighborhood Commission ("ANC") 4A, the ANC in which the subject property is located, and Single Member District ANC 4A06, the Office of Advisory Neighborhood Commissions, the Councilmember for Ward 4 as well as the Chairman and the at-large members of the D.C. Council, and the owners of all property within 200 feet of the subject property. Notice was also provided to the National Park Service, the Department of Parks and Recreation, and the Office of State Superintendent of Education.[1] Notice was published in the *District of Columbia Register* on April 28, 2023 (67 DCR 14701) and through the calendar on the Office of Zoning website.

Parties. Pursuant to Subtitle Y § 403.5, the Applicant and ANC 4A were automatically parties in this proceeding. The Board denied an untimely request for party status in opposition to the application submitted by Charlene Evans, the owner of a property abutting the subject property (Exhibits 41, 41A).

[1] Generally the Board is required to determine whether to grant or deny party status at the opening of the first public hearing on the application and a request for party status is due not less than 14 days before the hearing (Subtitle Y §§ 404.2, 404.3). In this case, the public hearing was originally scheduled for July 12, 2023 and was postponed twice at the Applicant's request (see Exhibits 23, 25). The request for party status was filed April 2, 2024.

Applicant's Case. The Applicant presented evidence and testimony, including from Ramy Ali, the project architect, in support of the request for zoning relief needed to allow a new four-unit apartment house at the subject property.

OP Report. By memoranda dated February 28 and April 3, 2024, the Office of Planning recommended approval of the application subject to conditions related to landscaping and to pedestrian and vehicle access to the subject property. (Exhibits 27 and 42.)

ANC Report. By report dated March 12, 2024, ANC 4A recommended denial of the application, citing "the community's immense opposition, grounded in grave concerns regarding property line discrepancies and rodents, as well as shadowing potentially caused to the existing residences if the proposed construction were built." (Exhibit 33.)

Persons in opposition. The Board received letters and heard testimony in opposition to the application from residents living in the vicinity of the subject property. According to the persons in opposition, approval of the application would cause adverse impacts on the use of nearby properties due to loss of light, air, and privacy, and would create problems relating to density, vehicle access, pest control, and safety.

FINDINGS OF FACT

1. The property that is the subject of this application is an interior lot within the area bounded by Fort Stevens Drive to the north, 13th Place to the east, Peabody Street to the south, and 14th Place to the west, with the address 1326 Fort Stevens Drive, N.W. (Parcel 87, Lot 570).

2. The subject property is irregularly shaped but generally rectangular, approximately 34.4 feet wide and 100 feet deep. The lot area is 3,436 square feet.

3. The subject property has no frontage on any street or alley and is bounded on all sides by a total of seven lots.

4. The subject property is currently unimproved.

5. The Applicant proposed to construct a new building at the subject property for use as an apartment house. The building will be three stories and 35 feet in height where three stories and 40 feet are permitted. (Subtitle F § 203.1). According to the Applicant, the lot occupancy of the project will be 31 percent where a maximum of 40 percent is permitted. (Subtitle F § 210.1.) The floor area ratio will be 0.9 as permitted under Subtitle F § 201.1. The project will provide a rear yard of 20 feet, consistent with the minimum requirement stated in Subtitle F § 207. The new building will be 18 feet wide and provide side yards of eight feet on the east and west sides (see Subtitle F § 208).

6. The apartment house will contain four units. The apartments will include one unit (1,335 square feet) with three bedrooms and 2.5 bathrooms in the cellar and one unit (1,010 square

feet) with two bedrooms and two bathrooms on the first floor. The upper floors will be configured as two two-story units (978 and 1,066 square feet), each with a kitchen, living room, and half-bath on the second floor and two bedrooms and two bathrooms on the third floor. (Exhibit 38.)

7. The first-floor unit will have a rear deck approximately 15 feet deep and 18 feet wide.

8. The two upper-floor units will each have access via a roof hatch to a roof deck of approximately 200 square feet. The decks will set back three feet from the west side wall of the building and at least 6.6 feet from the front and rear walls. The remainder of the roof will be inaccessible. (Exhibit 38.)

9. The new building will have six-foot casement windows on the front (north), rear (south), and east side façades on the first through third floors. The west side will not have any windows. The cellar level will have window wells on the east side. (Exhibit 38; Transcript of April 10, 2024 at 110-111.)

10. Vehicle access to the rear (south) of the subject property is available from Peabody Street via an easement on Lot 809 in Square 2791, the abutting lot to the south of the subject property. The eastern portion of Lot 809 is paved as a driveway, approximately 13.7 feet wide, which provides access to areas for vehicle parking and trash storage in the northern portion of Lot 809. (Exhibit 11.)

11. The Applicant submitted a copy of a signed ingress-egress easement executed May 16, 2020 with the owner of Lot 809 to allow the Applicant's use of the driveway on Lot 809. The easement, which was recorded at the Recorder of Deeds on August 10, 2021, provides unrestricted, non-exclusive access to the subject property by prohibiting any party from "erect[ing] any barriers which would in any way restrict vehicular and/or pedestrian flow" across the easement.[2] (Exhibit 29.)

12. The subject property will provide three vehicle parking spaces at the rear of the lot, accessible from Peabody Street via the existing easement.

13. An area for the storage of trash and recyclable materials will be provided at the rear of the lot adjacent to the parking area. Collection will occur via the easement from Peabody Street.

14. The Applicant submitted a signed easement executed January 12, 2019 with the owner of Lot 240 in Parcel 88, which abuts the subject property to the north, to allow pedestrian and utility access to the Applicant's property. (Exhibits 30, 32.)

[2] A similar ingress-egress easement was executed on January 21, 2019 by the owner of Lot 809 and the owner of Lot 165 in Parcel 87, which abuts the subject property to the west and is improved with a detached principal dwelling. That easement also allows unrestricted, non-exclusive access to the driveway on Lot 809 and prohibits any party from "erect[ing] any barriers which would in any way restrict vehicular and/or pedestrian flow" across the easement. (Exhibit 44A.)

15. The subject property is generally flat. The Applicant did not propose any changes in grading. (Exhibit 16.)

16. The Applicant will implement a landscaping plan for the new development, with a six-foot-high wood fence to screen the parking and trash storage areas as well as the ground-floor rear deck. A brick walkway will extend along the south side of the lot to provide pedestrian access to the front of the building. Plantings will include grass along both sides of the subject property as well as evergreens. (Exhibit 45.)

17. The subject property is located within a half-mile of Metrobus routes along 16th Street and along 13th Street to the east of Fort Stevens Drive. Other Metrobus routes in the vicinity serve 14th Street and Georgia Avenue. A Metrorail station (Red line) is approximately 1.2 miles from the subject property. (Exhibits 8, 27.)

18. The subject property is located within a half-mile of Rock Creek Park to the west and the Emery Heights Recreation Center across Georgia Avenue to the east. The Peabody Community Garden is located on Peabody Street three blocks east of the subject property.

19. The subject property is served by "in-boundary" schools operated by D.C. Public Schools for students at the elementary, middle, and high school levels. According to information published on the website of the Deputy Mayor for Education, the in-boundary schools for the subject property are Brightwood Elementary School (at 98-percent capacity during the 2022-2023 school year, including 75 percent in-boundary students), Ida B. Wells Middle School (at 94-percent capacity, including 68 percent in-boundary students), and Coolidge High School (at 73-percent capacity, including 43 percent in-boundary students). (Exhibit 27.)

20. The abutting property to the west of the subject property contains a two-story detached principal dwelling. Two of the three lots abutting the subject property to the north contain two-story apartment houses fronting on Fort Stevens Drive.[3] Two lots to the east of the subject property contain four-story apartment houses fronting on 13th Place as well as parking spaces. Lot 809, the abutting property to the south of the subject property, contains a four-story apartment house fronting on Peabody Street. (Exhibit 11.)

21. The surrounding neighborhood is developed primarily with apartment houses. (Exhibits 27, 32.)

22. The subject property is located in a Residential Apartment (RA) zone, RA-1. The RA zones are intended to (a) permit flexibility by allowing all types of residential development, (b) promote stable residential areas while permitting a variety of types of urban residential neighborhoods, (c) promote a walkable living environment, (d) allow limited non-residential uses that are compatible with adjoining residential uses, (e) encourage compatibility between the location of new buildings or construction and the existing neighborhood, and (f) ensure

[3] Lot 240, located between Lots 234 and 237 in Parcel 88, is approximately eight feet wide and is unimproved.

that buildings and developments around fixed rail stations, transit hubs, and streetcar lines are oriented to support active use of public transportation and safety of public spaces. (Subtitle F § 300.1.)

23. The purposes of the RA-1 zone are (a) to permit flexibility of design by permitting all types of urban residential development if they conform to the height, density, and area requirements established for the RA-1 district and (b) to permit the construction of those institutional and semi-public buildings that would be compatible with adjoining residential uses and that are excluded from the more restrictive residential zones. (Subtitle F § 300.1.)

24. The RA-1 zone provides for areas predominantly developed with low- to moderate-density development, including detached dwellings, rowhouses, and low-rise apartments. (Subtitle F § 300.2.)

CONCLUSIONS OF LAW AND OPINION

The Applicant requests a special exception under Subtitle U § 421.1 to allow a four-unit apartment house in a new building in the RA-1 zone at 1326 Fort Stevens Drive, N.W. (Parcel 87, Lot 570). The Board is authorized under § 8 of the Zoning Act, D.C. Official Code § 6- 641.07(g)(2) (2012 Repl.), to grant special exceptions, as provided in the Zoning Regulations, where, in the judgment of the Board, the special exception will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps and will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Zoning Map, subject to specific conditions. (*See* 11 DCMR Subtitle X § 901.2.)

Pursuant to Subtitle U § 421, the proposed apartment house – as a new residential development in the RA-1 zone that is not a principal dwelling – requires approval by the Board as a special exception in accordance with the specified standards. As required, the application was referred to various agencies for comment and recommendation, and the Applicant submitted the documents necessary to support the request for zoning relief. The Applicant submitted a site plan, floor plans, elevations, and a landscaping plan. No significant changes in grade were planned in connection with the new apartment house.

Based on the findings of fact, and having given great weight to the recommendation of the Office of Planning and to the issues and concerns stated by ANC 4A, the Board concludes that the Applicant has satisfied the requirements for the requested special exception. The Applicant proposed to build a new three-story detached building for use as an apartment house containing four two- or three-bedroom apartments. Given the relatively small number of new units in the building and the number of public schools located in the surrounding neighborhood, which serve children from kindergarten through high school, the Board concludes that the number of students who can be expected to reside in the new apartment house can be accommodated at the existing area schools and would not have a significant impact on the public schools.

The Board also concludes that the public streets, recreation, and other services can accommodate the residents who are expected to reside in the new building. The subject property is accessible to public transportation options, including several Metrobus routes within walking distance, and a Metrorail station less than 1.5 miles away. The project will provide three vehicle parking spaces, consistent with the zoning requirement. The subject property is within walking distance of several parks and other recreational areas.

Subtitle X § 901.2. The Board concludes that approval of the application will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps and will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Zoning Map, as is required for approval of the application under Subtitle X § 901.2. The Board agrees with the Applicant and the Office of Planning that approval of the application will be consistent with the intent of the Residential Apartment zones to permit flexibility by allowing all types of residential development, promote stable residential areas while permitting a variety of types of urban residential neighborhoods, promote a walkable living environment, and to encourage compatibility between the location of new buildings and the existing neighborhood. Approval of the application will be consistent with the purposes of the RA-1 zone by allowing the development of a type of urban residential development, a four-unit apartment house in a new three-story detached building that will conform to the height, density, and area requirements established for the RA-1 district.

Approval of the application will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Zoning Map. The planned apartment house was designed to minimize potential impacts relating to light and air by meeting the applicable development standards, including with respect to building height, lot occupancy, and side and rear yard setbacks. The Applicant submitted a sun study (Exhibit 28) demonstrating that the planned building will not significantly change shadow impacts on neighboring properties compared to existing conditions. The Board credits the testimony of the Office of Planning that the new building is not likely to create adverse impacts on light and air available to neighboring properties, especially considering the three-story height of the building and the provision of side and rear yards.

The Board concludes that approval of the requested zoning relief will not adversely affect the use of neighboring properties with respect to privacy. The new building will not have any windows on the west façade, and windows on the other portions of the building will not be in close proximity to existing dwellings on any adjoining lot. Views to and from the subject property at the ground level, including the rear deck, will be obstructed by a privacy fence that the Applicant will install in conjunction with a landscaping plan. The Board concludes that views available from the planned roof decks will not adversely affect the privacy of any nearby property. The two roof decks will be relatively small, and most of the roof of the new building will be inaccessible. The roof decks will be set back from the west side of the building, thereby precluding views of the existing principal dwelling on the abutting lot to the west. The Applicant submitted a site study view showing the prospective sight lines available from the planned roof decks, which indicated

that views from the decks will be limited and not intrusive into the privacy of adjoining properties (see Exhibit 37A).

Great weight. The Board is required to give "great weight" to the recommendation of the Office of Planning. (D.C. Official Code § 6-623.04 (2012 Repl.).) For the reasons discussed above, the Board agrees with OP's recommendation that, in this case, the application should be approved.

The Board is also required to give "great weight" to the issues and concerns raised by the affected ANC. (Section 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)(3)(A) (2012 Repl.)).) In this case, ANC 4A submitted a report indicating that, at a public meeting on March 5, 2024 with a quorum present, the ANC voted to oppose the application in light of "immense opposition … from community members." According to ANC 4A, the opposition was "grounded in grave concerns regarding property line discrepancies and rodents, as well as shadowing potentially caused to the existing residences if the proposed construction were built." (Exhibit 33.) The Board credits the ANC's concerns regarding the potential impact of the proposed development on the ANC's constituents. However, the Board concludes that the ANC has not offered persuasive advice that would cause the Board to determine that approval of the application would be contrary to the Zoning Regulations or would adversely affect the use of neighboring property. For the reasons discussed above, the Board did not agree with ANC 4A that the new apartment house will cause adverse impacts concerning the use of neighboring properties due to light or privacy impacts. Some of the issues and concerns stated by the ANC, such as those relating to property boundaries and construction matters, were unrelated to zoning and therefore were outside the scope of the Board's jurisdiction in this proceeding. The Board is required to accord "great weight" only to the issues and concerns of the affected ANC that are legally relevant to the application at issue. *See Concerned Citizens of Brentwood v. District of Columbia Bd. of Zoning Adjustment*, 634 A.2d 1234, 1241 (D.C. 1993), citing *Bakers Local 118 v. District of Columbia Bd. of Zoning Adjustment*, 437 A.2d 176, 180 (D.C. 1981) (the "great weight" requirement extends only to "issues and concerns that are legally relevant").

Based on the findings of fact and conclusions of law, the Board concludes that the Applicant has satisfied the burden of proof with respect to the request for a special exception under Subtitle U § 421 to allow a new residential development, a four-unit apartment house in a new three-story detached building, in the RA-1 zone at 1326 Fort Stevens Drive, N.W. (Parcel 87, Lot 570). Accordingly, it is **ORDERED** that the application is **GRANTED** consistent with the plans shown at Exhibit 38 and subject to the following **CONDITION**:

1. The Applicant shall install and maintain the landscaping and site plans as shown in Exhibit 45.

VOTE: 5-0-0 (Frederick L. Hill, Lorna L. John, Carl H. Blake, Chrishaun S. Smith, and Robert E. Miller voting to approve)

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT
A majority of the Board members approved the issuance of this order.

FINAL DATE OF ORDER: April 22, 2025

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 UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF BUILDINGS FOR THE PURPOSE OF SECURING A BUILDING PERMIT, OR THE APPLICANT FILES A REQUEST FOR A TIME EXTENSION PURSUANT TO SUBTITLE Y § 705 PRIOR TO THE EXPIRATION OF THE TWO-YEAR PERIOD AND THE REQUEST IS GRANTED. PURSUANT TO SUBTITLE Y § 703.14, NO OTHER ACTION, INCLUDING THE FILING OR GRANTING OF AN APPLICATION FOR A MODIFICATION PURSUANT TO SUBTITLE Y §§ 703 OR 704, SHALL TOLL OR EXTEND THE TIME PERIOD.

PURSUANT TO 11 DCMR SUBTITLE Y § 604, APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT.

PURSUANT TO 11 DCMR SUBTITLE A § 303, THE PERSON WHO OWNS, CONTROLS, OCCUPIES, MAINTAINS, OR USES THE SUBJECT PROPERTY, OR ANY PART THERETO, SHALL COMPLY WITH THE CONDITION IN THIS ORDER, AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT. FAILURE TO ABIDE BY THE CONDITION IN THIS ORDER, IN WHOLE OR IN PART SHALL BE GROUNDS FOR THE REVOCATION OF ANY BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY ISSUED PURSUANT TO THIS ORDER.

IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE § 2-1401.01 ET SEQ. (ACT), THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION,

FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, GENETIC INFORMATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

BZA Application No. 21256
Sofia M. Ahmed and Abubaker F. Suliman
2710 Sherman Avenue, NW (Square 2858, Lot 0052)

HEARING DATE: April 9, 2025
DECISION DATE: April 9, 2025

SUMMARY ORDER

RELIEF REQUESTED. The application requests the following relief in order to construct a third story plus roof deck, and three-story rear addition with cellar, and convert to a 3-unit apartment house, an existing, semi-detached, two-story with cellar, principal dwelling unit in the RF-1 zone:

- Special Exception under the rear addition requirements of Subtitle D § 207.5, pursuant to Subtitle X § 901.2 (*10 feet maximum permitted; 19 feet proposed*)
- Special Exception under the new residential conversion requirements of Subtitle U § 320.2 pursuant to Subtitle X § 901.2

The zoning relief requested in this case was self-certified. (Exhibit 11.)

PARTIES. The parties to this case were the Applicant and Advisory Neighborhood Commissions ("**ANCs**") 1A and 1E, the "affected ANCs" pursuant to Subtitle Y §§ 101.8 and 403.5(b) of the Zoning Regulations (Title 11 of the DCMR, Zoning Regulations of 2016, to which all references are made unless otherwise specified).

NOTICE OF THE APPLICATION AND PUBLIC HEARING. The Board of Zoning Adjustment (the "**Board**") referred the application to the appropriate agencies and provided proper and timely notice of the public hearing in accordance with Subtitle Y § 402.1.

ANC REPORT. ANCs 1A and 1E did not submit official reports to the record in this application.

The Chairman of ANC 1A and Single Member District Commissioner for 1A10 filed a letter expressing support for the application. (Exhibit 22.)

OFFICE OF PLANNING ("OP") REPORT. OP submitted a report recommending approval of the application. (Exhibit 21.)

DISTRICT DEPARTMENT OF TRANSPORTATION ("DDOT") REPORT. DDOT did not submit a report related to the application.

PERSONS IN SUPPORT. The Board received one letter from a neighbor in support of the application. (Exhibit 18.)

PERSONS IN OPPOSITION. The Board received one letter (Exhibit 26) and written testimony (Exhibit 27) from a neighbor in opposition to the application. The neighbor also testified at the hearing in opposition to the application, raising concerns about shadow impacts.

CONCLUSIONS

Pursuant to Subtitle Y § 604.3, the order of the Board may be in summary form where granting an application when there was no party in opposition. As a summary order, it does not constitute binding legal precedent on the Board and shall not be considered by the Board in evaluating future applications.

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 special exception relief can be granted because:

- It is in harmony with the general purpose and intent of the Zoning Regulations and Map;
- It will not tend to affect adversely the use of neighboring property; and
- Pursuant to Subtitle X § 901.2(c), the relief satisfies the specified conditions for special exception relief.

DECISION

Based on the case record and the testimony at the hearing, the Board concludes that the applicant has satisfied the burden of proof for the requested relief:

- Special Exception under the rear addition requirements of Subtitle D § 207.5, pursuant to Subtitle X § 901.2 (*10 feet maximum permitted; 19 feet proposed*)
- Special Exception under the new residential conversion requirements of Subtitle U § 320.2 pursuant to Subtitle X § 901.2

Accordingly, it is **ORDERED** that the application is **GRANTED** consistent with the revised plans shown in Exhibit 14 and Exhibit 8 (3-D images) of the record, as required under Subtitle Y §§ 604.9 and 604.10.

VOTE: **4-0-1** (Frederick L. Hill, Carl H. Blake, Chrishaun S. Smith, 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: April 21, 2025

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, UNLESS, WITHIN SUCH TWO-YEAR PERIOD, AN APPLICATION FOR A BUILDING PERMIT FOR THE ERECTION OR ALTERATION APPROVED IS FILED WITH THE DEPARTMENT OF BUILDINGS FOR THE PURPOSE OF SECURING A BUILDING PERMIT, OR A REQUEST FOR A TIME EXTENSION PURSUANT TO SUBTITLE Y § 705 IS FILED 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 FOR THE DISTRICT OF COLUMBIA

NOTICE OF CLOSED MEETING

TIME AND PLACE: **Tuesday, April 29, 2025, @ 9:30 a.m.**
Virtually via WebEx

FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:

The Board of Zoning Adjustment, in accordance with § 405(c) of the Open Meetings Act, hereby provides notice it will hold a closed meeting on April 29, 2025, at 9:30 a.m., at the place noted above for the purpose of receiving training as permitted by D.C. Official Code § 2-575(b)(12). The subject of the training is: discussion re: rear yard changes to the Zoning Regulations; when is a deck no longer a deck (adding screening, landings, stairs, etc.); and when does an accessory building become a dwelling unit?

FREDERICK L. HILL, CHAIRPERSON
CARL H. BLAKE, VICE-CHAIRPERSON
VACANT, MEMBER
CHRISHAUN SMITH, MEMBER, NATIONAL CAPITAL PLANNING COMMISSION
A PARTICIPATING MEMBER OF THE ZONING COMMISSION
SARA A. BARDIN, DIRECTOR, OFFICE OF ZONING
KEARA MEHLERT, SECRETARY TO THE BZA

OFFICE OF DOCUMENTS AND ADMINISTRATIVE ISSUANCES

DISTRICT OF COLUMBIA REGISTER
2025 AGENCY SUBMISSION DEADLINE SCHEDULE

The deadline for submitting notices for publication in the *District of Columbia Register* by District agencies, boards, commissions, and public charter schools is THURSDAY, noon of the PREVIOUS week. For example, the deadline for the Friday, January 10, 2025 *District of Columbia Register* is Thursday, noon on January 2, 2025.

The deadline for a Register to be published during a week that has an official District of Columbia holiday is WEDNESDAY noon of the PREVIOUS week. For example, Monday, January 20, 2025 (Martin Luther King Jr. Day) is an official District of Columbia holiday therefore, the deadline for the Friday, January 24, 2025 *District of Columbia Register* is Wednesday, noon on January 15, 2025.

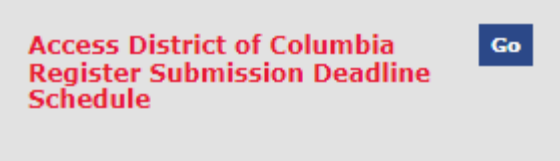
If an official government holiday falls on a Thursday, the deadline for submitting documents is WEDNESDAY. Because Thursday, November 27, 2025 is Thanksgiving Day, the deadline for the December 5, 2025 *District of Columbia Register* is Wednesday, noon on November 26, 2025.

Because Thursday, June 19, 2025 is Juneteenth, the deadline for the June 27, 2025 *District of Columbia Register* is Wednesday, noon on June 18, 2025.

Documents that are uploaded after the noon deadline will be published in the next edition of the Register.

The DC Register Submission Deadline Schedule is published at the end of each Register.

The Office of Documents also publishes the Submission Deadline Schedule on the DCRegs Home page:



Below is the 2025 District of Columbia Register Submission Deadline schedule.

OFFICE OF DOCUMENTS AND ADMINSTRATIVE ISSUANCES
DISTRICT OF COLUMBIA REGISTER
2025 AGENCY SUBMISSION DEADLINE SCHEDULE

D.C. Register Issue		Submission Deadline	
Vol. 72/1	January 3, 2025*	Tuesday	December 24, 2024
Vol. 72/2	January 10, 2025	Thursday	January 2, 2025
Vol. 72/3	January 17, 2025	Thursday	January 9, 2025
Vol. 72/4	January 24, 2025*	Wednesday	January 15, 2025
Vol. 72/5	January 31, 2025	Thursday	January 23, 2025
Vol. 72/6	February 7, 2025	Thursday	January 30, 2025
Vol. 72/7	February 14, 2025	Thursday	February 6, 2025
Vol. 72/8	February 21, 2025*	Wednesday	February 12, 2025
Vol. 72/9	February 28, 2025	Thursday	February 20, 2025
Vol. 72/10	March 7, 2025	Thursday	February 27, 2025
Vol. 72/11	March 14, 2025	Thursday	March 6, 2025
Vol. 72/12	March 21, 2025	Thursday	March 13, 2025
Vol. 72/13	March 28, 2025	Thursday	March 20, 2025
Vol. 72/14	April 4, 2025	Thursday	March 27, 2025
Vol. 72/15	April 11, 2025	Thursday	April 3, 2025
Vol. 72/16	April 18, 2025*	Wednesday	April 9, 2025
Vol. 72/17	April 25, 2025	Thursday	April 17, 2025
Vol. 72/18	May 2, 2025	Thursday	April 24, 2025
Vol. 72/19	May 9, 2025	Thursday	May 1, 2025
Vol. 72/20	May 16, 2025	Thursday	May 8, 2025
Vol. 72/21	May 23, 2025	Thursday	May 15, 2025
Vol. 72/22	May 30, 2025 *	Wednesday	May 21, 2025
Vol. 72/23	June 6, 2025	Thursday	May 29, 2025
Vol. 72/24	June 13, 2025	Thursday	June 5, 2025
Vol. 72/25	June 20, 2025*	Wednesday	June 11, 2025
Vol. 72/26	June 27, 2025	Wednesday	June 18, 2025
Vol. 72/27	July 4, 2025 *	Wednesday	June 25, 2025
Vol. 72/28	July 11, 2025	Thursday	July 3, 2025
Vol. 72/29	July 18, 2025	Thursday	July 10, 2025
Vol. 72/30	July 25, 2025	Thursday	July 17, 2025
Vol. 72/31	August 1, 2025	Thursday	July 24, 2025
Vol. 72/32	August 8, 2025	Thursday	July 31, 2025
Vol. 72/33	August 15, 2025	Thursday	August 7, 2025
Vol. 72/34	August 22, 2025	Thursday	August 14, 2025
Vol. 72/35	August 29, 2025	Thursday	August 21, 2025
Vol. 72/36	September 5, 2025*	Wednesday	August 27, 2025
Vol. 72/37	September 12, 2025	Thursday	September 4, 2025
Vol. 72/38	September 19, 2025	Thursday	September 11, 2025
Vol. 72/39	September 26, 2025	Thursday	September 18, 2025
Vol. 72/40	October 3, 2025	Thursday	September 25, 2025
Vol. 72/41	October 10, 2025	Thursday	October 2, 2025
Vol. 72/42	October 17, 2025*	Wednesday	October 8, 2025
Vol. 72/43	October 24, 2025	Thursday	October 16, 2025
Vol. 72/44	October 31, 2025	Thursday	October 23, 2025
Vol. 72/45	November 7, 2025	Thursday	October 30, 2025
Vol. 72/46	November 14, 2025*	Wednesday	November 5, 2025
Vol. 72/47	November 21, 2025	Thursday	November 13, 2025
Vol. 72/48	November 28, 2025*	Wednesday	November 19, 2025
Vol. 72/49	December 5, 2025	Wednesday	November 26, 2025
Vol. 72/50	December 12, 2025	Thursday	December 4, 2025
Vol. 72/51	December 19, 2025	Thursday	December 11, 2025
Vol. 72/52	December 26, 2025*	Wednesday	December 17, 2025
Vol. 73/1	January 2, 2026*	Wednesday	December 24, 2025

*Weeks with District of Columbia Government public holidays.

Last Updated December 10, 2024