

***District of Columbia*****REGISTER**

---

---

**HIGHLIGHTS**

- \* D.C. COUNCIL PUBLISHES NOTICE OF PUBLIC HEARING ON BILL 17-72, MULTI-UNIT REAL ESTATE TAX RATE CLARIFICATION ACT OF 2007 AND BILL 17-73, DISTRICT FUNDS RESERVED ACT OF 2007
- \* DEPARTMENT OF HEALTH PUBLISHES FINAL RULEMAKING TO AMEND TITLE 29 (PUBLIC WELFARE) OF THE D.C. MUNICIPAL REGULATIONS, CHAPTER 9 (MEDICAID PROGRAM), SECTION 937, TO ADOPT NEW STANDARDS GOVERNING REIMBURSEMENT BY D.C. MEDICAID PROGRAM FOR PREVENTITIVE, CONSULTATIVE AND CRISIS SUPPORT SERVICES TO PARTICIPANTS WITH MENTAL RETARDATION
- \* DEPARTMENT OF HEALTH PUBLISHES FINAL RULEMAKING TO AMEND TITLE 29 (PUBLIC WELFARE) OF THE D.C. MUNICIPAL REGULATIONS, CHAPTER 20 (FINANCIAL ASSISTANCE FOR THERAPEUTIC DRUG TREATMENT FOR PERSONS WITH AIDS OR RELATED ILLNESS) TO EXPAND THE DEFINITION FOR ELIGIBLE DRUGS UNDER THE AIDS DRUG ASSISTANCE PROGRAM TO INCLUDE ALL THERAPEUTIC DRUGS
- \* DEPARTMENT OF EMPLOYMENT SERVICES PUBLISHES PROPOSED RULEMAKING WHICH, UPON ADOPTION, WILL AMEND TITLE 7 (EMPLOYMENT BENEFITS) OF THE D.C. MUNICIPAL REGULATIONS, TO ADD A NEW CHAPTER 10 (LIVING WAGE)
- \* DEPARTMENT OF HEALTH / MEDICAL ASSISTANCE ADMINISTRATION, PUBLISHES NOTICE OF PUBLIC MEETING TO SOLICIT INPUT ON THE ESTABLISHING AND IMPLEMENTING OF THE PREFERRED DRUG LIST (PDL) FOR THE DISTRICT OF COLUMBIA

CONTENTS

**ACTIONS OF THE COUNCIL OF THE DISTRICT OF COLUMBIA**

**RESOLUTIONS**

Res. 17-37, District of Columbia Sports and Entertainment Commission Board of Directors Matthew D. Cutts Confirmation Resolution of 2007 .....	2271
Res. 17-38, District of Columbia Sports and Entertainment Commission Board of Directors Vincent S. Morris Confirmation Resolution of 2007 .....	2272
Res. 17-39, District of Columbia Small and Local Business Opportunity Commission Calvin T. Nophlin Confirmation Resolution of 2007 .....	2273
Res. 17-40, District of Columbia Small and Local Business Opportunity Commission Darrin L. Glymph Confirmation Resolution of 2007 .....	2274
Res. 17-41, Director of the Office of Personnel Brender L. Gregory Confirmation Resolution of 2007 .....	2275
Res. 17-42, Chief Property Management Officer Lars Etzkorn Confirmation .....	2276
Res. 17-43, Director of the Office of Human Rights Gustavo F. Velasquez Confirmation Resolution of 2007 .....	2277
Res. 17-44 Office of Employee Appeals Richard F. Johns Confirmation Resolution of 2007 .....	2278
Res. 17-45 Police Complaints Board Victor Prince Confirmation Resolution .....	2279
Res. 17-46, People's Counsel Elizabeth A. Noel Confirmation Resolution of 2007 .....	2280
Res. 17-47, Public Service Commission of the District of Columbia Betty Ann Kane Confirmation Resolution of 2007 .....	2281
Res. 17-48, Chief Financial Officer of the District of Columbia Dr. Natwar M. Gandhi Confirmation Resolution of 2007 .....	2282
Res. 17-49, Community Academy Public Charter School, Inc. Revenue Bonds Project Approval Resolution of 2007 .....	2283-2290
Res. 17-50, Director of the Office of Planning Harriet Tregoning Confirmation Resolution of 2007 .....	2291
Res. 17-51, Board of Education Ted Trabue, Jr. Confirmation Resolution of 2007 .....	2292
Res. 17-52, Council Period 17 Rules Recess Period Contract Approval and Disapproval Resolution Emergency Declaration Resolution of 2007 .....	2293-2294

**ACTIONS OF THE COUNCIL OF THE DISTRICT OF COLUMBIA (CONT'D)**

**RESOLUTIONS (CONT'D)**

Res. 17-53, Council Period 17 Rules Recess Period Contract Approval and Disapproval  
Resolution Emergency Resolution of 2007 .....2295-2296

Res. 17-54, Retail Service Station Clarification Emergency Declaration  
Resolution of 2007 .....2297-2298

Res. 17-55, Global Secure Systems Payment Authorization Emergency  
Declaration Resolution of 2007 ..... 2299

Res. 17-56, Quality Teacher Incentive Clarification Emergency Declaration  
Resolution of 2007 ..... 2300

Res. 17-57, Rental Housing Commission Ronald A. Young Emergency  
Declaration Resolution of 2007 .....2301-2302

Res. 17-58, Rental Housing Commission Ronald A. Young Emergency  
Confirmation Resolution of 2007 ..... 2303

Res. 17-59, Rental Housing Commission Donata L. Edwards Emergency  
Declaration Resolution of 2007 .....2304-2305

Res. 17-60, Rental Housing Commission Donata L. Edwards Emergency  
Confirmation Resolution of 2007 ..... 2306

Res. 17-61, Class Exclusion Standards Emergency Declaration Resolution of 2007 ..... 2307

Res. 17-62, District of Columbia Sports and Entertainment Commission Board of  
Directors Benjamin M. Soto Confirmation Resolution of 2007 ..... 2308

Res. 17-63, Director of the District Department of Transportation  
Emeka Moneme Confirmation Resolution of 2007 ..... 2309

**ADOPTED CEREMONIAL RESOLUTIONS**

ACR 17-38, Charlotte Brookins-Hudson Distinguished Career in Public Service to the  
District of Columbia Recognition Resolution of 2007 .....2310-2313

**COUNCIL HEARINGS**

Notice of Public Hearing – March 19, 2007  
Bill 17-72, Multi-Unit Real Estate Tax Rate Clarification Act of 2007 and  
Bill 17-73, District Funds Reserved Act of 2007 ..... 2314

Notice of Public Roundtables – March 19, 2007  
PR 17-95, District of Columbia Commission on Human Rights  
Michael D. Woodard Confirmation Resolution of 2007 ..... 2315

PR 17-96, District of Columbia Commission on Human Rights,  
Andrea M. Barbarin Confirmation Resolution of 2007 ..... 2315

## ACTIONS OF THE COUNCIL OF THE DISTRICT OF COLUMBIA (CONT'D)

PR 17-97, District of Columbia Commission on Human Rights Christopher J. Dyer Confirmation Resolution of 2007.....	2315
PR 17-102, Board of Trustees of the University of the District of Columbia Deborah Michele Royster Confirmation Resolution of 2007.....	2316

## OTHER COUNCIL ACTIONS

Consideration of Temporary Legislation – Bill 17-128, Retail Service Station Clarification Temporary; Bill 17-129, Quality Teacher Incentive Clarification Temporary Act of 2007; and Bill 17-130, Class Exclusion Standards Temporary Act of 2007 .....	2317
Notice of Intent to Act on New Legislation – Bills 17-124, 17-131 thru 17-139, and Proposed Resolutions 17-112 thru 17-117, 17-120 thru 17-124, and 17-132 thru 17-141 .....	2318-2322
Notice of Programming Requests – Reprog. 17-7: Request to Reprogram \$1,500,000 of Capital Budget Authority from the Office of Property Management to Ensure that the Office on Aging has Sufficient Funds for the Ward 1 Senior Wellness Center Renovation/ Modernization Project.....	2323

## ACTIONS OF THE EXECUTIVE BRANCH AND INDEPENDENT AGENCIES

### PUBLIC HEARINGS

Alcoholic Beverage Regulation Administration – May 16, 2007 (License No. 60695, Marrakesh Palace Pasha Lounge, 2147 P St., N.W.).....	2324
(License No. 72672, The Argonaut, 1433 H Street, N.E) .....	2325
(License No. 74456, Ibiza, 1222 1 <sup>st</sup> Street, N.E).....	2326
Alcoholic Beverage Regulation Administration – Readvertisement – May 16, 2007 (License No. 76330, Jimmy Valentine’s Lonely Hearts Club, 1103 Bladensburg Rd., N.E.).....	2327
Office of the Deputy Mayor for Planning and Economic Development – April 24, 2007 (Disposition of 744 Harvard Street, N.W. and 1428 Perry Place, N.W., and the Terms and Conditions of the Proposed Disposition Agreement).....	2328
Historic Preservation Review Board – April 26, 2007 Case No. #07-19: United States Department of Agriculture South Building; Case No. #07-20: Federal Home Loan Bank Board Building; Case No. #07-21: United States Public Health Service Building, Case No. #07-22: US Courthouse of the District of Columbia, (E. Barret Prettyman U.S. Courthouse); Case No. #07-23: United States Government Central Heating Plant; Case No. #07-24: Social Security Administration Building; and Case No. #07-25: United States Railroad Retirement Board Building .....	2329-2331
Taxicab Commission – April 18, 2007 (Proposed Rulemaking to Add a New Section 1201.7 to Chapter 12 of Title 31 DCMR).....	2332

**ACTIONS OF THE EXECUTIVE BRANCH AND INDEPENDENT AGENCIES (CONT'D)**

**PUBLIC HEARINGS (CONT'D)**

Board of Zoning Adjustment – Corrected Notice – May 8, 2007 (17610, ANC-6A (Application of Leslie Nayson and Brain Paxson, 1404 Constitution Ave., N.E., Sq. 1055, Lot 43) .....	2333-2335
Board of Zoning Adjustment – May 8, 2007 17602, ANC-3E (Application of National Presbyterian Church 4101 Nebraska Ave., N.W., Sq. 1724, Lot 805).....	2333-2335
Board of Zoning Adjustment – May 8, 2007 17604, ANC-6D (Application of NJA Associates LLC, 1111 New Jersey Ave., S.E., Sq. 743-N, Lot 78) .....	2333-2335
Board of Zoning Adjustment – May 8, 2007 17603, ANC-7E (Application of Johnson Kunlpe, 5206 and 5208 F Street, S.E. and 5210 and 5212 F Street, S.E., Sq. 5316, Lots 25 & 26 and Lots 805 & 807) .....	2333-2335
Board of Zoning Adjustment – May 8, 2007 17606, ANC-4B (Application of Dakota Points LLC, to Construct a Four Story Residential Building at 5545-5549 South Dakota Ave., N.E., Sq. 3760, Lot 10 and 5553-5575 South Dakota Ave, Parcel 137/86).....	2333-2335
Board of Zoning Adjustment – May 22, 2007 17633, ANC-2B (Application of the Government of the Republic of Montenegro to Permit the Use of a Chancery in the DC/SP-1 District at Premises 1610 New Hampshire Ave., N.W., Square 134, Lot 141) .....	2336-2338
Board of Zoning Adjustment – May 22, 2007 17611, ANC-6A (Application of Jon and Julie Mitchner, to Allow a Garage Addition at Premises 314 12 <sup>th</sup> Street, N.E., Square 986, Lot 53) .....	2336-2338
Board of Zoning Adjustment – May 22, 2007 17509, ANC-6B (Application of Bernard L. Renard, to Allow Addition of One of Two Row Dwellings at Premises 521-523 11 Street, S.E., Square 973, Lot 67).....	2336-2338
Board of Zoning Adjustment – May 22, 2007 17613, ANC-6B (Application of Sonja Sweek to Establish a Child Development Center at Premises 1359 C Street, S.E., Square S-1039, Lot 801) .....	2336-2338
Board of Zoning Adjustment – May 22, 2007 17614, ANC-2B (Application of 1825 19 <sup>th</sup> Street LLC, to Allow a Four (4) Unit Residential Building at Premises 1825 19 <sup>th</sup> Street, N.W., Square 132, Lot 218).....	2336-2338
Zoning Commission for the District of Columbia – Rescheduled Hearing (June 18, 2007) Z.C. Case No. 06-34 (Comstock East Capitol, L.L.C – Consolidated PUD and Related Map Amendment @ Square 1096, Lots 51, 52, 53, 54, and 55) .....	2339-2342

**ACTIONS OF THE EXECUTIVE BRANCH AND INDEPENDENT AGENCIES (CONT'D)**

**FINAL RULEMAKING**

Department of Health – Amend Title 29 DCMR, Chapter 9 (Medicaid Program),  
Sections: 920: Prevocational Services and 920.99: Definitions.....2343-2327

Department of Health – Amend Title 29 DCMR, Chapter 9 (Medicaid Program),  
Sections: 937: Preventive, Consultative, and Crisis Support Services;  
and 937.99: Definitions .....2348-2355

Dept. of Health – Amend Title 29 DCMR, Chapter 9 (Medicaid Program), Sections:  
945: Day Habilitation Services; and 945.99: Definitions .....2356-2359

Dept. of Health – Amend Title 29 DCMR, Chapter 20, (Financial Assistance for  
Therapeutic Drug Treatment for Persons with AIDS or Related Illnesses),  
Sections: 2000.1; 2001.1; 2002.2; 2002.4; 2005.5; and 2099.1 .....2360-2361

**PROPOSED RULEMAKING**

Alcoholic Beverage Regulation Administration – See Emergency Rulemaking

Board of Review for Anti-Deficiency Violations – See Emergency Rulemaking

Department of Education – Amend Title 5 DCMR, Chapter 38 (State Education  
Agency Functions of the Board of Education), Sec. 3813: Certificates of Approval for  
Non-Public Schools and Contractual Providers Serving Students with  
Disabilities Funded by the District Government.....2362-2367

Department of Employment Services – Amend Title 7 DCMR, to add a New  
Chapter 10 (Living Wage), Sections:  
1000: Purpose and Scope;  
1001: Living Wage Payment Requirement;  
1002: Amount of Living Wage and Adjustments to Amount;  
1003: Notices to Contractors and Subcontractors;  
1004: Notices to Employees;  
1005: Creation and Retention of Records;  
1006: Enforcement;  
1007: Exemptions;  
1008: Waivers; and  
1009: Definitions.....2368-2375

Taxicab Commission – Amend Title 31 DCMR, Chapter 12 (Limousine Operators and  
Vehicles), Sec. 1201: General Requirements, subsection 1201.7 ..... 2376

Board of Zoning Adjustment – Application 17633 (of the Government of the Republic of  
Montenegro) to Amend Title 11 DCMR, Chapter 10 (Mixed Use Diplomatic  
Overlay District and Chancery Uses), Section 1002.1 to Permit the Location of a  
Chancery in the DC/SP-1 District at Premises 1610 New Hampshire Ave., N.W.,  
Square 134, Lot 141).....2377

Zoning Commission for the District of Columbia – Z.C. Case No. 05-05  
(Text Amendment – 11 DCMR) (Emergency Shelters in Commercial Light  
Manufacturing (C-M-1 and C-M-2) Zone Districts)..... 2378-2379

**ACTIONS OF THE EXECUTIVE BRANCH AND INDEPENDENT AGENCIES (CONT'D)**

**EMERGENCY RULEMAKING**

Alcoholic Beverage Regulation Administration – Amend Title 23 DCMR  
(Alcoholic Beverages), Chapter 3 (Limitations on Licenses), Sec. 304.4).....2380-2383

Board of Review for Anti-Deficiency Violations – Amend Title 1 DCMR  
(Mayor and Executive Agencies), to add a New Chapter 11  
(Guidelines of the Board of Review for Anti-Deficiency Violations),

Sections:

- 1100: Source of Authority;
- 1101: Purpose;
- 1102: Members;
- 1103: Meetings of the Board;
- 1104: Quorum;
- 1105: Conflict of Interest;
- 1106: Compensation;
- 1107: Organization;
- 1108: Administration;
- 1109: Legal Advice;
- 1110: Investigative Assistance;
- 1111: Access to District of Columbia Records;
- 1112: Responsibilities of Employees of the District of Columbia to the Board;
- 1113: Violations;
- 1114: Procedures for Reports to the Board;
- 1115: Review of Reports;
- 1116: Assessment and Evaluation of Penalties;
- 1117: Referral of Potential Criminal Violations; and
- 1118: Reporting Results of the Board’s Investigation ..... 2384-2399

**NOTICES, OPINIONS, AND ORDERS**

**MAYOR’S ORDERS**

- 2007-31, Appointment – Interim Director, Department of Environment.....2400
- 2007-32, Appointment – Interim Director, Department of Housing and  
Community Development .....2401
- 2007-33, Appointment – Interim Director, Department of Motor Vehicles.....2402
- 2007-34, Appointment – Interim Director, Department of Parks and Recreation.....2403
- 2007-35, Appointment – Interim Director of the Department of Human Services .....2404
- 2007-36, Appointment – Interim Director/Chief Risk Officer of the Office of  
Risk Management .....2405
- 2007-37, Appointment – Interim Director of Consumer and Regulatory Affairs .....2406
- 2007-38, Appointment – Interim Chief Technology Officer.....2407
- 2007-39, Appointment – Interim Chief Procurement Officer .....2408
- 2007-40, Appointment – Interim Director, Department of Small and Local  
Business Development .....2409

**ACTIONS OF THE EXECUTIVE BRANCH AND INDEPENDENT AGENCIES (CONT'D)**

**NOTICES, OPINIONS, AND ORDERS**

**MAYOR'S ORDERS (CONT'D)**

2007-41, Appointment – Director, Serve DC ..... 2410

2007-42, Delegation of Authority to the Attorney General of the District of  
Columbia to Issue Rules Pursuant to Section 28 of the District of  
Columbia Child Support Enforcement Amendment Act of 1985 ..... 2411

2007-43, Appointments – District of Columbia Public Charter School Board ..... 2412

2007-44, Reappointment and Appointment – National Capital Planning Commission ..... 2413

2007-45, Appointment – Interim Chairperson, D.C. Taxicab Commission ..... 2414

2007-46, Establishment – Medical Assistance Administration Pharmacy and  
Therapeutics Committee ..... 2415-2417

2007-47, Appointment – Interim Director, Office of Labor Relations and  
Collective Bargaining ..... 2418

2007-48, Mayoral Designee – Washington Convention Center Authority  
Board of Directors ..... 2419

2007-49, Appointment – Interim Director of the Department on Disability Services ..... 2420

2007-50, Transferring Records into District of Columbia Archives and Records Center ..... 2421-2425

2007-51, Appointment – Board of Education of the District of Columbia  
(Laura McGiffert Slover) ..... 2426

2007-52, Appointment – Board of Education of the District of Columbia  
(Tanya Vidal Kinlow) ..... 2427

2007-53, Delegation of Authority Pursuant to D.C. Law 3-30, the Animal  
Control Act of 1979, as Amended by D.C. Law 16-40, the Dog Park  
Establishment Act of 2005 ..... 2428

2007-54, Amendment of Mayor's Order 85-163, Establishment – District of  
Columbia Commission on Martin Luther King, Jr. Holiday ..... 2429-2430

2007-55, Appointment – Secretary of the District of Columbia ..... 2431

2007-56, Delegation of Authority – Retail Electric Compensation and  
Consumer Protection Act of 1999 ..... 2432-2433

2007-57, Appointment – District of Columbia Water and Sewer Authority  
Board of Directors ..... 2434

2007-58, Amendment of Mayor's Order 2007-52, Dated February 6, 2007 –  
Board of Education of the District of Columbia (Tanya Vidal Kinlow) ..... 2435

2007-59, Delegation of Authority – Grant Making Authority to the  
Department of Employment Services ..... 2436

**ACTIONS OF THE EXECUTIVE BRANCH AND INDEPENDENT AGENCIES (CONT'D)**

**NOTICES, OPINIONS, AND ORDERS (CONT'D)  
MAYOR'S ORDERS (CONT'D)**

2007-60, Delegation of Authority Pursuant to D.C. Law 4-171, the  
"Veterinary Practice Act of 1982.....2437-2438

2007-61, Re-Designation of the D.C. Office of Personnel as the D.C.  
Department of Human Services .....2439

**BOARDS, COMMISSIONS, AND AGENCIES**

Dept. of Consumer and Regulatory Affairs / Board for the Condemnation of  
Insanitary Buildings – Calendar Year 2007 Meeting Dates (Mar – Dec)..... 2440

Dept. of Consumer and Regulatory Affairs / Board for the Condemnation of  
Insanitary Buildings – List of Condemned Buildings as of February 2007 .....2441-2447

Board of Elections and Ethics – Certification of ANC/SMD Vacancies.....2448

Executive Office of the Mayor / Serve DC – Notice of Funding Availability  
(K-12 Learn and Serve America School-Based Homeland Security Grants) ..... 2449-2450

Executive Office of the Mayor / Serve DC – Notice of Funding Availability  
(Learn and Serve America Community-Based Summer Mini-Grants)..... 2451-2452

Dept. of Health / Medical Assistance Administration – Public Meeting – April 6, 2007  
To Obtain Input on the Establishing and Implementing of the Preferred Drug List  
(PDL) for the District of Columbia..... 2453

D.C. Housing Finance Agency – R Street Apartments Project  
Notice of Intent to Issue Bonds..... 2454

Department of Human Services – Soliciting Public's Input on the State's  
Application for Part C Services as Mandated by the Individuals with  
Disabilities Education Act (IDEA) ..... 2455

Ideal Academy Public Charter School – Request for Proposals  
(Construction Services)..... 2456

Lighthouse Academies, Inc. – Request for Proposals  
(Computer (Technology) Equipment) .....2457

Office of the Secretary – Appointments and Reappointments  
(Notaries Public in the District of Columbia, Effective March 15, 2007) .....2458-2464

Serve DC – Grant Review Opportunity  
(Individuals to Review Proposals for Two 2007 Learn and Serve America Mini-Grant  
Funding Competitions) .....2465-2466

Board of Zoning Adjustment – Summary Order  
Application No. 17544 of the National Child Research Center  
(3209 Highland Place, N.W., Square. 2072, Lot 30) .....2467-2471

**ACTIONS OF THE EXECUTIVE BRANCH AND INDEPENDENT AGENCIES (CONT'D)**

**NOTICES, OPINIONS, AND ORDERS (CONT'D)  
BOARDS, COMMISSIONS, AND AGENCIES (CONT'D)**

Board of Zoning Adjustment – Summary Order  
Application No. 17553 of Naun Segovia (1327 Euclid St., N.W.,  
Square 2861, Lot 4, 76, and 77) .....2472-2474

Board of Zoning Adjustment – Summary Order  
Application No. 17570 of Inglebrook Group, (122 15<sup>th</sup> St., N.E.,  
Square 1056, Lot 81) .....2475-2477

Board of Zoning Adjustment – Summary Order  
Application No. 17573 of Frederick D. Dorsey (7708 12<sup>th</sup> St., N.W.,  
Square 2958, Lot 45) .....2478-2480

Board of Zoning Adjustment – Summary Order  
Application No. 17576 of Richard Housler and Den-Ny Hwang,  
(706 East Capitol St., N.E., Square 897, Lot 804) .....2481-2483

Board of Zoning Adjustment – Notice of Filing  
(Application 17633 from Jonathan Moore on Behalf of the Government of the  
Republic of Montenegro) for Chancery Use in the DC/SP-1 District at Premises  
1610 New Hampshire Ave., N.W., Square 134, Lot 141) .....2484

Office of Documents and Administrative Issuances – Publications Price List .....2485-2486