

AN ACT

*Codification
District of
Columbia
Official Code*

2001 Edition

2011 Fall
Supp.

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To authorize, on an emergency basis, the Chief Financial Officer, in consultation with the Mayor, to close District Department of Transportation capital projects if funds have been obligated or expended in excess of their approved budgets, or if the projects have been inactive for at least 12 months, or have been closed by the United States Department of Transportation and continue to have an open balance.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "District Department of Transportation Capital Project Review and Reconciliation Emergency Act of 2011".

Sec. 2. Definitions.

For the purposes of this act, the term:

- (1) "CFO" means the Chief Financial Officer.
- (2) "Director of Capital Programs" means the Director of Capital Programs within the Office of Budget and Planning of the Office of the Chief Financial Officer.
- (3) "Local Streets Ward-based capital projects" means the District Department of Transportation's 8 Local Streets Ward-Based capital projects (Project No. SR301-SR308) that endeavor to preserve, maintain, repair, or replace the District's sidewalks, curbs, and local roads.
- (4) "Inactive" means that no non-personal service funds have been obligated or expended for the capital project during the preceding calendar months.

Sec. 3. Criteria for closing capital projects.

- (a) For any capital project funded from revenues in the Local Transportation Fund, the CFO, in consultation with the Mayor, may close the project if it:
 - (1) Has obligated or expended funds in excess of its approved budget; or
 - (2) Has been inactive for 12 months or more.
- (b) For any capital project funded from revenues in the Highway Trust Fund, the CFO, in consultation with the Mayor and the Federal Highway Administration Division, may close the project if it:

- (1) Has been closed by the United States Department of Transportation;
 - (2) Has an open balance of:
 - (A) An amount of \$500,000 or more, and has been inactive for 12 months;
 - (B) Between \$50,000 and \$499,999, and has been inactive for 24 months; or
 - (C) Less than \$50,000, and has been inactive for 36 months; or
 - (3) Has obligated or expended funds in excess of its approved budget.
- (c) If a capital project has a budget allotment in excess of its budget authority, the CFO, in consultation with the Mayor, may adjust the allotment to match the correct budget authority.
- (d) The CFO may delegate the authority granted to him or her by this section to the Director of Capital Programs.

Sec. 4. Use of funds resulting from closure.

- (a) Funds resulting from the closure of capital projects pursuant to section 3(a) shall be allocated equally among the Local Streets Ward-based capital projects.
- (b) Funds resulting from the closure of capital projects pursuant to section 3(b) shall be allocated to the capital projects approved by the Council of the District of Columbia in the Fiscal Year 2012 Budget Request Act of 2011, passed on 1st reading on May 25, 2011 (Enrolled version of Bill 19-202; 58 DCR __).

Sec. 5. Quarterly summary.

The CFO shall submit to the Mayor and the Council a quarterly summary of all capital project closures conducted pursuant to this act.

Sec. 6. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 7. Effective date.

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

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

Chairman
Council of the District of Columbia

Mayor
District of Columbia