



**MURIEL BOWSER**  
**MAYOR**

July 9, 2020

The Honorable Phil Mendelson  
Chairman  
Council of the District of Columbia  
1350 Pennsylvania Ave., NW, Suite 402  
Washington, D.C. 20004

Dear Chairman Mendelson:

Enclosed for consideration and approval by the Council of the District of Columbia is the "Washington Metropolitan Area Transit Authority Fiscal Year 2021 Local Capital Funding Agreement Emergency Act of 2020" ("Contract"). The emergency bill will authorize the Mayor to amend an existing local capital funding agreement with Washington Metropolitan Area Transit Authority ("WMATA") to use \$ 95,116,884 in additional funds paid by the District to finance WMATA's Fiscal Year 2021 Annual Work Plan.

Council action is necessary to approve the Contract, which totals an amount of \$ 95,116,884 for the period from July 1, 2020 through June 30, 2021.

The agency Chief Financial Officer has certified that funding is available for FY 2020.

As always, I am available to discuss any questions you may have regarding this Contract. In order to facilitate a response to any questions, please have your staff contact District Department of Transportation Director Jeff Marootian at (202) 671-2317.

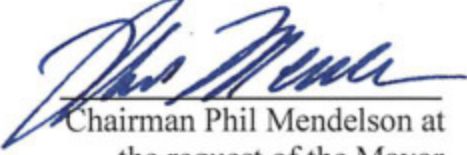
I urge you to take prompt and favorable action regarding the enclosed legislation.

Sincerely,

A handwritten signature in black ink, appearing to read "Muriel Bowser", written over a horizontal line.

Muriel Bowser

Enclosures  
MEB/jmm

  
Chairman Phil Mendelson at  
the request of the Mayor

A BILL

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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To approve, on an emergency basis, a Capital Funding Agreement with the Washington Metropolitan Area Transit Authority (WMATA) to provide capital funding for a capital improvement program during WMATA fiscal year 2021.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,

That this bill may be cited as the “Washington Metropolitan Area Transit Authority Fiscal Year 2021 Capital Funding Agreement Emergency Act of 2020”.

Sec. 2. Pursuant to section 451(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51(c)(3)), the Council approves the First Amendment to the Washington Metropolitan Area Transit Authority Fiscal Year 2020 Capital Funding Agreement. The Mayor submitted on June XX, 2020 a capital funding agreement with the Washington Metropolitan Area Transit Authority (“WMATA”), the District; the State of Maryland; Arlington County, Virginia; Fairfax County, Virginia; Loudoun County, Virginia; the City of Alexandria, Virginia; the City of Fairfax, Virginia; and the City of Falls Church, Virginia (“Contributing Jurisdictions”) to provide capital funding for a one year period to a capital improvement program for the Washington Metro System from July 1, 2020 to June 30, 2021.

1 (b) The Council approves the maximum total expenditure under this one-year  
2 contract with WMATA and the Contributing Jurisdictions in the amount of \$95,116,884,  
3 excluding Passenger Rail Investment and Improvement Act funding.

4 Sec. 3. The Council adopts the fiscal impact statement provided by the Chief  
5 Financial Officer as the fiscal impact statement required by section 4a of the General  
6 Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C.  
7 Official Code § 1-301.47a).

8 Sec. 4. This act shall take effect following approval by the Mayor (or in the event  
9 of veto by the Mayor, action by the Council to override the veto), and shall remain in effect  
10 for no longer than 90 days, as provided for emergency acts of the Council of the District of  
11 Columbia in section 412(a) of the District of Columbia Home Rule Act, approved  
12 December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

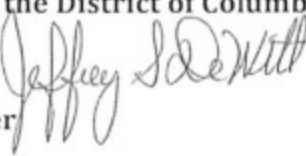
Government of the District of Columbia  
Office of the Chief Financial Officer



Jeffrey S. DeWitt  
Chief Financial Officer

**MEMORANDUM**

**TO:** The Honorable Phil Mendelson  
Chairman, Council of the District of Columbia

**FROM:** Jeffrey S. DeWitt  
Chief Financial Officer 

**DATE:** June 20, 2020

**SUBJECT:** Fiscal Impact Statement – Washington Metropolitan Area Transit  
Authority Fiscal Year 2021 Capital Funding Agreement Emergency Act  
of 2020

**REFERENCE:** Draft Introduction as provided to the Office of Revenue Analysis on  
May 29, 2020

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**Conclusion**

Funds are sufficient in the fiscal year 2020 budget and the proposed fiscal year 2021 through fiscal year 2024 budget and financial plan to implement the bill. The underlying funding agreement commits the District to contributing approximately \$95.1 million in capital funding to the Washington Metropolitan Area Transit Authority's (WMATA) 2021 fiscal year budget which begins on July 1, 2020.

**Background**

The District supports WMATA's capital project needs, along with the other member jurisdictions,<sup>1</sup> through two Capital Funding Agreements. The first is a multi-jurisdictional agreement among the District, WMATA, and the other member jurisdictions. The second is a local agreement between the District and WMATA that incorporates anti-deficiency restrictions on the District's financial commitments under the multi-jurisdictional agreement. The two agreements work in tandem to specify the District's required contributions and limit the District's obligations. The original 2010

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<sup>1</sup> Jurisdictions include the State of Maryland; Arlington County, Virginia; Fairfax County, Virginia; the City of Alexandria, Virginia; the City of Fairfax, Virginia; the City of Falls Church, Virginia; and, as newly included under this agreement, the County of Loudon, Virginia.

The Honorable Phil Mendelson

FIS: "Washington Metropolitan Area Transit Authority Fiscal Year 2021 Capital Funding Agreement Emergency Act of 2020," Draft Bill as provided to the Office of Revenue Analysis on May 29, 2020

agreements were extended through June 30, 2018<sup>2</sup> and have expired. Two new agreements for fiscal year 2020 will expire on June 30, 2020.

The bill approves an amendment to the WMATA fiscal year 2020 one-year multi-jurisdictional capital funding agreement<sup>3</sup> to fund WMATA for its fiscal year 2021, which runs from July 1, 2020 through June 30, 2021. The cost of the extension is \$95,116,884.<sup>4</sup>

A separate bill proposes an amendment to the fiscal year 2020 one-year local capital funding agreement.<sup>5</sup>

### **Financial Plan Impact**

Funds are sufficient in the fiscal year 2020 budget and the proposed fiscal year 2021 through fiscal year 2024 budget and financial plan to implement the bill. WMATA's 2021 fiscal year spans the final quarter of the District's fiscal year 2020 and the first three quarters of the District's fiscal year 2021. Since capital payments are made quarterly, the first payment will be made from fiscal year 2020 funds and the remainder will come from a \$323.5 million capital budget allotment included in the District's fiscal year 2021 proposed budget.

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<sup>2</sup> Third Amendment to the Washington Metropolitan Area Transit Authority Capital Funding Agreement Emergency Act of 2018, effective July 20, 2018 (D.C. Act 22-422; 65 DCR 7699).

<sup>3</sup> Washington Metropolitan Area Transit Authority Fiscal Year 2020 Capital Funding Agreement Emergency Act of 2019, effective October 29, 2019 (D.C. Act 23-146; 66 DCR 14344).

<sup>4</sup> This new agreement brings the total value of capital funding agreements to \$828,565,884 from July 1, 2010 through June 30, 2021.

<sup>5</sup> Washington Metropolitan Area Transit Authority Fiscal Year 2021 Local Capital Funding Agreement Emergency Act of 2020.

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
OFFICE OF THE ATTORNEY GENERAL



Legal Counsel Division

MEMORANDUM

TO: Ronan Gulstone  
Executive Director  
Office of Policy and Legislative Affairs

FROM: Brian K. Flowers  
Deputy Attorney General  
Legal Counsel Division

DATE: June 18, 2020

SUBJECT: Legal Sufficiency Review of the "Washington Metropolitan Area  
Transit Authority Fiscal Year 2021 Capital Funding Agreement  
Emergency Act of 2020" and an Accompanying Emergency  
Declaration Resolution  
(AE-20-491)

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**This is to Certify** that this Office has reviewed the "Washington Metropolitan Area Transit Authority Fiscal Year 2021 Capital Funding Agreement Emergency Act of 2020" and an accompanying Emergency Declaration Resolution on the same subject, and found them to be legally unobjectionable. If you have any questions in this regard, please do not hesitate to call me at 724-5524.

*Brian K. Flowers*

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Brian K. Flowers

BKF/arh