


COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE OF THE WHOLE
1350 Pennsylvania Avenue, NW
Washington, DC 20004

MEMORANDUM

TO: Nyasha Smith, Secretary to the Council

FROM: Phil Mendelson, Chairman 

DATE: June 24, 2021

RE: **Request to Agendize Emergency Measures for the June 29, 2021 Legislative Meeting**

The following measures are placed on the agenda for the June 15, 2021 Legislative Meeting:

- **Washington Metropolitan Area Transit Authority Fiscal Years 2022 to 2027 Capital Funding Agreement Emergency Declaration Resolution of 2021**
- **Washington Metropolitan Area Transit Authority Fiscal Years 2022 to 2027 Capital Funding Agreement Emergency Act of 2021**
- **Washington Metropolitan Area Transit Authority Fiscal Years 2022 to 2027 Local Capital Funding Agreement Emergency Declaration Resolution of 2021**
- **Washington Metropolitan Area Transit Authority Fiscal Years 2022 to 2027 Local Capital Funding Agreement Emergency Act of 2021**

These contracts would approve a new capital funding agreement (CFA) with the Metropolitan Washington Area Transit Authority member jurisdictions to finance WMATA's Fiscal Years 2022 through 2027 Annual Work Plan in the amount of \$631,346,120.

The District previously entered into an agreement with WMATA for local capital funding specific capital projects for FY 2010 through FY 2015 which was subsequently extended through June 30, 2019. Last year, a one-year Capital Funding agreement was created for funding capital projects for FY 2020, which was further extended through FY 2021 to give the member jurisdictions time to work out a long-term capital funding agreement to begin in FY 2022. This Capital Funding agreement provides for the six-year agreement for funding capital projects from FY 2022 through FY 2027. WMATA is obligated to use the funding to rehabilitate and maintain the WMATA transit system and to replace rail cars, buses, and other key transit assets to avert a transportation crisis threatening the continued health and vitality of the transit system and jeopardizing the public investment.

The two emergency bills are similar. The Local CFA contract is substantively identical to the provisions of the underlying "CFA". The Local CFA contract ensures that the District's federal and local anti-deficiency act restrictions take priority over any provision of the CFA, setting a hard cap on the District's financial obligations. The two contracts, taken together, are the vehicle for approving capital funding for WMATA in the past.

Draft copies of the measures are attached. Please contact me or Evan Cash at 724-7002 if you have any questions.

cc: All Councilmembers
Council Officers