A BILL

24-361

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

To adjust, on a temporary basis, certain allocations in the Fiscal Year 2021 Local Budget Act of 2020 to maintain a balanced budget for the fiscal year ending September 30, 2021.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Fiscal Year 2021 Revised Local Budget and COVID Relief Adjustment Temporary Act of 2021”.

Sec. 2. The appropriations set forth in the Fiscal Year 2021 Local Budget Act of 2020, effective October 20, 2020 (D.C. Law 23-136; 67 DCR 13201), are increased by $197,535,089(including ($101,617,982) in local funds and $299,153,071 in federal payment funds for COVID relief, to be allocated as follows:

**Governmental Direction and Support**

The appropriation for Governmental Direction and Support is increased by $13,423,025 (including, ($6,081,287) in local funds and $19,504,312 in federal payment funds for COVID relief), to be allocated as follows:

(1) Board of Elections. – $119,680 is added to local funds;

(2) Contract Appeals Board. – ($900) is rescinded from local funds;

(3) Department of General Services. – $18,733,000 is added (including $533,000 to local funds and $18,200,000 to federal payment funds for COVID relief); and

(4) Department of Human Resources. – ($494,387) is rescinded from local funds;

(5) Mayor’s Office of Legal Counsel – ($77,006) is rescinded from local funds;

(6) Office of Contracting and Procurement. – $2,060,514 is added (including $756,202 to local funds and $1,304,312 to federal payment funds for COVID relief);

(7) Office of Disability Rights. – ($54,203) is rescinded from local funds;

(8) Office of Risk Management. – ($200,520) is rescinded from local funds;

(9) Office of the Attorney General for the District of Columbia. – ($2,982,299) is rescinded from local funds;

(10) Office of the Chief Financial Officer. – $120,951 is added to local funds;

(11) Office of the Chief Technology Officer. – ($3,250,870) is rescinded from local funds;

(12) Office of the City Administrator. – ($230,658) is rescinded from local funds;

(13) Office of the Inspector General. – ($212,000) is rescinded from local funds;

(14) Office of Veterans Affairs. – ($39,381) is rescinded from local funds; and

(15) Public Employee Relations Board. – ($68,896) is rescinded from local funds.

**Economic Development and Regulation**

The appropriation for Economic Development and Regulation is increased by $151,776,882 (including ($6,855,697) in local funds and $238,632,579 in federal payment funds for COVID relief), to be allocated as follows:

(1) Department of Housing and Community Development. – ($487,052) is rescinded from local funds;

(2) Department of Small and Local Business Development. – ($362,670) is rescinded from local funds;

(3) Housing Authority Subsidy. – ($5,604,549) is rescinded from local funds;

(4) Housing Production Trust Fund Subsidy. – $156,731,579 is added in federal payments for COVID relief;

(4) Office of Cable Television, Film, Music, and Entertainment. – ($123,814) is rescinded from local funds;

(5) Office of the Deputy Mayor for Planning and Economic Development. – $81,973,130 is added (including $72,130 to local funds and $81,901,000 is added to federal payment funds for COVID relief);

(6) Office of the Tenant Advocate. – ($153,817) is rescinded from local funds;

(7) Office of Zoning. – ($87,907) is rescinded from local funds; and

(8) Rental Housing Commission – ($108,018) is rescinded from local funds.

**Public Safety and Justice**

The appropriation for Public Safety and Justice is decreased by ($38,154,577) (including ($38,220,757) in local funds and $66,180 added in federal payments for COVID relief), to be allocated as follows:

(1) Corrections Information Council. – ($41,263) is rescinded from local funds;

(2) Criminal Code Reform Commission. – ($4,212) is rescinded from local funds;

(3) Department of Corrections. – ($46,750) is rescinded from local funds;

(4) Department of Forensic Sciences. – ($975,024) is rescinded from local funds;

(5) Department of Youth Rehabilitation Services. – ($2,189,164) is rescinded from local funds;

(5) District of Columbia National Guard. – ($120,455) is rescinded from local funds;

(6) Fire and Emergency Medical Services Department. – ($29,150,000) is rescinded from local funds;

(7) Metropolitan Police Department. – ($3,000,532) is rescinded from local funds;

(8) Office of Administrative Hearings. – ($263,155) is rescinded from local funds;

(9) Office of Human Rights. – ($563,046) is rescinded from local funds;

(10) Office of Neighborhood Safety and Engagement. – $105,500 is added to local funds;

(11) Office of the Chief Medical Examiner. – ($146,404) is rescinded from local funds;

(12) Office of Unified Communications. – ($843,098) is rescinded from local funds;

(13) Office of Victim Services and Justice Grants. – ($983,154) is rescinded from local funds; and

(14) Office on Returning Citizen Affairs. – $66,180 is added in federal payments for COVID relief.

**Public Education System**

The appropriation for Public Education System is increased by increased by $17,897,635 (including ($9,011,365) in local funds and $36,909,000 in federal payment funds for COVID relief), to be allocated as follows:

(1) Department of Employment Services. –$3,282,613 is added (including ($1,776,387) rescinded from local funds and $5,059,000 added to federal payments for COVID relief);

(2) Department of Parks and Recreation. – ($770,868) is rescinded from local funds;

(3) District of Columbia Public Charter School Board. – $2,330,000 is added to local funds;

(4) District of Columbia Public Charter Schools. – $29,124,562 is added (including 9,124,562 to local funds and $20,000,000 to federal payments for COVID relief);

(5) District of Columbia Public Library. – ($3,321,568) is rescinded from local funds;

(6) District of Columbia State Athletics Commission. – ($57,078) is rescinded from local funds;

(7) Office of the Deputy Mayor for Education. – $1,421,306 is added (including ($178,694) rescinded from local funds and $1,600,000 added in federal payments for COVID relief);

(8) Office of the State Superintendent of Education. – $2,349,471 is added (including ($7,650,529) rescinded from local funds; and $10,000,000 to federal payment funds for COVID relief);

(9) Special Education Transportation. – ($5,650,803) is rescinded from local funds;

(10) State Board of Education. – ($60,000) is rescinded from local funds; and

(11) University of the District of Columbia Subsidy Account. – ($750,000) is rescinded (including ($1,000,000) rescinded from local funds and $250,000 added in federal payments for COVID relief).

**Human Support Services**

The appropriation for Human Support Services is decreased by ($146,803,490) in local funds, to be allocated as follows:

(1) Child and Family Services Agency. – ($7,805,670) is rescinded from local funds;

(2) Department of Aging and Community Living. – ($404,065) is rescinded from local funds;

(3) Department of Behavioral Health. – ($4,250,953) is rescinded from local funds;

(4) Department of Health. – ($4,350,763) is rescinded from local funds;

(5) Department of Health Care Finance. – ($95,846,306) is rescinded from local funds;

(5) Department of Human Services. – ($8,887,024) is rescinded from local funds;

(6) Department on Disability Services. – ($8,159,260) is rescinded from local funds;

(7) Medicaid Reserve. – ($17,000,000) is rescinded from local funds; and

(8) Office of Deputy Mayor for Health and Human Services. – ($-99,449) is rescinded from local funds.

**Operations and Infrastructure**

The appropriation for Operations and Infrastructure is decreased by ($507,947) including ( 201,053 in local funds and $41,000 in federal payment funds for COVID relief), to be allocated as follows:

(1) Department of Consumer and Regulatory Affairs – $4,565,828 is added to local funds;

(2) Department of Energy and Environment. – ($4,299,386) is rescinded (including ($4,299,386) from local funds and $41,000 added to federal payment funds for COVID relief); provided, that all funds deposited, without regard to fiscal year, into the Lead Service Line Replacement Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2021;

(3) Department of For-Hire Vehicles. – $1,095,754 is added to local funds;

(4) Department of Insurance, Securities, and Banking, – $141,705 is added to local funds;

(5) Department of Motor Vehicles. - $331,200 is added to local funds;

(6) Department of Public Works. – ($1,103,490) is rescinded from local funds;

(7) Department of Transportation. - ($1,099,572) is rescinded from local funds; and

(8) Office of the Deputy Mayor for Operations and Infrastructure. – ($180,986) is rescinded from local funds.

**Financing and Other**

The appropriation for Financing and Other is increased by $109,903,561 (including $105,903,561 in local funds and $4,000,000 in federal payments for COVID relief), to be allocated as follows:

(1) Commercial Paper Program. – ($2,100,000) is rescinded from local funds

(2) Convention Center Transfer. – $15,000,000 is added to local funds;

(3) Non-Departmental Account. – $5,000,000 is added (including $1,000,000 to local funds and $4,000,000 to federal payment for COVID relief);

(4) Pay-As-You-Go Capital Fund. – $4,527,000 is added to local funds;

(5) Repay Emergency and Contingency Reserve Funds. – $55,664,408 is added to local funds;

(6) Settlements and Judgements. – ($2,000,000) is rescinded from local funds; and

(7) Workforce Investments Account. - $33,812,153 is added to local funds.

Sec. 3. Remaining Fiscal Year 2021 unexpended revenue of $106,699,336 shall be carried over into Fiscal Year 2022 as fund balance and shall be available as set forth in the approved Fiscal Year 2022 Budget and Financial Plan.

Sec. 4. (a) Notwithstanding any provision of law limiting the use of the Universal Paid Leave Fund (“Fund”), established by section 1152 of the Universal Paid Leave Implementation Fund Act of 2016, effective October 8, 2016 (D.C. Law 21-160; D.C. Official Code § 32-551.01), the Chief Financial Officer shall transfer in Fiscal Year 2021 the following amounts from certified fund balances and other revenue in the Fund:

(1) $49,000,000 to the District Unemployment Fund, established by section 2 of the District of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 946; D.C. Official Code § 51-102); and

(2) $ 42,409,437 to the General Fund of the District of Columbia.

(b) Notwithstanding any provision of law limiting the use of funds in the accounts listed in D.C. Official Code § 47-392.02(j-5)(1) and (2), the amounts deposited and committed to those accounts pursuant to D.C. Official Code § 47-392.02(j-5) in Fiscal Year 2021, based on the Comprehensive Annual Financial Report for Fiscal Year 2020, shall, after such deposits and commitments have been made, be transferred by the Chief Financial Officer before September 30, 2021 to the unassigned balance of the General Fund of the District of Columbia.

(c) The amounts identified in subsections (a) and (b) of this section shall be made available as set forth in the approved Fiscal Year 2022 Budget and Financial Plan.

Sec. 5. Designated fund transfers.

(a) Notwithstanding any provision of law limiting the use of funds in the accounts listed in the following chart, the Chief Financial Officer shall transfer in Fiscal Year 2021 the following amounts from certified funds and other revenue in the identified accounts to the unassigned fund balance of the General Fund of the District of Columbia:

|  |  |  |  |
| --- | --- | --- | --- |
| Agency Code | Fund Detail | Fund Name | FY21 |
| AG0 | 602 | Lobbyist Fund | 235,063 |
| AM0 | 2225 | West End Library/Firehouse Maintenance | 222,678 |
| AT0 | 606 | Recorder of Deeds Surcharge | 1,587,489 |
| BG0 | 1111 | Disability Compensation Fund | 6,674,750 |
| CF0 | 619 | DC Jobs Trust Fund | 158,008 |
| CJ0 | 1121 | Fair Elections Fund | 668,173 |
| CR0 | 6008 | Real Estate Guaranty and Education Fund | 352,749 |
| CR0 | 6009 | Real Estate Appraisal Fee | 101,041 |
| DB0 | 602 | HPAP-Repay | 103,550 |
| EB0 | 609 | Industrial Revenue Bond Program | 455,646 |
| EN0 | 632 | Small Business Access to Capital Access Fund | 167,338 |
| GA0 | 640 | DC Non-Profit School Food Service | 525,000 |
| GD0 | 618 | Student Residency Verification | 91,162 |
| GD0 | 620 | Child Development Facilities | 180,248 |
| HA0 | 602 | Enterprise Fund Account | 402,388 |
| HC0 | 649 | Health Facility Fee | 12,534 |
| HC0 | 673 | DOH Regulatory Enforcement Fund | 13,963 |
| HC0 | 612 | Animal Control Dog License Fees | 14,449 |
| HC0 | 612 | Food Handlers Certification | 183,887 |
| HC0 | 110 | Nursing Home Quality of Care | 318,190 |
| HC0 | 614 | Adjudication Fines | 32,840 |
| HC0 | 632 | Pharmacy Protection | 30,923 |
| HC0 | 643 | Board of Medicine | 2,487,363 |
| HC0 | 661 | ICF/MR Fees and Fines | 239,376 |
| HT0 | 631 | Medicaid – Third Party Liability | 129,101 |
| HT0 | 632 | Bill of Rights – Grievance/Appeals | 692,366 |
| KA0 | 6000 | General O-Type Revenue Sources | 331,180 |
| LQ0 | 110 | MPD Reimbursable Subsidy Program | 650,000 |
| RJ0 | 640 | Subrogation Fund | 737,812 |
| RJ0 | 1240 | Captive Insurance Fund | 580,509 |
| SR0 | 2350 | Securities and Banking Fund | 1,444,934 |
| TO0 | 602 | DC Net Services Support | 181,835 |
| TO0 | 1200 | SERV US Program | 48,761 |
| UL0 | 622 | Universal Paid Leave Fund | 54,886,145 |
| VA0 | 600 | Office of Veterans Affairs Fund | 15,000 |
|  |  | **Total** | **$74,956,451** |

(b) The total amount identified in subsection (a) of this section shall be made available as set forth in the approved Fiscal Year 2022 Budget and Financial Plan.

Sec. 6. Capital project reallocations.

In Fiscal Year 2021, the Chief Financial Officer shall rescind or adjust capital project allotments as set forth in the following tabular array, with the savings to be used in accordance with the Fiscal Year 2022 Local Budget Act of 2021, passed on 1st reading on July 20, 2021 (Engrossed version of Bill 24-275):

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Owner Agency** | **Project No** | **Project Title** | **Fund Detail** | **Total** |
| **AM0** | **PL902C** | CRITICAL SYSTEM REPLACEMENT | 300 | 713,000 |
|  | **PL901C** | ENERGY RETROFITTING OF DISTRICT BUILDING | 300 | 1,000,000 |
|  | **PL602C** | ROOF REPLACEMENT POOL | 300 | (401,000) |
|  | **PL601C** | HVAC REPAIR RENOVATION POOL | 300 | (200) |
|  | **PL108C** | BIG 3 BUILDINGS POOL | 300 | (56,004) |
|  | **PL105C** | ARCHIVES RECORDER OF DEEDS | 300 | (24,562) |
|  | **PL104C** | ADA COMPLIANCE POOL | 300 | (34,287) |
|  | **PL101C** | SHELTER AND TRANSITIONAL HOUSING POOL | 300 | (219,800) |
|  | **DLY19C** | DALY BUILDING REHABILITATION - PHASE ONE | 300 | (1,000,000) |
|  | **DCHSEC** | NEW HOSPITAL PROJECT PUBLIC PARKING STRU | 309 | (128,348) |
|  | **BRM04C** | MARION S. BARRY, JR. BUILDING | 300 | (1,121) |
|  | **BC101C** | FACILITY CONDITION ASSESSMENT | 300 | 1,000,000 |
| **CE0** | **LAR37C** | LAMOND RIGGS LIBRARY | 300 | 250,000 |
| **CF0** | **PFL08C** | PAID FAMILY LEAVE IT APPLICATION | 304 | (2,000,000) |
| **EB0** | **SC216C** | CRUMMELL SCHOOL\_CONSTRUCTION- REDEVELOPM | 300 | (1,600,000) |
|  | **EB015C** | LINCOLN HEIGHTS, RICHARDSON DWELLINGS | 300 | (850,346) |
| **FA0** | **PLT10C** | CRIME FIGHTING TECHNOLOGY | 300 | (838,997) |
| **FB0** | **20630C** | FIRE APPARATUS | 300 | (4,800) |
| **FR0** | **DIG19C** | FORENSIC EVIDENCE DIGITAL STORAGE | 304 | (1,000,000) |
| **GA0** | **YY1MLC** | MILITARY ROAD SCHOOL MODERNIZATION/RENO | 300 | (867) |
| **HA0** | **QG638C** | KENILWORTH PARKSIDE RECREATION CENTER | 300 | (1,269) |
|  | **QE834C** | SMALL PARK IMPROVEMENTS | 300 | 70,000 |
| **HY0** | **DHA21C** | DEVELOPMENT AND REHABILITATION - DCHA | 309 | 650,050 |
| **JA0** | **THK22C** | SINGLES SHELTER REPLACEMENT/SEASONAL SHE | 300 | 6,000,000 |
| **KA0** | **MRR00A** | MAJOR REHABILITATION, RECONSTRUCTION; | 385 | 14,499,408 |
|  | **LMEQUC** | EQUIPMENT | 304 | 1,291,631 |
|  | **LMALLC** | ALLEYS | 330 | 271,738 |
|  | **CE302C** | EQUIPMENT MAINTENENCE | 300 | (164,862) |
|  | **CE302C** | EQUIPMENT MAINTENENCE | 304 | (406,034) |
|  | **CE302C** | EQUIPMENT MAINTENENCE | 330 | (271,738) |
|  | **BR005C** | H STREET BRIDGE | 385 | 25,000,000 |
|  | **6EQ05C** | PARKING METERS | 304 | (500,000) |
| **KT0** | **CP201C** | COMPOSTING FACILITY | 300 | (315) |
| **PO0** | **DWB03C** | PROCUREMENT SYSTEMS | 304 | (164) |
| **TO0** | **ZB141C** | HUMAN RESOURCES APPLICATION SECURITY INI | 300 | (873) |
|  | **ZB141C** | HUMAN RESOURCES APPLICATION SECURITY INI | 303 | (1,501) |
|  | **ZB141C** | HUMAN RESOURCES APPLICATION SECURITY INI | 304 | (3) |
|  | **ZA143C** | IT GIS MANAGEMENT | 300 | (109,911) |
|  | **NMM17C** | ENTERPRISE NETWORK MONITORING MODERNIZAT | 300 | (2,284) |
|  | **N9001C** | NEXT GENERATION DATA CENTER ARCHITECTURE | 300 | (30,593) |
|  | **N6002C** | TRANSPORTATION INFRASTRUCTURE MODERNIZAT | 300 | (326,104) |
|  | **N6002C** | TRANSPORTATION INFRASTRUCTURE MODERNIZAT | 304 | (2,063) |
|  | **N3802C** | PROCURMENT SYSTEM | 300 | (372) |
|  | **N3802C** | PROCURMENT SYSTEM | 304 | (172) |
|  | **N3102C** | DATA MANAGEMENT AND PUBLICATION PLATFORM | 300 | (41,319) |
|  | **N2503C** | DATA CENTER RELOCATION-GO BOND | 304 | (7,129) |
|  | **N1601B** | DCWAN | 300 | (4,402) |
|  | **N1601B** | DCWAN | 304 | (11,220) |
|  | **EQ103C** | CREDENTIALING AND WIRELESS | 300 | (108,696) |
|  | **EAP20C** | PEOPLESOFT ENTERPRISE DATA RECLAMATION | 304 | (276,786) |
|  | **AB115C** | ARCHIVES BUILDING | 300 | (553,005) |
| **UC0** | **PL403C** | UNDERGROUND COMMERCIAL POWER FEED TO UCC | 300 | (265,272) |
| **Grand Total** |  |  |  | **39,499,408** |

Sec. 7. Adult and residential public charter school funding conformity.

(a) Notwithstanding section 2401(b)(3)(B)(i) of the School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321-136; D.C. Official Code § 38-1804.01(b)(3)(B)(i)), in Fiscal Year 2021 the Public Charter School Board (“PCSB”) shall transmit $1.33 million to Maya Angelou Public Charter School (“school”), which shall be in addition to any funds transmitted to the school pursuant to the Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code § 38-2901 et seq.).

(b) PCSB shall transfer the funds authorized pursuant to subsection (a) of this section to the school or to a bank designated by the school within 30 days after the effective date of the Fiscal Year 2021 Supplemental Budget Support Act of 2021.

Sec. 8. Pay freeze repeal.

(a) The Balanced Budget and Financial Plan Freeze on Salary Schedules, Benefits, and Cost-of-Living Adjustments Act of 2020, effective December 3, 2020 (D.C. Law 23-149; 67 DCR 10497), is repealed.

(b) The text appearing under the heading “Revised Revenue Estimate” in section 2 of the Fiscal Year 2021 Local Budget Act of 2020, effective October 20, 2020 (D.C. Law 23-136; 67 DCR 1049), is repealed.

Sec. 9. District Government Employee Pay Schedules Approval.

(a) Pursuant to sections 858, 956, 1052, 1105, 1106, and 1111 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code §§ 1-608.58, 1-609.56, 1-610.52, 1-611.05, 1-611.06, and 1-611.11), the Council approves the proposed Fiscal Year 2021 cost-of-living and pay-parity salary increases for the non-union Career, Excepted, Management Supervisory, Legal, and Executive Services employees; Educational Service employees of the Office of the State Superintendent of Education; and non-instructional and “When-Actually-Employed” (WAE) instructional Educational Service employees of the District of Columbia Public Schools set forth in the pay schedules transmitted by the Mayor as part of the Fiscal Year 2021 District Government Employee Pay Schedules Emergency Approval Resolution of 2021, as introduced on July 9, 2021 (P.R. 24-332).

(b) The compensation system changes approved by this act do not apply to:

(1) Former employees; and

(2) Employees of the Board of Trustees of the University of the District of Columbia.

(c) The compensation system changes approved by this act shall apply to compensation beginning October 11, 2020, and may be paid in a lump sum prior to the close of Fiscal Year 2021.

Sec. 10. Notwithstanding the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq*.), in Fiscal Year 2021, the Public Charter School Board shall have grant-making authority to provide a $1,000,000 grant to Building Pathways – Charter School Incubator Initiative for the purpose of replacing the HVAC system at the Patricia R. Harris Educational Center school building.

Sec. 11. (a) The Washington Convention and Sports Authority (“Events DC”) shall administer a grant to support a museum geared toward youth and science in the Downtown Business Improvement District established by Section 201 of the Business Improvement Districts Act of 1996, effective May 29, 1996 (D.C. Law 11-134; D.C. Official Code § 2-1215.51).

(b) In Fiscal Year 2021, of the funds allocated to the Non-Departmental Account, $1,000,000 shall be transferred to Events DC to use for the grant authorized by subsection (a) of this section.

(c) A grant awarded pursuant to this section shall be in addition to any other grant awarded by Events DC in support of a museum geared toward youth and science.

Sec. 12. 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. 13. 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), 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)), and publication in the District of Columbia Register.

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