

**COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE OF THE WHOLE
COMMITTEE REPORT**

1350 Pennsylvania Avenue, NW, Washington, DC 20004

DRAFT

TO: All Councilmembers

FROM: Chairman Phil Mendelson
Committee of the Whole

DATE: November 15, 2022

SUBJECT: Report on Bill 24-124, the “WMATA Board of Directors Amendment Act of 2021”

The Committee of the Whole, to which Bill 24-124, the “WMATA Board of Directors Amendment Act of 2021” was referred, reports favorably thereon, and recommends approval by the Council.

CONTENTS

I.	Background and Need.....	1
II.	Legislative Chronology.....	2
III.	Position of the Executive	2
IV.	Comments of Advisory Neighborhood Commissions	2
V.	Summary of Testimony.....	2
VI.	Impact on Existing Law	2
VII.	Racial Equity Impact.....	3
VIII.	Fiscal Impact.....	3
IX.	Section-by-Section Analysis.....	3
X.	Committee Action.....	3
XI.	Attachments	3

I. BACKGROUND AND NEED

Bill 24-124, the “WMATA Board of Directors Amendment Act of 2022,” was introduced by Chairman Mendelson on March 1, 2021 and referred to the Committee of the Whole. The purpose of Bill 24-124 is to revise the requirements for appointment and service on the Washington Metropolitan Area Transit Authority Board of Directors.

The Washington Metropolitan Area Transit Authority (WMATA) Board of Directors determines agency policy and provides oversight for the funding, operation, and expansion of transit facilities within the Transit Zone. The Metro Board of Directors is composed of eight voting and eight alternate directors. Maryland, the District of Columbia, Virginia, and the federal government appoint two voting and two alternate directors each.

At the hearing, Chairman Mendelson noted that several WMATA Board appointees have failed to complete a full term on the Board, thereby creating a need for the Council to be able to act quickly to fill vacant seats. Bill 24-124 ensures that the Council is able to appointee Board

members based on relevant expertise related to transit, and by eliminating term limits for Board appointees, helps to ensure that individuals who are dedicated to improving the WMATA system are not arbitrarily prevented from continuing participation on the Board.

II. LEGISLATIVE CHRONOLOGY

- March 1, 2021 Bill 24-124, the “WMATA Board of Directors Amendment Act of 2022” is introduced by Chairman Mendelson.
- March 2, 2021 Bill 24-124 is referred to the Committee of the Whole.
- March 5, 2021 Notice of Intent to Act on Bill 24-124 is published in the *DC Register*.
- September 2, 2022 Notice of the public hearing is published in the *DC Register*.
- October 6, 2022 The Committee of the Whole holds a public hearing on Bill 24-124.
- November 15, 2022 The Committee of the Whole marks-up Bill 24-124.

III. POSITION OF THE EXECUTIVE

The Committee received no testimony or comments from the Executive on Bill 24-124.

IV. COMMENTS OF ADVISORY NEIGHBORHOOD COMMISSIONS

The Committee received no testimony or comments from any Advisory Neighborhood Commission on Bill 24-124.

V. SUMMARY OF TESTIMONY

The Committee of the Whole held a public hearing on Bill 24-124 on October 6, 2022. The Committee received no testimony related to the bill.

VI. IMPACT ON EXISTING LAW

This bill amends Washington Metropolitan Area Transit Authority Board of Directors Act of 2012 to repeal all references to term limits.

VII. RACIAL EQUITY IMPACT

VIII. FISCAL IMPACT

According to the _____ fiscal impact statement from the Chief Financial Officer, Bill 24-124 will have a fiscal impact of _____ in the first fiscal year of applicability and _____ over the financial plan. The costs are due to _____.

IX. SECTION-BY-SECTION ANALYSIS

<u>Section 1</u>	States the short title of Bill 24-124.
<u>Section 2</u>	Amends the Washington Metropolitan Area Transit Authority Board of Directors Act of 2012 to repeal all references to term limits
<u>Section 3</u>	Adopts the Fiscal Impact Statement
<u>Section 4</u>	Establishes the effective date by stating the standard 30-day Congressional review language.

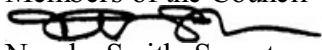
X. COMMITTEE ACTION

XI. ATTACHMENTS

1. Bill 24-124 as introduced.
2. Racial Equity Impact Analysis.
3. Fiscal Impact Statement.
4. Legal Sufficiency Review.
5. Committee Print for Bill 24-124.

COUNCIL OF THE DISTRICT OF COLUMBIA
1350 Pennsylvania Avenue, N.W.
Washington D.C. 20004

Memorandum

To : Members of the Council

From : Nyasha Smith, Secretary to the Council
Date : Monday, March 1, 2021
Subject : Referral of Proposed Legislation

Notice is given that the attached proposed legislation was introduced in the Office of the Secretary on Monday, March 01, 2021. Copies are available in Room 10, the Legislative Services Division.

TITLE: "WMATA Board of Directors Amendment Act of 2021", B24-0124

INTRODUCED BY: Chairman Mendelson

The Chairman is referring this legislation to Committee of the Whole.

Attachment
cc: General Counsel
Budget Director
Legislative Services



Chairman Phil Mendelson

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A BILL

IN THE DISTRICT OF COLUMBIA

To revise the requirements for appointment and service on the Washington Metropolitan Area Transit Authority Board of Directors.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COUMBIA, that this act may be cited as the “WMATA Board of Directors Amendment Act of 2021”.

Sec. 2. The Washington Metropolitan Area Transit Authority Board of Directors Act of 2012 (D.C. Law 19-286, effective April 27, 2013; D.C. Official Code Sec. 9-1108.11) is amended as follows.

(a) Subsection 2(a) is amended to read as follows:

“(a) To be eligible for appointment to serve on the Board of Directors of the Washington Metropolitan Area Transit Authority (“Board”), an individual shall have a demonstrated interest in public transportation and experience sufficient to represent the District well on the Board.”.

(b) Subsection (2)(b) is amended as follows

(1) Paragraph (2) is amended to read as follows:

“(2) Thereafter, members shall be appointed by the Council serve or complete a 4-year term commencing on July 1.”.

(2) Paragraph (3) is repealed.”.

34 Sec. 3. Fiscal impact statement.

35 The Council adopts the fiscal impact statement in the committee report as the fiscal
36 impact statement required by section 4a of the General Legislative Procedures Act of 1975,
37 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

38 Sec. 4. Effective date.

39 This act shall take effect following approval by the Mayor (or in the event of veto by the
40 Mayor, action by the Council to override the veto), a 30-day period of Congressional review as
41 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
42 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
43 Columbia Register.

44

WMATA BOARD OF DIRECTORS AMENDMENT ACT OF 2022

(a) To be eligible for appointment to serve on the Board of Directors of the Washington Metropolitan Area Transit Authority (“Board”), an individual shall have a demonstrated interest in public transportation and experience sufficient to represent the District well on the Board. ~~A person who is appointed to serve on the Board of Directors of the Washington Metropolitan Area Transit Authority (“Board”) shall comply with the following requirements:~~

~~(1) The person shall not have been an employee of the Washington Metropolitan Area Transit Authority (“WMATA”) within one year of appointment to the Board.~~

~~(2) The person shall have experience in at least one of the following areas:~~

~~(A) Transit planning;~~

~~(B) Transportation planning;~~

~~(C) Land use planning;~~

~~(D) Transit or transportation management or other public sector management;~~

~~(E) Engineering;~~

~~(F) Finance;~~

~~(G) Public Safety;~~

~~(H) Homeland security;~~

~~(I) Human resources;~~

~~(J) Law; or~~

~~(K) Knowledge of the WMATA region’s transportation issues.~~

~~(3) The person shall be a patron of services provided by the WMATA.~~

~~(4) The person shall serve a 4 year term with a maximum of 2 consecutive terms.~~

~~(5) Persons appointed to the Board shall file an annual report with the Council on or before April 30 of each calendar year. The report shall include:~~

~~(A) The dates of attendance at WMATA Board meetings;~~

~~(B) The reason for not attending a meeting;~~

~~(C) Dates and attendance at other WMATA-related public events;~~

and

~~(D) An affirmation of the member's use of the bus, rail, or paratransit services of the WMATA since submission of the previous report.~~

(b)(1) For the purpose of transitioning to a composition of staggered terms, initial appointments to the Board shall be made on July 1, 2013, as follows:

(A) A principal member shall be appointed for a term of 4 years;

(B) An alternate member shall be appointed for a term of 3 years;

(C) A principal member shall be appointed for a term of 2 years; and

(D) An alternate member shall be appointed for a term of one year.

(2) Thereafter, members shall be appointed **by the Council to serve or complete a for** 4-year terms **commencing on July 1.**

~~(3) Appointments, including appointments for the completion of an unexpired term, for fewer than 3 years shall not count for the purposes of term limits.~~

(c) To prevent extended vacancies on the Board, each person appointed may continue to serve until replaced or reappointed, for a period not to exceed 12 months.

(d) Each person appointed to the Board shall serve at the pleasure of the Council and may be removed for any reason, including failure to adhere to the requirements of this subchapter.

1 **DRAFT COMMITTEE PRINT**
2 Committee of the Whole
3 November 15, 2022
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8 A BILL

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10 24-124
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13 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
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19 Transit Authority Board of Directors.
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33 4-year term commencing on July 1.”.

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