



MURIEL BOWSER
MAYOR

May 11, 2017

The Honorable Phil Mendelson
Chairman
Council of the District of Columbia
1350 Pennsylvania Avenue, N.W., Suite 504
Washington, D.C. 20004

Dear Chairman Mendelson:

The purpose of this letter is to outline amendments to my proposed FY 2017 Revised Budget, as well as the FY 2018 Budget and Financial Plan and the FY 2018 Budget Support Act, all of which were submitted to the Council on April 4, 2017. This letter corrects errors and proposes amendments that I am asking the Council to make.

I. FISCAL YEAR 2017 REVISED BUDGET REQUEST ACT

1. Emergency and Temporary Measures

Amend the emergency and temporary measures for the Government Direction and Support section to read as follows:

Government Direction and Support

The appropriation for Governmental Direction and Support is decreased by \$6,043,000 in local funds; to be allocated as follows:

- (1) Department of General Services. – \$6,043,000 is removed from local funds.

Background – This would reduce the FY 2017 budget of DGS by \$6,518,248. Recent fixed cost forecast information has predicted a \$5.6 million surplus. In addition \$918,248 would be reduced from object class 40 and 41. This funding will be carried over into FY 2018 and spent in accordance with the actions below. This reduction is offset by the existing \$475,000 increase to DGS in the existing supplemental.

2. Emergency and Temporary Measures

Amend section 3 of these measures by striking the figure “\$182,675,000” and inserting the figure “\$189,193,000” in its place.

Background – This action will take \$6,518,248 available from DGS and carry it over into FY 2018 for use as described below.

II. FISCAL YEAR 2018 BUDGET AND FINANCIAL PLAN

A. FISCAL YEAR 2018 BUDGET LOCAL PORTION ADOPTION ACT OF 2017

1. FY18 Budget Local Portion Adoption Act of 2017

Under the heading “Part A—Summary of Expenses”, on page 2, at lines 34-35, strike the phrase “provided further, that any unspent amount” and insert the phrase “provided further, that local funds and other funds appropriated under this act may be expended for the purpose of providing food and beverages, not to exceed \$30 per employee per day, to employees of the Government of the District of Columbia while such employees are deployed in response to a declared snow emergency or other declared emergency within the District of Columbia; provided further, that any unspent amount” in its place.

Background – This provision would authorize the purchase of food for employees deployed during an emergency. This could impact several agencies, namely DPW, HSEMA, and DDOT and will most often be utilized during snow events.

2. Department of Small and Local Business Development

Add \$100,000 in one-time funds to the agencies budget for the ASPIRE program.

Background – This is a program spearheaded by the Deputy Mayor for Greater Economic Opportunity that would help residents create and retain a small local business. This increased funding would allow for the expansion of the existing returning citizens entrepreneurship training program hosted at DSLBD. These resources came from FY 2017 DGS savings.

3. Office of the Attorney General

Location of Error (Page Number and Paragraph Identifier)	Description of Error	Comment	From	To	Amount
Table CB0-3	Reallocation of funds required to correct adjustments made to mission critical contractual services line items.	The reallocation of funds is required to align resources with operational spending goals.	Activity - 9301/ Fund - 0616/CSG 0070		(133,500)
Table CB0-3	Reallocation of funds required to correct adjustments made to mission critical contractual services line items.	The reallocation of funds is required to align resources with operational spending goals.	Activity - 9301/ Fund - 0616/CSG 0020		(100,000)
Table CB0-3	Reallocation of funds required to correct adjustments made to mission critical contractual services line items.	The reallocation of funds is required to align resources with operational spending goals.	Activity - 9301/ Fund - 0616/CSG 0040		(676,500)
Table CB0-3	Additional funding required to fully support mission critical contractual services line items.	The additional funding is required to align resources with operational spending goals.		Activity - 9301/ Fund - 0616/CSG 0041	910,000
				Net Fiscal Impact	\$ -

4. Department of Housing and Community Development

Location of Error (Page Number and Paragraph Identifier)	Description of Error	Comment	From	To	Amount
B75, Para 5, end of Line 8	Additional funding required for the Residential Services - Employee Assistance Home purchase program (EAHP)	The funding is required to provide additional resources for the EAHP program and allows the loan limit to increase to \$20,000 from \$10,000.	Activity 4510/ Fund 0100 /CSG 0041		(\$700,000)
B75, Para 1, end of Line 6	Additional funding required for the Residential Services - Employee Assistance Home purchase program (EAHP)	The funding is required to provide additional resources for the EAHP program and allows the loan limit to increase to \$20,000 from \$10,000.		Activity 3040/ Fund 0100 /CSG 0050	\$700,000
B75, Para 5, end of Line 8	Additional funding required for the Residential Services - Employee Assistance Home purchase program (EAHP)	The funding is required to reallocate costs for DHCD loan servicing contract to Intra-District funds.	Activity 2010/ Fund 0700 /CSG 0050		(\$700,000)
B75, Para 1, end of Line 6	Additional funding required for the Residential Services - Employee Assistance Home purchase program (EAHP)	The funding is required to reallocate costs for DHCD loan servicing contract to Intra-District funds.		Activity 4510/ Fund 0700 /CSG 0041	\$700,000
B75, Para 4, end of Line 4	Return of funds to Affordable Housing Project Financing	Intra-District funds set aside by the agency to support Housing Preservation have been replaced by one-time Local funds	Activity 2025/ Fund 0700 /CSG 0050		(\$10,000,000)
B75, Para 8, end of Line 6	Return of funds to Affordable Housing Project Financing	Intra-District funds set aside by the agency to support Housing Preservation have been replaced by one-time Local funds		Activity 2010/ Fund 0700 /CSG 0050	\$10,000,000
Table DB0-4	Budget loaded in local funds -non unique as required by the FY2018 draft BSA	The unique fund 0101 (Housing Preservation Fund has been established by OCFO in the financial systems.	Fund 0100		(\$10,000,000)
Table DB0-4		The unique fund 0101 (Housing Preservation Fund has been established by OCFO in the financial systems.		Fund 0101	\$10,000,000
Net Fiscal Impact:					\$0.00

5. Deputy Mayor for Planning and Economic Development

Amend the Part B – Division of Expenses section of the Local Budget Act by adding \$562,000 of budget authority to the special purpose revenue line of the Office of the Deputy Mayor for Planning and Economic Development.

Background – This provision would give DMPED additional special purpose revenue budget authority for their Economic Development Special Account. Additional revenue was carried over into this fund but it cannot be spent without this authority. This increased funding will specifically be spent in the Great Streets program.

6. Metropolitan Police Department

Shift \$970,544 for the arrest diversion program within MPD to the Department of Behavioral Health.

Background – This shift would more appropriately align the budget with the agency best overseeing these functions.

7. Department of Corrections

The \$2,341,480 allocated to the Department of Corrections for the Returning Citizens Portal of Entry is intended to be allocated as follows:

- \$1,100,480 to the Department of Corrections to provide case management services, transportation to the portal of entry facility, and continuum of care through referral services, and to hire 5 FTEs;
- \$500,000 to the Department of Human Services to provide enrollment and eligibility services, SNAP employment, and training, and to hire 4 FTEs;
- \$350,000 to the Department of Behavioral Health to provide mental health assessments, referral services, and case management, and to hire 3 FTEs;
- \$276,000 to the Department of General Services for renovations required for the portal of entry facility;
- \$65,000 to the Department of Employment Services to provide workforce development assistance, and to hire 1 FTE; and
- \$50,000 to the Department of Motor Vehicles to provide driver's license and identification card services, and to hire 1 FTE.

Background – This would provide further clarity around the uses of the funding for the DOC Returning Citizens Portal of Entry.

8. Deputy Mayor for Public Safety and Justice

As part of my commitment to funding and implementing the NEAR Act, the Office of Neighborhood Safety and Engagement (ONSE) will be created comprised of the following existing programs:

- The Community Stabilization Program, funded in the DMPSJ budget at \$530,000 for PS + NPS needs, which shall be transferred from the Office of the Deputy Mayor for Public Safety and Justice, and its five FTEs, inclusive of the Executive Director;
- The Safer Stronger DC Community Partnerships Program, funded in DMHHS, which shall be transferred from the Office of the Deputy Mayor for Health and Human Services, and its six FTEs; and
- Portions of the Roving Leaders Program, which shall be transferred from the Department of Parks and Recreation, and up to 25 FTEs.

The ONSE will be headed by an Executive Director who shall report directly to the Deputy Mayor for Public Safety and Justice. The Executive Director shall oversee the programs listed above, and shall be funded for a salary of up to \$140,000 and fringe of \$29,400, included in the \$530,000 mentioned above

We envision the ONSE commencing during FY 2017 and expanding to its full size in FY 2018. In conducting this reorganization, we create an office that fulfills the vision and requirements established in the NEAR Act.

Background – This would provide additional clarity around the structure and functions of the Office of Neighborhood Safety and Engagement.

9. Non-Public Tuition

Reduce the Non-Public Tuition funding by \$1,500,000.

Background – These funds are no longer needed as enrollment trends in this agency continue to support budgetary reductions. This reduction will be redirected towards the increase for DC Public Schools described below. This action will require amendments to the budget books and local budget request act.

10. D.C. Public Schools

(a) The UPSFF chart in Volume 3, page D-13 should be amended to make necessary enrollment changes to school certified enrollment in special education students. These changes would impact the enrollment amounts in the special education and special education compliance fund categories. An updated chart is below (with changes in yellow).

Foundation Figure	\$9,827
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Grade Level	Weight	FY18 Proj Enrollment	Per Pupil Allocation	Total
PK3	1.34	2,378	\$ 13,168	\$ 31,312,426
PK4	1.30	3,603	\$ 12,775	\$ 46,028,804
K	1.30	4,298	\$ 12,775	\$ 54,913,583
Grade 1	1.00	4,280	\$ 9,827	\$ 42,063,443
Grade 2	1.00	4,155	\$ 9,827	\$ 40,828,898
Grade 3	1.00	3,963	\$ 9,827	\$ 38,942,512
Grade 4	1.00	3,950	\$ 9,827	\$ 38,814,119
Grade 5	1.00	3,595	\$ 9,827	\$ 35,328,892
Grade 6	1.08	2,451	\$ 10,613	\$ 26,013,464
Grade 7	1.08	2,371	\$ 10,613	\$ 25,164,391
Grade 8	1.08	2,207	\$ 10,613	\$ 23,423,792
Grade 9	1.22	3,462	\$ 11,989	\$ 41,506,682
Grade 10	1.22	2,638	\$ 11,989	\$ 31,627,564
Grade 11	1.22	2,434	\$ 11,989	\$ 29,181,763
Grade 12	1.22	2,320	\$ 11,989	\$ 27,814,992
Alternative	1.44	1,553	\$ 14,151	\$ 21,976,831
Special Education	1.17	143	\$ 11,498	\$ 1,644,194
Adult	0.89	442	\$ 8,746	\$ 3,865,835.74
Subtotal		50,242		\$ 560,452,186
Special Education				
		Suggested Revision		
Level 1	0.97	2790	\$ 9,532	\$ 26,595,433
Level 2	1.20	1989	\$ 11,793	\$ 23,455,633
Level 3	1.97	645	\$ 19,360	\$ 12,486,970
Level 4	3.49	1628	\$ 34,297	\$ 55,835,569
Subtotal for Special Education		7,052		\$ 118,373,604
Special Education Compliance Fund				
Blackman Jones	0.069	7,052	\$ 678	\$ 4,781,812
Attorney's Fees	0.089	7,052	\$ 875	\$ 6,167,845
Subtotal for Special Ed Compliance				\$ 10,949,657
English Language Learners				
ELL	0.49	6,280	\$ 4,815	\$ 30,241,839
At-Risk Students				
At-Risk	0.219	25,023	\$ 2,152	\$ 53,853,584
Special Education - ESY				
Level 1 ESY	0.063	226	\$ 619	\$ 139,920
Level 2 ESY	0.227	262	\$ 2,231	\$ 584,465
Level 3 ESY	0.491	107	\$ 4,825	\$ 516,293
Level 4 ESY	0.491	612	\$ 4,825	\$ 2,953,004
Subtotal for Special Ed - ESY		1,207		\$ 4,193,682
				Proposed Revision
Total FY 2018 Local Funds Budget Projection				\$ 778,064,552

Background – These changes reflect the appropriate level of student enrollment in the special education categories. This represents a new enrollment of 7,052 and will result in a net increase of only \$1,701.

- (b) Add \$3,861,333 to the budget of DCPS for FY 2018.

Background – This one-time increase in funding will allocate additional resources to DCPS. This increase is the equivalent of a 0.5% increase to the student funding formula. This would effectively get DCPS to a budget that reflects a 2% increase to the Per Student Funding Formula. This one-time payment will not increase the base formula amount of \$9,827, but future increases in FY 2019 and beyond will take this allocation into account. These resources came from FY 2017 DGS savings and FY 2018 Non-Public Tuition savings.

11. D.C. Public Charter Schools

- (a) The UPSFF chart in Volume 3, page D-48 should be amended to increase the residential facilities allotment to \$8,621.

Background – During budget formulation the facilities allotments were adjusted by 2.2%, but the law requires that the residential facilities allotment be 2.7 times the amount of the non-residential amount. This fix costs an additional \$20,737. This will require a corresponding change the Budget Support Act Title IV, Subtitle A. The chart will need to be updated to reflect this new amount of \$8,621. These resources came from FY 2017 DGS savings.

- (b) Add \$3,284,477 to the budget of DCPCS for FY 2018.

Background – This one-time increase in funding will allocate additional resources to DCPCS. This increase is the equivalent of a 0.5% increase to the student funding formula. This would effectively get DCPCS to a budget that reflects a 2% increase to the Per Student Funding Formula. This one-time payment will not increase the base formula amount of \$9,827, but future increases in FY 2019 and beyond will take this allocation into account. These resources came from FY 2017 DGS savings.

12. Deputy Mayor for Education

Transfer out all funding and staff associated with the My School DC program from the Deputy Mayor for Education to the Office of the State Superintendent of Education.

Background – This program is more appropriately placed with the State Education agency and not the DME. This will ensure its continued success and emphasis as an education tool for all residents and families.

13. Office of the State Superintendent of Education

- (a) Transfer in all funding and staff associated with the My School DC program from the Deputy Mayor for Education to the Office of the State Superintendent of Education.

Background – This program is more appropriately placed with the State Education agency and not the DME. This will ensure its continued success and emphasis as an education tool for all residents and families.

(b) Amend the Local Budget Act, Part B – Division of Expenses section for OSSE by adding the following clause:

“provided further, that all funds deposited, without regard to fiscal year, into the Child Care Quality Access Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2018.”

Background – This would allow for automatic budget authority for all funds in the newly created Child Care Quality Access Fund – the account which now houses the \$15 million allocated for the new childcare initiative.

14. Office of the Inspector General

(a) Add \$187,500 and 2 FTEs to the budget of the inspector general.

Background – This would give the OIG increased funding to address staffing needs mentioned below. This would cost \$750,000 over the four year financial plan period. These resources came from FY 2017 DGS savings.

(b) Include the Office of the Inspector General’s (OIG’s) FY 2018 Budget request below in the OIG budget chapter.

Agency Budget Request

The Office of the Inspector General’s (OIG) proposed FY 2018 gross budget is \$19,094,564, which represents a two (2) percent increase over its FY 2017 approved gross budget of \$18,722,457. The budget is comprised of \$16,247,013 in local funds and \$2,847,551 in Federal Grant funds.

The OIG’s proposed budget includes three distinct enhancement requests. These requests are being made to improve the capability of the OIG to ensure that it meets its legislative mandate to promote economy, efficiency, and effectiveness and to prevent and detect corruption, mismanagement, waste, fraud, and abuse in District government programs and operations. The OIG's budget enhancement requests are as follows:

- \$340,000 to provide NPS increases to augment its FTEs with consultants to support our operational units and objectives (Audit, Investigations, Inspections and Evaluations and the Medicaid Fraud Control Unit). Consultants will supplement staff to perform audit activities and inspections and evaluations work and address areas of special skills needed in investigations. Consultants will include but are not limited to: forensic auditors, forensic computer technology experts, subject experts and auditing, investigations and evaluations;
- \$486,500 to provide an additional 5 FTEs: Audit Unit (2) for meeting legislative mandates and special projects; Investigations Unit (2) to expand workload capacity related to administrative and criminal investigations; and Office of General Counsel (1) for an attorney to focus on contracts and procurement; and

- \$200,000 to reinstate the OIG’s FY 2017 enhancement to adjusted salaries for 22 staff. In FY 2017 OIG was granted an \$800,000 enhancement that it chose to receive as \$200,000/year over four fiscal years from 2017 to 2020, but the \$200,000 was not calculated in the FY 18 MARC.

Background – This would include the OIG submitted budget request with the budget proposed by the Mayor.

B. FISCAL YEAR 2018 BUDGET SUPPORT ACT OF 2017

1. TITLE I, SUBTITLE D. D.C. ACCESS SYSTEM AMENDMENT

Remove this subtitle from the BSA.

Background – This agreement is now going to be detailed via MOU so the legislative language is no longer necessary.

2. TITLE II, SUBTITLE J. WALTER REED OMNIBUS AMENDMENT

Insert a new subtitle in Title II to read as follows:

SUBTITLE J. WALTER REED OMNIBUS AMENDMENT

Sec. 2091. Short title.

This subtitle may be cited as the “Walter Reed Omnibus Amendment Act of 2017”.

Sec. 2092. Sec. 5 of the Walter Reed Omnibus Act of 2016, effective March 25, 2016 (D.C. Act 21-359; 63 DCR 4628) is amended as follows:

(a) Subsection (4) is amended by striking the phrase “public utilities” and inserting “utility providers” in its place.

Background - As part of the development deal, the developer was obligated to pursue establishing a Microgrid for certain utilities across the entire Redevelopment Site. The developer pursued that arrangement and selected a Microgrid partner. As currently structured, the Microgrid partner isn’t a “public utility”, which is a certain term of art under the District code. Rather, the developer is setting up an arrangement for a private utility distribution structure across the site. The District will still need to provide the utility provider with easements to run the necessary utilities, but because the provider isn’t a “public utility” we technically can’t use this particular disposition authority. Because of this, we suggest revising Sec. 5(4) to read “utility providers” instead of “public utilities” to permit DMPED to grant easements to the private utility provider.

3. TITLE III, SUBTITLE G. NEIGHBORHOOD ENGAGEMENT ACHIEVES RESULTS AMENDMENT

Delete all references of “Office of Community Engagement and Neighborhood Safety” and replace with “Office of Neighborhood Safety & Engagement”.

Background – This would correct the name of this office to the name previously agreed to.

4. TITLE IV, SUBTITLE M. MY SCHOOL DC TRANSFER AMENDMENT

Insert a new subtitle in Title IV to read as follows:

SUBTITLE M. MY SCHOOL DC TRANSFER AMENDMENT

Sec. 4121. Short title.

This subtitle may be cited as the "My School DC Transfer Amendment Act of 2017".

Sec. 4122. Section 4052 The Department of Education Establish Act of 2007, effective June 12 2007 (D.C. Law 17-9; D.C. Official Code §38-191 *et seq.*), is amended as follows:

(a) Section 205 (D.C. Official Code §38-194) is amended by striking the phrase "Department of Education" both times it appears and inserting the phrase "Office of the State Superintendent of Education" in its place."

(b) Section 206 (D.C. Official Code §38-195) is amended by striking the phrase "Deputy Mayor for Education" and inserting the phrase "State Superintendent of Education" in its place."

Background – This new subtitle would allow for the legal transfer of all My School DC funding and staff from the Deputy Mayor for Education to the Office of the State Superintendent of Education.

5. TITLE IV, SUBTITLE N. CHILD CARE QUALITY ACCESS FUND ESTABLISHMENT

Insert a new subtitle in Title IV to read as follows:

SUBTITLE N. CHILD CARE QUALITY ACCESS FUND ESTABLISHMENT

Sec. 4131. Short title.

This subtitle may be cited as the "Child Care Quality Access Fund Establishment Act of 2017".

Sec. 4132. Child Care Quality Access Fund.

(a) There is established as a special fund the Child Care Quality Access Fund, which shall be administered by the Office of the State Superintendent of Education in accordance with subsections (c) and (d) of this section.

(b) There shall be deposited into the Fund:

(1) In fiscal year 2018, \$15 million from local appropriations;

(2) Interest earned on money deposited into the Fund;

(3) Private donations, gifts, and grants;

(c) Money in the Child Care Quality Access Fund shall be used for the following activities, provided through grants or contracts, that expand access to child care:

(1) Improving the supply of child care programs and services for infants and toddlers which may include establishing new or expanding child development facilities serving infants and toddlers;

(2) Supporting the certification and credentialing of the District's child care educators of infants and toddlers;

(3) Providing technical assistance training to child development facilities that facilitates compliance with the licensure process or supports efficient and effective operations;

(4) Evaluating and assessing the availability, quality, and willingness to expand child development facilities offered in the District; and

(5) Carrying out other activities as determined by OSSE related to expanding access to child care and improving the quality of child care services provided in the District.

(d) There is authorized to be appropriated such funds as may be necessary to carry out the activities of the Child Care Quality Access Fund.

(e)(1) The money deposited into the Fund shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

(2) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.

Sec. 4133. Child Care Quality Access Grant Making Authority

(a)(1) Except as provided in paragraph (2) of this subsection, OSSE shall award grants on a competitive basis to nonprofit organizations that provide child care services to infants and toddlers to open child development facilities or for child development facilities to expand available space to serve infants and toddlers.

(2) OSSE may award a grant or a contract to a single non-service provider, nonprofit organization that does not provide child care services to infants and toddlers; provided, that:

(A) The single non-service provider has a proven track record of success in grant-making;

(B) The single non-service provider agrees to use 90% of the OSSE's award to award subgrants to nonprofit organizations that provide child care services to infants and toddlers for the purposes of expanding child care services in accordance with the terms of this section;

(C) The single non-service provider agrees to undergo an annual audit and submit quarterly reports to the OSSE on its financial health and its use of the OSSE award;

(D) The single non-service provider has a proven track record in devising innovative financing and investment approaches in child development facility financing and development to improve the supply and quality of child care;

(b)(1) The grant or contract awarded to single non-service provider shall be awarded for terms of at least 3 years, subject to the availability of funding.

(2) Subgrants shall be awarded for terms of at least 2 years, subject to the availability of funding.

(c) All subgrants of District funds shall be awarded on a competitive basis.

(d) Subgrants shall be awarded to for the following purposes:

(1) Improving the supply of child care programs and services for infants and toddlers which may include establishing new or expanding child development facilities serving infants and toddlers;

(2) Carrying out other activities necessary to expanding access to child care and improving the quality of child care services provided in the District as determined in an evidence-based evaluation of the availability, quality, and willingness to expand child development facilities offered in the District.

(e) The Office may not award a grant under this section in excess of \$1 million during a 12-month period, either singularly or cumulatively, unless the grant is first submitted to the Council for approval, in accordance with section 451(b) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51(b)), or by act.

Background – This would allow the \$15 million of one-time funding to be carried over in a non-lapsing fund. It would also more clearly delineate the programs goals and functions.

6. TITLE IV, SUBTITLE O. CHANCELLOR OF DCPS SALARY AND BENEFITS APPROVAL AMENDMENT

Insert a new subtitle into Title IV to read as follows:

SUBTITLE O. CHANCELLOR OF DCPS SALARY AND BENEFITS APPROVAL AMENDMENT

Sec. 4141. Short title.

This subtitle may be cited as the “Chancellor of the District of Columbia Public Schools Salary and Benefits Approval Amendment Act of 2017”.

Sec. 4142. The District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-610.52), is amended as follows:

(a) Section 1052(b) (D.C. Official Code § 1-610.52(b)) is amended by adding a new Paragraph (5) to read as follows:

“(5)(A) Notwithstanding paragraphs (1), (2), (3) and (4) of this subsection, Antwan Wilson shall be compensated \$280,000 annually, effective February 1, 2017, while serving in the capacity of the Chancellor of the District of Columbia Public Schools.

“(B) Notwithstanding any other provision of law, the Chancellor may be paid a performance bonus of up to 10% of his annual base salary for goal achievements in the 2017-2018 school year.

“(C)(i) In addition to such other benefits as the Chancellor may be entitled to receive under existing law or regulation, and notwithstanding subparagraph (A) of this paragraph and section 1058, the Mayor may make a separation payment to the Chancellor of up to 26 weeks of the Chancellor’s base salary if the Chancellor’s contract is terminated, unless the termination is for cause.

“(ii) For purposes of this subparagraph, the term “cause” means:

“(I) Being indicted for or convicted of any criminal offense;

“(II) Committing on duty conduct that is reasonably known to be a violation of law or regulation;

“(III) Using public office for private gain; or

“(IV) Committing any other act that would warrant removal pursuant to Chapter 16 of Title 6B of the District of Columbia Municipal Regulations (6B DCMR § 1600 *et seq.*).

“(D) The restrictions and reporting requirements specified in 3602(b) of the Restrictions on the Use of Official Vehicles Act of 2000, effective October 19, 2000 (D.C. Law 13-172; D.C. Official Code § 50-204(b)), shall not apply to the Chancellor.”

(b) Section 1055(2) D.C. Official Code § 1-610.55(3)) is amended by striking the period and inserting the phrase “: provided, that the Chancellor of the District of Columbia Public Schools Antwan Wilson and his immediate family may be provided a reasonable temporary housing allowance for a period not to exceed 90 days.” In its place.

Background – This subtitle would legislatively approve the salary and benefits package approved for the new Chancellor of DCPS.

7. TITLE V, SUBTITLE E. ANIMAL CONTROL AMENDMENT

Remove this subtitle from the BSA.

8. TITLE VI, SUBTITLE L. FLEET FACILITY EMINENT DOMAIN AUTHORITY

Insert a new subtitle into Title VI to read as follows:

SUBTITLE L. FLEET FACILITY EMINENT DOMAIN AUTHORITY

Sec. 6111. Short title.

This subtitle may be cited as the "Fleet Facility Eminent Domain Authority Act of 2017".

Sec. 6112. Findings.

The Council finds that:

(1) The District government operates a substantial fleet of motor vehicles, including specialized equipment, such as fire, emergency medical services, and police vehicles.

(2) The District government has a significant need for maintenance, repair, and storage facilities for its vehicles.

(3) It is difficult to acquire real property for these purposes due to the limited availability of land in the District zoned for these purposes.

(4) The District has identified a site located on W Street, NE, east of Brentwood Road, NE (the “W Street Site”) as a strong site for these purposes because the site allows for by-right use as a vehicle maintenance, repair, and/or storage facility.

(5) The W Street Site is currently occupied by a private trash transfer station.

(6) The trash transfer station is a blighting factor in Brentwood and its surrounding communities.

(7) Residents of Brentwood and the surrounding communities have concerns regarding the noxious fumes that emanate from the trash transfer station and pervasive vermin, and have complained that there is an increased incidence of health concerns.

(8) Since August 2012, the District Department of the Environment has issued 4 notices of infractions to the W Street Site trash transfer station.

(9) Acquisition of the W Street Site will allow the District to construct and operate a facility needed to maintain, repair, and/or store District vehicles.

Sec. 6113. Exercise of eminent domain.

The Mayor may exercise eminent domain in accordance with the procedures set forth in subchapter II of Chapter 13 of Title 16 of the District of Columbia Official Code to acquire Lots 36, 41, and 802 in Square 3942 and Parcels 0143/107 and 0143/110 for the purposes of vehicle maintenance, repair, and/or storage facility.

Background – This subtitle would authorize the acquisition of the W Street Transfer Station through eminent domain for use as a vehicle maintenance, repair, and/or storage facility.

9. TITLE VIII. SUBTITLE F. REVERSE PAYGO REPROGRAMMING CLARIFICATION

Amend section 8052 of this subtitle to read as follows:

Sec. 8052. (a) Chapter 3 of Title 47 of the District of Columbia Code is amended as follows:

(1) Section 47-361 is amended as follows:

(a) A new subsection (15) is added to read as follows:

“(15) “Reverse Paygo” means the movement of authorized Paygo capital budget back to the operating budget.

(b) Section 47-363(a) of the D.C. Official Code is amended to read as follows:

“(a)(1) The Mayor shall submit to the Council for approval a reprogramming request that individually or on a cumulative basis would result in a change to the original appropriated authority, along with certification by the Chief Financial Officer of the availability of funds for the reprogramming. The request shall include an analysis of its effect on the budget and on the purposes for which the funds were originally appropriated.

“(2) The Mayor shall submit to the Council for approval a reprogramming request when an agency proposes to transfer funds of \$500,000 or more in any fiscal year from one capital project or sub-project to another capital project or subproject except that, for reverse Paygo actions the project (RPA02C) used for transaction recording and tracking shall not constitute a capital project under this provision.

Background - This provision was inadvertently left out of the current draft. It will increase the efficiency of agency implementation of capital projects that need to expend budget on items that are ineligible for capital budget, such as fixtures, furniture and equipment like computers for schools. By reversing relatively small amounts of Paygo capital budget to the agency's operating budget, agencies will complete the capital projects in a timelier manner. Paygo capital budget is budget backed by local revenues, so that the capital ineligible expenditures are made from the proper fund in accordance with OCFO policies.

Thank you for your consideration of these changes.

Sincerely,

A handwritten signature in black ink, appearing to read "Muriel Bowser". The signature is fluid and cursive, with the first name "Muriel" written in a larger, more prominent script than the last name "Bowser".

Muriel Bowser