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Councilmember Charles Allen

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To declare the existence of an emergency with respect to the need to amend the Department of Transportation Establishment Act of 2002 to authorize the Director to make grants of more than \$1 million to the National Park Service for certain projects in the Buzzard Point neighborhood.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Buzzard Point Park and Trails National Park Service Grant Emergency Declaration Resolution of 2023”.

Sec. 2. (a) In 2022, the Council approved approximately \$2.5 million in Fiscal Year 2023 funding for the District Department of Transportation (“DDOT”) to use for improvements to parks and trails on National Park Service (“NPS”) land in the Buzzard Point neighborhood, located in the Southwest quadrant of the District.

(b) To date, DDOT has not been able to come to an agreement with NPS about how funds can be transferred to NPS to complete the work contemplated by the Council’s appropriation, even as Fiscal Year 2023 will close on September 30, 2023.

(c) DDOT and NPS have determined that the only viable path forward to ensure the funding can be used for its intended purpose is for DDOT to grant the funds to NPS. However,

35 section 3(c) of the Department of Transportation Establishment Act of 2002, effective May 21,
36 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.02(c)) (“DDOT Organic Act”), limits
37 DDOT’s grantmaking authority to \$1 million per grant, which would prevent DDOT from
38 granting the full amount of funding the Council approved for this purpose.

39 (d) This emergency legislation would create a limited exemption from the general \$1
40 million limit on grants in the DDOT Organic Act for grants to NPS for improvements to NPS
41 parks and trails in the Buzzard Point neighborhood. This emergency legislation is necessary to
42 ensure that DDOT can carry out the Council’s intent when providing funding for these Buzzard
43 Point parks and trails—and do so before Fiscal Year 2023 closes.

44 Sec. 3. The Council of the District of Columbia determines that the circumstances
45 enumerated in section 2 constitute emergency circumstances making it necessary that the
46 Buzzard Point Park and Trails National Park Service Grant Emergency Amendment Act of 2023
47 be adopted after a single reading.

48 Sec. 4. This resolution shall take effect immediately.