

AN ACT

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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*Codification  
District of  
Columbia  
Official Code*

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To require, on a temporary basis, the Office of the Chief Financial Officer to determine the funds remaining for the 12<sup>th</sup> Street streetscape project, and for the District Department of Transportation to have a 90-day moratorium on any expenditures of non-committed funds for the 12<sup>th</sup> Street streetscape project in order to work with Advisory Neighborhood Commission 5A on a plan for the remaining phases for the 12<sup>th</sup> Street streetscape project, including the option of placing utility lines underground.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Brookland Streetscape Temporary Act of 2010”.

Sec. 2. (a) Within 14 days of the effective date of the Brookland Streetscape Emergency Act of 2010, effective May 26, 2010 (D.C. Act 18-427; 57 DCR \_\_\_\_), the Office of the Chief Financial Officer (“OCFO”) shall submit a written determination on the amount of funds expended and encumbered on the 12<sup>th</sup> Street streetscape project (“Project”) by the District Department of Transportation (“Department”), and the amount of funds initially approved for the Project.

(b) The Department shall not expend or encumber any non-committed funds remaining for the Project, including any funds for a retaining wall on Otis Street, N.E., for 90 days, excluding weekends and holidays, from the effective date of the Brookland Streetscape Emergency Act of 2010, effective May 26, 2010 (D.C. Act 18-427; 57 DCR \_\_\_\_).

(c) Within 45 days of the effective date of the Brookland Streetscape Emergency Act of 2010, effective May 26, 2010 (D.C. Act 18-427; 57 DCR \_\_\_\_), the OCFO shall work with the Department to determine the cost of burying utility lines along part or all of the length of the Project and share that determination with Advisory Neighborhood Commission 5A (“ANC 5A”), the Brookland Neighborhood Civic Association, and the Council.

(d)(1) If the OCFO determines remaining funds are sufficient to bury the utility lines, the Department shall meet with the ANC 5A to present the following:

(A) The Department's original planned use of the remaining funds for the Project; and

(B) A plan on using the remaining funds to bury the utility lines along the length of the Project.

(2) The Mayor shall give the opinion of ANC 5A great weight with respect to the plan that will be implemented.

(e) The Mayor may submit a resolution to the Council to reprogram funds from the Department's Ward 5 general improvement budget authority and allotment to assist in placing the utility lines underground along the length of the Project.

**Sec. 3. Fiscal impact statement.**

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

**Sec. 4. 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.

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Chairman  
Council of the District of Columbia

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Mayor  
District of Columbia