

Bond Case Briefs

Municipal Finance Law Since 1971

D.C. Council to Sue Mayor over How the City Spends Its Money.

The D.C. Council will sue Mayor Vincent C. Gray and the city's chief financial officer, the council chairman said Wednesday, setting up the first such legal showdown between the city's two branches of government in a decade.

Council Chairman Phil Mendelson (D) said the council will ask a D.C. Superior Court judge to determine whether Gray (D) and CFO Jeffrey S. DeWitt are violating a voter-approved law that allows the city to spend billions of dollars of its own money without strict congressional approval.

Under the measure approved last year — which was signed by Gray and passed a congressional review period — the District no longer needs to submit its budget to the president and Congress for approval. The process left the city vulnerable to national politics and often complicated its financial planning.

Now, the budget would pass the council, just as any other city legislation, and it would take effect unless Congress voted to reject it and the president agreed.

But last week, DeWitt joined Gray, Attorney General Irvin B. Nathan and the Government Accountability Office in saying the measure had no legal effect because it violates the city's charter, set by Congress.

Mendelson and a team of pro bono lawyers disagree. In a suit they intend to file Thursday, the council argues that Gray and others have been relying on a flawed legal analysis in rejecting the measure.

The section of law that the measure amended, they say, was one Congress did not set in stone but left subject to changes.

[View Full Story from The Washington Post](#)

APRIL 17, 2014