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A BILL
20-910

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To authorize the issuance of District of Columbia general obligation tax revenue anticipation notes to finance general governmental expenses for the fiscal year ending September 30, 2015.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Fiscal Year 2015 Tax Revenue Anticipation Notes Act of 2014”.

Sec. 2. Definitions.

For the purposes of this act, the term:

(1) “Additional Notes” means District general obligation revenue anticipation notes described in section 9 that may be issued pursuant to section 472 of the Home Rule Act and that will mature on or before September 30, 2015, on a parity with the notes.

(2) “Authorized delegate” means the City Administrator, the Chief Financial Officer, or the Treasurer to whom the Mayor has delegated any of the Mayor’s functions under this act pursuant to section 422(6) of the Home Rule Act.

(3) “Available funds” means District funds required to be deposited with the Escrow Agent, receipts, and other District funds that are not otherwise legally committed.

(4) “Bond Counsel” means a firm or firms of attorneys designated as bond counsel or co-bond counsel from time to time by the Chief Financial Officer.

ENGROSSED ORIGINAL

27 (5) "Chief Financial Officer" means the Chief Financial Officer
28 established pursuant to section 424(a)(1) of the Home Rule Act.

29 (6) "City Administrator" means the City Administrator established pursuant to
30 section 422(7) of the Home Rule Act.

31 (7) "Council" means the Council of the District of Columbia.

32 (8) "District" means the District of Columbia.

33 (9) "Escrow Agent" means any bank, trust company, or national banking
34 association with requisite trust powers designated to serve in this capacity by the Chief Financial
35 Officer.

36 (10) "Escrow Agreement" means the escrow agreement between the
37 District and the Escrow Agent authorized in section 7.

38 (11) "Home Rule Act" means the District of Columbia Home Rule Act, approved
39 December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*)

40 (12) "Mayor" means the Mayor of the District of Columbia.

41 (13) "Notes" means one or more series of District general obligation revenue
42 anticipation notes authorized to be issued pursuant to this act.

43 (14) "Receipts" means all funds received by the District from any source,
44 including, but not limited to, taxes, fees, charges, miscellaneous receipts, and any moneys
45 advanced, loaned, or otherwise provided to the District by the United States Treasury, less funds

46 that are pledged to debt or other obligations according to section 9 or that are restricted by law to
47 uses other than payment of principal of, and interest on, the notes.

48 (15) "Secretary" means the Secretary of the District of Columbia.

49 (16) "Treasurer" means the District of Columbia Treasurer
50 established pursuant to section 424(a)(3)(E) of the Home Rule Act.

51 Sec. 3. Findings.

52 The Council finds that:

53 (1) Under section 472 of the Home Rule Act, the Council may
54 authorize, by act, the issuance of general obligation revenue anticipation notes for a fiscal
55 year in anticipation of the collection or receipt of revenues for that fiscal year. Section
56 472 of the Home Rule Act provides further that the total amount of general obligation
57 revenue anticipation notes issued and outstanding at any time during a fiscal year shall
58 not exceed 20% of the total anticipated revenue of the District for that fiscal year, as
59 certified by the Mayor pursuant to section 472 of the Home Rule Act, as of a date not more
60 than 15 days before each original issuance of the notes.

61 (2) Under section 482 of the Home Rule Act, the full faith and
62 credit of the District is pledged for the payment of the principal of, and interest on, any
63 general obligation revenue anticipation note.

64 (3) Under section 483 of the Home Rule Act, the Council is
65 required to provide in the annual budget sufficient funds to pay the principal of, and

66 interest on, all general obligation revenue anticipation notes becoming due and payable
67 during that fiscal year, and the Mayor is required to ensure that the principal of, and
68 interest on, all general obligation revenue anticipation notes is paid when due, including by
69 paying the principal and interest from funds not otherwise legally committed.

70 (4) The Chief Financial Officer has advised the Council that, based upon the
71 Chief Financial Officer's projections of anticipated receipts and disbursements during the fiscal
72 year ending September 30, 2015, it may be necessary for the District to borrow to a sum not to
73 exceed \$600 million, an amount that does not exceed 20% of the total anticipated revenue of the
74 District for such fiscal year, and to accomplish the borrowing by issuing general obligation
75 revenue anticipation notes in one or more series.

76 (5) The issuance of general obligation revenue anticipation notes in a sum not
77 to exceed \$600 million is in the public interest.

78 Sec. 4. Note authorization.

79 (a) The District is authorized to incur indebtedness by issuing the notes pursuant
80 to sections 472 and 482 of the Home Rule Act, in one or more series, in a sum not to
81 exceed \$600 million, to finance its general governmental expenses, in anticipation of the
82 collection or receipt of revenues for the fiscal year ending September 30, 2015.

83 (b) The Chief Financial Officer is authorized to pay from the proceeds of the notes the
84 costs and expenses of issuing and delivering the notes, including, but not

85 limited to, underwriting, legal, accounting, financial advisory, note insurance or other credit
86 enhancement, marketing and selling the notes, and printing costs and expenses.

87 Sec. 5. Note details.

88 (a) The notes shall be known as “District of Columbia Fiscal Year 2015 General
89 Obligation Tax Revenue Anticipation Notes” and shall be due and payable, as to both
90 principal and interest, on or before September 30, 2015.

91 (b) The Chief Financial Officer is authorized to take any action necessary or appropriate
92 in accordance with this act in connection with the preparation, execution, issuance, sale, delivery,
93 security for, and payment of the notes, including, but not limited to, determinations of:

94 (1) The final form, content, designation, and terms of the notes, including
95 any redemptions applicable thereto and a determination that the notes may be issued in book-
96 entry form;

97 (2) Provisions for the transfer and exchange of the notes;

98 (3) The principal amount of the notes to be issued;

99 (4) The rate or rates of interest or the method of determining the rate or rates of
100 interest on the notes; provided, that the interest rate or rates borne by the notes of any series shall
101 not exceed in the aggregate 10% per year calculated on the basis of a 365-day year (actual days
102 elapsed); provided, further, that if the notes are not paid at maturity, the notes may provide for an
103 interest rate or rates after maturity not to exceed in the aggregate 15% per year calculated on the
104 basis of a 365-day year (actual days elapsed);

- 105 (5) The date or dates of issuance, sale, and delivery of the notes;
- 106 (6) The place or places of payment of principal of, and interest on, the notes;
- 107 (7) The designation of a registrar, if appropriate, for any series of the
- 108 notes, and the execution and delivery of any necessary agreements relating to the designation;
- 109 (8) The designation of paying agent(s) or escrow agent(s) for any series of the
- 110 notes, and the execution and delivery of any necessary agreements relating to such
- 111 designations; and
- 112 (9) Provisions concerning the replacement of mutilated, lost, stolen or
- 113 destroyed notes.

114 (c) The notes shall be executed in the name of the District and on its behalf by the

115 manual signature of the Mayor or an authorized delegate. The official seal of the District or a

116 facsimile of it shall be impressed, printed, or otherwise reproduced on the notes. If a registrar is

117 designated, the registrar shall authenticate each note by manual signature and maintain the books

118 of registration for the payment of the principal of and interest on the notes and perform other

119 ministerial responsibilities as specifically provided in its designation as registrar.

120 (d) The notes may be issued at any time or from time to time in one or more

121 issues and in one or more series.

122 **Sec. 6. Sale of the notes.**

123 (a) The notes of any series shall be sold at negotiated sale pursuant to a purchase contract

124 or at competitive sale pursuant to a bid form. The notes shall be sold at a price not less than par

125 plus accrued interest from the date of the notes to the date of delivery thereof. The purchase
126 contract or bid form shall contain the terms that the Chief Financial Officer considers necessary
127 or appropriate to carry out the purposes of this act. The Chief Financial Officer's
128 execution and delivery of the purchase contract or bid form shall constitute conclusive evidence
129 of the Chief Financial Officer's approval, on behalf of the District, of the final form and content
130 of the notes. The Chief Financial Officer shall deliver the notes, on behalf of the District, to the
131 purchasers upon receiving the purchase price provided in the purchase contract or bid form.

132 (b) The Chief Financial Officer may execute, in connection with each sale of the notes,
133 an offering document on behalf of the District, and may authorize the document's distribution in
134 relation to the notes being sold.

135 (c) The Chief Financial Officer shall take actions and execute and deliver
136 agreements, documents, and instruments (including any amendment of or supplement to any
137 such agreement, document, or instrument) in connection with any series of notes
138 as required by or incidental to:

139 (1) The issuance of the notes;

140 (2) The establishment or preservation of the exclusion from gross income for
141 federal income tax purposes of interest on the notes, the treatment of interest on the notes as not
142 constituting an item of tax preference for purposes of the federal alternative minimum tax ("non-
143 AMT"), if the notes are originally issued as non-AMT notes, and the exemption from District
144 income taxation of interest on the notes (except estate, inheritance, and gift taxes);

145 (3) The performance of any covenant contained in this act, in any
146 purchase contract for the notes, or in any escrow or other agreement for the security thereof;

147 (4) The provision for securing the repayment of the notes by a letter or line of
148 credit or other form of credit enhancement, and the repayment of advances under any such credit
149 enhancement, including the evidencing of such a repayment obligation with a negotiable
150 instrument with such terms as the Chief Financial Officer shall determine; or

151 (5) The execution, delivery, and performance of the Escrow Agreement, a
152 purchase contract, or a bid form for the notes, a paying agent agreement, or an agreement
153 relating to credit enhancement, if any, including any amendments of any of these
154 agreements, documents, or instruments.

155 (d) The notes shall not be issued until the Chief Financial Officer receives an approving
156 opinion of Bond Counsel as to the validity of the notes and the establishment or preservation of
157 the exclusion from gross income for federal income tax purposes of the interest on the notes
158 and, if the notes are issued as non-AMT notes, the treatment of such interest as not an item of tax
159 preference for purposes of the federal alternative minimum tax, and the exemption from the
160 District income taxation of the interest on the notes (except estate, inheritance and gift taxes).

161 (e) The Chief Financial Officer shall execute a note issuance certificate evidencing the
162 determinations and other actions taken by the Chief Financial Officer for each issue or series of
163 the notes issued and shall designate in the note issuance certificate the date of the notes, the
164 series designation, the aggregate principal amount to be issued, the authorized denominations of

165 the notes, the sale price, and the interest rate or rates on the notes. The Mayor shall certify in a
166 separate certificate, not more than 15 days before each original issuance of a series, the total
167 anticipated revenue of the District for the fiscal year ending September 30, 2015, and that the
168 total amount of all general obligation revenue anticipation notes issued and outstanding at any
169 time during the fiscal year will not exceed 20% of the total anticipated revenue of the District for
170 the fiscal year. These certificates shall be delivered at the time of delivery of the notes and shall
171 be conclusive evidence of the actions taken as stated in the certificates. A copy of each of the
172 certificates shall be filed with the Secretary to the Council not more than 3 days after the delivery
173 of the notes covered by the certificates.

174 Sec. 7. Payment and security.

175 (a) The full faith and credit of the District is pledged for the payment of the principal of,
176 and interest on, the notes when due.

177 (b) The funds for the payment of the notes as described in this act shall be irrevocably
178 deposited with the Escrow Agent pursuant to the Escrow Agreement. The funds shall be used for
179 the payment of the principal of, and interest on, the notes when due, and shall not be used for
180 other purposes so long as the notes are outstanding and unpaid.

181 (c) The notes shall be payable from available funds of the District, including, but
182 not limited to, any moneys advanced, loaned, or otherwise provided to the District by the
183 United States Treasury, and shall evidence continuing obligations of the District until paid in
184 accordance with their terms.

185 (d) The Chief Financial Officer may, without regard to any act or resolution of the
186 Council now existing or adopted after the effective date of this act, designate an Escrow Agent
187 under the Escrow Agreement. The Chief Financial Officer may execute and deliver the Escrow
188 Agreement, on behalf of the District and in the Chief Financial Officer’s official
189 capacity, containing the terms that the Chief Financial Officer considers necessary or appropriate
190 to carry out the purposes of this act. A special account entitled “Special Escrow for Payment of
191 District of Columbia Fiscal Year 2015 General Obligation Tax Revenue Anticipation Notes” is
192 created and shall be maintained by the Escrow Agent for the benefit of the owners of the notes as
193 stated in the Escrow Agreement. Funds on deposit, including investment income, under the
194 Escrow Agreement shall not be used for any purposes except for payment of the notes or, to the
195 extent permitted by the Home Rule Act, to service any contract or other arrangement
196 permitted under subsections (k) or (l) of this section, and may be invested only as
197 provided in the Escrow Agreement.

198 (e) Upon the sale and delivery of the notes, the Chief Financial Officer shall deposit
199 with the Escrow Agent to be held and maintained as provided in the Escrow Agreement all
200 accrued interest and premium, if any, received upon the sale of the notes.

201 (f)(1) The Chief Financial Officer shall set aside and deposit with the Escrow Agent
202 funds in accordance with the Escrow Agreement at the time and in the amount as provided in the
203 Escrow Agreement.

204 (2) If Additional Notes are issued pursuant to section 9(b), and if on the date set
205 forth in the Escrow Agreement, the aggregate amount of principal and interest payable at
206 maturity on the outstanding notes, including any Additional Notes, less all amounts
207 on deposit, including investment income, under the Escrow Agreement exceeds 90% of the
208 actual receipts of District taxes (other than special taxes or charges levied pursuant to section
209 481(a) of the Home Rule Act, and taxes, if any, dedicated to particular purposes pursuant
210 to section 490 of the Home Rule Act), for the period August 15, 2015, until September 30, 2015,
211 beginning on the date set forth in the Escrow Agreement, the Chief Financial Officer shall
212 promptly, upon receipt by the District, set aside and deposit with the Escrow Agent the receipts
213 received by the District after the date set forth in the Escrow Agreement, until the aggregate
214 amount of principal and interest payable at maturity on the outstanding notes, including any
215 Additional Notes as described above, is less than 90% of actual receipts of District taxes (other
216 than special taxes or charges levied pursuant to section 481(a) of the Home Rule
217 Act, and taxes, if any, dedicated to particular purposes pursuant to section 490 of the
218 Home Rule Act).

219 (3) The District covenants that it shall levy, maintain, or enact taxes due
220 and payable during August 1, 2015, through September 30, 2015, to provide for payment in full
221 of the principal of, and interest on, the notes when due. The taxes referred to in this
222 paragraph shall be separate from special taxes or charges levied pursuant to section 481(a) of the

223 Home Rule Act, or taxes, if any, dedicated to particular purposes pursuant to section 490 of the
224 Home Rule Act.

225 (4) The District covenants that so long as any of the notes are outstanding, it shall
226 not grant, create, or permit the existence of any lien, pledge, or security interest with respect
227 to its taxes due and payable during the period August 1, 2015, through September 30, 2015, or
228 commit or agree to set aside and apply those tax receipts to the payment of any obligation of the
229 District other than the notes. The taxes referred to in this paragraph shall not include special
230 taxes or charges levied pursuant to section 481(a) of the Home Rule Act, or taxes, if
231 any, dedicated to particular purposes pursuant to section 490 of the Home Rule Act, or any real
232 property tax liens created or arising in any fiscal year preceding the issuance of the notes.

233 (g) Before the 16th day of each month, beginning in August 2015, the Chief Financial
234 Officer shall review the current monthly cash flow projections of the District, and if the Chief
235 Financial Officer determines that the aggregate amount of principal and interest payable at
236 maturity on the notes then outstanding, less any amounts and investment income on deposit
237 under the Escrow Agreement, equals or exceeds 85% of the receipts estimated by the Chief
238 Financial Officer to be received after such date by the District but before the maturity of the
239 notes, then the Chief Financial Officer shall promptly, upon receipt by the District, set aside and
240 deposit with the Escrow Agent the receipts received by the District on and after that date until
241 the aggregate amount, including investment income, on deposit with the Escrow Agent equals or

242 exceeds 100% of the aggregate amount of principal of and interest on the notes payable
243 at their maturity.

244 (h) The Chief Financial Officer shall, in the full exercise of the authority granted the
245 Chief Financial Officer under the Home Rule Act and under any other law, take actions as may
246 be necessary or appropriate to ensure that the principal of and interest on the notes are
247 paid when due, including, but not limited to, seeking an advance or loan of moneys from the
248 United States Treasury if available under then current law. This action shall include, without
249 limitation, the deposit of available funds with the Escrow Agent as may be required under
250 section 483 of the Home Rule Act, this act, and the Escrow Agreement. Without limiting any
251 obligations under this act or the Escrow Agreement, the Chief Financial Officer reserves the
252 right to deposit available funds with the Escrow Agent at his or her discretion.

253 (i) There are provided and approved for expenditure sums as may be necessary
254 for making payments of the principal of, and interest on, the notes, and the provisions of the
255 District of Columbia Appropriations Act, 2015, if enacted prior to the effective date of this
256 act, relating to short-term borrowings are amended and supplemented accordingly
257 by this section, as contemplated in section 483 of the Home Rule Act.

258 (j) The notes shall be payable, as to both principal and interest, in lawful money of the
259 United States of America in immediately available or same day funds at a bank or trust company
260 acting as paying agent, located in the District, and at not more than 2 co-paying agents that may
261 be located outside the District, one of which shall be located in New York, New York. All of the

262 paying agents shall be qualified to act as paying agents under the laws of the United States of
263 America, of the District, or of the state in which they are located, and shall be designated by the
264 Chief Financial Officer without regard to any other act or resolution of the Council now existing
265 or adopted after the effective date of this act.

266 (k) In addition to the security available for the holders of the notes, the Chief Financial
267 Officer is hereby authorized to enter into agreements, including any agreement calling for
268 payments in excess of \$1 million during fiscal year 2015, with a bank or other financial
269 institution to provide a letter of credit, line of credit, or other form of credit enhancement
270 to secure repayment of the notes when due. The obligation of the District to reimburse the
271 bank or financial institution for any advances made under any such credit enhancement shall be a
272 general obligation of the District until repaid and shall accrue interest at the rate of
273 interest established by the Chief Financial Officer not in excess of 15% per year until paid.

274 (l) The Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law
275 18-371; D.C. Official Code § 2-351.01 *et seq.*), and the Financial Institutions Deposit and
276 Investment Amendment Act of 1997, effective March 18, 1998 (D.C. Law 12-56; D.C. Official
277 Code § 47-351.01 *et seq.*), shall not apply to any contract which the Chief Financial Officer may
278 from time to time determine to be necessary or appropriate to place, in whole or in part,
279 including:

- 280 (1) An investment or obligation of the District as represented by the notes;
281 (2) An investment or obligation or program of investment; or

282 (3) A contract or contracts based on the interest rate, currency, cash flow, or other
283 basis as the Chief Financial Officer may desire, including, without limitation, interest rate swap
284 agreements; currency swap agreements; insurance agreements; forward payment conversion
285 agreements; futures; contracts providing for payments based on levels of, or changes in, interest
286 rates, currency exchange rates, or stock or other indices; contracts to exchange cash flows or a
287 series of payments; and contracts to hedge payment, currency, rate, spread, or similar exposure,
288 including, without limitation, interest rate floors, or caps, options, puts, and calls. The contracts
289 or other arrangements also may be entered into by the District in connection with, or incidental
290 to, entering into or maintaining any agreement that secures the notes. The contracts or other
291 arrangements shall contain whatever payment, security, terms, and conditions as the Chief
292 Financial Officer may consider appropriate and shall be entered into with whatever party or
293 parties the Chief Financial Officer may select, after giving due consideration, where applicable,
294 to the creditworthiness of the counterparty or counterparties including any rating by a nationally
295 recognized rating agency or any other criteria as may be appropriate. In connection with, or
296 incidental to, the issuance or holding of the notes, or entering into any contract or other
297 arrangement referred to in this section, the District may enter into credit enhancement or
298 liquidity agreements, with payment, interest rate, termination date, currency, security, default,
299 remedy, and any other terms and conditions as the Chief Financial Officer determines. Proceeds
300 of the notes and any money set aside for payment of the notes or of any contract or other

301 arrangement entered into pursuant to this section may be used to service any contract or other
302 arrangement entered into pursuant to this section.

303 Sec. 8. Defeasance.

304 (a) The notes shall no longer be considered outstanding and unpaid for the purpose of
305 this act and the Escrow Agreement, and the requirements of this act and the
306 Escrow Agreement shall be deemed discharged with respect to the notes, if the Chief Financial
307 Officer:

308 (1) Deposits with an Escrow Agent, herein referred to as the “defeasance escrow
309 agent,” in a separate defeasance escrow account, established and maintained by the Escrow
310 Agent solely at the expense of the District and held in trust for the note owners, sufficient
311 moneys or direct obligations of the United States, the principal of and interest on which, when
312 due and payable, will provide sufficient moneys to pay when due the principal of, and interest
313 payable at maturity on, all the notes; and

314 (2) Delivers to the defeasance escrow agent an irrevocable letter of
315 instruction to apply the moneys or proceeds of the investments to the payment of the
316 notes at their maturity.

317 (b) The defeasance escrow agent shall not invest the defeasance escrow account in any
318 investment callable at the option of its issuer if the call could result in less than sufficient moneys
319 being available for the purposes required by this section.

320 (c) The moneys and direct obligations referred to in subsection (a)(1) of this section may
321 include moneys or direct obligations of the United States of America held under the Escrow
322 Agreement and transferred, at the written direction of the Chief Financial Officer, to the
323 defeasance escrow account.

324 (d) The defeasance escrow account specified in subsection (a) of this section may be
325 established and maintained without regard to any limitations placed on these accounts by any act
326 or resolution of the Council now existing or adopted after this act becomes
327 effective, except for this act.

328 Sec. 9. Additional debt and other obligations.

329 (a) The District reserves the right at any time to: borrow money or enter into
330 other obligations to the full extent permitted by law; secure the borrowings or obligations by the
331 pledge of its full faith and credit; secure the borrowings or obligations by any other security
332 and pledges of funds as may be authorized by law; and issue bonds, notes, including Additional
333 Notes, or other instruments to evidence the borrowings or obligations. The reserved right with
334 regard to notes and Additional Notes issued pursuant to sections 471, 472, 475, and 490 of the
335 Home Rule Act shall be subject to this act. No borrowings or other obligations, including
336 Additional Notes, shall be entered into that would require an immediate set-aside and deposit
337 under section 7(g) applied as of the date of the issuance.

338 (b)(1) The District may issue Additional Notes pursuant to section 472 of the Home Rule
339 Act that shall mature on or before September 30, 2015, and the District shall covenant to set

340 aside and deposit under the Escrow Agreement, receipts and other available funds for payment of
341 the principal of, and the interest on, the Additional Notes issued pursuant to section 472 of the
342 Home Rule Act on a parity basis with the notes.

343 (2) The receipts and available funds referred to in subsection (a) of this
344 section shall be separate from the special taxes or charges levied pursuant to section 481(a) of the
345 Home Rule Act, and taxes, if any, dedicated to particular purposes pursuant to section 490 of the
346 Home Rule Act.

347 (3) Any covenants relating to any Additional Notes shall have equal standing
348 and be on a parity with the covenants made for payment of the principal of, and the interest on,
349 the notes.

350 (4) If Additional Notes are issued pursuant to section 472 of the Home Rule Act,
351 the provisions of section 7 shall apply to both the notes and the Additional Notes and increase
352 the amounts required to be set aside and deposited with the Escrow Agent.

353 (5) As a condition precedent to the issuance of any Additional Notes, the Chief
354 Financial Officer shall deliver a signed certificate certifying that the District is in full compliance
355 with all covenants and obligations under this act and the Escrow Agreement, that no set-aside
356 and deposit of receipts pursuant to section 7(g) applied as of the date of issuance is required, and
357 that no set-aside and deposit will be required under section 7(g) applied immediately after the
358 issuance.

359 (c) Any general obligation notes issued by the District pursuant to section 471 of the
360 Home Rule Act shall not be scheduled to be due and payable until after the earlier of the
361 following:

362 (1) The stated maturity date of all outstanding notes and Additional Notes; or

363 (2) The date an amount sufficient to pay all principal and interest payable at
364 maturity on the notes and the Additional Notes is on deposit with the Escrow Agent.

365 (d) Revenue notes of the District, which are payable from specified District revenue that
366 is set aside for the payment of the revenue notes and that is included in the amount of receipts
367 estimated by the Chief Financial Officer, pursuant to section 7(g), to be received after the
368 proposed date of issue of the revenue notes and before the maturity of the notes, shall not be
369 issued if a set-aside and deposit of receipts pursuant to section 7(g) applied as of the proposed
370 date of the issuance of revenue notes would be required. In determining, for purposes of this
371 subsection, whether a set-aside and deposit would be required, there shall be excluded from
372 receipts estimated by the Chief Financial Officer to be received after the proposed date of
373 issuance of revenue notes and before the maturity of the notes an amount equal to the
374 estimated revenues set aside for the payment of revenue notes.

375 Sec. 10. Tax matters.

376 The Chief Financial Officer shall not take any action or omit to take any action, or invest,
377 reinvest, or accumulate any moneys in a manner, that will cause the interest on the notes to be
378 includable in gross income for federal income tax purposes or, if the notes were issued as non-

379 AMT notes, to be treated as an item of tax preference for purposes of the federal alternative
380 minimum tax. The Chief Financial Officer also shall take all actions necessary to be taken so
381 that the interest on the notes will not be includable in gross income for federal income tax
382 purposes or, if the notes were issued as non-AMT notes, be treated as an item of tax preference
383 for purposes of the federal alternative minimum tax.

384 Sec. 11. Contract.

385 This act shall constitute a contract between the District and the owners of the notes
386 authorized by this act. To the extent that any acts or resolutions of the Council may
387 be in conflict with this act, this act shall be controlling.

388 Sec. 12. District officials.

389 (a) The elected or appointed officials, officers, employees, or agents of the
390 District shall not be liable personally for the payment of the notes or be subject to any
391 personal liability by reason of the issuance of the notes.

392 (b) The signature, countersignature, facsimile signature, or facsimile countersignature of
393 any official appearing on the notes shall be valid and sufficient for all purposes, notwithstanding
394 the fact that the official ceases to be that official before delivery of the notes.

395 Sec. 13. Authorized delegation of authority.

396 To the extent permitted by the District and federal laws, the Mayor may delegate to the
397 City Administrator, the Chief Financial Officer, or the Treasurer the performance of any act
398 authorized to be performed by the Mayor under this act.

399 Sec. 14. Maintenance of documents.

400 Copies of the notes and related documents shall be filed in the Office of the Secretary of
401 the District of Columbia.

402 Sec. 15. Information reporting.

403 (a) Within 3 days after the Chief Financial Officer's receipt of the transcript of
404 proceedings relating to the issuance of the notes, the Chief Financial Officer shall transmit a
405 copy of the transcript to the Secretary to the Council.

406 (b) The Chief Financial Officer shall notify the Council within 30 days of any action
407 taken under section 7(g).

408 Sec. 16. Fiscal impact statement.

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

412 Sec. 17. Effective date.

413 This act shall take effect upon enactment as provided in section 472(d)(1) of the District
414 of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 806; D.C. Official Code §
415 1-204.72(d)(1)).