

ENROLLED ORIGINAL

A RESOLUTION

22-349

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

December 5, 2017

To declare the existence of an emergency with respect to the need to authorize and provide for the issuance, sale, and delivery in an aggregate principal amount not to exceed \$25 million of District of Columbia revenue bonds in one or more series, and to authorize and provide for the loan of the proceeds of such bonds to assist Sidwell Friends School, in the financing, refinancing, or reimbursing of costs associated with an authorized project pursuant to section 490 of the District of Columbia Home Rule Act.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Sidwell Friends School Revenue Bonds Project Emergency Declaration Resolution of 2017”.

Sec. 2. (a) Sidwell Friends School, a nonprofit corporation organized and existing under the laws of the District of Columbia, seeks to have District of Columbia revenue bonds issued and receive a loan of the proceeds for:

(1) The acquisition, rehabilitation, and renovation of 3720 Upton Street, N.W., (Lot 1825, Square 0818), including land and an existing building for school use and the rehabilitation and renovation of the Borrower’s main campus located at 3825 Wisconsin Avenue, N.W., (Lot 0816, Square 1825) (“Facility”);

(2) The purchase of certain equipment and furnishings, and other property, real and personal, functionally related and subordinate to the Facility;

(3) Funding certain expenditures associated with the financing of the Facility, to the extent permissible, including, credit enhancement costs, liquidity costs, debt service reserve fund, or working capital; and

(4) Paying costs of issuance and other related costs.

(b) The planned financing will make available funds critically needed to finance, refinance, or reimburse the Borrower for costs of the project described in subsection (a) of this section.

(c) On November 2, 2017, the United States House of Representatives released a draft of the Tax Cuts and Jobs Act (H.R. 1) which, if enacted as drafted, would amend the Internal Revenue Code of 1986. Among other changes that would affect state and local bonds, the Tax

ENROLLED ORIGINAL

Cuts and Jobs Act, as currently proposed, would eliminate the ability to issue private activity bonds (including 501(c)(3) bonds) beginning with bonds issued after December 31, 2017.

(d) Given the severe uncertainty regarding the ability of the District to issue tax exempt revenue bonds for the benefit of the Borrower on any date after December 31, 2017, in order for the Borrower to finance, refinance, or reimburse the costs of the project, as described in subsection (a) of this section, with the loan of the proceeds of tax exempt District of Columbia revenue bonds, the issuance needs to occur as soon as possible.

(e) Council approval of the bond resolution authorizing the issuance of up to \$25 million of District of Columbia revenue bonds would permit the revenue bonds to be issued promptly and enable the project described in subsection (a) of this section to be completed.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Sidwell Friends School Revenue Bonds Project Emergency Approval Resolution of 2017 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.