

COUNCIL OF THE DISTRICT OF COLUMBIA

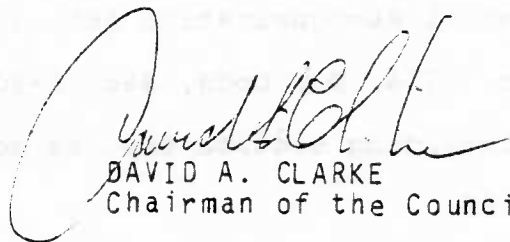
NOTICE

D.C. LAW 5-115

"General Obligation Bond Act of 1984".

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, P. L. 93-198, "the Act", the Council of the District of Columbia adopted Bill No. 5-422 on first and second readings, June 26, 1984 and July 10, 1984, respectively. Following the signature of the Mayor on July 13, 1984, this legislation was assigned Act No. 5-166, published in the August 10, 1984 edition of the D.C. Register, (Vol. 31 page 3995) and transmitted to Congress July 19, 1984 for a 30-day review, in accordance with Section 602 (c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional Review Period has expired, and therefore, cites this enactment as D.C. Law 5-115, effective September 26, 1984.


DAVID A. CLARKE
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

July	23,24,25,26,27,30,31
August	1,2,3,6,7,8,9,10
September	5,6,7,10,11,12,13,14,17,18,19,20,21,24,25

EFFECTIVE
DATE SEP 26 1984D.C. ACT 5 - 166

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JUL 13 1984Codification
Note,
D.C. Code,
secs. 47-219,
-303, -327,
-812
(1985 supp.)

To authorize the issuance of general obligation bonds of the District of Columbia for the purpose of financing certain capital projects and refunding certain capital indebtedness of the District of Columbia.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,
That this act may be cited as the "General Obligation Bond
Act of 1984."

Sec. 2. Findings.

The Council finds that:

(a) Capital projects have been duly authorized by Congress and amounts have been approved by the Council of the District of Columbia and appropriated or requested to be appropriated by Congress in accordance with applicable provisions of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 774; D.C. Code, sec. 1-201 et seq.), ("Home Rule Act"), including section 446, as more fully described in section 20.

(b) The Outstanding Debt consists of outstanding indebtedness of the District incurred or to be incurred for financing or refinancing capital projects the cost of which outstanding indebtedness could be reduced by refunding a portion of it through the issuance of the Bonds.

(c) The District may incur indebtedness by issuing the Bonds to provide for the payment of the costs of acquiring or undertaking the capital projects described in section 20 and of refunding Outstanding Debt, pursuant to part E of title IV of the Home Rule Act.

(d) The issuance of the Bonds is an economical method of financing the costs of acquiring or undertaking the capital projects described in section 20 and of refunding a portion of the Outstanding Debt, and the issuance of the Bonds is in the public interest.

(e) This act is authorized by and consistent with the Home Rule Act and other applicable laws.

Sec. 3. Definitions.

For purposes of this act, the term:

(1) "Additional Bonds" means District of Columbia general obligation bonds which may be issued pursuant to section 461 of the Home Rule Act and any act enacted subsequent to this act, on a parity with the Bonds.

(2) "Bonds" means District of Columbia general obligation bonds authorized to be issued pursuant to this act.

(3) "Capital projects" means District of Columbia capital projects as defined in section 103(8) of the Home Rule Act for either general governmental purposes or for enterprise purposes.

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

(5) "Council" means the Council of the District of Columbia.

(6) "Deputy Mayor" means the Deputy Mayor for Financial Management, the Deputy Mayor for Economic Development, the City Administrator/Deputy Mayor for Operations, and their duly authorized successors.

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

(8) "Home Rule Act" means the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 774; D.C. Code, sec. 1-201 et seq.), as amended.

(9) "Mayor" means the Mayor of the District.

(10) "Outstanding Debt" means at any time the outstanding indebtedness of the District for capital project loans received in fiscal years 1981 and 1982 from the Treasury of the United States and any outstanding Bonds issued pursuant to this act.

(11) "Paying agent" means the banks, trust companies, or national banking associations designated to serve in this capacity by the Mayor, pursuant to section 11.

(12) "Registrar" means the District or any bank, trust company, or national banking association designated to serve in this capacity by the Mayor, pursuant to section 11.

(13) "Special tax fund" means the debt service fund established by the Mayor pursuant to section 6.

Sec. 4. Bond Authorization.

(a) Subject to the limitations set forth in subsection (d), the District may incur indebtedness by issuing Bonds

pursuant to sections 461 through 467 of the Home Rule Act to provide for any of the following:

(1) the payment of the cost of acquiring or undertaking capital projects described in section 20 for general governmental and enterprise purposes;

(2) the refunding of Outstanding Debt; and

(3) the payment of the costs and expenses of issuing and delivering the Bonds, including capitalized interest, underwriting, legal, accounting, financial, bond insurance, and printing costs and expenses.

(b) The aggregate outstanding principal amount of Bonds issued for the purposes set forth in subsection (a)(1) shall not at any time exceed \$167,498,000.

(c) The Mayor is authorized to pay from the proceeds of the Bonds the costs and expenses referred to in subsection (a)(3).

(d) No Bonds shall be issued which would cause the special tax requirement under section 6(e) to exceed the limitation set forth in section 6(a).

Sec. 5. Full Faith and Credit and Payment of the Bonds.

The full faith and credit of the District is pledged for the payment of the principal of and interest on the Bonds as they become due and payable through required sinking fund payments, redemptions, or otherwise. There are provided and approved for expenditure such sums as may be necessary for making payments of the principal of and interest on the Bonds coming due for any reason in fiscal

year 1985 and the provisions of the Fiscal Year 1985 Budget Request Act relating to repayment of loans and interest are amended and supplemented accordingly by this section, as contemplated in section 483 of the Home Rule Act. The Council shall, in the full exercise of the authority granted in section 483 of the Home Rule Act and under any other law, provide in each annual budget for a fiscal year of the District sufficient funds to pay the principal of and interest on the Bonds becoming due and payable for any reason, during that fiscal year. The Mayor shall, in the full exercise of the authority granted the Mayor under the Home Rule Act, including authority granted in section 483 of the Home Rule Act, and under any other law, take actions as may be necessary or desirable to ensure that the principal of and interest on the Bonds are paid when due for any reason, including the payment of principal and interest from funds not otherwise legally committed. If the Mayor determines that funds not otherwise legally committed are not available to pay the principal and interest due and payable for any reason during any fiscal year on the Bonds, the annual federal payment appropriated for that fiscal year, to the extent available, shall first be used to pay principal and interest. The Bonds shall evidence continuing obligations of the District until paid in accordance with their terms.

Sec. 6. Special Tax; Establishment of Rates;
Collection.

(a) The Council determines that a special tax is

necessary in conjunction with the authorization and issuance of the Bonds and any Additional Bonds. Pursuant to section 481 of the Home Rule Act, and notwithstanding the provisions of the Act approved June 29, 1922 (42 Stat. 669; D.C. Code, sec. 47-501 et seq.), as amended, there is levied by this section for each real property tax year in which Bonds or Additional Bonds are outstanding, a special tax on the real property in the District subject to taxation, in amounts which will be sufficient to pay the principal of and interest on the Bonds and Additional Bonds coming due in each year. This special tax is levied without limitation as to rate or amount, on a prorata basis on all classes of real property subject to taxation in the District provided that no Bonds shall be issued which would cause the special tax requirement under section 6(e) to exceed \$65 million for any real property tax year. The special tax shall be collected in the same manner as other District real property taxes and, when collected, shall be set aside in the special tax fund, a debt service fund maintained separate from other funds of the District, and, when deposited in the special tax fund, the moneys on deposit and all investment income or earnings on these moneys shall be irrevocably dedicated and pledged to the payment of principal and interest on the Bonds and any Additional Bonds.

(b) The District irrevocably pledges for and on behalf of the holders of the Bonds as further security for the due and punctual payment of the principal and redemption price of, and interest on, the Bonds as they shall become due and

payable for any reason, all of its right, title, and interest now owned or later acquired in and to the revenue from the special tax levied in this section, the pledge constituting the creation and grant of a security interest as contemplated in section 467 of the Home Rule Act, subject to the terms, conditions, and limitations in this act, including provisions setting forth conditions and limitations applicable to the issuance of Additional Bonds secured, equally and ratably with the Bonds, by a pledge of and security interest in the special tax revenue and including the provisions of sections 6(e) and 6(i).

(c) The security interest in special tax revenue created by this section shall be valid, binding and perfected from the time of the delivery of the first Bonds issued pursuant to this act with or without the physical delivery of any special tax revenue and with or without any further action. The security interest shall be valid, binding, and perfected whether or not any statement, document, or instrument relating to the security interest is recorded or filed. The pledge and lien created by the security interest shall be valid, binding, and perfected with respect to any individual or legal entity having claims against the District, whether or not the individual or legal entity has notice of the pledge and lien.

(d) If the District pays or makes provision to pay to the holders of all Bonds and Additional Bonds the principal or redemption price, if any, and the interest due or to become due, at the time and in the manner stipulated, then

the security interest in special tax revenue created under this section shall be terminated.

(e)(1) In any real property tax year, if the amount expected to be on deposit in the special tax fund on the first day of the next succeeding real property tax year exceeds the greater of (1) the earnings on the special tax fund for the current real property tax year or (2) one-twelfth of the amount the Mayor certifies as required to pay the principal of and interest on the Bonds and any Additional Bonds coming due in the next succeeding real property tax year, the Mayor shall cause the transfer of that excess amount to the general fund of the District and that amount shall be released from the lien on and security interest in the special tax revenue created under this section.

(2) On or before the date upon which the Mayor is required by law to submit to the Council proposed real property tax rates for a real property tax year of the District (but in no event later than the first day of that real property tax year), the Mayor shall certify to the Council the amount required in that real property tax year to pay the principal of and interest on the Bonds and any Additional Bonds coming due for any reason during that real property tax year. The amount certified, less any funds then on deposit in the special tax fund after application of paragraph (1), shall be called the special tax requirement.

(f) On or before the date upon which the Mayor is required by law to submit to the Council proposed tax rates

for a real property tax year of the District (but in no event later than the first day of that real property tax year), the Mayor shall calculate and submit to the Council proposed real property special tax rates to be applied during the real property tax year to all real property subject to taxation in the District. The real property special tax rates shall be calculated to yield the special tax requirement, as that amount is certified by the Mayor pursuant to section 6(e).

(g) The Council, in the same manner as provided for the establishment of other real property tax rates, shall by act establish real property special tax rates for the real property tax year calculated to yield the special tax requirement, as that amount is certified by the Mayor pursuant to section 6(e). If the Council fails to enact real property special tax rates for the real property tax year within the time provided by law, the real property special tax rates submitted by the Mayor pursuant to section 6(f) shall be the real property special tax rates to be applied during that real property tax year.

(h) Real property special taxes shall be collected in the same manner as other District real property taxes, and the Mayor shall promptly deposit into the special tax fund all real property special taxes collected. If the law of the District relating to the levy or collection of real property taxes or the calculation or establishment of real property tax rates is changed in a manner which renders any of the provisions of subsections (e) through (h) of this

section incapable of performance in accordance with their respective terms, the Mayor and the Council shall take actions which result in the collection of real property special taxes, in the same manner as other District real property taxes, in the amounts required by this section.

(i) The District and the Mayor reserve the right to satisfy all or a portion of the special tax requirement by setting aside and depositing into the special tax fund at any time any funds of the District not otherwise legally committed, which shall irrevocably dedicate and pledge those deposits to the payment of principal of and interest on the Bonds and Additional Bonds then outstanding. To the extent to which all or a portion of the special tax requirement is satisfied by those deposits, then an equal amount of real property special tax revenue subsequently collected shall be released from the lien on and security interest in the special tax revenue created under this section and shall be paid to reimburse the general fund or other fund of the District from which the other funds were received.

(j) The Mayor shall provide for the payment of the principal of and interest on the Bonds, as they may become due and payable for any reason, by transferring funds on deposit in the special tax fund to the paying agent to the extent required pursuant to the bond issuance certificate provided for in section 11.

Sec. 7. Payment to the General Fund for Bonds Issued for Enterprise Purposes.

(a) The Council determines that Bonds issued to

finance enterprise capital projects or to refinance Outstanding Debt incurred for enterprise purposes shall, for accounting and financial reporting purposes, be recorded as self-supporting debt of the appropriate enterprise fund of the District.

(b) The Mayor shall designate in the bond issuance certificate, provided for in section 11, the amount of the Bonds to be used to finance enterprise capital projects or to refinance Outstanding Debt incurred for enterprise purposes and the amount of principal and interest on the Bonds to be paid through sinking fund payments, redemptions or otherwise, in each fiscal year.

(c) Any enterprise fund of the District in respect of which Bonds have been issued shall pay to the general fund of the District in each fiscal year an amount equal to the amount of principal and interest on such Bonds so specified in the bond issuance certificate for each fiscal year, and the obligation to pay the amounts shall continue until satisfied in full.

(d) Nothing in this section 7 creates a pledge of or lien on any revenues or other assets of any enterprise fund of the District.

Sec. 8. General Covenants.

The following covenants are made by the District in connection with the authorization and issuance of the Bonds:

(a) Pursuant to subsection 603(c) of the Home Rule Act, the Council shall not approve any budget which would result in expenditures being made by the District, during

any fiscal year, in excess of all resources which the Mayor estimates will be available from all funds available to the District for such fiscal year. The Mayor shall not forward to the President for submission to Congress a budget which is not balanced according to the provisions of section 603(c) of the Home Rule Act.

(b) The District will apply any excess of revenues over expenditures or expenses in any fund for any fiscal year to the reduction of any accumulated deficit previously existing in that fund.

(c) The District shall prepare its annual financial statements in accordance with generally accepted accounting principles for state and local governments and cause its annual financial statements to be audited by an independent accountant.

(d) The District will not issue any general obligation bonds, other than bonds to refund any outstanding indebtedness, or incur any indebtedness to the Treasury of the United States for capital projects in an amount which would cause the amount of debt service payable in any fiscal year on all the indebtedness, including all outstanding bonds and loans, to exceed any limitations set forth in the Home Rule Act at the time the additional bonds or indebtedness are issued or incurred.

(e) The District will establish a fund to be maintained separate from other funds of the District, to be designated the capital projects fund, into which it will deposit the proceeds of any Bonds, other than Bonds issued

to refund Outstanding Debt, net of capitalized interest and accrued interest, if any, and will expend the proceeds only to finance capital projects and incidental costs as defined in section 103(8) of the Home Rule Act. Interest or other investment earnings of proceeds in the capital projects fund shall be credited to the general fund of the District.

(f) Notwithstanding any other provision of law, the Mayor shall take actions necessary to requisition and receive, not later than the date for payment of any principal or interest on the Bonds, an advance of moneys pursuant to title VI of the District of Columbia Revenue Act of 1939, approved July 26, 1939 (53 Stat. 1118; D.C. Code, sec. 47-3401), as amended, the advance to be in an amount necessary and sufficient to enable the District to meet its general expenses through September 30 of the then current fiscal year, including payment when due of all principal of and interest on the Bonds coming due in that fiscal year.

Sec. 9. Events of Default.

Each of the following events constitutes an "Event of Default":

(a) failure to pay the principal of the Bonds when the principal becomes due and payable at maturity, upon redemption, or otherwise;

(b) failure to pay an installment of interest on the Bonds upon the day when the interest becomes due; and

(c) failure by the District to observe and perform any covenant, condition, agreement, or provision, other than as specified in subsections (a) and (b), contained in the Bonds

or in this act, but only if the failure continues for a period of 90 days after transmittal by any Registrar, other than the District, to the District of written notice of the failure. A holder of the Bonds shall provide to any Registrar, other than the District, written notice, specifying the failure and requesting that it be remedied, and upon verifying that the written notice has been rendered by a bona fide holder of the Bonds, the Registrar shall transmit the written notice to the District. If the Registrar is the District, the written notice shall be delivered directly to the Mayor. Transmittal to the District of the written notice may not be accomplished in any manner other than that set forth in this act.

Sec. 10. Remedies.

(a) Upon the occurrence and continuance of any Event of Default, any holder of the Bonds may:

(1) by mandamus, or other suit, action or proceeding at law or in equity, enforce all rights of the holder of the Bonds and require the District to carry out any agreements with or for the benefit of the holder and to perform its duties under this act;

(2) bring suit upon the Bonds; and

(3) by action or suit at law or in equity enjoin any acts which may be unlawful or in violation of the rights of the holder of the Bonds.

(b) If any proceeding initiated by any holder of the Bonds to enforce any right under this act is discontinued or abandoned for any reason, or is concluded adversely to the

holder of the Bonds, the District and the holder of the Bonds shall be restored to their former positions and rights, and all rights, remedies, and powers of each of the parties shall continue as though the proceeding had not been initiated.

Sec. 11. Issuance of Bonds in Series; Determination of Terms, Form and Contents of the Bonds; Appointment of Registrar and Paying Agent.

(a) In addition to all other powers vested in the Mayor, the Mayor shall have the power to take the following actions with respect to the Bonds:

(1) determine whether the Bonds are to be issued in one or more series, including the principal amount of each series;

(2) specify as to each series of the Bonds, the date of the Bonds of each series, the dates for the payment of principal and interest, and the amount of each installment or sinking fund payment of principal, provided that the principal installments on each series of the Bonds shall begin no later than 3 years from the date of issuance of such series, that the maximum maturity of each series shall not exceed 30 years from the date of issuance, and that the aggregate amount of principal and interest payable during any year on Bonds issued to provide for the refunding of Outstanding Debt shall not exceed \$39 million and that the aggregate amount of principal and interest payable during any year on the Bonds issued to finance capital projects described in section 20 shall not exceed \$35

million, provided, however, that the aggregate amount of principal and interest payable during any year on all outstanding Bonds shall not exceed \$65 million.

(3) specify the interest rate or rates to be paid on the Bonds, provided that the net interest cost to be paid on the Bonds of any series shall not exceed 15% per year;

(4) specify the designation of the Bonds, their denominations and the manner of numbering or lettering the Bonds or the manner of determining the designations, denominations, numbering or lettering;

(5) specify the redemption prices, if any, and the redemption terms, if any, for the Bonds;

(6) prescribe the forms for any series of the Bonds, provided that unless Bonds are issued in book entry form, all Bonds shall be substantially in the form provided in section 21;

(7) designate and replace a registrar, or successor to the registrar, for any series of the Bonds, and execute and deliver any agreements necessary relating thereto, without regard to any act or resolution of the Council now existing or adopted after this act becomes effective except for this act (the Registrar shall authenticate each Bond by manual signature and may maintain the books of registration for the payment of the principal of and interest on the Bonds and may perform other ministerial responsibilities as specifically provided in its appointment as registrar);

(8) designate and replace paying agents, or

successors to paying agents, for any series of the Bonds, and execute and deliver any agreements necessary relating thereto, without regard to any act or resolution of the Council now existing or adopted after this act becomes effective except for this act (any paying agent shall pay the principal of and interest on the Bonds, and may perform other ministerial responsibilities as specifically provided in its appointment as paying agent);

(9) specify provisions concerning transfers and exchanges of Bonds and the replacement of mutilated, lost, stolen, or destroyed Bonds;

(10) specify the amount of Bonds issued to finance enterprise capital projects or to refinance Outstanding Debt incurred for enterprise purposes and the amounts of principal and interest payable on the Bonds in each year; and

(11) prescribe other matters relating to the terms, form and contents of the Bonds as the Mayor may determine to be necessary or convenient.

(b) The Mayor shall execute a bond issuance certificate evidencing the determinations and other actions taken by the Mayor for each series of the Bonds issued, a copy of which shall be filed with the Secretary to the Council not more than 3 days after the delivery of the Bonds covered by the bond issuance certificate. Any bond issuance certificate shall be conclusive evidence of the actions or determinations taken or made as stated in the bond issuance certificate.

Sec. 12. Sale of Bonds.

Any series of the Bonds may be sold by the Mayor pursuant to the provisions of section 466 of the Home Rule Act. The Mayor may execute, on behalf of the District, in relation to each sale of the Bonds, an official statement or other disclosure document and may authorize its distribution in relation to the Bonds being sold.

Sec. 13. Execution of Bonds.

The Bonds shall be executed in the name of the District by the facsimile signature of the Mayor and by the manual signature of a Deputy Mayor or the City Administrator and shall be sealed with the corporate seal of the District or its facsimile. Notwithstanding the fact that prior to the delivery, the persons executing the bonds shall have ceased to be officials of the District, the Bonds executed pursuant to this section shall be valid and binding obligations when duly delivered

Sec. 14. Defeasance.

If the Mayor deposits with an escrow agent, which shall be a bank, trust company or national banking association with requisite trust powers, in a defeasance escrow account established and maintained by the Mayor, without regard to any act or resolution of the Council now existing or adopted after this act becomes effective, except for this act, solely at the expense of the District and held in trust for the holders of the Bonds, sufficient moneys or direct obligations of the United States, the principal of and interest on which, when due and payable, will provide

sufficient moneys to pay when due the principal of and interest on the Bonds to be defeased, and delivers to the defeasance escrow agent an irrevocable letter of instruction to apply the moneys or investments to the payment of the principal of and interest on the Bonds as they become due and payable, the Bonds shall no longer be outstanding and unpaid for the purpose of this act and the requirements of this act shall be discharged with respect to the Bonds. The investments held by the defeasance escrow agent in the defeasance escrow account shall not be callable at the option of their issuer if the call could result in less than sufficient moneys being available for the purposes required by this section.

Sec. 15. Additional Debt and Other Obligations.

The District reserves the right at any time to borrow money or enter into other obligations to the full extent permitted by law, to secure the borrowings or obligations by the pledge of its full faith and credit and/or other security and pledge of funds as may be authorized by law and to issue bonds, including Additional Bonds, notes, or other instruments to evidence the borrowings or obligations. Any act of the Council authorizing the issuance of Additional Bonds shall provide for an increase in the special tax requirement sufficient to pay principal of and interest on the Additional Bonds authorized therein.

Sec. 16. Arbitrage.

The Mayor shall not invest, reinvest, or accumulate any moneys in a manner that will cause the interest on the Bonds

to be subject to federal income tax.

Sec. 17. Contract.

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

Sec. 18. Additional Powers Delegated to the Mayor.

The Mayor and any Deputy Mayor, officer, or employee of the executive office of the Mayor to whom the Mayor has delegated any of the Mayor's functions under this act shall take actions and execute and deliver agreements, documents, and instruments as required by or incidental to the issuance of the Bonds, the performance of any covenants contained in this act, or any purchase contract for the Bonds, including any amendments of any of the agreements, documents, instruments, covenants, or purchase contracts.

Sec. 19. Reporting.

Within 3 days after the Mayor's receipt of the transcript of proceedings and closing documents relating to the issuance of any series of Bonds, the Mayor shall file a copy of the transcript with the Secretary to the Council.

Sec. 20. Capital Projects.

Pursuant to this act, Bonds may be issued to provide for the payment of the cost of acquiring or undertaking the capital projects of the District authorized by Congress in the Acts set forth in Schedule A, which is a part of this act, provided that the maximum principal amount of

indebtedness which may be incurred through the issuance of Bonds for each capital project, exclusive of the costs and expenses of issuing and delivering the Bonds and capitalized interest, may not exceed the total amount set forth for the capital project in Schedule A.

Sec. 21. Form of Bond.

Unless issued in book entry form, the Bonds authorized by this act shall be in substantially the following form:

Registered

Registered

Number R-_____

\$_____

DISTRICT OF COLUMBIA

GENERAL OBLIGATION BOND

Series _____

The District of Columbia (the "District"), for value received, hereby promises to pay to _____ or registered assigns, the sum of _____ Dollars (\$_____) on _____, together with interest thereon from the date hereof until said principal sum is paid or provided for at the rate of _____ percent (____%) per annum computed on the basis of a 360-day year, payable on _____ and semi-annually thereafter on each _____ and _____.

Interest on this Bond is payable by check or draft mailed to the person in whose name this Bond is registered on the bond register kept by _____ (the "Registrar") at the close of business on the _____ day (whether or not a business day) of the calendar month next preceding such interest payment date at such person's address as it appears in the bond register. Principal of, and premium on, this Bond are payable only upon presentation and surrender hereof at the principal corporate trust offices of _____ or _____ (the "Paying Agents"). All such payments shall be made in such coin or currency of the

United States of America as at the time of payment is legal tender for payment of public and private debts.

This Bond is one of a series of bonds (the "Bonds") of like date in the aggregate principal amount of _____ Dollars (\$ _____) issued pursuant to and in accordance with the statutes and laws of the United States and of the District of Columbia, including sections 461(a) and 482 of the District of Columbia Self-Government and Governmental Reorganization Act (87 Stat. 774), as amended, and pursuant to and in accordance with an act duly adopted by the Council of the District of Columbia on _____, 1984 (the "Bond Act"), to provide for financing of certain capital projects and the refunding of Outstanding Debt (as defined in the Bond Act) and the payment of the costs and expenses of issuing and delivering the Bonds, including capitalized interest, underwriting, legal, accounting, financial, bond insurance, and printing costs and expenses relating thereto.

This Bond constitutes a general obligation and debt of the District, and the full faith and credit of the District are irrevocably pledged to the punctual payment of the principal of and interest on this Bond in accordance with its terms. This Bond and the series of which it is a part are secured by a special tax on real property which has been levied in an amount sufficient to pay the principal of and interest on the Bonds as provided in the Bond Act duly adopted by the Council of the District of Columbia.

It is hereby certified and recited that all conditions,

acts, and things required by the District of Columbia Self-Government and Governmental Reorganization Act and other applicable laws to exist, to have happened, and to have been performed precedent to and in the issuance of this Bond exist, have happened, and have been performed and that the issue of Bonds, of which this is one, together with all other indebtedness of the District of Columbia, is within every debt and other limit prescribed by law. The District has levied a special tax upon all real property subject to taxation, pursuant to section 481 of the Home Rule Act, in an amount sufficient to pay the principal of and interest on this Bond and the series of which it is a part.

Unless the certificate of authentication hereon has been executed by the Registrar by manual signature, this Bond shall not be entitled to any benefit under the Bond Act duly adopted by the Council of the District of Columbia, or be valid or obligatory for any purpose.

IN WITNESS WHEREOF, the District of Columbia, by authority of the Council of the District of Columbia, has caused this Bond to be signed for and on its behalf and in its name by its Mayor and its Deputy Mayor, and the official seal of the District of Columbia to be affixed hereto, all as of the _____ day of _____, 198____.

DISTRICT OF COLUMBIA

By _____

Mayor

(SEAL)

ATTEST: _____

Deputy Mayor

This Bond is one of the Bonds referred to in the within-mentioned Bond Act duly adopted by the Council of the District of Columbia.

Registrar

By _____

Authorized Officer

[FORM OF BACK OF BOND]

The Bonds due on or after _____ are subject to redemption prior to maturity at the option of the District, in whole on any date on or after _____ or in part on _____ or on any interest payment date thereafter, at the redemption prices set forth in the table below, expressed as a percentage of the principal amount to be redeemed, plus accrued interest to the date fixed for redemption. If less than all of the Bonds are to be called for redemption, the Bonds to be redeemed shall be called in the inverse order of their maturity and selected by lot within each maturity by the Registrar as provided below.

Date of Redemption

Redemption

From

To and Including

Price

[The following two paragraphs, including the table, are applicable if any of the Bonds are sold as term bonds

subject to mandatory sinking fund redemption pursuant to the Bond Act duly adopted by the Council of the District of Columbia.]

The Bonds maturing on _____ and _____ are subject to mandatory sinking fund redemption prior to maturity, on _____ of each of the years and in the principal amounts set forth in the table below, as selected by lot by the Registrar as provided below, at a price of _____% of the principal amount to be redeemed.

Bonds Maturing _____		Bonds Maturing _____	
Principal		Principal	
<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
	\$		\$

To the extent that the Bonds maturing on _____ or _____ have been previously called for redemption in part otherwise than from a sinking fund payment, each annual sinking fund payment for the Bonds maturing on _____ or on _____, as the case may be, shall be reduced by the amount obtained by multiplying the principal amount of such Bonds of such maturity so previously called for redemption, by the ratio which each such annual sinking fund payment for the Bonds of such maturity bears to the total sinking fund payments then remaining unpaid for the Bonds of such maturity, and by rounding each such payment to the nearest integral multiple of \$5,000.

In the event of redemption of less than all the Bonds of like maturity, the Registrar shall assign to each outstanding Bond of such maturity a distinctive number for each \$5,000 of the principal amount thereof so as to distinguish each such \$5,000 from each other portion of the Bond. The Registrar shall select by lot, using such method of selection as it shall deem proper in its sole discretion, from the numbers assigned to the Bonds of such maturity, as many numbers as, at \$5,000 for each number, shall equal the principal amount of Bonds of such maturity to be redeemed. The Bonds of such maturity to be redeemed shall be the Bonds to which were assigned the numbers so selected; but only so much of the principal amount of each such Bond of a denomination of more than \$5,000 shall be redeemed as shall equal \$5,000 for each number assigned to it and so selected.

Notice of redemption shall be given by mail, mailed not less than 30 nor more than 60 days prior to the date fixed for redemption to each registered owner of Bonds to be redeemed, at such owner's address in the bond register kept by the Registrar and by such other method, if any, as the District shall deem appropriate. Such notice shall specify the maturities of the Bonds to be redeemed, the date fixed for redemption and, if less than all of the Bonds of any like maturity are to be redeemed, the numbers of such Bonds to be redeemed and, in the case of Bonds to be redeemed in part only, the respective portions of the principal amount thereof to be redeemed.

If less than the entire principal amount of a Bond

shall be called for redemption, the District shall execute and the Registrar shall authenticate and deliver, upon surrender of such Bond, without charge to the registered owner thereof, one or more new Bonds of any authorized denomination, of like maturity and aggregate principal amount, as the unredeemed balance of the principal amount of the Bond so surrendered. If, on the date fixed for redemption, moneys for the redemption of all of the Bonds or portions thereof to be redeemed, together with interest thereon, shall be held by the Paying Agents so as to be available therefor and if notice of redemption shall have been given as aforesaid, interest thereon shall cease from and after the date fixed for redemption.

As provided in the Bond Act duly adopted by the Council of the District of Columbia and in the Bond Issuance Certificate delivered pursuant to the Bond Act and subject to certain limitations and payment of certain charges therein set forth, this Bond is transferable on the bond register upon surrender hereof for transfer at the principal corporate trust office of the Registrar, duly endorsed by, or accompanied by a written instrument of transfer in form satisfactory to the Registrar duly executed by the registered owner hereof or the registered owner's duly authorized representative, and thereupon one or more new Bonds of any authorized denomination, of like maturity and aggregate principal amount will be issued to the designated transferee or transferees.

The Bonds may be deposited with the principal corporate

trust office of _____, or
such other agent as the Registrar may designate, for
transmission to the Registrar for purposes of exchange or
transfer; any Bond so deposited will, under normal
conditions, be available for return within three (3)
business days of deposit.

The District and any agent of the District may deem and
treat the person in whose name this Bond is registered as
the absolute owner hereof for the purpose of receiving
payment of or on account of principal hereof, premium, if
any, and interest due hereon and for all other purposes, and
neither the District nor any agent of the District shall be
affected by any notice to the contrary.

FOR VALUE RECEIVED, the undersigned _____,
hereby sells, assigns and transfers unto
_____ (Tax Identification or Social
Security No. _____) the within Bond and all
rights thereunder, and hereby irrevocably constitutes and
appoints _____ attorney to transfer the
within Bond on the books kept for registration thereof, with
full power of substitution in the premises. Dated:

NOTICE: The signature to this assignment must
correspond with the name as it appears upon the face of the
within Bond in every particular, without alteration or
enlargement or any change whatever.

Sec. 22. Severability.

If any provision of this act or the application of this

act to any person or circumstance is held to be unconstitutional or beyond the statutory authority of the Council, or otherwise invalid, the invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

Sec. 23. The Schedule A referred to in this act is as follows:

SCHEDULE A

Capital Projects, as authorized by Section 1(a) of "An Act to authorize the Commissioners of the District of Columbia to borrow funds for capital improvement programs and to amend provisions of law relating to Federal Government participation in meeting costs of maintaining the Nation's Capital City", approved June 6, 1958 (72 Stat. 183, D.C. Code, sec. 9-219), as amended*:

<u>Project</u>	<u>Description of Facilities and Equipment to be Acquired</u>	(1) <u>Amount</u> <u>Approved and</u> <u>Appropriated**</u>	(2) <u>FY 1985</u> <u>Approved</u> <u>Amount</u>	(1) + (2) <u>Maximum Total</u> <u>Principal Amount</u> <u>to be Financed</u> <u>Through Bonds</u>
EN	Business and Economic Development Facilities	\$ 1,750,000	\$ 5,000,000	\$ 6,750,000
DB	Housing and Community Development Facilities and Equipment	24,835,000	4,803,000	29,638,000
FB	Fire and Public Safety Facilities and Equipment	3,095,000	500,000	3,595,000
PA	Police and Public Safety Facilities and Equipment	4,976,000	- 0 -	4,976,000
FL	Correctional and Public Safety Facilities and Equipment	6,597,000	1,546,000	8,143,000
FN	Courts and Criminal Justice Facilities and Equipment	479,000	- 0 -	479,000
GA	Public School and Public Education Facilities and Equipment	20,415,000	2,925,000	23,340,000
GF	Public Higher Education Facilities and Equipment	2,888,000	550,000	3,438,000
CE	Library and Public Education Facilities and Equipment	382,000	- 0 -	382,000
JA	Human Services Facilities and Equipment	3,298,000	215,000	3,513,000
JB	Public Hospital and Public Health Facilities and Equipment	5,969,000	150,000	6,119,000
BA	Public Recreation Facilities and Equipment	865,000	- 0 -	865,000
BY	Facilities for the Aging	563,000	- 0 -	563,000
CC	Governmental and Public Works Facilities and Equipment	11,671,000	555,000	12,226,000
KA	1/ Transportation and Public Works Facilities and Equipment	17,522,000	5,375,000	22,897,000

<u>Project</u>	<u>Description of Facilities and Equipment to be Acquired</u>	<u>(1) Amount Approved and Appropriated**</u>	<u>(2) FY 1985 Approved Amount</u>	<u>(1) + (2) Maximum Total Principal Amount to be Financed Through Bonds</u>
LA	Environmental Service and Public Works Facilities and Equipment	6,070,000	2,300,000	8,370,000
LA 2/ (Ent.)	Water-Sewer Enterprise Facilities and Equipment	11,006,000	4,439,000	15,445,000
KE 3/	Mass Transit Facilities and Equipment	13,523,000	- 0 -	13,523,000
LB	Aqueduct Facilities and Equipment	2,936,000	300,000	3,236,000
	Grand Total	\$138,840,000	\$ 28,658,000	\$167,498,000

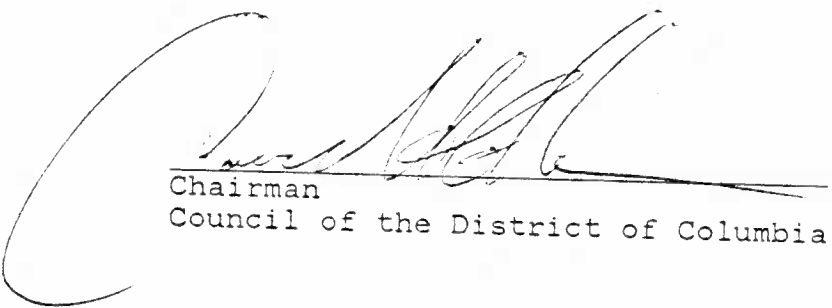
* Activities within the indicated Capital Projects are also authorized as follows:

- 1/ Section 401 of the District of Columbia Public Works Act of 1954, approved May 18, 1954; (68 Stat. 110; D.C. Code sec. 7-132).
- 2/ Section 1 of an Act authorizing the laying of water mains and service sewers in the District of Columbia, the levying of assessments therefor, and for other purposes, approved April 22, 1904; (33 Stat. 244; D.C. Code section 43-1512)
- 3/ Section 4 of the National Capital Transportation Act of 1969, approved December 9, 1969 (83 Stat. 321; D.C. Code section 1-2454)

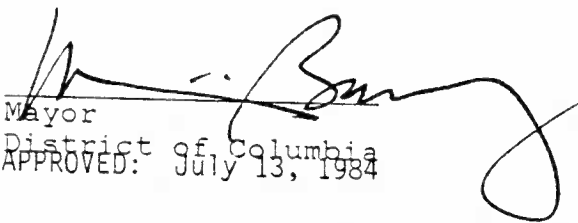
** Excludes amounts approved and appropriated which are to be financed from sources other than the Bonds.

Sec. 24. Effective Date.

This act shall take effect after a 30-day period of Congressional review following approval by the Mayor (or in the event of veto by the Mayor, action by the Council of the District of Columbia to override the veto) as provided in section 602(c)(1) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 813; D.C. Code, sec. 1-233(c)(1)).



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED: July 13, 1984



COUNCIL OF THE DISTRICT OF COLUMBIA

Council Period Five — Second Session

RECORD OF OFFICIAL COUNCIL VOTE

DOCKET NO: B 5-422

☐ Item on Consent Calendar

☒ ACTION & DATE: Adopted First Reading, 6-26-84

☒ VOICE VOTE: Unanimous

Recorded vote on request

Absent: all present

☐ ROLL CALL VOTE: — RESULT () () () ()

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					MOORE, JR.					SPAULDING				
CRAWFORD					RAY					WILSON				
JARVIS					ROLARK					WINTER				
KANE					SHACKLETON									
MASON					SMITH, JR.									

X — Indicates Vote

A.B. — Absent

N.V. — Present, not voting

CERTIFICATION RECORD

Secretary to the Council

Date

☒ Item on Consent Calendar

☒ ACTION & DATE: Adopted Final Reading, 7-10-84

☒ VOICE VOTE: Unanimous

Recorded vote on request

Absent: all present

☐ ROLL CALL VOTE: — RESULT () () () ()

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					MOORE, JR.					SPAULDING				
CRAWFORD					RAY					WILSON				
JARVIS					ROLARK					WINTER				
KANE					SHACKLETON									
MASON					SMITH, JR.									

X — Indicates Vote

A.B. — Absent

N.V. — Present, not voting

CERTIFICATION RECORD

Secretary to the Council

Date

☐ Item on Consent Calendar

☐ ACTION & DATE: _____

☐ VOICE VOTE: _____

Recorded vote on request

Absent: _____

☐ ROLL CALL VOTE: — RESULT () () () ()

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					MOORE, JR.					SPAULDING				
CRAWFORD					RAY					WILSON				
JARVIS					ROLARK					WINTER				
KANE					SHACKLETON									
MASON					SMITH, JR.									

X — Indicates Vote

A.B. — Absent

N.V. — Present, not voting

CERTIFICATION RECORD

Secretary to the Council

Date