

COUNCIL OF THE DISTRICT OF COLUMBIA

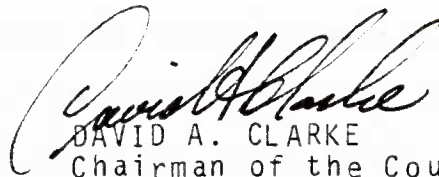
NOTICE

D.C. LAW 6-4

"District of Columbia Housing Finance Agency
Act Amendment Temporary Act of 1985".

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. 6-77 on first, amended first and second readings, January 16, 1985, February 26, 1985 and March 12, 1985, respectively. Following the signature of the Mayor on March 14, 1985, this legislation was assigned Act No. 6-15, published in the March 22, 1985 edition of the D.C. Register, (Vol. 32 page 1602) and transmitted to Congress March 20, 1985 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 6-4, effective May 9, 1985.


DAVID A. CLARKE
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

March 20,21,22,25,26,27,28,29

April 1,2,3,4,15,16,17,18,19,22,23,24,25,26,29,30

May 1,2,3,6,7,8

D.C. LAW 6-4

AN ACT

EFFECTIVE
DATE

MAY 09 1985

D.C. ACT 6-15

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MAR 14 1985

To amend, on a temporary basis, the District of Columbia Housing Finance Agency Act, to restructure the Board of Directors, provide for Council review of proposals for bond financing, and for other purposes.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "District of Columbia Housing Finance Agency Act Amendment Temporary Act of 1985".

Sec. 2. The District of Columbia Housing Finance Agency Act, effective March 3, 1979 (D.C. Law 2-135; D.C. Code, sec. 45-2101 et seq.), is amended as follows:

(a) Sec. 202 (D.C. Code, sec. 45-2112) is amended to read as follows:

"Sec. 202. Board of Directors

"(a) The agency shall be governed by a Board of Directors, which shall be comprised of 5 members who are residents of the District of Columbia. Two shall have experience in mortgage lending or finance, 2 shall have experience in home building, real estate, architecture, or planning, and 1 shall represent community or consumer interests. The public members shall be appointed by the Mayor, with advice and consent of the Council. Public members shall be appointed for 2-year terms. Of the 5 public members first appointed pursuant to this act, 2 shall

D.C.
sec.
(1986

serve for a term of 1 year and 2 shall serve for a term of 2 years.

"(b) The appointing authority or the Board may remove a public member of the Board for inefficiency, neglect of duty or misconduct in office, after giving the member a copy of the charges against him and an opportunity to be heard in person or by counsel in his defense upon not less than 10 days notice. Removal of a public member by action of the Board shall require an affirmative vote of 3 members. If a public member shall be removed by the Board, the Board shall promptly notify the Mayor and the Council of the action. Vacancies in the public membership of the Board shall be filled in the same manner as the initial appointment for the unexpired term. The public member shall hold office for the term of his appointment and shall serve until a successor has qualified. Any public member shall be eligible for reappointment.

"(c) The Board shall elect from among its number a chairperson, a vice chairperson, and other officers it may determine.

"(d) The powers of the Agency shall be vested in the Board. Three members of the Board shall constitute a quorum for the transaction of business, and an affirmative vote of at least 3 members shall be necessary for valid Agency action. No vacancy in the membership of the Board shall impair the right of a quorum to exercise all rights and perform all duties of the Agency. Members of the Board shall be reimbursed for actual and necessary expenses

incurred while engaged in services for the Agency. A member of the Board not otherwise employed by the District may also receive per diem compensation at the rate equal to the daily equivalent of step 1 of Grade 15 of the General Schedule established under section 5332 of Title 5 of the United States Code, with a limit of \$8,000 per annum.

"(e)(1) Until all public members have been appointed and confirmed in accordance with subsection (a) or the expiration of 45 days from the effective date of the District of Columbia Housing Finance Agency Act Second Amendment Emergency Act of 1985, whichever first occurs, the Agency shall be governed by a 5-member interim Board of Directors, comprised as follows:

"(A) The Deputy Mayor for Finance;

"(B) The Deputy Mayor for Economic

Development;

"(C) The Director of the Department of Housing and Community Development;

"(D) The Chairperson of the Council's Committee on Housing and Economic Development; and

"(E) The Chairman of the Council, or, if he or she chooses not to serve, a member of the Council's Committee on Housing and Economic Development designated by the Chairman.

"(2) Failure of a Councilmember to continue in office or to continue as a member of the Committee shall create a vacancy on the Board and the vacancy shall be filled in accordance with this subsection. The members of

the interim Board shall select a chairperson from among their number. Each ex officio member or Councilmember may designate a representative to perform his respective duties and powers under this act, including the power to vote. Notwithstanding the provisions of any other law, no officer or employee of the District shall be deemed to have forfeited or shall forfeit his office or employment by reason of his acceptance of membership on the Board or his service thereon."

(b) Section 203 (D.C. Code, sec. 45-2113(a)) is amended by inserting after the first sentence the following sentence:

D.C. Code,
sec. 45-2113
(1986 supp.)

"The Executive Director shall be appointed by the Board with the advice and consent of the Council".

(c) A new section 207 is added to read as follows:

"Sec. 207. Agency Reports; Council Review and Approval of Proposals.

New,
D.C. Code,
sec. 45-2117
(1986 supp.)

"(a) The Agency shall send to the Chairman of the Council of the District of Columbia a report on each application to finance a designated project, that is filed with the Agency within 14 days (exclusive of Saturdays, Sundays, and legal holidays) of the filing. The report shall set forth information initially provided in each application pertaining to the:

- "(1) Date of application;
- "(2) Name and description of the project;
- "(3) Address and ward location of the project;
- "(4) Developer of the project;

- "(5) Amount and type of financing requested; and
- "(6) Amount and type of federal or District funds

involved.

"(b)(1) The Board of Directors of the Agency shall determine, by enactment of an 'Eligibility Resolution' that a housing undertaking contemplated to be financed meets the requirements of the District of Columbia Housing Finance Agency Act. Subsequent to enactment of an Eligibility Resolution, the Agency shall send to the Chairman of the Council of the District of Columbia written notification thereof and:

"(A) In the case of designated projects, the notification shall describe the nature of the project and shall describe the housing benefits designed to result therefrom, as related to the public purposes of the Agency; or

"(B) In the case of housing programs, the notification shall describe the criteria under which funds will be made available and shall describe the housing benefits designed to result therefrom, as related to the public purposes of the Agency.

"(2) The Agency may not adopt an inducement resolution or a resolution authorizing a bond issuance to fund a project, nor may the agency implement a proposed housing program ("proposal") submitted in accordance with this section unless the proposal has been submitted to the Council for a 30-calendar day review period, excluding days of Council recess. During the Council review period,

comments of the Council representative from the affected ward shall be considered.

"(3) If, during the 30-calendar day review period, the Council does not adopt a resolution disapproving the proposal, the Agency may take action to implement the proposal. The Council may adopt a resolution approving the proposal prior to expiration of the 30-calendar day period in which case the Agency may take immediate action to implement the proposal.

"(c) In the event a proposal is disapproved, the resolution shall state the reasons for disapproval. The Agency may modify the proposal to address the concerns expressed in the resolution of disapproval and may resubmit the proposal, as modified, for approval in accordance with this section."

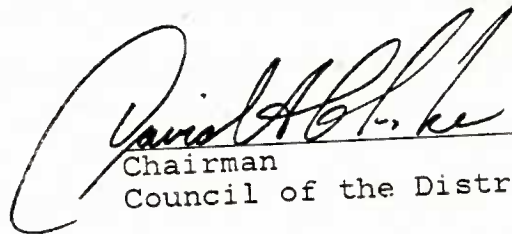
Sec. 3. The District of Columbia Housing Finance Agency Act Amendment Emergency Act of 1985, effective February 12, 1985 (Act 6-8; 32 DCR 1130), is repealed.

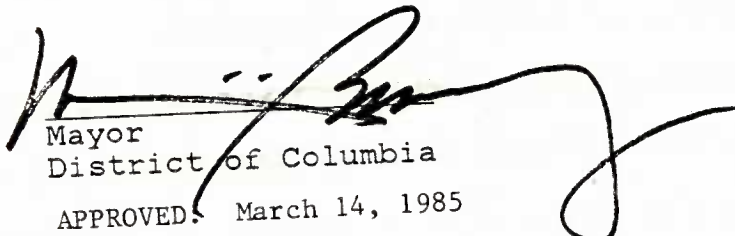
Sec. 4. Except as provided in subsection (b), this act shall take effect after a 30-day period of Congressional review following approval by the Mayor (or in the event of veto by the Mayor, action by the Council of the District of Columbia to override the veto) as provided in section 602(c)(1) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 813; D.C. Code, sec. 1-233(c)(1)).

(b) This act shall take effect upon the expiration of the District of Columbia Housing Finance Agency Act Second

Note,
D.C. Code,
secs. 45-2112
-2113, & -211
(1986 supp.)

Amendment Emergency Act of 1985 or upon the expiration of the 30-day review period pursuant to subsection (a) of this section, whichever occurs later, and shall be in effect for no longer than 180 days.


Chairman
Council of the District of Columbia


Mayor
District of Columbia
APPROVED. March 14, 1985

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COUNCIL OF THE DISTRICT OF COLUMBIA
Council Period Six — First Session

RECORD OF OFFICIAL COUNCIL VOTE

DOCKET NO: B 6-77

☐ Item on Consent Calendar

☒ ACTION & DATE: Adopted First Reading, 1-16-85

☒ VOICE VOTE: Unanimous

Recorded vote on request

Absent: Shackleton

☐ 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					RAY					SPAULDING				
CRAWFORD					ROLARK					WILSON				
JARVIS					SCHWARTZ					WINTER				
KANE					SHACKLETON									
MASON					SMITH, JR.									

X — Indicates Vote

A.B. — Absent

N.V. — Present, not voting

CERTIFICATION RECORD

Russell Smith
Secretary to the Council

3/12/85
Date

☐ Item on Consent Calendar

☒ ACTION & DATE: Adopted Amended First Reading, 2-26-85

☒ 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					RAY					SPAULDING				
CRAWFORD					ROLARK					WILSON				
JARVIS					SCHWARTZ					WINTER				
KANE					SHACKLETON									
MASON					SMITH, JR.									

X — Indicates Vote

A.B. — Absent

N.V. — Present, not voting

CERTIFICATION RECORD

Russell Smith
Secretary to the Council

3/12/85
Date

☒ Item on Consent Calendar

☒ ACTION & DATE: Adopted Final Reading, 3-12-85

☒ VOICE VOTE: Unanimous

Recorded vote on request

Absent: Mason and Rolark

☐ 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					RAY					SPAULDING				
CRAWFORD					ROLARK					WILSON				
JARVIS					SCHWARTZ					WINTER				
KANE					SHACKLETON									
MASON					SMITH, JR.									

X — Indicates Vote

A.B. — Absent

N.V. — Present, not voting

CERTIFICATION RECORD

Russell Smith
Secretary to the Council

3/12/85
Date