

INTRODUCED 5/1/17  
PUBLIC HEARING 5/15/17  
COUNCIL ACTION 5/24/17  
EXEC. ACTION 6/1/17  
EFFECTIVE DATE 8/1/17

**County Council Of Howard County, Maryland**

2017 Legislative Session

Legislative Day No. 7

Bill No. 45-2017

Introduced by: The Chairperson at the request of the County Executive

AN ACT for the purpose of authorizing and empowering Howard County, Maryland to borrow money in the aggregate principal amount of up to \$4,625,304, on its full faith and credit, and issue and sell its bonds or other obligations therefor, to be used to pay costs of certain County environmental services fund projects as more particularly described in the County's 2018 Capital Budget, and to pay costs of issuance of such bonds or other obligations; authorizing and empowering the County to issue bond anticipation notes or to enter into installment purchase agreements for payment of portions of such costs; and to levy taxes upon the assessable property within the County sufficient, together with amounts held in the Environmental Services Special Revenue Fund and other available funds, to pay the debt service on such obligations; and providing for and determining various matters in connection therewith.

Introduced and read first time May 1, 2017. Ordered posted and hearing scheduled.

By order Jessica Feldmark  
Jessica Feldmark, Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on May 15, 2017.

By order Jessica Feldmark  
Jessica Feldmark, Administrator

This Bill was read the third time on May 24, 2017 and Passed , Passed with amendments \_\_\_\_\_, Failed \_\_\_\_\_.

By order Jessica Feldmark  
Jessica Feldmark, Administrator

Sealed with the County Seal and presented to the County Executive for approval this 26th day of May, 2017 at 4 a.m./p.m.

By order Jessica Feldmark  
Jessica Feldmark, Administrator

Approved by the County Executive June 1, 2017

Allan H. Kittleman  
Allan H. Kittleman, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; Strike-out indicates material deleted by amendment; Underlining indicates material added by amendment



1           **Section 2. And be it further enacted by the County Council of Howard County, Maryland,**  
2 That, pursuant to and in accordance with Section 19-212 of the Local Government Article of the  
3 Annotated Code of Maryland, as amended, the County is also authorized to issue bond anticipation notes  
4 in anticipation of the issuance of the bonds or other obligations authorized by this Act and described in  
5 Section 1 hereof, and all references to “bonds” or “obligations” shall include such bond anticipation  
6 notes, unless the context clearly requires a contrary meaning. It is intended that the aggregate principal  
7 amount of issued and outstanding bond anticipation notes when added to the aggregate principal amount  
8 of issued and outstanding bonds in anticipation of which such notes were issued, shall not exceed the  
9 aggregate principal amount set forth in Section 1 of this Act at any time. The County will agree in each  
10 ordinance described in Section 4 of this Act relating to any notes issued pursuant to this Act to pay such  
11 notes and the interest and premium, if any, thereon from the proceeds of the bonds in anticipation of the  
12 sale of which such notes are issued and other available funds, and the County will agree to issue such  
13 bonds when, and as soon as, the reason for deferring their issuance no longer exists.

14           **Section 3. And be it further enacted by the County Council of Howard County, Maryland,**  
15 That, in connection with the acquisition of real property as part of a Project, the County may incur all or  
16 any portion of the indebtedness authorized by this Act for such acquisition by entering into an installment  
17 purchase agreement pursuant to and in accordance with Section 4.201A of the Howard County Code  
18 (“Section 4.201A”) or any successor provisions of law in lieu of issuing bonds or other obligations for  
19 such acquisition. The principal amount of any such installment purchase agreement shall not exceed the  
20 lesser of (a) the maximum principal amount permitted by Section 4.201A or (b) the portion of the amount  
21 to be borrowed for such Project (as set forth in Section 1 hereof) which relates to such acquisition. All  
22 references to “bonds” or “obligations” in this Act shall include such installment purchase agreements,  
23 unless the context clearly requires a contrary meaning.

24           **Section 4. And be it further enacted by the County Council of Howard County, Maryland,**  
25 That the County Council of the County, by an ordinance or ordinances adopted from time to time in  
26 accordance with Article VI of the Charter and other applicable provisions of law and the policies of the

1 County, shall provide for (a) the issuance and sale of, (b) the maximum principal amount, designation,  
2 form, tenor and denomination or denominations of, (c) the dates of the first maturity (not more than two  
3 years after the date of issue) and the last maturity (not more than 30 years after the date of issue) of, and  
4 (d) the interest rate or rates per annum (or the method of determining such rate or rates) payable on, any  
5 bonds or other obligations issued from time to time under this Act; and may by any such ordinance, or by  
6 separate resolution, provide that the issue of bonds or other obligations hereby authorized be consolidated  
7 with one or more other issues.

8 **Section 5. And be it further enacted by the County Council of Howard County, Maryland,**

9 That for the purpose of paying the principal of and interest on such bonds or other obligations as the same  
10 shall become payable, the County Council of Howard County shall levy annually ad valorem taxes upon  
11 the assessable property in the County sufficient, together with amounts held in the Environmental  
12 Services Special Revenue Fund and other available funds, to pay the principal of and interest on such  
13 bonds or other obligations until all of such bonds or other obligations shall mature and be redeemed.

14 **Section 6. And be it further enacted by the County Council of Howard County, Maryland,**

15 That any bonds or other obligations issued from time to time under this Act are specifically exempt from  
16 the provisions of Sections 19-205 and 19-206 of the Local Government Article of the Annotated Code of  
17 Maryland, as amended, and any successor provision of law.

18 **Section 7. And be it further enacted by the County Council of Howard County, Maryland,**

19 That all bonds or other obligations authorized hereby shall be issued within four years from the date this  
20 Act becomes effective. Notwithstanding the foregoing, if bond anticipation notes are issued within such  
21 period in accordance with Section 2 hereof, the bonds or other obligations authorized hereby may be  
22 issued until the final maturity date of such notes.

23 **Section 8. And be it further enacted by the County Council of Howard County, Maryland,**

24 That the County anticipates that a portion of the costs of some or all of the Projects may be paid prior to  
25 the issuance of the bonds or other obligations authorized hereby. The amount of such costs so paid will  
26 depend on various factors, including, without limitation, the timing and speed of progress on the Projects,

1 the availability of other funds to pay such costs on an interim basis, bond and money market conditions  
2 and compliance with federal and State laws and regulations.

3 Accordingly, the County reasonably expects to reimburse costs of the Projects (as described  
4 herein) with proceeds of the bonds or other obligations authorized hereby, such bonds or other obligations  
5 to be issued by the County in the maximum principal amount of \$4,625,304.

6 **Section 9. And be it further enacted by the County Council of Howard County, Maryland,**  
7 That this Act shall take effect sixty-one (61) days after its enactment.

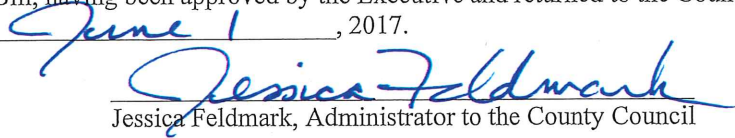
### Environmental Services Fund Projects

| Project Description   | Amount to be Borrowed (Reauthorizations) | Amount to be Borrowed (New Authorizations) |
|---|--|--|
| <b>C0299 FY2005 WASTE MANAGEMENT IMPROVEMENTS</b><br>A project for the design and construction of capital improvements at the Alpha Ridge Solid Waste Facility, New Cut and Carrs Mill Landfills. | \$4,625,304                              | =  |
| <b>Environmental Services Fund Projects – Reauthorizations/New Authorizations</b>   | <u>\$ 4,625,304</u>                      | =  |
| <b>TOTAL AMOUNT TO BE BORROWED:</b>   |  | <u>\$4,625,304</u>                         |

BY THE COUNCIL

This Bill, having been approved by the Executive and returned to the Council, stands enacted on

June 1, 2017.

  
\_\_\_\_\_  
Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, having been passed by the yeas and nays of two-thirds of the members of the Council notwithstanding the objections of the Executive, stands enacted on \_\_\_\_\_, 2017.

\_\_\_\_\_  
Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, having received neither the approval nor the disapproval of the Executive within ten days of its presentation, stands enacted on \_\_\_\_\_, 2017.

\_\_\_\_\_  
Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, not having been considered on final reading within the time required by Charter, stands failed for want of consideration on \_\_\_\_\_, 2017.

\_\_\_\_\_  
Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, having been disapproved by the Executive and having failed on passage upon consideration by the Council stands failed on \_\_\_\_\_, 2017.

\_\_\_\_\_  
Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, the withdrawal of which received a vote of two-thirds (2/3) of the members of the Council, is withdrawn from further consideration on \_\_\_\_\_, 2017.

\_\_\_\_\_  
Jessica Feldmark, Administrator to the County Council





## HOWARD COUNTY DEPARTMENT OF FINANCE

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*SUBJECT—Testimony for CB 41-2017, CB 42-2017, CB 43-2017, CB 44-2017, CB 45-2017, CB 46-2017 and CB 48-2017*

To: Lonnie Robbins  
Chief Administrative Office

Through: Stanley J. Milesky *Stanley Milesky*  
Director of Finance

From: Nikki Griffith *Nikki Griffith*  
Bureau Chief, Cash and Debt Management

The proposed legislation will authorize the County to issue bonds to finance certain capital projects as well as re-authorize \$110,734,108 in lapsing bond authorizations (\$69,832,411 in Metropolitan District Bonds and \$40,901,696 in Consolidated Public Improvement Bonds).

Council Bill 41-2017 will authorize the issuance of \$220,683,871 of General Obligation bonds including re-authorizing \$16,472,871 of General Obligation bonds. Council Bill 42-2017 will authorize the issuance of \$125,072,412 of Metropolitan District (water and sewer) bonds including re-authorizing \$69,832,411 in bonds. Council Bill 43-2017 will authorize the issuance of \$21,553,521 of Road Excise tax supported bonds including re-authorizing \$19,803,521 of bonds. Council Bill 44-2017 will authorize the issuance of \$2,000,000 of School Surcharge supported bonds. Council Bill 45-2017 will re-authorize the issuance of \$4,625,304 of Environmental Service fee supported bonds. Council Bill 46-2017 will authorize the issuance of \$8,800,000 of Watershed Protection and Restoration fee supported bonds. Council Bill 48-2017 will authorize a capital lease of \$3,000,000 to finance the acquisition of water and sewer equipment.

Each of the projects included in the proposed legislation are part of the FY 2018 Executive Proposed Capital Budget.

CC: Jennifer Sager  
Rafiu Ighile  
Holly Sun  
Rebecca Kidwell