

INTRODUCED _____
PUBLIC HEARING _____
COUNCIL ACTION _____
EXEC. ACTION _____
EFFECTIVE DATE _____

County Council Of Howard County, Maryland

2021 Legislative Session

Legislative Day No. 7

Bill No. 35-2021

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 principal amount of up to \$100,337,165 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 capital projects (including bridge projects, general county projects, storm drainage projects, school system projects, fire and rescue projects, road construction projects, roadside and sidewalk projects, library projects, community college projects, parks and recreation projects, police projects and traffic improvements projects), which are specified and described in the County's 2022 Capital Budget (including, without limitation, borrowings for certain capital projects previously authorized in other calendar years, which such authorization has lapsed or will lapse), and to pay costs of issuance of such bonds or other obligations; authorizing 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 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 _____, 2021. Ordered posted and hearing scheduled.

By order _____
Michelle Harrod, 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 _____, 2021.

By order _____
Michelle Harrod, Administrator

This Bill was read the third time on _____, 2021 and Passed ____, Passed with amendments _____, Failed _____.

By order _____
Michelle Harrod, Administrator

Sealed with the County Seal and presented to the County Executive for approval this __day of _____, 2021 at __ a.m./p.m.

By order _____
Michelle Harrod, Administrator

Approved by the County Executive _____, 2021.

Calvin Ball, 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 **Recitals**

2 In accordance with the provisions of Section 603 of the Charter of Howard County, Maryland
3 (the “Charter”), the County Executive has submitted a proposed Capital Budget for fiscal year 2022 to the
4 County Council of Howard County, Maryland, and, prior to the passage of this Act, the County Council
5 has adopted a Capital Budget for the fiscal year ending June 30, 2022 (the “Capital Budget”).

6 As a part of the Capital Budget, it is necessary that Howard County, Maryland borrow a sum not
7 exceeding \$100,337,165 to be used for (i) the financing and refinancing of certain capital projects, which
8 include bridge projects, general county projects, storm drainage projects, school system projects, fire and
9 rescue projects, road construction projects, roadside and sidewalk projects, library projects, community
10 college projects, parks and recreation projects, police projects and traffic improvements projects which
11 are specified and described in the Capital Budget (each a “Project”, collectively, the “Projects”), and more
12 particularly described in Appendix A attached hereto and incorporated herein, and (ii) payment of costs of
13 issuance of any obligations issued to evidence such borrowing. Of such amount, \$18,275,165
14 appropriated for certain of such Projects was previously authorized to be borrowed by the County in prior
15 calendar years, as indicated in Appendix A in the column captioned “Amount to be Borrowed
16 (Reauthorizations)”, but such authorized borrowing is expected to expire prior to the completion of such
17 Projects or the sale of general obligation bonds to provide permanent financing therefor. Accordingly, it
18 is necessary that such borrowing be reauthorized (“Reauthorizations”).

19 **Now therefore, in accordance with the provisions of Article VI of the Charter:**

20 **Section 1. Be it enacted by the County Council of Howard County, Maryland,** That Howard
21 County, Maryland (the “County”), is hereby authorized and empowered to borrow on its full faith and
22 credit, and issue and sell its bonds or other obligations or evidences of indebtedness therefor, at one time
23 or from time to time, an aggregate principal amount not exceeding \$100,337,165, the proceeds thereof to
24 be used to finance and refinance the Projects more particularly specified and described in Appendix A
25 attached hereto and in the Capital Budget; including for each Project, without limitation, the cost of
26 planning, design, construction, reconstruction, furnishing, equipping, improvements, renovations,

1 remodeling, enlargements, engineering services, architects services, surveys, landscaping, site
2 development, evaluation studies, land acquisition and related items, appurtenances and incidental
3 activities. The Projects and the amount to be borrowed for each (including, without limitation, any
4 Reauthorizations) are more specifically identified and described in Appendix A attached hereto.

5 Proceeds of any bonds or obligations authorized by this Act may also be used to pay costs of
6 issuance of such bonds or obligations.

7 **Section 2. And be it further enacted by the County Council of Howard County, Maryland,**

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

20 **Section 3. And be it further enacted by the County Council of Howard County, Maryland,**

21 That, in connection with the acquisition of real property as part of a Project, the County may incur all or
22 any portion of the indebtedness authorized by this Act for such acquisition by entering into an installment
23 purchase agreement pursuant to and in accordance with Section 4.201A of the Howard County Code
24 (“Section 4.201A”) or any successor provisions of law in lieu of issuing bonds or other obligations for
25 such acquisition. The principal amount of any such installment purchase agreement shall not exceed the
26 lesser of (a) the maximum principal amount permitted by Section 4.201A or (b) the portion of the amount

1 to be borrowed for such Project (as set forth in Section 1 hereof) which relates to such acquisition. All
2 references to “bonds” or “obligations” in this Act shall include such installment purchase agreements,
3 unless the context clearly requires a contrary meaning.

4 **Section 4. And be it further enacted by the County Council of Howard County, Maryland,**

5 That the County Council of the County, by an ordinance or ordinances adopted from time to time in
6 accordance with Article VI of the Charter and other applicable provisions of law and policies of the
7 County, shall provide for (a) the issuance and sale of, (b) the maximum principal amount, designation,
8 form, tenor and denomination or denominations of, (c) the dates of the first maturity and the last maturity
9 (not more than 30 years after the date of issue) of, and (d) the interest rate or rates per annum (or the
10 method of determining such rate or rates) payable on, any bonds or other obligations issued from time to
11 time under this Act; and may by any such ordinance, or by separate resolution, provide that the issue of
12 bonds hereby authorized be consolidated with one or more other issues.

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

14 That for the purpose of paying the principal of and interest on such bonds or other obligations as the same
15 shall become payable, the County Council of Howard County shall levy annually ad valorem taxes upon
16 the assessable property in the County sufficient, together with other available funds, to pay the principal
17 of and interest on such bonds or other obligations until all of such bonds or other obligations shall mature
18 and be redeemed. The full faith and credit and unlimited taxing power of the County are hereby
19 irrevocably pledged to the payment of the principal of and interest on such bonds or other obligations.

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

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

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

25 That all bonds or other obligations authorized hereby shall be issued within four years from the date this
26 Act becomes effective. Notwithstanding the foregoing, if bond anticipation notes are issued within such

1 period in accordance with Section 2 hereof, the bonds or other obligations authorized hereby may be
2 issued until the final maturity date of such notes.

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

4 That the County anticipates that a portion of the costs of some or all of the Projects may be paid prior to
5 the issuance of the bonds or other obligations authorized hereby. The amount of such costs so paid will
6 depend on various factors, including, without limitation, the timing and speed of progress on the Projects,
7 the availability of other funds to pay such costs on an interim basis, bond and money market conditions
8 and compliance with federal and State laws and regulations.

9 Accordingly, the County reasonably expects to reimburse costs of the Projects (as described
10 herein) with proceeds of the bonds or other obligations authorized hereby, such bonds or other obligations
11 to be issued by the County in the maximum principal amount of \$100,337,165.

12 **Section 9. And be it further enacted by the County Council of Howard County, Maryland,**

13 That this Act shall take effect sixty-one (61) days after its enactment.

Bridge Projects

		Project Description	Amount to be Borrowed (Reauthorizations)	Amount to be Borrowed (New Authorizations)
B	3835	FY2006 HENRYTON ROAD BRIDGE (H0- 105) A project for the design and construction of a replacement bridge for the Henryton Road bridge over a tributary to the Patapsco River.	- 0 -	\$150,000
B	3838	FY2006 PINDELL SCHOOL ROAD BRIDGE (H0-106) A project for the design and construction of a replacement structure for the Pindell School Road bridge over Hammond Branch.	\$181,000	-0-
B	3849	FY1996 DAISY ROAD BRIDGE (H0-38) A project for the design and construction of a replacement bridge and roadway tie-ins.	110,000	65,000
B	3853	FY2000 EMERGENCY STRUCTURE RECON A fund for Howard County to undertake construction and repair of bridges, culverts and retaining walls requiring prompt action.	- 0 -	360,000
B	3857	FY2001 SYSTEMIC BRIDGE IMPROVEMENTS A project for specialized renovation items for bridges throughout the County.	100,000	500,000
B	3858	FY2019 PFEFFERKORN ROAD BRIDGE (H0-31) A project for the design and construction of a bridge replacement for Pfefferkorn Road over Middle Patuxent River.	- 0 -	50,000
B	3860	FY2016 CARROLL MILL ROAD BRIDGE REPLACEMENT (H0-23) A project for the design and construction of a replacement structure for the Carroll Mill Road bridge over Benson Branch. Carroll Mill Road is classified as a minor collector road in the Plan Howard 2030.	56,000	- 0 -
B	3862	FY2013 RETAINING WALLS A Countywide project for the repair, re-conditioning and development of new retaining walls.	300,000	-0-
B	3863	FY2013 DOWNTOWN COLUMBIA-OAKLAND MILLS CONNECTION IMPROVEMENTS A project to provide a feasibility study, design and construction of enhancements to existing and potential future connections over US29.	151,000	- 0 -
Bridge Projects –Reauthorizations/ New Authorizations			<u>\$898,000</u>	<u>\$1,125,000</u>
Bridge Projects Total				<u>\$2,023,000</u>

General County Projects

Project Description		Amount to be Borrowed (Reauthorizations)	Amount to be Borrowed (New Authorizations)
C 0290	FY2019 COURTHOUSE RENOVATION REPLACEMENT A project to renovate and replace the existing courthouse.	6,723,145	- 0 -
C 0301	FY2005 TECH INFRASTRUCTURE UPGRADES This project covers security, infrastructure hardware and network upgrades, as well as life-cycle replacement	- 0-	2,020,000
C 0311	FY2007 PUBLIC SAFETY RADIO SYSTEM ENHANCEMENTS Enhancement to 800 MHz Motorola Astro P-25 trunking radio system for Public Safety and general government.	- 0 -	1,100,000
C 0313	FY2008 ENVIRONMENTAL COMPLIANCE CONSTRUCTION A project to support environmental compliance activities for County Facilities. Work may include the study, planning, design and construction of environmental protection and remediation measures.	1,103,000	- 0 -
C 0315	FY2009 PUBLIC SAFETY SYTEM ENHANCE This project will provide a variety of functionality enhancements for the County's existing Public Safety System.	-0-	667,000
C 0322	FY2012 CENTRAL FLEET SYSTEMIC IMPROVEMENTS and FUEL SYSTEM This is a project to fund improvements to the County's fuel storage, dispensing and monitoring systems, and to improve or upgrade the physical plant of Fleet Equipment.	-0-	700,000
C 0329	FY2012 ENERGY MANAGEMENT/IMPROVEMENTS A project to develop a 5-10 year business plan for energy performance optimization.	-0-	300,000
C 0333	FY2015 DETENTION CENTER RENOVATIONS The Department of Corrections currently is facing severe challenges and regulatory mandates that must be resolved through the renovation and expansion of the Detention Center.	-0-	1,000,000
C 0334	FY2014 EMERGENCY ALTERNATIVE POWER Relative to County facilities, implement a program to ensure continuity of operations in County facilities for purposes relative to essential functions during various emergency scenarios and make the necessary hardware modifications	172,000	- 0 -
C 0336	FY2014 LANDFILL RESOURCE MANAGEMENT A project for the design and construction of resource improvements at the Alpha Ridge Landfill and Resident's Recycling and Demonstration Center.	290,914	- 0 -
C 0348	FY2017 MODERNIZATION OF FLEET AND HIGHWAYS SHOPSIMPROVEMENTS A project for the master planning, design, construction of new facilities and renovation of existing County Fleet and Highways Facilities to modernize the facilities.	-0-	1,000,000

	Project Description	Amount to be Borrowed (Reauthorizations)	Amount to be Borrowed (New Authorizations)
C 0349	FY2017 ENVIRONMENTAL COMPLIANCE OPERATIONS A project to support environmental compliance activities for County facilities.	-0-	185,000
C 0350	FY2017 NEW BUDGET SYSTEM The Budget Application project has been established to purchase and implement a new budget system for improved efficiencies, transparency and presentation.	14,000	-0-
C 0365	SYSTEMIC FACILITY IMPROVEMENTS Project to maintain all county facilities managed by the Department of Public Works	-0-	3,800,000
C 0366	PUBLIC SAFETY TRAINING FACILITIES IMPROVEMENTS Project will make improvements determined by Public safety Master Plan, and as determined necessary for safety	-0-	1,555,000
General County Projects – Reauthorizations/New Authorizations		<u>\$8,303,059</u>	<u>\$12,327,000</u>
General County Projects Total			<u>\$20,630,059</u>

Storm Drainage Projects

Project Description			Amount to be Borrowed (Reauthorizations)	Amount to be Borrowed (New Authorizations)
D	1124	FY2007 DRAINAGE IMPROVEMENT PROGRAM A project for the design and construction of small to medium-sized drainage improvements requested by County residents and the Bureau of Highways..	-0-	\$550,000
D	1155	FY2006 LINCOLN DR AT CEDAR VIL PARK DRAINAGE There is an inadequate drainage system to carry the runoff from the park side of the road to the outfall side of Lincoln Drive.	112,384	-0-
D	1158	FY2008 WATERSHED MANAGEMENT CONSTRUCTION This project is for design and construction of stormwater facility improvements	858,286	-0-
D	1165	FY2013 FLOOD MITIGATION and STORMWATER/WATERWAY ENHANCEMENT This project is for the study, design, and construction of flood mitigation and stormwater waterway enhancement efforts in downtown Ellicott City.	1,000,000	-0-
D	1169	FY2016 STORM DRAIN CULVERT REPLACEMENT PROGRAM This program will provide for the replacement of failed storm drain pipes and culverts.	-0-	2,250,000
D	1175	FY2018 VALLEY MEDE/CHATHAM FLOOD MITIGATION This project is for the study, design and construction of flood mitigation and stormwater waterway improvement efforts in the Valley Mede and Chatham subwatersheds	-0-	700,000
D	1182	FY2021 ORCHARD RIDGE DRAINAGE IMPROVEMENTS This project is for the design and construction of drainage and stormwater management improvements in the Orchard Ridge community	-0-	500,000
Storm Drainage Projects – Reauthorizations/New Authorizations			<u>\$1,970,670</u>	<u>\$4,000,000</u>
Storm Drainage Projects Total				<u>\$5,970,670</u>

School System Projects

Project Description			Amount to be Borrowed (Reauthorizations)	Amount to be Borrowed (New Authorizations)
E	0990	FY2002 PLAYGROUND EQUIPMENT Improvements and installation of playground equipment at various school sites.	\$25,431	-0-
E	1024	FY2019 HAMMOND HS RENOVATION/ADDITION A project to expand educational program spaces and renovate Hammond High School.	-0-	\$15,058,000
E	1033	FY2015 PATUXENT VALLEY MIDDLE SCHOOL RENOVATION A project to expand educational program spaces and renovate Patuxent Valley Middle School.	338,757	-0-
E	1035	FY2019 NEW HIGH SCHOOL #13 A project to construct a new high school to accommodate enrollment growth.	-0-	23,073,000
E	1044	FY2019 SYSTEMIC RENOVATIONS Improvements and installation of systemic renovations at various schools sites.	1,563,000	-0-

School System Projects –Reauthorizations/New Authorizations

\$1,927,187

\$38,131,000

School System Projects Total

\$40,058,187

Fire and Rescue Projects

Project Description			Amount to be Borrowed (Reauthorizations)	Amount to be Borrowed (New Authorizations)
F	5976	FY2018 NORTH COLUMBIA FIRE STATION A project to construct a new Columbia fire station.	\$229,000	-0-
Fire and Rescue Projects –Reauthorizations/New Authorizations			<u>\$229,000</u>	<u>\$-0-</u>
Fire and Rescue Projects Total				<u>\$229,000</u>

Road Construction Projects

Project Description			Amount to be Borrowed (Reauthorizations)	Amount to be Borrowed (New Authorizations)
J	4167	FY2010 SNOWDEN RIVER BROKEN LAND INTERSECTIONS A project for design and reconstruction of the Snowden River Parkway - Broken Land Parkway - Patuxent Woods Drive intersection including westbound MD32 ramp to northbound Broken Land Parkway.	-0-	\$215,000
J	4170	FY2004 ROGER'S AVENUE IMPROVEMENTS A project for design and construction of approximately 1,500 LF of Rogers Avenue from existing improvements near US40 to Court House Drive.	\$575,000	-0-
J	4214	FY2007 GUILFORD AT VOLLMERHAUSEN IMPROVEMENTS A project to design and construct improvements to the intersection of Guilford Road at Vollmerhausen Road and along Guilford Road to the west towards Carroll Heights Ave.	125,000	-0-
J	4231	FY2013 ELKRIDGE MAIN STREET IMPROVEMENTS A project to replace the curb, gutter and sidewalks along Main Street from Old Washington Road to Brumbaugh Street in Elkridge.	-0-	50,000
J	4240	ROADWAY REHABILITATION SAFETY PROGRAM A program to strategically prioritize, repair, replace and extend the useful life of existing road infrastructure assets.	130,000	50,000
J	4246	FY2018 OLD MONTGOMERY ROAD AT BRIGHTFIELD ROAD INTERSECTION IMPROVEMENTS A project to reconfigure the intersection of Old Montgomery Road and Brightfield Road for safety and increased capacity.	85,000	-0-
J	4248	FY2017 SAVAGE AREA COMPLETE STREETS The project includes complete street improvements in Savage, Maryland to enhance multimodal travel for pedestrians, bicyclists, transit, and automobiles.	-0-	775,000
J	4251	FY2018 LIME KILN ROAD IMPROVEMENTS A project to improve the roadway and drainage along Lime Kiln Road between MD 216 and Reservoir Road.	92,000	-0-
Road Construction Projects –Reauthorizations/New Authorizations			<u>\$1,007,000</u>	<u>\$1,090,000</u>
Road Construction Projects Total				<u>\$2,097,000</u>

Roadside and Sidewalk Projects

Project Description		Amount to be Borrowed (Reauthorizations)	Amount to be Borrowed (New Authorizations)
K 5035	FY1998 SCHOOL RT PATHWAYS/SIDEWALKS This project is for the installation of sidewalks and/or pathways to provide for improved routes for school children.	\$300,000	\$400,000
K 5036	FY1998 ROUTINE SIDEWALK/WALKWAY A project to design and construct routine sidewalk and walkway extensions up to about 1,000 feet in length.	200,000	-0-
K 5040	FY 2005 GUILFORD RD PED/BIKE IMPROV A project for the design and construction of sidewalk on one or both sides of Guilford Road between Oakland Mills Road and US1.	300,000	-0-
K 5061	FY2007 PEDESTRIAN PLAN PROJECTS A project for the ongoing evaluation, design and construction of pedestrian improvements listed in the Howard County Pedestrian Master Plan.	905,000	650,000
K 5063	FY2017 NORTH LAUREL ROAD SIDEWALK A project for the design and construction of a sidewalk along the southwest side of North Laurel Road from Linville Ave to US1.	75,000	25,000
K 5066	FY2014 BICYCLE PLAN PROJECTS A project for the implementation of the comprehensive Howard County Bicycle Master Plan.	658,000	825,000
K 5068	ADA RAMPS UPGRADE PROGRAM A program to upgrade sidewalk ramps and curb cuts in compliance with Federal Americans with Disabilities Act 1990 (ADA) requirements.	-0-	1,200,000
K 5069	BITUMINOUS CURB and GUTTER REPLACEMENT PROGRAMS A program to replace deteriorated or damaged curbs.	-0-	400,000
Roadside and Sidewalk Projects – Reauthorizations/New Authorizations		<u>\$2,438,000</u>	<u>\$3,500,000</u>
Roadside and Sidewalk Projects Total			<u>\$5,938,000</u>

Library Projects

Project Description			Amount to be Borrowed (Reauthorizations)	Amount to be Borrowed (New Authorizations)
L 0018	FY2018 GLENWOOD BRANCH RENOVATION	A project to renovate the Glenwood Branch to include much needed study rooms and classroom space for the benefit of students of all ages.	\$649,801	-0-
L 0020	FY2021 NEW HCLS CENTRAL BRANCH & RELOCATION	Relocation of HCLS Central Branch due to Downtown Columbia Redevelopment Plans.	-0-	\$500,000
Library Projects – Reauthorizations/New Authorizations			<u>\$649,801</u>	<u>\$500,000</u>
Library Projects Total				<u>\$1,149,801</u>

Community College Projects

Project Description		Amount to be Borrowed (Reauthorizations)	Amount to be Borrowed (New Authorizations)
M 0539	FY2020 MATHEMATICS AND ATHLETICS COMPLEX The purpose of this complex is to design and construct a new facility that will unite both academics and athletics.	-0-	\$15,844,000
M 0550	FY2017 SYSTEMIC RENOVATIONS Address campuswide systemic renovations, deferred maintenance, and facility renewals.	-0-	1,000,000
Community College Projects – Reauthorizations/New Authorizations		<u>\$-0-</u>	<u>\$16,844,000</u>
Community College Projects Total			<u>\$16,844,000</u>

Parks and Recreation Projects

			Amount to be Borrowed (Reauthorizations)	Amount to be Borrowed (New Authorizations)
Project Description				
N	3108	FY2004 PARK SYSTEMIC IMPROVEMENTS This project will provide replacement of all types of park facilities and related engineering to include equipment or building elements which have deteriorated beyond routine maintenance efforts.	-0-	\$2,345,000
N	3958	FY2003 HISTORIC STRUCTURE REHAB This project creates a fund for the preservation and rehabilitation of historic properties under the management of the Department of Recreation and Parks.	\$150,000	-0-
N	3963	FY2009 PATHWAY and TRAIL REHAB and EXPANSION A project to rehabilitate and expand the existing pathway and trail systems which currently extends from Savage Park through Columbia to Dorsey's Search and throughout the County.	200,000	-0-
Parks and Recreation Projects – Reauthorizations/New Authorizations			<u>\$350,000</u>	<u>\$2,345,000</u>
Parks and Recreation Projects Total				<u>\$2,695,000</u>

Police Projects

Project Description		Amount to be Borrowed (Reauthorizations)	Amount to be Borrowed (New Authorizations)
P	4928 FY2015 POLICE STATION & MODERNIZATION OF FACILITIES Police department building upgrades and renovations, including partial renovation of Northern District and Grempier Building and others as necessary.	\$302,448	-0-
Police Projects –Reauthorizations/New Authorizations		<u>\$302,448</u>	<u>\$-0-</u>
Police Projects Total			<u>\$302,448</u>

