

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

County Council of Howard County, Maryland

2024 Legislative Session

Legislative Day No. 5

Bill No. 28 -2024

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

Short Title: Bond authorizing and empowering – General County projects – \$38,500,000

Title: AN ACT for the purpose of authorizing and empowering Howard County, Maryland to borrow money in the aggregate principal amount of up to \$38,500,000 on its full faith and credit, and issue debt obligations therefor, to be used to pay costs of certain General County projects as more particularly described in the County's Fiscal Year 2024 and 2025 Capital Budgets, and to pay costs of issuance of such debt obligations; 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 _____, 2024. 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 _____, 2024.

By order _____
Michelle Harrod, Administrator

This Bill was read the third time on _____, 2024 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 _____, 2024 at ___ a.m./p.m.

By order _____
Michelle Harrod, Administrator

Approved by the County Executive _____, 2024.

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”), (i) the County Executive has submitted a proposed Capital Budget for fiscal year 2025 to
4 the County Council of Howard County, Maryland, and, prior to the passage of this Act, the County
5 Council has adopted a Capital Budget for the fiscal year ending June 30, 2025 (the “2025 Capital
6 Budget”) and (ii) Council Bill 05-2024 was adopted by the County Council and approved by the County
7 Executive, prior to the passage of this Act, amending the Capital Budget for the fiscal year ending June
8 30, 2024 (the “2024 Capital Budget” and together with the 2025 Capital Budget, the “Capital Budgets”).

9 As a part of the 2024 Capital Budget and the 2025 Capital Budget, it is necessary that Howard
10 County, Maryland borrow a sum not exceeding \$38,500,000 to be used for payment of the costs of certain
11 general county capital projects specified in the Capital Budgets (each a “Project”, collectively, the
12 “Projects”), which Projects are more particularly described in Appendix A attached hereto and
13 incorporated herein, and for payment of costs of issuance of any obligations issued to evidence such
14 borrowing.

15 **Now therefore, in accordance with the provisions of Article VI of the Charter of Howard**
16 **County, Maryland:**

17 **Section 1. Be it enacted by the County Council of Howard County, Maryland,** That Howard
18 County, Maryland (the “County”), is hereby authorized and empowered to borrow on its full faith and
19 credit, and issue and sell its debt obligations therefor, at one time or from time to time, an aggregate
20 principal amount not exceeding \$38,500,000, the proceeds thereof to be used to finance and refinance the
21 Projects more particularly specified and described in Appendix A attached hereto and in the Capital
22 Budgets; including for each Project, without limitation, the cost of applications, planning, design,
23 construction, reconstruction, furnishing, equipping, improvements, renovations, remodeling,
24 enlargements, engineering services, architects services, surveys, landscaping, site development,
25 evaluation studies, land acquisition and related items, appurtenances and incidental activities.

1 Proceeds of any debt obligations authorized by this Act may also be used to pay costs of issuance
2 of such debt obligations.

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

4 That, in connection with the acquisition of real property as part of a Project, the County may incur all or
5 any portion of the indebtedness authorized by this Act for such acquisition by entering into an installment
6 purchase agreement pursuant to and in accordance with Section 4.201A of the Howard County Code
7 (“Section 4.201A”) or any successor provisions of law in lieu of issuing debt obligations for such
8 acquisition. The principal amount of any such installment purchase agreement shall not exceed the lesser
9 of (a) the maximum principal amount permitted by Section 4.201A or (b) the portion of the amount to be
10 borrowed for such Project (as set forth in Section 1 hereof) which relates to such acquisition. All
11 references to “bonds” or “obligations” in this Act shall include such installment purchase agreements,
12 unless the context clearly requires a contrary meaning.

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

14 That the County Council of the County, by an ordinance or ordinances adopted from time to time in
15 accordance with Article VI of the Charter and other applicable provisions of law and the policies of the
16 County, shall provide for (a) the issuance and sale of, (b) the maximum principal amount, designation,
17 form, tenor and denomination or denominations of, (c) the dates of the first maturity and the last maturity
18 of, and (d) the interest rate or rates per annum (or the method of determining such rate or rates) payable
19 on, any debt obligations issued from time to time under this Act; and may by any such ordinance, or by
20 separate resolution, provide that the issue of debt obligations hereby authorized be consolidated with one
21 or more other issues.

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

23 That for the purpose of paying the principal of and interest on such debt obligations as the same shall
24 become payable, the County Council of Howard County shall levy annually ad valorem taxes upon the
25 assessable property in the County sufficient, together with other available funds, to pay the principal of
26 and interest on such debt obligations until all of such debt obligations shall mature and be redeemed. The

1 full faith and credit and unlimited taxing power of the County are hereby irrevocably pledged to the
2 payment of the principal of and interest on such bonds or other obligations.

3 **Section 5. And be it further enacted by the County Council of Howard County, Maryland,**
4 That any debt obligations issued from time to time under this Act are specifically exempt from the
5 provisions of Sections 19-205 and 19-206 of the Local Government Article of the Annotated Code of
6 Maryland, as amended, and any successor provision of law.

7 **Section 6. And be it further enacted by the County Council of Howard County, Maryland,**
8 That all debt obligations authorized hereby shall be issued within four years from the date this Act
9 becomes effective.

10 **Section 7. And be it further enacted by the County Council of Howard County, Maryland,**
11 That the County anticipates that a portion of the costs of some or all of the Projects may be paid prior to
12 the issuance of the debt obligations authorized hereby. The amount of such costs so paid will depend on
13 various factors, including, without limitation, the timing and speed of progress on the Projects, the
14 availability of other funds to pay such costs on an interim basis, bond and money market conditions and
15 compliance with federal and State laws and regulations.

16 Accordingly, the County reasonably expects to reimburse costs of the Projects (as described
17 herein) with proceeds of the debt obligations authorized hereby, such debt obligations to be issued by the
18 County in the maximum principal amount of \$38,500,000.

19 **Section 8. And be it further enacted by the County Council of Howard County, Maryland,**
20 That this Act shall take effect sixty-one (61) days after its enactment.

General County Projects

Project Description	Amount to be Borrowed (Reauthorizations)	Amount to be Borrowed (New Authorizations)
<p>C0337-FY2014 ELLICOTT CITY IMPROVEMENTS and ENHANCEMENTS This is a project to provide a variety of repairs and improvements to public infrastructure and address other community improvements and to make improvements to the downtown and historic district of the Howard County Seat.</p>	\$-	\$38,500,000
General County Projects – Reauthorizations/New Authorizations	<u>\$-0-</u>	<u>\$38,500,000</u>
TOTAL AMOUNT TO BE BORROWED:		<u>\$38,500,000</u>