

INTRODUCED 1/5/15  
PUBLIC HEARING 1/20/15  
COUNCIL ACTION 2/2/15  
EXEC. ACTION 2/4/15  
EFFECTIVE DATE 4/6/15

County Council Of Howard County, Maryland

2015 Legislative Session

Legislative Day No. 1

Bill No. 2-2015

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 \$3,263,000 on its full faith and credit, and issue and sell its bonds therefor, to be used to pay costs of various capital projects, more particularly described in the County's 2015 Capital Budget, and to pay costs of issuance of such bonds; 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 January 5, 2015. 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 January 26, 2015.

By order

Jessica Feldmark  
Jessica Feldmark, Administrator

This Bill was read the third time on February 2, 2015 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 3<sup>rd</sup> day of Feb., 2015 at 4:00 a.m./p.m.

By order

Jessica Feldmark  
Jessica Feldmark, Administrator

Approved by the County Executive Feb. 4, 2015.

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

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Now therefore, in accordance with the provisions of Article VI of the Charter of Howard County:

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

That, pursuant to and in accordance with Section 19-212 of the Local Government Article of the Annotated Code of Maryland, as amended, the County is also authorized to issue bond anticipation notes in anticipation of the issuance of the bonds authorized by this Act and described in Section 1 hereof, and all references to “bonds” or “obligations” in this Act shall include such bond anticipation notes, unless the

1 context clearly requires a contrary meaning. It is intended that the aggregate principal amount of issued  
2 and outstanding bond anticipation notes when added to the aggregate principal amount of issued and  
3 outstanding bonds in anticipation of which such notes were issued, shall not exceed the aggregate  
4 principal amount set forth in Section 1 of this Act at any time. The County will agree in each ordinance  
5 described in Section 4 of this Act relating to any notes issued pursuant to this Act to pay such notes and  
6 the interest and premium, if any, thereon from the proceeds of the bonds in anticipation of the sale of  
7 which such notes are issued and other available funds, and the County will agree to issue such bonds  
8 when, and as soon as, the reason for deferring their issuance no longer exists.

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

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

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

20 That the County Council of the County, by an ordinance or ordinances adopted from time to time in  
21 accordance with Article VI of the Charter and other applicable provisions of law and policies of the  
22 County, shall provide for (a) the issuance and sale of, (b) the maximum principal amount, designation,  
23 form, tenor and denomination or denominations of, (c) the dates of the first maturity and the last maturity  
24 (not more than 30 years after the date of issue) of, and (d) the interest rate or rates per annum (or the  
25 method of determining such rate or rates) payable on, any bonds or other obligations issued from time to

1 time under this Act; and may by any such ordinance, or by separate resolution, provide that the issue of  
2 bonds or other obligations hereby authorized be consolidated with one or more other issues.

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

4 That for the purpose of paying the principal of and interest on such bonds or other obligations as the same  
5 shall become payable, the County Council of Howard County shall levy annually ad valorem taxes upon  
6 the assessable property in the County sufficient, together with other available funds, to pay the principal  
7 of and interest on such bonds or other obligations until all of such bonds or other obligations shall mature  
8 and be redeemed.

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

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

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

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

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

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

24 Accordingly, the County reasonably expects to reimburse costs of the Projects (as described  
25 herein) with proceeds of the bonds or other obligations authorized hereby, such bonds or other obligations  
26 to be issued by the County in the maximum principal amount of \$3,263,000.

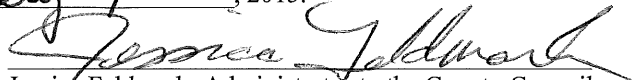
1           **Section 9. And be it further enacted by the County Council of Howard County, Maryland,**  
2    That this Act shall take effect sixty-one (61) days after its enactment.

Project Description	Amount to be Borrowed
<b>E0980 FY2004 SYSTEMIC RENOVATIONS</b>	<b>\$ 600,000</b>
Improvements and installation of systemic renovations at various school sites, including projects of a critical nature such as sprinkler repair, HVAC repair, window replacement, and other projects in support of the local CIP outlined in the HCPSS Comprehensive Maintenance Plan, as well as emergent projects on school properties.	
<b>E1023 FY2013 NEW MIDDLE SCHOOL #20</b>	<b>827,000</b>
A project to construct a new middle school to relieve the Northeastern and Southeastern regions in 2014.	
<b>E1030 FY2014 DEEP RUN ELEM SCHOOL RENOVATION/ADDITION</b>	<b>536,000</b>
A project to expand educational program spaces and renovate Deep Run Elementary School.	
<b>E1032 FY2014 LAUREL WOODS ELEM SCHOOL ADDITION</b>	<b>1,300,000</b>
A project to expand educational program spaces Laurel Woods Elementary School.	
<b>TOTAL AMOUNT TO BE BORROWED:</b>	<b><u>\$3,263,000</u></b>

BY THE COUNCIL

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

February 4, 2015.

  
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 \_\_\_\_\_, 2015.

\_\_\_\_\_  
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 \_\_\_\_\_, 2015.

\_\_\_\_\_  
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 \_\_\_\_\_, 2015.

\_\_\_\_\_  
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 \_\_\_\_\_, 2015.

\_\_\_\_\_  
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 \_\_\_\_\_, 2015.

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