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**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND**

Legislative Session

1992

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Resolution No. CR-12-

1992

Proposed by The Chairman (by request -  
WSSC)

Introduced by Council Members Casula, Castaldi, and  
MacKinnon

Co-Sponsors

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Date of Introduction February 18,  
1992

**RESOLUTION**

A RESOLUTION concerning

Approval of a Certain Finance Plan  
of the Washington Suburban Sanitary Commission  
for the Issuance of Refunding Bonds

FOR the purpose of approving the Finance Plan of Washington  
Suburban Sanitary Commission for the refunding of certain Bonds  
of Washington Suburban Sanitary District through the issuance  
of approximately \$873,065,000 aggregate principal amount of  
General Construction Refunding Bonds, Water Supply Refunding  
Bonds, Sewage Disposal Refunding Bonds and Administration

Building Construction Refunding Bonds, of Washington Suburban Sanitary District.

WHEREAS, Washington Suburban Sanitary Commission (the "Commission") proposes to issue approximately \$873,065,000 principal amount of General Construction Refunding Bonds, Water Supply Refunding Bonds, Sewage Disposal Refunding Bonds, and Administration Building Construction Refunding Bonds (the "Refunding Bonds") at one time or from time to time for the purpose of advance refunding the callable maturities and outstanding maturities of some or all of the bonds identified in Attachment A (such callable maturities collectively, the "Refunded Bonds") as market conditions may permit; and

WHEREAS, under the provisions of Article 29 of the Annotated Code of Maryland, as amended ("Article 29"), and particularly, Section 4-109 thereof, the Commission is authorized to issue the Refunding Bonds to advance refund the Refunded Bonds to effect savings in debt service costs, directly or through any debt restructuring and only upon a finding by the Commission that such refunding will result in total savings in debt service costs; and

WHEREAS, said Section 4-109 of Article 29 provides for the preparation by the Commission of its plan respecting the issuance of the Refunding Bonds and pursuant thereto the Commission has delivered to the County Executive and the County Council of Prince George's County said plan (the "Finance Plan") entitled:

WASHINGTON SUBURBAN SANITARY COMMISSION

ADVANCE REFUNDING PLAN

and dated February 6, 1992; and

WHEREAS, Section 4-109 of Article 29 provides that the sale of the Refunding Bonds as authorized thereunder shall not be made unless the Finance Plan is approved by the County Executive and the County Council of Prince George's County and Montgomery County, respectively, provided, however, that if during the period of 30 days from the date of delivery of the Finance Plan any County Executive or County Council shall have failed to approve or disapprove the Finance Plan, such failure shall be deemed an approval of the Finance Plan by such County Executive or County Council; and

WHEREAS, the Finance Plan has been based upon certain assumptions, tables and other bases set forth in the Finance Plan which have been reviewed and considered by the County Council; and

WHEREAS, delivery of the Finance Plan to the County Councils and County Executives of the two Counties, respectively, has been approved by the Commission, and subject to the approval of the Finance Plan as required under said Section 4-109, the Commission proposes issuing the Refunding Bonds of Washington Suburban Sanitary District in the amount necessary to effectuate the Finance Plan, subject to such revisions, if any, to the extent that any facts assumed should subsequently change; and

WHEREAS, the County Executive of Prince George's County has

reviewed the Finance Plan and has signed and submitted to the County Council his statement of approval of the Finance Plan.

NOW, THEREFORE, BE IT RESOLVED by the County Council of Prince George's County, Maryland, that the Finance Plan be and is hereby approved, recognizing that the Finance Plan is based upon assumptions, tables and bases set forth therein and that to the extent the facts assumed should change, revisions in the Finance Plan may be necessary.

BE IT FURTHER RESOLVED that the Finance Plan be placed on file with the Clerk of the Council and that the Clerk be and is hereby directed to deliver to the Secretary/Treasurer of the Commission certified copies of this Resolution and of the excerpts from the minutes of the meeting of the County Council evidencing the adoption of this Resolution.

BE IT FURTHER RESOLVED that in accordance with Section 4-109 of Article 29, the time limitations respecting the approval of the Finance Plan by the County Council are hereby waived.

BE IT FURTHER RESOLVED that the provisions of this Resolution are severable and if any paragraph, provision, sentence, clause, section or part hereof is held illegal, invalid, unconstitutional or inapplicable to any person or circumstance by a court of competent jurisdiction, such illegality, invalidity, unconstitutionality, or inapplicability shall not affect or impair any of the remaining paragraphs, provisions, sentences, clauses, sections, or parts of this Resolution. It is hereby declared to be the legislative intent that this Resolution would have been adopted if such illegal,

invalid, unconstitutional, or inapplicable provision, paragraph, sentence, clause, section or part had not been included herein.

BE IT FURTHER RESOLVED that the Washington Suburban Sanitary Commission shall provide a comprehensive report to the Council within ten (10) days of the issuance of the Refunding Bonds of the total savings in debt service, the present value of savings and the total savings for the fiscal year in which the refunding occurred as well as the ensuing fiscal year.

Adopted this 10th day of March, 1992.

COUNTY COUNCIL OF PRINCE  
GEORGE'S COUNTY, MARYLAND

BY:

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Richard J. Castaldi  
Chairman

ATTEST:

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Joyce T. Sweeney  
Acting Clerk of the Council

NOTE: Attachment A is available in hard copy only.

CR-28-1991  
Attachment A

<u>Refunding</u> <u>Issue</u>	<u>True</u> <u>Interest</u> <u>Cost</u>	<u>Issue</u> <u>Size</u>	<u>Total</u> <u>Savings</u>	<u>Present</u> <u>Value</u> <u>Savings</u>
Water Supply Bonds of 1985	5.75	\$ 18,500,000	\$ 1,026,399	\$ 941,273
Sewage Disposal Bonds of 1985	5.75	11,655,000	621,415	572,128
Water Supply Refunding Bonds of 1985	5.57	34,840,000	1,033,304	1,076,675
Sewage Disposal Refunding Bonds of 1985	5.55	14,845,000	400,219	417,264
General Construction Bonds				

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of 1986	6.14	15,365,000	1,009,844	841,703	
Sewage Disposal Bonds of 1986	5.79		17,790,000	716,396	656,679
Water Supply Bonds of 1986	5.79	5,580,000	185,451	167,978	
General Construction Refunding					
Bonds of 1986	6.21	160,785,000	4,187,128	3,731,731	
General Construction Bonds					
of 1987	6.17	41,425,000	987,674	915,204	
General Construction and Water					
Supply Bonds of 1979	6.25	86,995,000	5,189,948	4,805,121	
Sewage Disposal and Water					
Supply Bonds of 1980	5.77	<u>40,145,000</u>	<u>2,572,805</u>	<u>2,455,660</u>	
Total:		\$447,925,000	\$17,930,583	\$16,581,416	

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