



Prince George's County Council

Agenda Item Summary

Meeting Date: 11/16/2021

Effective Date: 1/18/2022

Reference No.: CB-094-2021

Chapter Number: 73

Draft No.: 1

Public Hearing Date:

Proposer(s): County Executive

Sponsor(s): Hawkins, Turner, Harrison, Davis, Franklin, Glaros and Taveras

Item Title: AN ACT CONCERNING THE ISSUANCE AND SALE OF GENERAL OBLIGATION AND STORMWATER MANAGEMENT BONDS FOR THE PURPOSE OF AUTHORIZING AND EMPOWERING PRINCE GEORGE'S COUNTY, MARYLAND TO ISSUE AND SELL AN AMOUNT NOT TO EXCEED FIVE HUNDRED FORTY-EIGHT MILLION ONE HUNDRED EIGHTEEN THOUSAND DOLLARS (\$548,118,000) IN AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION AND STORMWATER MANAGEMENT BONDS for the purpose of providing funds for financing in whole or in part costs of the planning, acquisition, construction, reconstruction, establishment, extension, enlargement, demolition, or improvement of certain capital projects and capital projects constituting facilities (including without limitation any land, interest in land or equipment) for the control and disposition of storm and surface waters, including floodproofing, flood control or navigation programs and other stormwater programs and systems, environmental restoration and/or wetlands construction, and the protection, conservation, creation and acquisition of certain property described in the Maryland Annotated Code Environment Article consistent with federal and Maryland laws and regulations on the subject of nontidal and private wetlands, as applicable, including describing the capital projects to be financed in whole or in part from the proceeds of the bonds hereby authorized and the estimated costs thereof; or purchase of certain capital projects set forth in the capital budget of the County for the fiscal year ending June 30, 2022, or usable portions thereof, including describing the capital projects to be financed in whole or in part from the proceeds of the bonds hereby authorized and the estimated costs and the probable useful lives thereof; prescribing or providing for the procedures for the issuance and sale of such bonds at private (negotiated) sale or public sale; declaring the County's official intent to reimburse itself for certain expenditures paid before the issuance of the bonds authorized hereby in accordance with applicable Income Tax Regulations; authorizing the consolidation of such bonds with other bonds for purposes of such sale; showing compliance with the power of the County to incur indebtedness; directing the application of the proceeds of such bonds and the proceeds of bonds previously issued by an act of the County; pledging the full faith and credit and taxing power of the County to the payment of such bonds and providing for the levy and collection of taxes necessary for the payment of the principal of and interest on such bonds when due; authorizing the pledge of Clean Water Act Fees to the payment of the principal of and interest on such bonds when

due; authorizing and empowering the County to issue and sell an amount not to exceed Five hundred forty-eight million one hundred eighteen thousand dollars (\$548,118,000) in aggregate principal amount of bond anticipation notes and covenanting to issue bonds in anticipation of which such notes are issued; pledging the full faith and credit and taxing power of the County to the payment of such bond anticipation notes and providing for the levy and collection of taxes necessary for the payment of the principal of and interest on such bond anticipation notes when due and authorizing the pledge of Clean Water Act Fees to the payment of the principal of and interest on such bond anticipation notes related to clean water projects when due; directing the application of the proceeds of such bond anticipation notes; directing the application of the proceeds of such bonds; providing for the issuance of such bond anticipation notes in the form of commercial paper or revolving loan notes; providing for the issuance of such bond anticipation notes and the bonds authorized hereby in the form of variable rate demand obligations; authorizing certain determinations to be made in connection with the sale of any such bond anticipation notes; authorizing the consolidation of such bond anticipation notes with other notes for purposes of such sale; authorizing and empowering the County to issue, sell and deliver general obligation and stormwater management refunding bonds for the purpose of refunding all or a part of the bonds authorized hereby or in prior Acts of the County in an aggregate principal amount not to exceed 150% of the outstanding principal amount of the bonds to be refunded thereby, the proceeds of such refunding bonds to be used for the public purpose of providing funds sufficient to pay principal of, redemption premium, if any, and interest on such refunded bonds at the respective maturity, redemption, and interest payment dates of such refunded bonds; prescribing or providing for the procedure for the issuance and sale of such refunding bonds; empowering the County Executive to determine the time and method for the sale of such refunding bonds and other details with respect to the sale of such refunding bonds; pledging the full faith and credit of the County to the payment of such refunding bonds and the interest on such refunding bonds, when due; and providing for the levy and collection of taxes necessary for the payment of the principal of and interest on such refunding bonds when due, showing compliance with the limitations on the power of the County to incur indebtedness; authorizing the pledge of Clean Water Act Fees to the payment of the principal of and interest on such refunding bonds related to clean water projects when due; covenanting or providing for the making of certain covenants on matters relating to the tax-exempt status of interest on such bonds, bond anticipation notes and refunding bonds, as applicable; providing for compliance with Securities and Exchange Commission Rule 15c2-12; providing for the authorization of and entry into interest rate exchange agreements or contracts in connection with or incidental to any of the obligations authorized by this Act; authorizing the County Executive to delegate to appropriate officials the power to make certain determinations and sign certain documents, certificates or agreements authorized to be made or signed by the County Executive herein; and otherwise generally determining or providing for the determination of certain matters in connection with the issuance, sale and delivery of

the general obligation and stormwater management bonds, bond anticipation notes and refunding bonds authorized by this Act.

Drafter: Rushane Jones, Office of Management and Budget

Resource Personnel: Stanley A. Earley, Office of Management and Budget

LEGISLATIVE HISTORY:

Date:	Acting Body:	Action:	Sent To:
09/28/2021	County Council	presented and referred	COW
<p>Action Text: This Council Bill was presented by the Chair by request of the County Executive and referred to the Sitting as the Committee of the Whole.</p>			
10/12/2021	COW	Favorably recommended	County Council
<p>Action Text: A motion was made by Member Turner, seconded by Vice Chair Taveras, that this Council Bill be Favorably recommended to the County Council. The motion carried by the following vote: <p style="margin-left: 40px;">Aye: 10 Hawkins, Anderson-Walker, Davis, Dernoga, Glaros, Harrison, Ivey, Streeter, Taveras and Turner</p> <p style="margin-left: 40px;">Absent: 1 Franklin</p> </p>			
10/19/2021	County Council	introduced	
<p>Action Text: This Council Bill was introduced by Council Members Hawkins, Turner, Harrison, Davis, Franklin, Glaros, and Taveras.</p>			
11/16/2021	County Council	public hearing held	
<p>Action Text: This Council Bill public hearing was held.</p>			
11/16/2021	County Council	enacted	
<p>Action Text: A motion was made by Council Member Turner, seconded by Council Member Franklin, that this Council Bill be enacted. The motion carried by the following vote: <p style="margin-left: 40px;">Aye: 9 Hawkins, Davis, Dernoga, Franklin, Glaros, Harrison, Ivey, Taveras and Turner</p> <p style="margin-left: 40px;">Absent: 2 Anderson-Walker and Streeter</p> </p>			
12/02/2021	County Executive	signed	
<p>Action Text: This Council Bill was signed</p>			

AFFECTED CODE SECTIONS:

BACKGROUND INFORMATION/FISCAL IMPACT:

This bill provides the authority to issue and sell up to \$548,118,000 in general obligation bonds and stormwater management bonds to finance County, School, Community College, Library and Stormwater Management Capital projects in the FY 2022 Capital Budget.

The projects are listed in Attachment 1 of the legislation. The fiscal impact on the County for any bonds or bond anticipation notes will be negative to the extent of the debt service obligation incurred by the County when the bonds or notes are sold.

Document(s): B2021094, CB-094-2021 Attachment 1, CB-094-2021 Transmittal Letter, CB-094-2021 Report