

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2010, Legislative Day No. 8

Bill No. 36-10

Mr. John Olszewski, Sr., Chairman
By Request of County Executive

By the County Council, April 19, 2010

A BILL
ENTITLED

AN ORDINANCE concerning Public Works Borrowing

FOR the purpose of authorizing and empowering Baltimore County, Maryland to borrow money in a principal amount not exceeding \$68,112,500 for public works purposes, for the class of projects which includes, among other things, streets and highways, bridges and storm drainage systems, to be undertaken in the ensuing fiscal years starting July 1, 2011, and to provide that the full amount of such borrowing shall be submitted to a referendum of the registered voters of Baltimore County for their approval or rejection, pursuant to Section 718 and Section 705(a) of the Baltimore County Charter.

WHEREAS, in accordance with the provisions of Section 705(a) of the Baltimore County Charter, at the direction of the County Administrative Officer, the Director of Planning has heretofore transmitted to the Director of Budget and Finance the recommendations of the Planning Board for borrowing for capital projects to be undertaken

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
 [Brackets] indicate matter stricken from existing law.
 ~~Strike out~~ indicates matter stricken from bill.
 Underlining indicates amendments to bill.

in the ensuing fiscal years starting July 1, 2011, and of a character requiring authorization by referendum; and

WHEREAS, the County Administrative Officer has reviewed such recommendations with the Director of Budget and Finance in light of the existing capital program and has submitted to the County Executive a Borrowing Plan for the forthcoming referendum; and

WHEREAS, the County Executive, after approving or modifying said Borrowing Plan, has submitted said Borrowing Plan to the County Council for approval; and

WHEREAS, as a part of said Borrowing Plan it has been recommended that Baltimore County, Maryland, borrow a sum not exceeding \$68,112,500 for public works purposes, for the class of projects which includes, among other things, streets and highways, bridges and storm drains, to be undertaken in the ensuing fiscal years starting July 1, 2011; now therefore

SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND, that Baltimore County, Maryland, is authorized to borrow a sum not exceeding \$68,112,500 for public works purposes, for the class of projects which includes, among other things, streets and highways, bridges and storm drains, to be undertaken in the ensuing fiscal years starting July 1, 2011.

SECTION 2. AND BE IT FURTHER ENACTED, that for the purpose of implementing the Borrowing Plan referred to in Section 1 of this Ordinance, Baltimore

County, Maryland is hereby authorized, upon its full faith and credit, to borrow money and to incur indebtedness for financing public works projects including, but not limited to roads, streets, highways, alleys, sidewalks, storm drain systems, bridges, sewer systems, refuse disposal systems, viaducts, environmental projects, grade crossings and parking lots and structures. In furtherance of such public works projects, the County is further authorized and empowered to borrow money and incur indebtedness, upon its full faith and credit, for the construction, improvement, repair, opening, relocation, grading, resurfacing, widening and extension of such public works projects, including financing the purchase or other acquisition of land, easements, rights-of-way, and any and all other rights and privileges appurtenant thereto; the acquisition of equipment for the construction, maintenance and repair and the planning, architectural, engineering and other services related to such projects. In evidence of such borrowing and indebtedness, Baltimore County, Maryland, is hereby authorized and empowered to issue its general obligation bonds, at one time or from time to time, in various series, and in a principal amount not exceeding the amount authorized to be borrowed under said Section 1 of this Ordinance. Any general obligation bonds to be issued pursuant to the authority conferred by this Ordinance and the forthcoming referendum shall be issued and sold pursuant to Bond Issuance Authorization Ordinances adopted in accordance with Section 709 of the Baltimore County Charter, as set forth in the Baltimore County Code, 2003, as amended, and other applicable provisions of law.

SECTION 3. AND BE IT FURTHER ENACTED, that this Ordinance may be cited as “Baltimore County 2010 Public Works Borrowing Plan Ordinance”.

SECTION 4. AND BE IT FURTHER ENACTED, that pursuant to Section 718 and Section 705(a) of the Baltimore Count Charter and Section 10-3-103 of the Baltimore County Code, 2003, as amended, the County Executive shall cause to be placed on the ballot by the Baltimore County Board of Elections for referendum in the general election to be held in Baltimore County on November 2, 2010, the full amount of the borrowing authorized by this Ordinance.