

FINAL

AMENDED
September 3, 2013

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2013, Legislative Day No. 35

Bill No. 63-13

Introduced by Mr. Walker, Chairman
(by request of the County Executive)

By the County Council, July 15, 2013

Introduced and first read on July 15, 2013
Public Hearing set for and held on September 3, 2013
Public Hearing on AMENDED BILL set for and held on September 16, 2013
Bill Expires October 18, 2013

By Order: Elizabeth E. Jones, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: the issuance, sale and delivery of Anne Arundel County, Maryland,
2 general obligation bonds and bond anticipation notes
3
4 FOR the purpose of authorizing the issuance by Anne Arundel County, Maryland, of bond
5 anticipation notes in an amount to be outstanding at any time not in excess of Four Hundred
6 Eight Million Two Hundred Fifty-Six Thousand Eight Hundred Dollars (\$408,256,800) and
7 bonds in an amount not exceeding Nine Hundred Fifty-Nine Million One Hundred Forty-Seven
8 Thousand Five Hundred Forty-One Dollars (\$959,147,541) in order to finance in whole or in
9 part the construction of capital projects set forth in the capital budget of the County for the
10 fiscal year ending June 30, 2014, or in such capital budgets for prior fiscal years, or usable
11 portions thereof; authorizing the issuance by the County of refunding bonds to refund some or
12 all of the outstanding bond issues of the County listed on Exhibit II attached hereto and
13 incorporated herein in an aggregate principal amount not to exceed 120% of the aggregate
14 principal amount of the outstanding bonds to be refunded subject to the requirement that debt
15 service savings shall be achieved in connection with any such refunding; authorizing the
16 County to borrow money and incur indebtedness otherwise authorized to be borrowed and
17 incurred hereunder in the form of bonds or bond anticipation notes by obtaining a loan or loans
18 from the Maryland Water Quality Financing Administration pursuant to and in accordance
19 with Sections 9-1601 to 9-1622, inclusive, of the Environment Article of the Annotated Code
20 of Maryland (2007 Replacement Volume and 2012 Supplement) for the public purpose of
21 financing a portion of the costs of acquiring, constructing and equipping certain wastewater
22 facilities and water supply systems; providing for the execution and delivery by the County of
23 a loan agreement and bond to evidence any such loan; reaffirming and clarifying the guides and
24 standards relating to the borrowing of money to finance such capital projects heretofore
25 adopted; listing the capital projects to be financed in whole or in part from the proceeds of sale

EXPLANATION: Underlining indicates amendments to bill.
~~Strikeover~~ indicates matter stricken from bill by amendment

1 of the bonds hereby authorized, the usable portions, estimated costs and probable useful lives
2 thereof; showing compliance with the limitations on the power of the County to incur
3 indebtedness; providing for essential flexibility in the financing of such capital projects and the
4 issuance of such bonds by authorization of such bond anticipation notes to be repaid from the
5 proceeds of the sale of such bonds; prescribing the procedure for the issuance and sale of such
6 bond anticipation notes and bonds; empowering the County Executive, or the Chief
7 Administrative Officer if authorized by the County Executive, subject to such guides and
8 standards, to determine the time and method of sale of such bond anticipation notes and
9 refunding bonds, which sale may be a private (negotiated) sale or a public sale, and the time,
10 place, and procedure for the public sale of such bonds other than refunding bonds; empowering
11 the County Executive, or the Chief Administrative Officer if authorized by the County
12 Executive, subject to such guides and standards, to determine the forms of such bonds and to
13 determine the forms of such bond anticipation notes; empowering the County Executive, or the
14 Chief Administrative Officer if authorized by the County Executive, to provide for or
15 determine the private (negotiated) sale of any loan agreement or bond to the Maryland Water
16 Quality Financing Administration, the form or forms thereof and other details with respect
17 thereto and to the sales thereof; providing that such bond anticipation notes may be issued as
18 notes in the nature of commercial paper and, in such event, authorizing the County Executive,
19 or the Chief Administrative Officer if authorized by the County Executive, to determine
20 various matters and to take various actions in connection with such issuance; providing that
21 such bonds and bond anticipation notes may be issued as variable rate demand or similar
22 obligations and, in such event, authorizing the County Executive, or the Chief Administrative
23 Officer if authorized by the County Executive, to determine various matters and to take
24 various actions in connection with such issuance; covenanting to appropriate sufficient
25 revenues in each fiscal year following the issuance of such bonds to pay the maturing principal
26 thereof and the interest thereon and to meet such appropriation either by revenues derived from
27 self-liquidating projects or from the proceeds of ad valorem taxes, or a combination of the
28 foregoing; pledging the full faith and credit of Anne Arundel County, Maryland, to the
29 payment of the bonds and bond anticipation notes issued hereunder and the interest thereon,
30 when due; providing that the pledge of the taxing power to secure such bonds and bond
31 anticipation notes shall be subject to the limitation imposed by Section 710(d) of the County
32 Charter, except in the case where refunding bonds are issued to refund bonds secured by the
33 pledge of the full faith and credit and unlimited taxing power of the County; prescribing the
34 maximum aggregate amount of such bonds which may be issued in each of the fiscal years
35 ending June 30, 2014, June 30, 2015 and June 30, 2016; covenanting that the proceeds of such
36 bonds, or any moneys which may be deemed to be proceeds, will not be used in a manner to
37 cause such bonds to be arbitrage bonds; canceling, rescinding, and repealing authority to issue
38 certain bonds only to the extent such authority has not been previously exercised under Bills
39 No. 1-71, 82-71, 93-72, 139-72, 140-72, 95-73, 71-74, 112-74, 80-75, 91-76, 86-77, 63-78,
40 98-79, 114-80, 128-81, 107-82, 58-83, 65-84, 46-85, 60-86, 45-87, 50-88, 39-89, 47-90, 41-
41 91, 52-91, 13-92, 60-92, 69-93, 68-94, 43-95, 68-96, 53-97, 50-98, 53-99, 40-00, 57-01, 65-
42 02, 40-03, 49-04, 53-05, 60-06, 55-07, 57-08, 51-09, 53-10, 52-11, and 60-12, and providing
43 that certain bonds and bond anticipation notes may continue to be issued under Bill No. 53-97,
44 Bill No. 50-98, Bill No. 53-99, Bill No. 40-00, Bill No. 57-01, Bill No. 65-02; Bill No. 40-03,
45 Bill No. 49-04, Bill No. 53-05, Bill No. 60-06, Bill No. 55-07, Bill No. 57-08, Bill No. 51-09,
46 Bill No. 53-10, Bill No. 52-11, and Bill No. 60-12 and ratifying, confirming and validating the
47 previous authorization, issuance, sale and delivery of bonds and bond anticipation notes
48 pursuant to such authority; authorizing the execution and delivery of long-term Anne Arundel
49 County, Maryland general obligations in the form of installment purchase agreements in the

1 maximum aggregate principal amount of Five Million Two Hundred Eighty-Seven Thousand
2 Eighty-Four Dollars (\$5,287,084) in accordance with Title 20 of Article 24 of the Annotated
3 Code of Maryland (2011 Replacement Volume and 2012 Supplement), to effect the
4 acquisition by the County of certain development rights easements in accordance with the
5 County's Agricultural Land and Woodland Preservation Program; ratifying and authorizing
6 the issuance of Shore Erosion Control Construction Loans pursuant to and in accordance
7 with Sections 8-1001 to 8-1008, inclusive, of the Natural Resources Article of the Annotated
8 Code of Maryland (2012 Replacement Volume) and generally providing for the
9 consolidation and authorization of a borrowing program for Anne Arundel County,
10 Maryland, and matters generally related thereto.

11
12 SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,* That
13 in connection with the issuance of the bonds hereinafter authorized, (i) the STATEMENT OF
14 POLICY adopted by Bill No. 70-66 is hereby reaffirmed as it applies to the issuance of the bonds
15 authorized hereby, and as clarified herein, and restated below as so clarified, for the information
16 of the public and for the guidance of the County Executive or the Chief Administrative Officer,
17 as the case may be, in exercising the authority hereby conferred on him, and (ii) the following
18 FINDINGS OF FACT are hereby adopted for the purpose of demonstrating compliance with the
19 requirements and limitations of the County Charter on the borrowing of money and the issuance
20 of bonds by Anne Arundel County, Maryland, in evidence thereof:

21
22 STATEMENT OF POLICY

23
24 (1) It is essential that the County continue to provide, in timely fashion, the public facilities
25 necessary to serve its population, which has increased significantly in recent years, while at the
26 same time retaining and supporting substantial rural and agricultural elements of the County's
27 economy which enable the County to enjoy the benefits of a balanced and diverse economy. All
28 or a portion of the cost of such facilities will have to be financed through the borrowing of
29 money by the County on a reasonably long term basis in order that the burden of such cost may
30 be equitably apportioned among present and future taxpayers. However, it is equally essential
31 that the credit standing of Anne Arundel County, Maryland, be preserved and, if possible,
32 improved to the end that the cost of borrowing money by the County will not be unduly
33 burdensome. To aid in achieving these basic objectives, the County Executive or the Chief
34 Administrative Officer, as the case may be, shall, to the maximum extent possible, exercise the
35 authority hereby conferred upon him within the following guidelines as well as within the fixed
36 limitations prescribed herein and in the County Charter.

37
38 (2) Sale of bonds hereunder shall be spaced at least six (6) months apart when practicable;
39 provided, however, that bonds may be sold hereunder at such other intervals as the County
40 Executive, or the Chief Administrative Officer, as the case may be, may deem advisable due to
41 financial or market conditions prevailing at the time.

42
43 (3) To provide an adequate flow of funds for capital projects, to limit amounts borrowed to
44 the costs incurred for such projects, and to facilitate the selection of the most advantageous times
45 for the sale of bonds, bond anticipation notes may be sold for such projects from time to time,
46 repayable from the proceeds of the appropriate series of such bonds, when issued.

47
48 (4) The authority hereby conferred shall be so exercised that the estimated maximum annual
49 debt service obligation resulting therefrom plus current debt service payable by the County on
50 outstanding obligations does not exceed an amount equal to twenty percent (20%) of the
51 estimated net amount of all direct and indirect revenues of the County for the current fiscal year,

1 including utility revenues, calculated by subtracting from gross revenues all debt service
2 withheld or to be withheld by the State or any agency thereof during such fiscal year.

3
4 ~~(5) In order to control water pollution and to provide water and wastewater service to certain~~
5 ~~established waterfront areas, presently in part being serviced by established public water and/or~~
6 ~~wastewater facilities, where the cost per front foot of assessment exceeds \$4.00 per front foot for~~
7 ~~water and \$6.00 for wastewater, the Controller shall use pay-as-you-go funds from water and/or~~
8 ~~wastewater utility operations, as provided in the annual budget, to reduce the cost of interest per~~
9 ~~dollar spent for construction. On projects where pay-as-you-go funding is authorized, the front~~
10 ~~foot assessment will not be reduced below \$4.00 per front foot for water and \$6.00 per front foot~~
11 ~~for wastewater, provided the project construction cost is not lower than the aforementioned \$4.00~~
12 ~~per front foot for water and \$6.00 per front foot for wastewater.~~

13
14 ~~(6)~~ (5) All bonds issued and sold by the County hereunder shall be unconditional general
15 obligation bonds of the County within the limitations of indebtedness set forth below as
16 prescribed by the County Charter and the ordinances enacted pursuant thereto. Before any such
17 bonds are issued for revenue producing projects of water or wastewater utilities, the County
18 Executive, or the Chief Administrative Officer if authorized by the County Executive, shall
19 determine that the estimated revenues of such projects, or the actual and estimated revenues of
20 such projects and the utilities of which they are a part, are, or will be, sufficient to pay the cost of
21 operation and maintenance of such projects and the maturing principal of and interest on all
22 indebtedness incurred with respect thereto, including such bonds. The authorization herein of
23 general obligation bonds of the County for revenue producing projects shall not be construed to
24 preclude the County Council from authorizing in the future the issuance of bonds payable solely
25 from the revenues of similar projects or utilities.

26
27 ~~(7)~~ (6) The foregoing STATEMENT OF POLICY shall constitute the local debt policy of the
28 County required by Section 22F of Article 95 of the Annotated Code of Maryland (2010
29 Replacement Volume and 2012 Supplement).

30
31 FINDINGS OF FACT

32
33 I

34
35 With respect to the maximum amount of bonds and bond anticipation notes of the County
36 hereinafter authorized, it is hereby found and determined that such amount is within applicable
37 debt limitations, as follows:

38
39 (1) With regard to the General County Debt Limitation (defined below):

40
41 (a) That the taxable assessed value of all real and personal property in Anne Arundel
42 County, Maryland, subject to unlimited county taxation (except by application of Section 710(d)
43 of the County Charter) as of May 31, 2013 is \$76,844,580,771 consisting of an assessable basis
44 of real property of \$74,269,077,761 and an assessable basis of personal property and operating
45 real property described in Section 8-109(c) of the Tax-Property Article of the Annotated Code of
46 Maryland (2012 Replacement Volume) of \$1,671,802,560 and \$903,700,450 respectively, and, in
47 each case, is expected to be no less than such amount for the fiscal year ending June 30, 2014.

48
49 (b) That, in accordance with Section 5(P) of Article 25A of the Annotated Code of
50 Maryland (2011 Replacement Volume and 2012 Supplement), and in accordance with Section 4-
51 10-101(a) of Article 4, Finance, Taxation, and Budget of the Anne Arundel County Code the
52 aggregate amount of the indebtedness of the County outstanding at one time shall not exceed (I)

1 5.2% of the assessable basis of real property; (II) 13% of the County's assessable basis of
2 personal property; and (III) 13% of the operating real property described in Section 8-109(c) of
3 the Tax-Property Article of the Annotated Code of Maryland (2012 Replacement Volume) (the
4 "General County Debt Limitation"); provided, however that (i) tax anticipation notes or other
5 evidences of indebtedness having a maturity not in excess of twelve months, (ii) bonds or other
6 evidences of indebtedness issued or guaranteed by the County payable primarily or exclusively
7 from taxes levied or other revenues of special taxing districts and (iii) bonds or other evidences
8 of indebtedness issued for self-liquidating and other projects payable primarily or exclusively
9 from the proceeds of assessments or charges for special benefits or services, including bonds or
10 other evidences of indebtedness issued for water or wastewater facilities, are not subject to, or
11 required to be included as bonds or evidences of indebtedness in computing or applying the
12 General County Debt Limitation.

13
14 (c) That the maximum amount of outstanding debt permitted under the General County
15 Debt Limitation is \$4,196,807,435 as of May 31, 2013, and is expected to be no less than such
16 amount for the fiscal year ending June 30, 2014.

17
18 (d) That the total outstanding bonded debt of the County subject to the General County
19 Debt Limitation is \$1,005,510,010 as of June 30, 2013, which is not less than the total
20 outstanding bonded debt of the County subject to the General County Debt Limitation as of May
21 31, 2013, including, for purposes of this presentation, the outstanding Special Obligation
22 Refunding Bonds (Arundel Mills Project), Series 2004, the outstanding Special Obligation
23 Refunding Bonds (National Business Park Project), Series 2004, the outstanding Tax Increment
24 Financing Bonds (Nursery Road Project), Series 2004, the outstanding Tax Increment Financing
25 Bonds (Parole Town Center Project), Series 2002, the outstanding Consolidated Golf Course
26 Projects Series, 2005, the outstanding Special Obligation Bonds (National Business Park - North
27 Project), Series 2010 and the Special Obligation Bonds (Village South at Waugh Chapel
28 Project), Series 2010. The total outstanding bonded debt of the County referred to above is
29 stated as of ~~June 28, 2013~~ June 30, 2013 to include bonds issued by the County on June 27, 2013.

30
31 (e) That the permissible borrowing capacity is not less than \$3,191,297,425 as of May
32 31, 2013.

33
34 (f) That the bonds authorized by this Ordinance subject to the General County Debt
35 Limitation aggregate \$541,879,924 (for such purposes, the amount of refunding bonds authorized
36 by this Ordinance has been reduced by the aggregate principal amount of bonds authorized to be
37 refunded, as required by Section 24(d) of Article 31 of the Annotated Code of Maryland (2010
38 Replacement Volume and 2011 Supplement).

39
40 (g) That in stating the total outstanding debt in (1)(d) above, debt in the amount of
41 \$26,018,846 for self-liquidating solid waste projects, \$20,470,000 of self-liquidating recreation
42 and parks projects and \$20,206,427 in impact fee revenue projects was included, and in stating
43 the debt subject to the General County Debt Limitation in 1(f) above, debt in the amount of
44 \$31,323,913 for self-liquidating solid waste projects; ~~\$74,056,800~~ \$78,466,800 for
45 self-liquidating watershed protection and restoration projects; \$4,094,000 for self-liquidating
46 recreation and parks projects and debt in the amount \$4,041,285 for impact fee revenue projects
47 was included; such presentation of debt for self-liquidating solid waste projects, self-liquidating
48 watershed protection and restoration projects, self-liquidating recreation and parks projects and
49 impact fee revenue projects is made herein to provide a conservative statement of indebtedness
50 that evidences compliance with the General County Debt Limitation.

51
52 (2) With regard to the Water and Wastewater Debt Limitation (as defined below):

1
2 (a) That the taxable assessed value of all real and personal property within the Sanitary
3 District of Anne Arundel County subject to unlimited County taxation (except by application of
4 Section 710(d) of the County Charter) as of May 31, 2013 is \$70,722,278,976 consisting of an
5 assessable basis of real property of \$68,321,606,326 and an assessable basis of personal property
6 and operating real property described in Section 8-109(c) of the Tax-Property Article of the
7 Annotated Code of Maryland (2012 Replacement Volume) of \$1,585,676,580 and \$814,996,070,
8 respectively, and, in each case is expected to be no less than such amount for the fiscal year
9 ending June 30, 2014.

10
11 (b) That, bonds formerly issued under the Sanitary Commission Act, and bonds of the
12 County issued for water and wastewater facilities, which are payable primarily from assessment
13 of charges for special benefits and services are exempted from the limitations outlined in
14 subparagraph (1)(b) above. Section 4-10-103(d) of Article 4, Finance, Taxation, and Budget of
15 the Anne Arundel County Code, limits the amount of such bonds, after crediting applicable
16 Sinking Fund balances, which may be outstanding to not greater than (I) 5.6% of the County's
17 assessable basis of real property; (II) 14% of the County's assessable basis of personal property;
18 and (III) 14% of the operating real property described in Section 8-109(c) of the Tax-Property
19 Article of the Annotated Code of Maryland (2012 Replacement Volume) (the "Water and
20 Wastewater Debt Limitation").

21
22 (c) That the maximum amount of outstanding debt permitted under the Water and
23 Wastewater Debt Limitation is \$4,162,104,125 as of May 31, 2013, and is expected to be no less
24 than such amount for the fiscal year ending June 30, 2014.

25
26 (d) That the total outstanding bonded debt of the County subject to the Water and
27 Wastewater Debt Limitation is \$418,433,173 as of June 30, 2013, which is not less than the total
28 outstanding bonded debt of the County subject to the Water and Wastewater Debt Limitation as
29 of May 31, 2013. The total outstanding bonded debt of the County referred to above is stated as
30 of June 30, 2013 to include bonds issued by the County on June 27, 2013.

31
32 (e) That the permissible borrowing capacity is \$3,743,670,952 as of May 31, 2013.

33
34 (f) That the bonds authorized by this Ordinance subject to the Water and Wastewater
35 Debt Limitation aggregate \$681,168,254 (for such purposes, the amount of refunding bonds
36 authorized by this Ordinance has been reduced by the aggregate principal amount of bonds
37 authorized to be refunded, as required by Section 24(d) of Article 31 of the Annotated Code of
38 Maryland (2010 Replacement Volume and 2012 Supplement).

39
40 II

41
42 (1) The bond anticipation notes authorized by Section 6 hereof and bonds authorized by
43 Section 2 hereof are to be issued to finance in whole or in part certain of the capital projects or
44 classes of projects included in the capital budget for the fiscal year 2014, or in capital budgets for
45 prior fiscal years. With respect to such projects the amount of borrowed funds to be expended
46 thereon, together with the funds shown as available from other sources, are estimated to be
47 sufficient to complete usable portions thereof, but if any such funds from other sources, intended
48 to defray in part the cost of any such project, shall become unavailable, the County Executive
49 shall either (i) direct the abandonment of any such project if, in his judgment, the unavailability
50 of funds from other sources would render any such project unusable or (ii) recommend an
51 appropriate amendment of the Capital Budget, as provided in Sections 711 and 716 of the County
52 Charter. The balances remaining to the credit of a completed or abandoned capital project for

1 which bond anticipation notes or bonds have been issued shall be available for appropriation by
2 the County Council in a subsequent capital budget, as provided in the Charter.

3 (2) No series of bond anticipation notes authorized by Section 6 hereof or bonds authorized
4 by Section 2 hereof shall be issued hereunder with a final maturity date extending beyond the
5 expiration of the probable useful life, or the average probable useful lives, of the capital project
6 or projects for which such series of bond anticipation notes or bonds are issued, accounting from
7 the date of issue of such series of bond anticipation notes or bonds. The provisions of Section
8 2(5) hereof shall apply to the consolidation of series of bonds as permitted therein.

9
10 (3) No series of refunding bonds authorized by Section 3 hereof shall be issued hereunder
11 with a final maturity date extending beyond the earliest to occur of (i) the thirtieth (30th)
12 anniversary of the date of issuance of the bonds to be refunded from the proceeds of the
13 refunding bonds being issued (the "Refunded Bonds") and (ii) the latest maturity date that would
14 have been permitted for the Refunded Bonds. Prior to the delivery of any refunding bonds
15 hereunder, the County Executive, or the Chief Administrative Officer if authorized by the County
16 Executive, shall deliver a written certificate stating that the maturity schedule of any series of
17 refunding bonds issued hereunder complies with the requirements set forth in this paragraph and
18 setting forth the facts upon which such conclusion is based.

19
20 (4) The table attached to this Ordinance as Exhibit I and incorporated herein lists the capital
21 projects, appearing in the capital budget of the County for fiscal year 2014, or in the capital
22 budgets for prior fiscal years, which are to be financed in whole or in part with the proceeds of
23 bond anticipation notes authorized by Section 6 hereof, bonds authorized by Section 2 hereof,
24 with the reallocation of balances remaining to the credit of completed or abandoned capital
25 projects for which bond anticipation notes or bonds were previously issued or for which funds
26 were previously provided from other sources or bond premium, consisting of net bond proceeds
27 from the sale of bonds sold at a price above par, the estimated cost of a usable portion of each
28 project or class of projects, including capitalized interest on borrowed funds as herein authorized,
29 the portion of such costs of each project or class of projects to be financed hereunder, the source
30 or sources of funds to finance the balance of the cost of each such project or class of projects,
31 and the probable useful life of each such project or the average of the probable useful lives of
32 each class of projects. Totals listed in Exhibit I may not foot due to rounding. Further, the first
33 group of projects included in Exhibit I are those which are not revenue producing, and a second
34 group of projects are those which it is estimated will generate or have available net revenues
35 sufficient to pay all or a portion of debt service on the borrowing therefore. In lieu of issuing all
36 or any part of the bonds or bond anticipation notes authorized to be issued by Sections 2 and 6,
37 respectively, of this Ordinance to finance all or part of a capital project, the County Executive, or
38 the Chief Administrative Officer if authorized by the County Executive, may, at his discretion,
39 apply to such project balances remaining to the credit of any completed or abandoned capital
40 projects for which bond anticipation notes or bonds were previously issued or for which funds
41 were previously provided from other sources, but only to the extent that bond anticipation notes
42 or bonds are authorized to be issued therefor in this Ordinance, such expenditure of such
43 balances or bond premium being within the appropriation established for such project in the
44 applicable capital budget or budgets; provided, however, that such balances or bond premium
45 shall not be applied in a manner that would adversely affect the exemption from federal income
46 taxation of the interest on any bonds to which such balances are attributable.

47
48 (5) Bond premium generated from the issuance of any County bonds shall be expended on
49 capital improvements in accordance with Section 720(b) of the County Charter and as otherwise
50 prescribed by law.
51

1 (6) Without limitation, participation by the County in any county transportation bonds issued
2 by the Maryland Department of Transportation shall not result in any reduction in the amount of
3 bonds or bond anticipation notes authorized and deemed to be unissued under this Ordinance.
4

5 SECTION 2. *And be it further enacted,* That for the purpose of paying the portion of the cost
6 of the capital projects described in Section 1 hereof and Exhibit I hereto, to be paid from
7 borrowed funds, or for the purpose of redeeming bond anticipation notes issued hereunder, the
8 issuance and sale by Anne Arundel County, Maryland, of not exceeding Nine Hundred Fifty-
9 Nine Million One Hundred Forty-Seven Thousand Five Hundred Forty-One Dollars
10 (\$959,147,541) aggregate principal amount of general obligation, serial maturity bonds of the
11 County is hereby authorized. To the extent required for such purposes, the bonds hereby
12 authorized shall be sold prior to June 30, 2016, in accordance with the guides and standards set
13 forth in Section 1 hereof, except that any such bonds may be sold subsequent to such date if
14 required to redeem, prepay or pay at maturity bond anticipation notes. Such bonds shall be
15 issued as registered bonds without coupons in the denomination of five thousand dollars (\$5,000)
16 or any integral multiple thereof within the limits of specified serial maturities.
17

18 (1) Except as otherwise provided in this Ordinance, the bonds authorized by this Section 2
19 shall be sold at a sale price at, above, or below par, plus accrued interest to the date of delivery
20 and only after first soliciting competitive bids at public sale in accordance with the provisions of
21 Section 5 hereof. Such bonds are hereby specifically exempted from the provisions of Sections
22 10 and 11 of Article 31 of the Annotated Code of Maryland (2010 Replacement Volume and
23 2011 Supplement).
24

25 (2) Subject to the provisions of subsection (5) of this Section, such bonds shall be issued in
26 series intended to identify the public purpose or purposes for which each series is issued. On
27 each bond, there shall appear the words “_____ Series, 20__” and in the blank space
28 preceding the word “Series,” there shall be inserted the par amount of the series plus the public
29 purpose of such series; e.g., “Board of Education,” “Library,” “Recreation and Parks,” “Water
30 and Sewer”, and “Watershed Protection and Restoration”. The County Executive, or the Chief
31 Administrative Officer if authorized by the County Executive, may incorporate such additional
32 designations in the name of the series as he deems necessary or convenient to distinguish two or
33 more series issued for the same purpose within the same calendar year.
34

35 (3) The bonds of each series shall be dated on or prior to the date of the delivery of such
36 series and shall be numbered as determined by the County Executive, or the Chief Administrative
37 Officer if authorized by the County Executive. The bonds of each series, or of successive series
38 for the same public purpose, shall mature and be payable under an annual Installment Plan which
39 may be implemented by the issuance of serial maturity bonds or term bonds having mandatory
40 sinking fund requirements, beginning not later than the second anniversary of such series, or of
41 the first series of a group, and concluding on or before (a) the 30th anniversary thereof or (b)
42 such anniversary next prior to or on the 30th anniversary of the first bond anticipation note of
43 such series, whichever shall be earlier, or (c) the anniversary of such series representing the end
44 of the probable useful life, or the average of the probable useful lives of the project or projects to
45 be financed with the proceeds of such series, if such life or average lives shall be less than the
46 maximum term authorized in (a) or (b) of this subsection.
47

48 (4) Prior to the issue of any series of bonds authorized by this Section 2, the County
49 Executive, or the Chief Administrative Officer if authorized by the County Executive, shall cause
50 to be prepared a statement showing the annual debt service requirements of the County and a
51 proposed schedule of annual maturities for the series or several series of bonds then to be issued
52 and sold and an estimate of the annual interest charges to be incurred with respect to such bonds,

1 based on then-prevailing interest costs. Such debt service schedule shall be so prepared with a
2 view of achieving reasonably equal annual debt service payments for the entire outstanding
3 bonded indebtedness of the County and, in order to achieve this result, the consecutive annual
4 debt service payments on account of any series of such bonds need not be equal.
5 Notwithstanding the foregoing, the debt service schedule for the entire outstanding bonded
6 indebtedness of the County may be structured to retire debt at a rate faster than would be utilized
7 to achieve reasonably equal annual debt service payments. As hereinafter provided, the County
8 Executive, or the Chief Administrative Officer if authorized by the County Executive, is vested
9 with the discretion to accept such schedule of maturities or to make such variations therein as to
10 him may seem in the best interests of the County.

11
12 (5) The County Executive, or the Chief Administrative Officer if authorized by the County
13 Executive, may provide that all or any portion of bonds sold pursuant to the authority of this
14 Section 2 at any one time to finance capital projects may be consolidated for sale and issued, sold
15 and delivered as a single issue or consolidated series of bonds to be designated "Consolidated
16 General Improvements Series, 20__," without identifying by separate series each public purpose
17 for which the bonds are issued as elsewhere provided in this Ordinance; provided that: (a) the
18 provisions of this Ordinance requiring the identification of each group or series of bonds by the
19 public purpose for which it is issued (e.g., "Board of Education," "Libraries," etc.) shall be fully
20 complied with for accounting purposes, (b) bonds issued to finance water and wastewater
21 projects shall be issued as a separate consolidated issue, (c) bonds issued to finance solid waste
22 projects, identified on Exhibit I as "Self-Liquidating Bonds—Solid Waste", bonds issued to
23 finance watershed protection and restoration projects, identified on Exhibit I as "Self-Liquidating
24 Bonds—Watershed Protection and Restoration", and bonds issued to evidence a loan from the
25 Maryland Water Quality Financing Administration may be issued as separate issues, and (d)
26 prior to the delivery of the bonds, the County Executive, or the Chief Administrative Officer if
27 authorized by the County Executive, shall deliver a written certificate stating (i) the public
28 purpose of each series of bonds included in the consolidated issue, (ii) the maturity schedule for
29 each series of bonds so identified as a separate public purpose, (iii) the consolidated maturity
30 schedule and (iv) that the maximum maturity of the bonds consolidated for issue as a single
31 consolidated issue is not greater than the end of the probable useful life or the average of the
32 probable useful lives, as the case may be, of the project or projects to be financed with the
33 proceeds of such consolidated issue. A "Consolidated General Improvements Series" shall be
34 treated as a separate series of bonds for purposes of numbering pursuant to this Ordinance. In
35 the event that all or any portion of any bonds issued pursuant to this Section at the same time are
36 consolidated, the title or designation of the remaining series of bonds issued at the same time
37 may also be designated as a "consolidated" issue (e.g. "Consolidated Water and Sewer Series, 20
38 __", "Consolidated Solid Waste Projects Series, 20__", "Consolidated Watershed Protection and
39 Restoration Series, 20__"). Before any bonds are issued as part of a separate series to finance
40 solid waste projects identified on Exhibit I as "Self-Liquidating Bonds—Solid Waste", a
41 determination must be made regarding such projects or the utility of which they are a part similar
42 to the determination required in Paragraph ~~(6)~~ (5) of the STATEMENT OF POLICY in Section 1
43 with regard to bonds issued for revenue projects of water or wastewater utilities. Before any
44 bonds are issued as part of a separate series to finance watershed protection and restoration
45 projects, as applicable, identified on Exhibit I as "Self-Liquidating Bonds—Watershed
46 Protection and Restoration", a determination must be made that net revenues will be available
47 sufficient to pay the debt service payable from the Watershed Protection and Restoration Special
48 Revenue Fund established under Section 4-11-118 of the Anne Arundel County Code, taking into
49 account that the County may from time to time contribute additional funds in support of the
50 purposes described in Section 4-11-118(c) of the Anne Arundel County Code. The County
51 Executive, or the Chief Administrative Officer if authorized by the County Executive, is hereby
52 authorized to make such changes in the forms of bonds, notice of sale, proposal and other

1 documents in connection with any issue of bonds pursuant to this Section 2 as such County
2 Executive or Chief Administrative Officer, as the case may be, may deem necessary or desirable
3 in order to effect the consolidation and naming of bonds authorized hereby.
4

5 (6) All of (a) the bonds authorized by this Section 2, (b) bond anticipation notes authorized
6 by Section 6 hereof and (c) Refunding Bonds authorized by Section 3 hereof which are issued to
7 refund Refunded Bonds secured as unconditional general obligations of the County, shall all be
8 deemed and shall constitute unconditional general obligations of the County, to the payment of
9 which, both principal and interest, its full faith and credit are pledged. Subject to the following
10 provisions, the County hereby covenants that, in each fiscal year during which any such bonds
11 are outstanding, it will appropriate sufficient funds in each Current Expense Budget to pay the
12 principal of such bonds and the interest thereon due in such fiscal year. The County hereby
13 further covenants that, to the extent any such appropriation is not offset by funds from other
14 sources or by project revenues, it will, subject to the limitation on the tax levy set out in
15 Section 710(d) of the County Charter, fund any such appropriation by the levy of ad valorem
16 taxes on real estate, tangible personal property and intangible personal property subject to
17 taxation by the County, and in addition, on such other intangible property as may be subject to
18 taxation by the County within limitations prescribed by law.
19

20 In the case of any series of bonds issued to finance self-liquidating projects of the County or
21 of any Refunding Bonds issued to refund Refunded Bonds, the proceeds of which were used to
22 finance self-liquidating projects of the County, the principal of and interest on any such bonds
23 shall be payable primarily from the net revenues and receipts from such projects, or the utilities
24 of which they form a part. If any such series of bonds shall be issued to finance such
25 self-liquidating projects, then the County covenants to fix such rates and charges for the use of
26 any such project, or the utility of which it forms a part, as will generate sufficient revenues to pay
27 the annual cost of maintenance and operation thereof and to pay the maturing principal of and
28 interest on any such series of bonds when due, and the County further covenants and agrees to
29 apply such revenues against appropriations for such maintenance, operation and debt service in
30 each Current Expense Budget. If any such series of bonds shall be issued to finance watershed
31 protection and restoration projects, the County hereby pledges to apply amounts deposited from
32 time to time in the Watershed Protection and Restoration Special Revenue Fund established
33 under Section 4-11-118 of the Anne Arundel County Code to the payment of debt service on
34 such series of bonds, provided, however, that, in any fiscal year amounts on deposit in such fund
35 exceeds the amount of debt service on such bonds or other bonds issued for like purposes due in
36 such fiscal year, the County Council may apply all or any part of such excess to other lawful
37 purposes. Interest on any bonds authorized by this Section 2 and bond anticipation notes
38 authorized by Section 6 hereof falling due during the fiscal year ending June 30, 2014, may be
39 capitalized and paid from the proceeds of sale, and in the annual Current Expense Budgets of the
40 County for the fiscal years ending June 30, 2015 and June 30, 2016, there shall be appropriated
41 amounts sufficient to pay the interest accruing on any such bonds or notes then outstanding, or to
42 be issued during such fiscal years, less the amount of interest capitalized, which, as to any such
43 series of notes and bonds, shall not exceed twelve (12) months interest on such notes and bonds,
44 respectively, or the amount of interest included in the cost of the capital projects to be financed
45 with such series, whichever is smaller.
46

47 Notwithstanding the foregoing, in accordance with Section 24(a)(3)(i) of Article 31 of the
48 Annotated Code of Maryland (2010 Replacement Volume and 2012 Supplement), in the case of
49 any Refunding Bonds issued to refund Refunded Bonds secured as unconditional general
50 obligations with a pledge of the full faith and credit and unlimited taxing power of the County,
51 the County covenants that, to the extent any such appropriation to pay principal of or interest on
52 such Refunding Bonds is not offset by funds from other sources or by project revenues, it will

1 fund any such appropriations by the levy of ad valorem taxes on real estate, tangible personal
2 property and intangible personal property subject to taxation by the County without limitation as
3 to rate or amount, and in addition upon such other intangible property as may be subject to
4 taxation by the County within limitations prescribed by law.

5
6 (7) The rate or rates of interest payable on any series of bonds sold pursuant to this Section 2
7 shall not exceed the maximum interest rate, if any, specified by the County Council by public
8 local law to be payable on obligations of Anne Arundel County, Maryland, and, except with
9 respect to the first interest payment, which may be either a long or short coupon, and except as
10 provided in Section 7 of this Ordinance in connection with the issuance and sale of Variable Rate
11 Demand Obligations, such interest rate shall be payable in semi-annual installments, accounting
12 from the date of issue of any such series of bonds. Interest on the bonds shall be payable by
13 checks mailed by the Paying Agent therein named to the registered holder or holders of such
14 bonds or, if such bonds shall be issued in the form of Variable Rate Demand Obligations, interest
15 thereon may be payable by wire transfer at the discretion of the County Executive, or the Chief
16 Administrative Officer if authorized by the County Executive. If the bonds are issued and sold in
17 book-entry form, alternative payment arrangements may be provided at the discretion of the
18 County Executive, or the Chief Administrative Officer if authorized by the County Executive.

19
20 (8) The principal of the bonds authorized by this Section 2 shall be payable at the principal
21 office of the Paying Agent therein named, unless the bonds are issued and sold in book-entry
22 form, in which event alternative payment arrangements may be provided at the discretion of the
23 County Executive, or the Chief Administrative Officer if authorized by the County Executive.

24
25 (9) With respect to each series of bonds sold pursuant to this Section 2, authority is hereby
26 conferred on the County Executive, or the Chief Administrative Officer if authorized by the
27 County Executive, to take the following actions and make the following commitments on behalf
28 of the County:

29
30 (a) to determine the date, time and place when proposals for the purchase of any such
31 series of bonds will be received, to publish and otherwise distribute, as prescribed in Section 5
32 hereof, a suitable notice of sale of such bonds and to award any series of bonds for which a
33 legally sufficient proposal has been received to the best bidder therefor, determined as provided
34 in such Section 5; provided, however, that the County Executive, or the Chief Administrative
35 Officer if authorized by the County Executive, may by written statement appoint a designee who
36 may conduct the sale on his behalf and accept bids and award bonds to the best bidder;

37
38 (b) to appoint a bank having trust powers, or a trust company, as Paying Agent for any
39 such series of bonds, notwithstanding the fact that such bank or trust company may have neither
40 its principal office nor any branch office within the County or the State of Maryland, and to
41 appoint a similarly qualified bank or trust company as Alternate Paying Agent, such authority to
42 include the power to agree with respect to the compensation of such Paying Agent and Alternate
43 Paying Agent for the services to be rendered by them and to appoint one or more of such banks
44 or trust companies as Bond Registrars and also to confer on the manager of the syndicate
45 purchasing any such series of bonds the right to designate an Alternate Paying Agent so to be
46 appointed;

47
48 (c) to fix the schedule of annual maturities of any series of bonds and the maximum rate
49 of interest payable thereon, both within the limitations prescribed above;

50
51 (d) to employ, as financial advisor with respect to the sale of any series of bonds hereby
52 authorized, a qualified firm of investment bankers having a municipal bond department, or some

1 other firm or corporation specializing in the municipal bond field; to arrange, together with such
2 financial advisor, for the preparation and distribution of an appropriate Offering Circular,
3 Official Statement or Official Circular with respect to the sale of any such series of bonds,
4 including (without limitation) the employment of a qualified financial printer to print such
5 Offering Circular, Official Statement or Official Circular; and to allocate in his discretion the
6 costs of employing such financial advisor and financial printer and the other costs of preparing
7 and distributing such Offering Circular, Official Statement or Official Circular among the
8 projects to be financed with the proceeds of any such series of bonds, as part of the costs thereof,
9 all such costs of employing such financial advisor and financial printer and all other costs of
10 preparing and distributing such Offering Circular, Official Statement or Official Circular to be
11 regarded as costs of specialized services of an unusual nature and not susceptible of being
12 obtained through competitive bidding;

13
14 (e) after considering any recommendations of such financial advisor, to reserve to the
15 County the option to redeem any such series of bonds in whole or in part, at such times and upon
16 payment of such premiums as such financial advisor may recommend;

17
18 (f) to retain qualified bond counsel (such qualifications to be subject to approval by the
19 County Attorney) to handle all legal proceedings with respect to the issue and sale of any such
20 series of bonds and to pass on the validity thereof and to employ, if bonds are not issued and sold
21 in book-entry form, or if otherwise deemed necessary by the County Executive, a qualified
22 banknote company to print or engrave such bonds in accordance with established standards, and
23 to allocate in his discretion the costs of retaining such counsel and employing such banknote
24 company among the projects to be financed with the proceeds of any such series of bonds, as part
25 of the costs thereof, all such costs of retaining such counsel and employing such banknote
26 company to be regarded as costs of specialized services of an unusual nature and not susceptible
27 of being obtained through competitive bidding; and

28
29 (g) to provide for the issuance of bonds in book-entry form, to provide for the manner of
30 payment of principal of and interest on bonds issued in book-entry form and to enter into
31 appropriate agreements regarding the custody of bonds issued in book-entry form.

32
33 SECTION 3. *And be it further enacted*, Acting pursuant to the authority of Article 25A of the
34 Annotated Code of Maryland (2011 Replacement Volume and 2012 Supplement), The Anne
35 Arundel County Charter and Section 24 of Article 31 of the Annotated Code of Maryland (2010
36 Replacement Volume and 2012 Supplement) (the "Refunding Act"), the issuance and sale of
37 bonds of the County (the "Refunding Bonds") is hereby authorized for the purpose of refunding
38 some or all of the outstanding issues of bonds of the County listed on Exhibit II attached hereto,
39 as follows:

40
41 (a) Refunding Bonds are hereby authorized to be issued to refund in whole or in part the
42 respective several series of Anne Arundel County Consolidated General Improvements Series,
43 Anne Arundel County Consolidated Water and Sewer Series and Anne Arundel County Water
44 and Sewer Series, and Anne Arundel County Consolidated Solid Waste Projects Series,
45 identified as to designation, date and aggregate outstanding principal amount on Exhibit II below
46 (to the extent refunded hereby, the "Refunded Series"). With respect to each Refunded Series,
47 Refunding Bonds may be issued pursuant to this Ordinance in an aggregate principal amount
48 sufficient to provide funds (a) to purchase direct obligations of, or obligations the timely
49 payment of the principal and interest on which is unconditionally guaranteed by, the United
50 States of America ("Government Obligations"), the principal of and interest on which will be
51 sufficient without reinvestment or to provide cash sufficient, in either case, to pay in a timely
52 manner all or any part of the principal of and redemption premium, if any, and interest on the

1 bonds of such Refunded Series and, if so provided by the County Executive, or Chief
2 Administrative Officer if authorized by the County Executive, pursuant to Section 3(6) of this
3 Ordinance, a portion of the interest on the Refunding Bonds, and (b) to pay any and all other
4 costs permitted to be paid from the proceeds of such bonds under the Refunding Act, including
5 (without limitation) the costs of issuance of such bonds and applicable underwriting fees;
6 provided, however, that the aggregate principal amount of Refunding Bonds issued to refund one
7 or more Refunded Series shall not exceed 120% of the principal amount of bonds of the
8 Refunded Series so refunded. Proceeds of Refunding Bonds, including bond premium,
9 consisting of net bond proceeds from the sale of bonds sold at a price above par, shall be applied
10 for the purposes set forth above and as prescribed in the Refunding Act. Accordingly, bond
11 premium, if any, derived from the sale of Refunding Bonds shall be applied as described above
12 and shall not be subject to any requirement for expenditure on capital improvements.

13
14 (b) The Refunding Bonds shall be issued and sold in the same manner as Bonds authorized
15 by Section 2 hereof with the following exceptions and additions:

16
17 (1) Refunding Bonds shall be sold at private (negotiated) sale, and such procedure is
18 hereby determined to be in the public interest. Notwithstanding the foregoing, if the County
19 Executive, or the Chief Administrative Officer if authorized by the County Executive,
20 subsequently determines that it is in the best interests of the County to sell any or all of the
21 Refunding Bonds after first soliciting competitive bids at public sale, then the County Executive
22 or the Chief Administrative Officer, as the case may be, may sell such Refunding Bonds in such
23 manner in accordance with such procedures as he shall deem appropriate; provided, however,
24 that such procedures shall be substantially similar to the procedures set forth in Section 5 hereof.

25
26 (2) Refunding Bonds issued hereunder are hereby specifically exempted from the
27 provisions of Sections 10 and 11 of Article 31 of the Annotated Code of Maryland (2010
28 Replacement Volume and 2012 Supplement).

29
30 (3) Refunding Bonds authorized to be issued for the purposes specified above may be
31 issued in series from time to time. Each such series shall identify the public purpose for which it
32 is issued, by the printing on each bond of the words "Consolidated General Improvements Series,
33 20__ Refunding Series", "Consolidated Water and Sewer Series, 20__ Refunding Series," or
34 "Consolidated Solid Waste Projects Series, 20__ Refunding Series," as the case may be. The
35 County Executive, or the Chief Administrative Officer if authorized by the County Executive,
36 may incorporate such additional designations in the name of the series as he deems necessary or
37 convenient to distinguish two or more series issued for the same purpose within the same
38 calendar year.

39
40 (4) The bonds of each series, or of successive series for the same public purpose, shall
41 mature and be payable under an annual Installment Plan which may be implemented by the
42 issuance of serial maturity bonds or term bonds having mandatory sinking fund requirements,
43 beginning not later than the second anniversary of such series, or of the first series of a group,
44 and concluding on or before (a) the thirtieth (30th) anniversary of the Refunded Bonds to be
45 refunded from the proceeds of such Series or (b) the final maturity date permitted for such series
46 under Paragraph 3 of Section II of the FINDINGS OF FACT set forth in Section 1 of this
47 Ordinance, whichever shall be earlier. In the event that bonds of more than one Series of
48 Refunded Bonds are refunded by a single series of Refunding Bonds, compliance with the
49 maturity limits contained herein shall be established with respect to each series of Refunded
50 Bonds in a certificate of the County Executive, or the Chief Administrative Officer if authorized
51 by the County Executive, delivered in connection with the issuance of such Refunding Bonds.

1 (5) The County Executive, or the Chief Administrative Officer if authorized by the
2 County Executive, shall determine the portions of each series of Refunded Bonds to be refunded
3 with the proceeds of each series of Refunding Bonds; provided, however, that such refunding
4 will effectuate and accomplish the public purpose of realizing savings to the County in the
5 aggregate cost of debt service on either a direct comparison or a present value basis with respect
6 to the portion of any series of Refunded Bonds being refunded.

7
8 (6) With respect to each series of Refunding Bonds sold pursuant to this Ordinance,
9 authority is hereby conferred on the County Executive, or the Chief Administrative Officer if
10 authorized by the County Executive, in addition to the authority conferred by Section 2 hereof, to
11 take the following actions and make the following commitments on behalf of the County:

12
13 (a) to sell any series of Refunding Bonds upon such terms he deems favorable under
14 the existing market conditions to a bank, investment banking firm or other financial institution
15 as, in his judgment, offers to purchase such series of bonds on terms he deems favorable to the
16 County under the existing market conditions;

17
18 (b) to execute and deliver, as a binding and enforceable obligation of the County, an
19 underwriting or purchase agreement for any series of Refunding Bonds;

20
21 (c) to determine whether the principal of Refunded Bonds shall be paid at maturity,
22 at the earliest redemption date pertaining thereto, or at some later redemption date; and

23
24 (d) to select a trust company or other banking institution as trustee, to hold the trust
25 fund into which the proceeds of the sale of any Refunding Bonds may be deposited under the
26 Refunding Act, to determine the terms of any such trust fund, including any provisions relating to
27 the payment of costs or the payment of a portion of the interest on such series of Refunding
28 Bonds therefrom, and to deliver, as a binding commitment of the County, a trust or escrow
29 agreement pursuant to which such trust fund is established.

30
31 SECTION 4. *And be it further enacted,* That the several series of bonds to be issued pursuant
32 to the authority of this Ordinance shall be executed on behalf of the County by the manual or
33 facsimile signature of the County Executive and the seal or a facsimile of the seal of the County
34 shall be impressed or imprinted thereon, attested by the manual or facsimile signature of the
35 County Executive, the secretary to the County Executive, the Administrative Officer to the
36 County Council or such other officer as may be specified by ordinance of the County Council.
37 Each such bond shall be authenticated by the manual or facsimile signature of the Chief
38 Administrative Officer or his authorized deputy and by the manual signature of an authorized
39 officer of the Bond Registrar. Notwithstanding the foregoing, in the event bonds are issued in
40 book-entry form the County Executive or the Chief Administrative Officer if authorized by the
41 County Executive, may provide that bonds issued in such form need not be authenticated by a
42 Bond Registrar. No bonds issued hereunder shall be valid for any purpose or constitute an
43 obligation of the County unless so authenticated.

44
45 Each series of bonds shall be in the form set forth in Exhibit III attached hereto and
46 incorporated herein, and bonds issued substantially in compliance with such forms, with such
47 insertions, alterations, additions or deletions as herein permitted, when properly executed and
48 authenticated as described above, shall be deemed to constitute unconditional general obligations
49 of the County, to the payment of which, in accordance with the terms thereof, its full faith and
50 credit are pledged, subject to the limitation on the taxing power set forth in Section 710(d) of the
51 County Charter, and all the covenants and conditions contained in such bonds shall be deemed to
52 be binding upon the County in accordance therewith.

1
2 In case any official of the County whose signature shall appear on any such bonds shall cease
3 to be such official prior to the delivery of such bonds, or in the case that any such official shall
4 take office subsequent to the date of issue of any such bonds, his signature, in either event, shall
5 nevertheless be valid for the purposes herein intended.
6

7 There shall be printed on the reverse side of each series of bonds issued hereunder, the text
8 of the applicable approving legal opinion with respect thereto, such text being duly certified by
9 the manual or facsimile signature of the County Executive, unless the bonds are issued in book-
10 entry form, in which event, the County Executive, or the Chief Administrative Officer if
11 authorized by the County Executive, may make alternate arrangements to make the approving
12 legal opinion available to the holder of such bonds.
13

14 Authority is hereby conferred on the County Executive, or the Chief Administrative Officer
15 if authorized by the County Executive, to complete the blanks in such forms with the required
16 information, to insert applicable paragraphs as indicated and to make such additions, deletions
17 and substitutions in such forms, not inconsistent herewith, as may be necessary or desirable in
18 the sale of any such series of bonds or to provide for the sale of any such series of bonds in book-
19 entry form including (without limitation) modifications in the form of bonds to provide for
20 Refunding Bonds issued to refund Refunded Bonds meeting the requirements of Section
21 24(a)(3)(i) of Article 31 of the Annotated Code of Maryland (2010 Replacement Volume and
22 2012 Supplement) to be secured by a pledge of the full faith and credit and unlimited taxing
23 power of the County, or, with respect to bonds sold in book-entry form, to provide for payment
24 of the redemption price of such bonds without presentation thereof to the County or to the Bond
25 Registrar. Without limiting the generality of the foregoing, the County Executive, or the Chief
26 Administrative Officer if authorized by the County Executive, is hereby specifically authorized
27 to make such additions, deletions and substitutions in such forms, not inconsistent herewith, as
28 he may deem necessary or desirable in the event that any series of bonds issued hereunder (i) is
29 not made subject to redemption prior to their respective maturities or (ii) is issued as Variable
30 Rate Demand Obligations in accordance with the provisions of Section 7 of this Ordinance.
31

32 SECTION 5. *And be it further enacted,* That any bonds hereafter sold pursuant to the
33 authority of Section 2 of this Ordinance shall first be offered at public sale to the best bidder
34 therefor and only after the solicitation of competitive bids on a sealed basis by publication of a
35 notice of sale substantially in the form set forth in Exhibit IV attached hereto and incorporated
36 herein, with such insertions, alterations, additions or deletions as are permitted by this
37 Ordinance.
38

39 The best bidder for such bonds shall be determined in accordance with a formula and subject
40 to such bid constraints as shall be determined by the County Executive, or the Chief
41 Administrative Officer if authorized by the County Executive, upon the recommendation of the
42 financial advisor selected pursuant to Section 2 hereof, to be appropriate for the solicitation or
43 determination of the best bid for the bonds. The notice shall be published at least once preceding
44 the date of sale in a newspaper published and of general circulation in the County. The first
45 publication of such notice shall be not less than 10 days prior to the date of sale. At the
46 discretion of the County Executive, or the Chief Administrative Officer if authorized by the
47 County Executive, such notice or a summary thereof may also be inserted one or more times in
48 financial journals published elsewhere in the United States. If more than one series or issue of
49 bonds are offered together, they shall be sold as a unit. Following any such sale, the County
50 Executive, or the Controller if authorized by the County Executive, shall report the results
51 thereof in writing at the next meeting of the County Council. All proposals for the purchase of
52 any such bonds shall be made substantially in the form set forth in Exhibit IV attached hereto and

1 incorporated herein, with such insertions, alterations, additions or deletions as are permitted by
2 this Ordinance.

3
4 The County may in such notice of sale reserve unto itself the right to reject any or all of the
5 bids made pursuant to such notice and if, pursuant to the power so reserved, all of such bids are
6 so rejected at the public sale of any of the bonds, then the County may, within 30 days, but not
7 thereafter, offer to sell or sell all or any part of such bonds by private sale for a price not less
8 than the best bid received by the County from an acceptable bidder at the public sale thereof, and
9 if such bonds are not sold either at such public sale or at private sale within such 30 day period,
10 then they may not be sold in any manner except upon a subsequent public sale duly advertised in
11 the manner herein specified.

12
13 The County may in such notice of sale reserve the right to adjust the principal amount of
14 each maturity of bonds of any series after publication of the notice of sale as provided herein,
15 provided that any such adjustment shall be made in accordance with the procedures set forth in
16 the notice of sale.

17
18 The forms of such notice of sale and of such proposals shall be substantially as set forth in
19 Exhibit IV, with the insertions therein indicated, and subject to such insertions, alterations,
20 additions or deletions as the County Executive, or the Chief Administrative Officer if authorized
21 by the County Executive, may deem advisable due to financial or market conditions prevailing at
22 the time or, in the event that bonds are issued as Variable Rate Demand Obligations in
23 accordance with Section 7 of this Ordinance or constitute Refunding Bonds meeting the
24 requirements of Section 24(a)(3)(i) of Article 31 of the Annotated Code of Maryland (2010
25 Replacement Volume and 2012 Supplement), due to the particular characteristics of such bonds
26 or the security therefor. Without limiting the generality of the foregoing, the County Executive,
27 or the Chief Administrative Officer if authorized by the County Executive, is hereby specifically
28 authorized, upon recommendation of the financial advisor and bond counsel, to make such
29 insertions, alterations, additions or deletions as he may deem necessary or desirable (A) in the
30 event that the bonds of any series issued hereunder (i) are not made subject to redemption prior
31 to their respective maturities, (ii) are issued as Variable Rate Demand Obligations in accordance
32 with the provisions of Section 7 of this Ordinance or (iii) constitute Refunding Bonds meeting
33 the requirements of Section 24(a)(3)(i) of Article 31 of the Annotated Code of Maryland (2010
34 Replacement Volume and 2012 Supplement), (B) to provide for receipt of bids submitted
35 electronically, or (C) to reflect use of a book-entry only system.

36
37 SECTION 6. *And be it further enacted*, That in order to avoid the issuance of a greater
38 amount of bonds for the capital projects listed in Exhibit I than is needed therefor, and in order to
39 permit the construction of such projects to proceed prior to the issuance of such bonds and at the
40 same time afford the County maximum flexibility in selecting the most advantageous times for
41 such issuance, the County may provide needed capital funds by the issue and sale of its bond
42 anticipation notes pursuant to the authority of Section 12 of Article 31 of the Annotated Code of
43 Maryland (2010 Replacement Volume and 2012 Supplement) (the "Bond Anticipation Note
44 Act"). Such notes shall bear the same series identification as the bonds authorized in Section 2
45 hereof.

46
47 (1) The maximum principal amount of such notes issued pursuant to this Section which may
48 be outstanding at any time shall be Four Hundred Eight Million Two Hundred Fifty-Six
49 Thousand Eight Hundred Dollars (\$408,256,800) unless and until otherwise provided by the
50 County Council by ordinance. The notes may be paid at or prior to maturity from the proceeds of
51 the issuance and sale of the bonds in anticipation of which such notes were issued or from the
52 proceeds of refunding bond anticipation notes. Except as otherwise provided herein, in the event

1 of such an advance refunding, the proceeds of such refunding bonds or notes shall be held in
2 escrow, to the extent and in the amount necessary to refund the outstanding series of notes, for
3 the benefit of the holders of the outstanding series of notes. Such refunding bond anticipation
4 notes, if issued, will constitute a reissuance of the bond anticipation notes authorized by this
5 Ordinance and shall not constitute additional indebtedness under such authorization.

6
7 (2) The notes shall be issued in registered form without coupons or in bearer form without
8 coupons, in the denomination of \$5,000 each or any integral multiple thereof, as may be
9 determined by the County Executive, or the Chief Administrative Officer if authorized by the
10 County Executive. Each such note shall be dated (i) as of the first or fifteenth day of the month
11 in which it is sold, and accrued interest shall be adjusted to such date or (ii) as of the date of the
12 initial sale and delivery of such note, all as may be determined by the County Executive, or the
13 Chief Administrative Officer if authorized by the County Executive. All of the notes authorized
14 hereby shall mature and be payable on such date as may be determined by the County Executive,
15 or the Chief Administrative Officer if authorized by the County Executive, within the limitations
16 of this Ordinance and the Bond Anticipation Note Act. The County Executive, or the Chief
17 Administrative Officer if authorized by the County Executive, may also provide for (a) the
18 extension of maturity of such notes, at the option of the County Executive, or the Chief
19 Executive or the Chief Administrative Officer, for an additional period not in excess of six
20 months, upon such terms and conditions as the County Executive, or the Chief Administrative
21 Officer if authorized by the County Executive, shall prescribe and (b) the redemption of such
22 notes prior to their maturity, with or without premium or penalty.

23
24 (3) All or any part of such notes may be issued in series as funds are required. Authority is
25 hereby conferred on the County Executive, or the Chief Administrative Officer if authorized by
26 the County Executive, to determine whether such notes will be issued in such series and, if so,
27 when each such series of notes will be delivered to the purchaser thereof.

28
29 (4) The County Executive, or the Chief Administrative Officer if authorized by the County
30 Executive, shall provide for the establishment and maintenance of books for the registration and
31 transfer of registered notes, which books may be maintained by a Note Registrar appointed by the
32 County Executive, or the Chief Administrative Officer if authorized by the County Executive.

33
34 (5) Notes to be issued pursuant to the authority of this Ordinance shall be executed on behalf
35 of the County by the manual or facsimile signature of the County Executive and the seal of the
36 County or a facsimile thereof shall be impressed or imprinted thereon, attested by the manual or
37 facsimile signature of the County Executive, the secretary to the County Executive, the
38 Administrative Officer to the County Council or such other officer as may be specified by
39 ordinance of the County Council. Each note shall be authenticated by the manual or facsimile
40 signature of the Chief Administrative Officer or his authorized deputy. In the event that
41 registered notes are issued, the County Executive, or the Chief Administrative Officer if
42 authorized by the County Executive, may provide for authentication of such registered notes by a
43 Note Registrar in such form as he shall deem appropriate. In the event that Program Notes
44 (hereinafter defined) are issued, or in the event that the notes are issued as Variable Rate
45 Demand Obligations, the County Executive, or the Chief Administrative Officer if authorized by
46 the County Executive, may provide for authentication of such Program Notes or Variable Rate
47 Demand Obligations by such agents or entities and in such form as he shall deem appropriate.

48
49 (6) The notes shall bear interest at such rate or rates as shall be established by the County
50 Executive, or the Chief Administrative Officer if authorized by the County Executive, which rate
51 or rates may vary according to an established index. Interest on the notes shall be payable on

1 such dates and in such manner as shall be established by the County Executive, or the Chief
2 Administrative Officer if authorized by the County Executive.

3
4 (7) Unless otherwise provided by an ordinance of the County Council prior to the issuance of
5 any of such notes, authority is hereby conferred on the County Executive, or the Chief
6 Administrative Officer if authorized by the County Executive, to sell such notes on the most
7 favorable terms available from time to time, without solicitation of competitive bids, at private
8 (negotiated) sale, and such method of sale is hereby found and determined to be in the best
9 interests of the County. If the County Executive, or the Chief Administrative Officer if
10 authorized by the County Executive, shall determine that the best interests of the County will be
11 served by the sale of all or part of the notes at a public sale with the solicitation of competitive
12 bids, the County Executive or the Chief Administrative Officer, as the case may be, is hereby
13 authorized to sell such notes in such manner. Except as hereinafter provided with respect to
14 Commercial Paper Notes (hereinafter defined), (a) such notes shall be sold at a price equal to the
15 par value thereof plus accrued interest to the date of delivery, or (b) upon written
16 recommendation of the financial advisor selected pursuant to subsection (9) of Section 2 that a
17 discount bid would be expected to provide a more favorable interest rate to the County by
18 facilitating the underwriting of the County's notes in then-current market conditions, the County
19 Executive, or the Chief Administrative Officer if authorized by the County Executive, may
20 authorize such notes to be sold at a price not less than 99% of par plus accrued interest to date of
21 delivery. None of such notes shall bear interest at a rate in excess of the maximum interest rate,
22 if any, specified by the County Council by Public Local Law to be payable on obligations of
23 Anne Arundel County, Maryland.

24
25 In the event that such notes are sold at private (negotiated) sale, the County Executive, or the
26 Chief Administrative Officer if authorized by the County Executive, is hereby authorized to
27 negotiate with any bank, banker or other financial institution for a loan commitment and to
28 deliver to such bank, banker or other financial institution such notes at one time or from time to
29 time, as funds are required, pursuant to the terms of such commitment, and to execute and deliver
30 any and all documents necessary or deemed appropriate by the County Executive or the Chief
31 Administrative Officer, as the case may be, to consummate the sale of such notes at private
32 (negotiated sale) and to accomplish any and all actions necessary or deemed appropriate by the
33 County Executive or the Chief Administrative Officer, as the case may be, to issue and deliver
34 such notes to the purchaser thereof in accordance with the provisions of this Ordinance and any
35 such commitment.

36
37 In the event that such notes are sold at public sale, the County Executive, or the Chief
38 Administrative Officer if authorized by the County Executive, is hereby authorized (i) to
39 determine the timing, terms and conditions thereof, (ii) to publish an appropriate notice of sale,
40 such notice of sale to be in the general form of the form of the notice of sale included herein in
41 Section 5 for the sale of bonds authorized by Section 2 hereof, with such alterations, deletions,
42 substitutions and additions as the County Executive, or the Chief Administrative Officer if
43 authorized by the County Executive, shall deem necessary or appropriate to provide for proper
44 notice of the sale of notes, (iii) to determine the date, time and place when proposals will be
45 accepted for such notes, such proposals to specify the interest rate or rates to be paid on such
46 notes, the price to be paid for such notes and such other matters as the County Executive or the
47 Chief Administrative Officer, as the case may be, may deem necessary or desirable in order to
48 sell and deliver such notes and to award such notes at public sale to the successful bidder for
49 such notes, and (iv) to execute and deliver any and all documents necessary or deemed
50 appropriate by the County Executive or the Chief Administrative Officer, as the case may be, to
51 consummate the sale of such notes at public sale and to accomplish any and all actions necessary
52 or deemed appropriate by the County Executive or the Chief Administrative Officer, as the case

1 may be, to issue and deliver such notes to such underwriters or purchasers in accordance with the
2 provisions of this Ordinance and any contract of sale with the successful bidder for the notes.

3
4 Following each such sale, or the negotiation of each such commitment, including the
5 execution of any agreements in connection with the issuance of Program Notes or Variable Rate
6 Demand Obligations, the County Executive, or the Controller if authorized by the County
7 Executive, shall report the same at the next meeting of the County Council and shall accompany
8 such report with the data upon which he had relied to satisfy himself that he had obtained terms
9 favorable to the County in the then-prevailing market for comparable obligations.

10
11 (8) The authority conferred on the County Executive, or the Chief Administrative Officer if
12 authorized by the County Executive, in paragraph (9) of Section 2 of this Ordinance in
13 connection with the issuance of bonds hereunder, with respect to the appointment of paying
14 agents and a registrar, the employment of a financial advisor, a financial printer and a securities
15 printer, retaining bond counsel and the preparation and distribution of an appropriate Offering
16 Circular, Official Statement or Official Circular, may also be exercised with respect to the
17 issuance and sale of bond anticipation notes hereunder.

18
19 (9) With respect to any notes issued, the County hereby covenants and agrees with the holder
20 or holders thereof to issue, upon its full faith and credit, the bonds in anticipation of the sale of
21 which such notes are issued when, and as soon as, the reason for deferring the issuance thereof
22 no longer exists and to pay the principal of and interest on (to the extent such interest has not
23 been capitalized, or otherwise paid, by appropriations from current revenues as hereinbefore
24 authorized) such notes from the proceeds of such bonds. This covenant shall be binding upon the
25 County notwithstanding any limitation set forth in this Ordinance, including (without limitation)
26 any limitation with respect to the interest rate or rates that the bonds may bear. If the County
27 shall be unable, for reasons beyond its control, to issue and sell its bonds as described above, or
28 if the proceeds from the sale of such bonds shall be insufficient to pay the principal of and
29 interest on any notes issued, then the revenues from taxes and other sources intended for
30 application to debt service on such bonds shall be applied to the payment of the interest on and
31 principal of the notes. The foregoing provisions shall not be construed so as to prohibit the
32 County from paying the principal or redemption price of and interest on any note issued
33 hereunder from the proceeds of the sale of any other note issued hereunder, or from any other
34 funds legally available for that purpose.

35
36 If the County shall be unable, for reasons beyond its control, to issue and sell its bonds, or if
37 the proceeds from the sale of such bonds shall be insufficient to pay the principal of or interest
38 on any notes issued, then the County hereby covenants that, in each fiscal year during which any
39 such bond anticipation notes are outstanding, it will appropriate sufficient funds in each Current
40 Expense Budget to pay the principal of such bond anticipation notes and the interest thereon due
41 in such fiscal year. The County hereby further covenants that, to the extent any such
42 appropriation is not offset by funds from other sources or by project revenues, it will, subject to
43 the limitation on the tax levy set out in Section 710(d) of the County Charter, fund any such
44 appropriation by the levy of ad valorem taxes on real estate, tangible personal property and
45 intangible personal property subject to taxation by the County, and in addition, on such other
46 intangible property as may be subject to taxation by the County within limitations prescribed by
47 law. In such event, in the case of any series of bond anticipation notes issued to finance
48 self-liquidating projects of the County, the principal of and interest on any such notes shall be
49 payable primarily from the net revenues and receipts from such projects, or the utilities of which
50 they form a part. If any such series of bond anticipation notes shall be issued to finance such
51 self-liquidating projects and the County shall be unable for reasons beyond its control to issue
52 and sell the bonds in anticipation of the sale of which such notes are issued, or if the proceeds

1 from the sale of such bonds shall be insufficient to pay the principal of or interest on such notes,
2 then the County covenants to fix such rates and charges for the use of any such project, or the
3 utility of which it forms a part, as will generate sufficient revenues to pay the annual cost of
4 maintenance and operation thereof and to pay the maturing principal of and interest on any such
5 series of bond anticipation notes when due, and the County further covenants and agrees to apply
6 such revenues against appropriations for such maintenance, operation and debt service in each
7 Current Expense Budget. The County may apply to the payment of the principal of and interest
8 on the aforementioned notes any funds granted or otherwise obtained and legally available for
9 the payment of the principal of and interest on the notes; and to the extent that any such funds
10 received or receivable in any fiscal year are applied to such purposes, the taxes, rates and charges
11 required to be levied or assessed pursuant to this paragraph shall be reduced proportionately.
12

13 (10) In the event that any notes (the "Outstanding Notes") issued hereunder are outstanding
14 on the date that the bonds in anticipation of which such notes are issued are delivered in
15 exchange for the purchase price thereof (the "Delivery Date"), the Controller shall deposit with
16 the paying agent for the notes, or a trustee or escrow agent, on the Delivery Date (i) cash in an
17 amount equal to the principal of the Outstanding Notes or (ii) direct obligations of, or obligations
18 the payment of which is unconditionally guaranteed by, the United States of America, the
19 principal of and interest on which will be sufficient without reinvestment to pay in a timely
20 manner the principal of the Outstanding Notes when due. Such paying agent or trustee or escrow
21 agent is hereby irrevocably directed to apply such cash or the proceeds of such obligations to the
22 payment of the principal of the Outstanding Notes when due. The County may provide such cash
23 or obligations from the proceeds of the sale of such bonds or from any other funds legally
24 available for such purpose. On the Delivery Date, the Controller shall also deposit with the
25 paying agent for the Outstanding Notes, or a trustee or escrow agent (i) cash in an amount equal
26 to the interest on the Outstanding Notes when due or (ii) direct obligations of, or obligations the
27 payment of which is unconditionally guaranteed by, the United States of America, the principal
28 of and interest on which will be sufficient without reinvestment to pay in a timely manner
29 interest on the Outstanding Notes when due. The County may provide such cash or obligations
30 from the proceeds of the sale of bonds available for that purpose or from any other funds legally
31 available for such purpose. Notwithstanding the foregoing, if the Delivery Date and the date on
32 which the Outstanding Notes mature are in different fiscal years, and moneys for the payment of
33 the interest on the Outstanding Notes have not been finally appropriated in the fiscal year in
34 which the bonds are delivered, and if the Delivery Date is after the date on which the budget for
35 the succeeding fiscal year has been submitted to the County Council and provision for the
36 payment of the interest on such Outstanding Notes has been made in such budget, in lieu of the
37 deposit of such cash or obligations for the payment of interest on the Outstanding Notes, the
38 County Executive, the Controller and the Chief Administrative Officer may deliver a certificate
39 on the Delivery Date of the bonds stating that funds sufficient to pay the interest on the
40 Outstanding Notes have been included in the budget for the next succeeding fiscal year (it being
41 provided by the Bond Anticipation Note Act that the notes shall be payable from the first
42 proceeds of the sale of the bonds, or from the tax or other revenue which the County shall have
43 previously determined to apply to the payment of the bonds and the interest thereon). Upon the
44 deposit with the paying agent for the Outstanding Notes, or a trustee or escrow agent, of cash or
45 obligations sufficient to provide for the payment of the principal of and interest on such notes
46 when due, as described above, such notes shall be deemed to be paid and no longer outstanding
47 hereunder.
48

49 (11) Pursuant to the Bond Anticipation Note Act, the County is hereby authorized to issue
50 the aforementioned bond anticipation notes as notes in the nature of commercial paper and to
51 establish a commercial paper program. Accordingly, the County is hereby authorized to issue
52 two or more separate and distinct series of its bond anticipation notes, which may include (1) a

1 series of its bond anticipation notes in the nature of commercial paper (the "Commercial Paper
2 Notes") and (2) a series of its bond anticipation notes in connection with a liquidity facility, such
3 as a revolving loan agreement, or a series of its bond anticipation notes in connection with a
4 credit facility, such as a letter of credit and related agreements (collectively, the "Revolving Loan
5 Notes") (the Commercial Paper Notes and the Revolving Loan Notes being collectively referred
6 to herein as the "Program Notes"). The words "bond anticipation notes," as used in this
7 Ordinance, include Program Notes, and it is intended that the provisions of this Ordinance
8 applying to bond anticipation notes shall include Program Notes unless the context clearly
9 requires a contrary meaning.

10
11 For the purposes of this Ordinance, the term "principal amount," when used with respect to
12 the Program Notes, shall mean (i) in the case of Commercial Paper Notes, the face amount of any
13 such Commercial Paper Note, less any original issue discount on such Commercial Paper Note,
14 and (ii) in the case of Revolving Loan Notes, the principal amount actually advanced under the
15 applicable liquidity facility or credit facility that is evidenced by any such Revolving Loan Note.
16 Accordingly, it is contemplated by this Ordinance that the aggregate face amount of the Program
17 Notes that may be outstanding from time to time hereunder, together with other bond anticipation
18 notes issued hereunder and outstanding from time to time, may exceed the aggregate principal
19 amount of bond anticipation notes authorized to be outstanding hereunder at any one time.

20
21 It is recognized that the procedures necessary or desirable to implement a commercial paper
22 program within the framework of existing commercial practices in the commercial paper market
23 may require the County to prescribe procedures to facilitate the prompt determination and
24 approval of certain matters in connection with the authorization, issuance, execution, sale,
25 delivery and payment of and for Commercial Paper Notes. Accordingly, the County Executive,
26 by or pursuant to executive order or other appropriate action or proceedings, is hereby authorized
27 (1) to establish such procedures, including (without limitation) procedures for (a) the
28 determination of the dates and maturities of any Program Notes, or the method by which the
29 same shall be determined, (b) the determination of the interest rate to be borne by any Program
30 Notes, which may be separately stated by rate or amount or which may be in an amount equal to
31 the discount thereon, or the method by which the same shall be determined, and (c) the
32 determination of the price or prices at which Commercial Paper Notes may be sold, which may
33 be at, above or below the face value thereof, or the method by which the same shall be
34 determined; and (2) to determine any and all other matters relating to the terms, specifications
35 and form of such Program Notes, including (without limitation) any modification required in the
36 forms of bond anticipation note set forth herein to accommodate the needs of the commercial
37 paper program. Any such procedures may include provisions for telephonic approval and
38 subsequent telegraphic or written confirmation of one or more of such matters by the Chief
39 Administrative Officer, the Controller or such other officers or employees of the County as the
40 County Executive shall designate within guidelines or parameters prescribed by the County
41 Executive. The establishment of such procedures and all such determinations and actions shall
42 be deemed to be of an administrative nature.

43
44 In connection with the establishment of a commercial paper program, the County Executive
45 is hereby authorized, by or pursuant to executive order or other appropriate action or proceedings
46 (i) to approve the form of any indenture necessary or appropriate in connection with the issuance
47 of any Program Notes (the "Indenture") and to appoint a trustee (the "Trustee") thereunder, (ii)
48 to approve the form of any dealer agreement relating to any Commercial Paper Notes (the
49 "Dealer Agreement") and to select a dealer to act thereunder, (iii) to approve the form of a
50 liquidity facility, such as a revolving loan agreement, or a credit facility, such as a letter of credit
51 and related agreements (each a "Credit Facility") and to select one or more financial institutions
52 to provide loans or otherwise to act thereunder, and (iv) to approve the form of any issuing and

1 paying agency agreement (the "Issuing and Paying Agency Agreement") and to appoint an
2 issuing and paying agent of the County for the purpose of completing, authenticating and
3 delivering the Program Notes from time to time.
4

5 The County Executive is hereby authorized, pursuant to executive order or other appropriate
6 action or proceedings, to execute and deliver on behalf of the County the Issuing and Paying
7 Agency Agreement, one or more Credit Facilities, the Dealer Agreement, and all and any other
8 documents that he may deem necessary or appropriate to implement the commercial paper
9 program contemplated by this Ordinance and, in each case, to cause the seal of the County to be
10 impressed thereon, attested by the County Executive, the secretary to the County Executive, the
11 Administrative Officer to the County Council or such other officer as may be specified by
12 ordinance of the County Council.
13

14 (12) All of such notes shall be in such form as the County Executive, or the Chief
15 Administrative Officer if authorized by the County Executive, shall deem appropriate shall be
16 binding on the County when and as any such notes are issued and sold hereunder.
17

18 SECTION 7. *And be it further enacted*, That it is hereby found and determined as follows: (i)
19 general economic conditions are extremely unsettled and require sensitive and careful debt
20 management in order to reduce to the extent practicable the cost of borrowing to the County and
21 it is in the best interests of the County to be able to implement a flexible approach to borrowing
22 (that is, one which provides the ability to utilize variable rate demand obligations, commercial
23 paper and short-term municipal obligations ["Variable Rate Demand Obligations"]); (ii) there is
24 an expanding market for Variable Rate Demand Obligations, which have varying and flexible
25 maturities or redemption features, tender or purchase dates and bear interest at variable rates
26 established by a remarketing agent on the basis of current market conditions, or combinations of
27 such maturities or redemption, tender or purchase dates and rates and to access this market the
28 County must establish procedures consistent with market practices for Variable Rate Demand
29 Obligations; and (iii) existing practices in the market for Variable Rate Demand Obligations and
30 existing requirements of nationally recognized rating agencies require that there be available to
31 the issuer of Variable Rate Demand Obligations a supporting credit arrangement, such as a letter
32 of credit, line of credit or revolving loan agreement, pursuant to which an alternate source of
33 borrowing will be available during any period in which such obligations cannot be remarketed.
34

35 The County Executive, or the Chief Administrative Officer if authorized by the County
36 Executive, may determine that bond anticipation notes authorized by Section 6 hereof or bonds
37 authorized by Section 2 hereof shall be issued as short-term or demand obligations or commercial
38 paper, defined above as Variable Rate Demand Obligations, including obligations that are
39 required to be purchased or redeemed prior to stated maturity dates, and bear interest at variable
40 rates established from time to time by a remarketing agent on the basis of current market
41 conditions. The County Executive, or the Chief Administrative Officer if authorized by the
42 County Executive, is hereby authorized to establish procedures for the determination of the
43 interest rates, the interest payment dates and any mandatory redemption, tender or purchase dates
44 of bonds or notes described in this Section 7 in order to implement the financing authorized
45 hereby. If any bonds or notes issued in accordance with this Section 7 provide for the mandatory
46 redemption, tender or purchase thereof prior to stated maturity dates, the form of bond or note (as
47 the case may be) may provide, to the extent permitted by law and deemed advisable by the
48 County Executive, or the Chief Administrative Officer if authorized by the County Executive,
49 that the full faith and credit and, subject to the limitations set forth in Section 710(d) of the
50 County Charter, taxing power of the County are pledged to the payment of the purchase or
51 redemption price on the due dates for such payments.
52

1 In connection with the issuance of such obligations, the County Executive is hereby
2 authorized, by executive order or other appropriate action or proceeding (i) to approve the form
3 of any indenture necessary or appropriate in connection with the issuance of such obligations
4 (the "Demand Indenture") and to appoint a trustee thereunder, (ii) to approve the form of a
5 remarketing agreement relating to such obligations (the "Demand Remarketing Agreement") and
6 to select a remarketing agent to act thereunder, (iii) to approve the form of a credit or liquidity
7 facility, such as a letter of credit, line of credit, revolving loan agreement or other similar
8 agreement (a "Demand Credit Facility") and to enter into a reimbursement agreement or other
9 similar agreement (a "Demand Credit Facility Agreement") with one or more financial
10 institutions in connection therewith and (iv) to approve the form of a registrar and paying agency
11 agreement (the "Demand Registrar and Paying Agency Agreement") and to appoint a registrar
12 and paying agent for the purpose of completing, authenticating and delivering such obligations
13 from time to time.

14
15 The County Executive is hereby authorized pursuant to executive order or other appropriate
16 action or proceeding, to execute and deliver on behalf of the County a Demand Indenture, a
17 Demand Remarketing Agreement, one or more Demand Credit Facility Agreements and a
18 Demand Registrar and Paying Agency Agreement and any and all other documents that he may
19 deem necessary or appropriate in connection with the issuance of obligations authorized by this
20 Section 7, and, in each case, to cause the seal of the County to be impressed thereon, attested by
21 the County Executive, the secretary to the County Executive, the Administrative Officer to the
22 County Council and such other officers as may be specified by ordinance of the County Council.

23
24 SECTION 8. *And be it further enacted*, That the provisions hereinafter set forth in Sections
25 (8)(1), (2), (3), (4) and (5) shall be applicable with respect to bonds (including Refunding Bonds)
26 or bond anticipation notes issued and sold hereunder on the basis that the interest on such bonds
27 or notes will be excludable from gross income for federal income tax purposes and the provisions
28 hereinafter set forth in Section (8)(7) shall be applicable with respect to any bonds or bond
29 anticipation notes issued and sold hereunder on the basis that such bonds or notes are allowed a
30 tax credit, that the County is entitled to a subsidy from the United States of America or any
31 agency or instrumentality thereof with respect to such bonds or notes or the interest payable
32 thereon, or that any such bond or note or the interest thereon is entitled to any other available
33 benefits under the Internal Revenue Code of 1986, as amended (any such bonds or notes being
34 referred to herein as "Tax Advantaged Obligations").

35
36 (1) The County Executive shall be the officer of the County responsible for the issuance of
37 any bonds or bond anticipation notes hereunder within the meaning of the Arbitrage Regulations
38 (defined herein). The County Executive shall also be the officer of the County responsible for
39 the execution and delivery (on the date of issuance of the bonds or bond anticipation notes) of a
40 certificate of the County (the "Section 148 Certificate") which complies with the requirements
41 of Section 148 of the Internal Revenue Code of 1986, as amended ("Section 148"), and the
42 applicable regulations thereunder (the "Arbitrage Regulations"), and such official is hereby
43 directed to execute the Section 148 Certificate and to deliver the same to bond counsel on the
44 date of the issuance of the bonds or bond anticipation notes.

45
46 (2) The County shall set forth in the Section 148 Certificate its reasonable expectations as to
47 relevant facts, estimates and circumstances relating to the use of the proceeds of the bonds or
48 bond anticipation notes, or of any moneys, securities or other obligations to the credit of any
49 account of the County which may be deemed to be proceeds of the bonds or bond anticipation
50 notes pursuant to Section 148 or the Arbitrage Regulations (collectively, "Bond Proceeds"). The
51 County covenants that the facts, estimates and circumstances set forth in the Section 148
52 Certificate will be based on the County's reasonable expectations on the date of issuance of the

1 bonds or bond anticipation notes and will be, to the best of the certifying officials' knowledge,
2 true and correct as of that date.

3
4 (3) The County covenants and agrees with each of the holders of any of the bonds or bond
5 anticipation notes that it will not make, or (to the extent that it exercises control or direction)
6 permit to be made, any use of the Bond Proceeds which would cause the bonds or bond
7 anticipation notes to be "arbitrage bonds" within the meaning of Section 148 and the Arbitrage
8 Regulations. The County further covenants that it will comply with Section 148 and the
9 regulations thereunder which are applicable to the bonds or bond anticipation notes on the date
10 of issuance of the bonds or bond anticipation notes and which may subsequently lawfully be
11 made applicable to the bonds or bond anticipation notes.

12
13 (4) The County further covenants that it shall make such use of the proceeds of the bonds or
14 bond anticipation notes, regulate the investment of the proceeds thereof, and take such other and
15 further actions as may be required to maintain the excludability from gross income for federal
16 income tax purposes of interest on the bonds or bond anticipation notes. All officers, employees
17 and agents of the County are hereby authorized and directed to take such actions, and to provide
18 such certifications of facts and estimates regarding the amount and use of the proceeds of the
19 bonds or bond anticipation notes, as may be necessary or appropriate from time to time to
20 comply with, or to evidence the County's compliance with, the covenants set forth in this
21 Section.

22
23 (5) The County Executive, on behalf of the County, may make such covenants or agreements
24 in connection with the issuance of bonds or bond anticipation notes issued hereunder as he or she
25 shall deem advisable in order to assure the registered owners of such bonds or notes that interest
26 thereon shall be and remain excludable from gross income for federal income tax purposes, and
27 such covenants or agreements shall be binding on the County so long as the observance by the
28 County of any such covenants or agreements is necessary in connection with the maintenance of
29 the exclusion of the interest on such bonds or notes from gross income for federal income tax
30 purposes. The foregoing covenants and agreements may include such covenants or agreements
31 on behalf of the County regarding compliance with the provisions of the Internal Revenue Code
32 of 1986, as amended, as the County Executive shall deem advisable in order to assure the
33 registered owners of such bonds or notes that the interest thereon shall be and remain excludable
34 from gross income for federal income tax purposes, including (without limitation) covenants or
35 agreements relating to the investment of the proceeds of such bonds or notes, the payment of
36 rebate (or payments in lieu of rebate) to the United States, limitations on the times within which,
37 and the purpose for which, such proceeds may be expended, or the use of specified procedures
38 for accounting for and segregating such proceeds.

39
40 (6) Notwithstanding anything in this Ordinance to the contrary, bonds or bond anticipation
41 notes issued and sold hereunder may be issued and sold on the basis that the interest on such
42 bonds or notes will not be excludable from gross income for federal income tax purposes.

43
44 (7) With respect to Tax Advantaged Obligations, the County Executive is hereby authorized
45 to make such covenants or agreements in connection with the issuance thereof as he shall deem
46 advisable in order to assure (i) the holders of any such Tax Advantaged Obligations that such
47 Tax Advantaged Obligations will be entitled to federal tax benefits of such Tax Advantaged
48 Obligations, and (ii) that the County is entitled to any subsidy available for any such Tax
49 Advantaged Obligations. Such covenants or agreements shall be binding on the County so long
50 as the observance by the County of any such covenants or agreements is necessary in connection
51 with the entitlement of such Tax Advantaged Obligations to applicable federal tax benefits. The
52 foregoing covenants and agreements may include (without limitation) covenants or agreements

1 on behalf of the County relating to the investment of proceeds of such Tax Advantaged
2 Obligations, the rebate of certain earnings resulting from such investment to the United States of
3 America (or the payment of penalties in lieu of such rebate), limitations on the times within
4 which, and the purposes for which, such proceeds may be expended or the utilization of specified
5 procedures for accounting for and segregating such proceeds. Any covenant or agreement made
6 by the County Executive pursuant to this paragraph may be authorized by an order or certificate
7 of the County Executive and such covenant or agreement shall be binding on the County.

8
9 In furtherance of the foregoing, in order to qualify for the benefits inuring with respect to any
10 tax advantaged obligation, the County Executive shall be authorized to make any elections or
11 designations permitted or required under the Internal Revenue Code of 1986, as amended, to
12 apply for an allocation from the State of Maryland or the federal government in the case of bonds
13 or notes subject to any volume limitation and to apply for any tax credit, to take such actions as
14 shall be necessary to permit any tax credit to be stripped and sold separately from the ownership
15 interest in any Tax Advantaged Obligations and to claim any cash subsidy with respect to any tax
16 advantaged obligation. It is confirmed that the County Executive is authorized to declare official
17 intent to reimburse expenditures from proceeds of Tax Advantaged Obligations.

18
19 For purposes of establishing compliance with Section 148 regarding the expenditure of
20 proceeds Tax Advantaged Obligations, the source of general fund monies for capital
21 expenditures may be specifically attributed to funds deposited to the general fund as a
22 reimbursement from the proceeds of County debt issuances in accordance with a certificate
23 executed by the County Executive.

24
25 Notwithstanding anything in this Ordinance to the contrary, Tax Advantaged Obligations
26 may be issued pursuant to Section 29 of Article 31 of the Annotated Code of Maryland (2010
27 Replacement Volume and 2012 Supplement) or any other laws of the State of Maryland
28 authorizing the issuance thereof and may be sold for a price at, above or below par, plus accrued
29 interest to the date of delivery. Authority is hereby conferred on the county executive to sell any
30 such Tax Advantaged Obligations through a public sale or through a private (negotiated) sale,
31 without solicitation of competitive bids, as the County Executive, upon consultation with the
32 Controller and the County's financial advisor, shall determine to be in the best interests of the
33 county. Any sale of Tax Advantaged Obligations hereunder by private negotiation is hereby
34 determined to be in the county's best interest. Tax Advantaged Obligations issued hereunder are
35 hereby specifically exempted from the provisions of Sections 10 and 11 of Article 31 of the
36 Annotated Code of Maryland (2010 Replacement Volume and 2012 Supplement).

37
38 It is recognized that the market for Tax Advantaged Obligations is evolving and that the
39 issuance and sale from time to time of Tax Advantaged Obligations with one stated maturity may
40 be the most practicable method for successfully accomplishing the sale of Tax Advantaged
41 Obligations by the County. Accordingly, the County is hereby authorized to issue Tax
42 Advantaged Obligations with a single stated maturity and to provide for an annual installment
43 plan (the "Installment Plan") with respect to the payment of Tax Advantaged Obligations, such
44 Installment Plan to be approved by an order of the County Executive. The Installment Plan shall
45 provide for annual payments to a sinking fund account (the "Escrow Account") to be pledged or
46 otherwise applied to the payment of the Tax Advantaged Obligations and to be held by a trust
47 company or other banking institution, as trustee or escrow agent, such annual payments to
48 commence not later than two years from the date of issuance of the Tax Advantaged Obligations.
49 Amounts so deposited to the Escrow Account shall be invested and reinvested in direct
50 obligations of, or obligations the principal of, and the interest on which, are guaranteed by, the
51 United States of America, or in certificates of deposit or time deposits secured by direct
52 obligations or obligations the principal of, and the interest on which, are guaranteed by, the

1 United States of America. Each annual payment deposited to the Escrow Account under the
2 Installment Plan shall be invested and reinvested in a manner determined by the County so as to
3 provide for the payment of a portion of the stated principal amount of such Tax Advantaged
4 Obligations and related interest, if any. The issuance and sale of Tax Advantaged Obligations as
5 a single bond with one stated maturity and the establishment of an Installment Plan as herein
6 described are hereby authorized notwithstanding the requirement in Section 2 of this Ordinance
7 that bonds be issued as serial maturity bonds or term bonds having mandatory sinking fund
8 requirements, beginning not later than the second anniversary of such series, or of the first series
9 of a group.

10
11 (8) Notwithstanding anything in this Ordinance to the contrary, it is confirmed that bond
12 premium, consisting of net bond proceeds from the sale of bonds sold at a price above par, may
13 be allocated for expenditure purposes permitted under provisions of federal income tax law
14 pertaining to excludability of interest on the bonds from gross income or the tax status of Tax
15 Advantaged Obligations, as applicable.

16
17 ~~SECTION 9. And be it further enacted, That, unless and until otherwise provided by the~~
18 ~~County Council of Anne Arundel County, Maryland, by ordinance, (i) not exceeding Two~~
19 ~~Hundred Eleven Million Seven Hundred Thousand Dollars (\$211,700,000) aggregate principal~~
20 ~~amount of the bonds authorized by Section 2 of this Ordinance shall be sold during the fiscal~~
21 ~~year ending June 30, 2014; (ii) not exceeding One Hundred Ninety Six Million Five Hundred~~
22 ~~Fifty Six Thousand Eight Hundred Dollars (\$196,556,800) aggregate principal amount of the~~
23 ~~bonds authorized by Section 2 of this Ordinance shall be sold during the fiscal year ending June~~
24 ~~30, 2015; and (iii) not exceeding Five Hundred Fifty Million Eight Hundred Ninety Thousand~~
25 ~~Seven Hundred Forty One Dollars (\$550,890,741) aggregate principal amount of the bonds~~
26 ~~authorized by Section 2 of this Ordinance shall be sold during the fiscal year ending June 30,~~
27 ~~2016; provided, however that any such bonds may be sold subsequent to such dates and without~~
28 ~~any limitation imposed by such dates if required to redeem, prepay or pay at maturity any bond~~
29 ~~anticipation notes. The term "sold" as used in this Section shall refer to the date of the public~~
30 ~~sale of the bonds or bond anticipation notes or the negotiated sale of bond anticipation notes and~~
31 ~~not to the date of such bonds. The bonds to be sold in any fiscal year may be sold at one or more~~
32 ~~times within that year.~~

33
34 ~~SECTION 10. 9. And be it further enacted, That, subject to the following paragraphs of this~~
35 ~~Section 10 9, the authority to issue bonds under Bill No. 60-12, effective September 27, 2012~~
36 ~~("Bill No. 60-12") is hereby canceled, rescinded and repealed, but only to the extent that such~~
37 ~~authority has not been exercised prior to the effective date of this Ordinance.~~

38
39 Appropriate reductions shall be recognized in the amounts of bonds authorized for issuance
40 under this Ordinance for bonds issued after May 31, 2013, under the authority of Bill No. 60-12,
41 for projects authorized to be financed by Bill No. 60-12 and also authorized to be financed under
42 this Ordinance.

43
44 Nothing contained in this Ordinance shall be construed as impairing the validity of any
45 proceedings or action taken, or the validity of any bonds or bond anticipation notes issued, or
46 Shore Erosion Control Construction Loan Agreements executed prior to the effective date of this
47 Ordinance, under the provisions of Bill No. 60-12, or under prior bond authorization ordinances;
48 and the authorization, sale and issuance of all bonds and bond anticipation notes issued prior to
49 the effective date of this Ordinance pursuant to the authority of such ordinances, including
50 (without limitation) the various series of general obligation bonds and bond anticipation notes of
51 Anne Arundel County, Maryland, set forth in Section 10 of Bill No. 57-08, Exhibit V of Bill No.
52 51-09, Exhibit V of Bill No. 53-10, Exhibit V of Bill No. 52-11, Exhibit V of Bill 60-12, and, in

1 addition, the indebtedness set forth in Exhibit V attached hereto and incorporated herein,
2 including any Indenture, Dealer Agreement, Credit Facility or Issuing and Paying Agent
3 Agreement executed and delivered in connection with any such bond anticipation notes
4 (collectively, the "Prior Obligations"), be and they are hereby ratified and confirmed, and all
5 such Prior Obligations, together with all and several of the terms thereof and the action taken in
6 connection with the issuance, sale and delivery thereof, are hereby validated as being validly
7 authorized, sold, issued and executed, as applicable, and delivered by Anne Arundel County,
8 Maryland. The ratification of the Prior Obligations as set forth above shall be effective
9 notwithstanding noncompliance with any provisions of the aforementioned ordinances that
10 provide general fiscal or budgetary guidelines, such as provisions directing that specified
11 portions of the Prior Obligations be issued during certain fiscal years.
12

13 It is specifically intended that neither the authority granted by Bill No. 53-97, effective
14 September 11, 1997, Bill No. 50-98, effective September 7, 1998, Bill No. 53-99, effective
15 September 12, 1999, Bill No. 40-00, effective September 7, 2000, Bill No. 57-01, effective
16 November 5, 2001, Bill No. 65-02, effective November 3, 2002, Bill No. 40-03, effective
17 September 8, 2003, Bill No. 49-04, effective September 5, 2004, Bill No. 53-05, effective
18 September 8, 2005, Bill No. 60-06, effective September 4, 2006, Bill No. 55-07, effective
19 September 24, 2007, Bill No. 57-08, effective August 28, 2008, Bill 51-09, effective September
20 4, 2009, Bill No. 53-10, effective September 19, 2010, Bill No. 52-11, effective September 19,
21 2011, or Bill No. 60-12, effective September 27, 2012, to issue bonds or bond anticipation notes
22 authorized thereunder or to execute and deliver an Indenture, Dealer Agreement, Credit Facility
23 and Issuing and Paying Agent Agreement or to take other actions under Bill No. 53-97, Bill No.
24 50-98, Bill No. 53-99, Bill No. 40-00, Bill No. 57-01, Bill No. 65-02, Bill No. 40-03, Bill No. 49-
25 04, Bill No. 53-05, Bill No. 60-06, Bill No. 55-07, Bill No. 57-08, Bill No. 51-09, Bill No. 53-10,
26 Bill No. 52-11, and Bill No. 60-12 authorized in connection with issuance and delivery of bonds
27 and bond anticipation notes, nor the validity of any proceedings or action taken or the validity of
28 any bonds or bond anticipation notes issued shall be impaired in any manner by the passage of
29 this Ordinance, provided (i) such bond anticipation notes are issued pursuant to and in
30 accordance with that Note Order dated as of May 1, 1997, as amended or supplemented from
31 time to time (the "Note Order") and (ii) such bonds are issued to pay such bond anticipation
32 notes issued pursuant to and in accordance with the Note Order. With respect to bond
33 anticipation notes issued and outstanding under Bill No. 53-97, or Bill No. 50-98, or Bill No. 53-
34 99, or Bill No. 40-00, or Bill No. 57-01, or Bill No. 65-02, or Bill No. 40-03, or Bill No. 49-04,
35 or Bill No. 53-05, Bill No. 60-06, or Bill No. 55-07, Bill No. 57-08, or Bill No. 51-09, or Bill
36 No. 53-10, or Bill No. 52-11, or Bill No. 60-12, and in accordance with the Note Order, and in
37 the event bonds or bond anticipation notes subsequently are issued pursuant to Bill No. 53-97,
38 Bill No. 50-98, Bill No. 53-99, Bill No. 40-00, Bill No. 57-01, Bill No. 65-02, Bill No. 40-03,
39 Bill No. 49-04, Bill No. 53-05, Bill No. 60-06, Bill No. 55-07, Bill No. 57-08, Bill No. 51-09,
40 Bill No. 53-10, Bill No. 52-11, or Bill No. 60-12, appropriate reductions shall be recognized in
41 the amounts of bonds or bond anticipation notes authorized to be issued for projects authorized
42 to be financed hereunder that are financed by such bonds and notes issued under the authority of
43 Bill No. 53-97, Bill No. 50-98, Bill No. 53-99, Bill No. 40-00, Bill No. 57-01, Bill No. 65-02,
44 Bill No. 40-03, Bill No. 49-04, Bill No. 53-05, Bill No. 60-06, Bill No. 55-07, Bill No. 57-08,
45 Bill No. 51-09, Bill No. 53-10, Bill No. 52-11, or Bill No. 60-12.
46

47 Bonds and bond anticipation notes may be issued under this Ordinance to pay bond
48 anticipation notes issued pursuant to and in accordance with the Note Order provided that such
49 bonds or bond anticipation notes are authorized to be issued hereunder for projects financed by
50 such bond anticipation notes issued pursuant to and in accordance with the Note Order.
51

1 SECTION ~~11~~. 10. *And be it further enacted*, That, the County Council hereby affirmatively
2 approves the exercise of eminent domain in the acquisition of any land parcels acquired for the
3 projects hereinbefore described in this Ordinance.
4

5 SECTION ~~12~~. 11. *And be it further enacted*, That, notwithstanding any other provisions of
6 this Ordinance, in order (i) to comply with the bond registration requirements of, and to conform
7 with, developing practices in the municipal bond market, including practices of bond registrars
8 and paying agents, (ii) to facilitate generally the issuance and sale of general obligation bonds
9 and bond anticipation notes by the County, including compliance with disclosure and similar
10 requirements and (iii) insofar as possible, to simplify issuance procedures, the County Executive,
11 or the Chief Administrative Officer if authorized by the County Executive, as the case may be, is
12 hereby authorized (a) to apply the provisions of this Ordinance, (b) to make determinations and
13 decisions required by this Ordinance, (c) to make such insertions, modifications and corrections
14 to the forms of bonds, the forms of notes, form of notice of sale and form of proposal for bonds
15 authorized hereby, including modifications to the method of publication in connection with the
16 redemption of any bonds, (d) to enter into agreements on behalf of the County and (e) to take all
17 and any other actions under this Ordinance in the manner and to the extent that the County
18 Executive or the Chief Administrative Officer, as the case may be, may deem necessary or
19 appropriate to accomplish the stated purposes, taking into account the recommendations of bond
20 counsel and financial advisor to the County, including the making of agreements to facilitate the
21 foregoing.
22

23 SECTION ~~13~~. 12. *And be it further enacted*, That, the Budget Officer and the Controller are
24 hereby designated as the authorized deputies of the Chief Administrative Officer for the purpose
25 of authenticating any bonds or bond anticipation notes issued hereunder. In addition, the County
26 Executive may deliver a written certificate at or prior to the time of the issuance of any bonds or
27 bond anticipation notes issued hereunder designating such other person or persons as he shall
28 deem appropriate as an authorized deputy or deputies of the Chief Administrative Officer for the
29 purpose of authenticating any bonds or bond anticipation note issued hereunder.
30

31 SECTION ~~14~~. 13. *And be it further enacted*, That the County is hereby authorized to borrow
32 money and incur indebtedness otherwise authorized to be borrowed and incurred hereunder in
33 the form of bonds or bond anticipation notes by obtaining a loan (a "Water Quality Loan") from
34 the Maryland Water Quality Financing Administration (the "Administration") pursuant to and in
35 accordance with Sections 9-1601 to 9-1622, inclusive, of the Environment Article of the
36 Annotated Code of Maryland (2007 Replacement Volume and 2012 Supplement) (the "Act").
37 Such Water Quality Loans may be obtained by the County hereunder from time to time. Any
38 such Loan shall be evidenced by a loan agreement (a "Water Quality Loan Agreement") between
39 the County and the Administration and a bond issued by the County (a "Water Quality Bond").
40

41 It is acknowledged that the proceeds of any Water Quality Loan will be used for the public
42 purposes of financing a portion of the costs of acquiring, constructing and equipping certain
43 wastewater facilities or water supply systems, each as defined in the Act (collectively, the
44 "Water Quality Facilities"), including the development of property, the acquisition and
45 installation of equipment and furnishings and any architectural, financial, legal, planning and
46 engineering expenses. It is intended that the proceeds of any Water Quality Loan undertaken by
47 the County pursuant to this Section 14 13 may be expended on the applicable Water Quality
48 Facility and any related costs, including costs of the Administration and the funding of reserves,
49 to the extent permitted by the Act and to the extent provided in the applicable Water Quality
50 Loan Agreement or Water Quality Bond. It is acknowledged that Water Quality Facilities as
51 defined above may include projects that the County classifies as wastewater projects, water
52 projects or under some other classification.

1
2 Unless otherwise provided in this Section 44 13, limitations, procedures or requirements set
3 forth in this Ordinance for the issuance, sale and delivery of bonds or bond anticipation notes, as
4 applicable, to the extent practicable, shall apply to obtaining any Water Quality Loan and to the
5 execution and delivery of any Water Quality Loan Agreement or Water Quality Bond.

6
7 The County Executive, or the Chief Administrative Officer, if authorized by the County
8 Executive, is hereby authorized to approve the form of any Water Quality Loan Agreement or
9 Water Quality Bond, the terms thereof, including the interest rate, maturity schedule, redemption
10 provisions and covenants to be set forth therein, and the manner of executing and authenticating
11 the same. The form of Water Quality Bond need not conform to the forms otherwise provided in
12 this Ordinance.

13
14 Notwithstanding any other provision to the contrary in this Ordinance:

15
16 (a) Any Water Quality Loan (including any Water Quality Loan Agreement and Water
17 Quality Bond) need not be in denominations of \$5,000 or any integral multiple thereof, nor in a
18 serial maturity format, provided, however, borrowings and evidences thereof shall be on an
19 installment basis with annual principal payments beginning not more than two years from the
20 date of issue;

21
22 (b) Any Water Quality Loan (including any Water Quality Loan Agreement and Water
23 Quality Bond) may be sold at less than par and without regard to any limitation set forth in
24 Section 2(1) hereof or Section 6(7) hereof, as applicable;

25
26 (c) Any Water Quality Loan (including any Water Quality Loan Agreement and Water
27 Quality Bond) may provide for interest payments on other than a semiannual basis;

28
29 (d) Paying agents and registrars may be provided for in the discretion of the County
30 Executive, or the Chief Administrative Officer, if authorized by the County Executive;

31
32 (e) The County is hereby authorized to sell any Water Quality Loan (including any Water
33 Quality Loan Agreement and Water Quality Bond) at private (negotiated) sale to the
34 Administration, public advertisement and sale of the same not being required by the terms of the
35 Act and the best-interests of the County being hereby declared to be served by such private sale;

36
37 (f) Provisions for the redemption of any Water Quality Loan (including any Water Quality
38 Loan Agreement and Water Quality Bond) may be provided for in the discretion of the County
39 Executive, or the Chief Administrative Officer, if authorized by the County Executive; and

40
41 (g) Any signature required in connection with the issuance and sale of any Water Quality
42 Loan (including any Water Quality Loan Agreement and Water Quality Bond) may be manual
43 and any affixing of the County Seal may be accomplished by impressing the same on the
44 applicable document.

45
46 The County Executive, or the Chief Administrative Officer, if authorized by the County
47 Executive, is hereby authorized to take any and all actions in the manner and to the extent that
48 the County Executive or the Chief Administrative Officer, as the case may be, may deem
49 necessary or appropriate to accomplish the purposes of this Section.

50
51 Any Water Quality Loan (including any Water Quality Loan Agreement and Water Quality
52 Bond) shall be secured as provided in Section 2(6) of this Ordinance.

1
2 With respect to any Water Quality Loan authorized by this Section or by similar authority
3 contained in a prior ordinance of the County, the County Executive, or the Chief Administrative
4 Officer if authorized by the County Executive, may, in accordance with Paragraph 4 of Section II
5 of the Findings of Fact, apply to any project authorized to be financed with a Water Quality Loan
6 the balance remaining to any completed or abandoned project previously financed with the
7 proceeds of a Water Quality Loan. In exercising such authority, the County Executive, or the
8 Chief Administrative Officer if authorized by the County Executive, may enter into such
9 amendments of Water Quality Loan Agreements and related documents as he deems necessary or
10 appropriate in the exercise of the authority granted hereby. In lieu of applying the balance of any
11 completed or abandoned project financed with a Water Quality Loan to new or additional
12 projects, the County Executive, or the Chief Administrative Officer if authorized by the County
13 Executive, may determine to prepay or otherwise effect a reduction in the stated principal
14 amount or permitted maximum principal amount any such Water Quality Loan as permitted in
15 the Water Quality Loan Agreement and the Water Quality Bond or as otherwise permitted and, in
16 connection therewith, may take such action and make such amendments to the Water Quality
17 Loan Agreement and Water Quality Bond as he deems necessary or appropriate to permit the
18 reamortization of the principal amount outstanding and to effect such prepayment or reduction in
19 stated principal amount.

20
21 Following the execution and delivery of any written commitment specifying the material
22 terms of any Water Quality Loan, or if no such written commitment is entered into, following the
23 execution and delivery of any Water Quality Loan (including any Water Quality Loan
24 Agreement and Water Quality Bond), the County Executive, or the Comptroller, if authorized by
25 the County Executive, shall report the terms thereof in writing at the next meeting of the County
26 Council.

27
28 SECTION 15-14. *And be it further enacted*, that the County is hereby authorized to borrow
29 money and incur indebtedness in a maximum aggregate principal amount of Five Million Two
30 Hundred Eighty-Seven Thousand Eighty-Four Dollars (\$5,287,084), otherwise authorized to be
31 borrowed or incurred hereunder in accordance with Title 20 of Article 24 of the Annotated Code
32 of Maryland (2011 Replacement Volume and 2012 Supplement). Title 20 of Article 24 of the
33 Annotated Code of Maryland (2011 Replacement Volume and 2012 Supplement) authorizes the
34 County to enter into an agreement to purchase development rights (an "Installment Purchase
35 Agreement") which is a general obligation of the County to which its full faith and credit and
36 taxing power is pledged. Such pledge is hereby made subject to the limitation imposed by
37 Section 710(d) of the County Charter.

38
39 Each Installment Purchase Agreement shall be executed and delivered by the County to
40 effect, together with direct cash payments, where applicable, the purchase by the County of
41 development rights easements (the "Development Rights Easements") for the protection and
42 preservation of agricultural land and woodlands in accordance with Sections 17-10-201 through
43 17-10-212, inclusive, of the Subdivision and Development Article, of the Anne Arundel County
44 Code (2005, as amended), as the same may be amended from time to time (the "Agricultural
45 Land and Woodland Preservation Act").

46
47 Properties for which the County intends to purchase Development Rights Easements shall be
48 designated from time to time by resolution (an "Easement Schedule Resolution"). The Easement
49 Schedule Resolution with respect to each Development Rights Easement to be purchased shall
50 designate (i) the maximum purchase price for such Development Rights Easements, (ii) the
51 maximum principal amount payable under the Installment Purchase Agreement pertaining to

1 such Development Rights Easement and (iii) the provisions, terms, conditions and duration of
2 such Installment Purchase Agreement.
3

4 The County hereby determines that the issuance and sale of indebtedness in connection with
5 the purchase by the County of Development Rights Easements is in the public interest.
6

7 The issuance of indebtedness authorized hereby pertains to the project designated in the
8 County's capital budget as Agricultural Easement Program, Capital Project No. C443400.
9

10 Unless otherwise provided in this Section ~~15~~ 14, limitations, procedures or requirements set
11 forth in this Ordinance for the issuance, sale and delivery of indebtedness shall apply to the
12 issuance of any indebtedness under this Section ~~15~~ 14 and to the execution and delivery of any
13 Installment Purchase Agreement.
14

15 The County Executive is hereby authorized to determine the form of Installment Purchase
16 Agreements and the execution and delivery thereof shall be conclusive evidence of the approval
17 of the form of such Installment Purchase Agreements on behalf of the County. Installment
18 Purchase Agreements shall be executed by the County Executive, and the seal of the County
19 shall be affixed or imprinted thereon, attested by the Secretary to the County Executive. Each
20 Installment Purchase Agreement, when properly executed and delivered in the manner prescribed
21 for the execution and delivery of bonds in this Ordinance shall be deemed to constitute
22 unconditional general obligations of the County, to the payment of which, in accordance with the
23 terms thereof, its full faith and credit are pledged, and all the covenants and conditions contained
24 in such Installment Purchase Agreements shall be deemed to be binding upon the County in
25 accordance therewith. In accordance with Section 2-207(d) of the Agricultural Land and
26 Woodland Preservation Act, it is hereby otherwise provided that payments of amounts payable
27 under an Installment Purchase Agreement shall be payable in accordance with Section 2(6)
28 hereof and shall not be required to be fully available or encumbered in the fiscal year that the
29 Development Rights Easement relating to such Installment Purchase Agreement is purchased.
30

31 Subject to and in accordance with the provisions of this Ordinance, the County Executive
32 shall determine by order, for each and every Installment Purchase Agreement, all matters relating
33 thereto, including (without limitation) the purposes for which such Installment Purchase
34 Agreement is issued, the prepayment provisions, if any, thereof, the manner of authentication of
35 such Installment Purchase Agreement, if any, the date from which interest on such Installment
36 Purchase Agreement shall accrue, the rate or rates of interest borne by such Installment Purchase
37 Agreement or the method of determining the same, the interest payment and maturity dates
38 thereof, the denomination of the Installment Purchase Agreement, and the provisions for the
39 registration of Installment Purchase Agreements.
40

41 In making the determinations described above, the County Executive shall consider the
42 recommendation of the Planning and Zoning Officer, or such officer as shall be designated by
43 ordinance from time to time, with the advice of the Controller, concerning the appropriate terms
44 of an Installment Purchase Agreement and the Officer's determination, with the advice of the
45 Controller, that the face value of the Installment Purchase Agreement is less than or
46 commensurate with the value of the Development Rights Easement based on an appraisal and
47 taking into account the amount of any cash payment made by the County. Notwithstanding the
48 foregoing, upon the execution and delivery of an Installment Purchase Agreement in the manner
49 prescribed herein, such Installment Purchase Agreement shall constitute a binding general
50 obligation of the County in accordance with its terms without regard to any determination,
51 dispute or contrary assertion, report or finding regarding the value of the Development Rights

1 Easement or Installment Purchase Agreement or the appropriateness of the terms set forth in any
2 Installment Purchase Agreement.

3
4 Notwithstanding any other provision to the contrary in this Ordinance:

5
6 (a) any indebtedness issued under this Section ~~15~~ 14 may be sold in denominations as shall
7 be prescribed by the County Executive by executive order as described above;

8
9 (b) any indebtedness issued under this Section ~~15~~ 14 may be sold at less than par and without
10 regard to any limitation set forth in Section 2(1) hereof;

11
12 (c) any indebtedness issued under this Section ~~15~~ 14 may provide for interest payments other
13 than on a semiannual basis;

14
15 (d) the final maturity date of any Installment Purchase Agreement shall not be later than
16 thirty (30) years from the date of the execution and delivery of such Installment Purchase
17 Agreement;

18
19 (e) the maximum principal amount of each Installment Purchase Agreement executed and
20 delivered by the County in connection with the County's purchase of a Development Rights
21 Easement shall be the amount set forth in the Easement Schedule Resolution; provided, however,
22 that the County Executive may by executive order as described above reduce such principal
23 amount;

24
25 (f) Paying Agents and Registrars may be provided for in the discretion of the County
26 Executive, or the Chief Administrative Officer, if authorized by the County Executive;

27
28 (g) the County is hereby authorized to sell any indebtedness issued under this Section 15 at
29 private (negotiated) sale; and

30
31 (h) the Installment Purchase Agreements may be issued as a separate series of indebtedness.

32
33 The County Executive, or the Chief Administrative Officer, if authorized by the County
34 Executive, is hereby authorized to take any and all actions in the manner and to the extent that
35 the County Executive or the Chief Administrative Officer, as the case may be, may deem
36 necessary or appropriate to accomplish the purposes of this Section ~~15~~ 14.

37
38 Any indebtedness issued under this Section ~~15~~ 14 shall be secured as provided in Section
39 2(6) of this Ordinance.

40
41 Following the execution and delivery of any Installment Purchase Agreement, the County
42 Executive, or the Controller, if authorized by the County Executive, shall report the terms thereof
43 in writing at the next meeting of the County Council.

44
45 SECTION ~~16~~ 15. *And be it further enacted*, That the County is hereby authorized to borrow
46 money and incur indebtedness for shore erosion control projects hereinafter specified by
47 obtaining a loan (a "Shore Erosion Control Construction Loan") from the Shore Erosion Control
48 Construction Loan Fund pursuant to and in accordance with Sections 8-1001 to 8-1008,
49 inclusive, of the Natural Resources Article of the Annotated Code of Maryland (2012
50 Replacement Volume) (the "Soil Erosion Control Act"). Each Shore Erosion Control
51 Construction Loan shall be evidenced by a loan agreement (a "Shore Erosion Control

1 Construction Loan Agreement”) between the County and the Department of Natural Resources
2 (“DNR”) in a form determined by order of the County Executive as hereinafter provided.
3

4 Shore Erosion Control Construction Loans may be repaid from benefit charges levied on
5 benefited property and may be further secured by a pledge of the full faith and credit of the
6 County, as determined by order of the County Executive as hereinafter provided. It is
7 acknowledged and declared that the levy of any ad valorem taxes by the County to provide for
8 repayment of the Shore Erosion Control Construction Loans shall be subject to the limitation on
9 the tax levy set out in Section 710(d) of the County Charter.

10
11 Pursuant to and in accordance with requirements of this Ordinance and the Shore Erosion
12 Control Act, the County Executive by order is hereby authorized to approve the form of any
13 Shore Erosion Control Construction Loan Agreement, the terms thereof, including the source or
14 sources and security for repayment, the repayment schedule and covenants to be set forth therein,
15 and the manner of executing and authenticating the same. Pursuant to Section 8-1005(f) of the
16 Soil Erosion Control Act, the County may borrow interest-free funds and repay the funds at a
17 uniform rate over a period not exceeding 25 years.

18
19 The County Executive, or the Chief Administrative Officer, if authorized by the County
20 Executive, is hereby authorized to take any and all actions in the manner and to the extent that
21 the County Executive or the Chief Administrative Officer, as the case may be, may deem
22 necessary or appropriate to accomplish the purposes of this Section.
23

24 Without limitation, Shore Erosion Control Construction Loan Agreements by and between
25 the County and DNR heretofore approved are hereby approved and ratified, subject to reductions
26 in loan amounts made in accordance with the respective loan agreements, as obligations of the
27 County without further action.
28

29 . SECTION 17. ~~16.~~ *And be it further enacted,* That pursuant to the authority granted by
30 Section 2D of Article 31 of the Annotated Code of Maryland (2010 Replacement Volume and
31 2012 Supplement), the County Executive, or the Chief Administrative Officer if authorized by
32 the County Executive, is hereby authorized in connection with the issuance of any bonds or notes
33 hereunder to (i) provide, covenant or agree that, in the event that sufficient funds for the timely
34 payment when due of principal or interest on bonds or notes issued pursuant to the authority of
35 this Ordinance are not available or in the event of a default in the payment of the principal or
36 interest on such bonds or notes, the first general fund revenues of the County received thereafter
37 shall be applied to the payment when due of such principal or interest or to cure such default, as
38 the case may be, and (ii) pledge any of the County’s revenues to the payment of the principal of
39 and interest on the bonds and notes issued pursuant to the authority of this Ordinance. In the
40 event that the County Executive, or the Chief Administrative Officer if authorized by the County
41 Executive, determines to exercise all or any part of the authority granted under this Section, the
42 County Executive, or the Chief Administrative Officer if authorized by the County Executive,
43 shall determine the form, terms and provisions of any order, certificate, agreement or related
44 documents as he shall deem necessary or appropriate to evidence any agreement or pledge
45 authorized hereby, including (without limitation) terms and provisions regarding the application
46 of such pledge or agreement to borrowings of the County other than bonds or notes issued
47 pursuant to the authority of this Ordinance. Any such order, certificate, agreement or related
48 document shall be executed by the County Executive and the seal of the County shall be
49 impressed thereon, attested by the County Executive, the secretary to the County Executive, the
50 Administrative Officer to the County Council or such other officer as may be specified by
51 ordinance of the County Council.

1 SECTION ~~18.~~ 17. *And be it further enacted,* That, as determined and specified in a certificate
2 of the County Executive, or of the Chief Administrative Officer if authorized by the County
3 Executive, executed and delivered prior to the issuance of bonds, notes or Variable Rate Demand
4 Obligations, such bonds, notes or Variable Rate Demand Obligations may be issued to provide
5 for the financing of one or more projects included within a specified class of projects set forth in
6 Exhibit I. In addition, the amount of proceeds allocated to projects included within a specified
7 class of projects financed by any issuance of bonds, notes or Variable Rate Demand Obligations
8 may be amended after the issuance of such bonds, notes or Variable Rate Demand Obligations,
9 as determined and specified in a certificate of the County Executive, or of the Chief
10 Administrative Officer if authorized by the County Executive.

11
12 In connection with the foregoing, the County Executive, or the Chief Administrative Officer
13 if authorized by the County Executive, shall execute a certificate demonstrating or determining,
14 as applicable:

15
16 (a) That all bonds, notes or variable demand obligations are payable within the probable
17 useful life of the improvement or undertaking being financed or, if the bonds, notes or variable
18 demand obligations are to be issued for several improvements or undertakings, then within the
19 average probable useful life of all such improvements or undertakings being financed;

20
21 (b) That the amount of bonds, notes or variable demand obligations to be applied to any
22 project to be financed shall not exceed the maximum amount set forth in Exhibit I authorized for
23 such project; and

24
25 (c) Such other matters as the County Executive or the Chief Administrative Officer (as
26 the case may be) deems appropriate to establish compliance with the provisions of the Charter
27 and this Ordinance in connection with the issuance of bonds, notes and variable demand
28 obligations to provide for the financing of one or more projects included within a specified class
29 or to provide for the amendment of the list of projects from the specified class of projects
30 financed by an issuance of bonds, note and variable demand obligations, as described above.

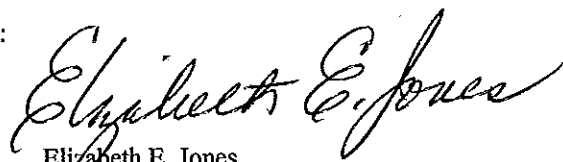
31
32 SECTION ~~19.~~ 18. *And be it further enacted,* That, if any one or more of the provisions of this
33 Ordinance, including any covenants or agreements provided herein on the part of the County to
34 be performed, should be contrary to law, then such provision or provisions shall be null and void
35 and shall in no way affect the validity of the other provisions of this Ordinance or of the bonds or
36 the bond anticipation notes.

37
38 SECTION ~~20.~~ 19. *And be it further enacted,* That, this Ordinance shall take effect 45 days
39 from the date it becomes law.

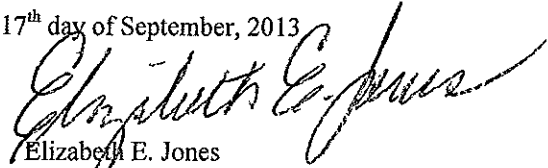
AMENDMENTS ADOPTED: September 3, 2013

READ AND PASSED this 16th day of September, 2013


By Order:


Elizabeth E. Jones
Administrative Officer

PRESENTED to the County Executive for her approval this 17th day of September, 2013

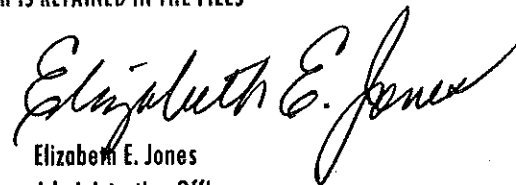

Elizabeth E. Jones
Administrative Officer

APPROVED AND ENACTED this 18th day of September, 2013


Laura Neuman
County Executive

EFFECTIVE DATE: November 2, 2013

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF BILL NO.
63-13 THE ORIGINAL OF WHICH IS RETAINED IN THE FILES
OF THE COUNTY COUNCIL.


Elizabeth E. Jones
Administrative Officer