

1 **..Title**

2 **Modification of use of unexpended proceeds of certain of the City's general obligation bonds** - For the
3 purpose of modifying the use of unexpended proceeds of the City's Public Improvements Bonds, 2011 Series B,
4 the City's Public Improvements Bonds, 2012 Series, the City's Public Improvements Bonds, 2013 Series, the
5 City's Public Improvements Bonds, 2015 Series A, and the City's Public Improvements Bonds, 2016 Series A
6 (Tax-Exempt).

7 **..Body**

8
9 CITY COUNCIL OF THE

10 **City of Annapolis**

11 Ordinance 46-18

12 **Introduced by: Mayor Buckley**

13 **AN ORDINANCE** concerning

14 **Modification of use of unexpended proceeds of certain of the City's general obligation bonds**

15 **FOR** the purpose of modifying the use of unexpended proceeds of the City's Public Improvements Bonds,
16 2012 Series, the City's Public Improvements Bonds, 2013 Series, the City's Public Improvements
17 Bonds, 2015 Series A, and the City's Public Improvements Bonds, 2016 Series A (Tax-Exempt).

18 **WHEREAS,** pursuant to Ordinance O-5-11, adopted by the City Council of the City (the "**City Council**")
19 and effective on February 17, 2011 (the "**2011 Bond Ordinance**"), the City issued the City's
20 Public Improvements Bonds, 2011 Series B (the "**Series 2011 Bonds**"); and

21 **WHEREAS,** pursuant to Ordinance O-20-12, adopted by the City Council and effective on June 4, 2012
22 (the "**2012 Bond Ordinance**"), the City issued the City's Public Improvements Bonds, 2012
23 Series (the "**Series 2012 Bonds**"); and

24 **WHEREAS,** pursuant to Ordinance O-17-13, adopted by the City Council and effective on April 22, 2013
25 (the "**2013 Bond Ordinance**"), the City issued the City's Public Improvements Bonds, 2013
26 Series (the "**Series 2013 Bonds**"); and

27 **WHEREAS,** pursuant to Ordinance O-16-15, adopted by the City Council and effective on April 13, 2015
28 (the "**2015 Bond Ordinance**"), the City issued the City's Public Improvements Bonds, 2015
29 Series (the "**Series 2015 Bonds**"); and

30 **WHEREAS,** pursuant to Ordinance O-44-16, adopted by the City Council and effective on October 24,
31 2016 (the "**2016 Bond Ordinance,**" and collectively with the 2015 Bond Ordinance, the
32 2013 Bond Ordinance, the 2012 Bond Ordinance and the 2011 Bond Ordinance, the "**Bond**
33 **Ordinances**"), the City issued the City's Public Improvements Bonds, 2016 Series A (Tax-
34 Exempt) (the "**Series 2016 Bonds,**" and collectively with the Series 2011 Bonds, the Series
35 2012 Bonds, the Series 2013 Bonds and the Series 2015 Bonds, the "**Bonds**"); and

36 **WHEREAS,** pursuant to Section 9 of the 2012 Bond Ordinance and Section 10 of each of the other Bond
37 Ordinances, if the City Council determines that the public interest requires a change in the
38 capital improvements program of Annapolis, the funds derived from the sale of the Bonds

1 and not expended for the public improvements provided by the Bond Ordinances shall be set
2 apart in separate fund by the Finance Director and applied in payment of the debt service on
3 the Bonds, unless the City Council shall adopt an ordinance allocating such funds to some
4 other public capital improvement project or projects of the City; and

5 **WHEREAS,** at the June 18, 2018, City Council Meeting, the City Council adopted the capital budget and
6 the capital improvements program for Fiscal Year 2019; and

7 **WHEREAS,** that such capital improvements program requires that the City allocate the unexpended funds
8 derived from the sale of the Bonds, including investment earnings and premium on such
9 Bonds, not expended for the public improvements provided by the Bond Ordinances to the
10 other public capital improvement project or projects of the City set forth in the attached
11 schedule (the “**Schedule of Changes**”).

12 **NOW, THEREFORE:**

13 **SECTION I: BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY COUNCIL,**
14 that the City Council hereby determines that the public interest has required a change in the capital
15 improvements program of Annapolis, which requires that the funds derived from the sale of the Bonds,
16 including investment earnings and premium on such Bonds, and that were not expended for the public
17 improvements provided by the Bond Ordinances shall be allocated to other public capital improvement
18 project or projects of the City.

19 **SECTION II: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE ANNAPOLIS**
20 **CITY COUNCIL,** that the Bond Ordinances are hereby modified and amended to provide that such
21 unexpended proceeds of the Bonds shall be applied as provided in the attached Schedule of Changes to the
22 Use of Proceeds of the Bonds.

23 **SECTION III: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE ANNAPOLIS**
24 **CITY COUNCIL,** that this Ordinance shall take effect from the date of its approval by the Mayor, on or
25 following the date of its final adoption and, thereafter, within not more than three calendar days of such
26 approval, notice of the adoption of this Ordinance shall be duly given by publication of the title hereof at
27 least once in *The Capital*, or another newspaper published and of general circulation in the City.

28
29

1 ADOPTED this _____ day of _____, 2018.

2 **Aye:**

3

4 **Nay:**

5

6 **THE ANNAPOLIS** _____
7 **CITY COUNCIL**

Date _____

8

9

10 **ATTEST** _____

Date _____

11

12

13

SCHEDULE OF CHANGES
TO
THE USE OF UNEXPENDED PROCEEDS OF
THE CITY’S PUBLIC IMPROVEMENTS BONDS, 2011 SERIES,
THE CITY’S PUBLIC IMPROVEMENTS BONDS, 2012 SERIES,
THE CITY’S PUBLIC IMPROVEMENTS BONDS, 2013 SERIES,
THE CITY’S PUBLIC IMPROVEMENTS BONDS, 2015 SERIES A
AND
THE CITY’S PUBLIC IMPROVEMENTS BONDS, 2016 SERIES A (TAX-EXEMPT)

NAME OF BONDS

The City’s Public Improvements Bonds, 2011 Series B (the “**Series 2011 Bonds**”)

ORDINANCE BEING AMENDED

Ordinance O-5-11, adopted by the Council of the City (the “**City Council**”) and effective on February 17, 2011

PRIOR USE OF THE SERIES 2011 BONDS

Original Project Name/Source of Excess Proceeds	Amount of Proceeds
1. Unallocated Interest and Premium	and \$2,928

NAME OF BONDS

The City’s Public Improvements Bonds, 2012 Series (the “**Series 2012 Bonds**”)

ORDINANCE BEING AMENDED

Ordinance O-20-12, adopted by the City Council and effective on June 4, 2012

PRIOR USE OF THE SERIES 2012 BONDS

Original Project Name/Source of Excess Proceeds	Amount of Proceeds
1. Unallocated Interest and Premium	\$37,724

NAME OF BONDS

The City’s Public Improvements Bonds, 2013 Series (the “**Series 2013 Bonds**”)

ORDINANCE BEING AMENDED

Ordinance O-17-13, adopted by the City Council and effective on April 22, 2013

PRIOR USE OF THE SERIES 2013 BONDS

Original Project Name/Source of Excess Proceeds	Amount of Proceeds
1. City Hall Renovations	\$130,181

1 2. Unallocated Interest and Premium \$ 43,021

2
3 **NAME OF BONDS**

4 The City’s Public Improvements Bonds, 2015 Series A (the “**Series 2015 Bonds**”)

5 **ORDINANCE BEING AMENDED**

6 Ordinance O-16-15, adopted by the City Council and effective on April 13, 2015

7
8 **PRIOR USE OF THE SERIES 2015 BONDS**

9	Project Name	Amount of Proceeds
10		
11	1. Parking Meter Replacements	\$ 5,625
12	2. Unallocated Interest and Premium	\$131,485
13	3. Maintenance Facilities	\$3,500,000
14		
15		

16 **NAME OF BONDS**

17 The City’s Public Improvements Bonds, 2016 Series Tax-Exempt (the “**Series 2016 Bonds**” and collectively with
18 the Series 2011 Bonds, the Series 2012 Bonds, the Series 2013 Bonds and the Series 2015 Bonds, the “**Bonds**”)

19 **ORDINANCE BEING AMENDED**

20 Ordinance O-44-16, adopted by the City Council and effective on October 24, 2016

21
22 **PRIOR USE OF THE SERIES 2016 BONDS**

23	Project Name	Amount of Proceeds
24		
25	1. Energy Performance	\$1,382,241
26	2. Unallocated Interest and Premium	\$ 154,253
27		
28		

29 **USE OF THE UNEXPENDED PROCEEDS OF THE BONDS**

30 Project Name:

- 31
- 32 1. City Wide Radio Replacement
- 33 2. Tucker Street Boat Ramp
- 34 3. Traffic Signal Rehabilitation
- 35 4. General Sidewalks
- 36 5. Forest Drive Fire Station
- 37 6. Water Distribution Rehabilitation
- 38 7. Water Tank Rehabilitation
- 39 8. Sewer Rehabilitation
- 40 9. City Facility Improvements