COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2025, Legislative Day No. 3

Resolution No. 9-25

Mr. Michael Ertel, Chair
By request of County Executive

By the County Council, February 3, 2025

A RESOLUTION approving the execution and delivery by Baltimore County, Maryland (the "County") of a conditional purchase agreement (the "Conditional Purchase Agreement") in an amount not to exceed $125,000,000 in order to finance the costs of certain equipment useful and necessary for the use and benefit of the County and its agencies; providing that the County's obligation to make lease payments under the Conditional Purchase Agreement shall be subject to annual appropriation by the County Council and shall not constitute indebtedness of the County; and generally providing for other matters related to the execution and delivery of the Conditional Purchase Agreement by the County.

WHEREAS, Baltimore County, Maryland (the "County") desires to acquire certain equipment (the "Equipment") useful and necessary for the use and benefit of the County and its agencies, including operation within the Metropolitan District; and

WHEREAS, the County has a need for the Equipment to provide improved and continued public service to the citizens of the County; and

WHEREAS, the Director of the Office of Budget and Finance or the County has determined that the most cost-effective method of acquiring the Equipment is by entering into a conditional purchase agreement in substantially the form attached hereto as **Exhibit A** (the "Conditional Purchase Agreement") with a financial institution and selling certificates of

participation in the payment of purchase installments under the Conditional Purchase Agreement; and

WHEREAS, the County shall take all necessary steps under the Purchasing Laws of the County in connection with financing the costs of the Equipment and has determined that it is in the best interests of the County to finance such costs by means of the Conditional Purchase Agreement; and

WHEREAS, under the provisions of Section 10-2-303 of the Baltimore County Code, the Conditional Purchase Agreement must be approved by the County Council; now therefore

SECTION 1. BE IT RESOLVED BY THE COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND, that the execution and delivery by the County Executive or the County Administrative Officer of the Conditional Purchase Agreement in an amount not to exceed $125,000,000, the sale of certificates of participation in the purchase installments payable under the Conditional Purchase Agreement, and the execution and delivery by any other officers, employees or agents of the County of all other related documents necessary or desirable to consummate the transactions contemplated therein and thereby are hereby approved. The Conditional Purchase Agreement may be executed and delivered in order to provide funds sufficient to finance all or a portion of the costs of the Equipment and may provide for security interests in the Equipment, if any, deemed necessary or advisable; and

SECTION 2. BE IT FURTHER RESOLVED, that the County's obligation to make lease payments under the Conditional Purchase Agreement shall be subject to annual appropriation by the County Council. The Conditional Purchase Agreement shall not constitute indebtedness of the County under the Constitution and Laws of Maryland, the Charter of the County (including, without limitation, Article VII thereof) and the Public Local Laws of the County or for any other

purpose; and

SECTION 3. BE IT FURTHER RESOLVED, that the County shall cause to be sold certificates of participation in the purchase installments payable under the Conditional Purchase Agreement, such certificates to be sold at public, competitive sale. The proceeds of the sale of the certificates of participation in the purchase installments, including any premium paid for such certificates, together with investment earnings thereon, shall be applied to pay all or a portion of the costs of the Equipment, including costs of issuance of the certificates of participation, and/or used to pay a portion of the interest component of the Conditional Purchase Agreement all as may be further specified and provided in the Conditional Purchase Agreement and other related documents necessary to consummate the transactions contemplated therein and approved pursuant to this Resolution; and

SECTION 4. BE IT FURTHER RESOLVED, that the Conditional Purchase Agreement shall be in substantially the form of **Exhibit A** attached hereto, with such insertions, additions, deletions and amendments as the County Executive or the County Administrative Officer shall approve (including, without limitation, such insertions, additions, deletions and amendments as shall be necessary or desirable to incorporate the terms of sale of the certificates of participation authorized by Section 3 hereof), such officer's execution and delivery of the Conditional Purchase Agreement to constitute conclusive evidence of such approval; and

SECTION 5. BE IT FURTHER RESOLVED, that this Resolution shall take effect from the date of its passage by the County Council.

EXHIBIT A

Form of Conditional Purchase Agreement

LEGISLATION DETAIL

LEGISLATION	RESOLUTION 9-25
DISPOSITION	PASSED
ENACTED	N/A
EFFECTIVE	N/A
AMENDMENTS	NO

ROLL CALL - BILL

MOTION JONES SECOND PATOKA

AYE	NAY	
☑	☐	Councilman Young
☑	☐	Councilman Patoka
☑	☐	Councilman Kach
☑	☐	Councilman Jones
☑	☐	Councilman Marks
☑	☐	Councilman Ertel
☑	☐	Councilman Crandell

ROLL CALL - AMENDMENTS

MOTION SECOND

AYE	NAY	
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ROLL CALL - AMENDMENTS

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