

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2009, Legislative Day No. 33

Bill No. 65-09

Introduced by Ms. Vitale, Chairman
(by request of the County Executive)

By the County Council, August 17, 2009

Introduced and first read on August 17, 2009
Public Hearing set for September 21, 2009
Bill Expires November 20, 2009

By Order: Judy C. Holmes, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Cape St. Claire Special Community Benefit District –
2 Approval of Loan and Assignment Agreement
3

4 FOR the purpose of obligating the County to levy the special tax known as the special
5 community benefit assessment on the Cape St. Claire Special Community Benefit
6 District in an amount sufficient to repay a loan from Branch Banking and Trust
7 Company (“BB&T”) to Cape St. Claire Improvement Association, Inc. in each of six
8 (6) fiscal years during the term of the loan.
9

10 WHEREAS, Cape St. Claire Special Community Benefit District has been duly
11 formed and created, pursuant to procedures set forth in Anne Arundel County
12 Code, Article 4, Title 7; and
13

14 WHEREAS, pursuant to § 4-7-204(1)(2) of the Anne Arundel County Code, the
15 purposes of Cape St. Claire Special Community Benefit District include
16 “maintenance of community property, including lawn care, trash removal, repair,
17 lighting, paving, and erosion prevention; special security for community property;
18 acquisition, improvement, and construction of real and personal community
19 property; and funding administrative expenses incidental to carrying out these
20 purposes, including mailing, secretarial, auditing, insurance, and legal costs”; and
21

22 WHEREAS, Cape St. Claire Improvement Association, Inc. (the “Association”) is
23 the civic or community association that meets the requirements of § 4-7-101(d)
24 that administers the District; and
25

26 WHEREAS, the Association is entering into a loan agreement with BB&T in the
27 amount of \$100,000, with a term of six (6) years, for the reinforcement and

1 rehabilitation of the boat ramp and a portion of the bulkhead on and consisting of
2 community property (the "Loan"); and
3

4 WHEREAS, to enable the Association to obtain the Loan from BB&T by
5 providing a source of funds for repayment of the Loan, the County is undertaking
6 the obligation set forth in this Ordinance; now, therefore,
7

8 SECTION 1. *Be it enacted by the County Council of Anne Arundel County,*
9 *Maryland,* That the County shall be obligated to levy the special tax known as the special
10 community benefit assessment on the Cape St. Claire Special Community Benefit District
11 in an amount sufficient to repay the Loan from BB&T to Cape St. Claire Improvement
12 Association, Inc. in each of up to six (6) fiscal years during the term of the Loan,
13 beginning in the County's Fiscal Year 2010.
14

15 SECTION 2. *And be it further enacted,* That the County undertakes no obligation
16 with regard to the Loan except as expressly described in this Ordinance, is neither a co-
17 obligor nor guarantor of the Loan, and does not commit the full faith and credit of the
18 County to repayment of the Loan.
19

20 SECTION 3. *And be it further enacted,* That the County Executive is hereby
21 authorized to enter into such other and further agreements with the Association and
22 BB&T as are necessary to disburse directly to BB&T such amounts of the special
23 community benefit assessment levied on the Cape St. Claire Special Community Benefit
24 District as are collected by the County and are necessary to repay the Loan consistent
25 with this Ordinance.
26

27 SECTION 4. *And be it further enacted,* That this Ordinance shall take effect 45 days
28 from the date it becomes law.