



## Legislation Text

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File #: 2020-050, Version: 1

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### **Resolution Regarding Approval of Series Ordinance Authorizing Issuance and Sale of Sewage Disposal System Revenue Refunding Bonds in an Amount Not to Exceed \$800,000,000 (Ordinance 2020-04)**

Agenda of: February 12, 2020  
Item No.: **2020-050**  
Amount: Not to Exceed \$800,000,000

**TO:** The Honorable  
Board of Directors  
Great Lakes Water Authority

**FROM:** Sue F. McCormick  
Chief Executive Officer  
Great Lakes Water Authority

**DATE:** February 12, 2020

**RE: Resolution Regarding Approval of Series Ordinance Authorizing Issuance and Sale of Sewage Disposal System Revenue Refunding Bonds in an Amount Not to Exceed \$800,000,000 (Ordinance 2020-04)**

### MOTION

Upon recommendation of Sue McCormick, Chief Executive Officer, the Board of Directors (Board) of the Great Lakes Water Authority (GLWA), **approve the resolution Approval of Series Ordinance Authorizing Issuance and Sale of Sewage Disposal System Revenue Refunding Bonds in an Amount Not to Exceed \$800,000,000 as presented**, and authorizes the CEO to take such other action as may be necessary to accomplish the intent of this vote.

### BACKGROUND

In order for the Great Lakes Water Authority ("GLWA") to proceed with the refunding of various outstanding water supply system bonds for the purpose of achieving annual debt service savings, the GLWA Board must approve the included

resolution approving the Series Ordinance. There is no new money as part of this water refunding bond issue

The Series Ordinance sets forth the guidelines for the New Money and Refunding Bonds and authorizes the Chief Executive Officer of the Chief Financial Officer to execute the final terms of the Bonds, paying issuance costs and signing of the Bond Purchase Agreement, within the parameters set forth in the Series Ordinance.

### **JUSTIFICATION**

The Series Ordinance sets forth the guidelines for the Refunding Bonds and authorizes the Chief Executive Officer of the Chief Financial Officer to execute the final terms of the Bonds, paying issuance costs and signing of the Bond Purchase Agreement, within the parameters set forth in the Series Ordinance. The authorized amount for the Refunding Bonds in Section 3, page 3 is for an aggregate principal amount of not to exceed \$800,000,000. The final par amount of the Refunding Bonds will be determined at the time of pricing and is based on current bond market pricing levels, issuance costs and the par amount of the bonds to be refunded as determined by the savings level achieved. *While the approval of the resolution gives GLWA the authorization to issue the refunding bonds, GLWA does not have to proceed with the refunding if market conditions become less favorable when it comes time to price the bonds.*

### **Key Provisions:**

- Not to Exceed Par Amount: \$800 million
- Maximum Coupon Rate: 6.00%
- Minimum Purchase Price: 98% of principal amount of bonds
- Maximum Underwriter Discount: 0.40% of principal amount of bonds
- Present Value Savings: Equal to or greater than 10.00% of principal amount of bonds to be refunded

### **Additional Provisions:**

Similar to the 2016 and 2018 water and sewer bond ordinances approved by the GLWA Board, Ordinance No. 2020-04 also contains the “springing amendment” provision in Section 22- *Amendments to Ordinance*. As noted on page 21, this section gives GLWA the ability to reduce or eliminate the bond reserve requirement for the senior lien bonds when at least 2 of the 3 national rating agencies rate the senior lien bonds in the AA category, provided that the reduction in the reserve requirement would not negatively affect the outstanding ratings. The amendments will become effective upon the deemed consent of at least 51% of the holders of the outstanding senior lien bonds. GLWA will add this springing amendment to each future series ordinance to obtain the 51% consent level. The currently level of sewer consents achieved is 20.7% for senior lien bonds and 39.6% for second lien bonds, before the issuance of the bonds herein.

### **BUDGET IMPACT**

Savings as a result of the proposed Sewer Refunding Bonds have not been included in the FY 2020 or FY 2021 financial plan. If savings are achieved as a result of the proposed refunding, a budget amendment may be required for FY 2020 and/or FY 2021 depending on the final pricing and savings structure on the bonds.

### **COMMITTEE REVIEW**

This matter is scheduled to be reviewed by the GLWA Audit Committee at its special meeting on February 12, 2020. Pending Audit Committee action, the resolution will be presented to the Board of Directors for approval the resolution Approval of Series Ordinance Authorizing Issuance and Sale of Sewage Disposal System Revenue Refunding Bonds in

an Amount Not to Exceed \$800,000,000 as presented.