

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2012 Legislative Session

Bill No. CB-48-2012

Chapter No. 40

Proposed and Presented by The Chair (by request – County Executive)

Introduced by Council Members Harrison, Campos, Davis, Franklin, Lehman, Olson,
Patterson and Toles

Date of Introduction June 19, 2012

BILL

1 AN ACT concerning

2 Borrowing to Finance Capital Projects for
3 Public Safety Facilities

4 For the purpose of authorizing Prince George's County, Maryland, to borrow money upon its full
5 faith and credit at any time and from time to time, in an aggregate principal amount not
6 exceeding \$156,354,000 to finance the design, construction, reconstruction, extension,
7 acquisition, improvement, enlargement, alteration, renovation, relocation, rehabilitation, or repair
8 of Public Safety Facilities (including Fire/EMS Department Facilities), including the acquisition
9 of sites therefor; prescribing terms and conditions upon which bonds issued pursuant to this Act
10 shall be issued and sold and other incidental details with respect thereto; providing generally for
11 the issuance of such bonds and providing for such borrowing to be submitted to a referendum of
12 the legal voters of the County.

13 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
14 Maryland, that Prince George's County, Maryland (the "County"), is hereby authorized, pursuant
15 to Section 323 of the Charter of Prince George's County, Maryland (the "Charter"), to borrow
16 money and incur indebtedness upon its full faith and credit, at any time and from time to time, in
17 an aggregate principal amount not exceeding \$156,354,000 to finance the design, construction,
18 reconstruction, extension, acquisition, improvement, enlargement, alteration, renovation,
19 relocation, rehabilitation, or repair of, Public Safety Facilities, including the acquisition and
20 development of sites therefor, the architectural and engineering services incident thereto, and the
21 acquisition and installation of necessary fixed permanent equipment therefor, all such capital

1 projects hereby being found to be (and also being in fact) of the same generic class and being
 2 described in the capital program of the County for the fiscal years 2013-2018, under the
 3 following headings, which descriptions are incorporated by reference as if set forth herein:

<u>CIP-ID</u>	<u>Project Name</u>
JT562173	Medical Unit Renovation & Expansion
JT561973	Kitchen Facility Replacement
JT561573	Detention Center Housing Renovations
KJ500433	Combined Forensics Facility
KJ500423	District V Station
KJ500413	District VI Station
KJ500123	Training/Administrative Headquarters
KA500653	Public Safety Driver Training Facility
KJ500713	Police Station Renovations
KJ500853	District VII Station
KJ500543	District VIII Station
LQ510602	Apparatus Maintenance Facility
LK510423	Beechtree Fire/EMS Station
LK510800	Beltsville Fire/EMS Station #31
LK510403	Brandywine Fire/EMS Station #40
LQ510600	Fire Services Building
LK510651	Fire Station Renovations
LK510648	Fire Station Roof Renovations
LK510230	Forestville Fire/EMS Station (Westphalia)
LK510523	Greenbelt Fire/EMS Station #35
LK510010	Hyattsville Fire/EMS Station #1
LK510330	Kentland Fire/EMS Station #33
LK510113	Konterra Fire/EMS Station
LK510493	Laurel Fire/EMS Station #49
LK510325	Oxon Hill Fire/EMS Station #821
LK510833	Oxon Hill Fire/EMS Station
LK510510	Piscataway Fire/EMS

1 LK510083

Shady Glen Fire/EMS

2 LQ510601

Training Academy

3 Reference to the County's capital program for the fiscal years 2013-2018 is made for
4 purposes of description only and such reference shall include the same capital projects in any
5 amended or subsequent capital program.

6 SECTION 2. BE IT FURTHER ENACTED that any general obligation bonds to be issued
7 pursuant to this Act shall be issued and sold pursuant to Bond Issue Authorization Ordinances
8 adopted in accordance with Sections 323 and 823 of the Charter and other applicable provisions
9 of Sections 10 and 11 of Article 31 of the Annotated Code of Maryland, as amended, replaced, or
10 recodified from time to time, but the County shall sell such bonds only by solicitation of
11 competitive bids therefor at public sale in such manner and after giving such public notice as the
12 County Council may by ordinance determine. Such bonds may be sold for such price or prices
13 as may be determined to be for the best interest of the County, either at, above or below the par
14 value of any such bonds, and such bonds may be sold in conjunction with other series of bonds
15 issued by the County in which event the notice of sale soliciting bids for the purchase of such
16 bonds may require that the acceptance of any bid for any series of bonds be made contingent
17 upon the acceptance of the bid or bids on all or any of the series being offered by the County for
18 sale at the same time. When such bonds are sold in conjunction with other series of bonds, the
19 said notice of sale may also require that consolidated bids shall be submitted on any two or more
20 of such series of bonds.

21 Nothing in this Act shall in any way limit the authority provided for the refunding of
22 County indebtedness by Section 24 of Article 31 of the Annotated Code of Maryland, as
23 amended or supplemented from time to time or by any other applicable law, and all such
24 authority is intended to be available to the County to refund any indebtedness incurred pursuant
25 to this Act to the maximum extent provided by such authority.

26 Such bonds may be issued in an amount sufficient to finance the costs of the Public Safety
27 Facilities and the cost of issuance of the bonds. Prior to the application of the proceeds of such
28 bonds to finance the costs of the Public Safety Facilities, the cost of issuance of such bonds for
29 such Public Safety Facilities may be deducted from such proceeds.

30 SECTION 3. BE IT FURTHER ENACTED that this Act shall be submitted to the legal
31 voters of the County, for their approval or disapproval, at the general election to be held in the

1 County on Tuesday, November 6, 2012. The question to be certified to the Board of Supervisors
2 of Elections of the County for inclusion on the ballot for said general election shall be in
3 substantially the following form:

4 PUBLIC SAFETY FACILITIES BONDS

5 AN ACT enabling the County to borrow money and issue bonds in an amount not
6 exceeding \$156,354,000 to finance the design, construction, reconstruction, extension,
7 acquisition, improvement, enlargement, alteration, renovation, relocation, rehabilitation or repair
8 of Public Safety Facilities (including Fire/EMS Department Facilities), as defined therein.

9 SECTION 4. BE IT FURTHER ENACTED that the powers granted by this Act are
10 additional and cumulative and the bonds to be issued pursuant to this Act may be issued,
11 notwithstanding that other bond acts or laws may provide for the issuance of other bonds or the
12 borrowing of money for the same or similar purposes on the same or other terms and conditions.
13 This Act shall be liberally construed to effectuate its purposes, namely, to authorize the
14 borrowing of money and the incurring of indebtedness to finance the described capital projects of
15 the same generic class set forth in this Act. Provisions of this Act shall be deemed met and
16 satisfied if there is substantial compliance with such provisions, including (without limitation)
17 provisions relating to the submission of any question to the legal voters of the County which are
18 intended only to provide fair and adequate notice to such voters and not to prescribe provisions
19 which must be literally satisfied. This Act is not intended to provide or imply that this act or any
20 prior act not containing a similar provision precludes the County from exercising any power or
21 prerogative provided by this Act or any other law whether exercised solely pursuant to such
22 other law or in conjunction with the powers provided by this Act so that, without limiting the
23 generality of this section, the County may exercise the power to issue (i) bond anticipation notes
24 (in anticipation of the issuance of bonds pursuant to this Act or otherwise) and grant anticipation
25 notes pursuant to Section 12 of Article 31 of the Annotated Code of Maryland, as amended,
26 replaced, or recodified from time to time, and (ii) bonds (or any related bond anticipation or
27 other notes) authorized by Sections 12-201 to 12-213, inclusive, of the Economic Development
28 Article of the Annotated Code of Maryland, as amended, replaced, or recodified from time to
29 time, and in exercising such powers, the County may sell such notes or bonds at private
30 (negotiated) sale as authorized by these or any other applicable laws.

31 SECTION 5. BE IT FURTHER ENACTED that this Act shall become effective

1 immediately upon the date of the official certification of its approval by the voters at said general
2 election.

Adopted this 24th day of July, 2012

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Andrea C. Harrison
Chairman

ATTEST:

Redis C. Floyd
Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Rushern L. Baker, III
County Executive

APPROVED BY A MAJORITY OF THE VOTERS ON 11/6/2012; AS CERTIFIED BY THE BOARD OF ELECTIONS ON 11/20/2012.

EFFECTIVE DATE: 11/20/2012