

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

2020 Legislative Session

Bill No. CB-45-2020

Chapter No. 36

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

Introduced by Council Members Turner, Streeter, Davis, Harrison, Hawkins, Dernoga,
Taveras, Franklin and Glaros

Date of Introduction June 23, 2020

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 \$44,477,000 to finance the design, construction, reconstruction, extension, acquisition,
7 improvement, enlargement, alteration, renovation, relocation, rehabilitation, or repair of Public
8 Safety Facilities (including Fire Department Facilities), including the acquisition and
9 development of sites therefor, the architectural and engineering services incident thereto, and the
10 acquisition and installation of necessary fixed permanent equipment therefor; prescribing terms
11 and conditions upon which bonds issued pursuant to this Act shall be issued and sold and other
12 incidental details with respect thereto; providing generally for the issuance of such bonds and
13 providing for such borrowing to be submitted to a referendum of the legal voters of the County.

14 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
15 Maryland, that Prince George's County, Maryland (the "County"), is hereby authorized, pursuant
16 to Section 323 of the Charter of Prince George's County, Maryland (the "Charter"), to borrow
17 money and incur indebtedness upon its full faith and credit, at any time and from time to time, in
18 an aggregate principal amount not exceeding \$44,477,000 to finance the design, construction,
19 reconstruction, extension, acquisition, improvement, enlargement, alteration, renovation,
20 relocation, rehabilitation, or repair of, Public Safety Facilities (including Fire Department
21 Facilities), including the acquisition and development of sites therefor, the architectural and

1 engineering services incident thereto, and the acquisition and installation of necessary fixed
2 permanent equipment therefor, all such capital projects hereby being found to be (and also being
3 in fact) of the same generic class and being described in the capital program of the County for
4 the fiscal years 2021-2026, under the following headings, which descriptions are incorporated by
5 reference as if set forth herein:

<u>Project Number</u>	<u>Project Name</u>
3.50.0007	DISTRICT IV STATION
3.50.0002	DISTRICT V STATION
4.51.0023	ALLENTOWN FIRE/EMS #832
3.51.0015	APPARATUS MAINTENANCE FACILITY
3.51.0003	BEECHTREE FIRE/EMS STATION
3.51.0009	BELTSVILLE FIRE/EMS STATION #831
3.51.0016	BERWYN HEIGHTS FIRE/EMS #814
3.51.0017	CHILLUM FIRE/EMS #834
4.51.0008	FIRE STATION RENOVATIONS
3.51.0014	GREENBELT FIRE/EMS STATION #835
3.51.0001	HYATTSVILLE FIRE/EMS STATION #801
3.51.0002	KONTERRA FIRE/EMS
3.51.0006	RIVERDALE #807 & #813 FIRE/EMS
3.51.0018	SHADY GLEN FIRE/EMS STATION
4.56.0001	DETENTION CENTER HOUSING RENOVATIONS
4.56.0007	COMMUNITY CORRECTIONS COMPLEX

23 Reference to the County's capital program for the fiscal years 2021-2026 is made for
24 purposes of description only and such reference shall include the same capital projects in any
25 amended or subsequent capital program.

26 SECTION 2. BE IT FURTHER ENACTED that any general obligation bonds to be issued
27 pursuant to this Act shall be issued and sold pursuant to Bond Issue Authorization Ordinances
28 adopted in accordance with Sections 323 and 823 of the Charter and other applicable provisions
29 of MD. CODE ANN., LOCAL GOV'T. §§ 19-205 to 19-206, as amended, replaced, or re-
30 codified from time to time, but the County shall sell such bonds only by solicitation of
31 competitive bids therefor at public sale in such manner and after giving such public notice as the

1 County Council may by ordinance determine. Such bonds may be sold for such price or prices
 2 as may be determined to be for the best interest of the County, either at, above or below the par
 3 value of any such bonds, and such bonds may be sold in conjunction with other series of bonds
 4 issued by the County in which event the notice of sale soliciting bids for the purchase of such
 5 bonds may require that the acceptance of any bid for any series of bonds be made contingent
 6 upon the acceptance of the bid or bids on all or any of the series being offered by the County for
 7 sale at the same time. When such bonds are sold in conjunction with other series of bonds, the
 8 said notice of sale may also require that consolidated bids shall be submitted on any two or more
 9 of such series of bonds.

10 Nothing in this Act shall in any way limit the authority provided for the refunding of
 11 County indebtedness by MD. CODE ANN., LOCAL GOV'T. §§ 19-205 to 19-206, as amended
 12 or supplemented from time to time or by any other applicable law, and all such authority is
 13 intended to be available to the County to refund any indebtedness incurred pursuant to this Act to
 14 the maximum extent provided by such authority.

15 Such bonds may be issued in an amount sufficient to finance the costs of the Public Safety
 16 Facilities and the cost of issuance of the bonds. Prior to the application of the proceeds of such
 17 bonds to finance the costs of the Public Safety Facilities, the cost of issuance of such bonds for
 18 such Public Safety Facilities may be deducted from such proceeds.

19 SECTION 3. BE IT FURTHER ENACTED that this Act shall be submitted to the legal
 20 voters of the County, for their approval or disapproval, at the general election to be held in the
 21 County on Tuesday, November 3, 2020. The question to be certified to the Board of Supervisors
 22 of Elections of the County for inclusion on the ballot for said general election shall be in
 23 substantially the following form:

24 PUBLIC SAFETY FACILITIES BONDS

25 AN ACT enabling the County to borrow money and issue bonds in an amount not
 26 exceeding \$44,477,000 to finance the design, construction, reconstruction, extension, acquisition,
 27 improvement, enlargement, alteration, renovation, relocation, rehabilitation, or repair of, Public
 28 Safety Facilities (including Fire Department Facilities), including the acquisition and
 29 development of sites therefor, the architectural and engineering services incident thereto, and the
 30 acquisition and installation of necessary fixed permanent equipment therefor , as defined therein.

31 SECTION 4. BE IT FURTHER ENACTED that the powers granted by this Act are

1 additional and cumulative and the bonds to be issued pursuant to this Act may be issued,
2 notwithstanding that other bond acts or laws may provide for the issuance of other bonds or the
3 borrowing of money for the same or similar purposes on the same or other terms and conditions.
4 This Act shall be liberally construed to effectuate its purposes, namely, to authorize the
5 borrowing of money and the incurring of indebtedness to finance the described capital projects of
6 the same generic class set forth in this Act. Provisions of this Act shall be deemed met and
7 satisfied if there is substantial compliance with such provisions, including (without limitation)
8 provisions relating to the submission of any question to the legal voters of the County which are
9 intended only to provide fair and adequate notice to such voters and not to prescribe provisions
10 which must be literally satisfied. This Act is not intended to provide or imply that this act or any
11 prior act not containing a similar provision precludes the County from exercising any power or
12 prerogative provided by this Act or any other law whether exercised solely pursuant to such
13 other law or in conjunction with the powers provided by this Act so that, without limiting the
14 generality of this section, the County may exercise the power to issue (i) bond anticipation notes
15 (in anticipation of the issuance of bonds pursuant to this Act or otherwise) and grant anticipation
16 notes pursuant to MD. CODE ANN., LOCAL GOV'T. §§ 19-205 to 19-206, as amended,
17 replaced, or re-codified from time to time, and (ii) bonds (or any related bond anticipation or
18 other notes) authorized by MD. CODE ANN., LOCAL GOV'T. §§ 19-205 to 19-206, as
19 amended, replaced, or re-codified from time to time, and in exercising such powers, the County
20 may sell such notes or bonds at private (negotiated) sale as authorized by these or any other
21 applicable laws.

22 SECTION 5. BE IT FURTHER ENACTED that the provisions of this Act are hereby
23 declared to be severable; and, in the event that any section, subsection, paragraph, subparagraph,
24 sentence, clause, phrase, or word of this Act is declared invalid or unconstitutional by a court of
25 competent jurisdiction, such invalidity or unconstitutionality shall not affect the remaining
26 words, phrases, clauses, sentences, subparagraphs, paragraphs, subsections, or sections of this
27 Act, since the same would have been enacted without the incorporation in this Act of any such
28 invalid or unconstitutional word, phrase, clause, sentence, paragraph, subparagraph, subsection,
29 or section.

30 SECTION 6. BE IT FURTHER ENACTED that this Act shall become effective
31 immediately upon the date of the official certification of its approval by the voters at said general

1

election.

Adopted this 21st day of July, 2020.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Todd M. Turner
Council Chair

ATTEST:

Donna J. Brown
Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Angela D. Alsobrooks
County Executive

APPROVED BY A MAJORITY OF THE VOTERS AT THE REFERENDUM ON NOVEMBER 3, 2020, AS CERTIFIED BY THE BOARD OF ELECTIONS ON DECEMBER 1, 2020.

EFFECTIVE: DECEMBER 1, 2020