

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2014 Legislative Session

Bill No. CB-44-2014

Chapter No. 33

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

Introduced by Council Members Franklin and Davis

Co-Sponsors _____

Date of Introduction June 30, 2014

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 \$240,839,000 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 \$240,839,000 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 2015-2020, under the
 3 following headings, which descriptions are incorporated by reference as if set forth herein:

4	<u>CIP-ID</u>	<u>Project Name</u>
5	JT561573	Detention Center Housing Renovations
6	JT561973	Kitchen Facility Replacement
7	JT562173	Medical Unit Renovation & Expansion
8	JT562273	Administrative Wing Expansion
9	KJ500223	Barlowe Road Renovations
10	KJ500443	Combined Forensics Facility
11	Kj500613	District IV Station
12	KJ500423	District V Station
13	KJ500413	District VI Station
14	KJ500853	District VII Station
15	KJ500543	District VIII Station
16	KJ500213	Forensics Lab Renovations
17	KJ500713	Police Station Renovations
18	KJ500123	Training/Administrative Headquarters
19	LK511163	Allentown Fire/EMS #832
20	LK510423	Beechtree Fire/EMS
21	LK510403	Brandywine Fire/EMS Station
22	LK510273	Camp Springs Fire/EMS #827
23	LK511143	Chillum Fire/EMS #834
24	LK511183	Clinton Fire/EMS #825
25	LK510651	Fire Station Renovations
26	LK510648	Fire Station Roof Renovations
27	LK511213	Fire Department Headquarters
28	LK510230	Forestville Fire/EMS (Westphalia)
29	LK510010	Hyattsville Fire/EMS #801
30	LK511173	Kentland Fire/EMS #846
31	LK510330	Kentland Fire/EMS #833

1	LK510493	Laurel Fire/EMS #849
2	LK511153	Marlboro Fire/EMS #845
3	LK510203	Marlboro Fire/EMS #820
4	LK510325	Oxon Hill Fire/EMS
5	LK510510	Piscataway Fire/EMS
6	LK511103	Public Safety Pier
7	LK511200	Ritchie Fire/EMS #837
8	LK511123	Riverdale/Riverdale Heights Fire/EMS
9	LK510083	Shady Glen Fire/EMS
10	LK510833	St. Barnabas Fire/EMS
11	LK510700	Water Storage Tanks
12	LQ510601	Training Academy

13 Reference to the County's capital program for the fiscal years 2015-2020 is made for
14 purposes of description only and such reference shall include the same capital projects in any
15 amended or subsequent capital program.

16 SECTION 2. BE IT FURTHER ENACTED that any general obligation bonds to be issued
17 pursuant to this Act shall be issued and sold pursuant to Bond Issue Authorization Ordinances
18 adopted in accordance with Sections 323 and 823 of the Charter and other applicable provisions
19 of Md. Code Ann., Local Gov't §§ 19-205 and 19-206 (2013), as amended, replaced, or
20 recodified from time to time, but the County shall sell such bonds only by solicitation of
21 competitive bids therefor at public sale in such manner and after giving such public notice as the
22 County Council may by ordinance determine. Such bonds may be sold for such price or prices
23 as may be determined to be for the best interest of the County, either at, above or below the par
24 value of any such bonds, and such bonds may be sold in conjunction with other series of bonds
25 issued by the County in which event the notice of sale soliciting bids for the purchase of such
26 bonds may require that the acceptance of any bid for any series of bonds be made contingent
27 upon the acceptance of the bid or bids on all or any of the series being offered by the County for
28 sale at the same time. When such bonds are sold in conjunction with other series of bonds, the
29 said notice of sale may also require that consolidated bids shall be submitted on any two or more
30 of such series of bonds.

31 Nothing in this Act shall in any way limit the authority provided for the refunding of

1 County indebtedness by Md. Code Ann., Local Gov't § 19-207(2013), as amended or
 2 supplemented from time to time or by any other applicable law, and all such authority is intended
 3 to be available to the County to refund any indebtedness incurred pursuant to this Act to the
 4 maximum extent provided by such authority.

5 Such bonds may be issued in an amount sufficient to finance the costs of the Public Safety
 6 Facilities and the cost of issuance of the bonds. Prior to the application of the proceeds of such
 7 bonds to finance the costs of the Public Safety Facilities, the cost of issuance of such bonds for
 8 such Public Safety Facilities may be deducted from such proceeds.

9 SECTION 3. BE IT FURTHER ENACTED that this Act shall be submitted to the legal
 10 voters of the County, for their approval or disapproval, at the general election to be held in the
 11 County on Tuesday, November 4, 2014. The question to be certified to the Board of Supervisors
 12 of Elections of the County for inclusion on the ballot for said general election shall be in
 13 substantially the following form:

14 **PUBLIC SAFETY FACILITIES BONDS**

15 AN ACT enabling the County to borrow money and issue bonds in an amount not
 16 exceeding \$240,839,000 to finance the design, construction, reconstruction, extension,
 17 acquisition, improvement, enlargement, alteration, renovation, relocation, rehabilitation or repair
 18 of Public Safety Facilities (including Fire/EMS Department Facilities), as defined therein.

19 SECTION 4. BE IT FURTHER ENACTED that the powers granted by this Act are
 20 additional and cumulative and the bonds to be issued pursuant to this Act may be issued,
 21 notwithstanding that other bond acts or laws may provide for the issuance of other bonds or the
 22 borrowing of money for the same or similar purposes on the same or other terms and conditions.
 23 This Act shall be liberally construed to effectuate its purposes, namely, to authorize the
 24 borrowing of money and the incurring of indebtedness to finance the described capital projects of
 25 the same generic class set forth in this Act. Provisions of this Act shall be deemed met and
 26 satisfied if there is substantial compliance with such provisions, including (without limitation)
 27 provisions relating to the submission of any question to the legal voters of the County which are
 28 intended only to provide fair and adequate notice to such voters and not to prescribe provisions
 29 which must be literally satisfied. This Act is not intended to provide or imply that this Act or
 30 any prior Act not containing a similar provision precludes the County from exercising any power
 31 or prerogative provided by this Act or any other law whether exercised solely pursuant to such

1 other law or in conjunction with the powers provided by this Act so that, without limiting the
2 generality of this section, the County may exercise the power to issue (i) bond anticipation notes
3 (in anticipation of the issuance of bonds pursuant to this Act or otherwise) and grant anticipation
4 notes pursuant to Md. Code Ann., Local Gov't § 19-212 (2013), as amended, replaced, or
5 recodified from time to time, and (ii) bonds (or any related bond anticipation or other notes)
6 authorized by Md. Code Ann., Econ. Dev. §§ 12-201 to 12-213 (2014), as amended, replaced, or
7 recodified from time to time, and in exercising such powers, the County may sell such notes or
8 bonds at private (negotiated) sale as authorized by these or any other applicable laws.

9 SECTION 5. BE IT FURTHER ENACTED that this Act shall become effective
10 immediately upon the date of the official certification of its approval by the voters at said general
11 election.

Adopted this 23rd day of July, 2014.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Mel Franklin
Chairman

ATTEST:

Redis C. Floyd
Clerk of the Council

APPROVED:

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