

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

2001 Legislative Session

Bill No. CB-48-2001

Chapter No. 25

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

Introduced by Council Member Russell

Co-Sponsors _____

Date of Introduction June 12, 2001

BILL

1 AN ACT concerning

2 Borrowing to Finance School Projects

3 For the purpose of authorizing Prince George's County, Maryland, to borrow money upon its full
4 faith and credit, at any time and from time to time, in an aggregate principal amount not
5 exceeding Seventy-four Million Six Hundred Seventeen Thousand Dollars (\$74,617,000), to
6 finance the construction, including the design, reconstruction, extension, acquisition,
7 improvement, enlargement, alteration, renovation, relocation, rehabilitation, repair or
8 modernization, of school buildings in the County; prescribing terms and conditions upon which
9 bonds issued pursuant to this Act shall be issued and sold and other incidental details with
10 respect thereto; and providing generally for the issuance of such bonds.

11 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
12 Maryland, that Prince George's County, Maryland (the "County"), is hereby authorized pursuant
13 to Section 323 of the Charter of Prince George's County, Maryland (the "Charter"), to borrow
14 money and incur indebtedness upon its full faith and credit, at any time and from time to time, in
15 an aggregate principal amount not exceeding Seventy-four Million Six Hundred Seventeen
16 Thousand Dollars (\$74,617,000) to finance the construction, including the design,
17 reconstruction, extension, acquisition, improvement, enlargement, alteration, renovation,
18 relocation, rehabilitation, repair or modernization, of school buildings in the County (the "School
19 Projects"), and including the architectural and engineering services incident thereto, and the
20 acquisition and installation of necessary permanent equipment therefor, such capital projects
21 being determined to be of the same generic class and being described in the Capital Improvement

Program of the County as amended for the fiscal years 2002 through 2007 under the following headings, which descriptions are incorporated by reference as if set forth herein:

<u>Project Name</u>	<u>CIP-ID</u>
Accokeek Area Elementary School	AA774930
Adelphi Area Elementary School	AA774913
Asbestos Ceiling Tile Replacement	AA774563
Berwyn Heights E.S Renovation/Addition	AA774119
Bladensburg High Renovation/Replacement	AA779373
Bowie Area Elementary School	AA774923
Buried Fuel Tank Replacement	AA770985
Carmody Hills Elementary Renovation/Addition	AA773109
CFC Control and AC Modernization	AA773113
Cheltenham Forest Elementary School	AA775223
Classroom Additions	AA779363
Code Updating	AA779583
Doswell Brooks Elementary	AA775493
East Central Middle School	AA779813
Fairmont Heights/Chapel Oaks Elementary	AA775243
Greater Capitol Heights Elementary School	AA775233
Greenbelt Middle School Renovation	AA779413
Hill Road /B66 Benjamin Davis School	AA775033
Land Acquisition	AA772953
Major Repairs	AA779153
Oxon Hill Elementary School	AA778169
Planning Subregion III Elementary School	AA774613
Planning Subregion VI Elementary School	AA774713
School Facility Planning	AA772603
Science Classroom Renovations	AA779803
Systemic Replacements	AA779163
Technology In Schools Program	AA772983
West Hyattsville Elementary School	AA774813

1 Reference to the County's Capital Improvement Program for the fiscal years 2002 through
2 2007 as amended is made for purposes of description only and such reference shall include the
3 same capital projects in any amended or subsequent capital program.

4 SECTION 2. BE IT FURTHER ENACTED that any general obligation bonds to be issued
5 pursuant to this Act shall be issued and sold pursuant to Bond Issue Authorization Ordinances
6 adopted in accordance with Sections 814 and 827 of the Charter. Such bonds shall not be subject
7 to the provision of Sections 10 and 11 of Article 31 of the Annotated Code of Maryland, as
8 amended, replaced or recodified from time to time, but the County shall sell such bonds only by
9 solicitation of competitive bids therefor at public sale in such manner and after giving such
10 public notice as the County Council by ordinance may determine. Such bonds may be sold for
11 such price or prices as may be determined to be in the best interest of the County, either at, above
12 or below the par value of any such bonds, and such bonds may be sold in conjunction with other
13 series of bonds issued by the County in which event the notice of sale soliciting bids for the
14 purchase of such bonds may require that the acceptance of any bid for any series of bonds be
15 made contingent upon the acceptance of the bid or bids on all or any of the series being offered
16 by the County for sale at the same time. When such bonds are sold in conjunction with other
17 series of bonds, the said notice of sale may also require that consolidated bids shall be submitted
18 on any two or more of such series of bonds.

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

24 Such bonds may be issued in an amount sufficient to finance the costs of the School
25 Projects and the costs of issuance of such bonds. Prior to the application of the proceeds of such
26 bonds to finance the costs of the School Projects, the costs of issuance of such bonds for such
27 School Projects may be deducted from such proceeds.

28 SECTION 3. BE IT FURTHER ENACTED that the powers granted by this Act are
29 additional and cumulative and the bonds authorized to be issued pursuant to this Act may be
30 issued, notwithstanding that other bond acts or laws may provide for the issuance of other bonds
31 or the borrowing of money for the same or similar purposes on the same or other terms and

1 conditions. This Act shall be liberally construed to effectuate its purposes, namely, to authorize
2 the borrowing of money and the incurring of indebtedness to finance the described School
3 Projects set forth in this Act. Provisions of this Act shall be deemed met and satisfied if there is
4 substantial compliance with such provisions. This Act is not intended to provide or imply that
5 this Act or any prior act not containing a similar provision precludes the County from exercising
6 any power or prerogative provided by this Act or any other law whether exercised solely
7 pursuant to such other law or in conjunction with the powers provided by this Act so that,
8 without limiting the generality of this section, the County may exercise the power to issue (i)
9 bond anticipation notes (in anticipation of the issuance of bonds pursuant to this Act or
10 otherwise) and grant anticipation notes pursuant to Section 12 of Article 31 of the Annotated
11 Code of Maryland, as amended, replaced, or recodified from time to time, and (ii) bonds (or any
12 related bond anticipation or other notes) authorized by Sections 14-201 to 14-214, inclusive, of
13 Article 41 of the Annotated Code of Maryland, as amended, replaced, or recodified from time to
14 time, and in exercising such powers, the County may sell such notes or bonds at private
15 (negotiated) sale as authorized by these or any other applicable laws.

16 SECTION 4. BE IT FURTHER ENACTED that this Act shall take effect forty-five (45)
17 calendar days after it becomes law.

Adopted this 10th day of July, 2001.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Ronald V. Russell
Chairman

ATTEST:

Joyce T. Sweeney
Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Wayne K. Curry
County Executive