

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND**  
**2002 Legislative Session**

Bill No. CB-66-2002  
 Chapter No. 58  
 Proposed and Presented by The Chairman (by request – County Executive)  
 Introduced by Council Members Shapiro, Russell, Bailey, Wilson and Scott  
 Co-Sponsors \_\_\_\_\_  
 Date of Introduction July 2, 2002

**BILL**

1 AN ACT concerning

2 Borrowing to Finance Capital Projects for  
 3 Public Works and Transportation 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 \$76,072,000 to finance the design, construction, reconstruction, extension, acquisition,  
 7 improvement, enlargement, alteration, renovation, relocation, rehabilitation, or repair of Public  
 8 Works and Transportation Facilities, including the acquisition of sites therefor; prescribing terms  
 9 and conditions upon which bonds issued pursuant to this Act shall be issued and sold and other  
 10 incidental details with respect thereto; providing generally for the issuance of such bonds and  
 11 providing for such borrowing to be submitted to a referendum of the legal voters of the County.

12 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,  
 13 Maryland, that Prince George's County, Maryland (the "County"), is hereby authorized, pursuant  
 14 to Section 323 of the Charter of Prince George's County, Maryland (the "Charter"), to borrow  
 15 money and incur indebtedness upon its full faith and credit, at any time and from time to time, in  
 16 an aggregate principal amount not exceeding \$76,072,000 to finance the design, construction,  
 17 reconstruction, extension, acquisition, improvement, enlargement, alteration, renovation,  
 18 relocation, rehabilitation, or repair of, Public Works and Transportation Facilities (including  
 19 roads and bridges, parking lots and maintenance 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

projects hereby being found to be (and also being in fact) of the same generic class and being described in the capital program of the County for the fiscal years 2003-2008, under the following headings, which descriptions are incorporated by reference as if set forth herein:

<u>CIP-ID</u>	<u>Project Name</u>
FD666151	Ammendale & Virginia Manor Roads
FD669821	Auth Road
FD668092	Bridge Capital Repairs
FD668162	Bridge Repair - Muirkirk Road
FD668112	Bridge Replacement - Brinkley Road
FD668172	Bridge Replacement - Melwood Road
FD668152	Bridge Replacement - Sunnyside Avenue
FD668605	County Revitalization and Restoration
FD668515	Curbs and Sidewalks
FD668645	Developer Contribution
FD669811	Forestville Road
FD669851	High Bridge Road
FD664041	Largo Metro Development
FD669941	Livingston Road
FD669751	Metro Access
FD669991	Metzerott Road
FD669981	Parkland Subdivision
FD668655	Project Planning Studies
FD669721	Regency Pkwy/Regency Lane
FD666411	Ritchie Road Section II
FD668525	Resurfacing & Safety Improvements
FD664051	Riverdale Road
FD668585	Street Lights
FD669891	Suitland Redevelopment Area
FD667444	Suitland Road
FD667524	Traffic Control Signals & Systems
FD668595	Transportation Enhancements

1 FD664001 Trumps Hill Road

2 FD664021 Wade Avenue

3 FD669871 Walters Lane

4 Reference to the County's capital program for the years 2003-2008 is made for purposes of  
5 description only and such reference shall include the same capital projects in any amended or  
6 subsequent capital program.

7 SECTION 2. BE IT FURTHER ENACTED that any general obligation bonds to be issued  
8 pursuant to this Act shall be issued and sold pursuant to Bond Issue Authorization Ordinances  
9 adopted in accordance with Sections 814 and 827 of the Charter and other applicable provisions  
10 of Sections 10 and 11 of Article 31 of the Annotated Code of Maryland, as amended, replaced, or  
11 recodified from time to time, but the County shall sell such bonds only by solicitation of  
12 competitive bids therefor at public sale in such manner and after giving such public notice as the  
13 County Council may by ordinance determine. Such bonds may be sold for such price or prices  
14 as may be determined to be for the best interest of the County, either at, above or below the par  
15 value of any such bonds, and such bonds may be sold in conjunction with other series of bonds  
16 issued by the County in which event the notice of sale soliciting bids for the purchase of such  
17 bonds may require that the acceptance of any bid for any series of bonds be made contingent  
18 upon the acceptance of the bid or bids on all or any of the series being offered by the County for  
19 sale at the same time. When such bonds are sold in conjunction with other series of bonds, the  
20 said notice of sale may also require that consolidated bids shall be submitted on any two or more  
21 of such series of bonds.

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

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

1       SECTION 3. BE IT FURTHER ENACTED that this Act shall be submitted to the legal  
 2 voters of the County, for their approval or disapproval, at the general election to be held in the  
 3 County on Tuesday, November 5, 2002. The question to be certified to the Board of Supervisors  
 4 of Elections of the County for inclusion on the ballot for said general election shall be in  
 5 substantially the following form:

6                   PUBLIC WORKS AND TRANSPORTATION FACILITIES BONDS

7       AN ACT enabling the County to borrow money and issue bonds in an amount not  
 8 exceeding \$76,072,000 to finance the design, construction, reconstruction, extension, acquisition,  
 9 improvement, enlargement, alteration, renovation, relocation, rehabilitation or repair of Public  
 10 Works and Transportation Facilities (including roads and bridges, parking lots, and maintenance  
 11 facilities), as defined therein.

12       SECTION 4. BE IT FURTHER ENACTED that the powers granted by this Act are  
 13 additional and cumulative and the bonds to be issued pursuant to this Act may be issued,  
 14 notwithstanding that other bond acts or laws may provide for the issuance of other bonds or the  
 15 borrowing of money for the same or similar purposes on the same or other terms and conditions.  
 16 This Act shall be liberally construed to effectuate its purposes, namely, to authorize the  
 17 borrowing of money and the incurring of indebtedness to finance the described capital projects of  
 18 the same generic class set forth in this Act. Provisions of this Act shall be deemed met and  
 19 satisfied if there is substantial compliance with such provisions, including (without limitation)  
 20 provisions relating to the submission of any question to the legal voters of the County which are  
 21 intended only to provide fair and adequate notice to such voters and not to prescribe provisions  
 22 which must be literally satisfied. This Act is not intended to provide or imply that this act or any  
 23 prior act not containing a similar provision precludes the County from exercising any power or  
 24 prerogative provided by this Act or any other law whether exercised solely pursuant to such  
 25 other law or in conjunction with the powers provided by this Act so that, without limiting the  
 26 generality of this section, the County may exercise the power to issue (i) bond anticipation notes  
 27 (in anticipation of the issuance of bonds pursuant to this Act or otherwise) and grant anticipation  
 28 notes pursuant to Section 12 of Article 31 of the Annotated Code of Maryland, as amended,  
 29 replaced, or recodified from time to time, and (ii) bonds (or any related bond anticipation or  
 30 other notes) authorized by Sections 14-201 to 14-214, inclusive, of Article 41 of the Annotated  
 31 Code of Maryland, as amended, replaced, or recodified from time to time, and in exercising such

1 powers, the County may sell such notes or bonds at private (negotiated) sale as authorized by  
2 these or any other applicable laws.

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

Adopted this 30th day of July, 2002.

COUNTY COUNCIL OF PRINCE  
GEORGE'S COUNTY, MARYLAND

BY: \_\_\_\_\_  
Peter A. Shapiro  
Chair

ATTEST:

\_\_\_\_\_  
Redis C. Floyd  
Clerk of the Council

APPROVED:

DATE: \_\_\_\_\_ BY: \_\_\_\_\_  
Wayne K. Curry  
County Executive

**APPROVED BY A MAJORITY OF THE VOTERS AT REFERENDUM ON 11/5/2002,  
AS CERTIFIED BY THE BOARD OF ELECTIONS ON 11/15/2002.**

**EFFECTIVE DATE: 11/15/2002**