

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2003 Legislative Session

Bill No. CB-48-2003
 Chapter No. 36
 Proposed and Presented by The Chairman (by request – County Executive)
 Introduced by Council Members Bland, Dean, Exum, Harrington, Peters and Knotts
 Co-Sponsors _____
 Date of Introduction July 8, 2003

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 Forty-five Million Seven Hundred Eighty-eight Thousand Dollars (\$45,788,000), 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 Forty-five Million Seven Hundred Eighty-eight
 16 Thousand Dollars (\$45,788,000) 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 2004 through 2009 under the following headings, which descriptions are incorporated by reference as if set forth herein:

<u>Project Name</u>	<u>CIP-ID</u>
Asbestos Ceiling Tile Replacement	AA774563
Bladensburg High Replacement	AA779373
Buried Fuel Tanks	AA770985
CFC Control and AC Modernization	AA773113
Code Corrections	AA779583
Colmar Manor Elementary	AA775083
High School Classroom Additions	AA779203
Samuel P. Massie E.S (Hil-Mar)	AA775093
Homer Avenue Elementary School	AA778179
Major Repairs	AA779153
Open Space Pod Conversions	AA778651
Oxon Hill High School - Gymnasium	AA779023
Parking Lots/Driveways	AA778661
Regional High	AA775593
Science Classroom Renovations	AA779803
Systemic Renovations	AA779163
West Hyattsville Elementary School	AA774813
Whitehall Elementary School Renovation	AA779473

Reference to the County's Capital Improvement Program for the fiscal years 2004 through 2009 as amended is made for purposes of description only and such reference shall include the same capital projects in any amended or subsequent capital program.

SECTION 2. BE IT FURTHER ENACTED that any general obligation bonds to be issued pursuant to this Act shall be issued and sold pursuant to Bond Issue Authorization Ordinances adopted in accordance with Section 823 of the Charter. Such bonds shall not be subject to the provision of Sections 10 and 11 of Article 31 of the Annotated Code of Maryland, as amended, replaced or recodified from time to time, but the County shall sell such bonds only by solicitation of competitive bids therefor at public sale in such manner and after giving such public notice as

1 the County Council by ordinance may determine. Such bonds may be sold for such price or
2 prices as may be determined to be in the best interest of the County, either at, above or below the
3 par value of any such bonds, and such bonds may be sold in conjunction with other series of
4 bonds issued by the County in which event the notice of sale soliciting bids for the purchase of
5 such bonds may require that the acceptance of any bid for any series of bonds be made
6 contingent upon the acceptance of the bid or bids on all or any of the series being offered by the
7 County for sale at the same time. When such bonds are sold in conjunction with other series of
8 bonds, the said notice of sale may also require that consolidated bids shall be submitted on any
9 two or more 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 Section 24 of Article 31 of the Annotated Code of Maryland, as
12 amended or supplemented from time to time or by any other applicable law, and all such
13 authority is intended to be available to the County to refund any indebtedness incurred pursuant
14 to this Act to the maximum extent provided by such authority.

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

19 SECTION 3. BE IT FURTHER ENACTED that the powers granted by this Act are
20 additional and cumulative and the bonds authorized to be issued pursuant to this Act may be
21 issued, notwithstanding that other bond acts or laws may provide for the issuance of other bonds
22 or the borrowing of money for the same or similar purposes on the same or other terms and
23 conditions. This Act shall be liberally construed to effectuate its purposes, namely, to authorize
24 the borrowing of money and the incurring of indebtedness to finance the described School
25 Projects set forth in this Act. Provisions of this Act shall be deemed met and satisfied if there is
26 substantial compliance with such provisions. This Act is not intended to provide or imply that
27 this Act or any prior act not containing a similar provision precludes the County from exercising
28 any power or prerogative provided by this Act or any other law whether exercised solely
29 pursuant to such other law or in conjunction with the powers provided by this Act so that,
30 without limiting the generality of this section, the County may exercise the power to issue (i)
31 bond anticipation notes (in anticipation of the issuance of bonds pursuant to this Act or

1 otherwise) and grant anticipation notes pursuant to Section 12 of Article 31 of the Annotated
2 Code of Maryland, as amended, replaced, or recodified from time to time, and (ii) bonds (or any
3 related bond anticipation or other notes) authorized by Sections 14-201 to 14-214, inclusive, of
4 Article 41 of the Annotated Code of Maryland, as amended, replaced, or recodified from time to
5 time, and in exercising such powers, the County may sell such notes or bonds at private
6 (negotiated) sale as authorized by these or any other applicable laws.

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

Adopted this 29th day of July, 2003.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Peter A. Shapiro
Chair

ATTEST:

Redis C. Floyd
Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Jack B. Johnson
County Executive