

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2008 Legislative Session

Bill No. CB-39-2008

Chapter No. 22

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

Introduced by Council Members Dean, Bland, Olson, Campos, Exum, Turner,
Knotts, Dernoga and Harrison

Date of Introduction June 17, 2008

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 Seven Hundred Five Million Sixty-Five Thousand Dollars (\$705,065,000), to finance
6 the construction, including the design, reconstruction, extension, acquisition, improvement,
7 enlargement, alteration, renovation, relocation, rehabilitation, repair or modernization, of school
8 buildings in the County; prescribing terms and conditions upon which bonds issued pursuant to
9 this Act shall be issued and sold and other incidental details with respect thereto; and providing
10 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 Seven Hundred Five Million Sixty-Five Thousand
16 Dollars (\$705,065,000), to finance the construction, including the design, reconstruction,
17 extension, acquisition, improvement, enlargement, alteration, renovation, relocation,
18 rehabilitation, repair or modernization, of school buildings in the County (the "School Projects"),
19 and including the architectural and engineering services incident thereto, and the acquisition and
20 installation of necessary permanent equipment therefor, such capital projects being determined to
21 be (and also being in fact) of the same generic class and being described in the Capital

1 Improvement Program of the County as amended for the fiscal years 2009 through 2014 under
2 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
Buried Fuel Tank Replacements	AA770985
Central Garage	AA771203
Central Garage/Transp. Dept Improvements	AA778691
CFC Control and A/C Modernization	AA773113
Code Corrections	AA779583
High School 4	AA779833
Hyattsville Area Elementary	AA779853
Land Acquisition	AA772953
Lead Remediation Projects	AA779827
Major Renovations Projects	AA779013
Major Repairs	AA779153
New Carrollton Area Elementary	AA778953
Northern Area Middle School	AA777013
Northern Area Alternative Education Center	AA779863
Open Space Pod Conversions	AA778651
Parking Lots/Driveways	AA774833
Science Classroom Renovations	AA779803
Site Evaluation and Testing	AA774483
State Planning Approval	AA772603
Southern Area Alternative Education Center	AA779873
Systemic Replacements 2	AA771023
Tall Oaks Career and Technology Center	AA779893

27 Reference to the County's Capital Improvement Program for the fiscal years 2009 through
28 2014 as amended is made for purposes of description only and such reference shall include the
29 same capital projects in any amended or subsequent capital program.

30 SECTION 2. BE IT FURTHER ENACTED that any general obligation bonds to be issued
31 pursuant to this Act shall be issued and sold pursuant to Bond Issue Authorization Ordinances

1 adopted in accordance with Section 823 of the Charter. Such bonds shall not be subject to the
2 provision of Sections 10 and 11 of Article 31 of the Annotated Code of Maryland, as amended,
3 replaced or recodified from time to time, but the County shall sell such bonds only by solicitation
4 of competitive bids therefor at public sale in such manner and after giving such public notice as
5 the County Council by ordinance may determine. Such bonds may be sold for such price or
6 prices as may be determined to be in the best interest of the County, either at, above or below the
7 par value of any such bonds, and such bonds may be sold in conjunction with other series of
8 bonds issued by the County in which event the notice of sale soliciting bids for the purchase of
9 such bonds may require that the acceptance of any bid for any series of bonds be made
10 contingent upon the acceptance of the bid or bids on all or any of the series being offered by the
11 County for sale at the same time. When such bonds are sold in conjunction with other series of
12 bonds, the said notice of sale may also require that consolidated bids shall be submitted on any
13 two or more of such series of bonds.

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

19 Such bonds may be issued in an amount sufficient to finance the costs of the School
20 Projects and the costs of issuance of such bonds. Prior to the application of the proceeds of such
21 bonds to finance the costs of the School Projects, the costs of issuance of such bonds for such
22 School Projects may be deducted from such proceeds.

23 SECTION 3. BE IT FURTHER ENACTED that the powers granted by this Act are
24 additional and cumulative and the bonds authorized to be issued pursuant to this Act may be
25 issued, notwithstanding that other bond acts or laws may provide for the issuance of other bonds
26 or the borrowing of money for the same or similar purposes on the same or other terms and
27 conditions. This Act shall be liberally construed to effectuate its purposes, namely, to authorize
28 the borrowing of money and the incurring of indebtedness to finance the described School
29 Projects set forth in this Act. Provisions of this Act shall be deemed met and satisfied if there is
30 substantial compliance with such provisions. This Act is not intended to provide or imply that
31 this Act or any prior act not containing a similar provision precludes the County from exercising

1 any power or prerogative provided by this Act or any other law whether exercised solely
2 pursuant to such other law or in conjunction with the powers provided by this Act so that,
3 without limiting the generality of this section, the County may exercise the power to issue (i)
4 bond anticipation notes (in anticipation of the issuance of bonds pursuant to this Act or
5 otherwise) and grant anticipation notes pursuant to Section 12 of Article 31 of the Annotated
6 Code of Maryland, as amended, replaced, or recodified from time to time, and (ii) bonds (or any
7 related bond anticipation or other notes) authorized by Sections 14-201 to 14-214, inclusive, of
8 Article 41 of the Annotated Code of Maryland, as amended, replaced, or recodified from time to
9 time, and in exercising such powers, the County may sell such notes or bonds at private
10 (negotiated) sale as authorized by these or any other applicable laws.

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

Adopted this 15th day of July, 2008.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Samuel H. Dean
Chairman

ATTEST:

Redis C. Floyd
Clerk of the Council

APPROVED:

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