

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2012 Legislative Session

Bill No. CB-51-2012

Chapter No. 43

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

Introduced by Council Members Harrison, Campos, Davis, Franklin, Lehman, Olson,
Patterson and Toles

Date of Introduction June 19, 2012

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 One Hundred Fifty-One Million Two Hundred Thirty-Two Thousand Dollars
6 (\$151,232,000), to finance the construction, including the design, reconstruction, extension,
7 acquisition, 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, One Hundred Fifty-One Million Two Hundred
16 Thirty-Two Thousand Dollars (\$151,232,000) 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 (and also being in fact) of the same generic class and being described in

1 the Capital Improvement Program of the County for the fiscal years 2013-2018, under the
 2 following headings, which descriptions are incorporated by reference as if set forth herein:

3	<u>Project Name</u>	<u>CIP-ID</u>
4	ADA Upgrades	AA770613
5	Avalon ES Replacement	AA770823
6	Central Garage	AA771203
7	Clinton Grove ES Replacement	AA770853
8	Crossland High Auditorium	AA770893
9	Doswell Brooks Elementary	AA775493
10	Eugene Burroughs MS Renovation	AA770023
11	Glenarden Woods ES Renovation	AA770043
12	Henry Ferguson ES Replacement	AA770833
13	High Point HS SEI Renovations	AA770423
14	Hyattsville Area Elementary	AA779853
15	Kitchen and Food Services	AA770313
16	Oxon Hill HS Replacement	AA779223
17	Playground Equipment	AA770623
18	Samuel Chase ES Replacement	AA770843
19	Secondary School Reform (SSR)	AA770083
20	Security Upgrades	AA770633
21	SSR-Bladensburg HS	AA770343
22	SSR-Central HS	AA770353
23	SSR-Crossland HS	AA770383
24	SSR-Duval HS	AA770323
25	SSR-Parkdale HS	AA770333
26	SSR-Potomac HS	AA770393
27	SSR-Suitland HS	AA770363
28	SSR-Surrattsville HS	AA770373

1 Reference to the County's Capital Improvement Program for the fiscal years 2013-2018 is
2 made for purposes of description only and such reference shall include the same capital projects
3 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 Section 823 of the Charter. Such bonds shall not be subject to the
7 provision of Sections 10 and 11 of Article 31 of the Annotated Code of Maryland, as amended,
8 replaced or recodified from time to time, but the County shall sell such bonds only by solicitation
9 of competitive bids therefor at public sale in such manner and after giving such public notice as
10 the County Council by ordinance may determine. Such bonds may be sold for such price or
11 prices as may be determined to be in the best interest of the County, either at, above or below the
12 par value of any such bonds, and such bonds may be sold in conjunction with other series of
13 bonds issued by the County in which event the notice of sale soliciting bids for the purchase of
14 such bonds may require that the acceptance of any bid for any series of bonds be made
15 contingent upon the acceptance of the bid or bids on all or any of the series being offered by the
16 County for sale at the same time. When such bonds are sold in conjunction with other series of
17 bonds, the said notice of sale may also require that consolidated bids shall be submitted on any
18 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 12-201 to 12-213, inclusive, of
13 the Economic Development Article of the Annotated Code of Maryland, as amended, replaced,
14 or recodified from time to time, and in exercising such powers, the County may sell such notes
15 or bonds at private (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 24th day of July, 2012.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Andrea C. Harrison
Chair

ATTEST:

Redis C. Floyd
Clerk of the Council

APPROVED:

DATE: _____

BY: _____
Rushern L. Baker, III
County Executive