

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2018 Legislative Session

Bill No. CB-33-2018

Chapter No. 23

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

Introduced by Council Members Davis, Turner, Taveras, Franklin and Patterson

Co-Sponsors _____

Date of Introduction July 2, 2018

BILL

1 AN ACT concerning

2 Borrowing to Finance Capital Projects for
3 County Buildings

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 \$97,564,000 to finance the design, construction, reconstruction, extension, acquisition,
7 improvement, enlargement, alteration, renovation, relocation, rehabilitation, or repair of County
8 Buildings including the acquisition of sites therefor; prescribing terms and conditions upon
9 which bonds issued pursuant to this Act shall be issued and sold and other incidental details with
10 respect thereto; providing generally for the issuance of such bonds and providing for such
11 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 \$97,564,000 to finance the design, construction,
17 reconstruction, extension, acquisition, improvement, enlargement, alteration, renovation,
18 relocation, rehabilitation, or repair of, County Buildings, including the acquisition and
19 development of sites therefor, the architectural and engineering services incident thereto, and the
20 acquisition and installation of necessary fixed permanent equipment therefor, all such capital
21 projects hereby being found to be (and also being in fact) of the same generic class and being

1 described in the capital program of the County for the fiscal years 2019-2024, under the
2 following headings, which descriptions are incorporated by reference as if set forth herein:

<u>CIP-ID</u>	<u>Project Name</u>
300123	COUNTY BUILDING RENOVATIONS II
300293	PRINCE GEORGE’S HOMELESS SHELTER
300712	DRIVER TRAINING FACILITY AND GUN RANGE
301004	COUNTY ADMINISTRATION BUILDING REFRESH
300313	REGIONAL ADMINISTRATION BUILDING
301003	SHEPARD’S COVE WOMENS SHELTER
700123	HEALTH FACILITIES RENOVATIONS
700034	REGIONAL HEALTH & HUMAN SERVICES CENTER
230123	ENTERPRISE RESOURCE PLANNING
050002	COURTHOUSE REOVATION & SECURITY UPGRADES
260101	COUNTY FOOD DISTRIBUTION AND PROCESSING CENTER

16 Reference to the County's capital program for the years 2019-2024 is made for purposes of
17 description only and such reference shall include the same capital projects in any amended or
18 subsequent capital program.

19 SECTION 2. BE IT FURTHER ENACTED that any general obligation bonds to be issued
20 pursuant to this Act shall be issued and sold pursuant to Bond Issue Authorization Ordinances
21 adopted in accordance with Sections 323 and 823 of the Charter and other applicable provisions
22 of MD. CODE ANN., LOCAL GOV’T. §§ 19-205 to 19-206, as amended, replaced, or re-codified
23 from time to time, but the County shall sell such bonds only by solicitation of competitive bids
24 therefor at public sale in such manner and after giving such public notice as the County Council
25 may by ordinance determine. Such bonds may be sold for such price or prices as may be
26 determined to be for the best interest of the County, either at, above or below the par value of
27 any such bonds, and such bonds may be sold in conjunction with other series of bonds issued by
28 the County in which event the notice of sale soliciting bids for the purchase of such bonds may
29 require that the acceptance of any bid for any series of bonds be made contingent upon the
30 acceptance of the bid or bids on all or any of the series being offered by the County for sale at
31 the same time. When such bonds are sold in conjunction with other series of bonds, the said

1 notice of sale may also require that consolidated bids shall be submitted on any two or more of
2 such series of bonds.

3 Nothing in this Act shall in any way limit the authority provided for the refunding of
4 County indebtedness by MD. CODE ANN., LOCAL GOV'T. §§ 19-205 to 19-206, as amended or
5 supplemented from time to time or by any other applicable law, and all such authority is intended
6 to be available to the County to refund any indebtedness incurred pursuant to this Act to the
7 maximum extent provided by such authority.

8 Such bonds may be issued in an amount sufficient to finance the costs of the County
9 Buildings and the cost of issuance of the bonds. Prior to the application of the proceeds of such
10 bonds to finance the costs of the County Buildings, the cost of issuance of such bonds for such
11 County Buildings may be deducted from such proceeds.

12 SECTION 3. BE IT FURTHER ENACTED that this Act shall be submitted to the legal
13 voters of the County, for their approval or disapproval, at the general election to be held in the
14 County on Tuesday, November 6, 2018. The question to be certified to the Board of Supervisors
15 of Elections of the County for inclusion on the ballot for said general election shall be in
16 substantially the following form:

17 COUNTY BUILDINGS BONDS

18 AN ACT enabling the County to borrow money and issue bonds in an amount not
19 exceeding \$97,564,000 to finance the design, construction, reconstruction, extension, acquisition,
20 improvement, enlargement, alteration, renovation, relocation, rehabilitation or repair of County
21 Buildings, as defined therein.

22 SECTION 4. BE IT FURTHER ENACTED that the powers granted by this Act are
23 additional and cumulative and the bonds to be issued pursuant to this Act may be issued,
24 notwithstanding that other bond acts or laws may provide for the issuance of other bonds or the
25 borrowing of money for the same or similar purposes on the same or other terms and conditions.
26 This Act shall be liberally construed to effectuate its purposes, namely, to authorize the
27 borrowing of money and the incurring of indebtedness to finance the described capital projects of
28 the same generic class set forth in this Act. Provisions of this Act shall be deemed met and
29 satisfied if there is substantial compliance with such provisions, including (without limitation)
30 provisions relating to the submission of any question to the legal voters of the County which are
31 intended only to provide fair and adequate notice to such voters and not to prescribe provisions

1 which must be literally satisfied. This Act is not intended to provide or imply that this act or any
2 prior act not containing a similar provision precludes the County from exercising any power or
3 prerogative provided by this Act or any other law whether exercised solely pursuant to such
4 other law or in conjunction with the powers provided by this Act so that, without limiting the
5 generality of this section, the County may exercise the power to issue (i) bond anticipation notes
6 (in anticipation of the issuance of bonds pursuant to this Act or otherwise) and grant anticipation
7 notes pursuant to MD. CODE ANN., LOCAL GOV'T. §§ 19-205 to 19-206, as amended, replaced, or
8 re-codified from time to time, and (ii) bonds (or any related bond anticipation or other notes)
9 authorized by MD. CODE ANN., LOCAL GOV'T. §§ 19-205 to 19-206, as amended, replaced, or re-
10 codified from time to time, and in exercising such powers, the County may sell such notes or
11 bonds at private (negotiated) sale as authorized by these or any other applicable laws.

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

Adopted this 24th day of July, 2018.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Dannielle M. Glaros
Chair

ATTEST:

Redis C. Floyd
Clerk of the Council

APPROVED:

DATE: _____

BY: _____
Rushern L. Baker, III
County Executive

APPROVED BY A MAJORITY OF THE VOTERS AT THE REFERENDUM ON
NOVEMBER 6, 2018, AS CERTIFIED BY THE BOARD OF ELECTIONS ON NOVEMBER
20, 2018.

EFFECTIVE: NOVEMBER 20, 2018