

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND**2016 Legislative Session**Bill No. CB-44-2016Chapter No. 36Proposed and Presented by The Chairman (by request – County Executive)Introduced by Council Members Glaros, Toles, Lehman, Harrison, Franklin, Taverasand PattersonDate of Introduction June 21, 2016**BILL**

1 AN ACT concerning

2 Borrowing to Finance Capital Projects for

3 Public Safety 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 \$66,591,000 to finance the design, construction, reconstruction, extension, acquisition,
7 improvement, enlargement, alteration, renovation, relocation, rehabilitation, or repair of Public
8 Safety Facilities (including Fire/EMS Department Facilities), including the acquisition of sites
9 therefor; prescribing terms and conditions upon which bonds issued pursuant to this Act shall be
10 issued and sold and other incidental details with respect thereto; providing generally for the
11 issuance of such bonds and providing for such borrowing to be submitted to a referendum of the
12 legal voters of the County.

13 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
14 Maryland, that Prince George's County, Maryland (the "County"), is hereby authorized, pursuant
15 to Section 323 of the Charter of Prince George's County, Maryland (the "Charter"), to borrow
16 money and incur indebtedness upon its full faith and credit, at any time and from time to time, in
17 an aggregate principal amount not exceeding \$66,591,000 to finance the design, construction,
18 reconstruction, extension, acquisition, improvement, enlargement, alteration, renovation,
19 relocation, rehabilitation, or repair of Public Safety 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

1 projects hereby being found to be (and also being in fact) of the same generic class and being
 2 described in the capital program of the County for the fiscal years 2017-2022, under the
 3 following headings, which descriptions are incorporated by reference as if set forth herein:

<u>CIP-ID</u>	<u>Project Name</u>
4 JT561573	Detention Center Housing Renovations
5 JT562173	Medical Unit Renovation & Expansion
6 KJ501233	District IX Station
7 KJ500213	Forensics Lab Renovations
8 KJ500713	Police Station Renovations
9 KJ500123	Training/Administrative Headquarters
10 LK510651	Fire Station Renovations
11 LK510648	Fire Station Roof Renovations
12 LK510010	Hyattsville Fire/EMS #801
13 LK510330	Kentland Fire/EMS #833
14 LK511173	Kentland Fire/EMS #846
15 LK511153	Marlboro Fire/EMS #845
16 LK562173	Medical Unit Renovation & Expansion
17 LK510833	Oxon Hill Fire Station
18 LK510083	Shady Glen Fire/EMS
19 LK510700	Water Storage Tanks
20 LQ510601	Training Academy

21 Reference to the County's capital program for the fiscal years 2017-2022 is made for
 22 purposes of description only and such reference shall include the same capital projects in any
 23 amended or subsequent capital program.
 24

25 SECTION 2. BE IT FURTHER ENACTED that any general obligation bonds to be issued
 26 pursuant to this Act shall be issued and sold pursuant to Bond Issue Authorization Ordinances
 27 adopted in accordance with Sections 323 and 823 of the Charter and other applicable provisions
 28 of MD. CODE ANN., LOCAL GOV'T. §§ 19-205 to 19-206 (2016), as amended, replaced, or
 29 recodified from time to time, but the County shall sell such bonds only by solicitation of
 30 competitive bids therefor at public sale in such manner and after giving such public notice as the
 31 County Council may by ordinance determine. Such bonds may be sold for such price or prices

1 as may be determined to be for the best interest of the County, either at, above or below the par
 2 value of any such bonds, and such bonds may be sold in conjunction with other series of bonds
 3 issued by the County in which event the notice of sale soliciting bids for the purchase of such
 4 bonds may require that the acceptance of any bid for any series of bonds be made contingent
 5 upon the acceptance of the bid or bids on all or any of the series being offered by the County for
 6 sale at the same time. When such bonds are sold in conjunction with other series of bonds, the
 7 said notice of sale may also require that consolidated bids shall be submitted on any two or more
 8 of such series of bonds.

9 Nothing in this Act shall in any way limit the authority provided for the refunding of
 10 County indebtedness by MD. CODE ANN., LOCAL GOV'T. § 19-207 (2016), as amended or
 11 supplemented from time to time or by any other applicable law, and all such authority is intended
 12 to be available to the County to refund any indebtedness incurred pursuant to this Act to the
 13 maximum extent provided by such authority.

14 Such bonds may be issued in an amount sufficient to finance the costs of the Public Safety
 15 Facilities and the cost of issuance of the bonds. Prior to the application of the proceeds of such
 16 bonds to finance the costs of the Public Safety Facilities, the cost of issuance of such bonds for
 17 such Public Safety Facilities may be deducted from such proceeds.

18 SECTION 3. BE IT FURTHER ENACTED that this Act shall be submitted to the legal
 19 voters of the County, for their approval or disapproval, at the general election to be held in the
 20 County on Tuesday, November 8, 2016. The question to be certified to the Board of Supervisors
 21 of Elections of the County for inclusion on the ballot for said general election shall be in
 22 substantially the following form:

23 **PUBLIC SAFETY FACILITIES BONDS**

24 AN ACT enabling the County to borrow money and issue bonds in an amount not
 25 exceeding \$66,591,000 to finance the design, construction, reconstruction, extension, acquisition,
 26 improvement, enlargement, alteration, renovation, relocation, rehabilitation or repair of Public
 27 Safety Facilities (including Fire/EMS Department Facilities), as defined therein.

28 SECTION 4. BE IT FURTHER ENACTED that the powers granted by this Act are
 29 additional and cumulative and the bonds to be issued pursuant to this Act may be issued,
 30 notwithstanding that other bond acts or laws may provide for the issuance of other bonds or the
 31 borrowing of money for the same or similar purposes on the same or other terms and conditions.

1 This Act shall be liberally construed to effectuate its purposes, namely, to authorize the
2 borrowing of money and the incurring of indebtedness to finance the described capital projects of
3 the same generic class set forth in this Act. Provisions of this Act shall be deemed met and
4 satisfied if there is substantial compliance with such provisions, including (without limitation)
5 provisions relating to the submission of any question to the legal voters of the County which are
6 intended only to provide fair and adequate notice to such voters and not to prescribe provisions
7 which must be literally satisfied. This Act is not intended to provide or imply that this act or any
8 prior act not containing a similar provision precludes the County from exercising any power or
9 prerogative provided by this Act or any other law whether exercised solely pursuant to such
10 other law or in conjunction with the powers provided by this Act so that, without limiting the
11 generality of this section, the County may exercise the power to issue (i) bond anticipation notes
12 (in anticipation of the issuance of bonds pursuant to this Act or otherwise) and grant anticipation
13 notes pursuant to MD. CODE ANN., LOCAL GOV'T. §§ 19-212 (2016), as amended, replaced, or
14 recodified from time to time, and (ii) bonds (or any related bond anticipation or other notes)
15 authorized by MD. CODE ANN., ECON. DEV. §§ 12-201 to 12-213 (2016), as amended, replaced,
16 or recodified from time to time, and in exercising such powers, the County may sell such notes
17 or bonds at private (negotiated) sale as authorized by these or any other applicable laws.

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

Adopted this 19th day of July, 2016.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Derrick Leon Davis
Chairman

ATTEST:

Redis C. Floyd
Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Rushern L. Baker, III
County Executive

APPROVED BY A MAJORITY OF THE VOTERS ON 11/8/2016; AS CERTIFIED BY THE BOARD OF ELECTIONS ON 11/30/2016.

EFFECTIVE DATE: 11/30/2016