

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND**  
**2006 Legislative Session**

Bill No. CB-55-2006

Chapter No. 45

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

Introduced by Council Members Dernoga, Peters, Knotts, Dean, Exum, Harrington,  
Campos and Bland

Date of Introduction June 20, 2006

**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 Thirty-one Million Six Hundred-two Thousand Dollars (\$131,602,000),  
 6 to 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 One Hundred Thirty-one Million Six Hundred-two  
 16 Thousand Dollars (\$131,602,000) 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 2007 through 2012 under the following headings, which descriptions are incorporated by reference as if set forth herein:

<u>Project Name</u>	<u>CIP-ID</u>
Adelphi Elementary Partial Renovation	AA778621
Asbestos Ceiling Tile Replacement	AA774563
Buried Fuel Tanks	AA770985
Central Garage	AA771206
Central Garage Tranp. Dept. Impr.	AA778691
CFC Control and AC Modernization	AA773113
Code Corrections	AA779583
Doswell Brooks Elementary	AA775493
Dr. Henry Wise Jr. High	AA775593
HS Classroom Additions @ Duval	AA779073
HS Classroom Additions @ Parkdale	AA779053
HS Classroom Additions @ Potomac	AA779063
Land Acquisition	AA772953
Laurel HS Auditorium	AA779825
Laurel-Beltsville Area Elementary School	AA778250
Lead Remediation Projects	AA779827
Major Renovation Projects	AA779013
Major Repairs	AA779153
Open Space Pods	AA778651
Oxon Hill HS Replacement	AA779223
Parking Lots/Driveways	AA774833
Relocatable Classroom Replacements	AA779343
School Facility Planning	AA772603
Science Classroom Renovations	AA779803
Site Evaluation and Testing	AA778591
Systemic Renovations	AA779163
Transitional School District 4	AA776123

1       Reference to the County's Capital Improvement Program for the fiscal years 2007 through  
2       2012 as amended is made for purposes of description only and such reference shall include the  
3       same capital projects 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 14-201 to 14-214, inclusive, of  
13 Article 41 of the Annotated Code of Maryland, as amended, replaced, or recodified from time to  
14 time, and in exercising such powers, the County may sell such notes or bonds at private  
15 (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 18th day of July, 2006.

COUNTY COUNCIL OF PRINCE  
GEORGE'S COUNTY, MARYLAND

BY: \_\_\_\_\_  
Thomas E. Dernoga  
Chairman

ATTEST:

\_\_\_\_\_  
Redis C. Floyd  
Clerk of the Council

APPROVED:

DATE: \_\_\_\_\_ BY: \_\_\_\_\_  
Jack B. Johnson  
County Executive