

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2014 Legislative Session

Bill No. CB-47-2014
 Chapter No. 36
 Proposed and Presented by The Chairman (by request – County Executive)
 Introduced by Council Members Franklin, Davis, Lehman and Turner
 Co-Sponsors _____
 Date of Introduction June 30, 2014

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 \$238,182,000 to finance the design, construction, reconstruction, extension,
 7 acquisition, improvement, enlargement, alteration, renovation, relocation, rehabilitation, or repair
 8 of County Buildings including the acquisition of sites therefor; prescribing terms and conditions
 9 upon which bonds issued pursuant to this Act shall be issued and sold and other incidental details
 10 with 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 \$238,182,000 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 2015-2020, under the
 2 following headings, which descriptions are incorporated by reference as if set forth herein:

<u>CIP-ID</u>	<u>Project Name</u>
SQ300123	County Building Renovations II
SQ300313	Regional Administration Building
SQ300323	Emergency Command Center
SR300533	Records Management System
SP301103	Promise Place Children’s Shelter
SQ301123	Energy Upgrades
SQ301133	Domestic Violence/Human Trafficking Shelter
SP301003	Shepherd’s Cove Womens Shelter
NX543012	North County Animal Shelter
VR230123	Enterprise Resource Planning
II700034	Regional Health & Human Services Ctr.
MI809723	Doctors Community Hospital

17 Reference to the County's capital program for the years 2015-2020 is made for purposes of
 18 description only and such reference shall include the same capital projects in any amended or
 19 subsequent capital program.

20 SECTION 2. BE IT FURTHER ENACTED that any general obligation bonds to be issued
 21 pursuant to this Act shall be issued and sold pursuant to Bond Issue Authorization Ordinances
 22 adopted in accordance with Sections 323 and 823 of the Charter and other applicable provisions
 23 of Md. Code Ann., Local Gov’t §§ 19-205 and 19-206 (2013), as amended, replaced, or
 24 recodified from time to time, but the County shall sell such bonds only by solicitation of
 25 competitive bids therefor at public sale in such manner and after giving such public notice as the
 26 County Council may by ordinance determine. Such bonds may be sold for such price or prices
 27 as may be determined to be for the best interest of the County, either at, above or below the par
 28 value of any such bonds, and such bonds may be sold in conjunction with other series of bonds
 29 issued by the County in which event the notice of sale soliciting bids for the purchase of such
 30 bonds may require that the acceptance of any bid for any series of bonds be made contingent
 31 upon the acceptance of the bid or bids on all or any of the series being offered by the County for

1 sale at the same time. When such bonds are sold in conjunction with other series of bonds, the
 2 said notice of sale may also require that consolidated bids shall be submitted on any two or more
 3 of such series of bonds.

4 Nothing in this Act shall in any way limit the authority provided for the refunding of
 5 County indebtedness by Md. Code Ann., Local Gov't § 19-207 (2013), as amended or
 6 supplemented from time to time or by any other applicable law, and all such authority is intended
 7 to be available to the County to refund any indebtedness incurred pursuant to this Act to the
 8 maximum extent provided by such authority.

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

13 SECTION 3. BE IT FURTHER ENACTED that this Act shall be submitted to the legal
 14 voters of the County, for their approval or disapproval, at the general election to be held in the
 15 County on Tuesday, November 4, 2014. The question to be certified to the Board of Supervisors
 16 of Elections of the County for inclusion on the ballot for said general election shall be in
 17 substantially the following form:

18 COUNTY BUILDINGS BONDS

19 AN ACT enabling the County to borrow money and issue bonds in an amount not
 20 exceeding \$238,182,000 to finance the design, construction, reconstruction, extension,
 21 acquisition, improvement, enlargement, alteration, renovation, relocation, rehabilitation or repair
 22 of County Buildings, as defined therein.

23 SECTION 4. BE IT FURTHER ENACTED that the powers granted by this Act are
 24 additional and cumulative and the bonds to be issued pursuant to this Act may be issued,
 25 notwithstanding that other bond acts or laws may provide for the issuance of other bonds or the
 26 borrowing of money for the same or similar purposes on the same or other terms and conditions.
 27 This Act shall be liberally construed to effectuate its purposes, namely, to authorize the
 28 borrowing of money and the incurring of indebtedness to finance the described capital projects of
 29 the same generic class set forth in this Act. Provisions of this Act shall be deemed met and
 30 satisfied if there is substantial compliance with such provisions, including (without limitation)
 31 provisions relating to the submission of any question to the legal voters of the County which are

1 intended only to provide fair and adequate notice to such voters and not to prescribe provisions
2 which must be literally satisfied. This Act is not intended to provide or imply that this Act or
3 any prior Act not containing a similar provision precludes the County from exercising any power
4 or prerogative provided by this Act or any other law whether exercised solely pursuant to such
5 other law or in conjunction with the powers provided by this Act so that, without limiting the
6 generality of this section, the County may exercise the power to issue (i) bond anticipation notes
7 (in anticipation of the issuance of bonds pursuant to this Act or otherwise) and grant anticipation
8 notes pursuant to Md. Code Ann., Local Gov't §§ 19-205 and 19-206 (2013), as amended,
9 replaced, or recodified from time to time, and (ii) bonds (or any related bond anticipation or
10 other notes) authorized by Md. Code Ann., Econ. Dev. §§ 12-201 and 19-213 (2014), as
11 amended, replaced, or recodified from time to time, and in exercising such powers, the County
12 may sell such notes or bonds at private (negotiated) sale as authorized by these or any other
13 applicable laws.

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

Adopted this 23rd day of July, 2014.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Mel Franklin
Chairman

ATTEST:

Redis C. Floyd
Clerk of the Council

APPROVED:

DATE: _____

BY: _____
Rushern L. Baker, III
County Executive