

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

Bill No. CB-34-2018

Chapter No. 24

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

Introduced by Council Members Glaros, Toles, Davis, Lehman, Turner,
Taveras, Franklin and Patterson

Date of Introduction July 2, 2018

BILL

1 AN ACT concerning

2 Borrowing to Finance Capital Projects for
3 Prince George's Community College

4 For the purpose of authorizing Prince George's County, Maryland, to borrow money upon
5 its full faith and credit at any time and from time to time, in an aggregate principal amount not
6 exceeding \$81,187,000 to finance the design, construction, reconstruction, extension, acquisition,
7 improvement, enlargement, alteration, renovation, relocation, rehabilitation, or repair of
8 Community College Facilities, including the acquisition of sites therefor; prescribing terms and
9 conditions upon which bonds issued pursuant to this Act shall be issued and sold and other
10 incidental details with respect thereto; providing generally for the issuance of such bonds and
11 providing for such 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 \$81,187,000 to finance the design, construction,
17 reconstruction, extension, acquisition, improvement, enlargement, alteration, renovation,
18 relocation, rehabilitation, or repair of, Community College Facilities, including the acquisition
19 and development of sites therefor, the architectural and engineering services incident thereto, and
20 the 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

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

24	<u>CIP-ID</u>	<u>Project Name</u>
25	852213	COLLEGE IMPROVEMENTS
26	852950	BLADEN HALL RENOVATION
27	852313	HEALTH AND WELLNESS CENTER
28	852333	NORTH PARKING GARAGE
29	852303	CULINARY ARTS CENTER
30	852323	LARGO STUDENT CENTER RENOVATION
31	851103	KENT HALL RENOVATION AND ADDITION

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

35 SECTION 2. BE IT FURTHER ENACTED that any general obligation bonds to be issued
36 pursuant to this Act shall be issued and sold pursuant to Bond Issue Authorization Ordinances
37 adopted in accordance with Sections 323 and 823 of the Charter and other applicable provisions
38 of MD. CODE ANN., LOCAL GOV'T. §§ 19-205 to 19-206, as amended, replaced, or re-codified
39 from time to time, but the County shall sell such bonds only by solicitation of competitive bids
40 therefor at public sale in such manner and after giving such public notice as the County Council
41 may by ordinance determine. Such bonds may be sold for such price or prices as may be
42 determined to be for the best interest of the County, either at, above or below the par value of
43 any such bonds, and such bonds may be sold in conjunction with other series of bonds issued by
44 the County in which event the notice of sale soliciting bids for the purchase of such bonds may
45 require that the acceptance of any bid for any series of bonds be made contingent upon the
46 acceptance of the bid or bids on all or any of the series being offered by the County for sale at
47 the same time. When such bonds are sold in conjunction with other series of bonds, the said
48 notice of sale may also require that consolidated bids shall be submitted on any two or more of
49 such series of bonds.

50 Nothing in this Act shall in any way limit the authority provided for the refunding of
51 County indebtedness by MD. CODE ANN., LOCAL GOV'T. §§ 19-205 to 19-206, as amended or
52 supplemented from time to time or by any other applicable law, and all such authority is intended

53 to be available to the County to refund any indebtedness incurred pursuant to this Act to the
54 maximum extent provided by such authority.

55 Such bonds may be issued in an amount sufficient to finance the costs of the Community
56 College Facilities and the cost of issuance of the bonds. Prior to the application of the proceeds
57 of such bonds to finance the costs of the Community College Facilities, the cost of issuance of
58 such bonds for such Community College Facilities may be deducted from such proceeds.

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

64 COMMUNITY COLLEGE FACILITIES BONDS

65 AN ACT enabling the County to borrow money and issue bonds in an amount not
66 exceeding \$81,187,000 to finance the design, construction, reconstruction, extension, acquisition,
67 improvement, enlargement, alteration, renovation, relocation, rehabilitation or repair of
68 Community College Facilities, as defined therein.

69 SECTION 4. BE IT FURTHER ENACTED that the powers granted by this Act are
70 additional and cumulative and the bonds to be issued pursuant to this Act may be issued,
71 notwithstanding that other bond acts or laws may provide for the issuance of other bonds or the
72 borrowing of money for the same or similar purposes on the same or other terms and conditions.
73 This Act shall be liberally construed to effectuate its purposes, namely, to authorize the
74 borrowing of money and the incurring of indebtedness to finance the described capital projects of
75 the same generic class set forth in this Act. Provisions of this Act shall be deemed met and
76 satisfied if there is substantial compliance with such provisions, including (without limitation)
77 provisions relating to the submission of any question to the legal voters of the County which are
78 intended only to provide fair and adequate notice to such voters and not to prescribe provisions
79 which must be literally satisfied. This Act is not intended to provide or imply that this act or any
80 prior act not containing a similar provision precludes the County from exercising any power or
81 prerogative provided by this Act or any other law whether exercised solely pursuant to such
82 other law or in conjunction with the powers provided by this Act so that, without limiting the
83 generality of this section, the County may exercise the power to issue (i) bond anticipation notes

84 (in anticipation of the issuance of bonds pursuant to this Act or otherwise) and grant anticipation
85 notes pursuant to MD. CODE ANN., LOCAL GOV'T. §§ 19-205 to 19-206, as amended, replaced, or
86 re-codified from time to time, and (ii) bonds (or any related bond anticipation or other notes)
87 authorized by MD. CODE ANN., LOCAL GOV'T. §§ 19-205 to 19-206, of the Annotated Code of
88 Maryland, as amended, replaced, or re-codified from time to time, and in exercising such
89 powers, the County may sell such notes or bonds at private (negotiated) sale as authorized by
90 these or any other applicable laws.

91 SECTION 5. BE IT FURTHER ENACTED that this Act shall become effective
92 immediately upon the date of the official certification of its approval by the voters at said general
93 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