

Introduced: Mr. Putens
1st Reading: June 20, 2005
Passed: July 11, 2005
Posted: July 12, 2005
Effective: July 11, 2005

RESOLUTION NUMBER 985

A RESOLUTION TO EXPRESS SUPPORT FOR PRINCE GEORGE'S COUNTY TO
CREATE A DEVELOPMENT DISTRICT AND SPECIAL TAXING DISTRICT IN
ACCORDANCE WITH THE ANNOTATED CODE OF MARYLAND, THE LAWS OF
MARYLAND, AND THE PRINCE GEORGE'S COUNTY CODE

WHEREAS, Greenbelt Metropark L.L.C. and Metroland Developers, LLC (together, the "Developers") have requested that Prince George's County, Maryland (the "County") participate in a financing of the acquisition and construction of certain public infrastructure improvements to be located within a residential and commercial development of approximately 168.64 acres to be generally known as "Greenbelt Station", which includes public improvements to be located on certain property situated, in part, within the boundaries of the City of Greenbelt, Maryland (the "City"); and

WHEREAS, the public improvements proposed to be constructed by the Developers include, without limitation, the construction of parking garages located near the Greenbelt Station for the Washington Metro system, certain roadways and roadway improvements, including a contribution towards the construction of two additional ramps at the Greenbelt Metro Station, sewer and water extensions, grading, excavation and the purchase of land for rights-of-way needed for road improvements; and

WHEREAS, in order to finance such public improvements, the Developers have requested that the County authorize, issue and sell its special obligation bonds (the "Bonds") in one or more series pursuant to Sections 14-201 through 14-214, inclusive, of Article 41 of the Annotated Code of Maryland (1997 Replacement Volume and 2004 Supplement), as amended (the "Tax Increment Act") and Chapter 549 of the Laws of Maryland 1995 (Article 17, Division 13, Section 10-268 of the Public Local Laws of the State of Maryland), recodified as Section 10-269 of the Prince George's County Code, as amended, and Section 9-1301 of Article 24 of the Annotated Code of Maryland, as amended (2001 Replacement Volume and 2004 Supplement) (collectively, the "Special Taxing District Act"); and

WHEREAS, prior to issuing such Bonds, the County must designate a contiguous area within its jurisdiction as a "development district" pursuant to the Tax Increment Act and as a "special taxing district" pursuant to the Special Taxing District Act, including property which is located, in part, within the City; and

WHEREAS, Section 14-206 of the Tax Increment Act requires that, if the County designates an area which is wholly or partly within the corporate limits of a municipality, a resolution of the governing body of the municipality approving the tax increment district is also required to establish the tax increment district; and

WHEREAS, Subsection 9-1301(p) of Article 24 of the Annotated Code of Maryland, as amended, and Subsection 10-269(o) of the Prince George's County Code, as amended, together comprising, in part, the Special Taxing District Act, similarly requires that, before the County may designate an area wholly or partly within a municipal corporation as a special taxing district, the governing body of the municipal corporation must give its consent to the designation; and

WHEREAS, the Developers have requested that the City give its approval and consent in accordance with the Tax Increment Act and the Special Taxing District Act to the establishment by the County of a tax increment district to be known as "Greenbelt Station Tax Increment District" and to the establishment by the County of a special taxing district to be known as "Greenbelt Station Special Taxing District." NOW, THEREFORE,

BE IT RESOLVED by the City Council of the City of Greenbelt, Maryland, that:

1. The City Council, acting by and on behalf of the City, hereby consents to and approves the establishment by the County of the Greenbelt Station Tax Increment District and the Greenbelt Station Special Taxing District in accordance with the Tax Increment Act and the Special Taxing District Act, the boundaries of which shall include such portions of land located within the boundaries of the City as shall be determined by resolution or ordinance enacted or adopted by the County Council of the County establishing a tax increment district and a special taxing district in accordance with the Tax Increment Act and the Special Taxing District Act.

2. This resolution shall take effect immediately upon its adoption.

PASSED by the Council of the City of Greenbelt, Maryland, at its regular meeting of July 11, 2005.

Judith F. Davis, Mayor

ATTEST:

Kathleen Gallagher, City Clerk