

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND**  
**2012 Legislative Session**

Resolution No. CR-88-2012

Proposed by The Chair (by request – County Executive)

Introduced by Council Members Harrison and Franklin

Co-Sponsors \_\_\_\_\_

Date of Introduction November 7, 2012

**RESOLUTION**

1 A RESOLUTION concerning

2 Town Center at Camp Springs Development District

3 For the purpose of designating a contiguous area within Prince George’s County, Maryland (the

4 “County”) as a “development district” as that term is used in Sections 12-201 through 12-213,

5 inclusive, of the Economic Development Article of the Annotated Code of Maryland, as

6 amended (the “Tax Increment Financing Act”), such development district to be located in an

7 unincorporated area of the County known as Camp Springs, Maryland and to be known as the

8 “Town Center at Camp Springs Development District”; providing for, and determining, various

9 matters in connection with the establishment of a development district, creating a tax increment

10 fund with respect to the development district, and allocating certain property taxes with respect

11 to the development district to be paid over to the tax increment fund as provided in the Tax

12 Increment Financing Act; making certain findings and determinations with respect to the tax

13 increment fund and the uses of such fund; providing that special obligation bonds may be issued

14 from time to time pursuant to an ordinance or ordinances enacted in accordance with the Tax

15 Increment Financing Act and secured by the tax increment fund; and generally relating to the

16 Town Center at Camp Springs Development District.

17 WHEREAS, the Tax Increment Financing Act constitutes those provisions of Maryland law

18 authorizing the County to establish a “development district” (as that term is used in the Tax

19 Increment Financing Act) and a tax increment fund into which the taxes representing the levy on

20 the Tax Increment (hereinafter defined) for the Development District (hereinafter defined) are

21 deposited; and

22 WHEREAS, the owners of the real property in the proposed Town Center at Camp Springs

1 Development District plan to construct commercial office space for a federal agency tenant; a  
2 parking garage; retail, commercial and park facilities; and residential units; and

3 WHEREAS, the County encompasses approximately 33 percent of the land area in the  
4 Washington, D.C. metropolitan area and accounts for only 5 percent of federally-occupied office  
5 space in the Washington, D.C. metropolitan area; and

6 WHEREAS, pursuant to CR-87-2008, the County Council of Prince George's County,  
7 Maryland supported the location and relocation of federal agencies to the County in order to  
8 address the growing disparity of federally-occupied office space in the County and other areas of  
9 the Washington, D.C. metropolitan area, including other suburban jurisdictions in Maryland and  
10 northern Virginia, and resolved that the County is prepared to employ economic incentives to  
11 facilitate the location and relocation of federal agencies to the County; and

12 WHEREAS, such development will further economic development within the County and  
13 thus meet the public purposes contemplated by the Tax Increment Financing Act; and

14 WHEREAS, the Tax Increment Financing Act authorizes the County to issue special  
15 obligation bonds from time to time for the purpose of providing funds to be used to fulfill one or  
16 more of the purposes of said Act; and

17 WHEREAS, the County expects to issue special obligation bonds in one or more series to  
18 finance parking facilities, roads, streets, water and sewer utilities and related infrastructure  
19 improvements; and

20 WHEREAS, if the County issues its special obligation bonds upon enactment of an  
21 ordinance or ordinances such ordinance or ordinances will provide that the special obligation  
22 bonds shall be secured by a pledge of the taxes representing the levy on the Tax Increment (the  
23 "County Taxes") and any other revenues pledged by the County as more specifically provided  
24 for therein.

25 SECTION 1. NOW, THEREFORE, BE IT RESOLVED by the County Council of Prince  
26 George's County, Maryland, that for the purposes of this Resolution, the terms defined in the  
27 recitals shall have the meanings therein set forth and, in addition, the following terms shall have  
28 the meanings set forth below:

29 (1) "Adjusted Assessable Base" means the fair market value of real property that  
30 qualifies for a farm or agricultural use under Section 8-209 of the Tax-Property Article, without  
31 regard to the agricultural use assessment of the property as of January 1 of that year preceding

1 the effective date of the resolution creating the Development District under Section 12-203 of the  
2 Tax Increment Financing Act.

3 (2) "Assessable Base" means the total assessable base, as determined by the  
4 Supervisor of Assessments, of all real property subject to taxation in the Development District.

5 (3) "Assessment Ratio" means a real property tax assessment ratio, however  
6 designated or calculated, that is used or applied under applicable general law to determine the  
7 Assessable Base including the assessment percentage as provided under § 8-103(c) of the Tax-  
8 Property Article.

9 (4) "Bonds" includes any revenue bonds or bond, notes or note, or other similar  
10 instruments or instrument issued by the County pursuant to and in accordance with this  
11 Resolution and the Tax Increment Financing Act.

12 (5) "Development District" means the contiguous area in the County designated in  
13 Section 3 of this Resolution as a development district under the Tax Increment Financing Act.

14 (6) "Original Assessable Base" means the Assessable Base as of January 1 of the year  
15 preceding the effective date of this Resolution, which is January 1, 2011.

16 (7) "Original Full Cash Value" means the dollar amount that is determined by  
17 dividing the Original Assessable Base by the Assessment Ratio used to determine the Original  
18 Assessable Base.

19 (8) "Original Taxable Value" means, for any Tax Year, the dollar amount that is:

20 (a) The Adjusted Assessable Base, if an Adjusted Assessable Base applies; or

21 (b) In all other cases, the lesser of:

22 (i) The product of multiplying the Original Full Cash Value by the  
23 Assessment Ratio applicable to that Tax Year; and

24 (ii) The Original Assessable Base.

25 (9) "Tax Increment" means for any Tax Year, the amount by which the Assessable  
26 Base as of January 1 preceding that Tax Year exceeds the Original Taxable Value divided by the  
27 Assessment Ratio used to determine the Original Taxable Value.

28 (10) "Tax Increment Fund" means the tax increment fund established in Section 5 of  
29 this Resolution.

30 (11) "Tax Year" means the period from July 1 of a calendar year through June 30th of  
31 the next calendar year.

1 SECTION 2. BE IT FURTHER RESOLVED, that acting pursuant to the Tax Increment  
2 Financing Act, it is hereby found and determined that the establishment of the Development  
3 District, the creation of the Tax Increment Fund and the issuance of Bonds from time to time  
4 pursuant to the Tax Increment Financing Act, all for the purpose of providing funds to finance  
5 the costs of parking facilities, roads, streets, water and sewer utilities and related infrastructure  
6 improvements accomplishes the public purposes of the Tax Increment Financing Act, and  
7 generally promotes the health, welfare and safety of the residents of the State of Maryland and of  
8 the County, and furthers the County's goal of facilitating the location and relocation of federal  
9 agencies to the County pursuant to CR-87-2008.

10 SECTION 3. BE IT FURTHER RESOLVED, that a contiguous area of the County  
11 consisting of the property set forth on Exhibit A attached hereto is hereby designated as a  
12 "Development District" (to be known as the "Town Center at Camp Springs Development  
13 District") pursuant to Section 12-203 of the Tax Increment Financing Act. The Development  
14 District shall consist of the property described in Exhibit A of this Resolution and all adjoining  
15 roads, highways, alleys, rights of way and other similar property in order to form a contiguous  
16 area as shown on the plat attached hereto as Exhibit B and submitted to the County Council  
17 together with this Resolution. The boundaries of the Development District may be further  
18 specified or modified prior to and after the issuance of the Bonds as provided in Section 4 of this  
19 Resolution.

20 SECTION 4. BE IT FURTHER RESOLVED, that prior to the issuance of the Bonds, the  
21 County Executive may, by executive order, reduce or enlarge the boundaries of the Development  
22 District by not more than two acres or further specify the description of such boundaries. After  
23 the issuance of the Bonds, the County Executive, by executive order, may enlarge the boundaries  
24 of the Development District but may not reduce the size of such District so long as there are any  
25 Bonds outstanding pursuant to the Tax Increment Financing Act and this Resolution, unless the  
26 ordinance with respect to such Bonds permits the County to reduce the area constituting the  
27 Development District or the holders of the Bonds or a representative on their behalf consents to  
28 any such reduction.

29 SECTION 5. BE IT FURTHER RESOLVED, that there is hereby established a special  
30 fund to be designated the "Town Center at Camp Springs Development District Tax Increment  
31 Fund" (the "Tax Increment Fund") with respect to the Town Center at Camp Springs

1 Development District and the County Executive, the Chief Administrative Officer and the  
2 Financial Officer of the County are hereby directed and authorized to deposit in such Tax  
3 Increment Fund all taxes received by the County for any Tax Year commencing after the  
4 effective date of this Resolution equal to that portion of the taxes payable to the County (but not  
5 including any taxes payable to the State of Maryland or to any other party) representing the levy  
6 on the Tax Increment that would normally be paid to the County. The County Executive, the  
7 Chief Administrative Officer and the Financial Officer and other officers and employees of the  
8 County, to the extent applicable, are hereby authorized to take all necessary steps in order to  
9 establish a separate fund to be held by the County. Prior to the issuance of the Bonds, the Tax  
10 Increment Fund may be used by the County for any of the purposes set forth in Section 12-209 of  
11 the Tax Increment Financing Act, including payments to the County for any legal purpose.

12 SECTION 6. BE IT FURTHER RESOLVED, that Bonds may be issued from time to time  
13 pursuant to an ordinance or ordinances enacted in accordance with the Tax Increment Financing  
14 Act for the purpose of providing funds for the financing of certain parking facilities and  
15 infrastructure improvements. Such ordinance or ordinances shall specify, in general detail, the  
16 improvements to be financed through the issuance of the Bonds and the nature and extent of any  
17 pledge of County revenues for the payment of debt service on the Bonds, and shall otherwise  
18 conform to the applicable requirements of the Tax Increment Financing Act and this Resolution.

19 SECTION 7. BE IT FURTHER RESOLVED, that the County hereby covenants and  
20 pledges that if any Bonds issued under the Tax Increment Financing Act with respect to the  
21 Development District are outstanding, the property taxes on real property within the  
22 Development District shall be divided so that (i) that portion of the taxes which would be  
23 produced by the rate at which taxes levied each year by the County upon the Original Taxable  
24 Value shall be allocated to and when collected paid into the funds of the County in the same  
25 manner as taxes by or for the County on all other property are paid and (ii) that portion of the  
26 taxes representing the levy on the Tax Increment that would normally be paid to the County (but  
27 not including any taxes payable to the State of Maryland or to any other party) shall be paid into  
28 the Tax Increment Fund established hereunder to be applied in accordance with the provisions of  
29 Section 12-209 of the Tax Increment Financing Act. The County acknowledges that neither the  
30 rate at which taxes are levied on real property within the Development District nor the manner of  
31 assessment of the value of real property within the Development District is to vary from the rate

1 or manner of assessment that otherwise would have applied if the Development District were not  
2 designated and the Tax Increment Fund not created, except to the extent that a specific valuation  
3 adjustment is mandated by the Tax Increment Financing Act for real property that qualifies for  
4 farm or agricultural use.

5 SECTION 8. BE IT FURTHER RESOLVED, that the provisions of this Resolution are  
6 severable, and if any provision, sentence, clause, section or part hereof is held or determined to  
7 be illegal, invalid or unconstitutional or inapplicable to any person or circumstances, such  
8 illegality, invalidity or unconstitutionality or inapplicability shall not affect or impair any of the  
9 remaining provisions, sentences, clauses, sections or parts of this Resolution or their application  
10 to other persons or circumstances. It is hereby declared to be the legislative intent that this  
11 Resolution would have been passed if such illegal, invalid, unconstitutional or inapplicable  
12 provision, sentence, clause, section or part had not been included herein, and as if the person or  
13 circumstances to which this Resolution or any part hereof are inapplicable had been specifically  
14 exempted herefrom.

15 SECTION 9. BE IT FURTHER RESOLVED, that this Resolution is administrative in  
16 nature and shall take effect upon approval by the County Executive.

Adopted this 20th day of November, 2012.

COUNTY COUNCIL OF PRINCE  
GEORGE'S COUNTY, MARYLAND

BY: \_\_\_\_\_  
Andrea C. Harrison  
Chair

ATTEST:

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

APPROVED:

DATE: \_\_\_\_\_

BY: \_\_\_\_\_  
Rushern L. Baker, III  
County Executive

**EXHIBIT A**

**DESCRIPTION OF THE PARCEL**

Tax Parcel ID Nos.:

#06 5502703  
#06 5502711  
#06 5502729  
#06 3203288  
#06 0623942  
#06 0623959  
#06 0624098  
#06 0460915  
#06 2831014  
#06 0604850  
#06 0635334  
#06 0624007  
#06 3238623



**EXHIBIT B PLAT**

(Also attached as an Inclusion File in LIS)

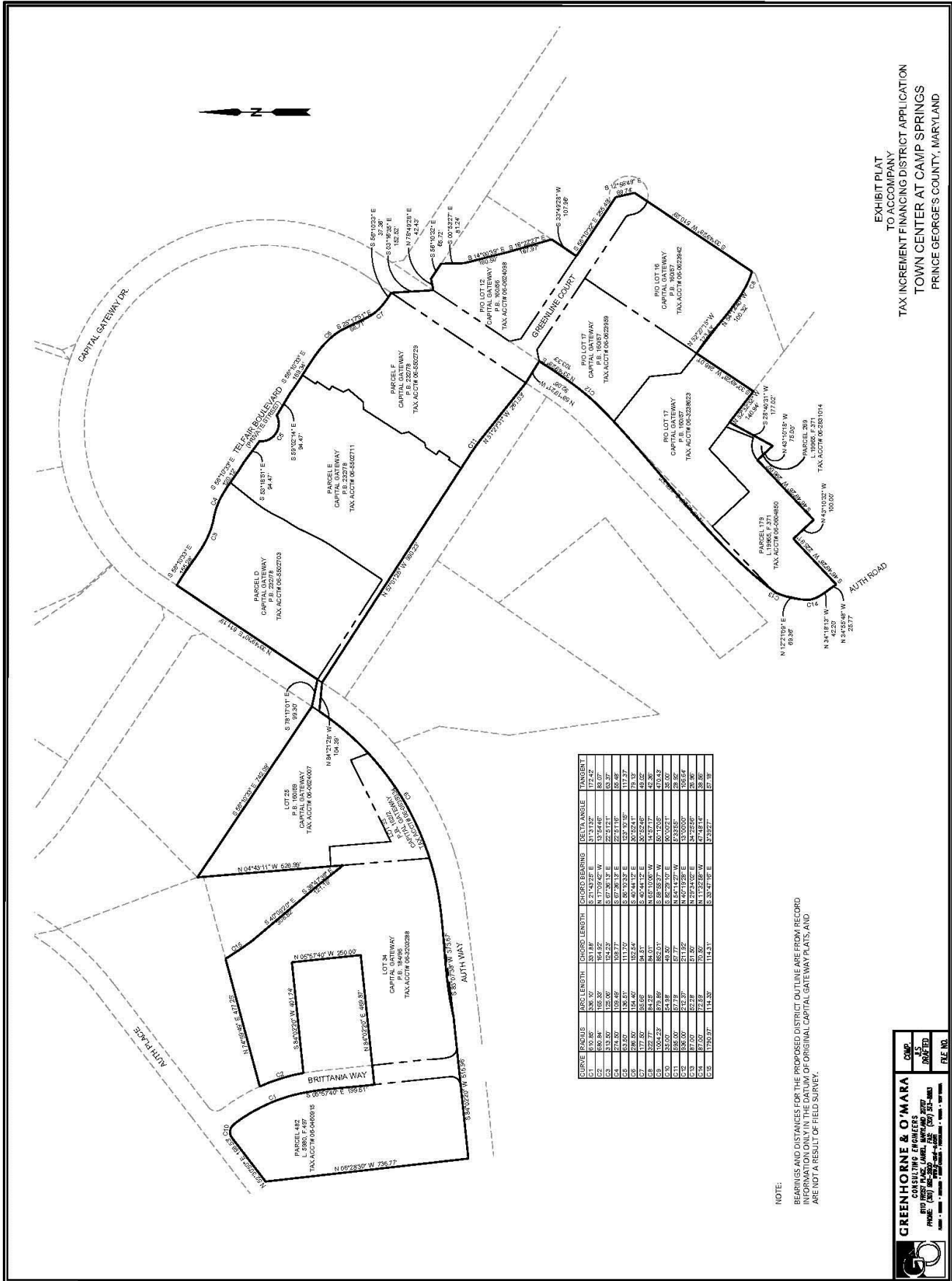


EXHIBIT PLAT  
 TO ACCOMPANY  
 TAX INCREMENT FINANCING DISTRICT APPLICATION  
 TOWN CENTER AT CAMP SPRINGS  
 PRINCE GEORGES COUNTY, MARYLAND

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE	TANGENT
C1	970.85	136.30	131.84	S 71°42'25" E	51°31'12"	172.42
C2	840.34	155.35	154.62	N 17°02'42" W	13°54'48"	83.07
C3	1110.00	157.42	157.42	S 89°58'15" E	1°01'45"	157.42
C4	214.50	155.48	155.37	S 87°36'15" E	22°51'18"	58.46
C5	54.50	136.47	111.70	S 50°10'32" E	22°51'15"	117.37
C6	248.50	136.46	136.46	S 42°41'12" E	30°25'14"	75.32
C7	248.50	136.46	136.46	S 42°41'12" E	30°25'14"	75.32
C8	327.77	84.52	84.51	N 62°10'36" W	14°37'17"	42.26
C9	1004.23	874.89	852.31	S 89°58'37" W	6°11'25"	475.42
C10	588.00	67.78	67.77	N 54°14'27" W	15°33'57"	38.22
C11	308.00	212.37	211.02	N 42°18'28" E	13°00'00"	106.64
C12	87.00	22.28	22.28	N 72°54'05" E	14°25'00"	26.36
C13	87.00	22.28	22.28	N 72°54'05" E	14°25'00"	26.36
C14	174.00	44.56	44.56	N 72°54'05" E	14°25'00"	52.72
C15	1730.37	114.33	114.33	E 33°47'10" E	3°23'27"	57.33

NOTE:  
 BEARINGS AND DISTANCES FOR THE PROPOSED DISTRICT OUTLINE ARE FROM RECORD  
 PLATS AND THE BEARINGS AND DISTANCES FOR THE ORIGINAL CAPITAL GATEWAY PLATS AND  
 ARE NOT A RESULT OF FIELD SURVEY.

**GREENHORNE & O'MARA**  
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COMP. 4/5  
 DATE 4/11/12  
 DRAWN BY JLD  
 CHECKED BY JLD  
 FILE NO.