

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND**

**2010 Legislative Session**

Bill No. CB-97-2010

Chapter No. 76

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

Introduced by Council Members Dernoga, Bland, Dean, Exum, Harrison, Knotts,  
Olson and Turner

Date of Introduction September 28, 2010

**EMERGENCY BILL**

1 AN EMERGENCY ACT concerning

2 Contract Approval

3 For the purpose of approving the lease or sale of the County’s interest in certain real property  
4 and the subsequent leaseback or installment purchase of said real property for purposes of  
5 financing a new emergency operations center that shall be named in honor of Fallen First  
6 Responders.

7 WHEREAS, pursuant to Section 819 of the Charter for Prince George’s County, Maryland,  
8 the County Council must approve all multiyear contracts exceeding an aggregate of Five  
9 Hundred Thousand Dollars (\$500,000.00); and

10 WHEREAS, pursuant to Section 2-112 of the Prince George’s County Code, the County  
11 Executive is authorized to acquire by purchase for public purposes as such purposes are set forth  
12 in any capital improvement expenditure appropriation ordinance enacted by the Council in  
13 accordance with Article VIII of the Charter, the fee simple interests in any real property located  
14 within the County; and

15 WHEREAS, pursuant to Section 2-111.01(g) of the Prince George’s County Code, the  
16 County Executive is authorized to sell, lease or otherwise dispose of any County-owned  
17 property, and to enter into a leaseback of the same to the County in furtherance of a public  
18 purpose, provided that the County Council has approved the sale, lease or other disposition and  
19 leaseback of such property; and

20 WHEREAS, the County is acquiring and desires to equip a certain new emergency  
21 operations center housing the Office of Homeland Security and the 9-1-1- emergency dispatch

1 center located at 17321 Melford Boulevard, Bowie, Maryland 20715 (the “Facility”); and

2 WHEREAS, the County desires to lease and leaseback, or sell and purchase over time, its  
 3 interest in the Facility to and from U.S. Bank or such other bank or trust company as the County  
 4 Executive may select (the “Bank”) for a term of approximately 20 years with net annual basic  
 5 rental or installment purchase payments from the County to the Bank projected to be not more  
 6 than \$2 million (such amount to be finalized through the public offering and sale of certificates  
 7 of participation payable from such basic rental or installment purchase payments); and

8 WHEREAS, the County Council desires to honor the memory of all fallen first responders  
 9 by naming the new emergency operations center as the Fallen First Responders Emergency  
 10 Operations Center; and

11 WHEREAS, the County Council has included the Facility in its FY 2011-2016 Approved  
 12 Capital Improvement Program as CIP ID NO. SQ300143; now, therefore

13 SECTION 1. BE IT ENACTED by the County Council of Prince George’s County,  
 14 Maryland that the lease and subsequent leaseback, or sale and subsequent installment purchase,  
 15 of the Facility by the County to the Bank be and the same is hereby approved pursuant to Section  
 16 2-111.01(g) of the Prince George’s County Code.

17 SECTION 2. BE IT FURTHER ENACTED that contracts with respect to the lease and  
 18 leaseback or sale and installment purchase of the Facility pursuant to the terms set forth above be  
 19 and the same is hereby approved pursuant to Section 819 of the Charter.

20 SECTION 3. BE IT FURTHER ENACTED that the County Executive is hereby  
 21 authorized to finalize the transactions contemplated herein and to make such modifications,  
 22 adjustments, corrections or any other changes to such contracts in any manner the County  
 23 Executive may deem necessary or proper but not altering the basic terms set forth above.

24 SECTION 4. BE IT FURTHER ENACTED that, for purposes of fulfilling certain  
 25 conditions established by the Internal Revenue Code of 1986, as amended, the County Council  
 26 declares its intent that expenditures with respect to the Facility which may be paid by the County  
 27 prior to an issuance of certificates of participation or other obligations to finance the Facility will  
 28 be reimbursed with the proceeds of such certificates of participation or other obligations (as and  
 29 when issued).

30 SECTION 5. BE IT FURTHER ENACTED that, in accordance with Section 317 of the  
 31 County Charter, the County Council hereby declares that a public emergency exists affecting the

1 public health, safety, or welfare of the citizens and residents of Prince George’s County, said  
2 emergency being the County’s immediate need to finance a new emergency operations center  
3 housing the Office of Homeland Security and a new 9-1-1 emergency dispatch center at 17321  
4 Melford Boulevard, Bowie, Maryland 20715 to provide enhanced essential public safety services  
5 in Prince George’s County.

6 SECTION 6. BE IT FURTHER ENACTED that the new emergency operations center  
7 shall be named the Fallen First Responders Emergency Operations Center.

8 SECTION 7. BE IT FURTHER ENACTED that this Act shall take effect on the date it  
9 becomes law.

Adopted this 26th day of October, 2010, by an affirmative vote of two-thirds of the  
members of the full County Council.

COUNTY COUNCIL OF PRINCE  
GEORGE'S COUNTY, MARYLAND

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

ATTEST:

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

APPROVED:

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

KEY:

Underscoring indicates language added to existing law.

[Brackets] indicate language deleted from existing law.

Asterisks \*\*\* indicate intervening existing Code provisions that remain unchanged.