

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND****1998 Legislative Session**Resolution No. CR-61-1998Proposed by The Chairman (by request - County Executive)Introduced by Council Members Bailey and Del Giudice

Co-Sponsors

Date of Introduction July 14, 1998**RESOLUTION**

A RESOLUTION concerning

Revenue Authority

For the purpose of approving the Charter of the Revenue Authority.

WHEREAS, the establishment of the Revenue Authority of Prince George's County was authorized by CB-84-1997 pursuant to Chapter 491 of the Laws of Maryland, 1996; and

WHEREAS, the County Executive has submitted a proposed Charter for the Revenue Authority, the terms of which are consistent with the provisions of Subtitle 21A of the Prince George's County Code;

NOW, THEREFORE, BE IT RESOLVED by the County Council of Prince George's County, Maryland, that the proposed Charter of the Revenue Authority of Prince George's County attached hereto and made a part hereof be and the same is hereby approved.

BE IT FURTHER RESOLVED that upon confirmation by the Council of the initial public members of the Revenue Authority the County Executive is authorized to complete and execute such Charter and to file, or cause to be filed, the Charter in accordance with the provisions of Subtitle 21A of the Prince George's County Code.

BE IT FURTHER RESOLVED that if any person holding an office of profit within the meaning of Article 35 of the Declaration of Rights, Constitution of Maryland, becomes a member of the Revenue Authority, then no compensation or other emolument, except expenses incurred in connection with attendance at hearings, meetings, and working sessions, shall be paid to that person for any services in connection with membership on the Revenue Authority while holding the first office of profit.

BE IT FURTHER RESOLVED that the Revenue Authority shall submit operating regulations to the County Council no later than December 1, 1998.

Adopted this 28th day of July, 1998.

COUNTY COUNCIL OF PRINCE  
GEORGE'S COUNTY, MARYLAND

BY:

Ronald V. Russell  
Chairman

ATTEST:

Joyce T. Sweeney  
Clerk of the Council

CHARTER  
OF  
REVENUE AUTHORITY OF PRINCE GEORGE'S COUNTY

In accordance with Council Resolution CR- -1998, the County Executive of Prince George's County, Maryland does hereby execute the Charter for the authority formed pursuant to Chapter 491 of the Laws of Maryland, 1996 ("Chapter 491") and Subtitle 21A of the Prince George's County Code ("Subtitle 21A"). Terms used in this Charter and not defined herein shall have the meanings given to such terms in Subtitle 21A.

FIRST: The name of the authority (which is hereinafter called the "Authority") shall be:

REVENUE AUTHORITY OF PRINCE GEORGE'S COUNTY

SECOND: The Authority created hereunder is formed pursuant to Chapter 491 and Subtitle 21A. The Authority is a body corporate and politic and a unit of Prince George's County, Maryland.

THIRD: The Authority shall be composed of five (5) public members and two ex officio members. The initial public members, whose names, addresses and terms of office are set forth below (who have been confirmed by the County Council upon nomination by the County Executive as prescribed by law) shall serve for the terms indicated, commencing from the date of creation of the Authority:

Name	Address	Initial Term of Office
X	Until	, 2002
X	Until	, 2002
X	Until	, 2001
X	Until	, 2001
X	Until	, 2000

The Authority shall further consist of two (2) voting ex officio members, one of whom shall be the Chief Administrative Officer of the County or a Deputy Chief Administrative Officer, as designated by the County Executive, and the Director of the Office of Management and Budget. The ex officio members need not be nominated, confirmed or otherwise approved by the County Executive or County Council.

Except as provided above with respect to the initial members, the term of a public member shall be four (4) years. The terms of the members shall be staggered as required by the terms provided for the initial members above. At the end of a term, a member continues to serve until a successor is appointed and qualifies. If a vacancy occurs during the term of a member, a successor shall be appointed in the same manner. A member who is appointed to fill a vacancy serves only for the rest of the term and until a successor is appointed and qualifies.

Two of the public members shall be designated by the County Executive to serve as Chairman and Vice Chairman. The Chairman shall preside at all meetings of the Authority. Except as otherwise authorized by resolution of the Authority, the Chairman shall sign all contracts, deeds and other instruments made by the Authority. At each meeting the Chairman shall submit such recommendations and information as he may consider proper concerning the business affairs and policies of the Authority. The Vice Chairman shall perform the duties and exercise the powers of the Chairman in the absence or incapacity of the Chairman and in case of the resignation or death of the Chairman, the Vice Chairman shall perform such duties and exercise such powers as are imposed on the Chairman until such time as the County Executive shall designate a new Chairman.

Each member of the Authority shall take a constitutional oath of office before the Clerk of the Circuit Court for Prince George's County or other person authorized by law to administer oaths. The record of oath shall be filed with the Clerk of the Circuit Court.

The initial compensation of the members of the Revenue Authority shall be \$400 per month for each month in which there is a meeting actually attended by the member. The Chairman shall receive an additional \$100 per month for each month in which there is a meeting actually attended by the Chairman.

If any person holding an office of profit within the meaning of Article 35 of the Declaration of Rights, Constitution of Maryland, becomes a member of the Revenue Authority, then no compensation or other emolument, except expenses incurred in connection with attendance at hearings, meetings, and working sessions, shall be paid to that person for any services in connection with membership on the Revenue Authority while holding the first office of profit.

FOURTH: The purpose of the Authority is to exercise its powers for projects within the boundary lines of the County devoted wholly or partially for public uses, good, or general welfare, and to stimulate employment and economic growth in the County in accordance with the provisions of Chapter 491 and Subtitle 21A. The Authority shall have such powers, rights and obligations as are specified or determined in accordance with Chapter 491 and Subtitle 21A. It is the intention of the County Executive and the County Council of Prince George's County, Maryland to make the scope of the powers of the Authority as broad as permitted by Chapter 491 and Subtitle 21A, unless such powers are expressly limited as provided therein. Notwithstanding the above, any acquisition of property or assumption of operations from the Maryland-National Capital Park and Planning Commission shall be subject to the approval of the County Council.

FIFTH: The Authority may appoint and remove, with the consent of the County Executive, an Executive Director, Secretary-Treasurer and General Counsel who need not be members of the Authority. Their duties shall be as follows:

Executive Director - The Executive Director shall have general supervision over and be in administrative charge of the business and affairs of the Authority. Except as otherwise provided by resolution of the Authority, the Executive Director shall make final certification for payment of all duly authenticated and authorized items of expenditure for payment from any Authority funds from whatever source derived, and shall also approve all vouchers, payrolls and requisitions before submission for signature by an officer or member authorized to sign the same. The Executive Director may cause copies to be made of all minutes and other records and documents of the Authority and may give certificates under the official seal of the Authority to the effect that such copies are true and correct copies, and all persons dealing with the Authority may rely upon such certificates. In the absence or disability of the Secretary-Treasurer, the Executive Director may exercise the powers and duties of the Secretary-Treasurer. The Executive Director may exercise such other powers as provided by resolution of the Authority not exceeding the authority set forth in Chapter 491 and Subtitle 21A.

Secretary-Treasurer - The Secretary-Treasurer shall have the care and custody of all funds of the Authority and shall deposit the same in the name of the Authority in such bank or banks as the Authority may select. Except as otherwise authorized by resolution of the Authority, the Secretary-Treasurer shall sign and the Chairman or Vice Chairman shall countersign, all orders and checks for the payment of money, and shall pay out and disburse checks for the payment of money, and shall pay out and disburse such moneys under the direction of the Authority. He shall keep regular books of account showing receipts and expenditures, and shall render to the Authority when requested an account of the transactions and also of the financial condition of the Authority. He shall give such bond for the faithful performance of duties as the Authority may determine, at the expense of the Authority. The Secretary-Treasurer shall also keep a record of the proceedings of the Authority in a journal of proceedings to be kept for such purposes and shall perform all duties incident to the office. The Secretary-Treasurer shall keep in safe custody the seal of the Authority and shall have

power to affix such seal to all proceedings and resolutions of the Authority and to all contracts and instruments authorized to be executed by the Authority. The Secretary-Treasurer may exercise such other powers as provided by resolution of the Authority not exceeding the authority set forth in Chapter 491 and Subtitle 21A.

General Counsel - The General Counsel shall provide legal advice to the Authority concerning its properties, programs, activities, operation, structure and management. The General Counsel shall maintain a close liaison with the County Attorney and, to the extent possible, shall follow the procedures of the Office of Law.

SIXTH: The Authority may appoint and remove such other employees or agents as the Authority shall deem necessary or desirable.

SEVENTH: The net earnings of the Authority, apart from those necessary to pay debt service or to implement the purposes of Subtitle 21A, may not inure to the benefit of any person other than Prince George's County, Maryland.

EIGHTH: On termination of the Authority, all rights and title to all assets of the Authority shall vest in, and all obligations and assets of the Authority shall be transferred to and assumed by, Prince George's County, Maryland.

NINTH: The Charter of the Authority may be amended in accordance with the provisions of Subtitle 21A.

IN WITNESS WHEREOF, this Charter has been executed on behalf of the County on the \_\_\_\_\_ day of \_\_\_\_\_, 1998, by the County Executive who acknowledges such to be his act as County Executive and on behalf of the County.

ATTEST:

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Wayne K. Curry  
County Executive of Prince  
George's County, Maryland