

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2014 Legislative Session

Resolution No. CR-89-2014

Proposed by The Chairman (by request – County Executive)

Introduced by Council Members Franklin and Patterson

Co-Sponsors _____

Date of Introduction September 16, 2014

RESOLUTION

1 A RESOLUTION concerning

2 PILOT Agreement For Keys Energy Center LLC

3 For the purpose of approving the terms and conditions of a negotiated Payment in Lieu of Taxes
4 (PILOT) Agreement by and between Prince George’s County, Maryland (the “County”) and
5 Keys Energy Center LLC (the “Company”).

6 WHEREAS, there is a significant need to expand the County’s commercial tax base; and

7 WHEREAS, the Company plans to develop, build and operate the Keys Energy Center
8 Generating Facility, located on North Keys Road in Brandywine, Prince George’s County, that
9 upon completion of the project will include a new, nominally rated 735 megawatt electric
10 generating plant facility (the “Project”); and

11 WHEREAS, the Company has requested that the County permit the Company to make
12 payments in lieu of County real and personal property taxes pursuant to Section 7-514 of the
13 Tax-Property Article of the Annotated Code of Maryland, as amended (the “Act”) which
14 provides that the County may exempt or partially exempt an owner of a electricity generation
15 facility from County real property and personal property taxes under certain conditions; and

16 WHEREAS, the County Executive has determined that this Project meets the conditions of
17 Section 7-514 of the Tax-Property Article of the Annotated Code of Maryland, as amended; and

18 WHEREAS, the Company has demonstrated to the County that an agreement for payment
19 in lieu of County real and personal property taxes is necessary to make the Project economically
20 feasible, which Project is described in Attachment “A” attached hereto and made a part hereof;
21 and

22 WHEREAS, in order to encourage the expansion of the commercial tax base, it is in the

1 interest of the County to accept payments in lieu of County real and personal property taxes,
2 subject to the terms and conditions of the negotiated Payment in Lieu of Taxes Agreement (the
3 “Agreement”) attached hereto as Attachment “B” and made a part hereof; and

4 WHEREAS, the County Executive has recommended support for the Keys Energy Center
5 Generating Facility.

6 NOW, THEREFORE, BE IT RESOLVED that in accordance with the Act, the County shall
7 accept payment in lieu of County real and personal property taxes for the Project subject to the
8 Agreement attached to this Resolution.

9 BE IT FURTHER RESOLVED that the County Executive, or designee of the County
10 Executive, is hereby authorized to execute and deliver the Agreement in the name and on behalf
11 of the County in substantially the form attached hereto.

12 BE IT FURTHER RESOLVED that the County Executive, prior to execution and delivery
13 of the Agreement, may make such changes or modifications to the Agreement as deemed
14 appropriate by the County Executive in order to accomplish the purpose of the transactions
15 authorized by this Resolution, provided that such changes or modifications shall be within the
16 scope of the transactions authorized by this Resolution; and the execution of the Agreement by
17 the County Executive, or designee of the County Executive, shall be conclusive evidence of the
18 approval of the County Executive of all changes or modifications to the Agreement; and the
19 Agreement shall thereupon become binding upon the County in accordance with the terms
20 therein.

21 BE IT FURTHER RESOLVED that this Resolution shall become effective as of the date of
22 its adoption.

Adopted this 28th day of October, 2014.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Mel Franklin
Chairman

ATTEST:

Redis C. Floyd
Clerk of the Council

APPROVED:

DATE: _____

BY: _____
Rushern L. Baker, III
County Executive

ATTACHMENT A

**PROJECT INFORMATION SHEET
Keys Energy Center Generating Facility
10322 North Keys Road
Brandywine, Maryland 20613
Parcel 88 on Tax Map 146**

COUNCILMANIC DISTRICT 9

PROJECT DESCRIPTION: The development consists of a new, nominally rated 735-megawatt, combined-cycle, natural gas-fired, electric power generating plant. The total project cost is an estimated \$750 million.

COMPANY: Keys Energy Center LLC

CONTACT: Mr. Robert Place
President
Keys Energy Center LLC
P.O. Box 920001
Needham, MA 02492 USA

NEIGHBORHOOD/ LOCALITY: The project is located on a 180 acre parcel of land on North Keys Road and approximately 1.25 miles north of Brandywine, Maryland. This is the site of a former sand and gravel mining operation.

ATTACHMENT B

Payment in Lieu of Taxes Agreement

Available as an Inclusion File in LIS