

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2015 Legislative Session

Resolution No. CR-70-2015
Proposed by The Chairman (by request – County Executive)
Introduced by Council Members Turner, Lehman, Franklin, Davis, Glaros and Taveras
Co-Sponsors _____
Date of Introduction November 3, 2015

RESOLUTION

1 A RESOLUTION concerning

2 Loans to Aquilent, Inc. (“Aquilent”) from the Maryland Economic Development Assistance
3 Fund (“MEDAF”) and Prince George’s County, Maryland (the “County”)

4 For the purpose of endorsing a loan not to exceed eight hundred forty thousand dollars
5 (\$840,000) to Aquilent from the Maryland Department of Business and Economic
6 Development’s MEDAF program which, in conjunction with the conditional loan from the
7 County’s Economic Development Incentive Fund (“EDI Fund”) not to exceed two hundred fifty
8 thousand dollars (\$250,000), will be used for eligible project costs associated with a new facility
9 in the County and capital expenditures.

10 WHEREAS, the Maryland Department of Business and Economic Development (“DBED”)
11 and the Prince George’s County Economic Development Corporation (“EDC”) have issued a
12 joint proposal letter to Aquilent dated March 13, 2015, outlining a non-binding expression of
13 intent to offer incentives for its expansion project, copy attached as Exhibit “A” and incorporated
14 herein by reference, to provide a loan in an amount not to exceed eight hundred forty thousand
15 dollars (\$840,000) (“the MEDAF Loan”); and

16 WHEREAS, the MEDAF Loan is authorized under the Maryland Economic Development
17 Assistance Authority and Fund (“MEDAAF”) statute set forth in Sections 5-301 through 5-349
18 of the Economic Development Article of the Annotated Code of Maryland, as amended (the
19 “Act”); and

20 WHEREAS, the proceeds of the MEDAF Loan are expected to be used to reimburse
21 Aquilent for eligible costs in connection with generally the following activities: (1) lease at
22 minimum ninety six thousand (96,000) square feet of space in the County (the “Facility”); and

1 (2) land purchase and costs of construction, furniture, fixtures and equipment; and

2 WHEREAS, it is expected that the project costs will total approximately \$1.2 million which
3 will be funded by: (1) the MEDAF Loan; (2) a conditional loan not to exceed two hundred fifty
4 thousand (\$250,000) (at least ten percent (10%) match of the MEDAF Loan is required under
5 Section 5-319(d)(2)(ii) of the Act), from the EDI Fund (the "County Loan"); and (3) private
6 financing and the owner's equity (the remainder of funds); and

7 WHEREAS, it is expected that the term of the MEDAF Loan will be ten (10) years from
8 the date of the disbursement, at an annual rate of three percent (3%) with payments of principal
9 and accrued interest, which payments may be deferred or forgiven if Aquilent employs at least
10 three hundred thirteen (313) full-time permanent employees for the term of the MEDAF Loan;
11 and

12 WHEREAS, Aquilent will employ at least two hundred thirty five (235) full-time
13 permanent employees at the Facility and employ a total of three hundred ten (310) at the Facility
14 by December 31, 2018 and for the remaining term of the MEDAF Loan; and

15 WHEREAS, under Sections 5-319(d)(1) and (2)(ii) of the Act, a formal resolution of the
16 governing body of the County is required to endorse the MEDAF Loan; and

17 WHEREAS, the County Council and County Executive have determined, based upon the
18 finding and determinations set forth herein, that it is in the best interest of the citizens and
19 residents of the County that the County Council and County Executive endorse the MEDAF
20 Loan and authorize the County Loan, as set forth in Exhibit "A."

21 WHEREAS, pursuant to the Prince George's County Code Sec. 10-287, notice of intent to
22 award financial assistant from the EDI Fund was provided to the County Council on September
23 2, 2015.

24 NOW, THEREFORE, BE IT RESOLVED by the County Council and the County
25 Executive of Prince George's County, Maryland, that the recitals in the WHEREAS clauses to
26 this Resolution are hereby incorporated herein by reference and deemed a substantive part of this
27 Resolution.

28 BE IT FURTHER RESOLVED that the loan from MEDAF to Aquilent in an amount not to
29 exceed eight hundred forty thousand dollars (\$840,000) as set forth in Exhibit "A" or any
30 revision thereof is hereby endorsed by the County Council and County Executive.

31 BE IT FURTHER RESOLVED that notice of the County conditional loan to Aquilent in an

1 amount not to exceed two hundred fifty thousand dollars (\$250,000) from the EDI Fund on
2 substantially the same terms and conditions of the MEDAF Loan was provided.

3 BE IT FURTHER RESOLVED that the County Executive or his designee are hereby
4 authorized and empowered to execute on behalf of the County such documents, instruments and
5 certificates as are necessary or appropriate to consummate the MEDAF Loan and the County
6 Loan.

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

Adopted this 10th day of November, 2015.

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