

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2018 Legislative Session

Bill No. CB-50-2018
 Chapter No. 25
 Proposed and Presented by The Chair (by request – County Executive
 Introduced by Council Members Glaros, Davis, Turner, Franklin and Taveras
 Co-Sponsors _____
 Date of Introduction July 2, 2018

BILL

1 AN ACT concerning

2 The Issuance and Sale of Special Obligation Bonds
 3 for the Westphalia Town Center Development District and
 4 Westphalia Town Center Special Taxing District

5 For the purpose of amending and ratifying CB-108-2017 of the County Council of Prince
 6 George's County, Maryland (the "Original Bond Ordinance"); providing that, upon the
 7 satisfaction of the conditions set forth therein and herein, special obligation bonds may be issued
 8 from time to time under the provisions of the Original Bond Ordinance and this Act, Sections 12-
 9 201 through 12-213 of the Economic Development Article of the Annotated Code of Maryland,
 10 as amended (the "Tax Increment Financing Act"), Section 10-269 of the Prince George's County
 11 Code, as amended, and Sections 21-501 through 21-518 and Section 21-523 of the Local
 12 Government Article of the Annotated Code of Maryland, as amended (collectively with Section
 13 10-269 of the Prince George's County Code, the "Special Taxing District Act," and together with
 14 the Tax Increment Financing Act, the "Acts"), CR-76-2016 of the County Council of Prince
 15 George's County, Maryland (the "Special Taxing District Formation Resolution") and CR-77-
 16 2016 of the County Council of Prince George's County, Maryland (the "Development District
 17 Formation Resolution" and together with the Special Taxing District Formation Resolution, the
 18 "Formation Resolutions") in an amount not to exceed the aggregate principal amount of Forty-
 19 Two Million Dollars (\$42,000,000), in order for the County to finance or reimburse, in
 20 accordance with the Acts, costs related to the construction and installation of certain of the public
 21 infrastructure improvements to support certain residential, retail, commercial (including

1 warehouse, distribution facilities and direct to market retail) and office facility development in
 2 the “Westphalia Town Center Development District” created pursuant to the Development
 3 District Formation Resolution (the “Development District”) and in the “Westphalia Town Center
 4 Special Taxing District” created pursuant to the Special Taxing District Formation Resolution
 5 (the “Special Taxing District,” and together with the Development District, the “Districts”) by
 6 Walton Development & Management (USA), Inc. (or one of its affiliates or subsidiaries) (the
 7 “Developer”);

8 WHEREAS, pursuant to the Original Bond Ordinance, the County Council adopted the
 9 Rate and Method of Apportionment of Special Taxes (attached to the Original Bond Ordinance
 10 as Exhibit B) (the “Original Rate and Method”), providing for the extent, manner, and
 11 procedures for the application of the levying and imposition on all real and personal property of
 12 special taxes within the Special Taxing District; and

13 WHEREAS, subsequent to the adoption of the Original Bond Ordinance, the Developer and
 14 the County desire to facilitate the possibility of the construction of additional facilities and uses
 15 within the Districts not contemplated by the Original Rate and Method and in connection
 16 therewith, the County has determined to amend and replace the Original Rate and Method with
 17 the Amended and Restated Rate and Method of Apportionment of Special Taxes attached hereto
 18 and made a part hereof, as Exhibit A; now, therefore,

19 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
 20 Maryland, as follows:

21 A. The following amendment is hereby made to the Original Bond Ordinance:

22 The Rate and Method of Apportionment of Special Taxes attached to the Original Bond
 23 Ordinance is hereby deleted and inserted in lieu thereof is the Amended and Restated Rate and
 24 Method of Apportionment of Special Taxes attached hereto as Exhibit A.

25 Except to the extent modified by this Act, the Original Bond Ordinance is hereby ratified and
 26 confirmed.

27 SECTION 2. BE IT FURTHER ENACTED, that the provisions of this Act are severable,
 28 and if any provision, sentence, clause, section or part hereof is held or determined to be illegal,
 29 invalid or unconstitutional or inapplicable to any person or circumstances, such illegality,
 30 invalidity or unconstitutionality or inapplicability shall not affect or impair any of the remaining
 31 provisions, sentences, clauses, sections or parts of this Act or their application to other persons or

1 circumstances. It is hereby declared to be the legislative intent that this Act would have been
2 passed if such illegal, invalid, unconstitutional or inapplicable provision, sentence, clause,
3 section or part had not been included herein, and as if the person or circumstances to which this
4 Act or any part hereof are inapplicable had been specifically exempted herefrom.

5 SECTION 4. BE IT FURTHER ENACTED, that this Act shall take effect 45 days
6 following the approval hereof by the County Executive.

Adopted this 24th day of July, 2018.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Dannielle Glaros
Chair

ATTEST:

Redis C. Floyd
Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Rushern L. Baker, III
County Executive

Exhibit A

Amended and Restated Rate and Method of Apportionment