

**COUNTY COUNCIL OF CECIL COUNTY, MARYLAND
LEGISLATIVE SESSION DAY – 13-11**

RESOLUTION NO. 50 - 2013

Title of Resolution: Amendment – Budget Ordinance FY2013 – Economic Development

Synopsis: A Resolution approving an amendment to the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2013 to provide the General Fund with additional expenditure appropriation authority to receive an increase in State grant funds of \$29,006 for the FY2013 Marketing Grant in the Department of Economic Development.

Introduced by: Council President on behalf of the County Executive

Introduced and ordered posted on: June 4, 2013

Scheduled for consideration on : June 18, 2013

Notice and title of Resolution having been posted by June 7, 2013 at the County Administration Building, 200 Chesapeake Blvd., Elkton and consideration by the Council having been scheduled on June 18, 2013.

By: _____
Council Manager

1 **WHEREAS**, the County Executive has recommended a supplemental appropriation to the budget for
2 the fiscal year ending June 30, 2013, in accordance with Section 511 of the Charter of Cecil County,
3 Maryland; and

4 **WHEREAS**, the County Executive is revising the Fiscal Year 2013 General Fund revenue estimate for
5 Cecil County to increase the amount of Marketing Grant funds from the Maryland Department of Business
6 and Economic Development by \$29,006 pursuant to an award notification: and

7 **WHEREAS**, such appropriation is necessary to provide \$29,006 of additional grant funding for
8 Marketing Grant expenditures.

9 **NOW THEREFORE, BE IT HEREBY RESOLVED** that the Annual Budget and Appropriation Ordinance
10 for Cecil County, Maryland for Fiscal Year 2013 is hereby amended and finally adopted by amending the
11 Current Expense Budget to appropriate additional expenditures in the General Fund to increase the
12 Economic Development Department by the amount of \$29,006.

13 **AND BE IT FURTHER RESOLVED** that the amended Annual Budget and Appropriation Ordinance for
14 Cecil County, Maryland for Fiscal Year 2013 is adopted and is deemed effective as of the date of its passage
15 by County Council and approval by the County Executive.

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17 INTRODUCED: June 4, 2013

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19 ADOPTED: June 18, 2013

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President of the Council

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24 ATTEST:

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27 Council Manager

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29 By the Executive:

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31 _____

32 County Executive

Date

MARYLAND DEPARTMENT OF BUSINESS AND ECONOMIC DEVELOPMENT
MARYLAND TOURISM DEVELOPMENT BOARD

FY 2013 COUNTY COOPERATIVE
MARKETING GRANT AGREEMENT

THIS GRANT AGREEMENT ("Agreement") is made between the Department of Business and Economic Development ("DBED" or the "Department"), a principal department of the State of Maryland (the "State"), acting through the Maryland Tourism Development Board ("MTDB"), an agency of the Department, the Cecil County Office of Economic Development and Tourism ("Grantee") whose Federal Identification Number is 52-6000919.

RECITALS

A. Grantee has requested grant assistance from MTDB in order to undertake activities consistent with Section 4-202 of the Economic Development Article of the Maryland Code, which establishes as MTDB's mission: "To guide, stimulate, and promote the coordinated, efficient, and beneficial development of travel and tourism in the State so that the State can derive the economic, social, and cultural benefits of travel and tourism to the fullest extent possible."

B. Consistent with Sections 4-212, 4-213 and 4-214 of the Economic Development Article of the Maryland Code, which require MTDB to: develop an annual marketing plan; encourage, assist, and coordinate the tourism activities of local and regional promotional organizations; and spend funds for the assistance and development of tourism and travel industries in the State, MTDB has developed a policy to support financially those political subdivisions that have presented viable marketing plans that are consistent with the State's annual tourism marketing plan. Section 4-214 further provides that the MTDB "shall set policies for spending money on tourism advertising, written and graphic materials, cooperative and matching promotional programs, and other tourism and travel developmental and promotional activities for the State; spend money of the Fund to plan, advertise, promote, assist, and develop the tourism and travel industries in the State; and beginning in Fiscal Year 2011, provide grants of not less than \$2,500,000 in total each fiscal year to destination marketing organizations for the purpose of attracting visitors to the State."

C. MTDB has approved the award of funding assistance to Grantee, to be expended by Grantee in accordance with this Agreement and the MTDB FY 2013 County Cooperative Grant Guidelines, attached hereto and incorporated herein as Exhibit A.

THEREFORE, IN CONSIDERATION of the foregoing and the mutual promises and covenants contained in this Agreement, MTDB and Grantee agree as follows:

1. Grant. MTDB agrees to provide Grantee with funds in an amount not to exceed Forty Nine Thousand Six Dollars (\$49,006) (the "Grant").

a) Grant Formula: MTDB has awarded the Grant based on Grantee's FY 2012 Allowable Expenditures, \$33,830, and on FY 2012 Comptroller-determined tourism tax revenues generated in their jurisdiction which total \$3,825,334 and on 1.46% growth of FY 2012 Comptroller-determined tourism tax revenues over same tax revenues collected in FY 2011.

b) Grant Term: The Agreement is in effect for FY 2013 (July 1, 2012 to June 30, 2013).

2. Purpose. Grantee may use the Grant only for the purposes and in the manner set forth in its FY 2013 Destination Marketing Organization Grant Marketing Plan, attached hereto and incorporated herein as Exhibit B. The amount of \$1200.00 of the Grant Funds shall be spent in support of the Tourism Impact Report for the State of Maryland and Maryland's DMO's.

3. Guidelines. Execution of this Agreement by Grantee shall bind Grantee to all terms and conditions set forth in Exhibit A.

4. Disbursement.

a) Most Allowable Expenditures will be reimbursed at a rate of 50%; however, OTD will reimburse Grantee at a rate of 100% for using OTD "Maryland. Land of ..." advertising creative; participation in OTD-developed "Maryland. Land of ..." Cooperative Advertising placements; participation in the Tourism Impact Report for the State of Maryland and Maryland's DMO's Research Program; participation in the FY 13 Team Maryland Program and financial support for some of the projects associated with Capital Region USA, Brand USA, Maryland Civil War Trails, the Star-Spangled Experience/War of 1812 Bicentennial, Harriet Tubman/Underground Railroad Centennial and Maryland Scenic Byways; and, media cost to purchase ad space in OTD publications such as Destination Maryland Guide, Calendar of Events, Maryland Scenic Byways Guidebook, etc., and on OTD web products, editorial, online Calendar of Events, etc. and delegate registration for USTA's Annual Educational Seminar for Tourism Organizations (ESTO) and DMAI's Annual Convention.

Grantee must submit all reimbursement requests no later than May 28, 2013. Disbursements of Grant proceeds are subject to the continuing availability of funds for such purpose, the State's fiscal position, the Department's financial resources, and compliance with all applicable laws. The Department may, at any time, assess the State's fiscal position and the Department's financial resources and reduce the amount of undisbursed Grant funds.

5. Notices. All notices, requests, and consents made pursuant to this Agreement must be in writing or via email. Any communication is effective when mailed, first-class postage prepaid, as follows:

a) Submit Grant Agreement, FY 2013 Destination Marketing Organization Grant Marketing Plan and Application Affidavit (when applicable) to :

Margot Amelia, Executive Director
Maryland Tourism Development Board
Office of Tourism Development
401 E. Pratt Street, 14th Floor
Baltimore, MD 21202

b) Submit Reimbursement Requests, Proof of Performance, copies of Advertising Creative Approval Requests and any other applicable correspondence to:

Ms. Marci Wolff Ross, Assistant Director for Tourism Development
Maryland Office of Tourism Development
401 East Pratt Street, 14th Floor
Baltimore, MD 21202
TEL: 410.767.6286
EMAIL: mross@visitmaryland.org

c) Submit Advertising Creative Approval Requests to:

Ms. Kat Evans
Maryland Office of Tourism Development
401 East Pratt Street, 14th Floor
Baltimore, MD 21202
TEL: 410.767.6330
EMAIL: kevans@visitmaryland.org

d) Communications to Grantee:

Name: Sandy Turner
Title: Tourism Coordinator
Office Name: Cecil County Tourism
Street Address: Perryville Outlet Center,
68 Heather Lane, Suite 43
Town, Zip Code: Perryville, MD 21903-2554

6. Amendment. This Agreement may be amended only by a written instrument executed by both parties.

7. Maryland Law. This Agreement shall be construed, interpreted, and enforced in accordance with the laws of the State of Maryland.

8. Political Contributions.

a) Grantee shall not use any Grant Funds to make contributions: to any persons who hold, or are candidates for, elected office; to any political party, organization, or action committee; or in connection with any political campaign or referendum.

b) If in any fiscal year ending during the term of this Agreement Grantee derives more than 50% of its operating funds from State funding, it shall not contribute any money or thing of value: to any persons who hold, or are candidates for, elected office; to any political party, organization, or action committee; or in connection with any political campaign or referendum.

9. Entire Agreement. This Agreement, together with the Exhibits attached to this Agreement and incorporated by reference, represents the complete and final understanding of the parties. No other understanding or representations, oral or written, regarding the subject matter of this Agreement may be deemed to exist or to bind the parties at the time of execution.

WITNESS/ATTEST:

By: Dale E. Underwood
(Signature)

(Typed Name) **DALE UNDERWOOD**

GRANTEE:

By: Sandy Turner
(Signature)

(Typed Name) **SANDY TURNER**

(Title)
TOURISM COORINATOR

WITNESS:

Amanda Winters
Amanda Winters

MARYLAND TOURISM DEVELOPMENT BOARD:

By: [Signature]

Dominick E. Murray, Deputy Secretary

Date: 1/18/13

Approved for form and legal sufficiency by:

[Signature], Assistant Attorney General

- Attachments: Exhibit A: FY 2013 County Cooperative Grant Guidelines
- Exhibit B: FY 2013 Destination Marketing Organization Grant Marketing Plan
- Exhibit C: Application Affidavit, if applicable