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**COUNTY COUNCIL OF CECIL COUNTY, MARYLAND
LEGISLATIVE SESSION DAY 2022-09**

RESOLUTION NO. 32-2022

Title of Resolution: Charter Amendment – Council Review of Contracts

Synopsis: A Resolution amending Article 5, Budget and Finance, to add a new Section 516, Council Review of Contracts, of the Cecil County Charter to require all county purchases above \$100,000; and all real estate purchases, sales and leases, be reviewed by County Council in public session before the contract is awarded or executed by the County Executive. To require submission of this amendment to the legally qualified voters of Cecil County for their adoption or rejection in accordance with Section 602 of the Charter of Cecil County.

Introduced by: Council President on behalf of the County Council

Introduced and ordered posted on: April 19, 2022

Public hearing scheduled on: May 17, 2022 at 7:00 p.m.

Scheduled for consideration on: June 7, 2022

By: _____
Council Manager

Notice and title of Resolution having been posted on (date) at the County Administration Building, 200 Chesapeake Blvd., Elkton and having been published according to the Charter on (dates), a public hearing was held on (date), and concluded on (date).

By: _____
Council Manager

Explanation: CAPITAL LETTERS INDICATE LANGUAGE ADDED TO EXISTING DOCUMENT
~~Strike through~~ indicates language deleted from existing document
Underlining indicates language added to document by amendment.
~~Double Strike through~~ indicates language stricken from document by amendment

1 **WHEREAS**, pursuant to Article 6, Section 602 of the Cecil County Charter, the Charter
2 may be amended by the procedures provided in Article XI-A of the Maryland Constitution; and

3 **WHEREAS**, pursuant to Article XI-A, §5 of the Maryland Constitution, amendments to
4 any charter adopted by any County of this State under the provisions of this Article may be
5 proposed by a resolution of the Council of the County, or by a petition signed by not less than
6 20% of the registered voters of the City or County, provided, however, that in any case 10,000
7 signatures shall be sufficient to complete a petition; and

8 **WHEREAS**, pursuant to Md. Code Ann., §7-103(a)(iii) and §7-103(c)(3)(i) of the Election
9 Law Article, the Attorney, designated to represent the county legislative body, shall prepare
10 and certify, and submit to the State Board of Election, not later than August 5, 2022, the
11 following information as required under §7-103(b) of the Election Law Article for each question
12 to be voted on in the County: (1) a question number or letter as by the Election Board; (2) a
13 brief designation of the type or source of the question; (3) a brief descriptive title in boldface
14 type; (4) a condensed statement of the purpose of the question; and (5) the voting choices that
15 the voter has; and

16 **WHEREAS**, pursuant to Article 6, Section 602 of the Cecil County Charter and
17 Article XI-A, §5 of the Maryland Constitution, the amendments shall be published by the
18 President of the County Council once a week for five successive weeks prior to the election in at
19 least one newspaper published in said County; and

20 **WHEREAS**, pursuant to Article 6, Section 602 of the Cecil County Charter and
21 Article XI-A, §5 of the Maryland Constitution, an amendment so proposed shall be submitted to
22 the voters of the County at the next general or congressional election occurring after the
23 passage of the resolution; and

24 **WHEREAS**, in accordance with Article 6, Section 602 of the Cecil County Charter and
25 Article XI-A, §5 of the Maryland Constitution, if at the election the majority of the votes cast for
26 the amendment shall be in favor thereof, the amendment shall be adopted and become a part
27 of the charter of the County from and after the thirtieth day after said election; and

28 **WHEREAS**, in accordance with Article 6, Section 602 of the Cecil County Charter and Article
29 XI-A, §5 of the Maryland Constitution, this Resolution proposes the following amendment to

30 Article 5, Budget and Finance, Section 516, Council Review of Contracts, of the Cecil County
31 Charter:

32 **“(A) THE COUNTY EXECUTIVE OR DESIGNEE SHALL PRESENT ALL COUNTY PURCHASE AND**
33 **SERVICE CONTRACTS OVER \$100,000, AND ALL REAL ESTATE TRANSACTIONS,**
34 **INCLUDING SALES, PURCHASE, AND LEASES, TO THE COUNTY COUNCIL FOR REVIEW**
35 **AND QUESTIONS IN PUBLIC SESSION BEFORE THE COUNTY EXECUTIVE AWARDS OR**
36 **EXECUTES THE CONTRACT.**

37 **(B) THE COUNTY COUNCIL MAY MAKE RECOMMENDATIONS OR SUGGESTIONS TO THE**
38 **COUNTY EXECUTIVE WHO SHALL HAVE THE FINAL AUTHORITY TO AWARD OR EXECUTE**
39 **ANY CONTRACT PRESENTED FOR REVIEW.**

40 **(C) THE COUNTY EXECUTIVE OR DESIGNEE SHALL NOTIFY THE COUNTY COUNCIL OF**
41 **CONTRACTS ABOVE \$100,000 THAT ARE DESIGNATED AS EMERGENCIES, WHICH SHALL**
42 **NOT REQUIRE REVIEW BY THE COUNTY COUNCIL BEFORE AWARD OR EXECUTION.”**

43 **NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE COUNTY COUNCIL OF CECIL**
44 **COUNTY, MARYLAND,** that the following amendment to Article 5, Budget and Finance, Section
45 516, Council Review of Contracts, of the Cecil County Charter, shall be submitted to the voters
46 of the County at the next general or congressional election in accordance with Article 6, Section
47 602 of the Cecil County Charter and Article XI-A, §5 of the Maryland Constitution:

48 **“(A) THE COUNTY EXECUTIVE OR DESIGNEE SHALL PRESENT ALL COUNTY PURCHASE AND**
49 **SERVICE CONTRACTS OVER \$100,000, AND ALL REAL ESTATE TRANSACTIONS,**
50 **INCLUDING SALES, PURCHASE, AND LEASES, TO THE COUNTY COUNCIL FOR REVIEW**
51 **AND QUESTIONS IN PUBLIC SESSION BEFORE THE COUNTY EXECUTIVE AWARDS OR**
52 **EXECUTES THE CONTRACT.**

53 **(B) THE COUNTY COUNCIL MAY MAKE RECOMMENDATIONS OR SUGGESTIONS TO THE**
54 **COUNTY EXECUTIVE WHO SHALL HAVE THE FINAL AUTHORITY TO AWARD OR EXECUTE**
55 **ANY CONTRACT PRESENTED FOR REVIEW.**

56 **(C) THE COUNTY EXECUTIVE OR DESIGNEE SHALL NOTIFY THE COUNTY COUNCIL OF**
57 **CONTRACTS ABOVE \$100,000 THAT ARE DESIGNATED AS EMERGENCIES, WHICH SHALL**
58 **NOT REQUIRE REVIEW BY THE COUNTY COUNCIL BEFORE AWARD OR EXECUTION.”**

59 **AND BE IT HEREBY FURTHER RESOLVED BY THE COUNTY COUNCIL OF CECIL COUNTY,**
60 **MARYLAND**, that, pursuant to Md. Code Ann., §7-103(a)(iii) and §7-103(c)(3)(i) of the Election
61 Law Article, the Attorney, designated to represent the county legislative body, shall prepare,
62 certify, and submit to the State Board of Election, not later than August 5, 2022, the following
63 information as required under §7-103(b) of the Election Law Article: (1) a question number or
64 letter as by the Election Board; (2) a brief designation of the type or source of the question; (3)
65 a brief descriptive title in boldface type; (4) a condensed statement of the purpose of the
66 question; and (5) the voting choices that the voter has.

67 **AND BE IT HEREBY FURTHER RESOLVED BY THE COUNTY COUNCIL OF CECIL COUNTY,**
68 **MARYLAND**, that pursuant to Article 6, Section 602 of the Cecil County Charter and Article XI-A,
69 §5 of the Maryland Constitution, the amendments shall be published by the President of the
70 County Council once a week for five successive weeks prior to the election in at least one
71 newspaper published in said County.

72 **AND BE IT HEREBY FURTHER RESOLVED BY THE COUNTY COUNCIL OF CECIL COUNTY,**
73 **MARYLAND**, that pursuant to Article 6, Section 602 of the Cecil County Charter and Article XI-A,
74 §5 of the Maryland Constitution, the aforementioned proposed amendment shall be submitted
75 to the voters of the County at the next general or congressional election occurring after the
76 passage of this Resolution.

77 **AND BE IT HEREBY FURTHER RESOLVED BY THE COUNTY COUNCIL OF CECIL COUNTY,**
78 **MARYLAND**, that in accordance with Article 6, Section 602 of the Cecil County Charter and
79 Article XI-A, §5 of the Maryland Constitution, if at the election the majority of the votes cast for
80 the aforementioned proposed amendment shall be in favor thereof, then the proposed
81 amendment shall be adopted and become a part of the Charter of Cecil County from and after
82 the thirtieth day after said election.

INTRODUCED: **April 19, 2022**

ADOPTED: _____

President of the Council

ATTEST:

Council Manager