

**COUNTY COUNCIL OF CECIL COUNTY, MARYLAND
LEGISLATIVE SESSION DAY 2022-18
RESOLUTION NO. 50-2022**

Title of Resolution: Supplemental Appropriation – Fund Balance – Public Works Department– Public Schools Stormwater Retrofit Project

Synopsis: A Resolution to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2023, in order to provide a total of \$580,000 to the Stormwater Management Division of the Department of Public Works with expenditure authority from the fund balance to be used for the Cecil County Public Schools Administrative Services stormwater retrofit project.

Introduced by: Council President on behalf of the County Executive

Introduced and ordered posted on: August 16, 2022

Scheduled for consideration on: September 6, 2022

By: _____
Council Manager

Notice and title of Resolution having been posted by (date) at the County Administration Building, 200 Chesapeake Blvd., Elkton and consideration by the Council having been scheduled on (date).

By: _____
Council Manager

Explanation: CAPITALS INDICATE MATTER ADDED TO EXISTING ORDINANCE.
~~Strike through~~ indicate matter deleted from existing Ordinance.
Underlining indicates language added by amendment.
~~Double Strike Through~~ indicates language stricken out by amendment.

**Supplemental Appropriation – Fund Balance – Public Works Department –
Public Schools Stormwater Retrofit Project**

1 **WHEREAS**, in accordance with Section 505 of the Cecil County Charter, on April 1, 2022,
2 the County Executive submitted a proposed budget to the County Council for Fiscal Year 2023; and

3 **WHEREAS**, in accordance with Section 506 of the Cecil County Charter, the County Council
4 held public hearings on the proposed budget submitted by the County Executive for Fiscal Year
5 2023; and

6 **WHEREAS**, in accordance with Section 507(b) of the Cecil County Charter, on
7 June 7, 2022, the Budget for Cecil County was adopted for Fiscal Year 2023; and

8 **WHEREAS**, the Department of Public Works has been notified by the Maryland Department
9 of Natural Resources that the county will receive \$2,000,000 in grant funding to be used toward the
10 cost of constructing the Cecil County Public Schools Administrative Services Facility Stormwater
11 Retrofit Project; and

12 **WHEREAS**, the grant funding is not sufficient to cover the cost of the contractor’s bid and
13 associated support costs for the project; and

14 **WHEREAS**, the County Executive is requesting to transfer \$580,000 from the fund balance
15 to the Stormwater Management Division – Department of Public Works operating budget Special
16 Projects account to be use for the construction of the Cecil County Public Schools Administrative
17 Services Facility Stormwater Retrofit Project; and

18 **WHEREAS**, the additional funds are required to enable the Department of Public Works to
19 award the construction contract and proceed with construction of the project.

20 **NOW THEREFORE, BE IT HEREBY RESOLVED BY THE COUNTY COUNCIL OF CECIL COUNTY,**
21 **MARYLAND**, that the Annual Budget and Appropriation Ordinance for Cecil County, Maryland, for
22 Fiscal Year 2023 is hereby amended for the supplemental appropriation; and by amending the
23 Budget to appropriate expenditure authority within the Stormwater Management Division –
24 Department of Public Works budget in the amount of \$580,000 from fund balance.

25 **AND, BE IT FURTHER RESOLVED BY THE COUNTY COUNCIL OF CECIL COUNTY, MARYLAND,**
26 that this Resolution shall take effect on the date of its passage by the County Council of Cecil
27 County, Maryland.

Supplemental Appropriation – Fund Balance – Public Works Department –
Public Schools Stormwater Retrofit Project

INTRODUCED: August 16, 2022

ADOPTED: _____

President of the Council

ATTEST:

Council Manager



CECIL COUNTY, MARYLAND DEPARTMENT OF FINANCE

FISCAL IMPACT NOTE

SUMMARY OF LEGISLATION

SPONSOR: Council President at the request of the County Executive

**RESOLUTION NO. 50-2022 – Supplemental Appropriation – Fund Balance – Public Works
Department – Public Schools Stormwater Retrofit Project**

SYNOPSIS: A Resolution to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland, for the fiscal year ending June 30, 2023, to move expenditure authority from the fund balance to the Stormwater Management Division – Department of Public Works, Special Projects Budget in the amount of \$580,000. The additional funding is needed to permit award of the construction contract and to cover associated support costs for the Cecil County Public Schools Administrative Services Stormwater Retrofit Project.

FISCAL IMPACT SUMMARY: The approval of this resolution will have a net fiscal impact on the fund balance of \$580,000.

FISCAL ANALYSIS:

The Stormwater Management Division of the Department of Public Works (“DPW”) submitted a grant application to the Maryland Department of Natural Resources (“DNR”) requesting \$2,480,425 to cover the anticipated construction cost of the CCPS Administrative Services Stormwater Retrofit project. DPW was notified that it will receive \$2,000,000 in DNR grant funding for the project. Bids were recently opened on the project, with the apparent low bid being \$2,417,568.10. The grant funding is not sufficient to permit award of the construction contract and cover the associated support costs (Construction Phase Services; Construction Management and Inspection). The additional funding is needed to avoid losing the \$2,000,000 in grant funding and to allow the project to proceed. In a letter dated July 26, 2022, a DNR representative stated that DNR will try to provide an additional \$250,000 in grant funding, but that they will not know if the additional funding will, in fact, be made available until late 2022 or early 2023. It is also possible that the County could recoup some or perhaps all its investment thru the future sale of the nutrient credits which will be generated by the project. The value of the nutrient credits will depend on market conditions at the time of the sale.