

**COUNTY COUNCIL OF CECIL COUNTY, MARYLAND
LEGISLATIVE SESSION DAY 2024-10**

RESOLUTION NO. 27-2024

Title of Resolution: Charter Amendment – Council review of contracts – Budget and Finance

Synopsis: A Resolution amending Article 5, Budget and Finance, Section 516, Council review of contracts of the Cecil County Charter to clarify the review of County contracts by County Council. 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 at the request of the County Council

Introduced and ordered posted on: June 4, 2024

Public hearing scheduled on: July 2, 2024 at 7:00 p.m.

Scheduled for consideration on: July 16, 2024

By: _____
Council Manager

Notice and title of Resolution having been posted on June 4, 2024 at the County Administration Building, 200 Chesapeake Blvd., Elkton and having been published according to the Charter on June X 2024 and June X, 2024, a public hearing was held on July 2, 2024, and concluded on July 2, 2024.

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

Charter Amendment – Council review of contracts – Budget and Finance

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 1, 2024, 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**, Article 5, Budget and Finance, Section 516, Council review of
29 contracts, of the Cecil County Charter currently provides that:

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30 (a) The County Executive or designee shall present all County purchase and service
31 contracts over \$100,000, and all real estate transactions, including sales, purchase, and
32 leases, to the County Council for review and questions in public session after the County
33 Executive awards or executes the contract.

34 (b) The County Council may make recommendations or suggestions to the County
35 Executive who shall have the final authority to award or execute any contract presented for
36 review.

37 (c) The County Executive or designee shall notify the County Council of contracts
38 above \$ 100,000 that are designated as emergencies, which shall not require review by the
39 County Council after award or execution.

40 (d) For each contract over \$100,000 and all real estate transactions, which will be
41 directly awarded by Cecil County government, the administration will review at an open
42 Council work session with the following information:

- 43 (1) Description of item or service;
44 (2) The price;
45 (3) Name of vendor;
46 (4) Source of funding (operating, capital, requiring department);
47 (5) Number of responsible bids received” ;and

48 **WHEREAS**, in accordance with Article 6, Section 602 of the Cecil County Charter and
49 Article XI-A, §5 of the Maryland Constitution, this Resolution proposes the following
50 amendment to Article 5, Budget and Finance, Section 516, Council review of contracts, of the
51 Cecil County Charter:

52 (a) The County Executive or designee shall present all County purchase and service
53 contracts over \$100,000, and all real estate transactions, including sales, purchase, and
54 leases, to the County Council for review and questions in public session after the County
55 Executive awards or executes the contract.

56 ~~(b) The County Council may make recommendations or suggestions to the County~~
57 ~~Executive who shall have the final authority to award or execute any contract presented for~~
58 ~~review.~~

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59 ~~(c) — The County Executive or designee shall notify the County Council of contracts~~
60 ~~above \$ 100,000 that are designated as emergencies, which shall not require review by the~~
61 ~~County Council after award or execution.~~

62 ~~(d) (b)~~ For each contract over \$100,000 and all real estate transactions, which will be
63 directly awarded by Cecil County government, the administration will review at an open
64 Council work session with the following information:

- 65 (1) Description of item or service;
- 66 (2) The price;
- 67 (3) Name of vendor;
- 68 (4) Source of funding (operating, capital, requiring department);
- 69 (5) Number of responsible bids received” .

70 **NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE COUNTY COUNCIL OF CECIL**
71 **COUNTY, MARYLAND,** that the following amendment to Article 5, Budget and Finance, Section
72 516, Council review of contracts, of the Cecil County Charter, shall be submitted to the voters of
73 the County at the next general or congressional election in accordance with Article 6, Section
74 602 of the Cecil County Charter and Article XI-A, §5 of the Maryland Constitution:

75 (a) The County Executive or designee shall present all County purchase and service
76 contracts over \$100,000, and all real estate transactions, including sales, purchase, and
77 leases, to the County Council for review and questions in public session after the County
78 Executive awards or executes the contract.

79 ~~(b) — The County Council may make recommendations or suggestions to the County~~
80 ~~Executive who shall have the final authority to award or execute any contract presented for~~
81 ~~review.~~

82 ~~(c) — The County Executive or designee shall notify the County Council of contracts~~
83 ~~above \$ 100,000 that are designated as emergencies, which shall not require review by the~~
84 ~~County Council after award or execution.~~

85 ~~(d) (b)~~ For each contract over \$100,000 and all real estate transactions, which will be
86 directly awarded by Cecil County government, the administration will review at an open
87 Council work session with the following information:

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- 88 (1) Description of item or service;
89 (2) The price;
90 (3) Name of vendor;
91 (4) Source of funding (operating, capital, requiring department);
92 (5) Number of responsible bids received”.

93 **AND BE IT HEREBY FURTHER RESOLVED BY THE COUNTY COUNCIL OF CECIL COUNTY,**
94 **MARYLAND,** that, pursuant to Md. Code Ann., §7-103(a)(iii) and §7-103(c)(3)(i) of the
95 Election Law Article, the Attorney, designated to represent the county legislative body,
96 shall prepare, certify, and submit to the State Board of Election, not later than August 1,
97 2024, the following information as required under §7-103(b) of the Election Law Article: (1)
98 a question number or letter as by the Election Board; (2) a brief designation of the type or
99 source of the question; (3) a brief descriptive title in boldface type; (4) a condensed
100 statement of the purpose of the question; and (5) the voting choices that the voter has.

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

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

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

INTRODUCED: June 4, 2024

ADOPTED: _____

President of the Council

ATTEST:

Council Manager