

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

2004 Legislative Session

Bill No. CB-33-2004

Chapter No. 16

Proposed and Presented by Chairman Knotts

Introduced by Council Members Shapiro, Harrington, Dean, Exum, Peters and Dernoga

Co-Sponsors _____

Date of Introduction May 27, 2004

BILL

1 AN ACT concerning

2 Fiscal Year 2004-2005 Appropriations

3 For the purpose of making appropriations for the support of the County government and for the
 4 Prince George's Community College and for the schools, institutions, departments, offices,
 5 boards, commissions, and agencies of Prince George's County, and for other purposes, for the
 6 fiscal year beginning July 1, 2004, and ending June 30, 2005; adopting the current expense
 7 budget, the capital improvement program, and the capital budget prepared according to the
 8 Charter of Prince George's County and submitted by the County Executive to the County
 9 Council; appropriating the items of expense in said current expense budget, establishing rates of
 10 reimbursement for subsistence expenses for employees of the County; providing for the inclusion
 11 of all State, Federal and private grants received subsequent to adoption of the current expense
 12 budget; imposing the applicable income and special area tax rates under the public general laws
 13 and public local laws of Maryland; all to be known as the Annual Budget and Appropriation
 14 Ordinance of Prince George's County for Fiscal Year 2004-2005.

15 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
 16 Maryland, that subject to and in accordance with the authority of the Charter of Prince George's
 17 County, the public general laws and public local laws of Maryland relating to budget procedures,
 18 and pursuant to applicable local ordinances heretofore enacted, the several amounts specified in
 19 the current expense budget of Prince George's County and of the Board of Education of Prince
 20 George's County as submitted by the County Executive to the County Council on or before
 21 March 31, 2004, and subsequently amended by a letter dated May 19, 2004, and incorporated in
 22 a document entitled "Proposed Current Expense Budget Fiscal Year 2005", an authenticated

1 copy of which is incorporated herein by reference and made a part hereof as though it were set
 2 forth fully herein, is hereby authorized and appropriated for the several purposes specified in the
 3 proposed budget document under Function/Program/Agency/Activity, financial summary or
 4 function in the case of the Board of Education, to pay salaries, wages, fees and all other current
 5 expenses for the Prince George's Community College and for schools, institutions, departments,
 6 boards, commissions, committees, offices and agencies in and of the said County and for the
 7 Board of Education. The aforementioned budget is hereby adopted and approved, for the fiscal
 8 year beginning July 1, 2004 and ending June 30, 2005.

9 SECTION 2. The amount of reimbursement for expenses for subsistence incident to the
 10 performance of official duties of officers or employees of the County shall be at the following
 11 rates:

12 Meals will be reimbursed on the basis of actual costs including gratuities, with the
 13 following limits, unless a greater amount is specifically authorized by the Chief Administrative
 14 Officer for the Executive Branch or Council Administrator for the Legislative Branch on the
 15 facts of each case.

16 a. Breakfast \$ 6.00

17 b. Lunch \$10.00

18 c. Dinner \$20.00

19 d. Conference meals are reimbursed at actual costs.

20 e. Mileage reimbursement for use of private vehicles for County business will be
 21 \$0.30 per mile.

22 SECTION 3. FEDERAL, STATE AND PRIVATE GRANTS. All Federal, State and
 23 private grants not included in the current expense budget of the County or any agency subject to
 24 control of the County shall upon receipt be included as a part of the current expense budget of
 25 the County or agency's budget for the year received, or for the term of the grant, whichever is of
 26 greater duration, to be expended for the purpose set forth in the grant. Prior to the expenditure of
 27 any monies therefrom the agency shall receive approval from the County Executive and County
 28 Council. Any unexpended funds shall be included in the next annual budget.

29 SECTION 4. CAPITAL IMPROVEMENT PROGRAM. Subject to and in accordance
 30 with the authority of the Charter of Prince George's County, the public general laws and public
 31 local laws of Maryland relating to budget procedures, the several capital improvement projects
 32 and amounts specified thereto, contained in the capital program and the capital budget of Prince

George's County for the Prince George's Community College and for the various offices, departments, boards, commissions, institutions, corporations and agencies, excluding the Washington Suburban Sanitary Commission, as submitted by the County Executive to the County Council on or before March 31, 2004, and subsequently amended by letters dated May 18, 2004, and incorporated in a document entitled "Fiscal Year 2005 -2010 Capital Improvement Program - Fiscal Year 2005 Capital Budget", an authenticated copy of which is incorporated herein by reference and made a part hereof as though it were fully set forth herein, is hereby adopted and approved. The capital budget hereby adopted constitutes the total appropriation for projects that are scheduled for implementation in Fiscal Year 2004-2005 and those projects previously authorized. Inclusion of any project in the Capital Improvement Program, with all funding shown in the category "Beyond Six Years", shall mean that this project is not "programmed" for the purpose of evaluating the adequacy of public facilities in accordance with the subdivision regulations and the Zoning Ordinance.

SECTION 5. COUNTY ENERGY TAX. Pursuant to Section 10-205.01, paragraph (i)(2) of the County Code, 1999 Edition, 2002 Supplement, as amended, the following Energy Tax Rates are established for energy bills rendered on or after July 1, 2004:

<u>TYPE OF ENERGY</u>	<u>RATE</u>
Electricity	\$0.004791 per Kilowatt Hour
Natural Gas	\$0.053700 per Therm
Fuel Oil	\$0.092470 per Gallon
Propane	\$0.120955 per Gallon

SECTION 6. AMENDMENTS TO THE CURRENT EXPENSE BUDGET, THE CAPITAL PROGRAM, AND THE CAPITAL BUDGET. The proposed current expense budget of Prince George's County and of the Board of Education, referred to above in Section 1 of this Act, and the capital improvement program and capital budget referred to in Section 4 above, are hereby amended as set forth in Exhibits 1, 2, 3, and 4 attached hereto and made a part hereof:

The amount of the revenue estimates in the current expense budget for all funds as submitted by the County Executive as set forth in the Proposed Budget, Fiscal Year 2004-2005 is hereby decreased from the sum of \$2,364,140,300 to the sum of \$2,350,255,200 in accordance with the revised revenue schedule as follows on the ensuing pages:

PRINCE GEORGE'S COUNTY
FISCAL YEAR 2004-2005
REVENUE

REVENUE ITEM	PROPOSED FY 2004-2005	COUNCIL APPROVED FY 2004-2005
PROPERTY TAXES	\$ 466,883,200	\$ 466,883,200
(Including Personal Property Taxes)		
INCOME TAXES	373,619,100	373,619,100
TRANSFER & RECORDATION TAXES	101,772,000	101,772,000
OTHER LOCAL TAXES	106,054,000	106,054,000
STATE SHARED TAXES	19,266,700	20,032,900
LICENSES & PERMITS	17,634,000	17,634,000
USE OF MONEY & PROPERTY	10,370,400	10,370,400
CHARGES FOR SERVICES	24,356,400	24,356,400
INTERGOVERNMENTAL REVENUES	33,582,500	34,018,700
MISCELLANEOUS REVENUES	2,674,800	2,674,800
OTHER FINANCING SOURCES	6,000,000	6,000,000
BOARD OF EDUCATION AID	741,363,600	726,276,100
COMMUNITY COLLEGE AID	51,655,000	51,655,000
LIBRARY AID	<u>6,936,000</u>	<u>6,936,000</u>
TOTAL GENERAL FUND	\$ 1,962,167,700	\$ 1,948,282,600
INTERNAL SERVICE FUNDS	32,343,400	32,343,400
ENTERPRISE FUNDS	119,074,900	119,074,900
SPECIAL REVENUE FUNDS	92,617,300	92,617,300
GRANT PROGRAMS	<u>157,937,000</u>	<u>157,937,000</u>
TOTAL ALL FUNDS	\$ 2,364,140,300	\$ 2,350,255,200

The specific changes to the revenue estimates in the current expense budget as submitted by the County Executive and amended on May 19, 2004 are as follows:

GENERAL FUND

State Shared Taxes

Increase the Highway User Revenues by \$766,200 to reflect the actions of the Maryland General Assembly.

Intergovernmental Revenue

Increase revenues by \$436,200 to reflect the actions of the Maryland General Assembly in increasing the Electricity Deregulation Grant to the County.

Board of Education Aid

Decrease revenues by (\$15,087,500) to reflect the reduction of revenues by actions of the Maryland General Assembly.

SUBTOTAL GENERAL FUNDS – (\$13,885,100)

OTHER FUNDS

Grant Programs No Changes

SUBTOTAL OTHER FUNDS - \$0

TOTAL ALL FUNDS - (\$13,885,100)

SECTION 7. TRANSFER TAX. Pursuant to Section 10-187(e) of the Prince George's County Code, all transfer tax revenue collected by Prince George's County in Fiscal Year 2005 shall be used for funding the Instructional Salaries, Instructional Materials and Related Costs, Special Education, and Fixed Charges Categories of the Board of Education approved Fiscal Year 2005 Budget.

SECTION 8. BE IT FURTHER ENACTED that, in accordance with the Election Law Article, Section 2-204 Annotated Code of Maryland, each member of the Board of Supervisors of Elections shall be entitled to receive additional compensation for enforcing the provisions of Title 11 - Canvassing for services actually performed in an amount not to exceed five hundred dollars per Election.

SECTION 9. BE IT FURTHER ENACTED that, notwithstanding the provisions of Section 10-261 of the Prince George's County Code, the County Executive may identify vehicles forfeited to the County, which vehicles may be sold with the proceeds thereof benefiting local charitable organizations.

1 SECTION 10. BE IT FURTHER ENACTED that the following conditions shall
2 attach and apply to the appropriation in the Non-Departmental, Grants and Transfer
3 Payments of \$5 Million for Dimensions Healthcare Systems, Inc.:

4 A. No portion of the funds appropriated may be used for funding pension
5 obligations;

6 B. \$150,000 of the funds appropriated shall be used for the Cora B. Woods Senior
7 Health Center; and

8 C. Not more than \$2 Million may be used for the hiring of the management
9 consultant identified in the Memorandum of Understanding between the County and the
10 State dated February 20, 2004, as amended, to provide and implement the
11 Recovery/Restructuring Plan.

12 SECTION 11. BE IT FURTHER ENACTED that it is the intent of the County
13 Council in enacting the portions of the Capital Improvement Program pertaining to the
14 construction of additional public school facilities at Duval High School (CIP ID No.
15 AA779073) that the Board of Education will structure its school attendance boundaries in
16 the Greenbelt and Bowie areas to provide that:

17 A. High school age children residing within the corporate boundaries of the City of
18 Greenbelt, as those boundaries may be altered in accordance with State law, will be
19 permitted to attend Eleanor Roosevelt High School;

20 B. In the event that student population is reduced due to attendance boundary
21 adjustments, any growth that causes the student population to exceed the State-rated
22 capacity for Eleanor Roosevelt High School is accommodated by the construction of
23 permanent facilities;

24 C. Special programs provided at Eleanor Roosevelt High School will be
25 maintained in the event that student census at Eleanor Roosevelt High School is reduced
26 and that faculty assignment to Eleanor Roosevelt High School will be maintained until a
27 student to teacher ratio of 25 to 1 is achieved;

28 D. School age children residing within the corporate boundaries of the City of
29 Bowie, as those boundaries may be altered in accordance with State law, will be
30 permitted to attend public schools located within the corporate boundaries of the City of
31 Bowie; and

1 E. Upon the completion of the Bladensburg High School capital improvement
 2 project and the return of students currently located in the Belair Annex, the Belair Annex
 3 will be used to relieve overcrowding in the middle and high schools within the corporate
 4 boundaries of the City of Bowie.

5 SECTION 12. BE IT FURTHER ENACTED that the Fire Chief, the Chief of
 6 Police, and the Director of Corrections shall provide reports to the County Council within
 7 30 days of the end of each quarter concerning the level of expenditures within the
 8 Fire/Emergency Medical Services Department, the Police Department, and the
 9 Department of Corrections, respectively, of the expenditures for overtime compensation,
 10 including paid time off in lieu of overtime compensation, and the deviation from the
 11 amount authorized for the payment of overtime compensation in the adopted budget, and
 12 that the Director of Management and Budget shall provide a report to the County Council
 13 not later than January 30, 2005, of the level of expenditures for overtime compensation
 14 for each agency and department as of December 31, 2004.

15 SECTION 13. BE IT FURTHER ENACTED that the grant for Health Department,
 16 Division of Adult and Geriatric Health, Colorectal Cancer Screening and Treatment in
 17 the amount of \$990,400 is amended to be:

18	Colorectal Cancer Screening	\$100,000
19	Colorectal Cancer Treatment	<u>\$890,400</u>
20	Subtotal	\$990,400

21 SECTION 14. BE IT FURTHER ENACTED that if any person holding an office of
 22 profit within the meaning of Article 35 of the Declaration of Rights, Constitution of
 23 Maryland, in the opinion of the County Attorney, is appointed to a second office within
 24 the meaning of Article 35 of the Declaration of Rights, Constitution of Maryland, in the
 25 opinion of the County Attorney, then no compensation or other emolument, except
 26 expenses incurred in connection with attendance at hearings, meetings, field trips, and
 27 working sessions, shall be paid from any funds appropriated by this budget to that person
 28 for any services in connection with the second office.

29 SECTION 15. BE IT FURTHER ENACTED that the provisions of this Act are
 30 hereby declared to be severable; and, in the event that any section, subsection, paragraph,
 31 subparagraph, sentence, clause, phrase, or word of this Act is declared invalid or
 32 unconstitutional by a court of competent jurisdiction, such invalidity or

1 unconstitutionality shall not affect the remaining words, phrases, clauses, sentences,
2 subparagraphs, paragraphs, subsections, or sections of this Act, since the same would
3 have been enacted without the incorporation in this Act of any such invalid or
4 unconstitutional word, phrase, clause, sentence, subparagraph, subsection, or section.

5 SECTION 16. EFFECTIVE DATE. This Act shall take effect on July 1, 2004.

6 Adopted this 27th day of May, 2004.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Tony Knotts
Chairman

ATTEST:

Redis C. Floyd
Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Jack B. Johnson
County Executive

NOTE: Exhibits 1 and 4 are available in hard copy only

**DETAIL OF AMENDMENTS TO THE OPERATING BUDGET
GENERAL GOVERNMENT**

County Executive

Increase in fringe benefits for County contribution to State Retirement and Pension System of Maryland per the County Executive's May 19, 2004 amendments	\$20,300
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Subtotal	\$20,300
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Legislative Branch

Increase compensation to reflect the addition of one position	\$40,388
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Increase fringe benefits to reflect the addition of one position	\$9,612
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Subtotal	\$50,000
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Human Relations Commission

Increase in fringe benefits for County contribution to State Retirement and Pension System of Maryland per the County Executive's May 19, 2004 amendments	\$3,700
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Decrease in compensation to reflect available salary lapse	(\$15,000)
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Subtotal	(\$11,300)
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Personnel Board

Increase in fringe benefits for County contribution to State Retirement and Pension System of Maryland per the County Executive's May 19, 2004 amendments	\$900
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Decrease in operating expenses to reflect excess funding	(\$5,000)
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Subtotal	(\$4,100)
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Citizen Complaint Oversight Panel

Increase in fringe benefits for County contribution to State Retirement and Pension System of Maryland per the County Executive's May 19, 2004 amendments	\$800
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Decrease in operating expenses to reflect a reduction in Panel member stipends	(\$21,200)
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Subtotal	(\$20,400)
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People's Zoning Counsel

Increase in operating expenses to restore funding to FY04 levels	\$1,700
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Subtotal	\$1,700
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Office of Finance

Increase in fringe benefits for County contribution to State Retirement and Pension System of Maryland per the County Executive's May 19, 2004 amendments	\$26,900
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Decrease in compensation to reflect available salary lapse	(\$10,000)
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Subtotal	\$16,900
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Office of Community Relations

Increase in fringe benefits for County contribution to State Retirement and Pension System of Maryland per the County Executive's May 19, 2004 amendments	\$4,200
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Decrease in operating expenses to reflect increase in recoveries	(\$134,000)
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Subtotal	(\$129,800)
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Office of Management and Budget

Increase in fringe benefits for County contribution to State Retirement and Pension System of Maryland per the County Executive's May 19, 2004 amendments	\$8,800
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Decrease in compensation to reflect available salary lapse	(\$5,000)
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Subtotal	\$3,800
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Board of License Commissioners

Increase in fringe benefits for County contribution to State Retirement and Pension System of Maryland per the County Executive's May 19, 2004 amendments	\$4,100
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Subtotal	\$4,100
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Office of Law

Increase in fringe benefits for County contribution to State Retirement and Pension System of Maryland per the County Executive's May 19, 2004 amendments	\$25,900
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Increase in compensation for additional staffing per The County Executive's May 19, 2004 amendments	\$144,400
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Decrease in compensation to reflect available salary lapse	(\$120,000)
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Decrease in fringe benefits related to salary lapse	(\$33,182)
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Subtotal	\$17,118
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Office of Human Resources Management

Increase in fringe benefits for County contribution to State Retirement and Pension System of Maryland per the County Executive's May 19, 2004 amendments	\$26,000
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Decrease in operating expenses to reflect excess funding	(\$50,000)
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Subtotal	(\$24,000)
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Office of Information Technology and Communications

Decrease in operating expenses to reflect a decrease in the General Fund Transfer to the Info. Technology Internal Service fund	(\$500,000)
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Subtotal	(\$500,000)
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Board of Elections

Increase in fringe benefits for County contribution to State Retirement and Pension System of Maryland per the County Executive's May 19, 2004 amendments	\$7,400
Decrease in operating expenses to reflect excess funding	(\$10,000)
Subtotal	(\$2,600)

Office of Central Services

Increase in fringe benefits for County contribution to State Retirement and Pension System of Maryland per the County Executive's May 19, 2004 amendments	\$53,000
Decrease in operating expenses to reflect excess funding	(\$50,000)
Subtotal	\$3,000

Circuit Court

Increase in fringe benefits for County contribution to State Retirement and Pension System of Maryland per the County Executive's May 19, 2004 amendments	\$48,300
Subtotal	\$48,300

Orphans' Court

Increase in fringe benefits for County contribution to State Retirement and Pension System of Maryland per the County Executive's May 19, 2004 amendments	\$800
Subtotal	\$800

Office of the State's Attorney

Increase in fringe benefits for County contribution to State Retirement and Pension System of Maryland per the County Executive's May 19, 2004 amendments	\$54,900
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Increase in compensation to reflect additional positions	\$81,699
Increase in fringe benefits to reflect additional positions	\$18,301
Subtotal	\$154,900

Office of the Sheriff

Increase in fringe benefits for County contribution to State Retirement and Pension System of Maryland per the County Executive's May 19, 2004 amendments	\$42,900
Increase in operating expenses to reflect additional identified needs	\$150,000
Subtotal	\$192,900

Department of Corrections

Increase in fringe benefits for County contribution to State Retirement and Pension System of Maryland per the County Executive's May 19, 2004 amendments	\$76,200
Decrease in compensation related to vacant positions	(\$114,300)
Decrease in fringe benefits related to vacant positions	(\$31,606)
Decrease in compensation related to overtime expenditures	(\$557,621)
Decrease in fringe benefits related to overtime expenditures	(\$192,379)
Subtotal	(\$819,706)

Police Department

Increase in fringe benefits for County contribution to State Retirement and Pension System of Maryland per the County Executive's May 19, 2004 amendments	\$89,100
Decrease in compensation related to vacant positions	(\$89,130)
Decrease in fringe benefits related to vacant positions	(\$29,422)
Increase in compensation to reflect additional Crossing Guards	\$204,918

Increase in fringe benefits related to the increase in Crossing Guards	\$45,082
Decrease in compensation related to overtime expenditures	(\$1,426,481)
Decrease in fringe benefits related to overtime expenditures	(\$523,519)
Subtotal	(\$1,729,452)

Fire/EMS Department

Increase in fringe benefits for County contribution to State Retirement and Pension System of Maryland per the County Executive's May 19, 2004 amendments	\$26,500
Increase in compensation to reflect the addition of 30 recruits in the 4 th quarter	\$276,817
Increase in fringe benefits related to the addition of 30 recruits	\$123,183
Decrease in compensation related to overtime expenditures	(\$519,031)
Decrease in fringe benefits related to overtime expenditures	(\$230,969)
Subtotal	(\$323,500)

Volunteer Fire Companies

Decrease in operating expenses to reflect excess funding	(\$50,000)
Subtotal	(\$50,000)

Office of Homeland Security

Increase in fringe benefits for County contribution to State Retirement and Pension System of Maryland per the County Executive's May 19, 2004 amendments	\$69,600
Decrease in compensation to reflect available salary lapse	(\$24,500)
Decrease in fringe benefits related to salary lapse	(\$6,775)
Decrease in operating expenses to reflect excess funding	(\$100,000)
Subtotal	(\$61,675)

Department of Public Works and Transportation

Increase in fringe benefits for County contribution to State Retirement and Pension System of Maryland per the County Executive's May 19, 2004 amendments	\$105,300
Decrease in compensation to reflect available salary lapse	(\$777,820)
Decrease in fringe benefits related to salary lapse	(\$211,570)
Subtotal	(\$884,090)

Department of Environmental Resources

Increase in fringe benefits for County contribution to State Retirement and Pension System of Maryland per the County Executive's May 19, 2004 amendments	\$62,700
Decrease in compensation related to vacant positions	(\$119,000)
Decrease in fringe benefits related to vacant positions	(\$31,000)
Subtotal	(\$87,300)

Soil Conservation District

Increase in fringe benefits for County contribution to State Retirement and Pension System of Maryland per the County Executive's May 19, 2004 amendments	\$3,900
Subtotal	\$3,900

Community College

Increase funding for the Instructional Category	\$741,300
Increase funding for Academic Support	\$397,600
Increase funding for Student Services	\$124,200
Increase funding for Plant Operations	\$125,600
Increase funding for Institutional Support	\$305,000
Increase funding for Public Service	\$ 6,300
Subtotal	\$1,700,000

Board of Education

Decrease the funding for the Board of Education by spreading the decrease proportionately across funding categories to reflect decreased funding from the State for the Thornton Commission's Geographic Cost of Education Index. (\$15,087,500)

Increase funding to the Board of Education to reflect increased funding for school based management. \$3,000,000

Increase funding to the Board of Education to reflect increased funding for Maintenance of Plant. \$1,000,000

Increase funding to the Board of Education to reflect increased funding for additional textbooks and materials. \$ 500,000

Subtotal **(\$10,587,500)**

Department of Family Services

Increase in fringe benefits for County contribution to State Retirement and Pension System of Maryland per the County Executive's May 19, 2004 amendments \$5,500

Decrease in compensation related to vacant positions (\$68,473)

Decrease in fringe benefits related to vacant positions (\$18,934)

Subtotal **(\$81,907)**

Department of Social Services

Increase in fringe benefits for County contribution to State Retirement and Pension System of Maryland per the County Executive's May 19, 2004 amendments \$4,900

Subtotal **\$4,900**

Health Department

Increase in fringe benefits for County contribution to State Retirement and Pension System of Maryland per the County Executive's May 19, 2004 amendments	\$108,300
Decrease in compensation related to vacant positions	(\$89,338)
Decrease in fringe benefits related to vacant positions	(\$27,900)
Decrease in operating expenses to transfer funding for the Suitland Health Center to the Non-Departmental Contingency section	(\$350,000)
Subtotal	(\$358,938)

Housing and Community Development

Increase in fringe benefits for County contribution to State Retirement and Pension System of Maryland per the County Executive's May 19, 2004 amendments	\$3,600
Increase in operating expenses to reflect increase in grant to Redevelopment Authority for M-NCPPC positions	\$400,000
Subtotal	\$403,600

**Non-Departmental
Grants and Transfer Payments**

Decrease the grant in the "Other Category" related to providing job training and placement services	(\$266,500)
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Other Non-Departmental Expenses

Increase in fringe benefits for County contribution to State Retirement and Pension System of Maryland per the County Executive's May 19, 2004 amendments for Internal Service and Enterprise Funds	\$171,800
Decrease funding for Other Leases	(\$200,000)
Decrease funding for Judgments	(\$115,350)

Decrease funding for Retiree Life Insurance	(\$275,000)
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Contingency

Decrease funding for Leave Payouts	(\$500,000)
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Increase funding for transfer of funds from the Health Department for Suitland Health Center	\$350,000
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Subtotal	(\$835,050)
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Total General Funds	(\$13,885,100)
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Total All Funds	(\$13,885,100)
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