

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2011 Legislative Session

Bill No. CB-24-2011

Chapter No. 3

Proposed and Presented by Chair Turner

Introduced by Council Members Turner, Campos, and Franklin

Date of Introduction May 26, 2011

BILL

1 AN ACT concerning

2 Fiscal Year 2012 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, 2011, and ending June 30, 2012; 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
11 inclusion of all State, Federal and private grants received subsequent to adoption of the current
12 expense budget; imposing the applicable income and special area tax rates under the public
13 general laws and public local laws of Maryland; all to be known as the Annual Budget and
14 Appropriation Ordinance of Prince George's County for Fiscal Year 2012.

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
18 procedures, and pursuant to applicable local ordinances heretofore enacted, the several amounts
19 specified in the current expense budget of Prince George's County and of the Board of
20 Education of Prince George's County as submitted by the County Executive to the County
21 Council on or before March 15, 2011, and subsequently amended by a letter dated May 6, 2011,

1 and incorporated in a document entitled "Proposed Current Expense Budget Fiscal Year 2012",
2 an authenticated copy of which is incorporated herein by reference and made a part hereof as
3 though it were set forth fully herein, is hereby authorized and appropriated for the several
4 purposes specified in the proposed budget document under Function/Program/Agency/Activity,
5 financial summary or function in the case of the Board of Education, to pay salaries, wages, fees
6 and all other current expenses for the Prince George's Community College and for schools,
7 institutions, departments, boards, commissions, committees, offices and agencies in and of the
8 said County and for the Board of Education. The aforementioned budget is hereby adopted and
9 approved, for the fiscal year beginning July 1, 2011 and ending June 30, 2012.

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

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

- 17 a. Breakfast \$6.00
- 18 b. Lunch \$10.00
- 19 c. Dinner \$20.00
- 20 d. Conference meals are reimbursed at actual costs.
- 21 e. Mileage reimbursement for use of private vehicles for County business shall be
22 \$0.36 per mile.

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

30 SECTION 4. CAPITAL IMPROVEMENT PROGRAM. Subject to and in accordance
31 with the authority of the Charter of Prince George's County, the public general laws and public

1 local laws of Maryland relating to budget procedures, the several capital improvement projects
 2 and amounts specified thereto, contained in the capital program and the capital budget of Prince
 3 George's County for the Prince George's Community College and for the various offices,
 4 departments, boards, commissions, institutions, corporations and agencies, excluding the
 5 Washington Suburban Sanitary Commission, as submitted by the County Executive to the
 6 County Council on or before March 15, 2011, and subsequently amended by the County
 7 Executive, and incorporated in a document entitled "Fiscal Year 2012 - 2017 Capital
 8 Improvement Program - Fiscal Year 2012 Capital Budget", an authenticated copy of which is
 9 incorporated herein by reference and made a part hereof as though it were fully set forth herein,
 10 is hereby adopted and approved. The capital budget hereby adopted constitutes the total
 11 appropriation for projects that are scheduled for implementation in Fiscal Year 2012 and those
 12 projects previously authorized. Inclusion of any project in the Capital Improvement Program,
 13 with all funding shown in the category "Beyond Six Years", shall mean that this project is not
 14 "programmed" for the purpose of evaluating the adequacy of public facilities in accordance with
 15 the subdivision regulations and the Zoning Ordinance.

16 SECTION 5. COUNTY ENERGY TAX. Pursuant to Section 10-205.01, paragraph (i)(2)
 17 of the County Code, 2007 Edition, 2010 Supplement, as amended, the following Energy Tax
 18 Rates are established for energy bills rendered on or after July 1, 2011:

<u>TYPE OF ENERGY</u>	<u>RATE</u>
Electricity	\$0.007454 per Kilowatt Hour
Natural Gas	\$0.064931 per Therm
Fuel Oil	\$0.191964 per Gallon
Propane	\$0.240954 per Gallon

24 SECTION 6. COUNTY INCOME TAX. Pursuant to Section 10-106, Tax- General
 25 Article, Annotated Code of Maryland, as amended, which requires each County to set a county
 26 income tax rate equal to at least one percent (1%) but not more than three and two tenths percent
 27 (3.2%) of an individual's Maryland taxable income, the County Council has set in CR-22-2008,
 28 adopted on May 20, 2008, a County income tax rate of three and two tenths percent (3.2%) of an
 29 individual's Maryland taxable income tax for the calendar years beginning January 1, 2009.

30 SECTION 7. EMERGENCY TRANSPORTATION FEE. Pursuant to Section 11-346 of
 31 the Prince George's County Code, which requires that the fee for emergency transportation be

1 established in the Annual Budget and Appropriation Ordinance and pursuant to Section 11-347
2 which requires that revenues from the fees imposed for emergency transportation by the County
3 shall be used for operation and capital expenses related to emergency transportation, the
4 following emergency transportation fees are hereby set for emergency transportation services
5 rendered on or after July 1, 2011:

6	TYPE OF EMERGENCY	FEE
7	TRANSPORTATION SERVICE	
8	Basic Life Support	\$500.00
9	Advanced Life Support 1	\$650.00
10	Advanced Life Support 2	\$750.00
11	Mileage fee	\$5.00 per mile

12 SECTION 8. AMENDMENTS TO THE CURRENT EXPENSE BUDGET, THE
13 CAPITAL PROGRAM, AND THE CAPITAL BUDGET. The proposed current expense
14 budget of Prince George's County and of the Board of Education, referred to above in Section 1
15 of this Act, and the capital improvement program and capital budget referred to in Section 4
16 above, are hereby amended as set forth in Exhibits 1, 2, 3, and 4 attached hereto and made a part
17 hereof:

18 The amount of the revenue estimates in the current expense budget for all funds as
19 submitted by the County Executive as set forth in the Proposed Budget, Fiscal Year 2012 is
20 hereby set at the sum of \$3,165,834,500 in accordance with the revenue schedule on the ensuing
21 pages:

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PRINCE GEORGE'S COUNTY

FISCAL YEAR 2012

REVENUE

REVENUE ITEM	PROPOSED FY 2012	COUNCIL APPROVED FY 2012
PROPERTY TAXES	\$ 720,561,200	\$ 720,561,200
(Including Personal Property Taxes)		
INCOME TAXES	454,419,900	458,829,900
TRANSFER & RECORDATION TAXES	95,485,900	90,385,900
OTHER LOCAL TAXES	129,084,100	129,084,100
STATE SHARED TAXES	893,000	1,416,700
LICENSES & PERMITS	17,204,900	17,204,900
USE OF MONEY & PROPERTY	9,780,000	9,780,000
CHARGES FOR SERVICES	34,207,100	34,207,100
INTERGOVERNMENTAL REVENUES	32,416,600	32,316,600
MISCELLANEOUS REVENUES	7,527,500	7,527,500
OTHER FINANCING SOURCES	67,000,000	74,935,000
BOARD OF EDUCATION AID	983,068,300	996,644,100
COMMUNITY COLLEGE AID	71,007,300	71,007,300
LIBRARY AID	<u>6,770,500</u>	<u>6,776,500</u>
TOTAL GENERAL FUND	\$ 2,629,426,300	\$ 2,650,676,800
INTERNAL SERVICE FUNDS	40,918,400	40,918,400
ENTERPRISE FUNDS	150,010,600	150,010,600
SPECIAL REVENUE FUNDS	177,416,400	126,925,000
GRANT PROGRAMS	<u>194,573,700</u>	<u>197,303,700</u>
TOTAL ALL FUNDS	\$ 3,192,345,400	\$ 3,165,834,500

1 The following amendments to the revenue estimates in the FY 2012 current expense
 2 budget were made and submitted by the County Executive and are reflected in the amendment
 3 letter dated May 6, 2011.

4 GENERAL FUND

5 Income Taxes

6 Increase revenue by \$4,410,000 to reflect additional revenues declared by the County
 7 Executive in an amendment to the Fiscal Year 2012 Operating Budget dated May 6, 2011 as a
 8 result of a restoration of a portion of the State reduction for the State Income Disparity Grant.

9 Transfer and Recordation Taxes

10 Reduce revenue by (\$5,100,000) to reflect a decline in revenues declared by the County
 11 Executive in an amendment to the Fiscal Year 2012 Operating Budget dated May 6, 2011
 12 related to the struggling housing market.

13 State Shared Taxes

14 Increase revenue by \$523,700 to reflect additional revenues declared by the County
 15 Executive in an amendment to the Fiscal Year 2012 Operating Budget dated May 6, 2011
 16 related to a one-time increase in highway user revenues.

17 Intergovernmental Revenues

18 Reduce revenue by (\$100,000) as a result of the amendment letter from the County
 19 Executive dated May 6, 2011 related to a decrease in the State Aid Racing Impact Grant.

20 Other Financing Sources

21 Increase revenue by \$7,935,000 to reflect additional revenues declared by the County
 22 Executive in an amendment to the Fiscal Year 2012 Operating Budget based on adjustments
 23 made by the County Council.

24 Outside Sources – Board of Education Aid

25 Increase funding by \$13,575,800 as a result of the amendment letter from the County
 26 Executive dated May 6, 2011 related to additional State Aid to the Board of Education.

27 Outside Sources - Library Aid

28 Increase funding by \$6,000 as a result of the amendment letter from the County Executive
 29 dated May 6, 2011 related to additional State Aid to the Library System.

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 31 SUBTOTAL GENERAL FUNDS – \$21,250,500

1 GRANT PROGRAM FUNDS

2 Increase in grant revenue by \$2,747,500 for the Health Department, the Fire/EMS
3 Department, the Police Department, and the Department of Social Services, and a decrease in
4 grant revenue by \$17,500 for the Office of the State's Attorney as a result of adjustments made
5 by the County Executive.

6 SUBTOTAL GRANT FUNDS - \$2,730,000

7 SPECIAL REVENUE FUNDS

8 Decrease funding in revenue by (\$50,491,400) for the Economic Development Incentive
9 Fund pending establishment and approval of the fund.

10 SUBTOTAL SPECIAL REVENUE FUNDS – (\$50,491,400)

11 TOTAL ALL FUNDS - (\$26,510,900)

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13 SECTION 9. TRANSFER TAX. Pursuant to Section 10-187(e) of the Prince George's
14 County Code, all transfer tax revenue collected by Prince George's County in Fiscal Year 2012
15 shall be used for funding the Instructional Salaries, Instructional Materials and Related Costs,
16 Special Education, and Fixed Charges Categories of the Board of Education approved Fiscal
17 Year 2012 Budget.

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

22 SECTION 11. BE IT FURTHER ENACTED that the Fire Chief, the Chief of Police, and
23 the Director of Corrections shall provide reports to the County Council within 30 days of the
24 end of each quarter concerning the level of expenditures within the Fire/Emergency Medical
25 Services Department, the Police Department, and the Department of Corrections, respectively,
26 for overtime compensation, including paid time off in lieu of overtime compensation, and the
27 deviation from the amount authorized for the payment of overtime compensation in the adopted
28 budget, and that the Director of Management and Budget shall provide a report to the County
29 Council not later than January 30, 2012, of the level of expenditures for overtime compensation
30 for each agency and department as of December 31, 2011.

31 SECTION 12. BE IT FURTHER ENACTED that the Director of Management and

1 Budget and the Director of Finance shall provide reports to the County Executive and the
2 County Council within 15 days of the end of each bi-monthly period, beginning on September
3 30, 2011, for the months of July and August, concerning the level of revenues received and the
4 level of expenditures made or encumbered to determine whether the anticipated level of
5 revenues and expenditures that formed the basis for the adoption of this Annual Budget and
6 Appropriation Ordinance are being realized during the course of the fiscal year.

7 SECTION 13. BE IT FURTHER ENACTED that the Director of the Department of
8 Public Works and Transportation shall provide a report to the County Executive and the County
9 Council by September 30, 2011, concerning the status of the road resurfacing needs in the
10 County to assist the County Council in their development of a road resurfacing priority funding
11 list to be expended as provided in the Curb and Road Rehabilitation 2 (FD661021) capital
12 improvement program project; and such road resurfacing projects shall have a goal of at least
13 51% of those related jobs being held by County residents.

14 SECTION 14. BE IT FURTHER ENACTED the County Council hereby restored \$4.0
15 million to the Student Transportation Services category of the Board of Education's FY2012
16 Operating Budget to support transportation services for students in specialty programs and the
17 County Council looks forward to the continued cooperative relationship with the Board of
18 Education Members and Superintendent in enhancing our educational system; and the
19 Superintendent shall provide a comprehensive report to the County Executive and the County
20 Council evaluating the public school transportation program including an analysis of efficient
21 and effective public school transportation alternatives in meeting the priority needs of the
22 students of the Prince George's County Public Schools.

23 SECTION 15. BE IT FURTHER ENACTED that there is a General Fund operating
24 reserve, equal to two percent of the General Fund budget, subject to appropriation only in
25 accordance with Section 816 of the Charter for Prince George's County, Maryland, to meet a
26 public emergency, which constitutes a sudden, unexpected or unforeseen condition or
27 occurrence, creating an imminent hazard to life, health or property and requiring immediate
28 action.

29 SECTION 16. BE IT FURTHER ENACTED that there is a three-person committee to
30 assign fund balance in the General Fund consisting of (1) the Director of the Office of
31 Management and Budget, or his or her designee, (2) the Director of Finance of the County, or

1 his or her designee and (3) the County Council Administrator, or his or her designee.

2 SECTION 17. BE IT FURTHER ENACTED that if any person holding an office of profit
3 within the meaning of Article 35 of the Declaration of Rights, Constitution of Maryland, in the
4 opinion of the County Attorney, is appointed to a second office within the meaning of Article 35
5 of the Declaration of Rights, Constitution of Maryland, in the opinion of the County Attorney,
6 then no compensation or other emolument, except expenses incurred in connection with
7 attendance at hearings, meetings, field trips, and working sessions, shall be paid from any funds
8 appropriated by this budget to that person for any services in connection with the second office.

9 SECTION 18. BE IT FURTHER ENACTED that, in accordance with Section 815 of the
10 Charter, the County Executive has submitted a proposed listing of positions for each agency of
11 the County, a copy of which is attached as Exhibit 6 and the County Council has delineated a
12 proposed listing of positions for the County Council, a copy of which is attached as Exhibit 5,
13 the County Council approves the number of positions contained in Exhibit 5 and Exhibit 6 for
14 Fiscal Year 2012.

15 SECTION 19. BE IT FURTHER ENACTED that the provisions of this Act are hereby
16 declared to be severable; and, in the event that any section, subsection, paragraph,
17 subparagraph, sentence, clause, phrase, or word of this Act is declared invalid or
18 unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall
19 not affect the remaining words, phrases, clauses, sentences, subparagraphs, paragraphs,
20 subsections, or sections of this Act, since the same would have been enacted without the
21 incorporation in this Act of any such invalid or unconstitutional word, phrase, clause, sentence,
22 subparagraph, subsection, or section
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SECTION 20. EFFECTIVE DATE. This Act shall take effect on July 1, 2011.

Adopted this 26th day of May, 2011.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Ingrid M. Turner
Chair

ATTEST:

Redis C. Floyd
Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Rushern L. Baker, III
County Executive

Note: Exhibits 1, 2, 3, 4, 5, and 6 available in hard copy only and as an Inclusion File in LIS