

Introduced 10/05/09
Public Hearing 10/19/09
Council Action 10/26/09
Executive Action 10/27/09
Effective Date 10/27/09

County Council Of Howard County, Maryland

2009 Legislative Session

Legislative Day No. 13

Transfer of Appropriation Ordinance No. 2 Fiscal Year 2010

Introduced by: The Chairperson at the request of the County Executive

AN ACT transferring \$3,530,000 in Water Quality State Bond Loan funding to capital project S6175, Little Patuxent Parallel Sewer, from capital project S6214, Sewer Contingency Fund, in order to receive certain funding pursuant to the American Recovery and Reinvestment Act of 2009; and transferring \$3,530,000 in Metropolitan District Bond funding to capital project S6214, Sewer Contingency Fund, from capital project S6175, Little Patuxent Parallel Sewer.

Introduced and read first time October 5, 2009. Ordered posted and hearing scheduled.

By order Stephen LeGendre
Stephen LeGendre, Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on Oct. 19, 2009.

By order Stephen LeGendre
Stephen LeGendre, Administrator

This Bill was read the third time on Oct. 26, 2009 and Passed ☒, Passed with amendments ☐, Failed ☐.

By order Stephen LeGendre
Stephen LeGendre, Administrator

Sealed with the County Seal and presented to the County Executive for approval this 26th day of Oct, 2009 at 5:00 a.m./p.m.

By order Stephen LeGendre
Stephen LeGendre, Administrator

Approved by the County Executive Oct 27, 2009

Ken Ulman
Ken Ulman, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; Strike-out indicates material deleted by amendment; Underlining indicates material added by amendment.

1 **WHEREAS**, as part of the American Recovery and Reinvestment Act of 2009
2 (the "ARRA"), the County has been awarded Water Quality State Revolving ("WQSR")
3 loan funding from the State in the amount of up to \$3,530,000; and
4

5 **WHEREAS**, the WQSR loan funding was awarded after the Annual Budget and
6 Appropriation Ordinance for Fiscal Year 2010 was adopted by the County Council; and
7

8 **WHEREAS**, capital project S6175, Little Patuxent Parallel Sewer, qualifies for the
9 use of WQSR loan funds and calls for study, design, and construction of the Little Patuxent
10 Parallel Sewer; and
11

12 **WHEREAS**, accordingly, the County Executive has requested the transfer of
13 \$3,530,000 in WQSR loan funding to capital project S6175, Little Patuxent Parallel
14 Sewer, from capital project S6214, Sewer Contingency Fund; and
15

16 **WHEREAS**, to balance the transfer of WQSR loan funds to capital project
17 S6175, Little Patuxent Parallel Sewer, an equal amount of Metropolitan District Bond
18 funds will be returned to capital project S6214, Sewer Contingency Fund; and
19

20 **WHEREAS**, the Department of Finance estimates that WQSR loan funding will
21 save Howard County an estimated \$40,000.00 in interest payments annually over the life
22 of the loan which will be fully amortized not later than 20 years after project completion;
23 and
24

25 **WHEREAS**, Section 609(b) of the Howard County Charter authorizes and
26 empowers the Howard County Council to make such transfers; and
27

28 **WHEREAS**, without the transfer authorized by this Act, the County will not
29 realize the substantial interest rate savings over the life of the bonds made available due to
30 the ARRA, nor will such funds be available to create additional employment, thereby failing
31 to stimulate the economy of Howard County; and

1
2 **WHEREAS**, the Director of Finance has certified that the appropriation to be
3 transferred is not encumbered and is available for transfer.
4

5 **Section 1. Be It Enacted by the County Council of Howard County, Maryland, that,**
6 *subject to the provisions of Maryland law, the Howard County Charter, and the Howard*
7 *County Code relating to the budgetary and fiscal procedures, the amount hereafter*
8 *specified is hereby approved, appropriated, and authorized to be disbursed for the*
9 *general County purposes specified and in sums itemized for the fiscal year beginning July*
10 *1, 2009 and ending June 30, 2010, as hereinafter indicated:*
11

12 **Recipient/Donor Project:**

13 **S6175 Little Patuxent Parallel Sewer**

14	Appropriation Fiscal 2010 before transfer	\$78,230,000	
15	Plus amount transferred from S6214	\$3,530,000	(W)
16	Less amount transferred to S6214	<u>\$3,530,000</u>	(M)
17	Appropriation Fiscal 2010 after transfer	\$78,230,000	

18
19 **Donor/Recipient Project:**

20 **S6214 Sewer Contingency Fund**

21	Appropriation Fiscal 2010 before transfer	\$113,600,000	
22	Less amount transferred to S6175	\$3,530,000	(W)
23	Plus amount transferred from S6175	<u>\$3,530,000</u>	(M)
24	Appropriation Fiscal 2010 after transfer	\$113,600,000	

25
26 **Section 2. And Be It Further Enacted by the County Council of Howard County,**
27 *Maryland that this Transfer of Appropriation Ordinance shall be effective upon its*
28 *enactment.*

BY THE COUNCIL

This Bill, having been approved by the Executive and returned to the Council, stands enacted on October 27, 2009.

Stephen M. LeGendre
Stephen M. LeGendre, Administrator to the County Council

BY THE COUNCIL

This Bill, having been passed by the yeas and nays of two-thirds of the members of the Council notwithstanding the objections of the Executive, stands enacted on _____, 2009.

Stephen M. LeGendre, Administrator to the County Council

BY THE COUNCIL

This Bill, having received neither the approval nor the disapproval of the Executive within ten days of its presentation, stands enacted on _____, 2009.

Stephen M. LeGendre, Administrator to the County Council

BY THE COUNCIL

This Bill, not having been considered on final reading within the time required by Charter, stands failed for want of consideration on _____, 2009.

Stephen M. LeGendre, Administrator to the County Council

BY THE COUNCIL

This Bill, having been disapproved by the Executive and having failed on passage upon consideration by the Council stands failed on _____, 2009.

Stephen M. LeGendre, Administrator to the County Council

BY THE COUNCIL

This Bill, the withdrawal of which received a vote of two-thirds (2/3) of the members of the Council, is withdrawn from further consideration on _____, 2009.

Stephen M. LeGendre, Administrator to the County Council