

**TOWN OF NORTH BRENTWOOD**

**ORDINANCE NO. 2013-04 \_\_\_\_\_**

**Introduced by: Councilmember Aaron Baynes**  
**Seconded by: Councilmember Martha Cuffie**  
**Date of Introduction: September 03, 2013**

**An Ordinance Amending the Adopted Annual Budget for Fiscal Year 2014, Beginning July 1, 2013 and Ending June 30, 2014, to Designate, Allocate and Appropriate Funds from a Certain Financial Account to Accommodate a Certain Playground Grant Project**

**WHEREAS**, pursuant to the Sections 807 and 808 of the Charter of the Town of North Brentwood (the "Charter"), no public money may be expended without having been appropriated by the Council and if during the fiscal year there are available for appropriation revenues in excess of those estimated in the budget, the Council may make supplemental appropriations for the year up to the amount of such excess; and

**WHEREAS**, pursuant to the Section 810 of the Town Charter, all appropriations shall lapse at the end of the budget year to the extent that they have not been expended or lawfully encumbered and any unexpended and unencumbered funds shall be considered a surplus at the end of the budget year and shall be included among the anticipated revenues for the next succeeding budget year; and

**WHEREAS**, the Town Council has previously approved Ordinance No. 2013-03 on June 17, 2013 pursuant to Section 806 of the Town Charter thereby establishing the tax rates and adopting the Annual Budget for Fiscal Year 2013; and

**WHEREAS**, the Town Council has also previously approved Resolution 2013-03, thereby authorizing, *inter alia*, the Mayor to enter into an agreement to engage the services of the Hyattsville Community Development Corporation to assist the Town with the Maryland Department of Natural Resources ("DNR's") Community Parks and Playgrounds Grant Application and to further authorize withdraws from certain Town funds for said Project expenses pending reimbursement from the State pursuant to said grant; and

**WHEREAS**, the Town Council pursuant to Section 2 of said Resolution 2013-03 directed that upon final approval by the Maryland Board of Public Works, the Mayor and/or Town Treasurer was to ensure the preparation of an amending ordinance for the FY14 Town Budget (i.e., requiring a 2/3rds vote pursuant to Md. Ann. Code, Article 23A, §2(b)) for approval and for inclusion of a line item to be appropriately numbered and entitled "Community Parks and Playground Project" or words to that effect in order to allocate, appropriate and authorize the expenses authorized and enumerated in said Community Parks and Playground ("CP&P") Project Grant of approximately \$95,126 including the cost of Project Management to be provided by the CDC as described in said Resolution 2013-03; and

**WHEREAS**, the Town Council pursuant to Section 3 of said Resolution 2013-03, directed that upon final approval by the Board of Public Works of said POS/CP&P grant funding and pending reimbursement, the Mayor and/or Town Treasurer were thereby authorized to make withdrawals for Project expenses from the Town's Bank of America business economy

checking account also known as the "Reserve Fund" having a balance of approximately \$99,821.84 provided that the FY '14 Town Budget reflects the appropriation or allocation for said Project pursuant to Section 2 of said Resolution 2013-03.

**NOW THEREFORE BE IT ORDAINED** by the Council of the Town of North Brentwood that the annual budget for fiscal year 2014, as set forth on the (revised) budget document attached to this Ordinance and made a part hereof by reference is hereby adopted and reapproved as amended.

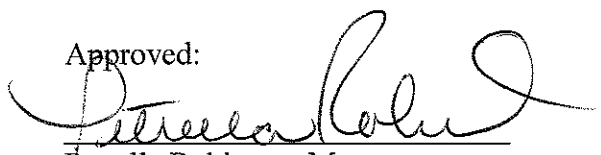
**AND BE IT FURTHER ORDAINED** that said budget document shall be annotated to reflect in the footnotes enumerating the Town's financial accounts; to wit: (1.) MLGIP Account, (2.) Business Economy Checking Account (Reserve Fund) and (3.) CIP Account, that the Business Economy Checking Account footnote shall further indicate the "North Brentwood Playground Improvement Project of \$95,000.00 for CP&P FY14 reimbursable \$91,000.00 (\$2,000 from in-kind contributions and \$2,000 from Town of North Brentwood)" as required by the terms of the Project Community Parks and Playground Agreement entered into with DNR on behalf of the State of Maryland, and that by this Ordinance said funds shall hereby be considered as appropriated, designated or allocated to accommodate funding for said grant project.

**AND BE IT FURTHER ORDAINED** that this Ordinance shall be effective pursuant to Section 411 of the Town Charter at the expiration of eleven (11) calendar days following adoption by the Council and approval by the Mayor or passage by the Council over the Mayor's veto.

**THIS ORDINANCE IS ADOPTED BY THE COUNCIL OF THE TOWN OF NORTH BRENTWOOD THIS 3rd DAY OF September, 2013.**

Aye: 3  
Nay: 0  
Absent: 0  
Abstain: 0

Approved:



Petrella Robinson, Mayor

Date: 9/3/2013