

Sponsored by:
Councilmember Caskey

CHARTER RESOLUTION 21-CR-01

CHARTER RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF UNIVERSITY PARK, PURSUANT TO THE AUTHORITY OF ARTICLE XI-E OF THE CONSTITUTION OF MARYLAND AND §4-301 ET SEQ. OF LOCAL GOVERNMENT ARTICLE, ANNOTATED CODE OF MARYLAND TO AMEND THE CHARTER OF THE TOWN OF UNIVERSITY PARK, BY REPEALING AND RE-ENACTING ARTICLE VI, "FINANCE", SECTION 602, "BUDGET", AND SECTION 606,"APPROPRIATIONS LAPSE AFTER ONE YEAR", AND TO ENACT NEW SECTION 620, "SUBMISSION AND ADOPTION OF CAPITAL IMPROVEMENT PROGRAM" TO MAKE PROVISION FOR A CAPITAL IMPROVEMENT PROGRAM AS PART OF THE TOWN BUDGET THAT MAY CONTINUE FROM FISCAL YEAR TO FISCAL YEAR

Section 1: Be it resolved and ordained by the Mayor and Common Council of University Park that Article VI, "Finance", Section 602,"Budget", of the Charter of the Town of University Park be repealed, re-enacted and amended to read as follows:

Section 602 Budget

The Mayor shall prepare and submit a budget to the Council, on such date as the Council by Ordinance shall determine, but no later than the first day of April before the beginning of any fiscal year. The budget shall provide a complete financial plan for the budget year and shall contain estimates of anticipated revenues, including projected surplus revenues as defined in Section 606, and proposed expenditures for the coming year, AND SHALL INCLUDE THE CAPITAL IMPROVEMENT PROGRAM. The total of the anticipated revenues shall equal or exceed the total of the proposed expenditures. The budget shall be a public record in the office of the Clerk, open to public inspection by anyone at reasonable times during normal business hours.

EXPLANATION:

CAPITALS INDICATE MATTER ADDED TO EXISTING LAW

[Brackets] indicate matter deleted from existing law

Asterisks indicate provisions of existing law which have been omitted from resolution and remain

1 Section 2: Be it further resolved and ordained by the Mayor and Common Council of
2 University Park that Article VI, "Finance", Section 606, "Appropriations Lapse after one year"
3 of the Charter of the Town of University Park be repealed, re-enacted and amended to read as
4 follows:

5 Section 606 Appropriations Lapse After One Year

6 All appropriations shall lapse at the end of the budget year to the extent that they shall not have
7 been expended or lawfully encumbered. Any unexpended and unencumbered funds shall be
8 considered a surplus at the end of the budget year and shall be included among the anticipated
9 revenues for the next succeeding budget year, WITH THE EXCEPTION THAT AN
10 APPROPRIATION FOR A CAPITAL PROJECTS FUND EXPENDITURE SHALL
11 CONTINUE IN FORCE UNTIL EXPENDED, REVISED OR REPEALED.
12

13 Section 3: Be it further resolved and ordained by the Mayor and Common Council of
14 University Park that Article VI, "Finance", Section 620, "Submission of Capital Improvement
15 Program" of the Charter of the Town of University Park be enacted to read as follows:

16 SECTION 620 SUBMISSION OF CAPITAL IMPROVEMENT PROGRAM

17 A. SUBMISSION. THE MAYOR SHALL PREPARE AND SUBMIT TO THE COUNCIL
18 ANY PROPOSED CAPITAL IMPROVEMENT PROGRAM NO LATER THAN THE FINAL
19 DATE FOR SUBMISSION OF THE TOWN FISCAL YEAR BUDGET.

20 B. CONTENTS. THE PROPOSED CAPITAL IMPROVEMENT PROGRAM SHALL
21 INCLUDE:

22 (1) A CLEAR SUMMARY OF ITS CONTENTS.

23 (2) A LIST OF ALL CAPITAL IMPROVEMENTS AND OTHER CAPITAL EXPENDITURES
24 WHICH ARE PROPOSED TO BE UNDERTAKEN, WITH APPROPRIATE SUPPORTING
25 INFORMATION AS TO THE NECESSITY FOR EACH.

26 (3) COST ESTIMATES AND RECOMMENDED TIME SCHEDULES FOR EACH
27 IMPROVEMENT OR OTHER CAPITAL EXPENDITURE.

28 (4) METHOD OF FINANCING, UPON WHICH EACH CAPITAL EXPENDITURE IS TO BE
29 RELIANT.

30 (5) THE ESTIMATED ANNUAL COST OF OPERATING AND MAINTAINING THE
31 FACILITIES TO BE CONSTRUCTED OR ACQUIRED.

32 C. THE ABOVE SHALL BE REVISED AND EXTENDED EACH YEAR WITH REGARD
33 TO CAPITAL IMPROVEMENTS STILL PENDING OR IN PROCESS OF CONSTRUCTION

1 OR ACQUISITION THROUGH ADOPTION OF THE TOWN BUDGET.
2

3 Section 4: Be it further resolved that this resolution is adopted after at least 21 days of
4 prior public notice of the public hearing and shall become effective fifty days after enactment by
5 the Mayor and Common Council of University Park, unless petitioned to referendum in a manner
6 prescribed by law. If any section, subsection, provision, sentence, clause, phrase or word of
7 this Charter Resolution is for any reason held to be illegal or otherwise invalid by any court
8 of competent jurisdiction, such invalidity shall be severable, and shall not affect or impair
9 any remaining section, subsection, provision, sentence, clause, phrase or word included
10 within this Charter Resolution, it being the intent of the Town that the remainder of the
11 Charter Resolution shall be and shall remain in full force and effect, valid and enforceable.

12 Section 5: Be it further resolved that a complete and exact copy of this proposed Charter
13 amendment shall be posted on the entrance door of the Town Hall of University Park, 6724
14 Baltimore Avenue, University Park, Maryland, for a period of not less than forty (40) days, and a
15 fair summary of this Charter amendment shall be published at least four times on four successive
16 weeks within that forty day period in a newspaper having general circulation in the Town.

17 APPROVED this 5th day of April, 2021.
18

19 ATTEST:

MAYOR AND COMMON COUNCIL
TOWN OF UNIVERSITY PARK

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24 Andrea D. Marcavitch
25 Andrea Marcavitch, Clerk
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By: 
Lenford C. Carey, Mayor

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APPROVED AS TO FORM AND LEGAL
SUFFICIENCY

Suellen M. Ferguson

Suellen M. Ferguson, Town Attorney

TUP Adopted 2021-CR-01 CIP Budget

Final Audit Report

2021-04-06

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