

Introduced _____
Public Hearing _____
Council Action _____
Executive Action _____
Effective Date _____

County Council Of Howard County, Maryland

2010 Legislative Session

Legislative Day No. 13

Bill No. 54 -2010

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

AN ACT amending the adopted Annual Budget and Appropriation Ordinance of Howard County, Fiscal Year 2011, and the Capital Budget Detail, Fiscal Year 2011, to add a new capital project, C0414, One Maryland Broadband Plan, so that the County may receive certain funding pursuant to the American Recovery and Reinvestment Act and use the funding to administer, purchase, and install dark fiber infrastructure in Howard County and to several jurisdictions in the region; and declaring this Act to be an emergency measure.

Introduced and read first time _____, 2010. Ordered posted and hearing scheduled.

By order _____
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 _____, 2010.

By order _____
Stephen LeGendre, Administrator

This Bill was read the third time on _____, 2011 and Passed ____, Passed with amendments _____, Failed _____.

By order _____
Stephen LeGendre, Administrator

Sealed with the County Seal and presented to the County Executive for approval this ____ day of _____, 2011 at ____ a.m./p.m.

By order _____
Stephen LeGendre, Administrator

Approved/Vetoed by the County Executive _____, 2011

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**, Council Bill No. 24-2010 is known as the Annual Budget and Appropriation
2 Ordinance of Howard County, Fiscal Year 2011 (the “Budget Ordinance”) and contains the capital
3 budget for the fiscal year beginning July 1, 2010 and ending June 30, 2011; and
4

5 **WHEREAS**, along with and incorporated into the Budget Ordinance, the County Executive
6 submitted the Capital Budget Detail, Fiscal Year 2011, (the “Capital Budget Detail”) that sets forth
7 information regarding all capital projects in the capital budget; and
8

9 **WHEREAS**, the Budget Ordinance was passed with amendments on May 19, 2010; and
10

11 **WHEREAS**, Section 613 of the Howard County Charter allows the County Council to
12 amend the budget after its final adoption upon the recommendation of the County Executive and the
13 Planning Board; and
14

15 **WHEREAS**, the County now wishes to add a capital project entitled “One Maryland
16 Broadband Plan” to the Budget Ordinance and to the Capital Budget Detail so that the County may
17 receive funding under the American Reinvestment and Recovery Act (the “ARRA”) and use the
18 funding to administer, purchase, and install dark fiber infrastructure across 10 local government
19 jurisdictions; and
20

21 **WHEREAS**, the One Maryland Broadband Plan will be administered by Howard County and
22 is a coordinated effort of the following jurisdictions: Anne Arundel County, the City of Annapolis,
23 Baltimore County, the City of Baltimore, Carroll County, Frederick County, Harford County,
24 Montgomery County, and Prince George’s County; and
25

26 **WHEREAS**, the purpose of the One Maryland Broadband Plan is to interconnect local
27 government, state and private networks; to improve public safety operability; to foster economic
28 development; and to directly connect over 800 community anchor institutions including schools,
29 libraries, community centers, and other public facilities; and
30

WHEREAS, the County Executive and the Planning Board have recommended approval of

1 the budget amendment to add the One Maryland Broadband Plan capital project; and

2
3 **WHEREAS**, the County Council has determined that it is in the best interest of the County
4 to approve the budget amendment to add the One Maryland Broadband Plan capital project; and

5
6 **WHEREAS**, the total capital appropriation in the Budget Ordinance shall not be increased as
7 a result of this budget amendment; and

8
9 **WHEREAS**, pursuant to Section 209(d) of the Howard County Charter, this matter is an
10 immediate emergency affecting the public health, safety, or welfare because, without the budget
11 amendment authorized by this Act, the County will not be able to receive the grant funding made
12 available due to the ARRA, nor will such funds be available to create additional employment, thereby
13 failing to stimulate the economy of the County and the region.

14
15 **NOW, THEREFORE,**

16
17 **Section 1. *Be It Enacted*** by the County Council of Howard County, Maryland that new capital
18 project C0414, One Maryland Broadband Plan, is added to the Annual Budget and Appropriation
19 Ordinance of Howard County, Fiscal Year 2011.

20
21 **Section 2. *And Be It Further Enacted*** by the County Council of Howard County, Maryland that
22 new capital project C0414, One Maryland Broadband Plan, is added to the Approved Capital
23 Budget Detail, Fiscal Year 2011, as shown in the attached detail pages, Part A and Part B, as
24 follows:

25
26 Insert the attached detail pages Part A and Part B for capital project C0414, One Maryland
27 Broadband Plan, into the Approved Capital Budget Detail, Fiscal Year 2011.

28
29 **Section 3. *And Be It Further Enacted*** by the County Council of Howard County, Maryland that the
30 Department of Public Works shall amend the Capital Budget, Fiscal Year 2011 accordingly by

1 *adding the appropriate references to C0414, One Maryland Broadband Plan, in the summary pages.*

2

3 ***Section 4. And Be It Further Enacted*** *by the County Council of Howard County, Maryland, that*
4 *this Act is hereby declared to be an emergency measure and necessary to meet an immediate*
5 *emergency affecting the public health, safety, or welfare because, without the budget amendment*
6 *authorized by this Act, the County will not be able to receive the grant funding made available due to*
7 *the ARRA, nor will such funds be available to create additional employment, thereby failing to*
8 *stimulate the economy of the County and the region, and, having been passed by the affirmative vote*
9 *of two-thirds of the members of the Council, shall be effective upon its enactment.*

Fiscal 2011 Capital Budget

Project: FY2011 ONE MARYLAND BROADBAND PLAN

GENERAL COUNTY PROJECTS

Number: C0414

Description:

A project resulting from the American Reinvestment and Recovery Act (ARRA) to include all costs to administer and purchase and install dark fiber infrastructure across 10 local government jurisdictions in order to interconnect local government, state and private networks, to improve public safety operability, foster economic development and to directly connect over 800 community anchor institutions including schools, libraries and community centers, and other public facilities as needed.

Justification:

This capital project will allow for the timely completion of the project, as described above, within the time requirements set forth in the ARRA broadband stimulus grant program.

Remarks:

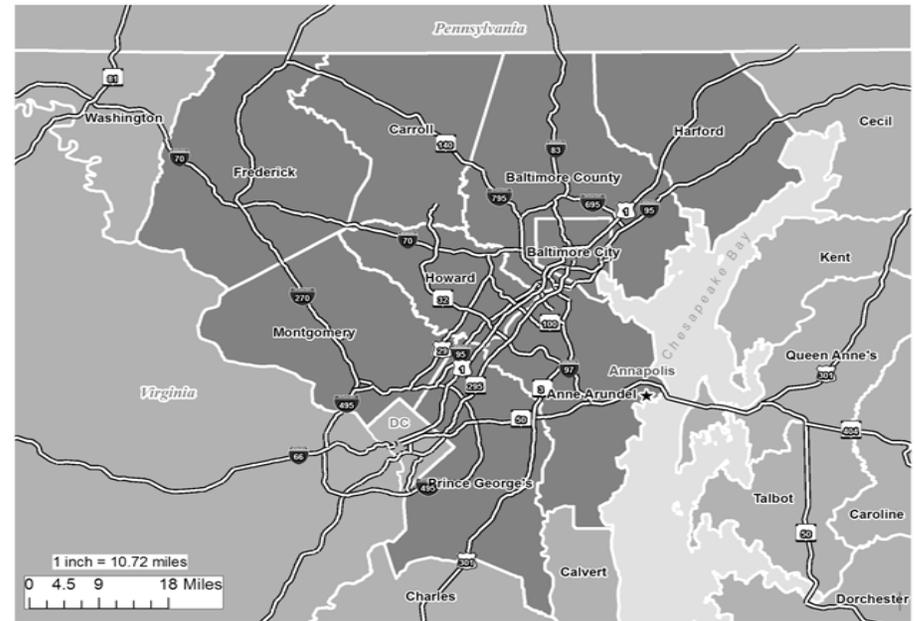
1. GRANT funds represent an ARRA stimulus grant awarded to Howard County as the prime applicant on behalf of a consortium of the following Maryland local jurisdictions: Anne Arundel County, City of Annapolis, Baltimore County, City of Baltimore, Carroll County, Frederick County, Harford County, Montgomery County, Prince George's County.

Project Schedule:

As required by GRANT award Schedule.

Operating Budget Impact:

Annual Bond Redemption \$ 0



Fiscal 2011 Capital Budget

GENERAL COUNTY PROJECTS

Project: FY2011 ONE MARYLAND BROADBAND PLAN

Number: C0414

(In Thousands)	Five Year Capital Program									Master Plan				
Appropriation Object Class	Prior Appr.	FY2011 Budget	Appr. Total	FY+1	FY+2	FY+3	FY+4	FY+5	Sub-Total	FY+6	FY+7	FY+8	FY+9	Total Project
PLANS & ENGINEERING	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Expenditures	0	0	0	0	0	0	0	0	0	0	0	0	0	0
GRANTS	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Funding	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Project Status:

\$ spent and encumbered through February 2011.