November 26, 2013

CHARTER AMENDMENT RESOLUTION 2014-02

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF HYATTSVILLE, MARYLAND, adopted pursuant to the authority of Article XI-E of the Constitution of Maryland and Section 13 of Article 23A of the Annotated Code of Maryland (1957 Edition, as amended), to amend the Charter of the said City, said Charter being a part of the public local laws of Maryland (1963 Edition, as amended), which Article contains in whole or in part the Charter of the City of Hyattsville, Maryland, whereby the Mayor and City Council clarify that the Treasurer is under the supervision of the City Administrator and City Council and clarifies the budget process and sets deadlines, procedures and information for all proposed budget discussions.

WHEREAS, the Mayor and City Council have authorized and determined that the office of the City Treasurer, particularly as it impacts the budget process, need clarification and workable standards and deadlines to function smoothly; and

WHEREAS, the Mayor and City Council find that these changes are necessary to properly debate and complete in a timely fashion the budget; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of Hyattsville, Maryland, in regular session assembled:

Section 1: That Sections C5-1, C5-2, C5-5 and C5-6 of the Charter of the City of Hyattsville, Maryland, be repealed and reenacted as follows:

ARTICLE V - Finance

§ C5-1. Appointment of Treasurer; compensation. [Amended 5-5-80 by HR No. 2-80, Amended 5-8-06 by HR No. 2006-04]

There shall be a Treasurer appointed by the City Council who shall serve at the pleasure of the City Council, unless other written terms are agreed to by the City. The Treasurer shall ordinarily report to the City Administrator. His/her compensation shall be determined by the Council. The Treasurer shall be the chief financial officer of the City. The financial powers of the City, except as otherwise provided by this Charter, shall be exercised by the Treasurer under the direction of the ~~Mayor, Council and~~ City Administrator **AND THE CITY COUNCIL**.

§ C5-2. Powers and duties. [Amended 5-5-80 by HR No. 2-80, Amended 5-8-06 by HR 2006-04]

Under the supervision of the ~~Mayor~~**CITY ADMINISTRATOR**, the Treasurer shall have authority and shall be required to:

A. Prepare, ~~at the request of the Mayor~~**WITH THE CITY ADMINISTRATOR**, an annual budget, to be submitted ~~by the Mayor~~ to the **CITY** Council.

B. Supervise and be responsible for the **PROPER** disbursement of all moneys and have control over all expenditures to ~~assure~~ **ENSURE** that budget appropriations are not exceeded.

C. Maintain a general accounting system for the City in such form as the Council may require, not contrary to state law.

D. Submit ~~at the end~~ **FOR EACH QUARTER** of each fiscal year, and at such other times as the Council may require, a complete financial report to the Council ~~through the Mayor~~.

E. Ascertain that all taxable property within the City is assessed for taxation.

F. Collect all taxes, special assessments license fees, liens and all other revenues, including utility revenues, of the City and all other revenues for whose collection the City is responsible and receive any funds receivable by the City.

G. Have custody of all public moneys belonging to or under the control of the City, except as to funds in the control of any set of trustees, **TO ENSURE THAT ALL SPECIAL ACCOUNTS FOR BONDS AND OTHER ACCOUNTS ARE PROPERLY MAINTAINED**, and have custody of all bonds and notes of the City.

H. Do such other things in relation to the fiscal or financial affairs of the City as ~~the Mayor,~~ the **CITY** Council or the City Administrator may require or as may be required elsewhere in this Charter **OR BY STATE LAW**.

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§ C5-5. Submission of annual budget to Council; budget open to public inspection. [Amended 5-5-80 by HR No. 2-80, 3-3-08 by HR 2008-06]

The ~~Mayor~~ **CITY ADMINISTRATOR, ORDINARILY BY THE FIRST MEETING IN APRIL OF EACH YEAR AND NO LATER THAN SIXTY (60) DAYS BEFORE THE BEGINNING OF THE FISCAL YEAR,**~~at least thirty-two (32) days before the beginning of any fiscal year,~~ shall submit a budget to the Council. The budget shall provide a complete financial plan **OF ALL CITY FUNDS AND ACTIVITIES** for the **ENSUING** budget year and shall contain estimates of anticipated revenues and proposed expenditures for the coming year. The total of the anticipated revenues, together with surplus, shall equal or exceed the total of the proposed expenditures. The budget **PRESENTED TO THE CITY COUNCIL** shall be a public record in the office of the Treasurer and open to public inspection by anyone during normal business hours. **THE BUDGET SHALL BE IN SUCH FORM AS THE CITY ADMINISTRATOR DEEMS DESIRABLE OR THE COUNCIL MAY REQUIRE. IN ORGANIZING THE BUDGET, THE CITY ADMINISTRATOR SHALL UTILIZE THE MOST FEASIBLE COMBINATION OF EXPENDITURE CLASSIFICATION BY FUND, DEPARTMENT, PROGRAM, PURPOSE, AND ACTIVITY. THE BUDGET SHALL BEGIN WITH A CLEAR GENERAL SUMMARY OF ITS CONTENTS; SHALL SHOW IN DETAIL ALL ESTIMATED INCOME, INDICATING THE PROPOSED PROPERTY TAX LEVY. IT SHALL INDICATE IN SEPARATE SECTIONS:**

a. ALL ACTUAL EXPENDITURES FOR THE TWO (2) PRECEDING BUDGET YEARS AND CURRENT YEAR EXPENDITURES.

b. PROPOSED EXPENDITURES FOR CURRENT OPERATIONS FOR THE ENSUING BUDGET YEAR, DETAILED BY OFFICES/DEPARTMENTS IN TERMS OF THEIR RESPECTIVE WORK PROGRAMS, ACTIVITIES AND THE METHOD OF FINANCING SUCH EXPENDITURES;

c. **PROPOSED CAPITAL EXPEDITURES FOR THE ENSUING BUDGET YEAR, DETAILED BY OFFICES/DEPARTMENTS WHEN PRACTICABLE, AND THE PROPOSED METHOD OF FINANCING EACH SUCH CAPITAL EXPENDITURE.**

d. **PROPOSED 5-YEAR FORECAST FOR THE OPERATING BUDGET AND CAPITAL IMPROVEMENT PLAN.**

§ C5-6. Adoption of budget.

Before adopting the budget, the Council shall hold a public hearing thereon after notice thereof has been published ~~twice~~ in a newspaper ~~having general~~ **IN** circulation within the City. The Council may insert new items or may increase or decrease the items of the budget. Where the Council shall increase the total proposed expenditures, it shall also increase the total anticipated revenues in an amount at least equal to such total proposed expenditures. The budget shall be prepared and adopted in the form of an ordinance. A favorable vote of at least a majority of the total elected membership of the Council shall be necessary for adoption.

Section 2: That the date of the adoption of this Resolution is January 27, 2014, and that the amendment to the Charter of the City of Hyattsville hereby proposed by this enactment shall be and become effective on March 18, 2014 [50 days], unless a proper petition for a referendum hereon shall be filed by March 8, 2014 [40 days], and a fair summary of the Amendment shall be published in a newspaper having general circulation in the City not less than four (4) times at weekly intervals by March 8, 2014 [40 days].

Section 3: That as soon as the Charter Amendment hereby enacted becomes effective, either as herein provided or following a referendum, the Clerk shall send separately to the Department of Legislative Services, the following information concerning the Charter Amendment: (1) the complete text of this Resolution; (2) the date of referendum election, if any, held with respect thereto; (3) the number of votes cast for and against this Resolution by the Mayor and City Council of the City of Hyattsville or in a referendum; and (4) the effective date of the Charter Amendment.

Section 4: That the Clerk be, and he/she is specifically enjoined and instructed to carry out the provisions of Sections 2 and 3, and as evidence of compliance herewith the said Clerk shall cause to be affixed to the Minutes of this meeting (1) an appropriate certificate of publication of the newspaper in which the fair summary of the Amendment shall have been published; and (2) records of mailing referred to in Section 3, and shall further complete and execute a Certificate of Compliance.

INTRODUCED by the Mayor and City Council of the City of Hyattsville, Maryland, at a Regular Meeting on January 6, 2014, at which meeting copies were available to the public for inspection.

ADOPTED by the Mayor and City Council of the City of Hyattsville, Maryland, at a Regular Meeting on January 27, 2014, at which meeting copies were available to the public for

inspection.

Adopted: January 27, 2014

Attest: _____ _____
Mayor

~~[-]~~ indicate deletions
CAPS/**BOLD** indicate additions