

County Administrative Code Article VII. Capital Improvement Program and Capital Budget Procedures

§ A7-1. Capital improvement program.

A. Capital improvement program defined. As required by § C4-10 of the Charter, the County Executive shall prepare a capital improvement program. This plan of capital projects proposed to be undertaken during a six-year period shall contain a description of each capital project, the estimated cost thereof, the proposed method of financing of each project and the estimated effect of each capital project in the first two (2) years of the program upon operating costs of the county within each of the three (3) fiscal years following completion of the project. The first year of the capital improvement program shall be the basis for determining the capital projects and their order of priority for inclusion in the capital budget. The capital improvement program shall contain the recommendations of the County Executive and the Planning Board on capital project proposals and on the order of priority of capital projects contained in the first year of the capital improvement program.

B. Duties of departments and other agencies. As set forth in the Charter, this code and related guidelines, all departments and other agencies shall contribute to the development and content of the capital improvement program.

C. Guidelines. The Director of Planning shall be made responsible for the general coordination and preparation of the capital improvement program and shall prepare and administer such guidelines as may be necessary for the preparation of the capital improvement program. Upon review by the Planning Board and the final approval of the County Executive, such guidelines shall be followed by all departments and other agencies. Guidelines established pursuant to this Subsection shall include, but shall not be limited to, a timetable or calendar for the preparation of the program; standard forms and/or definitions for program submissions; the specifications of program components, program submission data and other supportive material as necessary; and any procedural guidelines, in addition to those set forth in Subsection E below, necessary for preparation and adoption of the program or of amendments to the program.

D. Community participation. The Director of Planning shall establish a program for assuring adequate community participation in the preparation of the capital improvement program in accordance with § A16-2 of this code. Prior to making final recommendations on the capital improvement program, the Planning Board shall hold at least one (1) public information hearing on the program. Upon receipt of the County Executive's proposed capital improvement program, the Clerk of the Legislature shall submit copies of said program to each municipality in the county for its review and comment. Prior to the adoption by the County Legislature of the capital improvement program, the County Legislature shall hold at least one (1) public hearing thereon, pursuant to § C4-10G of the Charter. The capital improvement program, as proposed or adopted, shall be available for public inspection in the office of the Clerk of the Legislature.

E. Procedures for the preparation of capital improvement program. The capital improvement program shall be prepared for the County Legislature according to the following procedures, in the sequence indicated, and as set forth in § C4-10 of the charter:

(1) On or before the fifteenth day of October of each year, the County Executive shall begin the process of preparing the capital improvement program for the next six (6) years, beginning with the first day of January following the ensuing year, in accordance with the guidelines established pursuant to § 47-1C of this code.

(2) On or before the first day of December of each year, the Director of Planning shall receive all capital project requests as set forth in the guidelines established pursuant to § A7-1C of this code and shall refer acceptable requests to the Director of Management and Budget. The Director of Management and Budget shall analyze the fiscal and management aspects of each project request and shall then refer such analysis to the Director of Planning.

(3) The Director of Planning shall review such capital project requests for their effect on the development of the county and the provision of county services and for their consistency with the Comprehensive Development Plan and annual planning program. The Director of Planning shall prepare and present to the County Executive for review and recommendation a written report containing the analyses of the Director of Management and Budget and the Director of Planning.

(4) The Director of Planning shall receive the recommendations of the County Executive and shall prepare a written report based upon such recommendations, which shall be presented to the Planning Board. The Planning Board shall review and make written recommendations on all projects to be contained in the capital improvement program and the priority of capital projects for the first year of the program as set forth in § C5-7C of the charter.

(5) The Director of Planning shall then prepare a proposed capital improvement program report, which shall include the recommendations of the Planning Board and shall submit such report to the County Executive on or before the first day of April of each year.

(6) The County Executive shall review the proposed capital improvement program submitted by the Director of Planning and shall submit, on or before the first day of May each year, said proposed capital improvement program and the County Executive's recommendations to the County Legislature for its review and adoption, pursuant to § C4-10F of the Charter.

F. Amendment of the capital improvement program. At any time after the adoption of the capital improvement program, the County Legislature may, by a majority vote of its entire membership, amend the capital improvement program, provided that no capital project shall be added to the capital improvement program until it has first been reviewed by the County Executive and the Planning Board. The County Legislature shall refer the proposed amendment to the County Executive and the Planning Board for such review. Such review shall take place within forty-five (45) days of the date of such referral, provided that if the

County Executive and/or the Planning Board fails to act within such period of time, the County Legislature may proceed to act on the proposed amendment as it deems necessary.

§ A7-2. Capital budget.

A. Capital budget required and defined. There shall be an annual capital budget, as defined in § C4-11A of the Charter.

B. Preparation and adoption of the capital budget. The Director of Management and Budget shall prepare the proposed capital budget pursuant to § C4-11A of the Charter, for submission as an element of the proposed annual budget. The County Legislature shall adopt the capital budget as an element of the annual budget and shall provide for the financing of the projects contained therein, as set forth in § C4-4 of the Charter.

C. Amendment of the capital budget. At any time after the adoption of the capital budget, the County Legislature may amend the capital budget in accordance with the provisions of § C4-11C of the Charter.

D. Capital budget annual report. The County Executive shall report to the County Legislature on the status of the capital budget within ninety (90) days following the close of the fiscal year to which it applies. The report shall include summary data to evaluate the overall financial status of the capital budget: initial authorized amounts, amendments authorized during the budget year, borrowings made against authorizations, amounts expended and encumbered:

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- (1) A summary of the financial and implementation status prior to the fiscal year to which the capital budget applies;
- (2) A comparison of the planned financial and implementation activity during that fiscal year, with the financial and implementation activity that was performed; and
- (3) A summary of the financial and implementation activity yet to be accomplished, including the estimated date of project completion and the estimated total project cost.