

RESOLUTION NO. CA-6-16

RESOLUTION OF THE MAYOR AND CITY COUNCIL OF  
GAITHERSBURG TO AMEND SECTION 44 OF THE CITY CHARTER  
ENTITLED "DISPOSITION OF UNEXPENDED APPROPRIATIONS AT END OF  
BUDGET YEAR" SO AS TO CLARIFY DISPOSITION OF GENERAL FUND  
AND OTHER FUND EXPENDITURES

WHEREAS, Section 44 of the Charter of the City of Gaithersburg provides the guidelines for the appropriation of public funds by the Council; and

WHEREAS, the Mayor and City Council has determined that the proposed amendment is in the best interest of the City; and

WHEREAS, the amendment of Section 44 of the Charter of the City of Gaithersburg was duly considered by the Mayor and City Council at a public hearing held on May 2, 2016.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of Gaithersburg, in public meeting assembled, that Section 44 of the City Charter is hereby amended as follows:

Section 1 – That Section 44 of the Charter of the City of Gaithersburg be, and the same is, amended to read as follows:

Sec. 44. - Disposition of unexpended appropriations at end of budget year.

(a) The General Fund shall be the general operating fund that is used to account for all financial resources except for those required to be accounted for in another fund. This is the principal fund of the City and accounts for the normal recurring activities of the City.

<b>Boldface</b>	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
<del>Single strikethrough</del>	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by Amendment.</i>
<del>Double boldface strikethrough</del>	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

(b) All appropriations for ~~operating expenses~~ the General Fund shall lapse at the end of the budget year to the extent that they shall not have been expended or lawfully encumbered. All ~~Appropriations for capital~~ all other fund expenditures, to the extent that they shall not have been expended or lawfully encumbered at the end of the budget year, shall be deemed to be re-appropriated without inclusion in the budget for the subsequent year unless the council shall specifically provide that such appropriations are not re-appropriated. Any unexpended and unencumbered appropriations for ~~operating expenses~~ the General Fund shall be considered surplus at the end of the budget year for which they were appropriated and shall be included among the anticipated revenue for the next succeeding budget year.

Section 2 – BE IT FURTHER RESOLVED that the date of the adoption of this resolution is June 6, 2016, and that the amendment to the Charter of the City of Gaithersburg, as herein adopted, shall be and become effective on July 26, 2016, unless on or before said date a proper petition for referendum of this resolution shall be filed as permitted by law.

Section 3 – BE IT FURTHER RESOLVED that a complete and exact copy of this resolution shall be posted at City Hall, 31 South Summit Avenue, Gaithersburg, Maryland 20877, until July 16, 2016, and a fair summary of the proposed Charter amendment contained in this resolution shall be published in a newspaper of general circulation in the City of Gaithersburg not fewer than four (4) times at weekly intervals before July 16, 2016.

Section 4 – AND BE IT FURTHER RESOLVED that as soon as the Charter amendment hereby enacted shall become effective, either as herein provided or following a referendum, the City shall send or cause to be sent to the Department of Legislative Reference the following information concerning this Charter resolution: (1) the complete text of this resolution; (2) the date of enactment of the Charter amendment; (3) the date of the referendum election, if any; (4) the number of votes cast for or against this resolution whether by the City Council or in a referendum; and (5) the effective date of the Charter amendment contained herein.

ADOPTED by the City Council this 6th day of June, 2016.



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JUD ASHMAN, MAYOR and  
President of the Council

THIS IS TO CERTIFY that the foregoing Resolution was adopted by the City Council, in a public meeting assembled on the 6th day of June, 2016. This Resolution will become effective on the 26th day of July, 2016.



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Tony Tomasel, City Manager