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Introduced by: Mr. Smiley, Mr. Cartier
Date of introduction: April 10, 2012

ORDINANCE NO. 12- 040

**THE CAPITAL BUDGET ORDINANCE OF NEW CASTLE COUNTY
FOR THE FISCAL YEAR BEGINNING JULY 1, 2012**

WHEREAS, Chapter 22 of Title 9 of the *Delaware Code*, as amended, authorizes New Castle County to plan, acquire, purchase, construct, reconstruct, improve, better and extend, and maintain and operate sewerage systems therein defined, and the County Council of New Castle County has determined to extend existing sewerage systems now maintained by the County by rehabilitating and constructing local sewer projects and to improve existing sewer systems, pump stations, treatment plant sites, and facilities; and,

WHEREAS, Chapter 39 of Title 7 of the *Delaware Code*, as amended, authorizes New Castle County to carry out preventive and control measures and works of improvement for the prevention of erosion, floodwater, and sediment damages, and the County Council of New Castle County has determined to construct, improve, and develop stormwater courses and facilities; and,

WHEREAS, Section 1163 of Title 9 of the *Delaware Code* authorizes New Castle County to issue bonds to finance the cost of any object, program or purpose for which New Castle County may raise, appropriate or expend money, and the County Council of New Castle County has determined to expend money for various facilities and services; and,

WHEREAS, Subchapter III, Chapter 13 of Title 9 of the *Delaware Code*, as amended, authorizes New Castle County to develop plans for buildings/facilities, parks, open spaces, natural areas and greenways within the County, and said plans provide for the acquisition of land for the development of parks and recreation facilities and the improvements and development of existing parks and buildings/facilities, and the County has deemed it necessary to implement such plans for development and improvements.

NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:

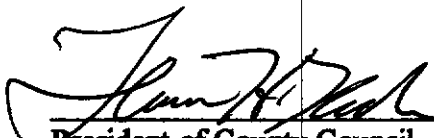
Section 1. Exhibit "A", entitled "Capital Budget FY2013" consisting of two (2) pages, dated March 16, 2012, attached hereto and made a part hereof, is hereby adopted as the Capital Budget of New Castle County for the fiscal year beginning July 1, 2012, and ending June 30, 2013.

Section 2. The projects listed on Exhibit "B" will sunset in accordance with Key Financial Policy (KFP #1) on June 30, 2012. All unexpended appropriations and bond authorizations on June 30, 2012, will be hereby deauthorized. Any encumbrances will remain open until liquidated.

Section 3. This ordinance shall become effective immediately upon its adoption by County Council and approval by the County Executive, or as otherwise provided by 9 *Del. C.* § 1156.

Section 4. The effective date for the provisions in this ordinance shall be July 1, 2012.

Adopted by County Council of
New Castle County on: 6/22/12


President of County Council
of New Castle County

Approved on: 5/30/2012


County Executive
New Castle County

SYNOPSIS: This ordinance is the Capital Budget Ordinance for the Fiscal Year 2013, authorizing capital spending of \$17,032,000 for 35 County projects. This ordinance will also deauthorize the projects on Exhibit "B" and the corresponding available appropriations and bond authorizations on June 30, 2012.

FISCAL NOTE: The Capital Budget Ordinance for the Fiscal Year 2013, authorizes capital spending of \$17,032,000 for various projects. A companion ordinance authorizing the issuance of General Obligation Bonds of \$13,401,000 to fund the Capital Budget must be adopted.

In addition, this ordinance sunsets 5 capital projects, effective June 30, 2012. Projects are listed on Exhibit "B".

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EXHIBIT "A"
NEW CASTLE COUNTY
CAPITAL BUDGET - FY2013

Department of Special Services

SANITARY FACILITIES

Asset Management.....	\$ 1,500,000
Brandywine Hundred Clearwater Program.....	(2,000,000)
Countywide Manhole Rehabilitation.....	1,500,000
Countywide Trenchless Rehabilitation.....	1,000,000
Delaware City Treatment Plant Rehabilitation.....	250,000
DelDot Coordination Project II.....	1,000,000
General Sewer Improvements.....	275,000
General Stormwater Improvements.....	53,000
Hyde Run Relief.....	(2,000,000)
Kirkwood Trunk Relief Line Interceptor.....	1,500,000
Pike Creek Improvements.....	(1,500,000)
Pump Station Rehabilitation.....	900,000
Sewer Repairs & Rehabilitation II.....	2,100,000
South Christiansa Interceptor Analysis.....	500,000
Stormwater Basin Renovation II.....	600,000
Water Farm #1 Improvements.....	(1,303,000)
White Clay Sewer Basin Rehabilitation.....	2,000,000
Subtotal	\$ 6,375,000

FACILITIES/EQUIPMENT

Building Rehabilitation.....	\$ 2,000,000
General Roof Renovations.....	100,000
Hazardous Substance & Asbestos Abatement.....	25,000
Inspection of Tanks.....	25,000
Subtotal	\$ 2,150,000

PARKS

Game Court Improvements.....	\$ 175,000
General Parkland Improvements.....	(300,000)
Glasgow Regional Park.....	500,000
Land Acquisition.....	500,000
Maintenance Base Renovations.....	175,000
Parkland Acquisition.....	500,000
Play Area Improvements.....	325,000
Subtotal	\$ 1,875,000

EXHIBIT "A"
NEW CASTLE COUNTY
CAPITAL BUDGET - FY2013

Department of Community Services

Claymont Library	\$	166,000
Newark Library Renovation		50,000
Route 9 Community Library		2,280,000
Southern Library		1,723,000
Subtotal	\$	4,219,000

Department of Public Safety

Lifepak 15 Upgrades	\$	800,000
Police Protection Package		100,000
Subtotal	\$	900,000

Department of Administration

Information Systems Expansion	\$	1,513,000
Subtotal	\$	1,513,000

CAPITAL BUDGET TOTAL \$ 17,032,000

Exhibit "B"

NEW CASTLE COUNTY

Projects to Sunset FYE 2012

Parks

120508	Play Area Improvements	Complete
120608	Delcastle Competition Quad	Complete

Libraries

130417	Hockessin Library Expansion	Complete
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Sewer

220221	Develop Interceptor Improvements	Complete
250213	Bridleshire Farms Septic Elimination	Complete

Paul G. Clark
County Executive



David M. Culver
General Manager

Department of Land Use

JOINT RECOMMENDATION

**New Castle County Capital Program & Budget
Fiscal Year 2013-2018**

May 15, 2012

DESCRIPTION

The Delaware Code requires that the County Executive submit the Capital Program and Budget to the Department of Land Use for its review and recommendation to County Council, and also to the Planning Board for the sole purpose of determining whether the program and budget are in accordance with the Comprehensive Development Plan. The Capital Program consists of the six fiscal years following its June 30th adoption, and the Capital Budget refers to the first year of the Capital Program. The Capital Program and Budget were transmitted to County Council on April 10, 2012.

BACKGROUND & ANALYSIS

One of the basic purposes of capital improvement programming is to coordinate physical and fiscal planning in order that the greatest possible benefits may be realized from the County's existing and anticipated financial resources. To accomplish this, a ranking of desired public improvements must be established by assigning a need-based priority to each project. The ranked project list is then reconciled with the County's ability to pay for the projects over time. Other benefits of the Capital Program and Budget process include the following: translation of the County's Comprehensive Development Plan, individual department functional plans and studies, and other programs and policies into tangible projects; the possibility of guiding private development so that it occurs in a way that is in conformity with the Comprehensive Development Plan; coordination of the capital projects of all County Departments so that they will further the implementation of the Comprehensive Development Plan; keeping the public informed of the County's long-range development plans; and enabling the County Executive and the County Council to better understand long-term cash needs, and to better anticipate the necessary financing for both capital and operating activities.

The 2007 Comprehensive Development Plan Update was adopted by County Council on July 24, 2007, approved by the County Executive on July 26, 2007, and certified by Governor Ruth Ann Minner on September 7, 2007. The four core principles of the 2007 Comprehensive Plan Update include: building connected communities in both new growth and redevelopment areas; concentrating new growth and supporting redevelopment in established communities as a method of preserving valuable, limited resources; coordinating the delivery of public and private

sector services to meet the needs of residents; and recognizing that an equitable sharing of the costs and benefits of growth comes by expecting that growth in infrastructure or services should pay for itself. The 2012 Comprehensive Development Plan was adopted by County Council on April 24, 2012, but the plan is still awaiting certification by the Governor and would be effective on July 1, 2012.

The goals of previous comprehensive planning efforts, which directly relate to the capital budget, are still valid and include the following: controlling the pace of development through the availability of developable land and adequate infrastructure; coordination and efficient and effective use of governmental resources at all levels to improve the quality of life for our citizens; provision of adequate community facilities, services, and utilities consistent with the future land use plan; integration of the County's infrastructure and service plans with land use plans to provide efficient delivery of services; and requiring that new development contribute to the cost of community facilities and services.

The current capital budget is a leaner budget than last year, totaling \$17 million – a \$29 million decrease from last year's austere budget of \$46 million. The reduced Capital Budget is part of a balanced approach along with operating budget reductions to balance the budgets in the upcoming fiscal years, and New Castle County has been awarded AAA bond rating by all three rating agencies.

Over 75,318 new residents are projected by the year 2040, which translates to 50,430 new households. To preserve quality of life, additional infrastructure will be necessary, and impact fees will be used to supplement the future cost of equipment, vehicles, and buildings necessary to serve new development. For example, impact fees are currently being used to assist volunteer fire companies in the purchase of capital equipment, and in the construction of new substations to serve new communities.

New Castle County continues to encourage and develop our County Library system. \$4.2 million is currently budgeted in FY 2013 to study, plan, construct, and renovate the Bear Library, the Newark Library, the proposed Southern New Castle County Library, the Proposed Route 9 Community Library, and the proposed Claymont Library.

Substantial reductions were previously made to the Capital Budget in prior fiscal years, cutting roughly \$76.6 million in previously-authorized projects, impacting 43 projects from sewers to parks to libraries. Many capital projects have been delayed, and a few have been cancelled. In FY 2013, the County will be spending \$2.15 million on general building renovations, \$1.9 million for park improvements, \$5.7 million for sewer construction and rehabilitation, \$1.5 million for information systems maintenance and expansion, and \$800,000 for life-saving paramedic equipment. Computer-related capital expenses, which are necessary to maintain the county servers, website, and databases, will cost \$1.5 million in the upcoming budget year.

Sanitary sewer infrastructure is one of the most important services that New Castle County provides, consisting of 1,800 miles of sewer line, 165 pump stations, and more than 38,000 manholes. Manholes are being retrofitted in an ongoing program to reduce stormwater infiltration at an ultimate cost of \$13 million to reduce wastewater treatment costs, and ongoing

computerization of sewer system data is also enabling County personnel to better manage sewer rehabilitation.

Sewer projects are also necessary preventative measures to maintain the 1,800-mile sewer system, which is required for compliance per an enforcement action by the Environmental Protection Agency (EPA) and the Delaware Department of Natural Resources and Environmental Control (DNREC). This directive includes rehabilitation of the aging Brandywine Hundred sewer infrastructure and expanding sewer line inspections to further protect and improve the health of our waterways. The County has spent \$155 million over the past five years to maintain the sewer system, and successful sewer rehabilitation projects in Brandywine Hundred, Pike Creek, Delaware City, White Clay Creek, and elsewhere are preventing stormwater from leaking into the lines, and overflows have been limited to the lowest number in decades even with more frequent and larger storm events. Countywide, sewer and stormwater projects will cost about \$5.7 million in FY 2013. In addition, because of the proactive work of the employees in the Department Special Services, there has been a 46 percent reduction since 2010 in sanitary sewer overflows and backups caused by tree roots, fats, oils, grease and other substances invading our sewer lines.

DEPARTMENT OF LAND USE RECOMMENDATION

The Department believes that the proposed Capital Program and Budget is based on sound land use planning principles and is in accordance with the Comprehensive Development Plan, and recommends that New Castle County Council approve the New Castle County Capital Program & Budget for Fiscal Year 2013-2018.

PLANNING BOARD RECOMMENDATION

At the business meeting held on May 15, 2012, the Planning Board considered the recommendation offered by the Department of Land Use. On a motion made by Mr. Wilson and seconded by Mr. McGlinchey, the Planning Board concurred with the Department's recommendation, and the motion was adopted by a vote of 6-0 (Yes: Anderson, McDowell, McGlinchey, Snowden, Visvardis, and Wilson; Absent: Killingsworth and MacArtor).

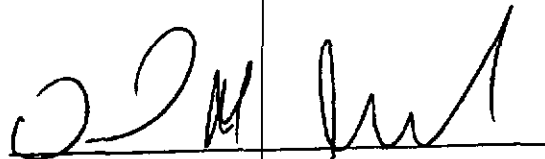
In a discussion of the motion, Mr. McDowell noted the importance of the proposed Southern New Castle County Library and the proposed Route 9 Community Library.

STATUTORY GUIDELINES

In the phraseology of 9 Delaware Code Section 2603 (a), the Department of Land Use finds that the recommended Capital Program & Budget, Fiscal Year 2013-2018 would promote the convenience, order, and welfare of the present and future inhabitants of this state.


VICE CHAIRMAN

Richard E. Killingsworth, Chairman
New Castle County Planning Board



David M. Culver, General Manager
Department of Land Use