

ORDINANCE NO. 08-038

**THE CAPITAL BUDGET ORDINANCE OF NEW CASTLE COUNTY
FOR THE FISCAL YEAR BEGINNING JULY 1, 2008**

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.

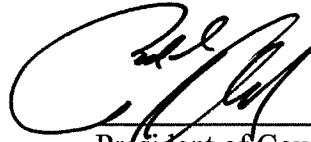
THE COUNTY OF NEW CASTLE HEREBY ORDAINS:

Section 1. Exhibit "A", entitled "Capital Budget FY2009" consisting of two (2) pages, dated March 18, 2008, 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, 2008, and ending June 30, 2009.

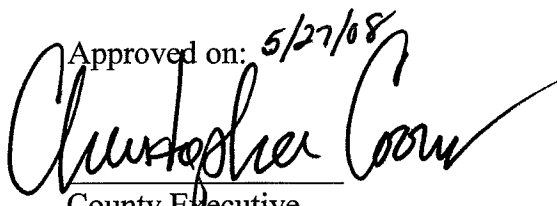
Section 2. Appropriate funds of \$4,718,000 from the Tax Stabilization Reserve Account, \$1,075,000 from Impact Fees, \$200,000 of State, and \$484,000 of private funding to fund incurred Capital costs.

Section 3. The Projects listed on Exhibit "B" will sunset in accordance with Key Financial Policy #1 (KFP) on June 30, 2008. All unexpended appropriations and bond authorizations on June 30, 2008, will be hereby deauthorized. Any encumbrances will remain open until liquidated.

Adopted by County Council
of New Castle County on: 5/27/08



President of County Council
of New Castle County

Approved on: 5/27/08


County Executive
New Castle County

SYNOPSIS: This Ordinance is the Capital Budget Ordinance for the Fiscal Year 2009, authorizing capital spending of \$42,600,000 for 47 County projects. This Ordinance will also deauthorize the projects on Exhibit "B" and the corresponding available appropriations and bond authorizations on June 30, 2008.

FISCAL NOTE:

The Capital Budget Ordinance for the Fiscal Year 2009, authorizes capital spending of \$42,600,000 for various projects. In addition, appropriations to fund the Fiscal Year 2009 Capital Budget include Tax Stabilization Reserve Account (\$4,718,000), Impact Fees (\$1,075,000), State (\$200,000), and private funding (\$484,000). A companion Ordinance authorizing the issuance of General Obligation Bonds of \$36,553,000 to fund the Capital Budget must be adopted.

In addition, this ordinance sunsets 18 capital projects, effective June 30, 2008. Projects are listed on Exhibit "B".



EXHIBIT "A"
NEW CASTLE COUNTY
CAPITAL BUDGET – FY2009

Department of Special Services

SANITARY FACILITIES

Belltown Sanitary Sewer Upgrade.....	\$ 600,000
Boxwood Road Sanitary Sewer Improvements.....	1,000,000
Brandywine Hundred Clearwater Program.....	500,000
Brandywine Hundred North Rehabilitation.....	9,433,000
Brandywine Hundred South Rehabilitation.....	2,372,000
Bridleshire Farms Septic Elimination.....	500,000
Christiana Pump Station Upgrade.....	250,000
Christiana River Force Main.....	325,000
Countywide Drainage Problems.....	(845,000)
Delaware City Treatment Plant Rehabilitation.....	1,300,000
DelDot Coordination Project.....	500,000
Electrical Power Distribution Upgrades.....	500,000
Energy Audit.....	(100,000)
Hyde Run Relief.....	500,000
Little Mill Creek I.....	(23,000)
Little Mill Creek II.....	23,000
North Delaware Interceptor System.....	7,797,000
Odor & H2S Issues.....	200,000
Pump Station Rehabilitation.....	700,000
Septage Receiving Station Upgrade.....	200,000
South Christiana Interceptor Analysis.....	500,000
State Road Interceptor.....	200,000
Stoney Creek Pump Station Upgrade.....	(1,000,000)
Stormwater Basin Renovations.....	600,000
Townsend Pipe & Manhole Rehabilitation.....	(800,000)
Turkey Run Interceptor Rehabilitation.....	1,750,000
Wastewater Treatment Plants/Discharge Evaluation.....	50,000
White Clay Sewer Basin Rehabilitation.....	500,000
 Subtotal	 \$ 27,532,000

FACILITIES/EQUIPMENT

Building Rehabilitation.....	\$ 1,800,000
Energy Audit.....	(200,000)
Fleet Acquisitions.....	4,098,000
General Paving.....	400,000
Hazardous Substance & Asbestos.....	25,000
 Subtotal	 \$ 6,123,000

EXHIBIT "A"
NEW CASTLE COUNTY
CAPITAL BUDGET – FY2009

Department of Special Services (Continued)

PARKS

Delcastle Parking Renovations	\$	300,000
District Park #5		(700,000)
Game Court Improvements		125,000
Glasgow Regional Park		1,575,000
Play Area Improvements		250,000
Skate Parks		100,000
Soccer Fields Sport Turf		800,000
Southern Regional Park		1,100,000
Woodshaven Improvements		(100,000)
 Subtotal	 \$	 3,450,000

Department of Public Safety

EMS Stations	\$	400,000
 Subtotal	 \$	 400,000

Department of Administration

Information Systems Expansion	\$	1,675,000
 Subtotal	 \$	 1,675,000

Department of Community Services

Bear Library Expansion	\$	1,200,000
Kirkwood Highway Library		150,000
Southern Library		2,070,000
 Subtotal	 \$	 3,420,000

 CAPITAL BUDGET TOTAL	 \$	 <u>42,600,000</u>
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Exhibit "B"

NEW CASTLE COUNTY

Projects to Sunset FYE 2008

Buildings & Facilities Reason

110113	City/County Building Systems Upgrade/Renovation	Complete
119167	City/County Building & Parking Garage Renovation	Complete
110114	General Facilities Improvements	Complete
110437	Office Building Acquisitions Project	Complete

Parks

120016	Bridge Improvements	Complete
120017	Carousel Farms	Complete
120319	Delcastle Tennis	Complete
129917	Rockwood Park	Complete

Community Services

130335	Woodlawn Library	Complete
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Public Safety

140441	Mobile Data Terminals	Complete
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Sewer

210212	Glasgow Trunk Relief	Complete
219201	Little Mill Interceptor Relief	Complete
219602	Red Clay Interceptor Relief	Complete
219701	Calf Run Relief	Complete
250001	Ainsley Woods Septic Elimination	Complete
270707	Wastewater Treatment Plant Upgrade	Complete

Stormwater

280709	Stormwater Repair & Rehabilitation	Complete
289213	No Point Source NPDES Permitting	Complete



Department of Land Use

JOINT RECOMMENDATION

**New Castle County Capital Program & Budget
Fiscal Year 2009-2014**

April 15, 2008

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 March 18, 2008.

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 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 modest budget, totaling \$42.6 million, a \$31.1 million increase from last year's conservative budget of \$11.5 million; however, eighteen capital projects have been sunsetted at a cost savings of \$5.5 million. The 2009-2014 top ten Capital Projects include the following: Brandywine Hundred Sewer Rehabilitation, Fleet Replacement, Northern Delaware Sewer Interceptor System, Southern Library, Pike Creek Sewer Improvements, Information Systems, Sewer Repairs & Rehabilitation, DelDOT Sewer Coordination, White Clay Basin Study, and Manhole Rehabilitation.

Over 94,000 new residents are projected by the year 2030, which translates to more than 46,000 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.

Sanitary sewer infrastructure is one of the most important services that New Castle County provides, and consists of eighteen hundred miles of sewer line, 165 pump stations, and more than 38,000 manholes, which are being retrofitted to reduce stormwater infiltration at an ultimate cost of \$10.5 million to reduce wastewater treatment costs. In addition, ongoing computerization of sewer system data is also enabling County personnel to better manage sewer rehabilitation. Countywide, sewer and stormwater projects will cost about \$27.5 million in FY 2009, including among others: an available balance of \$37.1 million from a prior authorization for the Southern Sewer Service Area, and \$11.8 million for sewer rehabilitation in Brandywine Hundred in FY 2009 with funding for the northern and southern Brandywine Hundred sewer rehabilitation ultimately expected to approach \$177.6 million. In addition, a new \$16 million sewer interceptor has been completed in Southern New Castle County with previously budgeted funds to protect the environment and provide an efficient sewer system to sustain responsible growth.

Open space preservation, including the management of urban sprawl, is a critical factor in preserving and improving the quality of life that we now enjoy. In 1982, about 101,000 acres of farmland existed in New Castle County, and that number has declined to about 77,000 acres in 2002. About 90,000 people now reside in the Bear-Glasgow area, and the 300-acre Glasgow regional park will be improved in FY 2009 with a new parking area, playground, and promenade to better serve this growing area for a total project cost of \$29 million.

County library service will also be expanded through two building improvement projects, Kirkwood Highway and Bear Libraries, which are included in the total capital budgetary expenditure of \$3.4 million for Fiscal Year 2009. In FY 2009, \$1.2 million is budgeted for renovations to the existing Bear Library with a total project cost of \$5.4 million; \$2.07 million to begin planning and design for a new Southern Library to replace the former Appoquinimink Library with a estimated total project cost of \$28 million; and an additional \$150,000 to finish construction on the new Kirkwood Highway library with a new paramedic station for a total project cost of \$10.1 million.

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 County Council approval of the New Castle County Capital Program & Budget, Fiscal Year 2009-2014.

PLANNING BOARD RECOMMENDATION

At the business meeting held on April 15, 2008, the Planning Board considered the recommendation offered by the Department of Land Use. On a motion made by Mr. McDowell and seconded by Mrs. MacArtor, the Planning Board concurred with the Department's recommendation, and the motion was adopted by a vote of **7-0-2** (Yes: MacArtor, Maloney, McDowell, McGlinchey, Singer, Udo, and Wilson; Absent: Anderson and Weinberg).

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 2009-2014 would promote the convenience, order, and welfare of the present and future inhabitants of this state.



Victor Singer, Chairman
New Castle County Planning Board



Charles Baker, General Manager
Department of Land Use