

Resolution No.: 15-1651  
Introduced: September 26, 2006  
Adopted: October 31, 2006

**COUNTY COUNCIL  
FOR MONTGOMERY COUNTY, MARYLAND**

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By: County Council

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**SUBJECT:** Special Appropriation to the FY07 Capital Budget  
Maryland-National Capital Park and Planning Commission (M-NCPPC)  
Acquisition: Local Parks (No. 767828), \$2,545,000

**Background**

1. Article 28, Section 2-118(a)(6) of the Maryland Code permits the County Council to amend the budget of the M-NCPPC by resolution on the Council's initiative, or at the request of the Commission, after receipt of a recommendation from the County Executive, and after public hearing upon reasonable notice to the public.
2. Section 308 of the Montgomery County Charter provides that a special appropriation: (a) may be made at any time after public notice by news release; (b) must state that the special appropriation is necessary to meet an unforeseen disaster or other emergency or to act without delay in the public interest; (c) must specify the revenues necessary to finance it; and (d) must be approved by six members of the Council.
3. M-NCPPC requests a special appropriation to the FY07 Capital Budget as follows:

| Project Name             | Project No. | Cost Element | Amount      | Source of Funds    |
|--------------------------|-------------|--------------|-------------|--------------------|
| Acquisition: Local Parks | 767828      | Land         | \$2,545,000 | Program Open Space |

4. This special appropriation is needed because of the increase in Program Open Space allocation from the Maryland State Department of Natural Resources.
5. The approved FY07 appropriation and expenditures were recommended prior to receipt of the State of Maryland's actual FY07 allocation to Montgomery County, and was based on the allocation known for FY06. The State of Maryland Department of Natural Resources increased the amount of FY07 allocation for Montgomery County.

6. On August 1, 2006 the Council approved an amendment to the FY07-12 Capital Improvements Program (CIP) increasing the amount of funding available for this project. The Council deferred appropriation until M-NCPPC provided the Planning, Housing, and Economic Development Committee with further information on park acquisition strategies. M-NCPPC provided the requested information.
7. Notice of public hearing was given and a public hearing was held.
8. On October 23, 2006 the Planning, Housing, and Economic Development Committee held a worksession to consider M-NCPPC's request and recommended approval.

**Action**

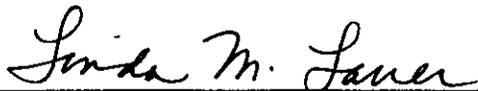
The County Council for Montgomery County, Maryland, approves the following action:

1. A special appropriation to the FY07 Capital Budget for the Maryland-National Capital Park and Planning Commission is approved as follows:

| Project Name             | Project No. | Cost Element | Amount      | Source of Funds    |
|--------------------------|-------------|--------------|-------------|--------------------|
| Acquisition: Local Parks | 767828      | Land         | \$2,545,000 | Program Open Space |

2. The County Council declares that this action is necessary to act without delay in the public interest.

This is a correct copy of Council action.



Linda M. Lauer, Clerk of the Council

**Acquisition: Local Parks – No. 767828**

Category **M-NCPPC**  
 Agency **M-NCPPC**  
 Planning Area **Countywide**  
 Relocation Impact

Date Last Modified  
 Previous PDF Page Number  
 Required Adequate Public Facility

September 21, 2006  
 21-5 (03 App)  
 NO

**EXPENDITURE SCHEDULE (\$000)**

| Cost Element                     | Total         | Thru FY05 | Est. FY06    | Total 6 Years | FY07         | FY08         | FY09         | FY10         | FY11         | FY12         | Beyond 6 Years |
|----------------------------------|---------------|-----------|--------------|---------------|--------------|--------------|--------------|--------------|--------------|--------------|----------------|
| Planning, Design and Supervision | 80            | 0         | 20           | 60            | 10           | 10           | 10           | 10           | 10           | 10           | 0              |
| Land                             | 10,150        | 0         | 1,605        | 8,545         | 3,545        | 1,000        | 1,000        | 1,000        | 1,000        | 1,000        | 0              |
| Site Improvements and Utilities  |               |           |              |               |              |              |              |              |              |              |                |
| Construction                     |               |           |              |               |              |              |              |              |              |              |                |
| Other                            | 180           | 0         | 30           | 150           | 25           | 25           | 25           | 25           | 25           | 25           | 0              |
| <b>Total</b>                     | <b>10,410</b> | <b>0</b>  | <b>1,655</b> | <b>8,755</b>  | <b>3,580</b> | <b>1,035</b> | <b>1,035</b> | <b>1,035</b> | <b>1,035</b> | <b>1,035</b> | <b>0</b>       |

**FUNDING SCHEDULE (\$000)**

|                         |       |   |       |       |       |       |       |       |       |       |   |
|-------------------------|-------|---|-------|-------|-------|-------|-------|-------|-------|-------|---|
| Program Open Space      | 9,952 | 0 | 1,407 | 8,545 | 3,545 | 1,000 | 1,000 | 1,000 | 1,000 | 1,000 | 0 |
| Federal Aid             | 0     | 0 | 0     | 0     | 0     | 0     | 0     | 0     | 0     | 0     | 0 |
| Park and Planning Bonds | 458   | 0 | 248   | 210   | 35    | 35    | 35    | 35    | 35    | 35    | 0 |
| WSSC Bonds              | 0     | 0 | 0     | 0     | 0     | 0     | 0     | 0     | 0     | 0     | 0 |

**ANNUAL OPERATING BUDGET IMPACT (\$000)**

|               |   |   |   |     |     |     |     |     |     |     |     |
|---------------|---|---|---|-----|-----|-----|-----|-----|-----|-----|-----|
| Maintenance   | 0 | 0 | 0 | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   |
| Program-Staff |   |   |   | 52  | 13  | 13  | 13  | 13  | 0   | 0   | 0   |
| Program-Other |   |   |   | 12  | 3   | 3   | 3   | 3   | 0   | 0   | 0   |
| Net Impact    |   |   |   | 64  | 16  | 16  | 16  | 16  | 0   | 0   | 0   |
| Workyears     |   |   |   | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

**DESCRIPTION**

This project identifies capital expenditures and appropriations for local parkland acquisitions, including related costs for surveys and appraisals. Local parks include urban, neighborhood, and neighborhood conservation area parks, as defined by the Park, Recreation, and Open Space (PROS) Plan. Acquisitions may include Piney Branch Road Urban Park and Cross Creek Local Park addition. Other unspecified sites and additions to existing sites may be pursued if they become available and funds are available. *To the extent possible, the Commission acquires parkland through dedication at time of subdivision; however, to meet all parkland needs, this method must be supplemented by a direct land purchase program.*

**JUSTIFICATION**

The Park, Recreation, and Open Space Master Plan (PROS): A Local Land Preservation and Recreation Plan, approved by the Montgomery County Planning Board in July 1998, and other adopted area master plans guide the local parkland acquisition program.

**Cost Change**

Increase due to the expected increase in Program Open Space funds, and the addition of FY11 and FY12 to this ongoing project

**STATUS**

Ongoing

**OTHER**

Beginning in FY03 \$25,000 covers annual one-time costs to secure properties, e.g. removing attractive nuisances, posting properties, cleaning up sites, etc. These costs are not projected for operating budget impact because the Department does not know when the negotiations for a particular property will be concluded or which Division's operating budget will be affected.

\* Expenditures will continue indefinitely.

**FISCAL NOTE**

FY06 Special Appropriation for additional \$400,000 Program Open Space funding. Also, cumulative appropriation adjusted to correctly reflect the disencumbered \$32,000 WSSC Bonds

FY07 Amendment and Special Appropriation for \$2,545,000 additional Program Open Space funding.

**APPROPRIATION AND EXPENDITURE DATA**

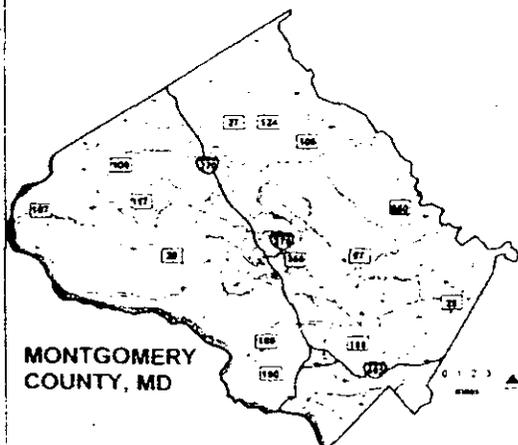
|                          |                |         |
|--------------------------|----------------|---------|
| Date First Appropriation | FY06           | (\$000) |
| Initial Cost Estimate    |                | 0       |
| First Cost Estimate      |                |         |
| Current Scope            | FY97           | 11,001  |
| Last FY's Cost Estimate  |                | 3,937   |
| Present Cost Estimate    |                | 10,410  |
| Appropriation Request    | FY07           | 1,035   |
| Appropriation Req. Est.  | FY08           | 1,035   |
| Supplemental             |                |         |
| Appropriation Request    | FY06 <b>07</b> | 2,545   |
| Transfer                 |                | 0       |
| Cumulative Appropriation |                | 1,255   |
| Expenditures             |                |         |
| Encumbrances             |                | 559     |
| Unencumbered Balance     |                | 696     |
| Partial Closeout Thru    | FY04           | 10,751  |
| New Partial Closeout     | FY05           | 142     |
| Total Partial Closeout   |                | 10,893  |

**COORDINATION**

Acquisition: Non-Local PDF 998798  
 Legacy 2000 PDF 018710  
 ALARF: M-NCPPC PDF 727007

M-NCPPC asserts that this project conforms to the requirements of relevant local plans as required by the Maryland Economic Growth, Resource Protection and Planning Act.

**MAP**



MONTGOMERY COUNTY, MD